

ORDINANCE NO. 00-12-514

AN ORDINANCE AMENDING THE BASIC ZONING ORDINANCE OF THE CITY OF MURPHY, TEXAS, BY CHANGING THE ZONING AND CLASSIFICATION OF THE FOLLOWING PROPERTY; TO WIT: 26.51 ACRES IN THE J. MAXWELL SURVEY, ABSTRACT 580, KNOWN AS MURPHY VILLAGE ADDITION, LOT 2, BLOCK A; LOT 1, BLOCK B; AND LOT 1, BLOCK C, SHALL BE CHANGED FROM PLANNED DEVELOPMENT-RESIDENTIAL, TO PLANNED DEVELOPMENT-MIXED USE RETAIL, COMMERCIAL AND OFFICE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Zoning Commission of the City of Murphy, Texas, and the Governing Body of the City of Murphy, in compliance with state law with reference to the Zoning Ordinance Regulations and Zoning Map, have given requisite notices by publication and otherwise and, after holding due hearings and affording a full and fair hearing to all the property owners generally and to the persons situated in the affected area and in the vicinity thereof, the Governing Body of the City of Murphy is of the opinion that the zoning changes should be made as set forth herein.

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

SECTION 1. The basic Zoning Ordinance of the City of Murphy be and the same is hereby amended insofar as 26.51 acres of property in the J. Maxwell Survey, Abstract 580, known as Murphy Village Addition, Lot 2, Block A; Lot 1, Block B; and Lot 1, Block C, presently zoned Planned Development-Residential, shall be zoned Planned Development-Mixed Use Retail, Commercial and Office. The said property shall be classified and placed into the use district set forth above and be subject to the provisions of said Ordinance generally, and the Zoning Map and Plat be and are hereby amended and corrected to reflect said changes. The Planned Development District Standards are attached hereto, marked Exhibit "A," and incorporated herein as though fully set out.

The City Secretary is hereby directed to correct the Zoning Map of the City of Murphy to reflect the changes in zoning herein.

SECTION 2. In all other respects, the said property shall be subject to all the applicable regulations contained in the Zoning Ordinance of the City of Murphy.

SECTION 3. Severability Clause. If any section, part of a section or provision of any section of this Ordinance shall be held to be void, ineffective, or unconstitutional by a court of competent jurisdiction, the holding of such section, part of a section, or provision of any section to be void, ineffective or unconstitutional for any cause whatsoever shall in no way affect the validity of the remaining sections and provisions of the Ordinance which shall remain in full force and effect.

SECTION 4. Penalty Clause. Any person, firm or corporation violating any of the provisions of this Ordinance shall be subject to the same penalties provided for in the Code of Ordinances of the City of Murphy.

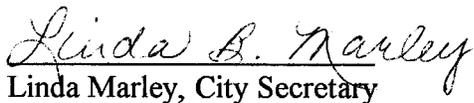
SECTION 5. Effective Date. This Ordinance shall become effective and be in full force and effect from and after the date of the passage in accordance with the provisions of State Law; and

IT IS SO ORDAINED.

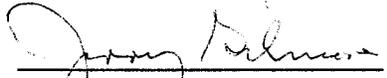
PASSED AND APPROVED this the 18<sup>TH</sup> day of DECEMBER, 2000.

  
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Roy W. Bentle, Mayor

ATTEST:

  
Linda Marley, City Secretary

APPROVED AS TO FORM:

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Jerry Gilmore, City Attorney

## EXHIBIT "A"

### PLANNED DEVELOPMENT - SOUTH OF F.M. 544 @ BRAND ROAD (PD-F.M. 544 @ BRAND) ZONING DISTRICT City of Murphy, Texas

#### PLANNED DEVELOPMENT DISTRICT STANDARDS

Ordinance No. 00-12-514  
Adopted Dec. 18, 2000

#### Planned Development - F.M. 544 @ Brand Road

##### (A) GENERAL PURPOSE, INTENT AND DESCRIPTION:

The PD-F.M. 544 @ Brand district is intended to establish a sustainable, high quality, mixed-use, development area and focal point for the City. The district is to provide development standards which will help to ensure that the land uses will be developed in a cohesive, integrated and visually appealing manner. The zoning district is comprised of land that is bounded by F.M. 544 on the north, the City of Plano on the south, the City of Plano on the west and a north/south property boundary line which is approximately 838' ± east of Brand Road on the east (see Exhibit "A").

##### (B) PERMITTED USES:

- (1) Those land uses listed for the PD-F.M. 544 @ Brand zoning district in the attached Use Charts are the only uses authorized by right or by SUP within the PD-F.M. 544 @ Brand district. Uses that may be authorized by SUP must be approved utilizing procedures set forth in Sections 157.046 and 157.161 of the Zoning Ordinance.
- (2) **New and Unlisted Uses** - It is recognized that new unanticipated types of land uses (or land uses which are so dissimilar to any of those listed as to cause uncertainty in interpretation) may seek to be located in the PD-F.M. 544 @ Brand district. Any land use which is not listed in the Use Charts shall be referred to the Planning & Zoning Commission and City Council for interpretation in accordance with the procedures set forth in the "Classification of New and Unlisted Uses" section of the Zoning Ordinance.
- (3) **Nuisance/Noxious Uses** - Land uses which are deemed to be a hazard or a nuisance to the public (i.e., due to the presence/creation of unpleasant or noxious odors, noise, vibration, glare or other phenomenon that is inherent to the normal operation of the business/use) shall not be permitted within the PD-F.M. 544 @ Brand district. The City Council has the authority, at its own discretion, to require the elimination of any of the above phenomena, or the removal of the business/use which produces a public hazard or nuisance.

**(C) HEIGHT REGULATIONS:**

**(1) Maximum Height:**

- a. Two (2) stories, or forty feet (40'); as measured to the highest point on the building), for the main building(s) or any other occupied structure (height may be greater than forty feet (40') if approved by City Council on the final site plan, but any portion of a structure above forty feet (40') shall be unoccupied space such as an architectural embellishment [e.g., spire, belfry, tower, cupola, dome, chimney, etc.], a penthouse for mechanical equipment, or other similar feature); twenty-five feet (25') maximum height of any portion of building that is within one hundred fifty feet (150') of any property zoned for residential purposes, with the right to an additional five feet (5') for a total of thirty feet (30') if the additional five feet (5') is for screening of mechanical equipment or unoccupied space as noted above.
- b. One (1) story for accessory buildings.
- c. Sixty-five feet (65') for any unoccupied structure (e.g., antenna/telecommunications tower, grain silo, utility structure, steeple, standpipe, clock tower/campanile, art object, etc.). Note: A non-commercial or commercial (i.e., for profit) antenna/telecommunications tower may be allowed in the PD-F.M. 544 @ Brand district by SUP only (see Use Charts).

**(D) AREA AND OTHER REGULATIONS:**

**(1) Area Requirements:** For lots fronting onto F.M. 544 or Brand Road (i.e., for all lots within the district):

- a. Minimum Lot Area - 22,000 square feet.
- b. Minimum Lot Width/Street Frontage - one hundred feet (100').
- c. Minimum Lot Depth - two hundred feet (200').
- d. Minimum Front Yard - forty feet (40'); any yard fronting a street shall be treated as a front yard.
- e. Minimum Side/Rear Yard - zero feet (0') where a property line divides properties constructed with common walls used for in-line commercial uses, otherwise twenty feet (20'); fifty feet (50') from the railroad right-of-way line; fifty feet (50') from any property used for residential purposes; a building's construction type and its placement in proximity to a property line shall comply with the City's building codes.
- f. Maximum Lot Coverage - forty percent (40%)

2) **Parking and Loading Requirements:**

- a. Parking Requirements - As required by Sections 157.080, 157.081, 157.082 and 157.083 of the Zoning Ordinance. For uses not specifically listed/cited in the Zoning Ordinance, for parking aisle/space design and configuration, for drive-throughs or restricted (i.e., gated) entrances, and for alternative parking scenarios (i.e., reduced parking requirements, shared/joint-use parking, on-street parking spaces, off-site parking spaces, compact car spaces, etc.), the proposed parking arrangement shall be reviewed by the City (i.e., the City's Planner and/or Engineer), and may be approved via site plan approval (by the Planning & Zoning commission and City Council, at their sole discretion) for the development. The applicant shall clearly state, as part of its development application, any special parking arrangements/circumstances which are being sought, and shall clearly show same on the site plan.
- b. Loading Requirements - Off-street loading spaces shall be provided, as follows:
1. Loading Space Dimensions - a "regular" loading space shall be ten feet by twenty-five feet (10' x 25'); a "large" loading space shall be ten feet by sixty feet (10' x 60').
  2. Calculation of the minimum number of off-street loading spaces shall be as follows:
    - (a) Office uses, or portion(s) of building devoted to office uses:
      - 0 to 19,999 square feet: 0 spaces
      - 20,000 to 49,999 square feet: 1 regular space
      - 50,000 to 149,999 square feet: 1 regular space and 1 large space
      - 150,000+ square feet: 2 regular spaces and 1 large space
    - (b) Retail/commercial and restaurant uses, or portion(s) of building devoted to retail/commercial and restaurant uses:
      - 0 to 3,999 square feet: 0 spaces
      - 4,000 to 9,999 square feet: 1 regular space
      - 10,000 to 29,999 square feet: 2 regular spaces
      - 30,000 to 99,999 square feet: 2 regular spaces and 1 large space
      - 100,000+ square feet: 2 regular spaces and 2 large spaces
    - (c) Loading spaces that are adjacent and easily accessible to several buildings or uses, including buildings and uses on separate lots, shall be allowed to satisfy the loading requirements for the individual buildings or uses, provided that: 1) the number of spaces satisfies the requirements for the combined square footages for the buildings or uses in question, and 2) for loading spaces to be shared among separate lots, they must be in reasonably close proximity to all potential users and an agreement granting mutual use by the owners of each building shall be executed and provided to the City (for file).

3. The design/orientation of all loading areas shall be such that delivery vehicles/trucks will not be parked in any designated drive aisle or fire land, and such that trucks will not have to maneuver or back up within any public roadway or right-of-way in order to position itself for deliveries/loading. The design and orientation of all loading areas shall be subject to City Council approval on the site plan.

**(3) Landscaping Requirements:**

a. For all lots:

1. Minimum Landscaped (Pervious Surface) Area - twenty percent (20%).
2. Front Landscape Buffer Area - minimum twenty-five feet (25') for a distance of 250' from the corner of two streets, and fifteen feet (15') for all other street frontages, as measured from front property line (i.e., maximum future right-of-way line for the street) and excluding any portion of a building/structure for any parking area pavement; may include sidewalks, turf, ground cover, trees, shrubs, decorative landscape features, etc., and may be crossed by vehicular driveways entering the property.
  - (a) Front Buffer Trees - minimum one (1) large shade tree (minimum 3" caliper) and four (4) small ornamental trees (minimum 2" caliper and/or 7-foot planted height) per fifty linear feet (50') of street frontage (or portion thereof).
  - (b) Front Buffer Screening Hedge (for any parking areas adjacent to a public street) - minimum three-foot (3') tall screen comprised of hardy, evergreen shrubs, decorative walls with shrubs, or similar landscaping (screen must attain a minimum height of three feet tall within two years of initial planting/installation date). Berms are greatly encouraged to accomplish the goal of screening.
3. Side/Rear Landscape Buffer Area - minimum five feet (5') along any property side or rear lot line, and except where the property line is within or adjacent to a shared parking area, drive aisle, fire lane, etc., or where the property line divides properties constructed with common walls used for in-line commercial uses.
  - (a) Side/Rear Screening Hedge - minimum four-foot (4') tall screen comprised of hardy, evergreen shrubs, decorative walls with shrubs, or similar landscaping (screen must attain a minimum height of four feet tall within two years of initial planting/installation date).

4. Landscape Buffer Area Along Railroad Right-of-Way - minimum twenty-five feet (25') from railroad right-of-way line; may include earthen berms (maximum 3:1 slope), sidewalks, turf, ground cover, trees, shrubs, decorative landscape features, etc. (no buildings and no paving except for a hike/bike trail). Tree credits will be given for the preservation of existing trees in lieu of providing one (1) large shade tree (minimum 3" caliper) per fifty feet (50') of frontage (or portion thereof) along the railroad, provided there remains at least one (1) large, healthy, properly preserved/protected native tree for every fifty feet (50'), or portion thereof, along the railroad frontage. *[For the purpose of all applicable Sections of this Ordinance, "properly preserved/protected" shall mean that proper techniques are used to ensure the long-term health and viability of existing trees that are preserved on the site, including non-disturbance of the entire area beneath the canopy drip line of the tree (except for minimal trenching for installation of underground irrigation lines) and protection of this area against destructive or damaging activities such as grading, digging, chemical disposal or washing, accidental construction damage, etc. Tree credits shall only be granted for existing mature trees that have been certified by a licensed arborist as healthy, vigorously growing, and likely to have a reasonably long life span if left undisturbed and if properly preserved and protected (see above).]*
  
5. Landscape Buffer Area Along Southern and Western Perimeter (adjacent to residential uses) - minimum twenty-five feet (25') from southern and western boundary line; may include earthen berms (maximum 3:1 slope), sidewalks, turf, ground cover, trees, shrubs, etc. (no buildings and no paving).
  - (a) Perimeter Buffer Trees - one (1) large shade tree (minimum 3" caliper) per fifty linear feet (50'), or portion thereof, along southern and western perimeter (adjacent to residential uses). Tree credits will be given for the preservation of existing trees in lieu of the above requirement provided there remains at least one (1) large, healthy, properly preserved/protected native tree for every fifty feet (50'), or portion thereof, along the perimeter boundary line. *[See note in Subsection 4 above pertaining to the term "properly preserved/protected" and health certification of existing trees to obtain tree credits.]*
  
6. Interior Parking Lot Landscaping Islands - a landscaped island (ten-foot minimum width) is required at the end of each bay (i.e., row) of parking spaces, and shall be placed such that bays of parking spaces do not exceed eighteen (18) spaces in length; one (1) large shade tree (minimum 3" caliper) shall be placed within each landscaped island such that the minimum distance from the centerpoint of the tree is at least five feet (5') from any curb or paved surface.

- b. All landscaped areas are to be maintained in a clean, living and growing condition at all times, and shall be equipped/irrigated with an automatic, underground irrigation system which has moisture and freeze sensors (to minimize water waste, and to prevent accidental roadway icing in freezing weather).
- c. Other landscaping provisions to be as required in the Zoning Ordinance, as amended (including Ordinance #99-1-446), and in any other applicable City code or ordinance.

**(4) Masonry Requirements:**

- a. Buildings: All facades of all buildings (including accessory structures) shall be of standard masonry exterior construction for a minimum of 80% of each exterior wall surface (excluding doors and windows).
- b. Standard Masonry Construction - Standard masonry construction shall include brick, stone, glass block, decorative concrete masonry units (i.e., split face, but not including smooth face), and concrete wall sections (e.g., poured in place, precast, tilt wall) provided that such wall sections are varied in nature (i.e., non-uniform, textured, fenestrated, etc.) And not a smooth, uniform surface. All masonry construction shall be in conformance with the City's building codes, and shall be compatible with and complimentary to the general architectural aesthetic of other structures within that vicinity of the PD-F.M. 544 @ Brand district. Brick masonry veneer products shall be no less than three inches in thickness, and all other masonry products shall be no less than three and five-eighths (3 5/8) inches in thickness when used as a veneer. Stucco, exterior plaster, EIFS, or trowled/textured mortar wash surfaces shall not be considered masonry construction (i.e. shall not count toward the masonry requirement).

**(5) Lighting Requirements:**

- a. Lighting shall be in accordance with ordinance No. 99-10-469, and with the City of Murphy's code of Ordinances, as amended. Lighting fixtures shall be of a type that can be oriented downward or upon building facades, and shall not produce light overspill onto adjacent properties or public rights-of-way. Adequate lighting for safety and security at nighttime shall be provided, but the amount of lighting shall not be excessive such that it produces a "glowing" effect that would detract from the community's peaceful, semi-rural setting. Special types of lighting (such as for holidays and festivals) shall be allowed and encouraged within the district.

**(6) Screening:**

- a. Railroad Buffer Area Screening - Existing trees to be preserved as much as practical.
- b. Perimeter Screening (southern and western perimeters adjacent to residential uses) - Minimum six-foot (6') tall masonry wall along the property line, constructed of the same finish materials and colors (both sides of wall) as the

main building. unless a screening wall is constructed by others such as the adjacent property owner (as in the case along the southern property boundary line). If fifty percent (50%) or more of the off-site screening wall (e.g., on the property to the south) is ever removed in the future, then the owners of property within this zoning district (PD-F.M. 544 @ Brand Road) shall re-construct the required perimeter screening wall (as specified above) completely on their own property, and shall assume maintenance responsibility for said re-constructed wall.

- c. Loading Area Screening - All truck docks/loading areas shall be screened from view from any public street through the use of 12-foot tall masonry walls (which are the same colors and materials as main building) and/or evergreen living screens (eight-foot height and at least 75% opacity within four years of planting, plus large shade trees, minimum 3" caliper, at 20' on-center spacing) unless such areas are screened from public views by a building.
- d. Dumpster Screening (including dumpsters and other solid waste facilities such as trash compactors, recycling containers/compactors, etc.) - All free-standing solid waste facilities shall be screened from view from any public street and the residential zoning district to the south by a six-foot tall masonry wall (same colors and materials as main building) on at least three sides, with securable gates for access (unless screened from public views by a building). Landscaping (tall evergreen shrubs and trees) shall be placed around, or in the vicinity of, solid waster facilities to minimize the visual and noise impacts of these facilities. Solid waste facilities that are attached to the main building (i.e., trash/recycling compactors, etc.) Shall be effectively screened from view of any public street and the residential district to the south with strategic placement of tall evergreen shrubs (six-foot height and 75% opacity within three years of initial planting/installation) and large shade trees.
- e. Mechanical Equipment Screening - All mechanical equipment and satellite dishes (including rooftop- and ground-mounted) shall be screened from view of any public street by architecturally integrated facade extensions, parapet or "wing" walls, a living screen, or by some other device/means that is approved by the City (via site plan and elevation plan review/approval). Traditional "line-of-sight" techniques shall be used (and documented/submitted during site plan review) to verify that such equipment will not be visible from any public street.

**(7) Access:**

- a. Each development site (lot, parcel, tract, etc.), or each multi-tenant/multi-use building shall have at least two points of permanent access from a public street (either directly from a driveway opening, or indirectly via a mutual access easement on a neighboring parcel which provides access to a driveway opening on that parcel), and shall have access to a median opening with the appropriate turn lane into the property.

- b. Wherever possible, driveway openings onto public roadways shall be shared by two or more building sites/lots, and mutual access easements shall be established on the plat(s) in order to ensure shared access in perpetuity.
- c. On F.M. 544 or Brand Road driveway spacing shall be a minimum of two hundred feet (200') between driveway openings (unless approved otherwise via site plan approval by City Council, and pursuant to approval by TxDOT and/or Collin County and no driveway shall be located closer than two hundred feet (200') of the corner (i.e., ultimate right-of-way line intersection) of F.M. 544 and Brand Road. All median opening locations and spacing shall be subject to review by the City's Engineer and Planner (and by TxDOT and/or Collin County, as applicable), and to approval by City Council on the site plan.

**(8) Signage:**

- a. All free-standing signage (except for small, on-site directional/movement control signs) shall be as follows:
  - 1. For pad sites (i.e., sites 1.5 acres or smaller) - masonry; monument-style; maximum six feet (6') in height; maximum size fifty (50) square feet per sign face; ten-foot (10') setback from the street right-of-way line; same materials, colors and architectural style as the main building.
  - 2. For larger sites (i.e., sites larger than 1.5 acres) - masonry; pylon-style (i.e., tall monument signs with a solid masonry base or supported by masonry columns); maximum twenty-five feet (25') in height; maximum size one hundred and fifty (150) square feet per sign face; fifteen-foot (15') setback from the street right-of-way line; same materials, colors and architectural style as the main building.
- b. All other requirements for signage (including allowed number/size of signs, other setbacks/spacing, etc.) shall be in accordance with the Sign Ordinance (Ordinance No. 98-8-429), as amended, and with any other applicable provisions in the City of Murphy's Code of Ordinances, as amended.

**(9) Special Paving:** A special "signature" paving treatment shall be established on the overall concept plan, and shall be used for all applicable locations throughout the district. Appropriate locations for the special treatment shall include, but not necessarily be limited to, all pedestrian crosswalks (including portions of the sidewalk immediately adjacent to the street curb, and including barrier-free ramp area), driveway openings, and sidewalk surfaces. All paving treatments used on pedestrian circulation surfaces shall be in compliance with appropriate ADA standards.

**(10) Paving in Vehicular Traffic Areas:** All paving in vehicular circulation areas (e.g., drive aisles, parking areas, fire lanes, etc.) shall be six-inch (6") reinforced concrete, in accordance with Ordinance No. 99-10-469 and with Chapter 157 of the City's Code of Ordinances, as may be amended.

- (11) **Canopies:** The design/appearance of canopies (defined as a roof-like structure which is generally open on two or more sides, and which is supported by the building to which it is attached and/or which shelter vehicles while receiving goods or a service; for example, a porte-cochère, a covered drop-off, a roof structure over a bank drive-through or gas pumps, etc.) shall be compatible with, integrated with, and in keeping with the design and materials used on the main building. Support columns/structures shall meet the same masonry requirements (same materials and colors) as the main building, and the elevated portion of the canopy shall be comprised of masonry and/or other materials which directly reflect design elements of the main building (for example, a "mansard" style or "hip and gable" roof with the same materials, colors and textures as the roof of the main building). Canopies shall have a minimum clearance of eight feet (8') above any sidewalk/pedestrian travel surface, and fourteen feet (14') above any vehicular parking or circulation surface. Signs (including words, symbols, logos, etc.) on canopies shall comply with the City's Sign Ordinance.
- (12) **Awnings:** The design/appearance of awnings (defined as a structure typically composed of canvas, fabric or other similar lightweight material, support and shaped by a metal or wood frame, which is suspended from the surface of a building and intended to shelter pedestrians from the elements or to provide decoration for the building facade) shall be compatible along a particular building's face. Awnings shall have a minimum clearance of eight feet (8') above any sidewalk/pedestrian travel surface, and fourteen feet (14') above any vehicular parking or circulation surface. Signs (including words, symbols, logos, etc.) on awnings shall comply with the City's Sign Ordinance.
- (13) **Traffic Impact Analysis:** Prior to the development of any portion of the property within this zoning district, a traffic impact analysis (TIA), based upon built-out conditions in the general vicinity of this property, shall be performed and submitted to the City for approval along with the preliminary site plan or preliminary plat. The TIA shall take into account all applicable links and nodes (i.e., intersections) to ensure that the roadway network will efficiently accommodate the increased traffic loads resulting from this development at a level of service of "C" or above, particularly during peak traffic periods. The developer/property owner shall be responsible for the design and construction of any necessary roadway or intersection improvements that are deemed necessary in the TIA to maintain a level of service of "C" or above.

**(E) APPROVAL REQUIREMENTS:**

- (1) **Overall Concept Plan Review/Approval:** In order to ensure the development of a cohesive integrated development, a concept plan for the property shall be required. A separate concept plan shall be required for each section prior to any development within that section. The concept plan is intended to provide a broad, conceptual view (in bubble plan format) of how the overall PD-F.M. 544 @ Brand district will be developed. The concept plan shall include the following elements:
- a. Building placement and orientation (general)
  - b. Location of private internal drives, and driveway openings and median openings on F.M. 544 and Brand Road

c. On-site pedestrian and vehicular circulation systems

d. Landscape buffer areas.

- (2) **Preliminary Site Plan Required:** Submission of a preliminary site plan shall be required along with submission of a preliminary plat for any property within the district (however, the preliminary site plan may be submitted without a preliminary plat, if desired by the property owner). Approval of the preliminary site plan shall be required for each of the three large land parcels (i.e., the 13± acre parcel east of Brand Road, the 9± acre parcel between Brand Road and the railroad tracks, and the 4± acre parcel west of the railroad tracks) prior to approval of a final site plan (or final plat) for any individual building site within the land parcel.
- (3) **Preliminary and Final Site Plan Review:** The review and approval of a preliminary site plan and then a final site plan and other associated plats/construction plans in accordance with the City's standard development review/approval procedures, as may be amended from time to time, shall be required prior to the development of any site (or the construction of any structure) within the PD-F.M. 544 @ Bland district. Development standards for each building site shall be in accordance with this and any other applicable section of the Zoning Ordinance, and shall be clearly shown on the preliminary site plan and the final site plan. Additional supporting information may be required by the City prior to approval of a preliminary site plan or final site plan. No building permit shall be issued until all required plans/plats are properly reviewed and approved, and no certificate of occupancy shall be issued until all construction and improvements conform to the approved site plat, building plans, etc.
- (4) **Landscape Plan and Facade Plan Review:** For all developments/buildings, detailed landscape plans and building facade (i.e., elevation) plans shall be submitted for review and approval along with the final site plan. The landscape plan shall clearly show plan materials to be used, and how the site meets the landscaping requirements. Facade plans shall clearly show how the building(s) will look, especially as viewed from the road(s) upon which the property faces and/or sides, and will portray a reasonably accurate depiction of the materials and colors to be used. The architectural style and scale of buildings shall be compatible with one another. The City may require submission of detailed information on the building materials and colors proposed (including actual samples of materials to be used) during the site plan review process and prior to site plan approval.

(F) **SPECIAL REQUIREMENTS:**

(1) **Design Criteria:**

- a. Reflective glass shall not be used for windows or building exteriors; detailing for windows, doors and other openings shall be of wood, glass or a metal material that is complementary to the overall building style/design.

- b. **Overhead Power/Utility Lines** - New utility service lines (including, but not limited to, those for electricity, telephone, telecable, etc.) For individual business establishments, buildings, signs and for any other site development features shall be placed underground. Utility distribution lines shall, wherever reasonable, be placed underground or in a location that is away from, and not highly visible from, public roadways.
  
- c. Outside display of merchandise and seasonal items (e.g., Christmas trees, pumpkins, etc.) shall be limited to the following:
  - 1. Shall not be placed/located more than twenty feet (20') from the main building.
  - 2. Shall not occupy any on-street or off-street parking spaces.
  - 3. Shall not pose a safety or visibility hazard, nor impede public vehicular or pedestrian circulation, either on-site or off-site, in any way (i.e., sidewalk sales cannot block the sidewalk or extend out into the street).
  - 4. Shall not extend into public right-of-way or onto adjacent property.
  - 5. All outside display items shall be removed at the end of business each day (except for large seasonal items such as Christmas trees).
  - 6. All merchandise shall be displayed in a neat, orderly manner, and the display area shall be maintained in a clean, litter-free manner.
  
- d. **Architectural Design:** The purpose of this section is not to require all structures and development projects within the PD-F.M. 544 @ Brand district to be identical in appearance or design, but to ensure compatibility among the various development projects within the district, and to ensure a harmonious, visually pleasing, high quality appearance for the overall district as a whole.
  - 1. The architectural standards shall aim to achieve the following objectives:
    - (1) Architectural compatibility and harmonious appearance of structures throughout the district;
    - (2) Human scale design and perception;
    - (3) Integration of uses and physical design elements;
    - (4) Buildings that contain special architectural features to signify entrances and/or "special places", such as pedestrian courtyards, outdoor "malls".

2. All building materials shall be established on architectural elevations and supporting information, and shall be subject to City review and approval (or disapproval) with the final site plan.
- e. **Building Placement/Orientation** - Any building within two hundred feet (200') of a public right-of-way shall either face such right-of-way or shall have a facade facing such right-of-way that is in keeping with the character of the building's main facade (i.e., has articulation, actual or "implied" fenestration, awnings, exterior finish materials/colors, etc. like the main facade of the building).
  - f. **Building Facade Articulation** - All facades (i.e., elevations) of all buildings within the district, particularly those fronting or visible from a public street, shall be articulated (i.e., with convexities, concavities, awnings/overhangs, and other features that provide visual interest) and fenestrated with windows, door openings, colonnades, and similar details such that elevations are interesting, aesthetically pleasing, and three-dimensional in overall appearance (i.e., not flat, planar, unappealing, etc.).
  - g. **Pad Sites** - Pad sites, which shall be defined as sites of one and one-half acres or less in size and which will be used for a single free-standing building (i.e., not part of an inline shopping center; can be occupied by one or several tenants), shall be limited to a maximum of fifty percent (50%) of the total street frontage along F.M. 544 and Brand Road. For the purpose of this Ordinance, "total street frontage" shall mean the total linear front-footage along each respective major thoroughfare (i.e., F.M. 544 and Brand Road) for each of the three large land parcels cited in subsection E(2) above, and pad site frontage shall not transfer from one roadway to another (i.e., footage allowed on Brand Road shall not be used along F.M. 544).
- (2) **Other Regulations:** Any requirements not specifically addressed herein shall be as stated in other sections of the Zoning Ordinance (particularly Section 157.066 and other applicable sections), as amended, and/or within the City's Code of Ordinances, as amended.























