PFLUGERVILLE

UDC

Unified Development Code

Draft Date: September 17, 2026

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Subchapter 1. General Provisions

1.1. Establishment

1.1.1. Short Title

This Chapter 157 of the Code of Ordinances is known and can be cited as the Unified Development Code of the City of Pflugerville, Texas. References to "this Chapter", "this Code", or "the UDC" within this Chapter are references to the Unified Development Code of the City of Pflugerville, Texas, unless the context clearly indicates otherwise. All references to this Code include all amendments hereto.

1.1.2. Authority

A. Under the authority of the U.S. Constitution, the Texas Constitution, the Texas Local Government Code, the City Charter, and other applicable state laws and codes, the City adopts the regulations set out in this Code to control the use of land within the corporate limits of the City and the subdivision of land within the corporate limits of the City and its extraterritorial jurisdiction (ETJ).

B. This Code is adopted pursuant to the powers granted to the City and is subject to limitations imposed by the U.S. Constitution, the Texas Constitution, the Texas Local Government Code, the City Charter, and other applicable laws and codes.

1.1.3. Purpose

The regulations and standards herein are established for the purposes of promoting the health, safety, and general welfare of the present and future residents and guests of the City and promoting safe, orderly, and healthful development of the community. This Code also regulates development to achieve the objectives of the City's Comprehensive Plan and related plans and policies, including to:

A. Create distinctive places to shop, work, and live.

B. Promote a diversified and resilient tax base.

C. Encourage high-quality, well-designed development.

D. Reduce traffic congestion and improve connectivity.

E. Protect the community from fire, panic, and other dangers.

F. Ensure adequate light and air.

G. Prevent overcrowding of land to avoid undue concentration of population.

H. Facilitate the adequate provision of transportation, water, wastewater, parks, open spaces, and other public facilities.

I. Maintain property values, preserve community character, and encourage the appropriate use of land consistent with the City's adopted plans.

J. Administer this Code in a fair, consistent, and efficient manner.

1.1.4. Compliance Required

A. The words "shall," "will," and "must" are mandatory or directory, in accordance with the intent and context of their use. The word "may" is permissive.

B. A person may not use or occupy land, except where such activity conforms to all of the applicable regulations specified in this Code.

C. A person may not erect, convert, enlarge, construct, reconstruct, structurally alter or use a building, or move a building onto a lot or tract, unless such activity complies with all of the applicable development provisions and requirements of this Code.

D. Within the corporate limits of the City, a person may not use or occupy a building constructed, converted or structurally altered after adoption of this Chapter until the Building Official issues a Certificate of Occupancy, which signifies compliance with the appropriate zoning district regulations as well as subdivision and site development regulations, as applicable.

E. All construction and development on land must comply with the site-specific Fire Code requirements of Chapter 150 of the City Code as determined by the Fire Marshal.

1.2. Administration

1.2.1. Application of Regulations

A. The general regulations described in this Code apply uniformly to all districts, unless specifically exempted by this Code, State statute, or other applicable law.

B. Many of the standards established in this Code are dependent on the land adjacent to a designated district. For the purposes of determining the standards required by this Code, the City considers that:

1. Unincorporated land or land within an adjacent municipality that is not zoned is considered the Agriculture/Development Reserve (A) District, regardless of the existing land use.

2. Land within another municipality's jurisdiction that is zoned is considered to have a zoning classification that most closely resembles the zoning that would apply to it if the land were in the City.

3. For properties subject to a non-annexation development agreement pursuant to Chapter 212 and Chapter 43 of the Texas Local Government Code, new on-site improvements associated with the agriculture, timber, or wildlife uses are governed by the requirements of the Agriculture/Development Reserve (A) District, and any other on-site improvements must be established in the non-annexation development agreement.

1.2.2. Right to Enter Property

A. The Administrator, or any person duly authorized by the Administrator, subject to constitutional limitations, has the right to enter upon any premises at all reasonable times necessary to carry out their duties in the implementation and enforcement of this Chapter.

B. If such premises are occupied, the Administrator must first present proper credentials and request entry. If entry is denied, the Administrator will initiate legal proceedings to secure entry.

C. If such premises are unoccupied, the Administrator must first make a reasonable effort to locate the owner or other persons having charge or control of the building or premises and request entry. If consent cannot be obtained, the Administrator will initiate legal proceedings to secure entry.

D. If a development application has been submitted on behalf of the property owner, and the property owner has signed the development application with the right-of-entry consent provision stated thereon, this permits City officials to enter the premises for which the development application has been submitted for purposes reasonably related to the review, inspection, or enforcement of the submitted application, without further consent.

1.3. Official Zoning District Map

1.3.1. Zoning District Map

The boundaries of zoning districts set out in this UDC are delineated upon the Official Zoning District Map of the City, which the City Council adopts as part of this UDC.

1.3.2. Map Updates

A. The Official Zoning District Map must reflect all changes in zoning district boundaries and all changes in zoning designations for properties as approved by the City Council. The Official Zoning District Map may include an ordinance reference to the most recent zoning amendment.

B. The Official Zoning District Map is maintained by the City's GIS Division.

1.3.3. Boundary Interpretation

The following rules will be applied to determine the location of any zoning district boundary line shown on the Official Zoning District Map.

A. Where a physical feature on the ground differs from the representation of such a feature on the Official Zoning District Map, the physical feature on the ground controls.

B. Where district boundaries are generally shown to follow streets or alleys, the boundary is considered to follow the centerline of the street or alley.

C. Where district boundaries are generally shown to follow platted lot lines, the boundary is considered to be the platted lot lines.

D. Where district boundaries are generally shown to follow lines dividing land ownership, the boundary is considered to be the surveyed line dividing land ownership.

E. Where district boundaries are generally shown to follow City limit lines, the boundary is considered to be the City limit line.

F. Where district boundaries are generally shown to follow railroad lines, waterways, utility lines, or similar features, the boundary is considered to be the centerline of the feature.

G. Where district boundaries are shown as separated from but generally parallel to a street, platted lot line, the surveyed line dividing land ownership, political boundary, physical feature, or other feature, the boundary is considered to be parallel to the feature and separated by the distance on the map indicated by the scale of the map.

1.4. Supplemental Documents

1.4.1. Review & Meeting Schedule

The Administrator will prepare and update the Review & Meeting Schedule, which will include the following:

A. The meeting schedule for the Planning and Zoning Commission and Board of Adjustment, and

B. The review schedule for decisions related to development applications.

1.4.2. Fee Schedule

The City Council will adopt and update, by ordinance, a Fee Schedule that establishes the fees to be charged for processing permit applications and other services authorized under this Chapter. The Fee Schedule may be amended as part of the City's annual fiscal budget or at such other times as found warranted by City Council.

1.4.3. Application Submittal and Content Requirements

All application submittal and content requirements are as stated in the Development Handbook, which can be found on the City's website or in the Planning and Development Services Department.

1.4.4. Technical Manuals

The City Council will adopt and update, by ordinance, technical manuals that provide specific design guidelines and standards for development within the City and ETJ. Examples of such technical manuals include, but are not limited to:

A. Engineering Design Manual and Construction Standards;

B. Parks Development Manual; and

C. Tree Technical Manual.

1.5. Interpretation and Conflict

1.5.1. Minimum Requirements

The provisions of this Code are minimum requirements for the promotion of public safety, health, convenience, comfort, prosperity, and general welfare. These provisions will be construed broadly to promote the purposes for which they were adopted, consistent with applicable law.

1.5.2. Conflicts

A. The provisions of this Code are not intended to interfere with, abrogate, or annul any other ordinance, rule, regulation, statute, code, or other provision of law except as provided in this Code. If the provisions of this Code are inconsistent with state or federal law, the more restrictive provision governs, to the extent allowed by law. Where any provision of this Chapter imposes restrictions different than those imposed by any other law, including another provision in this Code of Ordinances or other adopted City ordinance or regulations, the provision that is more restrictive or imposes higher standards controls.

B. In addition, the provisions of this Code are not intended to interfere with, rescind, or invalidate any easements, covenants, deed restrictions, or other agreements between private parties. However, if this Code imposes a greater restriction or higher standards, this Code controls. The City is not responsible for monitoring or enforcing agreements or covenants among private parties.

1.6. Violations and Enforcement

1.6.1. Violations

Any act of commission or omission contrary to the commands or directives of this Code, any breach of any duty imposed by this Code, or any failure to otherwise comply with any provision of this Code constitutes a violation hereof. An offense under this section is subject to general penalty provisions provided under Chapter 10, Section 10.99 of the Code of Ordinances.

1.6.2. Enforcement

A. In addition to criminal enforcement actions for violations of this Chapter, or in lieu thereof, the City or any authorized person may institute any appropriate civil action or proceedings to penalize, enjoin, or prevent violations or threatened violations of this Chapter.

B. If any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Code, the City or any authorized person may institute any appropriate action or proceedings to penalize, enjoin, or prevent:

1. Such unlawful acts and to restrain, correct, or abrogate such violation;

2. The occupancy of the building, structure or land; or

3. Any illegal act, conduct, business, or use in or about such premises, including but not limited to all remedies provided in Chapter 54, Chapter 211, and Chapter 212 of the Texas Local Government Code.

C. The imposition of any penalty hereunder does not preclude the City or any authorized person from instituting any appropriate criminal or administrative action or proceedings to require compliance with the provisions of this Chapter and with administrative orders and determinations made hereunder.

1.6.3. Notice

A. Whenever the Administrator determines that there has been a violation of this Code or has grounds to believe that a violation has occurred, notice will be given to the owner or the owner's authorized agent for the violation as specified in this Code.

B. Such notice must be in accordance with all of the following:

1. Be in writing;

2. Include a description of the real estate sufficient for identification;
3. Include a statement of the violation(s) and why the notice is being issued;
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the dwelling unit or structure into compliance with the provisions of this Code;
5. Inform the property owner or owner's authorized agent of the right to appeal; and
6. Include a statement of the right to file a lien in accordance with the City's adopted property maintenance code.

C. Such notice is deemed to be properly served when served in accordance with one of the following methods:
1. A copy is delivered personally;
2. A copy is sent by certified or registered mail addressed to the owner at the last known address with the return receipt requested; or
3. A copy is delivered in any other manner as prescribed by local law.

D. If the certified or registered letter is returned showing that the letter was not delivered, a copy thereof must be posted in a conspicuous place in or about the structure affected by such notice. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure must constitute service of notice upon the owner.

1.6.4. Administrative Actions

In addition to the remedies set forth above, the City may enforce compliance with the requirements of this Chapter by:

A. Refusing to issue street addresses,
B. Withholding building permits or certificates of occupancy,
C. Not allowing connection to or disconnection of utility service, or
D. Issuing a stop work order, a violation of which will be considered a violation of this Chapter.

1.7. Savings and Severability

1.7.1. Preserving Rights In Pending Litigation

By the adoption of this Code, no currently illegal use is deemed to have been made legal. Depending on the particular circumstances, uses not permitted by this Code may be legal nonconforming uses, when so recognized according to the provisions of Subchapter 6. Nonconformities, or illegal uses. Furthermore, it is the intent and declared purpose of this Code that no offense committed, and no liability, penalty, or forfeiture, whether civil or criminal, is discharged or affected by the adoption of this Code; but prosecutions and suits for such offenses, liabilities, penalties, or forfeitures may be instituted or proceeded with for causes presently pending.

1.7.2. Saving of City Rights and Remedies

All rights or remedies of the City are expressly saved as to any and all violations of previous zoning regulations or amendments thereto of the City that have accrued at the time of the effective date of this Code; and to such accrued violations, the City and the courts have all the powers that existed prior to the effective date of this Code; and all existing violations of previous regulations which would otherwise become nonconforming uses under this Code do not become legal nonconforming uses under this Chapter, but are violations of this Chapter in the same manner that they were violations of prior regulations.

1.7.3. Severability

If any provision, section, subsection, sentence, clause, or phrase of this Code (collectively "provision"), or the application of the same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or unenforceable, the validity of the remaining portions of this Code will not be affected thereby. It is the intent of the City Council in adopting this Code that no portion thereof, or provisions or regulations contained herein, will become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Code are declared to be severable for that purpose. It is also the intention of the City Council that in lieu of each provision, section, subsection, sentence, clause, or phrase of this Chapter, collectively "provision", that is found to be illegal, invalid, or unenforceable, a provision be added to this Code which is legal, valid, and enforceable and is as similar in terms as possible to the provision found to be illegal, invalid or unenforceable.

Subchapter 2. Administration

2.1. Elected and Appointed Officials

2.1.1. City Council

A. General

The City Council is established by Article III of the City Charter. City Council has the power and duties and will conduct all activities in accordance with the Texas Local Government Code, the City Charter, and the City's Code of Ordinances.

B. Powers and Duties

The City Council has the following powers and duties regarding this Code:

1. Appointments

The City Council appoints and removes members of the Planning and Zoning Commission, Board of Adjustment, Parks and Recreation Commission, and Capital Improvement Advisory Committee.

2. Powers and Duties

In addition to responsibilities outlined in the charter and this UDC (see Figure 3.2-1), City Council also hears and takes final action on the following matters:

a. Impact fees;

b. Fee Schedule;

c. Capital Improvement Plan (CIP) priorities; and

d. Other ordinances.

2.1.2. Planning and Zoning Commission

A. Establishment

The City Council appoints a Planning and Zoning Commission in accordance with Section 8.08 of the City Charter, Chapter 31 of the City Code, and Section 211.007 of the Texas Local Government Code.

B. Rules of Procedure

1. Regular meetings of the Planning and Zoning Commission will be held once a month unless there are no agenda items to justify a meeting.

2. Special meetings may be called at the request of the chairperson or of the Mayor, City Council, or the Administrator.

3. The Administrator will prepare the Planning and Zoning Commission's annual meeting schedule.

C. Powers and Duties

In addition to responsibilities outlined in the charter and this UDC (see Figure 3.2-1), the Planning and Zoning Commission exercises the following powers and duties:

1. The Commission may authorize variances to the Sign Code in accordance with Chapter 154 of the City Code.

2.1.3. Board of Adjustment

A. Establishment

The City Council appoints the Board of Adjustment in accordance with Section 8.09 of the City Charter, Chapter 31 of the City Code, and Section 211.008 of the Texas Local Government Code.

B. Powers and Duties

The Board of Adjustment exercises the following powers and duties regarding this UDC:

1. Hear and decide any appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in enforcing zoning regulations of this UDC.
2. Hear and decide special exceptions to the zoning regulations of this UDC, when this UDC requires the Board to do so.
3. Authorize in specific cases a variance from the terms of zoning regulations of this UDC if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of zoning regulations of this UDC would result in unnecessary hardship, and so that the spirit of this UDC is observed and substantial justice is done.

2.1.4. Parks and Recreation Advisory Board

A. Establishment

The City Council appoints the Parks and Recreation Advisory Board in accordance with Section 8.10 of the City Charter and Chapter 95 of the City Code.

B. Powers and Duties

The Parks and Recreation Advisory Board exercises the following powers and duties regarding this Code:

1. Authority as provided in Subchapter 9. Landscaping and Screening, Subchapter 10. Tree Preservation, and Subchapter 12. Public Parkland and Open Space of this Code, as applicable.

2.2. City Staff

2.2.1. City Manager

A. Designation

The City Council will designate a City Manager.

B. Delegation of Authority

Where this Code assigns a responsibility, power, or duty to the City Manager, the City Manager may, to the extent allowed by the City Charter, delegate that responsibility, power, or duty to any other agent or employee of the City whom the City Manager may reasonably determine. Upon such delegation, the term "City Manager" includes the City Manager's designee.

2.2.2. Administrator

A. Designation

The City Manager will designate an Assistant City Manager for the City as the "Administrator" of this UDC.

B. Delegation of Authority

Where this UDC assigns a responsibility, power, or duty to the Administrator, the Administrator may delegate that responsibility, power, or duty to any other agent or employee of the City. Upon such delegation, the term "Administrator" includes the Administrator's designee.

C. Powers and Duties

The Administrator has the following powers and duties:

1. The Administrator is responsible for administering and enforcing the provisions of this UDC.
2. The Administrator is responsible for interpreting the provisions of this UDC. The Administrator will make written interpretations of the provisions in this UDC when requested, setting forth the reasons and explanation for such interpretations.

3. The Administrator will prepare, and update as needed, the Unified Development Code Supplemental Schedule.

2.2.3. Planning and Development Services Director

A. Designation

The Administrator will designate and supervise the Planning and Development Services Director for the City.

B. Delegation of Authority

Where this UDC assigns a responsibility, power, or duty to the Planning and Development Services Director, the Director may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Director may reasonably determine. Upon such delegation, the term "Planning and Development Services Director" includes the Director's designee.

C. Powers and Duties

In addition to responsibilities outlined in this UDC (see Figure 3.2-1), the Planning and Development Services Director is responsible for ensuring conformance with all provisions of this UDC and acting and serving as staff for each review body provided for within this UDC.

2.2.4. Building Official

A. Designation

The Planning and Development Services Director will designate and supervise the Building Official for the City.

B. Delegation of Authority

Where this UDC assigns a responsibility, power, or duty to the Building Official, the Building Official may delegate that responsibility, power, or duty to any other agent or employee of the City whom the Building Official may reasonably determine. Upon such delegation, the term "Building Official" includes the Building Official's designee.

C. Powers and Duties

The Building Official is responsible for implementing, administering, and overseeing the provisions, terms, and conditions of all building and related codes. In addition to responsibilities outlined in this UDC (see Figure 3.2-1), the Building Official also has the following powers and duties:

1. Conduct building inspections.
2. Issue sign permits in accordance with Chapter 154 of the City Code.
3. Issue Certificates of Occupancy.

2.2.5. City Engineer(s)

A. Designation

The City Manager will designate one or more City Engineer(s) for the City.

B. Delegation of Authority

Where this UDC assigns a responsibility, power, or duty to the City Engineer, the City Engineer may delegate that responsibility, power, or duty to any other agent or employee of the City whom the City Engineer may reasonably determine. Upon such delegation, the term "City Engineer" includes the City Engineer's designee.

C. Powers and Duties

1. The City Engineer is responsible for implementing, administering, and overseeing the provisions, terms, and conditions of this UDC involving engineering standards or considerations, the City's Engineering

Design Manual and Construction Standards, and engineering related elements within the City's Comprehensive Plan.

2. In addition to responsibilities outlined in this UDC (see Figure 3.2-1), the City Engineer also has the following powers and duties:

   a. Maintain and hold open for public inspection all records pertaining to the City's Engineering Design Manual and Construction Standards, water and wastewater master plans, transportation and public infrastructure elements of the City's Comprehensive Plan.

   b. Ensure adequate inspection of construction permitted under the terms and conditions of this UDC to confirm that such construction is carried out in accordance with the approved construction plans.

   c. Review and utilize any acceptable new flood study data in accordance with the City's Engineering Design Manual and Construction Standards.

   d. Review and make recommendations to the City Council concerning proposed new or amended development agreements.

   e. Determine and enforce dedication requirements for rights-of-way and easements.

   f. Determine and enforce requirements for off-site utility extension and for utility over-sizing.

D. Qualifications

The City Engineer must be a professional engineer licensed to practice in the State of Texas.

2.2.6. Urban Forester

A. Designation

The Parks and Recreation Director will designate and supervise the Urban Forester for the City.

B. Delegation of Authority

1. Where this UDC, or the Tree Technical Manual, assigns a responsibility, power, or duty to the Urban Forester, they will execute those assignments under the authority of the Parks and Recreation Director.

2. If the Urban Forester position is vacant, the Administrator may delegate that responsibility, power, or duty to any other agent or employee of the City who has an adequate combination of education, training, and experience to interpret and enforce the City's tree preservation and landscape requirements. Upon such delegation, the term "Urban Forester" includes such designee until the vacancy is filled.

C. Powers and Duties

The Urban Forester oversees the City's urban forestry program, serves as a reviewer and inspector during site development and advises the Planning and Development Services Director during deliberations regarding tree preservation requirements. The Urban Forester is responsible for implementing, administering, and overseeing the provisions, terms, and conditions of public tree planting, the Public Tree Care Ordinance, and relevant provisions and procedures for tree preservation and landscaping throughout the development process.

2.2.7. Parks and Recreation Director

A. Designation

The City Manager will designate and supervise the Parks and Recreation Director for the City.

B. Delegation of Authority

Where this UDC assigns a responsibility, power, or duty to the Parks and Recreation Director, the Parks and Recreation Director may delegate that responsibility, power, or duty to any other agent or employee of the

City whom the Parks and Recreation Director may reasonably determine. Upon such delegation, the term "Parks and Recreation Director" includes the Parks and Recreation Director's designee.

C. Powers and Duties

1. The Parks and Recreation Director oversees the City's parkland program and serves as an advisor to the Planning and Development Services Department. The Parks and Recreation Director is responsible for implementing, administering, and overseeing the provisions, terms, and conditions of public parkland, relevant provisions and procedures related to parkland dedication, and conveyance of parkland to the City throughout the development process.

2. In addition to responsibilities outlined in this UDC (see Figure 3.2-1), the Parks and Recreation Director has the following powers and duties:

a. Review and make recommendations to the Parks and Recreation Advisory Board and the Planning and Zoning Commission, as applicable, regarding proposed alternative compliance of parkland dedication and development standards related to development applications pursuant to Subchapter 12. Public Parkland and Open Space.

b. Enforce the City's parkland requirements in the development review process.

c. Enforce the City's Park Development Manual in the development review process.

2.2.8. Development Review Team

A. Designation

The Administrator will designate the Development Review Team for the City.

B. Powers and Duties

The Development Review Team provides coordinated, cross-departmental review of development proposals to ensure they are consistent with adopted regulations, policies, and infrastructure standards.

Subchapter 3. Procedures

3.1. General

3.1.1. Purpose

The purpose of this subchapter is to establish application procedures, internal review procedures, public notice and hearing procedures, and review criteria for the processing of applications and actions that affect the development and use of property subject to the jurisdiction of the City.

3.1.2. Applicability of Procedures

Figure 3.1-1. Applicability of Procedures below shows which review procedures, applications, and permits apply in the City and its extraterritorial jurisdiction.

Figure 3.1-1. Applicability of Procedures

Section	Procedure	City Limits	Extraterritorial Jurisdiction
Land Use & Zoning			
3.5.2	Zoning Map Amendments (Rezoning)	X	
3.5.3	Planned Unit Development (PUD) District	X	
3.5.4	Zoning Verification Letters	X	
3.6	Comprehensive Plan Amendments	X	X
3.7	Unified Development Code Text Amendments	X	X
3.8	Annexation		X
3.9	Specific Use Permits	X	
5.4.3	Temporary Use Permit	X	
Subdivision & Platting of Land			
13.2.3	Preliminary Plan	X	X
13.2.4	Final Plat	X	X
13.2.5	Replat	X	X
13.2.6	Amending Plat	X	X
13.2.7	Vacating Plat	X	X
13.2.8	Subdivision Waiver	X	X
Development Application Process			
3.11	Site Plans (Private Infrastructure)	X	
13.3.2	Construction Plan Review Process (Public Infrastructure)	X	X(1)
3.12	Site Disturbance Permits	X	
3.13	Right-of-Way (ROW) Permits	X	
3.14	Traffic Impact Analyses	X	X
3.15.1	Building Permits	X	X(2)
3.15.2	Sign Permits	X	X(3)
3.15.3	Irrigation Permits	X	
13.3.6	Development Agreement	X	X
Deviation from Code Requirement Processes			
3.17.2	Appeals of a Zoning Administrative Decision	X	X
3.17.3	Zoning Variances	X	
3.17.4	Special Exceptions	X	

Section	Procedure	City Limits	Extraterritorial Jurisdiction
3.16	Alternative Compliance	X	X
3.18	Nonconforming Site Waivers	X	
3.19	Administrative Interpretations	X	

(1) Construction Plans in the ETJ are required by the City only if the site is within the City's Certificate of Convenience and Necessity (CCN) area for water or wastewater service.
(2) Building Permits are required in the ETJ only when required by a development agreement.
(3) Sign Permits are required in the ETJ only when required by a development agreement.

3.1.3. Application Sequence of Processes

A. Applications will generally be approved in the following sequence:

1. Comprehensive Plan Amendment;
2. Zoning;
3. Preliminary Plan;
4. Construction Plans and Construction of Public Improvements (or Financial Surety);
5. Final Plat;
6. Site Plan; and
7. Building Permit.

B. Concurrent Applications

1. The submittal of concurrent applications is discouraged. However, concurrent applications may be allowed as long as the City's consideration of the applications remains in the application sequence of processes. Any applications submitted concurrently are subject to the approval of all other related concurrent applications. Denial or disapproval of any concurrently submitted application will halt the consideration of any related concurrent applications.
2. City staff review of concurrent applications may be delayed due to the sequence of such submittals. It is recommended that the applicant delays the submittal of a development application until such time staff provides the initial review of the preceding development application in the sequence of application processes.
3. The Planning and Development Services Director may deny the submittal and review of any concurrent application if:
    a. Any concurrent application has not been submitted to and accepted by City staff for review in the appropriate order of sequence; and
    b. At least one round of City staff comments has not been sent to the applicant.

3.1.4. Authority to Submit Application

A. Initiation by Owner or Owner's Agent

1. Unless otherwise specified by this UDC, any application related to a parcel or parcels of land may be initiated only by the property owner or owners of an interest in the land, or by the owner's designated agent (collectively, the "applicant").
2. If there are multiple property owners, all owners must sign the application or provide a letter of authorization documenting their consent of the application.

3. If the applicant is a designated agent, the application must include a written statement from the property owner authorizing the agent to file the application on the owner's behalf.
4. The City may require submission of documents to provide evidence of ownership or agency.

B. Initiation by the City

1. The City Engineer, City Manager, or City Council may initiate an application authorized under this UDC.
2. If authorized by City Council, the City Manager may initiate amendments to this UDC.

C. Payment of Indebtedness

1. No application will be accepted or reviewed for completeness from a property owner owing delinquent taxes, assessments, fees, or other debt to the City, County, or State related to the property subject to the application until the property owner pays the owed amount or makes an arrangement for payment.
2. It is the applicant's responsibility to provide evidence or proof that all taxes and fees have been paid, or that other arrangements have been made for payment of said taxes, fees, etc.

3.2. Summary of Approval Authorities by Procedure Type

Figure 3.2-1 provides an overview of the primary approval responsibilities outlined in this UDC.

Figure 3.2-1. Summary of Major Roles and Responsibilities

Section	Procedure	City Council	Planning and Zoning Commission	Board of Adjustment	Planning and Development Services Director	Other
Land Use & Zoning						
3.5.2	Zoning Map Amendments (Rezoning)	Decide	Recommend		Recommend	Recommended by DRT
3.5.3	Planned Unit Development (PUD) District	Decide	Recommend		Recommend	Residential PUD reviewed by Parks and Recreation Director
3.5.4	Zoning Verification Letters				Issues Letter	
3.6	Comprehensive Plan Amendments	Decide	Recommend		Recommend	Recommended by DRT
3.7	Unified Development Code Text Amendments	Decide	Recommend		Recommend	
3.8	Annexation	Decide	Recommend Zoning District			Recommended by DRT
3.9	Specific Use Permits	Decide	Recommend		Recommend	Recommended by DRT
Subdivision						
13.2.3	Preliminary Plan		Decide (if deferred by Director or Waiver required)		Decide	Recommended by DRT
13.2.4	Final Plat		Decide (if deferred by Director or Waiver required)		Decide	Recommended by DRT
13.2.5	Replat		Decide (if deferred by Director or Waiver required)		Decide	Recommended by DRT
13.2.6	Amending Plat		Decide (if deferred by Director)		Decide	Recommended by DRT
13.2.7	Vacating Plat		Decide (if deferred by Director)		Decide	Recommended by DRT

Section	Procedure	City Council	Planning and Zoning Commission	Board of Adjustment	Planning and Development Services Director	Other
	Accept Easements by Separate Instrument					Decided by City Manager
Improvements						
3.11	Site Plans (Private Infrastructure)				Decide	
13.3.2	Construction Plans (Public Infrastructure)					Decided by City Engineer
13.3.6	Development Agreement	Decide				Recommended by the City Engineer
3.12	Site Disturbance Permits					Decided by City Engineer
3.13	Right-of-Way (ROW) Permits					Decided by the City Engineer
3.14	Traffic Impact Analyses					Decided by the City Engineer
3.15.1	Building Permits					Decided by the Building Official
3.15.2	Sign Permits					Decided by the Building Official
3.15.3	Irrigation Permits					Decided by the Building Official
10.5	Tree Removal and Protection Procedures	Decide (Heritage Tree removal)				Decided by Urban Forester (Protected Tree removal)
5.4.3	Temporary Use Permit				Decide	
Relief						
3.16	Alternative Compliance		Specified by standard		Specified by standard	Specified by standard
3.17.2	Appeals of a Zoning Administrative Decision			Decide		
3.17.3	Zoning Variances			Decide	Recommend	
3.17.4	Special Exceptions			Decide	Recommend	
3.18	Nonconforming Site Waivers		Decide (all other requests)			Decided by Administrator (temporary)
3.19	Administrative Interpretations					Written interpretations made by Administrator
13.2.8	Subdivision Waiver		Decide		Recommend	

3.3. Common Review Elements

3.3.1. Pre-Application Conference (PAC)

A. Purpose

Prior to the submission of an application required by this Chapter, a PAC with the Development Review Team may be required to discuss, in general terms, major development considerations, procedures, standards, or regulations relating to development.

B. Mandatory Conference

1. At least one PAC is required with the Development Review Team for each development project.
2. While PACs are always encouraged, the Planning and Development Services Director may waive the requirement for a PAC when the Director determines a PAC would not be beneficial to the City nor the applicant (e.g., straightforward applications or experienced developers).

C. Submittal Requirements

1. To schedule a PAC, the applicant must submit a request form per the Development Handbook and Review & Meeting Schedule.
2. The Planning and Development Services Director may require the applicant to submit information prior to the PAC to allow the Development Review Team adequate time to review the proposal and provide direction and feedback.

3.3.2. Application Forms and Fees

The following regulations apply to all applications:

A. Forms

1. Applications required under this UDC must be submitted on forms, with the information and attachments requested, and in such numbers, as required by the City, including any checklists for submittals in accordance with the Development Handbook.
2. Additional information may be requested by the Planning and Development Services Director to ensure compliance with the UDC.

B. Electronic Submission Required

All applications must be submitted electronically through the City's permitting submittal software in a form acceptable to the Planning and Development Services Director. Any required spatial data must be submitted in a format compatible with the City's Geographic Information System (GIS), as approved by the Planning and Development Services Director (e.g., .dwg, shapefile, or other GIS-format).

C. Fees

1. Application fees are established in the Fee Schedule.
2. Once an application has been deemed complete, the applicant is not entitled to a refund.
3. The following fees are to be paid by the applicant and are non-refundable following payment:
    a. Application fees, including but not limited to public hearing notification fees, technology fees, etc.;
    b. Fee in-lieu payments (e.g., parkland, park development, sidewalk, etc.); and
    c. County recordation fees (required for easements, deeds, plats, and any other similar document requiring recordation associated with a development application).

D. Application Deadline

All applications must be completed and submitted to the Planning and Development Services Department in accordance with a schedule established within the Development Handbook. An application will not be

considered officially submitted until it has been determined to be complete in accordance with Section E. Application Completeness below.

E. Application Completeness

1. An application is considered complete only after the Administrator has determined it is on the required form, complete with all required information, including all exhibits, and accompanied by the applicable fee.

2. A determination of application completeness will be made by the Administrator within ten (10) business days of submission of an application and fee.

3. If an application is determined to be incomplete, the Administrator will provide written notice to the applicant providing an explanation of the application's deficiencies, including any documents or other information needed to complete the application. Said written notice will state the date the associated application will expire if the additional documents or information is not provided. The incompleteness of an application is grounds for the denial of said application.

4. Any application that requires a PAC (as required in Section 3.3.1. Pre-Application Conference (PAC)) may not be submitted for completeness review until the PAC has been held.

5. Determination that an application is complete does not determine or imply that the application has successfully met all applicable review criteria. A complete application remains subject to review and possible disapproval.

F. Staff Review

1. Once the application has been determined to be complete, the Development Review Team will review the application according to its applicable review schedule identified in this Subchapter. Development Review Team comments will be provided to the applicant upon payment of all required fees.

2. All applications are allowed three review cycles by staff to ensure adherence to all development regulations and to address staff comments.

   a. For all applications that require more than three review cycles by staff to ensure adherence to development regulations and staff comments have been addressed, all successive review cycles will require additional fees to cover the reasonable and actual cost of reviews in accordance with the Fee Schedule. The Administrator may approve a fee waiver upon applicant request and a showing by the applicant that more than three review cycles were due to the complexity of matters being reviewed or the fault of the reviewing staff person.

G. Expedited Review Cycles

1. Purpose

   The intent of expedited review cycles is to allow for relatively small, highly planned projects to move through the development process in a manner that may allow for concurrent reviews of multiple development applications related to the same project within shorter time frames by City staff at the discretion of the Administrator.

2. Applicability

   For the development applications listed in this section, the applicant may request expedited staff review cycles at the time of application, limited to three review cycles.

   a. Preliminary Plans

   b. Final Plats

   c. Site Plans

   d. Site Disturbance

3. Criteria for Expedited Review Consideration

   All of the following criteria must be met to be eligible for expedited review cycles:

   a. Submittal of applications must follow the "Application Sequence of Processes" outlined in Section 3.1.3. Application Sequence of Processes, and do not become out of sequence during the review process.

   b. Limitations for concurrent reviews will be as identified in Section 3.3.2.G.4. Limitation of Concurrent Reviews and Section 3.1.3.B. Concurrent Applications.

   c. The site is fully contained within the city limits.

   d. No legal review is required.

   e. No Traffic Impact Analysis (TIA) or TIA amendment is required.

   f. No public hearing notice is required.

   g. No FEMA floodplain applications or flood studies are required.

   h. All property entitlements are secured (e.g., zoning).

4. Limitation of Concurrent Reviews

   a. If concurrent development applications are in the review process at the same time for a related project, staff is not required to provide staff review reports to the applicant within the same expedited review time frame for all the development applications submitted.

   b. A delay in the review cycle may occur between each concurrent application according to the application sequence of processes listed in Section 3.1.3. Application Sequence of Processes.

5. Review Process

   a. The applicant must submit a request for a PAC (if required by Section 3.3.1. Pre-Application Conference (PAC)). Prior to the meeting, in accordance with the Review & Meeting Schedule, the applicant must submit a development plan to the Planning and Development Services Director and a written request identifying how the development application(s) meet the criteria for consideration of an expedited review process. Upon the completion of a consolidated PAC with all applicable members of the Development Review Team present, the Team will determine whether the applicant is permitted to follow the expedited review process. If the development application is permitted to follow the expedited review process, the applicant may submit the application with the applicable review fees in accordance with the Fee Schedule.

   b. Once the application is determined to be complete upon submittal, staff will proceed with a City staff review of five business days, unless otherwise conditioned by the Planning and Development Services Director, up to three review cycles. The Planning and Development Services Director may place conditions on applications that are permitted to follow the applicable expedited review process.

   c. Phone or in-person conferences may be held by the individual staff reviewer(s) with the applicant after such staff review reports have been provided to the applicant for each submittal, except as stated in Section e below.

   d. Prior to the third submittal of the development application by the applicant, the applicant is required to meet with staff to discuss remaining comments. However, a phone conference may be acceptable at the discretion of the Planning and Development Services Director.

   e. If the third submittal by the applicant does not address all of staff's review comments, the application will expire and will be subject to provisions outlined in Section 3.3.2.I. Expired Applications and will no longer qualify for an expedited review process. The Administrator will not

be obligated to grant additional expedited reviews by City staff for said expired applications upon reactivation of a development application.

H. Applicant Resubmittals

1. Resubmittals must be received no later than noon on the filing deadline established by the Development Handbook.

2. All resubmittals must include a comment response letter addressing all of staff's comments. The letter must also identify all other applicant-initiated changes made to the plat or plan.

3. If a resubmittal does not include all required items, the resubmittal will be considered incomplete.

I. Expired Applications

See 3.21.3. Permit Applications, Completeness, and Expiration.

3.4. Public Hearing and Notice

3.4.1. Provision of Public Notice

A. Compliance with Texas Local Government Code

Public hearings and notice must be provided in accordance with Texas Local Government Code Chapter 211 and Chapter 212.

B. Summary of Notice Required

Notice is required for application review as shown in Figure 3.4-1.

Figure 3.4-1. Notice

Section	Type of Application	Published Notice	Mailed Notice	Posted Sign Notice
13.2.5	Replat	X	X	
13.2.5.C.4.c(3)	Replat	X		
3.5.2	Zoning Map Amendments (Rezoning)	X	X	X
3.5.3	Planned Unit Development (PUD) District	X	X	X
3.6	Comprehensive Plan Amendments	X		
3.7	Unified Development Code Text Amendments	X		
3.8	Annexation	In accordance with state statutes		
3.9	Specific Use Permits	X	X	X
3.17.2	Appeals of a Zoning Administrative Decision	X		
3.17.3	Zoning Variances	X	X	X
3.17.4	Special Exceptions	X	X	X
X = Notice Required				

C. Published Notice

1. Before the 10th day before the scheduled public hearing date before the Planning and Zoning Commission, notice of the hearing must be: published at least one time in the City's official newspaper or a paper of general circulation in the City, which includes the date of the public hearing, time of the public hearing, location, and a general description of the request before the Planning and Zoning

Commission. As to a replat falling under the purview of Texas Local Government Code Section 212.015, before the 15th day before the date of the scheduled public hearing before Planning and Zoning Commission, notice of the hearing must be published at least one time in the City's official newspaper or a paper of general circulation in the City, which includes the date of the public hearing, time of the public hearing, location, and a general description of the request.

2. Before the 15th day before the date of the public hearing before the City Council or Board of Adjustment, notice of the hearing must be published at least once in the City's official newspaper or a paper of general circulation in the City and on the City's website, which includes the date of the public hearing, time of the public hearing, location, and a general description of the request.

D. Mailed Notice

1. Generally

a. Before the 10th day before the date of the public hearing before the Planning and Zoning Commission, written notice of a proposed change in a zoning classification must be sent to each owner, as indicated by the most recently approved municipal tax roll, of real property within a certain distance of the property on which the change in classification is proposed in accordance with Figure 3.4-2.

b. The notice may be served by its deposit in the municipality, properly addressed with postage paid, in United States mail prior to the date set for the public hearing in accordance with the timelines established for the published notice in Figure 3.4-2, or as otherwise required by the Texas Local Government Code, as amended.

c. The financial obligation for such notification is the applicant's responsibility, and is in addition to the standard application fee.

2. Property Owner Notification

If the owner of the property that is the subject of a rezoning request is not the applicant and is not listed on the rezoning application, the City will provide mailed notice of the public hearing to the owner of record, as indicated by the most recently approved municipal tax roll.

3. Special Mailed Notice for Creation of Nonconformities

Mailed notice is required regarding any proposed adoption of or change to a zoning regulation or boundary under which a current conforming use of a property is a nonconforming use if the regulation or boundary is adopted or changed. Such requirements are established by Section 211.006(a-1) of the Texas Local Government Code.

Figure 3.4-2. Mailed Notice

Section	Type of Application	Notification Distance from Subject Property (Feet)	HOA(s) Notified
3.5.2	Zoning Map Amendments (Rezoning)	500	X
3.5.3	Planned Unit Development (PUD) District	500	X
3.8	Annexation	Notification in accordance with State law	
3.9	Specific Use Permits	500	X
3.17.2	Appeals of a Zoning Administrative Decision	Notification in accordance with State law	
3.17.3	Zoning Variances	200	X
3.17.4	Special Exceptions	200	X
13.2.5	Replat	200	X

Section	Type of Application	Notification Distance from Subject Property (Feet)	HOA(s) Notified
X = Special Notice Required			

4. Special Mailed Notice for Associations

   The City will provide courtesy notice by mailing letters to all Homeowners' Associations or neighborhood associations whose jurisdiction is within 200 feet of the boundary of the subject area. Such associations must be registered with the Planning and Development Services Department annually as prescribed in the Development Handbook.

5. Special Mailed Notice for Residential and Multi-Family Rezoning or SUP

   a. Before the 10th day before the hearing date, written notice of each public hearing before the Planning and Zoning Commission on a proposed change in a zoning classification or issuance of a SUP affecting residential or multifamily zoning must be sent to each school district in which the property for which the change in classification is proposed is located.

   b. The notice will be served by its deposit in the municipality, properly addressed with postage paid, in the United States mail or by electronic delivery.

E. Posted Sign Notice

1. Not later than the 10th day before the Planning and Zoning Commission hearing date and until City Council action, the City must post a sign on the property affected by the change, or a public right-of-way for a change initiated by the City that affects multiple properties, in accordance with Section 211.0073 of the Texas Local Government Code.

2. Sign notice is not required for a proposed change in zoning classification that applies to the whole City.

F. Special Hearing Notice Required for Certain Replats

A replat without vacation of the preceding plat must conform to the requirements of Section 212.015 of the Texas Local Government Code.

G. Content of Notice

Published and mailed notices must contain at least the following specific information:

1. The general location of land that is the subject of the application, including a location map with the mailed notice only;
2. The legal description or street address;
3. The substance of the application;
4. The time, date, and location of the public hearing;
5. Contact information for the City; and
6. A statement that interested parties may appear at the public hearing.

3.4.2. Public Hearing Required

Figure 3.4-3 below identifies the types of applications requiring a public hearing and the review body responsible for conducting the hearing.

Figure 3.4-3. Summary of Required Public Hearings

Section	Type of Application	Planning and Zoning Commission	City Council	Board of Adjustment
3.5.2	Zoning Map Amendments (Rezoning)	X	X	
3.5.3	Planned Unit Development (PUD) District	X	X	
3.6	Comprehensive Plan Amendments		X	
3.7	Unified Development Code Text Amendments	X	X	
3.8	Annexation	In accordance with state statutes		
3.9	Specific Use Permits	X	X	
3.17.2	Appeals of a Zoning Administrative Decision			X
3.17.3	Zoning Variances			X
3.17.4	Special Exceptions			X
13.2.5	Replat (Resubdivision)	X		
X = Public Hearing Required				

3.4.3. Postponement of Application

An applicant may request to postpone an application at any time prior to the public notice being sent for publication and mailed to the applicable property owners within the notification area. If the request for postponement is received after public notice has been sent, the Administrator may approve the request on a showing of good cause and applicant's payment of all re-notification fees. An application may be postponed no more than two times at the request of the applicant. Any additional postponement requests require approval by the decision-making body.

3.5. Zoning Procedures

3.5.1. Zoning Process Generally

A. Prior to the submission of any development application for property located within the City limits, City staff will determine whether the proposed land use is:

1. Permitted by right;
2. Permitted with conditions;
3. Permitted by Specific Use Permit (SUP); or
4. Prohibited.

B. If the proposed land use is permitted by right or subject to conditions prescribed within this Code, the applicant may proceed to the next development application in the sequence of applicable review processes.

C. If the proposed land use requires a Specific Use Permit (SUP), see Section 3.9. Specific Use Permits.

D. If the proposed land use is not permitted by right, with conditions, or by SUP, the applicant may apply for:

1. A rezoning (see Section 3.5.2. Zoning Map Amendments (Rezoning)); or
2. A Planned Unit Development (PUD) (see Section 3.5.3. Planned Unit Development (PUD) District).

3.5.2. Zoning Map Amendments (Rezoning)

Figure 3.5-1. Zoning Map Amendment (Rezoning) Summary



A. Applicability

1. The Official Zoning Map may be amended to address changed or changing conditions within a specific area or within the City, to rezone an area, or to extend the boundary of an existing zoning district, in order to promote sound, stable and desirable development within the corporate limits of the City.

2. A proposed zoning map amendment must be consistent with the future land use element of the Comprehensive Plan or must be accompanied by a request for an amendment to the Comprehensive Plan.

B. Review Process

1. Initiation

   A request for a zoning map amendment may be initiated by:

   a. Recommendation of the City Council;

   b. Recommendation of the Planning and Zoning Commission;

   c. Recommendation of the City Manager;

   d. Recommendation of the Planning and Development Services Director; or

   e. Application by the property owner(s) or their authorized agent.

2. Planning and Development Services Director Review

   Upon determination that the zoning map amendment application is complete, the Planning and Development Services Director will review the proposed amendment for consistency with the future land use element of the Comprehensive Plan and prepare a report and recommendation to the Planning and Zoning Commission.

3. Planning and Zoning Commission Recommendation

   The Planning and Zoning Commission will conduct a public hearing to review the proposed zoning map amendment in accordance with state law and Section 3.4. Public Hearing and Notice. After the public hearing on the amendment, the Planning and Zoning Commission will provide a recommendation to the City Council for final action.

4. City Council Decision

   a. After the Planning and Zoning Commission's recommendation is received, the City Council will conduct a public hearing in accordance with state law and Section 3.4. Public Hearing and Notice. The public hearing will be conducted within 60 days following the date of the Planning and Zoning Commission's recommendation.

      (1) If a public hearing is not held before City Council within the prescribed 60 days, City Council may extend the 60-day period for a maximum of 30 days by resolution; a maximum of two 30-day extensions may be granted in this manner, or the application will be considered withdrawn.

   b. If the City Council fails to approve, deny, or extend the request within 60 days after the public hearing on the request, or the delay is due in whole or part to applicant's request for extension(s), the request is deemed withdrawn and no further action will be taken without a new zoning application being submitted.

c. Within 60 days of the public hearing before the City Council, City Council must either:

(1) Approve the requested zoning map amendment as submitted;

(2) Approve the zoning map amendment as recommended by the Planning and Zoning Commission;

(3) Approve an alternate zoning map amendment that is a less intensive use than that which was submitted;

(4) Deny the requested zoning map amendment; or

(5) Extend the 60-day period by up to 30 days; a maximum of two 30-day extensions may be granted in this manner.

d. A proposed zoning map amendment requires approval by a three-fourths vote of all City Council members if:

(1) The Planning and Zoning Commission has recommended the denial of the requested amendment; or

(2) A written protest meeting the criteria outlined in Sections 3.5.2.C.2.a and 3.5.2.C.2.b below is received.

C. Protest of Zoning Changes

1. In accordance with Section 211.0061 of the Texas Local Government Code, certain types of proposed zoning changes may be protested by property owners. There are two types of proposed changes:

a. Comprehensive Zoning Changes

(1) A proposed "comprehensive zoning change" means a proposal to:

(a) Change an existing zoning regulation that will have the effect of allowing more residential development than the previous regulation and will apply uniformly to each parcel in one or more zoning districts;

(b) Adopt a new zoning code or zoning map that would apply to the entire municipality; or

(c) Adopt a zoning overlay district that would have the effect of allowing more residential development than allowed without the overlay and would include an area along a major roadway, highway, or transit corridor.

(2) In accordance with Section 211.0061 of the Texas Local Government Code, comprehensive zoning changes are not subject to protest procedures.

b. Non-Comprehensive Zoning Changes

A proposed "non-comprehensive zoning change" means a proposed change to a zoning boundary or regulation that does not meet the criteria of Section a above.

2. A protest against a proposed non-comprehensive change to a zoning regulation or boundary, as described in Section 3.5.2.C.1.b. Non-Comprehensive Zoning Changes must be written and signed by the owners of:

a. At least 20 percent of the area of the lots or land covered by the proposed changes;

b. Except as provided by Section c below, at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area; or

c. At least 60 percent of the area of the lots or land immediately adjoining the area covered by the proposed change and extending 200 feet from that area if the proposed change:

(1) Has the effect of allowing more residential development than the existing zoning regulation or district boundary; and

(2) Does not have the effect of allowing additional commercial or industrial uses, unless the additional use is limited to the first floor of any residential development and does not exceed 35 percent of the overall development.

3. If a proposed change to a zoning regulation or boundary is protested in accordance with Section 2 above, the proposed change must receive, in order to take effect, the affirmative vote of at least:

a. Three-fourths of all members of the City Council, for a protest relating to a proposed change meeting the criteria of Section 2.a or 2.b above; or

b. A majority of all members of the City Council for a protest relating to a proposed change meeting the criteria of Section 2.c above.

D. Withdrawal of a Zoning/Rezoning Request

An application or amended application for zoning or rezoning may be withdrawn no more than two times within a 12-month period. Following the second withdrawal of an application for the same property within a 12-month period, no additional applications for a zoning or rezoning to the same or a less restrictive zoning district will be accepted for a period of 12 months from the date of the second withdrawal, unless the subsequent application:

1. Proposes a substantially different use or zoning classification (than was previously withdrawn (e.g., a residential zoning request following the second withdrawal of a commercial zoning request); or

2. Is consistent with the Comprehensive Plan.

3.5.3. Planned Unit Development (PUD) District

A. Planned Unit Development (PUD) Intent

A Planned Unit Development (PUD) district is intended to provide for development that incorporates a mix of land uses and innovative design techniques not otherwise achievable through conventional zoning or subdivision regulations.

Figure 3.5-2. PUD Rezoning Summary



B. Applicability

A PUD application may be considered when the proposed development demonstrates compliance with the following criteria:

1. For land consisting of 20 acres or less, consent from the City Council is required prior to the submission of an application for a PUD.

2. The proposed development and land use(s) must be generally consistent with the Comprehensive Plan and be designed in a manner that is compatible with and sensitive to the surrounding community. Where a mixed use development or center is identified, a combination of housing types, employment opportunities, and/or commercial services must be integrated to establish a cohesive development.

3. Adequate public facilities and infrastructure must be available to serve the proposed development and land use(s), or provisions for the expansion of such facilities and infrastructure must be included as part of the development, including within individual phases of development.

4. The application must include development standards and a conceptual layout demonstrating how the proposed development is intended to be implemented. The City Council may consider minor deviations from conventional zoning or subdivision regulations when enhanced amenities or development standards are proposed that exceed the minimum requirements otherwise required by the UDC.

C. Submittal Requirements

1. A complete application form, together with all supplemental requirements provided within the Development Handbook, must be submitted with the applicable fees, required information and any additional information deemed necessary by the Planning and Development Services Director. The application must:

   a. Identify the extent to which any requested deviation from otherwise applicable provisions of this Code is justified by unique site characteristics or other exceptional circumstances; and

   b. Describe measures taken to protect or preserve natural resource features located on the site, or to incorporate such features as focal elements within the proposed development.

2. An application fee must be submitted in accordance with the Fee Schedule; and

3. A written legal description and graphic depiction of the subject property must be provided.

D. Review Process

The review and approval process for a Planned Unit Development (PUD) follows the steps below. An application is scheduled for public hearings and action after staff review is complete and the PUD requirements have been reviewed and finalized with the applicant. Steps 1.c and 1.d are repeated until all comments are addressed or the applicant submits a written request for Planning and Zoning Commission review.

1. City Staff Review

   a. Pre-Application Conference

      A Pre-Application Conference is required to discuss the proposed development and to determine whether the property and proposal meet the minimum criteria for a PUD at the proposed location.

   b. Application Submittal

      The applicant must submit a completed application in accordance with Section 3.3.2.E. Application Completeness and the provisions for a PUD outlined herein.

   c. Planning and Development Services Director Review

      The Planning and Development Services Director will review the request and submit comments to the applicant no later than 10 business days following the date the request is submitted.

   d. Applicant Revisions

      The applicant may revise the proposal based on the Planning and Development Services Director's comments.

   e. Parks Review for Residential PUDs

      If the PUD District includes residential lots or units, the Planning and Development Services Director will request a determination from the Parks and Recreation Director as to whether the PUD application must be presented to the Parks and Recreation Advisory Board for review.

      (1) If the Parks and Recreation Director determines that a review and recommendation from the Parks and Recreation Advisory Board is required, the matter will be placed on the next available meeting agenda.

(2) An application for a PUD district that includes residential lots or units will not be deemed complete for Planning and Zoning Commission review without a determination by the Parks and Recreation Advisory Board and, if applicable, a recommendation from the Parks and Recreation Advisory Board regarding parkland dedication requirements.

(3) If the project is modified at the request of the applicant, staff, or a commission, reconsideration by the Parks and Recreation Advisory Board will be required if the proposed changes affect overall parkland dedication or fee-in-lieu requirements.

f. Scheduling for Planning and Zoning Commission Consideration

The application will be scheduled for a public hearing before the Planning and Zoning Commission, with appropriate notice, once either:

(1) All comments from the Planning and Development Services Director have been addressed; or

(2) The applicant submits a written request for the proposal to be reviewed by the Planning and Zoning Commission.

2. Planning and Zoning Commission Recommendation

The Planning and Zoning Commission will consider the application following a public hearing conducted in accordance with Section 3.4. Public Hearing and Notice and provide a recommendation, including any associated conditions, to the City Council. The Planning and Zoning Commission will determine whether the application complies with the requirements outlined herein.

3. City Council Decision

a. The City Council will conduct a public hearing and take action on the proposed creation of a PUD district in accordance with the procedure established in Section 3.4. Public Hearing and Notice.

b. If approved, City staff will amend the Official Zoning Map to reflect the approved PUD district and indicate the ordinance number that includes the name of the district that has been approved, the approved development standards, and accompanying map.

c. Land within the PUD district may thereafter be used or developed in conformance with the adopted standards.

E. Approval Criteria

The proposed PUD district application must meet the criteria stated herein and conform to the purpose and intent of the Comprehensive Plan and this Unified Development Code.

1. Application and Letter of Request

A letter of request must be submitted that explains why a PUD is necessary for the proposed project and why a conventional zoning district is not feasible. At a minimum, the letter of request must identify the location, acreage, proposed land uses and density, and include a comparison of any deviations from, or enhancements to, otherwise applicable standards proposed with the development.

2. Regulating Plan

A plan illustrating the intended layout of the development is required, including proposed uses, streets or alleys, lots, utilities, public parks, open space and amenities, streetscape and landscaping, trails, detention, internal circulation, and parking. The plan must be of sufficient detail to allow a preliminary plan to be established.

3. Development Code

Written development regulations, or references to applicable zoning and subdivision requirements, that establish the standards for the proposed development. The regulations must be consistent with the regulating plan and at a minimum, include the following:

a. General Regulations by Use Type:
   (1) Description of each use type;
   (2) Lot size (width, depth, area);
   (3) Maximum lot coverage;
   (4) Building setbacks; and
   (5) Maximum building/structure height.

b. Street Standards:
   (1) Description of street types;
   (2) Street and alley cross sections;
   (3) Landscaping and irrigation within street cross sections; and
   (4) Street lighting and pedestrian lighting.

c. Architectural Requirements:
   (1) Building materials;
   (2) Architectural design elements (windows, articulation, etc.); and
   (3) Examples of building elevations.

d. Dedicated public parkland and developer improvements, with perpetual private maintenance.

e. Landscaping, fencing and open space standards.

f. Community amenities and development enhancements that exceed minimum requirements. Examples may include, but are not limited to:
   (1) Donation of public facilities, such as schools, libraries, police stations, fire stations, or other public facilities, as approved by the City Council.
   (2) An irrigated private park owned and maintained by a private entity or Homeowners' Association, which may include amenities such as:
      (a) A wet pond, fountain, or artwork, such as a sculpture garden;
      (b) Playgrounds with commercial-grade equipment, picnic/barbeque areas with commercial-grade equipment; or court games (tennis, volleyball or basketball) covering at least 1,000 square feet in area; or
      (c) Plazas, courtyards, or community gardens with irrigation systems and defined edges, covering at least 1,000 square feet in area.
   (3) Enhanced landscaping and pedestrian spaces within the development, including:
      (a) Privately maintained native deciduous tree plantings in accordance with Subchapter 9. Landscaping and Screening, providing shade, color and visual interest along vehicle and pedestrian corridors;
      (b) Use of engineered soils within privately maintained, native landscaped rain gardens, in accordance with local low impact design practices and as approved by the City Engineer;
      (c) Installation of pedestrian lighting, low seating walls and benches along sidewalks and pedestrian spaces in commercial areas; or
      (d) Integration of brick or similar textured or patterned pavers within crosswalks, plazas and similar pedestrian spaces in commercial areas; and

g. Other items as approved by the Planning and Development Services Director.

F. Additional Standards

1. The entire area proposed for a PUD district must be assigned a unique name, as approved by the Planning and Development Services Director, which will be used as the official reference for the district if approved.

2. The proposed development must consist of a parcel or group of parcels that together form a single, contiguous land unit, with individual tracts clearly identified.

3. Development standards and an accompanying map must be submitted with the application.

G. PUD Amendments

1. Minor PUD Amendments

a. Minor modifications or amendments to the PUD development standards or regulating plan may be approved by the Administrator if the following criteria are met:

(1) The change is necessary due to natural features of the site that were not foreseen by the applicant or the City prior to approval of the PUD; or

(2) The change meets all of the following:

(a) Will not have the effect of significantly reducing any area of landscaping, open space, natural area or parking; and

(b) Will not have the effect of increasing the residential density of the development; and

(c) Will not increase the gross floor area of any nonresidential structure by more than 20 percent, including all cumulative additions or expansions; and

(d) Will not result in any structure or vehicle circulation being moved significantly in any direction; and

(e) Will not reduce any approved setback or increase the height of any structure by more than 10 percent; and

(f) Will not have the effect of altering the type or maximum size of signage, reducing amenities or connectivity, or reducing the quality of materials to be used in construction; and

(g) Does not result in any significant adverse impacts beyond the site.

b. Where the above criteria are not met, the Planning and Zoning Commission may consider a minor amendment to the PUD upon receipt of a formal written request identifying the proposed modification and any minor changes to the regulating plan or development code necessary to address the proposed change, and only if the following criteria are met:

(1) The amendment maintains the design intent or purpose of the PUD ordinance; and

(2) The amendment maintains the quality of design or development established by the PUD ordinance; and

(3) The amendment is not materially detrimental to uses or property in the immediate vicinity of the proposed change.

2. Major PUD Amendments

a. Major changes include all changes not determined to be minor amendments and require approval by the City Council.

b. Major PUD amendments must follow the same process required for the establishment of a PUD and include submission of a new application with fee, a written request describing the proposed

changes, an updated regulating plan and development code, and any additional documentation necessary to evaluate the proposed amendment.

3.5.4. Zoning Verification Letters

A. Purpose

A zoning verification letter provides written confirmation of the current zoning designation of a specific property, based on City zoning maps and adopted ordinances.

B. Request

A property owner or authorized agent may request a zoning verification letter from the Planning and Development Services Director using the City's application form in accordance with the Development Handbook and required fee in accordance with the Fee Schedule. Each request applies to one property and must include a street address and sufficient information to clearly identify the property.

C. Limitations

A zoning verification letter confirms zoning information only. It is not a permit or development approval and does not verify compliance with development regulations or legal nonconforming status. The letter reflects City records in effect on the date of issuance.

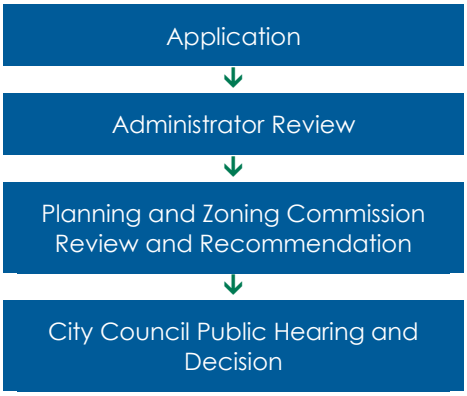
3.6. Comprehensive Plan Amendments

3.6.1. Applicability

A. The Comprehensive Plan, including the Land Use Plan and the Mobility Master Plan, may be amended to address changed or changing conditions within a specific area or within the City, in order to promote sound, stable, and desirable development.

B. If a proposed rezoning is determined to be inconsistent with the Future Land Use Plan located within the Comprehensive Plan, a Comprehensive Plan amendment must accompany an applicant-initiated rezoning request, together with the applicable review fees, in accordance with the Fee Schedule.

Figure 3.6-1. Comprehensive Plan Amendment Summary



3.6.2. Review Process

A. Initiation

A Comprehensive Plan amendment may be initiated by:

1. The City Council;
2. The Planning and Zoning Commission;
3. The Administrator; or
4. Application by the property owner(s) or their authorized agent.

B. Amendment Application Submittal

A complete application for a Comprehensive Plan amendment must be submitted to the Administrator as set forth in Section 3.3.2. Application Forms and Fees with an associated letter of explanation for the request and any supporting information related to the request.

C. Administrator Review

Upon determination that the application is complete, the Administrator will review the proposed amendment for consistency with the remainder of the Comprehensive Plan, other plans and policies, and

with conditions within the City, and prepare a report and recommendation to the Planning and Zoning Commission.

D. Planning and Zoning Commission Review

1. The Planning and Zoning Commission will review the amendment and provide a recommendation for final action by the City Council.

2. If the Planning and Zoning Commission determines that no amendment is required, the applicant may proceed with the next step in the development process with no further action required by the City Council.

E. City Council Decision

1. After receiving a recommendation from the Planning and Zoning Commission, the City Council will conduct a public hearing regarding the potential amendment. City Council may then adopt or reject all or a certain elements of the proposed Comprehensive Plan amendment. The City Council may also adopt additional elements it deems necessary to fulfill the goals and intent of the Comprehensive Plan.

2. The City Council will act on the Comprehensive Plan, or an element of the Comprehensive Plan, within 60 days following its submission to the City Council by the Planning and Zoning Commission. The City Council may:

a. Adopt or reject the plan as submitted by the Planning and Zoning Commission;

b. Adopt or reject the Comprehensive Plan with changes or amendments; or

c. Direct the Planning and Zoning Commission to further study or review the Comprehensive Plan, or a portion thereof.

3.6.3. Criteria for Approval

A. The City Council will consider the following approval criteria in conducting an analysis of immediate needs and consideration of the long-term effects.

1. The application is complete and the information contained within the application is sufficient and correct to allow for adequate review and final action; and

2. The amendment promotes the health, safety or general welfare of the City and the safe orderly, and healthful development of the City.

B. In considering amendments to the Comprehensive Plan, the City Council will be guided by the following criteria:

1. The need for the proposed amendment;

2. The effect of the proposed amendment on the demand for City services and facilities;

3. The compatibility of the proposed amendment with the existing uses and development patterns on nearby property and with the character of the surrounding neighborhood; and

4. The implications, if any, of the proposed amendment for other components of the Comprehensive Plan.

3.7. Unified Development Code Text Amendments

3.7.1. Applicability

A. Amendments to this Unified Development Code may be made in order to establish and maintain sound, stable, and desirable development within the jurisdiction of the City, to correct errors in the text, to reflect legislative changes or to address changed or changing conditions within the City.

B. All text amendments to this UDC must be consistent with the Comprehensive Plan.

Figure 3.7-1. UDC Text Amendments Summary



3.7.2. Review Process

A. Initiation

A text amendment to this UDC may be initiated by:

1. Direction of the City Council

The City Council may initiate a UDC text amendment in one of two ways:

a. The City Council, by majority vote, may initiate a UDC text amendment review.

b. The City Council, by a super majority vote, may initiate an emergency UDC text amendment.

2. Recommendation by the Planning and Zoning Commission

The Planning and Zoning Commission, by majority vote, may initiate a UDC text amendment review.

3. Recommendation by the Planning and Development Services Director

The Planning and Development Services Director may make recommendation for the initiation of a UDC text amendment review.

4. Application by a Resident or Property Owner

A resident or property owner may make application for a UDC text amendment. The applicant must provide staff with draft text of their proposed UDC text amendment along with supporting information detailing how the proposed changes meet the criteria outlined in Section 3.7.3. Criteria for Approval.

B. Planning and Development Services Director Review

The Planning and Development Services Director will prepare a report to be forwarded to the Planning and Zoning Commission for consideration, including the proposed version(s) of the text amendment and a recommendation for final action.

C. Planning and Zoning Commission Review

The Planning and Zoning Commission will conduct a public hearing in accordance with this UDC and make a recommendation on the proposed text change(s) to the City Council.

D. City Council Decision

The City Council will conduct a public hearing in accordance with this UDC and applicable state law and take final action on the proposed text amendment. Upon adoption, the amendment will become effective as provided by the City Charter or State Law.

3.7.3. Criteria for Approval

In determining whether to approve, approve with modifications, or disapprove a proposed amendment, the City Council will consider whether the proposed amendment:

A. Promotes the health, safety or general welfare of the City and the safe, orderly, and healthful development of the City; and

B. Is consistent with the Comprehensive Plan.

3.8. Annexation

Figure 3.8-1. Annexation Summary



3.8.1. Applicability

A. This Section applies to the annexation of territory into the City's corporate limits from the extraterritorial jurisdiction (ETJ). These provisions are adopted pursuant to Texas Local Government Code Chapter 43 and the City Charter.

3.8.2. Review Process

A. Initiation

1. Annexation of territory within Pflugerville's ETJ may be initiated by application from a property owner or the property owner's authorized agent.

2. A governmental authority may also request modification of ETJ or corporate limit boundaries through this process.

B. Planning and Development Services Director Review

1. The Planning and Development Services Director is responsible for determining whether a complete application has been submitted with sufficient information for the City Council to make an informed decision.

2. The Planning and Development Services Director will review the application for consistency with applicable approval criteria and prepare a report with a recommendation to the City Council.

C. Planning and Zoning Commission Zoning Recommendation

1. While Planning and Zoning Commission approval is not required for annexation of territory, the Commission must hold a public hearing and make a recommendation to the City Council regarding the zoning district assignment for the annexed territory. If no zoning district is deemed appropriate at the time of annexation, the Commission will recommend the Agricultural/Development Reserve (A) district designation.

2. The Planning and Zoning Commission recommendation will be forwarded to the City Council for consideration concurrently with the proposed annexation.

D. City Council Decision

1. Written Agreement Regarding Services

When required by Texas Local Government Code Section 43.0672, the City Council must approve a written agreement regarding services with the property owner before initiation of annexation.

2. Approval Criteria

The City Council will consider whether the annexation meets the following criteria:

a. Whether the annexation supports the health, safety, and general welfare of the City and contributes to safe, orderly, and healthful development over time;

b. Whether the annexation is consistent with the City's adopted long-range plans and annexation policies; and

c. Whether the annexation aligns with the City's long-term ability to provide services and infrastructure in a fiscally responsible manner.

3. Action

a. The City Council will hold public hearing(s) as required by Texas Local Government Code Chapter 43 and take final action on the proposed annexation.

b. If the annexation is approved, City Council will also take action to assign zoning to the annexed territory. If no zoning district is deemed appropriate at the time of annexation, City Council will take action to assign the Agricultural/Development Reserve (A) district designation.

c. Annexation becomes effective upon City Council approval and in accordance with the City Charter.

3.9. Specific Use Permits

3.9.1. Applicability

A. Specific Use Permits (SUPs) allow for the approval of uses with unique or widely varying operating characteristics or unusual site development features, subject to the terms and conditions set forth in this UDC.

B. An applicant may submit an application for land uses listed in Subchapter 5. Land Uses as permitted by a Specific Use Permit under particular zoning districts.

C. No specific use may commence for any use designated as a specific use within any zoning district without prior approval and issuance of said permit in accordance with the provisions of this UDC.

Figure 3.9-1. Specific Use Permits Summary



3.9.2. Review Process

A. City Staff Review

1. A PAC is required to discuss the proposed development and to determine whether the property and proposal meet the criteria for an SUP.

2. Upon application submittal, the Planning and Development Services Director will review the application and submit comments to the applicant no later than 15 business days following the date the application was submitted. The applicant can revise the proposal based on the Planning and Development Services Director's comments.

3. The application will be scheduled for a public hearing and action by the Planning and Zoning Commission with appropriate notifications, once:

a. The Planning and Development Services Director and the applicant have had the opportunity to review and finalize the requirements of the SUP and all comments from the Planning and Development Services Director have been addressed; or

b. The applicant submits a written request for the proposal to be reviewed by the Planning and Zoning Commission.

B. Planning and Zoning Commission Recommendation

1. The Planning and Zoning Commission will consider an SUP application following notice and a public hearing, as prescribed in Section 3.4. Public Hearing and Notice, and provide a recommendation with any associated conditions to City Council.

2. The Planning and Zoning Commission will determine if the application meets the requirements outlined in Section 3.9.4. Conditions of Approval and Subchapter 5. Land Uses.

3. The Planning and Zoning Commission may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function and characteristics of any building or use proposed.

C. City Council Decision

1. The City Council will conduct a public hearing and take action on the proposed creation of a SUP according to the procedures established in Section 3.4. Public Hearing and Notice and the criteria outlined in Section 3.9.3. Criteria for Approval through Section 3.9.5. Additional Criteria for Corridor Districts.

2. The City Council may, by an affirmative vote, approve the SUP request after public hearing and proper notice to all parties affected, and after receipt of recommendation from the Planning and Zoning Commission that addresses whether the uses in the proposed development seeking the SUP are in general conformance with:

   a. The Comprehensive Plan,

   b. General objectives of the City and

   c. Any requirements and safeguards as are deemed necessary to protect adjoining property.

3. If City Council authorizes granting a Specific Use Permit, the Official Zoning Map will be amended according to its legend to indicate the affected area has conditional and limited uses, and said amendment is to indicate the appropriate zoning district for the approved use and prefixed by an "S" designation. Such Specific Use Permits will be indicated by numerical designation on the Zoning District Map.

4. The City Council may require additional information or drawings (such as building floor plans), operating data and expert evaluation or testimony concerning the location, function, and characteristics of any building or use proposed.

5. Following City Council authorization, land within the SUP can then be used or developed in conformance with the adopted standards.

3.9.3. Criteria for Approval

A. In recommending that a Specific Use Permit be granted, the Planning and Zoning Commission must determine that such proposed use(s) are harmonious and adaptable to building structures and uses of abutting property and other property in the vicinity of the development under consideration, and will make recommendations as to requirements for:

1. The paving of streets, alleys and sidewalks;

2. Means of ingress and egress to public streets;

3. Provisions for adequate drainage, off-street parking, protective screening, security lighting and open space; and

4. Structure height and building compatibility.

B. The Planning and Zoning Commission and City Council will consider the following criteria in determining the appropriateness of a Specific Use Permit request:

1. Whether the use is harmonious and compatible with its surrounding existing uses or planned uses;

2. Whether the activities requested are normally associated with the requested use;

3. Whether the nature of the use is reasonable; and

4. Whether any adverse impact on the surrounding area has been mitigated.

3.9.4. Conditions of Approval

In granting a Specific Use Permit , the City Council may impose conditions that the owner or grantee must comply with before a Certificate of Occupancy may be issued for use of the building on such property. The Planning and Development Services Director will verify compliance with such conditions prior to issuance of the Certificate of Occupancy.

A. No Specific Use Permit will be granted unless the applicant, owner and grantee of the Specific Use Permit are willing to accept and agree to be bound by and comply with the written requirements of the Specific Use Permit.

B. A building, premises, or land used under a Specific Use Permit may be enlarged, modified, structurally altered, or otherwise changed provided these changes do not:

1. Increase the height of structures, including antenna support structures;

2. Increase building square footage by more than 10 percent from its size at the time the original Specific Use Permit was granted;

3. Reduce the distance between a building or noise-generating activity on the property and an adjacent, off-site residential use. This provision does not apply if the property and the residential use are separated by a major thoroughfare depicted on the City's Mobility Master Plan; or

4. Reduce the amount of landscape area by more than 10 percent, as indicated on the approved specific use permit.

C. All other enlargements, modifications, structural alterations, or changes require the approval of a Specific Use Permit amendment.

D. Upon holding a properly notified public hearing in accordance with Section 3.4. Public Hearing and Notice, the City Council may amend, change, or rescind a Specific Use Permit if:

1. There is a violation and conviction of any of the provisions of this UDC or any provision of the City Code that occurs on the property for which the Specific Use Permit is granted;

2. The building, premises, or land used under a Specific Use Permit are enlarged, modified, structurally altered, or otherwise significantly changed without approval of an amended Specific Use Permit for such enlargement, modification, structural alteration or change;

3. There is a violation of any provision of the terms or conditions of Specific Use Permit approval;

4. The Specific Use Permit was obtained by fraud or with deception; or

5. A Site Plan has not been approved for the development within 24 months from the date of approval by the City Council. If a Site Plan has been approved, the Specific Use Permit will remain valid until such time the approved Site Plan has expired. Once a site, governed by an SUP, has received a Certificate of Occupancy, the SUP remains in full force and effect provided the conditions of the SUP are satisfied and maintained.

3.9.5. Additional Criteria for Corridor Districts

Specific Use Permits may be approved in the SH 130 and SH 45 Corridor Districts if the requirements for the approval of a Specific Use Permit, as stated in this subchapter, have been met in addition to the following additional criteria:

A. The application is complete and the information contained within the application is sufficient and correct to allow for adequate review and final action.

B. The application illustrates conformance with the four guiding principles for the SH 130 and SH 45 corridors and consideration of the following desirable characteristics:

1. Retail activity is clustered within proximity of the following major intersections:

a. SH 130 and SH 45,

b. SH 130 and Pecan Street,

c. SH 45 and Heatherwilde Boulevard,

d. SH 130 and Pflugerville Parkway, and

e. FM 685 and Pflugerville Parkway.

2. Structures are oriented to public streets and designated trails as outlined in the Future Trails Map referenced in the Comprehensive Plan.

3. The extent of connectivity among proposed and existing rights-of-way is demonstrated.

4. The extent to which uses, such as freestanding pad sites, are clustered at focal points or key features within a development and relate to other components of the overall development. Such focal points or key features may include, but are not limited to retention systems, greenways, dedicated hike/bike facilities, or plazas, parks or other features that create a gathering place.

5. The application illustrates compliance with the requirements and guidelines of this UDC.

6. The application exhibits design compatibility with surrounding properties and development patterns.

7. The application exhibits compatibility and coordination between streetscape character and the planned surrounding built environment.

8. The application exhibits no substantial negative impacts on the historic, cultural or architectural nature of the site or surrounding area, or if so, successfully mitigates such impacts.

3.10. Subdivision

Refer to Subchapter 13. Subdivision Processes and Design for procedures.

3.11. Site Plans

3.11.1. Applicability

A. The site plan process ensures any future development will occur in a planned, orderly, and attractive manner.

B. No construction or site improvement work may commence until approval of a site plan or issuance of a site disturbance permit.

C. No fill or soil may be transported to or from a site without a site plan, site disturbance permit, or construction permit for public improvements.

D. Small-scale developments may be eligible for a minor site plan. See Section 3.11.7. Minor Site Plan for eligibility and requirements.

Figure 3.11-1. Site Plans Summary



3.11.2. Submittal Requirements

The following items must be submitted for the initial review of all site plan applications:

A. Application Materials

1. Application fee in accordance with the Fee Schedule.

2. Complete application form and site plan including all information required by the Development Handbook.

B. Engineering and Technical Studies

1. Runoff computation for drainage areas in accordance with the City's Engineering Design Manual, including drainage calculations, drainage plan and other pertinent information.
2. Traffic Impact Analysis (TIA), When Required
    a. If the proposed subdivision or any interim phase or combination of phases is expected to generate 2,000 or greater vehicle trips per day on the peak day for the proposed uses within the proposed subdivision or phase(s), according to the latest edition of the Institute of Transportation Engineers' Trip Generation Manual, a licensed engineer with experience in traffic flow analysis, will prepare, sign and seal a traffic impact analysis (TIA) certifying its completeness and accuracy.
    b. A TIA, including the initial scope, must meet the minimum requirements outlined in Subchapter 13. Subdivision Processes and Design and the Engineering Design Manual, subject to final approval by the City Engineer.
3. An Erosion and Sedimentation Control Plan (ESCP) identifying temporary and permanent erosion control measures prepared per the requirements of Chapter 158, Stormwater Pollution Control Ordinance and the requirements of the Engineering Design Manual must be included with the site plan set.

C. External Permits and Approvals

If the proposed site requires driveway access from a state highway, a permit to construct driveway facilities on highway right-of-way and related permits issued by the Texas Department of Transportation are required.

D. Parkland Dedication

When applicable, a warranty deed conveying any required parkland to the City, or payment of a fee in lieu of dedicating parkland, in accordance with Subchapter 12. Public Parkland and Open Space.

E. Property and Platting Information

1. Legal description of the site, including the name of the subdivision and the lot and block numbers. Unless otherwise exempted by Texas Local Government Code Chapter 212, an application for a site plan will only be accepted for legally platted lots conforming to the standards established in this Code and in other applicable provisions of the City Codes.
2. As part of the application process for a site plan, the developer must follow the procedures for the subdivision process included within Subchapter 13. Subdivision Processes and Design and will not receive a site plan unless a final plat with construction plans has been approved or is concurrently approved for the site.

3.11.3. Process

A. The applicant for a site plan must submit an application and all required content for a site plan as stated in the Development Handbook.

B. Upon receipt of a complete application, the Planning and Development Services Director will distribute the application to the proper reviewing authorities and review the site plan for compliance with the provisions of this UDC.

C. The Administrator will either present the applicant with comments regarding the review of the site plan, if there are comments, or approve the plan.

D. Upon resubmittal of the updated site plan, the Planning and Development Services Director will review the application and either approve the plan or present the applicant with comments regarding the updated site plan. This cycle may be repeated until all comments are addressed unless the application expires due to lack of resubmittal or progress in accordance with Section 3.21.3. Permit Applications, Completeness, and Expiration.

E. The site plan application may be eligible for an expedited review process in accordance with Section 3.3.2.G. Expedited Review Cycles.

F. Before the pre-construction meeting, a copy of the Stormwater Pollution Prevention Plan (SWP3) and Notice of Intent (NOI) must be provided.

3.11.4. Criteria for Approval

The Planning and Development Services Director will determine whether to approve a site plan based on the following criteria:

A. The application is complete and the information contained within the application is sufficient and accurate to allow adequate review and final action.

B. The application demonstrates compliance with the requirements and guidelines of this Chapter, the Development Handbook, Tree Technical Manual, and the Engineering Design Manual.

C. All required development fees, as applicable, are paid prior to the approval of a site plan, including but not limited to, TIA fees, parkland development fee, parkland fee-in-lieu, and sidewalk fee-in-lieu.

3.11.5. Revisions and Corrections

A. Applicability

Revisions and corrections apply only to active site plans that have not received a Certificate of Occupancy. Once a development has been completed and a Certificate of Occupancy has been issued, the site plan is considered closed.

B. Revisions

1. A revision is a modification to an approved site plan that substantially alters the overall design of the originally approved plan set, which may require the re-review of multiple sheets within the approved plan set including, but not limited to drainage, grading, landscape plan, building elevations, and photometric plan sheets.

2. A formal application for review of the revision is required to be submitted to the Planning and Development Services Director that includes legible copies of a complete application in accordance with the requirements indicated in the Development Handbook and this section. The revision plan set must include the originally approved coversheet with City signatures that has been further updated to include details of the revision in the revision block, and additional copies of the coversheet and revised sheets per Planning and Development Services Director's request.

3. Upon receipt of a complete application, the Planning and Development Services Director will distribute the application to the proper reviewing authorities, and review the site plan revision for compliance with the provisions of this chapter.

4. No later than 10 business days following the submittal of a complete application for a site plan revision, the Planning and Development Services Director must either present the applicant with comments regarding the review of the site plan revision, or if there are no comments, approve the plan revision by signing the revision block on the cover sheet.

5. A revision may be eligible for an expedited review process in accordance with Section 3.3.2.G. Expedited Review Cycles.

6. A revision does not extend the life of an approved site plan beyond its expiration date or a previously approved extension.

C. Corrections

1. A correction to a site plan may be initiated by the applicant if a single element related to engineering, architectural, or landscaping design within the site plan was provided in error or field conditions caused the required change.

2. Corrections are accepted if they are considered minor changes that do not require extensive engineering or planning review.
3. The correction plan set must include the originally approved coversheet that has been updated to include details of the correction in the revision block, and additional copies of the coversheet and corrected sheets per Administrator's request.
4. A correction does not extend the life of an approved site plan beyond its expiration date or a previously approved extension.
5. Corrections will be reviewed in accordance with the City's submittal calendar.

3.11.6. Inspections and Certificate of Occupancy

A. Inspections during the installation of the site improvements will be made by staff to ensure conformity with the approved site plan. A schedule of interim inspections will be determined at the pre-construction meeting. It is the responsibility of the permittee to request interim inspections in accordance with the schedule.

B. It is the responsibility of the permittee to request final inspections when construction is complete or nearing completion to ensure that all work is in accordance with the approved site plan.

C. Letters of concurrence that all improvements are in place must be submitted prior to the performance of final inspections. Concurrence letters must be provided as follows:

1. Civil Engineer. A concurrence letter confirming that site grading, drainage, utilities, and other civil improvements are constructed in accordance with the approved site plan. The letter must be signed and sealed by the engineer of record.
2. Landscape Architect. A concurrence letter confirming that all required landscaping and irrigation improvements are installed in accordance with the approved site plan. The letter must be signed and sealed by the landscape architect of record.
3. Project Arborist (when applicable). For sites where tree protection was required, a concurrence letter confirming that tree protection measures were installed and maintained in accordance with the approved plans.
4. Lighting Designer or Engineer (when applicable). For sites with approved photometric plans, a concurrence letter confirming that installed site lighting is consistent with the approved photometric plan, including fixture types, mounting heights, and light levels.

D. If a final inspection is performed by the Planning or Engineering Departments and outstanding items remain to be addressed, re-inspection fees will be assessed in accordance with the Fee Schedule, prior to re-inspection.

E. The Development Review Team will notify the Building Official once it has been determined that all work is in accordance with the approved site plan. All site improvements must be complete and in conformance with the site plan prior to issuance of a Certificate of Occupancy by the Building Official.

F. Electronic record drawings of the site plan must be provided prior to the issuance of a Certificate of Occupancy, which must be full size Adobe PDF copies.

3.11.7. Minor Site Plan

A. Purpose

The minor site plan process provides an administrative review option for small-scale development that does not significantly affect public infrastructure, drainage, circulation, or adjacent property.

B. Eligibility

1. An application may be processed as a minor site plan if the proposed development:

a. Involves a limited building expansion, accessory structure, façade modification, parking reconfiguration, or similar small-scale site change; and

b. Does not:

(1) Require construction or modification of public infrastructure;

(2) Require a Traffic Impact Analysis;

(3) Modify approved drainage patterns in a way that affects off-site property;

(4) Trigger parkland dedication; or

(5) Require discretionary approval.

2. The Planning and Development Services Director will determine whether an application qualifies for minor site plan review. Applications that do not meet these criteria must be processed as a standard site plan.

C. Submittal Requirements

A minor site plan application must include a fee in accordance with the Fee Schedule and a plan set in accordance with the Development Handbook sufficient to demonstrate compliance with this UDC. The Planning and Development Services Director may waive technical studies or supporting materials that are not necessary to evaluate the request.

D. Review

Minor site plans are reviewed administratively. Written comments or approval will be issued within 10 business days of a complete application. Resubmittals will be reviewed within 5 business days.

E. Effect of Approval

Approval of a minor site plan authorizes issuance of applicable permits but does not waive compliance with other City regulations. Minor site plan approval expires in accordance with the standard site plan expiration period.

3.11.8. Phased Site Plans

A. Purpose

The phased construction and occupancy provisions allow development to proceed in discrete portions while ensuring that each occupied phase includes the infrastructure and improvements necessary to support safe and functional use.

B. Applicability

1. This section applies to site plans that propose development to occur in multiple phases where Certificates of Occupancy may be requested for individual buildings or groups of buildings prior to completion of the entire site.

2. The applicant may propose a phasing plan at the time of site plan application or as part of a site plan revision.

C. Phasing Plan

1. The applicant must submit a phasing plan identifying the sequence of construction and occupancy of buildings, along with the associated infrastructure and site improvements.

2. The phasing plan must demonstrate that each phase will function independently with adequate access, utilities, drainage, and life safety systems.

3. The Planning and Development Services Director may approve modifications to an approved phasing plan, provided the modified plan continues to meet the intent of this section.

D. General Requirements

1. "Occupancy Phase" means one or more buildings, or portions of a site, for which a Certificate of Occupancy is requested prior to completion of the entire development.
2. Development may proceed in sequential Occupancy Phases in accordance with an approved phasing plan.
3. A separate Certificate of Occupancy may be issued for each Occupancy Phase.
4. Prior to issuance of a Certificate of Occupancy for any Occupancy Phase, all infrastructure and site improvements necessary to support that phase must be completed and approved.
5. Required improvements must include all elements necessary to ensure safe access, circulation, drainage, utilities, and emergency access for the buildings within that phase.
6. A site inspection may be required prior to approval of each Occupancy Phase.

E. Deferred Improvements

1. Certain site elements may be deferred until later phases if the Planning and Development Services Director determines that deferral will not negatively impact safety or functionality.
2. Deferred improvements may include items such as:
3. Site lighting;
4. Landscaping and irrigation;
5. Pavement striping; and
6. Internal sidewalks, ramps, and retaining walls.
7. Deferred improvements must be completed prior to final completion of the overall site or as otherwise required by the approved phasing plan.

F. Completion Deadline

1. The Planning and Development Services Director may establish a reasonable timeframe for completion of all phases of development.
2. The Director may approve extensions to the completion timeframe upon a showing of good cause.
3. Failure to complete all phases within the approved timeframe may result in expiration of the site plan or other enforcement actions in accordance with this UDC.

G. Approval Conditions

1. The Planning and Development Services Director may approve adjustments to the phasing plan, including sequencing and boundaries of phases, provided that each phase continues to meet the requirements of this section.
2. Approval of an Occupancy Phase is contingent upon completion of all required infrastructure, resolution of inspection comments, and submission of any required concurrence letters.
3. No phasing plan may waive or modify requirements necessary for the issuance of a Certificate of Occupancy.

3.12. Site Disturbance Permits

3.12.1. Applicability

A. A site or subdivision applicant may request a site disturbance permit prior to the issuance of a subdivision construction plan permit or site plan approval for early grading and clearing, but only after a preliminary plan has been approved. No other construction or site improvement work may commence until site plan approval or the issuance of a subdivision construction plan permit.

B. Per Subchapter 10. Tree Preservation and the Tree Technical Manual, tree protection measures for protected trees must be implemented throughout the site disturbance phase. The City Engineer reserves the right to deny a site disturbance permit if a subdivision concept plan or site plan has not been provided to staff to justify the removal of protected trees without a reasonable explanation, including site design constraints or physical hardships.

C. Fiscal security and tree mitigation must be provided in accordance with Subchapter 10. Tree Preservation.

D. A site disturbance permit expires 60 days after approval. The City Engineer may extend the expiration period an additional 60 days upon receipt of a written request that explains the basis for the request. However, if no construction activity has occurred on the property within 60 days of site disturbance permit approval, a request for extension will be denied. Only one extension may be requested. In the event of permit expiration, a new permit application and payment of fees will be required.

3.12.2. Submittal Requirements

Refer to the Development Handbook for submittal requirements.

3.13. Right-of-Way (ROW) Permits

All proposed improvements within the public rights-of-way and public easements will be reviewed through the right-of-way permitting process established in Chapter 96 of the Code of Ordinances.

3.14. Traffic Impact Analyses

3.14.1. Applicability

A. If the proposed subdivision or any interim phase or combination of phases is expected to generate 2,000 or greater vehicle trips per day on the peak day for the proposed uses within the proposed subdivision or phase(s), according to the latest edition of the Institute of Transportation Engineers' Trip Generation Manual, a licensed engineer with experience in traffic flow analysis must prepare, sign and seal a traffic impact analysis (TIA) certifying its completeness and accuracy. A TIA, including the initial scope, must meet the minimum requirements outlined in Subchapter 13. Subdivision Processes and Design and the Engineering Design Manual with final approval by the City Engineer.

B. A TIA may be required at the time of a preliminary plan, final plat, or site plan and will be reviewed concurrently with the applicable development application.

3.14.2. Submittal Requirements

Refer to the TIA scoping form and checklist provided within the Development Handbook and the Engineering Design Manual for submittal and content requirements.

3.15. Building Permits, Sign Permits, and Irrigation Permits

3.15.1. Building Permits

In addition to the standards set forth in Chapter 150, Building Regulations of the Code of Ordinances, the following provisions apply to residential building permits in order to ensure compliance with the UDC.

A. To ensure compliance with the provisions of Subchapter 7. Building and Site Design, all residential building permit applications must include written descriptions on the plot plan and architectural building plan as applicable, describing compliance with the following minimum requirements. Acceptable documentation may include photographs or elevations of the other structures in question.

B. A subdivision or phase thereof may be reviewed as a whole for conformity with this requirement, provided that adequate documentation to ensure conformity is submitted with each building permit application.

C. The Administrator will review the submitted documentation and any previously approved building permits and make a determination. Where the Administrator finds that a dwelling for which a building permit is requested does not conform to the standards established by Subchapter 7. Building and Site Design, the permit will be denied.

D. For buildings divided into separate tenant spaces, suite numbers will be assigned by 9-1-1 Addressing prior to an application for building permit or tenant finish-out, as applicable.

E. A permit for the construction of a building(s) will not be issued unless:

1. The site that is the subject of the permit is a platted lot, and the plat creating said lot is properly approved by the City and recorded in the Official Plat Records of Travis or Williamson Counties, Texas, as applicable; and

2. Said lot is included as all or part of a site plan approved by the Administrator and in compliance with the requirements of the UDC, including requirements for provision of required public improvements, and dedication of drainage easements, dedication of street and alley rights of way, and other public improvements.

3.15.2. Sign Permits

The process and standards for sign permits must be in accordance with Chapter 154. Signs of the Code of Ordinances.

3.15.3. Irrigation Permits

In addition to the irrigation standards established in Chapter 113. Irrigators of the Code of Ordinances, the following provisions apply to residential and commercial development as applicable in accordance with Subchapter 9. Landscaping and Screening, including the Tree Technical Manual. To ensure compliance with the landscaping and irrigation provisions of Subchapter 9. Landscaping and Screening and the Tree Technical Manual, the Administrator may require a landscape plan for residential development to accompany an irrigation permit request.

3.16. Alternative Compliance

3.16.1. Purpose

The purpose of alternative compliance is to provide flexibility in the application of certain development standards where strict application is not necessary to achieve the intent of the standard. Alternative compliance allows an alternative design, configuration, or approach when authorized by this UDC and when the alternative achieves an equivalent or better development outcome.

3.16.2. Applicability and Authority

A. Alternative compliance is available only for a development standard that expressly authorizes alternative compliance in accordance with this section.

B. The applicable development standard establishes:

1. The standard or requirement eligible for alternative compliance;

2. The decision-maker authorized to approve the request;

3. The maximum extent or type of modification that may be approved, if applicable; and

4. Any additional criteria applicable to the request.

C. A decision-maker may not approve alternative compliance beyond the authority or limitations expressly established by the applicable development standard.

D. Alternative compliance is not intended to provide general relief from the requirements of this UDC and does not replace or supersede a variance, special exception, PUD, or other relief procedure established by this UDC.

3.16.3. Application

A. A request for alternative compliance must be submitted with the development application to which the applicable standard applies.

B. The request must include:

1. The development standard for which alternative compliance is requested;
2. The specific alternative or modification proposed;
3. The extent of the requested modification, where applicable;
4. A written justification demonstrating how the request satisfies the applicable approval criteria; and
5. Plans, exhibits, calculations, or other information necessary to evaluate the request.

C. The Planning and Development Services Director may require additional information reasonably necessary to evaluate the request.

D. The applicant bears the burden of demonstrating that the request satisfies the approval criteria of this section and any additional criteria established by the applicable development standard.

3.16.4. Approval Criteria

The applicable decision-maker may approve a request for alternative compliance when the decision-maker finds that:

A. The request complies with the limitations and any additional criteria established by the applicable development standard;

B. The alternative is consistent with the purpose and intent of the development standard being modified;

C. The alternative is consistent with the comprehensive plan and other adopted plans and policies;

D. The alternative provides an equivalent or better development outcome considering the function, design objective, or performance intended by the applicable standard; and

E. The alternative will not materially increase adverse impacts on adjacent property, the public realm, public health or safety, or public infrastructure.

3.16.5. Decision

A. The decision-maker identified by the applicable development standard may approve, approve with conditions, or deny a request for alternative compliance.

B. Conditions of approval may be imposed when necessary to ensure that the alternative satisfies the applicable approval criteria and achieves the development outcome upon which the approval is based.

C. The decision must identify the development standard subject to alternative compliance, the alternative or modification approved, and any conditions of approval.

3.16.6. Effect of Approval

A. Approval of alternative compliance applies only to the development application, property, and improvements for which it was approved.

B. Approval of alternative compliance does not modify or waive any other requirement of this UDC unless alternative compliance for that requirement is separately authorized and approved.

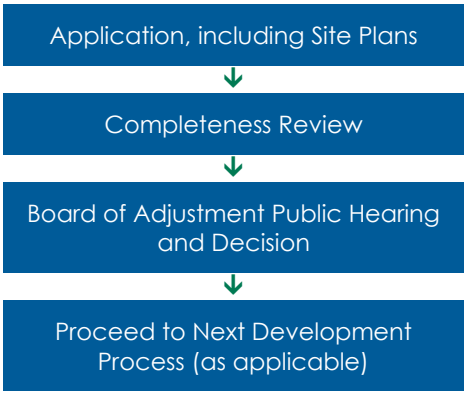
C. Approval of alternative compliance does not establish a precedent for approval of another request for alternative compliance.

3.17. Zoning Appeals, Variances, and Special Exceptions

3.17.1. General

All appeals of an Administrator's zoning decision, requests for variances, or special exceptions will be reviewed by the Board of Adjustment (Board).

Figure 3.17-1. Zoning Appeal, Variance, or Special Exception Summary



A. Initiation

A request for an appeal, variance, and special exception from the terms of the UDC may be made by a property owner of the affected property or their authorized agent.

B. Application

Applications for appeals, variances, or special exceptions must comply with the requirements of the Development Handbook. Applications must include all materials determined necessary by the Planning and Development Services Director.

C. Completeness Determination

Before a public hearing may be scheduled regarding an appeal, variance, or special exception, a complete application as described in Section 3.3.2. Application Forms and Fees, which includes the following items, must be submitted to the Administrator in accordance with the Development Handbook:

1. Complete application form included in the Development Handbook;
2. Application fee in accordance with the Fee Schedule; and
3. In addition to the above listed items, an application for a special exception must be accompanied by a site plan and elevations of the proposed site.

D. Notice and Hearing

1. The Board of Adjustment will hold a public hearing for consideration of an appeal, variance, or special exception in accordance with Section 3.4. Public Hearing and Notice.
2. Notice of the public hearing for an appeal, variance, or special exception will be provided as set forth in Section 3.4. Public Hearing and Notice.
3. The applicant may appear at the hearing in person or by agent or attorney.

E. Determination

The Board of Adjustment will decide on an appeal, variance, or special exception within 45 days of the public hearing.

1. The Board of Adjustment must grant, deny, or grant with conditions the requested variance or special exception.
2. For appeals, the Board of Adjustment must either uphold or overturn the action of the Administrator that is the subject of the appeal.
3. In granting, or granting with conditions, a variance or special exception, the Board of Adjustment must make findings regarding how the granted variance or special exception complies with the criteria listed in Section 3.17.3. Zoning Variances or Section 3.17.4. Special Exceptions, respectively.
4. The Board of Adjustment must file an official written record of action specifying the action it took on an appeal, request for a variance, or special exception and the reasons therefore with the Administrator within 10 days from the date of its action.

F. Recordation

Recordation of the Board of Adjustment's decision will be filed in the appropriate County's records.

3.17.2. Appeals of a Zoning Administrative Decision

A. In accordance with Section 211.009 of the Texas Local Government Code, the Board of Adjustment will hear and decide an appeal that alleges error in an order, requirement, decision, or determination made by an administrative official in the enforcement of the Zoning Regulations contained within this UDC.

B. Appeals to the Board of Adjustment may be made by any person aggrieved or by any officer, department, board or bureau of the City affected by any decision of the Administrator. An appeal must be filed within 30 days after the decision has been rendered. The appeal must be filed with the Administrator specifying the grounds thereof and paying a filing fee as prescribed by the Fee Schedule. The Administrator will immediately transmit to the Board of Adjustment all the papers constituting the record upon which the action appealed from was taken.

C. An appeal, properly filed as herein provided, will stay all proceedings in furtherance of the action appealed from, unless the Administrator certifies to the Board that by reason of facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property, in which case the proceedings may continue, unless a restraining order is issued by the Board or by a court of record after notice to the Administrator and on due cause shown.

D. The decision of the Board is final unless it is timely appealed to a court of competent jurisdiction in accordance with Chapter 211 of the Texas Local Government Code.

E. In exercising its powers, the Board may, in conformity with the provisions of the statutes of the State of Texas as existing or hereafter amended, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from, make such order, requirement, decision, or determination as ought to be made, and have all the powers of the Administrator. The Board has the power to impose reasonable conditions upon any decision that the applicant must comply with.

3.17.3. Zoning Variances

A. Applicability

In accordance with the provisions of the Texas Local Government Code Chapter 211, the Board of Adjustment is authorized to hear and grant requests for a zoning variance from the zoning provisions of the UDC. A variance to the development standards of the UDC is considered an exception to the regulations, rather than a right.

B. Limitations

The Board of Adjustment may not grant a zoning variance that would result in any of the following:

1. To alter any procedural requirement established by this UDC;
2. To allow a use in a district in which it is not permitted, conditionally permitted, or specifically prohibited;
3. To increase the density of a use above that permitted by the applicable district;
4. To physically extend a nonconforming use of land;
5. To change the zoning district's boundaries shown on the Official Zoning Map;
6. To grant waivers or subdivision variances of the standards required for plat approval whereby the Planning and Zoning Commission holds authority;
7. To grant architectural or other waivers whereby City Staff or the Planning and Zoning Commission hold authority;
8. To amend or seek relief from conditional provisions of an ordinance approved by the Specific Use Permit process; or

9. To grant sign variances, whereby the City Council holds authority.

C. Required Findings

1. The Board of Adjustment may authorize a variance from the requirements of the zoning provisions of this UDC if the variance is not contrary to the public interest and, due to special conditions, a literal enforcement of the ordinance would result in unnecessary hardship, and so that the spirit of the ordinance is observed and substantial justice is done.

2. No variance may be granted unless the Board finds all of the following:

   a. Extraordinary Conditions

      There are extraordinary or special conditions affecting the land involved such that strict application of the provisions of the UDC will deprive the applicant of the reasonable use of their land. For example, a variance might be justified because of topographic or other special conditions unique to the property itself and development involved, while it would not be justified due to inconvenience or financial disadvantage.

   b. No Substantial Detriment

      The granting of the variance will not be detrimental to the public health, safety or welfare or injurious to other property in the area or to the City in administering this UDC.

   c. Other Property

      The conditions that create the need for the variance do not generally apply to other property in the community.

   d. Applicant's Actions

      The conditions that create the need for the variance are not the result of the applicant's own actions.

   e. Comprehensive Plan

      The granting of the variance would not substantially conflict with the Comprehensive Plan and the purposes of this UDC.

   f. Utilization

      Due to the conditions that create the need for the variance, the application of this UDC to the particular piece of property would effectively prohibit or unreasonably restrict the utilization of the property.

3. Additional Considerations for Unnecessary Hardship

   In determining whether unnecessary hardship exists, the Board may consider the following factors, as applicable:

   a. The financial cost of compliance is greater than 50 percent of the appraised value of the structure based on the most recent certified appraisal roll;

   b. Compliance would result in a loss of at least 25 percent of the area on which development may physically occur on the lot;

   c. Compliance would result in the structure not being in compliance with another municipal ordinance, building code, or other applicable requirement;

   d. Compliance would result in unreasonable encroachment on an adjacent property or easement; or

   e. The structure is considered a nonconforming structure.

D. Expiration of Variance

Variance approval expires 24 months from the date of Board approval unless a building permit has been issued and construction commenced or, if no building permit is required, a certificate of occupancy has been issued.

3.17.4. Special Exceptions

A. Applicability

In accordance with the provisions of the Texas Local Government Code Chapter 211, the Board of Adjustment, in appropriate cases and subject to appropriate conditions and safeguards, may make special exceptions to the terms of the zoning provisions that are consistent with the general purpose and intent of the ordinance and in accordance with any applicable rules contained in the ordinance.

B. Provisions Eligible for Special Exception Approval

The Board of Adjustment may grant the requested special exception in accordance with Subchapter 6. Nonconformities under specific circumstances therein established.

C. Expiration of Special Exception

Special exception expires six months from the date of Board approval, unless a building permit has been issued and construction commenced or, if no building permit is required, a certificate of occupancy has been issued.

3.18. Nonconforming Site Waivers

3.18.1. Generally

A. Administrative Waiver

1. The Administrator may grant an Administrative Waiver for lawfully nonconforming sites created due to amendments to the zoning regulations over time. The purpose of this waiver is to provide temporary relief to such properties that would otherwise be required to bring such nonconformities into full compliance with City standards prior to occupancy, expansion or other improvements allowed under Subchapter 6. Nonconformities.

2. The granting of a Nonconforming Site Administrative Waiver does not confer conforming status to a nonconforming property; but instead provides a mechanism for which site improvements can be achieved over a specified time-frame never to exceed 36 months. An Administrative Waiver under this section may allow the property to be occupied by a temporary certificate of occupancy until such time the City has inspected the site and determined compliance with the Administrative Waiver conditions and applicable City standards. In no event may the compliance period exceed 36 months.

B. Planning and Zoning Commission Waiver

1. The Planning and Zoning Commission may grant a Nonconforming Site Waiver for a lawfully nonconforming site where full compliance with current site development standards is impractical due to the site's existing development pattern, physical constraints, or other unique site conditions.

2. A Nonconforming Site Waiver approved by the Planning and Zoning Commission may authorize occupancy, expansion, redevelopment, or a change in tenant where the site cannot reasonably achieve full compliance with current site development standards.

3. A Nonconforming Site Waiver approved by the Planning and Zoning Commission runs with the site and remains valid so long as the use remains in compliance with the approved waiver and any associated conditions of approval.

C. Limitations

Nonconforming Site Waivers are limited to site design standards and the timing or sequencing of required improvements and must not:

1. Increase the degree of any existing nonconformity;
2. Create a new nonconformity; or
3. Substitute for a variance required under Section 3.17.3. Zoning Variances or Subchapter 6. Nonconformities.

3.18.2. Criteria for Approval

A. The Administrator may grant an Administrative Waiver for the continuation or expansion of a lawfully nonconforming site, with or without conditions, provided the request complies with the following criteria:

1. The land use is permitted within the zoning district;
2. All health and safety regulations have been met;
3. The granting of the administrative waiver prevents an unreasonable financial loss;
4. The initial improvements installed prior to the temporary certificate of occupancy is a significant improvement to the nonconforming sites, which are evident when viewed from off-site premises;
5. The granting of the Administrative Waiver does not negatively impact adjacent properties in terms of visibility of outdoor storage or other commonly perceived negative impacts of development on adjacent property;
6. The granting of the Administrative Waiver is in harmony with the purpose and intent of the UDC and of the Comprehensive Plan for the physical development of the surrounding area; and
7. The granting of the administrative waiver is not to be contrary to the spirit and intent of the UDC.

B. For Planning and Zoning Commission approval, the Commission must additionally find that:

1. Full compliance with current site development standards is impractical due to the site's existing development pattern, physical constraints, or other unique site conditions;
2. The proposed improvements represent substantial progress toward compliance with current standards; and
3. The requested relief is the minimum necessary to allow reasonable use or occupancy of the property.

3.18.3. Conditions of Approval

The Administrator or Planning and Zoning Commission may impose conditions necessary to ensure compliance with this Section, including phased compliance schedules, installation of specific site improvements, deadlines for completion of improvements, or other measures necessary to protect public health, safety, and welfare.

3.18.4. Appeals

A. Appeals of an Administrative Waiver may be made to the Planning and Zoning Commission.

B. Appeals of a Planning and Zoning Commission waiver decision may be made to the City Council.

3.18.5. Expiration

A. An Administrative Waiver expires 12 months from the date of Administrative approval, unless:

1. A permanent certificate of occupancy has been issued; or
2. The Administrator, upon a finding of good cause documented in writing, approves a longer expiration date, not to exceed 36 months.

B. A Nonconforming Site Waiver approved by the Planning and Zoning Commission remains valid so long as the use remains in compliance with the approved waiver and any associated conditions of approval.

3.19. Administrative Interpretations

3.19.1. Applicability

The Administrator is authorized to make written interpretations concerning the provisions of the UDC and other development-related codes of the City. Such interpretations must be administrative in nature and may not waive, add to, or otherwise modify the requirements of the UDC.

3.19.2. Request for Interpretation

A request for interpretation must be submitted to the Administrator in a form established by the Administrator and made available to the public. Such request may only be made during development review of a pending application or when a code enforcement requirement is in question.

3.19.3. Interpretation by Administrator

In issuing an interpretation, the Administrator will:

A. Review and evaluate the request in light of the text of the UDC, the Official Zoning District Map, the Comprehensive Plan, and any other relevant information;

B. Consult with other City staff, as necessary; and

C. Render a written interpretation to the applicant.

3.19.4. Official Record

The Administrator will maintain an official record of all written interpretations. The record of interpretations will be available for public inspection during normal business hours.

3.19.5. Appeal of an Administrative Interpretation

Appeals of administrative interpretations are heard by the review body having jurisdiction over the subject matter of the interpretation.

A. Zoning Interpretations

A party affected by a written interpretation may appeal the interpretation to the Board of Adjustment within 30 days of the Administrator's decision, in accordance with Section 3.17.2. Appeals of a Zoning Administrative Decision and applicable state law.

B. Subdivision Interpretations

A party affected by a written interpretation of subdivision regulations contained within Subchapter 13. Subdivision Processes and Design may appeal the interpretation to the Planning and Zoning Commission within 30 days of the Administrator's decision.

3.20. Application for Legal Nonconforming Status

In accordance with Subchapter 6. Nonconformities, an applicant may apply for a legal nonconforming status determination for a land use, structure, lot, and site.

3.21. Permits, Projects, and Vested Rights

3.21.1. Vested Rights

A. Texas Local Government Code Chapter 245 (TLGC), commonly referred to as the State's "Vested Rights Law", provides an opportunity for landowners or developers to rely on the regulations in effect at the time a permit application is filed.

B. This section establishes procedures for determining application expiration, permit and project expiration, extensions, and administrative consideration of claims of vested rights in accordance with Chapter 245. This section is intended to distinguish between permit applications, approved permits, and projects, each of which is subject to different expiration and vesting provisions.

3.21.2. Terms

The following words and phrases, when used in this section have the meanings ascribed to them in this section except where the context clearly indicates a different meaning:

A. Completed Application

An application that includes all forms, plans, studies, supporting documents, and fees required by the City at the time of filing and that the Official has determined is complete for review in accordance with Texas Local Government Code Chapter 245.

B. Official

Means the Planning and Development Services Director or designee responsible for administering this section.

C. Permit

Has the meaning ascribed to it in Texas Local Government Code Section 245.001.

D. Project

Has the meaning ascribed to it in Texas Local Government Code Section 245.001.

3.21.3. Permit Applications, Completeness, and Expiration

A. General

Unless otherwise specified in the UDC or the City's Code of Ordinances, permit applications expire as stated herein. Application expiration governs only the validity of the application and does not, by itself, establish or extend vested rights.

B. Application Expiration Due to Incompleteness

A permit application or plan for development expires on the 45th day after filing, unless approved, if all the following apply:

1. The applicant fails to provide documents or other information necessary to comply with the City's technical requirements relating to the form and content of the application;
2. The City provides written notice to the applicant of the failure not later than the 10th business day after the date the application is filed, specifying the necessary documents or other information and the date the application will expire if the documents or other information are not provided; and,
3. The applicant fails to provide the specified documents or other information within the time provided in the notice.

C. Effect of Application Expiration

If the application expires, any subsequent request must be submitted as a new application, subject to the regulations in effect at the time of refiling, unless the applicant establishes vested rights under applicable law.

D. Application Extensions

1. Before expiration, an applicant may submit a written request to extend the expiration date of a permit application.
2. The Official may, but is not required to, grant one administrative extension of up to 180 days for good cause. No additional extensions may be granted under this section. Any such extension must be issued in writing and signed by the Official or their designee.
3. If no extension is granted, the application expires and any subsequent request must be submitted as a new application, subject to the regulations in effect at the time of refiling.

E. Residential Permit Submittals

For residential projects, the materials required to establish a completed application may include architectural elevations, site layout, and other information required by the City at the time of filing. Landscaping plans are required only if expressly mandated elsewhere in this Code for the applicable permit type. Only materials required for a completed application are considered for vesting purposes.

3.21.4. Project Vesting and Expiration

A. Only a Project that was in progress (as defined by TLGC Section 245.003) or for which a completed application was filed on or after September 1, 1997 may be eligible to claim vested rights; any project for which the completed application was filed prior to September 1, 1997, or has expired, is not eligible.

B. Subject to the exemptions in TLGC Section 245.004, the following permits may be relied upon to establish vested rights for a project:

1. Plat Applications

Vested rights under TLGC Chapter 245 will be recognized for the project that is the subject of a completed application for a plat that has been filed with the City, provided all necessary fees have been paid.

2. Approved Plats

a. Vested rights under TLGC Chapter 245 will be recognized for a project associated with the property that is the subject of a plat that has been approved by the City, provided that fair notice was provided in accordance with TLGC Chapter 245.

b. The approval or filing of a replat will be treated as establishing a new permit for purposes of project review, and prior vesting will not be presumed to apply to the replatted property. A property owner may assert that vested rights continue to apply to the project notwithstanding the replat by submitting a claim in accordance with Section 3.21.5. Administrative Procedure for Consideration of a Claim of Vested Rights. Upon such request, the Official will evaluate whether the replat constitutes a continuation of the same project or a new project under Texas Local Government Code Chapter 245 and issue a vested rights determination in accordance with this section.

3. Other Permits

Any other permit for which an expiration date is not specifically set forth in this UDC or in other applicable law will expire two years after the date the application for the permit was filed with the City if progress, as defined in TLGC Section 245.005, has not been made toward completion of the project.

C. Project Expiration and Progress

1. A Project expires 5 years from the date the first completed application was filed with the City if progress, as defined by TLGC Section 245.005, has not been made toward completion of the Project.

2. Progress may be demonstrated by any of the benchmarks identified in TLGC Section 245.005.

3. An expired Project is considered dormant, vested rights lapse, and the Project must comply with all ordinances and requirements in effect at the time of any new application.

D. Project Extension

1. Prior to Project expiration, the property owner may submit a written request to the Official for an extension of the Project expiration date.

2. In determining whether to grant an extension, the Official may consider:

a. The reasons for delay in progressing the Project;

b. The property owner's ability to comply with conditions attached to prior approvals; and

c. The extent to which development regulations would apply if the Project were required to comply with current standards.

d. Any extension must be issued in writing and does not apply to Projects that have already expired.

3.21.5. Administrative Procedure for Consideration of a Claim of Vested Rights

Any property owner claiming vested rights under TLGC Chapter 245, or other applicable vesting law, must submit a written request to the City of Pflugerville Vested Rights Official explaining in sufficient detail the basis for the claim. The request must include, at a minimum:

A. The name, mailing address, telephone number and email address of the property owner (or the property owner's duly authorized agent);

B. Identification of the property, including the address (if it exists) and the plat reference (if it exists) or metes and bounds (if not platted), for which the property owner claims a vested right;

C. Identification of the "project," as that term is defined in Chapter 245 (Section 245.001 (3)) of the TLGC;

D. Identification of the original application for the first permit in the series of permits required for the project, as described in Chapter 245 (Sec. 245.001(1) and 245.002(a) and (b)) of the TLGC;

E. The date that the first permit in the series of permits required for the project was filed with the City;

F. A chronology of the history of the project, with special emphasis on facts establishing that the project was in progress or commenced after September 1, 1997, as required by Chapter 245 (Sec. 245.003) of the TLGC;

G. Identification of all City regulations in effect at the time the original application for the permit was filed that the owner contends are vested and the owner contends controls the approval, disapproval, or conditional approval of an application for a permit, pursuant to Chapter 245 (Sec. 245.002(a) and (b)) of the TLGC;

H. Identification of all City regulations that the property owner contends do not apply to the project due to the vested rights provided the property owner by Chapter 245 of the TLGC; and

I. Identification of all City regulations that the property owner contends would apply to the project that predate the regulations the property owner contends do not apply.

J. If a property owner claims that certain regulations do not apply to the Project, the property owner must identify, with particularity, all requirements that the property owner claims do not apply; and

K. Attach all supporting documents, if any.

3.21.6. Vested Rights Determination

The Official will review the request and supporting documents and issue a written administrative determination identifying whether vested rights exist and, if so, the specific regulations applicable to the Project (the "Vested Rights Determination").

3.21.7. Appeal of a Vested Rights Determination

If the property owner believes that the vested rights determination is in error, the property owner has the right to appeal such vested rights determination to the City Council, which will have jurisdiction to hear and decide the appeal. The appeal provided for herein is a required condition precedent to any other appeal authorized by law.

Subchapter 4. Establishment of Districts and Boundaries

4.1. Zoning Districts Established

The zoning districts and associated regulations are established to reflect the character of each district, ensure the suitability of identified uses, and promote the most appropriate use of land throughout the City in a manner consistent with the Comprehensive Plan. The City is hereby divided into the following zoning districts:

Figure 4.1-1. Zoning Districts

District Name	
Residential Zoning Districts	
Agriculture/Development Reserve	A
Single-Family Suburban Residential	SF-S
Single-Family Residential	SF-R
Single-Family Mixed-Use Residential	SF-MU
Neighborhood Mixed-Use	N-MU
Neighborhood Flex Residential	NFR
Multi-Family-10	MF-10
Multi-Family-20	MF-20
Manufactured Housing	MH
Nonresidential Zoning Districts	
Public Facilities	PF
Public Facilities and Open Space	POS
Office	O
Neighborhood Service	NS
Retail	R
General Business 1	GB1
General Business 2	GB2
Campus Industrial	CI
Light Industrial	LI
General Industrial	GI
Corridor Districts	
Corridor Level 3: Neighborhood	CL3
Corridor Level 4: Urban	CL4
Corridor Level 5: Urban Center	CL5
Special Districts and Overlays	
Downtown District Overlay	DD
685 Commercial Park Overlay District	CP
Planned Unit Development	PUD
Austin Executive Airport Hazard Overlay District	AEA

4.2. Residential Zoning Districts

4.2.1. Generally

A. Purpose

The purpose of residential zoning districts is to provide appropriate dwelling choices and diversity based upon location and function within the City.

B. Reference to Development Standards

Unless otherwise indicated, each lot or tract of land must comply with Chapter 158 Stormwater Pollution Control Ordinance and all applicable provisions, in their entirety, of the following subchapters:

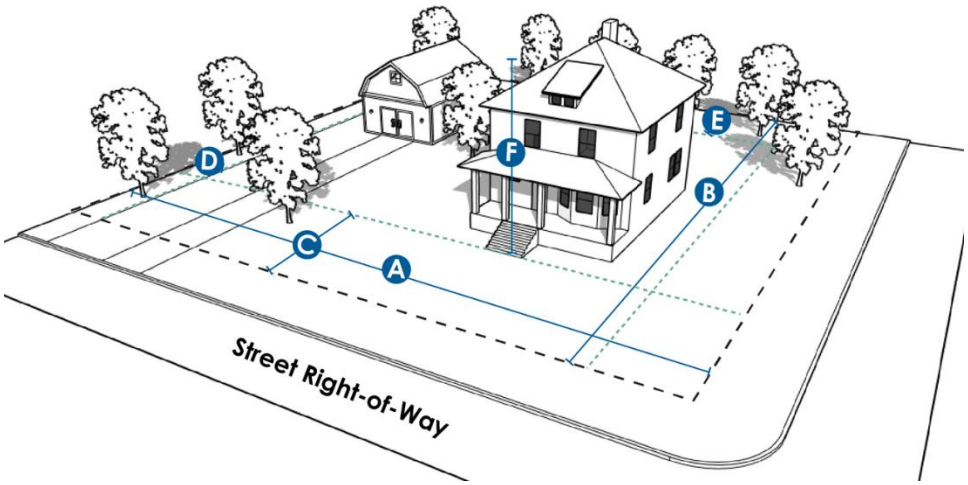
1. Site Development Standards: See Subchapter 7. Building and Site Design.
2. Parking, Mobility, and Circulation Standards: See Subchapter 8. Parking, Mobility, and Circulation.
3. Landscaping and Screening: See Subchapter 9. Landscaping and Screening.
4. Tree Preservation Standards: See Subchapter 10. Tree Preservation.
5. Lighting Standards: See Subchapter 11. Exterior Lighting.
6. Parkland Standards: See Subchapter 12. Public Parkland and Open Space and Parks Development Manual.
7. Subdivision: See Subchapter 13. Subdivision Processes and Design.
8. Definitions: See Subchapter 14. Definitions.
9. Engineering Standards: See the Engineering Design Manual and Construction Standards.
10. Tree Preservation Technical Standards: See Tree Technical Manual.

4.2.2. Agriculture/Development Reserve (A) District

A. Purpose

The Agriculture/Development Reserve (A) district is intended to accommodate agricultural uses and very low-intensity residential development in areas that are largely undeveloped. The district may serve as an interim zoning classification for land identified in the Comprehensive Plan as having long-term development potential, allowing continued agricultural use while recognizing future growth. Typical development includes agricultural operations, large-lot single-family homes, and limited accessory residential uses that reflect rural character and existing conditions. For properties subject to non-annexation development agreements pursuant to Section 212.172 and Section 43.035 of the Texas Local Government Code, development regulations of this district apply.

B. Dimensional Standards



A Lot Width
B Lot Depth
C Front Setback
D Side Setback
E Rear Setback
F Building Height

General Regulations	All Development
Lot Dimensions and Density	
Minimum Lot Area	3 acres
Minimum Lot Width (Corner Lots: Additional 10')	70'
Minimum Lot Depth	125'
Setbacks	
Minimum Front Setback	25'
Minimum Side Setback	Interior: 7.5' Corner: 15'
Minimum Rear Setback	20'
Building Standards	
Maximum Principal Building Height	35'
Maximum Accessory Building Height	No greater than the height of the principal building and at no point greater than 24' in height [1]

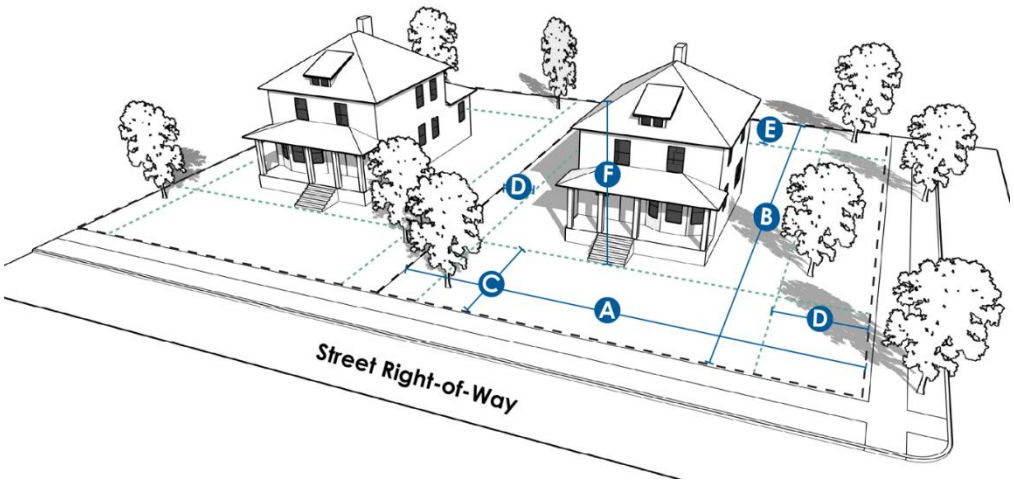
[1] Within the Agriculture/Development Reserve (A) district and land in the City's ETJ subject to non-annexation development agreements pursuant to Section 212.172 and Section 43.035 of the Texas Local Government Code, accessory structures associated with agricultural land uses are permitted regardless of height.

4.2.3. Single-Family Suburban Residential (SF-S) District

A. Purpose

The Single-Family Suburban Residential (SF-S) district is intended to accommodate low-density, Single-Family Detached housing within established or developing suburban neighborhoods. The district provides for conventional residential subdivisions supported by public utilities, streets, and neighborhood-serving facilities. Typical development includes detached homes on individual lots, accessory dwelling units where allowed, and neighborhood amenities designed to support stable residential environments while remaining protected from incompatible land uses.

B. Dimensional Standards



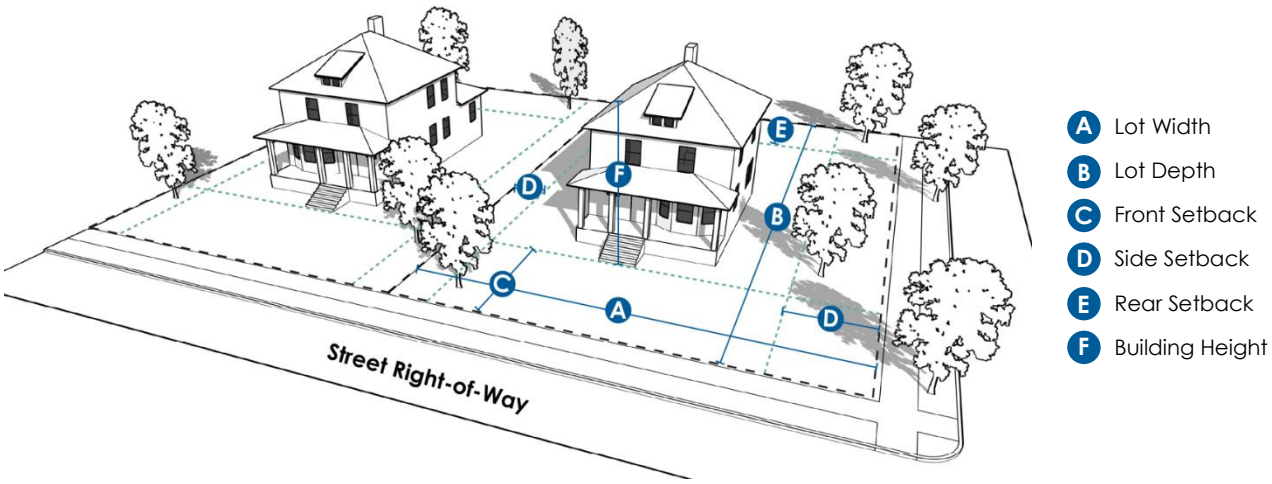
General Regulations	All Development
Lot Dimensions and Density	
Minimum Lot Area	9,000 sq ft
Minimum Lot Width (Corner Lots: Additional 10')	70'
Minimum Lot Depth	125'
Setbacks	
Minimum Front Setback	25'
Minimum Side Setback	Interior: 7.5' Corner: 15'
Minimum Rear Setback	20'
Building Standards	
Maximum Principal Building Height	35'
Maximum Accessory Building Height	No greater than the height of the principal building and at no point greater than 24' in height.

4.2.4. Single-Family Residential (SF-R) District

A. Purpose

The Single-Family Residential (SF-R) district is intended to accommodate low-density, Single-Family Detached residential development within large, master-planned neighborhoods. The district supports a suburban development pattern with flexibility to provide a range of lot sizes as part of a coordinated subdivision design. In appropriate locations, the district may also be applied to infill areas to allow for compatible single-family suburban housing that maintains the character and scale of surrounding residential development.

B. Dimensional Standards



General Regulations	Single-Family Detached – Large Lots	Single-Family Detached – Standard Lots	Single-Family Detached – Small Lots
Lot Dimensions and Density			
Minimum Lot Area	7,500 sq ft	6,250 sq ft	5,000 sq ft
Minimum Lot Width (Corner Lots: Additional 10')	60'	50'	40'
Minimum Lot Depth	125'	125'	120'
Setbacks			
Minimum Front Setback	25'	25'	15'
Minimum Side Setback	Interior: 5' Corner: 15'	Interior: 5' Corner: 15'	Interior: 5' Corner: 15'
Minimum Rear Setback	20'	20'	20'
Building Standards			
Maximum Principal Building Height	35'	35'	35'
Maximum Accessory Building Height	No greater than the height of the principal building and at no point greater than 24' in height.		

C. Additional Requirements

1. Overall preliminary plan must be at least 10 acres in size.

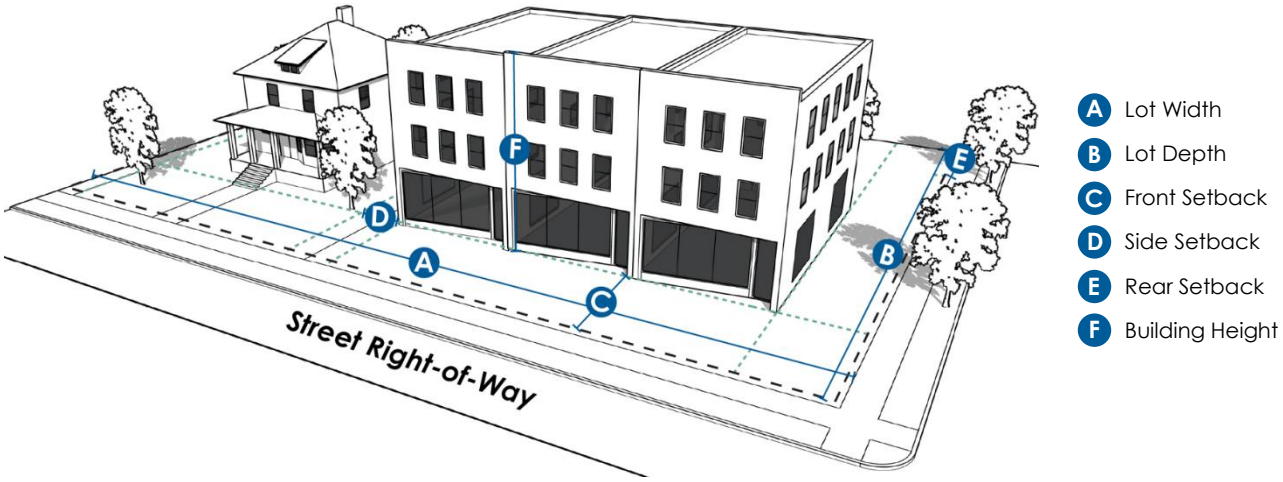
2. Lot Mix Requirements
    a. Standard Lots can comprise up to 50 percent of the total lots in a subdivision.
    b. Small Lots can comprise up to 25 percent of the total lots in a subdivision.
    c. Small Lots can comprise up to 100 percent of lots on a single block when the block length does not exceed 200 feet.
3. All Small Lots must be alley-loaded.
4. Small Lots may be developed as zero lot line homes in accordance with Section 7.3.4.D. Zero Lot Line Homes. Standard and Large Lots are not eligible for zero lot line development.

4.2.5. Single-Family Mixed-Use (SF-MU) District

A. Purpose

The Single-Family Mixed-Use (SF-MU) district is intended to accommodate predominantly single-family residential development with limited, neighborhood-serving nonresidential uses integrated as part of a cohesive mixed-use environment. The district supports small lot single-family homes with compatible nonresidential uses that serve nearby residents and contribute to daily neighborhood needs. Development in this district is intended to function at a neighborhood scale, with an emphasis on walkability, coordinated site design, and internal connectivity, while maintaining compatibility with surrounding residential areas.

B. Dimensional Standards



General Regulations	Single-Family Detached	Townhouse or Live-Work Unit	All Other Development
Lot Dimensions and Density			
Minimum Lot Area	5,000 sq ft	2,500 sq ft	N/A
Minimum Lot Width (Corner Lots: Additional 10')	40'	25'	25'
Minimum Lot Depth	120'	100'	N/A
Setbacks			
Minimum Front Setback	Front-loaded: 20' Alley-loaded: 15'	Alley-loaded only: 15'	15'
Minimum Side Setback	Interior: 5' Corner: 15'	Interior: 5' Corner: 15'	Between units: 0' Interior: 10' Corner: 15'
Minimum Rear Setback	20'	20'	20'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	N/A	N/A	10'
Building Standards			
Maximum Principal Building Height	35'	35'	35'

General Regulations	Single-Family Detached	Townhouse or Live-Work Unit	All Other Development
Maximum Accessory Building Height	No greater than the height of the principal building and at no point greater than 24' in height.		

C. Additional Requirements

1. Single-Family Mixed-Use (SF-MU) District Use Mix Requirements

a. Generally

(1) Developments must incorporate a mix of development types and be planned and designed as an integrated, unified mixed-use development. Residential and nonresidential components must be interconnected through a coordinated street network, pedestrian connections, shared open spaces, and cohesive site planning, and may not function as isolated or stand-alone pods.

(2) For purposes of this Section, "development type" means a category of use distinguished by building form and function, as follows:

(a) Residential Development Types: Household Living Building Types listed in 5.2.1. Residential Uses and Conditions, as permitted within the district.

(b) Nonresidential Development Types: Uses classified under different subcategories in Sections 5.2.2 through 5.2.6 (such as Retail Sales and Service; Office and Professional Services; and Entertainment and Assembly within the Commercial Uses category), as permitted within the district.

b. Developments Less Than 40 Acres

Developments less than 40 acres must provide the following mix of land uses:

(1) Development must include at least two development types, consisting of:

(a) At least one residential development type; and

(b) At least one nonresidential development type.

(2) No single development type may comprise more than 70 percent of the total land area within the project.

(3) Nonresidential uses must comprise a minimum of 10 percent of the total land area.

c. Developments 40 to 75 Acres

Developments 40 acres and up to 75 acres must provide the following mix of land uses:

(1) Development must include at least three development types.

(2) The required mix may consist of either:

(a) Two residential development types and one nonresidential development type; or

(b) One residential development type and two nonresidential development types that fall under different use subcategories.

(3) No single development type may comprise more than 60 percent of the total land area within the project.

(4) Nonresidential uses must comprise a minimum of 15 percent of the total land area.

d. Developments Greater Than 75 Acres

(1) Developments exceeding 75 acres require approval of a Specific Use Permit.

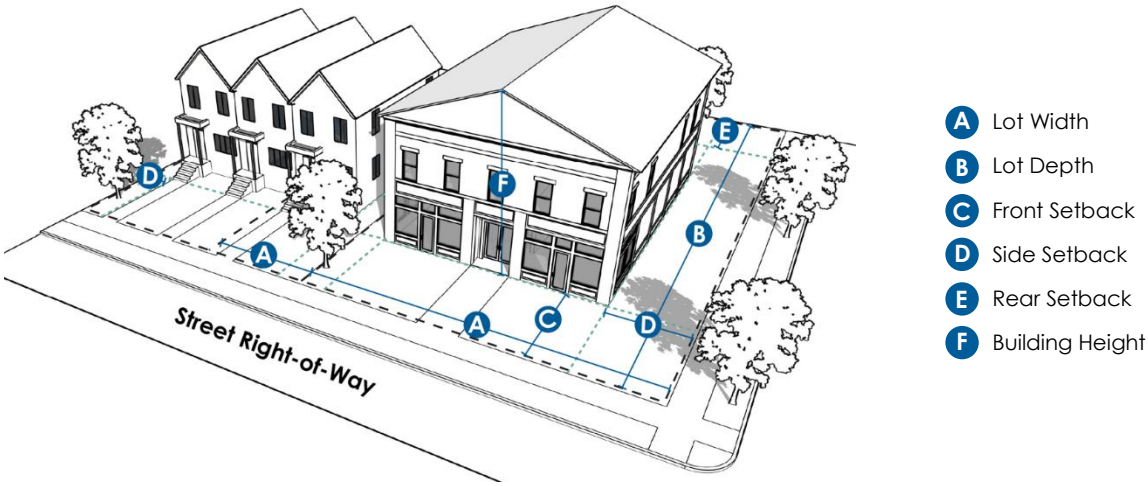
(2) In reviewing the Specific Use Permit, the City will evaluate whether the proposed mix of residential and nonresidential development types creates a cohesive mixed-use neighborhood with adequate diversity of housing options, services, and employment opportunities.

4.2.6. Neighborhood Mixed-Use (N-MU) District

A. Purpose

The Neighborhood Mixed-Use (N-MU) district is intended to accommodate predominantly residential development with a broader range of housing types and a modestly greater allowance for neighborhood-scale nonresidential uses. The district supports a mix of small-lot Single-Family Detached homes, Townhouses, Duplexes, and other compatible residential building types, consistent with the Comprehensive Plan's emphasis on housing variety and mixed-density neighborhoods. Nonresidential uses are intended to serve nearby residents and be integrated into a cohesive development pattern with coordinated site design, pedestrian-oriented streets, and a scale that remains compatible with surrounding neighborhoods.

B. Dimensional Standards



General Regulations	Single-Family Detached	Duplex	Townhouse or Live-Work Unit	All Other Development
Lot Dimensions and Density				
Minimum Lot Area	Front-loaded: 6,000 sq ft Alley-loaded: 5,000 sq ft	Front-loaded: 9,000 sq ft Alley-loaded: 7,500 sq ft	Alley-loaded only: 2,000 sq ft	N/A
Maximum Density (Units Per Acre for Residential Area)	N/A	N/A	N/A	16/acre
Minimum Lot Width (Corner Lots: Additional 10')	Front-loaded: 50' Alley-loaded: 40'	Front-loaded: 70' Alley-loaded: 60'	Alley-loaded only: 20'	25'
Minimum Lot Depth	120'	120'	100'	N/A
Setbacks				
Minimum Front Setback	Front-loaded: 20' Alley-loaded: 15'	Front-loaded: 20' Alley-loaded: 15'	Alley-loaded only: 15'	15'
Minimum Side Setback	Interior: 5' Corner: 15'	Interior: 7.5' Corner: 15'	Between units: 0' Interior: 7.5' Corner: 15'	Interior: 10' Corner: 15' Abutting an SF district: 20'
Minimum Rear Setback	20'	20'	20'	20'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping	N/A	N/A	N/A	20' for buildings up to 35' in height 30' for buildings over 35'

General Regulations	Single-Family Detached	Duplex	Townhouse or Live-Work Unit	All Other Development
and Screening)				in height
Building Standards				
Maximum Principal Building Height	35'	35'	45'	50'
Maximum Accessory Building Height	No greater than the height of the principal building.			
Building Height Setback	N/A	N/A	N/A	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required.

C. Additional Requirements

1. Neighborhood Mixed-Use (N-MU) District Use Mix Requirements

a. Generally

(1) All developments must incorporate a mix of development types and be planned and designed as an integrated, unified mixed-use development. Residential and nonresidential components must be interconnected through a coordinated street network, pedestrian connections, shared open spaces, and cohesive site planning, and may not function as isolated or stand-alone pods.

(2) For purposes of this Section, "development type" means a category of use distinguished by building form and function, as follows:

(a) Residential Development Types: Household Living Building Types listed in 5.2.1. Residential Uses and Conditions, as permitted within the district.

(b) Nonresidential Development Types: Uses classified under different subcategories in Sections 5.2.2 through 5.2.6 (such as Retail Sales and Service; Office and Professional Services; and Entertainment and Assembly within the Commercial Uses category), as permitted within the district.

b. Developments Less Than 10 Acres

Developments less than 10 acres must provide the following mix of land uses:

(1) Development must include at least two development types, consisting of:

(a) At least one residential development type; and

(b) At least one nonresidential development type.

(2) No single development type may comprise more than 80 percent of the total land area within the project.

(3) Nonresidential uses must comprise a minimum of 10 percent of the total land area.

c. Developments 10 to 40 Acres

Developments 10 acres and up to 40 acres must provide the following mix of land uses:

(1) Development must include at least three development types, consisting of either:

(a) Two residential development types and one nonresidential development type; or

(b) One residential development type and two nonresidential development types that fall under different use subcategories.

(2) No single development type may comprise more than 40 percent of the total land area within the project.

(3) Nonresidential uses must comprise a minimum of 15 percent of the total land area.

d. Developments 40 to 75 Acres

Developments 40 acres and up to 75 acres must provide the following mix of land uses:

(1) Development must include at least four development types, consisting of either:

(a) Three residential development types and one nonresidential development type; or

(b) Two residential development types and two nonresidential development types that fall under different use subcategories.

(2) No single development type may comprise more than 50 percent of the total land area within the project.

(3) Nonresidential uses must comprise a minimum of 20 percent of the total land area.

e. Developments 75 Acres or Larger

(1) Developments 75 acres or larger require approval of a Specific Use Permit.

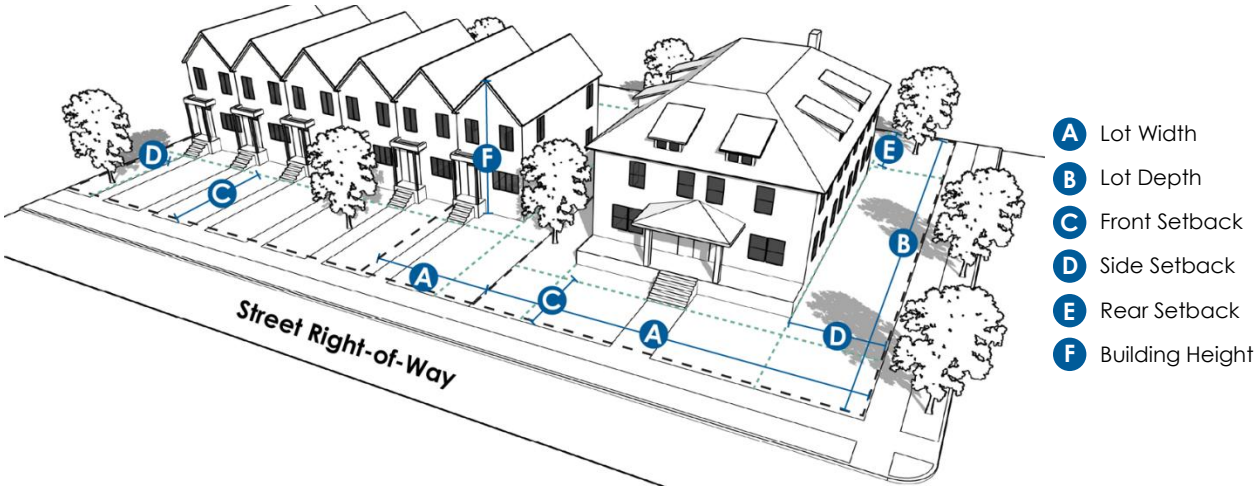
(2) In reviewing the Specific Use Permit, the City will evaluate whether the proposed mix of residential intensities and nonresidential uses creates a cohesive, walkable neighborhood center with appropriate transitions in scale, compatibility with adjacent lower-density residential areas, and adequate diversity of housing options, services, and employment opportunities.

4.2.7. Neighborhood Flex Residential (NFR) District

A. Purpose

The Neighborhood Flex Residential (NFR) district is intended to support "missing middle" housing by encouraging a variety of residential lot sizes, building types, and housing formats within a neighborhood-scale setting. The district provides opportunities for Duplexes, Townhouses, and other small-scale multi-unit residential development that creates a transition between lower-density residential areas and more intensive development. A very limited range of nonresidential uses may be allowed when designed to directly support the immediate neighborhood and integrated in a manner that maintains residential character, walkability, and compatibility with surrounding development.

B. Dimensional Standards



	Single-Family Detached	Duplex	Townhouse or Live-Work Unit	All Other Development
Lot Dimensions and Density				
Minimum Lot Area	Front-loaded: 6,000 sq ft Alley-loaded: 5,000 sq ft	Front-loaded: 9,000 sq ft Alley-loaded: 7,500 sq ft	Alley-loaded only: 2,000 sq ft	N/A
Maximum Density (Units Per Acre for Residential Area)	N/A	N/A	N/A	16/acre
Minimum Lot Width (Corner Lots: Additional 10')	Front-loaded: 50' Alley-loaded: 40'	Front-loaded: 70' Alley-loaded: 60'	Alley-loaded only: 20'	N/A
Minimum Lot Depth	120'	120'	100'	N/A
Setbacks				
Minimum Front Setback	Front-loaded: 20' Alley-loaded: 15'	Front-loaded: 20' Alley-loaded: 15'	Alley-loaded only: 15'	15'
Minimum Side Setback	Interior: 5' Corner: 15'	Interior: 7.5' Corner: 15'	Between units: 0' Exterior: 7.5' Corner: 15'	Interior: 10' Corner: 15' Abutting an SF district: 20'
Minimum Rear Setback	20'	20'	20'	20'
Single Family Adjacency Vegetative	N/A	N/A	N/A	10'

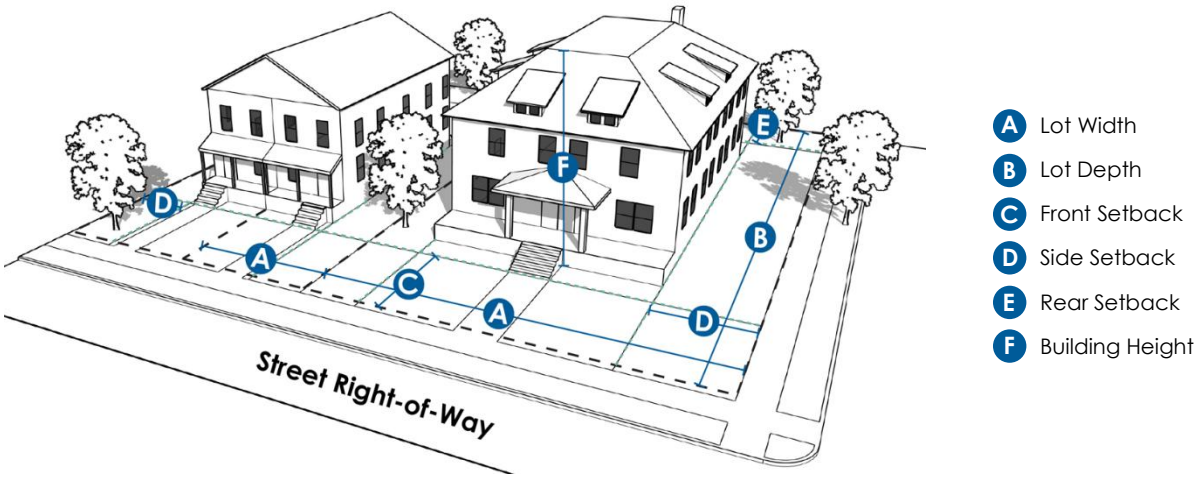
	Single-Family Detached	Duplex	Townhouse or Live-Work Unit	All Other Development
Bufferyard (See Subchapter 9. Landscaping and Screening)				
Building Standards				
Maximum Principal Building Height	35'	35'	35'	35'
Maximum Accessory Building Height	No greater than the height of the principal building.			

4.2.8. Multi-Family-10 (MF-10) District

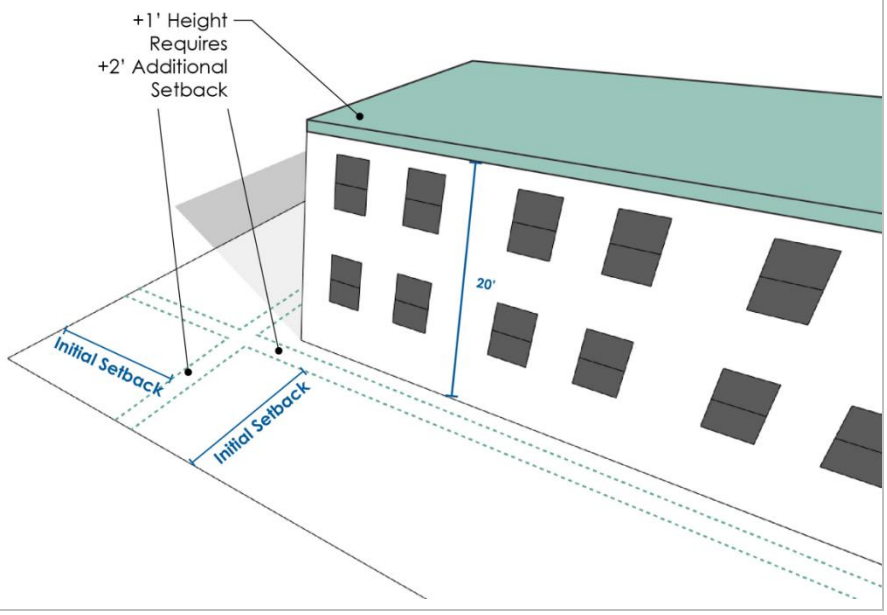
A. Purpose

The Multi-Family-10 (MF-10) district is intended to provide opportunities for small-scale, lower-density multi-family residential development in suburban contexts. The district supports a range of residential building types designed to transition between single-family neighborhoods and more intense residential or mixed-use areas. Typical development includes garden-style apartments, townhouses, and other multi-family forms that emphasize compatibility, appropriate scale, and access to collector streets and nearby services.

B. Dimensional Standards



General Regulations	Duplex	Townhouse	All Other Development
Lot Dimensions and Density			
Minimum Lot Area	Front-loaded: 10,000 sq ft Alley-loaded: 9,000 sq ft	Alley-loaded only: 2,500 sq ft	N/A
Maximum Density (units per acre)	10/acre	10/acre	10/acre
Minimum Lot Width (Corner Lots: Additional 10')	Front-loaded: 50' Alley-loaded: 40'	Alley-loaded only: 25'	25'
Maximum Impervious Cover	N/A	N/A	40%
Setbacks			
Minimum Front Setback	Front-loaded: 20' Alley-loaded: 15'	Alley-loaded only: 15'	15'
Minimum Side Setback	Interior: 10' Corner: 20'	Between units: 0' Exterior: 10' Corner: 20'	Interior: 10' Corner: 15' Abutting an SF district: 30'
Minimum Rear Setback	20'	20'	20' Abutting an SF district: 30'
Streetscape Yard	15'	15'	15'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	N/A	N/A	20'
Building Standards			

General Regulations	Duplex	Townhouse	All Other Development
Maximum Principal Building Height	35'	45'	45'
Maximum Accessory Building Height	No greater than the height of the principal building and at no point greater than 24' in height.		
Building Height Setback	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required. 		

4.2.9. Multi-Family-20 (MF-20) District

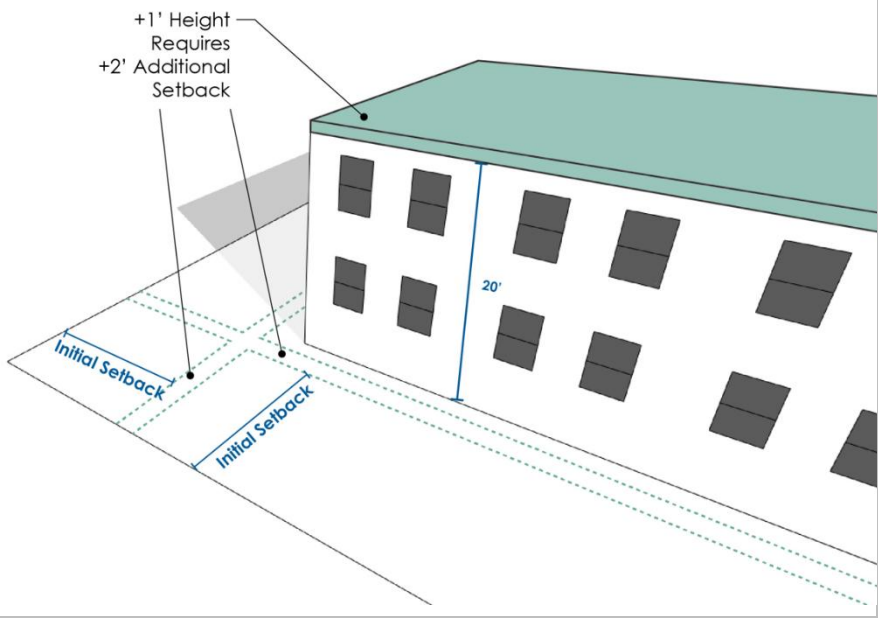
A. Purpose

The Multi-Family-20 (MF-20) district is intended to accommodate medium- to higher-density residential development, including multi-family and mixed-use residential projects. The district is generally appropriate along major streets, near commercial areas, or as a buffer between less and more intense land uses. Development may include a variety of multi-family building types and, where appropriate, limited nonresidential uses that provide services to residents and nearby neighborhoods, consistent with the Comprehensive Plan's growth and housing objectives.

B. Dimensional Standards



General Regulations	Townhouse or Live-Work Unit	All Other Development
Lot Dimensions and Density		
Minimum Lot Area	Alley-loaded only: 2,000 sq ft	N/A
Maximum Density (units per acre)	20/acre	20/acre
Minimum Lot Width (Corner Lots: Additional 10')	Alley-loaded only: 25'	25'
Maximum Impervious Cover	N/A	40%
Setbacks		
Minimum Front Setback	Alley-loaded only: 15'	15'
Minimum Side Setback	Between units: 0' Exterior: 10' Corner: 20'	Interior: 10' Corner: 15' Abutting an SF district: 30'
Minimum Rear Setback	20'	15' Abutting an SF district: 30'
Streetscape Yard	15'	15'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	N/A	20'
Building Standards		
Maximum Principal Building Height	45'	45'

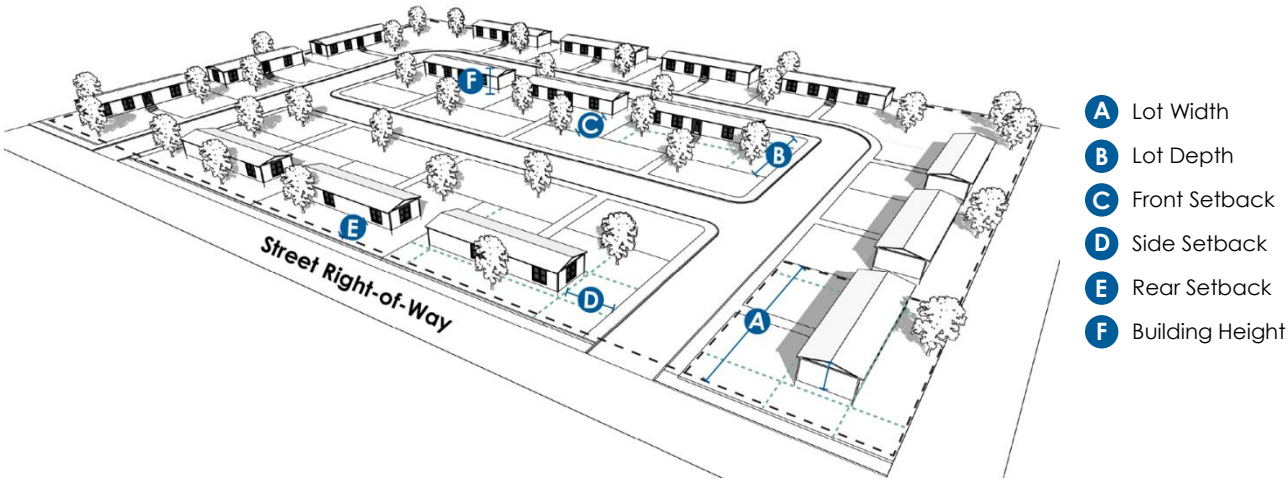
General Regulations	Townhouse or Live-Work Unit	All Other Development
Maximum Accessory Building Height	No greater than the height of the principal building and at no point greater than 24' in height.	
Building Height Setback	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required. 	

4.2.10. Manufactured Housing (MH) District

A. Purpose

The Manufactured Housing (MH) district is intended to provide for planned manufactured home parks or subdivisions developed as unified residential communities. The district supports affordable housing options in areas with appropriate access to public streets and infrastructure. Typical development consists of manufactured homes arranged in a coordinated layout with internal circulation, common amenities, and design features intended to ensure compatibility with surrounding land uses.

B. Dimensional Standards



General Regulations	All Development
Lot Dimensions and Density	
Minimum Site Area	90,000 sq ft
Maximum Site Area	50 acres
Minimum Lot Area	4,500 sq ft per dwelling unit
Maximum Density (units per acre)	8/acre
Maximum Lot Coverage	N/A
Setbacks	
Minimum Front Setback	25'
Minimum Side Setback	Between units: 10' Corner: 15' Abutting an SF district: 15'
Minimum Rear Setback	15' Abutting an SF district: 20'
Streetscape Yard	25' along arterial; 15' along collector
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	30'
Building Standards	
Maximum Building Length	N/A

General Regulations	All Development
Maximum Principal Building Height	24'
Maximum Accessory Building Height	No greater than the height of the principal building height.

4.3. Nonresidential Districts

4.3.1. Generally

A. Purpose

The purpose of the nonresidential zoning districts is to provide an adequate mix of commercial and industrial land uses that encourage a blend of employment, services and shopping opportunities.

B. For properties located within a Special District and Overlays, such as the Downtown District Overlay, refer to 4.5 for additional land use provisions and development requirements.

C. Reference to Development Standards

Unless otherwise indicated, each lot or tract of land must comply with Chapter 158 Stormwater Pollution Control Ordinance and all applicable provisions, in their entirety, of the following subchapters:

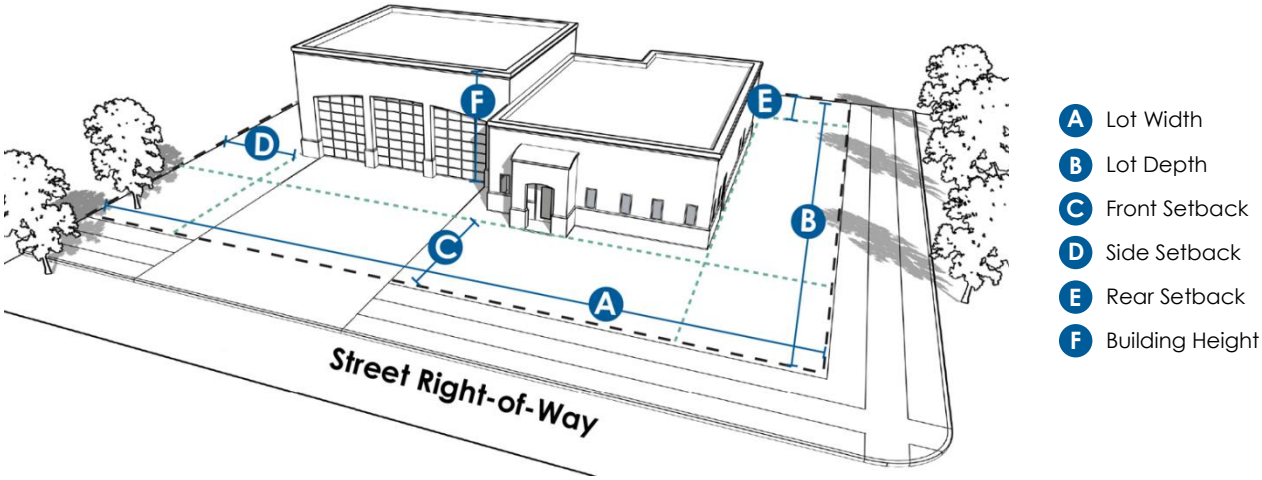
1. Site Development Standards: See Subchapter 7. Building and Site Design.
2. Parking, Mobility, and Circulation Standards: See Subchapter 8. Parking, Mobility, and Circulation.
3. Landscaping and Screening: See Subchapter 9. Landscaping and Screening.
4. Tree Preservation Standards: See Subchapter 10. Tree Preservation.
5. Lighting Standards: See Subchapter 11. Exterior Lighting.
6. Parkland Standards: See Subchapter 12. Public Parkland and Open Space.
7. Subdivision: See Subchapter 13. Subdivision Processes and Design.
8. Definitions: See Subchapter 14. Definitions.
9. Engineering Standards: See Engineering Design Manual and Construction Standards.
10. Tree Preservation Technical Standards: See Tree Technical Manual.

4.3.2. Public Facilities (PF) District

A. Purpose

The Public Facilities (PF) district is intended to accommodate governmental, civic, and institutional uses that provide essential public services to residents. The district supports facilities such as public safety buildings, libraries, administrative offices, utilities, and other community-serving uses that contribute to the orderly and efficient operation of the City.

B. Dimensional Standards



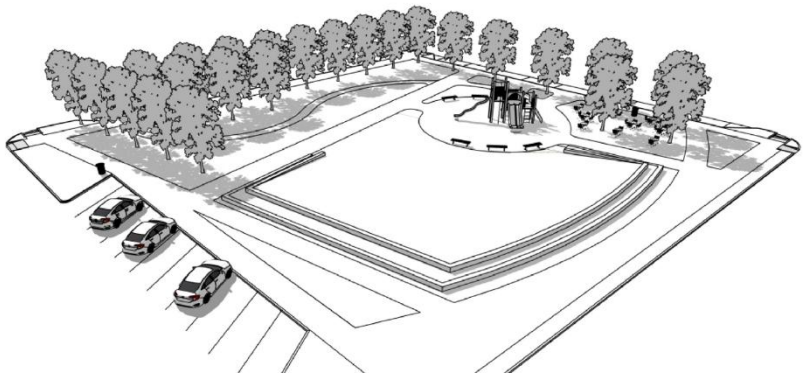
General Regulations	All Development
Lot Dimensions and Density	
Minimum Lot Depth	N/A
Minimum Lot Width	N/A
Minimum Lot Area	N/A
Maximum Impervious Cover	50%
Setbacks	
Minimum Front Setback	25'
Minimum Side Setback	20'
Minimum Rear Setback	20'
Streetscape Yard	25'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	N/A
Building Standards	
Maximum Building Height	35'

4.3.3. Parks and Open Space (POS) District

A. Purpose

The Parks and Open Space (POS) district is intended to preserve, protect, and enhance public and private open spaces throughout the city. The district accommodates public parks, greenways, trails, natural areas, and similar open space amenities that support recreation, environmental stewardship, and community health. Development and improvements within the district are intended to expand access to parks and trail networks, protect sensitive environmental features, and contribute to a connected system of open spaces consistent with the City's Comprehensive Plan.

B. Dimensional Standards



General Regulations	All Development
Lot Dimensions and Density	
Minimum Lot Depth	N/A
Minimum Lot Width	N/A
Minimum Lot Area	N/A
Maximum Lot Coverage	N/A
Maximum Impervious Cover	N/A
Setbacks	
Minimum Front Setback	N/A
Minimum Side Setback	N/A
Minimum Rear Setback	N/A
Streetscape Yard	N/A
Building Standards	
Maximum Building Height	25'

C. Additional Requirements

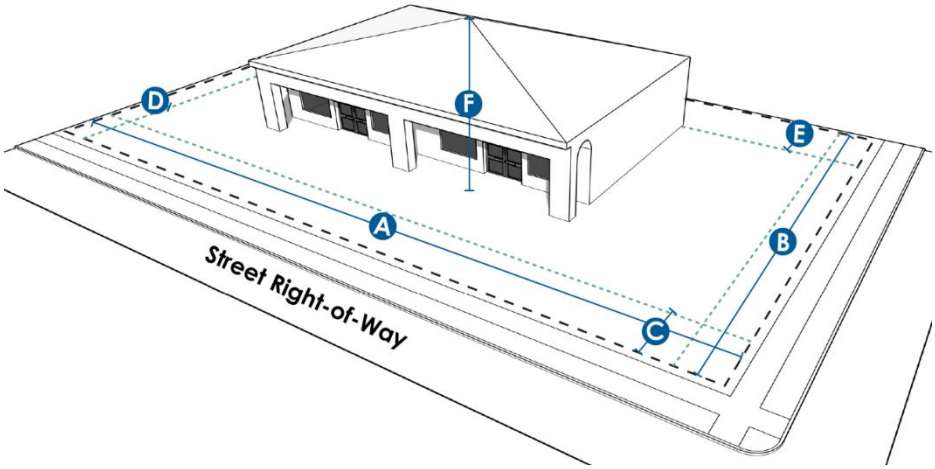
For public parkland, see provisions established in Subchapter 12. Public Parkland and Open Space for size, dimensional, and access standards for parkland.

4.3.4. Office (O) District

A. Purpose

The Office (O) district is intended to provide locations for low-intensity office and professional uses in a manner that is compatible with nearby residential areas. The district is commonly used as a transition between residential neighborhoods and more intense commercial or employment districts. Typical development includes administrative, medical, and professional offices designed with appropriate scale, landscaping, and buffering to ensure compatibility with surrounding uses.

B. Dimensional Standards



- A Lot Width
- B Lot Depth
- C Front Setback
- D Side Setback
- E Rear Setback
- F Building Height

General Regulations	Live-Work Unit	All Other Development
Lot Dimensions and Density		
Minimum Lot Area	2,500 sq ft	N/A
Minimum Lot Width	25' Corner lots: Additional 10'	200' (1)
Minimum Lot Depth	100'	N/A
Maximum Impervious Cover	N/A	70%
Setbacks		
Minimum Front Setback	15' Along toll/frontage road facilities: 25'	15'
Minimum Side Setback	Between units: 0' Interior: 5' Corner: 15'	10' Abutting an SF district: 25'
Minimum Rear Setback	15'	20'
Streetscape Yard	15' Along toll/frontage road facilities: 25'	15' Along toll/frontage road facilities: 25'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	When abutting SF-S: 10'	15'
Building Standards		
Maximum Building Height	35'	35'

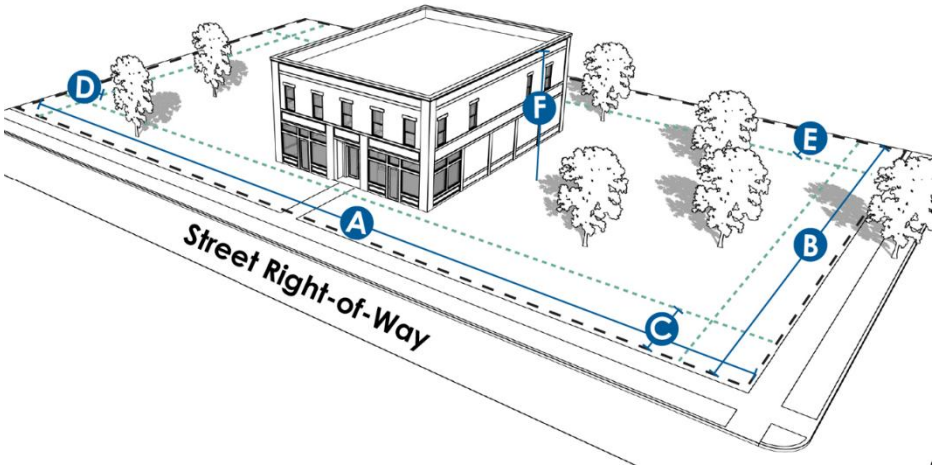
General Regulations	Live-Work Unit	All Other Development
[1]Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met.		

4.3.5. Neighborhood Service (NS) District

A. Purpose

The Neighborhood Service (NS) district is intended to accommodate small-scale retail and service uses that meet the day-to-day needs of nearby residential areas. Development in this district is oriented toward neighborhood convenience rather than regional trade and is generally located along collector or arterial streets that serve surrounding neighborhoods. Typical uses include small retail buildings and personal service establishments designed to integrate with adjacent residential development.

B. Dimensional Standards



- A Lot Width
- B Lot Depth
- C Front Setback
- D Side Setback
- E Rear Setback
- F Building Height

General Regulations	Live-Work Unit	All Other Development
Lot Dimensions and Density		
Minimum Lot Area	2,500 sq ft	N/A
Minimum Lot Width	25' Corner lots: Additional 10'	200' [1]
Minimum Lot Depth	100'	N/A
Maximum Impervious Cover	N/A	75%
Setbacks		
Minimum Front Setback	15' Along toll/frontage road facilities: 25'	15'
Minimum Side Setback	5' or 0' on interior Corner: 15'	10' Abutting an SF district: 25'
Minimum Rear Setback	15'	20'
Streetscape Yard	15' Along toll/frontage road facilities: 25'	15' Along toll/frontage road facilities: 25'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	When abutting SF-S: 10'	15'
Building Standards		
Maximum Building Height	35'	35'

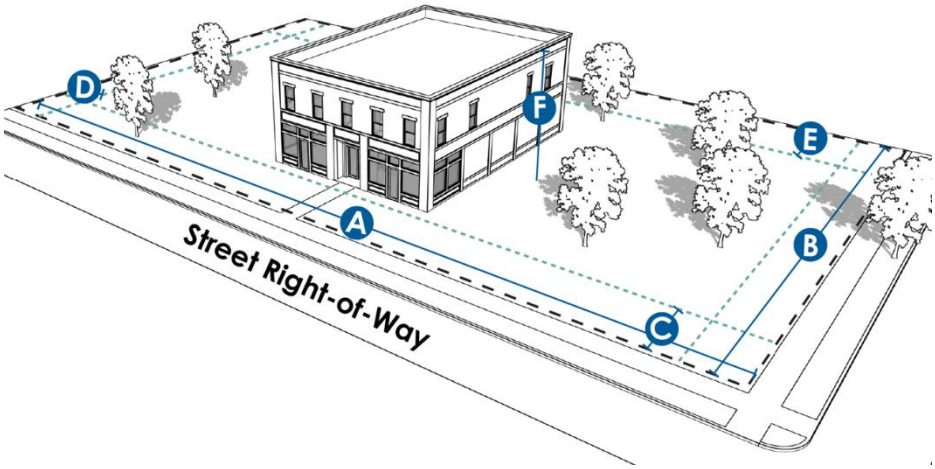
[1]Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met.

4.3.6. Retail (R) District

A. Purpose

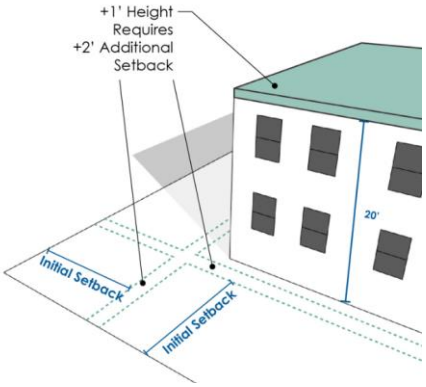
The Retail (R) district is intended to provide locations for general retail, business, and service uses that serve one or more neighborhoods. The district supports a range of commercial activities in areas that are accessible and convenient to residential trade areas, often at or near major intersections. Development is intended to incorporate site design, landscaping, and building scale that provide transitions to adjacent residential areas where applicable.

B. Dimensional Standards



- A Lot Width
- B Lot Depth
- C Front Setback
- D Side Setback
- E Rear Setback
- F Building Height

General Regulations	Townhouse or Live-Work Unit	All Other Development
Lot Dimensions and Density		
Minimum Lot Area	2,500 sq ft	N/A
Minimum Lot Width	25' Corner lots: Additional 10'	200' (1)
Minimum Lot Depth	100'	N/A
Maximum Impervious Cover	N/A	80%
Setbacks		
Minimum Front Setback	15' Along toll/frontage road facilities: 25'	15'
Minimum Side Setback	5' or 0' on interior Corner: 15'	10' Abutting an SF district: 25'
Minimum Rear Setback	15'	20' Abutting an SF district: 25'
Streetscape Yard	15' Along toll/frontage road facilities: 25'	15' Along toll/frontage road facilities: 25'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	When abutting SF-S: 10'	15'
Building Standards		
Maximum Building Height	35'	35'
	N/A	All structures exceeding 20' in height abutting an SF

General Regulations	Townhouse or Live-Work Unit	All Other Development
Building Height Setback		district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required. 

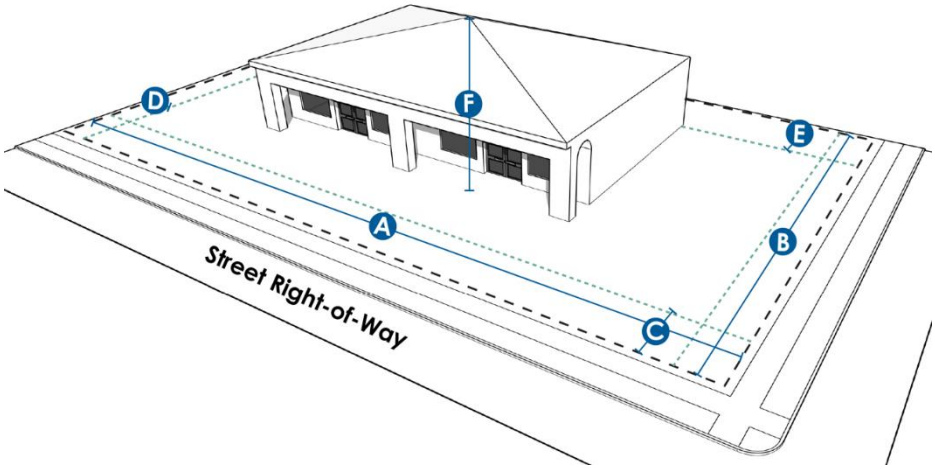
[1] Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met.

4.3.7. General Business 1 (GB1) District

A. Purpose

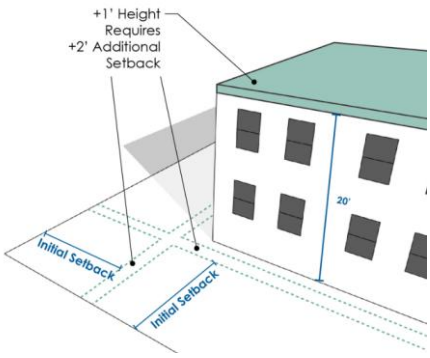
The General Business 1 (GB1) district is intended to accommodate a broad range of retail, office, and service uses that serve a citywide or regional market. Uses in this district are generally conducted within enclosed buildings and are compatible with higher-intensity commercial environments and, in some locations, higher-density residential development. The district supports employment, shopping, and service opportunities in areas with access to major transportation facilities.

B. Dimensional Standards



- A Lot Width
- B Lot Depth
- C Front Setback
- D Side Setback
- E Rear Setback
- F Building Height

General Regulations	Townhouse or Live-Work Unit	All Other Development
Lot Dimensions and Density		
Minimum Lot Area	2,500 sq ft	N/A
Minimum Lot Width	25' Corner lots: Additional 10'	200' (1)
Minimum Lot Depth	100'	N/A
Maximum Impervious Cover	N/A	80%
Setbacks		
Minimum Front Setback (Building Setback)	15' Along toll/frontage road facilities: 25'	15'
Minimum Side Setback	5' or 0' on interior Corner: 15'	10' Abutting an SF district: 30'
Minimum Rear Setback	15'	20' Abutting an SF district: 30'
Streetscape Yard	15' Along toll/frontage road facilities: 25'	15' Along toll/frontage road facilities: 25'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	When abutting SF-S: 10'	15'
Building Standards		
Maximum Building Height	35'	50'

General Regulations	Townhouse or Live-Work Unit	All Other Development
Building Height Setback	N/A	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required. 

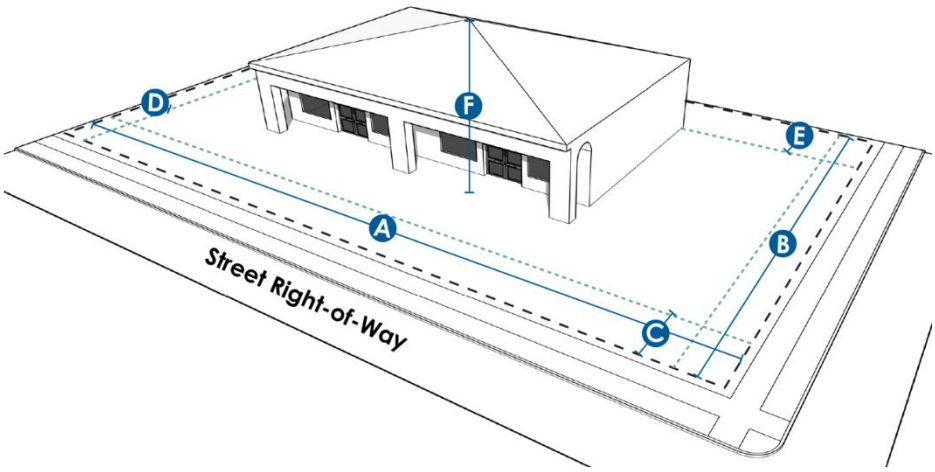
[1] Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met.

4.3.8. General Business 2 (GB2) District

A. Purpose

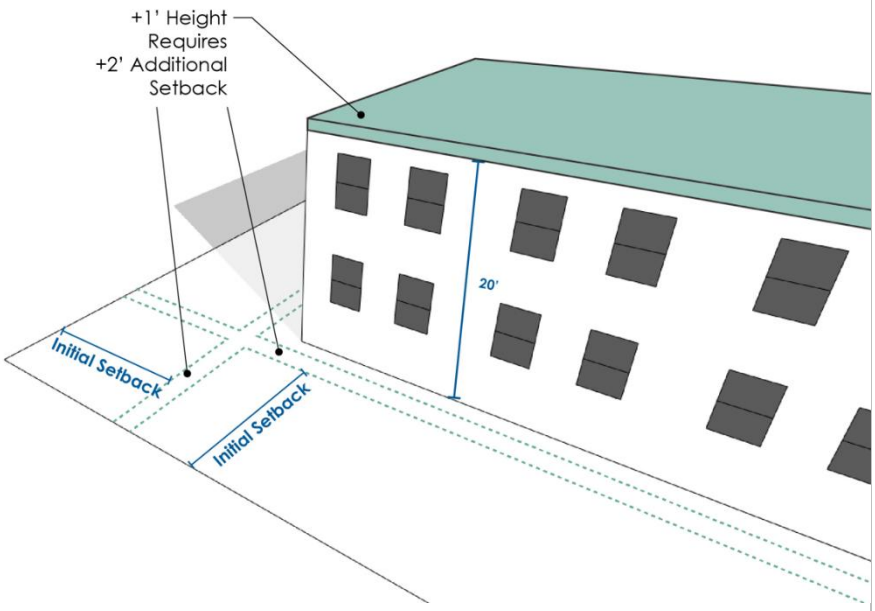
The General Business 2 (GB2) district is intended to accommodate more intensive commercial and service uses that may involve outdoor activity, storage, or higher operational impacts than those typically found in the GB1 district. The district is appropriate for locations along collector or arterial streets where such uses can be accommodated while maintaining separation from residential neighborhoods. Typical development includes service-oriented commercial uses, contractor-related activities, and similar establishments.

B. Dimensional Standards



- A Lot Width
- B Lot Depth
- C Front Setback
- D Side Setback
- E Rear Setback
- F Building Height

General Regulations	All Development
Lot Dimensions and Density	
Minimum Lot Area	N/A
Minimum Lot Width	200' (1)
Minimum Lot Depth	N/A
Maximum Impervious Cover	85%
Setbacks	
Minimum Front Setback	15'
Minimum Side Setback	10' Abutting an SF district: 30'
Minimum Rear Setback	25' Abutting an SF district: 30'
Streetscape Yard	15' Along toll/frontage road facilities: 25'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	30'
Building Standards	
Maximum Building Height	50'

General Regulations	All Development
Building Height Setback	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required. 

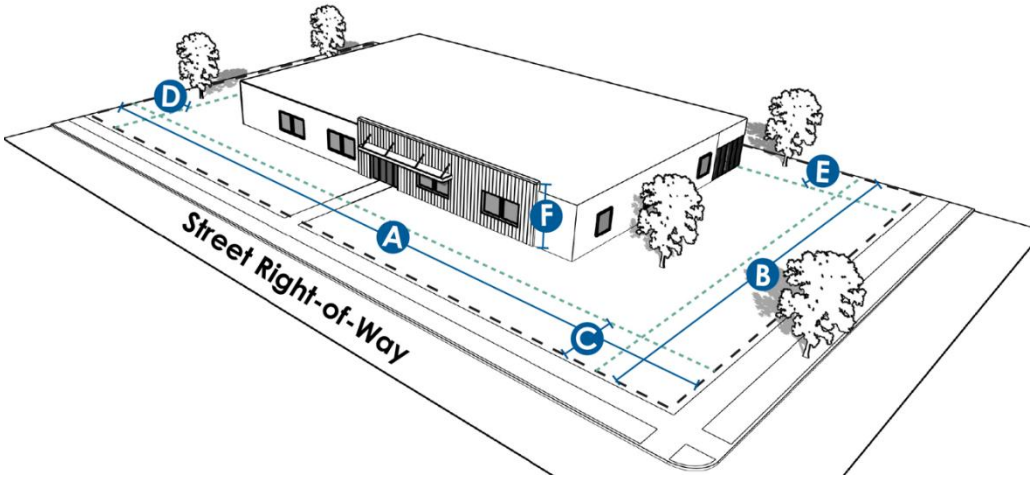
[1] Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met.

4.3.9. Campus Industrial (CI) District

A. Purpose

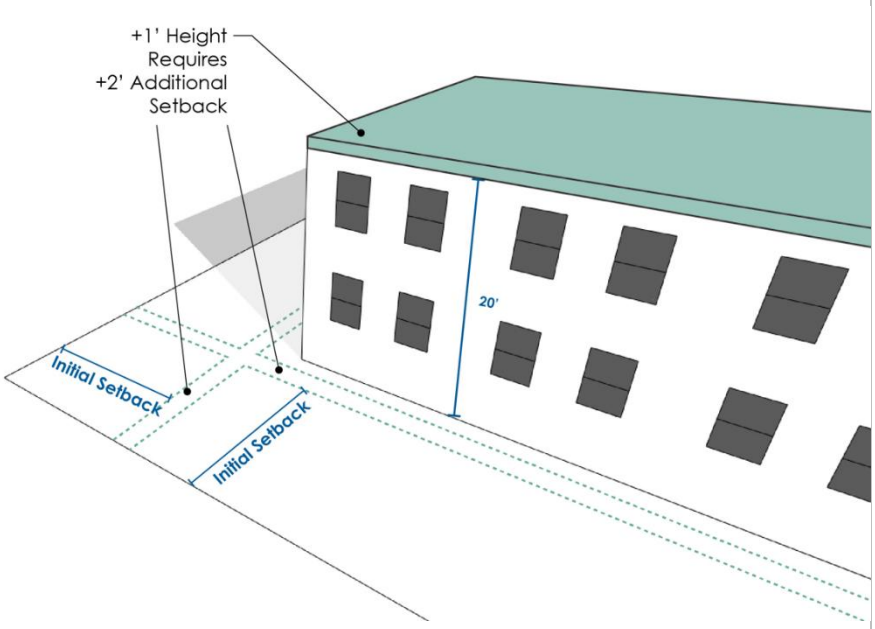
The Campus Industrial (CI) district is intended to provide for employment centers that accommodate light industrial, research and development, office, and supporting commercial uses within a coordinated, campus-style setting. The district supports job creation and innovation-oriented development with integrated services and amenities. Development is generally characterized by unified site design, internal circulation, and a scale and form appropriate for major arterial corridors and designated employment areas.

B. Dimensional Standards



A Lot Width
B Lot Depth
C Front Setback
D Side Setback
E Rear Setback
F Building Height

General Regulations	All Development
Lot Dimensions and Density	
Minimum Lot Area	N/A
Minimum Lot Width	200' [1]
Minimum Lot Depth	N/A
Maximum Impervious Cover	85%
Setbacks	
Minimum Front Setback	15' Across the street from an SF district: 30'
Minimum Side Setback	15' Abutting an SF district: 50'
Minimum Rear Setback	15' Abutting an SF district: 50'
Streetscape Yard	15' Along toll/frontage road facilities: 25' Across the street from an SF district: 30'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	30'
Building Standards	

General Regulations	All Development
Maximum Building Height	85'
Building Height Setback	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required. 

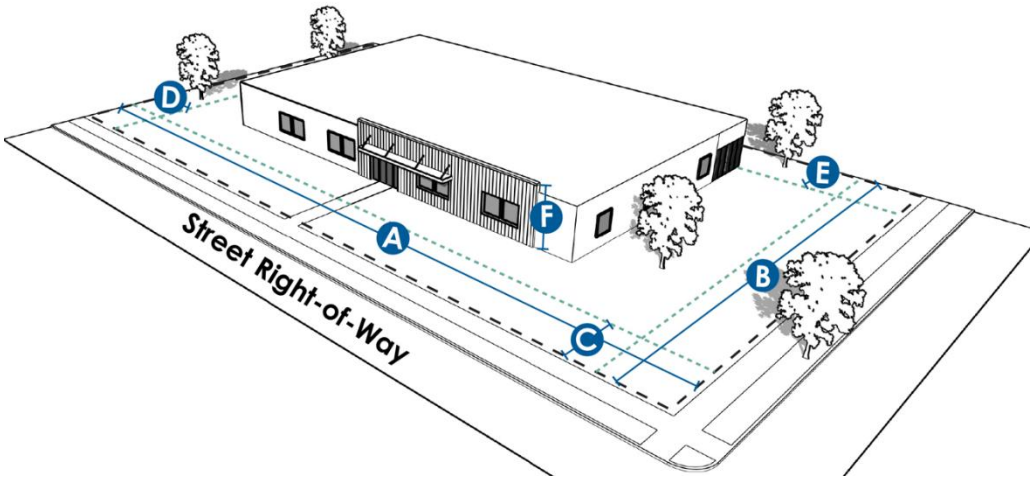
[1] Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met.

4.3.10. Light Industrial (LI) District

A. Purpose

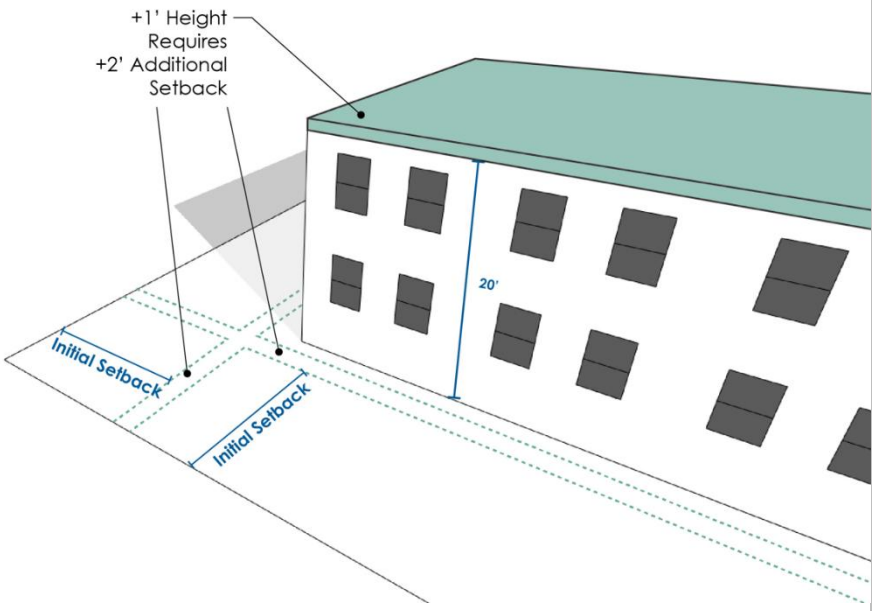
The Light Industrial (LI) district is intended to accommodate manufacturing, processing, research, and assembly uses that operate primarily within enclosed buildings and have limited external impacts. The district supports employment-generating industrial activities that are compatible with other industrial uses and are typically located away from major highway frontages and residential areas, preserving highly visible corridors for more activity-oriented development consistent with the Comprehensive Plan.

B. Dimensional Standards



A Lot Width
B Lot Depth
C Front Setback
D Side Setback
E Rear Setback
F Building Height

General Regulations	All Development
Lot Dimensions and Density	
Minimum Lot Area	N/A
Minimum Lot Width	200' (1)
Minimum Lot Depth	N/A
Maximum Impervious Cover	85%
Setbacks	
Minimum Front Setback	15' Across the street from an SF district: 50'
Minimum Interior Side Setback	15' Abutting an SF district: 50'
Minimum Rear Setback	15' Abutting an SF district: 50'
Streetscape Yard	15' Along toll/frontage road facilities: 25' Across the street from an SF district: 50'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	50'
Building Standards	
Maximum Building Height	50'

General Regulations	All Development
Building Height Setback	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required. 

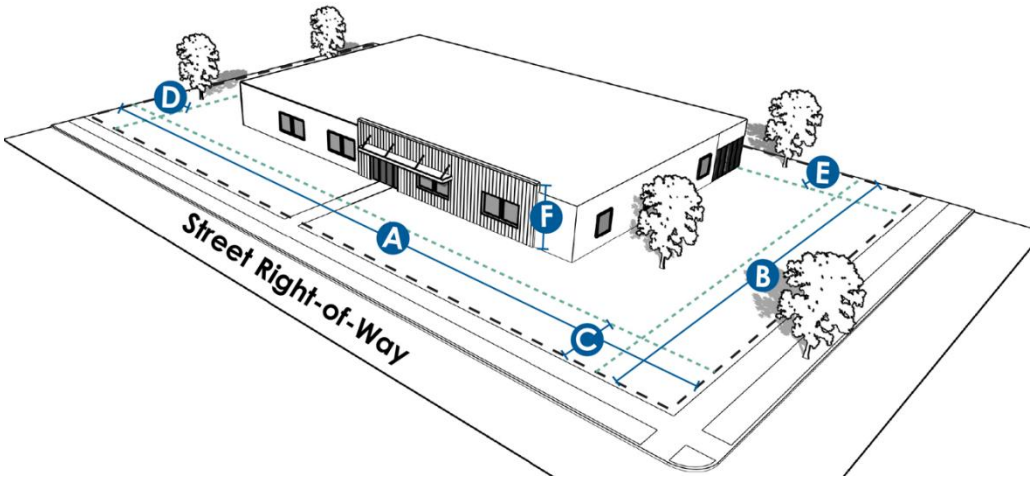
[1] Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met.

4.3.11. General Industrial (GI) District

A. Purpose

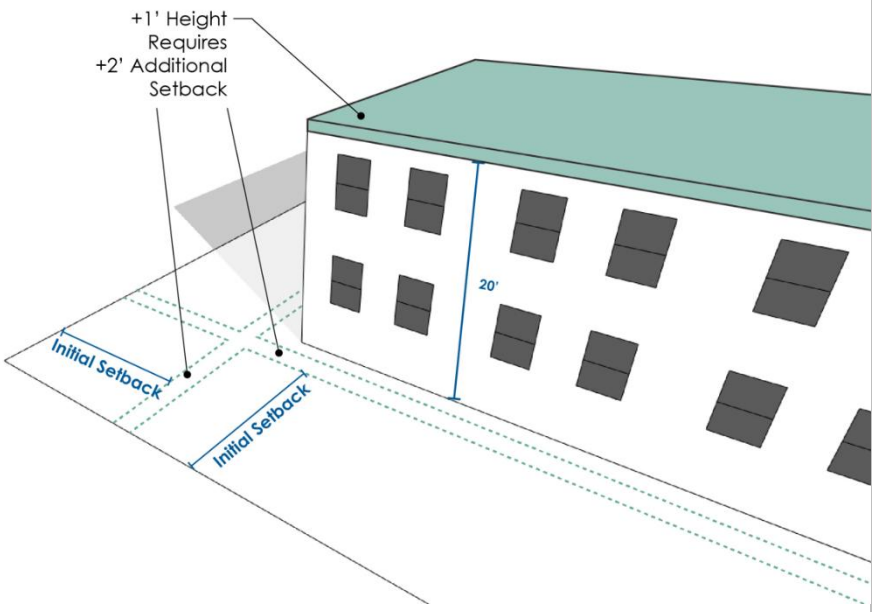
The General Industrial (GI) district is intended to accommodate heavy industrial and manufacturing uses that may generate higher levels of noise, traffic, or other operational impacts. The district supports large-scale industrial activities that require substantial land area and access to arterial transportation facilities. Development in this district is intended to be located away from residential and retail areas and to encourage the consolidation of industrial uses in appropriate locations.

B. Dimensional Standards



A Lot Width
B Lot Depth
C Front Setback
D Side Setback
E Rear Setback
F Building Height

General Regulations	All Development
Lot Dimensions and Density	
Minimum Lot Area	N/A
Minimum Lot Width (along Arterial and Major Collector Streets)[1]	200'
Minimum Lot Depth	N/A
Maximum Impervious Cover	85%
Setbacks	
Minimum Front Setback	15' Across the street from an SF district: 100'
Minimum Side Setback	30' Abutting an SF district: 100'
Minimum Rear Setback	30' Abutting an SF district: 100'
Streetscape Yard	15' Along toll/frontage road facilities: 25' Across the street from an SF district: 50'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	50'
Building Standards	

General Regulations	All Development
Maximum Building Height	100'
Building Height Setback	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required. 

[1]Commercial properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met.

4.4. Corridor Districts

4.4.1. Generally

A. Purpose

The purpose of the corridor districts is to provide an adequate mix of residential and commercial land uses that encourage a mix of employment, services and shopping opportunities.

B. Reference to Development Standards

Unless otherwise indicated, each lot or tract of land must comply with Chapter 158 Stormwater Pollution Control Ordinance and all applicable provisions, in their entirety, of the following subchapters:

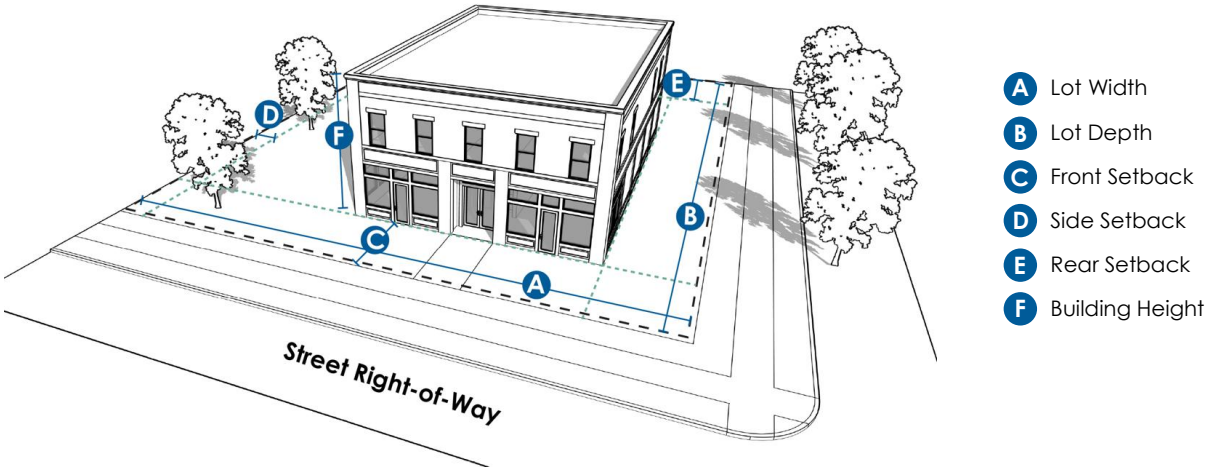
1. Site Development Standards: See Subchapter 7. Building and Site Design.
2. Parking, Mobility, and Circulation Standards: See Subchapter 8. Parking, Mobility, and Circulation.
3. Landscaping and Screening: See Subchapter 9. Landscaping and Screening.
4. Tree Preservation Standards: See Subchapter 10. Tree Preservation.
5. Lighting Standards: See Subchapter 11. Exterior Lighting.
6. Parkland Standards: See Subchapter 12. Public Parkland and Open Space.
7. Subdivision: See Subchapter 13. Subdivision Processes and Design.
8. Definitions: See Subchapter 14. Definitions.
9. Right-of-Way Management: See Chapter 96, Right-of-Way Management.
10. Engineering Standards: See Engineering Design Manual and Construction Standards.
11. Tree Preservation Technical Standards: See Tree Technical Manual.

4.4.2. Corridor Level 3: Neighborhood (CL3) District

A. Purpose

This district is intended to establish a form that features neighborhood-scale suburban development primarily consisting of a mix of small-scale residential uses with limited, compatible commercial uses along major thoroughfares and within activity nodes. The scale of development is limited with substantial on-site public spaces, open spaces, vegetation and standards for built form. Uses within the Neighborhood District may be mixed with an emphasis on creating walkable neighborhoods near neighborhood centers, civic spaces and public facilities.

B. Dimensional Standards



General Regulations	Single-Family Detached	Duplex	Townhouse or Live-Work Unit	All Other Development
Lot Dimensions and Density				
Minimum Lot Area	5,000 sq ft	7,500 sq ft	2,500 sq ft	N/A
Minimum Density (units per acre)	N/A	N/A	N/A	6/acre
Maximum Density (units per acre)	N/A	N/A	N/A	20/acre
Minimum Lot Width (Corner Lots: Additional 10')	40'	60'	25'	N/A [1]
Minimum Lot Depth	120'	120'	100'	N/A
Maximum Impervious Cover	N/A	N/A	N/A	Multi-Family: 60% Nonresidential: 80%
Setbacks				
Minimum Front Setback	15' Along toll/frontage road facilities: 25' [2]	15' Along toll/frontage road facilities: 25' [2]	15' Along toll/frontage road facilities: 25' [2]	15' Along toll/frontage road facilities: 25' [2]
Build-To-Line and Percentage of Lot Frontage Required to Meet Build-To-Line, except along Toll/Frontage Facilities [2]	N/A	N/A	N/A	N/A

General Regulations	Single-Family Detached	Duplex	Townhouse or Live-Work Unit	All Other Development
Minimum Side Setback	Interior: 5' Corner: 15'	Interior: 5' Corner: 15'	Between units: 0' Interior: 5' Corner: 15'	Interior: 5' or 0' Corner: 15'
Minimum Rear Setback	20'	15'	15'	20'
Streetscape Yard	15' Along toll/frontage road facilities: 25'	15' Along toll/frontage road facilities: 25'	15' Along toll/frontage road facilities: 25'	15' Along toll/frontage road facilities: 25' Across the street from an SF district: 30'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	N/A	N/A	When abutting SF-S: 10'	30' When SUP required: 50'
Building Standards				
Maximum Building Height	35'	35'	35'	35'
Building Height Setback	N/A	N/A	N/A	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required.

(1) Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided, and driveway spacing requirements are met.

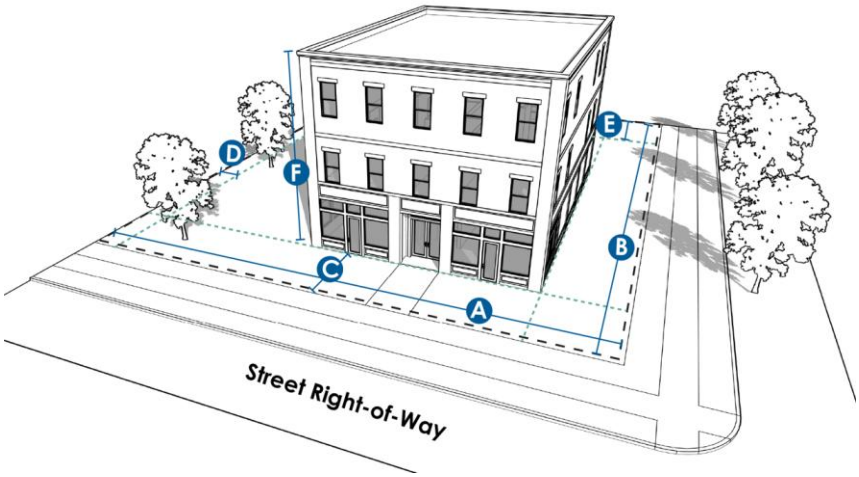
(2) A building and its accompanying active space such as patios can encroach into the minimum street setback along toll/frontage road facilities up to 10' if parking is not located between the building and the toll/frontage road facility and such placement does not encroach into utility easements.

4.4.3. Corridor Level 4: Urban (CL4) District

A. Purpose

This district is intended to create vibrant and walkable neighborhoods and employment centers in the Mixed-Use Commercial and Innovation Center areas as geographically identified on the Future Land Use Map. The scale of structures in the Urban District is greater than that found in the Neighborhood District and with density sufficient to support a range of housing types. Commercial and retail services play an increased role relative to the Neighborhood District but remain supportive of surrounding neighborhoods and employment centers.

B. Dimensional Standards



A Lot Width
B Lot Depth
C Front Setback
D Side Setback
E Rear Setback
F Building Height

General Regulations	Townhouse or Live-Work Unit	All Other Development
Lot Dimensions and Density		
Minimum Lot Area	2,500 sq ft	N/A
Minimum Density (units per acre)	N/A	20/acre
Maximum Density (units per acre)	N/A	MF (Neighborhood or Suburban): 25/acre MF (Urban): 75/acre
Minimum Lot Width (Corner Lots: Additional 10')	25'	N/A [1]
Minimum Lot Depth	100'	N/A
Maximum Impervious Cover	N/A	MF (Suburban or Neighborhood): 60% MF (Urban): 85% Nonresidential: 85%
Setbacks		
Minimum Front Setback	15' Along toll/frontage road facilities: 25' [3]	15' Along toll/frontage road facilities: 25' [3]
Build-To-Line and Percentage of Lot Frontage Required to Meet Build-To-Line, except along Toll/Frontage Facilities [2]	N/A	<25' >50%
Minimum Side Setback	Between units: 0' Interior: 5' Corner: 15'	Interior: 5' or 0' Abutting an SF district: 30' Corner: 15'

General Regulations	Townhouse or Live-Work Unit	All Other Development
Minimum Rear Setback	15'	10' Abutting an SF district: 30'
Streetscape Yard	15' Along toll/frontage road facilities: 25'	15' Along toll/frontage road facilities: 25' Across the street from an SF district: 30'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	When abutting SF-S: 10'	30' When SUP required: 50'
Building Standards		
Maximum Building Height	35'	60' Multi-Family, Urban uses: 100' [4]
Building Height Setback	N/A	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required.

[1] Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided, and driveway spacing requirements are met.

[2] Applicable to new development after April 2024.

With the approval of the Planning and Development Services Director, where a lot has existing easements that preclude compliance, more than one lot frontage exists where the provision will be applicable, or irregularly shaped lot configurations preclude compliance, an alternative building placement may be considered. Active green frontage and stormwater facility consideration:

a. A stormwater management facility may, with approval of the Planning and Development Services Director, receive credit toward the build-to-line requirement if such facility is constructed as a wet pond, has a dual-use design, or is otherwise integrated into the site as a visually attractive feature. Such stormwater facilities should avoid the need for fences and integrate the perimeter with adjacent open spaces, incorporating recreational uses (using fences for safety along steep side slopes only, not around the entire pond).

b. Engineering structures of the stormwater facility such as forebays, surface weirs, inlet structures, etc. should be strategically placed to minimize visibility or, when such alternative location is not feasible, integrate design that diminishes their visual impact to blend with surroundings.

c. Retaining wall finishes should use materials and forms that match or complement materials used within the development.

d. Streetyard depth and content must be met along the stormwater facility or active green frontage, with street tree separation decreased to 30' on-center.

e. A multiuse path with at least two street furniture elements per 250' must be incorporated around stormwater facilities and active green spaces functioning as active frontages.

[3] A building and its accompanying active space such as patios can encroach into the minimum street setback along toll/frontage road facilities up to 10' if parking is not located between the building and the toll/frontage road facility and such placement does not encroach into utility easements.

[4] With administrative approval of the Planning and Development Services Director, if a structure includes features such as parapets, chimneys, vents, and mechanical or safety features including fire towers, stairways, elevator penthouses, heating or cooling equipment, solar installations, and protective covers; and ornamental towers, cupolas, domes, and spires that are not designed for occupancy, a structure may exceed the maximum height limitations by one of the following, whichever is greatest:

a. 15 percent

b. The amount necessary to comply with a federal or state regulation; or

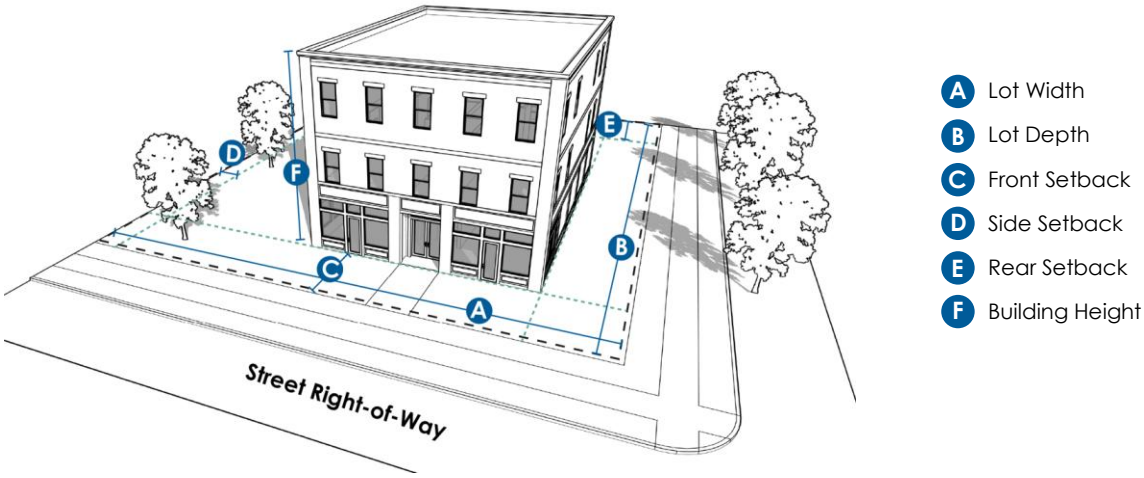
c. For a stack or vent, the amount necessary to comply with generally accepted engineering standards.

4.4.4. Corridor Level 5: Urban Center (CL5) District

A. Purpose

This district is intended to establish dense, dynamic and walkable centers for living, working and shopping. Urban Centers provide a retail and employment focus supplemented by dense residential development. Urban Centers should be located in the Mixed-Use Commercial and Innovation Center areas as geographically identified on the Future Land Use Map, focused at major interchanges along the state highways and toll facilities with high degrees of regional access. Buildings within the Urban Center should be multistoried with a mix of tenant spaces on the ground floor. When single story or single tenant land uses are proposed, they should be clustered together with connected pedestrian amenities to create synergy among the buildings. All building ground floors within the Urban Center should provide a store front and an enhanced pedestrian environment which collectively creates a 10 minute walking area to goods and services within the development area, as envisioned by the Aspire 2040 comprehensive plan.

B. Dimensional Standards



General Regulations	Live-Work Unit	All Other Development
Lot Dimensions and Density		
Minimum Lot Area	2,500 sq ft	N/A
Minimum Density	N/A	20 units/acre
Maximum Density (units per acre)	N/A	MF (Suburban): 25 units/acre MF (Urban): 90 units/acre
Minimum Lot Width (Corner Lots: Additional 10')	25'	N/A (1)
Minimum Lot Depth	100'	N/A
Maximum Impervious Cover	N/A	MF (Suburban): 60% MF (Urban): 85% Nonresidential: 85%
Setbacks		
Minimum Front Setback	15' Along toll/frontage road facilities: 25' (3)	15' Along toll/frontage road facilities: 25' (3)
Build-To-Line and Percentage of Lot Frontage Required to Meet Build-To-Line, except along Toll/Frontage	N/A	<25' >50%

General Regulations	Live-Work Unit	All Other Development
Facilities [2]		
Minimum Side Setback	Between units: 0' Interior: 5' Corner: 15'	Interior: 5' or 0' Abutting or across the street from an SF district: 30' Corner: 15'
Minimum Rear Setback	15'	10' Abutting an SF district: 30'
Streetscape Yard	15' Along toll/frontage road facilities: 25'	15' Across the street from an SF district: 30' Along toll/frontage road facilities: 25'
Single Family Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	When abutting SF-S: 10'	30' When SUP required: 50'
Building Standards		
Maximum Building Height [4]	35'	85' Multi-Family, Urban uses: 120' [4]
Building Height Setback	N/A	All structures exceeding 20' in height abutting an SF district must provide additional setbacks along the side and rear property lines. This requirement applies regardless of whether the lots share a common property line. For each 1' of height above 20', an additional 2' of setback is required.

[1] Properties may be designed with a minimum 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided, and driveway spacing requirements are met.

[2] Applicable to new development after April 2024:

With the approval of the Planning and Development Services Director, where a lot has existing easements that preclude compliance, more than one lot frontage exists where the provision will be applicable, or irregularly shaped lot configurations preclude compliance, an alternative building placement may be considered. Active green frontage and stormwater facility consideration:

a. A stormwater management facility may, with approval of the Planning and Development Services Director, receive credit toward the build-to-line requirement if such facility is constructed as a wet pond, has a dual-use design, or is otherwise integrated into the site as a visually attractive feature. Such stormwater facilities should avoid the need for fences and integrate the perimeter with adjacent open spaces, incorporating recreational uses (using fences for safety along steep side slopes only, not around the entire pond).

b. Engineering structures of the stormwater facility such as forebays, surface weirs, inlet structures, etc. should be strategically placed to minimize visibility or, when such alternative location is not feasible, integrate design that diminishes their visual impact to blend with surroundings.

c. Retaining wall finishes should use materials and forms that match or complement materials used within the development.

d. Streetyard depth and content must be met along the stormwater facility or active green frontage, with street tree separation decreased to 30' on-center.

e. A multiuse path with at least two street furniture elements per 250' must be incorporated around stormwater facilities and active green spaces functioning as active frontages.

[3] A building and its accompanying active space such as patios can encroach into the minimum street setback along toll/frontage road facilities up to 10' if parking is not located between the building and the toll/frontage road facility and such placement does not encroach into utility easements.

[4] With administrative approval of the Planning and Development Services Director, if a structure includes features such as parapets, chimneys, vents, and mechanical or safety features including fire towers, stairways, elevator penthouses, heating or cooling equipment, solar installations, and protective covers; and ornamental towers, cupolas, domes, and spires that are not designed for occupancy, a structure may exceed the maximum height limitations by one of the following, whichever is greatest:

a. 15 percent

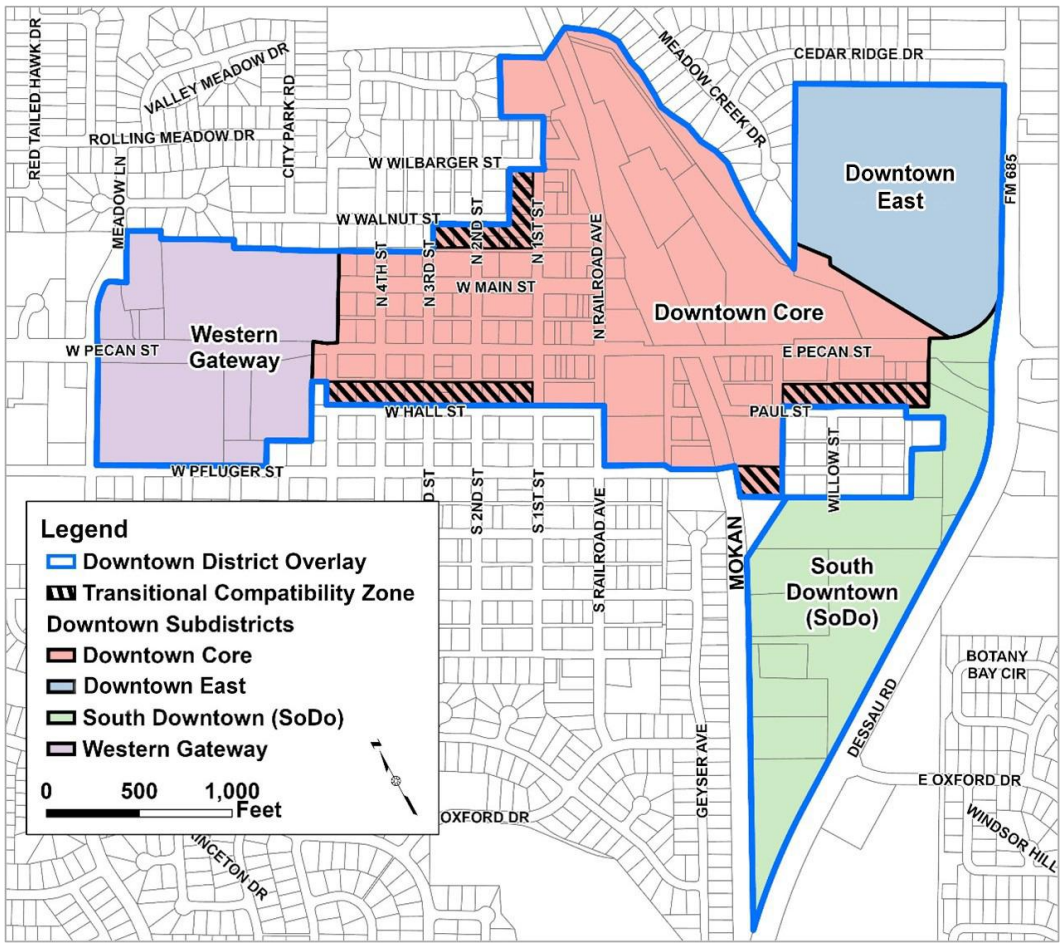
b. The amount necessary to comply with a federal or state regulation; or

c. For a stack or vent, the amount necessary to comply with generally accepted engineering standards.

4.5. Special Districts and Overlays

4.5.1. Downtown District Overlay

A. Downtown Districts Defined



1. Downtown District Overlay (DD)

   The Downtown District Overlay (DD) is intended to serve multiple purposes, including preservation and enhancement of the City's Downtown of historical, cultural, and architectural significance by providing for land use compatibility provisions and special development regulations which promote the historic preservation, compatible architectural character, scale, walkability, and economic viability of the area. In addition to the provisions in this Chapter, site circulation, parking, landscaping, and exterior lighting development standards, contained in this section of the Unified Development Code, apply to the overlay district. The Downtown District Overlay is separated into sub-districts in order to account for context-sensitive development regulations.

2. Downtown Core Sub-District and Transitional Compatibility Zone (TCZ)

   The Downtown Core Sub-District is situated within the center of the Downtown District Overlay, whereby the applicable development requirements are specifically tailored to the existing gridded street pattern and redevelopment potential. The Downtown Core Sub-District further provides for a Transitional Compatibility Zone (TCZ), which provides for specific development regulations relating to architecture, parking, site design, building height, and landscaping, to ensure improved compatibility with the surrounding residential neighborhood.

3. Downtown East Sub-District

a. The Downtown East Sub-District of the Downtown District Overlay is situated along East Pecan Street and F.M. 685. The Downtown East PUD is intended to provide for development requirements more suited for greenfield development in which the street network has not been fully defined. However, it is not precluded from developing in a more traditional pattern found in the Downtown Core Sub-district.

b. Development within the Downtown East is regulated by the Downtown East PUD (Ordinance No. 1631-24-08-13, approved August 13, 2024), as amended. The standards within the PUD ordinance control over the standards within this Section 4.5; however, where the PUD does not establish alternative standards, the requirements herein apply.

4. South Downtown Sub-District (SoDo)

South Downtown is a sub-district of the Downtown District Overlay situated along Dessau Road, south of East Pecan Street and east of the Mokan right-of-way, intended to provide for development requirements more suited for greenfield development in which the street network has not been fully defined. However, it is not precluded from developing in a more traditional pattern found in the Downtown Core Sub-district. It serves as a gateway into the Downtown Core Sub-district by providing for enhanced, more walkable streetscapes.

5. Western Gateway Sub-District

The Western Gateway is a sub-district of the Downtown District Overlay situated along West Pecan Street and east of 5th Street whereby the applicable development regulations are tailored to potential extensions of Main Street and Hall Street.

B. Permitted Land Uses

Land uses in the Downtown District Overlay are permitted in accordance with 5.2. Permitted Uses and Conditions.

C. Base Districts General Regulations

1. Applicability of General Development Regulations

All new construction of the following types of land uses and structure types must comply with the Downtown District Overlay general development standards below.

a. Multi-Family Buildings;

b. Vertical Mixed-Use Buildings; and

c. Nonresidential Buildings.

2. General Development Regulations

Figure 4.5-1. General Development Regulations

Downtown District Overlay	Multi-Family Buildings; Vertical Mixed-Use; and Nonresidential Buildings
Building Setbacks[1] (Applicable to the Downtown Core Sub-District only)	Building setbacks are not required in the Downtown Core Sub-district of the Downtown District Overlay; however, this is contingent upon achieving the required on-street parking, streetscape yard and other required Build-to-Line requirements per Section 4.5.1.C.3 below. Buildings must not encroach into any public utility easements. For lots fronting Pecan Street, the front building setback must be 25' in order to allow for an expanded 25' Build-to-Line requirement per Section 4.5.1.C.3 below. When development occurs on lots within the Transitional Compatibility Zone (TCZ),

Downtown District Overlay	Multi-Family Buildings; Vertical Mixed-Use; and Nonresidential Buildings
	the new development must provide for 15' front building setback, 15' side street setback, 5' interior side yard setback, and a 10' rear setback.
Building Setbacks (Applicable to the Downtown East, South Downtown (SoDo), and Western Gateway Sub-Districts)	For lots fronting Dessau Road and F.M. 685, the front building setback must be 25' to allow for an enhanced 25' streetscape yard. Refer to the base zoning district for additional setback requirements.
Build-to-Line Requirements	Refer to Section 4.5.1.C.3 below.
Streetscape Yard (Applicable to the Downtown Core Sub-District only)	In the Downtown Core of the Downtown District Overlay, a minimum 15' streetscape yard is required, whereby such streetscape yard may be wholly or partially situated within the public right-of-way pursuant to Section 4.5.1.C.3 below; however, for Pecan Street and other street frontages in the Downtown Core not classified as a Primary Street, the required streetscape yards must remain completely on-site and must not encroach into the public right-of- way. Refer to Section I. Landscaping and Screening Standards for additional streetscape yard and landscaping standards. Lots fronting Pecan Street must provide for a 25' streetscape yard along Pecan Street.
Streetscape Yard (Applicable to the Downtown East, South Downtown (SoDo), and Western Gateway Sub-Districts)	For lots fronting F.M. 685 and Dessau Road, a minimum 25' streetscape yard is required. For other streetscape yard requirements on lots not fronting F.M. 685 and Dessau Road, refer to the base zoning district requirements.
Minimum Lot Area	N/A
Minimum Lot Width measured at front street setback	30' along Main Street, Railroad Avenue and Pecan Street (200' along arterial and collector streets; however, lot width may be reduced if designed with a minimum of 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided and driveway spacing requirements are met)
Minimum Lot Depth	N/A
Maximum Lot Coverage	With the exception of development within the Transitional Compatibility Zone (TCZ), 100% lot coverage is permitted within the Downtown Core; however, this is contingent upon the site satisfying the build-to-line standards pursuant to Section 4.5.1.C.3 below. Lots within the Transitional Compatibility Zone (TCZ) in Downtown Core must have a maximum of 70% lot coverage. For the Downtown East, SoDo and the Western Gateway Sub-districts, refer to the base zoning district for the maximum lot coverage requirements.
Maximum Impervious Cover	With the exception of development within the Transitional Compatibility Zone (TCZ), 100% impervious cover is permitted in the Downtown Core; however, this is contingent upon the site satisfying the landscaping requirements per Section G below. Lots within the Transitional Compatibility Zone (TCZ) in Downtown Core must have a maximum of 70% impervious cover.

Downtown District Overlay	Multi-Family Buildings; Vertical Mixed-Use; and Nonresidential Buildings
	For the Downtown East, SoDo, and the Western Gateway Sub-districts, refer to the base zoning district for the maximum impervious cover requirements.
Maximum Units per Structure	N/A
Density (units per acre)	Minimum – Refer to Base District Maximum – 45 units per acre
Single Family District Adjacency Vegetative Bufferyard (See Subchapter 9. Landscaping and Screening)	Downtown Core Sub-district - N/A (Downtown East, SoDo, and Western Gateway Sub-district – Refer to Base District)

Footnote:

1. Building Setback Encroachments. The following are permitted in required building setbacks provided that they comply with all other standards of this and other applicable codes:
    a. Driveways and vehicular use areas.
    b. Fences and walls in conformance with Subchapter 9. Landscaping and Screening.
    c. Stairways, balconies, covered porches, mechanical equipment, bay or box windows or other building extensions approved by the Planning and Development Services Director that do not intrude more than six (6) feet into the rear or street setback, provided they remain outside of all easements and out of all sight triangles.
    d. An uncovered deck may be located no closer than five (5) feet to a rear or side property line, provided the deck remains outside of all easements.
    e. With the exception of the provision listed above every part of a required setback or court must be open from its lowest point vertically to the sky, unobstructed, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features, and eaves.
    f. Improvements, signs, and landscaping within sight triangles that do not exceed 36 inches in height.
    g. Rain barrels, cisterns and solar panels may be no closer than 2 feet from the property line.
    h. Small wind energy systems with all appurtenances must be setback at least 10 feet from all lot lines with exception that no part of the system be allowed in a required front or side street yard setback.

3. Build-To-Lines and Street Frontage Standards on Primary Streets

    a. Generally

    A Build-To-Line requirement governs the placement of new buildings on a site, whereby buildings must be built within a specified distance from the front and side street property lines or as measured perpendicularly from the on-street parking, whichever is less distance from the property line.

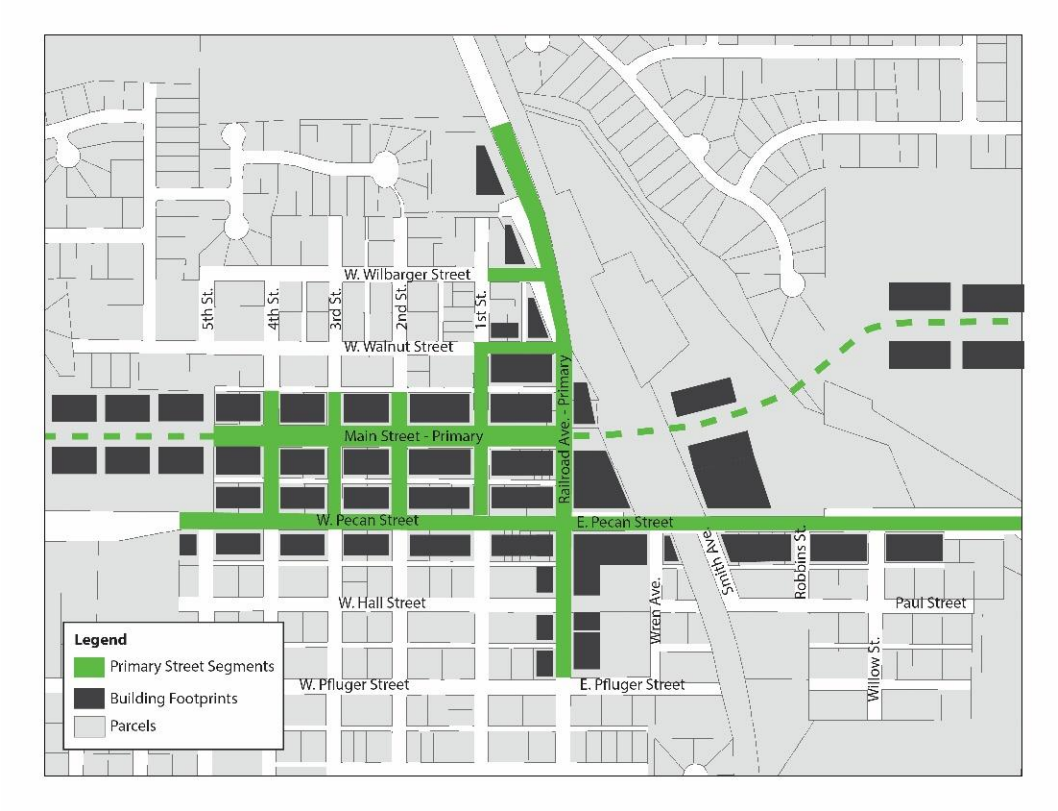
    b. Primary Streets

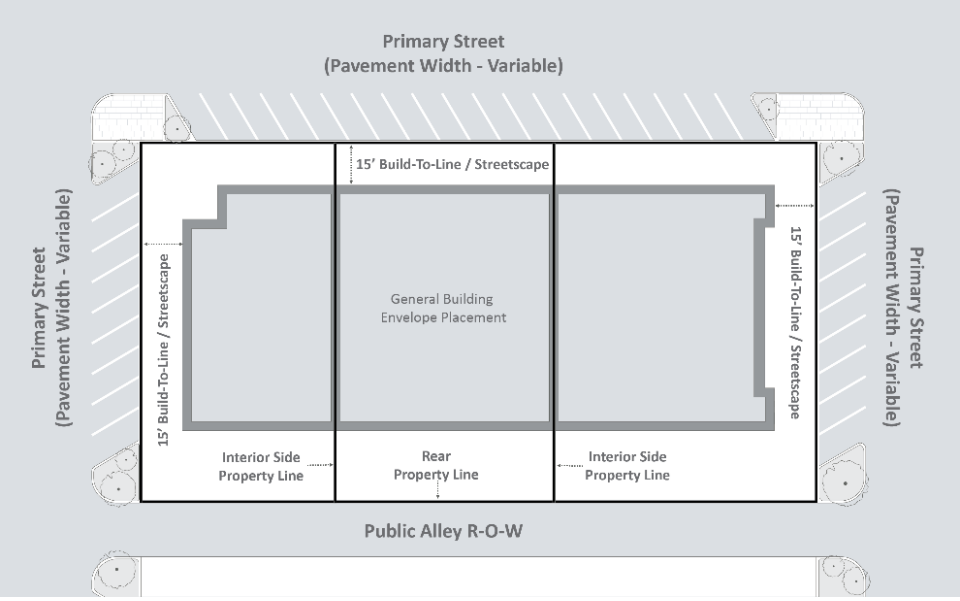
    A Build-To-Line is required along all Primary Streets, listed and shown in the map below, in order to create an uninterrupted sequence of buildings, a consistent streetscape yard and on-street parking pattern.

Figure 4.5-2. Primary Street Segments - Build-to-Line Requirement

Primary Street	From	To
15' Build-to-Line Requirement		
Main Street	Western-most extent of Main Street generally located at 5th Street, and any western extension thereof	North Railroad Ave, and any eastern extension thereof

Primary Street	From	To
North 1st Street	West Wilbarger Street (Between W. Wilbarger and W. Walnut Street, only the east side of North 1st Street must have a 15' build-to-line requirement)	Pecan Street
North 2nd Street	Alley immediately north of Main Street	Pecan Street
North 3rd Street	Alley immediately north of Main Street	Pecan Street
North 4th Street	Alley immediately north of Main Street	Pecan Street
Railroad Avenue	Northern boundary of the Downtown District Overlay	East Pfluger Street
25' Build-to-Line Requirement		
West Pecan Street	Western-most boundary of the Downtown Core approximately 80' west of the intersection of South 5th Street	1st Street
East Pecan Street	1st Street	F.M. 685





c. At the discretion of the Planning and Development Services Director, the Build-to-Line may be extended up to 25' perpendicularly from the on-street parking to accommodate taller buildings more suited for a larger streetscape yard or in cases where public, plaza or pedestrian spaces have been integrated into the streetscape yard.

d. In the Downtown Core Sub-District, new nonresidential and multi-family buildings must extend a minimum of 70 percent of the lot's street frontage along Primary Streets.

e. The Build-To-Line is established based on the following criteria, as shown in Figure 4.5-3:

(1) Street pavement, variable widths

(2) On-street angled parking, within the public right-of-way:

(a) 60 degree angled parking that is 20 feet measured perpendicular from the edge of street pavement or parallel parking.

(i) On-street parking is not required on Pecan Street.

(b) Upon redevelopment, additional right-of-way dedication must be provided where needed to accommodate required on-street parking if existing street cross section is insufficient.

(3) Streetscape yards, within the public-right-of-way or public access easement:

(a) 15-foot streetscape yards to include a 15-foot sidewalk, of which 5 feet is designated for benches, street trees, landscape planters, trash containers, and other street furniture.

(b) When there are existing physical constraints, the Planning and Development Services Director may allow for reduced sidewalk widths; however, at no time will the sidewalk be reduced to less than 6 feet in width, and streetscaping is still required.

Figure 4.5-3. 15' Build-to-Line Elements



(4) Pecan Street Frontage

(a) For lots fronting Pecan Street, 25-feet build-to-line requirement must be provided to include a 15 feet streetscape yard with minimum 15' sidewalk, of which five feet is designated for benches, street trees, landscape planters, trash containers and other street furniture, as shown in Figure 4.5-4. 25' Build-To-Line Elements.

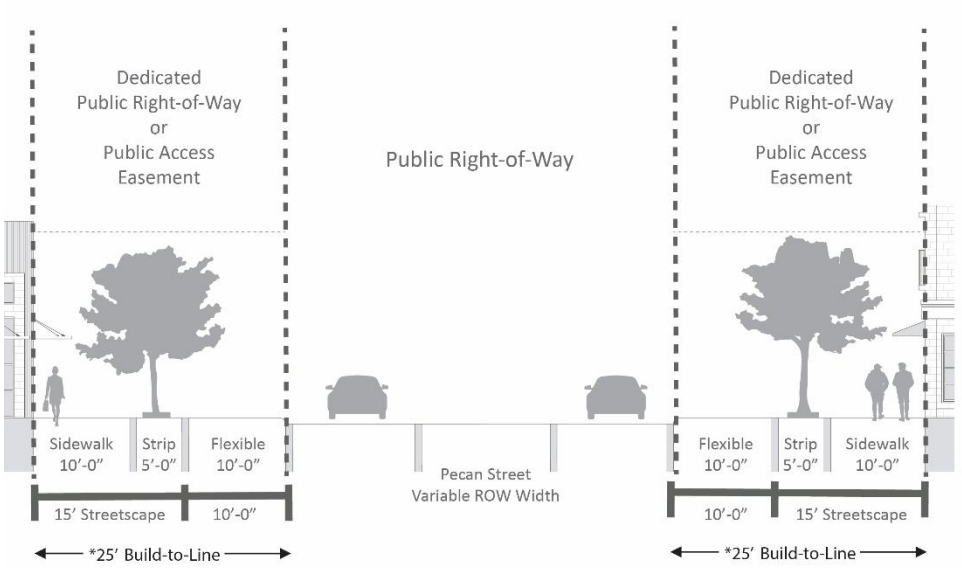
(b) Such 15-foot streetscape yard must be situated 10 feet from the property line abutting Pecan Street right-of-way.

(c) The remainder 10 feet is intended for right-of-way reservation and may be utilized as additional landscape and pedestrian area between the street pavement and the 15-foot sidewalk.

(d) If the sidewalk is not situated within the public right-of-way, it must be situated within a public access easement to be dedicated to the City.

(e) When it has been determined that no additional right-of-way is required along such Pecan Street segment as determined by the Mobility Master Plan, the Planning and Development Services Director may allow for a reduced 15-foot build-to-line requirement to ensure continuity of the streetscape aesthetic intent is maintained.

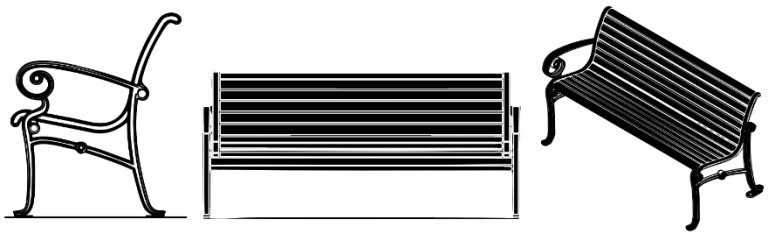
Figure 4.5-4. 25' Build-To-Line Elements



f. Street Furniture

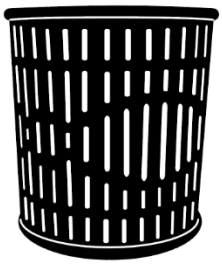
(1) For new development and redevelopment along Primary streets, benches must be installed within the streetscape yard at a minimum rate of one bench per 100 linear feet of street frontage and must generally match the standard detail provided below. However, such furniture may be clustered along the street frontage. The required street furniture will be credited toward satisfying the pedestrian space requirements of the building entrance standards pursuant to Subchapter 7. Building and Site Design.

(a) New benches that will be permanently affixed to the ground within the streetscape yards of existing development sites must be painted black and match the standard bench detail, unless otherwise approved by the Planning and Development Services Director.

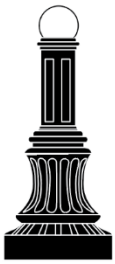


Bench - Painted Black
Standard Detail

(2) If trash receptacles or bollards are permanently installed and affixed to the ground within the streetscape yard, such receptacles and bollards must provide lids and be painted black and generally match the standard detail provided below. Trash receptacles must provide a lid that minimizes contents from being exposed to the elements unless otherwise approved by the Planning and Development Services Director.



Trash Receptacle
Painted Black
Standard Detail



Bollard
Painted Black
Standard Detail

(3) The Planning and Development Services Director may approve alternative designs for street furniture that meet the following criteria:

(a) The design complements the architectural style and character of the Downtown District;

(b) The design does not include commercial messaging;

(c) The design is consistent with the Downtown Streetscape Master Plan.

g. In addition to the administrative discretion of the Planning and Development Services Director provided within this section, the Planning and Zoning Commission may grant a waiver for alternative build-to-line and streetscaping proposals that do not adhere to the provisions of this section pursuant to the following criteria:

(1) The alternative design of the streetscape yard and building location and orientation provides for more pedestrian space, plaza, or open space intended to provide areas to allow people to congregate and to accommodate pedestrians;

(2) The alternative design of the streetscape yard and building location and orientation are in keeping with the aesthetic intent of the code; or

(3) The alternative design of the streetscape yard and building location preserves the existing public right-of-way and reserves the necessary public right-of-way per the Mobility Master Plan.

D. Stories and Height Regulations – All Development

1. Downtown Core Sub-District

The following stories and height regulations apply to the Downtown Core Sub-District. Where the height regulations in this section for this sub-district conflict with the base district, the height regulations of this section control.

Figure 4.5-5. Stories & Height Regulations Downtown Core Sub-District

Dimension	Requirement
Number of Stories	Minimum – 2 Stories[1]
Maximum Building Height	Max. 60'
Maximum Building Height (across the street from A or SF-S zoning)	Max. 50'
Maximum building height for single-family and two-family zoning	Max. 35'

Dimension	Requirement
Maximum Building Height (Adjacent to or across the alley from A or SF-S zoning; This includes A or SF-S zoned property lines within 20' from the subject property.)	Max. 35'
Maximum building height within the Transitional Compatibility Zone (TCZ)	Max. 35'
Footnotes: 1. Refer to 4.5.1.D.2 below for applicability and exceptions to the minimum 2-story building requirement.	

2. Minimum 2-Story Buildings in Downtown Core Sub-District

   Buildings within new development and redevelopment of existing sites must be a minimum of 2 stories, except as follows:

   a. Development within the Transitional Compatibility Zone (TCZ).

   b. Additions to existing 1-story buildings built prior to 1960.

   c. Additions to existing 1-story buildings built in 1960 or later, provided the expansion does not increase the total gross floor area of the building by 50 percent.

   d. Additions to existing multi-story buildings where such expansion does not exceed 1,000 square feet.

   e. New accessory buildings.

3. Downtown East, South Downtown, and Western Gateway Sub-Districts

   New development within the Downtown East, South Downtown and Western Gateway Sub-Districts must observe the same maximum building heights and building height setbacks with the respective base zoning requirements.

E. Architectural, Site Design, and Layout Provisions

   Architectural, site design, and layout provisions pursuant to 7.9. Downtown District Architectural Design Standards apply to the Downtown District Overlay.

F. Parking, Mobility, and Circulation Standards

1. Applicability

   Parking, mobility, and circulation standards pursuant to Subchapter 8. Parking, Mobility, and Circulation, except as provided in this section, apply to the Downtown District Overlay.

2. Residential Parking

   Residential development must comply with Subchapter 8. Parking, Mobility, and Circulation.

3. Downtown Core Sub-District Parking

   New nonresidential development must provide the required parking ratios pursuant to Figure 8.5-1. Minimum Off-Street Parking Requirements. However, to support an effective shared public parking program and reduce reliance on exclusive on-site parking, new nonresidential development must comply with the following:

   a. Off-Site Parking

      Except for structured parking, at least 50 percent of the minimum number of required spaces for a development must be provided off-site. Off-site parking must be provided in the following order to satisfy the minimum number of parking spaces:

      (1) On-street parking spaces in the improved right-of-way abutting the site.

(2) Additional on-street parking spaces constructed in the right-of-way within 500 feet of the site, measured from the property lines, generally within two street blocks.

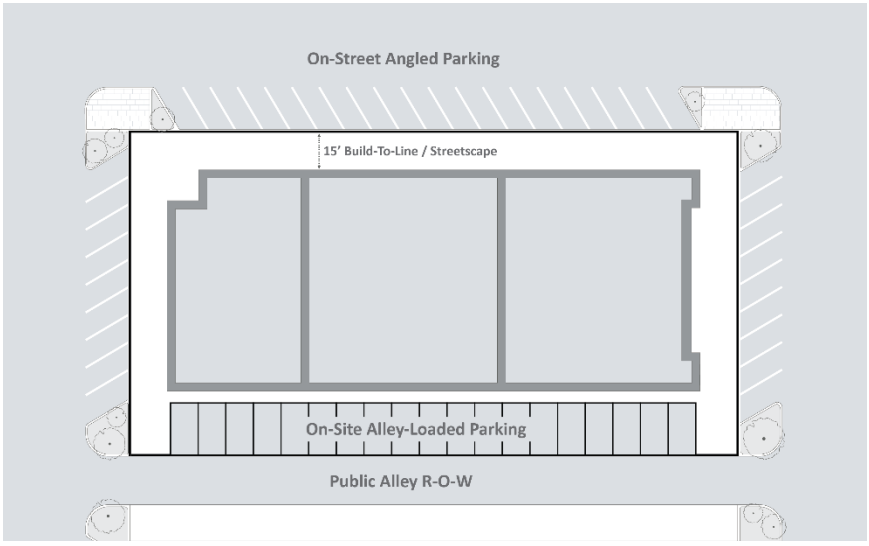
(3) Shared or public parking surface lots or structured parking within 500 feet of the site, measured from the property lines, generally within two street blocks.

b. Types of Permitted Parking

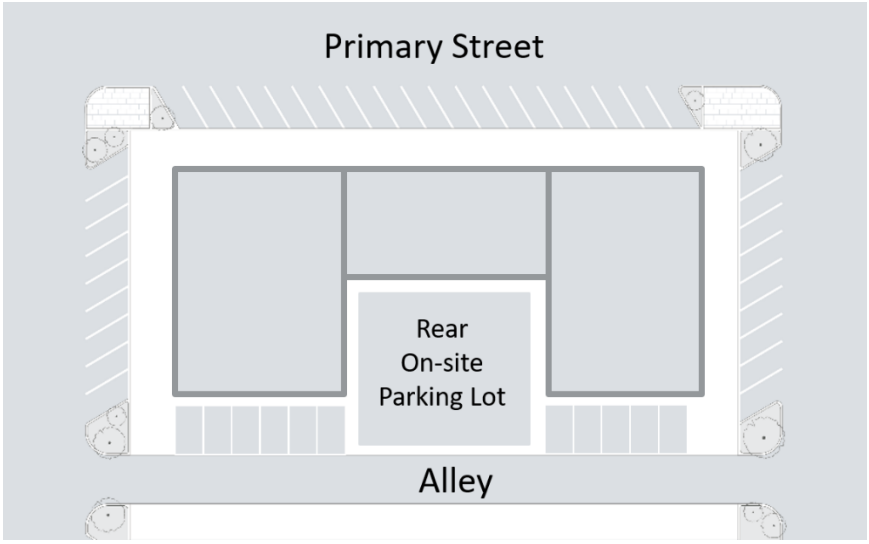
(1) Sixty-degree angled, on-street right-of-way parking

(2) Striped parallel parking within the street right-of-way, as approved by the City Engineer.

(3) Alley-loaded, on-site parking must be 90-degree angled parking. Since the existing alley cross section is 20 feet in width, alley-loaded parking dimensions are increased to 9 feet by 21 feet to allow for more effective vehicular maneuverability through the 2-way alley.



(4) The construction of new on-site surface parking must be located to rear of the building and must not exceed 50 percent of the lot area.



(5) Structured parking.

c. Parking within the Transitional Compatibility Zone (TCZ)

(1) For lots within the Transitional Compatibility Zone (TCZ), on-site alley-loaded parking must be prioritized above on-street parking in satisfying the parking requirements per Section a. Off-Site Parking.

(2) When a lot abuts an alley, on-site parking must be provided to the rear along the alley.

(3) When a lot does not abut an alley, parking must be oriented to the side yard, if provided; however, in this case, on-street parking may be prioritized in order to lessen the visual impact on the streetscape yard.

4. Existing nonconforming parking conditions in the Downtown Core Sub-District must be brought into compliance with Section 3. Downtown Core Sub-District Parking. upon the occurrence of any of the following:

a. Construction of new nonresidential development;

b. Interior or exterior nonresidential renovations, or a combination thereof, with an estimated value of $50,000 or more;

c. A building addition that increases the Gross Floor Area (GFA) by 1,000 square feet or more;

d. One or more building additions that increase the Gross Floor Area by 50 percent or more over a 10-year period;

e. A change in use from residential to nonresidential;

f. Construction of new on-site parking;

g. A proposed reduction in existing on-site parking; or

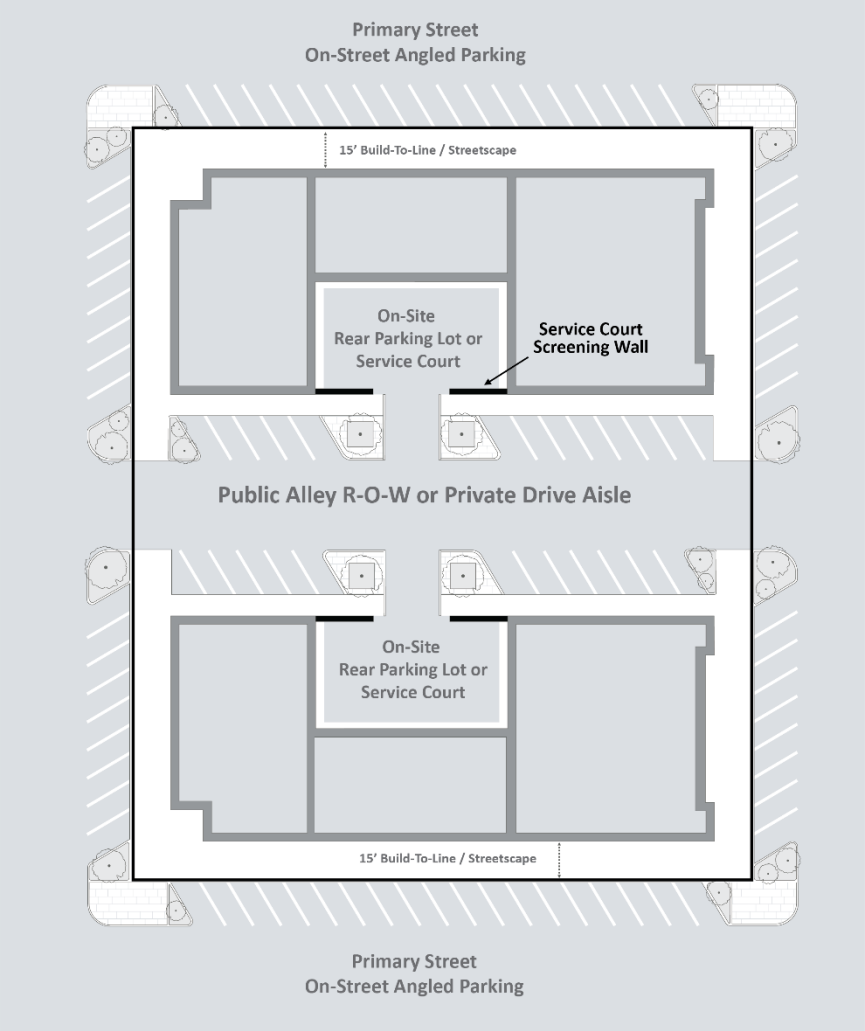
h. Expansion, discontinuation, or modification of a lawfully established nonconforming use prohibited in the Downtown District Overlay, in accordance with Subchapter 6. Nonconformities.

5. Parking Orientation and Setbacks

a. No on-site parking may be situated between the buildings and the public right-of-way along Primary Streets.

b. On-site parking must be oriented to the rear of the lot. However, when a lot has frontage on more than one Primary Street and orientation to the rear is unattainable, on-site parking should be oriented to the lesser classification roadway and may be located to the side of the lot. However, in no case may an on-site parking lot be oriented to the front along Pecan Street, Main Street, or Railroad Avenue.

c. When a lot has double frontage on two Primary Streets, running generally parallel to each other, on- site parking must be oriented to the center of the lot with liner buildings around the perimeter of the lot. In this scenario, the developer may choose to subdivide the lot so that a public alley or private drive aisle is incorporated into the site design which may provide for rear parking and access to screened service courts.



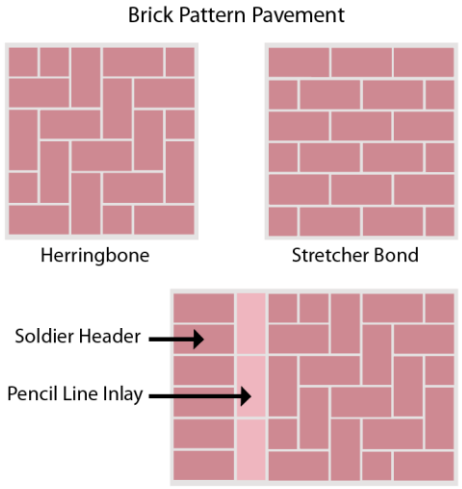
d. On-site parking must not be situated between the buildings and the public right-of-way along Dessau Road and F.M. 685.

6. Pedestrian Access and Circulation

a. Sidewalks along Primary Streets

(1) Sidewalks must be constructed along Primary Streets within the Downtown District Overlay pursuant to Section C.3. Build-To-Lines and Street Frontage Standards on Primary Streets.

(2) Decorative, brick pattern pavement must be used at street intersections, building entrances, plazas, "furniture strip" and other outdoor pedestrian spaces. The enhanced paving used in sidewalk applications must be removable modular type "block paver" or stamped concrete, with warm earth tones. The brick pattern must be "Herringbone" or "Stretcher Bond", unless there is an existing brick pattern on-site, in which case that pattern must be utilized for continuity.



(3) The landscape/street furniture strip must be provided along Primary Streets within the Downtown District Overlay pursuant to Section C.3. Build-To-Lines and Street Frontage Standards on Primary Streets. This space, between the curb and the sidewalk, may contain turf, trees, other landscaping elements, or street furniture.

b. Sidewalks must be provided along all other streets not classified as a Primary Street per Section C.3. Build-To-Lines and Street Frontage Standards on Primary Streets in accordance with Subchapter 8. Parking, Mobility, and Circulation.

c. Pedestrian walkways must connect to any existing adjacent walkway that abuts a shared property line.

d. Vehicular and pedestrian traffic must be separated with barriers such as low shrubbery, berms, fences, walls, gates, bollards, curbs and other similar design elements in order to minimize vehicle and pedestrian conflicts. (The Planning and Development Services Director has the authority to discern which barrier is necessary.)

7. Vehicular Access and Circulation

a. Alleys

(1) For sites abutting an alley, primary vehicular access must be from the alley.

(2) Alley crosswalks at street intersections must be composed of enhanced stamped, concrete or asphalt, paving in earth-tone brick patterns. The brick pattern must be "Herringbone" or "Stretcher Bond".

b. Driveways

(1) New driveways are prohibited on Primary Streets in the Downtown District Overlay, except for Downtown East and SoDo Sub-Districts.

(a) The Planning and Development Services Director may waive this prohibition in circumstances where physical access is unavailable through another means, or such access is required by the Fire Code. The resubdivision of property is not considered a physical hardship for which additional access may be granted.

(2) The number of driveways must be minimized through the use of shared driveways.

(3) Driveways must not exceed 25 feet in width, except for driveways serving structured parking, which must not exceed 40 feet in width.

(4) On a local street, no driveway is permitted closer than 30 feet to a corner, measured edge to edge, unless lot dimensions prohibit such spacing.

(5) Driveway aisle crosswalks at street intersections must be composed of enhanced stamped, concrete or asphalt, paving in earth-tone brick patterns. The brick pattern must be "Herringbone" or "Stretcher Bond."

G. Landscaping and Screening Standards

1. Applicability

Landscaping and screening standards pursuant to Subchapter 9. Landscaping and Screening apply to the Downtown District Overlay.

2. Minimum Required Landscaping Applicability

a. Properties within the Downtown East, South Downtown (SoDo), and Western Gateway Sub-Districts must comply with the landscaping requirements for their respective base zoning as established in Subchapter 9. Landscaping and Screening.

b. The minimum landscaping requirements for Single-Family Detached, Townhouses, Duplexes, and Multi-Family with similar building forms must be provided pursuant to Subchapter 9. Landscaping and Screening.

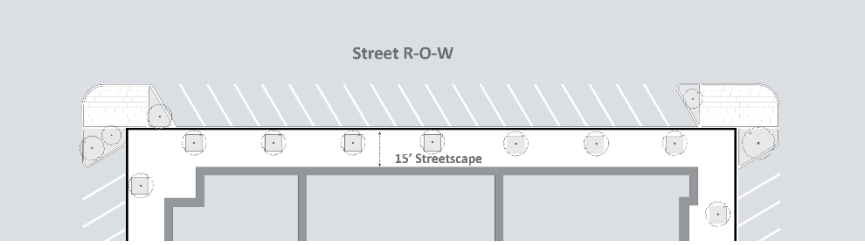
c. For master planned urban developments within the Downtown District Overlay, the required landscape percentage and plantings may be satisfied through clustered landscaped areas distributed across the development and applied collectively to all lots through a Unified Development Agreement. Required landscape plantings may be reduced to allow for functional open space, provided the streetscape yard, building foundation planting, parking lot landscaping, screening, and bufferyard requirements are met, as approved by the Planning and Development Services Director.

Figure 4.5-6. Landscape Area and Minimum Planting Requirements

District	Percent of lot Landscaped	Required Trees (3" Caliper) and Shrubs (3-Gallon) in landscape area
Downtown Core Sub-District*	N/A	Refer to Subchapter 9. Landscaping and Screening for additional requirements relating to streetscape yard, building foundation, and surface parking landscaping requirements
*Downtown Core – Transitional Compatibility Zone (TCZ)	Base District Standards Apply – Refer to Subchapter 9. Landscaping and Screening	Base District Standards Apply – Refer to Subchapter 9. Landscaping and Screening

3. Streetscape Yard Standards

a. Tree wells must be provided within the 15-foot streetscape yards along Primary Streets per Section C.3. Build-To-Lines and Street Frontage Standards on Primary Streets, whereby a medium or large tree (Type A or B) must be planted for every 30 linear feet of street frontage. Tree wells must be equipped with electrical outlets. When overhead utilities are present, one small tree (Type C) must be planted every 20 linear feet of street frontage, and where the clustering of such trees is highly recommended. The Planning and Development Services Director may approve an alternative streetscape yard design provided the aesthetic intent is maintained.



b. If trees are planted within the public right-of-way, irrigation must be provided by the abutting property owner or a Homeowners' Association; whereby a license agreement with the City is required.

c. Street trees planted within the public right-of-way must be of a hardwood, native species (e.g., Cedar Elm, Red Oak, Mexican White Oak, etc.) with deep root systems with proper irrigation. The species, the required impervious area to support street trees and the method by which they are planted and irrigated within the public right-of-way is at the full discretion of the City.

4. Building Foundation Landscaping

Building foundation plantings within the 15-foot streetscape yards along Primary Streets per Section C.3. Build-To-Lines and Street Frontage Standards on Primary Streets, or a similar design concept may be satisfied by the clustering of such plantings within architectural planters or other comparable means.

5. Screening of Refuse Containers

a. Refuse containers must be screened in accordance with Subchapter 9. Landscaping and Screening; however, commercial refuse containers and the respective screening must be located at least 10 feet away from any single-family or two-family-zoned property lines.

b. Refuse containers must be oriented to the side or rear of the principal building and screened from ground level public view. If a lot abuts an alley, the refuse container must be oriented to the alley unless there are physical or logistical constraints as determined by the Planning and Development Services Director.

c. If a commercial establishment utilizes a single roll-off or roll-away refuse container with a capacity of 95 gallons or less, it is not required to provide a screening enclosure pursuant to Subchapter 9. Landscaping and Screening, provided such refuse container(s) are stored to the side or rear and not visible from the public right-of-way.

d. If a commercial establishment utilizes a roll-off or roll-out refuse container and such container must be taken to the street or alley for pick up on designated days, such refuse container must be promptly relocated behind the required screening or enclosed area not visible from the street or alley after pickup on the same day. However, at no time may a roll-off or roll-away refuse container remain visible from the public right-of-way more than 24 consecutive hours.

e. Refuse containers must provide a lid that minimizes contents from being exposed to the elements.

H. Tree Preservation Standards

The tree preservation standards of Subchapter 10. Tree Preservation apply to the Downtown District Overlay.

I. Exterior Lighting Standards

New development within the Downtown District Overlay must comply with Subchapter 11. Exterior Lighting, except as provided below:

1. Street and Streetscape Lighting

a. At minimum, street lights must be provided at each street and alley intersection and at intervals not to exceed 50 linear feet along Primary Streets per Section C.3. Build-To-Lines and Street Frontage Standards on Primary Streets.

b. Electrical outlets must be provided at the base of each street light pole.

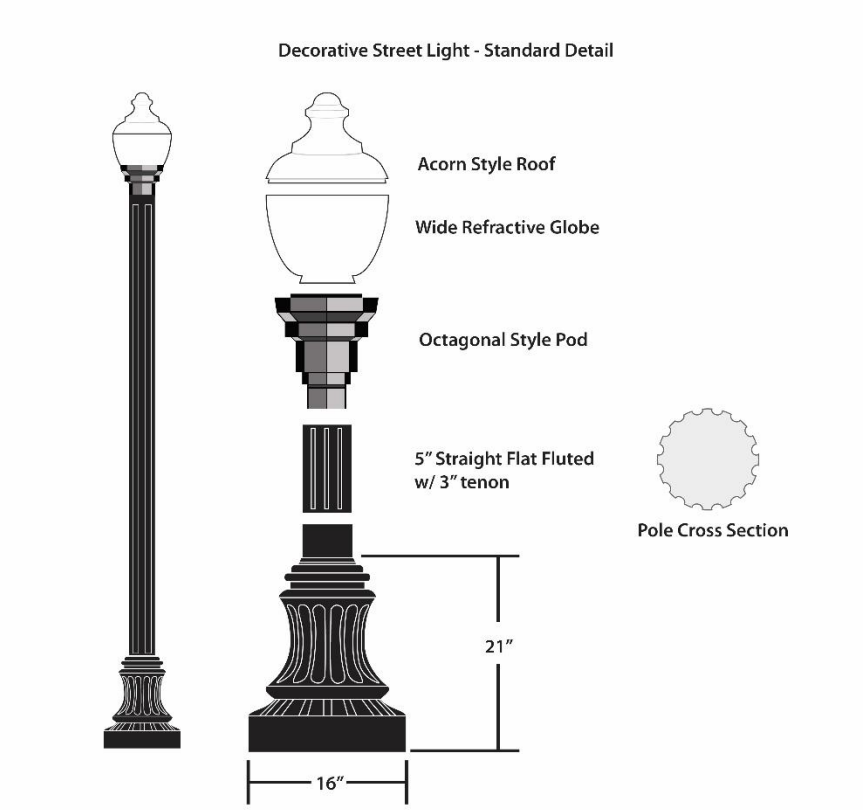
c. Poles must be made of cast iron, painted steel or aluminum, and must be painted black with a matte finish to match existing street lights on Main Street. Poles made of concrete, fiberglass, and wood are prohibited. Lights mounted on wooden utility poles are prohibited.

d. The placement of light fixtures must be coordinated with tree locations to prevent tree canopies from interfering with the proper distribution and level of lighting.

e. Light poles must be set back a minimum of 2 feet from parking stalls.

f. Light poles must be located within the public right-of-way or streetscape yard so that they do not impede pedestrian traffic.

g. The installation of new street lights provided within the public right-of-way or pedestrian scale pole lighting within the streetscape yard must be consistent with the pole and fixture type as described in the decorative street light detail provided below, or as otherwise approved by the Planning and Development Services Director.



2. On-Site Pole Lighting

On-site pole lighting must meet the same design criteria of street lighting as provided in Section 1. Street and Streetscape Lighting.

J. Public Parkland Standards

New development within the Downtown District Overlay must comply with Subchapter 12. Public Parkland and Open Space. At the discretion of the Planning and Development Services Director and the Parks and Recreation Director, enhancements to the streetscape within the public right-of-way may receive credit for the Park Development Fee, provided such improvements are not considered required by another provision

of the Code (i.e., aesthetic improvements such as additional brick paving above the minimum requirements in lieu of concrete paving may be considered; however, credit will only be applied to the increased cost of the upgraded, decorative material).

K. Subdivision Process

The subdivision standards of Subchapter 13. Subdivision Processes and Design apply to the Downtown District Overlay; however, the maximum block length is 600 linear feet.

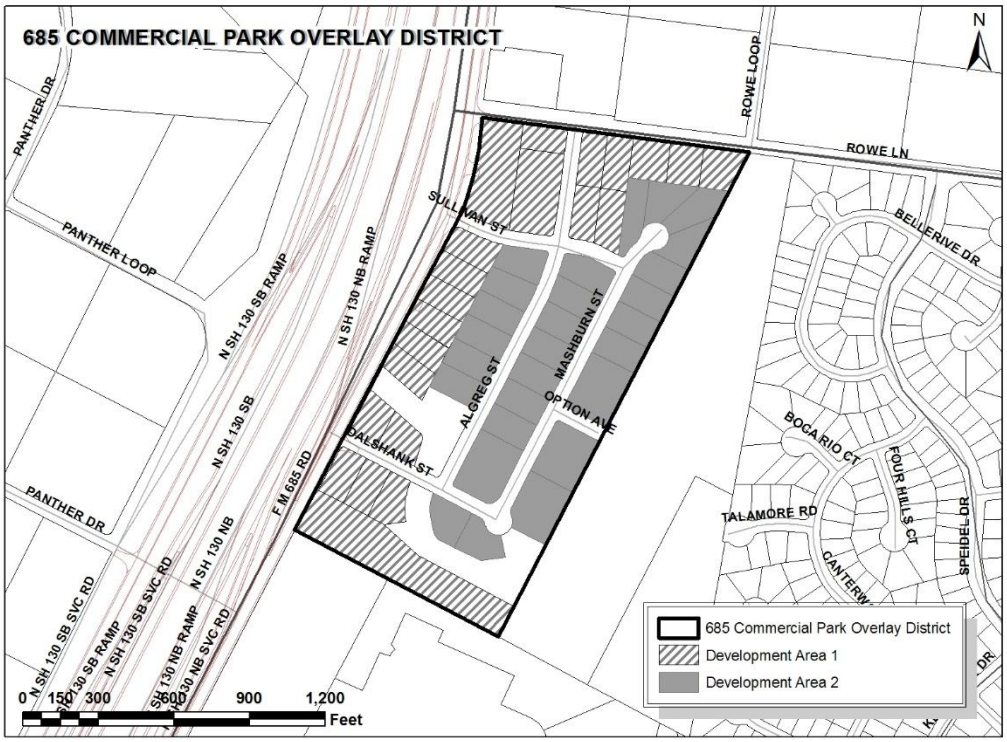
4.5.2. 685 Commercial Park (CP) Overlay District

A. Purpose

The purpose of the 685 Commercial Park (CP) Overlay District is to establish development regulations specifically for the 685 Commercial Park subdivision and nearby adjacent tracts in order to recognize and accommodate the existing heavy commercial and industrial uses in the area. The overlay modifies certain architectural, landscaping, screening, and site development requirements to provide standards that are more appropriate for industrial and service-oriented development while supporting the appearance and function of the SH 130/F.M. 685 corridor.

B. Applicability

Unless otherwise indicated, each subchapter of this UDC is applicable to each lot within the 685 Commercial Park subdivision or tract of land illustrated on the exhibit below.



C. Permitted Uses

Uses in the CP Overlay District are determined by the base zoning district of the property in accordance with Section 4.3. Nonresidential Districts.

D. General Regulations

Properties in the CP Overlay District must conform to the general regulations of the base zoning district in which the property is located as stated in Section 4.3. Nonresidential Districts.

E. Development Requirements: Development Area 1

The following land uses, when located in CP Development Area 1, may follow the development regulations established below for CP Development Area 2. All other land uses in CP Development Area 1 must follow the development regulations established for the base district.

1. Business Services

2. Contractor's Shop
3. Dry Cleaning, Major
4. Equipment and Machinery Sales, Rental, and Repair, Minor
5. Health/Fitness Center
6. Household Appliance Service and Repair
7. Laundromat
8. Nursery, Indoor/Outdoor Sales
9. Print Shop, Major
10. Small Engine Repair Shop
11. Truck/Trailer Rental
12. Automobile Sales and Rental
13. Automotive Repair and Service
14. Automotive Body Repair Shop
15. Truck/Bus/Recreational Vehicle Repair

F. Development Requirements: Development Area 2

The following development requirements apply in Development Area 2 and for all uses stipulated as following Development Area 2 in Section E above.

1. Architectural Design Standards

a. Prohibited Materials

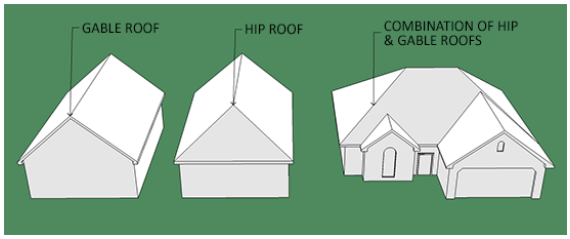
The following materials are not permitted:

(1) Pink and gold glass.

2. Building Design

The following design elements are required as stated in Figure 4.5-7. Development Area 2 Design Elements:

Figure 4.5-7. Development Area 2 Design Elements

Design Element	Development Area 2
Roof Pitch	Gable and hip roofs must be symmetrically pitched between 1:12 and 8:12.  Shed roofs, porch roofs, and arcade roofs subordinate and attached to the primary structure must be pitched between 1:12 and 6:12.
Roof Top Equipment Screening	Parapets must be used to conceal roof top equipment on flat roofs.
Permitted Roof Materials	Tile, metal or laminated shingles must be the dominant roof material.

Design Element	Development Area 2
Prohibited Roof Materials and Style	Asphalt shingles, except laminated 320 pound 30-year architectural grade asphalt shingles or better.
	Mansard roofs Back-lit Awnings used as a mansard roof.
Roof Articulation	N/A
Street Facing Facades - Vertical Articulation (Roofline Variation)	N/A
Street Facing Facades - Horizontal Articulation (Wall Projection)	N/A
Additional Requirements for Street-Facing Facades	N/A
Building Orientation	N/A

3. Public Sidewalk Requirements: Sidewalks are not required in Development Area 2.
4. Screening Standards: Screening is not required in Development Area 2.
5. Landscaping: Two trees per platted lot are required in Development Area 2.
6. Irrigation: Hand watering is permitted in Development Area 2 in lieu of any irrigation requirements.
7. Nonresidential Fencing and Wall Standards: Except as required in Subchapter 9. Landscaping and Screening, buffering requirements, fences and walls may not exceed 8 feet in height. In addition, fencing and walls are prohibited within the line of sight as determined by the Sight Visibility Triangle. Chain-link fences are permitted within Development Area 2.
8. Reference to Development Standards: Unless otherwise indicated, each lot or tract of land within the CP Overlay District must comply with Chapter 158 Stormwater Pollution Control Ordinance and all provisions of the following subchapters, unless otherwise stated:
    a. Subchapter 6. Nonconformities.
    b. Subchapter 7. Building and Site Design.
    c. Subchapter 8. Parking, Mobility, and Circulation, except for Pedestrian Mobility and Bicycle Facilities.
    d. Subchapter 10. Tree Preservation.
    e. Subchapter 11. Exterior Lighting.
    f. Subchapter 13. Subdivision Processes and Design.
    g. Subchapter 14. Definitions.
    h. Engineering Design Manual.
    i. Tree Technical Manual.

4.5.3. Planned Unit Development (PUD) District

For Planned Unit Developments (PUDs), see 3.5.3. Planned Unit Development (PUD) District.

4.5.4. Austin Executive Airport (AEA) Overlay District

A. Purpose

The purpose of the Austin Executive Airport (AEA) Overlay District is to minimize hazard and public nuisance associated with the airport, which is found to serve an essential community purpose, by regulating and restricting the height of structures and objects of natural growth and otherwise regulating the use of

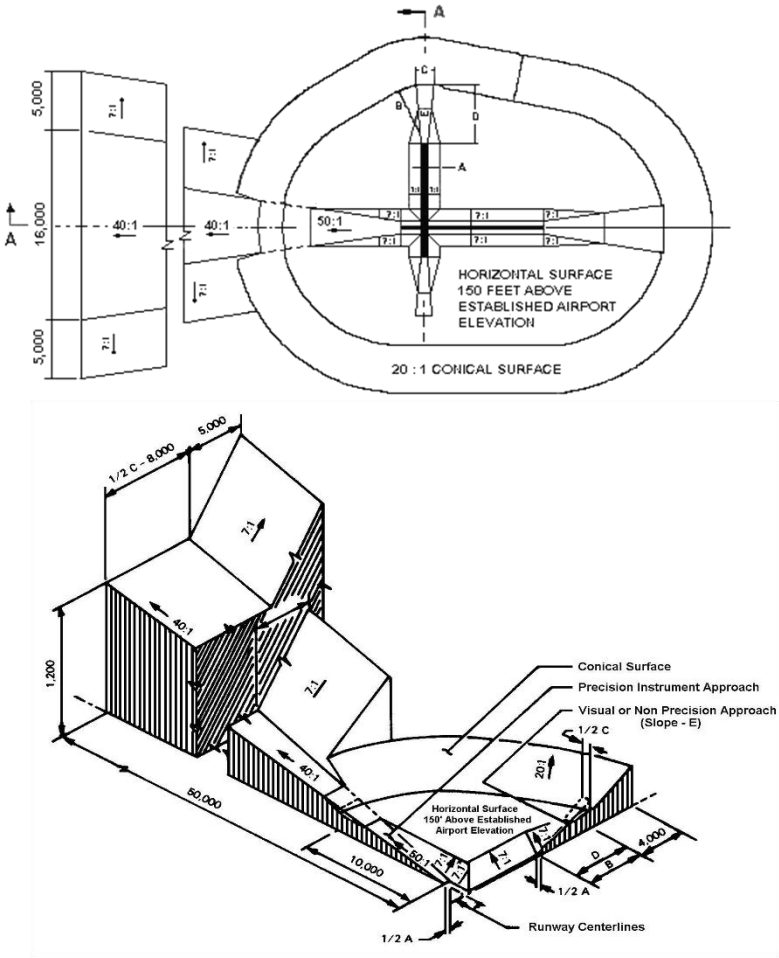
property in the vicinity of the Austin Executive Airport by creating appropriate zones and boundaries. This district is necessary in the interest of and to protect the public health, safety, and general welfare.

B. Definitions

The terms used within this section are defined as follows, unless the context otherwise requires. These definitions are applicable only to this Section 4.5.4. Austin Executive Airport (AEA) Overlay District.

1. Administrative Agency - An agency so designated by each Political Subdivision under Section 241.031 of the Texas Local Government Code, as amended, to administer and enforce these regulations in each Political Subdivision's respective jurisdiction. The Administrative Agency for purposes of this Section is deemed to be the Administrator.
2. Airport - Austin Executive Airport, located in Travis County, Texas, including the ultimate development of that facility.
3. Airport Elevation - The established elevation of the highest point on the runway, either existing or planned, at the airport measured in feet above mean sea level (MSL). The airport elevation of Austin Executive Airport is 620 feet above mean sea level (MSL).
4. Airport Hazard - Any structure, tree, or use of land which obstructs the airspace required for the flight of aircraft or obstructs or interferes with the control, tracking, and/or data acquisition in the landing, takeoff, or flight at an airport or any installation or facility relating to flight, tracking, and/or data acquisition of the flight craft; is hazardous to, interferes with, or obstructs such landing, takeoff, or flight of aircraft; or is hazardous to or interferes with tracking and/or data acquisition pertaining to flight and flight vehicles.
5. Approach Surface - A surface longitudinally centered on the extended runway centerline, extending outward and upward from each end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Section 4.5.4.E. Height Limitations. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.
6. Approach, Conical, Horizontal, and Transitional Zones - These zones are set forth in Section 4.5.4.D. Zones and are depicted in Figure 1, below:

Figure 1



Source FAA Part 77

7. Austin Executive Airport Board of Adjustment - The joint board of adjustment created by Section I. Austin Executive Airport Board of Adjustment to administer and enforce these regulations in the areas where the Political Subdivisions' Board of Adjustments do not have jurisdiction.
8. Board of Adjustment - A board of adjustment so designated by each Political Subdivision under Section 241.032 of the Local Government Code, as amended, to administer and enforce these regulations in each respective Political Subdivision's jurisdiction. The City's Board of Adjustment established under 2.1.3. Board of Adjustment is designated as the Board of Adjustments for purposes of this Section.
9. Conical Surface - A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally for each 1 foot vertically for a horizontal distance of 4,000 feet.
10. Hazard to Air Navigation - An obstruction or use of land determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.
11. Height - For the purpose of determining the height limits in all zones set forth in these regulations and shown on the hazard zoning map, the datum must be height above mean sea level (MSL) elevation as measured in feet.
12. Horizontal Surface - A horizontal plane 150 feet above the established airport elevation, which in plan coincides with the perimeter of the horizontal zone.

13. Nonconforming Use, Structure, or Tree - Any structure, tree, or use of land which is inconsistent with the provisions of these regulations and which is existing as of the effective date of these regulations.
14. Nonprecision Instrument Runway - A runway having an existing instrument approach procedure utilizing air navigation facilities or other equipment that provides only horizontal guidance or area type navigation equipment. This also includes a runway for which a nonprecision instrument approach procedure has been approved or planned. Planned Runway 13/34 is considered a nonprecision instrument runway.
15. Obstruction - Any structure, tree, or other object, including a mobile object, which exceeds a limiting height set forth in Section E of these regulations or is an airport hazard.
16. Other than Utility Runway - A runway designed for and intended to be used by propeller driven aircraft of more than 12,500 pounds maximum gross weight and jet powered aircraft. Runway 13/31 at Austin Executive Airport is considered an other than utility runway.
17. Person - An individual, firm, partnership, corporation, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or another representative.
18. Precision Instrument Runway - A runway having an existing instrument approach procedure utilizing air navigation facilities or other equipment which provide both horizontal and vertical guidance. This also includes a runway for which a precision instrument approach procedure has been approved or planned. Runway 13/31 at Austin Executive Airport is considered a precision instrument runway.
19. Primary Surface - A 7,400-foot-wide surface longitudinally centered on the runway extending the full length of the ultimate runway configuration plus 200 feet beyond each ultimate end of the runway. The elevation of any point on the primary surface is the same as the nearest point on the existing or ultimate runway centerline.
20. Runway - A defined area on the airport prepared for the landing and taking off of aircraft along its length. The current length of Runway 13/31 at Austin Executive Airport is 6,025 feet. The length of the ultimate runway configuration of Runway 13/31 at Austin Executive Airport is 7,500 feet. The length of the ultimate parallel 16/34 is 1,550 feet.
21. Structure - An object, including a mobile object, constructed or installed by Person including, but not limited to, buildings, towers, cranes, smokestacks, poles, earth formations, overhead power lines, and traverse ways. Traverse ways are considered to be the heights set forth in 14 C.F.R. Part 77.23.
22. Transitional Surfaces - Surfaces extending perpendicular to the runway centerline and the extended runway centerline outward from the edges of the primary surface and the approach surfaces at a slope of 7 feet horizontally for each 1 foot vertically to where they intersect the horizontal surface. Transitional surfaces for those portions of the precision approach surface which extend through and beyond the limits of the conical surface extend at a slope of 7 feet horizontally for 1 foot vertically for a distance of 5,000 feet measured horizontally from either edge of the approach surface and perpendicular to the extended runway centerline.
23. Tree - Any type of flora or an object of natural growth.

C. Administrative Agency

The Administrative Agency of each Political Subdivision is responsible for the administration and enforcement of the regulations prescribed herein.

D. Zones

In order to carry out the provisions of these regulations, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, conical surface, horizontal surface, and transitional surfaces as they apply to the airport. Such surfaces are shown on the Austin Executive Airport Hazard Zoning Map prepared by KSA Engineers, dated April 2015, which is incorporated in

and made a part of these regulations. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

1. Approach Zones - Approach zones are hereby established beneath the approach surfaces at each end of Runway 13/31 at the airport for other than utility runway. The approach surface must have an inner edge width of 550 feet, which coincides with the width of the primary surface, at a distance of 200 feet beyond each runway end, widening thereafter uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet beyond the end of the primary surface. The centerline of the approach surface is the continuation of the centerline of the runway.
2. Conical Zone - A conical zone is hereby established beneath the conical surface at the airport which extends outward from the periphery of the horizontal surface for a horizontal distance of 4,000 feet.
3. Horizontal Zone - A horizontal zone is hereby established beneath the horizontal surface at the airport which is a plane 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 10,000 feet radii from the center of each end of the primary surface and connecting the adjacent arcs by lines tangent to those arcs.
4. Transitional Zones - Transitional zones are hereby established beneath the transitional surfaces at the airport. Transitional surfaces, symmetrically located on either side of the runway, have variable widths as shown on the Austin Executive Airport Height and Hazard Zoning Map prepared by KSA Engineers, dated April 2015, which is incorporated in and made a part of these regulations. Transitional surfaces extend outward perpendicular to the runway centerline and the extended runway centerline from the periphery of the primary surface and the approach surfaces to where they intersect the horizontal surface. Where the precision instrument runway approach surface projects through and beyond the conical surface, there are hereby established transitional zones beginning at the sides of and at the same elevation as the approach surface and extending for a horizontal distance of five thousand (5,000) feet as measured perpendicular to the extended runway centerline.
5. Austin Executive Airport Height and Hazard Zoning Map prepared by KSA Engineers, dated April 2015.



E. Height Limitations

Except as otherwise provided in Section 4.5.4.H. Permits and Variances, no structure may be erected, altered, or replaced and no tree is allowed to grow in any zone created by these regulations to a height in excess of the applicable height limitations herein established for such zone except as provided in this Section E. The Airport Hazard Zones described in this section are depicted on an airport height and hazard zoning sheet on file with the Austin Executive Airport. Official notification will be provided to each political subdivision if changes are made to the official Height and Hazard map. Such applicable height limitations are hereby established for each of the zones in question as follows:

1. Approach Zones - Slope 1 foot in height for each 40 feet in horizontal distance beginning at the end of and at the same elevation as the primary surface and extending to a point 50,000 feet beyond the end of the primary surface.
2. Conical Zone - Slopes 1 foot in height for each 20 feet in horizontal distance beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation, or to a height of 970 feet above mean sea level.
3. Horizontal Zone - Established at 150 feet above the airport elevation, or at a height of 770 feet above mean sea level.
4. Transitional Zones - Slope 1 foot in height for each 7 feet in horizontal distance beginning at the sides of and at the same elevations as the primary surface and the approach surfaces.
5. Excepted Height Limitation – None

F. Land Use Regulations

Except as provided in Section G of these regulations, no use may be made of land or water within any zone established by these regulations in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create potential bird strike hazards such as, but not limited to, waste, construction, and demolition landfills, and new large bodies of water (localized wetland, ponds, and storm water retention ponds greater than or equal to 1 acre), or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the airport. Localized wetlands, ponds, and retention ponds greater than or equal to 1 acre will be subject to evaluation by Austin Executive Airport to review and if appropriate, issue a letter of no objection.

G. Nonconforming Uses, Structures, and Trees

1. Nonconforming Uses - Nothing contained in these regulations will be construed as requiring changes in or interference with the continuance of any nonconforming use of land. Existing nonconforming uses are Lake Pflugerville and 1849 Park water storage and irrigation.

2. Nonconforming Structures - Nothing contained in these regulations will be construed as to require the removal, lowering, or other change to any existing nonconforming structure including all phases or elements of a multiphase structure the construction of which was begun prior to the effective date of these regulations and is diligently prosecuted.

3. Nonconforming Trees - Nothing in these regulations will be construed as to require the removal, lowering, or other change to any nonconforming tree. However, any nonconforming tree which grows to a greater height than it was as of the effective date of these regulations is subject to the provisions of these regulations as described in Section 4.5.4.E above.

H. Permits and Variances

1. Permits - Any person who desires to replace, rebuild, substantially change, or repair a nonconforming structure or replace or replant a nonconforming tree is required to apply for a permit. No permit will be granted that would allow the establishment of an airport hazard or allow a nonconforming structure or tree to exceed its original height or become a greater hazard to air navigation than it was at the time of the adoption of these regulations. Applications for a permit must be submitted to the Administrative Agency which has jurisdiction over the permit application.

2. Variances - Any person who desires to erect, substantially change, or increase the height of any structure or establish or allow the growth of any tree which would exceed the height limitations set forth in Section E of these regulations or change the use of property in such a way as to create a hazardous condition as described in Section F of these regulations is required to apply for a variance with the Joint Board of Adjustment or Board of Adjustment, as applicable. The application for variance must be accompanied by a determination from the Federal Aviation Administration under 14 C.F.R. Part 77 as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Variances must be allowed where it is duly found that a literal application or enforcement of the regulations will result in practical difficulty or unnecessary hardship and the granting of relief would result in substantial justice, not be contrary to the public interest, and be in accordance with the spirit of these regulations.

3. Requirements and Reasonable Conditions

a. Any variance granted may at the discretion of the Joint Board of Adjustment or Board of Adjustment, as applicable, impose any reasonable conditions as may be necessary to accomplish the purpose of these regulations.

b. Any permit granted may, at the discretion of the Administrative Agency, impose a requirement to allow the installation and maintenance of any markers or lights to indicate to flyers the presence of an airport hazard.

I. Austin Executive Airport Board of Adjustment

1. The Austin Executive Airport Board of Adjustment is hereby created to administer and enforce these regulations in the areas not within the jurisdiction of the Political Subdivisions' Board of Adjustments.

2. The Austin Executive Airport Board of Adjustment will:

   a. Hear and decide specific variances.

   b. Hear and decide special exceptions to the terms of these regulations when the board is required to do so; and

   c. Hear and decide appeals from any order, requirement, decision, or determination made by the Administrative Agency in the administration or enforcement of these regulations;

3. The Austin Executive Airport Board of Adjustment must be comprised of 5 members and one alternate member appointed by the Political Subdivisions. The terms for the members is 2 years. The members must elect a chairman from one of the members. The Austin Executive Airport Board of Adjustment must adopt rules for its governance and procedure in harmony with the provisions of these regulations. Meetings of the Austin Executive Airport Board of Adjustment will be held at the call of the chairman and at such times as the Austin Executive Airport Board of Adjustment may determine. The chairman, or in their absence the acting chairman, may administer oaths and compel the attendance of witnesses. All hearings of the Austin Executive Airport Board of Adjustment must be public. The Austin Executive Airport Board of Adjustment must keep minutes of its proceedings showing the vote of each member upon each question or if any member is absent or fails to vote, indicating such fact and keep records of its examinations and other official actions, all of which must immediately be filed in the office of the Austin Executive Airport Board of Adjustment or in the office of appropriate Administrative Agency. All such records are public records.

4. The Austin Executive Airport Board of Adjustment must make written findings of fact and conclusions of law stating the facts upon which it relied when making its legal conclusions in determining special exceptions and variances.

5. The concurring vote of four members of the Austin Executive Airport Board of Adjustment is necessary to decide in favor of the applicant on any matter upon which it is required to pass under these regulations, or to affect any variance to these regulations.

6. The Political Subdivision appointing a member to the Austin Executive Airport Board of Adjustment may remove that member for cause on a written charge after a public hearing. A Political Subdivision must fill any vacancy on the board for the unexpired term for a member assigned to that Political Subdivision.

7. Austin Executive Airport is the official record keeper of all the Austin Executive Airport Board of Adjustment files and minutes.

J. Appeals

1. A person aggrieved or a taxpayer affected by a decision of an Administrative Agency, or a Political Subdivision or the Joint Airport Zoning Board that believes the decision of an Administrative Agency is an improper application of these regulations, may appeal the decision to a Board of Adjustment or the Austin Executive Airport Board of Adjustment, as applicable. For the purpose of this Section 4.5.4.J and Section 4.5.4.K below, the Board of Adjustment and the Austin Executive Airport Board of Adjustment are collectively referred to as Board of Adjustment.

2. All appeals hereunder must be taken within a reasonable time as provided by the rules of the Board of Adjustment by filing a notice of appeal with the Board of Adjustment and the appropriate Administrative Agency specifying the grounds for the appeal. The Administrative Agency must promptly transmit to the Board of Adjustment all papers constituting the record upon which the action appealed was taken.

3. An appeal stays all proceedings in furtherance of the action appealed unless the Administrative Agency certifies in writing to the Board of Adjustment that by reason of the facts stated in the certificate, a stay would, in the opinion of the Administrative Agency, cause imminent peril to life or property. In such case, proceedings will not be stayed except by order of the Board of Adjustment on notice to the administrative agency and on due cause shown.
4. The Board of Adjustment must fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person, by agent, and/or by attorney.
5. The Board of Adjustment may reverse or affirm, in whole or in part, or modify the Administrative Agency's order, requirement, decision, or determination from which an appeal is taken and make the correct order, requirement, decision, or determination, and for this purpose the Board of Adjustment has the same authority as the Administrative Agency. The concurring vote of four (4) members of the Board of Adjustment is necessary to reverse any order, requirement, decision, or determination of the Administrative Agency.
6. The Board of Adjustment must make written findings of fact and conclusions of law stating the facts upon which it relied when making its legal conclusions in reversing, affirming, or modifying any order, requirement, decision, or determination which comes before it under the provisions of these regulations.

K. Judicial Review

A person aggrieved or a taxpayer affected by a decision of a Board of Adjustment or a Political Subdivision or the Joint Airport Zoning Board that believes the decision of a Board of Adjustment is illegal may present to a court of record a petition stating that the decision of the Board of Adjustment is illegal and specifying the grounds of the illegality as provided by and in accordance with the provisions of Section 241.041 of the Texas Local Government Code, as amended. This same right of appeal is extended to each Administrative Agency.

L. Enforcement and Remedies

Each Political Subdivision and the Joint Airport Zoning Board may institute in a court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of Chapter 241 of the Local Government Code, these regulations, or any order or ruling made in connection with their administration or enforcement of these regulations.

M. Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed herein and any other regulation applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement controls.

N. Severability

If any of the provisions of these regulations or the application thereof to any person or circumstance is held invalid, such invalidity must not affect other provisions or application of these regulations which can be given effect without the invalid provision or application and to this end, the provisions of these regulations are declared to be severable.

O. Adherence with State Laws

Any actions brought forth by any person or taxpayer as a result of the administration, enforcement, or the contesting these regulations will be in accordance with the provisions of Chapter 241 of the Texas Local Government Code, as amended, and other applicable State laws.

P. Immunity Clause

No elected or non-elected person, employee, officer, member or agent of political subdivision, Austin Executive Joint Zoning Board and Austin Executive Airport Board of Adjustment will have (a) any personal liability with respect to any of the provisions of this Ordinance, Regulation, or (b) any liability for any

consequential damages resulting from the exercise by political subdivision or Austin Executive Joint Board of any its duties herein.

Subchapter 5. Land Uses

5.1. Generally

5.1.1. Proposed land uses or occupancies within the city limits must conform with the regulations within this Code specified for the district in which the use or occupancy is proposed. The appropriate zoning designation must be established prior to the issuance of any development permit for the proposed use or occupancy.

5.1.2. Land uses identified in Section 5.2. Permitted Uses and Conditions with the following designations are interpreted according to the provisions herein. If there is no designation found for a particular use in a specific zoning district, that use is not allowed within that zoning district.

A. Permitted Uses

Uses noted with a "P" are permitted by right within the given district, provided that all other requirements applicable to the use within each section are met.

B. Uses Permitted with Conditions

Uses noted with a "C" are permitted by right within the given district provided that specific conditions are met. Specific conditions applicable to these certain uses are provided in the corresponding "Land Use Conditions" section of this Subchapter.

C. Uses Requiring a Specific Use Permit

Uses noted with an "S" require consideration of impacts associated with a particular location for the proposed use, in addition to the standards that otherwise apply to the use under this Subchapter.

D. Uses Permitted with Conditions unless authorized by a Specific Use Permit

Uses noted with a "C/S" are permitted by right within the given district provided that specific conditions are met, unless authorized by a Specific Use Permit.

E. Uses Permitted by Base District in the Downtown District Overlay

Within the Downtown District Overlay (DD), uses noted with "BD" are subject to the use permissions for the underlying base district control, including any associated use-based conditions.

F. Uses Prohibited in the Downtown District Overlay

Within the Downtown District Overlay (DD), uses noted with "X" are specifically prohibited within the overlay, regardless of the base district.

5.1.3. Classification of New and Unlisted Uses

A. It is recognized that new types of land use will develop and forms of land use not anticipated may seek to locate in the City. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted use will be made as follows:

1. The Planning and Development Services Director will make a determination as to the appropriate classification of the new or unlisted use based on findings of fact in relation to the nature of the use and whether it involves residential activity, sales, processing, type of product, storage and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, amount of noise, odor, fumes, light, dust, toxic material and vibration likely to be generated and the general requirements for public utilities.

2. The Planning and Development Services Director's decision may be appealed to the Planning and Zoning Commission. The Commission's decision may be appealed to the Council; the Council's decision is final.

5.2. Permitted Uses and Conditions

5.2.1. Residential Uses and Conditions

A. Residential Permitted Uses

Use	A	SF-S	SF-R	SF-MU	N-MU	NFR	MF-10	MF-20	MH	PF	POS	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5	DD	Conditions
Residential Uses																								
Household Living Building Types																								
Duplex					P	P	P													P			BD	B.1
Live-Work Unit				C	C	C		C				C	C	C	C					C	C	C	BD	B.2
Manufactured Home	P								P														X	
Multi-Family, Neighborhood Scale					C	C	C	C						C	C					C			BD	B.3
Multi-Family, Suburban							S	S						S	S					S	S	S	BD	B.4
Multi-Family, Urban							C	C						C	C					C/S	C	C	BD	B.5
Single-Family Detached	P	P	P	P	P	P														P			BD	B.6
Townhouse				P	P	P	P	P						C	C					P	C/S		BD	B.7
Triplex and Quadplex					P	P	P							P						P	C/S		BD	B.8
Residential Care Facilities																								
Assisted Living							P	P						P	P					P	P	P	X	
Group Home	P	P	P	P	P	P														P			BD	
Nursing Home/Skilled Nursing							P	P						P	P					P	P	P	X	
Retirement Living Village				C/S	C/S		C/S	C/S						C/S						C	C/S	C/S	X	C.1
Communal Living																								
Residential Group Living							S	S															X	
Transitional Housing							S	S															X	

P = Permitted by right
C = Permitted with conditions
S = Permitted by SUP only
C/S = Permitted with conditions, otherwise SUP required
BD = Base district permissions apply
X = Prohibited in DD

B. Household Living Building Types

1. Duplex

   a. See Section 7.3. Residential Design Standards – House-Scale Development for additional design requirements.

2. Live-Work Unit

   a. Live-Work Units are encouraged to be located at the corner of an intersection of two collector or higher classification roads or major drive aisles.

      (1) In the SF-MU district, Live-Work Units are also permitted where the adjacent use is another Live-Work Unit or a permitted nonresidential use.

   b. Each nonresidential tenant space is limited to a maximum of 5,000 square feet.

   c. The nonresidential portion of each unit must occupy at least 25 percent of the total floor area of the unit and contain no less than 400 square feet.

d. Drive-through facilities are not permitted.

e. Nonresidential uses adjacent to a conforming residential use or residential zoning district (except N-MU, MF-10, or MF-20) must comply with the buffer requirements in Subchapter 9. Landscaping and Screening.

f. See Section 7.4. Residential and Mixed-Use Design Standards – Neighborhood-Scale Development for additional design requirements.

3. Multi-Family, Neighborhood Scale

a. See Section 7.4. Residential and Mixed-Use Design Standards – Neighborhood-Scale Development for additional design requirements.

4. Multi-Family, Suburban

a. See Section 7.4. Residential and Mixed-Use Design Standards – Neighborhood-Scale Development for additional design requirements.

5. Multi-Family, Urban

a. When located in R, GB1, or CL4, vertical mixed-use is required.

b. See Section 7.5. Residential and Mixed-Use Design Standards – Large-Scale Development for additional design requirements.

6. Single-Family Detached

a. See Section 7.3. Residential Design Standards – House-Scale Development for additional design requirements.

7. Townhouse

a. In the R and GB1 Districts:

(1) A Townhouse is only permitted where the development has at least one frontage along a collector-level or higher thoroughfare.

(2) At least 50 percent of the development's building frontage along that thoroughfare must consist of buildings containing nonresidential uses that are integrated into the development through coordinated site design, pedestrian connections, and shared access and circulation. Eligible nonresidential uses include retail, restaurant, office, personal service, entertainment, civic, and similar pedestrian-oriented, neighborhood-serving nonresidential uses; fuel sales, vehicle service, vehicle repair, vehicle sales, drive-through facilities, and other automobile-oriented uses do not satisfy this requirement.

(3) Required nonresidential components must be constructed and receive a certificate of occupancy in the same phase as, or an earlier phase than, the majority of the residential units, unless the City approves an alternative phasing plan.

b. In the CL4 District:

(1) Must comply with the "Townhouse" design standards outlined in 7.4. Residential and Mixed-Use Design Standards – Neighborhood-Scale Development;

(2) Townhouses are not permitted within 150 feet of a collector-level or higher thoroughfare or within 500 feet of a tollway right-of-way unless:

(a) The Townhouses are incorporated into a mixed-use development that complies with Section (3) below;

(b) The Townhouses are adjacent to an existing single-family neighborhood and are designed to provide a transition and buffer to the less intensive land use; or

(c) Otherwise approved through a Specific Use Permit.

(3) Where a Townhouse development fronts on a collector-level or higher thoroughfare:

(a) At least 50 percent of the development's building frontage along that thoroughfare must consist of buildings containing nonresidential uses that are integrated into the development through coordinated site design, pedestrian connections, and shared access and circulation.

(b) The development must be arranged and designed as part of a unified mixed-use development that incorporates retail, restaurant, office, personal service, entertainment, civic, and similar pedestrian-oriented, neighborhood-serving nonresidential uses; fuel sales, vehicle service, vehicle repair, vehicle sales, drive-through facilities, and other automobile-oriented uses do not satisfy this requirement. The development must include walkable internal circulation, direct pedestrian access between residential and nonresidential components, and coordinated building placement, open space, parking, and streetscape design. The layout must function as a single mixed-use environment rather than separate residential and commercial pods, with orientation, connections, and common areas reinforcing an integrated, walkable character.

(c) Required nonresidential components must be constructed and receive a certificate of occupancy in the same phase as, or an earlier phase than, the majority of the residential units, unless the City approves an alternative phasing plan.

8. Triplex and Quadplex

a. In the CL4 District:

(1) Must comply with the Triplex and Quadplex design standards outlined in 7.4. Residential and Mixed-Use Design Standards – Neighborhood-Scale Development;

(2) A Triplex and Quadplex is not permitted within 150 feet of a collector-level or higher thoroughfare or within 500 feet of a tollway right-of-way unless:

(a) The Triplex and Quadplex is incorporated into a mixed-use development that complies with Section 7.b(3) above;

(b) The Triplex and Quadplex is adjacent to an existing single-family neighborhood and are designed to provide a transition and buffer to the less intensive land use; or

(c) Otherwise approved through a Specific Use Permit.

(3) Where a Triplex and Quadplex development fronts on a collector-level or higher thoroughfare:

(a) At least 50 percent of the development's building frontage along that thoroughfare must consist of buildings containing nonresidential uses that are integrated into the development through coordinated site design, pedestrian connections, and shared access and circulation.

(b) The development must be arranged and designed as part of a unified mixed-use development that incorporates retail, restaurant, office, personal service, entertainment, civic, and similar pedestrian-oriented, neighborhood-serving nonresidential uses; fuel sales, vehicle service, vehicle repair, vehicle sales, drive-through facilities, and other automobile-oriented uses do not satisfy this requirement. The development must include walkable internal circulation, direct pedestrian access between residential and nonresidential components, and coordinated building placement, open space, parking, and streetscape design. The layout must function as a single mixed-use environment rather than separate residential and commercial pods, with orientation, connections, and common areas reinforcing an integrated, walkable character.

(c) Required nonresidential components must be constructed and receive a certificate of occupancy in the same phase as, or an earlier phase than, the majority of the residential units, unless the City approves an alternative phasing plan.

C. Residential Care Facilities

1. Retirement Living Village

a. The residential component may include any combination of Single-Family Detached, Duplex, Townhouse, and Multi-Family structures; however, these building types are subject to the design requirements outlined within this UDC.

b. The village must consist of at least two of the following: nursing home/skilled nursing, assisted living, hospital, medical office. These nonresidential components must be delivered in the same phase as, or an earlier phase than, the majority of the residential units unless the City approves an alternative phasing plan.

c. All residential, care, medical, and amenity components must be planned and operated as a unified community, with coordinated site design, internal connectivity, and shared access to services and common spaces. The layout must demonstrate that residents can conveniently reach care facilities and on-site amenities and that all components relate to one another through a cohesive master plan rather than as isolated, stand-alone uses.

d. Accessory amenities such as dining areas, recreation spaces, wellness facilities, and support services may be included for residents and their guests.

e. Landscaping will be applied per land use as provided in Subchapter 9. Landscaping and Screening.

5.2.2. Community and Institutional Uses and Conditions

A. Community and Institutional Permitted Uses

Use	A	SF-S	SF-R	SF-MU	N-MU	NFR	MF-10	MF-20	MH	PF	POS	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5	DD	Conditions
Community and Institutional Uses																								
Education and Child Care																								
College, University, Trade School, or Private Boarding School															P	P	P	P			P	P	X	
Day Care, Home-Based	P	P	S	S	S	S																	BD	
Day Care Facility				C[1]	C[1]			C[2]					P	P	P					P	P	P	S	B.1
School, Private or Parochial	S	S	S	S	S	S	S	S	S			P	P	P	P	P				P	P	P	BD	
School, Public	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	BD	
Civic and Government Services																								
Civic Center												P	P	P	P	P				P	P	P	BD	
Emergency Shelter							S	S		P								S	S				X	
Government Facilities	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	BD	
Microwave and Satellite Receiving Station, Commercial																			P				X	
Utilities	C	C	C	C[1]	C[1]	C	C	C[2]	C	C		C	C	C	C	C	C	C	C	C	C	C	BD	C.1
Wireless Telecommunication Facility (WTF)	C/S						C/S	C/S		C/S				S	C/S	C/S	C/S	C/S	C/S		C/S	C/S	C/ BD	C.2
Cultural and Community Facilities																								
Cemetery/Mausoleum	C									C				C	C	C							X	D.1
Community Garden, Private						P				P													BD	
Convention Center															P		P				P	P	S	
Cultural Institution				C[1]	C[1]			C[2]				P	P	P	P	P					P	P	BD	
Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	BD	
Place of Worship	P	P	P	P	P	P	P	P	P	P		P	P	P	P	P	P	P	P	P	P	P	BD	

C[1] - See Section 5.2.7.A. Nonresidential Uses in the SF-MU or N-MU District instead of the use name.
C[2] - See Section 5.2.7.B. Nonresidential Uses in the MF-20 District instead of the use name.

P = Permitted by right
C = Permitted with conditions
S = Permitted by SUP only
C/S = Permitted with conditions, otherwise SUP required
BD = Base district permissions apply
X = Prohibited in DD

B. Education and Child Care

1. Day Care Facility

Day care centers and other day care facilities must provide an on-site loading and unloading area separate from required parking areas and located as close to the main entrance as practicable. The loading and unloading area must operate with one-way vehicular movement.

C. Civic and Government Service

1. Utilities
    a. In Residential districts:
        (1) All facilities must be screened from view from adjacent residential areas and public rights-of-way with an opaque screen of 8' masonry fence or masonry wall.
    b. In Nonresidential districts:
        (1) All facilities must be screened from view from adjacent residential areas and public rights-of-way with an opaque masonry fence 8 feet in height and vegetation with a mature height of 8 feet or greater with initial plantings installed in accordance with Subchapter 9. Landscaping and Screening.
        (2) Exempt from minimum lot size requirements
2. Wireless Telecommunication Facility (WTF)
    a. In the Downtown District Overlay:
        (1) Monopole Wireless Telecommunication Facilities are prohibited in the Downtown District Overlay.
        (2) Attached Wireless Telecommunication Facilities must be stealth or concealed and must comply with the concealment requirements of the Engineering Design Manual, Section 11. The facility must be architecturally integrated with existing buildings, structures, and landscaping, including height, color, style, massing, placement, design, and shape, which blends with the built environment.
    b. In Nonresidential districts:
        (1) Exempt from minimum lot size requirements.
    c. In all districts:
        (1) General Conditions of Use
            (a) Wireless telecommunication facilities (WTF) are limited to freestanding monopoles, self-enclosed monopoles, stealth and attached WTFs to existing buildings or structures.
            (b) All WTFs above 75 feet in height must be structurally designed for the co-location of multiple carrier antenna arrays.
            (c) All new construction of WTF monopoles exceeding 75 feet in height must be screened, around the base of the pole and related appurtenances, with a masonry wall of a height no less than 6 feet.
            (d) The new construction of freestanding monopoles and stealth facilities must follow the site plan and building permit processes.
            (e) Unless authorized by a Specific Use Permit, all wireless telecommunication facilities in the City Limits, where permitted by right with land use conditions in the applicable zoning district, must conform to the provisions stated herein.
        (2) Collocations
            (a) The collocation of antennas on existing, legal non-conforming wireless telecommunication facilities is not considered an expansion of a non-conforming use, structure, or site as defined in Subchapter 6. Nonconformities, provided the expansion of the WTF does not increase the height of the tower for which it is situated.
            (b) Provided the collocation of antennas does not increase the height of the tower for which it is situated or require additional structural engineered support at the base of the tower that

substantially change its physical dimensions, the co-location of antennas on existing WTF towers does not require a site plan or building permit.

(c) If attached directly to the vertical side(s) of a building or structure other than a monopole, the attached WTF antennas and related appurtenances must be painted to blend in with the structure for which it is attached.

(3) Setback and Heights

(a) Any WTF equal to or less than 50 feet in height must have a minimum setback from the right-of-way equal to the height of the tower.

(b) In the General Business 1 (GB1) District and General Business 2 (GB2) District, wireless telecommunication facilities may not exceed 75 feet in height and have a minimum setback from any SF-zoned property line or conforming single-family use, and arterial and freeway rights-of-way, a minimum distance equal to three times the maximum height of the tower, unless otherwise permitted by a Specific Use Permit.

(c) In the Agriculture/Development Reserve (A) District, General Industrial (GI) District, Light Industrial (LI) District, Campus Industrial (CI) District, Corridor Level 4: Urban (CL4) District, and Corridor Level 5: Urban Center (CL5) District, WTFs may extend to a height of not more than 150 feet in height, provided the monopole tower is setback from any SF-zoned property line or conforming single-family use, and arterial and freeway rights-of-way a minimum distance equal to 3 times the maximum height of the tower, unless otherwise permitted by a Specific Use Permit.

(d) Any attached WTF on a roof of an existing building must not exceed 15 feet in height above the top plate of the building.

(e) Setbacks from roadways are measured from the edge of the right-of-way to the base of the pole. Setback distances do not apply to antenna attachments to building rooftops, water utility tanks or other existing vertical infrastructure.

(4) Prohibitions

The following are prohibited or restricted within the City Limits:

(a) Interference with City and public safety communication systems and/or area television or radio broadcast;

(b) Lattice towers;

(c) Advertising signage, with the exception of the minimum signage required by the Federal Communications Commission (FCC) regulations or necessary for the operation of a WTF;

(d) The use of guy wires, unless utilized in conjunction with an attached WTF to an existing building.

D. Cultural and Community Facilities

1. Cemetery/Mausoleum

a. In Residential districts:

(1) Must be at least 20 acres in size. Must take access only from a collector or arterial street. Conditions are not required for a mausoleum located in conjunction with a place of worship.

b. In Nonresidential districts:

(1) Permitted if in existence prior to 2017.

5.2.3. Commercial Uses and Conditions

A. Commercial Permitted Uses

Use	A	SF-S	SF-R	SF-MU	N-MU	NFR	MF-10	MF-20	MH	PF	POS	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5	DD	Conditions
Commercial Uses																								
Retail Sales and Service																								
Auction Sales															P	P		P	P				X	
Bar/Tavern					C[1]			C[2]							P	P					P	P	C/S	B.1
Body Art Studio															S	S		P					S	B.2
Brewpub or Wine Bar				C[1]	C[1]			C[2]					P	P	P	P					P	P	C/S	B.3
Catering Establishment														P	P	P				C	P	P	BD	B.4
Commissary															P	P							BD	
Laundromat														P	P	P							X	
Liquor Store															P	P					P	P	BD	
Lounge															P	P							C/S	B.5
Mobile Food Park										C/S					C	C					C/S	C/S	X	B.6
Pawn Shop															P	P							X	
Personal Services				C[1]	C[1]			C[2]					P	P	P					P	P	P	BD	
Portable Building Sales																		P	P				X	
Restaurant				C[1]	C[1]			C[2]				C	C	C	P	P				P	P	P	BD	B.7
Retail Sales and Services				C[1]	C[1]			C[2]				P	P	P	P	P	P			P	P	P	BD	
Retail Sales and Services - Single tenant over 50,000 SF															P	P	P				P	P	X	
Office and Professional Services																								
Business Services															P	P	P	P					X	
Call Center																P	P	P	P			C	X	C.1
Financial Institution				C[1]	C[1]			C[2]				P	P	P	P	P				P	P	P	BD	
Financial Services Institution, Alternative															C	C							X	C.2
Hospital														P	P	P	P				S	S	X	
Medical Clinic or Office													P	P	P	P	P			P	P	P	X	
Office, Administrative or Professional				C[1]	C[1]			C[2]				P	P	P	P	P	P	P	P	P	P	P	BD	
Office/Showroom																P	P	P	P		S	S	X	
Office/Warehouse																S	P	P	P		S	S	X	
Entertainment and Assembly																								
Athletic Facilities															P	P		P					X	
Commercial Recreation and Entertainment, Indoor					C[1]									C	P	P	P	P		C	P	P	BD	D.1
Commercial Recreation and Entertainment, Outdoor										S					C	C					S	S	BD	D.2
Event Center	S														P		P				P	P	S	

Use	A	SF-S	SF-R	SF-MU	N-MU	NFR	MF-10	MF-20	MH	PF	POS	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5	DD	Conditions
Golf Course	P	S	S	S						P				P	P	P							X	
Golf Driving Range	P									P					P	P							X	
Outdoor Amphitheater, Private										S													BD	
Reception Hall										S				P	P	P							BD	
Theater														P	P						P	P	BD	
Commercial Services and Trades																								
Animal Establishment, Commercial														C	C	C				C	C	C	C/S	E.1
Bail Bond Business															C	C							X	E.2
Bed and Breakfast	C	C	C	C	C	C																	C/S	E.3
Campground or Recreational Vehicle Park, Private	S									S													X	
Contractor's Shop																P		P	P				X	
Crematorium																		P	P				X	
Dry Cleaning, Major																P		P	P		S	S	X	
Dry Cleaning, Minor				C[1]	C[1]			C[2]				P	P	P	P	P		P		P	P	P	BD	
Equipment and Machinery Sales, Rental, and Repair, Major																		P	P				X	
Equipment and Machinery Sales, Rental, and Repair, Minor														P	P	P	P	P	P				X	
Funeral Home/Mortuary															P	P							X	
Health/Fitness Center				C[1]				C[2]						P	P	P		S		C	P	P	BD	E.4
Hotel															C	C	C				C	C	C/ BD	E.5
Household Appliance Service and Repair															P	P		P					X	
Machine Shop																P	P	P	P				X	
Mini-Warehouse/Public Storage																P		P	P		S		X	
Print Shop, Major																	P	P	P		P	P	X	
Print Shop, Minor															P	P	P	P		P	P	P	BD	
Research and Development Center																	P	P	P		S	S	X	
Sexually Oriented Business																		C	C				X	E.6
Small Engine Repair Shop															P	P		P					X	
Industrial and Logistics																								
Brewery/Distillery/Winery, Craft					C[1]										P	P	P	P	P		P		S	
Brewery/Distillery/Winery, Production																			P				X	
Data Center, Hyperscale																			S				X	
Data Center, Major																		S	C/S				X	F.1

Use	A	SF-S	SF-R	SF-MU	N-MU	NFR	MF-10	MF-20	MH	PF	POS	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5	DD	Conditions
Data Center, Minor																	S	C/S	C/S				X	F.2
Distribution/Logistics Center																	S	P	P		S	S	X	
Energy Production and Storage Facility																		S	S				X	
Extractive Uses																			S				X	
Food Processing Establishment, Major																			P				X	
Food Processing Establishment, Minor																	P	P	P				X	
Industrial Use, Heavy																			P				X	
Industrial Use, Light																	P	P	P		S	S	X	
Landfill																			S				X	
Open Storage																			S				X	
Recycling Center																		P	P				X	
Recycling Plant																			S				X	F.3

C[1] - See Section 5.2.7.A. Nonresidential Uses in the SF-MU or N-MU District instead of the use name.
C[2] - See Section 5.2.7.B. Nonresidential Uses in the MF-20 District instead of the use name.

P = Permitted by right
C = Permitted with conditions
S = Permitted by SUP only
C/S = Permitted with conditions, otherwise SUP required
BD = Base district permissions apply
X = Prohibited in DD

B. Retail Sales and Service

1. Bar/Tavern

a. In the Downtown District Overlay:

(1) Permitted if located a minimum of 200 feet from Single-Family Detached, Townhouse, or Duplex uses, or otherwise authorized by Specific Use Permit. (Measurement is based on horizontal distance from residential property lines.) However, a Bar/Tavern is not permitted within the Transitional Compatibility Zone (TCZ).

2. Body Art Studio

a. In the Downtown District Overlay:

(1) Permitted if located a minimum of 200 feet from Single-Family Detached, Townhouse, or Duplex uses, or otherwise authorized by Specific Use Permit. (Measurement is based on horizontal distance from residential property lines.) However, a Body Art Studio is not permitted within the Transitional Compatibility Zone (TCZ).

3. Brewpub or Wine Bar

a. In the Downtown District Overlay:

(1) Permitted if located a minimum of 200 feet from Single-Family Detached, Townhouse, or Duplex uses, or otherwise authorized by Specific Use Permit. (Measurement is based on horizontal distance from residential property lines.) However, a Brewpub or Wine Bar is not permitted within the Transitional Compatibility Zone (TCZ).

4. Catering Establishment

a. In the CL3 district:

(1) 5,000 square feet or less of floor area.

5. Lounge

a. In the Downtown District Overlay:

(1) Permitted if located a minimum of 200 feet from Single-Family Detached, Townhouse, or Duplex uses, or otherwise authorized by Specific Use Permit. (Measurement is based on horizontal distance from residential property lines.) However, a Lounge is not permitted within the Transitional Compatibility Zone (TCZ).

6. Mobile Food Park (MFP)

a. Mobile Food Parks Generally

(1) A MFP that sells alcohol is allowed to remain open during times that the Texas Alcohol Beverage Control permits on-premises sale or service of alcoholic beverages.

(2) The standards and limitations in this section are in addition to all other applicable standards within the Code of Ordinances. Any applicable standards not expressly detailed in this section will apply.

(3) If a MFP is proposed on a site that requires a new utility connection or if a permanent structure is being constructed, the property must be platted pursuant to Subchapter 13. Subdivision Processes and Design.

(4) The commercial design standards in Subchapter 7. Building and Site Design apply to any permanent structure on the site. These standards do not apply to any food truck and/or trailer.

(5) Mobile Food Vendors (MFV) must comply with the fire safety requirements pursuant to Section 5.4.2.H.3.

b. Distance Requirements

With the exception of the Downtown District Overlay, no MFP maybe located within 200 feet of a conforming single-family residential dwelling unit, or 50 feet of a restaurant establishment that is operating out of a permanent structure. The distances shall be measured as a buffer distance from the proposed MFP property lot lines.

c. Site Dimensional Standards

(1) The number of MFV spaces allowed on a site must be calculated at 1 vendor space per 1,000 square feet of lot space. Only 1 MFV is permitted to occupy each vendor space on a site. The minimum number of vendor spaces is 2. The maximum number of vendor spaces allowed on any site is limited to 10, except that a request may be made to the Planning and Development Services Director to approve an alternative number of vendors spaces. Vendor spaces do not need to be occupied at all times, but they must be shown and designed during the site plan process.

(2) No MFV, permanent structures, or seating areas may be located within the required building setbacks of the applicable zoning district.

(3) There must be a minimum of 10 feet of separation between each individual MFV, and a minimum of 20 feet of separation between any MFV and a permanent on-site structure.

(4) A MFV must not block or obstruct a designated fire lane, or impede access to a fire hydrant, a Fire Department Connection (FDC), or any other fire service features as determined by the Fire Department.

(5) A MFP must establish suite numbers in conformance with the City 911 Addressing requirements for each MFV space for locating and record keeping requirements.

(6) No vehicle drive-through services are permitted within a MFP.

(7) During hours of operation, each MFV is responsible for providing a trash receptacle for use by customers and must ensure the area is kept clear of litter and debris at all times. A common dumpster may be provided within the MFP if the dumpster is screened in accordance with Subchapter 9. Landscaping and Screening and is in a permitted location.

(8) Nothing herein prohibits a MFP from establishing or utilizing a permanent structure for indoor seating, entertainment venue, or similar purposes provided the structures comply with all applicable requirements, including but not limited to building and fire department requirements.

(9) With exception of the Downtown District Overlay, a MFP must obtain vehicle access from a collector or arterial street.

d. Site Design Standards

(1) A detailed site plan is required for the approval of a mobile food park. At a minimum, the site plan must show the location of, and detail, the following items:

(a) Each Mobile Food Vendor space with appropriate separation distances, which includes trucks, trailers, tents or other temporary structures;

(b) Outdoor grills, fryers, or smoker pad sites;

(c) Utility connections, including electric, gas, water, and sewer;

(d) On-site lighting;

(e) Activity areas, including playground, movie screen, stage or similar areas;

(f) Restrooms and hand-washing facilities;

(g) Designated customer seating areas;

(h) ADA access to parking, vendors, and restrooms;

(i) Proposed parking areas including on-site and off-site spaces;

(j) Fire lanes and apparatus routes;

(k) Dumpsters and service vehicle access for waste removal, moving vendor trailers, etc.

(2) Access to a MFP must be through a single, all-weather surface driveway directly connected to a public street, with a maximum driveway width of 35 feet. Where on-site parking is proposed near a driveway, a minimum throat distance of 50 feet must be provided unless otherwise reduced by the City Engineer.

(3) All mobile food vendors, outdoor fryers, grills, and smokers must be placed on an approved all-weather surface and identified on the site plan.

(4) Venues for live music, art performances, movies or similar activities are subject to the provisions provided herein, with the proposed location identified on the site plan.

(5) In order to improve safety, individual electrical generators are discouraged. All electrical services necessary to serve a MFV or MFP must be provided through permanent on-site connections. Aerial electrical line extensions are prohibited.

(6) A MFP is encouraged to be designed with individual electric connections installed at each MFV space. When provided, individual electric service outlets with lockable connection boxes must be installed at each space through approved underground utility line extensions.

(7) Where individual propane tanks will be utilized, a valid invoice from a Certified Master Plumber indicating an annual pressure test has been successfully completed must be provided for each MFV. In lieu of individual tanks, a centralized propane tank may be considered within an MFP if the Planning and Development Services Director and Fire Department approve the location,

and it is designed to provide individual service to all MFV spaces through underground extensions.

(8) Customer seating must be provided at a minimum rate of 4 seats per individual vendor, and may be grouped within the MFP. Seating areas may be located within a permanent building or under a shade structure, provided said building or structure meets all minimum building and fire code requirements. Where outdoor seating is proposed, the surface must consist of turf grass, crushed granite, pavement, mulch, or other improved surface, as approved by the Planning and Development Services Director.

(9) Use of temporary tents are subject to the requirements outlined in Section 5.4.2.C and must require approval from the Fire Department.

(10) Nothing provided herein exempts or precludes compliance with all other provisions of the Code of Ordinances, International Building Code, or other requirements (e.g. Fire Department) to protect health, safety, and general welfare.

e. Lighting

On-site lighting must be provided within a MFP and be in accordance with Subchapter 11. Exterior Lighting, with exception that string lights are permitted throughout a MFP when a colored or warm white light is utilized. String lights must adhere to the UL standards and not be placed in a manner that would establish a safety issue.

f. Parking

(1) The required number of off-street parking spaces will be calculated at a rate of 2parking spaces per Mobile Food Vendor, provided however that an alternative parking plan may be completed pursuant to Subchapter 8. Parking, Mobility, and Circulation. In the Downtown District, spaces in the right of way within 200 feet of the site, or public surface lots within 400 feet of the site may be used in obtaining the required spaces. Where right of way parking within 200 feet of the site is not currently provided, but could be established to meet the minimum required parking spaces for a MFP, those spaces must be constructed with the mobile food park.

(2) If the MFP site plan identifies available space on-site for employees and/or towing vehicles to park, then the Planning and Development Services Director may approve a reduced number of required parking spaces.

(3) All patron vehicular parking must be provided on an all-weather surface as approved by the Planning and Development Services Director.

g. Signage

(1) One monument sign will be permitted for the entrance to the site. This sign must comply with all applicable City requirements.

(2) Each mobile food vendor within a MFP may have signs mounted to their vehicle and/or trailer. All vehicle and trailer signage must be mounted flush to the outside surface of the vehicle.

(3) Each mobile food vendor within a MFP may have one "A-frame" sign, not to exceed 3 feet in height, immediately adjacent to their vehicle for the purpose of displaying a menu or special advertisement.

(4) If the MFP is located within any special zoning district, additional standards may apply pursuant to the requirements of that zoning district.

h. Restroom facilities

(1) Each MFP must provide facilities to accommodate for a minimum of 2 restrooms. Where portable restroom facilities are utilized, said facilities must be professionally cleaned a minimum

of 3 times per week. Preference is given to self-contained, portable restroom facilities constructed within an enclosed cargo trailer or similar enclosed structure or facility. Other temporary portable restroom facilities may be considered by the Planning and Development Services Director.

(2) The restroom facilities should be equipped with hand washing facilities, or at a minimum, hand sanitation stations must be provided at the restroom facility and throughout the MFP.

i. Venues

(1) Playgrounds, movie areas, stages for musical or art performances, or similar are encouraged within a MFP. Said areas must be oriented away from neighboring less intensive uses to reduce noise and light, and potential nuisance.

(2) Nothing stated herein exempts the venue from complying with Chapter 94. Noise Control of the Code of Ordinances.

7. Restaurant

a. In the O, NS, and R districts:

(1) Tenant space is limited to 5,000 square feet or less of floor area.

(2) Drive-thru facilities are not permitted.

C. Office and Professional Services

1. Call Center

a. In the CL5 district:

(1) Must be located in a multi-story building where at least 60 percent of required parking is served by a Parking Structure.

2. Financial Services Institution, Alternative

a. Every portion of the boundary of the site in which the use is located (subject site) must be a minimum of 750 feet from the nearest property line of all of the following uses:

(1) Any other alternative financial service institution

(2) Residential use or district

(3) School, public or private

(4) Place of worship

b. For the purposes of this section, the distance is measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the property line of the subject site to the nearest portion of the property line of an existing alternative financial service, residential use or district, school or place of worship. In addition, the measurement of the 750-foot distance also includes existing alternative financial service, residential use or district, school or place of worship that are located in an adjoining city or unincorporated area and that are within 750-foot distance of the nearest property line of the subject site.

D. Entertainment and Assembly

1. Commercial Recreation and Entertainment, Indoor

a. In the R and CL3 districts:

(1) Tenant space limited to 5,000 square feet or less of floor area.

2. Commercial Recreation and Entertainment, Outdoor

a. In the GB1 and GB2 districts:

(1) All outdoor activity must be located a minimum of 300 feet from the nearest property line of an existing conforming low or medium density, single family residential use.

E. Commercial Services and Trades

1. Animal Establishment, Commercial

a. Subject to Title 9, Chapter 90.

b. In the Downtown District Overlay:

(1) All operations must be contained indoors. No outdoor operations or keeping of animals is permitted in conjunction with the use.

2. Bail Bond Business

a. Every portion of the boundary of the site in which the use is located (subject site) is a minimum of 750 feet from the nearest property line of all of the following uses, measured in a straight line between the nearest points of one lot to the other lot:

(1) Any other bail bond use

(2) School, public or private

(3) Residential use or district

(4) Place of worship

b. For the purposes of this section, the distance is measured in a straight line, without regard to intervening structures or objects, from the nearest portion of the property line of the subject site to the nearest portion of the property line of an existing bail bond use, residential use or district, school or place of worship. In addition, the measurement of the 750-foot distance also includes existing bail bond use, residential use or district, school or place of worship that are located in an adjoining city or unincorporated area and that are within 750-foot distance of the nearest property line of the subject site.

3. Bed and Breakfast

A bed and breakfast is subject to the following additional regulations:

a. A bed and breakfast is considered an accessory use to a single-family dwelling, in which no more than 2 guests of the bed and breakfast may occupy a guest bedroom on the property overnight.

b. The bed and breakfast must be on the same site as an occupied building, maintain a residential appearance, and be the permanent residence of the proprietor.

c. A guest bedroom, not located within the principal building, must comply with the accessory dwelling unit requirements provided within this Subchapter.

d. Each bed and breakfast establishment is permitted to a maximum of 4 total guest bedrooms and common bathrooms within the principal building and/or accessory dwelling, excluding 1 bedroom for the property owner.

e. One smoke alarm must be provided in each guest bedroom along with a fire extinguisher visible and be accessible to guests. 1 smoke alarm must be provided along the associated hallway leading to the guest bedroom.

f. Cooking facilities such as a stove, counter-top burner, oven, microwave, hotplate, electrical griddle, toaster oven, or crock pot are not allowed in individual rooms.

4. Health/Fitness Center

a. In the CL3 district:

(1) Tenant space limited to 5,000 square feet or less of floor area.

5. Hotel
    a. External balconies must be set back at least 200 feet from any residential zoning district; and
    b. Must provide staff on-site 24 hours a day;
    c. All guest rooms must be accessed through internal hallways, lobby, or courtyard; and
    d. Must provide at least three amenities from the list below:
        (1) Indoor/Outdoor Pool
        (2) Spa/Sauna
        (3) Weight Room/Fitness Center
        (4) Playground
        (5) Sports Court
        (6) Plaza/Atrium
        (7) Game Room
        (8) Jogging Trail
        (9) Conference Room (1,000 square foot minimum)
        (10) Full-service restaurant (minimum seating capacity of 35)
    e. In the Downtown District Overlay:
        (1) All parking required by Subchapter 8. Parking, Mobility, and Circulation must be provided on-site.
6. Sexually Oriented Business
    a. Must comply with the requirements of Chapter 112 of the City Code.

F. Industrial and Logistics
1. Data Center, Major
    a. No Data Center building or ground-mounted mechanical equipment, cooling equipment, or backup generator may be located within 500 feet of a property zoned or used for residential purposes.
    b. The Data Center must utilize a closed-loop cooling system or an equivalent water-conserving cooling technology. Open-loop or evaporative cooling systems that use potable water as the primary heat-rejection method are prohibited.
    c. Ground-mounted mechanical equipment, cooling equipment, backup generators, and similar equipment must be screened from view from adjacent streets and residentially zoned or used property in accordance with the screening requirements of this UDC.
    d. The applicant must submit a water demand analysis prepared by a qualified professional that identifies the anticipated average and peak water demand of the Data Center at full build-out, including water required for cooling.
    e. Where any portion of the Data Center building or associated mechanical, cooling, or backup power equipment is proposed within 1,000 feet of a property zoned or used for residential purposes, the applicant must submit a noise impact analysis prepared by a qualified professional demonstrating that the proposed development can comply with applicable City noise regulations. The analysis must account for anticipated continuous and intermittent noise sources, including cooling equipment and routine testing of backup generators.

2. Data Center, Minor

    a. No Data Center building or ground-mounted mechanical equipment, cooling equipment, or backup generator may be located within 300 feet of a property zoned or used for residential purposes.

    b. The Data Center must utilize a closed-loop cooling system or an equivalent water-conserving cooling technology. Open-loop or evaporative cooling systems that use potable water as the primary heat-rejection method are prohibited.

    c. Ground-mounted mechanical equipment, cooling equipment, backup generators, and similar equipment must be screened from view from adjacent streets and residentially zoned or used property in accordance with the screening requirements of this UDC.

3. Recycling Plant

    a. Must be screened in accordance with the outdoor storage screening requirements in Subchapter 9. Landscaping and Screening.

5.2.4. Transportation and Automotive Uses and Conditions

A. Transportation and Automotive Permitted Uses

Use	A	SF-S	SF-R	SF-MU	N-MU	NFR	MF-10	MF-20	MH	PF	POS	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5	DD	Conditions
Transportation and Automotive Uses																								
Vehicle Sales and Rental																								
Automobile Sales and Rental															P	P		P					X	
Recreational Vehicular Sales and Rental																C		P	P				X	B.1
Truck Sales, Heavy Trucks																		P	P				X	
Truck/Trailer Rental																C		P	P				X	B.2
Vehicle Fueling, Repair, and Service																								
Automotive Body Repair Shop																P		P			S	S	X	
Automotive Parts Sales, Indoor														P	P	P							X	
Automotive Repair and Service															P	P		P			S	S	X	
Car Wash														C	C	C							X	C.2
Fueling Station														C	C	C					C	C	X	C.3
Salvage Yard																			S				X	
Truck/Bus/Recreational Vehicle Repair																		P	P				X	
Wrecker/Towing Services																		C	C				X	C.4
Parking and Mobility Facilities																								
Automotive Parking Structure, Commercial														P	P	P	P	P	P		P	P	BD	
Automotive Parking Surface Lot, Commercial														P	P	P	P	P	P		S	S	BD	
Transit Facility (Park & Ride)															P		P				P	P	BD	
Truck Terminal																			P				X	

P = Permitted by right
C = Permitted with conditions
S = Permitted by SUP only
C/S = Permitted with conditions, otherwise SUP required
BD = Base district permissions apply
X = Prohibited in DD

B. Vehicle Sales and Rental

1. Recreational Vehicular Sales and Rental

   a. In the GB2 district:

      (1) All sales, storage, and display must be enclosed within a structure. No outdoor storage is permitted.

2. Truck/Trailer Rental

   a. In the GB2 district:

(1) The areas used for sale and interim storage areas must be wholly enclosed within a structure or otherwise screened from view from adjacent residential areas, public rights-of-way, and parkland.

C. Vehicle Fueling, Repair, and Service

1. Automotive Repair and Service

a. Vehicles that are inoperative or are being repaired must not remain outside for a period greater than 48 hours.

2. Car Wash

a. Vacuums must be located a minimum of 200 feet from the property line of any adjacent residential use, and drive-through facilities must be located a minimum of 200 feet from the property line of any residential use, and oriented in such a way as to minimize noise from a speaker box.

3. Fueling Station

a. Location Near Intersection Required

A Fueling Station is permitted only on a lot located within 200 feet of the intersection of the right-of-way lines of two intersecting streets. Distance will be measured from the closest property line of the lot to the intersection of the right-of-way lines.

b. Corner Limitation

(1) A Fueling Station may occupy no more than:

(a) Two corners at an intersection of two arterial streets or an intersection of an arterial street with a toll/frontage road facility; or

(b) One corner at an intersection with a collector or local street.

(2) For purposes of this subsection, a Fueling Station occupies a corner only when the lot on which it is located includes the corner formed by the intersecting right-of-way lines.

(3) A Fueling Station located within 200 feet of an intersection but not occupying a corner lot does not count toward the maximum number of permitted corners.

(4) The maximum number of permitted corners is calculated based on the entire intersection, regardless of whether one or more corners are located outside the City limits.

c. All fueling stations, including gas and electric charging, are limited to passenger vehicles and have a maximum of 12 service dispensers where a maximum of 12 vehicles may refuel simultaneously.

(1) Exception: In the Retail (R) District, fueling stations are limited to a maximum of 8 service dispensers.

d. Canopies must comply with the canopy standards in 7.6.2.G. Canopy Standards.

e. Air and vacuum facilities must be a minimum of at least 100 feet from the SF-S, SF-R, SF-MU, N-MU, or NFR zoning district and screened with vegetation from view of the right-of-way.

f. Electric charging stations intended for passenger vehicles may be permitted within required passenger vehicle parking spaces and not count toward the maximum service dispensers, provided the required passenger vehicle parking spaces remain available for use by all passenger vehicles. Electric charging station spaces that are restricted and not available for general parking use, intended for commercial vehicles, or established outside of required parking spaces must adhere to the service dispenser limitations and canopy design requirements as required for fueling stations as noted above.

4. Wrecker/Towing Services

a. Must be screened in accordance with Subchapter 9. Landscaping and Screening; and

b. Must satisfy the accessory use standards for outdoor storage.

D. Parking and Mobility Services

1. Reserved.

5.2.5. Agricultural and Related Uses and Conditions

A. Agricultural and Related Permitted Uses

Use	A	SF-S	SF-R	SF-MU	N-MU	NFR	MF-10	MF-20	MH	PF	POS	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5	DD	Conditions
Agricultural and Related Uses																								
Agricultural and Related Uses																								
Agricultural Use	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	BD	B.1
Nursery, Indoor/Outdoor Sales															C	C		C					S	B.2
Stable, Commercial	C									S								C					X	B.3

P = Permitted by right
C = Permitted with conditions
S = Permitted by SUP only
C/S = Permitted with conditions, otherwise SUP required
BD = Base district permissions apply
X = Prohibited in DD

B. Agricultural and Related Uses

1. Agricultural Use

a. In accordance with Sec. 251.0055 of the Texas Agriculture Code, agricultural uses must not pose an imminent danger of any of the following to persons in the immediate vicinity of the agricultural operation:

(1) Explosion;

(2) Flooding;

(3) An infestation of vermin or insects;

(4) Physical injury;

(5) The spread of an identified contagious disease that is directly attributable to the agricultural operation;

(6) The removal of lateral or subjacent support;

(7) An identified source of contamination of water supplies;

(8) Radiation;

(9) Improper storage of toxic materials;

(10) Crops planted or vegetation grown in a manner that will cause traffic hazards; or

(11) Discharge of firearms or other weapons, subject to the restrictions in Section 229.002, Local Government Code.

2. Nursery, Indoor/Outdoor Sales

a. Outdoor display and storage restrictions do not apply to a Nursery, Indoor/Outdoor Sales use.

3. Stable, Commercial

a. Subject to Title 9, Chapter 90.

5.2.6. Accessory and Temporary Uses and Conditions

A. Accessory and Temporary Permitted Uses

Use	A	SF-S	SF-R	SF-MU	N-MU	NFR	MF-10	MF-20	MH	PF	POS	O	NS	R	GB1	GB2	CI	LI	GI	CL3	CL4	CL5	DD	Conditions
Accessory and Temporary Uses																								
Accessory and Temporary Uses																								
Accessory Commercial Unit				C	C																		BD	B.1
Accessory Dwelling Unit	C	C	C	C	C	C														C			BD	B.2
Amenity Center	C	C	C	C	C	C	C	C	C	C										C	C	C	BD	B.3
Day Care Facility, Incidental				S	S							P	P	P	P	P	P			P	P	P	S	
Drive-In/Drive-Thru															C	C	C	C	C		C	C	X	B.4
Drone Staging Area														C/S	C/S	C/S	C/S	C/S	C/S				X	B.5
Farmer's Market	C				C					C	C			C	C	C					C	C	S	B.6
Home Occupation	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C	BD	B.7
Outdoor Display and Sales													C	C	C	C	C	C	C	C	C	C	S	B.8
Outdoor Storage																	C/S	C	C				X	B.9
Seasonal Products, Sales										C	C			C	C	C					C		S	B.10
Small Wind Energy Systems	C	C	C	C	C	C	C	C	C	C		C	C	C	C	C	C	C	C	C	C	C	S	B.11

P = Permitted by right
C = Permitted with conditions
S = Permitted by SUP only
C/S = Permitted with conditions, otherwise SUP required
BD = Base district permissions apply
X = Prohibited in DD

B. Accessory and Temporary Uses

1. Accessory Commercial Unit

a. An Accessory Commercial Unit (ACU) is permitted only on a lot containing a principal dwelling, and the principal building must remain residential in use and appearance.

b. The ACU may be located within, attached to, or detached from the principal dwelling. A detached ACU is permitted only when it fronts toward, and has an accessible pedestrian route to, a public sidewalk or alley.

c. The ACU must remain subordinate to the principal dwelling and may not exceed 25 percent of the gross floor area of the principal building, except through approval of a Specific Use Permit.

d. The ACU must be architecturally complementary to the principal building.

e. The ACU may accommodate on-site customers and may include an outdoor seating or gathering area, provided such area is located outside the public right-of-way.

f. No additional off-street parking is required.

g. Signage is limited to sandwich board signs located on the property during operating hours.

h. The ACU may encroach into required setbacks, provided it remains outside all easements and otherwise complies with applicable building and fire code requirements.

i. All refuse must be maintained in a screened enclosure located behind the structure. Permanent utility connections and power facilities serving the ACU must be installed underground.

j. Lighting must comply with Subchapter 11. Exterior Lighting and must be turned off when the ACU is not in operation.

k. The ACU must comply with all applicable building, fire, health, and life-safety codes.

l. Hours of operation are limited to 7:00 a.m. to 9:00 p.m.

m. The ACU may not include automotive uses or any use that creates smoke, noise, odor, vibration, or light trespass detectable on an adjacent property. Noise is also subject to the City's residential noise regulations.

2. Accessory Dwelling Unit

a. Attached Dwelling Units

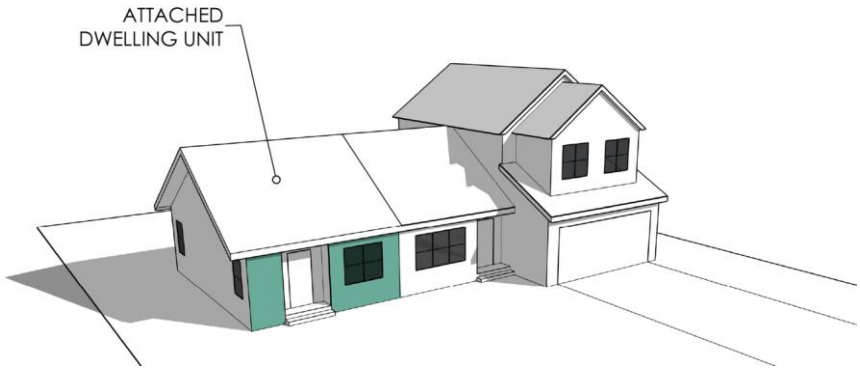
(1) An attached dwelling unit, including a "casita", must be architecturally integrated into the principal building with an appearance of one cohesive residence, and maintain the principal building setbacks.

(2) In order to maintain the appearance of a single residential structure, exterior entrances should be limited to a common entryway. Where separate entrances are desired, only one entry point may face the public street, with the additional entrance architecturally integrated into the design of the structure so that the door does not face, or its visibility is minimized, from view from the public street. Additional access from the attached dwelling unit to the rear yard is permitted, provided it is screened from public view.

(3) The floor area of the attached dwelling unit must not be greater in size than half of the first floor's gross floor living area of the principal building.

(4) A garage for an accessory dwelling unit must be located adjacent to the principal building garage to provide an appearance of a cohesive garage. At no time are garages permitted on opposite sides of the principal building unit.

(5) An attached dwelling unit is considered an extension of a Single-Family Detached structure and therefore is subject to the design requirements as required in Subchapter 7. Building and Site Design.



b. Detached Dwelling Units

(1) A detached dwelling unit must generally be located behind the rear façade of the principal building and comply with the accessory building setback encroachments provided in Section 5.3.2. Accessory Buildings/Structures. A detached dwelling unit, including a detached "casita" may be considered in front of the principal building if the unit maintains the principal building

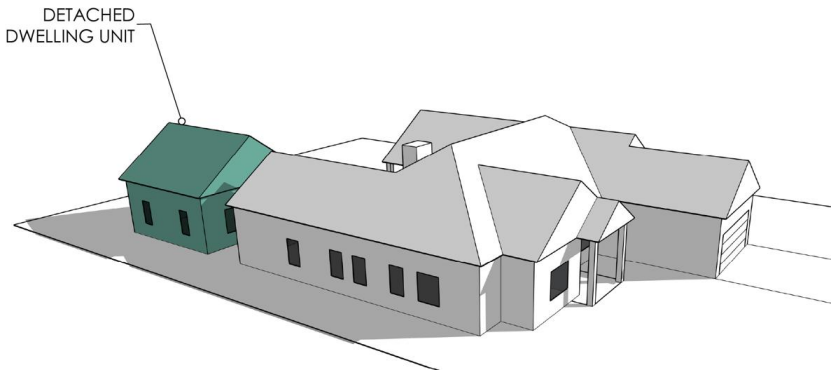
setbacks, is architecturally integrated into the design of the principal building to appear as one single residential structure, and is integrated as a component of a private courtyard.

(2) Building separation between detached units must be provided in accordance with the Building Code.

(3) At no time can a detached accessory dwelling unit have a separate water or wastewater meter, or be allowed to be subdivided from the principal lot. A detached accessory dwelling unit may be assigned a "Unit B" or similar type of assignment for emergency service purposes.

(4) The detached dwelling unit floor area must not be greater in size than 50 percent of the first floor's gross floor area of the principal building.

(5) A detached dwelling unit is considered an extension of a Single-Family Detached structure and therefore designed with a cohesive architectural appearance as the principal building, including but not limited to material type, material percentages, and general design. Nothing provided herein exempts the detached dwelling unit from complying with the material requirements provided in 7.11 Building Materials Guidelines for a Single-Family Detached structure.



c. Accessory Dwelling Unit in Nonresidential Zoning

One accessory dwelling unit is permitted in a nonresidential district, except the General Industrial (GI), only as required for the conduct or support of the operation of the nonresidential use such as the provision of custodial or security services, management or other essential service. The dwelling must be located in the same building as the primary use and cannot be less than 600 square feet

3. Amenity Center

a. All amenity center buildings must have a minimum 15-foot building setback from all adjacent residential property lines.

b. All outdoor amenity facilities or recreational equipment (e.g., basketball court, tennis court, pools, pool deck, splash pad, or any other active or programmed recreational facility) must be set back a minimum of 100 feet from all adjacent residential property lines. A trail does not require a setback.

c. A streetscape yard landscaping, building foundation landscaping, surface parking landscaping, screening, and minimum 15-foot bufferyard must be provided pursuant to Subchapter 9. Landscaping and Screening.

d. When residential units along a drive aisle or street are designed to back up to the amenity center, at least one public access easement containing a minimum 10-foot trail must be provided to connect to each street with units backing up to the amenity center.

e. Amenity Centers are subject to commercial development review standards.

4. Drive-In/Drive-Thru

a. Drive-thru facilities must be located to the side or rear of a building, unless site constraints limit such orientation as determined by the Planning and Development Services Director.

b. Any service window and associated speaker box must be located at least 200 feet from a residential district unless screened by another structure from the residential district.

c. The establishment must be designed to allow patrons to either:

(1) Order and consume from inside the building, or

(2) Order from a walk-up window and consume from an outdoor, covered seating area.

d. The building must be oriented to provide pedestrians an uninterrupted sidewalk connection between the public sidewalk to the front, accessible door or walk-up window without crossing a drive-thru lane or drive aisle. Where such connection is not feasible, an enhanced pedestrian crossing must be provided that:

(1) Limits the crossing distance for pedestrians to 25feet, and

(2) Incorporates vertical geometric traffic calming, such as a raised crosswalk.

5. Drone Staging Area

a. Accessory drone staging areas located on a lot with an existing principal commercial or industrial use must comply with the following:

(1) Drone staging areas are not permitted within 300 feet of a residential zoning district.

(2) Operations are limited to daylight hours only, unless otherwise approved through the Specific Use Permit process.

(3) Drone staging areas cannot be located between the principal building and any adjacent residential property.

b. See 9.11.5. Screening of Drone Staging Areas for additional regulations.

6. Farmer's Market

A Farmer's Market may be allowed; however, it requires a Temporary Use Permit and must satisfy the Temporary Use general provisions in Section 5.4.1 and the following provisions:

a. It must be certified by the Texas Department of Agriculture;

b. It must be generally self-sufficient with regards to water, sewer, and electricity. Temporary connections to potable water and sanitary sewer are prohibited. Electricity must be from a generator or an approved electrical outlet via an approved portable cord that is in conformance with the electrical code as adopted by the City;

c. Adequate on-site restroom facilities and solid waste containers are required; and

d. It is subject to a maximum duration of two days per week.

7. Home Occupation

a. All Home Occupations must be a no-impact home-based business.

(1) In accordance with Sec. 229.902 of the Texas Local Government Code, a "no-impact home-based business" means a home-based business that:

(a) Has at any time on the property where the business is operated a total number of employees and clients or patrons of the business that does not exceed the municipal occupancy limit for the property;

(b) Does not generate on-street parking or a substantial increase in traffic through the area;

(c) Operates in a manner in which none of its activities are visible from a street; and

(d) Does not substantially increase noise in the area or violate a municipal noise ordinance, regulation, or rule.

b. All Home Occupations must comply with federal, state, and local law, including:

(1) A municipal fire and building code; and

(2) A municipal regulation related to:

(a) Health and sanitation;

(b) Transportation or traffic control;

(c) Solid or hazardous waste; or

(d) Pollution and noise control.

c. All Home Occupations must be compatible with the residential use of the property where the business is located.

(1) The Planning and Development Services Director will determine whether the Home Occupation is compatible with the residential use of the property. The Director's decision may be appealed to the Planning and Zoning Commission. The Commission's decision may be appealed to the City Council.

d. All Home Occupations must be secondary to the use of the property as a residential dwelling.

e. The City reserves the right to limit or prohibit the operation of a home-based business that:

(1) Sells alcohol or illegal drugs;

(2) Is a structured sober living home; or

(3) Is a sexually oriented business as defined by Section 243.002 of the Texas Local Government Code.

8. Outdoor Display and Sales

The following requirements apply to all Outdoor Display and Sales uses.

a. Outdoor display of merchandise cannot occupy any required parking spaces, landscape area, pedestrian accessibility, or fire lane.

b. Outdoor display cannot extend into the public right-of-way or onto adjacent property and must be kept within 15 feet of the principal building.

c. Outdoor display must be displayed in a neat and orderly manner and maintained in a clean, litter-free manner.

d. Outdoor display cannot be located on the roof of any structure.

e. The outdoor display area cannot exceed 10 percent of the square footage of the principal building or 500 square feet, whichever is less, with the following exceptions:

(1) Outdoor home accessory (e.g., pergolas, sheds, pots, sprinklers, playscapes, grills and other related items) sales are exempt from this requirement.

(2) Passenger vehicle rental – Outdoor display of passenger vehicles for rent is exempt from this requirement. This does not include vehicles used for moving.

(3) Moving vehicle rental – Rental of vehicles utilized for the moving of goods, personal or commercial, is limited to a maximum of 4 parking spaces for the purposes of outdoor display.

All other moving vehicles must be screened in accordance with the outdoor storage requirements.

f. All sales of such merchandise must be consummated indoors, and no cash register or package-wrapping counter may be located outdoors.

g. The maximum height of merchandise must not exceed 4 feet with the exception of vehicle rental.

h. Outdoor display is not required to be screened.

i. Automotive parts and accessories cannot remain outdoors for more than 12 consecutive hours or will otherwise be required to follow the standards for outdoor storage.

j. Bulk landscape nursery products, including but not limited to, mulch and potting soil, and sand, may be displayed outside; however, it must be screened so that it is not visible from the public right-of-way and major drive aisles.

9. Outdoor Storage

The following requirements apply to all Outdoor Storage uses, with the exception of the following uses: personal or recreational automotive sales (new or used), a florist, garden shop, landscape nursery, or passenger vehicle rental.

a. Outdoor storage in nonresidential zoning districts, where permitted, must be located only on the side or rear of the principal building and must be screened in accordance with 9.11.4. Screening of Outdoor Storage.

b. All outdoor storage areas must meet each required district building setback lines.

(1) The location of outdoor storage areas is limited to the side or rear of the primary structure to which the facility belongs and a minimum 4 feet from the principal building. At no point may materials be located in front of any portion of the principal building.

(2) Outdoor storage is prohibited on the roofs of structures.

(3) The outdoor storage area must not encroach upon the required off-street parking, pedestrian access, fire lanes, and maneuvering areas of the site.

(4) Outdoor storage of equipment and vehicular storage, including fleet vehicles, must be on a paved surface in accordance with the surfacing requirements of Section 8.5.10. Surfacing.

(5) The outdoor storage area is limited to a maximum of 1 percent of the square footage of the principal building or tenant space, or 100 square feet, whichever is less, within office, retail, commercial zoning districts and the Campus Industrial (CI) district with the following exceptions:

(a) Mini storage facilities, which may provide for outside storage of vehicles (automobiles and recreational vehicles), are limited to a maximum area of 25 percent of the square footage of all structures on-site if the aforementioned screening is provided. For purposes of this definition, a carport as described in Section 5.3.2.D with opaque screening of the entire height and length of the vehicle contained inside the carport, on all sides visible to an adjoining property and at a minimum of three sides, will not be classified as open storage of vehicles. A separate structure on the property may be considered screening if the entire extent of the vehicle is not visible from the adjoining property or public right-of-way.

(b) Accessory use of vehicle storage is exempt from the limitation on area as long as all other provisions for outdoor storage are met. For example, trucks utilized for moving, fleet vehicles or vehicles receiving auto repair.

10. Seasonal Products, Sales

a. Temporary Outdoor Sales of Seasonal Products

Temporary outdoor sales of seasonal products are allowed subject to the following provisions:

(1) Temporary outdoor sales of seasonal products do not require a Temporary Use Permit provided it satisfies the general provisions per Section 5.4.1 and the conditions in this section.

(2) It must be generally self-sufficient with regards to water, sewer, and electricity. Temporary connections to potable water and sanitary sewer are prohibited. Electricity must be from a generator or an approved electrical outlet via an approved portable cord that is in conformance with the electrical code as adopted by the City.

(3) It is subject to a maximum duration of 45 consecutive days, limited to once per calendar year. The property must be cleaned and vacated by the end of this duration.

11. Small Wind Energy Systems

A pole for a small wind energy system must not exceed the maximum principal building height per district, with exception in the A district where there is no height limit provided the pole with appurtenances at their full extent are setback from all lot lines a distance equal to its total height.

5.2.7. Land Use Conditions for Nonresidential Uses in SF-MU, N-MU, and MF-20

A. Nonresidential Uses in the SF-MU or N-MU District

1. Only permitted when a component of a mixed-use development comprised of residential and nonresidential uses;
2. Limited to the corner of an intersection of two collector or higher classification roads or major drive aisles, unless the block is designed with at least two adjacent vertical mixed-use structures;
3. Each nonresidential tenant space is limited to no more than 5,000 square feet;
4. At no time is a Drive-In/Drive-Thru permitted;
5. When a nonresidential use is adjacent or has a common property or boundary line with a residential use within the SF-MU or N-MU district, a minimum 10-foot wide landscape buffer extending the length of the common property or boundary line must be provided. The buffer must consist of a combination of native landscaping including shrubs, ornamental grasses, and perennials (15 per 100 linear feet) and one type C ornamental tree (1 per 20 linear feet) of said common property or boundary line. The buffer must also contain a pedestrian gathering space consisting of a pedestrian pathway, seating, pedestrian scaled lighting, and decorative hardscape to establish cohesion within the development.
6. When a nonresidential parking area is located next to a residential use, parking lot screening must be provided per Subchapter 9. Landscaping and Screening.
7. Buildings containing nonresidential uses should be designed as street-oriented linear buildings that maintain a building line complementary to adjacent structures.
8. Off-street parking for a nonresidential use must be provided per Subchapter 8. Parking, Mobility, and Circulation and is encouraged to be located to the side or rear of the building, away from an adjacent residential use.
9. Nonresidential uses adjacent to a conforming single-family residential use or district other than SF-MU, N-MU, MF-10, or MF-20 must comply with the buffer requirements provided in Subchapter 9. Landscaping and Screening.

B. Nonresidential Uses in the MF-20 District

1. Only permitted when a component of a mixed-use development comprised of residential and nonresidential uses;
2. Each use or tenant space is limited to no more than 5,000 square feet;
3. At no time is a Drive-In/Drive-Thru permitted;

4. When a nonresidential parking area is located next to a residential use, parking lot screening consisting of evergreen shrubs, ornamental shrubs, 3-foot stone wall, picket fence or a combination thereof must be provided.
5. Off-street parking for a nonresidential use must be provided per Subchapter 8. Parking, Mobility, and Circulation and located to the side or rear of the building;
6. Buildings containing nonresidential uses should be designed as street-oriented linear buildings that maintain a building line complementary to adjacent structures.
7. Pedestrian gathering areas and pedestrian pathways must be provided between the residential and nonresidential uses to establish cohesion within the development.
8. Nonresidential uses adjacent to conforming single-family residential use or district must comply with the buffer requirements provided in Subchapter 9. Landscaping and Screening.

5.3. Accessory Uses and Structures

5.3.1. Accessory Uses

Accessory uses are allowed with permitted uses that have already been built or are under construction and are subject to the following criteria:

A. The use or structure is subordinate to the primary use and serves the primary use or the principal building; and

B. The accessory use is subordinate in area, extent and purpose to the primary use served.

5.3.2. Accessory Buildings/Structures

Accessory Buildings/Structures are allowed in conjunction with principal buildings that have already been built and are subject to the following criteria:

A. General

1. Location

a. Accessory buildings and structures, including sheds, workshops, detached garages, and similar structures, are prohibited between the principal building and the public right-of-way, unless otherwise exempt.

(1) Exceptions: Garages or carports that are architecturally integrated into the principal building and meet the standards of Section B.3 below may be located between the principal building and the public right-of-way.

(2) See Section 5.2.6.B.2.b(1) for provisions related to Detached Accessory Dwelling Units.

b. Accessory buildings and structures may be located within required side and rear yards, provided they comply with applicable building and fire codes.

2. No accessory building may be constructed upon a lot until the construction of the principal building has commenced, unless the accessory building is necessary for the material storage and construction of the principal building, and only when approved by the Planning and Development Services Director. No accessory building may be used unless the principal building is also being used.

3. Accessory structures cannot exceed the height of the principal structure to which it is accessory.

B. Single-Family and Two-Family Residential Uses

1. Carports are permitted in A, SF-S, SF-R, SF-MU, NFR, N-MU, and MH zoning districts.

2. Carports must:

(1) Contain a paved surface underneath and leading to the carport structure.

(2) Meet all building setbacks applicable to the principal building.

(3) Consist of similar architectural theme and constructed of materials consistent with the principal building, including but not limited to support posts and roofing materials.

3. A carport may only be permitted between the principal building and the public right-of-way if the carport is architecturally integrated into the overall design of the principal building, and only when approved by the Planning and Development Services Director.

4. The cumulative floor area of all accessory buildings (including detached garages and carports) must not exceed 25 percent) of the gross floor area of the first floor of the principal building, with exception of accessory dwelling units as otherwise provided within 5.2.6.B.2. Accessory Dwelling Unit.

C. Townhouse, Triplex and Quadplex, and Multi-Family Uses

1. Accessory carports are permitted when structurally integrated in the principal building or free- standing structures with similar architectural materials and design of the principal building. Metal roofing is permitted.
2. Accessory structures must comply with the architectural standards of the district consistent with the principal buildings.

D. Commercial and Industrial Uses

Accessory structures, including carports, detached garages, storage buildings, equipment enclosures, and similar structures, are permitted in commercial and industrial zoning districts and are subject to the following standards:

1. Location
   a. Accessory structures are not permitted within a required front yard unless architecturally integrated with the principal building.
   b. Accessory structures may not be placed between the principal building and a public right-of-way unless screened in accordance with this Code.
   c. Accessory structures must comply with the required setbacks of the zoning district.
2. Size
   a. The cumulative floor area of all detached accessory structures may not exceed 50percent of the gross floor area of the principal building, unless otherwise approved as part of a site plan.
   b. No individual detached accessory structure may exceed the height of the principal building.
3. Architectural Compatibility
   a. Accessory structures visible from a public right-of-way must use materials and colors that are complementary to the principal building.
   b. Roof forms and façade treatments must be consistent with or compatible with the architectural character of the principal building.
4. Screening and Design
   a. Mechanical equipment, refuse areas, and outdoor storage associated with an accessory structure must be screened in accordance with this Code.
   b. Carports and other covered parking structures must comply with applicable canopy standards.

5.4. Temporary Uses, Structures, and Permits

5.4.1. General Provisions

All temporary uses and structures must comply with the following general provisions, as applicable.

A. Temporary uses must comply with all applicable City ordinances relating to public nuisances, noise, signage, lighting, building, plumbing, electrical, fire safety, temporary food establishments, peddlers and solicitors, etc. Notwithstanding the provisions of this section, additional development permits may be required depending on the scope of the temporary use or structure.

B. Temporary uses, or components thereof, and temporary structures must not be located within or cause interference with driveways, alleys, fire lanes, fire department connections (FDC), fire hydrants, public roads, or sidewalks.

C. The property owner is responsible for ensuring the site is kept clear of litter and debris at all times, and the site is returned to its previous condition upon the cessation of the temporary use or structure.

D. A temporary food establishment permit issued by the health department is required for any selling/handling of on-site prepared food to ensure the health, safety, and welfare of the public. These provisions do not apply to the sale of prepackaged, sealed food(s) or cottage food pursuant to State law.

E. All tents or similar temporary structures that are 400 square feet or greater or are enclosed must be approved by the Fire Marshal, prior to erection and inspected once constructed through a Temporary Use Permit.

F. Off-street parking associated with a temporary use must be provided on an improved surface unless approved otherwise by the Planning and Development Services Director and the fire marshal through a Temporary Use Permit. The Planning and Development Services Director may only consider parking on an unimproved surface when provided with concurrence by the owner that any impacted soil resulting from parking on an unimproved surface will be cleaned for any spill/leak from a vehicle by removing all impacted soils and contain for proper disposal.

5.4.2. Types of Permitted Temporary Uses and Structures

The temporary uses and structures below are permitted with certain controls to ensure compatibility with other uses in the zoning district within which the temporary uses or structures are proposed to locate. Temporary uses and structures not specifically articulated or classified in this section require a Temporary Use Permit or another applicable development permit. The following temporary uses and structures are permitted with conditions provided in this section:

A. Garage Sales

B. Nonprofit Seasonal Fundraisers

Nonprofit seasonal fundraisers hosted by a nonprofit or charitable group is permitted with the following provisions:

1. Nonprofit seasonal fundraisers do not require a Temporary Use Permit provided it satisfies the general provisions per Section 5.4.1 and the conditions in this section.

2. This section applies to only seasonal or periodic fundraisers conducted by nonprofit or charitable groups. Examples of fundraiser events permitted under this section are pumpkin sales, booster club carwashes, and public school-sponsored concessions.

3. It must be generally self-sufficient with regards to water, sewer, and electricity. Temporary connections to potable water and sanitary sewer are prohibited. Electricity must be from a generator or an approved electrical outlet via an approved portable cord that is in conformance with the electrical code as adopted by the City.

4. The outdoor sale of used clothing, accessories, furniture, household, or sporting goods is prohibited, except for places of worship or school-sponsored on-site events, not to exceed a duration of two consecutive days.

5. Nonprofit seasonal fundraisers with any temporary outdoor sale of seasonal products is subject to a maximum duration of 45 consecutive days per calendar year.

C. Tents and Canopies

1. All tents, canopies, or similar temporary structures that are 400 square feet or greater, or are enclosed, must be approved by the Fire Marshal, prior to erection and will be required to be inspected once constructed through a Temporary Use Permit.

2. All tents, canopies, and other similar temporary structures may only be used pursuant to the Fire Code.

3. All tents, canopies, and other similar temporary structures must not be within 20 feet of any lot line, building, a parked or moving car, or any internal combustion engine unless otherwise approved by the fire marshal.

4. No open flame or grease-laden vapor appliances may be used for heating or cooking under a tent or canopy or other similar temporary structures nor within 20 feet of the canopy or tent unless otherwise approved by the fire marshal.

D. Temporary Uses, Buildings, Facilities, and Equipment Incidental to Construction

1. Temporary uses incidental to construction do not require a Temporary Use Permit provided it satisfies the general provisions per Section 5.4.1 and the conditions in this section and are associated with approved development permit(s).

2. Temporary buildings and equipment for uses incidental to construction work on-premises are permitted in any zone but must be removed upon the completion or abandonment of construction work. Temporary buildings must not be located on any public street or public right-of-way at any time during construction.

3. Temporary outdoor storage of inventory displaced by the expansion, remodel, or reconstruction will only be authorized by a Temporary Use Permit.

4. The parking of construction equipment or motor vehicles associated with construction must comply with the provisions of Section 71.04 of the Code of Ordinances.

E. Temporary Buildings associated with Private or Public Schools

1. Purpose

a. Temporary buildings associated with public or private schools are intended to address short-term space needs while maintaining public safety, compatibility with surrounding development, and continued operation of the principal school use.

2. Applicability

a. Temporary buildings may be permitted on a site containing an existing, accredited public or private school.

b. Temporary buildings may include portable classrooms and temporary administrative or support structures.

3. General Requirements

a. A permanent, site-built school building and all required site improvements must be in place prior to placement of any temporary building.

b. Temporary buildings must be accessory to and operated solely in connection with the principal school use.

c. Temporary buildings must comply with all applicable building, fire, accessibility, and life-safety codes for educational occupancy.

4. Site Plan and Location

a. Temporary buildings must be shown on an approved site plan or site plan amendment.

b. Required parking, circulation, fire access, and pedestrian access for the school must be maintained.

c. Temporary buildings must meet all required setbacks and must not encroach into required buffers or sight triangles.

5. Size Limitations

a. The total square footage of all temporary buildings must not exceed 20 percent of the total square footage of the principal, site-built school buildings on the site.

6. Duration

a. Temporary buildings may be permitted for a period not to exceed 18 months.

b. Extensions may be approved by the Building Official upon a finding that the temporary building remains necessary and does not create adverse impacts to surrounding properties.

7. Removal

a. All temporary buildings must be removed within 30 days of permit expiration or cessation of the temporary need.

b. The site must be restored to its prior condition upon removal of the temporary building.

F. Temporary Portable Storage Units

Temporary portable storage units are subject to the following regulations:

1. Location

a. Must be located on an improved paved surface such as a paved driveway or parking lot;

b. Are prohibited in any right-of-way or easement;

c. Must not be situated in a sight triangle or in a location that will impair the line of sight for pedestrian and vehicular travel on a public street;

d. Must not be situated within a Fire Lane, obstruct access to a Fire Department Connection (FDC) or be located within 3 feet of a fire hydrant; and

e. Must not be located within the Downtown District Overlay.

2. Residential Conditions

a. A temporary portable storage unit associated with a residential use will not require a Temporary Use Permit provided that it satisfies the location requirements and conditions of use provided in this section.

b. No more than 1 temporary portable storage unit will be allowed per dwelling unit on any residential lot and shall not remain on-site for more than 7 consecutive days.

c. No more than 4 temporary portable storage units may be placed on a residential lot per calendar year, and there must be a minimum of 60 days between such placement of each unit.

d. Temporary portable storage units will not be used in conjunction with a Home Occupation.

e. No temporary portable storage unit will exceed a height of 8 feet, a width of 8 feet, or floor area of 128 square feet unless otherwise authorized by the Planning and Development Services Director through a temporary use permit.

3. Nonresidential Conditions

a. A temporary, portable storage unit associated with a nonresidential use must require a Temporary Use Permit and satisfy the location requirements and conditions of use provided in this section.

b. No more than 4 temporary portable storage units may be placed on a nonresidential lot per calendar year, and there must be a minimum of 60 days between such placement of each unit unless the site is undergoing active construction and then the unit(s) may remain while construction is ongoing.

c. No temporary portable storage unit will exceed a height of 8 feet, a width of 8 feet, or floor area of 128 square feet unless otherwise authorized by the Planning and Development Services Director.

G. Temporary Residential Sales Offices and Model Homes

The following regulations will apply to temporary residential sales offices and model homes within residential zoning districts:

1. A Temporary Use Permit is not required; however, other development permits will be required, as applicable (e.g., building, electrical, and plumbing permits).
2. May be located within a residential district as part of an ongoing residential development; however, they must only be located on the periphery of a subdivision or at the entrance to a subdivision.
3. Temporary residential sales offices, not otherwise serving as a model home, are not subject to design standards of this Chapter.
4. Will be either a model home or temporary structure that will operate for a period of time determined by the operator and the Building Official.
5. Must be removed or converted to a use permitted within the district when certificates of occupancy have been issued to 95 percent of the associated residential units or when the use as a sales office or model home has ceased, whichever is earlier.
6. Model homes for new subdivisions will only be occupied for residential habitation after all business activities have ceased and upon the sale of the home.

H. Mobile Food Vendors

1. Mobile Food Vendors (MFV) are allowed as temporary uses in the following scenarios without a Temporary Use Permit provided it satisfies the general provisions of Section 5.4.1 and the conditions in this section:
   a. As an authorized vendor at City-sponsored events and public park concessions;
   b. As an authorized vendor or caterer at a special event, which has obtained a temporary Use Permit, for a maximum period of 72 hours, but no more than 12 hours per day; or
   c. As a temporary shaved ice establishment limited to 180 days per calendar year at a particular location.
2. Mobile Food Vendors (MFV) are subject to the following general conditions:
   a. A MFV must hold and display all licenses and inspection certificates required by Texas Health and Safety Code Chapter 437B and applicable state regulations;
   b. A MFV must comply with all applicable requirements from the City, County, and State including, but not limited to the Texas Food Establishment Rules, and sales tax requirements;
   c. A MFV must have written approval from the property owner or tenant to be located on-site, and such site must be registered with the City to host mobile food vendors;
   d. All MFV vehicles must clearly identify the business name and a valid contact telephone number on both sides of the vehicle;
   e. A MFV must be generally self-sufficient with regards to water, sewer, and electricity. Temporary connections to potable water and sanitary sewer are prohibited. Electricity must be from a generator or an approved electrical outlet via an approved portable cord that is in conformance with the Electrical Code as adopted by the City. When portable extension cords are used, they must not be installed or placed where they may be subject to pedestrian traffic unless provided with appropriate protection as approved by the field inspector;
   f. A MFV is required to have permission to utilize the restroom facilities of the principal use unless otherwise provided by an alternative means;
   g. A MFV must arrange solid waste management with the principal use, or otherwise be solely responsible for the cleanup and proper disposal of all trash associated with the use;
   h. A MFV must not provide for a drive-thru, drive-up window, or similar apparatus; however, this does not preclude a MFV from having a walk-up service window;

i. A MFV is not permitted to: block a drive aisle, locate on or block a sidewalk, be parked on a public street unless otherwise approved by the City;

j. A MFV may have 1 "A-frame" sign, not to exceed 3 feet in height, immediately adjacent to their vehicle for the purpose of displaying a menu or special advertisement;

k. A MFV is permitted to utilize string lights or similar to enhance the customer ambiance provided the connections adhere to the UL standards and are not placed in a manner which would create a safety issue. The following lighting types are prohibited: any wall pack light, any strobe, rotating, flashing, color-changing, up lighting not otherwise contained by an overhead awning, spotlight, fog light, headlight, or any similar lighting that may provide a commonly perceived distraction to entice patronage to a passerby as determined by the Planning and Development Services Director;

l. A MFV utilizing sound to encourage patronage are subject to and must comply with noise requirements outlined in Chapter 94 of the Code of Ordinances. Use of a horn by a MFV to encourage patronage is prohibited and considered a nuisance; and

m. A MFV is subject to Chapter 111. Peddlers and Solicitors of the Code of Ordinances.

3. Mobile Food Vendors (MFV) are subject to the following fire safety requirements:

a. A MFV operating out of a motor vehicle or trailer must provide proof of a state or local fire inpection within the preceding 12 months.

b. A MFV must not block or obstruct a designated fire lane, or impede access to a fire hydrant, a Fire Department Connection (FDC), or any other fire service features as determined by the Fire Department.

c. There must be a minimum of 10 feet of separation between each individual MFV, and a minimum of 10 feet of separation between any MFV and a permanent on-site structure.

d. Generators must be located so they cannot be accessed by the public. In situations with limited site layout, generators may be separated from the public by a physical guard/barrier. Generators must be shut down prior to refueling. Refueling must be conducted only during non-business hours. Refueling must be done at least 20 feet away from the food truck.

e. A MFV must have one 2A10BC fire extinguisher, properly maintained and affixed with a current inspection tag confirming its status.

f. A MFV utilizing solid fuel cooking (wood, charcoal, pellets, etc.) or cooking methods that produce grease-laden vapors will be required to have a Class K fire extinguisher in addition to the 2A10BC fire extinguisher.

g. A MFV utilizing propane fuel must be equipped with a leak detection device.

I. On-Site Special Events

1. On-site special events will be permitted as temporary uses without a Temporary Use Permit provided it satisfies the general provisions of Section 5.4.1 and the conditions provided in this section. This section does not apply to special events held by the City on publicly-owned or managed land.

2. On-site special events are subject to the following conditions:

a. The event holder must have permission from the property owner to hold the special event on-site;

b. The special event must not interfere with the safe and orderly movement of pedestrian or vehicular travel within public rights-of-way near the site and on-site;

c. The event holder must provide for adequate health and sanitation facilities;

d. With the exception of property within the Downtown District Overlay where on-street public parking is available, special events must provide for adequate off-street parking to accommodate the event and other temporary and primary uses on-site;

e. The operation must be generally self-sufficient with regards to water, sewer, and electricity. Temporary connections to potable water and sanitary sewer are prohibited. Electricity must be from a generator or an approved electrical outlet via an approved portable cord that is in conformance with the electrical code as adopted by the City.

f. Adequate on-site restroom facilities solid and waste containers are required; and

g. The duration of the special event is limited to a maximum period of 72 hours, but no more than 12 consecutive hours per day.

3. A Special Event will require a Temporary Use Permit if such event

a. Will be conducted primarily outdoors; and

b. Interferes with the safe and orderly movement of pedestrian or vehicular travel within public rights-of-way near the site and on-site; or

c. Requires special city services, including but not limited to, street closure, provisions of barricades, traffic control, special parking arrangements, special electrical services or special police services.

4. Where the fire marshal determines that an indoor or outdoor gathering of persons has an adverse impact on public safety through diminished access to buildings, structures, fire hydrants and fire apparatus access roads or where such gatherings adversely affect public safety services of any kind, the fire marshal will have the authority to require the development of or prescribe a public safety plan that provides an approved level of public safety and addresses the following items: 1) Emergency vehicle ingress and egress, 2) Fire Protection, 3) Emergency egress or escape routes, 4) Emergency medical services, 5) Public assembly areas, 6) The directing of both attendees and vehicles, including the parking of vehicles, 7) Vendor and food concession distribution, 8) The need for the presence of law enforcement, 9) The need for fire and emergency medical services personnel.

J. Other Temporary Uses and Structures

Temporary uses and structures not specifically classified or that do not meet the conditions of the temporary uses and structures provided in the section may be authorized through a Temporary Use Permit with approval criteria in this section.

1. Land Use Compatibility

The temporary use must be compatible with the purpose and intent of this Code and the zoning district in which it will be located. The temporary use must not impair the normal, safe, and effective operation of a permanent use on the same site. The temporary use must not endanger or be materially detrimental to the public health, safety or welfare, or injurious to property or improvements in the immediate vicinity of the temporary use, given the nature of the activity, its location on the site, and its relationship to parking and access points.

2. Compliance with Other Regulations

All structures and the site as a whole must meet all applicable building code, zoning district, and fire code standards and must be promptly removed upon the cessation of the use or event. Upon cessation of the event or use, the site must be returned to its previous condition (including the removal of all trash, debris, signage, attention attracting devices, or other evidence of the special event or use).

3. Hours of Operation and Duration

The duration and hours of operation of the temporary use must be consistent with the intent of the event or use and compatible with the surrounding land uses. The duration and hours of operation will

be established by the Planning and Development Services Director at the time of approval of the Temporary Use Permit.

4. Traffic Circulation

   The temporary use must not cause undue traffic congestion or accident potential, as determined by the City Engineer, given anticipated attendance and the existing design of adjacent streets, intersections, and traffic controls.

5. Off-street Parking

   Adequate off-street parking must be provided for the temporary use, and it must not create a parking shortage for any of the other existing uses on the site. In the Downtown District Overlay, on-street parking may be used to address the adequacy of parking for the temporary use or event.

6. Public Conveniences and Litter Control

   Adequate on-site restroom facilities and waste containers may be required. The applicant must provide a written guarantee that all litter generated by the event or use will be removed at no expense to the city.

7. Appearance and Nuisances

   The temporary use must be compatible in intensity, appearance and operation with surrounding land uses in the area, and it must not impair the usefulness, enjoyment or value of adjacent property due to the generation of excessive noise, dust, smoke, glare, spillover lighting, or other forms of environmental or visual pollution.

5.4.3. Temporary Use Permit

A. Applicability

A Temporary Use Permit is required pursuant to Sections 5.4.1, 5.4.2, and 5.4.3, subject to approval by the Fire Marshal and the Planning and Development Services Director.

B. Application Submittal Requirements

1. An application must be made at least 15 days in advance of the requested start date for a temporary use or event.
2. A completed application providing for the following, as applicable:
   a. The name and address of the applicant;
   b. The name and address of the sponsor or organization represented by the applicant, as applicable;
   c. Written permission from the property owner for the dates, times, and activities approved by the owner to be conducted on the premises;
   d. The kinds of goods to be sold or services to be offered at the event or with the temporary use;
   e. The dates and times of the event or temporary use;
   f. The location of the event or temporary use; and
   g. The applicant must provide a written guarantee that all litter generated by the event or use will be removed at no expense to the city.
3. A general site plan is required with a Temporary Use Permit application showing the following, as applicable:
   a. Adequate parking for temporary use;
   b. Site location and layout;
   c. Traffic access and circulation planned;

d. Show locations of structures, fire lanes, fire department connections (FDC), fire hydrants, streets, alleys, drive aisles, driveways, and temporary fencing with entry and exit gates;

e. Show the footprint of any building, location of building exits, sidewalks, and pathways;

f. Location of tents or temporary structures including dimensions;

g. Food trucks, vendors and merchandise areas;

h. Location of outdoor grills, fryers, or smoker pad sites;

i. Size and location of any stages;

j. Dimensions and distances of proposed site elements from other site elements, as required by this Chapter and the Fire Code; and

k. Any other details relating to the specifics of the temporary use or event.

C. Review and Action

1. The Planning and Development Services Director will determine whether to approve, approve with conditions, or disapprove the permit within 10 days after the date of application and will determine the length of time that the permit is valid.

2. The Planning and Development Services Director may establish conditions of approval deemed necessary to ensure land use compatibility and to minimize potential adverse impacts on nearby uses, including but not limited to, time and frequency of operation, temporary arrangements for parking and traffic circulation, requirements for screening/buffering, and guarantees for site restoration and cleanup following the temporary use.

3. Where an application has been disapproved by the Planning and Development Services Director, the applicant will be notified in writing of the reasons for the disapproval.

Subchapter 6. Nonconformities

6.1. General

6.1.1. Purpose

The purpose of this Subchapter is to regulate the cessation, continuation, maintenance, improvement, modification, replacement, and termination of uses, lots, structures, and sites that do not conform to the UDC.

6.1.2. Authority

The provisions of the UDC are adopted pursuant to Texas Local Government Code Chapter 43, Chapter 211 and Chapter 212 and the City Charter.

6.1.3. Applicability

The provisions of this Subchapter 6 apply to any use, lot, structure, and site within the City that is not compliant with this UDC. In the ETJ, this subchapter applies only to the extent expressly authorized by state law.

6.1.4. Nonconforming Status

A. The following are types of nonconforming situations for which nonconforming status may be determined:

1. Nonconforming uses;
2. Nonconforming lots;
3. Nonconforming structures; and
4. Nonconforming sites.

B. Determination of Nonconforming Status

The Planning and Development Services Director will make determinations of nonconforming status. The Planning and Development Services Director's determination may be appealed to the Board of Adjustment in accordance with 3.19. Administrative Interpretations.

C. Legal Nonconforming Status

1. A structure, lot, site, or use qualifies as a legal nonconformity if it:
   a. Was lawfully in existence, constructed, or located on the effective date of the UDC, or
   b. Was legally constructed in compliance with the UDC requirements in effect at the time of construction; and
   c. Has been in regular and continuous use; but
   d. Does not conform to one or more current requirements of the UDC.
2. A structure, lot, site, or use that meets these criteria is granted legal nonconforming status, except where otherwise exempted or prohibited by this Subchapter.
3. A legal nonconforming structure, lot, site, or use may remain or continue after the effective date of this UDC, provided the continuation complies with this Subchapter and all other applicable provisions of the City Code.
4. The violation of any of the following provisions may cause the Planning and Development Services Director to terminate the legal right to operate such nonconforming structure, lot, site, or use, subject to appeal to the Board of Adjustment pursuant to Subchapter 3. Procedures:
   a. Constructing, maintaining, or operating a use conducted in or associated with a building or structure erected without a permit from the City;

b. Operating a use or occupying a building or structure without a valid certificate of occupancy from the City;

c. Operating a use in violation of a valid certificate of occupancy;

d. Unlawful expansion of a nonconforming use, lot, site, or structure;

e. Any other violation of this UDC as determined by the Planning and Development Services Director.

6.1.5. Establishing Legal Nonconforming Status

It is the property owner's responsibility to provide information and documents to the City establishing the nonconforming status of the owner's property.

6.1.6. Illegal Nonconforming Status

A structure, lot, site, or use that was not lawfully constructed or established, whether before or after the effective date of this Code, and that is in violation of this Code or the regulations applicable at the time of construction or establishment, must be considered illegal nonconforming. The owner or operator of an illegal nonconforming structure, lot, site, or use is subject to enforcement actions and penalties authorized by this UDC and all other applicable City ordinances and is required to correct the nonconformity to come into conformance with all applicable standards and regulations of this UDC.

6.1.7. Change of Ownership

The lawful change of ownership of property in which there is a nonconforming situation without any change in the nonconforming situation does not cause the loss of legal nonconforming status.

6.1.8. Reversal Prohibited

Once a nonconforming use, structure, site, or lot has been changed to conform to the provisions of this UDC or to more nearly conform to the provisions of this UDC, the use, structure, site, or lot must not thereafter be changed so as to be nonconforming again.

6.1.9. Legal Nonconforming Status for Newly Annexed Territory

A. After annexation of an area:

1. A person may continue to use the land in the newly annexed area in the same manner in which the land was used on the date annexation proceedings were instituted if the land use was legal at the time; or

2. A person may begin to use land in the area in the manner that was planned for the land before the 90th day before the effective date of the annexation if:

a. One or more licenses, certificates, permits, approval, or other forms of authorization by a governmental entity were required by law for the planned land use; and

b. A completed application for the initial authorization was filed with the governmental entity before the date of the annexation proceedings were instituted.

B. The following regulations apply to newly annexed territories:

1. Regulations related to the location of sexually oriented business;

2. Regulations related to preventing imminent destruction of property or injury to persons;

3. Regulations related to public nuisances;

4. Regulations related to flood control;

5. Regulations related to the storage and use of hazardous substances; and

6. Regulations related to the sale and use of fireworks.

C. After the 20th anniversary of the date of the annexation of an area that includes a permanent retail structure that 1) is more than 5,000 square feet, and 2) was authorized under State law to be used for the indoor seasonal sale of retail goods, a person must not continue the use of the structure for the indoor seasonal sale of retail goods.

6.1.10. Exemptions

A. Single-Family Detached Dwellings

Any Single-Family Detached residential dwelling that meets the conditions for legal nonconforming status as set forth in Section 6.1.4. Nonconforming Status is exempt from any and all of the restrictions, limitations and conditions contained in Sections 6.2. Nonconforming Uses, 6.3. Nonconforming Lots, 6.4. Nonconforming Structures, and 6.5. Nonconforming Sites concerning nonconforming uses and nonconforming buildings. If, at any point, the nonconforming residential use is converted to a commercial use, it may not revert to a residential use except upon a zoning reclassification, as provided for by Subchapter 3. Procedures.

B. Prior Construction Plans

Nothing contained herein requires any change in the plans, construction, or designated use of a building legally under construction or for which a permit for construction had been issued before the effective date of this Code. Construction may be completed in accordance with the terms of the permits, so long as those permits were validly issued and remain unrevoked and unexpired.

C. Prior Undeveloped Site Plans

Nothing contained herein will require any change in the plans and subsequent construction of a site subject to an approved and valid, but undeveloped, site plan approved before the effective date of this Code. Construction may commence in accordance with the terms of the site plan and any required permits, so long as those permits were validly issued and remain unrevoked and unexpired. If a site plan has expired or, in the case of a phased site plan, the construction of subsequent phases has not commenced prior to expiration, this exemption is not applicable.

D. Prior Approval Granted

Structures, lots, and sites that are nonconforming due to prior variance, administrative waiver, or other approval are not subject to the provisions of this Subchapter to the extent of such variance, administrative waiver, or other approval, but must conform to the terms and processes of their approval.

E. Governmental Acquisition of Property

A lawful structure, lot, site, or use that is made noncompliant regarding any requirement of this UDC due to the acquisition of property by eminent domain, dedication, or purchase by a city, county, state, or federal agency is deemed legally nonconforming. Such exemption must apply only to noncompliance that is a direct result of the acquisition.

F. Accessory Structures for Agricultural Purposes

The provisions of this Subchapter must not prevent the repair, restoration, replacement, or construction of accessory structures necessary for or directly related to agricultural purposes on a site zoned as Agriculture/Development Reserve (A) District, including, but not limited to, barns, shelters, sheds, or other structures. However, a second dwelling unit in an Agriculture/Development Reserve (A) District must not be considered an accessory structure for the purposes of this provision.

6.1.11. Abandonment of a Nonconforming Situation

A. Effect of Abandonment

Abandonment of a legal nonconforming situation results in the loss of the existing legal nonconforming status previously granted. All use of the premises must cease and any future use of the premises may only occur as provided for in this Subchapter.

B. Determination of Abandonment

1. A legal nonconforming use is considered abandoned after the nonconforming use has been out of use for a period of six months or more.
2. A legal nonconforming structure is considered abandoned after the structure has been vacant for a period of six months or more.
3. A legal nonconforming site is considered abandoned after the site has been vacant for a period of six months.
4. Occurrence of one or more of the following situations is evidence of vacancy or lack of occupancy for the purposes of determining abandonment, when the intention of the owner to discontinue the use is apparent:
   a. The building, structure, activity, or land has been unoccupied or out of use;
   b. One or more utility accounts have been discontinued;
   c. Utility meters are removed;
   d. Taxes are delinquent on the property;
   e. The site or structure has not been maintained;
   f. The unit has not been made available for occupancy;
   g. The characteristic equipment and furnishings of a nonconforming use have been removed from the premises; or
   h. A nonconforming use has been replaced by a conforming use.
5. All of the buildings, activities, and operations maintained on a lot are generally to be considered as a whole for the purposes of determining abandonment. A multi-tenant site, building, or shopping center is considered occupied for the purposes of this Subchapter, provided it remains at least 30 percent occupied. The failure to rent one space in a nonconforming building or on a nonconforming site does not result in a loss of the right to rent space thereafter, so long as the building or site as a whole is continuously maintained and at least 30 percent of the units remain rented.
6. The time period for determining abandonment excludes any period of discontinuance of use caused by government actions impeding access to the premises without any contributing cause by the owner of the legal nonconforming use, site, or structure.

6.1.12. Variance Not Precluded

Nothing within this Subchapter precludes the application for, or approval, of a variance meeting the standards for such under Section 3.17.3. Zoning Variances.

6.1.13. Application of Legal Nonconforming Use, Structure, Lot, or Site

The owner of a commercial or industrial nonconforming use, structure, lot, or site must register such nonconforming use, structure, lot, or site with the City by filing an application for registration of legal nonconforming status. The application must contain the following items.

A. General

The application may be made by, or on behalf of, the owner by any person, firm, corporation or other entity which has a legal or equitable interest in the nonconforming use, site, lot, or structure. Applications must include a disclosure of the complete ownership of the land or structure and must be in such form and require the furnishing of such information and representation as are needed to show the following:

1. That the use, structure, lot, or site was lawfully established prior to the effective date of this UDC.
2. That the use, structure, lot, or site has been continuously maintained since it was established.

3. That the use, structure, lot, or site has not been abandoned.

B. Denial of Legal Nonconforming Status

The Planning and Development Services Director may deny any application if it appears that the documents relied thereon are not valid, or that the documents produced do not show the existence of a prior nonconformity in accordance with the criteria set forth in Section A above. The applicant may appeal this determination to the Board of Adjustment in accordance with Subchapter 3. Procedures.

C. Amendment of Legal Nonconformity Certificate

At any time after the City certifies a legal nonconformity, upon application to the Planning Department and with the written consent of the owner affected thereby, a Legal Nonconformity Certificate may be amended to indicate changes in ownership. A copy of each certificate must be returned to the owner and a copy filed among the records of the Planning Department. The Planning and Development Services Director must accept and file all tendered certificates within the permitted time period outlined within Section D below, but the acceptance of such certificates does not constitute an authorization to operate an unlawful use or structure. The filing of a false application with the department constitutes a violation of this Subchapter.

D. Time Period for Registering Nonconformities

1. The owner of a use, structure, lot, or site that is rendered nonconforming as a result of the adoption of this UDC has 1 year from the effective date of this UDC to register such nonconformity.

2. The owner of a use, structure, or site that is rendered nonconforming as a result of a city-initiated rezoning project or in newly annexed territory, subsequent to the adoption of this UDC is permitted one year after the effective date of the rezoning to register such nonconformity. Provided, however, that after the time periods prescribed above, nonconforming rights may be established only upon submission by the owner of sufficient evidence for the Planning and Development Services Director to find that the nonconformity existed prior to the date of rezoning and was in legal compliance with all applicable laws.

E. When Registration Not Required

It is not required to register a use, structure, lot, or site that is made nonconforming by any governmental action other than annexation or rezoning, including condemnation.

F. Vesting

It is the responsibility of the applicant to inform the Administrator if vesting is claimed in accordance with Chapter 245 of the Texas Local Government Code. The Administrator may attempt to inform the applicant if a situation is able to vest under a previously adopted Unified Development Code. Notwithstanding anything in this Code to the contrary, vesting is determined in accordance with Chapter 245 of the Texas Local Government Code and other applicable law.

6.1.14. Termination of Nonconforming Situation

A. The right to operate or maintain a legal nonconforming situation may be terminated by the Administrator in accordance with the provisions of this Subchapter. The determination by the Administrator may be appealed to the Board of Adjustment in accordance with the provisions of Subchapter 3. Procedures.

B. Any appeal of the termination by the Board of Adjustment of nonconforming rights under this Subchapter must be made to a court of competent jurisdiction within 10 days of receipt of written notice of the termination by the Board of Adjustment.

6.2. Nonconforming Uses

6.2.1. Nonconforming Uses Generally

A. A nonconforming use is one that is not permitted within the zoning district assigned to the property upon which the use is located.

B. In addition, a use located in a zoning district in which it could lawfully locate with the approval of a Specific Use Permit, but lacking such a permit or a use allowed with land use conditions per Subchapter 5. Land Uses that does not conform to such conditions, is also considered nonconforming.

C. Nonconforming uses lawfully in existence and located on the property on the effective date of this UDC are considered legal nonconforming uses.

6.2.2. Elimination of Nonconforming Use Status

The owner of a nonconforming use may employ the following mechanisms to eliminate the nonconformity:

A. Replace the nonconforming use with a conforming use;

B. Rezone to a district where the use is permitted by right;

C. Obtain a Specific Use Permit, provided the use is listed as one that would be allowed in the zoning district with a Specific Use Permit;

D. Comply with the applicable land use conditions, provided that the primary land use is listed as one that is allowed in the zoning district subject to conditions set forth in Subchapter 5. Land Uses; or

E. Obtain a special exception from the Board of Adjustment pursuant to Section 3.17.4. Special Exceptions, if the special exception is allowed by this UDC and would make the use legal nonconforming.

6.2.3. Change of Use

A. A nonconforming use may be replaced by the same use provided that the use has not been abandoned. A change of use occurs when the current use of a site or structure is replaced with a use that is not listed as the same use in the land use tables in Subchapter 5. Land Uses.

B. The Board of Adjustment may approve the change of a nonconforming use to a new nonconforming use as a special exception pursuant to Section 3.17.4. Special Exceptions and this section of the UDC.

1. In order to approve a special exception under this section, the Board of Adjustment must find that the degree of negative impact of the proposed nonconforming use to the surrounding area is less than the degree of negative impact of the existing nonconforming use. Specifically, the Board of Adjustment must find all of the following:

   a. The noise that will be generated by the proposed nonconforming use must be less than the noise generated by the existing nonconforming use.

   b. If the nonconforming use is in a residential district with the exception of multifamily zoning, the traffic generated by the proposed nonconforming use must be less than the traffic generated by the existing nonconforming use.

   c. The light pollution generated by the proposed nonconforming use must be less than or equal to the light pollution generated by the existing nonconforming use.

   d. The proposed nonconforming use is more compatible with the existing and future use of land in the surrounding area than is the existing nonconforming use.

2. To better ensure that the degree of negative impact of the proposed nonconforming use to the surrounding area is less than the degree of negative impact of the existing nonconforming use, the Board of Adjustment may impose the following requirements:

   a. Set hours and day of operation;

b. Limit the square footage occupied;

c. Specify minimum/maximum off-street parking required;

d. Specify requirements to reduce noise and light pollution; and

e. Require nonconforming site design elements to be brought into compliance with this UDC.

3. In granting a special exception under this subsection, the Board of Adjustment must issue an order memorializing its finding and requirements. The order must be non-severable.

C. In no event may a change of use occur that would allow a use that would increase the degree or intensity of nonconformity or result in the expansion of any existing nonconforming situation or the creation of any new nonconforming situation.

6.2.4. Abandonment of Nonconforming Use

In the event a nonconforming use is determined to be abandoned, the structure or site must thereafter only be occupied in accordance with the provisions of this Code. See Section 6.1.11. Abandonment of a Nonconforming Situation for the time frame for the determination of abandonment.

6.2.5. Expansion of a Nonconforming Use

A. A legal nonconforming use must not be expanded, enlarged, or increased.

B. A legal nonconforming use is considered enlarged, expanded, or increased if there is:

1. An increase in the square footage of the building housing the nonconforming use;

2. An expansion of the square footage occupied by a nonconforming use within an existing building;

3. Occupation of a greater portion of the tract on which the use is located;

4. Construction of additional buildings associated with the nonconforming use; or

5. An increase in the scope, volume, or intensity of the use in a significant way.

6.2.6. Destruction or Damage of Structure Housing Nonconforming Use

A. Natural or Accidental Causes

1. Whenever the structure in which a legal nonconforming use is housed, operated, or maintained is damaged or destroyed by natural or accidental causes to the extent of more than 50 percent of the appraised value of the structure on the date of the damage, the right to operate such nonconforming use must cease unless a special exception is granted by the Board of Adjustment, pursuant to Subchapter 3. Procedures.

2. In the event that a structure in which a legal nonconforming use is housed, operated, or maintained is partially damaged or destroyed by natural or accidental causes such that the damage does not exceed 50 percent of the appraised value of the structure on the date of the damage, the nonconforming use is allowed to continue and the structure may be repaired or restored upon issuance of a building permit by the Building Official.

3. Permitting for any allowed reconstruction of the structure must thereafter commence within six months of the damaging event and reconstruction must be completed, as determined by issuance of a certificate of occupancy, within one year of the event. The timeframes herein may be extended for good cause as proven to the Planning and Development Services Director, provided there is no adverse effect on the community.

4. A structure restored under this section must be restored or reconstructed so as to have no greater gross floor area, building footprint, or height, as the damaged or destroyed structure and must be constructed in accordance with the current architectural standards of the respective zoning for which the use is located. The property owner has the burden of proof to establish the dimensions of the structure immediately prior to the damage or destruction.

5. The value of the structure and the percent value lost due to any destruction is determined according to the appraised value.

B. Intentional Destruction

A legal nonconforming use terminates when the structure housing the nonconforming use is destroyed by the intentional act of the owner or their agent.

6.2.7. Nonconforming Wireless Telecommunications Facilities

Additional telecommunications antennae and necessary equipment may be attached to a preexisting nonconforming telecommunications tower provided the addition causes no expansion of the footprint or height of the tower and meets the requirements of Subchapter 5. Land Uses.

6.3. Nonconforming Lots

6.3.1. Nonconforming Lots Generally

A nonconforming lot is a lot of record that does not meet the minimum area or dimensional requirements of the zoning district in which the lot is located. Those nonconforming lots lawfully existing on the effective date or applicability of this UDC or subsequent amendments thereto are considered legal nonconforming lots.

6.3.2. Use of a Legal Nonconforming Lot

A legal nonconforming lot may continue to exist indefinitely and may be developed and used as if it were a conforming lot, provided the proposed use is permitted, and all development standards of the applicable zoning district of this UDC are met. This provision does not preclude a landowner from seeking a variance or other exception from zoning requirements under other sections of this UDC.

6.3.3. Elimination of Nonconforming Lot Status

The owner of a nonconforming lot may employ the following mechanisms in an attempt to eliminate the nonconformity.

A. Combine the lot with an adjacent property to conform to current standards;

B. Apply for a subdivision waiver, pursuant to Section 13.2.8. Subdivision Waiver, to allow the lot as is; or

C. Rezone to a district where the lot would conform.

6.3.4. No New Division

No new division of any legal nonconforming lot or parcel can be made that:

A. Increases the level of existing nonconformity;

B. Leaves any lot, parcel, or remnant with a width or area below the requirements stated in this UDC; or

C. Creates any new nonconforming situation.

D. Illegal Nonconforming Lot

It is a violation of this Subchapter to create or subdivide a nonconforming lot.

6.4. Nonconforming Structures

6.4.1. Nonconforming Structures Generally

A nonconforming structure is one that does not meet the setbacks, height limitations, material requirements, or architectural articulation as required by this UDC. Those nonconforming structures lawfully constructed and existing on the effective date of this UDC are considered legal nonconforming structures. For the purposes of this section, the term structure means anything constructed or erected on the ground or which is attached to something located on the ground, except signs, and includes buildings, telecommunications towers, utility improvements and sheds. These provisions are applicable to all structures regardless of whether they are

deemed principal or accessory. Nonconforming signs are governed pursuant to Chapter 154 of the Code of Ordinances.

6.4.2. Elimination of Nonconforming Structure Status

The owner of a nonconforming structure may employ the following mechanisms in an attempt to eliminate the nonconformity.

A. Modify the structure to conform to current standards;

B. Apply for a variance pursuant to Section 3.17.3. Zoning Variances to allow the structure to remain as built; or

C. Rezone to a district where the structure would conform.

6.4.3. Repair and Maintenance

A legally nonconforming structure must be maintained in accordance with the applicable codes in effect when the building was constructed or as deemed necessary by the Building Official for the general safety and welfare of the occupant and the public. The repairs required by the Building Official will not be construed as to allow an addition to or expansion of a nonconforming structure. Except as otherwise expressly provided for in this Subchapter, no repair or maintenance may result in the expansion of any existing nonconformity or the creation of any new nonconformity.

6.4.4. Unsafe Situations

A. Nothing in this Subchapter may be construed to prohibit the strengthening or repair of any part of any nonconforming structure declared unsafe by the Building Official, unless such repairs exceed 50 percent of the value of the structure. In such case, the right to operate, occupy, or maintain such structure may be terminated by action of the Board of Adjustment, and such structure must be demolished. The value of the structure and the percent value lost due to any destruction must be determined by the most recent appraisal value.

B. Nothing in this Subchapter may be construed to permit the continued use of a building or structure found to be in violation of building, basic life safety, or health codes of the City. The right to continue any nonconformity is subject to all applicable housing, building, health, and other life safety codes.

6.4.5. Abandonment of a Nonconforming Structure

In the event a nonconforming structure is determined to be abandoned, the structure must be modified to conform to all applicable requirements of this UDC. A variance may be granted by the Board of Adjustment pursuant to Subchapter 3. Procedures, or a nonconforming site waiver granted by the Administrator pursuant to Section 3.18.1.A if it is determined that conformance with all requirements of this UDC will cause the expansion or creation of another nonconformity, or where it is determined that all provisions of this UDC cannot be reasonably met. Refer to Section 6.1.11. Abandonment of a Nonconforming Situation for the time frame for the determination of abandonment.

6.4.6. Interior Alterations to a Legal Nonconforming Structure

Interior remodeling of a legally nonconforming structure is allowed and will not result in loss of legal nonconforming status, regardless of the cost or extent of the interior remodel, as long as no exterior remodeling is involved. If exterior alteration in conjunction with interior remodeling is involved, loss of legal nonconforming status will be determined pursuant to the provisions set forth in this Subchapter related to such alteration.

6.4.7. Movement of a Nonconforming Structure

A nonconforming building or structure must not be moved in whole or in part to any other location on the lot, or on any other lot, unless every portion of such building or structure is made to conform to all the regulations of the district, except as authorized by a variance or nonconforming site waiver pursuant to Subchapter 3. Procedures.

6.4.8. Expansion of a Nonconforming Structure

A. A legal nonconforming structure may be expanded or enlarged up to 50 percent of its size, provided the use is permitted by right within the respective district, the expansion is in accordance with the architectural and building height requirements, and there are no further encroachments into the required building setbacks established in Subchapter 4. Establishment of Districts and Boundaries. If the expansion is equal to or less than 200 square feet, the Planning and Development Services Director may allow for a deviation in architectural building materials in order to maintain architectural consistency.

B. A legal nonconforming structure may be expanded or enlarged in excess of 50 percent of its size, provided that all provisions of this UDC are applicable to the existing structure or structures as well as any new construction on the lot or parcel. For the existing structure, where it is determined that all provisions of this UDC cannot be reasonably met or conformance with all requirements of this UDC will cause the expansion or creation of another nonconformity, the applicant may request approval of a variance by the Board of Adjustment, pursuant to Section 3.17.3. Zoning Variances. Any expansion or enlargement under this section is subject to applicable setback requirements in place at the time of the expansion or enlargement, regardless of encroachment of the existing legal nonconforming structure into the applicable setback area.

C. For purposes of determining the expansion or enlargement of a nonconforming structure, the square footage of all previous expansions under this section must be cumulative, and the square footage of the original structure must be the original size for purposes of the calculation.

D. All expansion or enlargement of structures under this section must be in compliance with all applicable regulations of the zoning district in which such structure is located. In no event may the expansion or enlargement result in the increase of any existing nonconformity or the creation of any new nonconformity.

6.4.9. Destruction or Damage of a Nonconforming Structure

A. Natural or Accidental Causes

1. A legal nonconforming structure, which is damaged or destroyed by natural or accidental causes, may only be reconstructed as it was before such happening within the timelines herein.

2. Permitting for reconstruction of such structure must thereafter commence within six months of the damaging event, and reconstruction must be completed, as determined by issuance of a certificate of occupancy, within one year of the damaging event. The timeframes herein may be extended for good cause as proven to the Planning and Development Services Director, provided there is no adverse effect on the community.

3. A structure restored under this section must be restored or reconstructed so as to have no greater gross floor area, building footprint, or height as the damaged or destroyed structure.

B. Intentional Destruction

A nonconforming structure that is damaged or destroyed by the intentional act of the owner or their agent may not be restored or reconstructed as it was before such happening.

6.5. Nonconforming Sites

6.5.1. Nonconforming Sites Generally

A nonconforming site is one where one or more existing site improvements, including but not limited to parking areas, sidewalks, and landscaping, do not conform to one or more of the regulations of this UDC applicable to the property. Those nonconforming sites lawfully existing on the effective date of this UDC are considered legal nonconforming sites.

6.5.2. Elimination of Nonconforming Site Status

The owner of a nonconforming site may employ the following mechanisms in an attempt to eliminate the nonconformity.

A. Modify the site to conform to current standards;

B. Apply for a special exception, pursuant to Section 3.17.4. Special Exceptions, to allow the site to remain as built;

C. Apply for an administrative waiver, where applicable; or

D. Rezone to a district where the site would conform.

6.5.3. Repair and Maintenance

A legally nonconforming site must be maintained in accordance with the codes in effect when the site was constructed or as deemed necessary by the Planning and Development Services Director for the general safety and welfare of the occupant and the public. Any repairs or maintenance required by the Planning and Development Services Director may not be construed as to allow an addition to or expansion of a nonconforming site. Except as otherwise provided for in this Subchapter, no repair or maintenance may result in the expansion of any existing nonconformity or the creation of any new nonconformity. Maintenance of a site includes maintenance of landscaping, pavement, lighting, and detention ponds.

6.5.4. Continuation of a Legal Nonconforming Site

A change in the tenant of a legal nonconforming site may cause the site to lose its legal nonconforming status based on the following provisions. For the continuation of the existing legal nonconforming site, where it is determined that all provisions of this UDC cannot be reasonably met or conformance with all requirements of this UDC will cause the expansion or creation of another nonconformity, the applicant may request an administrative waiver from the Planning and Development Services Director. The applicant may appeal the Planning and Development Services Director's determination by requesting a variance from the Board of Adjustment or administrative waiver pursuant to Subchapter 3. Procedures.

A. Tenant with Same Use

A change in tenant of a legal nonconforming site to a tenant with the same use, as listed in the land use tables in Subchapter 5. Land Uses, is permitted without any required changes to the nonconforming site; provided the restrictions below are met.

1. The use must not increase the amount of impervious cover, the amount of outside storage, or the amount of space for outdoor business operations previously existing.
2. The average daily vehicle trips generated by the new use must be less than or equal to the previous use.
3. The use must not produce more noise, vibration, dust, odor, fumes, glare, or smoke than the previous use.
4. The site must be maintained and in conformance with any site plan or regulations in effect when the site was established or last improved. This includes the replacement of any dead plants or trees, the restriping of parking spaces, and the repaving of deteriorated pavement.
5. The use must meet all limitations or requirements of Subchapter 5. Land Uses for such use without alteration to the site.

B. Tenant with Similar or Less Intense Use

A change in tenant of a legal nonconforming site to a tenant with a similar or less intense use as the previous tenant may be allowed without any required changes to a nonconforming site; provided the restrictions below are met.

1. The new use must have a parking requirement less than or equal to the previous use.
2. The new use must not increase the amount of outside storage or activities previously existing.
3. The average daily vehicle trips generated by the new use must be less than or equal to the previous use.

4. The new use must not produce more noise, vibration, dust, odor, fumes, glare, or smoke than the previous use.
5. The site must be maintained and in conformance with any site plan or regulations in effect when the site was established or last improved. This includes, but is not limited to, the replacement of any dead plants or trees, the re-striping of parking spaces, and the repaving of deteriorated pavement.
6. The new use must meet all limitations or requirements of Subchapter 5. Land Uses for such use without alteration to the site.

C. Tenant with More Intense Use

Any change in tenant that does not meet the provisions of the preceding categories is determined to be a change in use. A change in tenant of a legal nonconforming site to a tenant with a different use than the previous tenant is governed under the provisions of Section 6.5.5. Abandonment of a Nonconforming Site in terms of the required site improvements prior to a Certificate of Occupancy.

6.5.5. Abandonment of a Nonconforming Site

In the event a nonconforming site is determined to be abandoned, the site must be altered to conform to all applicable requirements of this UDC, as outlined below, upon re-occupancy. However, a special exception may be granted by the Board of Adjustment, pursuant to Section 3.17.4. Special Exceptions, if it is determined that conformance with all requirements of this UDC will cause the expansion or creation of another nonconformity or where it is determined that all provisions of this UDC cannot be reasonably met. Refer to Section 6.1.11. Abandonment of a Nonconforming Situation for the time frame for the determination of abandonment.

A. Parking and Parking Lot Design

An abandoned site must be altered to provide parking numbers and parking lot design in conformance with the following.

1. All required parking spaces for the subject use must be provided. Construction of additional required parking spaces must be in conformance with Subchapter 8. Parking, Mobility, and Circulation. If the additional spaces required cannot be met on site, the applicant may request the requirement be met off-site pursuant to Subchapter 8. Parking, Mobility, and Circulation.
2. All deteriorated pavement, as determined by the City Engineer, must be repaved in accordance with this UDC, and the Engineering Design Manual, as applicable.
3. All existing parking spaces and maneuvering areas must be re-striped to be in conformance with the dimensional requirements of Subchapter 8. Parking, Mobility, and Circulation.
4. Those nonconforming parking spaces that have direct access to public right-of-way must be removed and those spaces replaced elsewhere on the site if those spaces are necessary to meet the minimum parking requirements. This provision does not apply to any on-street parking spaces otherwise approved by the City Engineer.

B. Driveways

An abandoned site containing driveways not conforming to the number, spacing, or width requirements of this Code must be altered to be in conformance with such. Nothing herein may be construed as to require the removal of all driveway access to a property.

C. Landscaping

An abandoned site must be altered to conform to all applicable streetscape yard landscaping, bufferyards, and screening requirements of Subchapter 9. Landscaping and Screening. Any area on site that is available for landscaping must be so utilized to meet these requirements. When the City grants permission, the owner or operator of the site may also use areas within the public right-of-way to satisfy landscape planting requirements provided that such landscaping does not conflict with existing or

proposed utilities. Where landscaping in accordance with the provisions of Subchapter 9. Landscaping and Screening cannot be reasonably met, the applicant may request the Planning and Development Services Director consider an alternative plan that meets the intent of the requirements.

D. Land Use Conditions of Subchapter 5

The abandoned site must be altered to conform to all applicable land use conditions established in Subchapter 5. Land Uses for the new use.

E. Sidewalks

An abandoned site that does not have sidewalks in conformance with Subchapter 8. Parking, Mobility, and Circulation must be altered to include such.

F. Incidental Site Features

All incidental nonconforming site features including fences, dumpster enclosures, and exterior lighting must be altered to conform to the provisions of this UDC.

6.5.6. Process for Review of Required Improvements

Site improvements that are required to meet the provisions of this UDC must be reviewed pursuant to the site plan process detailed in Section 3.1.1. Site Plans.

6.5.7. Expansion of a Nonconforming Site

A. Providing that all new site improvements are constructed and installed in accordance with the provisions of this UDC, a legal nonconforming site may only be expanded or enlarged upon approval of a waiver pursuant to Section 3.18. Nonconforming Site Waivers, except if required by City ordinance, State law, or federal law.

B. For the expansion or enlargement of the existing legal nonconforming site, where it is determined that all provisions of this UDC cannot be reasonably met or conformance with all requirements of this UDC will cause the expansion or creation of another nonconformity, the applicant may request approval of a waiver pursuant to Section 3.18. Nonconforming Site Waivers.

C. A legal nonconforming site is considered enlarged or expanded by the following:

1. Occupying a greater portion of the tract;
2. Construction of additional buildings; or
3. Construction of any additional improvements on a portion of the tract that was not previously developed.

D. For purposes of determining the expansion or enlargement of a nonconforming site, the square footage of all previous expansions under this section must be cumulative, and the square footage of the original site must be the initial size for purposes of the calculation.

E. Expansion of a nonconforming site in this Subchapter does not include the expansion of an abandoned site.

F. All expansion or enlargement of sites under this section must be in compliance with all applicable regulations of this UDC. In no event may the expansion or enlargement result in the increase of any existing nonconformity or the creation of any new nonconformity.

Subchapter 7. Building and Site Design

7.1. Purpose

The purpose of these requirements is to provide specific standards for the design, articulation, and amenities required for developments based on the type of building proposed and/or the zoning district in which they are constructed.

7.2. Applicability

The standards of this Subchapter apply as set forth in the sections below.

7.3. Residential Design Standards – House-Scale Development

7.3.1. Applicability

The standards in this section apply to the following development types, zoning districts, and development activity.

A. Building Type and Zoning Districts

1. Single-Family Detached and Duplex residential development in all zoning districts.

B. Development Activity

1. New construction; and
2. Additions and expansions.
    a. The standards apply only to the addition or expansion and to any façade modified as part of the work.

C. Exceptions

1. Development standards established in an existing Planned Unit Development (PUD), or in a development agreement, and adopted prior to the effective date of this Subchapter, prevail unless expressly stated otherwise.
2. Development standards established for the Downtown District Overlay prevail unless otherwise specified.

7.3.2. Architectural Details

A. General Criteria

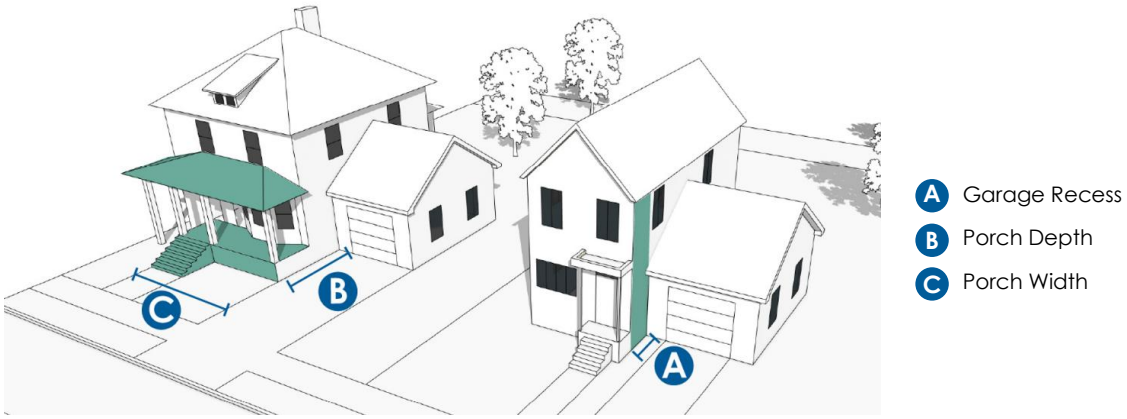
1. Covered rear patios or decks of a minimum of 100 square feet are required on all floor plans.
2. Trim, door, and window design elements are encouraged on all sides and on all stories of the dwelling in order to provide continuity throughout the structure.
3. Second-story window and door locations are encouraged to be offset from dwelling to dwelling to protect privacy.
4. Front doors and windows must be provided along the primary façade and oriented to face the public street.
5. Dwellings are encouraged to be aligned on an east-west axis so that the long side of the building faces north and south while the short ends face east and west. When the long sides of a building face south or west, windows located along those sides are encouraged to be externally shaded through the use of extended roof overhangs, building projections, window recesses or similar structural means to assist in minimizing summer solar admission and improving passive cooling. Buildings are encouraged to be designed to maximize photovoltaic potential.

6. Buildings with flat roofs must utilize parapets and include a cornice, banding, or other architectural termination to provide a finished appearance.
7. The combined linear width of all front-loaded garage door openings on a street-facing façade must not exceed two-thirds of the total linear width of the primary façade of the dwelling unit.

B. Elevation Differentiation

1. A dwelling unit located within 2 lots of another dwelling unit on the same or opposite side of the street must differ in at least 3 of the design characteristics listed in Section 2 below, except as follows.
    a. Differing Number of Full Stories. Where dwelling units differ in the number of full stories, one additional design characteristic is required.
    b. Alley-Loaded Lots. Dwelling units on alley-loaded lots are required to differ in only one design characteristic.
2. Design Characteristics
    a. Building materials
    b. Building material color
    c. Garage type or configuration:
        (1) Front-loaded garage
        (2) Side entry garage
        (3) Detached garage
        (4) Angled garage
    d. Number of full stories:
        (1) 1 story
        (2) 2 stories
    e. Roof type:
        (1) Gable
        (2) Hip
        (3) Combination of Gable/Hip
        (4) Any roof form listed above with the primary ridge rotated 90 degrees
        (5) Flat
        (6) Shed
    f. Front facade articulation, including one of the following (shown in Figure 7.3-1).
        (1) A garage recessed a minimum of 4 feet from the front facade;
        (2) A covered, open-walled porch with a minimum depth of 6 feet extending at least one-third of the width of the front facade; or
        (3) Another front façade projection or recess with a minimum depth of 4 feet extending at least one-third of the width of the front façade.

Figure 7.3-1. Façade Articulation Options



7.3.3. Dwellings on Arterial and Collector Roadways

A. General Criteria

1. Dwellings should be designed to back onto an arterial or major collector roadway. Where a dwelling fronts an arterial or major collector street, the garage must be located behind the front façade accessed from a rear alley or private drive. Alternative design solutions that prevent vehicles from backing onto the roadway may be approved by the Planning and Development Services Director.

2. Where dwelling units back up to arterial or collector streets, the roofline must be broken up with at least one of the following:

   a. Multiple parallel roof elevations where the main ridge constitutes no more than 25 percent of the roofline;

   b. Directional changes of roofline where the main direction constitutes no more than 50 percent of the roofline; or

   c. Dormers or other building projections.

B. Perimeter fencing for a residential subdivision with dwellings backing onto an arterial or collector roadway may be provided if in accordance with the fencing requirements outlined in Subchapter 9. Landscaping and Screening, and when located within the landscape lots required by Subchapter 13. Subdivision Processes and Design.

7.3.4. Alternative Residential Patterns

A. Generally

1. This section establishes alternative residential patterns to encourage innovative and unique housing options.

2. Only one alternative residential pattern may be applied to a single property.

B. Cottage Courts

1. Generally

   a. The Cottage Court development pattern is permitted in all districts where the Single-Family Detached building type is allowed.

   b. These standards supersede any conflicting dimensional or design standards of the underlying zoning district.

   c. All dwellings must be Single-Family Detached units.

      A Cottage Court development may be:

      (1) Subdivided into individual fee simple lots; or

(2) Developed under common ownership on a single lot.

2. Development Site Standards

These standards apply to the overall Cottage Court development site.

a. Minimum site area: 20,000 square feet

b. Minimum site frontage on a public street: 100 feet

(1) Individual lots must front onto a common space or shared path, but are not required to front a public street.

c. Minimum number of dwellings: 4

d. Maximum number of dwellings: 12

3. Development Standards – Common Space Orientation

a. Site Configuration

(1) Dwellings must be arranged to define and front onto a shared courtyard.

(2) The courtyard must be centrally located and serve as the primary open space.

(3) The courtyard must be oriented generally perpendicular to the public street.

b. Courtyard Standards

(1) Minimum courtyard width: 30 feet

(2) Minimum courtyard area: 400 square feet per dwelling unit

(3) Minimum total courtyard area: 3,000 square feet

(4) No portion of the required courtyard may be less than 20 feet in width

(5) At least 75 percent of the required courtyard area must be centrally located and contiguous

(6) Private yards do not count toward the required courtyard area.

c. Orientation

(1) Each dwelling must have its primary entrance facing the courtyard.

(2) Frontage on the courtyard satisfies frontage requirements.

(3) Fences adjacent to the courtyard may not exceed 4 feet in height and must be at least 50 percent transparent.

4. Development Standards – Row Orientation

a. Site Configuration

(1) Dwellings must be arranged in a linear sequence.

(2) Units must front onto a shared pedestrian path that connects to a public sidewalk.

(3) At least one dwelling must have frontage on a public street.

b. Shared Path Standards

(1) Minimum path width: 8 feet paved surface

(2) Minimum landscaped area adjacent to path: 5 feet on at least one side

(3) Path must connect directly to the public sidewalk.

(4) The shared path serves as the functional frontage for the units.

5. Individual Lot and Building Standards
    a. These standards replace the dimensional standards of the base zoning district.
        (1) Minimum lot area if subdivided: 1,500 square feet
        (2) Minimum lot width: 30 feet
        (3) Maximum dwellings per structure: 1
        (4) Maximum structures per lot: 1 principal dwelling
    b. Setbacks
        (1) From Public Street:
            (a) Minimum front setback: 10 feet
        (2) From Interior Side Lot Line:
            (a) Minimum side setback: 5 feet
            (b) Minimum building separation between detached dwellings: 10 feet
        (3) From Rear Lot Line:
            (a) Minimum rear setback: 5 feet
        (4) From Courtyard or Shared Path:
            (a) Minimum setback: 0 feet
            (b) Maximum setback: 10 feet
    c. Building Standards
        (1) Maximum building height: 35 feet
        (2) Maximum building footprint: 1,200 square feet
        (3) Maximum dwelling size: 1,800 square feet
6. Parking and Access Standards
    a. Required parking must comply with the base district unless modified below.
    b. Parking may be provided through individual driveways, shared drive courts, or consolidated parking areas.
    c. Parking may not be located between a dwelling and the courtyard or shared pedestrian path that the dwelling fronts onto.
    d. One guest parking space is required per six dwellings, rounded up.
    e. Each dwelling must be connected to required parking areas by a minimum 4-foot-wide pedestrian walkway.
7. Access Requirements
    a. Each dwelling must have permanent, recorded vehicular and pedestrian access to a public street.
    b. Access may be provided by:
        (1) Direct frontage on a public street;
        (2) A platted alley;
        (3) A private street; or
        (4) A recorded access easement or shared driveway.

c. All access easements must be recorded and must specify maintenance responsibilities.

8. Open Space Ownership and Maintenance

a. Required common open space must be permanently reserved and maintained.

b. If the development is subdivided into individual lots, the common open space must:

(1) Be platted as a separate tract; and

(2) Be owned and maintained by a Homeowners' Association or similar entity.

c. If the development is under common ownership on a single lot, the common open space may remain part of that lot, provided it is permanently reserved for common use by recorded instrument.

9. Utilities and Fire Access

a. Utilities must be provided in accordance with City standards.

b. Fire access and hydrant placement must comply with the adopted Fire Code.

C. Cluster Developments

1. Generally

a. Cluster Development is permitted in all zoning districts; however, only residential building types permitted in the applicable district may be included.

b. The minimum development area for a Cluster Development is 5 acres.

2. Open Space Requirements

a. A minimum of 30 percent of the gross site area must be preserved as common open space.

b. Required open space must be separate from any land dedicated to the City for parkland dedication requirements.

c. Open space must be permanently preserved through platting, easement, ownership by a Homeowners' Association, dedication to the City, or another method approved by the City.

d. Open space must be accessible to residents of the development.

3. Density and Dimensional Modifications

a. The maximum number of dwelling units permitted within a Cluster Development is equal to the number of dwelling units that could otherwise be developed on the site under the applicable zoning district.

b. If at least 40 percent of the gross site area is preserved as common open space, the maximum number of dwelling units may be increased by up to 10 percent.

c. Lots within a Cluster Development may be reduced below the minimum lot area, lot width, and lot depth requirements of the underlying zoning district, provided:

(1) Minimum lot width is 25 feet;

(2) Minimum street frontage is 20 feet;

(3) Minimum front setback is 10 feet;

(4) Minimum rear setback is 10 feet when served by an alley; and

(5) Minimum building separation is 14 feet.

4. Design Standards

a. Development must be arranged to maximize preservation of significant trees, natural drainage features, floodplains, and other environmental resources.

b. Open space should be consolidated into larger contiguous areas rather than fragmented into small, isolated remnants.

c. Pedestrian connections must be provided between residential areas and common open spaces.

d. The preserved open space must be incorporated into the overall neighborhood design as a functional amenity rather than residual land unsuitable for development.

D. Zero Lot Line Homes

1. Generally

a. Zero Lot Line development is intended to allow a dwelling to be located on one interior side property line in order to consolidate the required side yard area into a larger, more usable yard on the opposite side of the lot.

b. The Zero Lot Line development pattern is permitted in the SF-R, SF-MU, N-MU, NFR, and CL3 districts.

c. These standards apply to Single-Family Detached dwellings and supersede any conflicting dimensional standards of the underlying zoning district.

d. Accessory Dwelling Units and other accessory structures are permitted where otherwise allowed by this UDC and must comply with all applicable accessory structure standards.

2. Development Pattern

a. Where the Zero Lot Line development pattern is used, all Single-Family Detached lots along the same block face must be developed using the Zero Lot Line development pattern.

b. The zero lot line side of each lot must be established on the Preliminary Plan and Final Plat.

c. On a corner lot, the zero lot line may only be located along an interior side property line.

d. All lots must be served by an alley, and vehicular access to individual dwellings must be provided from the alley.

e. Garages and parking areas may not be located between the principal dwelling and the public street.

3. Dimensional Standards

a. Zero Lot Line development is subject to the following dimensional standards, which are established in place of conflicting dimensional standards of the underlying zoning district:

	Zero Lot Line Homes
Lot Dimensions and Density	
Minimum Lot Area	4,500 sq ft
Minimum Lot Width (Corner Lots: Additional 10')	35'
Minimum Lot Depth	120'
Setbacks	
Minimum Front Setback	15'
Minimum Side Setback	Zero side: 0' Opposite interior side: 10' Corner: 15'

	Zero Lot Line Homes
Minimum Rear Setback	20'

4. Maintenance and Access Easement
    a. A perpetual maintenance and access easement at least 5 feet wide must be provided on the lot adjoining the zero lot line for the benefit of the lot containing the dwelling located on the zero lot line.
    b. The maintenance and access easement must extend along the portion of the principal dwelling located on the zero lot line and must provide sufficient access for construction, repair, and maintenance of the dwelling.
    c. The maintenance and access easement must be shown on the Final Plat.
    d. Fences, accessory structures, mechanical equipment, landscaping, or other improvements may not be located within the maintenance and access easement in a manner that prevents reasonable access to the zero lot line wall.
5. Building and Site Design
    a. Roof overhangs, eaves, gutters, downspouts, balconies, mechanical equipment, and other building projections may not extend across a property line.
    b. Roof drainage and stormwater runoff must be contained on the lot or directed to an approved drainage system or drainage easement and may not be discharged onto an adjoining lot.
    c. Walls, openings, projections, and other construction located along or adjacent to a zero lot line must comply with all applicable Building Code and Fire Code requirements.
    d. Utilities must be located and designed to maintain required access to the zero lot line wall and maintenance and access easement.

E. Single-Unit Detached Residential Developments
1. Generally
    a. The Single-Unit Detached Residential Development pattern is permitted in all districts where the Single-Family Detached building type is allowed.
    b. These standards apply to Single-Unit Detached Residential Development and supersede any conflicting dimensional or design standards of the underlying zoning district.
    c. Development may be subdivided into individual fee simple lots, established as condominium units, or developed under common ownership on a single lot.
2. Dimensional Standards
    a. Lots and buildings must comply with the SF-S dimensional standards, except as provided in Section 3 below.
3. Alley-Loaded Development Option
    a. A reduction of up to 20 percent in minimum lot area, lot width, lot depth, and required setbacks is permitted when all dwellings are served by an alley, shared drive, or similar rear-loaded access.
    b. Vehicle access to individual dwellings must be provided from the alley-loaded access.
    c. Garages and parking areas may not be located between the principal building and a public street.

d. Each dwelling must maintain pedestrian access from a public street, private street, or shared pedestrian path.

4. Access and Layout

a. Each dwelling must have permanent, recorded vehicular and pedestrian access to a public street, which may be provided by a public street, private street, alley, or recorded access easement.

b. Sidewalks and pedestrian amenities are required in accordance with Subchapter 8. Parking, Mobility, and Circulation.

7.4. Residential and Mixed-Use Design Standards – Neighborhood-Scale Development

7.4.1. Applicability

The standards in this section apply to the following development types, zoning districts and development activity.

A. Development Type and Zoning Districts

1. Live-Work Unit, Multi-Family, Neighborhood Scale, Townhouse, Triplex and Quadplex developments in all zoning districts.

B. Development Activity

1. New construction; and

2. Additions and expansions.

a. The standards apply only to the addition or expansion and to any façade modified as part of the work.

7.4.2. Neighborhood-Scale Design Standards

A. Building Orientation and Site Relationship

1. Building Orientation and Pedestrian Access

a. Buildings adjacent to a public street must orient the front façade toward the street and must provide a main pedestrian entry for each dwelling unit, with each entrance facing and directly accessible from the public sidewalk.

b. In all cases, buildings must orient the front façade toward a public street, common open space, landscaped courtyard, or private street and must provide a main pedestrian entry for each dwelling unit, with each entrance facing and directly accessible from that frontage.

c. Buildings and dwelling units must not front directly onto parking lots.

d. A pedestrian pathway must be provided connecting all entrances to a public sidewalk.

2. Live-Work Unit Building Standards

a. The nonresidential portion of each Live-Work Unit must be located on the ground floor and oriented toward the primary street or a common frontage. In a single-story configuration, the residential portion must be located behind the nonresidential portion when viewed from the primary street.

b. The nonresidential portion must include a separate exterior entrance directly accessible from the primary street or a common pedestrian frontage.

c. Live-Work Units must be purpose-built for mixed-use occupancy and may not be created through the conversion of a detached garage or accessory structure.

d. A building may contain up to 6 dwelling units.

e. Buildings cannot exceed 200 feet in length, measured along the longest façade.

3. Townhouse Building Standards

   a. A building may contain up to 6 dwelling units.

   b. Buildings cannot exceed 200 feet in length, measured along the longest façade.

4. Solar Orientation and Passive Cooling

   a. Building Orientation (Environmental)

      Where site conditions reasonably allow, buildings must be oriented along an east-west axis, with the longest façades facing north and south.

   b. Site Constraint Alternatives

      Where the required orientation cannot be achieved, at least one of the following must be provided:

      (1) Increased exterior shading;

      (2) Reduced east- and west-facing window area; or

      (3) Building articulation or massing designed to limit direct solar exposure.

   c. Solar Shading

      Where primary façades face south or west, exterior window shading must be provided using overhangs, projections, recesses, or similar fixed architectural elements.

   d. Solar-Ready Design

      Buildings must be designed to accommodate future photovoltaic installation, including roof areas with minimal shading, structural capacity for solar equipment, and roof layouts that preserve contiguous solar-ready zones.

B. Building Articulation

1. Façade Articulation

   Primary façades must include at least one (1) vertical and one (1) horizontal projection or recess to provide variation and visual interest.

   a. Projections and recesses must provide a minimum of one (1) foot of relief.

   b. Articulation elements must be designed to create shade and shadow along the façade.

2. Façade Differentiation - Townhouses

   Each dwelling unit within a single Townhouse structure must include distinct architectural characteristics that visually distinguish it from adjacent units, including variations in materials, colors, or architectural features.

C. Entrance Design

1. Entrance Articulation

   Main pedestrian entrances must be covered or recessed and must include distinct architectural detailing, including a porch, portico, arcade, or similar element.

2. Porch Design

   Where a covered, open-walled porch is provided:

   a. The porch must have a minimum depth of 6 feet; and

   b. The porch must extend at least one-third (1/3) of the width of the front façade of the dwelling unit.

D. Windows and Doors

1. Transparency

   Each primary façade must include a minimum of three (3) full-size windows. Windows must be operable where feasible to allow cross ventilation.

2. Window and Door Treatment

   Architectural trim or equivalent detailing must be provided around all windows and doors and must be consistent with the architectural style of the building.

3. Window Articulation

   Primary façades that include a dwelling unit entrance must incorporate at least one (1) window articulation element per building from the following:

   a. Veranda, terrace, porch, or balcony (minimum 2 feet deep);

   b. Trellis;

   c. Shed roof awning;

   d. Projection of at least 20 inches;

   e. Bay or bow window;

   f. Transom windows;

   g. Arched, gable, oval, or round windows;

   h. Shutters; or

   i. Decorative masonry banding.

E. Roof Design

1. Roof Pitch

   a. Pitched roofs must have a minimum slope of 4:12.

   b. Shed roofs, porch roofs, and arcade roofs must have a minimum slope of 2:12.

   c. Flat roofs are permitted; however, all rooftop mechanical equipment must be screened by a parapet.

2. Roof Articulation

   Pitched roofs must incorporate at least two of the following elements:

   a. Multiple roof materials;

   b. Masonry chimneys;

   c. Dormers along public façades, provided at a minimum ratio of one dormer per 20 linear feet of façade;

   d. Eaves with a minimum overhang of 24 inches and a minimum fascia depth of 8 inches;

   e. A minimum of three distinct roof slope planes per primary façade.

3. Flat Roof Articulation

   Where flat roofs are utilized, a distinctive architectural termination, such as a cornice, banding, or similar element, must be provided.

7.4.3. Parking and Garage Requirements

Parking must be provided in accordance with Subchapter 8. Parking, Mobility, and Circulation and garages must be designed in accordance with the following requirements.

A. Townhouse and Live-Work Unit Parking

1. A minimum of one garage parking space must be provided per dwelling unit.
2. The required garage parking space must have minimum interior dimensions of 12 feet by 20 feet.
3. All garages must be accessed from an alley at the rear of the lot.

B. Multi-Family, Neighborhood Scale and Triplex and Quadplex Parking

1. Parking must be located to the rear or side of the principal building and must not be located between the principal building and the street.
2. Where garages are provided, access must be from an alley located at the rear of the lot.
3. Garage access drives must not cross or conflict with primary pedestrian pathways connecting building entrances to the public sidewalk.
4. Parking and garage areas must be separated from public streets by buildings, liner units, or other design elements that maintain a consistent street-facing frontage.

C. Garage Materials

1. Material Consistency

Garages must utilize the same materials and material mix as the primary residential structure façade.

7.5. Residential and Mixed-Use Design Standards – Large-Scale Development

7.5.1. Applicability

The standards in this section apply to the following development types, zoning districts and development activity.

A. Building Type and Zoning Districts

1. Multi-Family, Suburban, Multi-Family, Urban, and mixed-use developments in all zoning districts except those subject to Section 7.10. Corridor District Design Standards.

B. Development Activity

1. New construction; and
2. Additions, expansions and redevelopment of property as follows:
   a. Architectural Details in Section 7.5.2 apply only to the addition or expansion and to any façade modified as part of the expansion.
   b. Parking and garage requirements in Section 7.5.3 apply to existing developments where cumulative additions, expansions, and/or redevelopment total 25 percent or more of the existing improvements over a 3-year period.
   c. Amenities requirements in Section 7.5.4 apply to existing developments where the number of units is increased by 25 percent or more.

7.5.2. Large-Scale Design Standards

Large-scale Residential must be designed in accordance with the standards established below.

A. Building Orientation and Site Design

1. Building Orientation: Multi-Family, Urban and Mixed-Use
   a. Buildings adjacent to a public street must orient the front façade toward the street.

(1) For ground-floor residential uses, each dwelling unit must include a main pedestrian entrance that faces and is directly accessible from the public sidewalk.

(2) For ground-floor nonresidential uses in a mixed-use building, entrances must be provided in accordance with Section 7.5.2.E. Mixed-Use Building and Ground Floor Activation.

b. In all cases, buildings must orient the front façade toward a public street, common open space, landscaped courtyard, private street, or internal drive.

(1) Main pedestrian entrances must face and be directly accessible from that frontage.

(2) For buildings containing ground-floor nonresidential uses, this requirement will apply to commercial entrances in accordance with Section 7.5.2.E. Mixed-Use Building and Ground Floor Activation.

c. Buildings and dwelling units must not front directly onto parking lots.

d. Parking areas must not be located between a building and a public street where a building is required to face that street, unless the parking area is fully screened by a building, liner units, or other design elements that maintain a continuous street frontage.

e. A pedestrian pathway must be provided connecting all entrances to a public sidewalk.

f. Buildings must be a minimum of two stories.

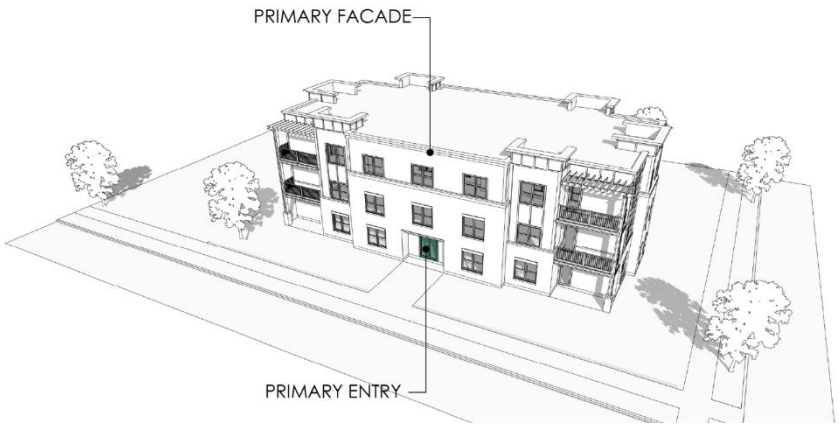
2. Building Orientation: Multi-Family Suburban

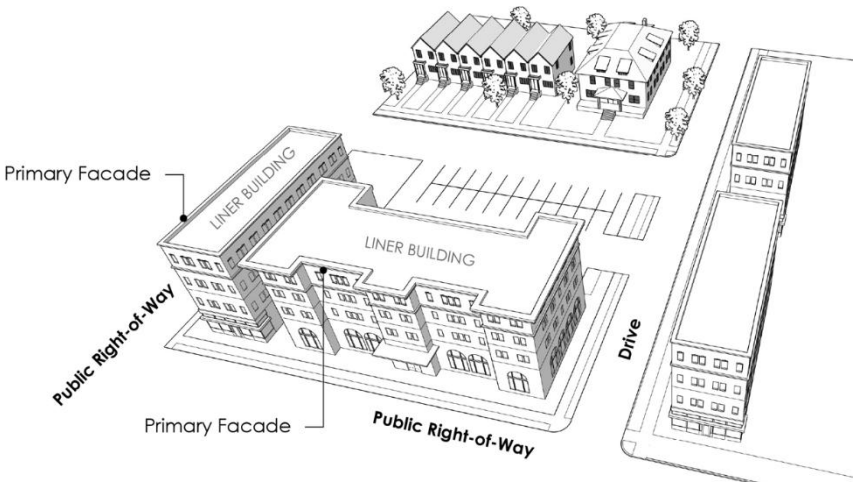
a. Buildings containing ground-floor or second-story residential dwelling units that are located along the perimeter of a development or adjacent to a public right-of-way, must be oriented so that the primary façade fronts the public right-of-way.

b. Buildings must not be oriented toward surface parking lots. Parking areas may be located between buildings and internal drives but must not dominate the primary façade or obscure required pedestrian entrances.

c. Buildings may front internal drives when designed as pedestrian-oriented streets and when primary façades and entrances are oriented toward those drives.

d. Where buildings are set back from a public right-of-way, site design must maintain a clear and direct relationship between the primary façade, main pedestrian entrances, and the public sidewalk through pedestrian pathways or open space connections.





e. Parking Reduction for Street Fronting Buildings

Developments may be eligible for a reduction in required off-street parking when buildings are designed to front a public street and are separated from the street by a sidewalk or by a sidewalk and parallel or angled on-street parking located between the building and the public right-of-way, provided the following requirements are met. Such parking must be configured to maintain a continuous pedestrian zone and must not interrupt access to building entrances.

(1) A reduction of up to 10 percent of the minimum required off-street parking spaces may be permitted when at least 50 percent of the building frontage along a public street meets the street fronting condition described above.

(2) A reduction of up to 20 percent of the minimum required off-street parking spaces may be permitted when all primary building façades front a public street and no surface parking is located between the building and the public right of way.

(3) Parking reductions granted under this subsection must not reduce required accessible parking spaces and must be reviewed and approved at the time of site plan approval.

3. Solar Orientation and Passive Design

a. Buildings must be oriented with the longest façade within 30 degrees of an east–west axis where site conditions reasonably allow.

b. Where this orientation cannot be achieved, at least two of the following must be provided:

(1) Reduced east- and west-facing glazing;

(2) Exterior shading devices;

(3) Increased façade articulation;

(4) Building massing designed to provide self-shading.

c. Solar Shading

Where primary façades face south or west, exterior window shading must be provided through roof overhangs, building projections, window recesses, or similar fixed architectural elements designed to limit summer solar heat gain.

d. Solar-Ready Design

Buildings must be designed to accommodate future photovoltaic installation, including roof areas with minimal shading, structural capacity for solar equipment, and roof layouts that preserve contiguous solar ready zones.

B. Roof Design

1. Roof Types

a. Pitched roofs must have a minimum slope of 4:12.

b. Shed, porch, and arcade roofs must have a minimum slope of 2:12.

c. Flat roofs are permitted.

2. Roof Articulation

Pitched roofs must incorporate at least two of the following articulation techniques:

a. Multiple roof materials

b. Masonry chimneys

c. Dormers along public facades (1 per 20 feet of façade length)

d. Eaves that overhang a minimum of 24 inches with a minimum fascia depth of 8 inches

e. Three or more roof slope planes per primary façade

3. Flat Roof Design

a. Flat roofs must include a defined architectural termination such as a parapet or cornice.

b. Parapet walls must include detailing such as cornice treatments and screen all roof-mounted mechanical equipment in accordance with Subchapter 9. Landscaping and Screening.

c. Glare-producing materials are prohibited except for solar panels or reflective roofs designed to reduce heat gain.

d. Green roofs, blue roofs, and white roofs are encouraged.

C. Façade Design and Articulation

1. Façade Articulation and Composition

a. No façade may exceed 50 feet without Articulation, as described in Section 14.3.A.17.

b. Each 50-foot segment must include at least two articulation techniques such as offsets, projections, material changes, vertical elements, roofline variation, or window patterns.

2. Ground-Floor Articulation

All ground-floor facades must be designed to have distinct characteristics every 30 feet.

3. Blank Walls

Blank walls exceeding 30 feet are prohibited unless treated with architectural features or public art. Public art must comply with provisions established in Chapter 154 Signs of the Code of Ordinances.

4. Top Floor Articulation

Flat-roof buildings must include a defined top element such as a cornice or parapet.

D. Transparency and Openings

1. Ground Floor Transparency

The ground floor of primary facades must meet the following requirements:

a. For buildings with nonresidential uses on the ground floor: A minimum of 50 percent of the ground-floor façade between 2 and 8 feet above grade must be transparent.

b. For buildings with residential uses on the ground floor: A minimum of 25 percent of the ground-floor façade must be doors and windows.

2. Upper Floor Transparency

   Each upper floor must include a minimum of 25 percent transparency.

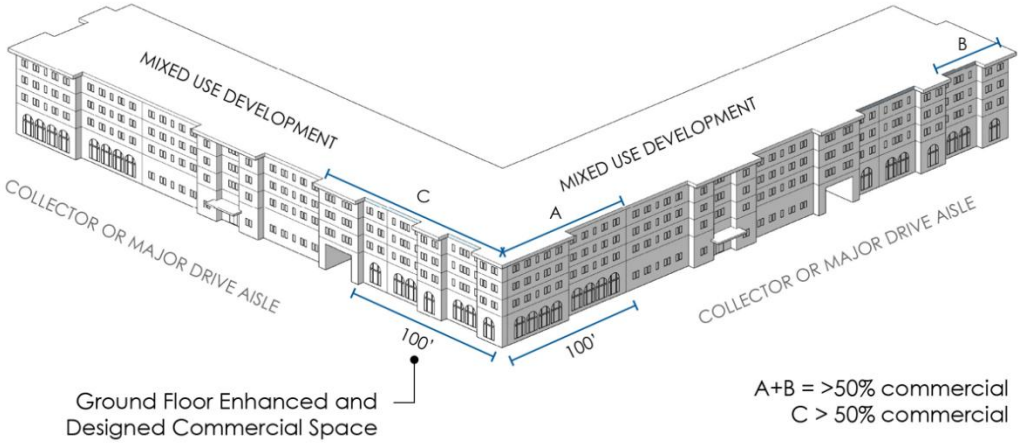
3. Alternative Compliance

   The Planning and Development Services Director may approve alternative compliance for this standard in accordance with Section 3.16. Alternative Compliance.

E. Mixed-Use Building and Ground Floor Activation

These standards apply to development required to provide vertical mixed-use in accordance with Subchapter 5. Land Uses.

1. At least 50 percent of the ground-floor façade linear frontage of a building facing a collector street or major drive aisle must be occupied by nonresidential uses. Where a building has more than one such frontage, the required nonresidential frontage may be applied to a maximum of two frontages and may be consolidated on a single frontage or distributed among frontages.



   a. This requirement may also be satisfied through a Unified Development Agreement applicable to multiple parcels; however, auto-oriented uses, including Automotive Parking Surface Lot, Commercial, Automotive Parking Structure, Commercial, Automotive Body Repair Shop, Automotive Repair and Service, Mini-Warehouse/Public Storage, Fueling Station, and Drive-In/Drive-Thru will not be credited toward meeting this requirement.

2. When a building is located at the intersection of a collector street or major drive aisle, the ground floor at the building corner and along each frontage for a distance of at least 100 feet from the corner must be occupied by nonresidential uses. Where a building as more than one qualifying corner, the requirement will apply to up to two corners and may be consolidated at a single corner.

3. Amenities or leasing offices associated with the residential component of a mixed-use project may not be credited toward meeting the 50 percent ground-floor nonresidential frontage requirement.

4. Alternative Compliance

   The Planning and Development Services Director, in accordance with Section 3.16. Alternative Compliance, may allow credit for portions of the building located outside of the 100-foot requirement where the nonresidential portions:

   a. Are located along an active frontage or major drive aisle;

   b. Are located at a corner or adjacent to other nonresidential uses;

   c. Remain designed as liner buildings, and

d. Include an enhanced pedestrian gathering space along the adjacent sidewalk.

5. Nonresidential spaces must be constructed to a level sufficient for issuance of a Temporary Certificate of Occupancy (TCO) for a shell building and must include at least two separate nonresidential spaces at initial construction. Spaces may be combined upon occupancy. Nonresidential spaces must be designed to accommodate a range of nonresidential tenants and must not be constructed for a single tenant. A Certificate of Occupancy for residential uses will not be issued until the required TCO for nonresidential spaces has been issued.

6. Each ground-floor commercial space must include:

a. A customer entrance that opens directly onto the sidewalk;

b. A minimum depth of 24 feet;

c. A minimum height of 12 feet, measured from the finished floor to the bottom of the structural ceiling elements;

d. A storefront appearance with at least 65 percent of the ground floor façade as transparent;

e. Storefront windows measured between 2 feet and 8 feet above grade, which must remain transparent and unobstructed by shelving, wall coverings or tinting.

F. Windows and Architectural Detail

1. Windows and Doors

a. Architectural trim or similar detailing must be provided around all windows and doors.

b. At least 25 percent of windows on primary facades must include features such as balconies, bay windows, awnings, projections (minimum 20 inches), or decorative elements.

2. Entrance Design

a. All ground-floor entrances must be covered or recessed and include distinct architectural detailing, such as a porch, portico, arcade, awning, or other similar element.

(1) Covered entrances must provide a minimum coverage area of 6 feet in depth and 8 feet in width.

(2) The required coverage may be achieved through a recess, overhanging balcony or similar architectural feature that provides equivalent protection and visual emphasis.

G. Balconies and Privacy

1. Orientation Adjacent to Single-Family Uses

Balconies, decks, and terraces within 100 feet of single-family properties must not overlook adjacent yards.

2. Alternative Compliance

The Planning and Development Services Director may approve alternative compliance in accordance with Section 3.16. Alternative Compliance for this standard through one of the following:

a. Architectural screening: installation of fixed, opaque screening elements, privacy walls, or architectural features integrated into the building design that fully obstruct direct views into adjacent single-family yards;

b. Increased setbacks: Placement of balconies and decks at a minimum horizontal distance from the single-family property line sufficient to prevent direct visual overlooking, as determined by the Planning and Development Services Director.

c. Orientation Away from Single Family Property: Reorientation of balconies toward internal courtyards, streets, common open spaces, or nonresidential properties.

d. Elimination of Elevated Outdoor Areas: Replacement of balconies with Juliet balconies, recessed windows, or other architectural treatments that do not create usable elevated outdoor space.

H. Building Access

1. Multi-family units must be accessed through a centralized indoor corridor

2. Exterior stairwells may be permitted if they are oriented toward a central landscaped courtyard and/or screened via evergreen landscaping from any public street or required bufferyard. The stairwell structure must be architecturally integrated into the building with appropriately sized cutouts to allow for visibility, ventilation, and protection from natural elements.

I. Fencing Along Public Streets

1. Applicability

This subsection applies to all fencing located between a development and a public right-of-way.

2. Location

a. In Urban Multi-Family developments, fencing is prohibited between a primary building façade and a public sidewalk.

b. In Suburban Multi-Family developments, fencing may be located along the frontage where buildings are set back from the public street.

3. Pedestrian Access

a. A minimum 4-foot pedestrian pathway must also be provided from all parking areas and public areas to the entryways of all units.

b. For each building located parallel to a public street or sidewalk, at least one pedestrian gate must be provided. The pedestrian gate may be a controlled access gate for the tenants to utilize.

c. Gates must connect to building entrances and the public sidewalk by a direct pedestrian pathway with a minimum of 4 feet.

d. Where a building frontage exceeds 100 feet, pedestrian gates must be provided at intervals not exceeding 100 feet.

4. Transparency

Fencing along public streets must provide a minimum of 30 percent transparency above 3 feet in height.

5. Height

Fencing along public streets must not exceed 6 feet in height.

6. Materials and Design

a. Fencing must be constructed of durable materials and must be consistent with the primary building design.

b. Chain link fencing and similar materials are prohibited along public streets.

c. Pedestrian gates must be integrated into the architectural design and aligned with building entrances and circulation paths.

7.5.3. Parking and Garage Requirements

Surface parking and garages must be designed in accordance with Subchapter 8. Parking, Mobility, and Circulation and the standards below:

A. Parking areas, garage access, and drive aisles must not interrupt required building frontage, primary façades, or main pedestrian entrances along public streets or required commercial frontage.

B. Buildings Three (3) Stories or Less

1. Garage Requirement

Multi-family and mixed-use buildings with three stories or less must provide at least one 12-foot by 20-foot (inside dimensions) garage parking space per two units, unless parking is provided in a structured parking facility in accordance with Section 7.8. Structured Parking.

2. Garage Integration

a. For two-story structures, a minimum of 50 percent of the required garage spaces for dwelling units must be integrated into the dwelling units and provide direct access.

b. For three-story structures, a minimum of 50 percent of the required garage spaces for Multi-Family structures must be integrated into primary residential structures.

c. Integrated garages must not dominate the street-facing façade and must be designed to minimize visual prominence relative to primary entrances and living spaces.

3. Garage Design

a. Garages must use materials, colors and architectural elements consistent with the primary building facades.

4. Parking Location

a. Parking lots must not be located between a structure and a required buffer. Structures containing garage parking not integrated into the primary building may be located between a structure and a required buffer yard where screened in accordance with this Code.

C. Buildings Four Stories or Greater

1. Garage Requirement

a. Individual garages are not required where one of the following is provided:

(1) At least one parking space per dwelling unit within a parking structure in accordance with Section 7.8. Structured Parking; or

(2) At least one tuck-under parking space for every three dwelling units located within the building footprint.

2. Tuck-Under Parking

Tuck-under parking must be fully integrated within the building and must not be visible from a public street, major drive aisle, or common open space, except for limited vehicle access openings.

3. Parking Structure Design

Parking structures must be located and designed so that active building uses or liner units screen parking from public streets and required frontages.

D. Surface Parking (All Buildings)

1. Surface parking must be screened from public streets, drive aisles, and common open spaces through building placement, liner units, or a combination of buildings, landscaping, and architectural screening elements.

2. Surface parking may not interrupt required pedestrian pathways, building entrances, or ground-floor commercial frontage.

3. On-street parallel or angled parking is permitted and may be located between buildings and the public right-of-way where it supports a continuous pedestrian frontage.

E. Pedestrian and Frontage Coordination

1. Garage access drives, parking aisles, and loading areas must be designed to minimize conflicts with pedestrian pathways connecting building entrances to public sidewalks.
2. In mixed-use developments, parking and garage placement must not interrupt required ground-floor commercial frontage in accordance with Section 7.5.2. Large-Scale Design Standards.

F. Multi-Family, Urban and Mixed-Use Parking Requirements

1. A minimum of 60 percent of required parking must be located within a structured parking facility. Structured parking may be visible from no more than one façade provided that façade meets the standards of Section 7.8. Structured Parking.
2. Surface parking must be fully screened from public streets and major drive aisles by building facades, except for limited driveway and access areas.
3. Major drive aisles between buildings may incorporate a single row of parking on each side, provided a minimum ten-foot sidewalk is maintained and the design is consistent with urban mixed-use streetscape standards in Section 9.8. Streetscape Yard Landscaping.

7.5.4. Amenities

Multi-family and mixed-use developments must provide on-site amenities in accordance with the amenity points system established in Figure 7.5-1. The amenities must be located on a private open space or landscape lot and must be owned and maintained by the property owner. These developments may receive up to 25% credit toward the Park Development Fee for private amenities in accordance with Subchapter 12. Public Parkland and Open Space and the Parks Development Manual. The Administrator may approve alternative amenities not expressly listed in this section upon finding that the amenity provides comparable value, offers similar or greater resident benefit, and is consistent with the intent of this section.

Figure 7.5-1. Amenities for Multi-Family

Number of Dwelling Units	Minimum Number of Points
0-24	0
25-49	25
50-99	50
100-149	100
150-199	150
200-249	200
250 or more	250

Amenity	Points Awarded
Playground equipment meeting minimum guidelines by the Commercial Park Advisory Council and National Playground Safety Institute with a covered shade structure	25
Dog park (not smaller than 2,500 sq ft) with minimum depth of 25 feet, fenced in accordance with Subchapter 9. Landscaping and Screening, and containing a pet drinking fountain	15
Covered picnic area to contain no fewer than 2 tables with seating and 2 grills	15
Swimming pool	55
Splash pad	45
Tennis or racquetball court	40
Basketball court	25
Volleyball court	15
Community garden or orchard with irrigation (minimum 800 sq ft)	15

Amenity	Points Awarded
Gazebo, band stand or outdoor amphitheater	25
Amenity center with social room Without Kitchen for resident use With Kitchen for resident use	 40 60
Private fitness facility	35
Theater or similar media room	35

7.6. Nonresidential Design Standards

7.6.1. Applicability

The standards in this section apply to following development types, zoning districts and development activity.

A. Development Type and Zoning Districts

1. Nonresidential structures, in all zoning districts except:

   a. Industrial development subject to Industrial Development standards in Section 7.7.

   b. Nonresidential development subject to the Downtown District Overlay standards in Section 7.9.

   c. Nonresidential development subject to the Corridor District standards in Section 7.10;

B. Development Activity

1. New construction; and

2. Additions and Expansions. The standards apply only to the addition or expansion and to any façade modified as part of the work.

7.6.2. Architectural Details

A. Architectural Elements

1. Primary Facades

   All primary facades must include a minimum number of architectural elements from the list below. For purposes of this section, building size includes single-tenant and multi-tenant buildings, based on total building square footage.

   a. Up to 50,000 square feet: Four elements.

   b. Greater than 50,000 square feet: Five elements.

   c. Greater than 100,000 square feet: Six elements.

2. Other Facades

   All other facades must incorporate architectural features or landscaping to reduce façade monotony and promote visual interest as follows:

   a. Incorporate two or more of the architectural elements in Section 1 above; or

   b. Provide a green screen that covers 25 percent of the façade;

   c. Provide one Type C tree, as defined in Subchapter 9. Landscaping and Screening, for every 25 feet of horizontal length.

   d. Architectural Elements include:

      (1) Canopies, awnings, or porticos;

(2) Arcades;

(3) Pitched roof forms;

(4) Arches;

(5) Display windows;

(6) Architectural details (such as tile work and moldings) integrated into the building facade;

(7) Articulated ground floor levels or base;

(8) Articulated cornice line;

(9) A minimum of two building materials constituting a minimum of 15percent of the total exterior walls, differentiated by texture, color, or material and may be a combination of primary and secondary masonry materials and accent materials; and

(10) Other architectural features approved by the Administrator.

B. Common Development

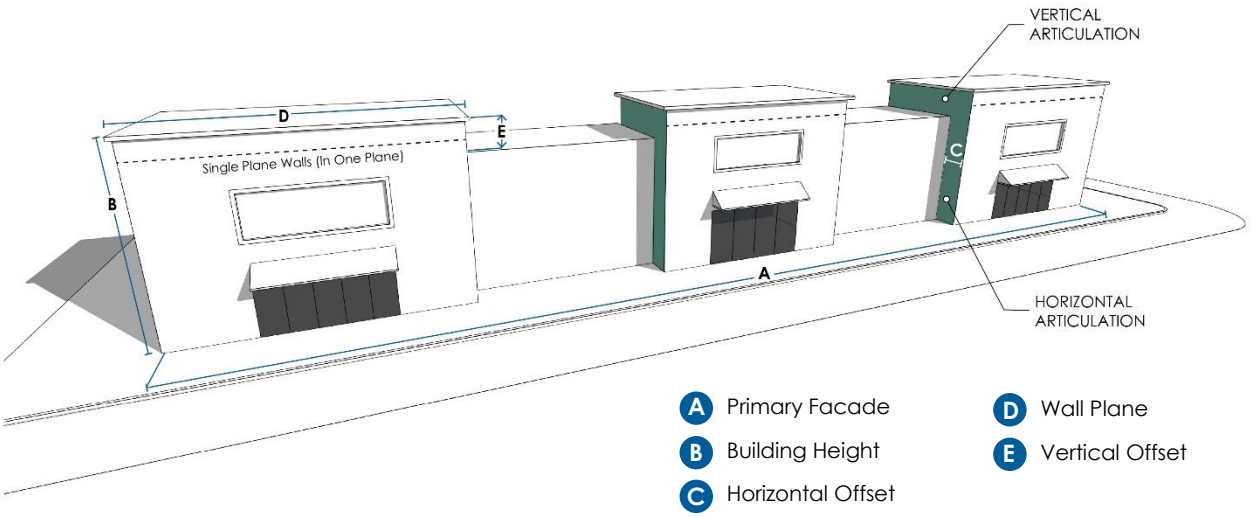
All buildings within a common development must have similar architectural styles and materials. This must include all buildings situated on lots included within an approved preliminary plan.

C. Articulation Standards

Any primary façade must include projections or recesses and vertical variations in the roof line in accordance with the horizontal and vertical articulation requirements set forth below.

1. Horizontal Articulation

Figure 7.6-1. Building Articulation (Horizontal and Vertical)



a. A primary facade may not extend more than three times the building height without a horizontal offset of at least ten percent of the building height.

b. No single uninterrupted wall plane may comprise more than 60 percent of the total façade length.

c. Each primary façade must include at least one required horizontal offset, regardless of the façade length.

2. Vertical Articulation

a. A primary facade may not extend for a distance greater than three times the building height without a vertical offset(change in roofline height) of at least 15 percent of the building height.

b. Vertical changes in roofline height must occur along at least 20 percent and no more than 40 percent of the total primary facade length.

c. Each primary facade must include at least one vertical change in building or roofline height, regardless of façade length.

d. Flat roofs with a parapet wall are permitted, provided the parapet design satisfies the vertical articulation requirements of this section.

D. Optional Building Orientation, Corner Compliance, and Liner Buildings: Parking and Landscape Incentives

1. Applicability

Office, retail, and commercial developments that comply with this subsection may be eligible for a reduction in the minimum required off-street parking and a landscape credit, as provided herein.

2. Eligibility Standards

To qualify for incentives under this subsection, all of the following standards must be met:

a. Building Orientation

Buildings located along a public right-of-way must be oriented with the primary façade fronting the public right-of-way.

b. Orientation Toward Parking

Buildings must not be oriented toward surface parking areas containing more than one row of parking spaces unless screening is provided in accordance with Section d below.

c. Multiple Frontages and Corner Lots

(1) Where a site has multiple public street frontages, screening requirements must be applied first to the primary frontage, as determined by functional street classification, primary vehicular or pedestrian entry, or designated primary corner.

(2) Where a building is located at multiple corners, the dominant corner is the corner formed by intersecting public streets. Where no public street corner exists, the dominant corner is the corner associated with the primary entry into the development.

d. Screening of Surface Parking

Surface parking located between a building and a public right-of-way, primary internal drive aisle, or designated primary corner must be screened using the following methods, in the order of priority listed, to the maximum extent practicable.

(1) Screening by Buildings or Liner Buildings

(a) Surface parking must first be screened through the placement of buildings, including liner buildings or primary structures, located between the parking area and the frontage.

(b) Liner buildings are defined as buildings that:

(i) Front a public street, primary internal drive aisle, or structured parking facility; and

(ii) Screen surface parking areas from public view.

(c) Where a building or liner building is used to screen parking, façades facing the parking area:

(i) May accommodate service, loading, or back-of-house functions without penalty; and

(ii) Must incorporate architectural detailing, material changes, or articulation consistent with the overall building design.

(2) Screening Wall

(a) Where building-based screening is not feasible, surface parking may be screened by a low screening wall.

(b) The screening wall must have a minimum height of 3 feet, measured from the grade of the adjacent parking surface.

(3) Vegetated Berm

(a) Where neither building-based screening nor a screening wall is feasible, surface parking may be screened by a vegetated berm.

(b) The berm must have a minimum height of 3 feet, measured from the grade of the adjacent parking surface.

(c) Berms must be planted with shrubs, ornamental grasses, or groundcover sufficient to provide year-round visual screening.

(4) Landscaping

(a) Where neither building-based screening nor a screening wall nor a vegetated berm is feasible, surface parking may be screened by landscaping.

(b) The landscaping must include shrubs that measure 3 feet in height and planted to provide a continuous visual screen.

e. Alternative Compliance for Fire Access and Operational Exceptions

(1) The Planning and Development Services Director, in accordance with Section 3.16. Alternative Compliance, may approve modifications to screening requirements where necessary to maintain required fire lanes, fire department access, utility access, or required sight visibility triangle distance.

(2) Where screening is reduced or omitted under this subsection, alternative architectural or landscape treatments must be provided to the maximum extent practicable.

3. Parking Reductions

a. A 15 percent reduction applies where no surface parking is located between any building and a public right-of-way.

b. A maximum parking reduction of 20 percent applies where surface parking is fully screened from public right-of-way frontage by buildings or structured parking and corner buildings comply with the Corner Building Design Standards.

c. Required accessible parking spaces must not be reduced. The total parking reduction authorized under this subsection must not exceed 20 percent.

4. Landscape Credit for Corner Compliance

a. Developments that comply with the Corner Building Design Standards are eligible for a landscape credit of up to 10 percent of the minimum required on-site landscape area.

b. Landscape credits may be applied only to interior or perimeter landscape requirements and must not reduce required street trees, buffer yards, critical root zones, or stormwater management landscaping.

c. In lieu of a landscape area reduction, the applicant may elect to apply the credit toward enhanced landscape quality, including additional canopy trees, larger-caliper plant material, enhanced soil volumes, or pedestrian-oriented landscaping within corner public spaces.

5. Alternative Compliance

   The Planning and Development Services Director, in accordance with Section 3.16. Alternative Compliance, may approve minor deviations where the intent of this subsection is met.

E. Building Entrance Standards

1. Any front building entrance must be set back from a drive aisle a minimum distance of 15 feet.
2. Single-use or multitenant buildings over 50,000 square feet in size must provide clearly defined, highly visible customer or employee entrances with the integration of awnings or similar architectural features.
3. New or renovated commercial buildings must provide outdoor plazas, courtyards, or other pedestrian spaces at their main entrances.
   a. Minimum size of pedestrian space must be 1 square foot of space per 100 square feet of building floor area or a minimum of 100 square feet of pedestrian space; whichever is greater.
   b. All pedestrian spaces must incorporate at least four of the following:
      (1) Decorative landscape planters or wing walls that incorporate landscape areas.
      (2) Pedestrian scale lighting, bollard, or other accent lighting.
      (3) Special paving, such as colored/stained and sealed concrete, stamped concrete, brick or other unit paver.
      (4) Public art with a valuation of at least 0.05 percent of the total construction cost.
      (5) Seating such as benches, tables with attached seats, or low seating walls.
      (6) Architectural water structures, features, or fountains.
      (7) Other amenity approved by the Planning and Development Services Director.

F. Accessory Building Standards

1. Accessory structures associated with nonresidential uses must be designed to be consistent with the architectural character of the principal building and overall development.
   a. Materials, colors, and roof forms must match or complement those used on the principal building.
   b. Accessory structures must be integrated into the site design and must not appear as incidental or unrelated elements.
   c. Detailed façade articulation is not required; however, structures must include sufficient architectural treatment to maintain a cohesive appearance across the site.

G. Canopy Standards

The following provisions apply to canopies associated with an ATM canopy, gas station canopy, drive-thru canopy, carport, and other similar auto-oriented canopies.

1. Canopies must be constructed of roof building material consistent with that of the principal building.
2. Canopies must have pitched roofs, unless attached to the principal building utilizing a parapet roof type.
3. Canopy columns are encouraged to be fully encased with primary masonry material that is complementary to that used on the principal building, including brick and stone.
4. The canopy band face must be color consistent with the principal building's exterior building materials and must not be backlit or used as signage except that the business name may be displayed on the canopy band.

5. Canopies may be no higher than the principal building. In no case may the canopy height exceed 20 feet.

H. Overhead Doors

1. Overhead doors must not be located closer than 50 feet to a conforming residential lot.
2. Overhead doors must be oriented to the side or rear of the structure and not front or face a public right-of-way or public street with the following exceptions:
    a. An automotive use with a maximum of four single service bays may orient toward a public street only when structural awnings of at least 3 feet 10 inches are provided over the extent of the overhead doors, or equivalent structural projections are provided in front of the overhead doors to reduce the visual impact of the service bays from the street.
    b. A roll-up, garage-type door installed in a restaurant or bar may be permitted to face a public street if it is architecturally integrated into the building and provides a pedestrian connection with a covered outdoor patio area.
    c. When physical site constraints prevent such orientation, the Planning and Development Services Director may consider alternatives when screened in accordance with Subchapter 9. Landscaping and Screening.

I. Loading Docks

1. Loading docks must not be located closer than 50 feet to a conforming residential lot.
2. Loading docks must be oriented to the side or rear of buildings, and oriented to not front the public right-of-way, not be visible or face a public street, main drive aisle, or patron parking lot.
3. Screening must be in accordance with Subchapter 9. Landscaping and Screening.
4. When physical site constraints prevent such orientation, the Planning and Development Services Director may consider alternatives when screened in accordance with Subchapter 9. Landscaping and Screening.

J. Service Court

1. When multiple offices, commercial and industrial uses are planned, loading docks and delivery receivable areas must be consolidated into common service courts located to the side or rear of the buildings.
2. The access point into the service court must be minimized in width in order to substantially screen the service court from a public street, main drive aisle or patron parking area, but allow for necessary vehicle maneuverability.
3. Service courts must be screened in accordance with Subchapter 9. Landscaping and Screening.

K. Roof Treatment

1. In the O, NS, and R Districts, roof overhangs and pitched roofs must be incorporated into all building designs to achieve a roof form that is compatible with residential architecture. However, buildings with large footprints located more than 200 feet from a residential district, where applying a pitched roof would be impractical, may have a flat roof only if a parapet is used. Pitched roofs must have a minimum pitch of 4:12. Long unarticulated roofs are prohibited.
2. Parapets must be used to conceal roof-mounted mechanical equipment on flat roofs on all sides.
3. Where overhanging eaves are used, overhangs must be no less than 2 feet beyond the overhanging walls.
    a. Gable and hip roofs must be symmetrically pitched between 4:12 and 8:12.

b. Shed roofs, porch roofs, and arcade roofs subordinate and attached to the primary structure, must be pitched between 2:12 and 6:12.

L. Alternative Compliance

Alternative compliance with the standards of this Section may be approved in accordance with Section 3.16. Alternative Compliance, subject to the following:

1. The Planning and Development Services Director may approve:

a. A modification of up to 20 percent of a numerical standard; or

b. A minor modification to a non-numerical standard when the modification does not substantially alter the design, function, or intended development outcome of the applicable standard.

2. The Planning and Zoning Commission may approve:

a. A modification of more than 20 percent of a numerical standard; or

b. A modification to a non-numerical standard that exceeds the authority of the Planning and Development Services Director under Section 1.b above.

7.7. Industrial Structures

7.7.1. Applicability

The architectural standards in this section apply to the following development types, zoning districts and development activity.

A. Development Type and Zoning Districts

1. Industrial development in all zoning districts.

B. Development Activity

1. New Construction; and

2. Additions and Expansions. The standards apply only to the addition or expansion and to any façade modified as part of the expansion.

7.7.2. Architectural Details

A. Architectural Elements

1. Primary Facades

All primary facades must include a minimum number of architectural elements from the list in Section 3 below. For purposes of this section, building size includes single-tenant and multi-tenant buildings, based on total building square footage.

a. Up to 50,000 square feet: Four elements.

b. Greater than 50,000 square feet: Five elements.

c. Greater than 100,000 square feet: Six elements.

2. Other facades

All other facades must incorporate architectural features or landscaping to reduce façade monotony and promote visual interest as follows:

a. Incorporate two or more of the architectural elements in Section 1 above; or

b. Provide a green screen that covers 25 percent of the façade;

c. Provide one Type C tree, as defined in Subchapter 9. Landscaping and Screening, for every 25 feet of horizontal length.

3. Architectural Elements include:
    a. Canopies, awnings, or porticos;
    b. Arcades;
    c. Pitched roof forms;
    d. Arches;
    e. Pedestrian space per Section 7.7.2.D;
    f. Minimum of 10 percent fenestration on primary facades;
    g. Architectural details (such as tile work and moldings) integrated into the building facade;
    h. Articulated ground floor levels or base;
    i. Articulated cornice line;
    j. Integrated planters or wing walls that incorporate landscape and sitting areas;
    k. A minimum of two building materials constituting a minimum of 15 percent of the total exterior walls, differentiated by texture, color, or material and may be a combination of primary and secondary masonry materials and accent materials; and
    l. Other architectural features approved by the Administrator.

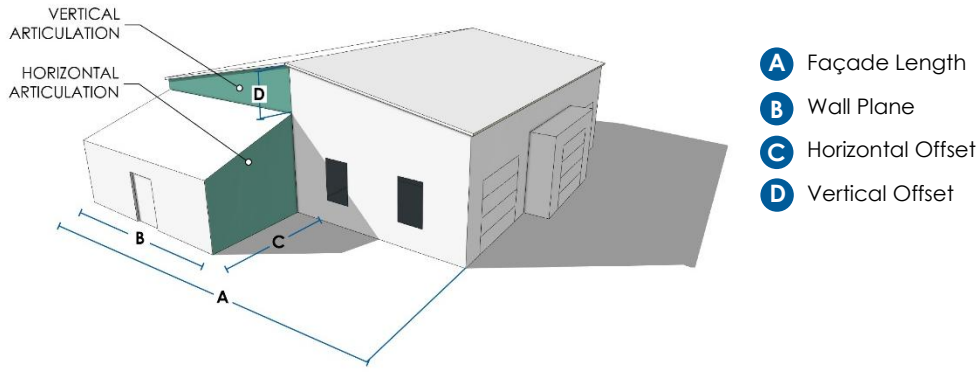
B. Common Development

All buildings within a common development must have similar architectural styles and materials. This includes all buildings situated on lots included within an approved preliminary plan.

C. Articulation Standards

Any primary façade must include projections or recesses and vertical variations in the roof line in accordance with the requirements set forth and depicted in Figure 7.7-1 below.

Figure 7.7-1. Industrial Structures Articulation



1. Horizontal Articulation
    a. No single uninterrupted wall plane may exceed 60 percent of the total façade length. A horizontal wall offset must be provided to break up wall planes.
    b. Required offsets must be at least:
        (1) Two feet-in-depth and

(2) Ten feet in length, measured parallel to the façade.

c. All primary facades must contain at least one horizontal offset, regardless of façade length.

d. Buildings between 15,000 and 49,000 square feet must provide a horizontal wall projection offset at each building entrance facing a public right-of-way. Such offsets must be at least 5 feet in depth and 15 feet in width, measured parallel to the façade.

e. Buildings 50,000 square feet or larger must provide a horizontal wall offset at each primary entrance facing a public right-of-way. Such offsets must be at least 10 feet in depth and 30 feet in width, measured parallel to the façade.

2. Vertical Articulation

a. All primary facades must include at least one change in building height.

b. Required vertical change must be at least 2 feet in height and extend for a minimum of 10 feet in width, measured parallel to the facade.

c. Flat roofs with a parapet wall are permitted, provided the parapet design creates the required roofline variation.

D. Building Entrance Standards

1. Single-use or multitenant buildings over 50,000 square feet in size must provide clearly defined, highly visible building entrances with the integration of awnings or similar architectural features, fronting public right-of-way or along a primary façade.

2. Single-use or multitenant buildings over 50,000 square feet in size must have outdoor plazas, courtyards, or other pedestrian spaces at their main entrances.

a. Minimum size of pedestrian space must be 1square foot of space per 100 square feet of building floor area.

b. All pedestrian spaces must incorporate at least four of the following:

(1) Decorative landscape planters or wing walls that incorporate landscape areas.

(2) Pedestrian scale lighting, bollard, or other accent lighting.

(3) Special paving, such as colored/stained and sealed concrete, stamped concrete, brick or other unit paver.

(4) Public art with a valuation of at least 0.05 percent of the total construction cost.

(5) Seating such as benches, tables with attached seats, or low seating walls.

(6) Architectural water structures, features, or fountains.

(7) Other amenity approved by the Planning and Development Services Director.

E. Canopy Standards

The following provisions apply to canopies associated with service stations, drive-thru facilities and other auto-oriented canopies.

1. Canopies must be constructed of roof building material consistent with that of the principal building.

2. Canopy columns are encouraged to be fully encased with primary masonry material that is complementary to that used on the principal building, including brick and stone.

3. Canopies must be no higher than the principal building. In no case must the canopy height exceed 20 feet.

4. The canopy band face must be of a color consistent with the main structure or a complementary accent color and may not be backlit or used as signage.

F. Overhead Doors

1. Overhead doors must not be located closer than 50 feet to a conforming residential lot.
2. Overhead doors must be oriented to the side or rear of the structure and not front or face a public right-of-way or public street with the following exceptions:
    a. An automotive use with a maximum of 4 single service bays may orient toward a public street only when structural awnings of at least 3 feet 10 inches are provided over the extent of the overhead doors, or equivalent structural projections are provided in front of the overhead doors to reduce the visual impact of the service bays from the street.
    b. When physical site constraints prevent such orientation, the Planning and Development Services Director may consider alternatives when screened in accordance with Subchapter 9. Landscaping and Screening.

G. Loading Docks

1. Loading docks must not be located closer than 50 feet to a conforming residential lot.
2. Loading docks must be oriented to the side or rear of buildings, and oriented to not front the public right-of-way, a public street, major drive aisle, or patron parking lot.
3. Screening must be in accordance with Subchapter 9. Landscaping and Screening.
4. When physical site constraints prevent such orientation, the Planning and Development Services Director may consider alternatives when screened in accordance with Subchapter 9. Landscaping and Screening.

H. Roof Treatment

1. Parapets must be used to conceal roof-mounted mechanical equipment on all sides.
2. Where overhanging eaves are used, overhangs must be no less than 1 foot beyond the overhanging walls.
    a. Gable and hip roofs must be symmetrically pitched between 4:12 and 8:12.
    b. Shed roofs, porch roofs, and arcade roofs subordinate and attached to the primary structure, must be pitched between 2:12 and 6:12.

I. Alternative Compliance

Alternative compliance with the standards of this Section may be approved in accordance with Section 3.16. Alternative Compliance, subject to the following:

1. The Planning and Development Services Director may approve:
    a. A modification of up to 20 percent of a numerical standard; or
    b. A minor modification to a non-numerical standard when the modification does not substantially alter the design, function, or intended development outcome of the applicable standard.
2. The Planning and Zoning Commission may approve:
    a. A modification of more than 20 percent of a numerical standard; or
    b. A modification to a non-numerical standard that exceeds the authority of the Planning and Development Services Director under Section 7.6.2.L.1.b above.

7.8. Structured Parking

7.8.1. Applicability

The architectural standards of this section are applicable to all stand-alone parking structures and the facades, or a portion of the facade thereof, on commercial or residential structure(s) which are structurally designed for

the purposes of structured parking. All storefront, office, or residential elements will be reviewed according to its districts' architectural standards.

7.8.2. Required Design Standards

A. Compatibility

Parking structures must be compatible with surrounding development through massing, materials, and architectural character.

B. Screening of Vehicles within Structured Parking

1. Above-ground parking must be designed to minimize headlight glare and light spill onto adjacent properties and residential uses. The open-air spaces along any primary façade or along any façade visible to single-family and two-family residential uses must be screened.

a. Screening may include one or more of the following:

(1) Vegetation approved by the Administrator;

(2) Solar panels integrated into the façade;

(3) Decorative metal panels approved by the Administrator;

(4) Decorative plexiglass panels with a maximum 25 percent translucency; or

(5) Other durable materials approved by the Administrator that are consistent with the architectural style of the structure.

b. The area of visible openings that are unenclosed on a primary façade must not exceed 40percent of the area on such façade.

C. Architectural Elements

1. Parking structures must incorporate no less than two of the following architectural elements:

a. Integrated architectural details, including tile work, moldings, reveals, or similar features;

b. Articulated ground-floor level or base;

c. Articulated cornice line or top termination;

d. At least two exterior wall materials, each comprising at least 15 percent of the total exterior wall area, differentiated by texture, color, or material; or

e. Other architectural features approved by the Administrator.

D. Common Development

Where a parking structure is constructed in association with a principal building, the parking structure must use architectural styles and materials consistent with the associated principal building(s).

E. Façade Finish

All primary facades must be architecturally finished materials, detailing, and features comparable in quality to the remainder of the structure and any associated principal building(s).

F. Pedestrian Entrance Standards

1. Pedestrian entrances must incorporate distinct architectural features, including horizontal or vertical articulation, structural wall elements, or roofline variation.

2. Front building entrances must be set back a minimum of 15 feet from a drive aisle or public right-of-way.

3. Pedestrian entrances for parking structures and commercial tenant spaces along the first floor of the parking structure must be clearly defined and highly visible for customers or employees and must incorporate awnings or similar architectural features.

4. Pedestrian entrances must provide a courtyard, or other pedestrian space at the main entrance. Each pedestrian space must contain a minimum of 100 square feet and be provided at each tenant space and first-floor pedestrian entrance to a parking structure. Each pedestrian space must include at least four of the following decorative elements:

   a. Decorative landscape planters incorporated into the landscape areas.

   b. Pedestrian scale lighting, bollard, or other architectural accent lighting.

   c. Special paving, such as colored/stained and sealed concrete, stamped concrete, brick or other unit paver.

   d. Art visible to the public with a valuation of at least 0.05 percent of the total construction cost.

   e. Seating such as benches, tables with attached seats, or low seating walls.

   f. Architectural water structures, features, or fountains.

   g. Other amenity approved by the Planning and Development Services Director.

G. Alternative Compliance

Alternative compliance with the standards in this section may be approved in accordance with Section 3.16. Alternative Compliance, subject to the following:

1. The Planning and Development Services Director may approve:

   a. A modification of up to 20 percent of a numerical standard; or

   b. A minor modification to a non-numerical standard when the modification does not substantially alter the design, function, or intended development outcome of the applicable standard.

2. The Planning and Zoning Commission may approve:

   a. A modification of more than 20 percent of a numerical standard; or

   b. A modification to a non-numerical standard that exceeds the authority of the Planning and Development Services Director under Section 7.6.2.L.1.b above.

7.8.3. Optional Standards — Parking Reduction

A. Purpose

This Subsection provides optional features that, if provided, may qualify a development for a reduction in required off-street parking.

B. Eligibility

1. A development may qualify for a parking reduction under this Subsection if the structured parking complies with one or more of the following:

   a. Ground Floor Active Uses. Occupied space (retail, office, residential, or similar) is provided on the first level along a public street, parkland, or open space.

   b. Wrap or Liner Space. Wrap-around or liner tenant space is provided along street-facing façades to reduce the visibility of parking.

   c. Rooftop Amenity. A green roof, civic space, or amenity area is provided on the uppermost level or roof.

   d. Enhanced Placemaking. The structure includes an architectural feature or design element intended to create a sense of place, as approved by the Administrator.

C. Reduction Amount

1. Reductions must be applied to the minimum off-street parking requirement as follows:

a. One optional standard: Up to 10 percent reduction.

b. Two optional standards: Up to 15 percent reduction.

c. Three or more optional standards: Up to 20 percent reduction.

2. Maximum Reduction.

The total reduction under this Subsection must not exceed 20 percent.

3. Approval.

A reduction under this Subsection must be approved by the Administrator. The applicant must provide documentation demonstrating compliance with the selected optional standard(s).

7.9. Downtown District Architectural Design Standards

7.9.1. Purpose

The intent of this section is to ensure a historically compatible architectural design for context-sensitive development in areas of historical and cultural significance, to promote harmonious integration with surrounding neighborhoods and maintain a sense of place.

7.9.2. Applicability

A. Development Type

1. The standards in this section apply to development within the Downtown District Overlay, except for development in the South Downtown (SoDo) Sub-District. Development in the SoDo Sub-District must comply with the city-wide standards pursuant to Sections 7.3 through 7.6.

2. The standards in this section apply to the following situations in the Downtown Overlay District:

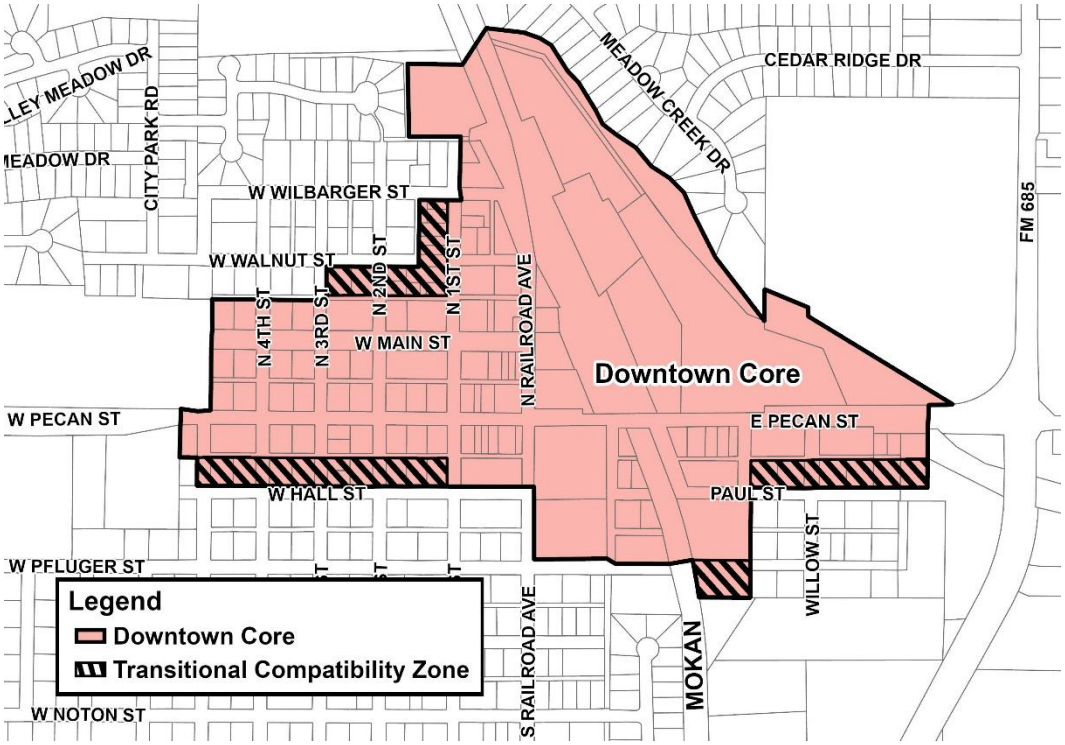
a. New development.

b. Additions, expansions and redevelopment of Multi-Family, Vertical Mixed-Use, and Nonresidential Buildings: standards apply only to the addition or expansion and to any façade modified as part of the expansion.

c. Change in use from residential to nonresidential where a pedestrian space must be provided pursuant to the building entrance standards in Section 7.9.5.F below.

3. Transitional Compatibility Zones within the Downtown Core Sub-District.

All development within the Transitional Compatibility Zone (TCZ) of the Downtown Core Sub-District must comply with the architectural design standards within Sections 7.3 and 7.4 for Single-Family Detached, Townhouse, Live-Work Unit, Duplex, and Triplex and Quadplex.



7.9.3. Single-Family Detached and Duplex Residential

In order to preserve a sense of place and provide for compatible development within the Downtown District Overlay, all new construction and exterior renovations of or additions Single-Family Detached or Duplex must be designed to reflect the defining features and architectural elements of one of the historical architectural styles identified in this section and comply with the other applicable development standards provided herein.

A. Required Elements

All new single-family and duplex dwellings must incorporate the following:

1. Porch and Rear patio

   a. A covered front porch of at least 8 feet deep and spanning at least 50 percent of the front façade width.

   b. Corner lots must provide a porch facing each street frontage.

   c. Covered rear patios or decks of a minimum of 100 square feet.

2. Building Orientation

   The primary entrance must face a public street, private street, or common open space and connect to a sidewalk by a pedestrian walkway.

3. Side Elevations

   Side elevations must incorporate architectural elements that are consistent with the front elevation, including window styles and architectural accents. Continuous flat wall planes exceeding 20 feet in length without architectural variation are prohibited.

4. Architectural Styles

   New construction must be consistent with one of the dominant architectural styles in the Downtown District described below.

B. Victorian Style (1880-1910)

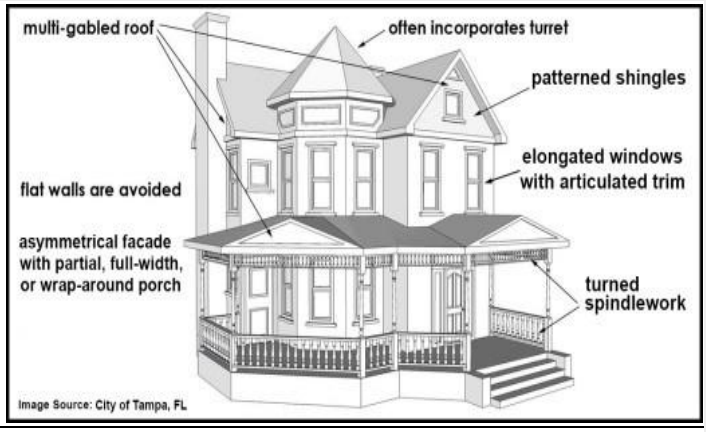
1. Victorian Characteristics and Guidelines for Compatibility

The Victorian style, as provided in the section, is influenced by two distinct historical architectural styles, the Queen Anne (1880-1910) and the Folk Victorian (1870-1910).

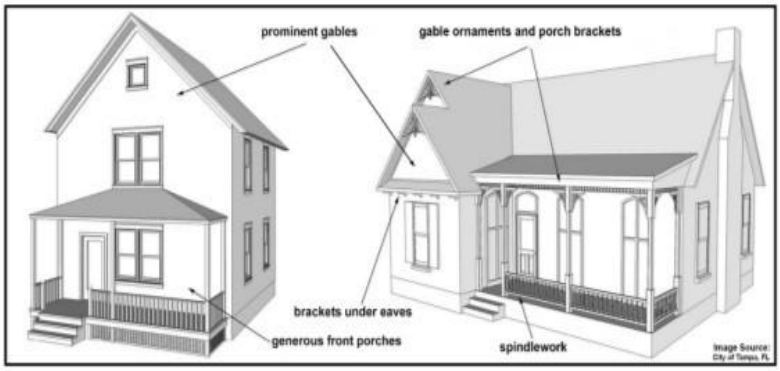
Figure 7.9-1. Victorian Characteristics and Guidelines

Victorian Characteristics and Guidelines

Queen Anne Cottage architecture features steeply pitched, complex roofs, asymmetrical facades, and irregular building forms. Decorative elements such as patterned shingles or masonry, bay windows, towers, and projecting wall features create visual interest, while large wrap-around porches are a common characteristic.



Folk Victorian architecture is characterized by simple building forms and materials accented with decorative Victorian detailing. Common features include spindlework, brackets, and ornamental trim along porches, cornices, friezes, and eaves. Porch supports are typically slender spindles or square posts with beveled corners.



2. Victorian Architectural Standards

Single-Family Detached and Duplex building types designed to reflect the Victorian architectural style must incorporate the design elements identified below in Figure 7.9-2. Victorian Style Architectural Standards. Compliance with this section requires the incorporation of at least one feature, element, or detail from each category (such as roofs, windows, and detailing) provided in Figure 7.9-2. Victorian Style Architectural Standards.

Figure 7.9-2. Victorian Style Architectural Standards

Victorian Style Architectural Standards

Roof Elements

- Steeply pitched gabled, hipped, or pyramidal roofs with a primary roof pitch of at least 8:12.
- Gable ornaments or decorative roof detailing.

Victorian Style Architectural Standards

Window Elements

- Vertically proportioned windows.
- Bay, bow, arched or grouped windows.
- Shutters.
- Trim or lintel-and sill detailing around windows.



Architectural Detailing and Features

- Decorative porch columns, spindlework, brackets, trim, or similar Victorian-era detailing.
- Decorative brackets and cornice dentils.

Wall Articulation and Porches

- Wrap-around porches or balconies.
- Dormers, turrets, bay projections, or other architectural features that break up wall planes.
- Decorative wall materials or accents, such as patterned shingles.
- Patterned masonry.

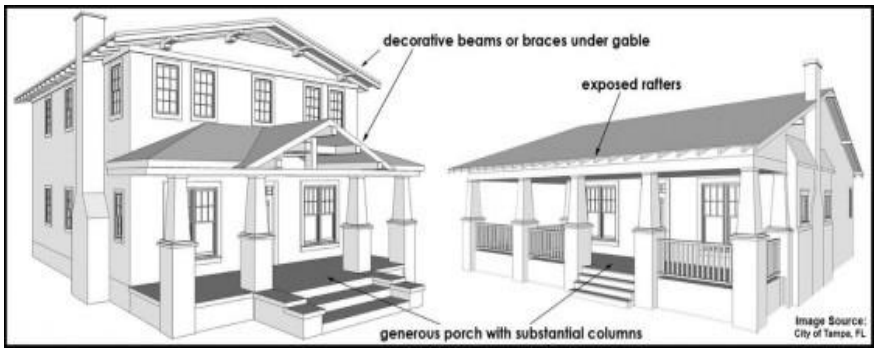
3. Craftsman and Arts & Crafts Style (1905-1930)

Craftsman and Arts & Crafts Characteristics and Guidelines for Compatibility

Figure 7.9-3. Craftsman and Arts & Crafts Characteristics and Guidelines

Craftsman and Arts & Crafts Characteristics and Guidelines

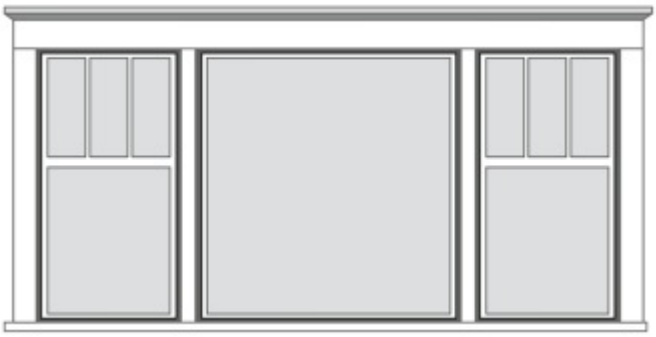
Craftsman and Arts & Crafts architecture is characterized by simple, rectangular building forms and understated design. Common features include low-pitched gabled roofs with wide eave overhangs, prominent front porches supported by heavy tapered columns or square piers, and exposed structural elements such as rafters, braces, and brackets. Decorative beams and gable braces further emphasize the handcrafted character of the style.



b. Craftsman and Arts & Crafts Architectural Standards.

Single-Family Detached and Duplex building types designed to reflect the Craftsman and Arts & Crafts architectural style must incorporate the design elements identified below in Figure 7.9-4. Craftsman and Arts & Crafts Architectural Standards. Compliance with this section requires the incorporation of at least one feature, element, or detail from each category (such as roofs, windows, and detailing) provided in Figure 7.9-4. Craftsman and Arts & Crafts Architectural Standards.

Figure 7.9-4. Craftsman and Arts & Crafts Architectural Standards

Craftsman and Arts & Crafts Architectural Standards
Roof Elements • Front or side-gabled roof with 5:12 – 7:12 pitch. • Gables with architectural brackets, windows or other elements near the top and bottom of the gables. • Overhanging eaves of at least twenty-four (24) inches with exposed rafters.
Window Elements • Elongated, rectilinear windows, ribbon windows, transom windows. • Windows and doors bordered with trim and masonry. • Grouped windows with trim provided between individual windows. 
Archictectural Detailing and Features • Large porches integrated into the primary roof form. • Substantial columns on piers. • Exposed rafters with knee braces. • Decorative beams. • Dormers.
Wall Articulation and Porches • Wrap-around porches or balconies. • Masonry accents at the base of the front façade, foundation, porch piers, or columns.

C. Parking and Garage Requirements

1. Garage Required for New Construction

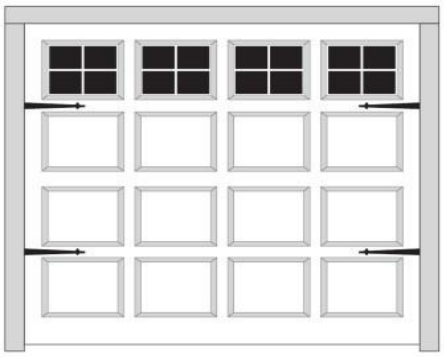
   Two garage parking spaces must be provided per dwelling unit. Refer to Subchapter 8. Parking, Mobility, and Circulation for additional standards relating to driveways providing access to the garage.

2. Garage Materials and Orientation

   a. A garage may be attached or detached. An attached garage must be recessed or projected at least 15 feet from the primary front façade, measured from the building wall and not the porch. If the garage projects in front of the primary front façade, a covered porch of equal width must be provided.

b. Garage materials must be the same mix of materials as the primary façade of the residential building. Any garage facing a public right-of-way must include windows or faux windows and compatible architectural detailing, such as that shown in Figure 7.9-5.

Figure 7.9-5. Garage Detailing



3. Carports Prohibited

   Carports are prohibited unless specifically authorized by an architectural waiver and must meet the accessory structure standards for carports provided in Section 5.3.2.

D. Elevation Differentiation

New development must comply with the elevation differentiation requirements of this section. A proposed dwelling unit within two lots on the same or opposite side of the street (or private drive for condominium units) must differ from another dwelling unit in at least four of the seven criteria listed below.

1. Historical architectural styles
2. Differentiation of the architectural detailing within a historical architectural style as provided below:
   a. Front porch type, as applicable to the architectural style (e.g., partial or full-width of primary façade, side-wrap, and wrap-around porches, as applicable)
   b. Front porch detailing, as applicable to the architectural style (e.g., decorative spindlework, railings, brackets, dentil frieze, as applicable)
   c. Window type, shape, and design, as applicable to the architectural style
   d. Optional architectural details, as applicable to the architectural style
3. Differentiation of building materials
4. Building material color
5. Garage type or orientation:
   a. Front-load garage;
   b. Side entry garage;
   c. Detached garage;
   d. Angled garage; or
   e. Front-loaded, tandem garage.
6. Number of full stories:
   a. One story;
   b. One and ½ story; or

c. Two-stories.

7. Roof type or orientation:

a. Gable (example of orientation differentiation - front-gabled, side-gabled, and gable-front and wing);

b. Hip;

c. Combination of gable and hipped roof types; or

d. Combination of permitted roof types.

7.9.4. Townhouse, Live-Work, Triplex and Quadplex Buildings

In order to preserve a sense of place and provide for compatible development within the Downtown District Overlay, all new construction of Townhouse, Live-work, Triplex and Quadplex buildings must be developed in accordance with the architectural standards provided herein and as depicted in Figure 7.9-6.

Figure 7.9-6. Example Compatible Townhouse Building

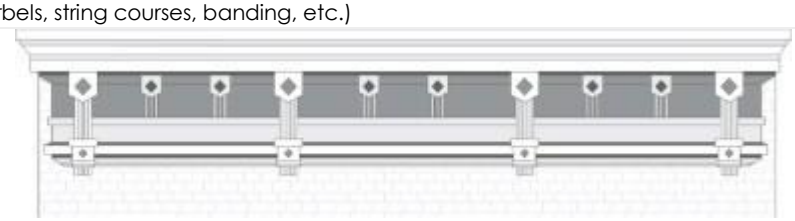


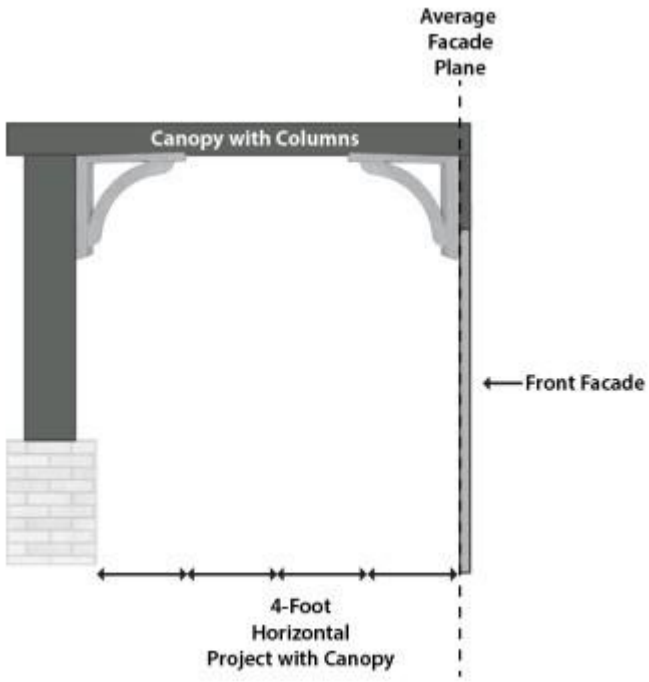
A. Architectural Standards

New buildings must comply with the standards established in Figure 7.9-7. Victorian Style Architectural Standards.

Figure 7.9-7. Victorian Style Architectural Standards

Victorian Style Architectural Standards	
Design Element	**Standard**
Roof: Type, Pitch, and Material	• Primary Roof Type: Gabled, hipped, flat / shed roof with parapet • Roof Pitch: Gable or Hipped Roof – minimum 6:12 • Flat / Shed roof – require parapet screening • Porch roof or ancillary roofs – minimum 2:12 • Permitted Roof Materials: 30-year asphalt shingles or standing seam metal

Victorian Style Architectural Standards	
Design Element	**Standard**
Roof Articulation:	Gabled or Hipped Roof: Buildings with gabled or hipped roofs must provide the following roof articulation: • Roofline variation at a minimum of 30' along the primary façade; • Three or more roof slope planes per primary façade; and • Dormers or front-facing gabled roof forms along the primary façade Flat / Shed Roof with Parapet: If a flat or shed roof form is provided in lieu of a pitched roof form, a parapet with a decorative articulated cornice must be provided. (e.g., dentils, corbels, string courses, banding, etc.)
	  Brick Corbelling (Decorative articulated cornice)  Decorative Corbel
Building Articulation (applicable to each unit per building)	Primary façades of each dwelling unit must be designed to have at least one horizontal wall projection or recess to provide variation and interest throughout the building. Projections or recesses must be designed with at least one foot of relief and should be used to create shade and cast shadows on the façade.
Entry Articulation	Each primary building entrance must include a covered projection, inset, or a combination of both, with a minimum depth of 4 feet, and incorporate distinct architectural detailing such as a covered, open-walled porch, portico, arcade, or other similar element. Covered, open-walled porches or building entrance canopies must • Have a minimum continuous depth of 4 feet, measured from the front façade of the dwelling to the nearest edge of the porch support post, and • Extend a minimum of one-third of the width of the primary front façade.

Victorian Style Architectural Standards	
Design Element	**Standard**
	
Building and Entry Orientation	All buildings must be oriented so that a primary pedestrian entrance serving one or more dwelling unit fronts a public street, a common open space, a landscaped courtyard, or a private street. All buildings and dwelling units adjacent to an arterial or collector public must be oriented so that the primary facade fronts the public street. Dwelling units must not front parking lots. A pedestrian pathway must be provided connecting all building entrances to a public sidewalk.
Façade Repetition	Each dwelling unit, live-work unit, or building module within a single structure must be designed to have distinct architectural characteristics that visually separate it from the other dwelling units in the building. 

Victorian Style Architectural Standards	
Design Element	**Standard**
	Primary façades containing dwelling unit entrances or a shared residential entrance must include at least one of the following architectural elements: • Veranda, terrace, porch or balcony • Trellis • Shed roof awning • Bay window • Bow window • Arched windows • Gable windows • Turret • Shutters • Other architectural elements as approved by the Planning and Development Services Director.
Window Type, Shape, and Design	Types: Rectilinear, elongated windows, bay windows, bow windows, ribbon windows, arched windows, transom windows
	Shape: A predominance of elongated windows must be provided on front and side elevations, where such windows' proportion ratio of height to width is between 2.0-2.5 to 1.
	Quantity: The primary façade of each unit must have at least three elongated windows.
	Design: All windows and doors not bordered by masonry must have trim. All windows and doors bordered by masonry must provide for distinct, projected lintels and sills.
Side Elevations	Side elevations must incorporate architectural elements that are consistent with the front elevation, including window styles and other architectural accents. Continuous flat wall planes without architectural variation exceeding 20 feet in length are prohibited.
Optional Architectural Details	Balconies, turrets, dormers, gable ornaments, brackets, shutters, patterned shingles for wall surfaces, dentils

B. Parking and Garage Requirements

1. Garage Required for New Construction

a. Two (2) garage parking spaces must be provided per dwelling unit. Refer to Subchapter 8. Parking, Mobility, and Circulation for additional standards relating to driveways providing access to the garage.

2. Garage Materials, Type, and Orientation

a. Garage materials must be the same mix of materials as the primary façade of a residential building.

b. Lots must be rear-loaded, with vehicular access to the garage provided from an alley or a private access drive located at the rear of the lot.

c. Carports Prohibited

Carports are prohibited unless specifically authorized by an architectural waiver and must meet the accessory structure standards for carports provided in Section 5.3.2.

7.9.5. Multi-Family, Mixed-Use, and Nonresidential Buildings

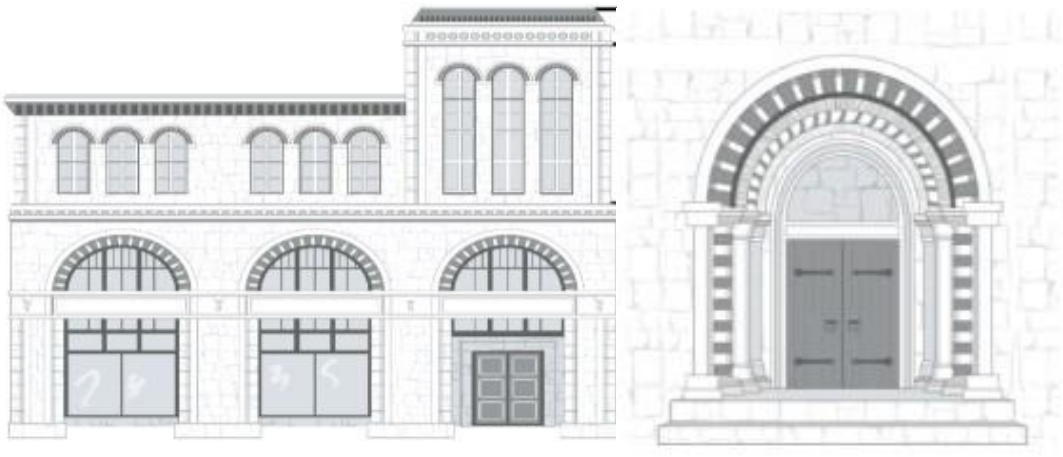
In order to preserve sense of place and provide for compatible development within the Downtown District Overlay, all new construction and exterior renovations of or additions to buildings of multi-family, mixed-use, and nonresidential buildings must be designed to reflect the defining features and architectural elements of one or more of the historical architectural styles identified in this section and comply with other development standards provided herein.

A. Alternative Compliance

The Planning and Zoning Commission may approve deviations from the three-tier architectural element requirements, window design, or optional elements in accordance with Section 3.16. Alternative Compliance.

B. Architectural Styles

Richardsonian Romanesque architecture is characterized by massive, asymmetrical building forms that create a strong sense of permanence and solidity. Buildings typically feature heavy masonry construction with walls composed of multiple textures or colors of stone and brick. Recessed entrances, broad round arches over windows and doorways, grouped arched or rectangular windows, and squat supporting columns are common architectural elements. Round towers and articulated building masses further contribute to the style's distinctive fortress-like appearance.



Queen Anne architecture is characterized by asymmetrical building forms, complex roof configurations, decorative detailing, and varied wall textures. Common features include towers, turrets, bay windows, decorative masonry or shingles, prominent cornices, ornamental trim, and projecting architectural elements that create visual interest and avoid large, unarticulated facades.



Frontier architecture is characterized by simple, functional building forms that reflect the commercial buildings of early Texas settlements and western frontier towns. Building typically feature rectangular massing, false-front

facades, recessed entrances, covered porches or storefronts, large display windows, and vertically proportioned upper-story windows. Exterior materials commonly include brick, stone, and wood, with modest decorative trim, cornices, and details that emphasize craftsmanship rather than ornamentation.

C. Three-Tier Design

1. Applicability.

   Building elevations must be organized into the tiers described below.

   a. For one-story buildings, Tier One and Tier Three standards apply.

   b. For buildings with two or more stories, the ground floor must comply with Tier One, upper floors must comply with Tier Two, and the roofline must comply with Tier Three.

2. Buildings must be constructed with three distinct tiers as depicted in Figure 7.9-8. Three Tier Design.

Figure 7.9-8. Three Tier Design



3. Tier One – Ground Floor:

   a. Vertical Mixed-Use and Nonresidential Buildings

      (1) Primary facades must provide a minimum of 75 percent transparency. Other facades must provide a minimum of 25 percent transparency.

      (2) Primary entrances must be recessed or emphasized with an awning, canopy, or similar architectural feature.

      (3) Storefront facades must include a base panel no more than 3 feet above grade.

      (4) Primary facades must include a horizontal signage band (frieze), measuring 1 to 2 feet.

      (5) Entrance doors must be elongated (either single or double) with decorative door frames.

   b. Multi-family Buildings

      (1) Primary facades must provide at least 25 percent but not more than 75 percent transparency.

      (2) Entrance doors must be vertically proportioned and include decorative framing and detailing.

4. Tier Two – Upper Floors:

      (1) A minimum of 25 percent transparency is required on primary facades, with a maximum allowed of 75 percent transparency.

5. Tier Three – Roof Form and Cornice:

   (1) Buildings must include either a pitched roof or a flat roof with a parapet.

   (2) Rooflines must incorporate an articulated cornice, parapet cap, or similar architectural detailing consistent with the building's architectural style. Additional roof treatment standards can be found in Section K below.

D. Architectural Elements and Window Design

1. Facade Finish

   All buildings must be architecturally finished on all four sides with the same materials, detailing, and features.

2. Window Design

   a. Window Design Standards (See Window Design depictions in Figure 7.9-9 below)

      (1) Windows must be designed to complement the building's architectural style and provide visual interest through variations in size, shape, grouping, or detailing.

      (2) Front and side facades must incorporate a consistent pattern of windows and window openings. Windows may be arranged individually or in groups.

      (3) Window openings must be generally vertically proportioned; however, accent windows, transom windows, display windows, and other complementary window forms may be incorporated.

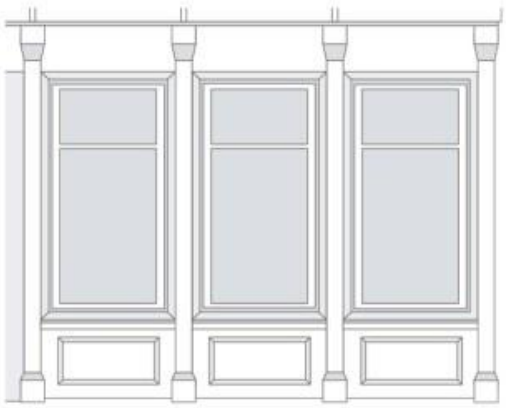
      (4) Upper-floor windows must be recessed, trimmed, or otherwise articulated to create depth and shadow.

      (5) Windows must include detailing such as trim, lintels, sills, masonry surrounds, keystones, or other treatments that distinguish window openings from the primary wall surface.

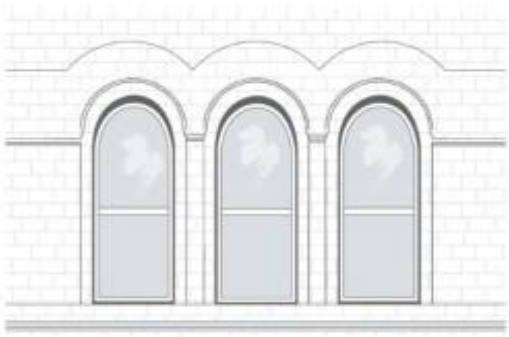
      (6) All primary facades must include windows.

Figure 7.9-9. Window Design Examples

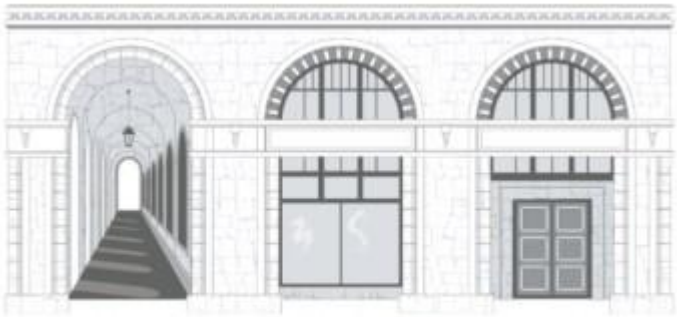




Elongated, storefront windows separated by piers; Wood or cementitious siding for trim and base panel accents only



Masonry belt and string courses above or below windows to accentuate window form and repetition



Concentric (Semi-Circle), arched windows and arcade with stone columns

3. Architectural Elements
   a. Continuous flat wall planes exceeding 20 feet in length are prohibited.
   b. All primary facades must include a minimum number of architectural elements from the list below. Examples of architectural elements are shown in Figure 7.9-10. Architectural Details. For purposes of this section, building size includes single-tenant and multi-tenant buildings, based on total building square footage:
      (1) Up to 50,000 square feet: 4 elements.
      (2) Greater than 50,000 square feet: 5 elements.
      (3) Greater than 100,000 square feet: 6 elements.
   c. Architectural Elements include:
      (1) Canopies, awnings, or porticos;
      (2) Arcades;
      (3) Pitched roof forms;
      (4) Arches;
      (5) Display windows;
      (6) Architectural details (such as tile work and moldings) integrated into the building facade;

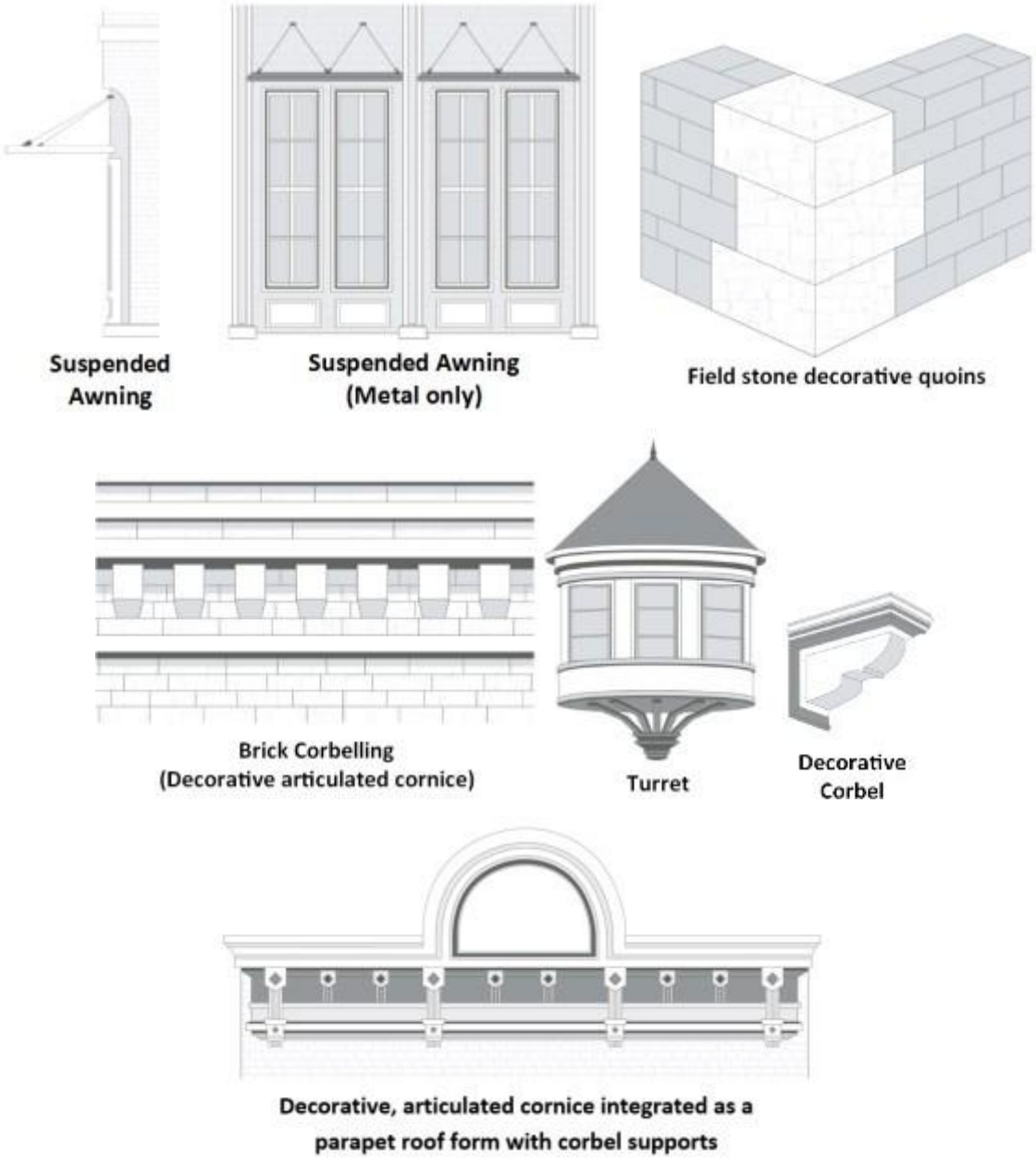
(7) Articulated ground floor levels or base;

(8) Articulated cornice line;

(9) A minimum of two building materials differentiated by texture, color, or material; and

(10) Other architectural features approved by the Planning and Development Services Director.

Figure 7.9-10. Architectural Details



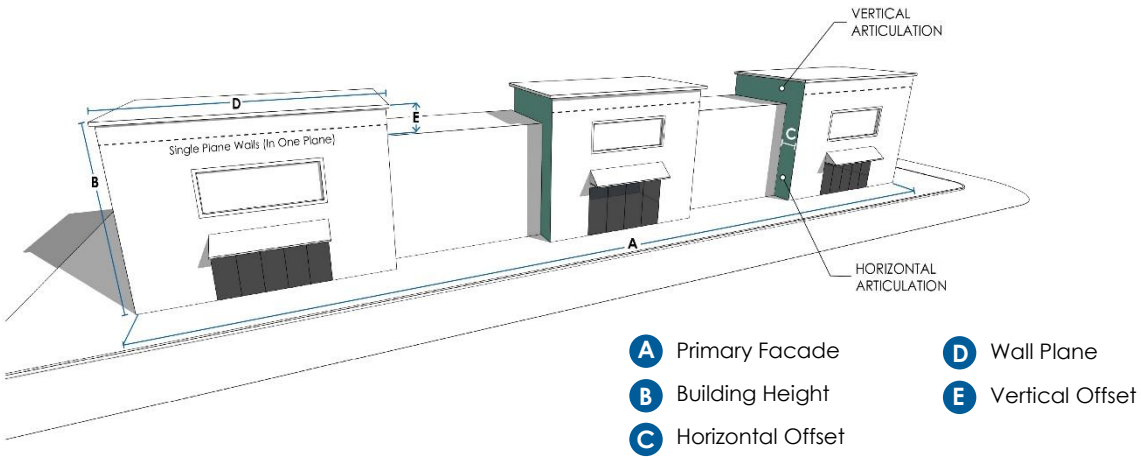
E. Articulation Standards

Any primary façade must include projections or recesses and vertical variations in the roofline in accordance with the horizontal and vertical articulation requirements set forth below. At the discretion of

the Planning and Development Services Director, canopies and awnings may be used to demonstrate compliance with the horizontal and vertical articulation requirements to create a more urban streetscape for buildings governed by the Build-to-Line requirements per Section 4.5.1 or a comparable design concept in the Downtown District Overlay.

1. Horizontal Articulation

Figure 7.9-11. Building Articulation (Horizontal and Vertical)



   a. A primary facade may not extend more than three times the building height without a horizontal offset of at least 10 percent of the building height.

   b. No single uninterrupted wall plane may comprise more than 60 percent of the total façade length.

   c. Each primary facade must include at least one required horizontal offset, regardless of the façade length.

2. Vertical Articulation

   a. A primary facade may not extend for a distance greater than three times its building height without a vertical offset(change in roofline height) at least 15 percent of the building height.

   b. Vertical changes in roofline height must occur along at least 20 percent and no more than 40 percent of the total primary facade length.

   c. Each primary facade must include at least one vertical change in building or roofline height, regardless of façade length.

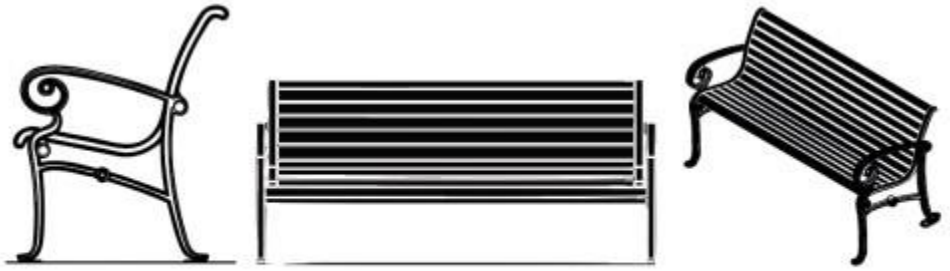
   d. Flat roofs with a parapet wall are permitted, provided the parapet design satisfies the vertical articulation requirements of this section.

F. Building Entrance Standards

1. Any front building entrance must be set back from a drive aisle a minimum distance of 15 feet.

2. Single-use or multitenant buildings over 50,000 square feet in size must provide clearly defined, highly visible customer or employee entrances with the integration of awnings or similar architectural features.

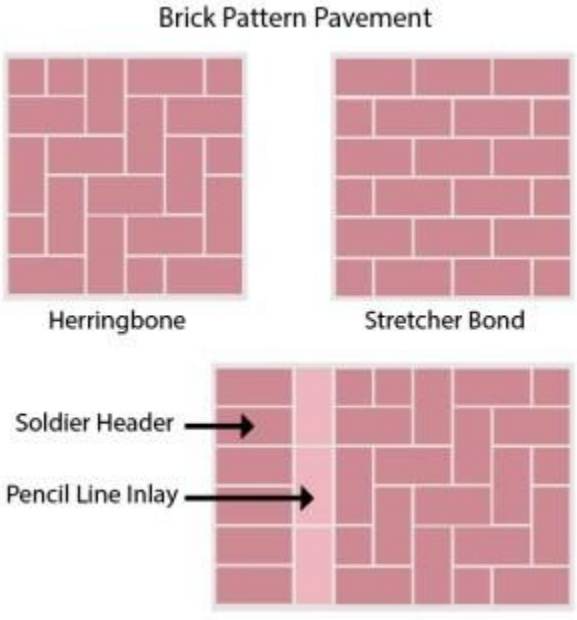
3. New or renovated commercial buildings must have outdoor plazas, courtyards, or other pedestrian spaces at their main entrances.
    a. The minimum size of pedestrian space must be 1 square foot of space per 50 square feet of building floor area or a minimum of 500 square feet of pedestrian space, whichever is greater.
    b. All pedestrian spaces must incorporate at least four of the following:
        (1) Decorative landscape planters or wing walls that incorporate landscape areas;
        (2) Pedestrian scale lighting, bollard, or other accent lighting;
        (3) Special paving, such as colored/stained and sealed concrete, stamped concrete, brick or other unit paver;
        (4) Public art;
        (5) Seating such as benches, tables with attached seats, or low seating walls;
        (6) Architectural water structures, features, or fountains; or
        (7) Other amenity approved by the Planning and Development Services Director.



Bench - Painted Black
Standard Detail



Bollard
Painted Black
Standard Detail



4. Customer building entrances must be provided along Primary Facades, Primary Streets or buildings subject to the Build-to-Line standards as provided in Section 4.5.1.C.3. The building entrance standards may be situated within the required streetscape yards.
5. Building entrances on corner lots must be either oriented in the same direction as entrances of adjacent buildings or oriented toward the corner of the lot.

G. Canopy Standards

The following provisions apply to auto-oriented canopies.

1. Canopies must be constructed of roof building material consistent with that of the principal building.
2. Canopies must have pitched roofs unless attached to the principal building utilizing a parapet roof type.
3. Canopy columns must be fully encased with primary masonry material that is complementary to that used on the principal building, including brick and stone.
4. The canopy band face must be color consistent with the principal building's exterior building materials and must not be backlit or used as signage except that the business name may be displayed on the canopy band.
5. Canopies must be no higher than the principal building. In no case may the canopy height exceed 20 feet.

H. Drive-Thrus Prohibited

No drive-thru facility must be permitted within the Downtown District Overlay boundary.

I. Screening of Walk-In Coolers

1. Walk-in coolers must be structurally integrated and composed of similar masonry materials to those of the principal building.
2. A wood board privacy fence for screening must not be used.

J. Orientation and Screening of Overhead Doors, Loading Docks, and Service Courts

1. Overhead Doors
   a. Overhead doors must not be located closer than 50 feet to a conforming residential lot.
   b. Overhead doors must be oriented to the side or rear of the structure and not front or face a public right-of-way or public street with the following exceptions:
      (1) A roll-up, garage-type door installed in a restaurant or bar may be permitted to face a public street if it is architecturally integrated into the building and provides a pedestrian connection with a covered outdoor patio area.
      (2) Overhead doors permitted to face a public street under subsection (1) above must be architecturally integrated into the building and must meet the following standards:
         (a) When closed, the door must maintain compliance with applicable façade transparency or opening requirements and may not appear as a blank or inactive frontage;
         (b) Doors must be constructed of glass or other transparent or partially transparent materials; solid or opaque metal doors are prohibited on street-facing façades; and
         (c) The door opening must support an active use along the street frontage and may be subject to operational limitations necessary to mitigate impacts on adjacent residential properties.

(3) An overhead door may face a public alley.

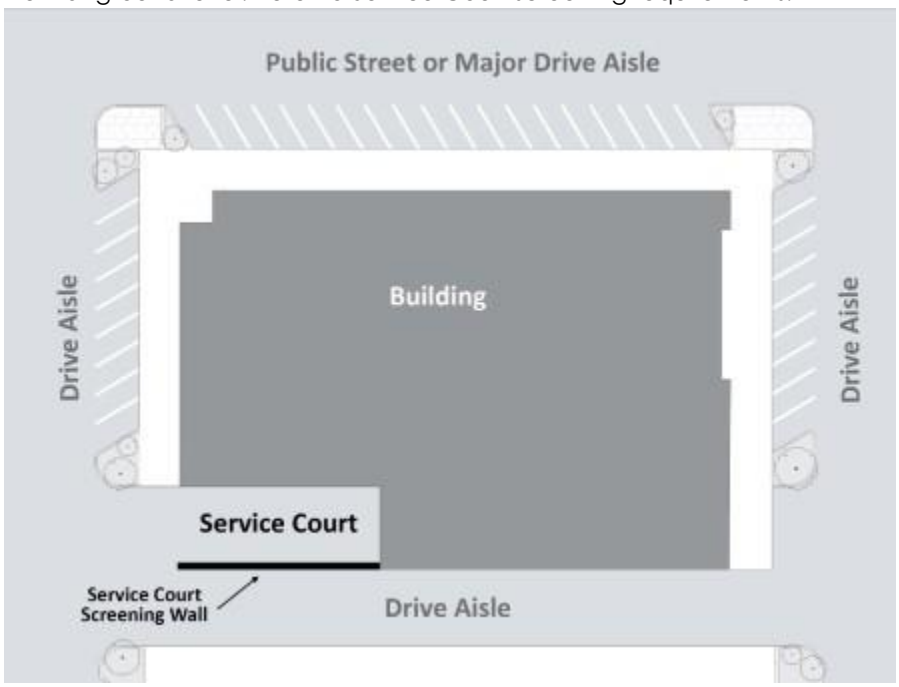
c. Where site constraints prevent the required orientation of overhead doors, the Planning and Development Services Director may consider an alternative orientation.

d. Operable overhead doors on nonresidential or mixed-use buildings are permitted, provided they comply with all façade design standards. Doors located on a street-facing façade must meet required transparency standards in the closed position. Solid or opaque overhead doors are prohibited on primary street frontages unless located behind an active frontage or screened from view. Where such doors open to the exterior, the opening must support an active use and may be subject to operational limitations to mitigate impacts on adjacent residential properties.

2. Loading Docks

a. Loading docks must not be located closer than 50 feet to a conforming residential lot.

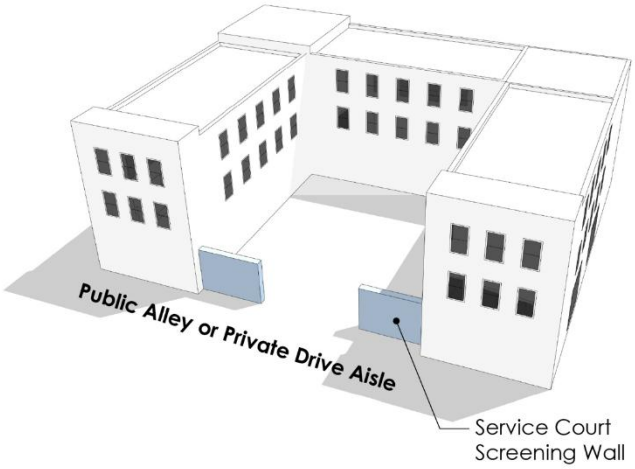
b. Loading docks must be oriented to the side or rear of buildings and not face the public street right-of-way, be visible, or face a public street, main drive aisle, or patron parking lot. At a minimum, walls commonly known as "wing walls" must be provided to screen all loading docks from public view at ground level. Refer to Service Court screening requirements.

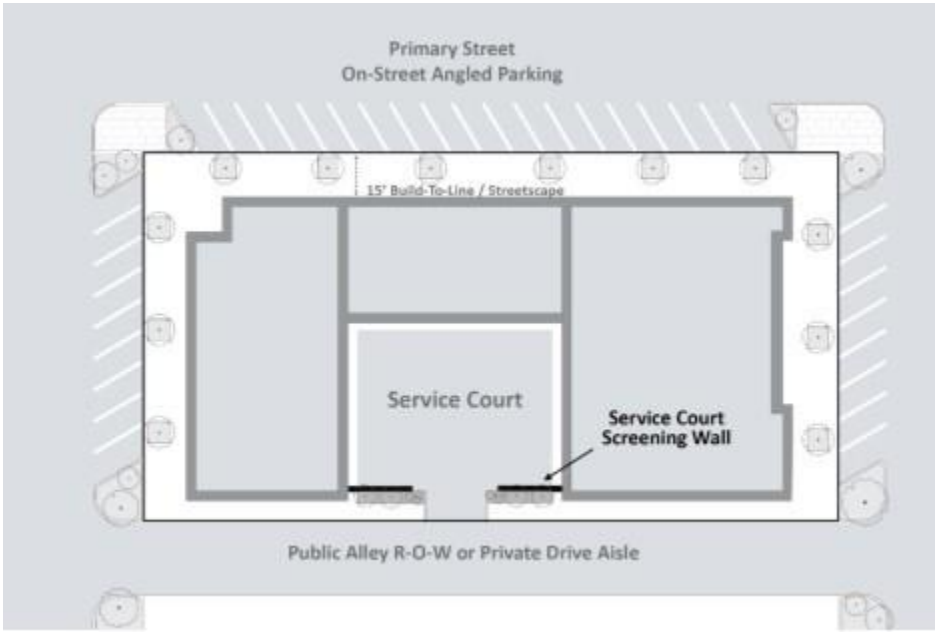


c. When physical site constraints prevent the required orientation of loading docks, the Planning and Development Services Director may consider an alternative orientation.

3. Service Court

a. Service courts containing loading docks and delivery receivable areas for multiple office and commercial uses must be located to the side or rear of the buildings, with the entire extent of the service court screened at ground level from a public street, main drive aisle and patron parking area on all sides, with the exception of the access point into the service court. The access point into the service court must be minimized in width in order to substantially screen the service court from a public street, main drive aisle or patron parking area, but allow for necessary vehicle maneuverability.



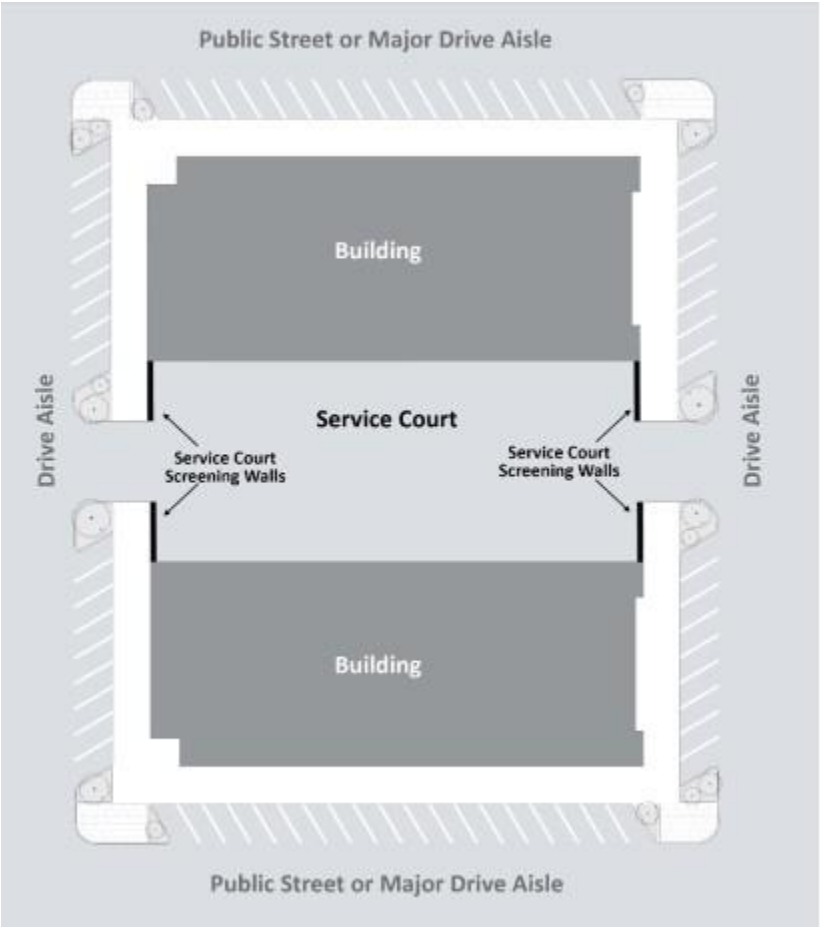


b. Screening of a service court must consist of a wall constructed of complementary materials as the principal building, and at a consistent height that substantially provides consistent screening from the highest loading dock overhead door.

c. When multiple buildings containing more than two loading docks are proposed, loading docks from each building must be oriented toward one another to establish a common service court. If the buildings will not be constructed simultaneously, the Planning and Development Services Director may consider enhanced landscaping that will provide appropriate screening until such time as the second building is constructed.

d. At a minimum, screening walls commonly known as "wing walls" must be provided to screen from ground level all loading docks from public view. The wall must consist of complementary materials of the principal building, at a consistent height which substantially provides consistent screening from the highest loading dock or overhead door, and extending at least 50 feet from the building in order to screen the truck and trailer. If a wall, or a portion thereof, is determined to not be feasible due to site or height constraints, the Planning and Development Services Director may consider native evergreen trees and shrubs to be used provided the plantings result in a solid vegetative screening of at least 8 feet tall within 2 years, the plantings or wall combination extends

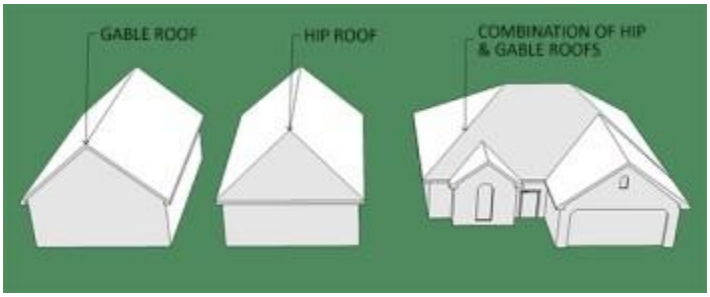
the distance otherwise required for a solid wall as required herein, and the plantings must be in addition to the landscaping required in Section 9.3.



K. Roof Treatment

1. Parapets must be used to conceal roof-mounted mechanical equipment on flat roofs on all sides. Roof- mounted mechanical equipment must be completely screened from ground-level view, measured at grade 100 feet from each point of the roof edge, on all sides using a parapet wall. The parapet wall must be provided along the full perimeter of the building and be architecturally integrated into the structure using materials consistent with the primary façade. If topography prevents the full screening of the mechanical equipment through the use of a parapet wall, alternative screening of the mechanical equipment in the area where a conflict occurs may be considered by the Planning and Development Services Director.
2. Exposed conduit, ladders, utility boxes, and drain spouts must be architecturally integrated into the building design and must:
    a. Match or complement the color and finish of the building; or
    b. Be painted, coated, or otherwise treated with a durable, non-reflective finish.
3. Where overhanging eaves are used, overhangs must be no less than 2feet beyond the overhanging walls.
    a. Gable and hip roofs must be symmetrically pitched between 4:12 and 8:12.

b. Shed roofs, porch roofs, and arcade roofs subordinate and attached to the primary structure, must be pitched between 2:12 and 6:12.



4. Pitched Roof Type and Material Standards.

Tile, metal or asphalt shingles (laminated 320-pound, 30-year architectural grade asphalt shingles or better) must be the dominant roof material. Any other roofing material not stated must not be permitted unless approved by the Planning and Development Services Director.

L. Common Development

A common development must include all buildings situated on lots included within an approved preliminary plan. All buildings within a common development must have similar architectural styles and materials.

7.9.6. Structured Parking

A. Parking structures must have retail, commercial, or office uses at the first level, fronting all Primary Streets as defined by Section 4.5.1.

B. Parking structures must provide for architectural details and elements per Section 7.9.5. Multi-Family, Mixed-Use, and Nonresidential Buildings and architectural design requirements per Section 7.8. Structured Parking and designed to blend and complement the surrounding buildings.

C. Above ground parking must be designed in such a way that the neighboring buildings are not adversely affected by headlights.

D. If a parking garage is provided, it must be side- or rear-loaded, with vehicular access from an alley or private access drive oriented to the rear of the primary building.

7.10. Corridor District Design Standards

7.10.1. Applicability

The standards in this section apply to the following development types, zoning districts and development activity.

A. Structure Type and Zoning District

The following structure types in the CL3, CL4, and CL5 Districts:

1. Office, Retail, and Commercial Structures four stories or greater in height.

B. Applicability by Development Activity

1. New construction; and

2. Additions, expansions and redevelopment of property as follows:

a. Architectural Details in Sections 7.10.2 and 7.10.3 apply only to the addition or expansion and to any façade modified as part of the expansion.

b. Parking and garage requirements in Section 7.10.3 apply to existing developments where cumulative additions, expansions, and/or redevelopment total 25 percent or more of the existing improvements over a 3-year period.

7.10.2. Mixed-Use Structure Design Elements

Mixed-Use structures must comply with the following office, retail, and commercial design standards from Section 7.6.2:

A. Common Development

B. Building Entrance Standards

C. Canopy Standards

D. Drive-Thru

E. Screening of Walk-In Coolers

F. Orientation and Screening of Overhead Doors, Loading Docks, and Service Courts.

7.10.3. Office, Retail, and Commercial Structures

A. Solar Orientation and Passive Cooling

1. Building Orientation

Where site conditions reasonably allow, buildings must be oriented along an east-west axis, with the longest building façades facing generally north and south, to reduce solar heat gain and improve passive cooling performance.

a. Site Constraint Alternatives

Buildings that cannot meet the building orientation standard above due to site constraints must demonstrate equivalent passive cooling performance through one or more of the following:

(1) Increased exterior shading;

(2) Reduced east and west-facing window area; or

(3) Building articulation or massing designed to limit direct solar exposure.

2. Solar Shading

Where primary façades face south or west, exterior window shading must be provided through roof overhangs, building projections, window recesses, or similar fixed architectural elements designed to limit summer solar heat gain.

3. Solar Ready Design

Buildings must be designed to accommodate future photovoltaic installation, including roof areas with minimal shading, structural capacity for solar equipment, and roof layouts that preserve contiguous solar-ready zones.

B. Building Massing

1. Structures must be designed in a three-tiered approach consisting of the base, the middle, and the top.

2. The base must include the building entries, pedestrian space, retail facades and storefront windows, awnings or similar pedestrian covers, and porte-cocheres designed to establish a pedestrian scale with the building. A parking garage may be located within this area; however, the façade of the parking structure must be designed to create visual interest at the pedestrian scale. (See structured parking requirements in 7.8. Structured Parking.)

3. The middle of the building begins the primary use of the building and is separated by the base with an architectural banding, or setback to offer a visual change. The middle contains the building's primary uses with windows, exterior patios, and generally visually repeats an architectural theme or rhythmic pattern.

4. The top terminates the building at the sky with an architectural cornice or special building elements to finish the building and provide screening of any roof-mounted equipment.

C. Parking Structures

The architectural standards of this section are applicable to all stand-alone parking structures and the facades, or a portion of the facade thereof, on commercial or residential structure(s) that are structurally designed for the purposes of parking structure. All storefront, office, or residential elements must be reviewed according to their districts' architectural standards.

1. Design Guidelines:

   a. Parking structure access must be located and designed in a manner that provides for pedestrian activity on the street frontage of the structure while minimizing the number of vehicular access points and reducing areas of vehicle-pedestrian conflict.

   b. New parking structures are encouraged to have retail, commercial, or offices uses at the first level, fronting all public streets, parkland and open spaces. This can include leasing offices and amenity centers for Urban Multifamily and Mixed-Use, though these areas do not count toward minimum nonresidential square footage on the ground floor.

   c. Parking structures are encouraged to create visually attractive and active pedestrian environment through the use of retail/commercial wrap- around tenant spaces.

   d. Parking structures should be designed to blend and/or complement the surrounding buildings.

   e. Parking structure elevations should use color, massing, or architectural features to reduce the appearance of bulk.

   f. Parking structures are encouraged to have “green roofs” or civic spaces on the upper-most floor of the structure or roof.

   g. The parking structures are encouraged to be unique and create a sense of place, rather than a design that represents only the functional use of the structure.

   h. Parking structures with more than one façade visible from a street or major drive aisle must incorporate ground-level commercial space for at least 25 percent of the total ground-level façade visible from the street or major drive aisle with:

      (1) A customer entrance that opens directly onto the sidewalk, and

      (2) A depth not less than 24 feet, and

      (3) A height not less than 12 feet, measured from the finished floor to the bottom of the structural members of the ceiling.

2. The parking structure must not be issued a permanent Certificate of Occupancy until the commercial spaces are finished out to a minimum of a Temporary Certificate of Occupancy for a shell building and provide for at least two separate commercial spaces (which may later be combined upon occupancy) and constructed to accommodate diversified uses and types and not designed for one user.

3. Above-ground parking should be designed so that neighboring buildings are not adversely affected by headlights.

4. Parking structure facades facing residential parcels must:

   a. Be enclosed to prevent light spill, adverse noise, or pollutants from impacting dwellings; and

b. Incorporate architectural design elements, including surface treatments, offset planes, structural articulation, and landscaping to provide visual interest and compatibility with adjacent dwellings.

D. Architectural Requirements

1. Screening of Vehicles within Parking Structure

a. The use of green/living wall systems as well as public art may be used to satisfy the design and finish requirements of this section as well as Section 7.11. Building Materials Guidelines.

b. Parking structures must utilize horizontal walls to screen sloping floors and vehicle bumpers that are visible from streets or major drive aisles.

c. Open-air spaces, along any primary façade, as defined by Section 7.9.3, or façade visible to single-family and two-family residential uses, must be screened with the use of the following permitted materials listed in Figure 7.10-1. Screening Materials to reduce any adverse effects associated with streetscape design and residential adjacency.

d. The visible openings, unenclosed, on a primary façade must not exceed 40 percent of the area on any façade visible from streets or major drive aisles and must incorporate treatments so that such openings reflect a sizing and pattern similar to window openings on a commercially- or residentially- occupied building.

Figure 7.10-1. Screening Materials

Permitted Screening Materials
• Any building materials listed in Section 7.11. Building Materials Guidelines with the allowable percentages • Other Vegetation (approved by the Planning and Development Services Director) • Solar panels • Decorative Metal panels (approved by the Planning and Development Services Director) • Decorative plexiglass panels with a maximum 25 percent transparency • Other durable materials approved by the Planning and Development Services Director in keeping with the architectural style of the structure. • Specifically Prohibited • Fabric Panels

E. Common Development

The parking structure must have similar architectural styles and materials consistent with the principal building(s) of such parking structure to meet the minimum parking requirements.

F. Façade Finish

The parking structure must be architecturally finished on all primary facades with same materials, detailing, and features.

G. Pedestrian Entrance Standards

1. Pedestrian entrances must provide distinct architectural features including but not limited to horizontal and vertical articulation or structural walls and variation of the roofline.

2. Any front building entrance must be set back from a drive aisle or public right-of- way a minimum distance of 15 feet.

3. Pedestrian entrances for parking structures and commercial tenant spaces along the first floor of the parking structure must provide clearly defined, highly visible customer or employee entrances with the integration of awnings or similar architectural features.

4. Pedestrian entrances must provide courtyards, or other pedestrian spaces at their main entrances, as provided herein. The minimum size of pedestrian space must be a minimum of 100 square feet of pedestrian space at each tenant space and first-floor pedestrian entrance(s) to parking structure. Each pedestrian space must incorporate at least four of the following types of decorative elements, and a minimum quantity of four items at each pedestrian space:
    a. Decorative landscape planters incorporated into the landscape areas.
    b. Pedestrian scale lighting, bollard, or other architectural accent lighting.
    c. Special paving, such as colored/stained and sealed concrete, stamped concrete, brick, or other unit paver.
    d. Art visible to the public with a valuation of at least 0.05 percent of the total construction cost.
    e. Seating such as benches, tables with attached seats, or low seating walls.
    f. Architectural water structures, features, or fountains.
    g. Other amenities approved by the Planning and Development Services Director.

7.11. Building Materials Guidelines

These guidelines are intended to provide voluntary design direction for exterior building finishes in order to promote long-term durability, visual interest, and compatibility with surrounding development. Compliance with these guidelines is optional and may be used to qualify for incentives or regulatory flexibility as provided elsewhere in this Code.

7.11.1. Residential Structure Guidelines

A. Single-Family Detached and Duplex Structures: A, SF-S, SF-R, NFR Zoning Districts

1. The exterior wall area of the first story of any dwelling unit should have a minimum of 75 percent masonry construction consisting of brick, ledge stone, field stone, stucco, or any other native type of stone veneer. The front and both sides of any such dwelling should be 100 percent masonry construction, except for a covered entryway, boxed windows and bay windows, which may be of wood or cementitious material as approved by the Administrator. Additionally, dormers, gable ends and facade walls above the first floor may be made of cementitious material (as approved by the Administrator), provided it is installed as horizontal lap siding or vertical board-and-batten.

2. The front and side walls of an addition to the first story of a dwelling unit should have a percentage of masonry construction equivalent to that of the front and side walls of the existing dwelling: provided, however, that the side wall of an addition to the rear of the residential dwelling unit is not required to have an equivalent percentage of masonry construction to that of the nearest existing side wall if an inset is created that is 2 feet or more. If the inset is 2 feet or less, and when an inset in the side wall occurs on the back corner of the residential dwelling unit, the wall projecting from the back wall and parallel with the side wall must consist of masonry.

B. All Other Residential Structures and Residential Districts

Figure 7.11-1. Building Finishes for Residential Structures and Residential Districts

Primary Materials for Residential Districts		
Zoning Districts/Structure Types	Minimum %	Materials
House-Scale = Development, as described in Section 7.3 and Neighborhood-Scale = Development, as described in Section 7.4	Minimum 60%	• Clay brick • Natural stone • Cultured stone, cast stone or natural stone panels
Large-Scale = Development, as described in Section 7.5	Minimum 40%	
Single-Family Detached and Duplex	Minimum 80%	• Clay brick

Primary Materials for Residential Districts		
Zoning Districts/Structure Types	Minimum %	Materials
Residential in Downtown District		• Field stone, ledge stone, or other native veneer • Cementitious material installed as horizontal lap siding with an exposure not greater than 6 inches, vertical board-and-batten with board widths not greater than 8 inches, or cementitious shingles[1]
Townhouse, Live-work, Triplex, and Quadplex Residential in Downtown District	Minimum 60%	• Clay brick • Field stone, ledge stone, or other native veneer
[1] The Planning and Development Services Director may allow for an increase in exposure and board widths by 20%.		
Secondary Materials for Residential Districts		
Zoning Districts/Structure Types	Maximum%	Materials
House-Scale Development, as described in Section 7.3 and Neighborhood-Scale Development , as described in Section 7.4	Maximum 40%	• Stucco[1] • Architecturally finished poured concrete • Cementitious material installed as horizontal lap siding or vertical board-and-batten (as approved by the Administrator)
Townhouse, Live-work, Triplex, and Quadplex Residential in Downtown District	Maximum 40%	• Cementitious material installed as horizontal lap siding with an exposure not greater than 6 inches, vertical board-and-batten with board widths not greater than 8" inches, and shingles.
Large-Scale Development, as described in Section 7.5	Maximum 60%	• Stucco • Architecturally finished poured concrete
[1] For Single Family Detached and Duplex Structures: Stucco may be considered a primary masonry material if the architectural design includes 100% tile roofing		
Accent Materials for Residential Districts		
Zoning Districts/Structure Types	Maximum%	Materials
House-Scale Development, as described in Section 7.3 and Neighborhood-Scale Development, as described in Section 7.4	Maximum 20%	• Wood • Corrugated metal or other types of metal as approved by the Administrator • Other materials as approved by the Administrator in keeping with the architectural style of the structure
Large-Scale Development, as described in Section 7.5	Maximum 20%	• Cementitious material installed as horizontal lap siding or vertical board-and-batten (as approved by the Administrator) • EIFS[1] • Architecturally finished concrete block • Corrugated metal or other types of metal (as approved by the Administrator) • Other materials approved by the Administrator in keeping with the architectural style of the structure
Single-Family Detached, Duplex, Townhouse, Live-work, Triplex, and Quadplex Residential in Downtown District	Maximum 20%	• Wood trim and shingles as an accent material • Other materials approved by the Planning and Development Services Director in keeping with the architectural style of the structure.
Roof Materials for Residential Districts		
• Asphalt shingles • Standing seam metal • Tile		
[1] EIFS should not be utilized below nine 9 feet above finished grade unless utilized for decorative architectural features.		

7.11.2. Office, Retail and Commercial Structure Guidelines

The building finish guidelines in this section apply to all nonresidential structures, except industrial structures in O, NS, R, GB1, GB2, and office, retail, and commercial structures with less than four stories in the CL3, CL4, and CL5 zoning districts.

Figure 7.11-2. Building Materials for Nonresidential Structures

Primary Materials for Nonresidential Districts		
Zoning Districts/Structure Types	Minimum %	Materials
Office, Retail and Commercial Structures	Minimum 40%	• Clay brick • Natural stone • Manufactured stone with a natural appearance (does not include concrete masonry unit (CMU)
Industrial Structures: CI, CL4, and CL5 Zoning Districts	Minimum 15%	
Industrial Structures: LI and GI Zoning Districts	Minimum 25%	
Parking Structure	Minimum 25%	
Secondary Materials for Nonresidential Districts		
Zoning Districts/Structure Types	Maximum%	Materials
Nonresidential Structures, as described in Section 7.6	Maximum 60%	• Concrete panels1 • Stucco
Industrial Structures: CI, CL4, and CL5 Zoning Districts	Maximum 85%	
Industrial Structures: LI and GI Zoning Districts	Maximum 75%	• Concrete panels[1] (masonry) • Stucco (masonry) • Architectural concrete block/concrete masonry unit (CMU) • Metal panels
Parking Structure	Maximum 75%	• Other Permitted Building Materials • Concrete[1] • Stucco (applied as a finish to concrete)
[1] Tilt-wall, poured-in-place, or pre-cast concrete panels should have integrated color and be textured or patterned. Tilt- wall or pre-cast concrete structures should incorporate permitted primary masonry materials.		
Accent Materials for Nonresidential Districts		
Zoning Districts/Structure Types	Maximum%	Materials
Nonresidential Structures, as described in Section 7.6 Industrial Structures: CI, CL4, and CL5 Zoning Districts	Maximum 15%	• Architectural concrete block/concrete masonry unit (CMU) • Exterior Insulation and Finish Systems (EIFS) – High Impact[2] • Cementitious material (approved by the Administrator) installed as horizontal lap siding • Metal panels as approved by the Administrator • Metal (for beams, lintels, trim elements, and ornaments) • Glass block • Tile • Other materials approved by the Administrator in keeping with the architectural style of the structure.
Industrial Structures: LI and GI Zoning Districts	Maximum 15%	• Exterior Insulation and Finish Systems (EIFS) – High Impact[2] • Cementitious material (approved by the Administrator) installed as lap siding • Metal (for beams, lintels, trim elements, and ornaments) • Glass block • Tile • Other materials approved by the Administrator in keeping with the architectural style of the structure
Parking Structure	Maximum 25%	
[1] Tilt-wall, poured-in-place, or pre-cast concrete panels should have integrated color and be textured or patterned. Tilt- wall or pre-cast concrete structures should incorporate permitted primary masonry materials. [2] EIFS should not be utilized below 9 feet above finished grade unless utilized for decorative architectural features.		
Roof Materials for Nonresidential Districts		
• Tile • Metal • Asphalt shingles (laminated 320 pound 30-year architectural grade asphalt shingles or better)		

Primary Materials for Nonresidential Districts		
Zoning Districts/Structure Types	Minimum %	Materials
• Any other roofing material approved by the Planning and Development Services Director.		

7.11.3. Agricultural Structures

The architectural guidelines in this section apply to all agricultural structures in the Agriculture/Development Reserve (A) District and all agricultural structures on properties governed by non-annexation development agreements for properties appraised for ad valorem tax purposes as land for agricultural, wildlife management, or timber land use under the Subchapter C, D, or E Chapter 23, Tax Code. All other structures, associated or occupied by residential and commercial uses on such properties, must satisfy the architectural standards of the most comparable land use structure types per Section 7.11.

Figure 7.11-3. Building Materials for Agricultural Structures

Other Building Material Requirements		
Zoning Districts/Structure Types	**Building Materials**	**Roof Materials**
Agricultural Structure	• Clay brick • Natural stone • Manufactured stone with a natural appearance (does not include concrete masonry unit (CMU) • Concrete panels1 (masonry) • Stucco (masonry) • Exterior Insulation and Finish Systems (EIFS) – High Impact2 • Cementitious material (approved by the Administrator) installed as lap siding • Architectural concrete block/concrete masonry unit (CMU) • Metal panels • Wood • Other materials approved by the Administrator in keeping with the architectural style of the structure	• Tile • Metal • Asphalt • Wooden shingles • Wooden panels • Other materials approved by the Planning and Development Services Director
[1] Tilt-wall, poured-in-place, or pre-cast concrete panels must have integrated color and be textured or patterned. Tilt- wall or pre-cast concrete structures must incorporate permitted primary masonry materials. [2] EIFS must not be permitted below 9 feet above finished grade unless utilized for decorative architectural features.		

7.12. Additional Site Development Standards

7.12.1. Fire Standards

All sites must comply with the site-specific Fire Code requirements of Chapter 150 of the City Code at the discretion of the Fire Marshal.

7.12.2. Sight Visibility Triangle

Within a Sight Visibility Triangle, nothing may be erected, placed, planted, or allowed to grow in such manner so as to materially impair a vehicle driver's vision at an intersection unless specifically allowed by Subchapter 4. Establishment of Districts and Boundaries.

7.12.3. Encroachments

Every part of a required setback or court must be open from its lowest point vertically to the sky, unobstructed, except for the following:

A. Ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features, and eaves;

B. Driveways and vehicular use areas.

C. Fences and walls in conformance with Subchapter 9. Landscaping and Screening.

D. Stairways, balconies, covered porches, mechanical equipment, bay or box windows or other building extensions approved by the Planning and Development Services Director that do not intrude more than 6 feet into the rear or street setback, provided they remain outside of all easements and out of all Sight Visibility Triangles.

E. A private, single-family swimming pool may have the edge of water located no closer than 5 feet to a rear or side property line, provided the pool remains outside of all easements.

F. Improvements, signs, and landscaping within Sight Visibility Triangles that do not exceed 36 inches in height.

G. Rain barrels, cisterns and solar panels may be no closer than 2 feet from the property line.

H. Small wind energy systems with all appurtenances must be set back at least 10 feet from all lot lines with exception that no part of the system must be allowed in a required front or side street yard setback.

I. Accessory buildings may encroach into required setbacks according to Figure 7.12-1. In no case will an accessory building encroach into a drainage or public utility easement.

Figure 7.12-1. Accessory Building Setbacks

Primary Use of Lot	Type of Accessory Building	Distance from Boundary			
		Street	Rear	Side - Interior	Side - Exterior
Residential	Detached Garage	25'	7.5'	5'	15'
Residential	Detached Accessory Dwelling Unit	25'	7.5'	5'	15'
Residential	Other than Detached Garage including Storage Sheds 200 Square Feet and Greater	25'	5'	5'	15'
Residential	Storage Shed Less Than 200 Square Feet	25'	0'	0'	15'

J. Setback Encroachments - Office, Commercial, Industrial Districts

1. Accessory buildings may not encroach into required building setbacks.
2. The following are permitted in required building setbacks provided that they comply with all other standards of this and other applicable codes:
    a. Landscaping
    b. Vehicular use areas
    c. Fences and walls that are not part of a structure
    d. An open fire escape may project into a required side yard up to one-half the width of such yard, or up to 4 feet from the building, whichever encroaches less. Fire escapes may project up to 4 feet into a rear yard.
    e. Improvements, signs, and landscaping within Sight Visibility Triangles that do not exceed 36 inches in height.
    f. Rain barrels, cisterns, and solar panels may be no closer than 2 feet from the property line
    g. Dumpsters may encroach no more than 10 feet into the side or rear setback but at no time may they encroach into the front setback or within a setback adjacent to a Single-Family Detached use or SF zoning district.

K. Setback Encroachments - Corridor Districts

1. Accessory buildings may not encroach into required building setbacks.

2. The following are permitted in required building setbacks provided that they comply with all other standards of this and other applicable codes:

    a. Landscaping.

    b. Vehicular use areas.

    c. Fences and walls.

    d. Every part of a required setback or court must be open from its lowest point vertically to the sky, unobstructed, except for the ordinary projections of sills, belt courses, cornices, chimneys, buttresses, ornamental features, and eaves.

    e. An open fire escape may project into a required side yard up to one-half the width of such yard, or up to 4 feet from the building, whichever encroaches less. Fire escapes may project up to 4 feet into a rear yard.

    f. Improvements, signs, and landscaping within Sight Visibility Triangles that do not exceed 36 inches in height.

    g. Rain barrels, cisterns, and solar panels may be no closer than 2 feet from the property line.

    h. Dumpsters may encroach no more than 10 feet into the side or rear setback but at no time may they encroach into the front setback or within a setback adjacent to a Single-Family Detached use or SF zoning district.

Subchapter 8. Parking, Mobility, and Circulation

8.1. Purpose

The purpose of this Subchapter is to establish parking, mobility, and circulation regulations to promote safe and efficient vehicular and pedestrian access to and within development and to ensure that adequate parking is provided. Additionally, this Subchapter establishes regulations for off-street parking and loading to ensure developments within the City provide adequate and reasonable parking to serve the uses on a site. The use of alternative parking plans, such as shared parking, is encouraged. Accommodation of alternative modes of transportation, such as bicycles, is also encouraged.

8.2. Applicability

8.2.1. General

The provisions of this Subchapter apply to all residential and nonresidential development located within the corporate limits of the City of Pflugerville and its ETJ, unless expressly stated otherwise, and must be applied in accordance with the following circumstances:

A. New Development

The standards in this Subchapter apply to any new building constructed and any new use established.

B. Expansions and Alterations

The standards in this Subchapter apply when an existing structure or use is expanded or enlarged, unless otherwise expressly stated. When a use is expanded or enlarged, additional provisions are only required to serve the enlarged or expanded area, not the entire building or use.

C. Change in Use

The requirements of this Subchapter apply to any development, building, or structure that undergoes a change in use. Additional provisions are required only to the extent that the new use requires more than the prior use.

8.3. Site Access and Circulation

8.3.1. Vehicular Access and Circulation Standards

A. General Standards

1. Sites, other than single-family subdivisions, that are expected to generate more than 2,000 trips per day must have at least one access point from a collector or arterial roadway, unless otherwise supported by a Traffic Impact Analysis (TIA).

2. No single-family, Townhouse, or Duplex dwelling may take direct access to arterial or collector roadways if the property has alternative access from a lower-classification roadway, alley or shared access drive. If access is only available from an arterial or collector roadway, adequate on-site maneuvering space must be provided, which may include a semi-circular driveway where approved, and vehicles are prohibited from backing directly into these roadways.

3. Access to TxDOT roadways requires approval by TxDOT. No person, firm, or corporation may construct, reconstruct, alter, repair, remove, or replace any drive approach or perform any concrete work within TxDOT right-of-way within the City without first obtaining an approved TxDOT permit. A copy of the approved TxDOT permit must be provided for any lot taking access to a state roadway prior to the issuance of a site development permit.

4. Driveways must be located and designed with respect to both the public street and on-site circulation to maximize safety and minimize interference with street traffic. A Traffic Impact Analysis may be required at the owner's expense to demonstrate compliance.

5. The property owner (or successor, if applicable) is responsible for all work and costs associated with the construction of access driveways and their appurtenances within the right-of-way.
6. Where a curb inlet is present, a minimum of 10 feet must be maintained between the inlet opening and the edge of the driveway curb return.
7. The angle of each driveway approach at the roadway must be as close to 90 degrees as practicable.
8. All driveways must be constructed within the street frontage of the subject property, as determined by extending the side property lines to the curb line. Neither the driveway nor the curb returns may overlap adjacent property frontage without written approval from the adjacent property owner.
9. The number of driveways on arterial and collector roadways should be minimized to reduce conflict points and facilitate traffic flow. The spacing standards in Section D. Driveway Separation and Section E. Driveway Separation from Intersections should be increased where feasible to reduce the number of driveways. When compliance with these standards is constrained by limited frontage or existing adjacent driveways, alternative access should be pursued where feasible, including joint access driveways, access easements, or access to intersecting streets.
10. Where divided driveways are proposed, on-site circulation must be designed to minimize driver confusion and reinforce the one-way traffic flow on either side of the driveway median.

B. Driveway Types

1. Type I Driveway

   A concrete driveway approach, including a semi-circular driveway, designed and intended to provide access from a roadway to a lot or parcel of land used for single-family or Duplex dwelling units.

2. Type II Driveway

   A concrete driveway approach designed and intended to provide access from a roadway to a lot or parcel of land used for any development or purpose other than a single- family or Duplex dwelling units. See Figure 8.3-1 for specific criteria outlined by roadway type.

3. Type III Driveway

   A temporary asphalt driveway approach intended to provide vehicular access to a lot or parcel of land from a roadway not yet constructed to permanent lines and grades or not having curb and gutter. Such driveways must be reconstructed to Type I or Type II standards within 60 days after construction of the abutting street to permanent line and grade with concrete curb and gutter.

C. Type II Driveway Criteria

Figure 8.3-1. Type II Driveway Criteria

	Type II Driveway Criteria									
	Local Street		Urban Street		Minor Collector		Major Collector		Arterial	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
One-Way Driveway										
Width	15(a)	20	15(a)	20	15(a)	20	18(a)	25	18(a)	25(b)
Curb Return Radius	10	25	10	25(c)	15	25(c)	15	30(c)	20	30(c)
Throat Length (d)(f)	-	-	30	-	50	-	50	-	50	-
Distance Between Entry and Exit Drive	50	-	50	-	50	-	50	-	75	-
Two-Way Undivided Driveway										
Width	25	40	25	40	25	40	30	40	30	45
Curb Return Radius	10	25	10	25(c)	15	25(c)	15	30(c)	20	30(c)

	Type II Driveway Criteria									
	Local Street		Urban Street		Minor Collector		Major Collector		Arterial	
	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.	Min.	Max.
Throat Length (d)(f)	-	-	30	-	50	-	50	-	50	-
Two-Way Divided Driveway										
Width (each side of median) (e)	20	24	20	24	20	24	20	24	20	30
Curb Return Radius	15	25	15	25	15	25	15	25	20	30
Throat Length (d)(f)	50	-	50	-	50	-	50	-	50	-
Median Width (e)	4	15	4	15	4	15	4	15	4	15
Median Length	10	-	10	-	10	-	10	-	20	-
Notes										
(a) Greater width may be required to accommodate fire department emergency access. (b) A 30-foot minimum width may be required on state highways. (c) The driveway radius may be increased to 40 feet for driveways serving large trucks. (d) Distance from the edge of pavement to the first conflict point. (e) On state highways, state standards may vary from city standards. (f) Throat lengths in excess of those shown may be required by the Planning and Development Services Director and/or City Engineer if justified by a Traffic Impact Analysis or queueing study.										

D. Driveway Separation

1. Minimum spacing between driveways will be based on the design speed of the adjacent street, in accordance with Figure 8.3-2. Minimum Driveway Spacing Between Drives.

Figure 8.3-2. Minimum Driveway Spacing Between Drives

Posted Speed Limit	Minimum Separation Between Drives
Under 35 mph (single family or two family residential)	NA
Under 35 mph (all other uses)	175 feet
40-49 mph	325 feet
50 mph and above	450 feet

2. Spacing between driveways must be measured from the edge of one driveway to the edge of the adjacent driveway. Spacing between driveways and intersections must be measured from the edge of the driveway to the edge of the pavement.

3. The City Engineer may approve modifications to driveway spacing requirements based on street type (e.g., cul-de-sac streets), site constraints, or other circumstances where a benefit can be demonstrated through a Traffic Impact Analysis, or similar transportation study prepared by a registered professional engineer, provided that such modifications do not compromise health, safety, or general welfare. If such modification is not approved, a variance from the Board of Adjustment is required.

E. Driveway Separation from Intersections

1. Minimum spacing between a driveway and a nearby intersection, measured edge to edge, will be based on the type of roadway, in accordance with Figure 8.3-3.

Figure 8.3-3. Minimum Spacing from Intersections

Street Type	Minimum Separation from Intersection
Local Street	50 feet

Street Type	Minimum Separation from Intersection
Urban Street	60 feet
Minor Collector Street	75 feet
Major Collector Street	100 feet
Arterial	150 feet

2. Such streets must comply with the driveway spacing requirements in Figure 8.3-3, unless lot dimensions make such spacing impossible or impractical, or joint access to the subject tract from an adjacent parcel is not feasible.

3. Notwithstanding any other provision of this Chapter, if the frontage of a development site is insufficient to comply with these requirements, the driveway must be located as far as practicable from the intersection.

F. Driveway Grades

1. The slope of a driveway may not exceed 14 percent, as measured between the street end of the apron and the opposite end of the driveway.

2. Where a driveway crosses or adjoins a sidewalk, walkway, or accessible path of travel (as defined by the ADA), the driveway design must comply with the applicable standards in the Engineering Design Manual.

G. Driveway Alignment

1. All Type II and III driveways on undivided arterial streets must be designed to align with opposing streets or driveways or be offset by a minimum of 120 feet) (measured from edge to edge).

2. All Type II and III driveways on undivided major or minor collector streets must be designed to align with opposing street or driveways or be offset by a minimum of 80 feet (measured from edge to edge).

3. All Type II and III driveways on divided streets must be designed to align with median breaks or be offset by a minimum of 100 feet(measured from the nose of the median to the nearest edge of the driveway).

4. Alignment of driveways with opposing streets is discouraged for signalized intersections unless approved by the City Engineer. When such design is approved, the driveway approach must be constructed without an apron, and the maximum driveway widths in Figure 8.3-1 may be increased to match the cross-section of the opposing street.

8.3.2. Internal Circulation Standards

A. Internal vehicular circulation patterns must provide clear and direct paths to principal customer entrances, outlying pad sites, and parking areas.

B. Major Drive Aisles

1. A major drive aisle is a primary circulation route for vehicular traffic through a development that provides access to two or more lots, two or more principal buildings, or through a relatively large lot or tract of land with multiple buildings, including any drive aisle providing direct access from a public right-of-way into a development. Major drive aisles must be designed as internal streets that accommodate vehicles while also providing safe, convenient, and direct pedestrian circulation through the site.

2. Major drive aisles may include parallel parking spaces, provided such spaces are designed so as not to obstruct the required drive aisle, sidewalks, pedestrian crossings, fire access, or safe vehicular and pedestrian circulation.

3. Major drive aisles must:

a. Provide a 6-foot-wide sidewalk along both sides;

b. Create blocks no greater than 800 linear feet in length without an intersection with another major drive aisle;

c. Be owned and maintained by the property owner or a property owner's association;

d. Be included in a joint access easement or Unified Development Agreement when traversing more than one lot; and

e. Be subject to the parking lot design and screening standards identified in Subchapter 9. Landscaping and Screening.

C. Internal intersections of drive aisles must have adequate sightlines and traffic control devices to minimize potential accidents.

D. Entry driveways equipped with controlled access gates must provide a minimum of 50 feet of storage space, measured from the gate to the property line.

E. All semicircular drop-off drives must be designed to operate in one direction only.

F. The minimum width for an internal drive or circulation aisle without parking must be 20 feet for two-way traffic and 10 feet for one-way traffic. Additional width, up to 26 feet for two-way traffic and fifteen 15 feet for one-way traffic, may be required where traffic volumes are heavy or where obstructions or circuitous alignment necessitate a wider drive for turning movements. Fire Department access requirements must also be met.

G. Internal access drives must be aligned or offset by a minimum of 60 feet, measured centerline to centerline.

8.3.3. Driveway Connections to Adjacent Development

A. Driveway connections to adjacent development must be provided. All such connections must be constructed and either stubbed to the property line or connected to an existing stub.

B. Joint access easements must be provided to ensure outparcels or adjacent developments have adequate access.

C. The requirement for a driveway connection may be waived by the Planning and Development Services Director when one or more of the following constraints are present:

1. Topographic constraints;

2. Environmental constraints;

3. Site constraints; and/or

4. Adjacent uses are incompatible for the purposes of shared or interconnected access.

8.4. Pedestrian Mobility

8.4.1. Sidewalks

A. Design and Location Standards

1. Sidewalks must extend the entire length of the development's frontage on a public street and must be constructed in accordance with the City's Engineering Design Manual and standard specifications.

2. Sidewalks along TxDOT roadways require approval by TxDOT. No person, firm, or corporation may construct, reconstruct, alter, repair, remove, or replace any sidewalk or perform any concrete work within TxDOT right-of-way within the City without first obtaining approval from TxDOT. Approval from TxDOT must be provided on the cover sheet of a site plan proposing sidewalks within TxDOT right-of-way.

3. All public and private sidewalks serving residential and nonresidential development must adhere to the minimum width as defined in the City's Mobility Master Plan and standard specifications.

B. Connectivity and Access Requirements

1. Sidewalks must connect to existing adjacent sidewalks, or be designed to allow connection to future adjacent sidewalks. Required sidewalks must connect to parking areas within the site and to primary entrances of each commercial building, including outparcels. Required connections may include driveway aisle crosswalks but must not span distances greater than 50 feet without a pedestrian refuge.

2. Pedestrian connections established as part of a subdivision pass-through lot must be designed and constructed with no obstruction preventing an adjacent property from connecting to and continuing through the lot. Pedestrian access must not be impeded by way of a gate, fence, wall, landscaping, building, or any other feature that would prevent a pedestrian from passing through.

3. Pedestrian walkways, with a minimum width of 6 feet, must connect primary building entrances to all associated outdoor amenities, such as courtyards and other outdoor gathering places.

4. Sidewalks must be installed to provide residential areas with direct access to neighborhood facilities, including schools, parks and playgrounds, churches, and shopping centers.

5. Sidewalks must be provided from the required frontage sidewalk to the main entrance of each building or to a sidewalk leading to the main entrance.

6. Sidewalks within commercial developments must connect all principal buildings on the site and provide a direct pedestrian route to adjacent developments. Where such properties are undeveloped, sidewalks must extend to the property line to facilitate future pedestrian connections.

C. Construction, Timing, and Administration

1. All required sidewalks must be constructed prior to issuance of a Certificate of Occupancy (CO).

2. A fee in-lieu of constructing a public sidewalk, equivalent to the cost of construction, may be approved by the City Engineer if a Capital Improvement Project (CIP) including sidewalk construction along the adjacent roadway is scheduled for completion within three years from the date of permit issuance. Public sidewalks must be located within the right-of-way, unless the Administrator determines such placement is not safe. Where sidewalks are not located within the right-of-way, they must be located on private property within a sidewalk easement.

3. Sidewalks of differing widths between residential subdivisions and adjacent nonresidential parcels must be transitioned over a length of sidewalk using two expansion joints not less than 6 feet apart, in accordance with the most current version of the Texas Accessibility Standards.

8.4.2. Hike and Bike Trails

A. Design and Location Standards

1. The City requires the provision of pedestrian and bicycle facilities at the locations shown on the Mobility Master Plan, unless the Parks and Recreation Director determines that such facilities are not necessary.

2. Trails along drainage channels may be located within the 25-year or 100-year floodplain.

3. Trails may be located adjacent to streets, provided the trail is accommodated within the right-of-way required by the Mobility Master Plan. Where the right-of-way required by the Mobility Master Plan does not accommodate the trail, the required right-of-way must be widened by 10 feet to accommodate the trail.

4. Trails must be designed to provide distinct areas for walking and bicycling separate from and in addition to traditional sidewalks, as required by the Planning and Development Services Director. Trails must be designed and constructed using either 10-foot-wide concrete or brick multi-modal surfaces, as appropriate for the location, as determined by the Planning and Development Services Director and Parks & Recreation Director.

B. Connectivity and Access Requirements

1. Trails, depending on location, may require a public access easement and/or drainage easement.
2. Trails located neither adjacent to a street nor along a drainage channel must have a right-of-way or access easement 20 feet in width. Such easement must not exceed 300 feet in length, as measured from the public street or right-of-way to public parkland, unless otherwise expressly approved by the City.
3. Residential blocks greater than 1,000 feet in length must include a hike and bike trail connection at mid-block, consisting of a minimum 10-foot-wide trail located on a privately maintained lot with a minimum width of 20 feet.
4. Trails identified in the Mobility Master Plan must be designed and constructed to continue through the development and connect to adjacent tracts, rights-of-way, or planned trail segments, as applicable. No gate, fence, wall, landscaping, building, or similar obstruction may be placed or maintained in a manner that blocks, restricts, or impedes the required trail connection or continuation.

C. Trail Frontage and Orientation

1. Orientation to Trails
   a. When adjacent to a trail as identified in the Mobility Master Plan, development should be oriented to provide frontage along trails where feasible.
   b. Lots adjacent to trails should be configured to avoid rear lot conditions backing onto the trail, except where site constraints such as drainage features, topography, or lot configuration make this infeasible, as determined by the Planning and Development Services Director.
2. Building Design Along Trails
   a. Buildings adjacent to trails should incorporate windows, entrances, porches, pedestrian spaces, outdoor seating or similar features oriented toward the trail.
   b. Blank walls exceeding 25 feet in length are not permitted along trail frontages.
3. Fencing Along Trails
   a. Fences adjacent to trails must be constructed of open-style materials, such as wrought iron or tubular steel.
   b. Solid fencing may be permitted where necessary for safety, buffering, or screening, as determined by the Planning and Development Services Director.
4. Access to Trails

   Development adjacent to or including a trail should provide direct pedestrian connections from buildings, streets, or common open space areas to the trail, where feasible.
5. Subdivision Design

   Subdivisions that include or abut a trail should incorporate lots that front the trail or provide common open space oriented toward the trail, rather than locating rear lot lines along the trail corridor.
6. Administrative Flexibility and Incentives

   To encourage development that is oriented toward and activated by trails, the Planning and Development Services Director may approve adjustments to lot layout, setbacks, or open space configuration, provided the overall intent of this subsection is met and the development results in improved visibility, access, and integration with the trail system.

8.5. Off-Street Parking Requirements

8.5.1. Parking Requirements

A. General Requirements

The following requirements for off-street parking must be met:

1. Existing off-street parking spaces may not be reduced below the requirements of this section without approval of an alternative parking plan by the Planning and Development Services Director.
2. All required off-street parking spaces must be located on the same lot as the principal use, unless otherwise expressly stated.
3. Any change in use that increases off-street parking requirements must provide the required parking spaces or obtain approval from the Planning and Development Services Director.
4. Required off-street parking facilities must not be discontinued, reduced, or dispensed unless the associated building, use, or structure is discontinued, or alternative off-street parking facilities are approved by the Planning and Development Services Director.
5. Required off-street parking facilities must not be used for the commercial sale, repair, dismantling, servicing, storage or display of vehicles, equipment, materials, supplies, or merchandise.
6. All off-street parking spaces must be designed with adequate vehicular maneuvering area to permit full and direct ingress and egress. Such maneuvering areas must be located entirely on private property.
7. All off-street parking areas must be graded and drained to dispose of surface water and must be arranged and marked to provide for orderly and safe loading, unloading, parking, and storage of vehicles in accordance with applicable stormwater, detention and water quality requirements.

B. Exemptions

Temporary uses listed in Subchapter 5. Land Uses are exempt from this Section unless otherwise expressly provided herein.

C. Required Off-Street Parking

Figure 8.5-1. Minimum Off-Street Parking Requirements

Use	Required Off-Street Parking
Residential Uses	
Household Living Building Types	
Duplex	2 spaces per dwelling unit
Live-Work Unit	2 spaces per dwelling unit
Manufactured Home	2 spaces per dwelling unit
Multi-Family, Neighborhood Scale	1.5 spaces per 1 bedroom unit 2 spaces per 2 bedroom unit 2 spaces per 3+ bedroom unit plus guest parking at a ratio of 10% of the required spaces
Multi-Family, Suburban	1.5 spaces per 1 bedroom unit 2 spaces per 2 bedroom unit 2 spaces per 3+ bedroom unit plus guest parking at a ratio of 10% of the required spaces
Multi-Family, Urban	1.5 space per 1 bedroom unit 2 spaces per 2 bedroom unit 2 spaces per 3+ bedroom unit

Use	Required Off-Street Parking
	plus guest parking at a ratio of 10% of the required spaces
Single-Family Detached	2 spaces per dwelling unit
Townhouse	2 spaces per dwelling unit
Triplex and Quadplex	1.75 spaces per dwelling unit
Residential Care Facilities	
Assisted Living	0.5 per bed plus 1 space for every 2 employees
Group Home	1 space per bedroom
Nursing Home/Skilled Nursing	0.5 per bed plus 1 space for every 2 employees
Retirement Living Village	1 space per dwelling unit plus guest parking at a ratio of 5% of the required spaces
Communal Living	
Residential Group Living	1 space per bedroom
Transitional Housing	0.5 spaces per bed plus 1 space for every 2 employees
Community and Institutional Uses	
Education and Child Care	
College, University, Trade School, or Private Boarding School	1 space per every faculty and staff plus 1 space per every 5 residents and 1 space per every commuter student
Day Care, Home-Based	2 spaces per home
Day Care Facility	1 space per 6 students plus 1 space per employee
School, Private or Parochial	Elementary School - 1.5 spaces per classroom Middle School - 2 spaces per classroom High School - 1.5 spaces for each staff member plus 1 space for each 3 students enrolled in 11th and 12th grades
School, Public	Elementary School - 1.5 spaces per classroom Middle School - 2 spaces per classroom High School - 1.5 spaces for each staff member plus 1 space for each 3 students enrolled in 11th and 12th grades
Civic and Government Services	
Civic Center	1 space per 4 seats or 1 space per 100 SF, based on maximum design capacity whichever is less
Emergency Shelter	1 space per 4 beds plus 1 space for every employee
Government Facilities	1 space per 250 SF plus 1 space per fleet vehicle
Microwave and Satellite Receiving Station, Commercial	To be determined by Planning and Development Services Director
Utilities	To be determined by Planning and Development Services Director
Wireless Telecommunication Facility (WTF)	To be determined by Planning and Development Services Director
Cultural and Community Facilities	
Cemetery/Mausoleum	1 space per 150 internment plots plus 1 space per 350 SF
Community Garden, Private	N/A
Convention Center	1 space per 4 seats or 1 space per 100 SF GFA, based on maximum design capacity whichever is less.
Cultural Institution	1 space per 300 SF
Park	To be determined by Planning and Development Services Director
Place of Worship	1 per 100 SF of sanctuary, classrooms, flexible seating areas
Commercial Uses	
Retail Sales and Service	

Use	Required Off-Street Parking
Auction Sales	1 space per 200 SF
Bar/Tavern	1 space per 75 SF
Body Art Studio	1 space per 200 SF
Brewpub or Wine Bar	1 space per 100 SF
Catering Establishment	1 space per 400 SF
Commissary	1 space per 400 SF
Laundromat	1 space per 300 SF
Liquor Store	1 space per 250 SF
Lounge	1 space per 100 SF
Mobile Food Park	2 spaces per mobile food vendor
Pawn Shop	1 space per 250 SF
Personal Services	1 space per 200 SF
Portable Building Sales	1 space per 500 SF of sales and service building
Restaurant	Restaurant, Dine-In: 1 space per 100 SF of GFA, excluding outdoor dining areas Restaurant, Drive-Thru: 1 space per 150 SF of GFA, excluding outdoor dining areas Restaurant Drive-Thru Only: 1 space per 300 SF of GFA Restaurant, Limited Seating or Grab-and-Go: 1 space per 250 SF of GFA Restaurant, Online Order Pickup: 1 space per 300 SF of GFA
Retail Sales and Services	1 space per 250 SF of first 20,000 SF plus 1 space per 500 SF for SF between 20,000 SF to 50,000 SF
Retail Sales and Services - Single tenant over 50,000 SF	1 space per 225 SF of net retail floor area
Office and Professional Services	
Business Services	1 space per 250 SF
Call Center	1 space per 400 SF
Financial Institution	1 space per 300 SF
Financial Services Institution, Alternative	1 space per 300 SF
Hospital	1 space per 4 beds
Medical Clinic or Office	1 space per 300 SF
Office, Administrative or Professional	1 space per 250 SF
Office/Showroom	1 space per 300 SF office + 1 space per 1,000 SF showroom
Office/Warehouse	1 space per 300 SF office + 1 space per 1,000 SF warehouse
Entertainment and Assembly	
Athletic Facilities	1 space for every 4 seats (with seats) 1 space for every 100 sf (without seats)
Commercial Recreation and Entertainment, Indoor	1 space per 250 SF plus 1 space per 500 SF up to 50,000 SF plus 1 space per 1,000 SF over 50,000 SF
Commercial Recreation and Entertainment, Outdoor	1 space per 250 SF structural area plus 1 space per 2 seats
Event Center	1 space per 100 SF used for assembly or dancing
Golf Course	4 space per hole plus 1.5 space per accessory structure
Golf Driving Range	0.5 space per tee

Use	Required Off-Street Parking
Outdoor Amphitheater, Private	To be determined by Planning and Development Services Director
Reception Hall	1 space per 100 SF used for assembly or dancing
Theater	1 space per 3 seats
Commercial Services and Trades	
Animal Establishment, Commercial	1 space per 300 SF of office
Bail Bond Business	1 space per 250 SF
Bed and Breakfast	1 space per bedroom
Campground or Recreational Vehicle Park, Private	To be determined by Planning and Development Services Director
Contractor's Shop	1 space per 500 SF
Crematorium	1 space per 500 SF
Dry Cleaning, Major	1 space per 250 SF
Dry Cleaning, Minor	1 space per 250 SF
Equipment and Machinery Sales, Rental, and Repair, Major	1 space per 2000 SF
Equipment and Machinery Sales, Rental, and Repair, Minor	1 space per 500 SF
Food Processing Establishment, Major	To be determined by Planning and Development Services Director
Food Processing Establishment, Minor	To be determined by Planning and Development Services Director
Funeral Home/Mortuary	1 space per 150 internment plots plus 1 space per 500 SF of indoor space
Health/Fitness Center	1 space per 200 SF
Hotel	1 space per bedroom plus 1.5 spaces per 2 employees
Household Appliance Service and Repair	1 space per 250 SF
Machine Shop	To be determined by Planning and Development Services Director
Mini-Warehouse/Public Storage	1 space per 250 SF of office space
Print Shop, Major	1 per 400 SF
Print Shop, Minor	1 per 400 SF
Research and Development Center	To be determined by Planning and Development Services Director
Sexually Oriented Business	1 space per 200 SF
Small Engine Repair Shop	1 space per 400 SF
Industrial and Logistics	
Brewery/Distillery/Winery, Craft	1 space per 100 SF of designated seating area/entertainment + 4 additional spaces
Brewery/Distillery/Winery, Production	1 space per 100 SF of designated seating area/entertainment + 4 additional spaces
Data Center	1 space per 300 SF of employee office, administrative and support areas
Distribution/Logistics Center	1 per 1,000 SF
Energy Production and Storage Facility	To be determined by Planning and Development Services Director
Extractive Uses	To be determined by Planning and Development Services Director
Industrial Use, Heavy	To be determined by Planning and Development Services Director
Industrial Use, Light	To be determined by Planning and Development Services Director
Landfill	To be determined by Planning and Development Services Director

Use	Required Off-Street Parking
Open Storage	1 space per 2,000 SF
Recycling Center	To be determined by Planning and Development Services Director
Recycling Plant	To be determined by Planning and Development Services Director
Transportation and Automotive Uses	
Vehicle Sales and Rental	
Automobile Sales and Rental	1 space per 500 SF indoor facility plus 1 space per 1,000 SF outdoor lot area
Recreational Vehicular Sales and Rental	1 space per 500 SF indoor facility plus 1 space per 2,000 SF outdoor lot area
Truck Sales, Heavy Trucks	1 space per 500 SF indoor facility plus 1 space per 2,000 SF outdoor lot area
Truck/Trailer Rental	1 space per 500 SF indoor facility plus 1 space per 2,000 SF outdoor lot area
Vehicle Fueling, Repair, and Service	
Automotive Body Repair Shop	5 spaces per service bay
Automotive Parts Sales, Indoor	1 space per 300 SF
Automotive Repair and Service	5 spaces per service bay
Car Wash	Self service: 2 spaces per facility Full service: 1 space per 150 SF
Fueling Station	1 space per 400 SF
Salvage Yard	To be determined by Planning and Development Services Director
Truck/Bus/Recreational Vehicle Repair	6 spaces per service bay
Wrecker/Towing Services	To be determined by the Planning and Development Services Director
Parking and Mobility Facilities	
Automotive Parking Structure, Commercial	To be determined by Planning and Development Services Director
Automotive Parking Surface Lot, Commercial	To be determined by Planning and Development Services Director
Transit Facility (Park & Ride)	1 per 300 SF of office; 1 per 400 SF of terminal area + additional spaces as determined by the Planning and Development Services Director
Truck Terminal	To be determined by Planning and Development Services Director
Agricultural and Related Uses	
Agricultural Use	N/A
Nursery, Indoor/Outdoor Sales	1 space per 250 SF of office space 1 space per 750 SF outdoor sales, service and display 1 space per 500 SF indoor sales, service and display
Stable, Commercial	To be determined by Planning and Development Services Director
Accessory and Temporary Uses	
Accessory Commercial Unit	N/A
Accessory Dwelling Unit	N/A
Amenity Center	1 space per 300 SF
Day Care Facility, Incidental	N/A
Drive-In/Drive-Thru	N/A
Drone Staging Area	N/A
Farmer's Market	N/A
Home Occupation	N/A
Outdoor Display and Sales	N/A

Use	Required Off-Street Parking
Outdoor Storage	N/A
Seasonal Products, Sales	N/A
Small Wind Energy Systems	Refer to underlying dwelling type

8.5.2. Calculation of Parking Requirements

A. General Requirements

1. Where fractional spaces result, the required parking spaces must be rounded up to the next whole number.

2. In computing parking requirements for any lot, building or development, the total required parking must be the sum of the parking requirements for each use included in the building or development, unless modified as part of an approved Planned Unit Development (PUD) or Alternative Parking Plan.

B. Area Measurements

Unless otherwise expressly stated, all square-footage-based parking and loading standards must be calculated on the basis of Gross Floor Area (GFA), which for purposes of computing off-street parking requirements, means the Gross Floor Area of the building measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. The following areas are included in GFA:

1. The area of each floor of the structure; and

2. All attic space used for an active commercial use, unless otherwise determined by the Planning and Development Services Director.

C. Occupancy-Based Standards

For the purpose of calculating parking requirements based on employees, students, residents or occupants, calculations must be based on whichever of the following is applicable and results in the greater number of spaces:

1. The largest number of persons working on any single shift;

2. The maximum enrollment; or

3. The maximum fire-rated capacity.

D. Unlisted Uses

Upon receiving a site development permit application for a use not specifically listed in Figure 8.5-1. Minimum Off-Street Parking Requirements, the Planning and Development Services Director must apply the off-street parking standard for the listed use deemed most similar to the proposed use or require a parking study to establish an alternative parking plan.

E. Ratios Determined by the Planning and Development Services Director

The Planning and Development Services Director must determine the minimum parking requirement for such use. In making this determination, the Director must consider the requirements applicable to similar uses, the location and characteristics of the use, and appropriate traffic engineering and planning data.

8.5.3. Maximum Parking Allowance

A. The total number of parking spaces must not exceed 125 percent of the minimum required by Figure 8.5-1, unless a parking demand study is submitted and approved by the Administrator.

B. Notwithstanding landscaping requirements set forth in Subchapter 9. Landscaping and Screening, if parking in excess of 110 percent of the spaces required by Figure 8.5-1 is provided, landscaping area equivalent to 25 percent of the parcel's impervious cover must be provided unless an alternative landscaping plan is approved as prescribed in Subchapter 9. Landscaping and Screening.

8.5.4. Reduced Parking Provisions

A. General Requirements

1. In specific instances established below, a reduction in required off-street parking for commercial, multi-family and mixed-use developments may be approved by the Planning and Development Services Director upon submittal of an alternative parking plan by the applicant or developer.
2. Multiple off-street parking adjustments and reductions may be applied.
3. The maximum required off-street parking reduction must not exceed 40 percent, unless specifically authorized by the Planning and Development Services Director.

B. Shared Parking

Efficient use of land and resources by allowing users to share off-street parking facilities is encouraged whenever feasible. Developments or uses with different operating hours or peak business periods may share off-street parking spaces and may qualify for a reduction in the total number of required parking spaces if approved by the Administrator based on the following standards:

1. Shared parking spaces must be located within 800 feet of the primary entrances of all uses served. Adequate, safe, and well-lit pedestrian access must be provided between the shared parking area and the primary entrances of the uses served. The distance between the shared parking area and the served uses must be measured by the shortest accessible pedestrian route to an accessible entrance.
2. Shared parking spaces serving uses located in nonresidential districts must be located in a district that is at least as restrictive as the more restrictive of the uses utilizing the shared parking spaces. Shared parking spaces serving uses in residential districts may be located in residential or nonresidential districts.
3. Applicants proposing shared parking to satisfy off-street parking requirements must submit a shared parking study to the Administrator that clearly demonstrates the feasibility of shared parking and justifies any proposed reduction in required parking spaces. The study must address, at a minimum, the size and type of the proposed development, the composition of tenants, the anticipated rate of parking turnover and the anticipated peak parking and traffic loads by hour of the day for all uses sharing off-street parking spaces. Accessible spaces required by ADA must be calculated for each individual use and must not be shared. Based on the submitted study, the Administrator may approve a reduction in the cumulative parking requirement where it is demonstrated that peak parking demands for the participating uses do not occur simultaneously.
4. A shared parking plan must be documented by a written agreement among all owners of record. The agreement must ensure the continued availability of the shared parking spaces, must be properly drawn and executed by the parties, approved as to form by the City Attorney, filed with Williamson and/or Travis County, and submitted to the Administrator prior to issuance of a site development permit for any use served by the shared parking area.
5. Failing to comply with the shared parking provisions of this Subchapter constitutes a violation of this UDC and is subject to penalties as described in Subchapter 1. General Provisions.

C. Design-Based Parking Reductions

1. See Section 7.5.2.A.2.e for off-street parking reductions available to multi-family and mixed-use developments that incorporate street-fronting buildings that meet specified design criteria.
2. See Section 7.6.2.D.3 for off-street parking reductions available to nonresidential developments meeting specified surface parking design criteria.
3. See Section 7.8.3 for off-street parking reductions available to developments that provide structured parking and meet applicable optional design criteria.

D. On-Street and Parallel Parking Credits

1. Urban Street Parallel Parking

   For commercial or mixed-use developments that include parallel parking spaces as part of an approved public or private urban street cross-section consistent with the Mobility Master Plan, such parking spaces may be counted toward the off-street parking requirements for applicable lots, at the discretion of the Planning and Development Services Director.

2. Downtown District Overlay On-Street Parking

   For commercial or mixed-use developments within the Downtown District Overlay, each parking space located in the public right-of-way abutting the lot may be counted toward off-street parking requirements, at the discretion of the Planning and Development Services Director.

8.5.5. Alternative Parking Plans

A. An alternative parking plan may be approved by the Administrator for specific unlisted developments or uses that the Administrator determines require a different amount of parking than the standards shown in Figure 8.5-1. The Administrator must ensure that adequate on-site parking is provided when approving an alternative parking plan.

1. Parking Study Option

   Parking studies may be required for unlisted uses or when a reduction in parking requirements is requested. Applicants for uses listed in Figure 8.5-1 may choose to submit a parking study to determine appropriate parking requirements. This option is intended to allow development to meet vehicle parking and transportation access needs by means other than providing parking spaces on-site in accordance with the ratios in Figure 8.5-1.

2. Parking Study Required

   Applicants proposing to develop or expand an unlisted use, or requesting a reduction in parking requirements, may submit a parking study or other documentation to justify the number of off-street parking spaces proposed. A parking study may include estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE), or other acceptable methods approved by the Administrator. Where possible, the study must include reliable data from uses or combinations of uses that are the same as or comparable to the proposed use. Comparability must be based on density, scale, bulk, area, type of activity, and location. The study must document the source of all data used to develop the recommendations.

3. Eligible Alternatives

   Alternative parking and access strategies, including off-site parking and shared parking, may be considered. The Administrator may approve alternatives to providing all required off-street parking spaces on-site. An alternative parking plan must demonstrate that the proposed approach will benefit surrounding neighborhoods and improve City-wide traffic circulation or urban design compared to strict compliance with this UDC. Alternative parking proposals must be prepared by a registered professional engineer or other qualified individual with experience in parking facility design. The Administrator may require documentation of such qualifications.

B. Review by Administrator

The Administrator must review a parking study and any other traffic engineering and planning data relevant to establishing an appropriate off-street parking standard for an unlisted use or proposed alternative parking standard. After reviewing the parking study, the Administrator must establish a minimum off-street parking standard for the proposed use.

8.5.6. Off-Site Parking

Off-site parking spaces may be located on a separate lot from the lot on which the principal use is located, in accordance with the following standards:

A. Off-site parking may not be used to satisfy off-street parking standards for residential uses, restaurants, convenience stores, or other convenience-oriented uses.

B. Required parking spaces reserved for persons with disabilities must not be located off-site.

C. Off-site parking must be located within 1,000 feet of the primary entrance of the use served.

D. Off-site parking spaces may not be separated from the use that they serve by a street right-of- way with a width greater than 80 feet, unless an adequate pedestrian path is provided, as approved by the Administrator.

E. Off-site parking areas serving uses located in nonresidential zoning districts must be located in a zoning district that is equivalent to or less restrictive than the site requesting off-site parking.

F. Where required parking spaces are not located on the same property as the activity or establishment, or where such spaces are collectively or jointly provided and used, a written agreement ensuring their continued availability for such purposes must be properly drawn and executed by the parties concerned, approved as to form by the City Attorney, filed with Williamson and/or Travis County, and submitted with the application for site plan approval.

8.5.7. Timing of Installation

Required parking spaces and drives must be approved by the Building Official and be ready for use before the issuance of a Certificate of Occupancy.

8.5.8. Parking Space and Parking Lot Design

A. Parking Space Dimensions

1. Accessibility

Parking spaces designated as handicapped must comply with the design and location requirements of the American National Standards Institute (A117.1) and the Texas Accessibility Standards administered by the Texas Department of Licensing and Regulation.

2. Dimensions

a. All parking areas and spaces must be provided with wheel stops for each individual parking space, or wheel stop curbing designed to prevent parked vehicles from extending beyond the property lines, damaging adjacent landscaping, walls, or buildings, or overhanging sidewalk areas.

b. Each handicapped accessible parking space without a curb stop should be provided with a parking barrier. Barriers should not block access aisles between handicapped accessible spaces. If a parking space is located adjacent to a sidewalk, a wheel stop for each individual parking space is required in addition to any raised curb provided.

c. Minimum parking dimensions must be consistent with the dimensions indicated in Figure 8.5-2.

Figure 8.5-2. Parking Dimensions

Angle (degrees)	Width (ft)	Length (ft)	Adjacent Aisle Width (ft)		
			One-Way	Two-Way	Fire Lane
90	9	19	n/a	24	26'
75	8.5	19.5	25	24	26'
60	8.5	17	18	24	26'
45	8	16	15	22	26'
Parallel	8	25	15	20	26'

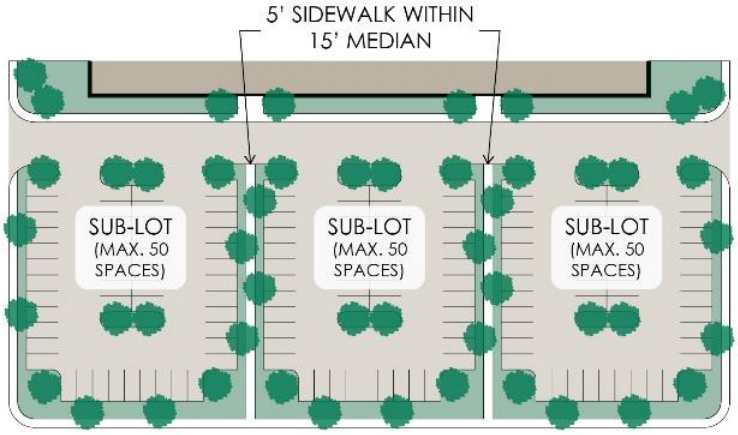
B. Parking Lot Setback

1. See Subchapter 4 for streetscape yard setback requirements.
2. Parking lots located within 20 feet of a public right-of-way must be limited to a maximum of 7 contiguous spaces, separated by a landscape island with a minimum dimension of 18 feet by 19 feet (the area of two parking stalls).

C. Parking Sub-Lots

1. Parking lots with more than 50 parking spaces must be visually and functionally segmented into smaller sub-lots by landscaped areas. Each sub-lot may contain a maximum of 50 parking spaces. See Figure 8.5-3.
    a. Exception: A sub-lot may contain up to 100 parking spaces if the site provides an additional 20 percent of landscape area required by Subchapter 9. Landscaping and Screening.
2. For every parking sub-lot, a landscaped median/divider at least 15 feet wide must be installed to break up the sub-lots. These medians must contain pedestrian accessways consisting of a 5-foot-wide sidewalk to offer safe, marked routes between parking spaces and building entries.

Figure 8.5-3. Parking Sub-Lots Illustration



D. Parking Lot Placement

1. Large surface parking lots must be designed to minimize visual impacts from public streets through building placement, landscaping, or internalization of parking lots.
2. Parking should be located to the side or rear of buildings where feasible.

E. Drive Aisle Widths

1. Drive aisle widths adjoining off-street parking spaces must comply with the standards in Figure 8.5-2.
2. For aisles without parking spaces, aisle widths may be reduced to 20 feet for two-way traffic and 10 feet for one-way traffic, unless otherwise required by the Fire Code.

F. Parking Lot Landscaping

Landscaping must be included within surface parking lots in accordance with Subchapter 9. Landscaping and Screening.

G. Parking Lot Striping

All striping for parking stalls must be a minimum of four inches (4") in width and consist of white safety traffic paint designated for such use. All other markings required to designate crosswalks, directional arrows, fire lanes, ADA accessible spaces, or service areas must comply with the most current version of the Manual of Uniform Traffic Control Devices (MUTCD) and/or the International Fire Code.

8.5.9. Structured Parking Standards

A. Standards

1. Primary vehicular access to parking structures should consider the location of pedestrian routes and avoid using major pedestrian thoroughfares as primary points of access.
2. Pedestrian routes within parking structures and lots must be easily identifiable and accessible.
3. Clear visual connections between a parking structure or surface parking lot and adjacent sidewalks and buildings are encouraged.
4. Interior and exterior lighting must be designed for safety and nighttime appearance in accordance with Subchapter 11. Exterior Lighting.
5. Dimensions for parking within a parking structure are provided in Figure 8.5-4.

Figure 8.5-4. Structured Parking Criteria

Angle of Parking (degrees)	Width of Stall	Depth of Stall 90° to Aisle	Width of Aisle		Width of Stall Parallel to Aisle	Module Width	
			One Way	Two Way		One Way	Two Way
30	8'6"	15'6"	11'	—	17'	42'	—
30	9'	15'6"	10'	—	18'	41'	—
45	8'6"	16'6"	13'	—	12'	46'	—
45	9'	16'6"	12'	—	12'9"	45'	—
60	8'6"	18'	14'6"	—	9'10"	50'6"	—
60	9'	18'	13'	—	10'5"	49'	—
75	8'6"	18'	18'	—	8'10"	54'	—
75	9'	18'	17'	—	9'4"	53'	—
90	8'6"	17'	—	24'	8'6"	—	58'
90	9'	17'	—	23'	9'	—	57'

8.5.10. Surfacing

A. All off-street parking areas must be surfaced with asphalt, Portland cement concrete, or another City Engineer-approved surface material, consistent with the Engineering Design Manual. This requirement does not apply to parking areas used only in association with a temporary use approved under this UDC.

B. Off-street parking areas must be installed, maintained, graded, and drained to dispose of surface water accumulated within the area. Parking spaces must be arranged and marked, and paved areas must be provided to ensure orderly and safe parking.

C. Single-Family Detached and Duplex uses are not required to stripe parking spaces serving these uses.

8.5.11. Driveways for Dwellings

A. Each Single-Family Detached or Duplex dwelling unit must provide a driveway serving a garage that includes a sheltered, enclosed garage area with a minimum clear interior dimension of 20 feet by 20 feet and capable of accommodating two vehicles side by side.

B. Tandem parking is prohibited from satisfying required parking spaces. Refer to Section 5.3. Accessory Uses and Structures, for additional requirements.

8.6. Bicycle Parking Facility Requirements

Bicycle parking facilities must be provided for each land use as follows in Figure 8.6-1. Minimum Bicycle Parking Spaces by Use Type.

Figure 8.6-1. Minimum Bicycle Parking Spaces by Use Type

Use	Minimum Number of Bicycle Parking Spaces
Retail Sales	1 per 10 required vehicular spaces
Food and Beverage Sales	1 per 20 required vehicular spaces
Civic and Cultural Facilities	1 per 10 required vehicular spaces
Business, Professional and Technical Services and Financial and Real Estate Services	1 per 15 required vehicular spaces
Lodging Facilities	1 per 20 guest rooms
Other Commercial Uses Not Listed Above	1 per 20 required vehicular spaces (0 for Agricultural Uses and Animal Production and Ranching if fewer than 20 spaces)
Park	5, plus 5 per acre of land
Educational Service Establishments (Public and Private)	K-12: 1 per 50 employees and 1 per 25 students (grades 6-12) Colleges or Universities: 1 per 40 employees and 1 per 15 students at planned capacity
Industrial Uses	1 per 20 required vehicular spaces
Residential Uses with Four (4) or More Units	*1 per 10 dwelling units
Note: * At least fifty percent (50%) of the bicycle parking facilities required for residential uses must be provided as long-term, secure bicycle parking (e.g., bicycle lockers, bicycle rooms, bicycle cages or other enclosed, covered, or access-controlled areas).	

8.6.1. Minimum Requirements

A. Bicycle parking facilities must be designed to accommodate at least the minimum number of bicycles identified in Figure 8.6-1. Minimum Bicycle Parking Spaces by Use Type.

B. Bicycle parking facilities must be constructed to enable the user to secure a bicycle by locking the frame and one wheel of each bicycle. Such facilities must consist of racks or lockers anchored in concrete or anchored to a building or structure to prevent movement or theft. Bicycle parking facilities must be at least 36 inches in height, easily usable for both U-locks and cable locks and support the bicycle frame at two points.

C. The location of bicycle parking facilities must be shown on the site plan along with the design details of the proposed bicycle parking facility.

8.6.2. Location Requirements

A. All required bicycle parking facilities must be placed according to the following criteria:

1. On the ground floor of the building or facility associated with the use, unless site factors, access, or licensing restrictions prohibit locating bicycle parking facilities on the ground floor;

2. In clearly designated, safe, well-lit, and convenient locations that maximize visibility to users and the public, so that no tenant entrance is greater than 100 feet from a bicycle parking facility. If a facility has multiple entrances, the required bicycle parking facilities may be spread out among the multiple entrances; and

3. Separated from motor vehicle parking in order to protect both bicycles and vehicles from accidental damage.

B. Bicycle parking facilities must be accessible without climbing more than one step or going up or down a slope in excess of 12 percent .

8.6.3. Alternative Compliance for Vehicular Parking Substitutions

A. The Planning and Development Services Director may approve, in accordance with Section 3.16. Alternative Compliance, the replacement of up to 10 percent of required vehicle parking spaces outlined in Figure 8.5-1 for commercial, multi-family or mixed-use developments to be substituted with additional bicycle parking facilities where the development has direct, safe and convenient access to trails or bicycle lanes that provide connectivity to surrounding destinations.

B. Such facilities must be provided at a rate of four bicycle parking spaces for each one required vehicle parking space reduced.

8.7. Off-Street Loading Requirements

8.7.1. General

All nonresidential uses exceeding 20,000 square feet in area must provide off-street loading facilities separate from customer parking and pedestrian areas, except as otherwise expressly provided. The location, design, and layout of all required off-street loading spaces must be shown on the site plan.

8.7.2. Design and Layout

A. Location

1. Loading and unloading areas must be located so as not to restrict or interfere with the normal movement of pedestrians and vehicles along streets, sidewalks or in parking areas. Driveway placement must be such that loading and unloading activities do not hinder vehicle ingress or egress.

2. Common or shared loading entrances, service courts, or consolidated loading areas are encouraged between adjacent buildings or developments where feasible, under common ownership, or where site constraints make individual off-street loading areas impractical.

3. At no time may goods be loaded or unloaded from the right-of-way, and no part of any vehicle may extend into the right-of-way while being loaded or unloaded, except where specifically designated or approved for applicable mixed-use developments or developments within the Downtown District Overlay by the Planning and Development Services Director.

B. Dimensions

Off-street loading spaces must be designated and measure no less than 12 feet in width by 20 feet in length. Where the use is expected to involve semi-tractor trailers or other vehicles exceeding 20 feet in length, the off-street loading space must measure no less than 12 feet in width by 55 feet in length, unless otherwise approved by the Planning and Development Services Director.

C. Design

Nonresidential loading facilities must be screened in accordance with Subchapter 9. Landscaping and Screening.

8.8. Queuing Requirements

8.8.1. General

A. The vehicle queuing standards of this Subsection must be met unless the Administrator grants an exception.

B. The Administrator may require additional queuing spaces where trip generation rates indicate that additional spaces are necessary.

8.8.2. Number of Spaces Required

A. Off-street queuing spaces must be provided as follows in Figure 8.8-1. Minimum Queuing Spaces by Activity Type.

Figure 8.8-1. Minimum Queuing Spaces by Activity Type

Activity Type	Queuing Spaces	Measured From
Automobile repair shop	1	Entrance to stall
Automated teller machine	3	Machine
Bank teller lane	4	Teller window
Car wash stall, automated	4	Entrance to wash bay
Car wash stall, self-service	3	Entrance to wash bay
Gasoline pump island	2	Pump island
Online order pickup facility	6	Pick-up window
Parking lot, controlled entrance	4	Key code box
Pharmacy pickup	3	Pharmacy window
Restaurant drive-thru	6	Order box
	4	Order box to pick-up window
Other	Determined by the Administrator	

B. As an alternative to the minimum queuing requirements in Figure 8.8-1, an applicant may submit a queuing analysis or other document demonstrating that a different number of queuing spaces is appropriate based on the specific operational characteristics of the proposed use. The Administrator may approve an alternative queuing requirement upon determining that the proposed number, location, and design of queuing spaces will accommodate anticipated demand and comply with the requirements of this Section.

8.8.3. Design and Layout

Required queuing spaces are subject to the following design and layout standards.

A. Queuing spaces must be at least 8 feet in width and 20 feet in length.

B. Queuing spaces may not occupy any portion of a public right-of-way.

C. Queuing spaces may not impede fire lane(s), on or off-site traffic movements, identified pedestrian routes, or vehicular movements into or out of off-street parking spaces.

D. Queue spaces must be separated from other internal driveways by raised medians for traffic movement and safety if the Administrator determines that such a separation is necessary. Where an escape lane is required, medians must be designed to maintain safe separation while allowing vehicles to exit the queuing lane without creating circulation conflicts.

E. Queue spaces are not interchangeable with parking or loading spaces and must be provided in addition to all required parking and loading spaces.

8.8.4. Escape Lane Required

A. If required in Figure 8.8-2, an escape lane of at least 8 feet in width must be provided to allow vehicles to get out of the queuing lane if necessary.

Figure 8.8-2. Escape Lanes Required by Activity Type

Activity Type	Escape Lane	Additional Details
Automobile repair shop	x	
Automated teller machine	x	
Bank teller lane	✓	One (1) escape lane required
Car wash stall, automated	x	

Activity Type	Escape Lane	Additional Details
Car wash stall, self-service	x	
Gasoline pump island	x	
Online order pickup facility	✓	An escape lane must be provided parallel to the queueing lane, beginning at the start of the queuing lane and continuing to the pick-up window. Such escape lane must provide unobstructed access around the online order pickup facility.
Parking lot, controlled entrance	x	
Pharmacy pickup	✓	One (1) escape lane required
Restaurant drive-thru	✓	An escape lane must be provided parallel to the queueing lane, beginning at the start of the queuing lane and continuing to the pick-up window. Such escape lane must provide unobstructed access around the drive-thru facility.
Other	Determined by the Administrator	

Subchapter 9. Landscaping and Screening

9.1. Purpose

This Subchapter establishes requirements for landscaping elements, buffering and screening to provide for the orderly, safe, attractive and healthful development of land within the community. The regulations in this Subchapter are intended to enhance the community's ecological, environmental, and aesthetic quality and recognize that the use of landscape elements can contribute to air purification, oxygen regeneration, water absorption and purification, and the abatement of noise, glare, and heat. The City experiences frequent periods of drought and recognizes the growing challenge of water supply locally and regionally; therefore, all landscapes must maximize the use of native, drought-tolerant plants to the extent practicable.

9.2. Applicability

9.2.1. General

The provisions of this Subchapter apply to:

A. All property located within the corporate limits of the City of Pflugerville.

B. All residential and nonresidential uses governed by a development agreement when developed within the ETJ.

C. Additions, expansions and redevelopment of property in the following situations:

1. Existing nonresidential or multi-family developments where ground-level additions, expansions, and/or redevelopment are equal to or greater than 25 percent of the existing impervious cover.

2. Existing nonresidential or multi-family developments where cumulative ground-level additions, expansions, and/or redevelopment total 25 percent or more of the existing improvements over a 3-year period.

3. Existing nonresidential or multi-family developments where the amount of parking is increased by 10 percent or more.

4. Existing nonresidential or multi-family developments with lawfully established nonconforming uses, where the use is expanded, discontinued or otherwise changed.

9.3. Minimum Landscape Area

9.3.1. General

A. A minimum percentage of each lot's area must be devoted to landscaping with native trees and shrubs. Areas not planted with trees and shrubs must be designed as landscape beds containing native ornamental grasses, flowering perennials, and ground cover.

B. Natural rock, crushed granite, and wood mulch may be incorporated within the required landscape area, provided such materials are architecturally integrated into landscape beds and are complementary to plantings. Wood mulch is encouraged to support healthy plant growth and retain soil moisture.

C. All required nonresidential and residential landscape planting areas must provide thirty inches of native A and B horizon soil and a minimum of 6 inches of high-quality topsoil. When native soil is not available, clay loam soil may be substituted. Tree planting areas must provide a minimum soil depth of 12 inches and adequate soil volume to support long-term tree health and establishment.

D. The use of turf grass is permitted; however, irrigated turf areas must be limited to the amount and turf grass species identified in Section 9.4.5.

E. Additional plantings may be required to comply with applicable streetscape, buildings, bufferyard, screening, and surface parking landscaping requirements.

9.3.2. Nonresidential Zoning Districts

The required percentage of landscape area and quantity of trees and shrubs for nonresidential zoning districts must comply with the requirements set forth in Figure 9.3-1 and the following:

A. Multi-family developments located within nonresidential or corridor districts must comply with the requirements of Figure 9.3-2.

B. Uses in the Industrial and Logistics sub-category of the Commercial Uses and Conditions use table that are permitted by Specific Use Permit (SUP) must comply with the landscaping requirements of the Campus Industrial (CI) District.

Figure 9.3-1. Nonresidential Landscape Area and Minimum Planting Requirements

Nonresidential Zoning Districts	Percent of Lot Landscaped	Required Trees (2" Caliper) and Shrubs (5-Gallon) in landscape area
Public Facilities (PF) District	N/A	N/A
Parks and Open Space (POS) District	N/A	N/A
Office (O) District	Min. 30%	1 Tree & 4 Shrubs per 300 S.F.
Neighborhood Service (NS) District	Min. 25%	1 Tree & 4 Shrubs per 300 S.F.
Retail (R) District	Min. 20%	1 Tree & 4 Shrubs per 300 S.F.
General Business 1 (GB1) District	Min. 20%	1 Tree & 4 Shrubs per 300 S.F.
General Business 2 (GB2) District	Min. 15%	1 Tree & 4 Shrubs per 500 S.F.
Campus Industrial (CI) District	Min. 15%	1 Tree & 4 Shrubs per 500 S.F.
Light Industrial (LI) District	Min. 15%	1 Tree & 4 Shrubs per 500 S.F.
General Industrial (GI) District	Min. 15%	1 Tree & 4 Shrubs per 800 S.F.
Corridor Level 3: Neighborhood (CL3) District	Min. 20%	1 Tree & 4 Shrubs per 300 S.F.
Corridor Level 4: Urban (CL4) District	Min. 15%*	1 Tree & 4 Shrubs per 300 S.F.
Corridor Level 5: Urban Center (CL5) District	Min. 15%*	1 Tree & 4 Shrubs per 300 S.F.

*For master planned urban developments in the CL4 and CL5 zoning districts, the required landscape percentage and plantings may be achieved by clustered landscaped areas, such as plazas, parks, and other areas of public gathering, within the development that is inclusive of the total requirements for all lots within the development through a Unified Development Agreement. The required landscape plantings may be reduced in order to allow for functional open space provided the streetscape yard, building foundation planting/raised planters, surface parking landscaping, screening and bufferyard requirements are met, at the discretion of the Planning and Development Services Director.

9.3.3. Residential Zoning Districts

The required percentage of landscape area and quantity of trees and shrubs for residential zoning districts must comply with the requirements set forth in Figure 9.3-2 and the following:

A. At least 50 percent of the required trees must be planted within the area between the front façade and the road.

B. Where tree spacing constraints exist, remaining required trees may be planted within common open space areas of the development, subject to approval by the Administrator.

C. In the Agriculture/Development Reserve (A) District, landscaping requirements will apply only within the limits of construction and will not apply to agriculturally exempt appurtenances.

D. Nonresidential uses in a residential district must follow the Neighborhood Service (NS) landscape area and minimum planting requirements as outlined in Figure 9.3-1. Nonresidential Landscape Area and Minimum Planting Requirements.

Figure 9.3-2. Residential Landscape Area and Minimum Planting Requirements

Residential Development Type	Percent of Lot Landscaped	Required Trees (2" Caliper)	Required Shrubs (5-Gallon)
Single Family Detached	Min. 30%	2 trees per non-corner residential dwelling; 4 trees per corner residential dwelling	3 shrubs per 10' foundation facing a street, excluding driveways
Duplex, Townhouse or Live-Work Unit	Min. 25%	1 tree per non-corner residential dwelling; 2 trees per corner residential dwelling	3 shrubs per 10' of foundation facing a street
Neighborhood Scale Multi-Family, Triplex or Quadplex	Min 20%	2 trees per 600 S.F. of landscape area	4 shrubs per 600 S.F. of landscape area
Suburban Multi-Family	Min. 30%	2 trees per 600 S.F. of landscape area	4 shrubs per 600 S.F. of landscape area
Urban Multi-Family*	Min. 15%	1 tree per 600 S.F. of landscape area	8 shrubs per 600 S.F. of landscape area
*For master planned urban developments in the CL4 and CL5 zoning districts, the required landscape percentage and plantings may be achieved by clustered landscaped areas within the development representative of the total requirements for all lots within the development through a Unified Development Agreement. The required landscape plantings may be reduced in order to allow for functional activated open space such as plazas, parks, and other areas of public gathering, provided the streetscape yard, building foundation planting, surface parking landscaping, screening, and bufferyard requirements are met, at the discretion of the Planning and Development Services Director.			

9.4. Planting Criteria

9.4.1. General

A. Landscape areas are designed to enhance visual interest, encourage native landscapes and biodiversity, minimize soil erosion, provide effective buffering and screening, and maximize water conservation.

B. All such landscape areas must comply with the planting criteria of this Section.

C. Tree and plant species must not be classified as invasive, as identified by the Texas Invasives Database, as amended.

D. All tree and plant species must be planted and maintained in accordance with the specifications provided in this Subchapter and the Tree Technical Manual, including but not limited to, the addition of amended soil and organic mulch at the time of planting, and the installation of a bubbler or drip irrigation system as required in this Subchapter.

9.4.2. Plant Selection

A. Plantings must consist of a mix of native, drought-tolerant trees, shrubs, ornamental grasses, flowering perennials and ground cover consistent with adopted City landscaping standards or an approved Central Texas native plant resource, as approved by the Planning and Development Services Director.

B. Plant species must not be classified as invasive, as identified by the Texas Invasives Database, as amended.

C. Plant species must not increase wildfire risk or potential severity of wildfires.

D. When native plant material is not appropriate for the intended use or appearance, the Planning and Development Services Director may consider alternatives meeting the following criteria:

1. Plant species are found within Zone 9 of the United States Department of Agriculture (USDA) Plant Hardiness Zones, as amended, with preference given to species located in Zone 9a;

2. Plant species are located within Zone 9 of the American Horticultural Society Plant Heat-Zone Map, as amended; or

3. Plant species are regionally adapted to heat, cold, and drought conditions, are non-invasive, are naturally fire-resistant, and are not readily susceptible to disease or pests.

E. All new plant material must meet the latest requirements of the most current version of American Standard for Nursery Stock (ANSI Z60.2).

F. All new plant material must be planted and maintained in accordance with the latest edition of the American National Standards Institute requirements for Tree, Shrub, and Other Woody Plant Maintenance (ANSI A300).

9.4.3. Trees

A. Type A, B and C Trees provided in the Recommended Tree List must be a minimum of two-inch (2") caliper at planting.

B. Trees not included on the Recommended Tree List may be considered by the Planning and Development Services Director if the following criteria are met:

1. Tree species are found within Zone 9 of the USDA Plant Hardiness Zones, as amended, with preference given to species located in Zone 9a;

2. Tree species are located within Zone 9 of the American Horticultural Society Plant Heat-Zone Map, as amended; or

3. Tree species are regionally adapted to heat, cold, and drought conditions, are non-invasive, are naturally fire-resistant, and not be readily susceptible to disease or pests; and

4. Tree species must have a minimum caliper of two inches (2") at planting; and

5. Tree species adhere to the requirements of Section 9.4.1.D.

C. Tree species must not be classified as invasive, in accordance with the most current version of the Texas Invasives Database. All trees must be planted and maintained in accordance with the tree specifications provided in this Subchapter and the Tree Technical Manual, including but not limited to, the addition of amended soil and organic mulch at the time of planting, and installation of a bubbler or drip irrigation system as required in this Subchapter.

D. Dwarf varieties will not count toward minimum tree planting requirements nor will they be used where tree planting is required by this Subchapter.

9.4.4. Shrubs, Vines, Ground Cover, Flowering Perennials, and Ornamental Grasses

A. Shrubs, vines, ground cover, and flowering perennials must be planted within landscape planting beds to minimize the amount of irrigated lawn or turf grass.

B. Shrubs, vines, ground cover, and flowering perennials must be of a native Central Texas variety consistent with adopted City landscaping standards or an approved Central Texas native plant resource, as approved by the Planning and Development Services Director, and must be a minimum 5-gallon container size at time of planting.

C. Ornamental grasses consistent with adopted City landscaping standards or an approved Central Texas native plant resource, as approved by the Planning and Development Services Director, may be utilized in lieu of shrubs if they are a minimum 3-gallon container size at time of planting.

D. Yuccas, agaves, succulents, cacti, and sotols recognized as native to the area by the Lady Bird Johnson Wildflower Center may be considered in lieu of shrubs if they are a minimum 5-gallon container size at time of planting.

9.4.5. Turf and Lawn Grass

A. General Requirements

1. Irrigated turf and lawn grass must be minimized to promote water conservation.

2. Where turf or lawn grass is planted, drought tolerant species must be used, with preference given to native blends where appropriate.
3. In full sun, high foot traffic areas, acceptable varieties include sterile hybrid Bermuda grass types installed as sod, including "Tifway 419", "TifTuf", "Latitude 36" or similar sterile varieties.
4. In full sun, low foot traffic areas, "Habiturf" or "Thunder Turf" is encouraged and may be used as a transition between planting beds and low foot traffic areas.
5. In partial shade areas, "Palisade" Zoysia or "Shadow Turf" Buffalo are recommended in lieu of Saint Augustine.
6. Turf areas may be sodded, plugged, sprigged, or seeded, except during periods of Stage 3 or greater drought, when turf installation must comply with applicable drought contingency and irrigation restrictions. Where solid sod installation is delayed due to applicable drought contingency or irrigation restrictions, temporary erosion control measures must be provided until permanent stabilization is installed. Solid sod must also be installed in swales or other areas subject to erosion, as determined by the City Engineer.
7. Hydromulching and seeding, if used, must consist of grass species native to Central Texas.
8. Right-of-way must be restored and maintained with vegetative ground cover in accordance with the Engineering Design Manual.
9. Synthetic or artificial lawns or turf may be permitted only for recreation areas, pet areas, playgrounds, putting greens, or similar active-use areas, subject to approval by the Planning and Development Services Director.
10. Xeriscaping
    a. Xeriscaping and non-turf landscape areas may be used in lieu of lawn or turf grass where designed to conserve water, support native and drought-tolerant plantings, and maintain soil stability.
    b. Xeriscape areas must be designed based on regional climate conditions, existing vegetation, topography, intended use, drainage patterns, and the water needs of proposed plant materials.
    c. Xeriscape areas must include living plant material and may include organic mulch, decomposed granite, crushed granite, gravel, river rock, stone, pebbles, or similar materials as groundcover. Xeriscape areas may not consist solely of such materials, except for walkways, drainage features, utility areas, or other functional areas as approved by the Planning and Development Services Director.
    d. Bare soil areas must be stabilized and covered through plantings, mulch, groundcover, or other approved methods to minimize erosion, dust, sedimentation, and runoff.
    e. Loose aggregate groundcover, including decomposed granite, crushed granite, gravel, river rock, stone, pebbles, or similar materials, must be contained on-site through edging, curbing, terracing, retaining walls, or other approved methods and must not migrate onto sidewalks, streets, drainage facilities, public rights-of-way, or adjacent properties.
    f. Loose aggregate groundcover must not be used on slopes or within drainage areas where erosion, migration, or runoff is likely to occur unless stabilized through terracing, retaining walls, soil stabilization measures, or other methods approved by the Planning and Development Services Director or City Engineer, as applicable.

B. Residential Lawn or Turf Grass
    1. The amount of irrigated lawn or turf grass for residential sites must not exceed two times the foundation footprint or 7,500 square feet, whichever is less, for all single-family detached structures on lots platted after the effective date of this UDC.

2. Areas not irrigated are encouraged to utilize landscape beds with native plants. Lawn or turf grass blends may be planted in the remaining landscape area, provided the area is not irrigated, subject to the provisions of Section 1 above.
3. Any natural lawn or turf grass installed must utilize a warm season grass variety or blend with summer dormancy capability. Examples of recommended varieties and blends are provided above.
4. Saint Augustine grass may only be planted in shaded areas receiving less than 6 hours of direct sunlight per day.

C. Nonresidential Lawn or Turf Grass

1. Lawn or turf grass for commercial sites must not exceed 25 percent of the total landscaped area. Areas preserved in a natural state will not be included in the calculation.
2. Any lawn or turf grass installed must utilize a drought-tolerant species, with preference given to native blends as described above.
3. Landscape areas not otherwise planted with shrubs, trees, or lawn must contain landscape planting beds in accordance with the requirements provided herein.

9.4.6. Corridor Districts (CL3, CL4, CL5) Lawn or Turf Grass

A. Residential Lawn or Turf Grass

1. The amount of irrigated lawn or turf grass for residential sites within the corridor zoning districts must not exceed two times the foundation footprint or 7,500 square feet, whichever is less, for all Single-Family Detached structures on lots platted after the effective date of this UDC.
2. Areas not irrigated are encouraged to utilize landscape beds with native plants. Lawn or turf grass blends may be planted in the remaining landscape area, provided the area is not irrigated.
3. Any natural lawn or turf grass installed must utilize a warm season grass variety or blend with summer dormancy capability. Examples of recommended varieties and blends are provided above.

B. Nonresidential Lawn or Turf Grass

1. Lawn or turf grass for commercial sites must not exceed 25 percent of the total landscaped area. Areas preserved in a natural state will not be included in the calculation.
2. Any lawn or turf grass installed must utilize a drought-tolerant species, with preference given to native blends as described above.
3. Landscape areas not otherwise planted with shrubs, trees, or lawn must be installed as landscape planting beds in accordance with the requirements provided herein.

C. Landscape Planting Beds

1. Landscape planting beds containing native shrubs, flowering perennials and ornamental grasses are encouraged to minimize the amount of irrigated lawn or turf grass.
2. Irrigation within landscape planting beds must be limited to drip irrigation systems as required by this Subchapter.
3. All debris, wood chips, pavement, concrete, and rock over 2 inches in diameter must be removed from the planting bed to a minimum depth of 12 inches. The entire planting bed must contain a minimum depth of 12 inches of soil suitable for plant establishment and growth. Soils may be loosened or amended as necessary to support healthy root development.
4. A native, drought-tolerant ground cover or organic wood mulch must be installed to conserve soil moisture and improve soil fertility. Native rock, such as limestone, river rock, crushed granite or similar architectural material, may be used within landscape planting beds when installed in combination with native drought-tolerant ground cover or organic mulch to enhance visual interest and variety. An

entire site's landscape planting beds must not be covered solely in rock unless otherwise approved by the Planning and Development Services Director.

5. Landscape planting beds may be used as stormwater collection areas, commonly known as rain gardens, provided the planting beds are designed to prevent loss of mulch and planting material, include plants capable of surviving both wet and drought conditions, and incorporate engineered soils or other design measures to prevent stagnant conditions.

9.5. Tree Specifications

A variety of native trees must be planted in a manner that promotes healthy growth, aesthetic interest and reduced potential infrastructure conflicts. These specifications apply to all single-family, multi-family, mixed-use, and nonresidential developments.

9.5.1. Tree Diversity

A. Single-Family Developments

1. Designers of single-family residential developments must select tree species from the Recommended Tree List.

2. If 30 or more new trees are required, a site's plantings must be no more than 50 percent of any one tree genus.

B. Nonresidential and Multi-Family Developments

1. If 30 or more new trees are required, a site's plantings must be no more than 20 percent of any one tree species and no more than 40 percent of any one tree genus.

2. If 30 or fewer new trees are required, tree diversity must be provided in accordance with Figure 9.5-1 below.

3. No more than 50 percent of the total number of new trees required on site may be Type C Trees, as identified in the Recommended Tree List, except in Townhouse developments.

Figure 9.5-1. Tree Diversity Requirements

Number of New Trees Required	Minimum Number of Species Required
1-10	1
11-20	2
21-30	3

9.5.2. Tree Spacing from Utilities, Impervious Cover and Outdoor Lighting

In order to promote healthy trees and reduce infrastructure conflicts, trees must be located away from impervious cover, utilities, and outdoor lighting as provided below, with distances measured from the base of the tree. In addition, the recommended spacing identified for each tree type in the Recommended Tree List must be maintained.

A. Underground and Overhead Utilities

1. No tree will be planted within 5 feet of an underground utility easement.

2. No medium or large tree (Type A or B) will be planted within 15 linear feet of an overhead utility.

3. Tree placement near overhead electric conductors must consider applicable minimum approach distances for tree workers as established in the most current version of the American National Standards Institute (ANSI) Z133.

B. Impervious Cover

No large or medium tree (Type A or B) must be located within 5 feet of impervious cover, and no small tree (Type C) must be located within 3 feet of impervious cover, as measured from the base of the tree.

C. Outdoor Lighting

Trees must be located and selected to avoid conflicts with required outdoor lighting. Trees must not be planted in a manner that obstructs required illumination levels or interferes with lighting fixtures necessary for public safety.

9.5.3. Recommended Tree List

Trees planted within the City of Pflugerville must be selected from and planted in accordance with Figure 9.5-2. Alternatives may be selected in accordance with the planting criteria for trees in Section 9.4.

Figure 9.5-2: Recommended Tree List

Recommended Tree List		
Common Name	Scientific Name	
	Family	Genus, Species
Type A Trees		
American Elm	*Ulmaceae*	*Ulmus Americana*
American Sycamore	*Platanaceae*	*Platanus occidentalis*
Bald Cypress	*Taxodiaceae*	*Taxodium distichum*
Bur Oak	*Fagaceae*	*Quercus macrocarpa*
Cedar Elm	*Ulmaceae*	*Ulmus crassifolia*
Chinquapin Oak	*Fagaceae*	*Quercus muehlenbergii*
Chittamwood (Gum Bumelia)	*Sapotaceae*	*Sideroxylon lanuginosum*
Deodar Cedar*∞	*Pinaceae*	*Cedrus deodara*
Eastern Black Walnut	*Juglandaceae*	*Juglans nigra*
Ginkgo Biloba**	*Ginkgoaceae*	*Ginkgo biloba*
Honey-locust (Thornless)	*Fabaceae*	*Gleditsia tricanthos var. inermis*
Live Oak*	*Fagaceae*	*Quercus virginiana (fusiformis)*
Mexican Sycamore	*Platanaceae*	*Platanus mexicana*
Mexican white (Monterrey) Oak*	*Fagaceae*	*Quercus polymorpha*
Montezuma Cypress	*Taxodiaceae*	*Taxodium mucronatum*
Pecan	*Juglandaceae*	*Carya illinoiensis*
Pond Cypress	*Taxodiaceae*	*Taxodium ascendens*
Shumard Red Oak	*Fagaceae*	*Quercus shumardii*
Southern Catalpa	*Bignoniaceae*	*Catalpa bignonioides*
Texas (Spanish) Red Oak	*Fagaceae*	*Quercus buckleyi*.
Type B Trees		
Anacua	*Boraginaceae*	*Ehretia anacua*
Arizona Cypress*∞	*Cupressaceae*	*Cupressus arizonica*
Bigtooth Maple	*Aceraceae*	*Acer grandidentatum*
Carolina Cherry-laurel*	*Rosaceae*	*Prunus carolinana*
Eastern Red Cedar*∞	*Cupressaceae*	*Juniperus viginiana*
Escarpment Black Cherry	*Rosaceae*	*Prunus serotina ssp. Eximia*
Huisache (Sweet acacia)	*Fabaceae*	*Acacia farnesiana*
Japanese Black Pine∞	*Pinaceae*	*Pinus thunbergii*

Recommended Tree List		
Common Name	Scientific Name	
	Family	Genus, Species
Lacey Oak	*Fagaceae*	*Quercus laceyi*
Mesquite	*Fabaceae*	*Prosopis glandulosa spp.*
Texas (Little) Walnut	*Juglandaceae*	*Juglans microcarpa*
Western Soapberry	*Sapindaceae*	*Sapindus drummondii*
Type C Trees		
American Smoke Tree	*Anacardiaceae*	*Cotinus obovatus*
Anacacho Orchid Tree	*Fabaceae*	*Bauhinia congesta*
Carolina Buckthorn	*Rhamnaceae*	*Rhamnus caroliniana*
Chilean Mesquite (Thornless)	*Fabaceae*	*Prosopis chilensis*
Chitalpa	*Bignoniaceae*	*Chilopsis x Catalpa*
Crape Myrtle	*Lythraceae*	*Lagerstromia indica*
Desert Willow	*Bignoniaceae*	*Chilopsis linearis*
Eve's Necklace	*Leguminosae*	*Sophora affinis*
Evergreen Sumac*	*Anacardiaceae*	*Rhus virens*
Flameleaf Sumac	*Anacardiaceae*	*Rhus copallina*
Goldenball Lead-tree	*Fabaceae*	*Leaucana retusa*
Loquat*	*Rosaceae*	*Eriobotrya japonica*
Mexican Bird of Paradise	*Leguminosae*	*Caesalpinia mexicana*
Mexican Buckeye	*Sapindaceae*	*Ungnadia speciosa*
Mexican Olive*	*Boraginaceae*	*Cordia bossieri*
Mexican Plum	*Rosaceae*	*Prunus mexicana*
Mexican Redbud	*Fabaceae*	*Cercis Canadensis var. mexicana*
Mountain Laurel*	*Leguminosae*	*Sophora secundiflora*
Possumhaw (Deciduous) Holly	*Aquifoliaceae*	*Ilex decidua*
Retama (Palo verde)	*Fabaceae*	*Parkinsonia aculeata*
Rough-Leaf Dogwood	*Cornaceae*	*Cornus drummondii*
Texas Madrone	*Ericaceae*	*Arbutus xalapensis*
Texas Persimmon	*Ebenaceae*	*Diospyros texana.*
Texas Pistacio*	*Anacardiaceae*	*Pistacia mexicana*
Texas Redbud	*Leguminosae*	*Cercis Canadensis var. texensis*
Wax Myrtle*	*Myricaceae*	*Myrica cerifera*
Yaupon Holly*	*Aquifoliaceae*	*Ilex vomitoria*

Notes:
* - Evergreen
** - Not to be planted within 20 feet of impervious surface
∞ - May be reduced to 2" caliper at planting

9.6. Landscape Plan

9.6.1. Nonresidential and Multi-Family

An application for site plan approval must include a Landscape Plan prepared by a landscape architect registered to practice in the State of Texas. The application must also include, as applicable, a Tree Survey, Tree Protection Plan, and Tree Replacement Plan, which may be provided as separate sheets or incorporated into

the existing conditions, site plan, or landscape plan sheets, as appropriate. The Landscape Plan must contain the following items:

A. Layout
    1. North arrow
    2. Scale shown in both written and graphic form
        a. Minimum scale of 1"= 50'
        b. Large developments may have an overall layout sheet showing the entire site with subsequent sheets scaled to a minimum of 1"= 50'
    3. Finished site layout
    4. Location of preserved trees
    5. Location of existing and proposed overhead and underground utilities.
    6. Location of utility easements
    7. Location of bufferyard and streetscape yards (if required)
    8. Location of all existing and proposed outdoor lighting fixtures
    9. Location of Sight Visibility Triangles
    10. Location of preserved landscape features
    11. Location of proposed landscape plants and other landscape features (paving, benches, screens, fountains, statues, earth berms, ponds, or other landscape features)
    12. Existing and proposed contours, spot elevations, or other grading information sufficient to demonstrate that proposed grading will not adversely impact preserved trees or tree protection areas
    13. Legend
        a. The plant schedule may act as the legend for proposed landscape plants

B. Plant Schedule
    1. Organized by type (shade trees, ornamental trees, shrubs, perennials, etc.)
    2. Scientific and common names of all proposed plant materials
        a. If a seed mix is used, provide the name of the mix and the manufacturer (ex: Trailside Mix by Native American Seed)
    3. Unique symbol for each species
    4. Size of all proposed shrubs (container size, planted height, etc.)
    5. Size of all proposed trees (caliper size, container size, planted height, spread, etc.)
    6. Square footage of turf, seeded areas, and irrigated lawn or turf grass areas
    7. Application method of turf and seeded areas (sod, hydromulch, etc.)

C. Calculations Table
    1. Total area
    2. Minimum required (base) and proposed landscape area
    3. Minimum required (base) and proposed trees
        a. Differentiate base, bufferyard and mitigation plantings

4. Minimum required (base) and proposed shrubs
    a. Differentiate base and bufferyard plantings
5. Screening requirements
6. Alternative landscaping if applicable

D. Notes
1. Standard City of Pflugerville Landscape Notes
2. Standard City of Pflugerville Irrigation Notes
3. Criteria for acceptance of plant materials
4. Additional notes provided by the Landscape Architect if necessary

E. Details
1. All applicable City of Pflugerville construction details
2. Additional construction details provided by the Landscape Architect if necessary

F. Additional
1. Name and contact information, including telephone number and email address, of the person(s) responsible for the preparation of the Landscape Plan
2. Signature and seal of the person(s) responsible for the preparation of the Landscape Plan
3. Date of preparation
4. Other pertinent information requested by City Staff

9.6.2. Residential

An application for a residential building permit must specify the number and type of required trees and shrubs shown on the Plot Plan in accordance with the quantities required in Section 9.3.

9.7. Alternative Landscape Plan

9.7.1. In instances where a nonresidential or multi-family residential development will be phased or where only a portion of a site is proposed for development, the limits of construction may be considered by the Planning and Development Services Director in determining the required landscape area and plantings, provided that all other requirements of this Subchapter are satisfied.

9.7.2. An Alternative Landscape Plan may be submitted to the Planning and Development Services Director for approval if the aesthetic, screening, buffering, and environmental intent of this Subchapter is achieved and the plan does not reduce the protection of any natural feature that would be required under strict compliance with this Subchapter. Such an Alternative Landscape Plan must be certified by a landscape architect registered to practice in the State of Texas. In evaluating an Alternative Landscape Plan, the Director may give special consideration to the following:

A. Preservation of existing native trees, if applicable.

B. Use of Low Impact Development (LID) measures, including functional cisterns for alternative irrigation, rain gardens, and green roofs.

C. Tree species diversity exceeding the minimum requirements.

D. Use of porous pavement systems, subject to approval by the City Engineer, that allow for water infiltration within parking lots,

E. Use of engineered soils beneath paved areas adjacent to landscape areas, such as parking lot landscape islands, peninsulas, and medians, to expand usable root area and promote water infiltration.

F. Use of soil cells under parking spaces and walkways abutting treed landscape areas to provide sufficient soil volume for healthy tree growth and limit damage to infrastructure.

G. Use of root channels under impervious surfaces abutting treed landscape areas to connect root zones to adjacent greenspace to expand usable root area and limit damage to infrastructure.

H. Incorporation of rain gardens within parking lot landscape, islands and medians.

I. Protection of riparian areas.

Figure 9.7-1. Alternative Landscape Plan Equivalent Ratings

Alternative Landscape Plan Equivalent Ratings	
Deficiencies or Alternatives	
*The following must be used when formulating an Alternative Landscape Plan when a site design cannot conform to the basic landscaping requirements as described in this Subchapter. The Alternative Landscape Plan proposals must equal a zero (0) rating or higher.	
% of Deficiency from Required Lot Landscape Area (Site must not exceed maximum impervious cover requirements established in Subchapter 4).	**Negative Points**
0.1 % - 3%	-4
3.1% - 5%	-6
5.1% - 7%	-8
7.1% - 10%	-10
10.1% - 20%	-15
20.1% or more	Board of Adjustment determination
Required Quantity of Trees	**Fee in-lieu or Alternative Substitution**
Up to a 20% Reduction in # of Trees	Payment to the City Tree Fund at the rate established by the City, or equivalent total caliper replacement as approved by the City.
Required Quantity of Shrubs	**Alternative Substitution**
Up to a 20% Reduction in # of Shrubs	A total gallon calculation can be utilized where 1 shrub = 5 gallons. The total reduction in quantity of shrubs provided must not exceed 20% of minimum shrubs required per the zoning district.
More than 20% Reduction	Not Permitted
Deviation from the Recommended Tree List	Alternative Substitution
Up to 20% of the # of trees of a different species not included on the Recommended Tree List	As determined by the Administrator
More than 20% of the # of trees of a different species not included on the Recommended Tree List	Waiver approved by the Planning and Zoning Commission
Excessive Parking + Additional Landscape Area	**Negative Points**
Exceed parking requirement by 0.1% - up to 10%	Permitted
Exceed parking requirement by 10.1% to 20%	-5
Exceed parking requirement by 20% or more	Waiver approved by the Planning and Zoning Commission
Building Landscaping	**Alternative Substitution**
Reduction in quantity of Shrubs	Two (2) required foundation landscaping shrubs may equal one (1) dwarf variety or columnar form tree with Administrator approval.
Building landscape area dimension variation	A total "building landscape" area requirement can be converted to a square-footage requirement. [EX. 5' x 50% building's primary façade(s) linear feet = Total Building Landscape Area
Waived due to Site Constraints or Building Form/Use	-5
Reduction in S.F. of Parking Lot Landscape Area	**Negative Points and Alternative Substitutions**

Alternative Landscape Plan Equivalent Ratings	
Peninsulas or Islands < 200 S.F. & ≥ 150 S.F.	-3 points with a minimum of four (4) shrubs within the landscape peninsula or island. Smaller peninsulas and islands may be permitted with subsurface modifications (e.g., soil cells, structured soils, or root pathways) to support proper root development.
Peninsulas or Islands < 150 S.F.	Not Permitted
Median reduction up to 8 feet in width	-3 points with the addition of one 5-gallon shrub per every 5 linear feet within the landscape median.
Landscape Islands or Peninsula Separation	**Negative Points**
More than 10 parking spaces separation	-5, with landscape islands or peninsulas increased in size, as approved by the Planning and Development Services Director
More than 14 parking spaces separation	-10, with the landscape islands or peninsulas increased in size, as approved by the Planning and Development Services Director
More than 19 parking spaces separation	Not Permitted
Within 50 feet of each space (Required)	0
Within 75 feet of each space	-5
Within 100 feet of each space	-10
Median Placement	**Negative Points**
Every 3 Parking Rows divided by a Median (Required)	0
Every 4 Parking Rows divided by a Median	-5
Every 5 Parking Rows divided by a Median	-10
No more than 200 parking spaces divided by a Median	Not Permitted
Trees Installed in Parking Lot Medians	**Negative Points and Alternative Substitutions**
Planted every 30 or 40 linear feet (Required/Type A)	0
Planted up to every 50 linear feet	-5 points with the addition of one 5-gallon shrub per every five linear feet within the median.
Planted 50.1 linear feet or more	Not Permitted
Alternative Screening (Not Quantitative)	Screening Sufficiency Determined by Planning and Development Services Director
Alternative Buffering (Not Quantitative)	Buffer Sufficiency Determined by Planning and Development Services Director
Up to 20% Bufferyard Reduction	Administrative Waiver Approved by the P&Z or Planning and Development Services Director
More than 20% Bufferyard Reduction (Corridor District)	Waiver Approved by the P&Z Commission
Alternative Landscape Plan Equivalent Ratings	
Deficiency Compensation and Incentives	
*The following must be used when formulating an Alternative Landscape Plan when a site design cannot conform to the basic landscaping requirements as described in this Subchapter. The Alternative Landscape plan proposals must equal a zero rating or higher.	
Required # of Trees (Additional)	**Positive Points**
3% - 5%	+2
5.1% - 7%	+3
7.1% - 10%	+4
10.1% - 20%	+5
20.1% or more	+6
Required # of 5-Gallon Shrubs (Additional)	**Positive Points**
5% - 10%	+1

Alternative Landscape Plan Equivalent Ratings	
11% - 20%	+1.5
More than 20%	+2
Green Roof	**Positive Points**
For at least 60% of available roof space	+10
Drought Tolerance	**Positive Points**
Xeriscaping Plants	+2
Use of Supplemental Irrigation	**Positive Points (Use of System) Max 15 pts.**
Functional Cistern	+15
Rain Barrel	+5
Grey Water System	+15
Use of Pervious Pavement Systems	**Positive Points**
Used on at least 50% of parking lot surfaces or pedestrian walkways, where allowed by the City Engineer	+10
Within the total root zone of Preserved Trees (critical root zone protected from any impervious cover)	+5
Native and Restorative Landscaping Practices	**Positive Points**
Turf area consists of 100% native turf grass mix	+6
Invasive species are removed from site	+4
Use of Bio-retention Swales or Rain Gardens	**Positive Points**
Up to 25% of all Parking Lot Landscape Areas	+2
Within 26% to 50% of all Parking Lot Landscape Areas	+4
Within 51% - 75% of all Parking Lot Landscape Areas	+6
Greater than 76% of all Parking Lot Landscape Areas	+10
Use of Structural Soil (As determined by the Administrator)	**Positive Points**
Within 10 feet of all trees on site	+5
Within 11-15 feet of all trees on site	+10
Within 16-20 feet of all trees on site	+15
100 Year Floodplain Buffer to Undeveloped Floodplain	Positive Points
25 foot vegetative bufferyard	+5
26 - 50 foot vegetative bufferyard	+10
Greater than a 50 foot vegetative bufferyard	+15
Detention/Retention Ponds (if applicable)	Positive Points
Fountain feature within a retention pond (credit given to one fountain per pond)	+5
Other Innovative Landscape Features (not listed)	The Planning and Development Services Director may allow a maximum of +15 points for innovative landscape features. The Planning and Development Services Director reserves the right to differ consideration to the Planning and Zoning Commission.

9.8. Streetscape Yard Landscaping

Street trees provide a visual and audible buffer to mitigate vehicular traffic impacts from adjacent land uses and assist in improving regional air quality. Street trees must be provided in the following circumstances:

9.8.1. Nonresidential and Multi-Family Developments

The streetscape yard required per zoning district in Subchapter 4. Establishment of Districts and Boundaries must include the street trees required below. Trees may be planted in a non-linear or clustered configuration, provided the total number of required trees is installed, the recommended spacing requirements in the Recommended Tree List and Tree Technical Manual are maintained, and all trees are planted outside of the Sight Visibility Triangle. Street trees may be used to satisfy the overall landscaping requirements established in Figure 9.3-1 for non-residential sites.

A. One medium or large tree (Type A or B), selected from the Recommended Tree List, must be planted for every 40 linear feet of street frontage when overhead utilities are not located on the same side of the street.

B. One small tree (Type C), selected from the Recommended Tree List, must be planted for every 20 linear feet of street frontage when overhead utilities are located on the same side of the street.

9.8.2. Residential Developments

Street trees must be planted along a collector or arterial street when a landscape lot is required per Subchapter 13. Subdivision Processes and Design. Trees may be planted in a non-linear or clustered configuration, provided the total number of required trees is installed, the recommended spacing requirements in the Recommended Tree List and Tree Technical Manual are maintained, and all trees are planted outside of the Sight Visibility Triangle.

A. One (1) medium or large tree (Type A or B), selected from the Recommended Tree List, must be planted every 40 linear feet of street frontage when overhead utilities are absent.

B. One (1) small tree (Type C), selected from the Recommended Tree List, must be planted every 20 linear feet of street frontage when overhead utilities are present.

9.8.3. Corridor Districts (CL3, CL4, CL5)

A. General Requirements

1. Streetscape trees and shrubs must be planted within the required streetscape yard pursuant to Subchapter 4. Establishment of Districts and Boundaries; however, where utility easements extend across the entire streetscape yard, required trees must be planted outside the streetscape yard, as close to the public right-of-way as practicable and allowed pursuant to the standards listed in this subchapter.

2. Trees and shrubs may be planted in a non-linear or clustered configuration, provided the total number of required trees and shrubs is installed, the recommended spacing requirements in the Recommended Tree List and the Tree Technical Manual are maintained, and all trees are planted outside of the Sight Visibility Triangle.

3. Trees planted within required parking lot landscape islands and peninsulas are not eligible to be counted toward satisfying the streetscape yard requirements.

B. Nonresidential, Urban Multi-Family and Suburban Multi-Family Developments

1. The streetscape yard required per the zoning district in Subchapter 4. Establishment of Districts and Boundaries must include the street trees and shrubs required below. Street trees and shrubs may be used to satisfy the overall landscaping requirements established in Figure 9.3-1 for nonresidential sites and Figure 9.3-2 for multi-family developments.

a. One medium or large tree (Type A or B), selected from the Recommended Tree List, must be planted for every 40 linear feet of street frontage when overhead utilities are not located on the same side of the street.

b. One small tree (Type C), selected from the Recommended Tree List, must be planted for every 20 linear feet of street frontage when overhead utilities are located on the same side of the street.

c. One 5-gallon shrub must be planted for every 3 linear feet of street frontage.

d. All plant material must be planted outside of public utility easements, where feasible, and may include raised planters and tree grates.

C. Single-Family and Duplex Residential Developments

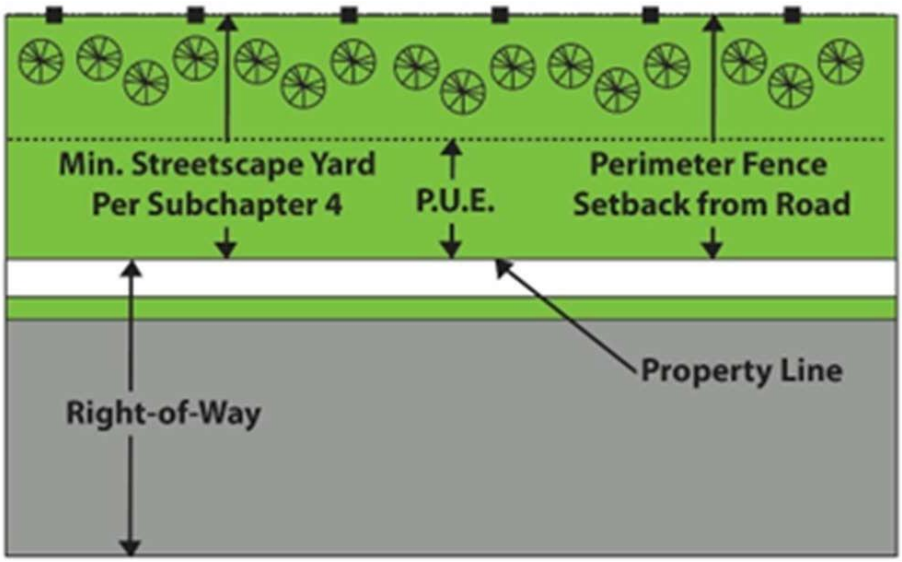
Street trees and shrubs must be planted along a perimeter collector or arterial street when a landscape lot or easement is required per Subchapter 13. Subdivision Processes and Design. Street trees and shrubs are in addition to the minimum landscaping requirements established in Figure 9.3-1 and Figure 9.3-2.

1. One medium or large tree (Type A or B), selected from the Recommended Tree List, must be planted every 40 linear feet of street frontage when overhead utilities are not located on the same side of the street.
2. One small tree (Type C), selected from the Recommended Tree List, must be planted for every 20 linear feet of street frontage when overhead utilities are located on the same side of the street.
3. One 5-gallon shrub must be planted for every 3 linear feet of street frontage.
4. All plant material must be planted outside of public utility easements where feasible.

D. Streetscape Yards Along Toll / Frontage Road Facilities

Where streetscape yards are required pursuant to Subchapter 4. Establishment of Districts and Boundaries, streetscape yard trees and shrubs must be planted along the road frontages within the required streetscape yard. Street trees and shrubs may be used to satisfy the overall landscaping requirements.

1. One medium or large tree (Type A or B), selected from the Recommended Tree List, must be planted for every 40 linear feet of street frontage, when overhead utilities are not located on the same side of the street.
2. One small tree (Type C), selected from the Recommended Tree List, must be planted for every 20 linear feet of street frontage when overhead utilities are located on the same side of the street.
3. Three 5-gallon shrubs must be planted for every 3 linear feet of street frontage.
4. All plant material must be planted outside of public utility easements, where feasible.



E. Residential Streetscape Yards within Slip Road Landscape Medians

Where slip roads are provided pursuant to Subchapter 8. Parking, Mobility, and Circulation and Subchapter 13. Subdivision Processes and Design, the streetscape yard must include landscape medians with the required plantings specified in this Subsection. Street trees and shrubs are considered to be in addition to the minimum landscaping requirements established in Figure 9.3-1 and Figure 9.3-2. This subsection applies to Single-Family Detached, Townhouse, and Duplex developments only.

1. Fifteen-Foot Landscape Median

   When a 15-foot landscape median is required pursuant to Subchapter 8. Parking, Mobility, and Circulation, the following must be planted within the median:

   a. One medium or large tree (Type A or B), selected from the Recommended Tree List, must be planted for every 40 linear feet of street frontage; or

   b. One small tree (Type C), selected from the Recommended Tree List, must be planted for every 20 linear feet of street frontage; and

   c. Three 5-gallon shrubs must be planted for every 3 linear feet of street frontage.

2. Twenty-Five-Foot Landscape Median

   When a 25-foot landscape median is required pursuant to Subchapter 8. Parking, Mobility, and Circulation, the following must be planted within the median:

   a. One medium or large tree (Type A or B), selected from the Recommended Tree List, must be planted for every 40 linear feet of street frontage; or

   b. One small tree (Type C), selected from the Recommended Tree List, must be planted for every 20 linear feet of street frontage; and

   c. Six 5-gallon shrubs must be planted for every 3 linear feet of street frontage.

3. All plant material must be planted outside of public utility easements, where feasible.

4. Landscape medians associated with a slip road configuration for residential development must be privately owned and maintained by a Property Owner's Association or similar governing body.

9.9. Building Foundation Landscaping

9.9.1. All Districts Except Corridor Districts

A. Nonresidential and Multi-Family Developments

A landscape planting bed consisting of a minimum 5-foot wide planting strip, measured at ground level and extending outward from the building façade, must be provided along at least 50 percent of the length of the building's primary facades.

1. One shrub must be planted every 4 linear feet on center within the planting strip.

2. Native dwarf tree varieties, such as dwarf Texas redbud, and columnar-form trees, such as columnar black gum or skyline yaupon, may be considered for planting in the planting strip.

3. Plantings must comply with the general planting criteria in Section 9.4. Planting Criteria.

4. Building foundation landscaping may be used to satisfy the overall landscaping requirements established in Figure 9.3-1. Above-ground planters, tree wells, vegetative roof systems, or similar approaches may be permitted where traditional building foundation landscaping is not feasible.

B. Residential Developments

Foundation landscaping must be provided in accordance with Figure 9.3-2.

9.9.2. Corridor Districts (CI3, CL4, CL5)

A. Non-Residential and Multi-Family Developments

A landscape planting bed consisting of a minimum 5-foot-wide planting strip, measured at ground level and extending outward from the building façade, must be provided along at least 50 percent) of the length of the building's primary facades. Where a building is constructed as a liner building adjacent to a minimum 10-foot-wide sidewalk, plantings may be installed in tree grates or raised planters in lieu of a planting strip.

1. One shrub must be planted every 4 linear feet on center within the planting strip.
2. Plantings must comply with the general planting criteria in Section 9.4. Planting Criteria.
3. Building foundation landscaping may be used to satisfy the overall landscaping requirements established in Figure 9.3-1. Above-ground planters, tree wells, vegetative roof systems, or similar approaches may be permitted when traditional building foundation landscaping is not feasible, and for development within the CL3, CL4, and CL5 districts, where appropriate to context, as approved by the Planning and Development Services Director.

B. Single-Family and Duplex Developments

Foundation landscaping must be provided in accordance with Figure 9.3-2.

9.10. Surface Parking Landscaping

9.10.1. General Requirements

A. Landscaping is required for all off-street surface parking areas, except individual single-family residential driveways. Required parking lot landscaping may count toward overall site landscaping requirements.

B. Landscaping must be designed as provided in this section while maintaining Sight Visibility Triangles at intersections within the parking lot, along adjacent streets, at driveways, and at access easements.

C. Where designated on-street parking spaces are proposed as part of a development, this Section applies.

D. Structural soils, soil cells, or root channels may be used to expand root zones and support tree growth in areas adjacent to pavement, provided they are designed to support anticipated plant materials and approved by the Planning and Development Services Director and the City Engineer in consultation with the Urban Forester.

9.10.2. Design Standards for Surface Parking

A. Driveways

Landscaping along surface parking driveways must include the trees and shrubs as required below. Required driveway landscaping may count toward overall site landscaping requirements.

1. One medium or large tree (Type A or B), selected from the Recommended Tree List, must be planted for every 40 linear feet of the driveway when overhead utilities are not located adjacent to the required planting area.
2. One small tree (Type C), selected from the Recommended Tree List, must be planted for every 20 linear feet of the driveway when overhead utilities are located adjacent to the required planting area.
3. One 5-gallon shrub must be planted for every five (5) linear feet of the driveway.
4. All plant material must be planted outside of public utility easements, where feasible.

B. End Islands

1. An end or raised island at least 200 square feet of pervious surface in area and with a minimum interior width of 12 feet measured back-of-curb to back-of-curb must be located at both ends of every interior and peripheral parking row, regardless of the length of the parking row (See Figure 9.10-1). End islands may include the placement of sidewalks if appropriate space for tree root flare development is provided and the sidewalk is constructed of porous/pervious materials or subsurface modifications, such as soil cells or structural soils, are used.

2. All end islands must be raised at least 6 inches and curbed.
3. An alternative end island design may be considered to address stormwater runoff if approved by the City Engineer.

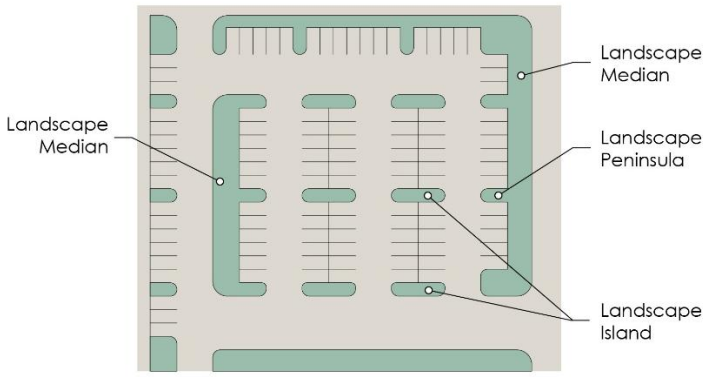
C. Interior Islands

1. All interior islands must be raised at least 6 inches and curbed.
2. An alternative interior island design may be considered to address stormwater runoff if approved by the City Engineer.
3. Refer to Figure 9.10-1 for further information.

D. Medians

1. A landscape median must be raised at least 6 inches and curbed. Medians must have a minimum width of 15 feet measured from back of curb to back of curb.
2. An alternative median design may be considered to address stormwater runoff if approved by the City Engineer.

Figure 9.10-1. Surface Parking Landscaping Illustration



E. Parking Rows

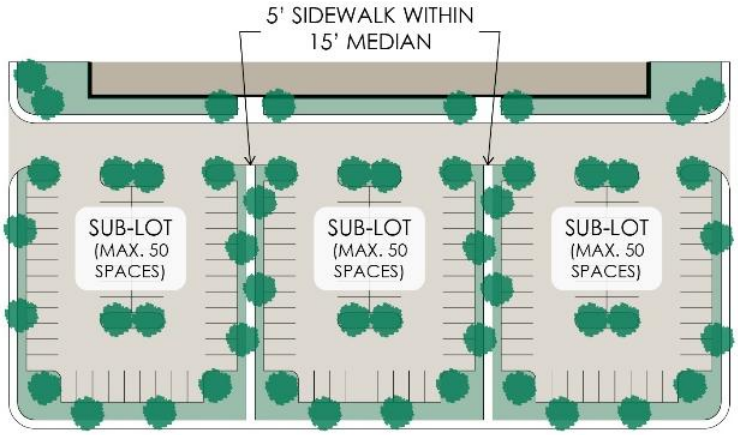
1. All required parking spaces must be located within 50 feet of a tree.
2. A parking row adjacent to a public right-of-way, major drive aisle, or driveway must be interrupted by a landscape peninsula after no more than 10 contiguous parking spaces. The landscape peninsula must be located between the parking row and the adjacent right-of-way, major drive aisle, or driveway. Each required landscape peninsula must contain at least 400 square feet of pervious surface and have a minimum width of 20 feet, measured back-of-curb to back-of-curb.
3. A parking row must not exceed 10 parking spaces without separation by a landscape island or peninsula of at least 200 square feet of pervious surface and a minimum interior width of 12 feet, as measured from back of curb to back of curb. Where a landscape separation extends the length of two parking spaces, the landscape island or peninsula must provide at least 400 square feet of pervious surface and a minimum interior width of 12 feet as measured from back of curb to back of curb.
4. There must be no more than 3 adjacent parking rows without a landscape median of at least 15 feet in width measured from back of curb to back of curb. These medians must contain pedestrian

accessways consisting of a 5-foot-wide sidewalk to offer safe, marked routes between parking spaces and building entries.

5. Landscape medians must be utilized within parking area designs to segment large expanses of surface parking sub-lots such that each parking sub-lot contains no more than 50 parking spaces (see Figure 9.10-2).

   a. A sub-lot may contain up to 100 parking spaces if the site provides an additional 20 percent of landscaping area as required by this Subchapter.

Figure 9.10-2. Parking Sub-Lots Illustration



6. Landscape Islands, peninsulas, and medians may be utilized to accommodate innovative stormwater management approaches (i.e., rain gardens), provided they are designed and certified by a Landscape Architect or Engineer registered to practice in the State of Texas and approved by the Planning and Development Services Director in consultation with the City Engineer. All landscape islands, peninsulas and medians must be constructed in accordance with the City of Pflugerville standard curb details and must contain a surface, the majority of which is vegetated.

7. Any landscape area adjacent to pavement must be protected with a concrete curb and/or an equivalent barrier, such as a wheel stop.

9.10.3. Required Plantings within Landscape Islands, Landscape Peninsulas, and Landscape Medians

A. One Type A or B tree must be planted within each landscape island and peninsula. If a landscape island extends the length of 2 parking spaces, 2 trees must be planted within the landscape island, of which at least 1 must be a Type A or B tree. Landscape peninsulas adjacent to right-of-way must provide 1 Type A or B tree and 8 shrubs.

B. One Type A or B tree every 40 feet or 1 Type C tree every 20 feet must be planted within a landscape median. A combination of Types A, B, and C trees may be planted if the mature shade coverage is expected to be the same and no parking space is further than 50 feet from a tree.

C. All new trees within a parking lot must be planted in a pervious area of at least 200 square feet and with a minimum interior width of 12 feet.

9.11. Screening Requirements

Notwithstanding the minimum screening requirements provided below, alternative means or methods of screening that reflect innovative approaches and exceed the minimum screening objectives of this Subchapter may be considered on a case-by-case basis by the Planning and Development Services Director.

9.11.1. Screening of Parking Lots

A. All off-street surface parking associated with nonresidential and multi-family uses and districts must be screened from public rights-of-way and major drive aisles using one or more of the screening methods described in this subsection.

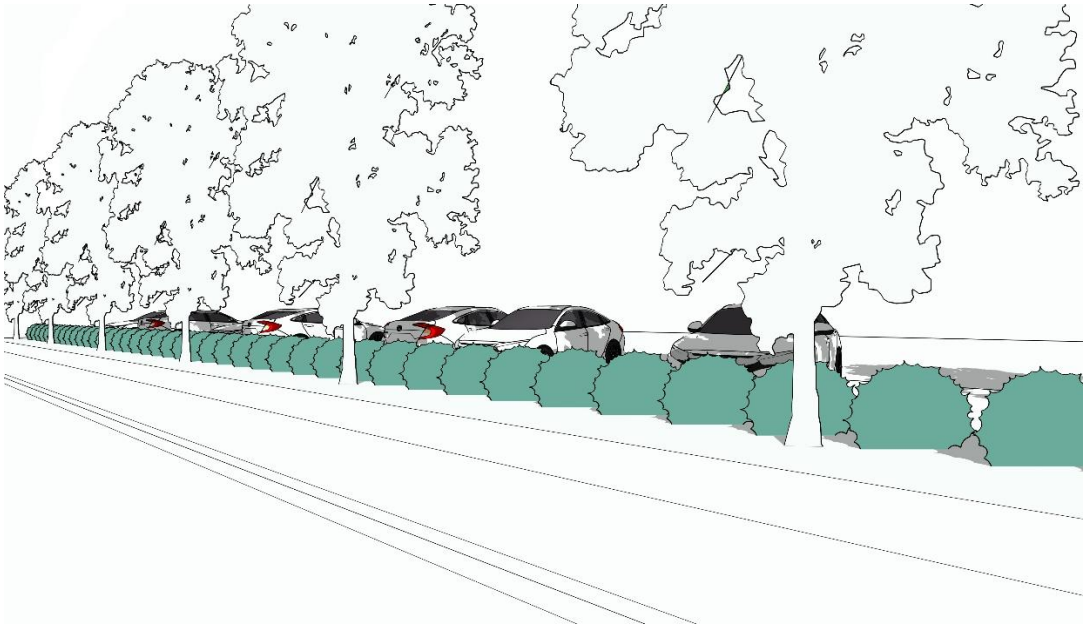
1. A vegetated berm;

2. A planting screen utilizing evergreen shrubs (see Figure 9.11-1);

3. A 3-foot-tall ornamental fence, or a 3-foot-tall native rock, stone, or brick wall consistent with the corridor may be permitted if used in combination with native ornamental grasses, shrubs, flowering perennials, or similar plantings as identified in Section 9.11; or

4. A combination of any of the above, and trees selected from the Recommended Tree List.

Figure 9.11-1. Parking Lot Vegetative Screening



B. Planted screening must be capable of providing a solid screen of at least 36 inches in height within 2 years and must be planted in a prepared bed that is at least 3 feet in depth. Parking lot screening shrubs may be used to meet the overall landscaping requirements established in Figure 9.3-1 and Figure 9.3-2.

C. Screening must have a visual offset of at least 3 feet every 60 linear feet. While a physical offset is required, the use of clumped street trees within planting beds may be considered when establishing the visual offset.

D. Where parking lot screening and a streetscape yard are both required, the landscape must be designed in an integrative manner.

9.11.2. Screening of Parking Lots in CL3, CL4, and CL5 Districts

A. All off-street surface parking and vehicular use areas associated with nonresidential and multi-family uses within corridor districts must be screened from public rights-of-way and major drive aisles using one or more of the screening methods described in this subsection.

1. A vegetated berm;

2. A planting screen utilizing evergreen shrubs (see Figure 9.11-1);

3. A 3-foot tall native rock, stone, or brick wall may be permitted if used in combination with native ornamental grasses, shrubs, flowering perennials, or similar plantings as identified in Subsection 9.11; or
4. A combination of any of the above, and trees selected from the Recommended Tree List.

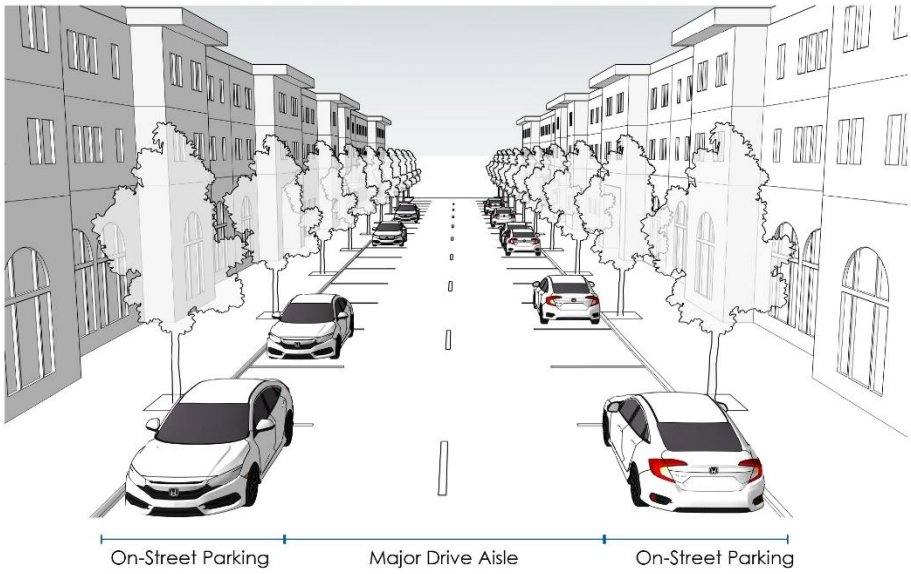
B. Planted screening must be capable of providing a solid screen of at least 36 inches in height within 2 years and must be planted in a prepared bed that is at least 3 feet in depth. Parking lot screening shrubs may be used to meet the overall landscaping requirements established in Figure 9.3-1 and Figure 9.3-2.

C. Screening must have a visual offset of at least 3 feet every 60 linear feet. While a physical offset is required, the use of clumped street trees within planting beds may be considered when establishing the visual offset.

D. Where a streetscape yard and parking lot screening are both required, the landscape must be designed in an integrative manner.

E. Major drive aisles between buildings may incorporate a single row of parking on each side of the drive aisle, including a minimum 10-foot sidewalk adjacent, consistent with streetscape design in an urban mixed-use setting (see Figure 9.11-2).

Figure 9.11-2. Example of Major Drive Aisle with On-Street Parking



F. In the CL4 and CL5 Districts, parking lots and vehicular use areas must be screened a minimum of 60 percent) by liner buildings. Such liner buildings must:

1. Have an entrance that opens directly onto the sidewalk;
2. Have a depth of no less than 24 feet; and
3. Have a height of no less than 12 feet, measured from the finished floor to the bottom of the structural members of the ceiling.

9.11.3. Screening of Mechanical Equipment

Mechanical equipment utilized in all developments is subject to the following screening requirements:

A. All ground and wall-mounted mechanical equipment (e.g., air handling equipment, compressors, ductwork, transformers, and elevator equipment) must be screened from public view from a street or parking area by a continuous visual barrier providing a minimum of 80 percent opacity year-round. Screening must be provided on the three sides not facing the principal building.

B. Roof-mounted mechanical equipment must be completely screened from ground-level view on all sides using a parapet wall. The parapet wall must be provided along the full perimeter of the building and must be architecturally integrated into the structure. If topography prevents full screening of the mechanical equipment through the use of a parapet wall, alternative screening in the area where a conflict occurs may be considered by the Planning and Development Services Director.

C. Wall or ground-mounted equipment screening must consist of native evergreen vegetation, brick, stone, reinforced concrete, or other similar masonry materials.

1. Native evergreen vegetation must consist of plant species that retain foliage year-round and are adapted to Central Texas growing conditions.

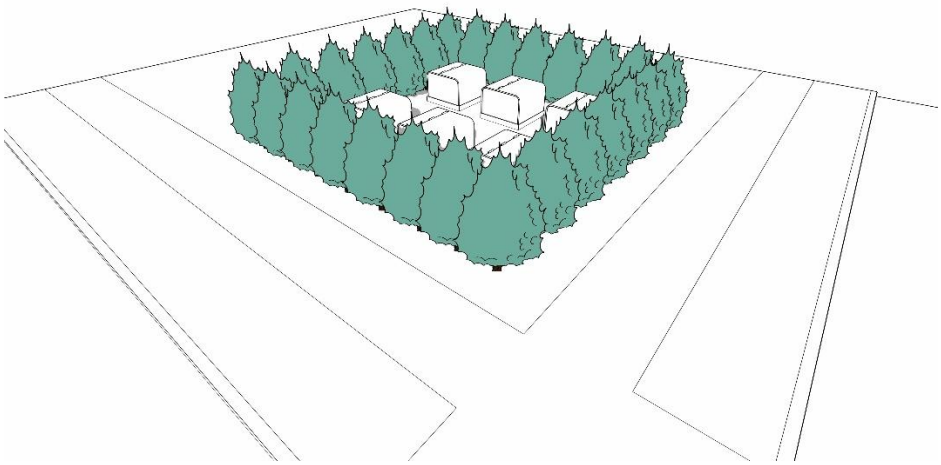
2. Vegetative screening must be installed at a size and spacing sufficient to provide a minimum of 50 percent opacity at the time of planting and achieve the required 80 percent opacity within two growing seasons.

3. Shrubs used for screening must be a minimum of 5 gallons in size at installation and spaced to form a continuous hedge at maturity.

4. Where equipment exceeds 6 feet in height, vegetative screening must be capable of achieving screening height within two years, or a masonry wall must be provided with screening shrubs planted along the perimeter.

5. See Figure 9.11-3 for further information.

Figure 9.11-3. Ground-Mounted Mechanical Equipment Vegetative Screening



D. All fence or wall posts must be concrete-based masonry or concrete pillars with a finished architectural surface.

E. Exposed conduit, ladders, utility boxes, and drain spouts must be painted to match the color of the principal building. Natural metallic finishes are an acceptable alternative to painting.

F. Additional Screening of Roof and Wall-Mounted Mechanical Equipment in the CL3, CL4, and CL5 Districts

1. Roof-mounted mechanical equipment must be completely screened from ground-level view, measured at grade, 100 feet from each point of the roof edge, on all sides using a parapet wall. The

parapet wall must be provided along the full perimeter of the building and must be architecturally integrated into the structure. If topography prevents full screening of the mechanical equipment through the use of a parapet wall, alternative screening in the area where a conflict occurs may be considered by the Planning and Development Services Director.

2. Exposed conduit, ladders, utility boxes, and drain spouts must be painted to match the color of the principal building. Natural metallic finishes are an acceptable alternative to painting.

9.11.4. Screening of Outdoor Storage

A. Outdoor storage must be screened with a minimum 8-foot-tall screen consisting of the following:

1. A masonry wall or other material similar to the principal building; and

2. Native evergreen shrubs planted a maximum of 4 feet apart on center that must create a solid screen to a minimum height of 8 feet) within two years; or

3. A 3-foot landscaped berm used in conjunction with either Section 9.11.4.A.1 or Section 9.11.4.A.2.

B. An alternative screening method that provides equivalent opacity and visual screening may be approved by the Planning and Development Services Director.

9.11.5. Screening of Drone Staging Areas

A. Accessory drone staging areas located on a lot with an existing principal commercial or industrial use, must be screened from public view at ground level.

B. Such drone staging areas must be screened with a minimum 8-foot-tall screen consisting of the following:

1. A masonry wall constructed of materials similar to the principal building; and

2. Native evergreen shrubs planted a maximum of 4 feet apart on center along all sides of the drone staging area, except at approved access points.

3. Access points must remain closed when not in active use.

4. Required landscaping must not obstruct approved drone access points, drone launch or landing areas.

9.11.6. Screening of Refuse Containers

All trash, recycling, compost, and similar refuse containers for nonresidential and multi-family uses and districts must comply with the following standards and screening requirements:

A. Containers must be located on the side or rear of the principal building and screened from ground-level public view. Enclosure gates must not face a public street unless otherwise approved by the Planning and Development Services Director.

B. Containers must be located at least 50 feet from the property line of any conforming residential use or the boundary of any residential district. This distance requirement does not apply when adjacent to a multi-family property or district.

C. Containers must be located on a reinforced slab that is at least 6 inches thick and sloped to an internal drain connected to a wastewater line.

D. Containers must be screened on all four sides using an enclosure that screens the container from view at the property line. Screening must be at least as tall as the container(s) and comprised of materials and color schemes that are visually and aesthetically compatible with the overall project, incorporating the following:

1. Brick;

2. Stone;

3. Stucco;

4. Reinforced concrete; or

5. Other similar masonry materials as approved by the Planning and Development Services Director.

E. Concrete-filled steel pipes (bollards) with a minimum 6-inch diameter must be located around the enclosure to protect it from vehicle operations while not obstructing container operations.

F. Container enclosures must have steel gates with spring-loaded hinges, or the equivalent, and fasteners to keep them closed. Except during typical container operations, the container lid and enclosure doors must remain closed. A container enclosure door must not be left open at any time.

G. When an enclosure is located adjacent to a landscaped area, trees, shrubs, flowering perennials, and ornamental plantings permitted in this subchapter must be installed around the container enclosure to enhance aesthetics.

H. The ingress, egress, and approach to all container pads must conform to fire lane requirements.

9.11.7. Screening of Loading Docks, Overhead Doors, and Service Courts

This subsection applies to all buildings in nonresidential zoning districts with a loading dock, overhead door, or service court.

A. Service courts containing loading docks and delivery receivable areas for multiple office and commercial uses must be located to the side or rear of the buildings. The entire extent of the service court must be screened at ground level from a public street, main drive aisle, and patron parking area on all sides, except for the access point into the service court.

1. Screening of a service court must consist of a wall constructed of complementary materials to the principal building, as permitted by Subchapter 7. Building and Site Design, and at a consistent height that substantially provides screening from the highest loading dock. Landscaping shrubs and ornamental trees are encouraged along the extent of the required wall to provide visual relief.

2. Native evergreen trees and shrubs may be used to screen all or a portion of the service court if the plantings:

a. Result in a solid vegetative screen at least 8 feet in height within 2 years;

b. Extend the entire distance otherwise required for a solid wall as required herein; and

c. Are in addition to the minimum landscaping required in Section 9.3. Minimum Landscape Area.

B. When multiple buildings with a land use permitted in an industrial zoning district containing more than 2 loading docks are proposed, loading docks for each building must be oriented toward one another to establish a common service court.

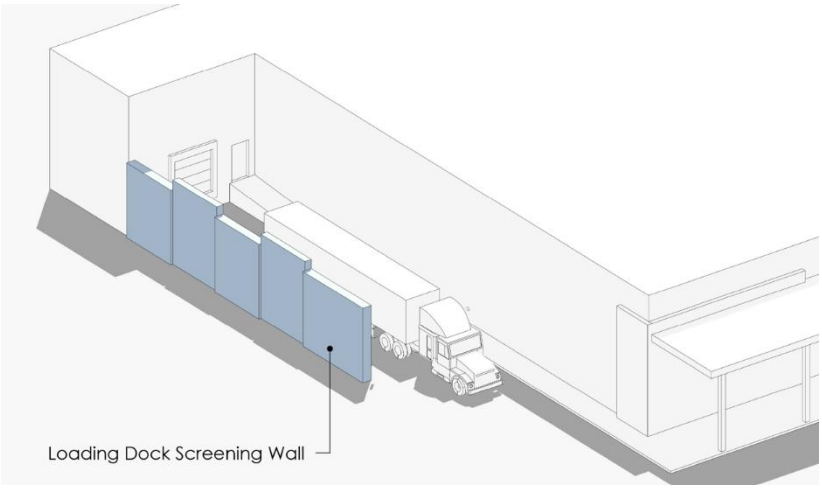
C. At a minimum, walls commonly known as "wing walls" must be provided to screen all loading docks from ground-level public view. The wall must consist of complementary materials to the principal building, as permitted by Subchapter 7. Building and Site Design, and be at a consistent height that substantially provides screening from the highest loading dock. The wall must extend at least 50 feet from the building to screen the truck and trailer. If a wall is determined to be infeasible due to site or height constraints, the Planning and Development Services Director may approve the use of native evergreen trees and shrubs, providing the plantings:

1. Result in a solid vegetative screen at least 8 feet in height within two years; or

2. In combination with a wall, extend the distance otherwise required for a solid wall as required herein; and

3. Are in addition to the landscaping required in Section 9.3. Minimum Landscape Area.

Figure 9.11-4. Loading Dock Wing Walls



D. Where physical constraints prevent the orientation of overhead doors required in Subchapter 7. Building and Site Design, the Planning and Development Services Director may approve an alternative orientation if one of the following is provided:

1. Approved alternative landscape screening per Figure 9.7-1 of this Subchapter;
2. Structural awnings with a depth of at least 3 feet and 10 inches are provided over the full extent of all overhead doors facing the public street; or
3. Structural projections of at least 3 feet and 10 inches are provided in front of overhead doors facing a public street to reduce the visual impact of the service bay.

E. Where physical constraints prevent the required orientation of loading docks, as required in Subchapter 7. Building and Site Design, the Planning and Development Services Director may approve an alternative orientation if the following screening is provided:

1. Approved alternative landscape screening per Section 9.7. Alternative Landscape Plan; and
2. Structural projections of at least 3 feet and 10 inches are provided in front of the loading docks to reduce visual impact from the street; and
3. Structural awnings with a depth of at least 3 feet and 10 inches are provided over the loading docks facing a public street.

9.11.8. Screening of Storm Water Detention

A. Storm water detention and water quality ponds (if provided) should be located to the side or rear of a lot to minimize visibility from a public street, major drive aisle, and patron parking area. All stormwater detention and water quality facilities within the city must be screened using the following landscape elements:

1. One Type A or Type B tree must be planted for every 40 linear feet of the detention and/or water quality facility visible from a public street or major drive aisle;
2. One Type C tree must be planted for every 30 linear feet of the detention and/or water quality facility visible from a public street or major drive aisle;
3. One large shrub (minimum 5-gallon size) must be planted on center for every 4 linear feet of the detention and/or water quality facility visible from a public street or major drive aisle; and
4. A wrought iron fence (minimum 4 feet in height) must be installed around the perimeter of the detention and/or water quality facility when a fence is required for safety. A maintenance entrance

must be provided and kept accessible. Plantings must be installed in front of the fence, except where necessary to maintain access to the maintenance entrance.

B. Required landscaping must be located outside of any structural embankment and must not interfere with the function, integrity, drainage, or maintenance of the storm water detention or water quality facility.

C. Full or partial exceptions to the screening requirements may be approved by the Planning and Development Services Director if the facility is designed as a retention pond with a waterfall, fountain, or similar feature used as a visual enhancement to the development.

9.11.9. Screening of Walk-in Coolers

A. Walk-in coolers must be structurally integrated and composed of masonry materials similar to those of the principal building.

9.12. Fence and Wall Requirements

9.12.1. General Requirements

The following standards must apply to all fences and walls in all zoning districts and for all uses.

A. Except as otherwise allowed in this Subchapter, fences and walls must not exceed 6 feet in height.

B. The Administrator may approve an increase in fence or wall height up to a maximum of 7 feet where topographic or other site constraints exist.

C. Fencing and walls must not be placed within a Sight Visibility Triangle.

D. Front yard fences are permitted on single-family lots provided the fence does not exceed three feet (3') in height and is located outside the Sight Visibility Triangle.

E. Fences and walls must be constructed of high-quality materials, such as brick, stone, masonry fencing, stained cedar wood, vinyl, and wrought iron. Figure 9.12-1 specifies which types are permitted and prohibited based on land use.

1. Wrought iron fencing must consist of iron or steel pickets, rails, and posts designed to adhere to the appearance of traditional wrought iron fencing.

2. Tubular steel fencing must consist of welded or mechanically fastened pickets, rails, and posts with a decorative metal appearance similar to wrought iron fencing.

3. Opaque and grid metal panel fencing may be permitted when incorporated into an architecturally framed system, including framing elements such as stained wood or similar materials.

Figure 9.12-1. Fencing Materials

Fencing Materials						
Use	**Wood**	**Chain Link**	**Wrought Iron**	**Tubular Steel**	**Masonry Product**	**Vinyl**
Single-Family Detached Uses [4]	Permitted	Prohibited with exception [5]	Permitted	Permitted	Permitted	Permitted [6]
Duplex, Townhouse, Live-Work Unit [1]	Permitted [2]	Prohibited with exception [5]	Permitted	Permitted	Permitted	Permitted [6]
Triplex and Quadplex; Multi-Family, Neighborhood Scale; Multi-Family, Suburban; Multi-Family, Urban	Prohibited with exception [3]	Prohibited with exception [5]	Permitted	Permitted	Permitted	Prohibited

Fencing Materials						
Use	**Wood**	**Chain Link**	**Wrought Iron**	**Tubular Steel**	**Masonry Product**	**Vinyl**
Nonresidential (Non-Industrial) Uses	Prohibited with exception [3]	Prohibited with exception [5]	Permitted	Prohibited	Permitted	Prohibited
Industrial and Logistics Uses [7] (CI or Specific Use Permit)	Prohibited	Prohibited with exception	Permitted	Prohibited	Permitted	Prohibited
Industrial and Logistics Uses [7] (LI, GI only)	Prohibited	Permitted when not visible from, and set back at least 100' from a public right-of-way line	Permitted	Prohibited	Permitted	Prohibited

Notes

[1] Duplex, Townhouse, Live-Work Unit: Perimeter fencing adjacent to a public right-of-way must not exceed 3 feet in height.

[2] Use of wood must be limited to decorative fencing not exceeding 4 feet in height.[2] Duplex, Townhouse, Live-Work Unit: Use of wood must be limited to decorative fencing not exceeding 4 feet in height.

[3] A split-rail, natural wood fence may be utilized as a decorative feature to provide separation between uses when incorporated into landscaping.

[4] Decorative fencing may be utilized when not visible from or adjacent to the public right-of-way.

[5] Black vinyl-coated chain link fencing may be permitted for outdoor recreation facilities, such as sports courts, athletic fields, dog parks, batting cages, and similar facilities.

[6] Vinyl fencing must consist of high-quality, durable materials with a matte finish, neutral colors, and a minimum thickness for structural integrity and long-term durability.

[7] Industrial and Logistics Uses are uses identified within the Industrial and Logistics Uses category in the 5.2.3.A. Commercial Permitted Uses.

F. Where perimeter fencing is utilized for single-family attached or multi-family uses, breaks in the fence or wall must be provided to allow for pedestrian and bicycle connections to the public sidewalk and adjacent developments. Decorative gates may be provided as necessary to ensure security for the development.

G. Except as otherwise required in this Subchapter, the maximum length of a continuous, uninterrupted fence or wall plane is 100 feet. Breaks must be provided through the use of natural stone or brick columns, landscaped areas, transparent sections or a change in material.

H. When a sound barrier is required to comply with state or federal requirements, a perimeter fence or wall greater than 6 feet in height may be required by the Administrator.

9.12.2. Residential Subdivision Perimeter Fence Standards

A. A perimeter fence or wall must be provided along the perimeter of each residential subdivision. The perimeter fence or wall must be located within a landscape lot or landscape easement, as required in Subchapter 13. Subdivision Processes and Design, and must be owned and maintained by the Homeowners' Association.

B. Perimeter fencing must be constructed of high-quality materials, such as brick, stone, masonry fencing, stained cedar wood, wrought iron, or a combination of such materials, to provide variation and ensure longevity.

C. A decorative or capped stained cedar fence along the perimeter of a residential subdivision is permitted to have a height of no greater than 8 feet.

D. All perimeter fencing or walls must incorporate natural stone or brick columns approximately 120 feet apart on center and at all locations where two different sections of fence meet (typically at a 90-degree angle or similar) along arterial and collector streets or other public view areas.

E. All perimeter fencing must incorporate staggers or other visual breaks to relieve the monotonous appearance of continuous perimeter fence walls adjoining arterial streets.

F. Masonry entry signs may be provided in combination with a perimeter fence at the main entrance to each single-family residential subdivision. An entry sign must be located within a landscape lot or landscape easement, outside of the Sight Visibility Triangle, and must be owned and maintained by the Homeowners' Association.

9.13. Bufferyard Requirements

A bufferyard is intended to minimize potential adverse impacts of a commercial or multi-family use on an adjacent conforming single-family residential property. Landscaping required within bufferyards must be provided in addition to the site landscaping required in Section 9.3. Minimum Landscape Area.

9.13.1. Minimum Requirements

All required bufferyards must comply with the following minimum standards:

A. Installation of 4 large evergreen trees and 12 5-gallon shrubs per 100 linear feet of the site development boundary;

B. An opaque bufferyard wall as required in Section 9.13.4. Bufferyard Walls;

C. The minimum setback from the property line as established by the applicable zoning district in Subchapter 4; and

D. All applicable bufferyard requirements as referred to in Subchapter 4.

9.13.2. Existing Conditions

A. When existing healthy native trees and shrubs are located within the required bufferyard, such plantings must not be removed or replaced with new plantings.

B. In areas where vegetation is absent, where nuisance vegetation (e.g., poison ivy) predominates, or where diseased or dead trees or shrubs exist, bufferyard plantings must be installed in accordance with this Section.

9.13.3. Permitted Encroachments

A. Passive recreational uses, including pedestrian or bicycle trails, may encroach into a bufferyard provided that:

1. None of the required plantings is eliminated;
2. The total required bufferyard depth from the property line is maintained;
3. All other applicable regulations of this Subchapter are met; and
4. The encroachment is approved by the Administrator.

B. Stormwater detention facilities may be permitted within a bufferyard provided that:

~~1.~~ The facility is designed as a rain garden or similar facility with engineered soils; if existing soil conditions allow or appropriate soil modifications are made;

2. None of the required plantings is eliminated;
3. The total required bufferyard depth from the property line is maintained;
4. All other applicable regulations of this Section are met; and
5. The facility is approved by the Administrator and other relevant approval authorities.

9.13.4. Bufferyard Walls

A. Walls must be a minimum of 6 feet and a maximum of 8 feet in height. Where the adjacent property and the bufferyard are at different elevations, the Planning and Development Services Director may require a wall exceeding 8 feet in height, berms, or other screening devices to ensure adequate buffering.

B. The platting or conveyance of a tract for the purpose of avoiding bufferyard wall requirements will not eliminate adjacency.

C. Walls must be located within the required bufferyard and may be placed at any location between the common property line and the interior edge of the bufferyard. The property owner must maintain all portions of the required bufferyard located between the wall and the common property line.

D. Walls must not encroach into a Sight Visibility Triangle for a public right-of-way or a drive aisle.

E. When the adjacent use is separated by a street, no wall is required.

F. When a compliant bufferyard wall already exists within the required bufferyard, no additional wall is required.

G. Where the required number of bufferyard plantings is tripled or where an existing tree line is preserved abutting an existing fence, the Planning and Development Services Director may allow the wall or bufferyard planting requirements to be reduced.

H. The Planning and Development Services Director may allow an existing wall within the required bufferyard to satisfy the bufferyard wall requirement, provided it meets the standards of this Section and is a minimum of 6 feet in height. If the existing fence does not meet these standards, supplemental screening may be required.

I. A building permit is required for walls exceeding 6 feet in height. Walls and masonry columns must comply with the footing standards prescribed by the building code.

J. Walls must be constructed of durable masonry materials, including brick, stone, concrete, or a combination of these materials, and must be finished on both sides. Walls may be accented with brick, stone, stucco, Exterior Insulation and Finish System (EIFS), or concrete columns.

9.14. Landscaping Installation and Maintenance

Unless otherwise noted, this section applies to all development and zoning districts. All landscaping must be installed and maintained in accordance with this Subchapter.

9.14.1. Maintenance

A. The current owner and all subsequent owners of the landscaped property, or the authorized agent of the owner and all subsequent owners, must be responsible for maintaining a healthy, neat and orderly appearance at all times, free of refuse and debris, for the following:

1. All landscape areas and materials;
2. Required bufferyard areas and materials; and
3. Required screening materials.

B. Maintenance must include the replacement of all dead plant material if such material was used to meet the requirements of this Subchapter. Such plant material must be replaced within six months of notification or by the next planting season, whichever comes first.

9.14.2. Replacement of Trees

A. If a tree for which credit has been obtained pursuant to this Subchapter dies or is removed, the tree must be replaced with new landscape plantings sufficient to equal the area credited. Replacement trees or shrubs must be of the same size and species as shown on the approved site plan or must be of equivalent size and type.

B. Trees installed by the homeowner of a single-family residential lot are exempt from this requirement.

9.14.3. Irrigation Standards

Irrigation must be provided to ensure survival of the required plant material in all landscaped areas, except individual single-family residential detached lots, unless the site utilizes native landscaping or xeriscaping that can be established through temporary irrigation measures. One of the following irrigation methods must be used:

A. Conventional System

An automatic underground irrigation system with the following:

1. Subsurface drip irrigation must be utilized for all landscape planting beds,
2. A bubble-type head or drip irrigation system must be utilized for all trees,
3. Spray irrigation limited to turf grass areas.

B. Temporary landscape areas utilizing xeriscape plants and installation techniques, including areas planted with native grasses, wildflowers, and trees, may use a temporary aboveground irrigation system. Irrigation for such areas must be limited until the plants have been fully established.

C. Rain barrels, cisterns and disconnected downspouts may be used as supplemental irrigation.

D. Gray water recycling systems must comply with Texas Commission on Environmental Quality (TCEQ) standards and the International Plumbing Code adopted by the City of Pflugerville.

E. No irrigation is required for undisturbed natural areas or preserved trees.

F. The use of reclaimed, non-potable water for irrigation systems is highly encouraged but subject to approval by the Planning and Development Services Director. All irrigation systems are subject to approval by the Building Official and must be installed in accordance with Chapter 113, Irrigators, in the Code of Ordinances and the Tree Technical Manual.

G. All irrigation systems, including temporary systems, must have a functioning rain and freeze sensor or soil sensor shut-off device.

H. Hand watering may be approved by the Planning and Development Services Director as an alternative to a required irrigation system only where the applicant demonstrates that permanent irrigation is impractical or unnecessary due to plant type, site conditions, location, size of the landscape area, or temporary establishment needs.

9.15. Permits, Enforcement, and Drought

9.15.1. Permits

With the exception of single-family residential developments, no permit may be issued for building, paving, grading, or construction until a landscape plan that meets the specifications of this Subchapter and is prepared by a registered landscape architect is approved by the Planning and Development Services Director. Before the issuance of a certificate of occupancy for any building or structure other than a single-family dwelling, all required screening and landscaping must be in place per the approved landscape plan and a concurrence letter provided by the landscape architect.

9.15.2. Enforcement

If at any time after the issuance of a certificate of occupancy, the landscaping that was installed does not conform to the approved landscape plan or the landscape standards, the City must issue notice to the property owner, tenant, or agent, citing the violation and describing the action required to comply with this Subchapter. The owner, tenant, or agent must comply with the approved landscape plan within 30 days from the date of said notice. Failure to comply within the allotted time constitutes a violation of this Subchapter. In

addition to any other remedy available to the City, the certificate of occupancy for the subject property may be revoked.

9.15.3. Unfavorable Conditions

During any period in which the Planning and Development Services Director determines that it would be impractical to plant any part of required landscaping, a temporary certificate of occupancy may be issued if the property owner enters into an agreement with the City stating when the installation must occur and provide fiscal security equal to 110 percent of the cost of the proposed landscaping and installation. Alternatively, the Planning and Development Services Director may authorize issuance of a final certificate of occupancy with deferred landscaping, subject to the same agreement and fiscal security requirements. In no instance may installation be greater than six months from the date of issuance of the temporary certificate of occupancy, unless otherwise approved by the Administrator, or the site may be deemed to be in violation of this Subchapter and the temporary certificate of occupancy may be revoked.

Subchapter 10. Tree Preservation

10.1. Purpose

10.1.1. This Subchapter establishes requirements for tree preservation and replacement as necessary to promote the orderly and healthful development of the community. These regulations are intended to:

A. Protect specified existing trees;

B. Promote the public health, safety, welfare, and quality of life of residents;

C. Encourage the preservation of healthy trees to reduce pollutants entering local streams;

D. Support the establishment and maintenance of the local ecosystem;

E. Protect property values; and

F . Avoid significant adverse impacts on adjacent properties.

10.1.2. The existing natural landscape provides significant ecological, environmental, and aesthetic benefits to streetscapes and parks and helps define the unique character of the City and extraterritorial jurisdiction (ETJ). Accordingly, the City requires preservation of the existing natural landscape to the maximum extent feasible and declares the indiscriminate clearing of land and removal of protected trees to be violations of this Subchapter.

10.2. Applicability

10.2.1. Applicability of Provisions

A. The provisions of this Subchapter apply to all property located within the City and, to the extent authorized by state law, within the ETJ, except as expressly exempted below. The following properties are exempt from the requirements of this Subchapter:

1. Properties currently used for agricultural purposes, provided such properties have been granted an agriculture tax exemption by the applicable county appraisal district and are located within an Agriculture/Development Reserve (A) District as designated by the City; however, Section 10.4.1.C of this Subchapter still applies.

B. Capital improvement projects by the City, State, or Federal government on property or rights-of-way owned or controlled by such entity are exempt from the tree mitigation and fee-in-lieu requirements of this Subchapter but must otherwise comply with all applicable tree preservation and protection standards.

C. This Subchapter applies to property located within the City's ETJ to the extent authorized by state law pursuant to Texas Local Government Code Section 212.002 and Section 212.003. Accordingly, all provisions of this Subchapter that govern or are incidental to plats, subdivisions and the associated development of land must apply in the ETJ in the same manner as within the City.

10.2.2. Applicability of Development Applications

The provisions of this Subchapter must be reviewed in conjunction with a preliminary plan, construction plan, site disturbance plan, site plan, and building permits, as applicable. No certificate of occupancy for development within the city, nor acceptance of public infrastructure associated with a construction plan in the ETJ, will be issued until the provisions of this Subchapter have been satisfied.

10.2.3. Tree Technical Manual Adopted

A. There is hereby adopted a Tree Technical Manual, which is incorporated herein for all purposes as Appendix A to this Subchapter, as if laid out here in full. The Tree Technical Manual will provide the specifications, procedures and standards by which this Subchapter will be interpreted, implemented and administered. In the event that any conflict exists between this Subchapter and the Tree Technical Manual,

this Subchapter will control. A true and correct copy of the Tree Technical Manual must be maintained by the Planning and Development Services Director and made available on the City's website.

10.2.4. Project Arborist Required

A. Minimum Qualifications

The Project Arborist must hold at least one of the following credentials:

1. ISA Certified Arborist;
2. ISA Certified Master Arborist; or
3. ASCA Registered Consulting Arborist

B. Roles and Responsibilities

The Project Arborist will be responsible for providing professional arboricultural review, oversight, and documentation throughout the development process. Responsibilities may include, but are not limited to:

1. Confirming the accuracy of the tree survey;
2. Assigning tree condition ratings;
3. Reviewing the Tree Protection Plan;
4. Overseeing installation of tree protection measures;
5. Overseeing tree pruning, plant health care, and related arboricultural operations;
6. Conducting routine inspections at key construction milestones;
7. Advising the developer and project team on tree preservation requirements and best practices;
8. Communicating with the Urban Forester regarding tree preservation, protection, mitigation, and compliance matters; and
9. Overseeing tree planting operations to confirm appropriate species selection, installation methods, and establishment practices.

10.3. Tree Classifications

10.3.1. Tree Classification Overview

Trees within the City and the ETJ are grouped in five tree classes as outlined in Figure 10.3-1. Classes 2 through 5 are considered protected tree classes and are subject to mitigation in accordance with Section 10.9. For developed single-family or two-family properties with certificates or occupancy, Classes 3 through 5 are considered protected tree classes and are subject to mitigation in accordance with the applicable provisions of Sections 10.5.2 and 10.9. These protected trees must not be removed from a site without first obtaining the necessary approval under a site disturbance permit, site plan permit, construction plan, or, if required, approval from City Council, as applicable.

Figure 10.3-1. Tree Classification

Tree Classification	
Class 1	Unprotected Trees: Invasive species and naturally occurring trees less than 6" DBH.
Class 2	Protected Trees with DBH 6 - 17.99 inches and Trees planted to satisfy requirements of Subchapter 9. Landscaping and Screening
Class 3	Protected Trees with DBH 18 - 24.99 inches
Class 4	Protected Trees with DBH 25 inches or greater (Not a Heritage Tree species)
Class 5	"Heritage Tree" – Any Protected Trees with DBH 25 inches or greater listed within Section 10.3.3 or Any native tree species with DBH 32 inches or greater

10.3.2. Protected Trees

A. A protected tree is any native tree measuring 6 inches or greater in diameter at breast height (DBH), measured at 4.5 feet above natural grade, as more specifically described in the City's adopted Tree Technical Manual; any non-invasive tree, regardless of size, planted to satisfy the landscaping requirements of Subchapter 9. Landscaping and Screening pursuant to an approved site plan, public infrastructure construction plan, or tree replacement plan; and any non-invasive tree, regardless of size, planted outside the requirements of Subchapter 9. Landscaping and Screening.

B. Protected trees include multi-trunk trees, which are measured by combining the diameter of the largest stem or trunk with one-half of the diameter of each additional stem or trunk, with all measurements taken at DBH.

C. Trees within Class 1 are not considered protected unless the tree was intentionally planted to satisfy requirements of this Code. However, naturally occurring healthy trees of protected tree species that are native and found on the Recommended Tree List with good branching structure, height, and spread comparable to nursery grown trees with DBHs from 3 to 5.99 inches may be credited toward the landscaping requirements described in Subchapter 9. Landscaping and Screening and should be preserved where possible.

D. For developed single-family and two-family properties with certificates of occupancy, a protected tree is subject to residential tree removal permitting and mitigation only if the tree is a Class 3, Class 4, or Class 5, unless expressly stated otherwise.

10.3.3. Heritage Trees

A. A heritage tree is any protected tree measuring 25 inches or greater in DBH of the following tree species:

1. Cypress (*Taxodium*)
    a. Bald cypress (*T. distichum*)
    b. Montezuma cypress (*T. mucronatum*)
    c. Pond cypress (*T. ascendens*)
2. Elm (*Ulmus*)
    a. American elm (*U. americana*)
    b. Texas/Fall/Cedar elm (*U. crassifolia*)
    c. All other native elm species
3. Oak (Quercus)
    a. Bur oak (Q. macrocarpa)
    b. Chinquapin/Chinkapin oak (Q. muehlenbergii)
    c. Lacey oak *(Q. laceyi*)
    d. Post oak (*Q. stellata*)
    e. Shumard red oak (*Q. shumardii*)
    f. Southern live oak (*Q. virginiana*)
    g. Texas live oak (*Q. fusiformis*)
    h. Texas/Spanish red oak (*Q. buckleyi*)
    i. All other native oak species
4. Pecan (*Carya*)

a. Pecan, all varieties (*C. illinoinensis*)

5. Sycamore (*Platanus*)
   a. American sycamore and hybrids of (*P. occidentalis*)
   b. Mexican sycamore and hybrids of (*P. mexicana*)
6. Walnut (*Juglans*)
   a. Black walnut (*J. nigra*)
   b. Texas/Little walnut (*J. microcarpa*)
      (1) Little walnut

B. A heritage tree also includes any other tree species native to Central Texas, with a DBH of 32 inches or greater.

C. Work near heritage trees will be subject to a higher level of review, and the highest degree of tree protection will be expected and required.

10.4. Tree Preservation Requirements

10.4.1. Identification of Protected Trees

A. All trees within Classes 2-5 and some trees within Class 1, as described in Section 10.3, are considered protected trees, except for any tree determined to be in a hazardous condition by a Certified Project Arborist, and confirmed by the Urban Forester, that endangers public health, safety, or welfare; or any tree species determined to be invasive, as identified in the Texas Invasives Database, as amended, or the City of Pflugerville Prohibited Species List.

B. All existing non-hazardous native trees, located within a required bufferyard pursuant to Subchapter 4 of this UDC, are considered protected trees.

C. Any tree with a DBH of six inches (6") or greater located within a floodplain or floodway is considered a protected tree, except for invasive species, as identified in the Texas Invasives Database, as amended, or the City of Pflugerville Prohibited Species List. Invasive species located within a floodplain or floodway may be required to be removed where removal will not adversely affect bank stabilization. A protected tree may be removed if it is determined to be in a hazardous condition that endangers public health, safety, or welfare, or it is determined to adversely affect floodplain or floodway hydraulics. The Planning and Development Services Director, in consultation with the Urban Forester, must determine whether a tree is damaged, diseased, or dying due to natural causes and therefore constitutes a hazardous condition. The City Engineer must determine whether a tree adversely affects floodplain or floodway hydraulics.

10.4.2. Tree Condition Evaluation

A. The Planning and Development Services Director, in consultation with the Urban Forester, must determine whether a tree is damaged, diseased, or dying due to natural or other causes. Such determination must be based on the objective evaluation criteria set forth in Figure 10.4-1.

Figure 10.4-1. Tree Condition Evaluation Criteria

Rating Category	Condition Components		
	Health	Structure	Form
Excellent	High vigor and nearly perfect health with little or no twig dieback, discoloration, or defoliation	Nearly ideal and free of defects.	Nearly ideal for the species. Generally symmetric. Consistent with the intended use.
Good	Vigor is normal for the species. No significant damage due to diseases or	Well-developed structure. Defects are minor and can be corrected.	Minor asymmetries/deviations from species norm. Mostly

Rating Category	Condition Components		
	Health	Structure	Form
	pests, any twig dieback, defoliation, or discoloration is minor		consistent with the intended use. Function and aesthetics are not compromised.
Fair	Reduced vigor. Damage due to insects or diseases may be significant and associated with defoliation but is not likely to be fatal. Twig dieback, defoliation, discoloration and/or dead branches may comprise up to 50% of the crown.	A single defect of a significant nature or multiple moderate defects. Defects are not practical to correct or would require multiple treatments over several years.	Major asymmetries/deviations from species norm and/or intended use. Function and/or aesthetics are compromised.
Poor	Unhealthy and declining in appearance. Poor vigor. Low foliage density and poor foliage color are present. Potentially fatal pest infestation. Extensive twig and/or branch dieback.	A single serious defect or multiple significant defects. Recent change in tree orientation. Observed structural problems cannot be corrected. Failure may occur at any time.	Largely asymmetric/abnormal. Detracts from intended use and/or aesthetics to a significant degree.
Very Poor	Poor vigor. Appears to be dying and in the last stages of life. Little live foliage.	Single or multiple severe defects. Failure is probable or imminent.	Visually unappealing. Provides little or no function in the landscape.
Dead	-	-	-

B. A tree's overall condition rating must be equal to the lowest rating assigned to any of the three condition components (health, structure, or form).

10.4.3. Site Design for Tree Preservation

A. All proposed buildings and site improvements must be oriented and designed, to the greatest extent feasible, to preserve protected trees.

B. Tree preservation must be guided by the hierarchy of trees set forth in Section 10.3, with Class 5 heritage trees receiving the highest priority for preservation.

C. Parking lots must be designed to incorporate protected trees as focal points or as a practical means of segmenting parking lots through the preservation of existing trees within landscape islands, peninsulas, and medians.

D. Preserved trees must be integrated into the design of required open space, screening, and landscape areas.

10.4.4. Financial Assurance Requirements

A. Before the approval of an applicable site plan, site disturbance plan, construction plan, or other permits that proposes the removal of protected trees with on-site or off-site mitigation tree planting, fiscal security must be provided in an amount equal to 100 percent of the mitigation value of the trees proposed for removal, in accordance with Figure 10.9-2. Off-Site Tree Mitigation Ratios – Developed Single-Family and Two-Family Properties. This tree mitigation fiscal security will be released upon completion of the tree replacement plan and may be drawn from if the mitigation plan was not properly installed, pending inspection and approval by the Urban Forester.

B. Prior to the approval of an applicable site plan, site disturbance plan, construction plan, or other permits that proposes the preservation of protected trees, fiscal security must be provided in an amount equal to 100 percent of the mitigation value of the trees proposed for preservation, in accordance with Figure 10.9-2. Off-Site Tree Mitigation Ratios – Developed Single-Family and Two-Family Properties. This tree

preservation fiscal security will be released after the final site inspection if no preserved trees where damaged or killed due to construction activities and may be drawn from, in addition to applicable fines, if preserved trees where damaged or killed due to construction activities, pending inspection and approval by the Urban Forester.

C. Tree mitigation and tree preservation fiscal securities may be added as separate line items on another performance bond required by the City or independent bond templates will be provided to the applicant.

D. The financial assurance requirements of this Section do not apply to developed single-family or two-family properties with certificates of occupancy.

10.4.5. Additional Requirements

A. All tree preservation and maintenance measures must comply with the City's adopted Tree Technical Manual.

B. Mowing and clearing of brush within or beneath the driplines of protected trees is permitted, provided a site disturbance permit has been issued and such activity is performed by hand or with mechanical mowers equipped with turf tires. Mechanical mowers equipped with tracks must not be used within or beneath the driplines of protected trees. Damage to surface roots and buttress roots caused by mowing and trimming equipment may result in fines.

C. Prior to issuance of a certificate of occupancy within the City, or prior to acceptance of public infrastructure associated with a construction plan within the ETJ, the Planning and Development Services Director will require a signed letter from a certified project arborist stating that the development complies with:

1. The tree preservation and tree removal mitigation requirements of this Subchapter; and

2. Permanent irrigation system requirements, if applicable.

D. The Planning and Development Services Director in consultation with the Urban Forester may inspect each site in conjunction with final inspection and at other times to ensure compliance with this Subchapter.

10.5. Tree Removal and Protection Procedures

10.5.1. Tree Removal with Development Applications

A. Plan Requirements

1. A tree survey, Tree Removal Plan, Tree Protection Plan, and Tree Replacement Plan must be reviewed, developed, and/or approved by the Project Arborist before submittal and provided in accordance with the requirements specified in the Tree Technical Manual and the respective development applications. These elements must be incorporated into the overall sheet set for preliminary plans, construction plans, site plans, or site disturbance plans.

2. The irrigation plan must comply with Subchapter 9. Landscaping and Screening, Chapter 113 of the Code of Ordinances (Irrigators), and the Tree Technical Manual.

B. Tree Removal Plan Required

1. Any approved Tree Removal Plan associated with a development permit or construction plan approval must remain in effect until expiration of such development permit or construction plan approval, provided fiscal security is posted and maintained until such expiration or the trees have been replaced pursuant to the approved Tree Replacement Plan, as applicable.

2. Physical tree removal may occur only after the Urban Forester has approved the Tree Removal Plan and all applicable tree protection measures, if required, have been installed and inspected by the Urban Forester. A non-hazardous heritage tree may be removed only if approved by City Council in accordance with Section 10.7.

C. Tree Protection Plan Required

1. A Tree Protection Plan must be submitted as part of an associated development application, and must be implemented and inspected by the Urban Forester prior to any tree removals, trenching, grading, or other site disturbance.
2. The Tree Protection Plan must:
    a. Include a tree survey in accordance with the Tree Technical Manual, graphically identifying all trees greater than 6" and protected Class 1 trees identified in this Subchapter on the site;
    b. Provide for the realistic placement of tree protective measures; and
    c. Identify the trees proposed for preservation and removal. All trees must be identified by species, diameter, condition, protection status, intent to remove or preserve, and applicable mitigation ratio and value.
3. All preserved trees and their associated protection measures must be shown on the layout of all sheets within the plan set that prescribes work. Including, but not limited to, grading plans, utilities plans, infrastructure plans, landscape plans, etc.

D. Tree Replacement Plan Required

1. If development under a proposed site plan will remove a protected tree, the City must require tree mitigation in accordance with Section 10.9, including tree replacement or payment of an applicable fee in-lieu, as a condition of site plan or other development approval.
2. The Planning and Development Services Director or City Engineer, in consultation with the Urban Forester, as applicable, must not release the construction plan, site disturbance plan, or site plan until the applicant satisfies the condition(s) of approval or posts fiscal security to ensure the required tree replacement will be satisfied.
3. All trees being planted on-site to satisfy tree mitigation requirements must be incorporated into and identified within a Landscape Plan.

10.5.2. Tree Removal without Development Applications

A. The proposed removal of any tree not associated with a development application or plan requires a site disturbance permit. The clearing of brush or trees less than 6 inches) also requires a site disturbance permit.

B. The site disturbance permit application must be made by the owner of the property on which the tree(s) are located or by the owner's authorized agent. A tree survey in accordance with the Tree Technical Manual, the Tree Replacement Plan, and the Tree Protection Plan, as applicable, must be submitted with the application. These submittal requirements do not apply to developed single-family or two-family properties with certificates of occupancy.

1. For developed single-family and two-family properties with certificates of occupancy, the owner of the property must submit information sufficient for the City to determine the species, size, location, and condition of the tree proposed for removal, along with a justification for the proposed removal.

C. Upon receipt of a complete application, the Urban Forester must inspect the subject tree before approving or denying the application in accordance with this Section.

D. A site disturbance permit must not be approved or released until a Tree Replacement Plan and Tree Protection Plan have been approved and fiscal security has been posted, or payment of a fee in-lieu has been provided in accordance with Section 10.9. Fiscal security will not be required for developed single-family or two-family properties with certificates of occupancy.

E. A non-hazardous heritage tree may be removed only if approved by City Council. Tree replacement or payment of a fee in-lieu of replanting must be provided in accordance with Figure 10.9-1 and Figure 10.9-2 of this Subchapter. The applicable Tree Replacement Plan must identify the heritage tree(s) proposed for removal, provide a narrative explaining the reason for the removal, provide a tree health and risk assessment prepared by a Certified Arborist and be processed in accordance with Section 10.11.

F. If no construction activity has occurred on the property within 60 days of site disturbance permit approval, the site disturbance permit will expire.

10.6. Tree Protection

10.6.1. Protection Measures and Installation

A. All trees identified for preservation on an approved Tree Protection Plan must be flagged and encircled with protective chain-link fencing installed along the approved Tree Protection Zone (TPZ) in accordance with the Tree Technical Manual (see Figure 10.6-1).

B. Installation of tree protection measures must be performed under the supervision of a certified project arborist.

C. If physical constraints prevent placement of the protective fencing at the TPZ, the Planning and Development Services Director, in consultation with the Urban Forester, may authorize encroachment into the TPZ by up to 50 percent; however, in no case must the protective fencing be installed closer than 5 feet from the base of the tree (see Figure 10.6-1).

D. No construction activity, including but not limited to trenching or regrading, may occur within more than 50 percent of the TPZ of any tree designated for preservation (see Figure 10.6-1).

E. Tree protective fencing must be installed prior to any site disturbance and must remain in place at all times throughout the development and construction process pursuant to the approved Tree Protection Plan. Protective fencing may not be removed until such time as the Planning and Development Services Director authorizes removal of such fencing.

Figure 10.6-1. Tree Protection Zone Illustrations

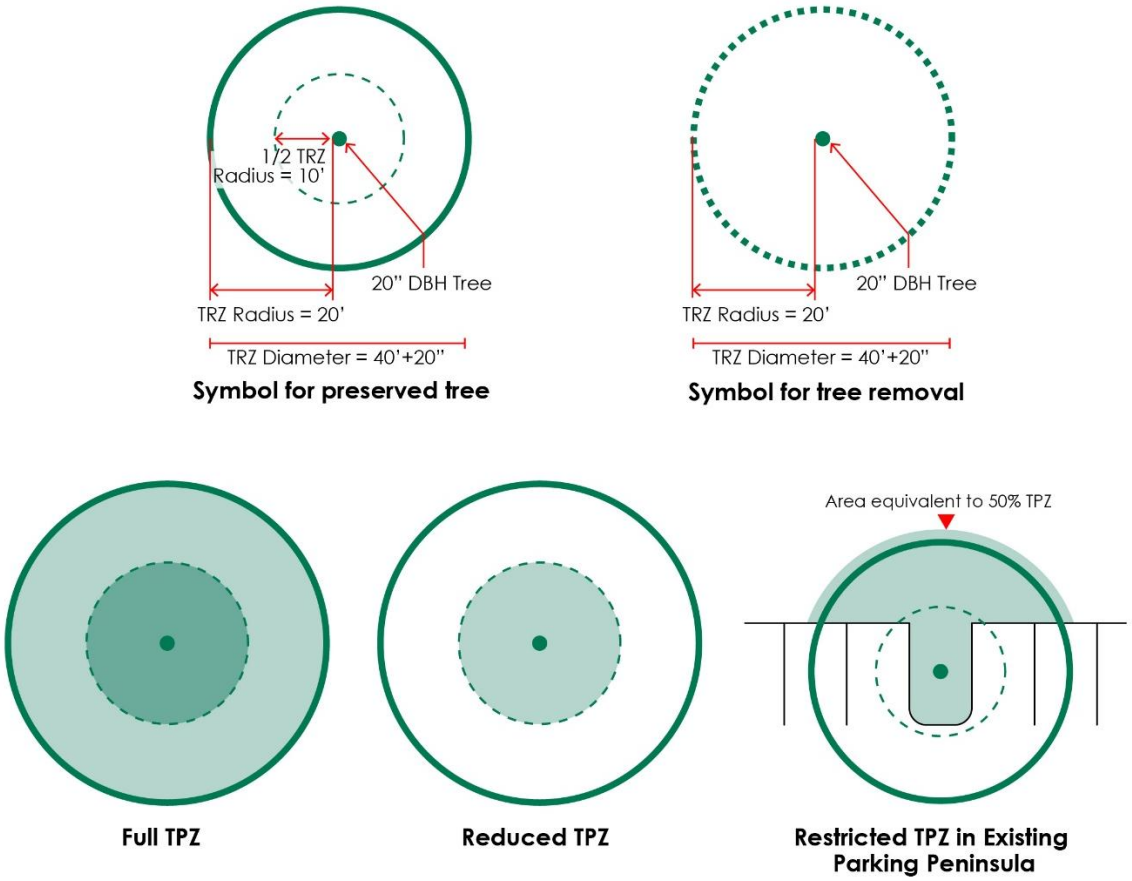
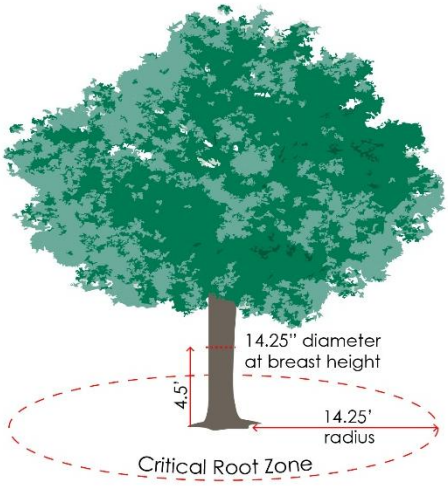


Figure 10.6-2. Critical Root Zone



10.6.2. Grading and Soil Disturbance

A. Grade changes must not be permitted within the TPZ unless otherwise approved by the Planning and Development Services Director. Grade changes within the Critical Root Zone must be avoided to the maximum extent practicable and may be approved only when necessary and appropriately mitigated. If grading within the TPZ is approved, such grading must be performed by hand or with small equipment to minimize root disturbance. Approved grade changes must not allow more than 6 inches of fill soil to be added or more than 6 inches of existing soil to be removed from natural grade unless mitigated. Grade fills exceeding 6 inches or the installation of impervious overlay must incorporate an approved permanent aeration system, permeable materials, or other approved mitigation measures. Within the TPZ, grade cuts exceeding 6 inches must incorporate retaining walls or other approved mitigation measures.

B. No grading, tree removal, or other site disturbance is permitted until all required tree protection measures have been approved and installed, as applicable.

10.6.3. Compliance and Enforcement

A. Compliance with the requirements of this Section must be demonstrated both in the field and in applicable approved plans. All tree protection measures must be continuously maintained in good condition and in full compliance with the approved Tree Protection Plan for the duration of development.

B. Adjustments to the approved Tree Protection Plan during construction require review and written approval by the Planning and Development Services Director prior to implementing such adjustments. An applicant who removes protected trees in violation of this Subchapter will be required to fully mitigate all damages resulting from such removal and will be subject to penalties pursuant to this UDC.

10.7. Protected Tree Removal Exceptions

10.7.1. Exceptions

A. A protected tree may be removed without replacement or mitigation if the tree is identified for removal as part of a capital improvement project approved by the City Council or other applicable governing jurisdictions (e.g., Travis County), provided that all reasonable alternatives to tree removal have been evaluated and determined infeasible.

B. A protected tree, including a heritage tree, may be removed if the Planning and Development Services Director, in consultation with the Urban Forester, determines that the tree is in a hazardous condition that

endangers public health, safety or welfare, or determines that the tree is dead or dying (referred to herein as a hazardous tree).

C. A property owner may request authorization from the City Council to remove a heritage tree in accordance with Section 10.11.

10.8. Tree Credits and Mitigation

This Section applies to all developments and zoning districts within the City. Developments may receive tree credit for the preservation of protected trees as specified in this Section.

10.8.1. Tree Preservation Credits

A. The total diameter-inch calculation of preserved protected trees may count toward meeting the total tree caliper inches required at a 1:1 ratio only when the preserved trees exceed the minimum tree preservation requirements of this Code. A 2:1 ratio (2 inches of protected tree diameter equates to 1 inch of tree credit) applies to Class 3 and Class 4 trees. Credit will not be given for trees required to be preserved, or for existing trees previously planted or credited to satisfy a code requirement. However, the landscape design must still incorporate the minimum required plantings within the streetscape, building, parking lot, screening and bufferyard landscaping requirements where feasible. For purposes of calculating tree credits under this Section, only the credit ratios established in this Section will apply.

B. All healthy native trees will count toward the minimum landscape area required per Section 9.3. Minimum Landscape Area. Invasive tree species will not count toward meeting the minimum landscape area required.

C. Trees preserved within the regulatory 100-year floodplain must not be credited toward the required landscaping trees per Section 9.3. Minimum Landscape Area.

10.8.2. Tree Mitigation

A. When tree mitigation is required due to the removal of Protected Trees, mitigation must be provided in accordance with 10.9. Mitigation for Tree Removal. Such mitigation must occur through on-site tree replacement, off-site tree replacement, or payment of a fee-in-lieu, as determined by the Planning and Development Services Director.

B. Off-site tree mitigation and payment of a fee-in-lieu may be used to satisfy tree mitigation requirements, as determined by the Planning and Development Services Director in accordance with 10.9. Mitigation for Tree Removal.

10.9. Mitigation for Tree Removal

10.9.1. On-Site Mitigation

A. General

1. No protected tree may be removed, and no replacement tree may be planted, until the Planning and Development Services Director in consultation with the Urban Forester has reviewed and approved the Tree Replacement Plan and fiscal security in an amount equivalent to the estimated cost of required mitigation, including the purchase, installation, and establishment of replacement trees, not including developed single-family or two-family properties, as set forth in City's adopted Fee Schedule, has been posted. For applicable development types, fiscal security will be released upon verification that all replacement trees have been installed, have passed inspection, and have met any required survival or establishment period.

2. Protected trees may be transplanted to a suitable location on the same property or to an off-site location within the City or its ETJ. If a protected tree is transplanted off-site, no on-site replacement will be required. The developer must comply with generally accepted transplanting practices in accordance with the most current edition of the American National Standards Institute (ANSI A300) standards. Transplanted protected trees must survive for a minimum period of one (1) year without

exhibiting signs of decline. The Planning and Development Services Director may require an extended monitoring period, not to exceed three years, for large-caliper or high-risk transplanted trees.

3. Fiscal security must be provided in an amount sufficient to cover the required mitigation if the transplanted tree does not survive the required survival or monitoring period. Fiscal security will be released upon successful completion of the applicable survival or monitoring period.

4. Irrigation must be provided for replacement trees in accordance with Subchapter 9, Chapter 113 of the Code of Ordinances (Irrigators), and the Tree Technical Manual.

B. Developed Single-Family and Two-Family Properties with a Certificate of Occupancy

1. For developed single-family and two-family properties with a certificate of occupancy, when on-site mitigation is elected for the removal of a Class 3, Class 4 or Class 5 tree requiring mitigation under this Subchapter, two replacement trees must be planted on the same property. Such replacement trees must consist of:

   a. One Type A or Type B tree, as identified in the Recommended Tree List in Figure 9.5-2 and

   b. One Type C tree, as identified in the Recommended Tree List in Figure 9.5-2.

2. Replacement trees must meet the applicable planting standards set forth in Subchapter 9 and the Tree Technical Manual.

3. The Planning and Development Services Director is required to determine the cause of damage or death for any protected tree.

4. If the property owner elects to provide off-site mitigation or payment of a fee-in-lieu instead of planting the required replacement trees on the property, mitigation must be provided at a 1:1 ratio based on the total DBH of the protected tree(s) removed, in accordance with Section 10.9.2.

C. All Other Properties

1. For all other properties, any protected tree removed, damaged, or killed as a result of development activity or improper maintenance, including excessive pruning, must be replaced with a tree or trees of the same species or a comparable alternative in an amount equal to the total number of diameter inches removed, as measured at breast height (DBH). Tree replacement must be provided on-site in accordance with Figure 10.9-1.

2. Replacement trees must meet the planting standards set forth in Subchapter 9, and the Tree Technical Manual.

3. The Planning and Development Services Director is required to determine the cause of damage or death for any protected tree.

4. Figure 10.9-1 establishes the protected tree classifications based on size or designation and the applicable mitigation ratio for replacement caliper inches.

Figure 10.9-1. Tree Mitigation Ratios

Tree Mitigation Ratios		
Tree Classification		Mitigation Ratio
Class 1	Unprotected trees: Invasive species and naturally occurring trees less than 6" DBH.	N/A
Class 2	Trees with DBH 6 - 17.99 inches and Trees planted to satisfy requirements of Subchapter 9, Landscaping and Screening with DBH less than 6 inches	1:1
Class 3	Trees with DBH 18 - 24.99 inches	2:1
Class 4	Protected Trees with DBH 25 inches or greater (Not a Heritage Tree species)	2.5:1
Class 5	"Heritage Tree" - Trees with DBH 25 inches or more	3:1

10.9.2. Alternative Mitigation

A. General

When the Planning and Development Services Director determines that on-site mitigation through tree replanting is not feasible or appropriate due to site constraints, public health or safety considerations, potential conflicts with structures or infrastructure, or other site-specific conditions, an applicant may elect one of the following alternatives in lieu of on-site replanting.

1. Developed Single-Family and Two-Family Properties with a Certificate of Occupancy

a. Plant replacement trees in a City Park or on other City-owned property at the applicable mitigation ratio identified in Figure 10.9-2, in locations approved by the Planning and Development Services Director and the Parks and Recreation Director; or

b. Make a payment into the Tree Fund. The payment amount must be calculated based on the DBH of the protected trees removed and the applicable fees established in the City's adopted Fee Schedule, as amended from time to time. Such payment is non-refundable.

c. Figure 10.9-2 establishes the protected tree classifications based on size and designation for developed single-family and two-family properties with certificates of occupancy and the applicable off-site mitigation ratio for replacement caliper inches.

Figure 10.9-2. Off-Site Tree Mitigation Ratios – Developed Single-Family and Two-Family Properties

Tree Mitigation Ratios		
Tree Classification		Mitigation Ratio
Class 1	Unprotected trees: Invasive species and naturally occurring trees less than 6 inches DBH.	N/A
Class 2	Trees with DBH 6 - 17.99 inches and Trees planted to satisfy requirements of Subchapter 9. Landscaping and Screening with DBH less than 6 inches	N/A
Class 3	Trees with DBH 18 - 24.99 inches	1:1
Class 4	Protected Trees with DBH 25 inches or greater (Not a Heritage Tree species)	1:1
Class 5	"Heritage Tree" - Trees with DBH 25 inches or more	1:1

2. All Other Properties

a. Plant replacement trees in a City Park or on other City-owned property at the applicable mitigation ratio identified in Figure 10.9-1, in locations approved by the Planning and Development Services Director and the Parks and Recreation Director; or

b. Make a payment into the Tree Fund. The payment amount must be calculated based on the DBH of the protected trees removed and the applicable fees established in the City's adopted Fee Schedule, as amended from time to time. Such payment is non-refundable.

B. Mitigation Fee Credits

In accordance with Section 212.905 of the Texas Local Government Code, which is adopted and incorporated herein for all purposes, and notwithstanding any provision of this Subchapter to the contrary, tree planting credits offsetting the tree classification removal fees as outlined in the City's adopted Fee Schedule, are hereby established as required by state law. The Planning and Development Services Director must establish the administrative procedures necessary to implement these requirements.

10.9.3. Mitigation Exceptions

A. Natural Disasters and Other Emergencies

If a protected tree poses an immediate danger or is in a hazardous condition as a result of a natural disaster, including but not limited to a tornado, fire, storm, flood, or other act of God that endangers public health, welfare, or safety, the mitigation requirements of this Subchapter may be waived by the Planning and Development Services Director. However, the Director may require replacement planting to restore compliance with an approved landscape plan.

B. Hazard to Property

If a Project Arborist determines that a protected tree poses an imminent hazard to a residence, occupied structure, or other improved property due to the condition or structural integrity of the tree, the mitigation requirements of this Subchapter do not apply. However, the Planning and Development Services Director in consultation with the Urban Forester may waive the requirement for an arborist determination when an immediate threat exists requiring emergency removal and may require replacement plantings to restore compliance with an approved landscape plan.

C. Dead or Diseased Trees

If the Planning and Development Services Director, with assistance from the Urban Forester and a Project Arborist retained by the property owner and meeting the criteria of Section 10.2.4.A, determines, based on an on-site inspection and a written report from such arborist, that a protected tree is dead, dying, or fatally diseased, the mitigation requirements of this Subchapter do not apply. However, the Director may require replacement plantings to restore compliance with an approved landscape plan.

10.10. Prohibited Activities

10.10.1. Activities Prior to Required Approvals

No development activity, including grading, trenching, and tree removal, may occur before approval of a Tree Protection Plan, Tree Replacement Plan, and/or Tree Removal Plan, as applicable.

10.10.2. Unauthorized Actions

A. It is unlawful for any person to remove any tree without first obtaining the approvals required by this Subchapter.

B. It is unlawful for any person to damage a protected tree in any way, including but not limited to tree topping, pollarding, excessive pruning, root cutting, or chemical poisoning. All tree maintenance and pruning must be performed in accordance with the Tree Technical Manual and under the supervision of a certified arborist.

C. Indiscriminate clearing or stripping of natural vegetation on any lot is prohibited and constitutes a violation of this Subchapter.

D. It is unlawful for any person to continue work on a site or lot, or to remove trees, after a stop work order has been issued.

10.11. Appeals

10.11.1. Right to Appeal

A. An applicant may appeal the decision of the Planning and Development Services Director to deny a protected tree or heritage tree removal application to the City Council where the Planning and Development Services Director has determined the tree to be non-hazardous. Such appeal must be made in writing and received by the Planning and Development Services Director within 30 days from the date of the decision on the tree removal application or official correspondence referencing the denial of the proposed protected tree or heritage tree removal application. The appeal must set forth the specific reasons for the appeal and the basis for disagreement with the decision of the Planning and Development

Services Director, including the basis for the applicant's position that the application should have been granted.

B. A request to remove a non-hazardous heritage tree, as reflected in the applicable Tree Replacement Plan, must be forwarded to the City Council for consideration.

C. In each such case, the Planning and Development Services Director will set the matter for a public hearing before the City Council at the earliest available regularly scheduled meeting.

D. The City Council must review the request and render a decision affirming, affirming in part, conditionally affirming, or reversing the determination of the Planning and Development Services Director, or approving a non-hazardous heritage tree removal request only upon determining that the heritage tree:

1. Prevents substantial economically viable use of the property;
2. Prevents reasonable use of or access to the property;
3. Is dying or dead;
4. Is diseased and restoration is not practicable, or the disease may be transmitted to other trees;
5. Poses a high risk of property damage or personal injury that cannot reasonably be mitigated without removing the tree (Reasonable mitigation may include lightening protection measures.);
6. Is located on public property, street or easement;
7. Prevents the opening of necessary vehicular traffic lanes in a street or alley; or
8. Prevents the construction of utility or drainage facilities that cannot feasibly be rerouted due to physical constraints.

E. If heritage tree removal is permitted following an appeal pursuant to this Section, the applicant must comply with all applicable provisions of this Subchapter, including tree mitigation, unless the appeal determines the heritage tree is hazardous.

10.12. Appendix A: Tree Technical Manual Standards and Specifications

10.12.1. Introduction

Trees provide numerous benefits to quality of life in the urban area, such as beautification, storm water absorption, energy conservation, and increased property values. The City's historic ecotype is blackland prairie, most of which was transitioned to farmland. Few remnants of native vegetation remain; these can be found in the floodplain basins of the Gilleland Creek and Wilbarger watersheds, and along the MoKan right-of-way. The most common native vegetation is the tallgrasses and wildflowers of the blackland prairie, and the elms and pecans of the floodplains.

This Tree Technical Manual will refer to the Landscaping and Screening Standards and the Tree Preservation Standards subchapters of the Unified Development Code. The Tree Technical Manual and the Tree Preservation Standards of the UDC are the City's primary regulatory tools to provide for orderly protection of native trees to promote the health, safety, welfare, and quality of life for the residents of the City, to promote the safe, orderly and healthful development of the City, to protect property values, and to avoid significant negative impacts on adjacent properties. By assuring preservation and protection of trees through regulations and standards of care, these resources will remain significant contributions to the landscape, streets and parks, and continue to help define the unique character of the City.

10.12.2. Purpose and Scope

A. General

1. This Tree Technical Manual (the Manual) is adopted by City Council by ordinance and is maintained by the Planning Department with distribution by the Urban Forester. The Manual provides standards and specifications based on generally accepted practices and provides guidelines for survey, protection, planting, pruning and irrigation of trees. If there appears to be a conflict between the UDC and the Manual, final interpretation will be made by the Administrator. The goals of the Manual are intended to provide consistent care and serve as benchmarks to measure achievement in the following areas:
    a. Ensure and promote preservation of the remaining tree canopy cover within the City limits and in the ETJ;
    b. Provide standardized presentation of tree survey data required by the City;
    c. Maintain the health and vigor of trees before, during and after construction events by providing protection standards and best management practices;
    d. Provide standards for the replacement of trees that are permitted to be removed;
    e. Provide standards for new tree planting, tree care and irrigation; and
    f. Provide guidance on protection, planting, and care of trees in the City's right-of- way and publicly owned lands.
2. The standards and guidance expressed in this manual apply to all public and private trees regulated by the City of Pflugerville.

B. Administration

The standards in this Manual are largely, but not entirely, a reflection of nationally recognized standards, best management practices and industry doctrine. The Urban Forester will periodically review the Manual to ensure alignment with the following documents and submit changes for approval by the Administrator:

1. American National Standards for Tree Care Operations (ANSI A300), as amended;
2. American National Standard for Nursery Stock (ANSI Z60.2), as amended;
3. American National Standards for Safety and Health Requirements in Arboricultural Operations (ANSI Z133), as amended; and

4. Best Management Practices published by the International Society of Arboriculture, as updated.

C. Enforcement

The Manual is an extension of the Unified Development Code (UDC) and will be enforced by the Urban Forester. Enforcement is described in the Landscape and Screening and the Tree Preservation subchapters of the UDC.

10.12.3. Tree Survey Standards

A. Introduction

1. This section describes the format of tree surveys, as well as the types of tree identification required in the field. These standards and specifications ensure a faster review process relating to tree protection and mitigation and should provide developers with adequate information to properly plan for development and for city staff to adequately review submittals.

2. Reference Figure 10.12-29 for an example of an acceptable tree survey.

B. Applicability

A tree survey will be required at all phases of developmental review including, but not limited to, preliminary plans, construction plans, site disturbance plans, and site plans.

C. Scope of Tree Survey

1. All naturally occurring trees that are at least 6" diameter at breast height (DBH) and all planted trees regardless of size found on site and 25' beyond the site boundary, including trees present on adjacent properties, must be represented on the survey.

2. If a limit of construction/disturbance (LOC) is known at the time of submittal, only trees within the LOC and 25' beyond the LOC are required to be shown, including trees present on adjacent properties.

3. The DBH of trees present on adjacent properties may be estimated to avoid trespassing.

D. Protected Trees

1. All native species that are at least 6" DBH, pose low risk and are in fair or better condition, as described in this manual, are protected. Tree species found in the Pflugerville Invasive Plant List or on other regionally accepted invasive species lists, naturally occurring trees less than 6" DBH, trees that pose a high risk or are in poor or lesser condition are not protected.

2. Per Subchapter 12 of the Unified Development Code, there are five tree classifications based on size or designation:

a. **Class 1:** Unprotected trees: Invasive species and naturally occurring trees less than 6" DBH.

b. **Class 2:** Protected naturally occurring trees between 6"-17" DBH and protected planted trees regardless of size up to 17" DBH.

c. **Class 3:** Protected trees between 18"-24" DBH.

d. **Class 4:** Protected trees between 25"-36" DBH that are not considered a Heritage Tree.

e. **Class 5:** Protected trees greater than 25" of a species found on the Heritage Tree list and all other native tree species greater than 32". Heritage Trees will receive the highest achievable tree protective measures, and their removal must be approved by city council.

E. Tree Survey Certification

1. All tree surveys shall be prepared by a Certified Arborist or a Registered Professional Land Surveyor and reviewed by the Project Arborist to ensure accuracy before submittal.

2. The Urban Forester will perform an on-site inspection to confirm the tree survey's accuracy during plan review. If it is found to be inaccurate, it will not be accepted and returned to the submitter for corrections. Once the Urban Forester accepts the tree survey it will be considered valid for two years.

F. Field Data Collection

The information required to be collected during the tree survey is the tree tag number, location, diameter at breast height (DBH), species, and condition category.

1. Tag Number

All surveyed trees, except those found on adjacent properties, shall have an aluminum tag with a unique number attached to the trunk using an aluminum nail. The numbers shall be machine engraved or stamped. Tag numbers that are handwritten will not be accepted.

2. Location

The location data of all required trees must be collected by mapping-grade or survey-grade methods capable of achieving sub-meter horizontal accuracy. Any field conditions preventing this accuracy shall be documented and addressed through supplemental surveying methods.

3. Diameter at Breast Height (DBH)

a. Generally, DBH is the diameter of a tree's trunk measured 4.5' above the surrounding grade (see Figure 10.12-1). If a tree was planted within a few years prior to conducting a tree survey, caliper measurements as described in the latest version of the American Standard for Nursery Stock shall apply.

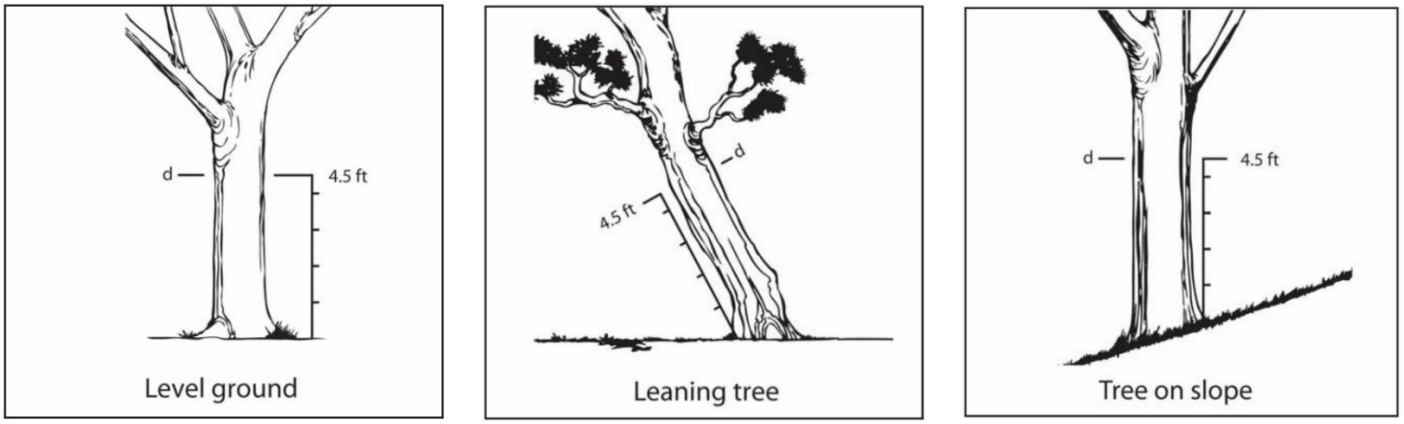
Figure 10.12-1. Measuring Diameter of Recently Planted Trees

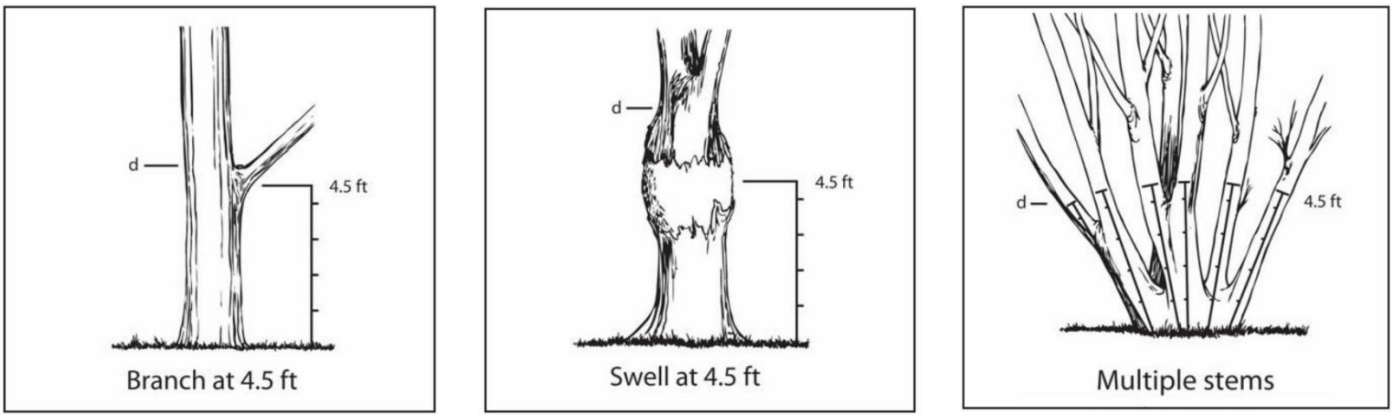
Measuring Diameter of Recently Planted Trees

Diameter measured 6" above grade → If diameter measured at 6" above grade is more than 4.5", measure diameter at 12" above grade → If diameter measured at 12" above grade is more than 4.5", measure diameter using standard DBH measuring methods.

b. Multi-stem (multiple trunks) trees are trees that have developed two or more trunks arising within 3' of the ground and share a root system. Their DBH shall be determined by combining the diameter of the largest trunk with half the diameter of all other trunks that are at least 1" diameter. See the illustrations in Figure 10.12-2 for further guidance.

Figure 10.12-2. Measuring Diameter at Breast Height (DBH)





Source: Guide for Plant Appraisal, 10th Edition

4. Species

   Common species names (ex: Texas live oak) are required for all surveyed trees, but the surveyor may also include scientific names (ex: Quercus fusiformis) to avoid misidentification. Listing trees as "unknown" or using common genus names (ex: oak) may not be accepted.

5. Condition Category

   a. Tree condition shall be assessed in the field to determine if tree preservation is practical for an individual tree and if mitigation is required for its removal.

   b. If conditions are not assessed, all trees will be assumed to be in excellent condition during plan review.

   c. Refer to Figure 10.12-3 to determine tree condition categories.

Figure 10.12-3. Tree Condition Categories

Condition	Health	Structure	Form
Excellent	High vigor and nearly perfect health	Nearly perfect structure and nearly free of minor defects.	Nearly ideal for the species and site conditions.
Good	Normal vigor for the species and no significant disease or pests	Well-developed structure and any defects are minor and can be corrected.	Minor deviations from species norms.
Fair	Reduced vigor, damage from disease and pests may be significant, defoliation and branch dieback may comprise up to 50% of the crown.	A single significant defect or multiple minor to moderate defects that are not practical to correct or would take several years to correct.	Major deviation from species norm, aesthetics are compromised.
Poor	Low vigor, unhealthy appearance, potentially fatal disease and pests, very thin foliage density, and extensive dieback	Structural defects are serious and cannot be corrected. Failure may occur at any time.	Abnormal, aesthetics are significantly compromised.
Very Poor	Poor vigor, appears to be dying, with little live foliage.	Failure is probable or imminent	Visually unappealing
Dead	N/A	N/A	N/A

Source: Guide for Plant Appraisal, 10th Edition

G. Information Shown on the Tree Survey

1. General

   a. The information required to be shown on all tree surveys submitted for plan review includes tree locations, critical root zones (CRZ), tag numbers, tree data and calculations table, scale, north arrow, and existing site conditions such as topography, floodplain limits and buildings.

   b. Tree surveys may be combined with other sheets, such as an Existing Conditions or Site Survey sheet, if all the required information is on the other sheet or the sheet immediately behind it.

   c. The sheet(s) that are to be used for the tree survey shall be signed by the Project Arborist and include the arborist's ISA or RCA certification number(s).

2. Tree Location and CRZ

   a. Tree location shall be represented by a solid dot surrounded by a circle representing the CRZ. For the purposes of this manual, CRZ is calculated at 1' radius for every 1" of trunk diameter measured from the base of the tree.

   b. Symbols representing CRZ for trees planned for preservation shall be solid with an inner dashed circle to represent half CRZ.

   c. Circles representing CRZ for trees planned for removal shall be dashed.

   d. See Figure 10.12-4 and Figure 10.12-5 for further guidance.

Figure 10.12-4. Symbol for Preserved Tree

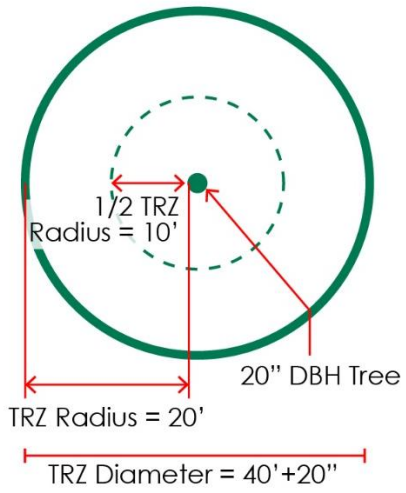
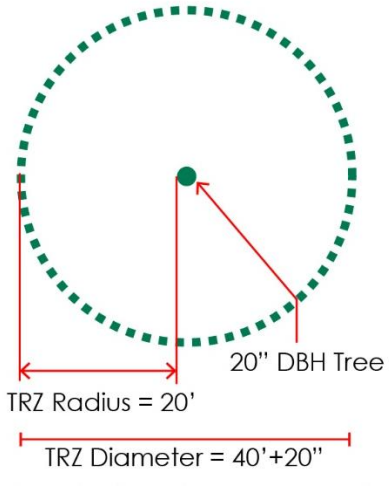


Figure 10.12-5. Symbol for Tree Removal



3. Tag Numbers
    a. All surveyed trees shall have the tag number that was attached to them during data collection shown inside the CRZ of the tree being represented. If trees are too clustered or if scaling makes reading the numbers difficult, then callouts shall be used with an arrow pointing to the trunk location.
    b. See Figure 10.12-6 and Figure 10.12-7 for further guidance.

Figure 10.12-6. Preserved Tree with Tag Number

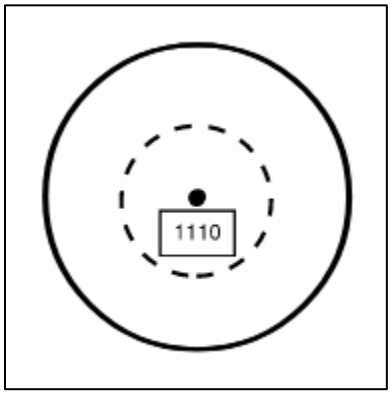
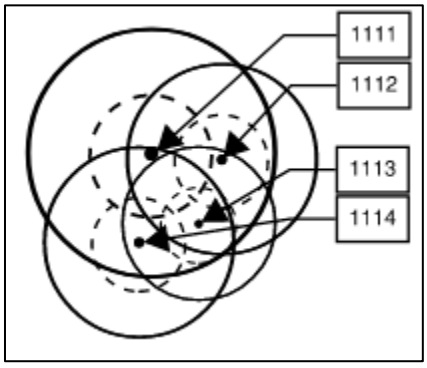


Figure 10.12-7. Clustered Trees with Tag Numbers



4. Tree Data and Calculations Tables

   a. The tree data table will list all surveyed trees numerically based on the tag numbers that were attached during data collection. It may be a single list or separate lists based on the tree classes, protection status, and/or intent for preservation/removal of the trees.

   b. The information provided on the table shall be tag numbers, species, DBH, class, condition and intent for preservation/removal. Additional information such as the tree class multiplier, intent to use for mitigation credit, additional notes, etc. may also be included.

   c. A calculations table shall provide the combined DBH of all proposed trees for preservation after class multipliers have been applied, combined DBH of all proposed trees for removal after class multipliers have been applied, fiscal security requirement for tree preservation, fiscal security for tree mitigation, and the combined DBH of all trees used for preservation credit if applicable.

   d. Reference Figure 10.12-8 and Figure 10.12-9 for further guidance.

Figure 10.12-8. Example Tree Data Table

Existing Tree List						
Tree Number	**Protection Status and Class**	**Proposed for Removal**	**Common Name**	**Scientific Name**	**Condition**	**DBH**
1110	P-5	N	Texas Live Oak	Quercus fusiformis	Excellent	26
1111	P-3	N	Texas Live Oak	Quercus fusiformis	Good	19
1112	NP-1	Y	Chinaberry	Melia azedarach	Good	15
1113	P-2	Y	Texas Elm	Ulmus crassifolia	Fair	12
1114	P-2	N	Pecan	Carya illinoinensis	Fair	16
1115	P-4	N	Mexican Sycamore	Platanus maxicana	Good	21
1116	P-3	Y	Shumard Oak	Quercus shumardii	Fair	24

Figure 10.12-9. Example Tree Survey Calculations Table

Tree Survey Calculations							
Preserved Tree				**Removed Tree**			
Class	**Combined DBH**	**Multiplier**	**Total**	**Class**	**Combined DBH**	**Multiplier**	**Total**
1	0	0	0	1	15	0	0
2	12	1	12	2	12	1	12
3	19	2	38	3	24	2	48
4	21	2.5	52.5	4	0	0	0
5	26	3	78	5	0	0	0
Total inches to be preserved:			120.5	**Total inches to be preserved:**			60
Preservation fiscal security:			$18,075	**Removal fiscal security:**			$9,000

5. Project Arborist Stamp

    a. All tree surveys shall be stamped by the Project Arborist once they complete their review (See Figure 10.12-10). The stamp must provide their name, certification number(s) and the date they completed their review.

    b. Treeless sites will not require the Project Arborist's stamp.

Figure 10.12-10. Project Arborist's Stamp



10.12.4. Tree Protection Standards

A. Introduction

The standards in this section are provided to ensure that appropriate practices will be implemented in the field to eliminate undesirable consequences that may result from uninformed or careless acts and preserve both trees and property values. All projects are required to implement the protective practices described in this section.

B. Applicability

A tree protection plan will be developed and submitted for approval if any naturally occurring trees over 6" DBH or planted trees regardless of size are proposed for preservation and exist on-site or within 25' of the limits of disturbance.

C. Tree Protection Plan Certification

1. If a tree protection plan is required, it will be developed and signed by the Project Arborist for review and approval by the Urban Forester. If the tree protection plan is insufficient, it will be returned to the submitter for corrections. Once the tree protection plan is accepted it will be considered valid until the certification of the tree survey expires, existing site conditions change or proposed site improvements change.

2. It is important to understand that field conditions may differ from what is presented on a site survey. Field adjustments may be required to appropriately implement required tree protection measures regardless of what is shown on an approved tree protection plan. Failure to establish appropriate tree protection measures according to this manual will result in fines and may trigger the need for additional tree mitigation.

D. Inspections

Tree protection measures must be in place and approved by the Urban Forester prior to any development activities. All tree protection measures must be left in place throughout development until given express permission from the Urban Forester to remove them.

1. Inspections by the Project Arborist

The Project Arborist shall conduct the following required inspections of construction sites containing protected trees. Inspections shall verify that the type of tree protection and/or plantings are consistent with the standards outlined within this manual and remain in place throughout the project. For each required inspection or meeting, a written summary of the changing tree-related conditions and actions taken shall be provided to the Urban Forester.

    a. Pre-Construction Meeting

Prior to commencement of construction, the applicant or contractor shall conduct a pre-construction meeting to discuss tree protection with the job site superintendent, grading equipment operators, project arborist or landscape architect, and Urban Forester. At this time all tree protection fencing approved in the permit plans must be installed correctly.

b. Inspection of Rough Grading

The Project Arborist shall perform an inspection during rough grading adjacent to tree protection zones to ensure trees will not be injured by compaction, cut or fill, drainage and trenching, and if required, inspect aeration systems, tree wells, drains and special paving. The contractor shall provide the Urban Forester with at least 2 business days of advance notice of such activity via email.

c. Monthly Inspections

The Project Arborist shall perform monthly inspections to monitor changing conditions and tree health. The Urban Forester shall be in receipt of an inspection summary if there are any changes to the approved plans, tree health conditions, or protection measures. If the Urban Forester is not in receipt of inspection summaries prior to final inspection, the City will assume that no changes in tree conditions have occurred in the field during construction.

d. Special Activity within the Tree Protection Zone (TPZ)

Work in this area (TPZ) requires direct on-site supervision of the Project Arborist.

e. Landscape Material and Planting Inspection

Prior to the issuing of the certificate of occupancy in the City or acceptance of public infrastructure associated with an approved plan or permit, the applicant or contractor shall contact the Project Arborist to perform an on-site inspection to verify that all plant stock, materials, plantings, and irrigation systems are consistent with the approved plans. The City shall be in receipt of a letter of compliance from the Landscape Architect or Project Arborist prior to scheduling the final inspection, unless otherwise approved.

2. Inspections by the Urban Forester

a. Site Inspection

During plan review the Urban Forester will inspect the site to ensure the accuracy of the tree survey.

b. Tree Protection Inspection

Once tree protection measures are in place, the Project Arborist must contact the Urban Forester to schedule an initial inspection for approval. If the protection is insufficient, the Project Arborist will be given a list of deficiencies, and the initial inspection must be rescheduled.

c. Unscheduled

During construction the Urban Forester may perform unscheduled site visits to ensure tree protective measures have not been removed or modified.

d. Requested by the Project Arborist

If at any time during construction the tree protection plan is to be modified, the Project Arborist must schedule a meeting with the Urban Forester to discuss the need for the modification and determine how best to proceed.

e. Final

A final inspection will be performed to ensure no trees that were proposed for preservation were damaged or killed during construction and newly planted trees and other landscape plants were planted correctly and according to the approved plan.

E. Tree Protection Measures

Tree protection measures are actions taken and physical barriers placed to protect existing trees during construction activities. All physical tree protection measures shall be given a unique symbol and shown on all practical sheets within a plan set.

1. Physical Tree Protection Measures

a. Single Ground Hardwood Mulch

(1) A 6" layer of hardwood mulch shall be laid over the entire TPZ within the area enclosed behind tree protection fencing.

(2) Areas within the TPZ but outside of the tree protection fencing shall have an 8" layer of hardwood mulch with either ¾" plywood or ground protection mats secured over top the mulch layer.

(3) Hardwood mulch should be thinned to a depth of 3" after all work is complete.

b. Tree Protection Fence

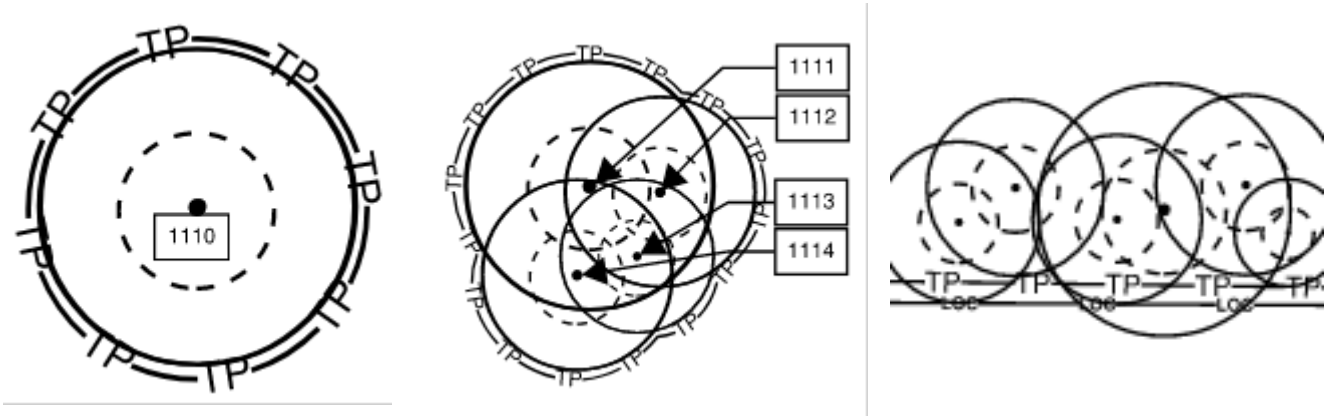
(1) 5' chain-link fence shall surround the TPZ unless alternative fence placement, additional tree protection measures are utilized, and the alternative placement is approved by the Urban Forester.

(2) Where the TPZ of multiple trees overlap, or are very near each other, the tree protection fence shall be continuous to encompass the zones.

(3) Where the limits of construction/disturbance abut an area where trees are present, tree protection fencing shall be placed in a linear configuration assuming the fencing is not closer than ½ CRZ of the trees being protected.

(4) Reference Figure 10.12-11 for illustrative examples.

Figure 10.12-11. Tree Protection Fence Placement



(5) Fencing shall be secured every 10' or less using heavy-duty T-posts, at least 7' long, driven approximately 2' into the soil, or other metal post of equal or greater strength.

(6) Alternative fencing may be considered if existing site conditions, such as high bedrock, are present or if permanent fencing or walls are installed prior to the start of other on-site work.

c. Signage

(1) Weather-resistant signs, at least 8.5" x 11", shall be secured in the center of every 3rd section of the tree protection fence clearly stating the fence is for tree protection and must not be removed. See the illustrative examples in Figure 10.12-12.

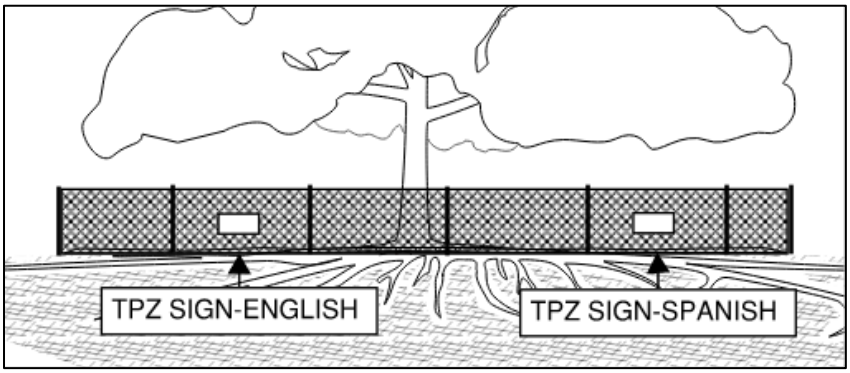
(2) TPZ signs shall be displayed in English and in Spanish, alternating languages at each placement (See Figure 10.12-13). If a different language is prominent among workers, the sign may be translated into that language and placed in the same alternating pattern.

(3) TPZ signs shall be inspected regularly and replaced as needed if they become unreadable.

Figure 10.12-12. Example of a Tree Protection Zone Fence Sign – English and Spanish

TREE PROTECTION ZONE	**Zona de protección de árboles**
KEEP OUT! **DO NOT REMOVE!**	**¡Prohibido el paso!** **¡No retirar!**
CONTACT THE PROJECT ARBORIST FOR GUIDANCE	**Contacte al arborista del proyecto para recibir orientación.**

Figure 10.12-13. Tree Protection Zone Sign Placement



d. ¾ Plywood or Ground Protection Mats

(1) Areas within the TPZ but outside of the tree protection fencing shall have an 8" layer of hardwood mulch with either ¾" plywood or ground protection mats secured over top the mulch layer.

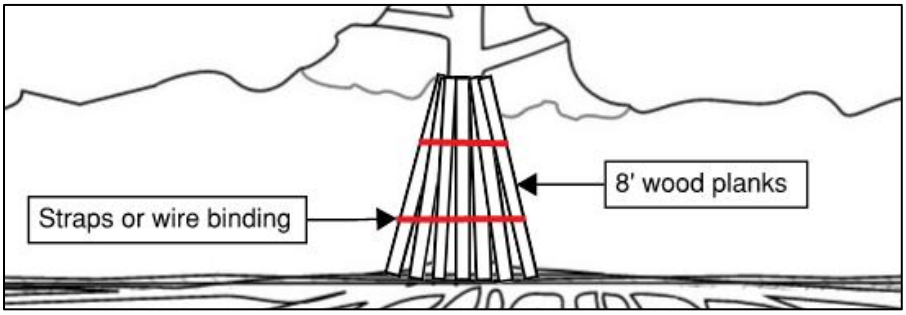
e. Trunk Protection (Trunk Armor)

(1) If temporary work must be performed, such as pavement removal, or where vehicle and equipment movement, such as parking lot islands, is within 5 feet of the base of tree, trunk protection shall be installed.

(2) Eight-foot-long, 2 inch-thick wood planks shall be placed in a manner that completely encircles the buttress roots and lower trunk and bound together with straps or wire. No fasteners of any kind will be driven into the tree to secure the planks. For an illustrative example reference Figure 10.12-14.

(3) Care must be taken to avoid damaging buttress roots, low branches and the trunk.

Figure 10.12-14. Tree Protection (Trunk Armor)



f. Erosion Controls

(1) If a tree is adjacent to or in the immediate proximity to a grade slope of 8 percent (23 degrees) or more, then approved erosion control or silt barriers shall be installed outside the TPZ to prevent siltation and/or erosion within the TPZ.

2. Other Tree Protection Measures

a. Oversight

(1) The Project Arborist shall inspect all physical tree protection measures prior to any construction activity, including equipment and materials storage, to ensure adherence to this manual.

(2) Inspections shall be performed as described in 10.12.4.D of the manual.

b. Work Practices and Controls

(1) Tree pruning, temporary irrigation and plant health care operations may be necessary before, during and after construction activities to reduce conflict with activities and ensure tree health.

(2) All workers shall be informed of the importance of tree preservation and the consequences of violating the standards expressed in this manual. Consequences of violations include unnecessary damage to preserved trees, fines, project delays and potential tree mitigation requirements.

(3) All workers will be given specific instructions when working near TPZs on operations and reporting procedures.

F. Tree Protection/Preservation Plan Requirements

The tree protection plan shall be developed to establish Tree Protection Zones (TPZ) for all trees proposed for preservation during construction or other site disturbance, show applicable tree protection measures placed according to the standards expressed in this manual, describe any necessary Plant Healthcare (PHC), pruning or other pre-construction activities necessary for tree preservation, include the City of Pflugerville Standard Tree Protection Notes, and include applicable City of Pflugerville tree protection construction details. Reference Figure 10.12-30 for an example of an acceptable tree protection plan.

1. Standard Tree Protection Notes

a. All trees not located within the limits of construction and outside of disturbed areas shall be preserved.

b. All trees shown on this plan to be retained shall be protected during construction consistent with the City of Pflugerville's Tree Technical Manual.

c. Tree protection measures shall be installed/implemented prior to the commencement of any site preparation work (clearing, grubbing, or grading) and shall be maintained throughout all phases of the construction project consistent with the approved plan.

d. Erosion and sedimentation control barriers shall be installed and maintained in a manner which does not result in trenching or soil build-up within a tree's designated Tree Protection Zone (TPZ).

e. Any roots exposed by construction activity shall be pruned flush with the soil. Backfill root areas with good quality top soil. If exposed root areas are not backfilled within the same day, cover them with organic material in a manner which reduces soil temperature and minimizes water loss due to evaporation.

f. When construction occurs immediately outside of the TPZ of a preserved tree, root pruning using sharp cutting tools must occur prior to excavation or grade cutting. The purpose of this provision is to minimize damage to the remaining roots of preserved trees. The contractor shall contact the Project Arborist for supervision.

g. When installing concrete adjacent to the root zone of a tree, use a plastic vapor barrier behind the concrete to prohibit leaching of lime into the root zone.

h. Trench lines shall not run within the TPZ. Boring, tunneling or other techniques may be approved by the Urban Forester or Administrator and supervised by the Project Arborist if there are no other alternatives available.

i. No landscape topsoil dressing greater than six (6) inches shall be permitted within the TPZ of trees. No topsoil is permitted on or within root flares.

j. Pruning to provide clearance for structures, vehicular traffic and construction equipment shall take place before construction begins. All pruning must be done according to the standards expressed in the City of Pflugerville's Tree Technical Manual and under the supervision of the Project Arborist.

k. All oak tree cuts, intentional or unintentional, shall be painted immediately (within 10 minutes) using a non-phytotoxic paint. Paint for this purpose must be kept on site at all times. All pruning or cutting tools must be sterilized between trees to prevent the spread of disease.

l. Trees approved for removal shall be removed in a manner which does not impact trees to be preserved. Refer to the City of Pflugerville Tree Technical Manual for appropriate removal methods.

m. Deviations from the above notes are considered ordinance violations if there is substantial noncompliance or if a tree sustains damage as a result.

n. (PRE-CONSTRUCTION CONFERENCE) The Project Arborist, demolition, grading and underground contractors, construction superintendent and other pertinent personnel are required to meet with the Urban Forester and/or Administrator prior to beginning work to review procedures, tree protection measures and to establish haul routes, staging areas, contacts, watering, etc.

o. (VERIFICATION OF TREE PROTECTION) The Project Arborist shall verify to the Urban Forester that all pre-construction conditions have been met (tree fencing, erosion control, pruning, etc.) and are in place. The Urban Forester must confirm in writing they have received verification and provide approval before demolition or grading begins.

2. Tree Protection Zone (TPZ)

a. A TPZ is an area established around a preserved tree where no work or very restricted work can be performed. It must be represented realistically considering existing and proposed site conditions and necessary construction activities.

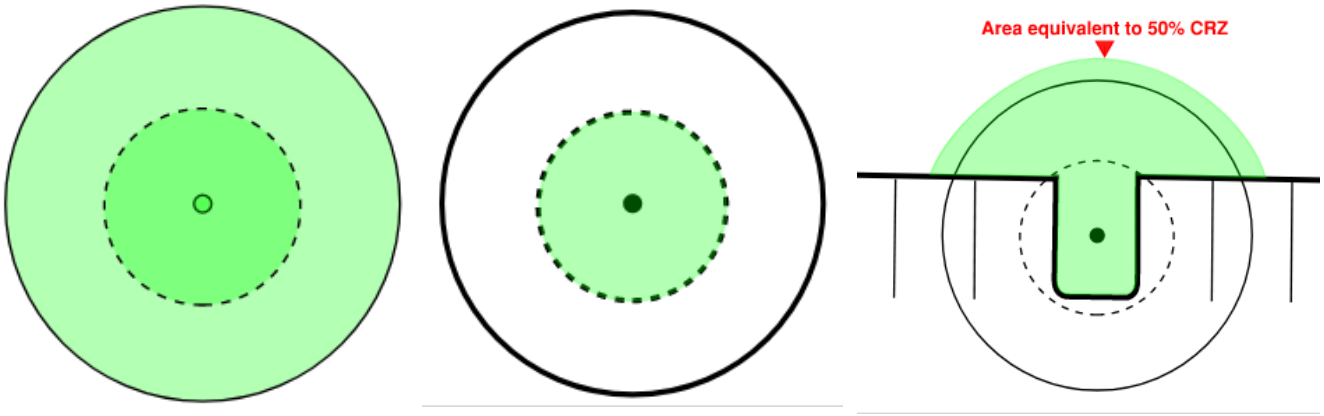
b. If possible, the entire CRZ shown on the tree survey will be within the TPZ. A reduction of the TPZ to half CRZ may be approved if a reduction is needed to perform necessary construction activities but only in areas where a reduction is needed. If a reduction of the TPZ is needed for only a portion of a tree's CRZ, then only that portion shall be reduced. At no time shall the TPZ be reduced to less than 5' from the base of a tree unless root development is already restricted by an existing obstruction.

c. If root development is likely restricted by an existing obstruction such as a building foundation, roadway, parking lot, etc., the TPZ can be reduced to that obstruction regardless of the size of the CRZ but must still encompass a minimum area equal to 50 percent of CRZ if sufficient pervious surface is available.

d. No reduction to a heritage tree's TPZ will be approved unless root development is likely restricted by an existing obstruction.

e. See Figure 10.12-15 for further guidance.

Figure 10.12-15. Full Tree Protection Zone (Left), Reduced Tree Protection Zone (Center), Restricted Tree Protection Zone in Existing Parking Peninsula (Right)



G. Activities Within or Near the TPZ

1. Permitted or Required

a. Mulching

During construction, mulch is required to be spread within the TPZ. The mulch may be removed if improvements or other landscaping is required. See "Tree Protection Measures" in this section for more details.

b. Irrigation, aeration, fertilizing or other beneficial practices that have been specified by the Project Arborist and approved for use by the Urban Forester.

c. Pre-construction Pruning and Other Tree Surgery

Various trees may require that branches be pruned clear from structures, activities, building encroachment or may need to be strengthened by means of mechanical support or surgery per approval of the Urban Forester. All tree pruning and surgery shall be performed by or under the supervision of the Project Arborist pursuant to the standards expressed in the latest edition of the ANSI A300, ISA Best Management Practices and this manual.

2. Prohibited

a. Storage or parking vehicles, building materials, refuse, excavated spoils or dumping of poisonous materials on or around trees and roots. Poisonous materials include, but are not limited to, paint, petroleum products, concrete or stucco mix, dirty water or any other material which may be harmful to tree health.

b. The use of tree trunks as a winch support, anchorage, temporary power pole, sign posts or other similar function.

c. Cutting of tree roots by utility trenching, foundation digging, placement of curbs and trenches and other miscellaneous excavation without prior approval of the Urban Forester.

d. Soil disturbance or grade change

e. Impervious paving

f. Vehicular traffic

g. Drainage changes

h. Any activities that may cause soil compaction.

3. Trenching, Excavation and Equipment Use

Normally, trenching is allowed outside of the TPZ. Trenching, excavation or boring activity within the TPZ is restricted to the following activities, conditions and requirements if approved by the Urban Forester. Mitigating measures shall include prior notification to and direct supervision by the Project Arborist.

a. Notification

The contractor shall notify the Project Arborist a minimum of 24 hours in advance of the activity in the TPZ. As noted above, the Project Arborist must notify the Urban Forester before any work begins in the TPZ.

b. Root Severance

If roots are accidentally severed, they shall be pruned flush with the soil. Backfill root areas with good quality topsoil within the same day. If exposed root areas are not backfilled within the same day, cover them with organic material in a manner which reduces soil temperatures and minimizes water loss due to evaporation.

c. Excavation

Any approved excavation, demolition or extraction of material shall be performed with equipment sitting outside the TPZ. Only hand digging, hydraulic or pneumatic excavation may occur within the TPZ provided the work is performed by or under the supervision of the Project Arborist. If excavation or trenching is required for drainage, utilities, irrigation lines, etc., it is the duty of the contractor to tunnel under any roots 2 inches in diameter and greater.

d. Heavy Equipment

The use of backhoes, steel tread tractors, skid steers or any heavy vehicles within the TPZ is prohibited.

e. Structural Design

If injurious activity or interference with roots greater than 2-inches will occur within the TPZ, plans shall specify a design of special foundation, footing, wall, concrete slab, or pavement designs subject to Urban Forester approval. Discontinuous foundations such as concrete pier and structural grade beam must maintain natural grade (not to exceed a 4-inch cut), to minimize root loss and allow the tree to use the existing soil. Basement excavations shall be designed outside the TPZ of all protected trees and shall not be harmful to other mature or neighboring property trees.

4. Tunneling, Boring and Directional Drilling

a. If tunneling or pipe installation has been approved within the TPZ, the trench shall be either cut by hand, air-spade or hydraulic vac-on excavation; or by mechanically boring the tunnel under the roots with a horizontal directional drill and hydraulic or pneumatic air excavation technology. In all cases, install the utility pipe immediately, backfill with soil and soak with water within the same day. Installation of private utility improvements shall be tunnel bored beneath the tree and roots pursuant to the following trenching limitations and boring requirements described in Illustration 2-14, Trenching Tunneling and Distances.

b. Emergency utility repairs shall be exempt from the above restriction zones within the TPZ. The Project Arborist and Urban Forester shall be contacted within 24 hours after the need for such repairs is identified to assess survivability of affected trees and possible mitigation requirements.

c. Reference Figure 10.12-16 for minimum boring depth.

Figure 10.12-16. Minimum Boring Depth

Tree DBH	Min. Boring Depth
<10":	3'
10"-18":	4'
>18"	5' or More

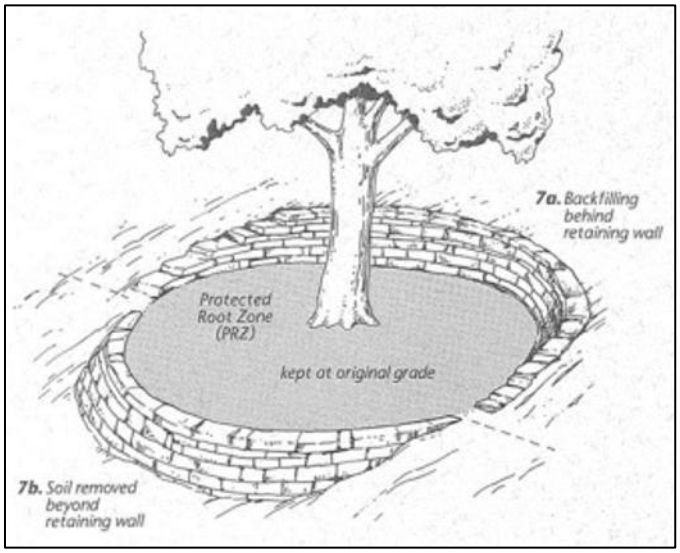
5. Grading Limitations

a. Grade changes within the TPZ are not permitted.

b. Grade changes outside the TPZ shall not significantly alter drainage to the tree.

c. If grade changes of more than six (6) inches are performed immediately outside of the TPZ, site design shall incorporate retaining walls and tree wells as needed to retain natural grade within the TPZ (See Figure 10.12-17).

Figure 10.12-17. Using Retaining Walls when Natural Grade is Disturbed



Source: Building Greener Neighborhoods

H. Pavement and Hardscape Conflicts with Roots

Conflicts may occur when tree roots grow adjacent to paving, foundations, sidewalks or curbs (hardscape). Improper or careless extraction of these elements can cause severe injury to the roots and instability or even death of the trees. The following alternatives shall be utilized within the TPZ of a protected tree.

1. Removal and Replacement of Pavement or Sidewalk

   Removal of existing pavement over tree roots shall include the following precautions:

   a. Break hardscape into manageable pieces with a jackhammer or pick and hand load the pieces onto a loader. The loader must remain on undisturbed pavement or completely outside the TPZ.

   b. Do not remove base rock that has been exploited by established absorbing roots.

   c. Apply untreated wood chips over the exposed area within one hour, then wet the chips and base rock and keep moist until the overlay surface is applied.

2. Alternative Methods to Prevent Root Cutting (Recommended)

   a. The following remedies should be considered before cutting tree roots that may result in tree instability or decline:

      (1) Grinding a raised sidewalk edge.

      (2) Ramping the walking surface over the roots or lifting slab with pliable paving.

      (3) Routing the sidewalk around the tree roots.

      (4) Flexible paving or rubberized sections.

   b. On private property, new sidewalk or driveway design should offer alternatives to conventional pavement and sidewalk materials. Substitute for permeable materials instead of typical asphalt or concrete overlay, sub-base or footings. Materials to consider include: permeable paving materials, interlocking pavers, flexible paving, wooden walkways, porches elevated on posts and brick or flagstone walkways on sand foundations.

3. Avoiding Conflict (Recommended)

   Conflicts and associated costs can be avoided or reduced by the following planting practices:

   a. Over soil that shrinks and swells, install a sidewalk with higher strength that has wire mesh and/or expansion slip joint dowel reinforcement.

   b. Follow soil loosening planting techniques to promote deep rooting.

   c. Install root barrier only along the hardscape area of the tree (but allow roots to use open lawn or planter strip areas).

   d. Install root channels or structured soils under sidewalks to allow roots to access adjacent green spaces.

   e. Install soil cells to allow root development under hard surfaces.

I. Damage to Trees

1. Reporting

   Any damage or injury to trees shall be reported the same day to the project arborist, landscape architect, job superintendent and Urban Forester so that mitigation can take place. All mechanical or chemical injury to branches, trunk or roots over 2 inches in diameter shall be reported. In the event of injury, the following mitigation and damage control measures shall apply:

   a. Root Injury

If trenches are cut and tree roots 2 inches or larger are encountered, they must be cleanly cut back to a sound wood lateral root or to the edge of the soil. All root cuts shall be made with a clean sharp saw. All exposed root areas within the TPZ shall be backfilled or covered the same day. Exposed roots may be kept from drying out by temporarily covering the roots and draping layered burlap or carpeting over the upper 3 feet of trench walls. The materials must be kept wet until backfilled to reduce evaporation from the trench walls.

b. Bark or Trunk Injury

Current bark tracing and treatment methods shall be performed by or under the supervision of the Project Arborist within two days.

c. Branch Injury

Under the direction of the Project Arborist, prune as appropriate to mitigate the damage and reduce the spread of decay.

2. Penalty for Damage to Preserved Trees

In the event that preserved trees or their roots have been damaged, mitigation and fines may be required if the Urban Forester deems that the trees are irreparably harmed and need to be replaced. Damaged trees will be replaced according to the tree preservation and landscape and screening standards expressed in the UDC.

10.12.5. Tree Removal and Replacement

A. Introduction

A protected tree may not be removed without City review and approval, except in certain emergencies resulting in a tree becoming hazardous or fallen. The purpose of City review is to verify that the removal is allowed under the Ordinance, and to prevent unnecessary tree removal. This section discusses conditions for tree removal and mitigation of protected trees.

B. Tree Removal

All tree removal shall be performed in a manner that does not disturb the tree protection zones of nearby trees that are planned for preservation. This includes intentionally uprooting trees that share root zones with preserved trees, using heavy equipment within the TPZ of preserved trees without sufficient tree protection measures in place, felling trees in a direction that causes damage to the canopy of preserved trees or any other tree removal operations that adversely affect the condition of preserved trees or the soil within their TPZ.

1. Prior Approval Requirement

a. Tree removal is approved as part of the construction, site disturbance and site plan processes. The plans submitted through these processes must be approved and all required tree protection measures for preserved trees in place before tree removal, land clearing or grading operations occur.

b. If tree removal is the only activity to occur, a Site Disturbance Permit will be required regardless of species or health condition and must be approved by the Urban Forester before tree removal operations begin.

2. Emergency Tree Removal

a. If a tree becomes hazardous or has fallen for unforeseeable reasons it may be removed without prior approval if the Project Arborist determines, upon inspection, the risk posed by the tree requires immediate action for public or jobsite safety. The Project Arborist must document the risk posed by the tree, the event that caused the hazardous tree condition and provide a justification for removal to the Urban Forester within 24 hours of their assessment or as soon as reasonably possible.

b. If emergency tree removal is required due to natural disaster, extreme weather or other 'acts of God', mitigation for removal will not be required. However, if the removed tree was used to offset minimum tree planting requirements established in the Landscape and Screening subchapter of the UDC (tree credit) those credits are lost and the landscape plan must be updated to ensure the site stays in compliance with the City's landscaping standards.

c. If emergency tree removal is required due to construction activities or other human action, additional tree mitigation may be required and fines for violating the City's tree preservation standards may be applied.

C. Tree Replacement Plan

1. As expressed in the tree preservation subchapter of the UDC, mitigation for protected tree removal may be accomplished four ways:

   a. Planting equivalent inches to the combined DBH of the trees that were removed based on the classifications described in the Tree Preservation Standard on-site.

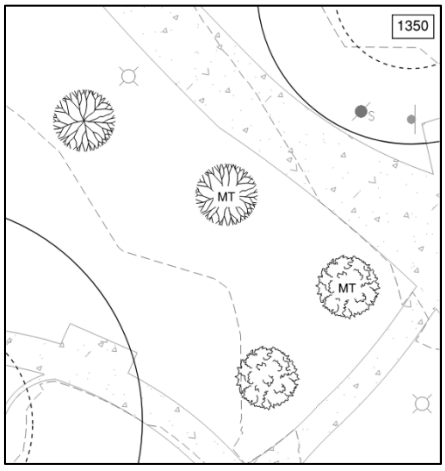
   b. Planting equivalent inches to the combined DBH of the trees that were removed based on the classifications described in the Tree Preservation Standard on public property with the consent of the Director of the department that maintains the property.

   c. Paying a fee-in-lieu of planting into the City's Tree Fund based on the classifications described in the Tree Preservation Standard.

   d. A combination of the previous options that equals the equivalent inches and/or fee-in-lieu based on the classifications described in the Tree Preservation Standard.

2. If planting replacement trees to satisfy mitigation is the most prudent option for tree removals associated with a new development, they must be planted in addition to the minimum required tree planting for the site as required by the Landscape and Screening Standard. Planting trees for mitigation (mitigation trees) will require a landscape plan that meets all requirements expressed in the Landscape and Screening Standard. Mitigation trees shall be identified on the landscape layout and annotated in the landscape calculations (see Figure 10.12-18).

Figure 10.12-18. Example of Tree Symbols Labeled MT for Mitigation Tree



3. If tree mitigation is to be satisfied entirely or partially through fee-in-lieu of planting, the amount of fee-in-lieu must be noted in both the tree survey table and landscape calculations table.

D. Maintenance of Replacement Trees

All newly planted trees shall be maintained by the owner. Maintenance practices shall adhere to the standards expressed in the latest edition of the ANSI A300 and consist of all regular and normal

maintenance of trees, including but not limited to irrigation, pruning, stake adjustment and removal, and disease control. Plant material that exhibits severe levels of insect or pest infestation, disease and/or damage, shall be appropriately treated, and all dead trees shall be removed and replaced with living trees where required according to the city approved Tree Replacement Plan or Site Plan for the site.

10.12.6. Tree Pruning

A. Introduction

1. Pruning is necessary for trees in an urban environment to prevent conflicts with infrastructure and reduce hazards to people, property, and public spaces. However, every pruning cut is an injury, so thoughtful pruning is essential for both public safety and long-term urban forest function. Because pruning inherently causes stress, it must be performed with proper techniques, correct timing, and a clear understanding of basic tree biology.

2. Effective pruning balances two equally important priorities:

   a. Protecting tree health and longevity, and

   b. Meeting the functional needs of the site where the tree grows.

3. This means selecting appropriate pruning methods, using the smallest necessary cuts, avoiding unnecessary removal of healthy limbs, and ensuring that pruning supports good branch structure. It also requires considering species characteristics, mature size, and how the tree will interact with its surroundings over time.

4. When performed correctly, pruning helps trees develop strong architecture, reduces the likelihood of future failures, and minimizes long-term maintenance costs. When performed poorly, it can shorten a tree's lifespan, increase maintenance burdens, and introduce safety risks rather than mitigating them.

5. All tree pruning and surgery shall adhere to standards expressed in the latest editions of the ANSI A300, ISA BMPs and this manual.

B. Project Arborist Required

All tree pruning and surgery shall be under the supervision of the Project Arborist pursuant to the standards and techniques provided herein. For all properties exempt from the tree preservation standards of the Unified Development Code, the pruning and maintenance standards provided within this section shall serve as best management practices.

C. Time of Year

Most routine pruning to remove weak, diseased, or dead limbs can be accomplished at any time during the year with little effect on the tree. As a rule, growth is maximized and wound closure is fastest if pruning takes place between November and February, the dormant period for Central Texas trees.

1. Oak Trees

   Due to the threat of oak wilt disease, avoid unnecessary pruning of all oak species between February and Fall. Clean cutting tools with a disinfectant between each tree pruned. Thin nonphytotoxic paint shall be applied to all pruning cuts on all oak species regardless of the time of year of pruning. Thick "pruning paint" should not be used due to the unintended effect of disrupting wound compartmentalization and moisture retention against the wound.

D. Pruning Objectives

1. No pruning should occur without clearly defined objectives that consider the needs of the site and the longevity of the trees pruned. The Project Arborist shall develop pruning specifications considering tree species, age, health, habit, growth response and site requirements.

2. Common pruning objectives include:

a. Improving structure/structural pruning: Pruning to promote strong branch attachments, appropriate branch spacing and a central leader. This objective is best accomplished when started while trees are young (training) and performed periodically as trees grow to maturity.

b. Risk reduction: Pruning to reduce the risk of branch failure or whole tree failure.

c. Clearance: Pruning to reduce interference between a tree and current or future structures, infrastructure and site usage.

d. Size management: Using reduction cuts to reduce the size of all or part of a tree canopy. Commonly called "drop crotching".

e. Reducing crown density: The selective removal and reduction of internal branches for better wind and light penetration. Formerly called "thinning".

f. Crown restoration: Performed to promote structure of trees after they sustain storm damage or have been subjected to improper pruning practices.

E. Prohibited Pruning Practices

The following practices are prohibited and may result in fines and mitigation requirements if performed.

1. Topping

Topping is the indiscriminate cutting of tree branches between nodes or to lateral branches that are not large enough to assume a terminal role. This practice reduces a tree's ability to photosynthesize, creates excessive injury, triggers the growth of weakly attached branches and can lead to excessive decay.

2. Pollarding

Pollarding is an ancient pruning technique used to control the size of trees and generate shoot growth to harvest firewood, weaving and building materials. It is generally considered an acceptable practice only if species selection and regular maintenance are performed properly. Due to the highly specialized requirements of this practice, it is prohibited for general use. However, waivers may be requested if the tree is planted in a highly maintained garden or landscape area where shade is not prioritized and only as an ornamental feature that will not count toward minimum landscape requirements.

3. Lion's Tailing

Lion's tailing is the excessive or indiscriminate removal of interior branches leaving most foliage at the ends. This practice adversely alters the biomechanics of trees, reduces a tree's ability to photosynthesize, creates excessive injury and increases the likelihood of branch failure.

4. Flush Cuts

Flush cuts occur when the final cut of a branch removal is made too close to the parent stem removing the bark ridge and branch collar. This type of cut removes the natural zone where compartmentalization occurs most efficiently.

5. Stub Cuts

Stub cuts occur when the final cut of a branch removal leaves too much of the branch attached beyond the branch collar. This type of cut increases the time it takes for the tree to completely seal a wound, leaving it susceptible to decay.

6. Pruning Paint

Thick pruning paint, or wound dressing, shall not be applied to pruning cuts. The only paint to be applied to pruning cuts will be thin non-phytotoxic paint on oak trees year-round or on other species if specified by the Project Arborist.

F. Making Proper Pruning Cuts

1. Branch Removal

Removes a branch to the parent stem.

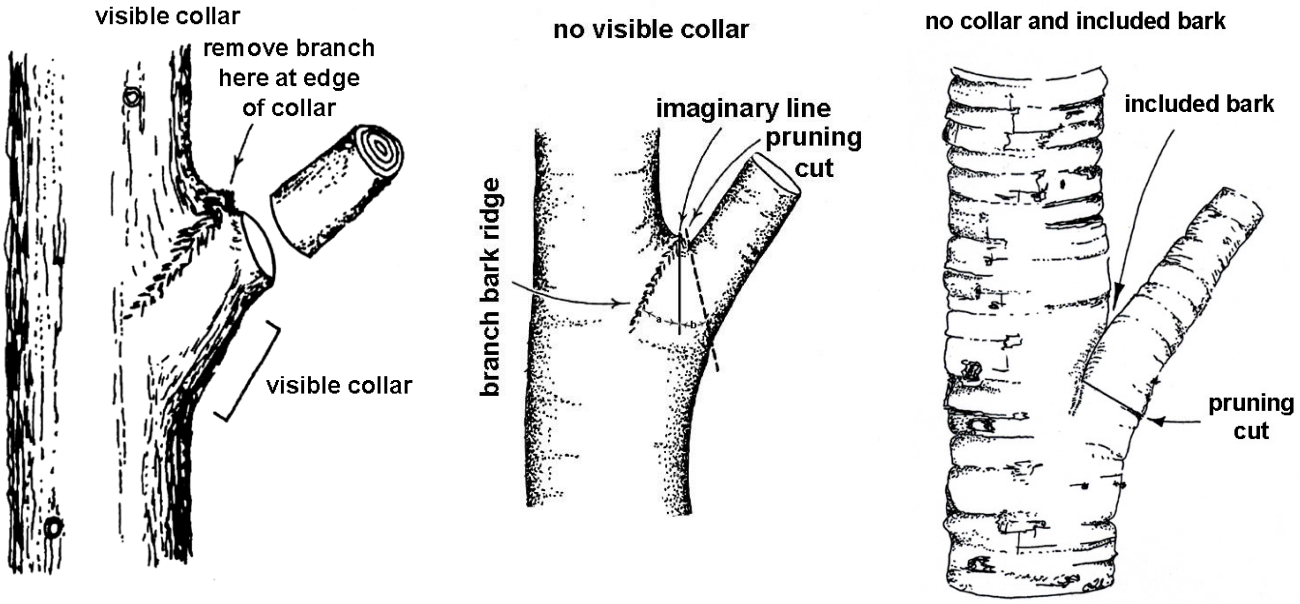
a. If a branch collar is visible, the final cut should be made along the outside of the collar to retain the bark ridge (See Figure 10.12-19).

b. If a branch collar is not visible, the final cut should be made at a roughly 45-degree angle just outside the bark ridge (see Figure 10.12-19).

c. If included bark is present the final cut should be made at the lowest point where the branch can be removed without causing injury to the parent stem (see Figure 10.12-19).

d. If a branch died several years prior to pruning, it may have already begun to compartmentalize, and the branch collar may have extended along the dead branch. If this condition is present, make the cut just outside the elongated collar, removing only the dead branch (see Figure 10.12-20).

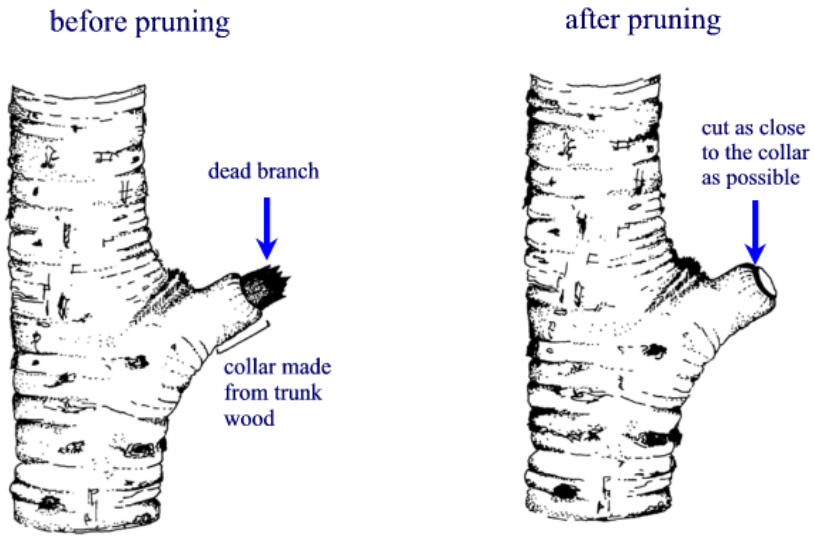
Figure 10.12-19. Example of Branch Removal Scenarios



Branch Removal – Collar Visible	Branch Removal – Collar Not Visible	Branch Removal – Included Bark Present

Source: University of Florida IFAS

Figure 10.12-20. Branch Removal – Dead Branch

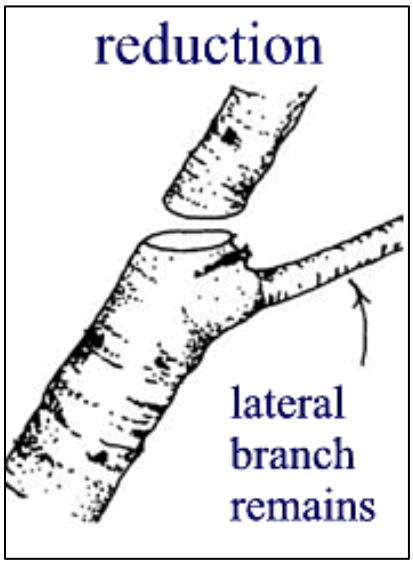


Source: University of Florida IFAS

2. Branch Reduction

   Reduces the length of a branch by cutting the parent branch to a lateral branch that is large enough to assume the terminal role (see Figure 10.12-21).

Figure 10.12-21. Branch Reduction



Source: University of Florida IFAS

3. Heading

   Reduces a branch without consideration for a lateral branch to assume the terminal role. Only acceptable during restoration pruning for storm damage recovery where an appropriately sized lateral is not present.

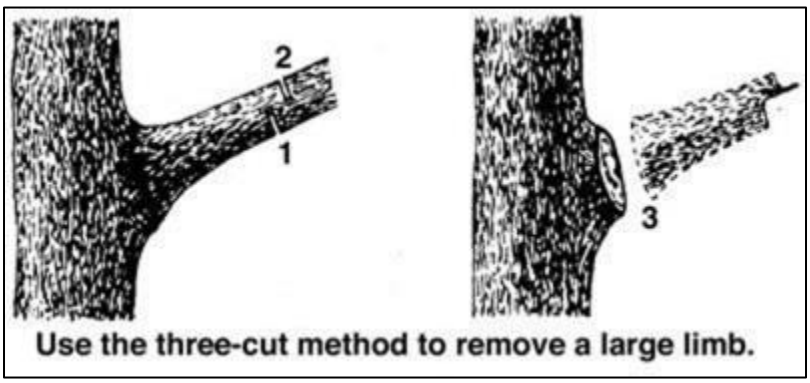
4. Other Considerations

   a. General

      (1) All pruning cuts shall be made in a manner that does not cause unnecessary injury to the tree or adjacent trees, injure people, damage property, or disrupt activities. If needed, employ rigging practices to avoid trunks, roots and adjacent trees when removing heavy branches.

      (2) When a branch is heavy it may peel the bark of the trunk during its removal if not performed correctly. It may be necessary to reduce the weight of the branch before making the final cut at the appropriate location. A common technique is called the three-cut method: make the first cut on the underside of the branch, a second cut on the topside of the branch just further from the branch attachment than the first until the cut portion of the branch falls away and then the third and final cut will be made at the appropriate location described above. For an illustrative example reference Figure 10.12-22.

Figure 10.12-22. Three Cut Method



Source: International Society of Arboriculture

      (3) Structural support, such as cabling and bracing limbs or splitting trunks, may be more appropriate in some cases. The Project Arborist should consider if this option is better suited for certain trees when developing pruning and tree care specifications.

   b. Newly planted trees

      (1) The first few years (2-5 years depending on size at planting) after a tree is planted, it should only be pruned to promote good structure and remove dead, damaged or diseased branches. Excessive pruning on a newly planted tree will reduce its ability to establish roots, expose its trunks to harsh environmental conditions and cause unnecessary stress during an already stressful establishment period. At no point should the live crown of an establishing tree represent less than 50 percent of total tree height.

10.12.7. Tree Planting

A. Introduction

1. Proper tree planting is essential for a tree's long-term health, stability, and ability to provide environmental, economic, and community benefits. Proper planting sets the stage for strong root establishment, resilience to drought and pests, reduced maintenance needs, and safe interaction with surrounding infrastructure. A tree planted correctly is far more likely to survive, thrive, and contribute meaningfully to the landscape for decades, making proper planting one of the most important investments a community can make.

2. Further, improper planting and establishment care are the leading cause of tree death after planting. It's also one of the leading causes of failure during site inspections for new developments.

3. This section discusses appropriate species selection, proper planting procedures, post care and what is considered acceptable during site inspections.

B. Project Arborist Required

1. All nursery stock inspections and tree planting shall be performed under the supervision of the Project Arborist pursuant to the standards and techniques provided herein. For all properties exempt from the tree preservation standards of the Unified Development Code, the planting and post care standards provided within this section shall serve as best management practices.

2. Ideally, the Project Arborist should coordinate with the landscape architect during a project's planning phase to ensure appropriate tree species are selected based on final site conditions. If, during on-site review, the Project Arborist determines that a species specified in the approved landscape plan is unsuitable for the intended planting location, they should contact the landscape architect to discuss appropriate alternatives and adjust the plan accordingly.

C. Species Selection

1. General

a. Selecting tree species that are well suited to site conditions, and capable of thriving with minimal conflict or intensive maintenance, is essential for establishing resilient, long lasting landscapes. Species selection must account for environmental tolerance, mature size, growth form, and how the tree will interact with surrounding infrastructure over time. For example, Shumard red oak (Quercus shumardii) is a tall, durable, and high value shade tree, but it performs poorly in highly exposed sites such as parking lots with intense radiant heat or locations receiving direct southwest sun. In contrast, it thrives when planted in areas protected from these stressors. Likewise, thornless honey mesquite (cultivars of Prosopis glandulosa) is an extremely hardy, drought tolerant species with a distinctive form and is well suited for shading walkways and enhancing landscape aesthetics. However, its short, wide canopy makes it unsuitable for roadway plantings, where required vertical clearance cannot be achieved and conflicts with truck traffic are inevitable. Thoughtful species selection ensures trees complement their environment rather than create long-term structural, safety, or maintenance challenges.

b. The landscape plans and tree replacement plans shall be designed to account for existing trees when adhering to our tree diversity standard of no more than 20 percent of the same species nor 40 percent of the same genus. Landscapes that are too heavily planted with a single species or genus are undesirable because if a certain species is prone to a particular disease or is more susceptible to certain environmental stress, then it is likely the entire stand could die or be destroyed by a single disease or weather event. Creating planting areas of several native species, or noninvasive exotic species, creates a more diverse, and therefore more resistant, urban forest.

2. Prohibited Species

a. Plants known to be invasive or showing invasive tendencies in Texas shall not be planted on properties that are under the regulatory authority of the UDC. Invasive species are exotic species that can establish by seed in our ecosystem, displacing native species and causing ecological harm to wildlands. In addition to the common landscape plants listed below, the Texas Invasive Database as updated from time to time (available online at: https://texasinvasives.org/) serves as the official list of trees, shrubs, herbaceous plants and grasses that are prohibited for seeding or planting unless sterile cultivars are approved. Sterile plants are those that do not produce seeds, produce seeds that are unable to germinate, do not produce functional pollen, or are otherwise unable to reproduce.

b. Common landscape trees and shrubs prohibited due to their designation as or tendency to become an invasive species:

(1) Shade Trees

(a) Callery pear, all cultivars (Pyrus calleryana)

(b) Chinese pisache (Pistacia chinensis)

(c) Lacebark elm (Ulmus parvifolia)

(d) Golden rain tree (Koelreuteria paniculata)

(2) Small/Ornamental Trees and Shrubs

(a) Chaste tree (Vitex angus-castus)

(b) Chinese silk tree (Albizia julibrissin)

(c) Exotic honeysuckles (Lonicera spp)

(d) Heavenly bamboo (Nandina domestica)

(e) Photinia, all species (Photinia spp)

(f) Privet, all viable species/cultivars (Ligustrum spp)

3. Spacing Requirements

Mature height and spread of landscape plants must be considered when designing a site to ensure long-term suitability as they grow. Without consideration, plants may become constant maintenance burdens such as pruning to provide necessary clearance or create hazardous conditions such as obstructing the view of oncoming traffic.

a. Recommended Spacing

The spacing shown in Figure 10.12-23 should be considered recommendations, however, the City retains the ability to deny landscape plans if the Urban Forester determines the proposed tree spacing is inappropriate.

Figure 10.12-23. Recommended Min Spacing of Newly Planted Trees

Tree Size	Small (C)	Medium (B)	Large (A)
Small Tree	10'	15'	15'
Medium Tree	15'	20'	25'
Large Tree	15'	25'	30'
Shrubs/Bushes	2'	2'	2'
Landscape Plants	2'	2'	2'
Turf	5'	5'	5'
Single-Story Structure	>5'	15'	15'
Multi-Story Structure	>5'	25'	30'
Impervious Surface	>5'	15'	15'
Roadways/Fire Lanes	15'	10'	10'
Utilities			
Overhead	10'	20'	30'
Underground Easements	>5'	15'	15'

NOTE: Minimum approach distances expressed in ANSI Z133 must be considered when planting trees near overhead utilities

b. Required Spacing

Figure 10.12-24. Required Min Spacing of Newly Planted Trees

Tree Size	Small (C)	Medium (B)	Large (A)
Impervious Surface	3'	5'	5'
Roadways/Fire Lanes	5'	5'	5'
Water Meter Boxes	5'	5'	5'
Fire Hydrants	5'	5'	5'
Traffic Lights	25'	25'	25'
Street Signs			
Stop & Yeild	20'	20'	20'
Directional	20'	10'	10'
Outdoor Lighting (Parking Islands)	5'	5'	5'
Outdoor Lighting (Linear)			
Lamp Height <20'	15'	10'	10'
Lamp Height >20'	15'	25'	25'
Utilities			
Overhead	NA	15'	15'
Underground Easements	5'	5'	5'
NOTE: Minimum approach distances expressed in ANSI Z133 must be considered when planting trees near overhead utilities			

c. Variations from the minimum spacing shown in Figure 10.12-24 must be requested during plan review for approval.

4. Other Site Considerations

a. Successful plant establishment depends on how well suited the plants are to their planting site. Without thoughtful pairing of landscape plants to the conditions present on a given site, root establishment, plant health, aesthetics and maintenance frequency will suffer.

b. Examples of site conditions that must be considered when selecting appropriate tree species:

(1) Soil texture, composition, pH, nutrient availability and organic content

(2) Proposed drainage, soil permeability, infiltration rate and percolation rate

(3) Sun and wind exposure

D. Nursery Stock and Materials

1. General

The landscape architect or project arborist shall provide nursery stock specifications as part of the landscape plan during plan review.

2. Quality

All nursery stock shall meet the following minimum quality standards. If these standards are not met, the stock shall be rejected. If low quality stock is planted due to lack of quality inspections, the Urban Forester may require their removal and replacement.

a. All trees and plant material installed within the jurisdiction of the City of Pflugerville shall conform to the latest edition of the American Standard for Nursery Stock published by AmericanHort.

b. Trees shall be sound, healthy, vigorous, and free of plant disease and insect pests.

c. Crown

(1) Shall represent at least 50 percent of total tree height.

(2) No more than a combined 20 percent of tree branches shall be broken, damaged or dead.

(3) Branch attachments shall be strong and branches shall have an aspect ratio of less than 66 percent compared to their parent stem.

(4) Trees shall not have been topped or headed.

(5) The tree shall have healthy foliage if within the season for leaves.

d. Trunk

(1) Shall represent less than 50 percent of the total tree height.

(2) No more than 10 percent of the bark shall be damaged.

(3) No cuts, gashes or girdling damage shall be deeper than 20 percent the diameter of the area that was damaged.

(4) Trunks of multi-stemmed trees shall be sufficiently spaced and attached to the root flare to prevent inclusion.

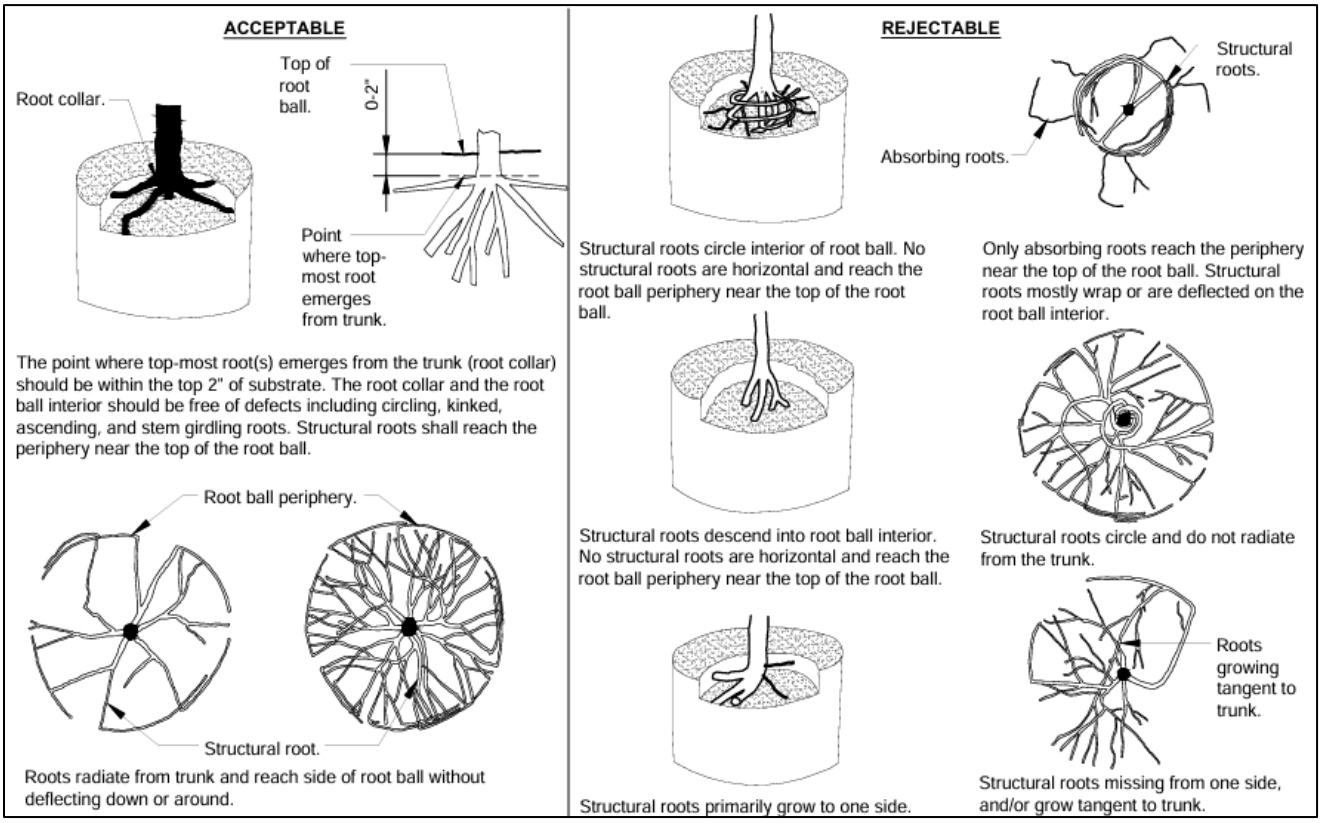
e. Roots

(1) The root flare shall be within 2 inches of the substrate surface but, ideally, should be visible at the surface.

(2) Roots shall grow radially from the root flare with less than 25 percent of root mass growing in a circular fashion other than within 2 inches of the periphery.

(3) Reference Figure 10.12-25.

Figure 10.12-25. Example of Acceptable Nursery Stock Root System



Source: Urban Tree Foundation

f. Container Grown Trees

(1) Shall be grown for at least 8 months in containers in which they are delivered.

(2) Substrate will be moist at the time of delivery.

(3) Pot size must be adequate to support the size of the tree grown within.

g. Balled and Burlapped Trees

(1) Shall be dug between 8-52 weeks prior to delivery.

(2) Substrate will be moist at the time of delivery.

(3) Soil volume must be adequate to support the tree that was dug.

(4) Only natural, biodegradable burlap, twine and wrapping material shall be used.

(5) If wire baskets are used, low profile baskets are preferred.

h. Trees with broken tops, branches, injured trunks, poor structure, low branching, poor vigor, and apparent poor quality shall be rejected; the City Forester or Administrator has the right to reject trees that do not meet the quality standards.

3. Miscellaneous Materials

Other material shall be described in the specifications accompanying the landscape plan.

a. Mulch

(1) All newly planted trees shall be mulched.

(2) Mulch shall be laid 2"-4" deep over the root ball, planting hole and several inches beyond the planting hole.

(3) Taper mulch several inches away from the root flare to prevent covering it. The root flare should always be visible.

(4) Inorganic mulch is prohibited.

b. Tree Guying

Tree guying is not required at planting but should be considered if the site is windy, prone to saturated soil and the surrounding soil is loose or unsettled. The Urban Forester may require the installation of tree guying if, upon inspection, newly planted trees are deemed unstable. If tree guying is installed, it must meet the following requirements:

(1) T-posts shall be used as the stakes and ends shall be capped.

(2) Tree ties shall be made of a soft, wide material where they contact the trunk and only tightened enough to stabilize the tree. The commonly used wire running through hose is prohibited.

(3) 3 t-posts shall be driven into the ground outside of the planting hole in a triangular pattern and ties shall be attached low on the trunk in a manner that does not cause trunk girdling.

(4) Tree guying should be reassessed regularly and removed when it is no longer needed for stability, but it shall not be left more than 2 growing seasons.

c. Tree guards shall be installed at the base of the trunk on trees planted in turfed areas to protect against string trimmer damage.

d. Root barriers shall be installed along public sidewalks and roadways where trees are planted adjacent to them.

E. Site Preparation

Creating conditions conducive to successful plant establishment must be considered at the earliest stages of site design to prevent unforeseen expenses, construction delays, and long-term landscape failures. Prior to any planting activity, the Project Arborist shall inspect all designated planting areas to evaluate soil volume, compaction levels, drainage, nutrient availability and any site-specific constraints. Based on this assessment, the Project Arborist will identify the steps necessary to prepare the site and ensure that conditions are sufficient to support healthy root development and long-term tree performance.

1. Assessing and Correcting Soil Conditions

a. Compacted soil has significantly reduced pore space, which reduces water infiltration, root growth, nutrient cycling and soil microbiome.

(1) Assess soil compaction in the field by probing the soil with a shovel or soil probe and gauging the depth at which the soil significantly resists penetration or by using a penetrometer for more precise readings.

(2) If soil compaction is identified, utilize hand, mechanical or pneumatic tillage to loosen soil. After tilling, break apart clumped soil greater than 2 inches, remove foreign debris, rake and level surface and wet soil to help move soil particles into gaps under the surface.

b. Soil organic matter (SOM) is essential for water holding capacity, nutrient cycling, soil microbiome and ultimately healthy plants.

(1) If the Project Arborist suspects a low SOM percentage, samples must be collected for laboratory assessment.

(2) If the soil contains less than 3 percent SOM till organic matter, such as wood compost, into the top 12" of soil at a rate determined to bring SOM to 3 percent to 10 percent.

c. Soil nutrients are the chemical elements critical to plant health and found in the soil.

(1) If the Project Arborist suspects soil nutrient deficiency, samples must be collected for laboratory assessment.

(2) To correct soil nutrient deficiency, the Project Arborist shall prescribe a fertilizer regimen to address the deficiency after planting and consider soil improvements in conjunction with the fertilizer regimen.

(3) No fertilizer shall be applied unless a soil analysis confirms a deficiency and only to correct the identified deficiencies.

d. Soil pH is important to a plant's ability to uptake nutrients in the soil. Highly acidic soils tend to leach nutrients away while highly alkaline soils tend to lock nutrients into the soil; both conditions reduce nutrient availability to plants.

(1) If the Project Arborist suspects soil pH imbalance, samples must be collected for laboratory assessment.

(2) Due to Pflugerville's limestone bedrock and the use of treated water for irrigation, our soils tend to be alkaline and significantly changing soil pH for prolonged periods of time is impractical. Plant selection should be adjusted if needed to ensure plants are installed that are adapted for the pH of a given site.

2. Drainage

Adequate drainage must be provided to the surrounding soil for the planting of new trees. Poor drainage is identified through observation of where rain and irrigation pool on a site and remain for more than a few hours, and by testing infiltration and percolation rates. Where rates are less than 2 inches an hour drainage is considered poor. Use one of the following options to increase survivability of newly planted trees on planting sites with poor drainage.

a. French drain, a minimum of 3 feet in depth

b. Drain tiles or lines beneath the trees

c. Selecting species better suited for the existing drainage

d. Create swales and berms to direct water away from planting sites

F. Planting the Tree

Proper planting is critical. Failure to follow the steps described below may result in avoidable labor and cost overruns to correct poor planting practice. If, upon inspection, the Urban Forester determines that trees were planted incorrectly they may require the trees to be raised out of the planting hole to be replanted or replaced.

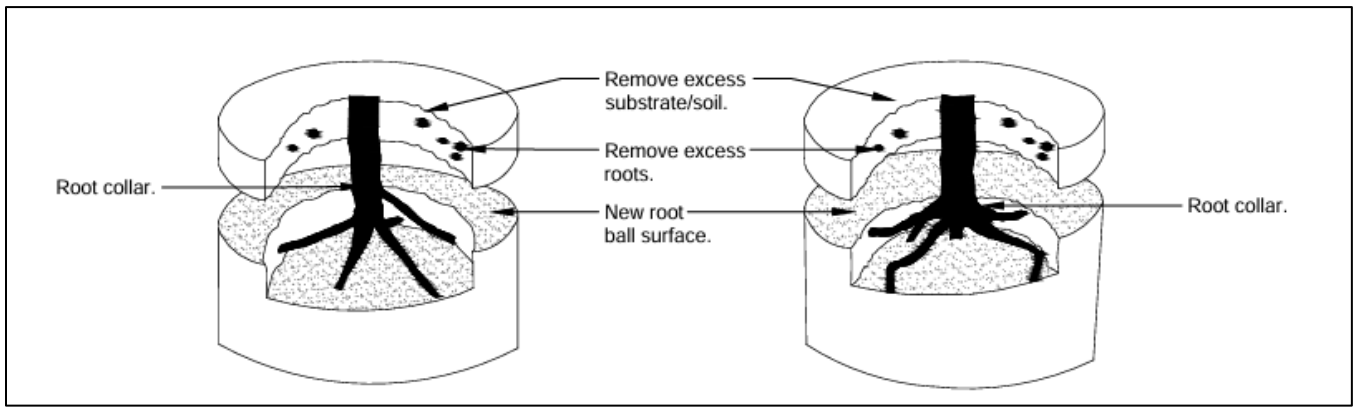
1. Steps for Proper Tree Planting

a. Prepare the Root Ball (Container)

(1) Remove the tree from the pot by gently laying the tree on the ground and sliding the pot off. If the pot does not slide off easily it may be necessary to cut the pot away from the root ball.

(2) Identify the root flare. If the root flare is not visible, carefully dig until the bottom of the flare and the main structural roots are revealed on the surface, and remove all soil above that point. Reference Figure 10.12-26 for an illustrative example.

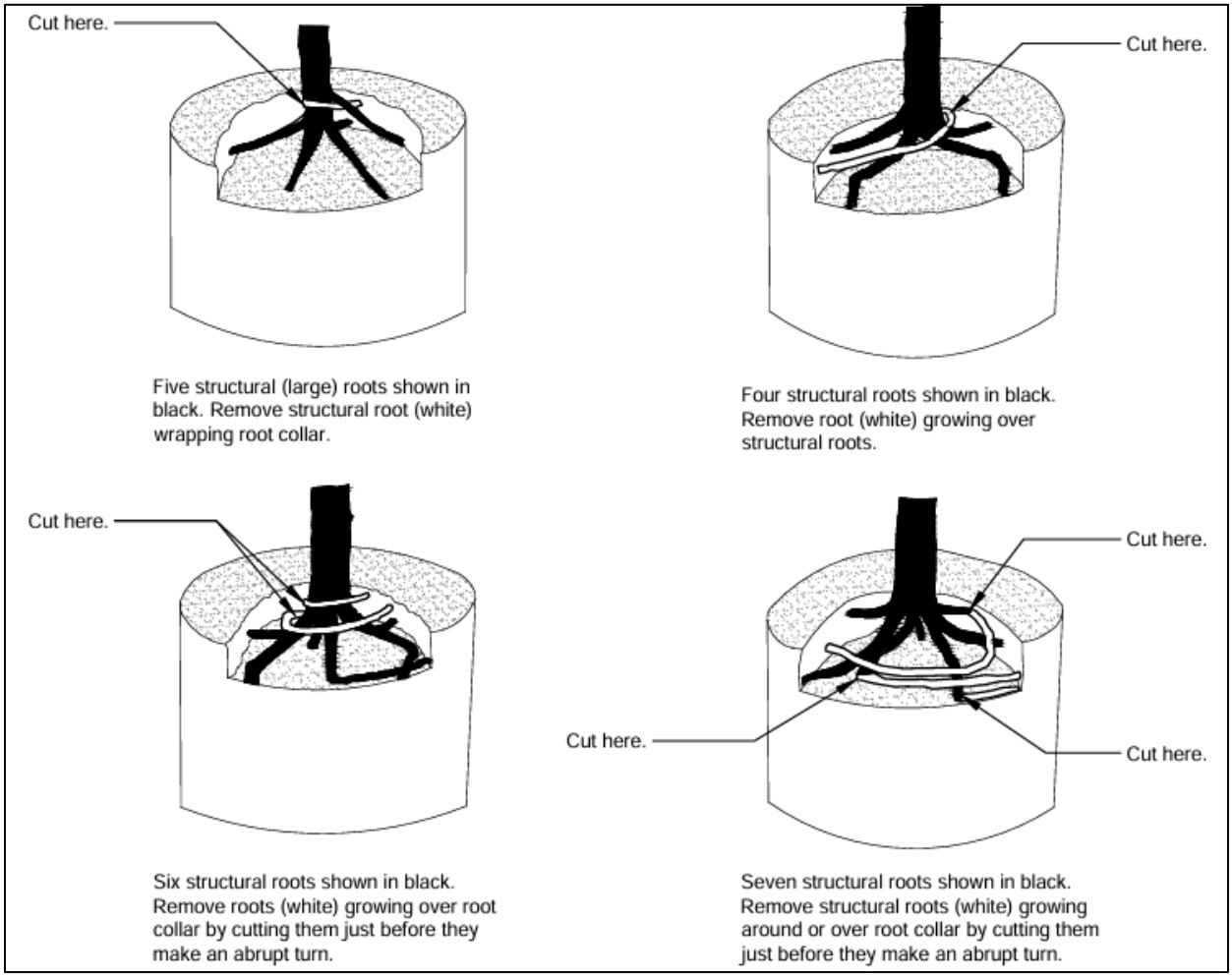
Figure 10.12-26. Exposing the Root Flare



Source: Urban Tree Foundation

(3) Prune any roots that are encircling the root flare and within the root ball, using a clean cutting tool, to the nearest lateral root growing more radially or the point it begins to turn if no lateral root is available. Reference Figure 10.12-27 for an illustrative example.

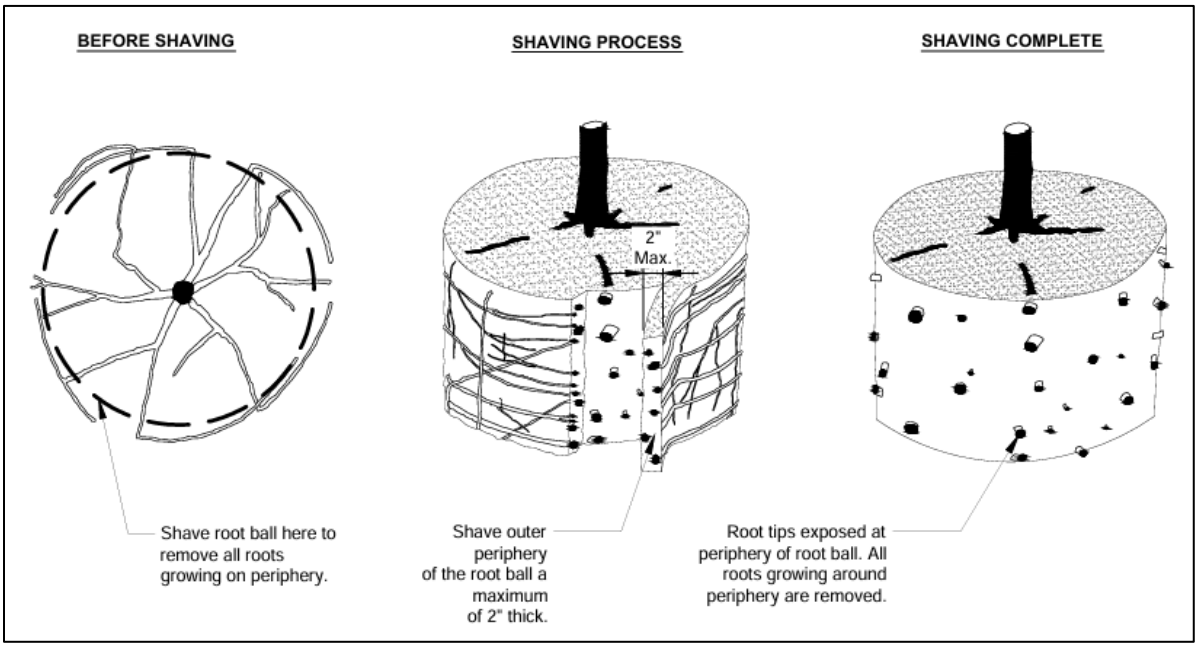
Figure 10.12-27. Pruning Circling Roots



Source: Urban Tree Foundation

(4) Using a clean hand saw, shave the sides of the root ball to remove any roots that may encircle the trunk in the future and encourage outward growth (see Figure 10.12-28).

Figure 10.12-28. Pruning Circling Peripheral Roots



Source: Urban Tree Foundation

b. Prepare the Root Ball (Balled and Burlapped)

(1) Without cutting the twine or wire basket (if present), remove burlap from the surface of the substrate around the base of the tree.

(2) Identify the root flare. If the root flare is not visible, carefully dig until the depth of the bottom of the flare is known.

NOTE: Due to the risk of the trunk separating from the root ball while moving balled and burlapped trees, it's important to leave the twine and wire basket (if present) intact until the tree is placed and stabilized in the planting hole. Any needed root flare excavation or root pruning should be performed in the planting hole after the twine, basket and burlap are removed but before backfilling the hole.

c. Remove Unnecessary Materials

Cut away any tags, marking tape, bamboo stakes, and any other material left from the nursery.

d. Measure the Root Ball and Excavate Planting Hole

Planting holes should be only deep enough to allow the root flare to rest slightly above grade (roughly 1"-3") after planting, and 2-3 times wider than the root ball if the site allows. Remove any rocks and debris greater than 2" and break up clumped soil before using excavated soil as backfill.

e. Set the Tree in the Hole and Stabilize

(1) Container Grown Tree

(a) Place the tree in the center of the planting hole.

(b) Ensure the root flare is above the surrounding grade.

(c) Use a small amount of backfill around the base of the root ball to stabilize the tree and adjust its position so it stands generally straight.

(2) Balled and Burlapped Tree

(a) Place the tree in the center of the planting hole.

(b) Ensure the root flare is above the surrounding grade.

(c) Use a small amount of backfill around the base of the root ball to stabilize the tree and adjust its position so it stands generally straight.

(d) Remove and discard all twine and, at least, the top 12" of burlap and wire basket.

(e) With the burlap and basket removed, perform any necessary root flare excavation and root pruning.

f. Backfill

(1) Using native soil (preferred) or a soil mix specified in the planting specifications provided by the landscape architect, backfill approximately 1/3 of the planting hole and gently pack the soil using a foot.

(2) Water, but do not saturate, the backfilled area if water is readily available.

(3) Repeat steps 1 and 2 until the backfill is level with the top edge of the root ball and the hole is filled. Do not allow backfill to build up on top of the root ball.

(4) Use remaining backfill to build a circular berm around the planting hole to prevent irrigation runoff and assist with rain capture.

g. Initial Watering

The first watering of a newly planted tree shall be performed on the same day as planting. It must be very deep to help fill any large spaces left in the soil during planting and to help the backfill to mate with the surrounding soil. Water with low pressure evenly inside the planting hole until it begins to pool at the surface.

h. Mulch

Mulch shall be laid 2"-4" deep over the root ball, planting hole and several inches beyond the planting hole. Taper mulch several inches away from the root flare to prevent covering it. The root flare should always be visible.

i. Additional

(1) Install tree guying and tree guards if specified by the landscape architect or as directed by the Project Arborist and as described in "Nursery Stock and Materials".

(2) Prune only to promote structure and to remove broken, weak and dead branches.

(3) Fertilizer shall only be applied if a soil test confirms nutrient deficiency and only if prescribed by the Project Arborist for the nutrients found deficient. Soil modification shall be considered as an alternative or in conjunction with any prescribed fertilization.

G. Transplanting Mature Trees

1. Transplanting large trees is difficult, expensive and requires specialized expertise and equipment. Preapproval from the Urban Forester and periodic inspections will be required for the transplanting of an established tree. Such trees will require a warranty of 5 years and will need to follow replacement requirements established in the Tree Preservation subchapter of the UDC should the tree die or severely

decline. The most important and hardest part in tree transplanting is creating and implementing a multi-year aftercare program, providing adequate moisture for the root ball.

2. If a property within the jurisdiction of the City of Pflugerville wishes to transplant an established tree, they must submit the following for approval:
    a. The name and contact information of the Project Arborist who will be overseeing the operation.
    b. A justification for transplanting.
    c. A pre-care plan to be implemented prior to excavation.
    d. A detailed description of excavation, tree surgery and root ball preparation.
    e. When moving a large tree off the original site, a traffic control plan may be required. If a traffic control plan is required, it must be approved by the authority that maintains the public roadways to be used and all expenses associated with the plan shall be the responsibility of the submitter.
    f. A detailed description of planting procedures.
    g. A post-care plan, including a schedule of regular inspections by the Project Arborist during the warranty period, to be implemented after planting.
3. If the Urban Forester determines any details regarding transplanting a mature tree are insufficient, the plan will be rejected and adjustments must be made for resubmittal.

H. Irrigation Plan

1. General

    The City of Pflugerville promotes water conservation by:

    a. Requiring native and non-invasive adapted tree species.
    b. Requiring landscape designers to group plants considering water requirements and only using drip irrigation in landscape beds.
    c. Requiring trees to be on a separate irrigation schedule than other landscape plants and requiring either bubblers or drip irrigation (preferred) to be used.
    d. Requiring either soil moisture or rainfall shutoff sensors for all irrigation systems.
    e. Promoting gray water recycling systems and cisterns to supplement irrigation systems.
    f. Providing a recommended watering schedule for new tree establishment:
        (1) Irrigation frequency and amount depend on several factors including the size of the root ball, season, tree species, soil infiltration rate, drainage, slope and rainfall.
        (2) Generally, a newly planted tree requires 5 gallons of water per caliper inch at each watering event. Example: A 2" caliper tree would require 10 gallons of water per watering event.
        (3) Typical watering for a newly planted tree requires:
            (a) An initial deep soaking immediately after planting.
            (b) Weekly watering during the first year, increasing to twice weekly during drought conditions.
            (c) Once every two weeks the following year, increasing up to twice weekly during drought conditions.
            (d) As needed the 3rd year based on observation and weather conditions.
            (e) If the tree has been successfully established during the first three years, the water-absorbing roots will be far beyond the drip emitters and those zones can be turned off. Drip tubing and bubblers shall be removed to avoid conflict with the tree's expanding

trunk and root flare, but maintaining the existing underground irrigation infrastructure is encouraged in case it must be tapped for temporary irrigation during severe drought or site improvements.

2. Irrigation Plan Notes

The following requirements are mandatory for all irrigation plans and are in addition to any applicable notes referenced in Chapter 113, Irrigators:

a. An automatic irrigation system shall be installed. All automatic irrigation systems shall be equipped with an electronic controller capable of dual or multiple programming.

b. Controller(s) shall have multiple cycle start capacity and a flexible calendar program.

c. All automatic irrigation systems shall be equipped with a soil moisture or rain and freeze sensor shut-off device.

d. The irrigation system must be designed by a licensed irrigator.

e. The irrigated turf grass area is limited to 33 percent of the total landscape area provided.

f. Tree irrigation zones shall not share the same irrigation zones, including valves and circuits, as turf grass, shrubs or other plants due to different watering requirements.

g. A minimum of one bubbler or appropriate length of drip tubing (providing 5 gallons of water per caliper inch per hour) shall be provided for all newly planted trees.

(1) Bubblers, if used, shall be installed at each tree, located twelve to eighteen inches from the trunk.

(2) Drip tubing, if used, shall be installed under the mulch in a circle approximately twelve inches from the trunk.

h. No trenching shall occur within the tree protection zones of existing trees.

i. No boring shall occur within the tree protection zones of existing trees without prior approval from the Urban Forester.

j. Irrigation shall be designed and installed in accordance with the Landscape and Screening subchapter of the Unified Development Code and Chapter 113: Irrigators.

k. Irrigation plans shall be submitted and approved prior to irrigation installation and final site inspection.

I. Maintenance

Maintenance practices shall be directed by a certified arborist and consist of all regular and normal maintenance of trees, including but not limited to irrigation, pruning, stake adjustment and removal, disease control and other plant healthcare. Plant material that exhibits severe levels of pest infestation, disease and/or damage, shall be appropriately treated, and all dead trees shall be removed and replaced with living trees where required according to the city approved Tree Replacement Plan or Site Plan for the site.

10.12.8. References

A. Tree Care Industry Association. (2022). ANSI A300™ Tree Care Standards (consolidated ed.). Tree Care Industry Association.

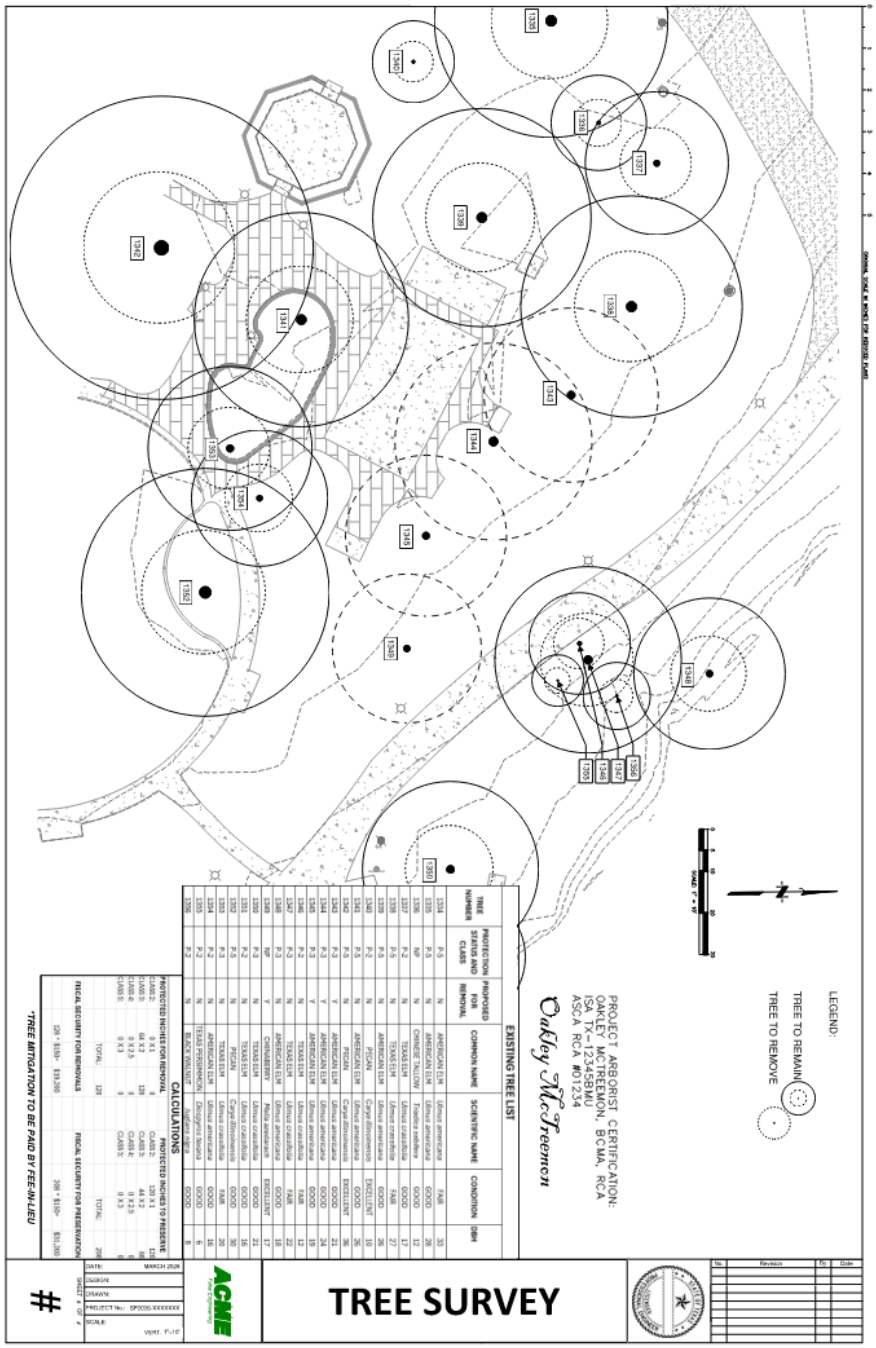
B. International Society of Arboriculture. (2026). ANSI Z133 2026: Safety and health requirements for arboricultural operations (ANSI standard). International Society of Arboriculture.

C. American Horticulture Industry Association. (2025). American standard for nursery stock (ANSI Z60.2 2025). American Horticulture Industry Association.

10.12.9. Appendices

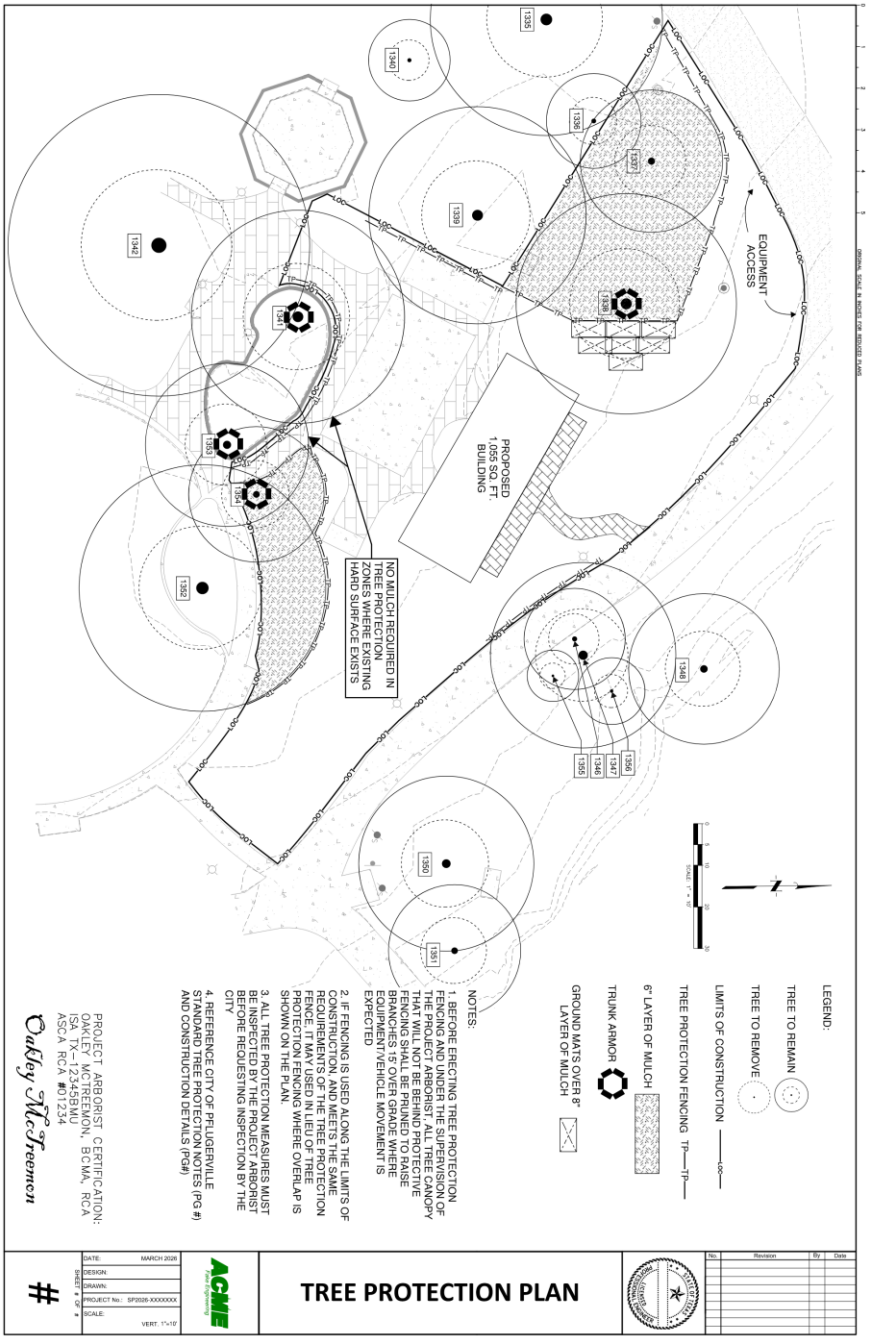
A. Tree Survey Example

Figure 10.12-29. Example of a Tree Survey



B. Tree Protection Plan Example

Figure 10.12-30. Example of a Tree Protection Plan



Subchapter 11. Exterior Lighting

11.1. Purpose

Lighting standards are established to regulate outdoor lighting to reduce light pollution, preserve the nighttime environment, and mitigate glare, light trespass, sky glow, and other adverse off-site impacts for the safe, orderly, and healthful development of the City. These standards promote the health, safety, morals, and general welfare of the City; conserve energy and resources to the greatest extent practicable; and promote safe, targeted, low-level, warm-colored, and controlled lighting for pedestrian and vehicular traffic.

11.2. Applicability

A. The provisions and standards set forth in this Subchapter apply to all development within all zoning districts of the City, unless otherwise expressly stated. This includes, but is not limited to, new lighting, replacement lighting, or any other lighting, whether attached to structures, poles, the ground, or any other location.

B. At no time must light sources be oriented or installed so as to direct light onto a neighboring property or public right-of-way in a manner that may otherwise be considered a nuisance.

11.3. Exemptions

The provisions and standards set forth in this Subchapter do not apply to the following outdoor lighting:

A. Lighting required by the City or other governmental entity in addition to that regulated by the standards herein;

B. Temporary lighting used for holiday or seasonal displays (i.e., displayed less than four (4) months a year);

C. Emergency lighting;

D. Repairs to existing luminaires, including replacement of lamps, bulbs, ballasts, drivers, and similar components;

E. Portable temporary lighting used for maintenance or repair that does not create a nuisance or hazard; and

F. Lighting for City-approved special events (e.g., festivals, civic events).

11.4. Submittal Requirements

11.4.1. General

All submissions must contain the items specified in this Section, and any other information the Planning and Development Services Director may request as necessary to complete the review process and confirm compliance with this Subchapter.

A. For all site development applications, provide a photometric plan for the typical luminaries used, showing candela tabulation as defined by Illuminating Engineering Society of North America (IESNA) recommendations. The submission must also identify the correlated color temperature for each proposed exterior luminaire and include manufacturer's cut sheets sufficient to demonstrate compliance with this Subchapter.

B. In addition to the requirements set forth in Section A above, the following is required for athletic facilities: a site plan, drawn to a scale of 1 inch equaling 20 feet showing buildings, landscaping, parking, and all proposed exterior fixtures including lamps, supports, reflectors, and other devices.

11.5. Prohibited Lighting

Except as otherwise provided, the following light sources and light fixtures must not be used where the light source is directly visible or produces glare or light trespass onto adjacent lots or public right-of-way.

A. High-pressure sodium, low-pressure sodium, mercury vapor, or neon light sources.

B. Cobra-head or similar fixtures having dished or drop-down lenses.

C. Searchlights or other high-intensity narrow-beam fixtures.

D. Lighting fixtures that have flashing, rotating, moving, pulsing, or alternating colored light sources, except for temporary holiday or seasonal lighting displays.

11.6. Lighting Design Requirements

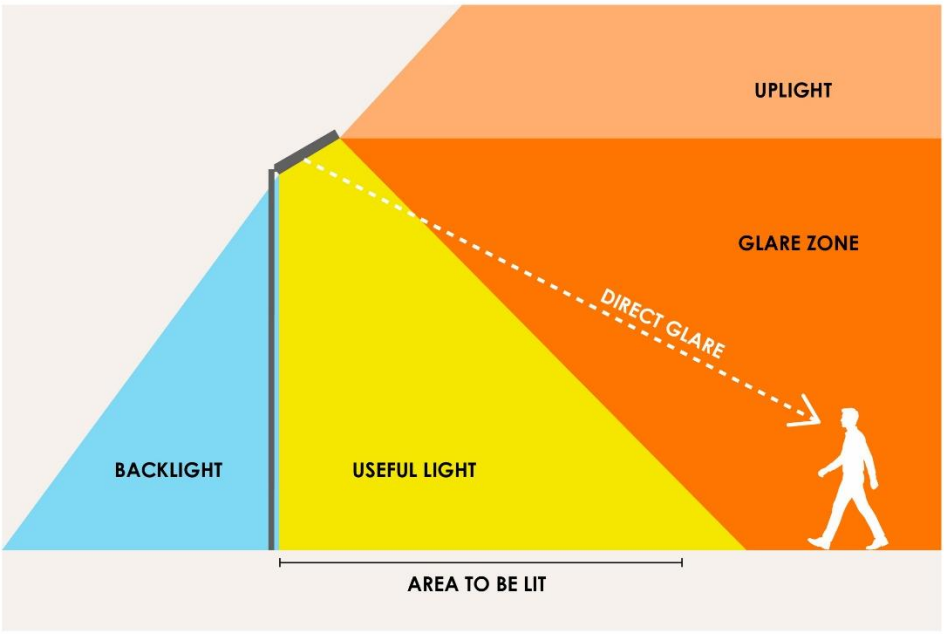
Lighting must be designed to promote safety; minimize glare, light trespass, and excessive reflectivity; ensure compatibility with adjacent properties; avoid conflicts with the mature height and spread of surrounding trees and landscaping; and accent key architectural elements and emphasize landscape features. Light fixtures will be treated as an integral design element that complements the overall design of a project. This may be accomplished through style, material, or color. All lighting fixtures designed or placed so as to illuminate any portion of a site must meet the following requirements.

11.6.1. Fixtures/Luminaries

A. Light sources must be completely concealed from above and all sides within opaque housings and oriented to minimize visibility from streets or adjacent properties. All lighting fixtures must be full cutoff in design and comply with the Illuminating Engineering Society of North America (IESNA) B-U-G (Backlight, Uplight, Glare) rating standards of this Section to direct light downward and minimize light spillage into the night sky and adjacent properties, unless otherwise permitted within this Subchapter (see Figure 11.6-1).

B. Lighting must be oriented so that it complies with the glare limitations established by the B-U-G rating requirements and does not direct glare or illumination onto streets in a manner that may distract or interfere with the vision of drivers, cyclists, or pedestrians (see Figure 11.6-1). Lighting must be placed and oriented to reduce conflicts with the mature heights of surrounding trees and landscaping.

Figure 11.6-1. B-U-G Illustrative Example



C. Light poles and fixture heads must utilize coordinated finishes and materials to reduce visual clutter and maintain visual cohesion within a development. Deviations may be approved by the Planning and Development Services Director when increased energy efficiency is desired.

11.6.2. Backlight, Uplight, and Glare (B-U-G) Ratings

A. General

1. B-U-G ratings consist of separate backlight (B), uplight (U), and glare (G) ratings assigned to a luminaire based on its photometric performance. Each component of the B-U-G rating must independently comply with the maximum allowable rating established by this Section. A lower numerical rating indicates a greater restriction on light output.

2. Where a maximum allowable B-U-G rating is based on mounting height, the distance from the luminaire to the applicable property line must be divided by the mounting height of the luminaire to determine the applicable mounting-height category in Figure 11.6-2 and Figure 11.6-4.

3. For property lines that abut public walkways, bikeways, plazas and parking lots, the property line may be considered to be 5 feet beyond the actual property line for the purpose of determining compliance with this Section. For property lines that abut public roadways and public transit corridors, the property line may be considered to be the centerline of the public roadway or public transit corridor for the purpose of determining compliance with this Section.

B. Maximum Allowable Backlight Rating

The backlight (B) rating regulates light emitted behind a luminaire. The maximum allowable backlight rating must be determined based on the applicable IES Lighting Zone and the distance and orientation of the luminaire from the property line, as provided in Figure 11.6-2. Maximum Allowable Backlight Rating.

Figure 11.6-2. Maximum Allowable Backlight Rating

Maximum Allowable Backlight Rating			
	IES Lighting Zone 1	IES Lighting Zone 2	IES Lighting Zone 3
	A, SF-S, SF-R, SF-MU, NFR, MF-10, MH Zoning Districts	NS, R, O, CL3, N-MU, MF-20 Zoning Districts	GB1, GB2, CI, LI, GI, CL4, CL5 Zoning Districts
Greater than 2 mounting heights from property line	B3	B4	B5
1 to less than 2 mounting heights from property line and ideally oriented*	B2	B3	B4
0.5 to 1 mounting heights from property line and ideally oriented*	B1	B2	B3
Less than 0.5 mounting height to property line and properly oriented*	B0	B0	B1
Notes: * To be considered ideally oriented, the luminaire must be mounted with the Backlight portion of the light output oriented perpendicular and toward the property line of concern.			

C. Maximum Allowable Uplight Rating

The uplight (U) rating regulates light emitted above a luminaire. The maximum allowable uplight rating must be determined based on the applicable IES Lighting Zone, as provided in Figure 11.6-3. Maximum Allowable Uplight Rating.

Figure 11.6-3. Maximum Allowable Uplight Rating

Maximum Allowable Uplight Rating			
	IES Lighting Zone 1	IES Lighting Zone 2	IES Lighting Zone 3
	A, SF-S, SF-R, SF-MU, NFR, MF-10, MH Zoning Districts	NS, R, O, CL3, N-MU, MF-20 Zoning Districts	GB1, GB2, CI, LI, GI, CL4, CL5 Zoning Districts
Allowed Uplight Rating	U1	U2	U3
Allowed percentage light emission above 90 degrees for street or area lighting	0%	0%	0%

D. Maximum Allowable Glare Rating

The glare (G) rating regulates light emitted from a luminaire at high angles that may cause glare. The maximum allowable glare rating must be determined based on the applicable IES Lighting Zone, and where applicable, the distance and orientation of the luminaire from the property line, as provided in Figure 11.6-4. Maximum Allowable Glare Rating.

Figure 11.6-4. Maximum Allowable Glare Rating

Maximum Allowable Glare Rating			
	IES Lighting Zone 1	IES Lighting Zone 2	IES Lighting Zone 3
	A, SF-S, SF-R, SF-MU, NFR, MF-10, MH Zoning Districts	NS, R, O, CL3, N-MU, MF-20 Zoning Districts	GB1, GB2, CI, LI, GI, CL4, CL5 Zoning Districts
Allowed Glare Rating	G1	G2	G3
Any luminaire not ideally oriented* with 1 to less than 2 mounting heights to any property line	G0	G1	G1
Any luminaire not ideally oriented* with 0.5 to 1 mounting heights to any property line of concern	G0	G0	G1
Any luminaire not ideally oriented* with less than 0.5 mounting height to any property line of concern	G0	G0	G0
Notes: *Any luminaire that cannot be mounted with its Backlight perpendicular to any property line within two times the mounting heights of the luminaire location must meet the reduced Allowed Glare Ratings described above.			

11.6.3. Fixture Height

A. Lighting fixtures may be up to 30 feet in height within an on-site parking area and up to fifteen feet (15') in height within a pedestrian area. However, on sites larger than 1 acre, parking area lighting located more than 100 feet from any property line may be up to 35 feet in height.

B. Lighting fixtures located within 50 feet of any residential zoning district or residential use must not exceed 15 feet in height.

11.6.4. Light Source

A. All lighting must utilize energy-efficient technology. Light sources must be selected to minimize glare, uplight and light trespass and must comply with the B-U-G rating requirements of this Subchapter.

B. To maintain uniformity within a site, the same light source or lamp must be used for the same or similar types of lighting throughout a site or development unless more energy-efficient technology is proposed and approved by the Planning and Development Services Director.

C. The allowable correlated color temperature of all exterior lighting fixtures and sign lighting must not exceed 3,000 Kelvins (K), except where a higher correlated color temperature is required by federal or state law, life-safety standards, or other applicable regulations.

D. The Planning and Development Services Director may approve a higher correlated color temperature where necessary for public safety, security, or specialized operational needs.

11.6.5. Fixture Mounting

A. Lighting fixtures must be mounted and oriented so that light trespass beyond the property line does not exceed the maximum illumination levels established in this Subchapter, the cone of light is contained on-site, and the fixture complies with the applicable B-U-G rating limits.

B. Lighting and landscaping must be coordinated to prevent conflicts between illumination, fixture placement, and the mature height and spread of trees and landscaping.

11.6.6. Exterior Lighting Control Requirements

A. Automatic Switching Requirements

1. Controls must be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, Astronomic Time Switch, or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device. All such devices must be capable of retaining programming and time settings during a power interruption of at least 10 hours.

B. Automatic Lighting Reduction Requirements

1. Lighting Curfew

Total outdoor lighting must be reduced by at least 30 percent or extinguished according to the most restrictive of the following:

a. A period beginning at midnight and continuing until 6 AM;

b. From one hour after business closing to one hour before business opening; or

c. During any period when activity has not been detected for longer than 15 minutes.

2. Exceptions

a. Lighting for residential uses;

b. Required lighting for steps, stairs, walkways, and building entrances;

c. Motion-activated lighting;

d. Businesses that operate on a 24-hour basis; or

e. Lighting determined by the Planning and Development Services Director to be necessary for safety, security, circulation, or site function.

11.7. Illumination Requirements

11.7.1. Illumination Levels

A. Subject to the limits below, and in addition to the B-U-G rating requirements of this Subchapter, all exterior site lighting must be designed so that the level of illumination, as measured in foot-candles (fc), meets the requirements of the following Figure 11.7-1. Permitted Illumination Levels by Lighting Type.

Figure 11.7-1. Permitted Illumination Levels by Lighting Type

Permitted Illumination Levels by Lighting Type			
Type of Lighting	Illumination Level		
	Minimum	Average	Maximum
Architectural Lighting	0.0 fc	1.0 fc	5.0 fc
Building Entrance Lighting	1.0 fc	5.0 fc	15.0 fc
On-Site Parking Area Lighting	0.2 fc	1.5 fc	10.0 fc
Outdoor Recreation Area Lighting [1] [2]	0.2 fc	1.0 fc	5.0 fc
Parkland, Private Lighting [3]	0.0 fc	0.5 fc	2.0 fc
Parkland, Public Lighting [3]	0.1 fc	0.75 fc	3.0 fc
Trail Lighting [3]	0.1 fc	0.5 fc	2.0 fc
Vehicular Canopy Area Lighting (and Structured Parking)	2.0 fc	10.0 fc	15.0 fc
Walkways, Landscape or Decorative Lighting	0.2 fc	1.0 fc	5.0 fc

Notes:

[1] Outdoor recreation area lighting must meet Illuminating Engineering Society (IES) lighting guidelines under RP-6 according to the appropriate class of play.

[2] Field lighting must be provided exclusively for illumination of the surface of play and viewing stands. Such lighting is not appropriate for any other applications.

[3] Parkland and trail lighting must be provided exclusively for illumination of designated active use areas, pedestrian circulation routes, and other areas intended for nighttime use. Such lighting is not required for natural areas, open space, or trail corridors not intended for nighttime use.

B. Lighting must be designed to provide the minimum illumination necessary for the intended use. The maximum illumination levels established in Figure 11.7-1 are not design targets and should not be used to justify lighting levels that exceed the amount necessary for safety, security, circulation, or site function.

11.7.2. Illumination Measurement

A. Minimum and maximum foot-candle levels are measured at ground level within the lighted area.

B. The average level is the overall, generalized ambient light level throughout the site and must be measured as a not-to-exceed value calculated using only the area of the site intended to receive the illumination.

C. The minimum light level may be reduced by 20 percent by the Planning and Development Services Director if it is determined to adversely impact the development or adjacent properties.

11.7.3. Calculation Zones

Calculation zones for the types of lighting identified in Figure 11.7-1 must extend 10 feet beyond the property line where required and must adhere to the calculation zone methodology as provided below.

A. Architectural Lighting

An architectural lighting calculation zone must be measured at the light source(s) around the perimeter of the building and extended 10 feet horizontally from the light fixture(s).

B. Building Entrance Lighting

A building entrance calculation zone must be measured at a minimum of 15 feet from the building entrance(s), and include any areas underneath awnings or building extensions covering pedestrian plazas and/or walkways.

C. Vehicle Canopy Area Lighting

A vehicular canopy area calculation zone must be measured 10 feet outward from the perimeter of the canopy.

D. On-Site Parking Area Lighting

An on-site parking area calculation zone must be measured only within the paved parking area, including drive aisles and landscape islands, peninsulas and medians contained within the paved parking area.

E. Walkways, Landscape or Decorative Lighting

A calculation zone for walkways, landscaping or decorative lighting must be measured as follows:

1. Walkway lighting must be measured within the dimensions of the walkway.
2. Landscape lighting must be measured 5 feet from the proposed light fixture(s).
3. Decorative lighting, not included within any of the calculation zones above, must be measured (5 feet from the proposed light fixture(s). Decorative lighting includes pedestrian-scale lighting not attached to building elevations or included within the on-site parking area calculations.

11.7.4. Maximum Illumination

A. The maximum illumination permitted at any lot line must not exceed the limits set forth in Section 11.7.1. Where a development is unified with shared parking, the maximum illumination levels will apply only to the exterior lot lines of the projects (any interior lot lines are exempt from this paragraph). The calculation zone(s) must be measured 10 feet beyond the property lines in order to ensure excessive light spillage does not occur.

B. The maximum illumination at any lot line adjacent to any residentially zoned property, or property with a residential use, is 0.2 foot-candles.

C. The maximum illumination at any lot line adjacent to a street is 5.0 foot-candles.

D. Lumen Caps

1. All Properties

a. The lumen per net acre value is an upper limit and not a design goal; design goals should be the lowest level that meets the requirements of the task.

b. The lumen per net acre value excludes government-owned streetlights used for illumination of public rights-of-way and outdoor recreation facilities.

2. Nonresidential Property

Total outdoor lighting output installed on any nonresidential property must not exceed 50,000 lumens per net acre in any contiguous illuminated area.

3. Residential Property

Total outdoor lighting output installed on any residential property must not exceed 25,000 lumens per net acre in any contiguous illuminated area.

11.8. Specialized Lighting Requirements

11.8.1. General

A. Specialized lighting not otherwise addressed by this Section may be approved by the Planning and Development Services Director.

B. Temporary lighting associated with a temporary use, special event, emergency activity, construction activity, or similar short-term activity may be approved by the Planning and Development Services Director. Such exterior lighting must be limited in duration, necessary for the proposed activity, and designed or

operated to minimize glare, light trespass, and impacts on adjacent properties, streets, and residential uses to the greatest extent practicable.

C. The Planning and Development Services Director may impose conditions on the location, height, orientation, shielding, intensity, hours of operation, or duration of such specialized and temporary lighting.

11.8.2. Street Lighting

An illumination plan identifying the location, type, height, and intensity of proposed streetlights must be included in the subdivision and construction plans and must conform to the Engineering Design Manual.

11.8.3. Sign Lighting

A. All permanent signs may be non-illuminated, illuminated by internal, internal indirect (halo), or external indirect illumination, unless otherwise specified.

B. All illuminated signs must be extinguished at 12:00 A.M. or within one hour of the end of normal business hours, whichever occurs later. The requirements of this Subsection govern sign illumination and supersede any conflicting lighting curfew or lighting reduction requirements of this Subchapter.

C. All sign lighting must comply with the correlated color temperature requirements of Section 11.6.4.C.

D. Externally illuminated signs must be lit only from the top of the sign, with fully shielded luminaires designed and installed to prevent light from spilling beyond the physical edges of the sign.

E. Internally illuminated signs must adhere to the following requirements:

1. The sign must be constructed with an opaque background and translucent letters and symbols or with a colored background and lighter letters and symbols.

2. Internal illumination between sunset and sunrise must not exceed 100 nits.

11.8.4. Athletic Facility Lighting

The installation of athletic facility lighting requires approval by the Planning and Development Services Director and, except as otherwise provided, must comply with the following provisions and be evaluated in consideration of the surrounding context. Areas ancillary to athletic facilities, whether public or private, must provide lighting for parking and pedestrian areas to maintain safety, cleanup, and maintenance, with such lighting subject to Section 11.7. Illumination Requirements.

A. Fixtures/Luminaries

1. All fixtures and luminaries must be constructed of durable materials and mounted on poles installed on an engineered concrete base, and must be maintained in good working condition in conformity with the provisions of this UDC.

2. Only full-cutoff or shielded, directional light fixtures are permitted. Lighting must be oriented so as not to direct illumination or glare onto streets in a manner that may distract or interfere with the vision of drivers, cyclists, or pedestrians.

a. Shielded directional fixtures refer to a technique or method of construction that directs all emitted light toward the surface or area to be illuminated so that the light source is not visible from any angle except those between the fixture and the target to be illuminated. The light source must not be visible from adjacent properties or roadways in order to minimize light pollution.

b. Lamp systems utilizing 1000 to 1500 watts, or an equivalent output, are permitted. Only incandescent, fluorescent, LED, or metal halide lamps may be used.

c. Utility lines providing electricity for light fixtures must be placed underground. Where overhead utility lines exist, transformers must be pad-mounted and screened.

B. Fixture Height

1. The maximum height for any athletic facility lighting fixture is 60 feet.

2. Lighting fixtures must not exceed 15 feet in height when located within 0 feetof any residential zoning district or residential land use.

C. Lighting Period

1. The illumination of any athletic or recreational facility, whether public or private, is only permitted between sunrise and 10:00 p.m.

2. Athletic facility lights must include an on-site control switch with timer(s), to allow lights to be operated at the site and to allow individual fields to be illuminated separately.

D. Illumination Requirements

1. Athletic facility lighting must comply with the Illuminating Engineering Society (IES) Recommended Practice for Sports and Recreational Area Lighting (RP-6), based on the applicable class of play.

2. Athletic facility lighting must be provided exclusively for illumination of the playing surface and spectator viewing areas and must not be used for any other purpose.

3. Where the predominant use is recreation and/or team practices, all athletic facility lighting must be designed so that the level of illumination, as measured in foot-candles (fc), at any point, complies with Figure 11.8-1. Athletic Facility Permitted Illumination Levels.

Figure 11.8-1. Athletic Facility Permitted Illumination Levels

Athletic Facility Permitted Illumination Levels		
Type of Lighting	Illumination Level	
	Average	Maximum
Athletic Facility Lighting	25.0 fc	30.0 fc

4. The maximum illumination at any lot line adjacent to, or across the street from, any property with a residential zoning designation or residential use is 0.5 foot-candles.

5. The maximum illumination at any property line adjacent to a street is 5.0 foot-candles.

11.9. Nonconforming Lighting Fixtures

All lighting fixtures existing, legally installed, and operative before the effective date of this UDC are exempt from the requirements of this Subchapter, except where otherwise required. Whenever a nonconforming fixture is replaced or removed, or the average level of illumination is modified to a higher level, the replacement fixture or level of illumination must meet the requirements of this Subchapter.

11.9.1. Architectural Lighting

A. Wall-mounted flood lamps, including wall pack lighting or similar security lighting, must be completely shielded on top and all sides to minimize off-site visibility and focus light on the ground surrounding the structure.

B. Fixtures used to accent building architectural features and landscaping must be full-cutoff light fixtures to minimize light spill into the night sky.

C. For art features and flag illumination, luminaires may cast light upward but must be shielded so that light illuminates only:

1. The area immediately around the art, flag pole, or other flag-supporting structure; or

2. The projection from a structure on which the flag or art is mounted.

11.9.2. Canopy Area Lighting

A. All development incorporating vehicular canopy area lighting must use fixtures recessed into the canopy ceiling. The fixture covers must be flush with the surface of the canopy ceiling and provide a cutoff or shielded light distribution.

B. As an alternative to recessed canopy ceiling lights, indirect lighting may be used. In this case, light is directed upward onto a canopy and then reflected down from the underside of the canopy. Light fixtures must be shielded so that direct illumination is focused exclusively on the ceiling of the canopy and does not spill into the sky.

C. Lights may not be mounted on the top or sides of the canopy. In addition, the exterior sides of the canopy may not be illuminated.

11.9.3. Pedestrian Lighting

A. Within multi-family developments, pedestrian-scale lighting must be provided generally at 100-foot intervals along internal pedestrian corridors and walkways to guide pedestrians to buildings, gathering places and parking areas. Lighting may be provided through freestanding fixtures such as decorative lamp poles, bollard lights or building-mounted architectural fixtures that do not exceed 15 feet in height. Parking lot lighting may count toward meeting this requirement when the walkway is illuminated.

B. Within nonresidential developments, pedestrian-scale lighting must be provided at 100-foot intervals along internal pedestrian corridors and walkways that connect two or more building entrances. Lighting may be provided through freestanding fixtures such as decorative lamp poles, bollard lights or building-mounted architectural fixtures that do not exceed 15 feet in height. Parking lot lighting may count toward meeting this requirement when the walkway is illuminated.

C. Fixtures must be placed to best illuminate walkways and sidewalks, as approved by the Planning and Development Services Director.

D. Light fixtures that exceed 15 feet in height must be shielded and full-cutoff in design. Fixtures 15 feet (15') or less in height must be shielded to minimize light spill into the sky.

E. Alternative luminaries may be used as approved by the Planning and Development Services Director.

11.9.4. Structured Parking Lighting

Pedestrian and vehicular entrances must utilize the building entrance light levels identified in Figure 11.7-1. Vehicular parking must utilize the vehicular canopy area lighting levels when such parking is located under a roof or canopy. The top level of all parking structures must utilize the standard on-site parking lighting requirements in Figure 11.7-1. All other applicable lighting standards in this Subchapter apply.

Subchapter 12. Public Parkland and Open Space

12.1. Purpose

The City of Pflugerville recognizes that parks, open space, and trails are essential public facilities that support the health, safety, and quality of life of the community. New residential development within the City limits and its extraterritorial jurisdiction (ETJ) increases the demand for these facilities.

12.1.1. The purpose of this Subchapter is to ensure that the City of Pflugerville maintains a high-quality, connected system of public parks, trails, and open spaces that serve the needs of existing and future residents. These standards are intended to:

A. Promote the health, safety, and general welfare of the public by providing parks, open spaces, and recreational facilities commensurate with the demands generated by new residential development;

B. Ensure that the costs of acquiring, developing, and improving public parkland are allocated equitably to the residential development that generates the demand for such facilities;

C. Implement the goals, objectives, and policies of the City's adopted Parks, Recreation, and Open Space Master Plan, Mobility Master Plan, Park Development Plan, and other applicable City planning documents; and

D. Establish a fair and predictable process for the dedication of parkland, payment of park development fees, and alternative compliance in connection with new residential development.

12.2. Applicability

12.2.1. This Subchapter applies to the following:

A. Residential development within the City Limits; and

B. Residential subdivisions within the City's Extraterritorial Jurisdiction (ETJ), subject to the following:

1. Where a residential subdivision is also subject to County or special district regulations that include parkland and open space standards, the most stringent standards will apply. The City is not obligated to review compliance on behalf of any County or special district. The applicant is responsible for demonstrating compliance with any such applicable regulations and must provide written evidence of compliance to the City as part of the development review process, where applicable.

2. Unless otherwise authorized by a park development agreement between the applicable jurisdictions and the Developer, developments located within the City's Extraterritorial Jurisdiction will either:

a. Pay a Park Development Fee in accordance with Section 12.4; or

b. Satisfy their parkland obligations through Alternative Compliance in accordance with Section 12.5.

12.2.2. Exemptions

The following are exempt from the requirements of this Subchapter:

A. Nonresidential development, except that if an existing nonresidential property is converted to a residential use, then the requirements of this Subchapter will apply to the residential development;

B. Rehabilitation, remodel, or reconstruction of an existing residential dwelling unit where there is no net increase in the number of dwelling units; and

C. Development expressly exempted pursuant to a development agreement approved by the City Council.

12.3. Public Parkland Dedication Requirements

12.3.1. General

A. A developer of a tract of land for residential development must dedicate land suitable for public park purposes or pay a fee in-lieu of dedication in accordance with this Subchapter.

12.3.2. Minimum Public Parkland Dedication Standard

A. The minimum acreage of public parkland required is based on the population generated by the proposed residential development and will be calculated at a rate of:

a. For development with one or two dwelling units per lot: 1 acre of parkland must be dedicated for every 47 dwelling units, or fraction thereof.

b. For development with three or more dwelling units per lot: 1 acre of parkland must be dedicated for every 71 dwelling units, or fraction thereof.

~~B.~~ Administrative Determination

1. When an area of less than 7 acres is required to be dedicated as public parkland, the City, at its discretion, may elect to accept the land offered for dedication and conveyance or require a fee in-lieu of public parkland in accordance with Section 12.5. Alternative Compliance.

2. A developer must make a financial contribution in-lieu of dedication of public parkland when:

a. No portion of the tract of land is located within the City Limits.

b. A developer proposes to develop 100 or fewer lots and where no future phasing is proposed.

c. Less than 7acres of land would be required to satisfy the parkland dedication requirements.

3. The rate required for the financial contribution must be in accordance with Section 12.5.2.

12.3.3. Phasing

Dedication of public parkland is required to be identified on a preliminary plan for residential development. Dedication and conveyance of public parkland may be provided in phases in accordance with the approved preliminary plan; provided that the dedication for each phase meets or exceeds the parkland dedication requirements of this Subchapter for that phase of development. The Administrator is authorized to allow phasing of parkland dedication below the requirement for each phase of development if the Administrator finds that the proposed phasing of the ultimate parkland dedication meets or exceeds the requirements of this Subchapter and provides a more effective means of parkland dedication than would have otherwise been provided through the standard phasing of dedication.

12.3.4. Developer's Warranty

A. Prior to the City accepting the dedication and conveyance of any public parkland, the Developer must warrant in writing that the land to be dedicated to the City as public parkland is:

1. Free of fill material; unless the Parks and Recreation Director and the City Engineer approve of the placement of fill material in writing.

2. Free of construction debris or other refuse.

3. Free of any physical disturbance, including soil excavation, site grading, or removal or damage to vegetation unless the Parks and Recreation Director and the City Engineer approve of such physical disturbance in writing.

4. Free of any easements or other dedications, encumbrances, restrictions, or title defects not approved in writing by the Administrator; and

5. Free of all hazardous substances and underground storage tanks (USTs).

B. The City reserves the right to refuse acceptance of any land that the City finds to be not in conformance with the purposes or other requirements of this Subchapter.

C. The Developer must complete all public improvements (e.g., utility extensions, sidewalks, trails, streetyard trees with irrigation systems) within the parkland or post fiscal security in the amount of 110 percent of the estimated cost of the public improvements prior to dedication or conveyance of the parkland. The form of the fiscal security must be approved by the Administrator.

12.3.5. Criteria for Public Parkland Dedication

To ensure proper design and location of public parkland, the Developer's dedication and conveyance of public parkland must conform to the following criteria for size, dimensions, access, location, and character.

A. Size, Dimensions, and Access

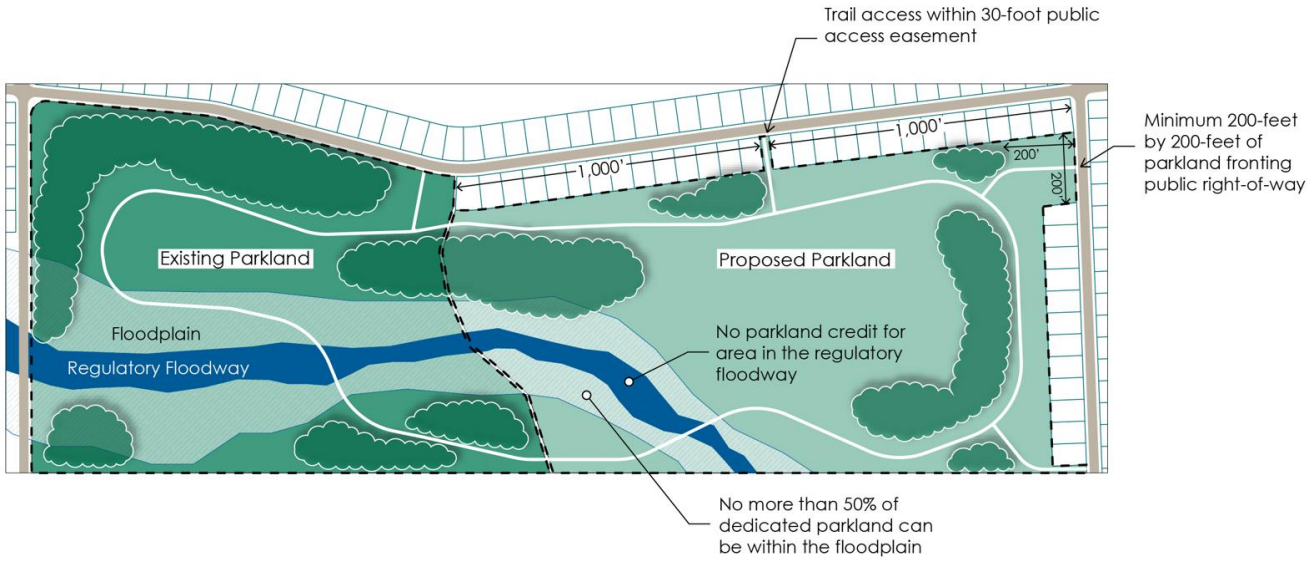
1. Parkland must be a minimum of seven contiguous acres. Public parkland dedication within the floodplain may receive no more than 50 percent credit toward satisfying the minimum parkland dedication requirements. However, the City may accept portions of the land located in the 100-year floodplain regardless of size.

2. Parkland must have minimum lot dimensions of 200 feet in length and 200 feet in depth fronting a public street right-of-way located outside of the 100-year floodplain, unless it is contiguous to existing public parkland that has at least 200 feet of right-of-way frontage. However, if the public parkland lot abuts public right-of-way on all property lines, the minimum lot dimensions are 250 feet in length by 250 feet in width.

3. Park entrances must be located along collector or higher classification roadways.

4. Adequate vehicular access must be provided for parkland operation and maintenance. For public parkland areas not fronting a public street right-of-way or backing up to Single-Family Detached or Duplex residential properties, an access lot encumbered by a public access easement containing a trail connection, not less than 30 feet in width, must be dedicated and conveyed to connect to the public parkland a minimum of every 1,000 linear feet along the public street. The access lot must be owned and maintained by a Homeowners' Association.

Figure 12.3-1. Example of Park Dedication Criteria



B. Location

1. Parkland must be located, whenever possible, adjacent to and contiguous with existing public parkland.
2. Parkland must be located, whenever possible, adjacent to and contiguous with school sites in order to maximize the use of common facilities and functions.
3. The parkland lot may only be located along street(s) where on-street parking may be accommodated on both sides of the street.
4. If the entire 100-year floodplain within a site is dedicated to the City, parkland credit will be given for one-half the area within the dedicated 100-year floodplain. No parkland credit will be given for the area encompassing the regulatory floodway. Notwithstanding the foregoing, creditable parkland within the 100-year floodplain may not exceed 50 percent of the total number of acres required for public parkland dedication.
5. If the proposed public parkland dedication is not within or contiguous to the Developer's proposed residential subdivision, the proposed public parkland must be located within a 1/2-mile radius from the subdivision, whereby the Parks and Recreation Advisory Board shall make a recommendation to the Planning and Zoning Commission for approval.

C. Character

The character or physical attributes of proposed public parkland dedication must be conducive to the following:

1. Compliant with the Parks, Recreation, and Open Space Master Plan, Mobility Master Plan, and Park Development Plans.
2. Preserving critical environmental, habitat, and high-quality soil resource areas;
3. Providing land suitable for development of recreational facilities;
4. Creating pedestrian corridors with the integration of hike and bike trails within the creeks per the Mobility Master Plan;
5. Maintaining, enhancing or exceeding existing level of service in accordance with the Parks, Recreation, and Open Space Master Plan;
6. Preserving sites with protected trees;
7. Preserving places of historical significance; and
8. Consisting of land relatively undisturbed by grading or compaction.

D. Unsuitable Land

The following physical land characteristics are considered unsuitable for public parkland dedication unless the Parks and Recreation Director finds that the land has recreational value that warrants its acceptance as public parkland or open space and is consistent with the Parks, Recreation, and Open Space Master Plan.

1. Drainage ditches;
2. Detention ponds;
3. Lakes or retention ponds;
4. Narrow strips of land, except within the pedestrian corridors identified in the Mobility Master Plan and the Parks and Open Space Master Plan;
5. Steep slopes equal to and greater than 15 percent grade, except within the regulatory floodplain;
6. Any easement that may restrict the City's surface use and limit the ability to construct park improvements upon the land;

7. Land containing environmental hazards as indicated by a phase one environmental assessment that meets the current American Society for Testing and Materials Standards (ASTM);
8. Entry subdivision features, areas devoted to decorative landscaping, traffic islands, street medians, and areas following development perimeter walls;
9. Land with reservation of mineral rights owned by a private entity or land used for mining, oil or gas wells; unless a surface rights waiver, of suitable legal form approved by the City Attorney, is provided; or
10. Land containing debris and trash due to construction-related activities.

E. Utilities

1. Through the subdivision or site development process, the Developer must extend public utility and electric service infrastructure to and through the parkland in accordance with the Engineering Design Manual, the Water Master Plan, and the Wastewater Master Plan.
2. Required service connections, including taps and meters necessary for the adequate operation and maintenance of the parkland, must be installed prior to dedication and conveyance of the parkland to the City.

F. Survey Corner Markers

The Developer must have survey corner markers placed at all corners of the parkland, as located by a licensed professional surveyor. The markers must be four (4) inch diameter PVC pipe recessed twelve (12) inches in the ground and must contain a one-half (1/2)-inch iron pipe or rebar filled with concrete flush with the ground as necessary for perpetual location.

G. Sidewalks

Public sidewalks are required along all street frontage and must be constructed a minimum of 6 feet in width, except where additional width may be required by this UDC or the Mobility Master Plan.

H. Trails

Trails required in accordance with Subchapter 8. Parking, Mobility, and Circulation and the Mobility Master Plan do not receive credit for the Park Development Fee.

I. Waiver

The Parks and Recreation Director is authorized to grant waivers from the requirements of this Section 12.3.5, provided that the proposed nonconforming public parkland meets the intent of the Code and the City's Parks, Recreation, and Open Space Master Plan.

12.3.6. Conveyance Requirements

Public parkland must be dedicated as public parkland by plat and, ultimately, conveyed by general or special warranty deed, as approved by the Administrator. The Developer must provide acceptable evidence of clear title and payment of all property taxes before or at the same time of final plat recordation. The Developer must pay all costs of transferring title of the parkland to the City, including the costs of:

A. A Phase I environmental assessment, which meets the current American Society for Testing and Materials (ASTM), certified to the City. The Phase I environmental assessment may not contain any recommendations for clean-up or other remediation and may not be dated earlier than the one hundred and twentieth (120) day before the conveyance of the public parkland to the City;

B. A category 1(a) land title survey certified to the City must be provided. The survey must be prepared by a Texas-registered professional licensed surveyor and the survey must be sealed by the surveyor no earlier than the 120th day before the conveyance of the public parkland of the City;

C. A title commitment with copies of all Schedule B and C documents;

D. A general or special warranty deed, subject to approval to form;

E. Owner's title insurance, which is due within 90 days of closing;

F. A certified tax certificate showing full payment of taxes;

G. Payment of all property taxes through the conveyance date;

H. Recording fees;

I. Charges or fees collected by the title company; and

J. All fees associated with curing all encumbrances or exceptions to the title that preclude the land's use as public parkland.

12.4. Park Development Fee

12.4.1. General

A. In addition to the dedication and conveyance of public parkland or payment of a fee in-lieu of parkland dedication, the Developer must pay a Park Development Fee to ensure that public parkland is sufficiently improved to serve the residents generated by the proposed development. Park improvements funded by this fee must be consistent with the standards and improvements identified in the City's adopted Parks, Recreation and Open Space Master Plan.

B. The amount of the Park Development Fee is established in the City's adopted Fee Schedule, and is based on the level of service for public parkland identified in the City's adopted Parks, Recreation and Open Space Master Plan.

C. The Park Development Fee may be periodically reviewed and adjusted by the City Council to reflect changes in park development costs and capital improvement needs.

12.5. Alternative Compliance for Parkland Dedication

Alternative compliance is a method by which the purposes of this Subchapter can be achieved by the Developer through constructing public amenities in public parks or private amenities in private parks, or a combination of both. See 3.16. Alternative Compliance for additional information.

12.5.1. Generally

A. Alternative compliance is not intended to subvert the public parkland standards provided in this Subchapter but is intended to ensure the intent of the Parks, Recreation and Open Space Master Plan is addressed through the development process by appropriate measures.

B. Before submitting an application for development, the Applicant must complete the following:

1. Provide a letter to the Parks and Recreation Director that details the alternative design for Parkland dedication and why it is equal to or better than the minimum standards; and

2. Conduct a site visit with the Parks and Recreation Director to review the proposal.

C. Unless otherwise specifically provided for in this 12.5. Alternative Compliance, alternative compliance must be reviewed by the Parks and Recreation Advisory Board, which will make a recommendation to the Planning and Zoning Commission to accept or deny the proposed alternative compliance. In the event that the proposed alternative compliance is approved with conditions, such conditions must be memorialized in a written order that may be part of a development agreement or plat notes.

D. All parks and parkland improvements must meet all federal, state, and local regulations and guidelines as required by the Americans with Disabilities Act (ADA) and Texas Accessibility Standards (TAS), as well as guidelines established by the National Recreation and Park Association (NRPA) and the National Playground Safety Institute (NPSI).

E. Park Development Agreement (phasing). In order to ensure the fulfillment of alternative compliance provisions pertaining to the construction of public or private amenities throughout the development

process, the City may require the Developer to enter into an agreement with the City memorializing the terms of park development.

12.5.2. Parkland Fee In-Lieu – Criteria for Approval

A. Due to the proximity of existing public parkland or the size of the development that would be better served by a community or regional park, the Developer may be required or may request a reduction in the public parkland dedication requirement up to 100 percent by means of a fee in-lieu, in accordance with the parameters stated herein. The Parks and Recreation Director may require or accept cash payment in-lieu of public parkland, or a portion thereof, within certain parameters provided below, if the development requires the dedication and conveyance of less than seven acres of public parkland. The Parks and Recreation Advisory Board will review any fee in-lieu request of public parkland where: 1) the request does not meet the specific criteria for approval by the Parks and Recreation Director; or 2) the request involves a development that requires the dedication and conveyance of seven acres or more of public parkland. Following consideration, the Parks and Recreation Advisory Board will forward a recommendation to the Planning and Zoning Commission.

B. The parkland fee in-lieu must be in accordance with the adopted Fee Schedule for the value of the land to be developed for residential uses that would otherwise be dedicated and conveyed to the City as public parkland. The fee in-lieu of parkland dedication is based upon the fair market value of the land that is developable for single-family use and that would otherwise be required to be dedicated as public parkland for the proposed development, with all utilities extended to and through the property and situated outside of the 100-year floodplain. The fee may be evaluated by the Planning and Zoning Commission and the Parks and Recreation Advisory Board. Any recommendation for amending the established fee in-lieu calculation will be forwarded to the City Council for consideration. At the City's sole discretion, a modification to the fair market value may be considered upon submittal of a certified appraisal satisfying the property value criteria outlined above in this Subsection. The appraisal may not be more than one (1) year old at the time of submittal.

C. Less than Seven Acres Required – Criteria for Approval by the Parks and Recreation Director

1. If a proposed development is located within a quarter-mile radius of existing community level public parkland totaling seven contiguous acres or more, a full payment of fee in-lieu of public parkland may be required; or

2. If the proposed development does not contain 100-year floodplain and is located within a half-mile radius of existing community level public parkland totaling ten (10) contiguous acres or more, a partial payment of fee in-lieu of public parkland up to 50 percent may be accepted with the addition of private park area equal to the remainder of the public parkland that would have otherwise been dedicated and conveyed to the City. Private park area required under alternative compliance will be entitled to a credit for public parkland dedication. The private park area will be required to meet all the criteria for public parkland dedication under Section 12.3. Public Parkland Dedication Requirements, unless a waiver is granted by the Administrator under Section 12.3.5.I. Waiver; or

3. If the development does not meet the aforementioned criteria for approval by the Parks and Recreation Director, the request for fee in-lieu will be reviewed by the Parks and Recreation Advisory Board and a recommendation forwarded to the Planning and Zoning Commission for final determination.

D. More than Seven Acres Required – General Guidelines for recommendation by Parks and Recreation Advisory Board for Planning and Zoning Commission approval.

1. Reduction does not exceed 50 percent of the requirement and the proposed parkland dedication is seven acres or more;

2. Reduction does not exceed 10 acres;

3. Development is adequately served by the proposed or existing public parkland; and

4. Consistency with the intent of the City's Parks, Recreation, and Open Space Master Plan.

E. Miscellaneous Public parkland Fee In-Lieu Provisions

1. Private amenities within a residential development will not be credited toward satisfying the public parkland dedication requirements or the parkland fee in-lieu requirement.

12.5.3. Construction of Public Amenities in Public Parks – Criteria for Approval

A. As an alternative to paying the Park Development Fee, or a portion thereof, the Developer may make a request to the Parks and Recreation Advisory Board for a recommendation to the Planning and Zoning Commission for authorization to construct public amenities on public parkland, in accordance with the Parks Development Manual, as amended. If the development is governed by a park development agreement, a request under this Subsection must also be approved by City Council.

B. Design, specification, and construction of the improvements are subject to review and administrative approval by the City. Construction of the amenities for the portion required for the final plat(s) approval must be completed within the time period prescribed in the development agreement; or, within three (3) years of the City's approval of the first final plat of the subdivision, when the applicant has not entered into a park development agreement. Fiscal security for the construction of amenities must be provided in the amount required for the Park Development Fee, in a form acceptable to the Administrator.

C. All park amenities must meet all federal, state, and local regulations and guidelines as required by the Americans with Disabilities Act (ADA) and Texas Accessibility Standards (TAS), as well as guidelines established by the Commercial Park Advisory Council (CPAC) and the National Playground Safety Institute (NPSI).

D. Non-creditable items: shrubs, sod, re-vegetation, swimming pools, subdivision signage, administrative, professional, engineering or legal costs, development application fees, and any public improvement otherwise required through the subdivision process may not be credited toward the Park Development Fee.

E. Park improvements must include the minimum number of facilities listed in Figure 12.5-1.

Figure 12.5-1. Park Facility Requirements

Parkland Acreage	Minimum Number of Facilities
3 or less	4
4 to 6	5
7 to 9	6
10 or more	7

12.5.4. Construction of Private Amenities in Private Parks – Criteria for Approval

A. In accordance with the Parks Development Manual, as amended, privately owned and maintained parks with non-exclusive private amenities and privately owned and maintained parks where public access is unrestricted may receive up to 100 percent credit toward fulfilling the requirements of the Park Development Fee, upon approval by the Parks and Recreation Director.

B. In accordance with the Parks Development Manual, as amended, privately owned and maintained parks with exclusive private amenities within developments that consist of a density of 10 dwelling units per acre or greater, may receive up to 50 percent credit toward fulfilling the requirements of the Park Development Fee, upon approval of the Parks and Recreation Director with the following conditions and requirements:

1. Fiscal security for the construction of private amenities must be provided in the amount required for the Park Development Fee, in a form acceptable to the Administrator.

2. Regardless of whether the amenity is exclusive or non-exclusive, as defined by the Code or Parks Development Manual, private amenities included within private parks approved to be credited toward meeting the requirements of this Section 12.5.4.B and in accordance with the Parks Development Manual may remain exclusive.

3. Restrictive Covenants. Private parks will be managed by a mandatory Homeowners' Association servicing a development subject to restrictive covenants that:

   a. Requires each property owner within the subdivision encumbered by the restrictive covenants to pay dues and special assessments for the maintenance of the private park; and

   b. Prohibits the dissolution of the private park until the declarant cedes control of the Homeowners' Association to purchasers of properties within the subdivision, and then only upon amendment of the restrictive covenants, which has to be approved by three-fourths (¾) of the members of the Homeowners' Association.

4. The private amenities, which receive credit for the Park Development Fee, must be located contiguous to existing or proposed public parkland, where practicable.

5. Privately-owned and maintained parks or other recreational facilities must meet the following minimum standards:

   a. The park or recreational facility must have a minimum lot area of two acres; and

   b. The park or recreational facility must include the minimum number and type of facilities outlined in Section 12.5.3; and

   c. The park or recreational facility must comply with the Parks Master Plan and other applicable City regulations.

6. Privately-owned and maintained parks or other recreational facilities must be owned and managed by a mandatory Homeowners' Association, or similar permanent agency, and subject to restrictive covenants that state the following:

   a. The land must be utilized for Parkland or open space in perpetuity.

   b. Each property owner within the subdivision encumbered by the restrictive covenants will be required to pay dues and/or special assessments for the maintenance of the private park or recreational facility.

   c. If the responsible agency dissolves, cannot fulfill its obligations or elects to sell, transfer or otherwise divest itself of the land, the City will have the right of first refusal on acquiring the property. If the City elects to acquire the land, said land must be transferred at no cost to the City.

   d. The cessation of the privately-owned and maintained park or other recreational facility will be prohibited until such time as the declarant cedes control of the responsible agency to purchasers of properties within the subdivision, and then only upon amendment to the restrictive covenants approved by three-fourths of the members of the responsible agency.

7. All private amenities must be privately maintained.

12.5.5. Combination of Public Parkland and Construction of Public Amenities

A. A combination of public parkland and public amenities may also be considered by the Parks and Recreation Advisory Board and approved by the Planning and Zoning Commission through alternative compliance. However, in no event may the addition of private amenities be credited toward satisfying the public parkland dedication or parkland fee in-lieu of dedication requirement.

B. In accordance with the Parks Development Manual, the applicant may seek a recommendation from the Parks and Recreation Advisory Board to the Planning and Zoning Commission for approval for a reduction in the amount of required public parkland by providing additional public amenities equal to the value of

the land that would have otherwise been dedicated to the City. If the development is governed by a park development agreement, a request under this section must also be approved by the City Council.

12.6. Payments

12.6.1. General

A. All cash payments will be deposited in a dedicated park development fund to be used by the City exclusively for the acquisition or improvement of public parkland.

B. Such payments will be expended by the City within 10 years from the date the payment is received by the City. If the payments are not expended by the City within the allotted 10-year time frame, the Developer may request a reimbursement of said payment no later than one year after the 10-year anniversary date of the payment made to the City.

12.6.2. Assessment and Payment Provided

A. Any payment for fee in-lieu of public parkland or Park Development Fee will be assessed at the time the preliminary plan is approved.

B. Payment of fee in-lieu of public parkland or fiscal security, if applicable, must be provided prior to the approval of the final plat.

C. Payment of the Park Development Fee or fiscal security, if applicable, must be provided at the time of final plat, unless otherwise specified by a development agreement.

12.7. Authority

12.7.1. Authority

A. Public parkland dedication will be reviewed through the subdivision process at the preliminary plan stage. The preliminary plan and a conceptual site plan for the construction of public amenities, if applicable, will be reviewed by the Parks and Recreation Advisory Board or Parks and Recreation Director, where applicable, before forwarding the applicable recommendation to the Planning and Zoning Commission or Planning and Development Services Director (whichever is the appropriate plat approval authority).

B. For developments where the land use is not fully determined at the time of preliminary plan approval, including mixed-use or corridor-zoned properties where residential use or dwelling unit count has not yet been established, the Planning and Zoning Commission or Director (whichever is the appropriate plat approval authority) may allow a preliminary plan to proceed without final determination of parkland dedication requirements, provided that:

1. The applicant provides written acknowledgment that parkland dedication requirements will be evaluated at the time of the site plan or final plat, whichever occurs first; and

2. A notation is included on the preliminary plan stating that parkland dedication requirements remain subject to determination based on the land use and density established at the time of site plan or final plat approval.

C. At the time of site plan or final plat submittal for any residential use, the applicant must demonstrate compliance with the parkland dedication and Park Development Fee requirements of this Subchapter based on the residential use and dwelling unit count proposed. If compliance cannot be demonstrated using the existing plat configuration, the developer may be required to replat before site plan approval.

D. If the number of residential dwelling units changes between preliminary plan approval and final plat or site plan approval, the parkland dedication requirement and Park Development Fee will be recalculated based on the dwelling unit count proposed at the time of final plat or site plan submittal, as applicable.

12.7.2. Preliminary Plan

The Parks and Recreation Advisory Board and/or Parks and Recreation Director, where applicable, will make a recommendation regarding parkland requirements to the Planning and Zoning Commission or Director

(whichever is the appropriate plat approval authority) upon compliance with the parkland standards provided herein. The following items must be provided within the preliminary plan application and reviewed in accordance with the procedures outlined in Subchapter 13. Subdivision Processes and Design.

A. A proposal report identifying how the parkland dedication and Park Development Fee requirements have been or will be satisfied. This may include cost estimates for proposed parkland improvements;

B. A Phase One Environmental Site Assessment meeting the current American Society for Testing and Materials (ASTM) standards;

C. A Category 1(a) land title survey certified to the City by a Texas Registered Professional Land Surveyor dated no more than six months prior to submittal;

D. A title commitment with copies of all documents reflected on the associated Schedules B and C; and

E. A 22" x 34" aerial photograph of the proposed parkland with at least two-inch color resolution ortho imagery that is no older than the current aerial photograph on record with the City and that accurately identifies creeks, ponds, drainage features and property boundary lines.

12.7.3. Final Plat

Public parkland included within a proposed final plat will be reviewed by the Planning and Zoning Commission or Director (whichever is the appropriate plat approval authority) for compliance with the approved preliminary plan and the conveyance procedures provided herein. The following items must be provided within the final plat application and reviewed in accordance with the procedures outlined in Subchapter 13. Subdivision Processes and Design.

A. Public parkland dedicated on a final plat must be labeled as "Public Parkland" and the label must include a reference to the deed conveying the parkland to the City;

B. General plat notes;

C. If applicable, the parkland fee inlieu, or any portion thereof approved by the City;

D. If applicable, payment of the Park Development Fee; and

E. If applicable, all items required by Section 12.7.4. Conveyance of Public Parkland by Deed.

12.7.4. Conveyance of Public Parkland by Deed

The conveyance of public parkland by deed may occur before or contemporaneously with the recordation of the final plat. The Developer is responsible for all costs necessary to transfer title to the City in accordance with Section 12.3.6. Conveyance Requirements and must provide a copy of the title policy to the City within ninety (90) days of conveyance. The following items must be submitted to and reviewed by the City prior to the conveyance of public parkland.

A. An environmental site assessment with no outstanding recommendations for clean-up or remediation, certified to the City not earlier than the one hundred and twentieth (120) day before the closing date;

B. A draft general or special warranty deed approved by the City Attorney, and if applicable, a list of any proposed exceptions to title provided as an exhibit included within the deed. If the legal description is provided by metes and bounds, a survey sketch must also be provided to accompany the metes and bounds description within the recorded deed;

C. A title commitment with copies of all documents reflected on the associated Schedules B and C;

D. A certified tax certificate evidencing full payment of all taxes through the conveyance date;

E. A HUD Settlement Statement or equivalent closing disclosure; and

F. Written confirmation that Developer's Warranty requirements of Section 12.3.4. Developer's Warranty have been satisfied.

12.7.5. Alternative Compliance – Construction of Public Amenities

A. If applicable, and in accordance with the alternative compliance provisions of this Subchapter, a conceptual plan for the construction of public amenities drafted and sealed by a licensed engineer or licensed architect must be submitted for review by the Parks and Recreation Advisory Board.

B. A public infrastructure construction plan must be required for the construction of public amenities, to be reviewed by the City, in accordance with the standards and procedures outlined in Subchapter 13. Subdivision Processes and Design.

C. If applicable, prior to site plan approval, the Developer must provide fiscal security in an amount equal to 100 percent of the estimated cost of the public amenities, in a form acceptable to the Administrator.

D. Prior to final acceptance of the public improvements by the City, the Developer must submit proof of the actual construction costs of such amenities through certified construction bids and invoices. In the event the Developer does not expend the total amount required by the Park Development Fee formula or other applicable alternative compliance provision, the Developer must remit a cash payment for the remaining balance.

12.8. Decision Making; Appeal Process

12.8.1. Decisions under this Subchapter will be made by the Administrator, City Manager, Parks and Recreation Director, the Parks and Recreation Advisory Board, and Planning and Zoning Commission in accordance with the applicable sections of this Subchapter. Where this Subchapter is silent as to the decision-maker, the decision remains with the Parks and Recreation Director.

12.8.2. The applicant may appeal any adverse decision made under this Subchapter to either the Planning and Zoning Commission or City Council, as applicable, by filing a written notice of appeal with the Administrator within 30 days of the date of the decision.

12.8.3. Within 30 days of a decision by the Planning and Zoning Commission, either the applicant or the Parks and Recreation Director may appeal any decision of the Planning and Zoning Commission to the City Council, whose decision on the appeal is final.

Subchapter 13. Subdivision Processes and Design

13.1. General

13.1.1. Purpose

The purposes of this Subchapter are:

A. To promote the health, safety, and general welfare of the community through orderly, safe, and healthful development;

B. To guide public and private policy and action to provide for adequate and efficient transportation, water, wastewater, drainage, parks, and other public improvements and facilities;

C. To establish standards of design and procedures for the subdivision of land to further the orderly use of land and the sensible layout of development;

D. To prevent the pollution of air and water;

E. To reduce vehicle miles traveled through enhanced mobility;

F. To ensure the adequacy of drainage facilities; and

G. To encourage responsible use and management of natural resources.

13.1.2. Authority

Under the authority of Texas Local Government Code Chapter 212, the City of Pflugerville adopts the regulations set out herein to control the subdivision of land within the corporate limits of the City and its ETJ.

13.1.3. Applicability

A. The regulations set out in this Subchapter govern every subdivision of land within the corporate limits and the ETJ. In addition to the regulations set out in this Subchapter, other regulations within this UDC, such as Section 1.4. Supplemental Documents and Section 1.6. Violations and Enforcement, may apply.

B. All subdivisions of land for which a plat is required must comply with the requirements of this code. It is a violation of this code to subdivide or replat any land within the corporate limits of the City or its ETJ without complying with the requirements of this Subchapter, or to offer for sale, or to sell or lease, any property within a subdivision that has not been subdivided in accordance with the provisions of this Subchapter and Chapter 212 of the Texas Local Government Code.

C. The standards applicable to a subdivision plat and to construction of public improvements within a subdivision are those standards in effect on the date of the first required application for the subdivision, provided a valid preliminary plan exists.

D. The procedure applicable to a preliminary plan, construction plans, final plat, acceptance, or any other procedure established in this code is the procedure in effect at the time the applicable preliminary plan, construction plans, final plat, acceptance, or other application is filed.

E. Approval of the final plat of a subdivision by the Planning and Zoning Commission, or by the Planning and Development Services Director, is required as a condition to the subdivision of any tract of land within the City's ETJ.

13.1.4. Exemptions

The following are exempt from the requirements of this Subchapter:

A. Any subdivision filed in the County plat records on or before March 8, 1973, except subdivisions that were in violation of regulations then in existence.

B. A subdivision recorded in the County plat records since March 8, 1973, which was approved by the City Council or another entity having jurisdiction.

C. A division of land into parts greater than five acres, where each part has access and no public improvement is required or being dedicated as provided in Chapter 212.004 of the Texas Local Government Code.

1. Where this provision is applicable, a Development Plat is required in accordance with Section 212.045 of the Texas Local Government Code. A note must be added to the plat with reference to the exemption allowed by Section 212.004, as amended, with a signature line for the Planning and Development Services Director. A copy of a Development Plat meeting this exemption must be provided to the City of Pflugerville Planning Department for approval and filing.

D. Any subdivision exempted by state law, including, but not limited to, applicable provisions identified in Chapter 212 and Chapter 232 of the Texas Local Government Code.

13.1.5. Approval Authority

A. Section 212.006 of the Texas Local Government Code designates the Commission as the authority responsible for approving plats.

B. Section 212.0065 of the Texas Local Government Code authorizes the Commission to delegate to one or more officers or employees of the City the ability to approve, approve with conditions, or disapprove a plat. The Commission hereby delegates plat approval authority to the Planning and Development Services Director (or their designee).

1. The Planning and Development Services Director may, for any reason, elect to defer to the Commission.

2. Commission approval is required for any plat that requires a subdivision waiver (see 13.2.8. Subdivision Waiver).

3. If the Planning and Development Services Director administratively denies a plat, the Applicant may appeal the decision of the Director to the Commission. The Commission's decision is final.

13.1.6. Comprehensive Plan

Applications processed under this Subchapter must comply with the City's Comprehensive Plan as determined by the City Council and as permitted by State law.

13.2. Plat Types and Processes

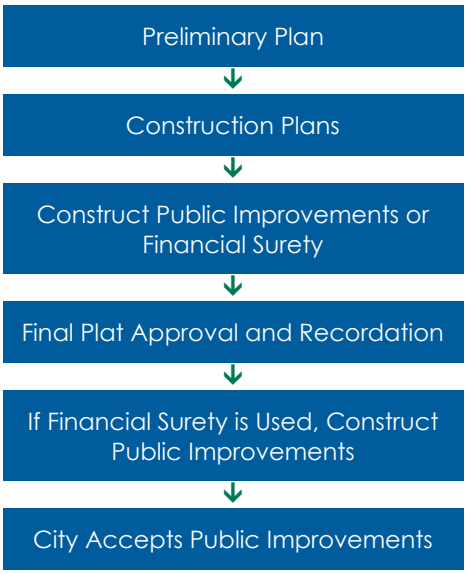
13.2.1. Subdivision Process

A. A typical subdivision within the City Limits or ETJ is subject to the following order of process, including allowances for expedited review as established in Subchapter 3:

1. Preliminary plan
2. Construction plans
3. Construction of public improvements or financial surety
4. Final plat approval and recordation
5. Construction of public improvements, if construction was deferred by the submittal of financial surety
6. Acceptance of public improvements for ownership and maintenance

B. A pre-application conference with City staff may be required prior to the submittal of an application for subdivision processes and related applications, including construction plans. See

Figure 13.2-1. Subdivision Process Summary



Section 3.3.1. Pre-Application Conference (PAC) for more information.

C. The subdivision process begins with the submittal of a preliminary plan when a preliminary plan is required in accordance with Section 13.2.3.B.

D. The subdivision process begins with the submittal of a final plat when a preliminary plan is not required in accordance with Section 13.2.3.B. A final plat may be submitted for review upon the applicant's performance of one of the following:

1. Completion of the construction of required improvements, as evidenced by a letter of final approval (see Section 13.3.5.C); or

2. Filing of financial surety in lieu of completing construction in accordance with Section 13.3.7.

E. An applicant may pursue, at any time, a replat or resubdivision of land that has been previously recorded with the County by complying with the processes outlined in this Subchapter.

F. An applicant may revise, at any time, a valid preliminary plan by complying with the process established by this Subchapter.

G. Approval Procedure

1. The City will approve, approve with conditions, or disapprove a plat within 30 days after the date the plat is filed, in accordance with Chapter 212 of the Texas Local Government Code. For purposes of the 30-day action period, a plat is considered filed on the date the applicant submits a complete and correct application (see Section 13.2.2.B below), and the City determines that the application satisfies all submittal requirements of this UDC.

2. Approval procedures for subdivision applications are detailed in the following application type sections and summarized in Figure 3.2-1.

13.2.2. General Platting Procedure

A. Application Procedure

1. An application for a subdivision must be filed with the Planning and Development Services Director by the applicant in accordance with the provisions of this UDC.

2. Applications are reviewed in accordance with the Review & Meeting Schedule (see Section 1.4.1).

3. Application fees must be paid in accordance with the City's adopted Fee Schedule (see Section 1.4.2).

B. Completeness Review

The Planning and Development Services Director will determine if an application for a plan or plat meets all the criteria to be considered complete. The Director may require information that is not included in the content requirements specified in this Subchapter to provide specific clarification to the subdivision. The Director must notify the applicant of any application deficiencies. Upon receipt of a revised application with all deficiencies corrected, the Director must deem the application complete (see Section 13.2.1.G above) and the applicable review will commence.

C. Development Review Team (DRT) Review

The DRT must review all subdivision applications and provide written comments to the applicant identifying necessary revisions or requested supplemental information, as specified for each respective subdivision type within this Subchapter. Upon receipt of the DRT comments, the applicant is responsible for revising the application accordingly and resubmitting the application in a timely manner to meet all deadlines. Once the DRT is satisfied that all comments have been addressed adequately, the DRT must provide a recommendation to the Planning and Development Services Director or Planning and Zoning Commission regarding the subdivision application as provided in Subchapter 3. Procedures.

13.2.3. Preliminary Plan

A. Purpose

The purpose of the preliminary plan is to present a detailed illustration of the proposed subdivision to facilitate a review by the DRT and the Planning and Development Services Director of the proposed lot layout, street and drainage system, easements, utilities, amenity or parkland lots, and other elements relevant to this Subchapter.

Figure 13.2-2. Preliminary Plan Review Summary



B. Applicability

The applicant must submit a preliminary plan for all proposed subdivisions or additions for consideration by the Planning and Development Services Director, unless the subdivision:

1. Does not require the construction or dedication of public improvements; or
2. Meets the requirements for exemption as provided for in Section 13.1.4.

C. Preliminary Plan Review Process

1. The Planning and Development Services Director will determine if an application for a preliminary plan meets the criteria to be considered complete. Within 10 business days following the date of filing, the Director will notify the applicant of any application deficiencies. Upon receipt of a revised application with all deficiencies corrected, the Director will deem the application complete and the applicable review will commence. The time period to process an application does not commence until the Director determines that the application is properly submitted and the applicant has corrected any deficiencies in the application.
2. The Planning and Development Services Director will present the applicant with written DRT comments regarding the review of the preliminary plan.
3. Upon receipt of the DRT comments, the applicant must revise the plans accordingly and provide to the Planning and Development Services Director for review any supplemental information the DRT requested.
4. The review process will continue as stated above until the DRT is satisfied that all comments have been addressed adequately. Failure to submit a revised application in accordance with 3.21.3. Permit Applications, Completeness, and Expiration will void the subdivision application and require new fees.
5. Upon acceptance by the DRT of the revised application, the Planning and Development Services Director must perform a final review of the preliminary plan and approve it, disapprove it, or refer it to the Commission for action.
6. Commission approval is required for preliminary plans referred to the Commission by the Planning and Development Services Director and for preliminary plans requiring a subdivision waiver.
7. Within 10 business days after action taken by the Planning and Development Services Director or the Commission, the Director must issue to the applicant a certificate as required by Section 212.0115 of the Texas Local Government Code stating the result of the preliminary plan review and the determination by the Planning and Development Services Director or Planning and Zoning Commission, as applicable, when requested.

D. Revisions to an Approved Preliminary Plan

Before the submittal of revisions to an approved preliminary plan, a pre-application conference must be held with the Planning and Development Services Director and applicable City staff to discuss the proposed subdivision, unless determined otherwise by the Director.

1. Minor Revisions

    a. Minor revisions are limited to those that:

        (1) Change lot lines within a subdivision, provided lot sizes are not decreased and modifications to the lot configuration do not increase the number of lots; or

        (2) Adjust a local street alignment, add or realign a trail or sidewalk; or

        (3) Change a utility or access easement; or

        (4) Change the phasing of a subdivision, if adequate public infrastructure is provided as determined by the City Engineer.

    b. Minor revisions require an application, statement of proposal, fee and any other information requested by the Director.

    c. The Planning and Development Services Director may administratively approve or deny minor revisions to approved preliminary plans and reserves the right to forward any proposed revision to the Commission for review and consideration.

2. Major Revisions

    a. Major revisions include, but are not limited to:

        (1) An increase in the number of residential lots; or

        (2) Changes to street layout;

        (3) Modification of parkland, resulting in a decrease or relocation, which may require Parks and Recreation Advisory Board reconsideration; or

        (4) Any revision to a preliminary plan that has received a subdivision waiver.

    b. A major revision must follow the approval process of the original preliminary plan as outlined in this Subchapter.

    c. Major revisions require meeting all preliminary plan content requirements and submitting a letter from the applicant outlining the need for the proposed request.

E. Expiration of Preliminary Plan

1. The approval of a preliminary plan will remain in effect for a period of two years following the date of approval, during which period the applicant must submit and receive approval of a final plat for at least a portion of the land shown on the preliminary plan. If no portion of the preliminary plan area has been final platted within the two-year period, the preliminary plan will expire.

2. The applicant may submit and obtain approval of a final plat for only a portion of the land contained within the preliminary plan. The preliminary plan for the balance of the property will expire two years after the date of approval of the final plat covering a portion of the property within the preliminary plan, unless a new final plat for at least 10 percent of the preliminary plan is approved, which will reinstate the two-year extension.

3. Preliminary plans approved by a governmental entity other than the City for land that was outside of the City's jurisdiction at the time are invalidated on the date when the land becomes subject to the City's jurisdiction. A new preliminary plan must be submitted to and approved by the City for land subject to such invalidated plans.

F. Preliminary Plan Content Requirements

1. The content requirements for preliminary plans are detailed in the Development Handbook.
2. Signature blocks for the appropriate approval authority must be provided as detailed in the Development Handbook.

13.2.4. Final Plat

A. Purpose

The purpose of a final plat is to present a detailed illustration of the proposed layout of the streets, lots, easements, and any areas to be dedicated to the public to facilitate a review by the DRT and the Planning and Development Services Director, and to establish an approved, legally recordable document of the proposed subdivision. If a final plat does not include the entire tract of land included in the preliminary plan, the final plat must correspond to the phasing approved in the preliminary plan.

B. Applicability

The applicant must submit a final plat for all proposed subdivisions or additions for consideration by the City unless the subdivision meets the requirements for exemption as provided for in Subchapter 13.1.4.

C. Final Plat Review Process

Figure 13.2-3. Final Plat Review Summary



1. An application for a final plat may be submitted for only those subdivisions with a valid preliminary plan, when applicable, and where public improvements have been constructed and approved (see Section 13.3.4.E.3) or financial surety has been provided to delay construction to after the final plat recordation (see Section 13.3.7).
2. The Planning and Development Services Director will determine whether an application for a final plat meets the criteria for completeness. Within 10 business days following the date of filing, the Director will notify the applicant of any application deficiencies. Upon receipt of a revised application with all deficiencies corrected, the Director will deem the application complete and the applicable review will commence. The time period to process an application does not commence until the Director determines that the application is properly submitted and the applicant has corrected any deficiencies in the application.
3. The Planning and Development Services Director will present the applicant with written DRT comments regarding the review of the final plat.
4. Upon receipt of the DRT comments, the applicant must revise the plat accordingly and provide to the Planning and Development Services Director for review any supplemental information the DRT requested.
5. The review process will continue as stated above until the DRT is satisfied that all comments have been addressed adequately. Failure to submit a revised application in accordance with 3.21.3. Permit Applications, Completeness, and Expiration will void the subdivision application and require new fees.
6. The applicant may request in writing to delay the consideration of the application at any time, provided the said request is on the waiver form provided in the Development Handbook, which waives the applicant's right to have the plat acted upon as set forth in Section 212.009(a) of the Texas Local Government Code. The Planning and Development Services Director must not delay action on a plat application without the written consent of the applicant and waiver of rights.

7. Upon acceptance by the DRT of the revised application, the Planning and Development Services Director will perform a final review of the final plat and approve it, approve it with conditions, disapprove it, or make a recommendation and refer it to the Commission for action.
8. Commission approval is required for final plats referred to the Commission by the Planning and Development Services Director, for final plats requiring a subdivision waiver, and for final plats that deviate from the approved preliminary plan.
9. If the final plat is approved with conditions that must be met to satisfy the City's rules and regulations, the Planning and Development Services Director will provide the applicant with the specific conditions. The final plat will be considered approved once the Director determines the conditions have been met.
10. If the plat is disapproved, the applicant may adjust the plat accordingly and resubmit with specific written identification of what has changed from the previously denied plat.
11. Within 10 business days after action is taken on the final plat, the Planning and Development Services Director must issue to the applicant a certificate as required by Section 212.0115 of the Texas Local Government Code stating the result of the final plat review and the determination by the applicable approval authority.

D. Final Plat Content Requirements

1. Content requirements for final plats are detailed in the Development Handbook.
2. Signature blocks for the appropriate approval authority must be provided as detailed in the Development Handbook.
3. Additionally, the applicant must submit the following with the final plat application:
   a. All parkland conveyance documentation or fee-in-lieu, as applicable, in accordance with Subchapter 12. Public Parkland and Open Space;
   b. Evidence certifying that the required public improvements have been constructed and approved, or that construction plans have been approved and the posting of appropriate financial surety has been provided;
   c. Separate instrument easements or documents to be filed concurrently with the final plat as applicable; and
   d. Evidence that any regional stormwater detention fees, where applicable, have been provided.

E. Final Plat Recordation Procedure

1. A final plat is eligible for recordation following construction of public improvements (or provision of financial surety), acceptance of the public improvements or posting of appropriate financial surety, acceptance of required dedications, and approval of the final plat by the City.
2. Once a plat is eligible for recordation, the City will file the plat with the applicable county. The applicant is responsible for submitting all materials required for recordation, including a current tax certificate demonstrating that all ad valorem taxes have been paid, providing any updated documentation required at the time of filing, and paying all applicable recordation fees.

13.2.5. Replat

A. Purpose

The purpose of a replat is to resubdivide all or part of a property that is the subject of a recorded plat, without the vacation of the preceding plat, and to allow for review by the City.

B. Applicability

The applicant will submit a replat for all proposed resubdivisions for consideration by the Planning and Development Services Director.

C. Replat Review Process

1. The Planning and Development Services Director will determine if an application for a replat meets the criteria to be considered complete. The Director must notify the applicant of any application deficiencies. Upon receipt of a revised application with all deficiencies corrected, the Director must deem the application complete and the applicable review will commence.

2. No longer than 10 business days from the date of deeming the replat application complete, the Planning and Development Services Director must present the applicant with written DRT comments regarding the review of the replat.

3. The applicant may request in writing to delay the consideration of the application at any time, provided the said request is on the waiver form provided in the Development Handbook, which waives the applicant's right to have the plat acted upon as set forth in Section 212.009(a) of the Texas Local Government Code. The City must not delay action on a plat application without the written consent of the applicant and waiver of rights.

4. Additional Requirements for Certain Replats

   a. In accordance with Section 212.015 of the Texas Local Government Code, this section applies to a replat filed without vacation of the preceding plat if either of the following conditions applies:

      (1) Within the preceding five years, any part of the area to be replatted was limited by zoning to residential use for not more than two dwelling units per lot; or

      (2) Any lot in the preceding plat was restricted by deed to residential use for not more than two dwelling units per lot.

   b. If a replat meeting the conditions of Section 13.2.5.C.4.a above requires a subdivision waiver, the Commission must hold a public hearing prior to approval.

   c. Approval Process for Certain Replats with Subdivision Waiver

      (1) Notice of Public Hearing

      Once all DRT comments have been addressed, not later than 15 days before the scheduled meeting date, the Planning and Development Services Director must provide the following public notice as required by Chapter 212 of the Texas Local Government Code for a replat:

      (a) Publication in a newspaper of general circulation in the area, which includes the date, time, and location of the Public Hearing and a general description of the area under consideration.

      (b) Per Section 212.015 of the Texas Local Government Code, as amended, letters to all owners of land within 200 feet of the boundary of the proposed replat area identifying the date, time, and location of the public hearing, a general description of the area under consideration, and a map indicating the general area.

      (2) Protest Rights

      (a) If the proposed replat requires a waiver and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the Commission.

      (b) For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the Commission before the close of the public hearing.

(c) In computing the percentage of land area, the area of streets and alleys must be included.

(3) Exception for Nonresidential Areas

The protest and supermajority approval requirements in Section 13.2.5.C.4.c(2) above do not apply if the part of the preceding plat being replatted was designated or reserved for uses other than Single-Family Detached or Duplex residential, either by notation on the plat or by recorded restrictions.

(4) Within 10 business days after the Commission takes action, the Planning and Development Services Director must issue the applicant a certificate, as required by Section 212.0115 of the Texas Local Government Code, stating the result of the final plat review and the Commission's determination.

d. Approval Process for Certain Replats without Subdivision Waiver

If a replat meeting the criteria of Section 13.2.5.C.4 does not require a subdivision waiver, a public hearing is not required. Instead, the following process applies:

(1) Upon the DRT's acceptance of the revised application, the Planning and Development Services Director must perform a final review of the replat and either approve it, disapprove it, or refer it to the Commission for action, in accordance with the procedure described in Section 13.2.5.C.4.c above.

(2) The Planning and Development Services Director must, no later than 15 days after approval of the replat, mail written notice of the approval to each owner of a lot in the original subdivision located within 200 feet of the lots replatted, according to the most recent tax roll.

(3) Within 10 business days after action is taken by the Planning and Development Services Director, the Director must issue the applicant a certificate, as required by Section 212.0115 of the Texas Local Government Code, stating the result of the final plat review and the Director's determination.

D. Replat Content Requirements

1. Content requirements for replats are detailed in the Development Handbook.

2. Signature blocks for the appropriate approval authority must be provided as detailed in the Development Handbook.

13.2.6. Amending Plat

A. Purpose

The purpose of an amending plat is to replace a recorded plat without vacation of that plat, and to allow for review by the DRT and Planning and Development Services Director. The amending plat is intended to be used as a limited means of correcting minor errors or making minor adjustments to a recorded plat.

B. Applicability

1. An applicant may submit an application for an amending plat if the amending plat is signed by the applicant only and is solely for one or more of the purposes stated in Section C below, per Section 212.016 of the Texas Local Government Code, as amended.

C. Amending Plat Review Process

1. The Planning and Development Services Director may administratively approve an amending plat if the application is determined to meet all minimum requirements.

2. Amending plats may be submitted for the following purposes:

a. To correct an error in a course or distance;

b. To add a course or distance that was omitted;

c. To correct a property description;

d. To indicate monuments which were set after the death, disability, or retirement from practice of the engineer or surveyor charged with the responsibility for setting monuments;

e. To show the proper location or character of any monument which has been changed or which was originally shown at the wrong location or incorrectly as to its character;

f. To correct any other type of scrivener or clerical errors or omission previously approved including lot numbers, acreage, street names, and identification of adjacent recorded plats;

g. To correct errors in courses and distances of lot lines between adjacent lots if:

(1) Both lot owners join in the application,

(2) The amendment does not abolish either lot,

(3) The amendment does not attempt to remove recorded covenants or restrictions, and

(4) The amendment does not have a material adverse effect on the property rights of the other owners in the plat;

h. To relocate a lot line in order to cure an unintentional encroachment of a building or other improvement on the lot line or on an easement;

i. To relocate a lot line between adjacent lots if:

(1) All owners join in the application for the plat amendment,

(2) The amendment does not remove recorded covenants or restrictions; and

(3) The amendment does not increase the number of lots;

j. To make necessary changes to the prior plat to create six or fewer lots in a subdivision, or a part of a subdivision, covered by the prior plat, if:

(1) The changes do not affect applicable zoning or other regulations of the City;

(2) The changes do not attempt to remove or amend any covenants or restrictions; and

(3) The area covered by the changes is located in an area that the City has approved, after a Public Hearing, as a residential improvement area; or

k. To replat one or more lots on an existing street if:

(1) The owners of all those lots join in the application for amending the plat;

(2) The amendment does not attempt to remove recorded covenants or restrictions;

(3) The amendment does not increase the number of lots; and

(4) The amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.

D. Amending Plat Content Requirements

The content requirements for amending plats are the same as those for final plats, except that the signature blocks for the Mayor and Commission must be replaced with the Planning and Development Services Director's signature block as provided in the Development Handbook.

13.2.7. Vacating Plat

A. Purpose

The purpose of a vacating plat is to nullify all or part of a previously recorded plat.

B. Applicability

Application for the vacation of a subdivision plat may be made at any time before the sale of a lot or lots in said subdivision, or, where a lot or lots have been sold, by all the property owners in said subdivision. The vacation of a subdivision plat may be considered without notice or public hearing and is subject to the approval of the Planning and Development Services Director.

C. Vacating Plat Review Process

1. A vacating plat will follow the same review process and schedule as a final plat.
2. Upon approval of the vacating plat, the proposed instrument of vacation must be recorded, or if in the ETJ, sent to the applicable county planning department for consideration.

D. Vacating Plat Content Requirements

The content requirements for vacating plats are detailed in the Development Handbook.

13.2.8. Subdivision Waiver

A. Purpose

The purpose of a subdivision waiver is to provide an opportunity for the City to consider modifications to certain subdivision standards of the UDC to address unforeseen circumstances or other difficulties in developing a property under the specific provisions of the UDC.

B. Applicability

Upon written request and demonstration by the applicant, the Planning and Zoning Commission may consider a waiver, or partial waiver from requirements of this Subchapter in specific cases where:

1. Owing to special conditions of the subject property, a literal enforcement of the provisions of the Subchapter may not be physically obtainable; or
2. The requirement does not appear to be reasonably applicable in the specific case; or
3. Compliance with the requirement would result in an undesirable situation; and in the Planning and Zoning Commission's opinion, such a subdivision waiver would not be contrary to the public interest or the intent of this Subchapter.

C. Subdivision Waiver Review Process

1. A request for a subdivision waiver must be submitted concurrently with the applicable plat application, unless the Director determines that approval of the waiver would eliminate the need for a plat application.
2. When submitted concurrently with a plat application, the subdivision waiver will be reviewed and decided by the Planning and Zoning Commission as part of the applicable plat approval process.
3. A subdivision waiver that is to be considered without a companion plat application must follow the subdivision plat schedule provided in the Review & Meeting Schedule.

D. Subdivision Waiver Content Requirements

The content requirements for subdivision waivers are detailed in the Development Handbook.

13.3. Construction of Public Improvements

13.3.1. Generally

A. Purpose

Construction plans provide the detailed engineering required to build public improvements to serve a subdivision as required within this Subchapter, and to meet the specifications described in the Engineering Design Manual and City construction standards.

B. Applicability

1. The applicant may submit construction plans following the approval of a preliminary plan.

a. Alternatively, construction plans may be submitted for concurrent review following at least one review of the preliminary plan; however, revisions to the preliminary plan may require revisions to the construction plan.

2. The City Engineer must review and approve the plans prior to commencement of construction.

13.3.2. Construction Plan Review Process

A. Pre-Application Conference

A pre-application conference may be required prior to submittal of construction plans. See Section 3.3.1. Pre-Application Conference (PAC) for more information.

B. Application Submittal

1. General Requirements

a. Applications are reviewed in accordance with the Review & Meeting Schedule (see Section 1.4.1).

b. Application fees must be paid in accordance with the City's adopted Fee Schedule (see Section 1.4.2).

c. Application content requirements for construction plans are detailed in the Development Handbook (see Section 1.4.3).

d. Construction plans must adhere to the City's technical manuals and design requirements (see Section 1.4.4).

2. Application Materials and Completeness

a. An application will be considered complete and ready for processing when the applicant has submitted the forms, plans, and fees that are documented in the development application. This stage of the application submittal process is referred to as "completeness check".

b. The City will be authorized to promulgate reasonable cycles and timelines for processing applications including for the receipt of complete applications.

3. Review Procedure

a. Staff has the authority to review and determine if an application is complete through the initial stage of the application process referred to as "completeness check."

b. The City Engineer will determine whether the application is complete or incomplete following the initial submittal and will notify the applicant. The application will move forward to review only after it is determined to be complete.

4. Expiration of Initial Application Submittal

a. Pursuant to Chapter 245.002(e) of the Texas Local Government Code, the application will expire on or after the 45th day from the date the application is initially submitted to the Engineering Department if the applicant fails to address the application's deficiencies during the completeness check process.

b. If an application expires under this provision, any resubmittal will require a new application and fees.

5. Time Limits Triggered by a Complete Application

Whenever this UDC establishes a time for processing an application, the time limit does not begin until the City has reviewed the application for completeness, determined that the application is complete, and provided a notice of completion in accordance with Section 13.3.2.B.3.b above.

C. City Engineer Review

1. An applicant will receive review comments after the application has been deemed complete. The review comments will include:

   a. Comments from the City Engineer;

   b. The date by which the applicant must resubmit revised plans (revision deadline) to stay within the applicable review cycle; and

   c. The expiration date of the application, whereby the permit will expire if permit approval has not been received by that date.

D. Action by the City Engineer

1. Within 30 calendar days of the notice of completeness, the City Engineer must approve or deny the application and provide written comments to the applicant regarding necessary revisions or requests for additional information.

2. The City Engineer will provide written notification of the decision made on the application by the City Engineer. The notice will state whether the City Engineer:

   a. Approves the construction plans;

   b. Approves the construction plans with conditions; or

   c. Denies the construction plans with a list of deficiencies.

E. Post Decision Action

1. Applications with a Decision of Denial

   a. The applicant may revise an application that received a denial to address its deficiencies and resubmit it to the City Engineer for review.

      (1) The resubmittal application must include a letter of response from the applicant responding in writing to each of the City's pending comments.

      (2) The resubmittal application must also detail any significant additions or deletions to the application from the previous submittal, including an explanation of any added or deleted sheets or other documents.

      (3) The resubmittal application must also detail any significant alterations to the plans from the previous submittal, such as adding more lots or new street configurations.

   b. The City Engineer will approve the application if all deficiencies are addressed, or deny the application if they are not.

2. Applications with a Decision of Approval with Conditions

   a. The applicant will resubmit revised construction plans reflecting the conditions of approval.

3. Applications with a Decision of Approval

   a. The City Engineer must notify the Engineer of Record when the construction plans are ready for approval, at which point the Engineer of Record must submit a copy of the approved plans in a format required by the City to the Development Services Center for signature(s) by the City Engineer.

   b. Following approval of the construction plans, the applicant must schedule and attend a pre-construction meeting with the City.

   c. The City Engineer will issue a permit to begin construction after completion of the pre-construction meeting.

F. Expiration

1. Approval of construction plans remains valid for one year from the date of approval, or for the duration of active construction, provided that continuous progress toward project completion is demonstrated.
2. The approval period may be extended in accordance with the provisions of Section 13.3.2.G below.

G. Extension

1. Construction plans that are under construction may be extended for a period of six additional months beyond the expiration date. A request must be made in writing to the City Engineer for such an extension request prior to the expiration of the plans, including the reason why the plans should be extended.
2. The City Engineer will review the extension request and approve or deny the extension request.
3. In reviewing an extension, the City Engineer will consider the following:
    a. Whether the construction plans comply with new regulations (i.e., regulations that have been adopted after approval of the original construction plans that impact the health, safety, and general welfare of the community); and
    b. Demonstrable forward progress has been made to proceed with construction or required improvements.
4. In reviewing an extension, the City Engineer may impose additional conditions including the following:
    a. Conditions to ensure that the project will be developed in a timely fashion and serve the public interest;
    b. Conditions for the project to comply with new development regulations; or
    c. Conditions requesting the applicant to waive any vested rights.
5. Appeal of the City Engineer's Decision on the Extension of Construction Plan Approval
    a. The denial of an extension by the City Engineer may be appealed to the Department Director over the department in which the City Engineer resides.
    b. A written request for such an appeal must be received by the Department Director within 14 calendar days following the denial.
    c. The Department Director will consider the appeal within 30 calendar days following receipt of the appeal request.
    d. The decision of the Department Director is final.

13.3.3. Construction of Public Improvements or Provision of Financial Surety

A. Generally

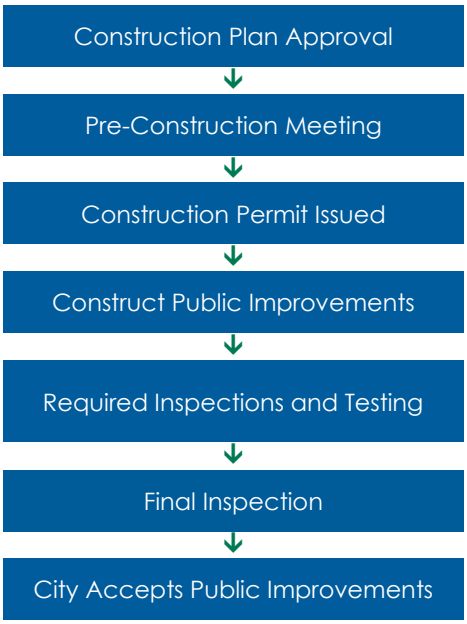
1. The applicant is responsible for providing all streets, utilities, drainage, streetlights, traffic control devices, and any other public improvements within the subdivision, and those off-site improvements necessary to serve the subdivision, except as specified in a development agreement, if applicable.
2. Following approval of a preliminary plan, the applicant must submit construction plans in accordance with Section 13.3. The applicant may choose to either:
    a. Construct and be granted final acceptance by the City for all required public improvements prior to submittal of the final plat application for the subject area; or
    b. Provide financial surety in accordance with Section 13.3.7. Financial Surety.

13.3.4. Construction Process

A. Timing of Construction of Improvements

1. Improvements shown on a construction plan set may be constructed only after the City Engineer has approved the plans and the associated permit(s), the applicant and applicant's general contractor have attended the City-conducted pre-construction meeting, and the City has stamped the plans as "Approved" and signed the coversheet.
2. All Improvements must be constructed and inspected prior to submission of a final plat application, unless the project is governed by an approved agreement or financial surety.

Figure 13.3-1. Construction Process Summary



B. Pre-Construction Meeting

1. Purpose

   The pre-construction meeting ensures clear communication of administrative, inspection, and documentation procedures before work begins. City staff will outline inspection items, testing requirements, and acceptance criteria for all improvements.

2. Meeting Procedures

   a. A pre-construction meeting is required for all projects involving public improvements.

   b. The developer may request the meeting following plan approval.

   c. The City Engineer will schedule and conduct the meeting, and the developer is responsible for ensuring attendance of engineers, contractors, utility representatives (if applicable), and other stakeholders.

3. Effect

   Following the pre-construction meeting and fulfillment of all pre-construction conditions, the developer may proceed with construction.

C. Start of Construction

The engineer of record or contractor must notify the City at least forty-eight (48) hours prior to beginning construction unless a longer duration is required for certain projects. Such longer duration must be identified during the pre-construction meeting.

D. Plan Revision Requests

1. Any design changes that deviate from the approved plans must be submitted to the City Engineer for review and approval prior to implementation.
2. The engineer of record must provide a written plan revision request describing the proposed modifications and justification for the change.
3. The correction must be indicated in the revision blocks of the original cover sheet and shown on every sheet affected by the proposed correction. The engineer of record must submit one electronic PDF copy of the corrected sheets to the City for review.

4. The City Engineer must approve or deny the correction and provide written comments to the applicant regarding necessary revisions or requests for additional information. The applicant must submit the revised sheets or additional information, as required after receiving the City Engineer's comments.
5. Revised corrections must be submitted to the City Engineer in continual review cycles until all comments are satisfied and the corrections are ultimately approved by the City Engineer.
6. The City Engineer must notify the engineer of record when the correction is approved and will provide the engineer of record a copy of the approved plans in a format required by the City to the Development Services Center for signature(s) by the City Engineer.
7. Once the approved correction plans are submitted for the City Engineer's signature, the City Engineer must issue the signed and approved correction.
8. At the City Engineer's discretion, minor field adjustments may be incorporated into the record drawings in lieu of a formal plan revision, provided the changes do not affect public safety, system performance, or regulatory compliance.

E. Inspection

1. Conformance with Approved Plans and City Standards

   All construction must conform to the approved plans and City standards. Any changes from the approved plans require a written request by the engineer of record and require review and approval from the City Engineer in accordance with Section 13.3.4.D above.

2. Preliminary Inspection

   a. Upon completion of major work items, the developer may request a preliminary inspection. Major work items will be identified during the pre-construction meeting for the project.

   b. All inspection requests and notifications must be submitted to the City Engineer or designated City inspector no less than two business days prior to the requested inspection date, unless an alternate timeframe is required by the City's Development Handbook.

   c. Following the preliminary inspection, the City will issue a punch list identifying any deficiencies.

   d. Additional preliminary inspections may be required at the City Engineer's discretion.

3. Final Inspection and Letter of Final Approval

   a. The developer, upon rectifying any issues identified in the preliminary inspection punch list (if applicable), must request from the City Engineer a final inspection.

   b. The City will perform the final inspection and provide the applicant with a punch list from the final inspection.

   c. The City Engineer will close out the permit and issue a letter of final approval (which may be provided electronically at the City's discretion) when the following conditions are met:

      (1) When all improvements are completed, inspected, tested (if applicable), and determined by the City Engineer to be in conformance with the provisions of the Engineering Design Manual, the UDC and the City's standards,

      (2) All inspection fees have been paid,

      (3) All required close-out documents have been provided, and

      (4) The applicant has submitted to the City record drawings (see Section 13.3.4.F) and a maintenance bond (see Section 13.3.4.G).

4. End of Warranty Period and Maintenance Inspection

a. Prior to the expiration of the maintenance bond, the City will perform a maintenance inspection (with or without the developer) to ensure all public improvements have been maintained to City specifications and are in a good state of repair.

(1) If the maintenance inspection finds that all improvements are completed, in good repair, and in conformance with City standards, the City Engineer will issue authorization to release the maintenance bond at the end of the maintenance period; or

(2) If the maintenance inspection finds that all or some of the improvements fail to comply with the City's standards and specifications, the City is authorized to enforce the maintenance bond or financial surety posted by the developer to ensure public improvements are maintained or brought up to the City's standards.

5. Inspection Fees

Inspection fees will be assessed in accordance with the City's adopted fee schedule. Additional inspection fees may be assessed when third-party inspection or testing services are required.

F. Record Drawings

1. The purpose of the City requiring record drawings is to have a record of how public improvements were constructed in the field.

2. The applicant must submit the record drawings as a condition of project close-out, prior to receiving a letter of final approval.

3. All sheets for the record drawings must show all changes made in the construction plans during construction, and on each sheet, there must be a "Record Drawing" stamp bearing the signature of the engineer and date.

4. Digital files of all the record drawings must be submitted by the applicant as follows:

a. Record drawings must be provided in a format required by the City.

b. Any MicroStation or other CAD software drawings must be saved and submitted in a format required by the City.

c. The files provided must not be password-protected.

d. GIS shapefiles may also be required at the City's discretion.

G. Maintenance Bond

1. Maintenance Bond Purpose

A maintenance bond is required to ensure public improvements are maintained to the satisfaction of the City for a certain period of time after public improvements have been constructed.

2. Maintenance Bond Requirements

a. A maintenance bond must be submitted by the applicant to the City as a condition of project close-out, prior to receiving a letter of final approval.

b. The maintenance bond amount must be equal to 35 percent of the estimated cost of the improvements.

c. A maintenance bond must be executed by a surety company authorized to do business in the State of Texas and made payable to the City.

d. The conditions of the maintenance bond must stipulate that the developer will guarantee to maintain, to the satisfaction the City all of the streets, street signs, underground utilities, required drainage structures, and all other public improvements, and that said public improvements will be maintained to City specifications and be in a good state of repair for the entire warranty period, for a period of two years from the date of the letter of final approval.

3. Periodic Inspections

   Periodic inspection of public improvements for which the maintenance bond is held will be made by the City Engineer during the period of liability covered by the maintenance bond.

4. City Redemption of Maintenance Bond

   In the event any or all of the public improvements are not being maintained in a good state of repair, the owner will be so advised in writing and, if after a reasonable time, the owner fails or refuses to repair said items, the maintenance and repair of public improvements will be completed by the City using the maintenance bond provided.

5. Request for Maintenance Bond Release

   a. The developer may request the release of the maintenance bond at the end of the maintenance bond coverage period.

   b. The developer who posted the original maintenance bond must submit a written request to the City Engineer to release the maintenance bond. The request must include a copy of the letter of final acceptance.

   c. The City Engineer will be responsible for authorizing the release of the maintenance bond.

   d. Release of the maintenance bond depends on the condition of public improvements during the final maintenance inspection described in Section 13.3.4.E.4.

13.3.5. Acceptance of Public Improvements

A. Acceptance Disclaimer

1. Approval of a preliminary plan, final plat, or construction plans does not constitute acceptance of any of the public improvements required to serve a subdivision or development.

2. No public improvements will be accepted for dedication to the City except in accordance with this UDC.

B. Final Acceptance Submittal Requirements

The following items are required prior to the City Engineer's approval of final acceptance by the City:

1. Construction is completed in accordance with the approved construction plans, and any outstanding punch list items have been completed, and a letter of final approval has been issued;

2. All record drawings in the specified PDF and DWG (AutoCAD) format have been submitted to the City, and the engineer of record has certified that the record drawings are complete and correct;

3. All bond requirements, as detailed in Section 13.3.4.G, and Section 13.3.7, for the project have been met and copies of the bonds have been provided to the City;

4. All other public entities having jurisdiction over the project have given their written approval of the project with copies of the approvals provided to the City;

5. The City has received a sealed concurrence letter or certification from the engineer of record that all materials installed in the project are complete in place in accordance with approved plans and specifications;

6. The City has received the final cost documentation including all bid components and any field changes;

7. The City has received copies of all applicable inspections and testing reports, including but not limited to:

   a. Copies of all materials testing reports

   b. Bacteria test results and report for water infrastructure

c. Wastewater line camera video and reports

d. Storm drain camera video and reports

e. Passing Registered Accessibility Specialist (RAS) inspection

8. Dedication language has been recorded with the final plat or provided by a separate document if requested and approved by the City Engineer.

a. A note will be placed on the plat to address the maintenance of public improvements by either the City, the public utility service provider, or the property owner.

C. Final Acceptance

1. The City will grant final acceptance by issuance of a letter of final acceptance after issuance of a letter of final approval, approval and recordation of the final plat, and submittal of all required documentation as listed in Section 13.3.5.B above.

2. Additional documentation may be required as a condition of issuance of a letter of final acceptance at the discretion of the City Engineer.

3. A letter of final acceptance means that the applicant has transferred all rights to all the public improvements to the City for title, use, and maintenance.

13.3.6. Development Agreement

A. Development Agreement for City Participation in Public Facilities

1. If the City participates in the construction or financing of the construction of public improvements, then a development agreement will be required.

2. The development agreement must provide that the covenants and other items of agreement contained therein run with the land and bind all successors, heirs, and assignees of the current property owner.

3. All existing owners and lienholders will be required to execute the agreement or provide written consent to the covenants and other items contained in the agreement.

B. General Content of a Development Agreement

The development agreement must contain:

1. As appropriate, provisions for pro rata payments, City participation in community facilities, escrow deposits or other payments for future facilities, any waivers or variances granted, and other relevant requirements of the Engineering Design Manual or this UDC;

2. Authority for the City to withhold building permits, and/or put a hold on construction and inspections in the event of breach by the developer; and

3. For financial security:

a. Insurance requirements in accordance with the City's requirements for public works projects; and

b. An indemnification clause by which the subdivider agrees to hold the City harmless against any claim arising out of the proposed subdivision or any actions taken therein.

C. Authorization Required by the City Council

1. The City Engineer will review all development agreements associated with public improvements.

2. The City Engineer will recommend an action to the City Council for all development agreements associated with public improvements.

13.3.7. Financial Surety

A. Types of Financial Surety

A bond or other form of security may be accepted at the discretion of the City Engineer, Finance Director, and Planning and Development Services Director. Common forms of security include:

1. Surety and Performance Bonds

    a. A bond executed by a surety company holding a license to do business in the State of Texas may be accepted at the discretion of the Attorney when any of the required improvements will be constructed after recordation of the final plat. The applicant must guarantee proper construction of such postponed improvements in accordance with this UDC, Engineering Design Manual, and applicable standards.

2. Irrevocable Letter of Credit

    An irrevocable letter of credit (ILOC) may be accepted at the discretion of the City Engineer and must be approved as to form by the City Attorney.

B. Release of Financial Surety

Financial security will be released only upon the City's acceptance of the completed public improvements.

C. Estimated Cost and Security Approval

1. Security must be issued in the amount of 125 percent of the cost to construct and complete all required public improvements to the City's standards as estimated by the applicant's professional engineer, and as approved by the City Engineer.
2. Security is subject to the review and approval of the City Attorney.
3. The applicant must reimburse the City for all related legal costs for review. This reimbursement must be paid in full prior to approval of the final plat.

13.3.8. Construction Plans

A. General Provisions

1. Improvement Plans Required

    Engineered improvement plans are required for any project involving public or private improvements within the City or ETJ. Plans must be approved by the City Engineer before construction begins.

2. Except as otherwise expressly stated, the developer or property owner is responsible for designing, constructing, and installing improvements in accordance with the provisions of this UDC, the Engineering Design Manual, or other applicable regulations of the City.
3. All Improvements must be designed by a Professional Engineer licensed in the State of Texas.
4. The developer must be responsible for all material testing and quality assurance.
5. Improvements must be designed to provide continuity of infrastructure systems, facilitating interconnection with adjacent or future developments.
6. The developer must maintain all required infrastructure until accepted by the City or other responsible entity.

B. Construction Plan Set Requirements

1. A typical construction plan set includes, but is not limited to:

    a. Cover Sheet
    b. General Notes
    c. Preliminary Plan
    d. Final Plat (if applicable)

e. Existing Topography Map

f. Composite Utility Plan (CUP)

g. Drainage Plan and Calculations

h. Grading Plan

i. Erosion and Sedimentation Control Sheets

j. Paving Plan and Profiles

k. Traffic Control Plan

l. Master Wastewater Plan

m. Wastewater Plan and Profiles

n. Master Water Plan

o. Water Plan and Profiles

p. Sidewalk and Trail Plan

q. Lighting Plan

r. Landscaping Plan

s. Tree Survey

t. Tree Protection and Preservation Plan

2. The City Engineer may require additional sheets or data as necessary for project-specific review and may waive the requirement to include certain sheets at their discretion.

C. Features

1. Roadways

a. Roadway plans must depict all existing and proposed paving features, including centerlines, edge of pavement, curb returns, intersections, driveways, and tie-ins. Cross-sections must clearly show pavement structure, subgrade preparation, curb types, and gutter profiles.

b. All pavement markings, signage, street lighting, and pedestrian improvements associated with the roadway must be shown on the plan. The plans must also identify connections to existing facilities, including roadway transitions and limits of construction.

2. Utility Lines

a. Plans must clearly show the horizontal and vertical locations of all existing and proposed utilities, including but not limited to water, wastewater, storm drainage, reclaimed water, and franchise utilities. Pipe sizes, materials, slopes, and flow directions must be labeled. All utility crossings must be accurately located and dimensioned.

b. Utilities must be coordinated to maintain required minimum separations and depths of cover per City standards and the Texas Commission on Environmental Quality (TCEQ) requirements.

3. Ditches and Culverts

a. All open channels, roadside ditches, storm inlets, headwalls, and culverts must be shown with dimensions, flow directions, slopes, and invert elevations.

b. Profile views must show both existing and proposed grades, hydraulic grade lines, and tie-ins to upstream and downstream systems. Each facility must be designed and labeled per City drainage and stormwater management criteria.

4. Natural Ground and Profiles

a. Each profile sheet must include both existing and proposed grade lines, drawn to an appropriate scale. Elevations must be based on field survey data tied to City control and must extend beyond the project limits as needed to verify positive drainage and system connectivity.

13.4. Subdivision Design Standards

13.4.1. Applicability

A. The standards in this section apply to all subdivisions of land within the City and its ETJ except where superseded by standards in an approved development agreement.

B. All public improvements must be constructed in compliance with the requirements of the Unified Development Code, the Tree Technical Manual, and the Engineering Design Manual and City construction standards.

C. Within the City limits, the Planned Unit Development (PUD) process may be used to modify the requirements contained herein. See 3.5.3. Planned Unit Development (PUD) District. A Planned Unit Development must be approved before the subject preliminary plan may be submitted for review.

13.4.2. General

A. A subdivision name must be unique, must not imply a type of development or land use, and must not duplicate the name of any other subdivision in the County in which it is located. Subdivision names are subject to approval by the Administrator.

B. Phasing of a subdivision must be indicated on a preliminary plan and followed by subsequent final plats when determined by the City Engineer to be necessary to ensure adequate public facilities needed to serve the development and community are provided in a sequential and timely manner and not deferred to later phases. Phasing must be determined with the preliminary plan. If a deviation is necessary, a revision to the preliminary plan is required.

13.4.3. Streets

A. All street names are subject to approval by the DRT and must not duplicate the name of any other street within the same County.

B. Where an extension of a street occurs across an intersection, the street extension must retain the same name as the original street segment.

C. All streets that are stubbed out into the subject subdivision boundary must be extended into the subdivision.

D. The subdivision must provide for the initial construction, improvement, or extension of streets within the subject subdivision boundary as identified in the Mobility Master Plan, or any local streets not shown on such plan that are necessary to serve or provide connectivity to the subdivision, as well as the extension of those streets in proximity of the subdivision that the Administrator determines must be extended within the subject subdivision boundary.

E. The Administrator may consider requests to shift, realign, or otherwise move a thoroughfare alignment established in the Mobility Master Plan by up to 1,000 feet, provided the Administrator determines that the shift, realignment, or move will not adversely affect adjacent property owners.

F. No subdivision is permitted to decrease the level of service of an intersection without mitigating the impact, as may be identified through a traffic impact analysis (TIA).

G. The classification and location of streets internal to the subdivision must be submitted with a proposed subdivision. The Administrator will review the proposed streets and may require modifications as necessary to provide adequate circulation.

H. All right-of-way for the applicable classification street must be dedicated as indicated in the Mobility Master Plan, City Engineering Design Manual and City construction standards.

I. Local streets must not intersect with arterial streets unless turning movements are physically constrained to a right-in/right-out condition, and only when approved by the City Engineer.

J. Street design must be in compliance with all City Engineering Design Manual and City construction standards.

K. Additional right-of-way width may be required by the City Engineer in order to comply with recommendations of a traffic impact analysis and the Mobility Master Plan.

L. Cul-de-sacs are prohibited in all areas except those zoned for industrial uses. Cul-de-sacs may be allowed in other districts as determined by the City Engineer where site constraints such as topography prevent construction of through streets.

1. If cul-de-sacs are approved by the City Engineer, the rights-of-way and radii must conform to the specifications of the City Engineering Design Manual and City construction standards.

2. At no time will a cul-de-sac be permitted where a street stub has been provided by an adjacent subdivision unless the street is located within the ETJ and an extension is not permitted by the applicable county.

M. Permanent dead-end streets are prohibited unless cul-de-sacs are provided per Section L above.

N. All temporary dead-end streets must be no longer than one-half of the block length and must terminate with a temporary cul-de-sac as approved by the City Engineer to provide emergency access and turnaround space.

O. On-street parking may be permitted within the Downtown District Overlay, commercial subdivisions, or at the discretion of the Planning and Development Services Director, in accordance with the parking dimensions provided in Subchapter 8. Parking, Mobility, and Circulation.

P. The minimum distances between intersections along a street, measured from centerline to centerline of intersecting streets on the same side, must comply with Figure 13.4-1. Minimum Distances Between Intersections. Maximum block lengths are discussed in Section 13.4.7.A below.

Figure 13.4-1. Minimum Distances Between Intersections

Class	Minimum
Major Arterial	1,000 feet
Minor Arterial	1,000 feet
Major Collector	500 feet
Minor Collector	150 feet
Local	150 feet
Industrial	300 feet

Q. Minimum Access Points to a Development

1. The minimum number of access points must comply with Figure 13.4-2.

2. Access must be to a collector street or larger facility.

3. Access points will be calculated by the total number of planned units.

4. The Planning and Development Services Director may require additional access points if the configuration, number of lots, or other considerations create the need for additional access.

5. In case of a conflict between this section and the adopted Fire Code, the most restrictive standard applies.

Figure 13.4-2. Minimum Access Points

Development Type and Size	Min. Number of Access Points
Primarily Residential Uses	
Less than 30 units	1
Between 30 and 80 units	2
More than 80 units	3
All Other Uses	
Less than 5 acres	1
Between 5 and 20 acres	2
More than 20 acres	3

R. Residential subdivisions must have at least one street stubbed out into every adjacent unplatted property unless determined otherwise by the Administrator.

S. Street right-of-way width must be increased by at least 4 feet and for a minimum length of 20 feet to accommodate turnouts where neighborhood mailbox units are proposed. An ADA accessible curb ramp meeting minimum requirements per the Engineering Design Manual and City construction standards must be provided directly adjacent to the turnout.

13.4.4. Alleys

Alleys are permitted in accordance with the following requirements:

A. Residential alleys:

1. Must be independent lots with shared access easements to be privately owned and maintained by a Homeowners' Association or similar governing body.
2. Must have a minimum shared access easement width of 20 feet and a minimum pavement width of 15 feet, unless the easement will be utilized for emergency access, in which case the minimum pavement width is 20 feet. The use of concrete paving is encouraged.
3. In new subdivisions, alleys must connect to and/or be aligned with alleys in adjacent subdivisions.

B. Commercial alleys:

1. Must be designed to meet all City Engineering Design Manual and City construction standards for pavement design.
2. Must be privately owned and maintained by a Property Owners Association or similar governing body.
3. Must have a minimum pavement width of 24 feet.

C. All alleys:

1. Must be designed to meet all City Engineering Design Manual and City construction standards for pavement design.
2. Must be designed so that intersections with public streets and other alleys preserve the required Sight Visibility Triangle and maneuvering space for alley traffic.
3. At no time may an alley terminate at an arterial street unless otherwise approved by the City Engineer.
4. Must not contain gas service meters, with the exception that a gas service meter may be located at the rear of a building, outside of the required right-of-way width and accessed via an alley.
    a. Overhead utility distribution and transmission lines may be placed within an alley when a line is necessary to serve the development, and only when approved by the Director and City Engineer.

5. Must have any above-grade utility connections, meters, junction boxes, and similar facilities located so as not to become a hazard. Where feasible, such facilities must be located near or affixed to a structure.

6. Must be designed so that any entrance to the alley off of a street right-of-way is widened to accommodate the required pavement width plus a minimum of 2 feet on each side. If an alley will be utilized for emergency access, the entrances must meet minimum requirements for street radii per the Emergency Service District. An easement may be considered in lieu of a lot and is subject to the approval of the Administrator.

13.4.5. Sidewalks, Bike Lanes, and Trails

A. Subdivisions within the city limits and ETJ must provide sidewalks in accordance with Section 8.4. Pedestrian Mobility and the Engineering Design Manual.

B. Subdivisions must provide bike lanes and trails as depicted in the Mobility Master Plan and designed in accordance with Subchapter 8. Parking, Mobility, and Circulation and the Engineering Design Manual.

C. All sidewalks, bike lanes, and trails provided in accordance with Section 8.4. Pedestrian Mobility and the standards of the Engineering Design Manual are required to meet the Texas Accessibility Standards, administered by the Texas Department of Licensing and Regulation, and the Americans with Disabilities Act of 1990, as amended.

13.4.6. Lots

A. All lots within the City must conform to the minimum lot dimensions and area as specified in the respective zoning district, as detailed in Subchapter 4. Establishment of Districts and Boundaries, unless otherwise permitted herein.

B. All lots within the ETJ designed for a residential land use that are served by on-site sewage facilities must comply with applicable Travis County or Williamson County requirements for on-site sewage facilities. In all cases, the minimum lot width within the ETJ is 70 feet, unless otherwise approved through a development agreement.

C. Flag lots are prohibited, except as described below.

1. A flag lot may be permitted where:

a. The proposed lot configuration is needed to abate a topographical condition or other unusual property accessibility constraint not created by the applicant; or

b. The lot is located within the city's ETJ and is greater than one acre if not connected to a public wastewater line. If a flag lot is proposed to be less than one acre and an on-site sanitary sewer system is proposed, a waiver as may be allowed in Section 13.2.8. Subdivision Waiver must be first obtained; or

c. The proposed lot configuration is necessary due to limited frontage along a public roadway, the configuration of an existing tract, or other constraints typical of development within the ETJ.

2. Where any of the above items are present, the Planning and Development Services Director may allow the proposed flag lot configuration provided it is designed to meet the following conditions to the extent practicable, as determined by the Director:

a. The proposed lot does not circumvent the normal platting of streets for public and emergency access;

b. The proposed lot does not prevent the extensions of streets to adjacent property;

c. The proposed lot width is not less than 50 feet at its frontage connection with the adjacent public right-of-way; and

d. The narrow or elongated part of the proposed lot 'pole' does not exceed 100 feet in length, measured from the connecting street frontage to where the lot widens into a 'flag' shape to receive a suitable building area where conforming building setback lines will be established, unless a greater length is approved by the Director based on access, emergency response, and site conditions.

D. All lots must be numbered consecutively within each block. At no time may the same lot number be utilized within the same block of an overall subdivision development, even if located in a separate final plat.

E. Except where explicitly stated otherwise in the UDC, all lots must front onto or have access to a public right-of-way and have a point of access to a public street.

1. Lots along an arterial and major collector streets must have a minimum width of 200 feet at the front lot line and all other points, except where existing lot configurations, tract width, or prior conditions make compliance impracticable, as determined by the Planning and Development Services Director.

2. In order to maintain minimum driveway spacing along an arterial, the minimum 200-foot lot width may not be sufficient for an individual driveway, at which point, a shared access easement must be provided along one lot line to accommodate shared access to a public street with an adjacent lot. The shared access easement may be waived by the Planning and Development Services Director in situations where the easement would not attain the minimum driveway spacing required between driveways.

3. As stated in Subchapter 4, commercial properties may be designed with a minimum of 50 feet of frontage if a perpetual joint access easement or unified development agreement is provided, driveway spacing requirements are met and a note is placed to such on the subdivision.

F. Within the ETJ, corner lots must be at least 10 feet wider than the width of the widest interior lot on the block where they are located.

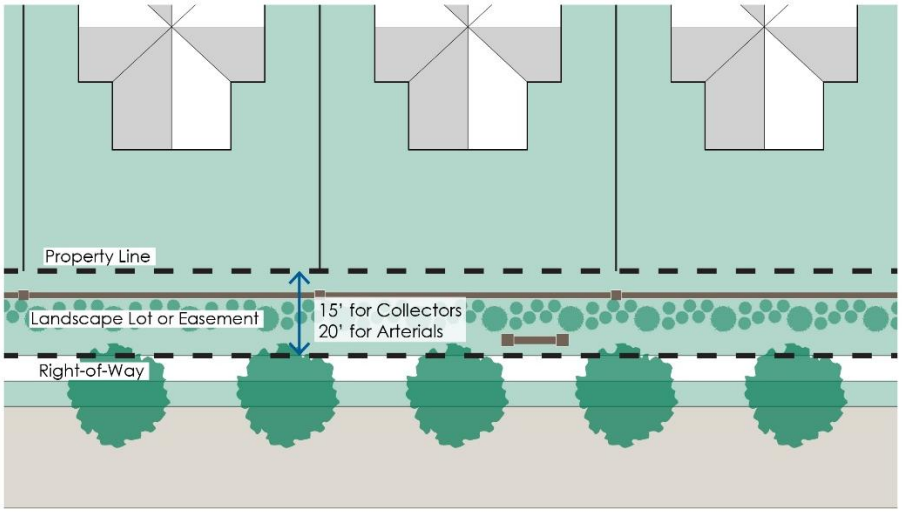
G. Within residential developments, a landscape lot or landscape easement is required between any Single-Family Detached lot and a collector or arterial street when any conforming side or rear lot line of the subject lot or structure is generally parallel to the street.

1. The landscape lot or easement must have a minimum depth of 15 feet along collectors or 20 feet along arterials at all points as measured from the arterial right-of-way edge.

2. The landscape lot or easement must include the adjacent residential lot's fencing, any subdivision perimeter fencing, subdivision signage, and street trees as required in Subchapter 9.

3. The landscape lot or easement and aforementioned improvements must be owned and maintained in common by a Homeowners' Association or similar association.

Figure 13.4-3 Landscape Lot/Easement



13.4.7. Blocks

A. Block Length

1. Block length is measured as the distance along a street between the centerlines of two intersecting streets.
2. Block lengths must comply with the minimum distances between intersections along a street on the same side of the street by class established in Section 13.4.3.P.
3. Maximum block lengths are illustrated in relation to the property's Future Land Use Category in the following figure and are modified by the provisions below.

Figure 13.4-4. Maximum Block Lengths

Future Land Use Category	Maximum Block Length – Local Roadways	Maximum Block Length – Collector Roadways
Rural Residential / Agriculture, Suburban Residential, Innovation Centers, Employment, Industrial, Institutional	1,200 feet	1,200 feet
Mixed-Use Commercial	1,000 feet	1,200 feet
Mixed-Use Neighborhood, Neighborhood Retail/Office/Commercial	600 feet	1,000 feet
Traditional Neighborhood, Mixed-Density Neighborhood,	400 feet	800 feet
Parks, Utilities, Right-of-Way	N/A	N/A

4. The maximum block length within the Downtown District Overlay is 800 feet.
5. Where block lengths in residential or mixed-use areas exceed 800 feet, the use of traffic calming devices (e.g., bump-outs, chicanes) is required, as determined by the Planning and Development Services Director.

6. The maximum block length of a residential or mixed-use development may be extended by 20 percent where alleys and rear access to all lots on the block are provided.

7. Blocks in industrial zoning districts may exceed the maximum block length established in Figure 13.4-4. Maximum Block Lengths by up to 20 percent if either of the following conditions is met:

    a. Option A:

        (1) The main access driveway(s) are designed to function as a street and allow for public access through the block with established public access easements; or

    b. Option B:

        (1) A landscaped and protected pedestrian path at least 10 feet wide is provided in lieu of a typical sidewalk along the long block face(s). Such landscaped and protected pedestrian paths are maintained by a Homeowners' Association or similar entity; and

        (2) The block has no frontage on a street classified as a minor collector or smaller roadway.

8. Mid-Block Pass-Through Connections

    a. Blocks that are 1,000 feet or greater in length must include a mid-block pass-through lot with a minimum width of 15 feet, located at or near the mid-point of the block. Mid-block pass-through connections are not counted toward the maximum block length.

    b. The pass-through lot must:

        (1) Extend the full depth of the block to stub into the adjacent platted tract,

        (2) Include a minimum 10-foot-wide hike and bike trail designed in accordance with the Engineering Design Manual and City construction standards,

        (3) Connect to public sidewalks and to existing or planned pedestrian facilities on adjacent property.

        (4) Remain unobstructed by walls, fences, or other barriers and not terminate within a subdivision.

        (5) Be owned and maintained by the Homeowners' Association.

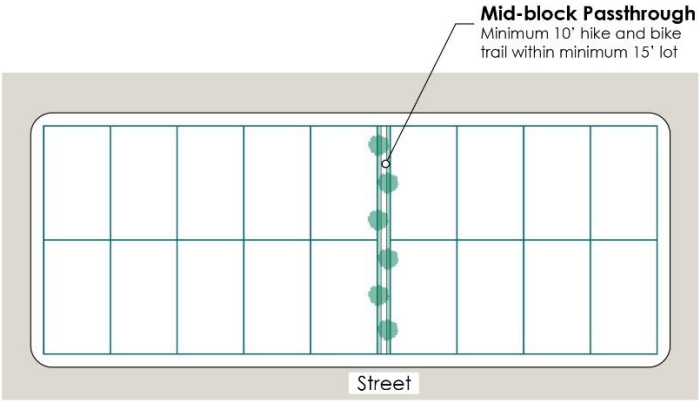
    c. The Planning and Development Services Director may approve alternative designs that achieve comparable pedestrian connectivity, including sidewalks along internal drives or connections provided through public access easements.

    d. For commercial subdivisions, sidewalks located along internal drives that traverse the site may be considered as a way to meet this requirement.

    e. For subdivisions creating nonresidential lots, multifamily development, or other communal or public space, the required connection may be provided through a public access easement.

    f. The location and construction of such improvements may be deferred to the time of site development, subject to approval by the Planning and Development Services Director.

Figure 13.4-5 Mid-Block Passthrough



B. Block Numbering

Blocks must be numbered consecutively in a uniform manner throughout a subdivision. At no time will the same block designation be utilized within an overall subdivision development, even if located in a separate final plat.

C. Public Space in Blocks

1. Generally

a. The City encourages the inclusion of public space within new subdivisions, especially where public space can be created to enhance and connect with existing and proposed pedestrian and bicycle infrastructure and enhance residential amenities. For this purpose, the City has identified optional public space amenities in Section 13.4.7.C.2 below, and development incentives available with approval of the Planning and Development Services Director in Section 13.4.7.C.4 for the inclusion of such space in proposed subdivisions.

b. Such public space must be owned and maintained by a Homeowners' Association or similar entity.

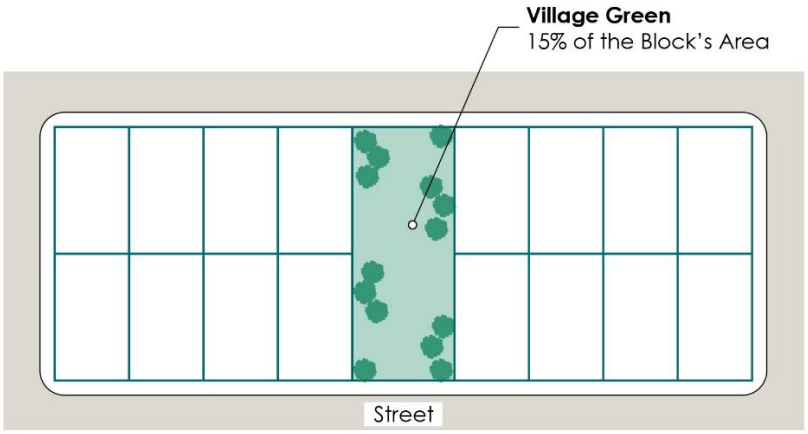
c. No additional parking is required for the provided public space.

2. Types of Public Space

a. Village Green

A village green is an open space lot in the center of a residential or mixed-use block designed for common access by the surrounding lots. A block with a village green must include at least one mid-block pass-through lot to provide access from sidewalks and other pedestrian ways. Village greens must be at least 15 percent of the block's area in size. This public space type is distinct from the Cottage Court development type layout, which does not qualify as a public space as described in this Subsection.

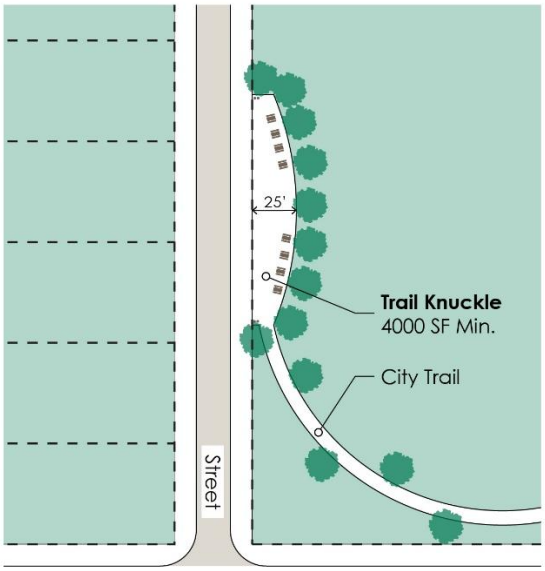
Figure 13.4-6 Village Green Example Layout



b. Trail Knuckle

A trail knuckle is a designated public space adjacent to the City's trail and pedestrian way network. Trail knuckles must be designated on at least one side of a trail and be at least 25 feet in depth as measured from the edge of the trail. Trail knuckles must provide landscaping, benches/shelters, or other pedestrian amenities, and may extend along the length of the trail. The total area of a trail knuckle must be no less than 4,000 square feet.

Figure 13.4-7 Trail Knuckle Example Layout

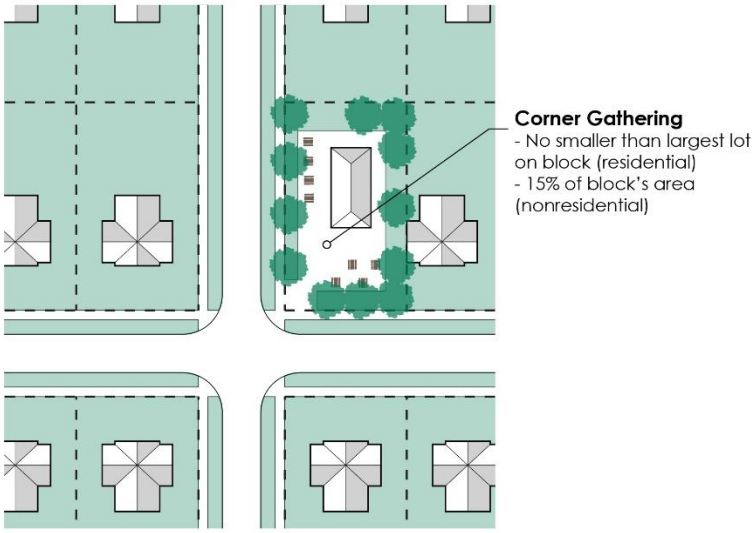


c. Corner Gathering

A corner gathering is a designated public space lot at the intersection of two streets or of a street and a City trail or pedestrian way. In residential or mixed-use areas, corner gatherings must be no smaller than the area of the block's largest residential or mixed-use lot and must be equal in depth

to the adjacent lots. In nonresidential areas, corner gatherings must be at least 15 percent of the block's area in size. Corner gatherings must provide paving, landscaping, shelter, or other amenities to encourage use by the public.

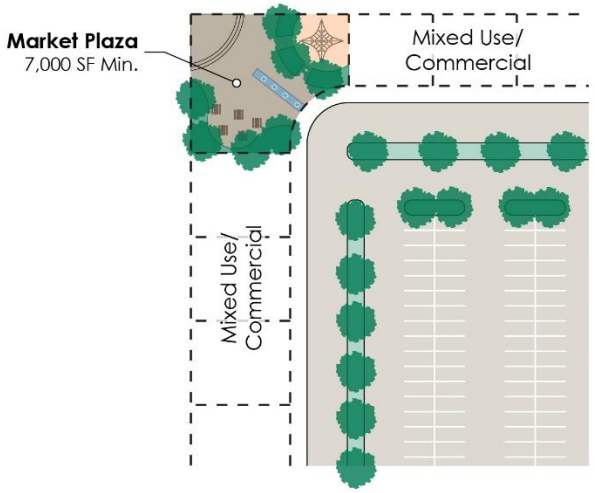
Figure 13.4-8 Corner Gathering Example Layout



d. Market Plaza

A market plaza is a designated public space lot within a nonresidential or mixed-use development. Market Plazas may be designed flexibly and should scale to the size of a development but must be at least 7,000 square feet in size. Market plazas should be placed to provide amenities to the community, like landscaping and seating, and should interact with stores, services, and the pedestrian network. Market plazas may include walkable areas with outdoor dining designed to be shared between nearby restaurants, gathering areas shielded from adjacent streets, common food halls with courtyards and outdoor space, or other flexible functions that provide shared community space between stores and parking.

Figure 13.4-9 Market Plaza Example Layout



3. Public Space Criteria

a. Designated public spaces must be privately owned and maintained as independent lots with shared access easements.

b. Access to designated public spaces must be aligned with or be extensions of the City's sidewalk, trail, or pedestrian way network.

c. Designated public spaces are not counted toward the minimum parkland dedication requirements for a subdivision.

4. Incentives

The Planning and Development Services Director will review proposed designated public space(s) considering the criteria above. If the proposed designated public space(s) meet the criteria, the following incentives apply:

a. Structures on lots adjacent to designated public spaces are allowed a 0-foot minimum setback from the public space lot line.

b. In nonresidential or mixed-use developments, commercial uses less than 1,000 square feet in size that front onto a designated public space require no minimum parking.

c. Designated public spaces have no maximum impervious cover, provided shade and landscaping are provided and their impervious cover is accounted for in drainage design.

d. Structures fronting onto a designated public space are allowed additional height not to exceed an additional story.

13.4.8. Water

A. All water infrastructure required to adequately serve all non-drainage lots must be provided within the subdivision. Any existing or new water facilities must supply the required demand at the required pressure for both domestic use and fire protection or provide the opportunity for a future connection with the use of a sleeve, valve, and appurtenances.

B. All water infrastructure and service connections must conform to the Engineering Design Manual, City construction standards, and the Water Master Plan.

C. The City Engineer requires water infrastructure to be extended to adjacent land when the City Engineer determines it is necessary for the efficient delivery of utility service and in accordance with the Water Master Plan.

13.4.9. Wastewater

A. All wastewater infrastructure, including but not limited to any necessary upgrades to existing lines or facilities must be constructed to ensure adequate service to all non-drainage lots within the subdivision. The subdivider will bear all costs for extending existing public wastewater lines and facilities to have sufficient capacity to serve the subdivision. All wastewater facilities, lines, and service connections must conform to the Engineering Design Manual and City construction standards, Wastewater Master Plan, the specifications established by the subject utility company, and the Texas Department of Health.

B. The City Engineer requires wastewater lines to be extended to adjacent land when the City Engineer determines it is necessary for the efficient delivery of utility service.

C. On-site sanitary sewer facilities (OSSF) are permitted in the ETJ to serve residential lots in accordance with the standards of TCEQ Chapter 285 and the requirements of the applicable county when the City or other providers are unable to provide immediate or foreseeable future wastewater service. The allowance and design of OSSF are governed by Travis County or Williamson County, as applicable.

13.4.10. Easements

A. Generally

1. A 10 foot public utility easement must be provided adjacent to all public street frontages.

2. When necessary to adequately serve a subdivision with public utilities, additional city public utility easements must be dedicated by plat, as determined by the City Engineer.
3. All drainage facilities requiring dedication of a drainage easement must adhere to the Engineering Design Manual and City construction standards. Any public drainage easement must have a minimum width of 15 feet.
4. The 100-year floodplain must be entirely contained within a drainage easement dedicated to the public in accordance with the Engineering Design Manual and City construction standards.
5. Shared access easements may be required at the discretion of the Planning and Development Services Director or City Engineer in order to ensure adequate street access and that minimum driveway spacing is maintained.

B. Acceptance

1. The City Manager may accept easements by separate instrument, where such easements are required in conjunction with the development review process (e.g., subdivisions, platting, site development, etc.) or in other circumstances outside this process when deemed administratively necessary.
2. Public utility easements must be dedicated by plat unless otherwise approved by the City Engineer. Other easements may be accepted by separate instrument when approved by the City.
3. No such easement will be considered accepted by the City unless the granting instrument recorded in the public records of the County Clerk includes a signed acknowledgment by the City Manager accepting the same on behalf of the City.

Subchapter 14. Definitions

14.1. Generally

A. This Subchapter includes definitions for land use classifications (Section 14.2) used within Subchapter 5. Land Uses and general defined terms (Section 14.3) that are used throughout this UDC.

B. Terms not defined herein will be construed in accordance with customary usage. Should any definition established by ordinance be later found to conflict with the definition of the same term made by applicable Texas law, the Texas statutory definition will supersede the definitions herein.

14.2. Land Use Classifications

14.2.1. Residential Uses

A. Household Living Building Types

1. Duplex

A residential structure providing complete, independent living facilities for two separate households, including permanent provisions for living, sleeping, cooking, eating, and sanitation. Both units are located on a single lot. For two units split across separate lots, see Term 8 Townhouse.



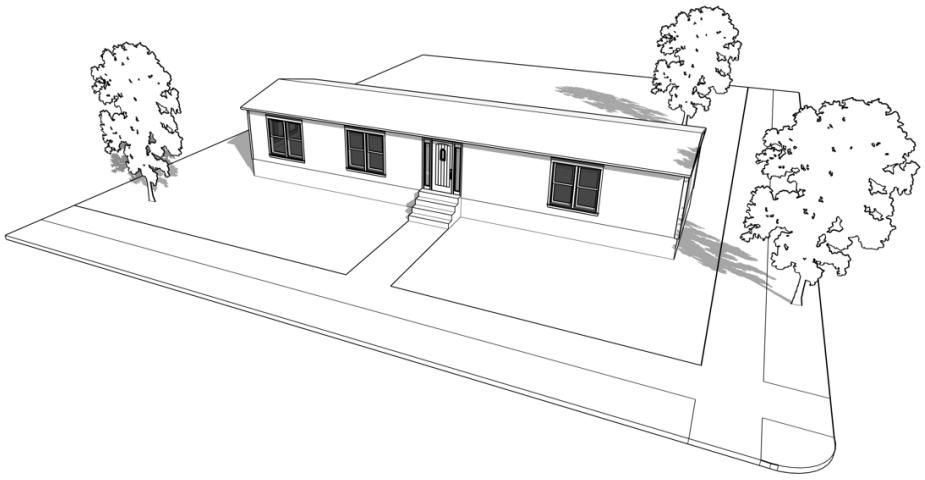
2. Live-Work Unit

A dwelling unit, part of which is used as a business establishment, with the dwelling unit serving as the principal residence of the business operator. The nonresidential portion is integrated into the overall unit and consists of a dedicated space designed and constructed for business use that can accommodate customer, client, or employee activity on site. Typically, the business operation is located on the first story with the residence occupying the second and third stories; however, in some cases, the residential portion is located to the rear of the nonresidential space on a single story.



3. Manufactured Home

A residential structure constructed on or after June 15, 1976, in compliance with the rules and definitions of the United States Department of Housing and Urban Development, that is transportable in one or more sections, which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems.



4. Multi-Family, Neighborhood Scale

A Multi-Family Dwelling with 5 to 8 dwelling units in one or two principal buildings on a single lot. This may be in the form of multiple units on the same lot under shared ownership (each unit owned separately) or fee-simple (each unit owned by the same entity).



5. Multi-Family, Suburban

   A Multi-Family Dwelling with multiple dwelling units in a low-rise structure or structures accessed by exterior doorways/breezeways/open-air stairways, typically oriented toward lawn and landscape areas with surface parking in front and around. Commonly called a garden apartment. This may be in the form of multiple units on the same lot under shared ownership (each unit owned separately) or fee-simple (each unit owned by the same entity).



6. Multi-Family, Urban

   A Multi-Family Dwelling with multiple dwelling units in a mid-rise structure or structures, accessed by interior conditioned corridors, stairs, or elevators, designed to an urban context oriented toward public streets or major drive aisles in walkable settings, with parking facilities integrated contextually into the design of the structures, typically in a structured parking or tuck-under design on a single lot. Example forms include multi-story wraps with central parking structures and multi-story over podium garage. This may be in the form of multiple units on the same lot under shared ownership (each unit owned separately) or fee-simple (each unit owned by the same entity).



7. Single-Family Detached

   A dwelling unit designed and constructed for occupancy by not more than one household (see Term 14.3.H.4. Household), and having no physical connection to a building located on the same or any other lot or tract.



8. Townhouse

   A residential structure containing two or more attached dwelling units arranged side-by-side in a single row, with each dwelling unit separated from the next by a vertical party wall. Each unit has a separate ground-level entrance and is designed for occupancy by one household. Each unit is located on an individual lot. A Townhouse may also be known as a townhome or row house. For more than one unit on a single lot, see Term 14.2.1.A.9. Triplex and Quadplex, or Term 14.2.1.A.4. Multi-Family, Neighborhood Scale, as applicable.



9. Triplex and Quadplex

   A residential structure containing three or four dwelling units within a single structure on one lot. Each dwelling unit contains complete, independent living facilities, including permanent provisions for living, sleeping, cooking, eating, and sanitation. Dwelling units may be arranged side-by-side, stacked vertically, or in a combination of both.



B. Residential Care Facilities

   1. Assisted Living

      A quasi-residential facility where room, board, and personal care services are provided within a structure containing multiple living quarters for persons who are unrelated to the proprietor of the establishment. Facilities include common dining and recreational areas. Personal care services include assistance with routine daily activities such as dressing, movement, meals, bathing, or other personal needs or maintenance, or administration of medication, as defined by the Health and Safety Code § 247, as amended.

   2. Group Home

      A dwelling unit licensed by the State of Texas that provides a residential living environment for persons with disabilities, as defined by state or federal law, and that is operated in accordance with Chapter 123 of the Texas Health and Safety Code. A Group Home functions as a single housekeeping unit and provides food, shelter, and personal or supportive services to residents in a family-like setting.

3. Nursing Home/Skilled Nursing

   Any home, place, institution or facility which provides licensed and professional short-term or chronic care, or both, for a period in excess of 24 consecutive hours for four (4) or more patients not related by blood or marriage to the operator, who by reason of illness or infirmity, are unable to properly care for themselves. This definition does not include assisted living facilities.

4. Retirement Living Village

   A coordinated residential community that provides housing and care services for older adults, generally aged 55 years and up, and may include Single-Family Detached, Duplex, Townhouse, multi-family, or similar residential structures.

C. Communal Living

1. Residential Group Living

   A residential use in which a building is occupied by persons who are not organized as a single housekeeping unit and who reside together under common management, ownership, or organizational control. Occupants typically have individual sleeping areas and share a kitchen, bathroom, or other common facilities. This use includes boarding houses, fraternity or sorority houses, institutional residential living arrangements, and homeless or domestic violence shelters, except where such shelters meet the definition of Emergency Shelter. It does not include a licensed Group Home, hotel or motel, Emergency Shelter, or a dwelling occupied by a single household.

2. Transitional Housing

   A residential facility that provides supervised housing for persons who are on parole, probation, mandatory supervision, pre-release status, or other court-ordered supervision, and that operates under contract with or approval from a governmental entity. Such facilities may include structured programming, monitoring, or reentry services as a condition of occupancy. This use does not include a Group Home licensed by the State of Texas serving persons with disabilities, nor a dwelling occupied by a single household.

14.2.2. Community and Institutional Uses

A. Education and Child Care

1. College, University, Trade School, or Private Boarding School

   An educational institution of higher learning, offering general and specialized courses that are certified by the State Board of Higher Education, a recognized accrediting agency, or other state authority for primary, secondary, or higher education and may offer programs that lead to a degree. These institutions may provide dormitories or other student housing, dining facilities, sports facilities, theaters, and maintenance facilities.

2. Day Care Facility

   A facility, other than a public, private, or parochial school, that provides care for children for less than 24 hours per day at a location other than a residence. This use is licensed by the State of Texas, as applicable.

3. Day Care, Home-Based

   An operation that provides care for children for less than 24 hours per day within a residence. This use is licensed, registered, or listed by the State of Texas, as applicable.

4. School, Private or Parochial

   An educational institution having a curriculum equivalent to public schools and meets the same license and certification requirements of public schools. A private or parochial school will not include specialty schools, such as dancing, music, beauty, mechanical, trade schools, or commercial schools.

5. School, Public

   Facilities that are used to provide instruction or education by primary schools or secondary schools that are in a public school district or are institutions of higher education that receive public funding. Does not include trade or business schools.

B. Civic and Government Services

1. Civic Center

   A building, or a portion of a building, together with the grounds and related facilities, primarily used by an association of persons for periodic meetings to promote special purpose activities such as education, literature, science, government, social services, or civic improvements, and includes lodges, fraternal organizations and social clubs.

2. Emergency Shelter

   A facility that provides temporary overnight shelter and related supportive services for individuals or families experiencing homelessness, or for survivors of domestic violence, dating violence, sexual assault, or stalking. Accommodations may include shared or individual sleeping areas and common facilities. Residency is short-term and does not constitute a permanent dwelling unit.

3. Government Facilities

   A group of uses focused on the provision of a public service. These facilities are owned, operated, or maintained by a governmental entity or a quasi-governmental entity performing a governmental function, and serve a wide range of needs and patrons. This definition includes, but is not limited to, facilities of a city, county, state, or federal government, libraries, and public park facilities.

4. Microwave and Satellite Receiving Station, Commercial

   Those technical facilities associated with the commercial receipt and distribution of microwave or satellite transmissions, including, but not limited to, those facilities related to a commercial cable television operation. This definition does not include an office from which the operation of a business can be conducted.

5. Utilities

   A structure or facility used by a public, semi-public, or private utility agency to store, distribute, or provide a utility service such as water or sewer piping systems, water or sewer pumping stations, electric power lines, fuel or gas pipelines, telephone lines, roads, cable telephone line, fiber optic cable, storm water systems and drainage ways, and railroads or other utilities. The definition does not include Wireless Telecommunication Facilities.

6. Wireless Telecommunication Facility (WTF)

   An unstaffed facility composed of one or more of the following components: antenna, equipment enclosure, security barrier, and/or communication tower. The facility is used for the transmission and reception of radio, microwave, or electromagnetic signals used for commercial communication by a wireless communication service provider.

C. Cultural and Community Facilities

1. Cemetery/Mausoleum

   Land used or intended to be used for the burial of the dead, both human and animal, and dedicated for cemetery purposes including a columbarium, crematorium, mausoleum, and funeral establishment, or any combination thereof.

2. Community Garden, Private

   An area limited to five (5) acres of privately owned land which is used for the growing of usual farm products, vegetables, fruits, and trees and is gardened collectively by a group of people. For a

community garden owned by the City or other government agency, refer to the definition for public parkland and public parkland facilities.

3. Convention Center

A facility that provides space for conventions, meetings, exhibitions, shows, gatherings, presentations, or celebrations, including related incidental facilities for office and administrative use, food and beverage preparation and service, and on-site and off-site parking facilities.

4. Cultural Institution

An institution for the collection, preservation and display of books and objects of art or science, and which is sponsored by a public or quasi-public agency, and which facilities are open to the general public.

5. Park

An area devoted toward open space and recreation not otherwise defined by this chapter. This definition includes, but is not limited to trails, playgrounds, structures, and uses that are designed for recreation, educational and sport activities. Inclusive of private parks and public park or parkland

6. Place of Worship

A building or group of buildings maintained for the practice of worship and religious training of religions, and includes the on-site housing of ministers, rabbis, priests, nuns, and similar staff personnel.

14.2.3. Commercial Uses

A. Retail Sales and Service

1. Auction Sales

A business enterprise engaged in the sale of new or used goods sold to the highest bidder where the operations are wholly enclosed within a building. The definition does not include the sale or trade of animals or other livestock.

2. Bar/Tavern

An establishment with more than 75percent of total gross revenue from the sale of any alcoholic beverages for on-premises consumption.

3. Body Art Studio

An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following: placing of designs, letters, figures, symbols, or other marks upon or under the skin or any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; or the creation of an opening in the body of a person for the purpose of inserting jewelry or other decoration. For the purposes of this Chapter, this definition does not include ear piercing.

4. Brewpub or Wine Bar

An establishment where beer or wine is the primary beverage offering and may include on-site production for sale in a bar or restaurant setting. A brewpub typically produces beer on-site for on-premise consumption, while a wine bar may or may not produce wine on-site. Products may be served directly from storage or production tanks. Where allowed by law, these establishments may sell beer or wine to go or distribute products to off-site accounts.

5. Catering Establishment

A facility where food and meals are prepared on the premises for delivery and consumption off site. The use may include incidental tasting or pickup areas but does not operate as a restaurant open to

the general public. Accessory activities may include storage, food preparation, and the loading of catering vehicles.

6. Commissary

   An establishment where food, food containers or supplies are stored, kept, handled, prepared, or packaged for use, primarily by mobile food vendors, caterers and other establishments.

7. Laundromat

   A facility where patrons wash and/or dry clothing and other fabrics in self-serve machines operated by the patron.

8. Liquor Store

   A retail establishment permitted by the Texas Alcoholic Beverage Commission (TABC) to sell liquor, malt and vinous liquors on premises to consumers for off-premises consumption.

9. Lounge

   A facility that offers patrons a relaxing environment where food, tobacco, and alcohol may be consumed and purchased. A Lounge differs from a Bar/Tavern or Restaurant as a Lounge does not receive more than 50 percent of its total sales from food and alcohol sales.

10. Mobile Food Park

    A site designed and approved to accommodate multiple mobile food vendors operating on a recurring or permanent basis, together with shared customer seating, restrooms, utility connections, and other common facilities. A mobile food park provides designated vendor spaces, maintains required separation distances and access standards, and may include accessory features such as shade structures, stages, playgrounds, or indoor seating areas. The use is distinct from temporary mobile food vending and operates under a unified site plan that governs circulation, parking, lighting, waste management, and fire and life safety requirements.

11. Pawn Shop

    A location at which or premises in which a pawn broker regularly conducts business as defined by the State of Texas Finance Code Chapter 371, as amended. For the purposes of this definition, this term has the following meanings:

    a. Pawn Broker: A person engaged in the business of (a) lending money on the security of pledged goods; or (b) purchasing goods on condition that the goods may be redeemed or repurchased by the seller for a fixed price within a fixed period as defined by the state of Texas Finance Code Chapter 371, as amended.

12. Personal Services

    An establishment which offers specialized goods and services purchased frequently by the consumer, such as a barbershop, beauty shop, dressmaker, fortune teller, licensed massage therapy shop, nail salon, portrait studio, shoe shop, tailor, or other similar shops offering custom service. A Body Art Studio is specifically excluded from this definition.

13. Portable Building Sales

    A site on which factory-manufactured portable buildings, such as manufactured homes, are displayed and offered for sale or order to the general public.

14. Restaurant

    An establishment that serves prepared food to the general public with designated dining areas, which receives more than 50 percent of total gross revenue from the sale of food, and which is not designated nor used for the service of food to automobiles on the premises.

15. Retail Sales and Services

    Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.

B. Office and Professional Services

1. Business Services

   Activities primarily associated with providing services not elsewhere classified, to business enterprises on a fee contract basis, including but not limited to advertising, printing and mailing services; janitorial, office or business equipment rental, leasing, or repair; or the provision of services used by office, professional, and services establishments.

2. Call Center

   An office facility used for collecting information by telephone, selling products or services by telephone, or offering support or general customer service by telephone.

3. Financial Institution

   An establishment for the custody, loan, exchange or issue of money, the extension of credit and/or facilitating the transmission of funds, including automated teller machines such as a bank or credit union. This definition does not include pawnshops, check cashing businesses, payday advance businesses, money transfer businesses or other similar services.

4. Financial Services Institution, Alternative

   A check cashing business, payday advance or loan business, money transfer business, precious metal dealer, or car title loan business. At no time may an alternative finance service be permitted as an accessory use unless specifically provided for within the definition of the specific alternative financial service use. For the purposes of this definition, these terms have the following meanings:

   a. Check Cashing Business: An establishment that provides to the customer an amount of money that is equal to the fact of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specified period of time, the business of cashing checks, warrants, drafts, money orders or other commercial paper serving the same purpose for compensation by any person or entity other than a retail seller engaged primarily in the business of selling consumer goods, including consumables to retail buyers, that cashes checks or money orders or issues money orders or money transfers for a minimum flat fee as a service that is incidental to its main purpose or business. This definition excludes a state or federally chartered bank, savings and loan associations, credit union, pawnshop, grocery store, or gas station.

   b. Payday Advance or Loan Business: An establishment that makes small consumer loans, usually backed by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term or until the applicant's next payday, and then cashed unless the customer repays the loan to reclaim such person's check.

   c. Money Transfer Business: An establishment, other than a bank or financial institution, that engages in or facilitates the transmission of funds to or from a location outside the United States and its territories for a fee.

   d. Precious Metal Dealer: Any person or entity engaged in purchasing articles made of or containing gold, silver, platinum, or other precious metals or jewels of any description for the purpose of reselling the items in any form.

   e. Car Title Loan Business: An establishment that makes small, short-term consumer loans that leverage the equity value of a car or other collateral where the title to such vehicle is owned free

and clear by the loan applicant any an existing liens on the car or vehicle cancel the application, and where failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car of vehicle. This excludes state or federally chartered banks, savings and loan associations, or credit unions engaged primarily in the business of making longer-term loans and which make loans that leverage the total equity value of a car or vehicle as collateral.

5. Hospital

An institution, licensed by the state department of health, providing primary health services and medical or surgical care to persons, primarily inpatients, suffering from illness, disease, injury, deformity, and other abnormal physical or mental conditions, and including as an integral part of the institution, related facilities such as laboratories, outpatient facilities, or training facilities. The institution may include ancillary uses such as a cafeteria or restaurant, medically related heliports, nursing homes, extended care clinics, physical therapy, employee exercise facilities, employee housing, temporary patient or patient family housing, and shops for medical equipment, pharmaceutical supplies, and gifts, child care centers, and medical offices.

6. Medical Clinic or Office

A facility providing outpatient medical, dental, diagnostic, therapeutic, rehabilitation, behavioral health, or other licensed health care services for the examination, diagnosis, treatment, or care of patients who do not typically remain overnight. This use includes physician offices, dental offices, chiropractic offices, urgent care centers, ambulatory care facilities, outpatient clinics, medical laboratories, imaging centers, physical therapy facilities, occupational therapy facilities, speech therapy facilities, licensed massage therapy establishments, and similar outpatient health care services provided by licensed health care professionals. This use does not include hospitals or inpatient treatment facilities.

7. Office, Administrative or Professional

A facility used for administrative, executive, management, or professional services. This use includes general administrative offices, business, or professional services such as real estate, insurance, property management, counseling, investment, title companies, personnel, travel, and secretarial services.

8. Office/Showroom

A building that primarily consists of sales offices and sample display areas for products and/or services delivered or performed off-premises. Catalog and telephone sales facilities are appropriate. Incidental retail sales of products associated with the primary products and/or services are permitted. Warehousing facilities do not exceed 50 percent of the total floor area. This definition does not include a contractor's shop and storage yard.

9. Office/Warehouse

A building, or a portion of a building, which is a structurally separate and functionally distinct unit, primarily devoted to storage, warehousing and distribution of goods, merchandise, supplies, and equipment. Accessory uses may include retail and wholesale sales areas, sales offices, and display areas for products sold and distributed from the storage and warehousing areas.

C. Entertainment and Assembly

1. Athletic Facilities

Privately owned indoor and/or outdoor facilities devoted to organized sports, including but not limited to, soccer, basketball, gymnastics, and tennis.

2. Commercial Recreation and Entertainment, Indoor

An establishment where commercial recreational and entertainment uses occur entirely within an enclosed building. Examples of such uses include, but are not limited to, roller rinks, bowling alleys, pool

halls, arcades, miniature golf courses, shooting ranges, and other similar fully indoor enterprises. Sexually-oriented businesses and bars/taverns are excluded from this definition.

3. Commercial Recreation and Entertainment, Outdoor

   Facilities offering entertainment or the playing of games to the general public for a fee or charge wherein any portion of the activities takes place outside of a building or structure. Entertainment activities may include, but are not limited to, archery ranges, children's rides, miniature golf courses, waterparks and other similar uses. Sexually-oriented businesses and bars/taverns are excluded from this definition.

4. Event Center

   A public or privately owned structure or area used for the purposes of public performances, sporting events, private receptions or parties, or similar attractions that may generate heavy traffic. Entertainment facilities may include concert halls, stadiums, sports arenas, racetracks, rodeo arenas, coliseums, and convention centers. Accessory uses may include food preparation facilities, concessions, offices, museums, parks, athletic training or practice facilities, stores, restaurants, heliports, structured parking facilities, and patron transportation facilities.

5. Golf Course

   A tract of land designed for playing the game of golf and improved with tees, greens, fairways, and hazards. A golf course may include a Country Club or other clubhouse, a driving range, putting greens, and shelters as accessory uses. This term excludes stand-alone driving ranges or miniature golf facilities.

6. Golf Driving Range

   An outdoor area equipped with distance markers, clubs, balls, and tees for practicing long-distance golf drives.

7. Outdoor Amphitheater, Private

   A private enterprise establishment used for the purposes of public performances, which may generate heavy traffic. An amphitheater typically includes a stage structure or area and a substantial amount of parking. For an amphitheater owned by the City or other government agency, refer to the definition for public parkland and public parkland facilities.

8. Reception Hall

   A facility used to host gatherings of people, typically within large rooms, for meetings, parties, or other events.

9. Theater

   An establishment charging admission to the general public for the privilege of observing a live, televised, or motion picture performance indoors.

D. Commercial Services and Trades

1. Animal Establishment, Commercial

   A facility that provides goods or care services for animals and pets, such as medical care, boarding, grooming, and training. This definition includes pet daycare facilities, animal shelters, and veterinarian clinics; however, this definition excludes a pet store as it is classified as retail sales and service. A Commercial Animal Establishment is categorized into two subgroups, minor and major. A minor facility must provide for all operations indoors, which excludes outdoor runs or kennels. A major facility may have outdoor operations or accessory components, such as kennels and runs.

2. Bail Bond Business

The solicitation, negotiation, or execution of a bail bond by a bail bond surety as defined under the State of Texas Occupations Code Chapter 1704, as amended. For the purposes of this definition, these terms have the following meanings:

a. Bail Bond: A cash deposit, or similar deposit or written undertaking, or a bond or other security given to guarantee the appearance of a defendant in criminal cases defined by the State of Texas Occupations Code Chapter 1704, as amended.

b. Bail Bond Surety: A person who a) executes bail bond as a surety or co-surety for another person; or b) for compensation deposits cash to ensure the appearance in court of a person accused of a crime as defined by the State of Texas Occupations Code Chapter 1704, as amended.

3. Bed and Breakfast

A home occupation in which a house, or portion thereof, is allocated for short-term lodging rooms and meals are provided. A Bed and Breakfast does not include restaurants, banquet facilities, or similar services. This definition is subject to the Accessory Use standards in Subchapter 5. Land Uses.

4. Campground or Recreational Vehicle Park, Private

Privately owned and operated establishments that operate sites that accommodate campers and their equipment, including tents, tent trailers, travel trailers, and recreational vehicles in a temporary, seasonal manner. They may also provide overnight recreational camps, such as children's camps, family vacation camps, hunting and fishing camps, and outdoor adventures such as trail riding, water activities and hiking. These establishments may provide facilities and services such as cabins, washrooms, food services and recreational activities. For campgrounds or recreational vehicle parks owned by the City or other government agency, refer to the definition for public parkland and public parkland facilities.

5. Contractor's Shop

A building, part of a building, or land area used for the construction, assembly, or storage (inside or out) of materials, tools, products, and vehicle fleets associated with the contractor or trade.

6. Crematorium

An establishment containing a furnace for cremating human remains in preparation for burial or storage. May be incidental to a funeral home.

7. Dry Cleaning, Major

An industrial facility where fabrics are cleaned with substantially non-aqueous solvents on a commercial or wholesale basis.

8. Dry Cleaning, Minor

A custom cleaning shop or pick-up station not exceeding 6,000 square feet of floor area, including, but not limited to, dry cleaning plants having no more than 1,500 square feet of floor area for dry cleaning equipment.

9. Equipment and Machinery Sales, Rental, and Repair, Major

A building or open area used for the sale, rental, indoor and outdoor storage, and incidental repairs of heavy equipment and machinery including, but not limited to, forklifts, bulldozers, cranes, skid steers and other similar equipment.

10. Equipment and Machinery Sales, Rental, and Repair, Minor

A building or structure used for the inside display, sale, rental, or indoor storage and incidental repairs of light machinery, including, but not limited to, bicycles, lawn mowers, tools, and other small machinery.

11. Funeral Home/Mortuary

A building used for the preparation of the deceased for burial, display and other rituals connected therewith before burial or cremation. This definition includes a funeral chapel and may include a crematory as an accessory use, but excludes mausoleums.

12. Health/Fitness Center

    A privately-owned facility that is open to the general public and offers its primary floor area for the playing of organized sports, such as basketball, soccer, gymnastics, or dance, for fees, whether in structured league arrangements or in "free play" setting. Such a facility may include spas, exercise equipment, gymnasiums, or restaurant and snack bar-refreshment services, subject to all other provisions of this chapter governing such services.

13. Hotel

    A commercial facility offering lodging accommodations to the general public, available for short- or long-term occupancy. Units are accessed via internal hallways and may include standard rooms, efficiency units, or suites with kitchen facilities. Hotels may provide additional services, such as meeting rooms, restaurants and recreational facilities. This use does not include a boarding house or a short-term rental.

14. Household Appliance Service and Repair

    An establishment primarily engaged in the provision of repair services to individuals and households rather than firms. Typical uses include appliance repair, locksmiths, watch or jewelry repair, or musical instrument repair. This use excludes automotive and large equipment servicing or repair.

15. Machine Shop

    A facility or workshop where metal, or a similar material, is cut, shaped, or otherwise altered by machining tools in order to produce or repair equipment, tools, or other objects.

16. Mini-Warehouse/Public Storage

    An establishment offering small, individual storage units for rent or lease and are restricted solely to the storage of items such as motor vehicles, trailers, boats, bulky household goods and various personal property. There is no conduct of sales, business or any other activity within the individual storage units.

17. Print Shop, Major

    An establishment used for bulk printing, binding, cutting or copying of materials including books, magazines, newspapers, posters, photos, signs or drawings by means of a printing press, lithography, offset printing, blue printing, photographic reproduction techniques, or other similar methods, for either distribution or sale.

18. Print Shop, Minor

    An establishment which primarily reproduces, in printed form, individual orders from a business, profession, service, industry or government organization. Offset, letterpress, and duplicating equipment are used, but no rotary presses or linotype equipment are used. Related services might include faxing, digitizing, graphic reproducing, and report assembling.

19. Research and Development Center

    A use engaged in research and development, testing, assembly, repair, and manufacturing in the following industries: bio-technology, pharmaceuticals, medical instrumentation or supplies, communications and information technology, electronics and instrumentation, and computer hardware and software. Office, warehousing, wholesaling, and distribution of the finished products produced at the site are allowed as part of this use. Such uses do not violate any odor, dust, smoke, gas, noise radiation, vibration, or similar pollution standard.

20. Sexually Oriented Business

An establishment providing, featuring or offering employees or entertainment personnel who appear on the premises while in a state of nudity or simulated nudity and provide live performances or entertainment for customers; or provides, features or offers non-live, sexually-explicit entertainment, materials, or items for sale or rental to customers; or provides materials or items that are intended to provide sexual stimulation or sexual gratification to its customers. For further definitions and regulations, see Chapter 112: Sexually Oriented Businesses.

21. Small Engine Repair Shop

A business that repairs, adjusts, tunes or modifies gasoline engines of a small horsepower motor commonly used to power grass trimmers, lawn mowers, chain saws and similar equipment. This repair service may also conduct work on electric motors commonly used in power tools, lawn maintenance equipment, and small household appliances. This term does not include work on all-terrain vehicles, jet skis, or similar vehicles and does not include storage or repair work conducted outside of a building.

E. Industrial and Logistics

1. Brewery/Distillery/Winery, Craft

A facility that produces beer, spirits, or wine with an operational scale that supports on-site customer activity such as tasting rooms, taprooms, retail sales, tours, or hosted events. Production is sized to occur within a commercial or mixed-use setting without significant freight demand, noise, odor, or truck traffic. Limited wholesale distribution is allowed, but the facility is designed primarily for small-batch or craft production with accessory customer-facing components.

2. Brewery/Distillery/Winery, Production

A facility intended for larger volume production of beer, spirits, or wine, where the primary function is manufacturing and wholesale distribution. These facilities typically involve higher levels of truck traffic, freight loading, storage, and utility demand. This use may include on-site tastings or retail sales that are secondary to the industrial-scale production and distribution operations.

3. Data Center, Hyperscale

A facility primarily engaged in the processing, storage, management, transmission, or distribution of digital information and computing services through the use of computer servers, data storage systems, networking equipment, and associated mechanical, electrical, and telecommunications infrastructure, with a maximum designed electrical demand of 100 megawatts (MW) or greater. This use includes large-scale colocation, cloud computing, artificial intelligence (AI), high-performance computing, and similar operations.

4. Data Center, Major

A facility primarily engaged in the processing, storage, management, transmission, or distribution of digital information and computing services through the use of computer servers, data storage systems, networking equipment, and associated mechanical, electrical, and telecommunications infrastructure, with a maximum designed electrical demand of at least 50 megawatts (MW) but less than 100 megawatts (MW). This use includes colocation, cloud computing, artificial intelligence (AI), high-performance computing, and similar operations.

5. Data Center, Minor

A facility primarily engaged in the processing, storage, management, transmission, or distribution of digital information and computing services through the use of computer servers, data storage systems, networking equipment, and associated mechanical, electrical, and telecommunications infrastructure, with a maximum designed electrical demand of less than 50 megawatts (MW). This use includes colocation, cloud computing, artificial intelligence (AI), high-performance computing, and similar operations. The term does not include computer servers, data storage systems, networking equipment, or similar equipment that is accessory to and primarily supports another principal use.

6. Distribution/Logistics Center

   A facility used for the receipt, storage, sorting, packaging, or consolidation of goods and materials for regional or last-mile distribution. Activities may include truck loading and unloading, cross-docking, inventory management, and limited ancillary offices that support on-site operations. Customer retail activity is not a primary function. Accessory uses may include fleet parking, maintenance areas, and outdoor or enclosed storage when permitted by the zoning district.

7. Energy Production and Storage Facility

   A privately developed and operated facility used for the generation, collection, conversion, or storage of electrical energy, including associated equipment, structures, and infrastructure. This use includes large-scale or utility-scale installations such as nuclear energy facilities, wind energy farms, solar energy farms, battery energy storage systems, inverters, transformers, switchgear, monitoring equipment, and related accessory components. It does not include small, building-mounted, or site-integrated energy systems intended primarily for on-site consumption, nor facilities owned and operated by a public utility or governmental entity.

8. Extractive Uses

   The use of land for the on-site extraction of surface or subsurface rock, stone, gravel, sand, minerals, or other naturally occurring materials for commercial purposes, including associated processing, crushing, washing, stockpiling, and transportation activities. This term does not include excavation, grading, or earthwork conducted as an incidental part of an approved construction or development activity on the same lot.

9. Food Processing Establishment, Major

   Food Processing Establishment, Major – Manufacturing establishments producing or processing foods for human consumption and certain related products. Includes: (1) dairy products processing; (2) fats and oil products (not including rendering plants); (3) meat, poultry, and seafood canning, curing, and byproduct processing (not including facilities that also slaughter animals); and (4) miscellaneous food preparation from raw products, where such manufacturing activities may not be wholly contained within the building. This definition specifically excludes wineries, breweries, distilleries, leather tanning operations, rendering plants, and slaughterhouses. All noise, odor, smoke, heat, glare and vibration resulting from the manufacturing activity must be confined to the site for which the use is located.

10. Food Processing Establishment, Minor

    Manufacturing establishment producing or processing foods and beverages for human consumption and certain related products. Includes: (1) bakery products, sugar and confectionery products (except facilities that produce goods for on-site sales with no wider distribution); (2) fruit and vegetable canning, preserving, and related processing; (3) grain mill products and by-products; and (4) miscellaneous food preparation from raw products, limited to aseptic processing and packaging, canning processes, freeze-drying and/or food fortification. This definition specifically excludes wineries, breweries, distilleries, leather tanning operations, rendering plants, and slaughterhouses. All manufacturing activities must be contained entirely within the building; including noise, odor, smoke, heat, glare and vibration resulting from the manufacturing activity are confined entirely within the building.

11. Industrial Use, Heavy

    A use engaged in the basic processing and manufacturing of materials or products or parts, predominantly from extracted raw materials; storing or manufacturing using flammable or explosive materials; or storing or manufacturing that potentially involves hazardous or commonly recognized offensive conditions.

12. Industrial Use, Light

A use engaged in the manufacture of finished products or parts predominantly from previously prepared materials, including processing, fabrication, assembly, treatment, packaging, incidental storage, sales and distribution of such products, but excluding basic industrial processing.

13. Landfill

A controlled area of land upon which solid waste is disposed of and buried in accordance with standards, rules, or orders established by an administrative agency of the State of Texas. Types of waste that are excluded in this definition include hazardous, industrial, and demolition waste.

14. Open Storage

The use of a site for the long-term or recurring outdoor storage of goods, materials, equipment, or vehicles that are not for immediate sale or display. Items are stored in unenclosed areas and may include construction materials, machinery, containers, fleet vehicles, or similar objects. Open storage does not include junkyards, salvage operations, or outdoor display associated with a retail use unless specifically permitted in the zoning district.

15. Recycling Center

A facility designed for the collection and temporary storage of recyclable items for transport to a reprocessing plant or reclamation center. Definition does not include a junkyard, salvage yard, or a government-owned facility.

16. Recycling Plant

A facility in which recoverable resources such as paper, newspapers, magazines, books, glass, metal cans and other products are recycled, reprocessed and treated to return such products to a condition in which they may again be used for production. Definition does not include a junkyard or Salvage Yard.

14.2.4. Transportation and Automotive Uses

A. Vehicle Sales and Rental

1. Automobile Sales and Rental

A facility that displays for sale new vehicles or previously owned vehicles which are in condition to be driven on or off the lot. The facility may also provide a full line of services such as repair, tune-up, paint and body repair, and auto or truck parts sales as accessory uses.

2. Recreational Vehicular Sales and Rental

A business establishment for the sale and rental of bulky recreational vehicles, including but not limited to, RVs, jet skis, boats, campers, or other similar vehicles, which may be stored and displayed outdoors. This definition does not include Truck and Trailer Rental. Any other similar establishment, in which all business operations including storage and display or merchandise are wholly enclosed within the principal building, may be classified under Retail Sales and Service.

3. Truck Sales, Heavy Trucks

A facility offering sales services for commercial trucks, including tractor and trailer units, to the general public. This definition does not include sales of consumer automobiles or trucks, or light-duty fleet vehicles such as small trucks and vans.

4. Truck/Trailer Rental

A facility where trucks, cargo vans, utility trailers, or similar vehicles are rented or leased to the public for short-term or extended use. The use may include on-site vehicle storage, minor preparation or cleaning of rental units, and accessory office space for customer service. Major vehicle repair or sales activities are not included unless otherwise permitted by the zoning district.

B. Vehicle Fueling, Repair, and Service

1. Automotive Body Repair Shop

   An establishment where passenger vehicles and light-duty trucks are repainted, exterior vehicle body panels are repaired or replaced, window glass is repaired and replaced, and frame, bodies, or fenders are straightened or repaired.

2. Automotive Parts Sales, Indoor

   Retail sales of automobile-related parts and accessories contained entirely within a building.

3. Automotive Repair and Service

   An establishment used for any or all of the following services for passenger vehicles and light-duty trucks: the dispensing of sales of fuels, lubricants, and automobile accessories; automobile detailing; the sales and installation of automobile radios; performing state vehicle inspections; and the repair or replacement of engines, air conditioning systems, transmissions, or other vehicle systems. This definition does not include wrecker or towing services with on-site vehicle storage, or automotive body repair shops.

4. Car Wash

   A facility for washing and cleaning passenger vehicles, recreational vehicles, or other light-duty equipment. Facilities may be self-service in nature, or may contain automated systems that washes, dries, and cleans automobiles, either while the vehicle is stationary or on a conveyor system. May be the Primary Use for a site or an Accessory Use.

5. Fueling Station

   A retail outlet for the dispensing of vehicular fuels to the general public. For the purposes of this definition, vehicular fuels include electric vehicle charging stations. Facilities may include a Convenience Store and/or a Car Wash.

6. Salvage Yard

   An establishment engaged in the outdoor storage, sale, exchange, dismantling or other processing of used or waste materials intended for re-use or recycling, including but not limited to, used vehicular parts, scrap metals, mechanical parts, tires or other similar parts. This definition does not include a recycling center or wrecker and towing services.

7. Truck/Bus/Recreational Vehicle Repair

   A facility that provides all types of repair, maintenance, and reconditioning of trucks, buses, recreational vehicles, all-terrain vehicles, boats, jet skis, and similar large-scale or specialty vehicles.

8. Wrecker/Towing Services

   An establishment engaged in the temporary outdoor storage of vehicles that have been towed, carried, hauled, or pushed from public or private property for impoundment licensed by the State of Texas; but does not include long-term vehicle storage or salvage yard operations. In the context of Wrecker/Towing Services, temporary outdoor storage means storage of a motor vehicle not more than 60 days, unless a longer period is required by the Texas Occupations Code Ch. 2303, Subchapter D, as amended or re-codified, for the disposition of a temporarily stored vehicle.

C. Parking and Mobility Services

1. Automotive Parking Structure, Commercial

   A business enterprise offering the temporary parking or storage of motor vehicles not to exceed seven (7) consecutive days in an enclosed, structured floor area underneath all or part of any story of a structure, commonly called a parking garage.

2. Automotive Parking Surface Lot, Commercial

A business enterprise offering the temporary parking or storage of motor vehicles not to exceed seven (7) consecutive days in a parking lot, with or without covering. A fee may be charged to users of the parking area.

3. Transit Facility (Park & Ride)

   A site designed to provide parking spaces for commuters who transfer to public transit services such as buses or carpools. A park and ride facility may include surface or structured parking, passenger waiting areas, shelters, bicycle parking, and limited accessory features such as ticketing kiosks or restrooms. The facility is intended to support regional or local transit service and does not function as a terminal for vehicle storage, dispatch, or maintenance.

4. Truck Terminal

   A building or area in which freight brought by motor truck is assembled and/or stored for shipping in interstate and intrastate commerce by motor truck. A motor freight terminal is a truck terminal.

14.2.5. Agricultural and Related Uses

1. Agricultural Use

   An agricultural operation that includes cultivating the soil, producing crops or growing food, floriculture, viticulture, horticulture, silviculture, wildlife management, raising or keeping livestock or poultry, planting crops, the commercial sale of animals, or aquaculture.

2. Nursery, Indoor/Outdoor Sales

   Land and/or facilities, such as greenhouses, that are used to raise flowers, shrubs, trees, grass, and other plants for sale.

3. Stable, Commercial

   A stable and related open pasture where horses are quartered for owners on a fee basis.

14.2.6. Accessory and Temporary Uses

1. Accessory Commercial Unit

   A small-scale, accessory commercial use conducted within a structure or portion of a structure on the same lot as a principal dwelling, and clearly subordinate in size, scale, and appearance to the principal dwelling. An Accessory Commercial Unit is intended to accommodate neighborhood-serving commercial activities and may include limited retail sales, personal services, or similar low-intensity uses. An Accessory Commercial Unit may be located within, attached to, or detached from the principal dwelling, but is physically distinct from the primary residential living area and is designed to accommodate customer or client activity on site. This use does not include a Home Occupation, where business activities are incidental and not outwardly visible, nor a Live-Work Unit, where residential and commercial activities are integrated within a single dwelling unit.

2. Accessory Dwelling Unit

   A secondary, self-contained dwelling unit located on the same lot as a principal dwelling, which is clearly subordinate in size, scale, and appearance to the principal dwelling. An accessory dwelling unit provides complete, independent living facilities for one household, including permanent provisions for living, sleeping, cooking, and sanitation. An accessory dwelling unit may be located within, attached to, or detached from the principal dwelling.

3. Amenity Center

   A recreational facility, including, but not limited to, clubhouse, swimming pool(s), playground, and open space, operated for the exclusive use of private residents or neighborhood groups and their guests, and not the general public. For amenity centers owned by the City or other government agency, refer to the definition for public parkland and public parkland facilities.

4. Day Care Facility, Incidental

   A place designed solely for the care of children belonging to employees, customers, or patrons of a principal use. The facility is completely contained within the primary use and is subordinate to the principal use. The operating hours of the center are the same as the primary use and do not include overnight lodging, medical treatment, counseling, or rehabilitative services. This use is licensed by the State of Texas, as applicable.

5. Drive-In/Drive-Thru

   A facility that allows customers to place orders, receive goods, or conduct transactions from within a motor vehicle. The feature is accessory to a principal use such as a restaurant, bank, pharmacy, or similar establishment. It includes elements like drive-up windows, order stations, carhop service, and dedicated vehicle stacking lanes. Examples include quick service restaurants with drive-thru windows and establishments that provide in-vehicle ordering or service stalls.

6. Drone Staging Area

   A designated area where crewless aircraft take off, land, or hover during approach. It includes launch pads, required safety areas, and any outdoor areas used to store goods, materials, containers, trailers, or related equipment.

7. Farmer's Market

   A designated location used primarily for the distribution and sale directly to consumers of food by farmers or other producers.

8. Home Occupation

   A business that is operated from a residential property by the owner or tenant of the property for the purpose of: manufacturing, providing, or selling a lawful good; or providing a lawful service. A Home Occupation may also be known as a "home-based business".

9 . Outdoor Display and Sales

   The accessory outdoor display or sale of finished products actively available for sale for less than 24 hours a day. Items are intended for customer viewing and purchase during business hours and are not stored outdoors on an ongoing basis. This definition does not include products in shipping boxes, crates, on pallets, or other shipping containers, which are considered Outdoor Storage.

10. Outdoor Storage

    The accessory outdoor storage of products or goods for more than 24 hours such as, but not limited to, fleet vehicles, heavy equipment, freight or commercial motor vehicles, trailers, construction materials, and raw, processed or packaged materials, including any products on pallets, in shipping containers or in crates.

11. Seasonal Products, Sales

    The temporary sale of Christmas trees, firewood, snow cones and other food vending items during their normal and generally accepted season. This definition includes indoor and outdoor arts and crafts shows, exhibits and sales, and sales by temporary food vendors.

12. Small Wind Energy Systems

    Equipment that converts and then stores or transfers energy from the wind into usable forms of energy. This includes the base, blade, foundation, generator, nacelle, rotor, monopole, transformer, vane, wire, inverter, batteries, or other component used in the system. A Small Wind Energy System must have a capacity of one (kW or less. Setbacks and height must be as provided in Subchapter 4. Establishment of Districts and Boundaries and Subchapter 5. Land Uses.

14.3. General Defined Terms

A. A Terms

1. Access Point

   A point of ingress and egress via a public right-of-way to a lot or subdivision.

2. Accessory Building

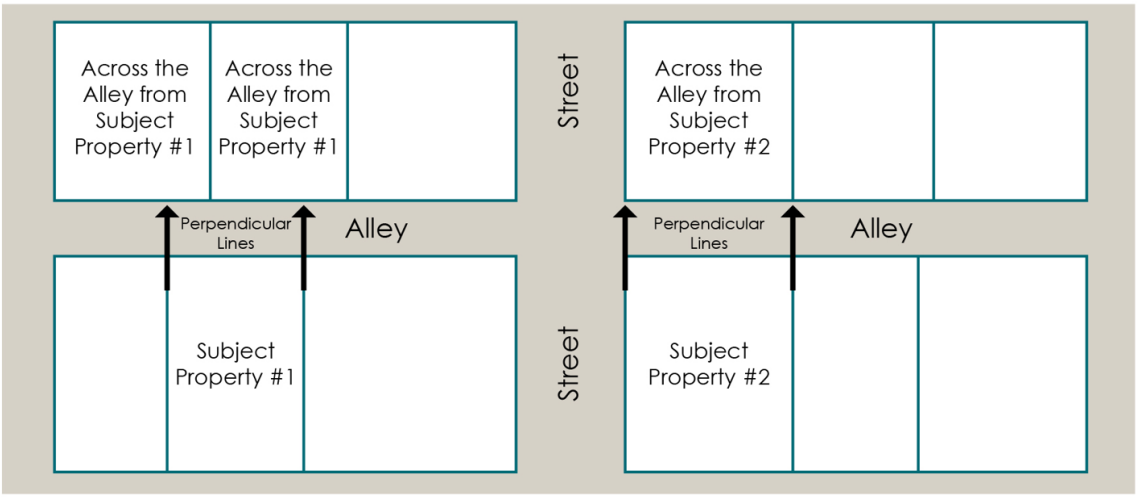
   A structure or building that is subordinate and secondary to a principal building, is located on the same lot, contributes to the comfort, convenience, and necessity of the occupants of the principal building, and may be construed as temporary or permanent.

3. Accessory Use

   A use that is clearly incidental and secondary to the primary use and that is under the same ownership as and located upon the same lot as the primary use, and which does not change the character thereof.

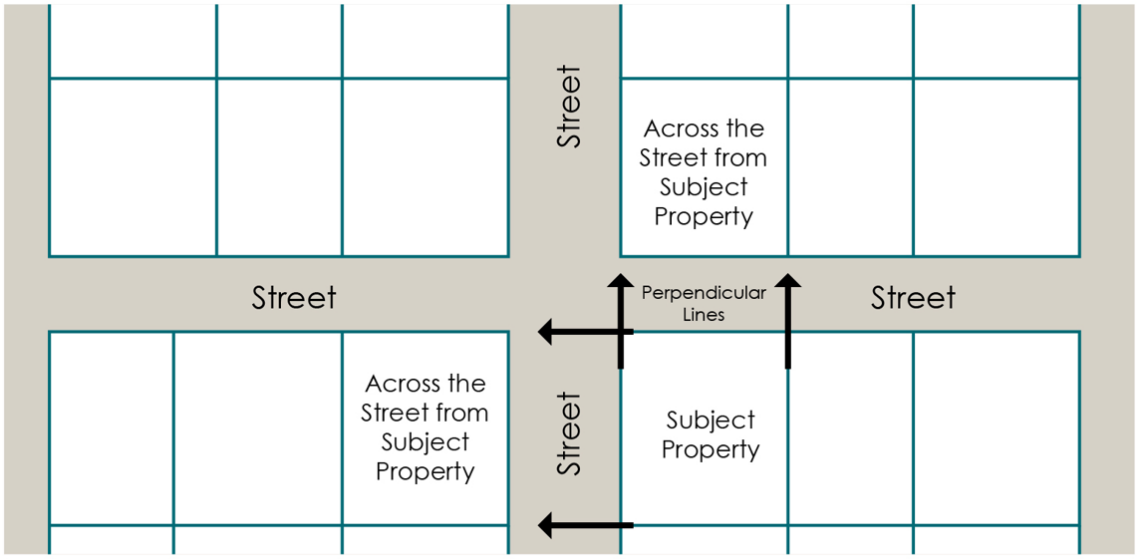
4. Across the Alley From

   In reference to building heights pursuant to Section 4.5.1. Downtown District Overlay, "across the alley from" means the lot, or portion thereof, immediately across the alley from the subject property and formed by perpendicular lines at the property line.



5. Across the Street From

   In reference to building heights pursuant to Section 4.5.1. Downtown District Overlay, "across the street from" means the lot, or portion thereof, immediately across the street from the subject property and formed by perpendicular lines at the property line.



6. ADA

   Americans with Disabilities Act.

7. Adjacent Use

   A use that exists immediately next to another use.

8. Administrator

   The City official, typically an Assistant City Manager, designated by the City Manager to oversee the Planning and Development Services or their designee. See 2.2.2. Administrator.

9. Alley

   A private or public way that provides access to the property thereon.

10. Alley-Loaded Development

    A development pattern in which vehicular access to individual lots or dwelling units is provided from an alley or rear access drive located along the rear lot line, and garages or parking areas are oriented toward and accessed from the rear of the lot rather than the primary street frontage. Also referred to as "rear-loaded development."

11. Amenity, Private

    Private recreational facilities located in private parks, including but not limited to neighborhood swimming pools, clubhouses, tennis courts, basketball courts, practice fields with irrigation, and trails.

12. Amenity, Public

    Public recreational facilities located on public parkland or within a private park in which a public access easement is dedicated to the City and is open to the general public, including but not limited to, playgrounds, tennis courts, basketball courts, multi-purpose regulation sports fields, and trails. The list of creditable public amenities and specifications is included within the Parks Development Manual. This definition will only be used for the purposes of Subchapter 12. Public Parkland and Open Space.

13. Applicant

    The developer or owner of real property for which a permit application has been submitted.

14. Application

    The filing of a document with the City meeting the requirements outlined in the Unified Development Code as applicable and accepted as complete by the Administrator.

15. Appraised Value

    The value as determined by the most recent tax appraisal by the tax assessor-collector for the applicable jurisdiction.

16. Apron or Driveway Apron

    The part of a driveway that is situated within a street right-of-way.

17. Articulation

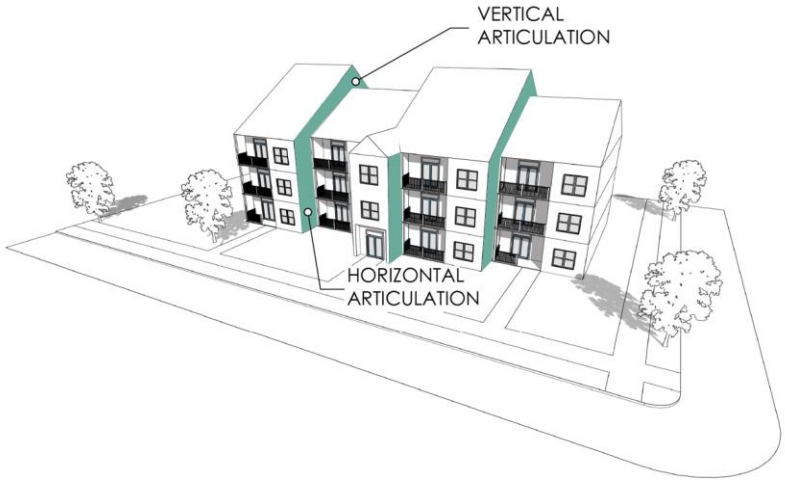
    A horizontal or vertical projection or recession of a building or structure.

    a. Horizontal Articulation

       A wall projection or recession of a building or structure.

    b. Vertical Articulation

       A vertical variation of the roofline that may be achieved through the use of a gabled, hipped, gambrel, or parapet roof forms.



18. Awning

    A roof-like structure that projects from a building wall to cover an entrance or other pedestrian area.

B. B Terms

1. Bay Windows

   A window that is part of an outside wall that projects outward from the remaining portion of the wall.

2. Bicycle Lane

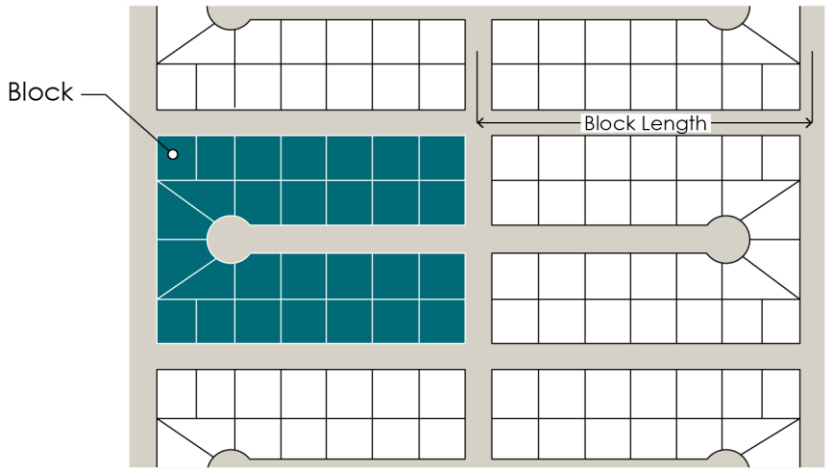
   A portion of the roadway designated by signs, striping, and pavement markings for the sole use of bicyclists.

3. Bioretention/Rain Garden

   Landscaping features adapted to treat stormwater runoff, which is directed into shallow vegetative depressions that allow filtration before the water enters the storm drain system. These may be located in parking lot islands or within small pockets in residential land uses and may be under-drained or self-contained.

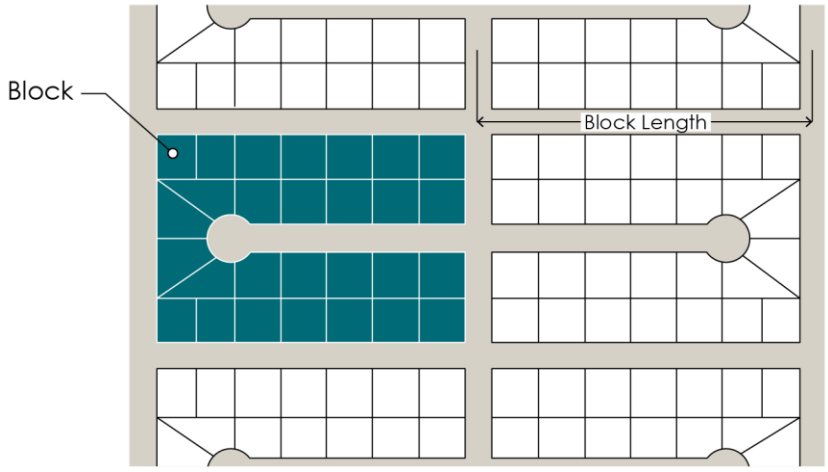
4. Block

   A unit of land enclosed by through-streets or by a combination of through-streets, railroad rights-of-way, watercourses, or any other barrier to the continuity of development. In cases where the platting is incomplete or disconnected, the Planning and Development Services Director will determine the outline of the block.



5. Block Length

   The distance measured between the centerline of two through streets. Alleys and cul-de-sacs as commonly known or otherwise defined herein are not considered through streets.



6. Board of Adjustment

   The Board of Adjustment (Board or BOA) of the City of Pflugerville, as created by this UDC, is appointed by the City Council and authorized by Section 211.008 of the Texas Local Government Code. The composition, powers, and duties of the Board of Adjustment are set forth in Subchapter 2. Administration.

7. Box Window

   A window that protrudes from a wall of a home or building with sides that are at a right angle to the window.

8. Buffer/Buffering

   The use of berms, plant material, fences, walls, or any combination thereof placed within a required yard for the purpose of screening certain areas from other areas.

9. Bufferyard

   An area of open space and landscaping that serves as a visual separation between a residential land use and a more intense land use.



10. Build

    To erect, convert, enlarge, reconstruct, or alter a building or structure.

11. Buildable Area

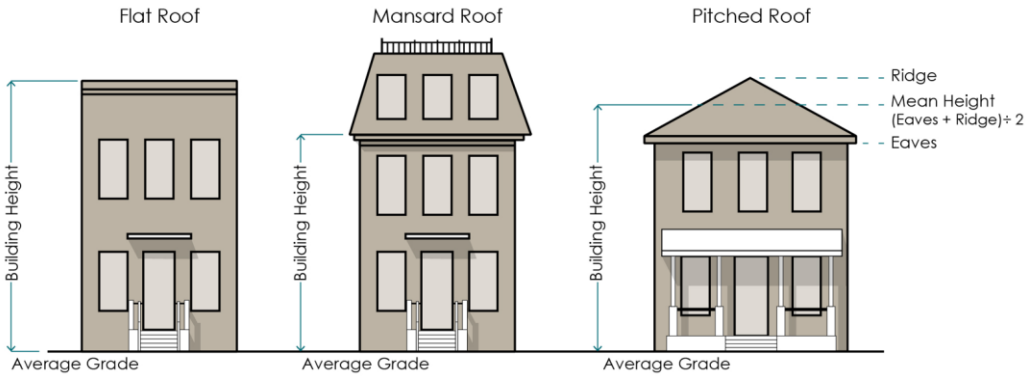
    The area available for building on a lot after deletion of areas not available for building, such as any floodplain, easement, setbacks, or yard.

12. Building

    A structure designed, built, or occupied as a shelter or roofed enclosure for persons, animals, or property.

13. Building Height

    The vertical distance from the average finished grade adjacent to the building to the highest point of the roof; for flat roofs, to the top of the coping; for mansard roofs, to the deck line; and for pitched roofs, to the mean height between the eaves and ridge.



14. Building Official

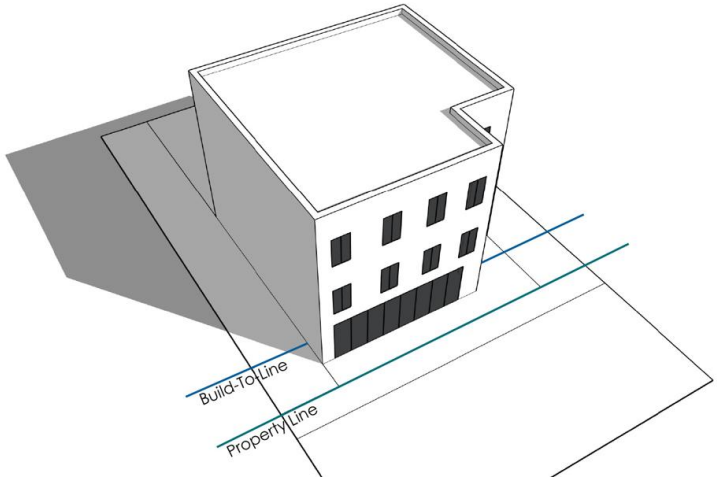
    The person responsible for the enforcement of the City building code and some development-related codes and ordinances or a duly authorized designee. See Section 2.2.4. Building Official.

15. Building Permit

    A permit issued by the Building Official that allows a person to build a structure.

16. Build-to-Line

    An alignment that establishes a certain distance from the property line to a line along which the building must be built, or from the street setback line to a line along which the building, or a building's accompanying active space, such as a patio, must be built.



C. C Terms

1. Caliper

   The diameter of nursery trees is measured 6 inches above the root ball for trees up to and including 4.5-inch caliper size, and 12 inches above the root ball for larger tree sizes, as defined by the most current version of The American Nursery & Landscape (ANSI Z60.2).

2. Canopy

   An overhanging roof projection or covering, often supported by structural columns, over a doorway or other pedestrian area. It may also be a standalone structure.



3. Capital Improvement Program (CIP)

   The list of recommended capital improvements to be constructed during the forthcoming five-year period.

4. Carport

   A roofed structure that is open on two or more sides and designed to provide shelter for an automobile.

5. Certificate of Occupancy (CO)

   The official certificate issued by the City through the enforcing official, which indicates conformance with, or approved conditional waiver from, UDC requirements and standards. Authorizes legal use of the premises for which it is issued.

6. Chapter

   This Unified Development Code of the City of Pflugerville, as Codified in Chapter 157 of the City of Pflugerville Code of Ordinances.

7. City

   The City of Pflugerville, Texas.

8. City Charter

   The Home Rule Charter of the City of Pflugerville, Texas, as amended.

9. City Code

   The Code of Ordinances of the City of Pflugerville, Texas.

10. City Engineer

    The person or people appointed by the Administrator to perform general engineering functions for the City, or the duly authorized representative of such person(s). May also be referred to as "Development Engineering Director." See Section 2.2.5. City Engineer(s).

11. City Secretary

    The person appointed by the City Manager to serve as City Secretary for the City of Pflugerville, or the City Secretary's duly authorized representative.

12. Cluster Development

    A residential development pattern that groups dwelling units on smaller lots than otherwise required by the underlying zoning district in order to preserve common open space, natural features, environmental resources, or recreational amenities. Cluster development is intended to allow flexibility

in lot layout and neighborhood design while maintaining overall development density consistent with, or as otherwise permitted by, the underlying zoning district. See 7.3.4.C. Cluster Developments.

13. Commission

    The Planning and Zoning Commission of the City of Pflugerville.

14. Common Development

    Property developed in such a way that multiple businesses or tenants on-site are connected via private drive aisles and often share parking areas. These sites usually have few entrances from public roads, while access is provided to each business through on-site drive aisles or streets. This includes all buildings situated on lots included within an approved preliminary plan and preliminary plans associated with the parent tract(s).

15. Common Open Space

    The open space in a planned unit development set aside, designated, or reserved for the use and enjoyment of the owners and occupants of the designated property or, if dedicated to the City, also for the use and enjoyment of the general public.

16. Complete Application

    An application for any of the processes established in the Unified Development Code, which includes all materials as specified in their respective sections.

17. Comprehensive Plan

    The policy document, and all its components, adopted by the City Council, or any amendment thereto, that addresses land use, growth, development, or similar issues in and for the City of Pflugerville and its extraterritorial jurisdiction.

18. Construction

    The commencement and continuous work or activity pursuant to a site disturbance permit, site plan, or building permit that includes the permanent placement and fastening of materials to the land or structure for which the permit has been issued. This definition includes activities such as development, demolition, excavation, or removal of an existing structure in preparation for new construction and the installation of drainage facilities. This definition includes only work begun under a valid building permit.

19. Construction Plan

    Drawings and technical specifications, including bid documents and contract conditions, where applicable, that provide a graphic and written description of the character and scope of the work to be performed in the construction of public improvements within a development subject to the processes outlined in Subchapter 13. Subdivision Processes and Design.

20. Construction Plan Permit

    A permit issued for the construction of public improvements, including but not limited to water and wastewater infrastructure, in accordance with Subchapter 13. Subdivision Processes and Design and the Engineering Design Manual and Construction Standards.

21. Cottage Court

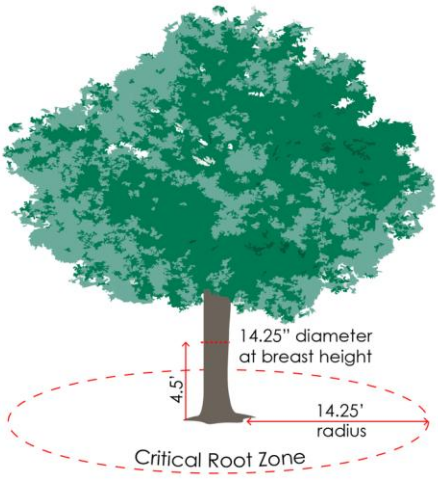
    A grouping of small, Single-Family Detached dwelling units located on one lot or individual lots, oriented around a shared common open space. The common open space may be configured as a centrally located courtyard or as a shared pedestrian path that functions as the primary frontage for the dwellings and connects to a public sidewalk. The shared open space serves as the organizing feature of the development and as a community-enhancing element in place of individual private front yards. See 7.3.4.B. Cottage Courts.

22. County

Either Travis County or Williamson County, Texas, as applicable.

23. Critical Root Zone (CRZ)

    A circular region measured outward from the base of a tree representing the essential area of the roots that must be maintained or protected for the tree's survival. The Critical Root Zone is one (1) foot of radial distance from the base of the tree for every inch of tree diameter at breast height (DBH).



24. Crown

    All portions of a tree, excluding the trunk and roots.

D. D Terms

1. Day

   A calendar day, unless specifically defined otherwise in this UDC.

2. Dedication

   The commitment of land, or an easement therein, by the owner, for the use of the public, and accepted for such use by or on behalf of the public.

3. Density

   The net number of dwelling units per acre.

4. Developer

   The legal owner or owners of a lot or any land included in a proposed development, or the holder of an option or contract to purchase, or any person having the authority to submit an application for approval of a subdivision under these regulations. Refer to Term S.27. Subdivider.

5. Development

   Includes, but is not limited to, any of the following activities:

   a. The commencement of mining, quarrying, excavation, or dredging;

   b. The clearing, grading or removal of natural ground cover and trees in connection with site preparation for construction, whether imminent or planned for the future;

   c. The deposit of fill, refuse, or solid or liquid waste;

   d. The alteration or Improvement of a bed, bank, or floodplain of a waterway; or

   e. The construction, reconstruction, conversion, enlargement and relocation of a building or structure on a lot or tract of land.

f. "To develop" is to create a development.

g. The subdividing of land, as well as any humanmade change to improved or unimproved real estate.

6. Development Agreement

A legally binding agreement into which the City and developer may enter for the purposes of establishing mutually agreed upon standards for the development of land located within the extraterritorial jurisdiction.

7. Development Area

The boundary of the area indicated in a site plan, or other development plan that is the ultimate boundary of the developed site.

8. Development Handbook

The collection of application forms, submittal checklists, and related information managed and maintained by the Planning and Development Services Director.

9. Development Review Team

A group of City staff and, when applicable, representatives of other reviewing agencies responsible for the coordinated review of development applications for compliance with this Code and other applicable regulations. May be abbreviated as "DRT". See Section 2.2.8. Development Review Team.

10. Development Site

That area of a lot for which there is an application pending or a grant made for a site plan, site disturbance permit, or other development plan.

11. Diameter at Breast Height (DBH)

A standard of measure of a tree trunk measured at a height of 4.5 feet above the natural grade, or the DBH measurement according to the latest edition of the Guide for Plant Appraisal, as published by the Council of Tree and Landscape Appraisers, when the tree trunk branches out at a point lower than 4.5 feet.

12. District

A zoning district that is located inside the City limits of the City of Pflugerville.

13. Dormer

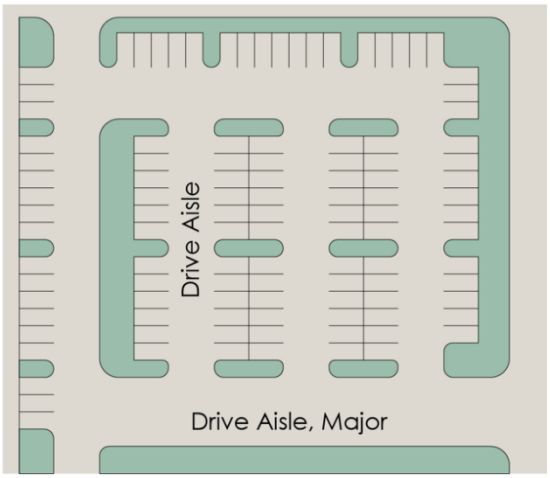
A window that projects vertically out of a sloped roof. This definition includes the structure that houses the window.

14. Dripline

The periphery of the area underneath a Tree that would be encompassed if perpendicular lines were dropped from the farthest edges of the crown of the tree.

15. Drive Aisle

A circulation route for vehicular traffic through a parking lot, site or property, and may connect to a driveway.



16. Drive Aisle, Major

    A primary circulation route for vehicular traffic through a development that provides access to two (2) or more lots or access through a relatively large lot or tract of land with multiple buildings. Major drive aisles typically intersect with public right-of-way or other major drive aisles. Private streets within a residential condominium are examples of major drive aisles.

17. Drive-Thru Facilities

    Facilities that, by design, physical facilities, services, or packaging procedures encourage or permit customers to receive services or obtain goods while remaining in their motor vehicles. An order box, pick-up window, or separate stacking lane are typical facilities included in a drive-thru facility.

18. Driveway

    The portion of a defined access located from a public street right-of-way designed for the ingress or egress of vehicles into the vehicular use area of a site.

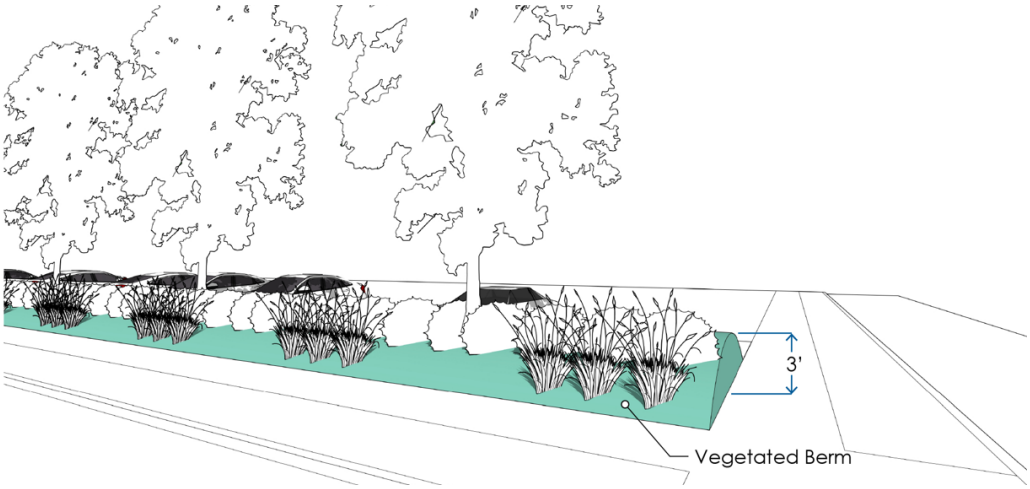
19. Dwelling/Dwelling Unit

    A building or a portion of a building designed and used exclusively for residential purposes, accommodating one household, including those residences with a legally operating home occupation.

E. E Terms

1. Earth Berm

   An elevated landscaped strip of ground used as a visual screen at least 3 feet in height.



2. Easement, Joint Access

   A perpetual easement that runs with the land, where each property shares access rights.

3. Easement, Public Utility

   An easement dedicated by plat or separate instrument to and for the use by a public utility.

4. Easement, Sidewalk

   An easement for public pedestrian travel and the placement, construction, installation, replacement, repair, maintenance, relocation, removal, and operation of public improvements and related appurtenances, or making connections thereto.

5. Exterior Insulation and Finishing System (EIFS)

   A type of building exterior wall cladding system that provides exterior walls with an insulated finished surface and waterproofing in an integrated composite material system.

6. Engineering Design Manual

   The specifications, procedures, and standards approved by the City Council, as amended for the purpose of regulating the design and construction of specified public improvements, a copy of which will be maintained by the City Secretary.

7. Engineer of Record

   The professional licensed by the State of Texas to practice engineering who certified the applicable plan or plat.

8. Exterritorial Jurisdiction (ETJ)

   The area defined by the Texas Local Government Code, Chapter 42, as applied to the City.

F. F Terms

1. Façade

   The exterior wall of a structure.

2. Façade, Front

   The façade of a building that is parallel to and faces the front yard.

3. Façade Plane, Average

The linear calculation of the distance between the furthest building wall recess from the property line(s) and the closest building wall projection from the property line(s), divided by two.

4. Façade, Primary

   Any facade facing a public right-of-way, street, customer parking area or pedestrian walkway.

5. Fee Schedule

   The document adopted by City Council establishing the current applicable fees related to development. See Section 1.4.2. Fee Schedule .

6. Fence

   A tangible enclosure or barrier, typically constructed of wood, steel, or iron, but not including hedges, shrubs, trees, or other natural growth, erected for the purpose of providing boundaries, screening, separation of areas, decorations, or control of access. This definition does include retaining walls.

7. Fire Marshal

   The Fire Marshal for the City as set forth in the Code of Ordinances of the City of Pflugerville.

8. Flood or Flooding

   A general and temporary condition of partial or complete inundation of normally dry land areas from the overflow of inland or tidal waters or the unusual and rapid accumulation or runoff of surface waters from any source.

9. Floodplain

   Any land area within the FEMA 100-year frequency flood, including the floodway, and an approximate floodplain susceptible to being inundated by water from any source. Refer to Term 8. Flood or Flooding.

10. Food Vendor, Temporary

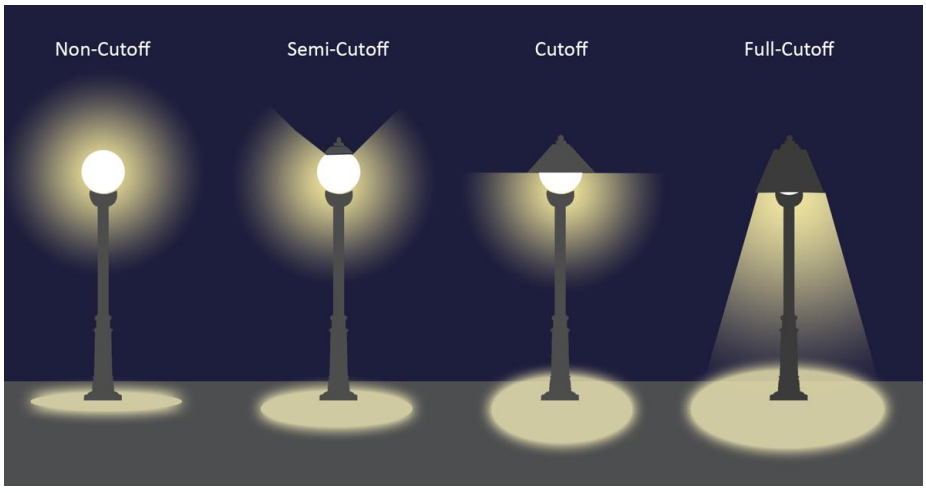
    A person or entity selling food products on a temporary or seasonal basis from a temporary or mobile facility, including but not limited to snow cones, hot dogs and similar food products.

11. Front-Loaded Development

    A development pattern in which vehicular access to individual lots or dwelling units is provided from a public or private street located along the front lot line, and garages or parking areas are oriented toward and accessed from that street.

12. Full Cut-Off Light Fixture

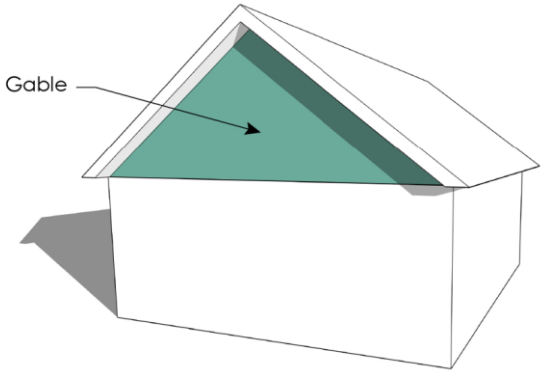
    A lighting fixture where no light is emitted above the horizontal plane of the light source.



G. G Terms

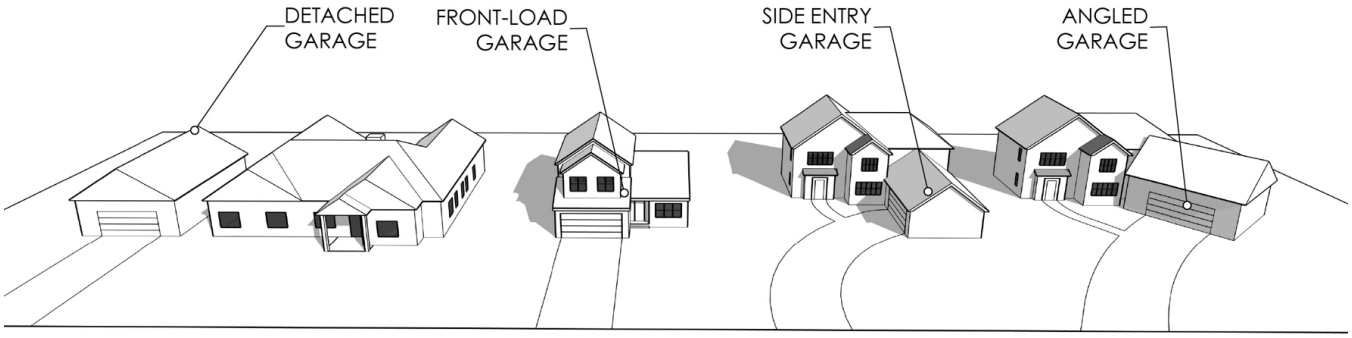
1. Gable

   The wall that encloses the ends of a pitched or sloped roof.



2. Garage

   A portion of a residential building or detached accessory building utilized for the purpose of parking cars and storage of personal items. The building must be fully enclosed with the use of structural walls, a roof, consistent or similar finished materials as utilized on the principal building, and a roll-up door(s).



3. Garage Sale

   A temporary sale of used household goods at a residential dwelling unit, typically taking place in the garage, driveway or front yard.

4. Grade, Finished

   The final altered elevation of land, soil, base or pavement during construction or after completion of construction.

5. Grade, Natural

   The elevation and contours of land as they naturally exist without any cut, fill or other similar alterations.

6. Gray Water

   Untreated wastewater that has not come into contact with toilet waste and may include discharged water from wash basins, bathtubs, showers, clothes washers and laundry trays.

7. Gray Water Systems

   Wastewater that is recycled, especially for reuse in accordance with the adopted International Plumbing Code and applicable State requirements.

8. Green Roof Systems

   A roof of a building that is partially or completely covered with vegetation and soil, or a growing medium, planted over a waterproofing membrane. It may also include additional layers such as a root barrier and drainage and irrigation systems.

9. Gross Density

   The calculation of residential units per acre within a subdivision, including the calculation of the area of parks and roads within the subdivision, or on an individual platted lot.

10. Gross Floor Area (GFA)

    The total enclosed, conditioned floor area within a building, measured to the exterior faces of exterior walls or to the centerline of common walls separating buildings or tenant spaces. Gross floor area includes interior walls, hallways, stairways, and other enclosed floor space intended for occupancy or use. Gross floor area does not include parking garages, carports, open or covered porches, patios, balconies, breezeways, exterior loading areas, unenclosed walkways, or detached accessory structures. Unfinished attic or storage space not designed for occupancy is also excluded.

H. H Terms

1. Hazardous Waste

   Waste identified or listed as a hazardous waste by the administrator of the United States Environmental Protection Agency (EPA) under the federal Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended, or so classified by any federal or state statute, rule, order, or regulation.

2. Heritage Tree

   Protected trees greater than 25" of a species found on the Heritage Tree list, or any other tree species 36" or greater. Heritage Trees will receive the highest achievable tree protective measures, and their removal must be approved by City Council unless they are dead or hazardous, as determined by the Urban Forester.

3. Homeowners' Association

   A legally established organization of property owners within a subdivision, development, or other defined area that is responsible for managing, maintaining, regulating, or enforcing requirements related to commonly owned property, shared facilities, or private development standards. The term Homeowners' Association (HOA) also includes a Property Owners' Association (POA).

4. Household

   One or more persons occupying a dwelling unit and living together as a single housekeeping unit. A household is characterized by shared use of common living spaces and facilities, such as kitchen and living areas, and shared responsibility for basic living functions such as cooking, cleaning, and household maintenance. This term may also be referred to as a "family"; however, persons within a household are not required to be related by blood, marriage, adoption, or legal guardianship.

I. I Terms

1. Impervious Cover

   A surface that will not allow rainfall to pass into the ground, including impermeable concrete, asphalt paving, compacted base material, and brick pavers on a compacted base.

2. Improvement

   Structure and all appurtenances of every type, whether temporary or permanent, including but not limited to buildings, outbuildings, sheds, patios, swimming pools, garages, storage buildings, gazebos, signs, fences, gates, walls, decks, landscaping, landscape improvements, poles, mailboxes, and antennae.

J. J Terms

1. Reserved.

K. K Terms

1. Reserved.

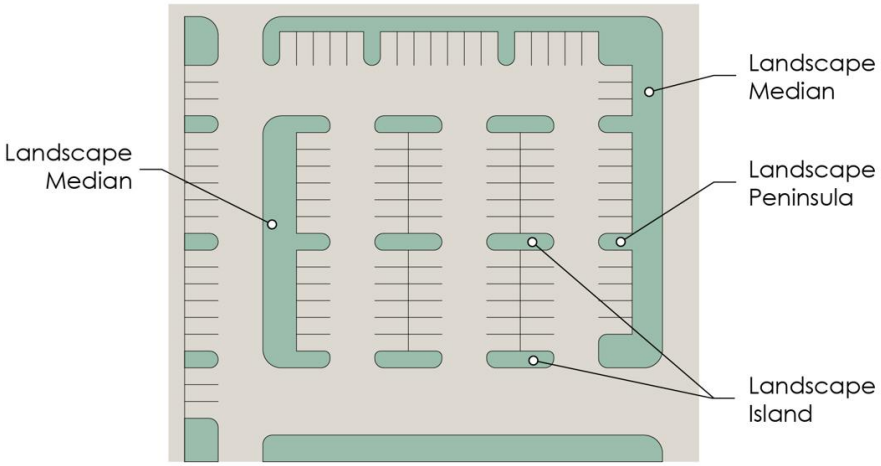
L. L Terms

1. Landscaped Area

   An area that has been enhanced by the use of plant material, planters, natural forms, and water features.

2. Landscape Island

   A landscape area completely surrounded by a parking area or a vehicular use area.

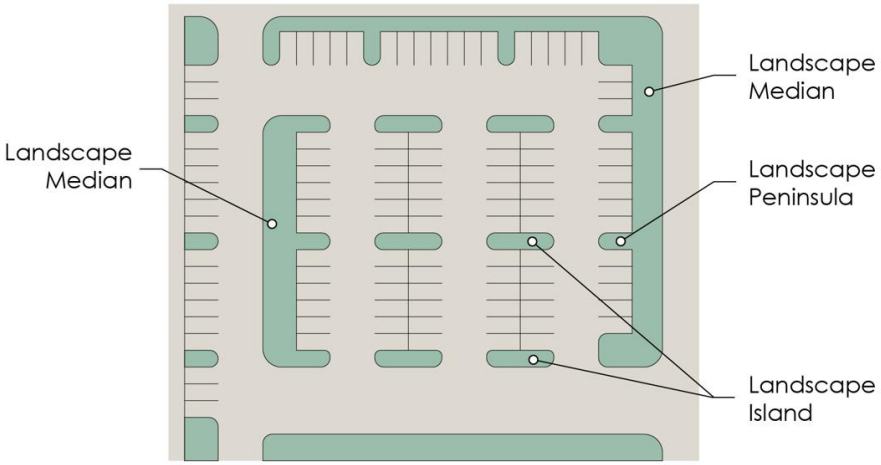


3. Landscape Lighting

   Outdoor lighting intended to illuminate or accent a specific landscape feature (e.g., a tree, shrub, ornamental planting, planting bed, berm, or similar natural, planted, or constructed feature) that is part of a landscape design. Landscape lighting may be recessed into or mounted on the ground, paving, trees, or similar landscape or hardscape elements, provided the fixture is aimed, shielded, or directed toward the feature being illuminated. Lawn, open space, or undeveloped ground surface alone must not constitute a landscape feature.

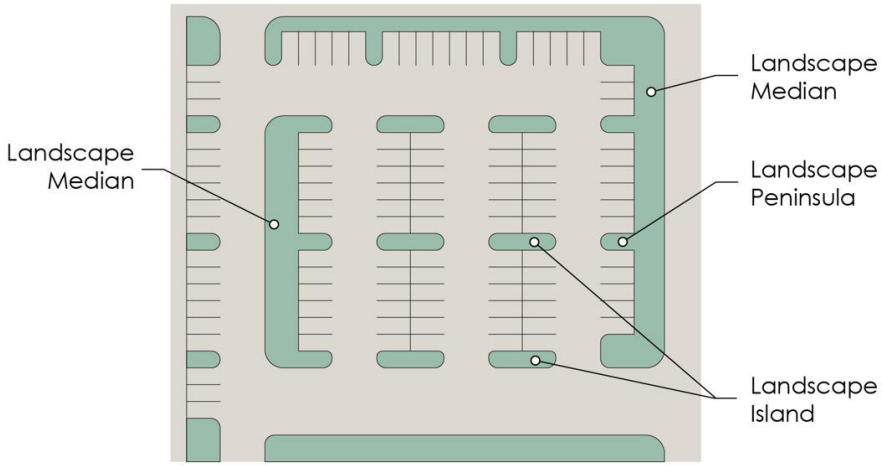
4. Landscape Median

   A linear landscape area between two rows of parking, between two drive aisles or between a row of parking and a drive aisle.



5. Landscape Peninsula

   A landscape area surrounded on two or three sides by a parking area or vehicular use area.

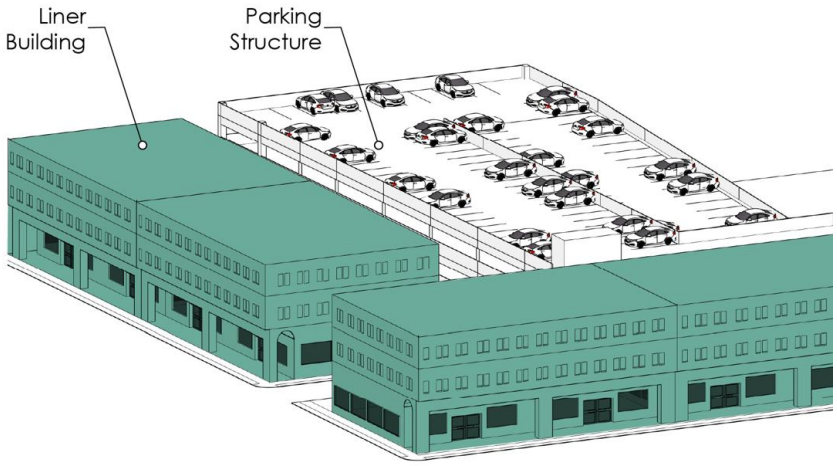


6. Legal Description

   The identification of a lot, tract, or parcel of land by means of a deed reference, a metes and bounds description and, when applicable, a plat reference.

7. Liner Building

   A building that wraps around a parking lot or parking structure in order to mask it from the street.



8. Loading Dock

   A portion of a building used for the receiving, parking, loading and unloading of trucks or other vehicles that deliver or transfer products and goods. These are typically above grade and located behind the building and screened from public view.

9. Loading, Off-Street

   An off-street space on the same lot with a building or group of buildings for temporary parking of a commercial vehicle while loading and unloading merchandise or materials.

10. Lot

    A parcel of land that is legally described and recorded in the official land records of Travis County or Williamson County, Texas. When a recorded parcel is divided, or when a portion of a parcel is used for the placement of a principal building and its accessory buildings, each resulting parcel is considered a separate lot for the purposes of this Chapter.

11. Lot, Corner

    A lot located at the intersection of two or more streets.

12. Lot Coverage

    The percent of a lot which is covered by a roof, floor, or other structure, which is not open to the sky, and which prevents the infiltration of water into the soil.

13. Lot, Depth

    The distance between the midpoint of the front lot line and the midpoint of the rear lot line.

14. Lot, Interior

    A lot surrounded by adjacent lots on at least two sides and is not a corner lot.

15. Lot, Through

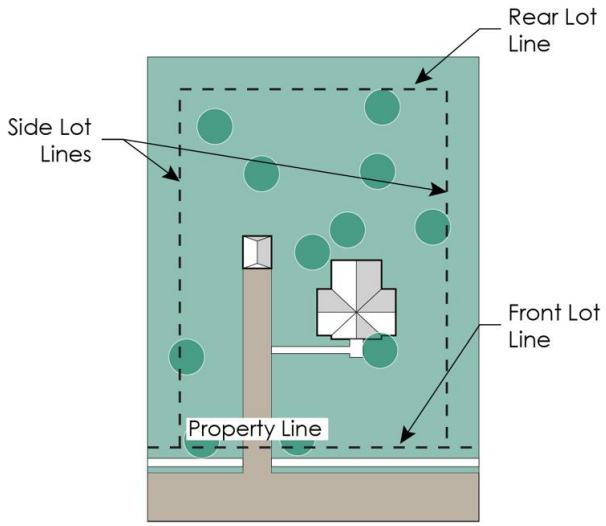
    A lot having frontage on two streets that do not intersect. On such lots, both lot lines that front a street are deemed front lot lines. Also referred to as a "double frontage lot."

16. Lot Width

    The distance between the side lot lines of a lot, measured in a straight line at the required front setback line, and perpendicular to the side lot lines. For irregularly shaped lots, lot width is measured at the point where the required front setback line intersects the side lot lines.

17. Lot Line

    The boundary of a lot that separates the lot from a street, right-of-way, or adjacent lot,



    a. Lot Line, Front

       The boundary of a lot that separates the lot from a public street. In the case of a corner lot, the front lot line must be the shorter of the two street-abutting lot lines unless otherwise designated on the recorded plat.

    b. Lot Line, Rear

       The boundary of a lot which is the most distant from and is, or is most nearly parallel to, the front lot line.

    c. Lot Line, Side

       The boundary of a lot that is neither a front lot line nor a rear lot line.

18. Low Impact Development (LID)

    An alternative comprehensive approach to stormwater management that emphasizes conservation and use of on-site natural features to protect water quality. This approach implements engineered small-scale hydrologic controls to replicate the pre-development hydrologic regime of watersheds through infiltrating, filtering, storing, evaporating, and detaining runoff close to its source.

M. M Terms

1. Major Thoroughfare

   A street, inclusive of an arterial or major collector, that is designed to accommodate large amounts of traffic over a long distance.

2. Manufactured Home Park

   A tract of land designed or being used to accommodate one or more transient portable dwelling units designed to be moved on wheels from location to location by automobile, truck, or similar prime mover.

3. Manufacturing

   Facilities used for the mechanical, biological, or chemical transformation of materials or substances into new products, including the assembling of components, the manufacture of products, and the

blending of materials such as lubricating oils, plastics, or resins. This definition includes finished products as well as semi-finished products or materials that are intended to go through additional processes.

4. Masonry

   Consists of clay brick, natural and manufactured stone, granite, marble, architectural concrete block, stucco, tilt wall concrete panels and other similar materials. This definition does not include EIFS or other similar materials.

5. Mixed-Use

   The integration of uses from different categories, most commonly commercial and residential uses, with commercial uses facing and having direct access from a street or major drive aisle, with residential units (or a variety of commercial uses) directly above or on the ground level secondary frontages. This definition refers to "vertical" mixed-use, with uses occupying different levels of a single building or structure, and does not refer to "horizontal" mixed-use, where one or more distinct uses occupy the same building or development but are of the same general category (i.e., retail and pharmacy), are occupied by the same user performing work of different occupational classifications (i.e., office and warehouse), or are uses that are separated at ground level by a property line and a common fence or street (i.e., commercial and multi-family on separate lots).

6. Multi-Family Building

   A residential structure or group of structures on a single lot containing three or more dwelling units, where each unit includes complete, independent living facilities for one household, including permanent provisions for living, sleeping, cooking, eating, and sanitation. This term includes the following land uses as defined in Section 14.2.1. Residential Uses:

   a. Triplex and Quadplex

   b. Multi-Family, Neighborhood Scale

   c. Multi-Family, Suburban

   d. Multi-Family, Urban

N. N Terms

1. Net Retail Floor Area

   The floor area of a retail establishment used for customer shopping, browsing, merchandise display, checkout, customer service, and other areas accessible to customers, excluding storage rooms, stockrooms, employee-only work areas, offices, restrooms, mechanical rooms, utility rooms, loading areas, and similar areas not accessible to customers.

2. Nonconforming Lot

   A lot of record that does not meet the minimum area or dimensional requirements of the zoning district in which the lot is located. Those nonconforming lots lawfully existing on the effective date or applicability of this Code or subsequent amendments thereto are considered legal nonconforming lots.

3. Nonconforming Site

   A site lawfully occupied at the time of the effective date or applicability of this Code or subsequent amendments thereto, or which was subsequently annexed to the City, and which does not conform to the development regulations associated with site including, but not limited to, site access and circulation, parking requirements for the specific land use, landscaping, and lighting.

4. Nonconforming Structure

A building or structure lawfully occupied at the time of the effective date or applicability of this Code or subsequent amendments thereto, or which was subsequently annexed to the City, and which does not conform to the zoning regulations of the district in which it is situated.

5. Nonconforming Use

   A use of land that is not permitted within the zoning district assigned to the property upon which the use is located. In addition, a use located in a zoning district in which it could lawfully be located with the approval of a Specific Use Permit, but lacking such a permit or a use allowed with land use conditions per Subchapter 5. Land Uses that does not conform to such conditions will also be considered nonconforming. Those nonconforming uses lawfully existing and located on the property on the effective date or applicability of this UDC or subsequent amendments thereto will be considered legal nonconforming uses.

6. Non-Exclusive (Parkland)

   A park that is readily accessible to the general public.

7. Nonresidential

   The use of land or structures for purposes other than residential use. Nonresidential uses include, but are not limited to, commercial, office, retail, service, industrial, institutional, civic, and similar uses not classified as residential in this UDC (see Term R.4. Residential).

O. O Terms

1. Open Area

   That part of a lot, including courts or yards, which is open and unobstructed from the ground to the sky.

2. Open Space

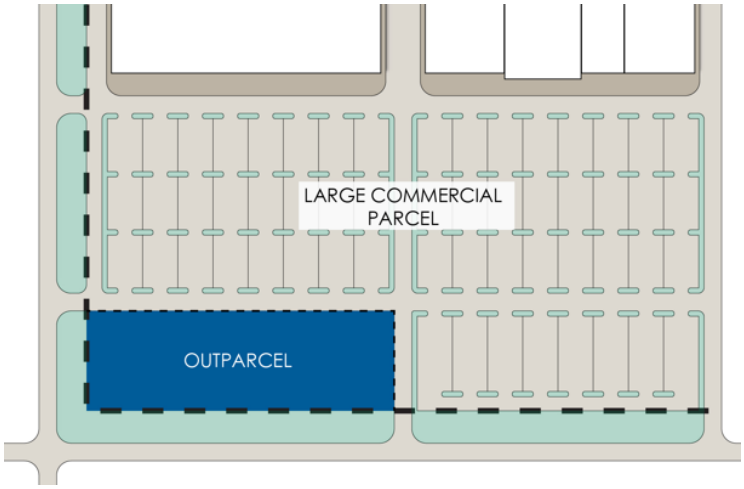
   An area or tract of undeveloped land which is intended to remain generally in its natural state, except for those uses allowed under the provisions of this UDC.

3. Operation

   Any physical action or process that changes the location, form, or physical properties of a material, or a chemical action or process that changes the chemical composition or chemical or physical properties of a material. Examples include heat transfer, calcination, double decomposition, fermentation, pyrolysis, electrolysis, combustion, material handling, evaporation, mixing, absorption, filtration, fluidization, screening, crushing, grinding, demolishing, shoveling, and bagging.

4. Outparcel

   A parcel of land generally located on the perimeter of a larger parcel of commercial land and often subordinate to the larger parcel for access, parking and drainage purposes, otherwise known as a pad site.



5. Overhead Door

   A large door or roll-up door that extends above 6 feet in height and is used for giving vehicles access to a building, for loading and unloading freight or materials, or for personal access to storage or self-storage areas in a building. These are typically at the same grade as the building. This definition does not include service bays.

6. Overlay District

   An area that is zoned for particular uses in addition to the regular uses specified in this Code and may have additional development regulations associated with the district.

7. Owner

   The person who has legal title to a particular property or a lessee, agent, employee, or other person acting on behalf of, and with the authorization of, such title holder.

P. P Terms

1. Park, Private

   Land, located within a subdivision, owned and maintained by a private entity such as a property owner's association, and to which use of the facility is restricted to the residents of that subdivision. This definition may include an amenity center.

2. Parkland, Public

   Land dedicated, owned, and operated by the City, a Municipal Utility District, a Water Control and Improvement District, or the County, and which is available to the general public for use as a park or recreational purposes.

3. Park, Community Public

   Public parkland totaling a minimum of five acres or more, which may include an assortment of public amenities, including but not limited to, a playground, trail, restrooms, and sports and recreational facilities.

4. Park Development Fee

   A development fee associated with a residential development's responsibility to provide payments to the City, for the construction of public amenities within public parkland from time to time, that represent the development's impact on the public parkland system. The formula is included within Subchapter 12. Public Parkland and Open Space and the Parks Development Manual.

5. Parks and Recreation Advisory Board

   A City-appointed body established to provide recommendations regarding parks and recreation projects, activities, and other matters assigned by the City Council. See 2.1.4. Parks and Recreation Advisory Board.

6. Parking Lot

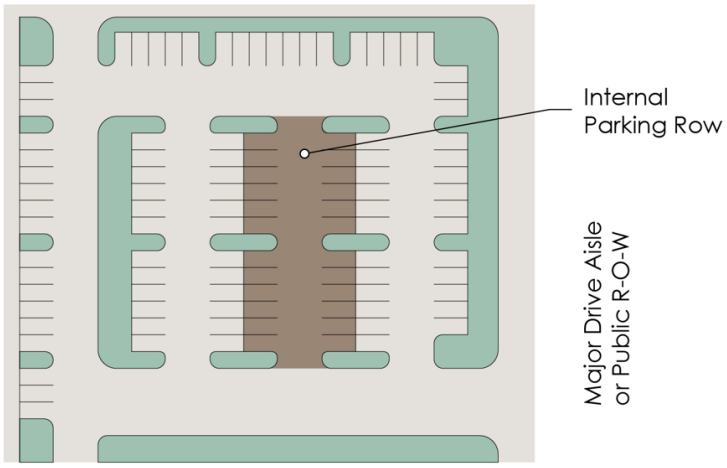
   An open area or garage used for the temporary parking of motor vehicles when such use is not accessory to any other use.

7. Parent Tract

   A contiguous area of land under common ownership as it legally existed on XXX, prior to any division, from which one or more lots or tracts are subsequently created.

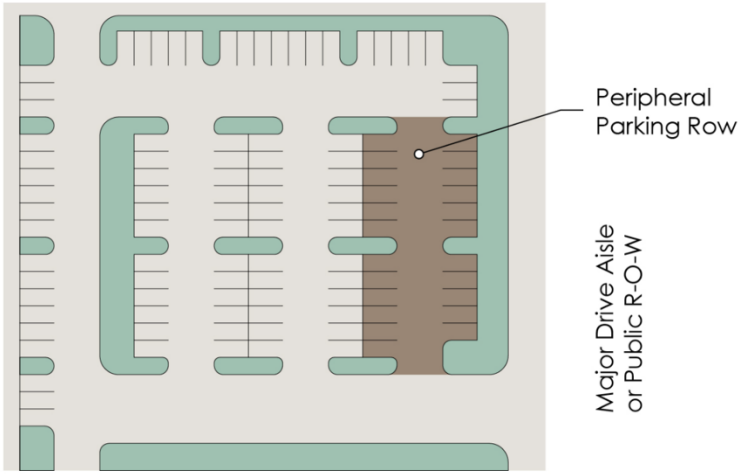
8. Parking Row, Internal

   A parking row not adjacent to a public right-of-way or major drive aisle.



9. Parking Row, Peripheral

   A parking row adjacent to a public right-of-way or major drive aisle and contains a minimum of one landscape median adjacent to the public right-of-way or major drive aisle.



10. Parking Space

    A part of a vehicular use area designed to be used for parking a motor vehicle.

11. Pedestrian Area

    Any area which is intended to be occupied, traversed, or otherwise used primarily by pedestrians, including sidewalks, walkways, trails, building entrances, plazas, and other areas.

12. Pedestrian Space

    A building entrance area which includes decorative elements, including, but not limited to, stained and sealed pavement, seating facilities, pedestrian scale lighting, landscaping, architectural planters and art. Refer to Subchapter 7. Building and Site Design for development requirements.

13. Pedestrian and Bicycle Facilities

    Those facilities, including but not limited to rights-of-way, sidewalks, paths and trails, designed for use by both pedestrians and bicyclists as proposed in the City's Master Plans.

14. Pedestrian Corridor

    Walkways, such as paths or sidewalks, designed to accommodate pedestrian traffic by emphasizing convenience and safety.

15. Pedestrian Entrance, Main

    The primary exterior entrance to a dwelling unit intended for pedestrian access, which serves as the principal point of entry and is directly accessible from and oriented toward a public street, common open space, landscaped courtyard, or private street.

16. Pedestrian Refuge

    A traffic control device intended to provide for safe pedestrian travel across a roadway or driveway. Refer to the Engineering Design Manual and Construction Standards.

17. Person

    Any person, firm, association, organization, partnership, business, trust, corporation, or company.

18. Planning and Zoning Commission

    The Planning and Zoning Commission of the City of Pflugerville, as created by City Charter, with functions and duties identified in this Chapter.

19. Planning and Development Services Director

    The person appointed by the Administrator to perform general planning functions for the City, or the duly authorized representative of such person. See Section 2.2.3. Planning and Development Services Director.

20. Plant Material

    Grass, trees, shrubs, flowers, vines, and other ground cover.

21. Plat

    A map or drawing representing a tract of land, showing the boundaries and location of individual properties along with any streets, alleys, squares, parks or parts of a tract intended to be dedicated to public use.

22. Plat, Administrative

    A plat that may be issued by the Administrator under this Chapter.

23. Plat, Amending

A change to a recorded plat to correct minor errors or make minor adjustments.

24. Plat, Final

    A plat for all or a phased portion of a subdivision that is presented to the Planning and Zoning Commission for approval and acceptance of dedications.

25. Plat, Minor

    A plat for all or a phased portion of a subdivision that does not require the submission of a preliminary plan.

26. Plat, Recorded

    A final plat that has been duly approved by the City of Pflugerville per the Subdivision Code and filed in the Official Plat Records of the County.

27. Plat, Vacation

    A recorded plat that is vacated through the procedures described in this Chapter.

28. Pre-Application Conference

    A required meeting between a subdivider, owner, or applicant, and City staff to discuss a proposed subdivision or development prior to the submittal of an application. A pre-application conference may be waived at the discretion of the Planning and Development Services Director.

29. Preliminary Plan

    A plan that identifies the proposed layout of the subdivision that is presented to the Planning and Zoning Commission for consideration and approval.

30. Preliminary Plan, Valid

    A preliminary plan that was approved by the City of Pflugerville and has not expired or been withdrawn, superseded, or replaced.

31. Principal Building

    The primary or main building on a lot that is occupied by the primary use. May also be referred to as a "principal structure".

32. Protected Tree

    Any tree, including a multi-trunk tree, measuring 8 inches or larger at DBH. The following species are excluded from protected status: Chinaberry, Hackberry, Ashe juniper (Cedar), Chinese tallow, Willow, Ligustrum, Cottonwood, Mimosa or any other tree that is determined by the Administrator to be diseased or dying due to natural causes.

33. Public Park Facilities

    Singular or a group of uses within a public park, owned by the City or another government agency, that provides for passive and active amenities and appurtenances, including, but not limited to, playground equipment, sports fields, restrooms, pavilions, amphitheater, parking, trails, garden, orchard, campgrounds, etc.

34. Public Hearing

    A meeting of a public body, for which notice is given to the public and members of the public are allowed to address the public body regarding the issue being discussed within reasonable time limits for each speaker or an overall time limit.

35. Public Improvements

The components of a water, wastewater, transportation, or drainage system, whether owned and maintained by a governmental entity, a private corporation, partnership, or proprietorship, that are designed to serve the general public.

Q. Q Terms

1. Reserved.

R. R Terms

1. Radio/Television Towers

   Structures supporting antennae for transmitting or receiving any portion of the radio spectrum below 800 megahertz, excluding noncommercial antenna installations for home use of radio or television.

2. Record Drawings

   A set of construction plans or site plans, including revisions and corrections approved by the City, signed and sealed by the engineer of record and landscape architect, as applicable. See further details on record drawings in the Engineering Design Manual, as amended.

3. Replat

   The resubdivision of all or any part of an existing subdivision, which does not require the vacation of the entire preceding plat, but not including an amending plat.

4. Residential

   The use of land or structures for dwelling purposes, where one or more dwelling units are occupied or intended for occupancy by a household. Residential uses include, but are not limited to, all use types listed under Residential Uses in Section 14.2.1, as well as Accessory Dwelling Units.

5. Residential Unit

   Either one Dwelling Unit or one Lot that is designed to accommodate one family at a time for residential occupancy, including facilities for sleeping, eating, cooking, and sanitation. One dwelling unit located on one or more lots is considered one residential unit.

6. Resubdivision

   Any change to a previously approved or recorded subdivision plat. Refer to Term 3. Replat.

7. Reveal

   The vertical part of a jamb of a door or window that is visible between the edge of the door or window and outer wall of a building.

8. Review Cycles

   A review cycle constitutes one complete submittal of required application contents, and staff-requested items, and one staff review report generated that identifies required amendments to the plan set and miscellaneous information necessary for staff to review such application. A submittal that does not require staff comments, where all comments have been cleared, does not constitute a review cycle.

9. Review & Meeting Schedule

   The schedule published annually establishing the meeting dates and submittal deadlines for each calendar year. The schedule is available on the City's website.

10. Rezoning

    An action of the City Council, by ordinance, which changes the zoning district in which a particular tract of land is located.

11. Right-of-Way (ROW)

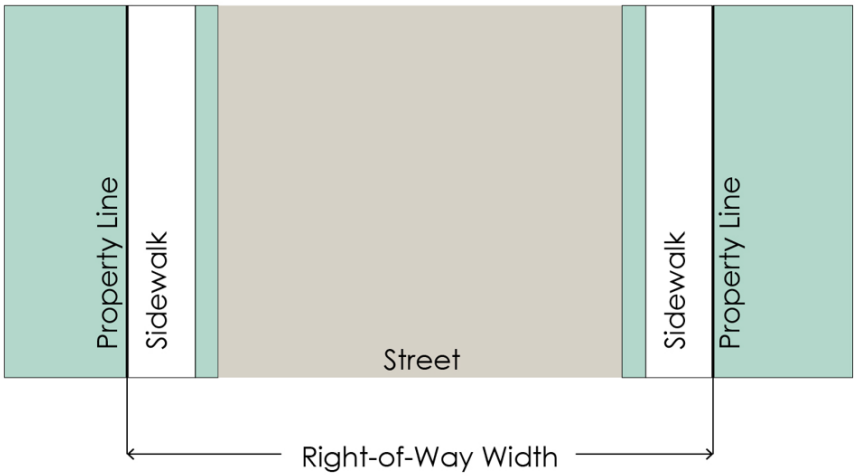
    A strip of land acquired by right-of-way reservation, dedication, or condemnation and intended for use as a public way. The ROW normally incorporates the roadway, curbs, parking strips, sidewalks, lighting and drainage facilities, other utilities, and may include special features (required by topography) such as grade separation, landscape areas, viaducts, or bridges.

12. Right-of-Way Reservation

    Decision by a private owner to withhold specific real estate from further development pending acquisition by a public entity.

13. Right-of-Way Width

    The shortest distance between the property lines abutting both sides of a street right-of-way.



14. Roofline

    The uppermost profile of a building or portion of a building, as defined by the roof, parapet, or other architectural element forming the top of the exterior wall.

15. Roundabout

    A traffic control device that provides for the safe and efficient movement of vehicular traffic through an intersection.

S. S Terms

1. Service Bay

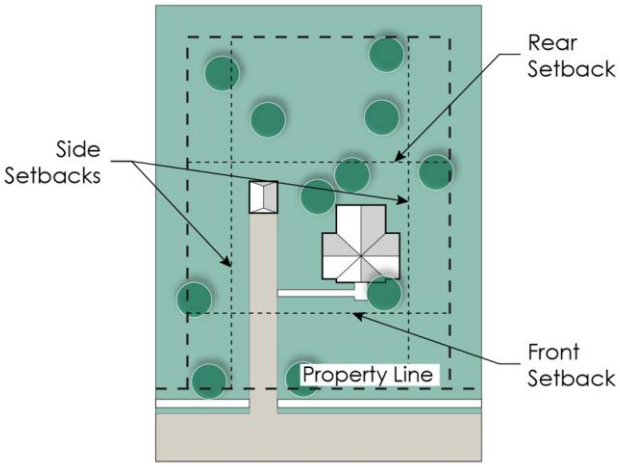
   A singular automobile space, within or underneath a structure, that provides a technician, customer, and automated system adequate space to safely and efficiently service one vehicle. Service bay(s) are commonly included within car washes and automotive repair and service facilities.

2. Service Court

   A vehicular use area associated specifically with loading docks and delivery receivable areas for multiple buildings or tenant spaces within one building for offices, commercial, and industrial uses.

3. Setback

   The minimum required horizontal distance between a building or structure and a property line, within which no portion of a building may be constructed except as expressly permitted by this Code. The front, side, and rear setbacks establish the required yards of a lot.



4. Setback, Building Height

   The minimum distance a building greater than a certain height must be set back from the property line based on the land use of the structure and the zoning district. Refer to Subchapter 4. Establishment of Districts and Boundaries and Subchapter 5. Land Uses for the building height standards according to the district and land use.

5. Shrub

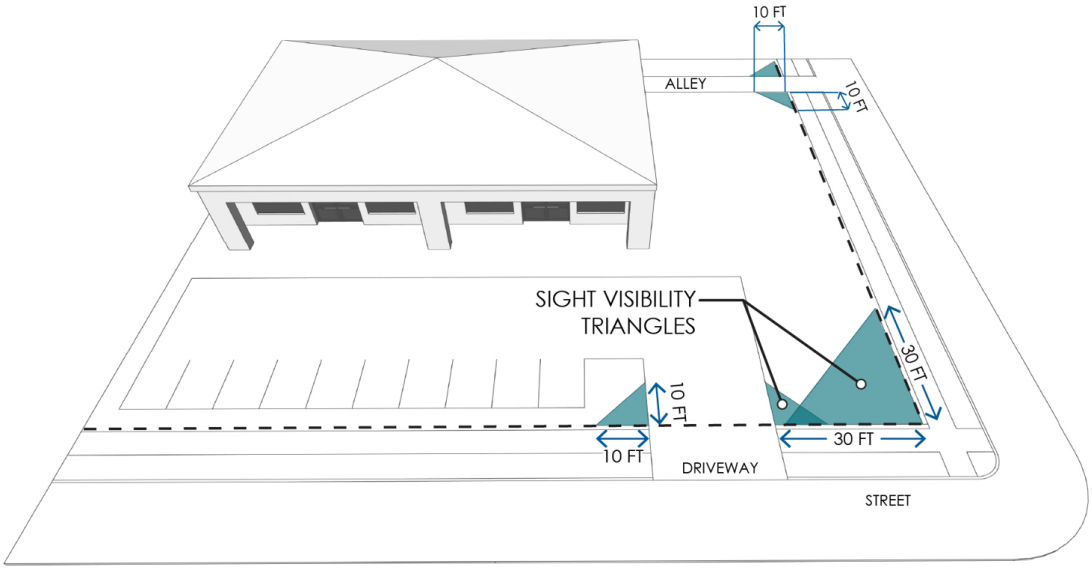
   Any self-supporting woody evergreen or deciduous perennial usually less than 12 feet in height without a central stem.

6. Sidewalk

   A paved area, generally parallel to, and usually separated from, the street, and used as a pedestrian walkway.

7. Sight Visibility Triangle

   A triangular area established to preserve visibility between users of intersecting streets, driveways, private streets, and alleys. A Sight Visibility Triangle is formed by measuring 30 feet along each intersecting street right-of-way line and connecting those points with a straight line. At the intersection of a driveway or alley with a public street, the Sight Visibility Triangle is formed by measuring 10 feet along the driveway or alley edge and 10 feet along the street right-of-way line and connecting those points with a straight line.



8. Single-Unit Detached Residential Development

   A residential development composed of detached dwellings, each containing one dwelling unit and occupied by a single household, regardless of whether the dwellings are located on individual lots, condominium units, or within a unified rental development (also referred to as "build-to-rent"). See 7.3.4.E. Single-Unit Detached Residential Developments.

9. Site Plan

   A plan, drawn to scale, depicting the existing conditions and proposed improvements of a legally platted lot. The plans will typically include the location of buildings, parking areas, landscaping, and other private improvement details. See Section 3.11. Site Plans.

10. Slope

    The number of feet of vertical elevation change per 100 feet of horizontal distance. Also referred to as "percent grade."

11. Special Event

    A planned temporary aggregation of people or attractions for a common purpose, including street fairs, arts and crafts shows, carnivals, public entertainments, or other similar events or attractions.

12. Special Exception

    A discretionary approval granted by the Board of Adjustment for a request specifically authorized by this Code and subject to the applicable standards and conditions established herein. A special exception is distinct from a variance and may be granted only in accordance with the provisions of this Code. See 3.17.4. Special Exceptions.

13. Specific Use Permit

    A permit issued under Section 3.9. Specific Use Permits.

14. Stop Work Order

    An order issued by the City of Pflugerville to the owner to cease and desist with work being performed on a site.

15. Stormwater Detention Facilities

    A public or private facility used for the purposes of providing stormwater management, by use of a pond or catch basin within a well-defined area where stormwater is diverted to and detained for a period of time after a rain event and is released at a specific rate. This definition also includes stormwater retention facilities.

16. Street

    A public thoroughfare which affords a primary means of access to abutting property, including all land within the right-of-way thereof.

17. Street, Arterial

    Refer to the Mobility Master Plan for the definition and classifications.

18. Street, Collector

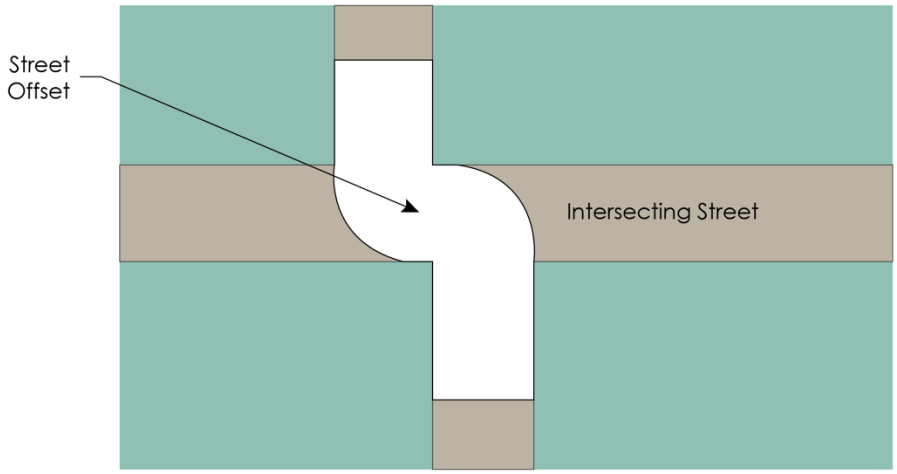
    Refer to the Mobility Master Plan for the definition and classifications.

19. Street, Local

    Refer to the Mobility Master Plan for the definition and classifications.

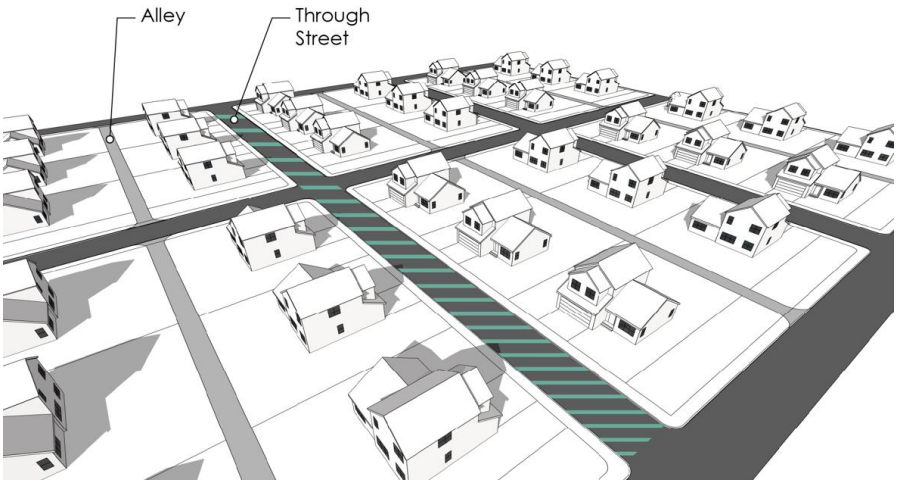
20. Street, Offset

    The separation of two streets on opposite sides of an intersecting Street as provided in the Engineering Design Manual.



21. Street, Through

    A street which has two distinct points of ingress and egress from two generally opposing cardinal directions and which only terminates into another through street. An alley and cul-de-sac, as commonly known or otherwise defined herein, are not considered through streets.



22. Streetscape Yard

    A space designated within the street yard intended to enhance the pedestrian experience with improvements, including but not limited to a sidewalk, street trees, pedestrian scale lighting, signage, and furniture.



23. Structure

    A building or other improvement constructed, erected, or installed on the ground, or attached to something having a fixed location on the ground.

24. Structured Parking

    A multi-story structure designed for automobile parking, which may include multiple levels for parking vehicles, including parking garages, parking ramps, and parking decks. It may also be called a parking structure.

25. Stucco

Exterior cement plaster, applied in accordance with the requirements of the International Building Code, as amended and adopted by the City.

26. Sub-Lot

A smaller parking area within a larger parking lot that is visually and functionally separated from other parking areas by landscaped areas, pedestrian pathways, drive aisles, or similar site design features.

27. Subdivider

The owner, applicant, developer, or a duly authorized agent of the owner of record of the land intended for subdivision.

28. Subdivision

The division of any lot, tract, or parcel of land with the City's corporate limits or its extraterritorial jurisdiction into two or more parts for the purpose of development; or for the purpose of laying out any lots or sites; or for the purpose of laying out any lots, streets, alleys, access easements, drainage easements, public utility easements, parks, or other land intended for public use or for the use of any purchaser, owner, occupant or tenant of a lot or site fronting thereon or adjacent thereto, or for the use and benefit of any Person being served thereby or having the use or benefit thereof. Subdivision includes a replat and the development of a condo regime or manufactured housing park. Subdivision does not include a division of land that is specifically excluded from the definition under applicable state law.

29. Swimming Pool, Private

A swimming pool constructed for the exclusive use of the residents of a one-family, two-family or multi-family subdivision and located, fenced and built in accordance with all applicable standards. A private swimming pool is not operated as a business nor maintained in a manner that is hazardous or obnoxious to adjacent property owners.

T. T Terms

1. TAS

Texas Accessibility Standards.

2. TDLR

Texas Department of Licensing and Regulation.

3. Temporary Uses

Short-term or seasonal uses that are not otherwise allowed by the zoning district and land use condition regulations or are specific uses articulated in Section 5.4. Temporary Uses, Structures, and Permits.

4. TLGC

Texas Local Government Code, as amended.

5. Total Construction Cost

The direct cost to the applicant of all construction contracts for the subdivision, items of construction, including labor, materials, and equipment necessary to complete all work for final acceptance by the City.

6. Tree

A woody plant usually having one well-defined stem or trunk and a more or less definitely formed crown and usually attaining a mature height of at least 12 feet.

7. Tree Canopy

The horizontal extension of a tree's branches in all directions from its trunk.

8. Tree Damage (Injury)

   A wound resulting from any activity, including but not limited to excessive pruning, cutting, trenching, excavating, altering the grade, paving or compaction within the tree protection zone of a tree. Injury includes bruising, scarring, tearing or breaking of roots, bark, trunk, branches, or foliage, herbicide or poisoning, or any other action foreseeable leading to the death or permanent damage to tree health.

9. Tree, Large

   A tree species listed in the Recommended Tree List in Subchapter 9. Landscaping and Screening as having a mature height of 40 feet or more. (Type A Tree)

10. Tree Line

    Three or more protected trees situated with reference to one another as to appear to be in a line or following a fence line.

11. Tree, Medium

    A tree species listed in the Recommended Tree List in Subchapter 9. Landscaping and Screening as having a mature height of 25 to 40 feet. (Type B Tree)

12. Tree, Native

    A tree species that occurs naturally, or has historically occurred naturally, within Pflugerville or the greater ecoregion, without direct or indirect introduction by humans.

13. Tree Protection Plan

    A plan identifying the proposed methods of protecting trees during construction that may include protection details, standards, notes, and construction plans as determined by the Administrator in accordance with Section 10.12.4. Tree Protection Standards of Appendix A: Tree Technical Manual Standards and Specifications.

14. Tree Protective Fencing

    Tree protective fencing means a temporary enclosure erected around a tree to be protected at the boundary of the tree protection zone. The fence serves three primary functions: 1) to keep the foliage crown, branch structure and trunk clear from direct contact and damage by equipment, materials or disturbances; 2) to preserve roots and soil in an intact and non-compacted state; and 3) to identify the tree protection zone in which no soil disturbance is permitted and activities are restricted.

15. Tree Protection Zone

    The area surrounding a tree that is designated for protection during construction, development, demolition, grading, or other site activity. The Tree Protection Zone may include all or a portion of the Critical Root Zone and is determined based on the site conditions, tree species, tree size, tree health, root location, existing improvements, proposed disturbance, and other factors affecting tree preservation. See Section 10.12.4. Tree Protection Standards of Appendix A: Tree Technical Manual Standards and Specifications.

16. Tree Pruning, Excessive

    Removing in excess (25 percent or greater) of the functioning leaf, stem or root area. Pruning in excess of 25 percent is injurious to the tree and is a prohibited act. Excessive pruning typically results in the tree appearing as a 'bonsai', 'lion's-tailed', 'lolly-popped' or overly thinned.

    a. Unbalanced Crown

       Excessive pruning also includes removal of the leaf or stem area predominantly on one side, topping, or excessive tree canopy or crown raising. Exceptions are when clearance from overhead utilities or public improvements is required or to abate a hazardous condition or a public nuisance.

b. Roots

Excessive pruning may include the cutting of any root two inches or greater in diameter and severing in excess of 25 percent of the roots.

17. Tree Removal

An act that causes or may be reasonably expected to cause a tree to die, including, but not limited to, damage inflicted upon the root system by: 1) machinery, 2) storage of materials, 3) soil compaction, 4) substantially changing the natural grade above the root system or around the trunk, (v) excessive pruning, or 5) placing an impervious cover over more than 50 percent of the area within the dripline.

18. Tree Replacement Plan

A plan showing the proposed type and location of replacement trees on site, including an irrigation plan (if applicable) for the proposed replacement trees. The plan may be included within the proposed landscape plan if proposed replacement trees are located on the site of the proposed development.

19. Tree, Small

A tree species listed in the Recommended Tree List in Subchapter 9. Landscaping and Screening as having a mature height of 8 to 25 feet. (Type C Tree)

20. Tree Survey

A drawing of the proposed preliminary plan or site plan showing the size, location, species, tree numbers (tags), critical root zone of all existing protected trees and significant stands of trees, any protected tree proposed for removal or transplant, a table summarizing all protected trees and the total number of caliper inches of protected trees, in accordance with generally accepted methods such as those provided in Section 1 of the Tree Technical Manual. Tree surveys must be prepared by a certified arborist, registered landscape architect or registered professional land surveyor.

21. Tree Technical Manual

A manual approved by City Council that includes standards and specifications based on generally accepted arboricultural practices, techniques, and procedures, which will serve as guidelines for trees, including but not limited to tree selection, planting, pruning, alteration, soil standards, treatment, protection, and removal.

22. Tree Topping

Tree topping refers to the indiscriminate cutting of tree branches to stubs or lateral branches that are not large enough to assume the terminal role. Topping includes 'heading', 'hat racking', and 'rounding over'.

23. TxDOT

Texas Department of Transportation.

U. U Terms

1. Unified Development Agreement

A type of restrictive covenant that is placed on two or more tracts of land where the owners of the properties have shared facilities that require cooperation between the owners for operation and maintenance. (e.g., drainage, utilities, parking, reciprocal access drives, etc.)

2. Unified Development Code

This Chapter 157 of the Code of Ordinances of the City of Pflugerville.

3. Urban Forester

A person designated to oversee the urban forestry program; all aspects of public tree planting, and public tree care; the Public Tree Care Ordinance; relevant portions of Subchapter 9. Landscaping and Screening; and relevant processes of tree preservation and landscaping throughout the development process. See Section 2.2.6. Urban Forester.

4. Use, Primary

   The purpose or activity for which the land or building thereon is designed, arranged, oriented, or for which it is occupied or maintained, and will include any manner of such activity with respect to the standards of a zoning ordinance.

5. Use, Temporary

   A use that is established for a fixed, often short-term, period of time with the intent to discontinue the use upon the expiration of the time.

V. V Terms

1. Variance

   Means permission given by the Board of Adjustment to use property in a manner that would be otherwise prohibited within the zoning district where the property is located; and is only proper in specific cases where the Board of Adjustment makes findings, as required elsewhere in this code, that in essence constitute a determination that a literal or rigid interpretation of the zoning ordinance would cause unreasonable and unnecessary hardship.

2. Vegetative Screening Structure

   A welded wire trellising system with the ability to combine distinctive trellis panels in order to create a multi-dimensional structural frame that can support the healthy growth of vines.

3. Vehicular Use Area

   That part of the lot utilized by motor vehicles for stopping, idling, and parking, including but not limited to parking areas (whether striped for spaces or not), loading areas, and drive-through lanes.

4. Vertical Mixed-Use Building

   A building that is designed for nonresidential uses on the ground floor and residential uses on the upper floors.

5. Vicinity Map

   A drawing located on a site plan, preliminary plan, and final plat that illustrates the relationship of the proposed subdivision or site plan to the established street systems, other nearby developments, landmarks, or community facilities for the purpose of locating and orienting the area under consideration.

W. W Terms

1. Waiver

   Waiver means a total or partial exemption from a specific requirement of this Code when such waiver is authorized by a provision of this Code, requested by an applicant and determined by the Administrator, warranted pursuant to the Code provision authorizing a grant of waiver.

2. Waiver, Architectural

   A specific type of waiver that either the Administrator or the Planning and Zoning Commission has authority and discretion that allows architectural design standards within the Unified Development Code to be altered, reduced or otherwise changed.

3. Wall

An upright structure forming an exterior surface of a building, an interior partition to separate spaces, or as a standing barrier around a space for screening or security purposes. This definition does not include fence structures.

4. Waterway

   Any open channel that carries surface water drainage at a rate of over 5 cubic feet per second in a 25-year frequency storm event.

5. Wing Wall

   For the purposes of screening service courts or other types of required screening prescribed in this UDC, a wing wall is a self-supporting structure or architecturally integrated into the principal building with the use of materials consistent with the principal building.

6. Wireless Telecommunication Facility (WTF), Attached

   A wireless telecommunication facility (WTF) that is attached to a monopole, self-enclosed monopole, building or other permanent structure.

7. Wireless Telecommunication Facility (WTF), Monopole

   A wireless telecommunication facility constructed as a freestanding structure that consists of a single vertical pole, fixed into the ground and attached to a foundation with no guy wires, containing one or more externally mounted antennas and associated ground-based equipment and supporting utilities.

8. Work

   For purposes of retaining valid construction plans, work means the disturbance of existing topography and ground cover using machinery and labor, such as clearing, grubbing, grading, installation of utility or drainage infrastructure, and tree removal. The installation of erosion control measures beyond a silt fence does not constitute work for the purposes of this definition.

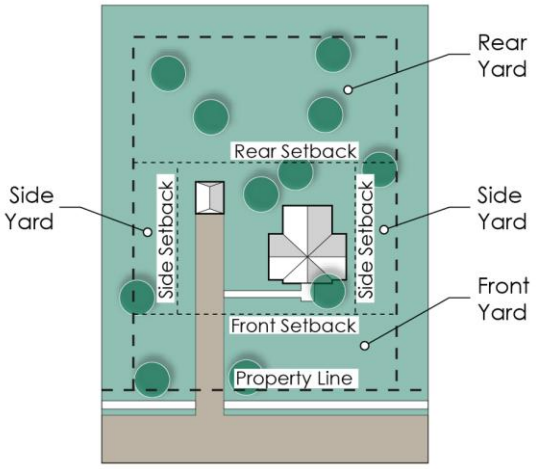
X. X Terms

1. Reserved.

Y. Y Terms

1. Yard

   The at-grade open portion of a site that lies between the lot lines and the required building setback.



   a. Yard, Rear

      The yard extending across the rear of the site between the side lot lines.

b. Yard, Side

The yard extending along the side lot line from the Front Yard to the Rear Yard.

c. Yard, Street/Front

The yard extending across the front lot line, between the side lot lines.

Z. Z Terms

1. Zoning District Map

The official zoning map of the City filed with the City Secretary.