



Felix Paiz, Chair, Place 4
Prince Chavis, Vice Chair, Place 2
Julie Leonard, Place 1
Cresandra Hardeman, Place 3
Celestine Sermo, Place 5
Cecil Meyer, Place 6
Jim Terry, Place 7
Gabriel Nila, Alternate No. 1
Gabrielle Orion, Alternate No. 2

Planning & Zoning Commission Workshop

Tuesday, February 13, 2024, at 5:30 PM

Manor City Hall, Council Chambers, 105 E. Eggleston St.

AGENDA

CALL TO ORDER AND ANNOUNCE A QUORUM IS PRESENT

REGULAR AGENDA

1. Planning and Zoning Commission Policies and Procedures

- Discussion of Planning and Zoning Commission powers and duties
- Discussion of application process and requirements
- Discussion of actions that can be taken on agenda items
- Discussion of meeting procedures and processes

ADJOURNMENT

In addition to any executive session already listed above, the Planning & Zoning Commission reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section §551.071 (Consultation with Attorney), §551.072 (Deliberations regarding Real Property), §551.073 (Deliberations regarding Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations regarding Security Devices) and §551.087 (Deliberations regarding Economic Development Negotiations).

CONFLICT OF INTEREST

In accordance with Section 12.04 (Conflict of Interest) of the City Charter, "No elected or appointed officer or employee of the city shall participate in the deliberation or decision on any issue, subject or matter before the council or any board or commission, if the officer or employee has a personal financial or property interest, direct or indirect, in the issue, subject or matter that is different from that of the public at large. An interest arising from job duties, compensation or benefits payable by the city shall not constitute a personal financial interest."

Further, in accordance with Chapter 171, Texas Local Government Code (Chapter 171), no Planning & Zoning Commission member and no City officer may vote or participate in discussion of a matter involving a business entity or real property in which the Planning & Zoning Commission member or City officer has a substantial interest (as defined by Chapter 171) and action on the matter will have a special economic effect on the business entity or real property that is distinguishable from the effect on the general public. An affidavit disclosing the conflict of interest must be filled out and filed with the City Secretary before the matter is discussed.

POSTING CERTIFICATION

I, the undersigned authority do hereby certify that this Notice of Meeting was posted on the bulletin board, at the City Hall of the City of Manor, Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: Friday, February 9, 2024, by 5:00 PM and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

/s/ Lluvia T. Almaraz, TRMC
City Secretary for the City of Manor, Texas

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS:

The City of Manor is committed to compliance with the Americans with Disabilities Act. Manor City Hall and the Council Chambers are wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 10 days prior to this meeting. Please contact the City Secretary at 512.215.8285 or e-mail jalmaraz@manortx.gov

Section 10.05. Planning and Zoning Commission Powers and Duties.

The planning and zoning commission shall serve as the planning and the zoning commission of the city, and:

- (a) Review and make recommendations to the council regarding the adoption and implementation of a comprehensive plan, or elements or portions thereof, prepared under authorization of the city council and under the direction of the city manager and responsible staff.
- (b) After a comprehensive plan, or element or portion thereof, has been adopted in conformity with this Article:
 - (1) Review and make recommendation to the council on all amendments to such plan, or elements or portions thereof.
 - (2) Review and make recommendations to the council on all proposals to adopt or amend land development regulations for the purpose of establishing the relationship of such proposal to, and its consistency with, the adopted comprehensive plan or elements or portions thereof. For purposes of this Article "land development regulations" includes zoning, subdivision, building and construction, environmental including water conservation, and other police power regulations controlling, regulating, or affecting the use or development of land.
- (c) Pursuant to ordinances adopted by the council, exercise control over platting and subdividing land within the corporate limits and the extraterritorial jurisdiction of the city to insure the consistency of any such plats or subdivision with the ordinances and comprehensive plan, or element or portion thereof.
- (d) Pursuant to ordinances adopted by the council, make recommendations to the council regarding the zoning of land and land uses within the corporate limits of the city to insure the consistency of any such land use with the adopted comprehensive plan, or element or portion thereof.
- (e) May submit annually to the city manager, at least five months prior to the beginning of the budget year, a list of recommended capital improvements, which in the opinion of the planning and zoning commission are necessary or desirable to implement the adopted comprehensive plan, or element or portion thereof, during the forthcoming five-year period.
- (f) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend annually to the council any changes in or amendments to the comprehensive plan as may be desired or required.
- (g) Prepare periodic evaluation and appraisal reports on the comprehensive plan, which shall be sent to the council at least once every five years after the adoption of the comprehensive plan, or element or portion thereof.
- (h) Obtain information relative to its duties from the city manager.
- (i) Act as an advisory body to the council and perform such additional duties and exercise such additional powers as may be prescribed by ordinance of the council not inconsistent with the provisions and intent of this charter.

(Ordinance 326 adopted 8/15/07; Ordinance 426, prop. 16, adopted 2/24/15)

Section 10.06. Duties.

The council shall prescribe the duties of the planning and zoning commission by ordinance. The duties so established shall not be inconsistent with this charter and such duties shall include, but not be limited to, those prescribed herein.

(Ordinance 326 adopted 8/15/07)

Division 2. Planning and Zoning Commission¹

Sec. 1.05.030 Creation; purpose.

A planning and zoning commission is created in order to accomplish the following purposes:

- (1) To identify community needs and to advise the city council of their short-range and long-range implications for the total development of the city;
- (2) To recommend achievable community goals as a basis for long-range planning and development programs;
- (3) To recommend plans, programs, and policies that will aid the entire community in achieving its defined goals; and
- (4) To interpret the adopted plans and programs to concerned citizens so that private activities and desires may be accomplished in harmony with public needs and policies.

Sec. 1.05.031 Membership.

The planning and zoning commission shall be composed of seven persons with at least five being qualified electors of the city, and two may be residents in the extraterritorial jurisdiction. The city council will consider for appointment to the commission only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, interest in planning and zoning, and availability to prepare for and attend meetings. It is the intent of the city council that members shall, by reason of diversity of their individual occupations, constitute a commission which is broadly representative of the community.

Sec. 1.05.032 Quorum and attendance.

Four members of the commission shall constitute a quorum for transacting business and no action of the commission shall be valid or binding unless taken in an open meeting with a quorum present. Less than a quorum may adjourn any meeting, or order and compel the attendance of absent members. It shall be the duty of each member of the commission to attend each regular and special commission meeting and the failure of any member to attend three consecutive, regular meetings, without good and sufficient cause, shall constitute misconduct in office.

(Ordinance 508 adopted 1/17/18)

¹Charter reference(s)—Planning and zoning commission, secs. 10.04—10.06.

State law reference(s)—Zoning commission, V.T.C.A., Local Government Code, sec. 211.007 .

Sec. 1.05.033 Terms of members; vacancies; removal of members.

The terms of four of the members shall expire on January 1 of each odd-numbered year and the terms of three of the members shall expire on January 1 of each even-numbered year. The members of the commission shall be identified by place numbers one through seven. The odd-numbered places shall expire in the odd-numbered years; the even-numbered places shall expire in the even-numbered years. Commission members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no member shall be appointed for a term in excess of two years. Newly appointed members shall be installed at the first regular commission meeting after their appointment. A majority vote of the city council may remove members at any time, with or without cause.

(Ordinance 449, sec. 3, adopted 9/21/16)

Sec. 1.05.034 Election of chairperson and vice-chairperson.

The commission shall annually elect a chairperson and vice-chair, to serve in the absence of the chairperson, from among its membership.

(Ordinance 449, sec. 4, adopted 9/21/16)

Sec. 1.05.035 Organization; election of officers; record of proceedings.

The commission shall hold an organization meeting in February of each year. The commission shall elect a secretary and such other officers as it deems necessary either from its membership or from staff representatives assigned by the mayor to work with the commission. The commission shall meet regularly and shall designate the time and place of its meetings. The commission shall keep a record of its proceedings consistent with the provisions of this code and the requirements of law.

(Ordinance 449, sec. 5, adopted 9/21/16)

Sec. 1.05.036 Powers and duties.

The planning and zoning commission is charged with the duty and invested with the authority to:

- (1) Inspect property and premises at reasonable hours when required to discharge its responsibilities under the laws of the state and of the city.
- (2) Formulate and recommend to the city council for its adoption a comprehensive plan for the orderly growth and development of the city and its environs, and from time to time recommend such changes in the plan as it finds will facilitate the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the city.
- (3) Formulate a zoning plan as may be deemed best to carry out the goals of the comprehensive plan, hold public hearings and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations and districts as provided by ordinance and the Local Government Code, as amended, authorizing cities to pass regulations.
- (4) Exercise all the powers of a commission to provide recommendations to the city council for approval or disapproval of the plans, plats, or replats and vacations of plans, plats or replats set out in the subdivision ordinance and chapter 212 (Municipal Regulation of Subdivisions and Property Development), Local Government Code.

- (5) Study and make recommendations on the location, extension, planning, vacating, and closing of public rights-of-way, parks, and other public places.
- (6) Study and make recommendations concerning the capital improvements program, including the construction of public buildings, bridges, viaducts, street fixtures, and other structures and appurtenances. Study and make recommendations on the design or alteration and on the location or relocation of works of art which are, or may become, the property of the city.
- (7) Initiate, in the name of the city, for consideration at public hearings, all proposals for the opening, vacating, or closing of public rights-of-way, parks, or other public places, for the original zoning of annexed areas, and for the change of zoning district boundaries on an area-wide basis, and forward its recommendations regarding same to the city council. No fee shall be required for the filing of any such proposal in the name of the city.
- (8) Formulate and recommend to the city council policies and regulations consistent with the adopted comprehensive plan governing the location and/or operation of utilities, public facilities, and services owned or under the control of the city.
- (9) Review and make recommendations concerning annexation of land into the city.
- (10) Keep itself informed with reference to the progress of city planning in the United States and other countries and recommend improvements in the adopted plans of the city.

(Ordinance 449, sec. 6, adopted 9/21/16)

Sec. 1.05.037 Motions; deferring action.

- (a) A motion may be made by any member other than the presiding officer.
- (b) A motion to approve any matter before the commission or to recommend approval of any request requiring city council action shall require a majority vote of the quorum of the members present. When fewer than all the members are present for the voting and when all motions to recommend on a given application fail to carry by a majority of the quorum of members present, consideration of the application shall be continued to the next regular meeting upon motion carried by a majority of those present. However, a request or application shall not be continued to the next regular meeting and shall be recorded in the minutes as a denial if all the members are present for the vote and a motion fails to carry by a majority vote.

(Ordinance 449, sec. 7, adopted 9/21/16)

Sec. 1.05.038 Disqualification from voting.

- (a) A member shall disqualify themselves from voting whenever they find that they have a personal or monetary interest in the property under appeal, or that they will be directly affected by the decision of the commission.
- (b) A member may disqualify himself or herself from voting whenever any applicant, or his or her agent, has sought to influence the vote of the member on the application, other than in the public hearing.

(Ordinance 449, sec. 8, adopted 9/21/16)

Sec. 1.05.039 Meetings and rules of procedure; records; application procedures.

- (a) *Acting chairperson.* In the absence of both the chairperson and vice-chairperson, the commission shall elect an acting chairperson.

(b) *Meetings.*

- (1) *Quorum.* A quorum shall consist of a majority of the appointed members holding office shall be required for a quorum [sic]. In case of more than one vacancy, no less than three members shall be required for a quorum.
- (2) *Agenda.* The secretary shall prepare an agenda for each meeting of the commission, and shall attach to each agenda a report of matters pending further action by the commission. The secretary shall post a copy of the agenda in the city hall as required by law for a period of three full calendar days, not counting the day of posting, but which may count the day of the meeting.
- (3) *Regular meetings.* Regular meetings shall be council chambers of the city hall, unless otherwise determined by the commission.
- (4) *Special meetings.* Special meetings for any purpose may be held on the call of the chairperson, or on request of two or more members and by giving written notice to all members deposited in the mail at least 72 hours before the meeting, or as may be scheduled by a majority of the commission at any previous meeting. The time and place of the special meeting shall be determined by the convening authority.
- (5) *Public meetings.* Any party in interest may appear in his own behalf or be represented by counsel or agent.

(c) *Official records.*

- (1) *Generally.* The official records shall be the minutes of the commission, together with all findings, decisions, and other official records of the commission.
- (2) *Recording of vote.* The minutes of the commission's proceedings shall show the vote of each member, or indicate a member's absence or failure to vote.
- (3) *Retention of records.* All matters coming before the commission shall be filed in the city's records. Original papers of all requests and proposals shall be retained as a part of the permanent record.
- (4) *Public records.* The official records and citizen requests filed for commission action in regular or special meetings shall be on file in the city hall and shall be open to public inspection during customary working hours.

(d) *Application procedures.*

- (1) *Written request required.* Every proposal submitted for commission action shall be made in writing. Where appropriate, the city shall provide application forms. The proposal shall be filed on city-provided forms, shall be accompanied by all prescribed fees, and shall be complete in all respects before the city shall accept it for filing.
- (2) *Schedules and instructions.* Every proposal or request for commission action or recommendation shall be filed, processed, and considered in accordance with this section.
- (3) *Submission of supporting information.* Information supporting a request or recommendation to approve or disapprove any proposal before the commission shall be submitted through the secretary in writing or to the commission in a public meeting.
- (4) *Withdrawal of proposal.* When any applicant desires to withdraw his or her proposal he or she may do so by filing a written request with the secretary. Such request shall be effective upon the date of its official receipt; provided, however, that no such request shall be valid after notices have been mailed, except on action of the commission. Withdrawal of a proposal at any stage of its processing shall terminate all consideration of it by the city, and the case file shall be closed.

(Ordinance 449, sec. 9, adopted 9/21/16)

Secs. 1.05.040—1.05.060 Reserved.

Division 6. Architectural Standards

Sec. 14.02.061 Single-family detached and two-family.

(a) *Purpose and applicability.*

- (1) The purpose of this section is to provide building standards to achieve quality design and development outcomes that reflect positively on the community and its character and values.
- (2) This section applies to all single-family and two-family dwelling units constructed in permitted districts.
 - (A) Reconstructions, remodels, or additions to single-family detached and two-family structures constructed prior to the effective date of this chapter shall be exempted from the provisions of this section when then reconstruction, remodel, or addition does not modify the structure's exterior or the reconstruction, remodel, or addition is less than 25 percent of the structures gross floor area.

(b) *Single-family detached and two-family dwellings architectural standards.*

(1) *General criteria.*

- (A) Masonry as applicable in section 14.02.007(c)(2)(A).
- (B) Covered or uncovered rear patios or decks of a minimum of 100 square feet are required on all floor plans.
- (C) All windows and doors shall have trim.
- (D) The principle dwelling shall have at least a fully enclosed two car garage. The garage may be attached or detached.
 - (i) New housing development must avoid front elevations resulting in a streetscape dominated by the sight of garage doors.
 - (ii) A front-loading garage, or the area including the garage door and four feet around the garage door, may protrude no more than six feet from the longest front wall.
 - (iii) A front-loading garage, or the area including the garage door and four feet around the garage door, whichever is wider, may occupy no more than 65 percent of the house linear frontage. Garage door areas that occupy 50 percent or less shall include one element from the following list. Garage door areas that occupy between 51 percent and 65 percent shall contain at least three elements from the following list:
 - a. Integrated trim or banding around the garage door.
 - b. Garage door relief detailing, including windows.
 - c. Decorative hardware including hinges and handles.
 - d. Single garage doors with a minimum ten-inch separation.
 - e. Architectural roof above the garage.
 - f. Other elements as approved by the building official.

- (E) Facades must be articulated by using color, arrangement, or change in materials to emphasize the facade elements. Exterior wall planes may be varied in height, depth or direction. Design elements and detailing, including the presence of windows and window treatments (for walls that face the public right-of-way), trim detailing, and exterior wall materials, must be continued completely around the structure. Doors and windows must be detailed to add visual interest to the facade.
 - (F) Second-story window and door locations are encouraged to be offset from dwelling to dwelling to protect privacy.
 - (G) Front doors and windows shall be provided along the primary facade and oriented to face the public street.
 - (H) 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 using 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.
- (c) *Elevation differentiation.*
- (1) Development of ten or more single-family detached or two-family dwellings must have five or more elevations, or a number of elevations equal to at least ten percent of the number of lots in the development phase, whichever is more. Different trim levels on units with nearly identical floor plan are not considered different elevations. A proposed dwelling unit within two lots on the same or opposite side of the street shall differ from another dwelling unit in at least three of the six criteria listed below, unless the dwelling units differ with respect to the number of full stories, in which case one criterion from the list below in addition to the number of full stories shall be different.
 - (A) Building materials.
 - (B) Building material color.
 - (C) The proposed dwelling unit is served by a different type or size garage as set forth in subsections (i) through (iv) below:
 - (i) Front-load garage;
 - (ii) Side entry garage;
 - (iii) Detached garage;
 - (iv) Angled garage.
 - (D) The proposed dwelling unit differs in the number of full stories as set forth in subsection (i) or (ii) below:
 - (i) Single story; or
 - (ii) Two story.
 - (E) The proposed dwelling unit has a different roof type as set forth in subsections (i) through (iv) below:
 - (i) Gable;
 - (ii) Hip;
 - (iii) Combination of both;

- (iv) Roof types (i), (ii) or (iii) with the longest ridge rotated 90 degrees.
- (F) The proposed dwelling unit has variation in the articulation of the front facade as set forth in subsections (i) through (iii) below:
 - (i) Garage setback from the front facade of at least four feet;
 - (ii) Covered, open walled porch of at least six feet in depth extending at least one-third of the entire width of the front facade; or
 - (iii) Other articulation of the front facade at least four feet in depth, extending at least one-third of the width of the front facade.
- (d) *Industrialized homes.*
 - (1) This subsection applies to industrialized or modular homes, as defined in this chapter, that are constructed in agricultural (A), single-family estate (SF-E), single-family suburban (SF-1), single-family standard (SF-2), and two-family (TF) districts.
 - (2) The home must meet the following criteria:
 - (A) Masonry as applicable in section 14.02.007(c)(2)(A);
 - (B) Have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized home is proposed to be located, as determined by the most recent certified tax appraisal roll of Travis County;
 - (C) Have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized home is proposed to be located;
 - (D) Comply with municipal aesthetics standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings;
 - (E) Designed only for erection or installation on a site-built permanent foundation and is not designed to be moved after installation; and
 - (F) Designed and manufactured to conform to a nationally recognized model building code or an equivalent local code, or with a state or local modular building code recognized as generally equivalent to building codes for site-built housing; or to the manufacturer's knowledge, is not intended for use other than on a site-built permanent foundation.

(Ord. No. 565 , § 31, 2-19-2020; Ord. No. 599 , § 31, 1-6-2021; Ord. No. 703 , § 13, 5-3-2023)

Sec. 14.02.062 Single-family attached.

- (a) *Purpose and applicability.*
 - (1) The purpose of this section is to provide building standards to achieve quality design and development outcomes that reflect positively on the community and its character and values.
 - (2) This section applies to all townhome dwelling units and attached townhome or rowhouse style developments of three or more attached units constructed in the permitted districts.
 - (3) The term "primary facade" shall apply to all facades facing a public street, public or private park, or any major drive aisle.
- (b) *Single-family attached architectural standards.*

- (1) Masonry as applicable in section 14.02.007(c)(2)(A).
- (2) *Roof pitch styles.*
 - (A) Pitch roof: Minimum 6:12.
 - (B) Flat roof: Require parapet screening.
 - (C) Shed roof, porch roof and arcade roofs: Minimum 2:12.
- (3) *Roof articulation (excluding flat roofs).* Two of the following:
 - (A) Two roof materials.
 - (B) Chimneys.
 - (C) Dormers along public facades (1/20').
 - (D) Eaves that overhang a minimum of 24 inches with a minimum fascia depth of eight feet.
 - (E) Three or more roof slope planes per primary facade.
- (4) *Building articulation (applicable to each unit per building).* Primary facades of each dwelling unit shall be designed to have at least one vertical and horizontal wall projection or recess to provide variation and interest throughout the building. Projections or recesses shall be designed with at least one foot of relief and should be used to create shade and cast shadows on the facade.
- (5) *Transparency (windows and doors).* The primary facade shall have at least three full size windows. Windows should be designed to be operable and allow for cross ventilation.
- (6) *Window and door treatment.* Trim shall be provided to accent all windows and doors appropriate to style of structure.
- (7) *Window articulation (applicable to overall building, not per unit).*
 - (A) All primary facades of a building containing a dwelling unit entry shall include at least one of the following window articulation elements per building:
 - (i) Veranda, terrace, porch or balcony (accessible for single units) minimum two feet deep.
 - (ii) Trellis.
 - (iii) Shed roof awning.
 - (iv) Twenty-inch projection.
 - (v) Bay window.
 - (vi) Bow window.
 - (vii) Transom windows.
 - (viii) Arched windows.
 - (ix) Gable windows.
 - (x) Shutters.
- (8) *Facade repetition.* Each dwelling unit within a single structure shall be designed to have distinct architectural characteristics which visually separate it from the other dwelling units in the structure and may include differing materials.
- (9) *Top floor articulation.* When a flat roof is utilized, a distinctive finish, consisting of a cornice, banding or other architectural termination shall be provided.

- (10) *Building and entry orientation.* All buildings shall be oriented so that each dwelling unit shall have its main pedestrian entrance fronting onto a public street, a common open space with a landscaped courtyard, or a private street if part of a condominium project. All buildings and units near an arterial or collector level public street shall be oriented and have the primary facade front and face the public street. At no time shall dwelling units front a parking lot. A pedestrian pathway shall connect all building entrances to a public sidewalk.
- (11) *Solar orientation and passive cooling.* Buildings 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 to west. When the long sides of a building face south or west, windows located along those sides are encouraged to be externally shaded using 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.
- (12) *Entry articulation.* Entry shall be covered or inset with distinct architectural detail such as: A covered, open walled porch, portico, arcade, or other similar element. Covered, open walled porches shall have at least six feet in depth extending at least one-third of the entire width of the front facade of the dwelling unit.
- (13) *Garage standards.*
- (A) One, 12-foot by 20-foot (inside dimensions) garage parking space shall be provided per unit.
 - (B) Dwelling units may have a garage face a public right-of-way (front-loaded) provided the garage does not face a collector or arterial road, the garage does not extend past the front facade of the dwelling unit, and the garage door(s) maintains an architectural theme of the unit. A dwelling unit within the same development, located across a local street, and facing an aforementioned front loaded dwelling unit, may also be front loaded.
 - (i) A front-loading garage, or the area including the garage door and four feet around the garage door, whichever is wider, may occupy no more than 65 percent of the unit's linear frontage. Garage door areas that occupy 50 percent or less shall include one element from the following list. Garage door areas that occupy between 51 percent and 65 percent shall contain at least three elements from the following list:
 - a. Integrated trim or banding around the garage door.
 - b. Garage door relief detailing, including windows.
 - c. Decorative hardware including hinges and handles.
 - d. Single garage doors with a minimum ten-inch separation.
 - e. Architectural roof above the garage.
 - f. Other elements as approved by the building official.
 - (C) Garages shall have same materials and mix as the primary residential structure facade.
- (14) *Minimum open space.* Common lot single-family attached developments shall provide a minimum one acre per 150 dwelling units or five percent of the total site area, whichever is greater, shall be provided to satisfy recreational open space and amenity requirements. Such recreational and amenity shall be located or arranged so as to function as a recreational or amenity area and be uniformly beneficial to all of the dwelling units in the project or development. Open space required to separate structures and stormwater facilities shall not be considered to be part of the required recreational open space.
- (15) *Amenities.* All common lot single-family attached developments shall require at least one private amenity, selected from the list below, for every 50 or more dwelling units. The amenities shall be

located on a private open space area, landscape lot, or facility accessible to all tenants and all amenities shall be accessible to all residents and shall be owned and maintained by the property owner.

(A) *Amenities for common lot single-family attached structures.*

Number of Dwelling Units	Minimum Number of Amenities
0—49	0
50—99	1
100—149	2
150—199	3
200—249	4
250 or more	5, plus 1 additional per each 100 units above 250

(B) *Amenities.*

Playground equipment meeting minimum guidelines by the National Playground Safety Institute with a covered shade structure.

Dog park (not smaller than 2,500 square feet) with minimum depth of 25 feet, fenced, and containing a pet drinking fountain.

Covered picnic area to contain no fewer than two tables with seating and two grills.

Swimming pool.

Splash pad.

Tennis or racquet ball court.

Basketball court.

Volleyball court.

Community garden or orchard with irrigation (minimum 800 square feet).

Gazebo, band stand or outdoor amphitheater.

Amenity center with social room for resident use.

Private fitness facility.

Kitchen available for resident use.

Billiards or similar.

Theater or similar media room.

As approved by the building official.

(Ord. No. 565 , § 2, 2-19-2020; Ord. No. 615 , § 31, 7-7-2021; Ord. No. 657 , § 10, 6-1-2022; Ord. No. 703 , § 14, 5-3-2023)

Sec. 14.02.063 Manufactured home.

(a) *Purpose and applicability.*

- (1) The purpose of this section is to provide building standards to achieve quality design and development outcomes that reflect positively on the community and its character and values.

(2) This section applies to manufactured home dwelling units constructed in a permitted district.

(b) *Manufactured home architectural standards.*

- (1) No outside horizontal dimension must be less than 14 feet, except extensions comprising no more than 50 percent of the total enclosed floor area.
- (2) Houses must be skirted in 90 days of installation with material that is compatible with the design and exterior materials of the primary structure.
- (3) Houses must be tied down securely in conformance to applicable regulations before occupancy.
- (4) Houses must be of adequate quality and safe design, as certified by a label stating the unit is constructed in conformance to the federal Manufactured Home Construction and Safety Standards in effect on the date of manufacture, or other applicable standards required by state and federal law. Manufactured houses without certification, but meeting all other standards, may be accepted as safe and quality construction provided:
 - (A) Electrical material, devices, appliances and equipment are in safe condition.
 - (B) Mechanical systems including space and water heating are in safe condition.
 - (C) Plumbing, gas piping, and wastewater systems are in safe condition.
- (5) Houses must be in sound structural condition. Structures that show evidence of fire damage are not acceptable.
- (6) Manufactured houses must be installed by a party licensed by the State of Texas in conformance to state law, or the frame must be supported by and tied to a foundation system capable of safely supporting loads imposed as determined by the character of the soil. Minimum acceptable foundation design must be a series of eight-inch grout-filled concrete block piers spaced no more than eight feet on center and bearing on one foot by one foot solid concrete footings. A tie-down and anchoring system separate and apart from the foundation must be provided as recommended by the manufacturer, if different from the foundation ties.
- (7) Axle and hitch assemblies must be removed on placement on the foundation.
- (8) Electrical power supply must be from a meter installation on the building, or from a permanently installed meter.
- (9) Garage and carport additions must cover a paved parking area, be connected to the street with a paved driveway, meet setback standards, and have roof and siding material compatible with the primary structure.
- (10) Living area additions must meet the minimum building setback standards, have roof and siding material that is compatible with the host structure, and meet setback standards.
- (11) The house must be sited on level ground. All walls and floors must be level.

(Ord. No. 565 , § 2, 2-19-2020; Ord. No. 703 , § 15, 5-3-2023)

Sec. 14.02.064 Multi-family and mixed-use.

(a) *Purpose and applicability.*

- (1) The purpose of this section is to provide building standards to achieve quality design and development outcomes that reflect positively on the community and its character and values.
- (2) This section applies to multi-family and mixed-use developments constructed in permitted districts.

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- (3) The term "primary facade" shall apply to all facades facing a public street, public or private park, or any major drive aisle.
- (b) *Multi-family and mixed-use architectural standards.*
- (1) Masonry as applicable in section 14.02.007(c)(2)(A) and/or section 14.02.020(c)(1)(A).
- (2) *Roof pitch styles.*
- (A) Pitch roof: Minimum 6:12.
- (B) Flat roof: Require parapet screening.
- (C) Shed roof, porch roof and arcade roofs: Minimum 2:12.
- (3) *Roof articulation (excluding flat roofs).* Two of the following:
- (A) Two roof materials.
- (B) Chimneys.
- (C) Dormers along public facades (1/20').
- (D) Eaves that overhang a minimum of 24 inches with a minimum fascia depth of eight feet.
- (E) Three or more roof slope planes per primary facade.
- (4) *Vertical articulation.* No more than 50 linear (horizontally) feet without a minimum five-foot vertical offset.
- (5) *Horizontal articulation.* No more than 50 linear (horizontally) feet without a minimum five-foot horizontal offset.
- (6) *Transparency (windows and doors).*
- (A) Each residential floor on a primary facade shall contain 25 percent doors and windows.
- (B) Each non-residential floor on a primary facade shall contain 50 percent doors and windows.
- (7) *Window and door treatment.* Trim shall be provided to accent all windows and doors appropriate to style of structure.
- (8) *Window articulation.*
- (A) Twenty-five percent of primary facades windows shall include one of the following:
- (i) Veranda, terrace, porch or balcony (accessible for single units) minimum four feet deep.
- (ii) Trellis.
- (iii) Shed roof awning.
- (iv) Twenty-inch projection.
- (v) Bay window.
- (vi) Bow window.
- (vii) Transom windows.
- (viii) Arched windows.
- (ix) Gable windows.
- (x) Oval or round windows.

- (xi) Shutters.
- (9) *Facade repetition.* All buildings shall be designed to have distinct characteristics every 30 feet.
- (10) *Top floor articulation.* When a flat roof is utilized, a distinctive finish, consisting of a cornice, banding or other architectural termination shall be provided.
- (11) *Building orientation.*
- (A) All buildings containing ground floor or second story residential dwelling units, located along the perimeter of the development and/or adjacent to public right-of-way, shall have the primary facade front and face the public right-of-way.
 - (B) All other buildings shall be designed as liner buildings located adjacent to and fronting the public right-of-way, primary internal drive aisles, or wrapped around a structured parking garage. Buildings shall not be oriented toward a surface parking lot with more than one row of parking along an internal drive aisle without perimeter liner buildings, and only as approved by the building official.
- (12) *Primary entrance location.* Pedestrian building entrances shall be directly accessible from a public sidewalk or a common open space with a landscaped courtyard.
- (13) *Solar orientation and passive cooling.* Buildings 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 to west. When the long sides of a building face south or west, windows located along those sides are encouraged to be externally shaded using 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.
- (14) *Entry articulation.*
- (A) Mixed use structures shall have a minimum six-foot inset for the width of the entry (minimum eight feet wide).
 - (B) All ground floor entries shall be covered with distinct architectural detail such as: Porch, portico, arcade, awning, or other similar shading element.
- (15) *Building access.* Multi-family units shall be accessed by way of a centralized indoor corridor except that exterior stairwells may be considered 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 shall be architecturally integrated into the building with appropriately sized cutouts to allow for visibility, ventilation, and protection from natural elements.
- (16) *Garage standards.*
- (A) When visible from street rights-of-way, garages shall be located on the side or behind the rear facades of the multi-family buildings.
 - (i) Alternatively, if visible from street rights-of-way, landscaping and walls shall be provided between the garages and the street right-of-way that at minimum meets the bufferyard standards of section 15.03.023.
 - (B) When provided, the minimum garage dimensions are 12-foot by 20-foot (inside dimensions) per parking space.
 - (C) Garage structures shall have the same materials and mix as facades of the primary residential structure.

- (D) Surface parking lots located within a setback adjacent to a residential use, excluding multi-family 15 (MF-1) and multi-family 25 (MF-2), shall not be permitted.
- (i) Alternatively, single story structures containing garage spaces may be permitted between a multi-family structure and a residential use to buffer the multi-family parking area from the residential use.
- (17) *Interior pedestrian access and off-site connectivity.*
- (A) Minimum four-foot sidewalks required from all parking and public areas to entryways of all units.
- (B) When provided, perimeter fencing along a public right-of-way shall include one pedestrian gate accessible for every two buildings. The pedestrian gate may be a controlled access gate for the tenants to utilize.
- (C) A pedestrian pathway with a minimum four-foot width shall connect all pedestrian building entrances to the pedestrian gates and to the public sidewalk.
- (18) *Minimum open space.* Multi-family and mixed-use developments shall provide a minimum one acre per 150 dwelling units or five percent of the total site area, whichever is greater, shall be provided to satisfy recreational open space and amenity requirements. Such recreational and amenity shall be located or arranged so as to function as a recreational or amenity area and be uniformly beneficial to all of the dwelling units in the project or development. Open space required to separate structures and stormwater facilities shall not be considered to be part of the required recreational open space.
- (19) *Amenities.* All multi-family and mixed use developments shall require at least one private amenity, selected from the list below, for every 50 or more dwelling units. The amenities shall be located on a private open space area, landscape lot, or facility accessible to all tenants and all amenities shall be accessible to all residents and shall be owned and maintained by the property owner.
- (A) *Amenities for multi-family and mixed-use structures.*

Number of Dwelling Units	Minimum Number of Amenities
0—49	0
50—99	1
100—149	2
150—199	3
200—249	4
250 or more	5, plus 1 additional per each 100 units above 250

(B) *Amenities.*

Playground equipment meeting minimum guidelines by the National Playground Safety Institute with a covered shade structure.

Dog park (not smaller than 2,500 square feet with minimum depth of 25 feet, fenced, and containing a pet drinking fountain.

Covered picnic area to contain no fewer than two tables with seating and two grills.

Swimming pool.

Splash pad.

Tennis or racquet ball court.

Basketball court.

Volleyball court.

Community garden or orchard with irrigation (minimum 800 square feet).

Gazebo, band stand or outdoor amphitheater.

Amenity center with social room for resident use.

Private fitness facility.

Kitchen available for resident use.

Billiards or similar.

Theater or similar media room.

As approved by the building official.

(Ord. No. 565 , § 2, 2-19-2020; Ord. No. 657 , § 11, 6-1-2022; Ord. No. 703 , § 16, 5-3-2023)

Sec. 14.02.065 Office, commercial, institutional.

(a) *Purpose and applicability.*

- (1) The purpose of this section is to provide building standards to achieve quality design and development outcomes that reflect positively on the community and its character and values.
- (2) This section applies to office, commercial, and institutional developments constructed in a permitted district.
- (3) The term "primary facade" shall apply to all facades facing a public street, public or private park, or any major drive aisle.

(b) *Office, commercial, and institutional architectural standards.*

- (1) Masonry as applicable in section 14.02.020(c)(2).
- (2) *Site arrangement and building orientation.*
 - (A) Commercial developments adjoining residential developments should be of an appropriate scale, setback and building height. Multi-story commercial buildings should incorporate lower scale, single-story elements and/or greater setbacks adjacent to existing residential developments.
 - (B) Pad sites for buildings should be located as close as possible to the intersections of arterial roads whenever possible. Structures located closer to the intersections provide a strong visual and pedestrian relationship to the street while taking into account the queuing requirements for any drive-through services. Parking and store entrances along with associated services may be located behind the structures.
 - (C) Gas canopies, drive-through lanes, service functions and accessory structures should be located away from the intersections.
 - (D) Design projects to minimize pedestrian and vehicular convergence. Where pedestrian circulation paths cross vehicular routes, provide a change in paving materials, textures or colors to emphasize the areas where they intersect. These areas should be identified by use of decorative bollards to increase visibility and improve aesthetic appeal.
 - (E) Design convenient pedestrian and bicycle access to and throughout the development.
 - (F) Pedestrian focal points should have enhanced pedestrian paving such as decorative scored concrete, stained concrete, exposed aggregate or other decorative walking surfaces.

- (G) For developments on a single lot or tract ten acres or larger that contains three or more buildings, the following standards additionally apply, as applicable:
- (i) The site's buildings should be organized so that the layout encourages functional pedestrian spaces, plazas and amenities between and in front of the buildings.
 - (ii) Provide direct pedestrian and bike access to connect future and existing developments.
 - (iii) Design pedestrian amenities that allow for use and enjoyment of outdoor areas as a development focal point or centralized amenity. These may include a mix of pedestrian-scaled lighting, tables, drinking fountains, benches, seating walls, shade trees, raised landscape planters, berms, clock towers, water features, specimen trees, potted plants, information kiosks, botanical exhibits and art exhibits or features.
 - (iv) Design sites to accommodate bus stops in the development of shopping centers on arterial streets where future transit service may become available.
 - (v) Provide convenient bicycle parking in locations that do not interfere with pedestrian circulation. Place bicycle parking racks or area in several locations within the development.
 - (vi) Provide for continuation of pedestrian access when commercial developments are located adjacent to existing planned open space.
- (3) *Architectural elements.*
- (A) All buildings shall be designed to incorporate no less than four of the architectural elements from the list below. Buildings or multitenant buildings over 50,000 square feet shall include no less than five of the referenced architectural elements. Buildings or multitenant buildings over 100,000 square feet shall include no less than six of the referenced architectural elements:
 - (i) Canopies, awnings, or porticos;
 - (ii) Arcades;
 - (iii) Pitched roof forms;
 - (iv) Arches;
 - (v) Display windows;
 - (vi) Architectural details (such as tile work and moldings) integrated into the building facade;
 - (vii) Articulated ground floor levels or base;
 - (viii) Articulated cornice line;
 - (ix) A minimum of two building materials, differentiated by texture, color, or material; and
 - (x) Other architectural features approved by the building official or designee.
 - (B) *Common development.* All buildings within a common development shall have similar architectural styles and materials. This shall include all buildings situated on lots included within an approved preliminary plan.
 - (C) *Facade finish.* All nonresidential buildings shall be architecturally finished on all four sides with same materials, detailing, and features.
 - (D) *Articulation standards.* Any primary facade shall include projections or recesses and vertical variations in the roof line in accordance with the horizontal and vertical articulation requirements set forth below.
 - (i) *Horizontal articulation.*

- a. A building facade may not extend for a distance greater than three times its average height without a perpendicular offset of at least ten percent of such building height.
 - b. The total length of all facade walls in a single plane may not exceed 60 percent of the total facade length.
 - c. Regardless of facade length, all primary facades shall have at least one horizontal offset of the required percentage.
- (ii) *Vertical articulation.*
 - a. A horizontal wall may not extend for a distance greater than three times its height without a change in elevation of at least 15 percent of such height.
 - b. The total length of all vertical elevation changes in the roofline shall be no less than 20 percent and no more than 40 percent of the total facade length.
 - c. Regardless of the facade length, all primary facades shall have at least one vertical elevation change.
 - d. Flat roofs with a parapet wall are permitted, provided the roofline meets the vertical articulation requirements.
- (E) *Building entrance standards.*
 - (i) Any front building entrance shall be set back from a drive aisle a minimum distance of 15 feet.
 - (ii) Single-use or multitenant buildings over 50,000 square feet in size shall provide clearly defined, highly visible customer or employee entrances with the integration of awnings or similar architectural features.
 - (iii) New or renovated commercial buildings shall have outdoor plazas, courtyards, or other pedestrian spaces at their main entrances.
 - a. Minimum size of pedestrian space shall be one 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.
 - (iv) All pedestrian spaces shall incorporate at least four of the following:
 - a. Decorative landscape planters or wing walls that incorporate landscape areas.
 - b. Pedestrian scale lighting, bollard, or other accent lighting.
 - c. Special paving, such as colored/stained and sealed concrete, stamped concrete, brick or other unit paver.
 - d. Public art 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 building official.
- (F) *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:

- (i) Canopies shall be constructed of roof building material consistent with that of the principal building.
 - (ii) Canopies shall have pitched roofs, unless attached to the principal building utilizing a parapet roof type.
 - (iii) Canopy columns shall be fully encased with material that is complimentary to that used on the principal building.
 - (iv) The canopy band face shall be color consistent with the principal structure's exterior building materials and shall not be backlit or used as signage except that the business name may be displayed on the canopy band.
 - (v) Canopies shall be no higher than the principal building. In no case shall the canopy height exceed 20 feet.
- (G) *Drive-thru.* Drive-thru facilities shall be located to the side or rear of the structure, unless site constraints limit such orientation, as determined by the building official.
- (H) *Overhead doors.*
- (i) Overhead doors shall not be located closer than 50 feet to a conforming residential lot.
 - (ii) Overhead doors shall 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 three feet ten 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 building official may consider alternatives when screened in accordance with this code.
- (I) *Loading docks.*
- (i) Loading docks shall not be located closer than 50 feet to a conforming residential lot.
 - (ii) Loading docks shall 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.
 - (iii) Screening shall be in accordance with this code.
 - (iv) When physical site constraints prevent such orientation, the building official may consider alternatives when screened in accordance with this code.
- (J) *Service court.*
- (i) When multiple offices, commercial and industrial uses are planned, loading docks and delivery receivable areas shall be consolidated into common service courts located to the side or rear of the buildings.

- (ii) The access point into the service court shall 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.
- (iii) Service courts shall be screened in accordance with this code.
- (K) *Roof treatment.*
 - (i) Pitched roofs shall have a minimum pitch of 4:12. Long unarticulated roofs are not permitted.
 - (ii) Parapets shall be used to conceal roof-mounted mechanical equipment on flat roofs on all sides.
 - (iii) Where overhanging eaves are used, overhangs shall be no less than two (2) feet beyond the overhanging walls.
 - a. Gable and hip roofs shall be symmetrically pitched between 4:12 and 8:12.
 - b. Shed roofs, porch roofs, and arcade roofs subordinate and attached to the primary structure, shall be pitched between 2:12 and 6:12.

(Ord. No. 565 , § 2, 2-19-2020; Ord. No. 703 , §§ 17, 18, 5-3-2023)

Sec. 14.02.066 Industrial.

- (a) *Purpose and applicability.*
 - (1) The purpose of this section is to provide building standards to achieve quality design and development outcomes that reflect positively on the community and its character and values.
 - (2) This section applies to industrial developments constructed in a permitted district.
 - (3) The term "primary facade" shall apply to all facades facing a public street, public or private park, or any major drive aisle.
- (b) *Industrial architectural standards.*
 - (1) Masonry as applicable in section 14.02.020(c)(2).
 - (2) *Architectural elements.*
 - (A) All buildings shall be designed to incorporate no less than four of the architectural elements from the list below. Buildings or multi-tenant buildings over 50,000 square feet shall include a minimum of five of the referenced architectural elements. Buildings or multitenant buildings over 100,000 square feet shall include a minimum of six of the referenced architectural elements:
 - (i) Canopies, awnings, or porticos;
 - (ii) Arcades;
 - (iii) Pitched roof forms;
 - (iv) Arches;
 - (v) Minimum of ten percent fenestration on primary facades;
 - (vi) Architectural integrated into the building facade;
 - (vii) Articulated ground floor levels or base;
 - (viii) Articulated cornice line;

- (ix) Integrated planters or wing walls that incorporate landscape and sitting areas;
 - (x) A minimum of two building materials, differentiated by texture, color, or material; and
 - (xi) Other architectural features approved by the building official or designee.
- (3) *Common development.*
 - (A) All buildings within a common development shall have similar architectural styles and materials. This shall include all buildings situated on lots included within an approved preliminary plan.
- (4) *Facade finish.*
 - (A) All nonresidential buildings shall be architecturally finished on all four sides with same materials, detailing, and features.
- (5) *Articulation standards.* Any primary facade shall include projections or recesses and vertical variations in the roof line in accordance with the horizontal and vertical articulation requirements set forth below:
 - (A) *Horizontal articulation.*
 - (i) The total length of all facade walls in a single plane shall not exceed 60 percent of the total facade length without a horizontal wall offset a minimum of two feet in depth and ten feet in length parallel to the average facade plane. Regardless of facade length, all primary facades shall have at least one horizontal wall offset of a projection or recess.
 - (ii) Single-use or multitenant buildings between 15,000 and 49,000 square feet in size shall provide horizontal wall projections and/or recesses, a minimum offset of five feet in depth and 15 feet in length parallel to the average facade plane at all building entrances fronting public right-of-way and along a primary facade.
 - (iii) Single-use or multitenant buildings equal to or more than 50,000 square feet in gross floor area shall provide horizontal wall projections and/or recesses, at a minimum offset of ten feet in depth and 30 feet in length parallel to the average facade plane at all customer entrances fronting a public right-of-way and along a primary facade.
 - (B) *Vertical articulation.*
 - (i) Regardless of the facade length, all primary facades shall have at least one vertical elevation change without a vertical roof-line offset a minimum of two feet in height and ten feet in length.
 - (ii) Flat roofs with a parapet wall are permitted, provided the roofline meets the vertical articulation requirements.
- (6) *Building entrance standards.*
 - (A) Single-use or multitenant buildings over 50,000 square feet in size shall provide clearly defined, highly visible building entrances with the integration of awnings or similar architectural feature, fronting public right-of-way or along a primary facade.
 - (B) Single-use or multitenant buildings over 50,000 square feet in size shall have outdoor plazas, courtyards, or other pedestrian spaces at their main entrances.
 - (i) Minimum size of pedestrian space shall be one square foot of space per 100 square feet of building floor area.
 - (ii) All pedestrian spaces shall incorporate at least four of the following:
 - a. Decorative landscape planters or wing walls that incorporate landscape areas.

- b. Pedestrian scale lighting, bollard, or other accent lighting.
 - c. Special paving, such as colored/stained and sealed concrete, stamped concrete, brick or other unit paver.
 - d. Public art 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 building official.
- (7) *Canopy standards.* The following provisions apply to canopies associated with service stations, drive thru facilities and other auto-oriented canopies:
 - (A) Canopies shall be constructed of roof building material consistent with that of the principal building.
 - (B) Canopy columns shall be fully encased with material that is complimentary to that used on the principal building.
 - (C) Canopies shall be no higher than the principal building. In no case shall the canopy height exceed 20 feet.
 - (D) The canopy band face must be of a color consistent with the main structure or a complimentary accent color and may not be backlit or used as signage.
- (8) *Drive-thru.* Drive-thru facilities shall be located to the side or rear of the structure, unless site constraints limit such orientation as determined by the building official.
- (9) *Overhead doors.*
 - (A) Overhead doors shall not be located closer than 50 feet to a conforming residential lot.
 - (B) Overhead doors shall 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:
 - (i) An automotive use with a maximum of four single, service bays may orient toward a public street only when structural awnings of at least three feet ten 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.
 - (ii) When physical site constraints prevent such orientation, the building official may consider alternatives when screened in accordance with this code.
- (10) *Loading docks.*
 - (A) Loading docks shall not be located closer than 50 feet to a conforming residential lot.
 - (B) Loading docks shall 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.
 - (C) Screening shall be in accordance with this code.
 - (D) When physical site constraints prevent such orientation, the building official may consider alternatives when screened in accordance with this code.
- (11) *Roof treatment.*
 - (A) Parapets shall be used to conceal roof-mounted mechanical equipment on all sides.

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- (B) Where overhanging eaves are used, overhangs shall be no less one foot beyond the overhanging walls.
- (i) Gable and hip roofs shall be symmetrically pitched between 4:12 and 8:12.
 - (ii) Shed roofs, porch roofs, and arcade roofs subordinate and attached to the primary structure, shall be pitched between 2:12 and 6:12.

(Ord. No. 565 , § 2, 2-19-2020; Ord. No. 703 , § 19, 5-3-2023)

Secs. 14.02.067—14.02.075 Reserved.

Sec. 14.05.002 Procedures.

- (a) *Zoning procedure.* The proposed rezoning must be consistent with the future land use element of the comprehensive plan or must be accompanied with a request for an amendment to the comprehensive plan.
- (1) A request for a zoning 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 director of development services; or
 - (E) Application by the property owner or authorized agent; and payment of the required fee.
 - (2) A public hearing shall be required before the planning and zoning commission in accordance with state law and city charter.
 - (3) After the public hearing on the application, the planning and zoning commission shall make a recommendation to the city council with respect to such application.
 - (4) After the planning and zoning commission's recommendation is received, the city council shall conduct a public hearing in accordance with state law. The public hearing shall be conducted within 60 days following the date of the planning and zoning commission's recommendation. 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 of the council; a maximum of two 30-day extensions may be granted in this manner, or the application will be considered withdrawn.
 - (5) Within 60 days of the public hearing before the city council, city council must either:
 - (A) Approve by ordinance, the requested amendment as submitted;
 - (B) Approve by ordinance, the amendment as recommended by the planning and zoning commission;
 - (C) Approve by ordinance, an alternate amendment that is a less intensive use than that which was submitted;
 - (D) Deny the requested rezoning by record vote; or
 - (E) Extend the 60-day period for a maximum of 30 days by a resolution of the council; a maximum of two 30-day extensions may be granted in this manner.

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 shall be taken without a new zoning application being submitted.
 - (6) A zoning map amendment to this code requires the approval by a three-fourths vote of all members of the city council if:
 - (A) The planning and zoning commission has recommended to deny the requested amendment; or
 - (B) A written protest is received by the director of development services against such rezoning or creation and/or amendment of an PUD district and is signed by the owners of 20 percent or more of either:
 - (i) The area of the lots or land included in such proposed amendment; or

- (ii) The area of the lots or land within 300 feet of the boundary of the subject area, excluding the land included in such proposed amendment. In computing the percentage of land area, the area of streets and alleys shall be included.

(b) *Planned unit development procedures.*

- (1) *Purpose and objectives.* The purpose and intent of the planned unit development district is to provide a flexible, alternative procedure to encourage imaginative and innovative designs for the unified development of property in the city consistent with this chapter and accepted urban planning, with overall mixed-use regulations as set forth below and in accordance with the city's comprehensive plan. The PUD rules are designed:
 - (A) To allow development which is harmonious with nearby areas;
 - (B) To enhance and preserve areas which are unique or have outstanding scenic, environmental, cultural or historic significance;
 - (C) To provide an alternative for more efficient use of land, resulting in smaller utility networks, safer streets, more open space, and lower construction and maintenance costs;
 - (D) To encourage harmonious and coordinated development, considering natural features, community facilities, circulation patterns and surrounding properties and neighborhoods;
 - (E) To facilitate the analysis of the effect of development upon the tax base, the local economy, population, public facilities and the environment;
 - (F) To provide and result in an enhanced residential and/or work environment for those persons living and/or working within the district; and
 - (G) To require the application of professional planning and design techniques to achieve overall coordinated mixed-use developments and avoid the negative effects of piecemeal, segregated or unplanned development. Toward these ends, rezoning of land and development under this district will be permitted only in accordance with the intent and purpose of the city's comprehensive plan and this chapter, and to that end the PUD plan must be prepared and approved in accordance with the provisions of this chapter.
- (2) *Mixed-use development.* The PUD district shall include and allow for compatible mixed uses such as compatible residential, commercial and/or industrial, within a single project within the boundaries of an approved plan area, in order to provide the flexibility required for a well-designed and innovative development that will conserve, develop, protect and utilize to their best use the natural resources of the area in a manner that ensures the safe, orderly and healthy development and expansion of the city. In order to promote such development, the PUD may be comprised of a combination of all the other zoning districts provided for in this chapter. The outer boundary of each such PUD zoning district shall be shown on a map. Said map will include a descriptive legend, the specific boundaries of the area proposed for use authorized for in any other zoning district and percentage of the total area of such PUD which will comprise each such separate use, and all notations, references and other information shown thereon, shall be adopted by ordinance.
- (3) *Flexible planning.* When considering a PUD, the unique nature of each proposal for a PUD may require, under proper circumstances, the departure from the strict enforcement of certain present codes and ordinances, e.g., without limitation, the width and surfacing of streets and highways, lot size, parking standards, setbacks, alleyways for public utilities, signage requirements, curbs, gutters, sidewalks and streetlights, public parks and playgrounds, drainage, school sites, storm drainage, water supply and distribution, sanitary sewers, sewage collection and treatment, single use districts, etc. Final approval of a PUD by the city council shall constitute authority and approval for such flexible planning to the

extent that the PUD as approved, departs from existing codes and ordinances. The flexibility permitted for a PUD does not imply that any standard or requirement will be varied or decreased.

- (4) *Rules applicable.* The city council, after public hearing and proper notice to all parties affected and after recommendation from the commission, may attach a planned unit development district designation to any tract of land equal to or greater than 25 acres. Under the planned development designation, the following rules apply:
- (A) The approval of any proposed PUD or combination of uses proposed therein shall be subject to the discretion of the city council, and no such approval will be inferred or implied.
 - (B) Permitted uses are those listed under the applicable zoning district(s) for the base zoning to be applied to the PUD (for example, the permitted uses in a PUD proposed to be developed as a retail, commercial and office development are the respective uses listed for the general retail, commercial and office districts). In addition, a planned unit development district may be established where the principal purpose is to serve as a transitional district, or as an extension of an existing district whereby the provision of off-street parking, screening walls, fences, open space and/or planting would create a protective transition between a lesser and more restrictive district. In approving a planned unit development, additional uses may be permitted, and specific permitted uses may be prohibited from the base district.
 - (C) Standards required by the base zoning apply in a planned unit development except that the following regulations and standards may be varied in the adoption of the planned unit development, provided that the plan is consistent with sound urban planning and good engineering practices:
 - (i) Setbacks.
 - (ii) Maximum height.
 - (iii) Maximum lot coverage.
 - (iv) Minimum lot width.
 - (v) Minimum lot area.
 - (vi) Off-street parking requirements.
 - (vii) Maximum dwelling units per acre.
 - (viii) Minimum dwelling unit size.
 - (ix) Accessory building regulations.
 - (x) Sign regulations along with a development agreement.
 - (xi) Landscaping regulations along with a development agreement.
 - (xii) Land uses and land use conditions.
 - (xiii) Architectural standards along with a development agreement.
 - (xiv) Special district requirements pertaining to the base zoning.
 - (D) In approving a planned unit development, no standards may be modified unless such modification is expressly permitted by this chapter, and in no case may standards be modified when such modifications are prohibited by this chapter.
 - (E) In approving a planned unit development, the city council may require additional standards deemed necessary to create a reasonable transition to, and protection of, adjacent property and public areas, including but not limited to, light and air, orientation, type and manner of

construction, setbacks, lighting, landscaping, management associations, open space and screening.

- (F) The commission and city council, in approving modifications to standards and regulations, shall be guided by the purpose intended by the base zoning and general intent of this chapter.
- (5) *Preliminary site plan.* A preliminary site plan of the entire property within the planned unit development will be considered by the commission prior to any recommendation to, or consideration by, the city council of the planned unit development district ordinance.
 - (A) A preliminary site plan may be approved for a portion of a planned unit development district where the district is divided by a major thoroughfare, and the preliminary site plan includes all the property located on one side of the street.
 - (B) Approval of a preliminary site plan will determine the location and mix of proposed uses, proposed points of ingress and egress, parking spaces, building locations and height, lot coverage, yards and open spaces, landscaping, screening walls or fences, topography and other development and protective requirements, considered necessary to create a reasonable transition to, and protection of, the adjacent property.
 - (C) The commission and/or city council may approve, conditionally approve, request modifications, or deny approval of the preliminary site plan based on evaluation of details with respect to:
 - (i) The plan's compliance with all provisions of this chapter and other ordinances of the city.
 - (ii) The environmental impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
 - (iii) The relationship of the development to adjacent uses in terms of harmonious use and design, setbacks, maintenance of property values and negative impacts.
 - (iv) The provision of a safe and efficient vehicular and pedestrian circulation system.
 - (v) The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
 - (vi) The sufficient width and suitable grade and location of streets designed to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.
 - (vii) The coordination of streets so as to compose a convenient system consistent with the thoroughfare plan of the city.
 - (viii) The use of landscaping and screening: (1) to provide adequate buffers to shield lights, noise, movement or activities from adjacent properties when necessary; and (2) to complement the design and location of buildings and be integrated into the overall site design.
 - (ix) The location, size and configuration of open space areas to ensure that such areas are suitable for intended recreation and conservation uses.
 - (x) The adequacy of water, drainage, sewerage facilities, garbage disposal and other utilities necessary for essential services to residents and occupants.
- (6) *Final site plan.* Following approval of the preliminary site plan, a final site plan for any portion of the planned unit development may be approved. The preliminary site plan establishes the general development standards according to a base district. The final site plan providing all the detail required

for development, subdivision, zoning and enforcement of the special conditions and regulations must be approved by ordinance prior to the zoning being in effect and construction being authorized."

- (7) *Amendments.* Consideration of amendments to a planned unit development will take into consideration the effect of the proposed development on the remainder of the property, adjacent properties and the neighboring communities. Amendments to the final site plan or any planned development conditions, which are substantive, shall require public hearings in the manner required for any other zoning change.
 - (8) *Reserved.*
 - (9) *Ordinance amendment.* Every planned unit development district approved under the provisions of this chapter is considered an amendment of this chapter as to the property involved, and to the master plan. All planned unit development districts will be referenced on the zoning district map, and a list of such planned unit development districts shall be maintained as an appendix to this chapter.
 - (10) *Certificate of occupancy.* All planned unit development district conditions and special regulations must be complied with in the PUD, or in the separate section or phase, before a certificate of occupancy is issued for the use of land or any structure which is part of a planned unit development district, or, if applicable, the separate section or phase being developed.
- (c) *Comprehensive plan amendment procedures.*
- (1) *Purpose.* For the purpose of establishing and maintaining sound, stable, and desirable development within the city, the comprehensive plan, specifically, the future land use plan and the transportation master plan, shall be amended only based upon changed or changing conditions in a particular area or in the city.
 - (2) *Applicability.* If it is determined that a proposed rezoning is not in accordance with the future land use plan located within the master plan, a comprehensive plan amendment petition shall be required to accompany the rezoning application of the applicant who initiated the rezoning request with the applicable review fees in accordance with Appendix A.
 - (3) *Initiation of amendment.* An amendment may be initiated by:
 - (A) City council;
 - (B) The planning and zoning commission; or
 - (C) The city manager.
 - (4) *Procedure.* An applicant who wishes to develop land within the city's jurisdiction and who will require an amendment to the future land use map or transportation master plan may petition the city council to initiate the process to amend the comprehensive plan by submitting a petition in the form provided by the city to the city's development services director.
 - (A) *Amendment petition.* A complete petition for a future land use map or transportation master plan amendment shall be submitted to the development services director with letter of explanation for the request and any support information related to the request.
 - (B) *Review and report by development services director.* Once the petition is complete, the development services director shall review the proposed amendment in light of the remainder of the comprehensive plan and conditions in the city and give a report and recommendation to the city council.
 - (C) *City council petition review.* Approval of a petition will not constitute approval of the proposed amendment and will not bind the city council to approve the proposed amendment. If the city council approves the petition, the petition shall be forwarded to the planning and zoning

commission for review and recommendation. Failure of the city council to act on a petition within 60 days of its submission shall be deemed a denial of the petition. An approved petition shall expire within six months of the date of approval if the amendment is not finally approved by the city council within that time.

- (D) *Review by the planning and zoning commission.* Once a petition has been approved by the city council, the planning and zoning commission shall hold a public hearing to review the amendment and recommend approving, approving with conditions, or denying. The planning and zoning commission will advise the city council of its recommendation regarding the requested comprehensive plan amendment, or any element of the comprehensive plan.
- (E) *Final review and action by the city council.* After receiving a recommendation by the planning and zoning commission, the city council at a public hearing may then adopt or reject all or 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. The City Council may:
 - (i) Adopt or reject the plan as submitted by the planning and zoning commission;
 - (ii) Adopt or reject the comprehensive plan amendment with changes or amendments; or
 - (iii) Direct the planning and zoning commission to further study or review the comprehensive plan amendment, or a portion thereof.
- (5) *Approval criteria.*
 - (A) The city council shall consider the following approval criteria in an analysis of immediate needs and consideration of the long-term effects.
 - (i) The application is complete and the information contained within the application is sufficient and correct enough to allow adequate review and final action; and
 - (ii) 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 should be guided by the following:
 - (i) The need for the proposed change;
 - (ii) The effect of the proposed change on the need for city services and facilities;
 - (iii) The compatibility of the proposed change with the existing uses and development patterns of nearby property and with the character of the neighborhood; and
 - (iv) The implications, if any, that the amendment may have for other parts of the plan.

(Ord. No. 565 , § 2, 2-19-2020; Ord. No. 599 , § 32, 1-6-2021; Ord. No. 615 , § 32, 7-7-2021; Ord. No. 703 , §§ 20—22, 5-3-2023)