

PLANNED DEVELOPMENT-CENTRAL BUSINESS (PD-CB) ZONING DISTRICT
City of Murphy, Texas

PLANNED DEVELOPMENT DISTRICT STANDARDS

Ordinance No. 00-10-504

Adopted 10-16-00, 2000

SECTION 157.067 PD-CB – PLANNED DEVELOPMENT-CENTRAL BUSINESS DISTRICT

(A) GENERAL PURPOSE, INTENT AND DESCRIPTION:

The PD-CB, Planned Development-Central Business, district is intended to establish a sustainable, high quality, mixed-use, pedestrian-oriented development area and focal point for the City. The district is also intended to provide a centralized location for diverse business activities that are typically associated with a community's "town center" area, and to provide development standards which will help to ensure that these land uses will be developed in a cohesive, integrated, visually appealing, and mutually harmonious manner. This zoning district is generally appropriate in one location within the City, specifically that land area which is bounded by F.M. 544 on the south, a north/south property boundary line which is approximately ± feet west of Murphy Road on the west, the DART railroad tracks on the north, and North Maxwell Creek Road on the east (see Exhibit "A"). A diverse mixture of retail, office, personal service, government and certain types of residential uses is generally appropriate for the Central Business Area. Businesses and land uses within the district should be pedestrian-oriented in that they are connected by public/pedestrian walkways, open space areas and linkages such that patrons and visitors are encouraged to shop, explore, conduct business, and experience the area without the necessity of driving a vehicle from business to business. Public open space and extensive landscaped areas are intended to promote interaction among residents, patrons and visitors, and to enhance the area's "pedestrian friendly" environment. Wherever possible, pedestrian-oriented design concepts such as "new urbanism" and "neo-traditional town planning" should be used for developments within the Central Business Area zoning district.

(B) PERMITTED USES:

- (1) Those land uses listed for the PD-CB zoning district in the attached Use Charts are the only uses authorized by right or by SUP within the PD-CB 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) **Outdoor Displays and Sales** - The following outdoor displays and sales shall be permitted within the PD-CB district:

- a. **Outdoor/temporary** (i.e., removable; non-permanent) displays and sales for fairs, festivals and other special events which are held in outdoor spaces, subject to issuance of a temporary permit by the City.
 - b. **Outdoor vendor sales** (with accessory display and storage) in temporary or movable structures, including (but not limited to) sales of seasonal merchandise, fruit and vegetable market sales, sales of arts and crafts items, sales of specialty food items, and sales of a similar nature, subject to issuance of a temporary permit by the City. Proposed/anticipated locations for outdoor vendor sales shall be shown and approved on the site plan for the development. If not shown on the approved site plan, locations shall be subject to review and approval by City Council prior to issuance of the temporary permit.
 - c. **Sales from permanent kiosks**, subject to approval of kiosk location(s) on the site plan for the development. Addition of a kiosk to a development site after the site is developed shall be considered/allowed only following review and City Council approval of a revised site plan for the overall site/lot upon which the new kiosk shall be situated.
- (3) **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 locate in the PD-CB 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.
- (4) **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-CB 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. Three (3) stories, or forty-five feet (45'); as measured to the highest point on the building), for the main building(s) or any other occupied structure (height may be greater than 45 feet if approved by City Council on the final site plan, but any portion of a structure above 45 feet 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); thirty feet (30') maximum height for any portion of building that is within one

hundred and fifty feet (150') of any property zoned for residential purposes (no exceptions).

- 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-CB district by SUP only (see Use Charts).

(D) AREA AND OTHER REGULATIONS:

(1) Size of Lot:

- a. For lots fronting onto F.M. 544, Murphy Road, or non-pedestrian-oriented streets within PD-CB district:

1. Minimum Lot Area - 22,000 square feet.
2. Minimum Lot Width/Street Frontage - one hundred feet (100').
3. Minimum Lot Depth - two hundred feet (200').

- b. For lots fronting onto interior, pedestrian-oriented streets within PD-CB district:

1. Minimum Lot Area - none specified.
2. Minimum Lot Width/Street Frontage - none specified.
3. Minimum Lot Depth - none specified.

(2) Size of Yards:

- a. For lots fronting onto F.M. 544, Murphy Road, or non-pedestrian-oriented streets within PD-CB district:

1. Minimum Front Yard - forty feet (40'); any yard fronting a street shall be treated as a front yard.
2. Minimum Side/Rear Yard - twenty feet (20'); fifty feet (50') from the railroad right-of-way line.

- b. For lots fronting onto interior, pedestrian-oriented streets within PD-CB district:

1. Minimum Front Yard - ten feet (10'); any yard fronting a street shall be treated as a front yard; front yard area shall be used for public/pedestrian

circulation and walkways, benches and seating areas, landscaping, outdoor/café dining areas, and other similar amenities associated with a pedestrian-oriented business setting; the front yard area shall be exclusive of any on-street parking spaces provided in front of business establishments.

2. Minimum Side/Rear Yard - zero feet (0'), unless adjacent to the railroad tracks (setback shall be fifty feet from the railroad right-of-way line); a building's construction type and its placement in proximity to a property line shall comply with the City's building codes.

(3) Maximum Lot Coverage:

- a. For lots fronting onto F.M. 544, Murphy Road, or non-pedestrian-oriented streets within PD-CB district - forty percent (40%).
- b. For lots fronting onto interior, pedestrian-oriented streets within PD-CB district - none specified, provided each proposed use meets requirements for parking, landscaping, pedestrian circulation, etc.

(4) 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 carspaces, 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 or residential (i.e., apartment) uses, or portion(s) of building devoted to office or residential 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 lane, 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.

(5) Landscaping Requirements:

- a. For lots fronting onto F.M. 544, Murphy Road, or non-pedestrian-oriented streets within PD-CB district:
1. Minimum Landscaped (Pervious Surface) Area - twenty percent (20%).
 2. Front Landscape Buffer Area - 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 and 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 - 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) - 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 - five feet (5') along any property side or rear lot line, except along the railroad right-of-way line (see below), and except where the property line is within a shared parking area, drive aisle, fire lane, etc.
- (a) Side/Rear Screening Hedge - 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 - 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).
- (a) Railroad Buffer Trees - one (1) large shade tree (minimum 3" caliper) per fifty (50) feet of frontage (or portion thereof) along the railroad.
5. 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. For lots fronting onto interior, pedestrian-oriented streets within PD-CB district:
- 1. Total Landscaped (Pervious Surface) Area - fifteen percent (15%); required landscaped area requirement may be reduced (via Site Plan approval by City Council) if other streetscape amenities (e.g., decorative street lighting fixtures, bollards, benches, paving patterns, trash receptacles, planting beds/containers, etc.) are provided in conjunction with pedestrian zone landscaping (see subsection (c) below), and as part of a comprehensive streetscape amenity package which is coordinated and compatible with other developments along the pedestrian-oriented street.

2. Front Landscape Buffer Area - ten feet (10'), from front property line (i.e., maximum future right-of-way line for the street) and excluding any portion of a building/structure and any parking area pavement; may include pedestrian sidewalks, turf, ground cover, trees, shrubs, decorative landscape features, raised/containerized plantings, etc., and may be crossed by vehicular driveways accessing the rear portions of the property (i.e., rear parking lots, etc.).
 - (a) Front Buffer Trees - one (1) large shade tree (minimum 3" caliper) and two (2) small ornamental trees (minimum 2" caliper and/or 7-foot planted height) per forty linear feet (40') of street frontage (or portion thereof); may be placed in tree grates, raised planting beds, tree containers, etc. if located along/within the sidewalk/pedestrian circulation area.
 - (b) Front Buffer Screening Hedge (for any parking area located adjacent to a public street) - 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.
 - (c) Pedestrian Zone Landscaping - ten (10) square feet of landscaped beds (shrubs and/or ground cover plantings in raised beds, containers, etc.) per thirty (30) linear feet of street frontage (or portion thereof).
 3. Side/Rear Landscape Buffer Area - none specified, unless along the railroad right-of-way line (see below).
 4. Landscape Buffer Area Along Railroad Right-of-Way - twenty-five feet (25'), from railroad right-of-way line and excluding any portion of a building/structure and any parking area pavement; may include earthen berms (maximum 3:1 slope), sidewalks, turf, ground cover, trees, shrubs, decorative landscape features, etc.
 - (a) Railroad Buffer Trees - one (1) large shade tree (minimum 3" caliper) per fifty (50) feet of frontage (or portion thereof) along the railroad.
 5. 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.
- c. 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).

- d. 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.

(6) Masonry Requirements:

- a. Non-Residential Buildings (could include buildings which contain loft, accessory and other types of allowed apartments/residences) - The first and second stories of all non-residential 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). If a third story is constructed, the third story may be constructed of non-masonry materials, in accordance with the City's building codes.
- b. Residential Buildings (buildings used for residential purposes only, including retirement housing, assisted living, etc.) - The first story of all residential 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). The second story shall be at least 50% masonry. If a third story is constructed, the third story may be constructed of non-masonry materials, in accordance with the City's building codes.
- c. Standard Masonry Construction - In the PD-CB zoning district, 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-CB 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) within the PD-CB district.

- (7) **Lighting Requirements:** 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, particularly within the pedestrian-oriented sections of the development.

(8) Screening:

- a. Railroad Buffer Area Screening - A six-foot (6') tall evergreen living screen shall be placed within the required buffer yard along the railroad right-of-way line (screen must attain a minimum height of six feet tall within three years of initial planting/installation date, and shall have an opacity of at least 75% by that time). Placement of a six-foot (6') tall wrought iron fence (some other type of fence may be allowed, subject to site plan approval) along the right-of-way line shall also be required to discourage pedestrians from crossing the railroad tracks.
- b. 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, for overstory screening) unless such areas are screened from public views by a building.
- c. 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 north 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 waste 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 north with strategic placement of tall evergreen shrubs (six-foot height and 75% opacity within three years of initial planting/installation) and large shade trees for overstory screening (the required railroad buffer area trees should generally accomplish this purpose along the northern property edge of the PD-CB district).
- d. 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.

(9) Access:

- a. Each development site (lot, parcel, tract, etc.), or each multi-tenant/multi-use building within the pedestrian-oriented development zones, 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 (if fronting onto F.M. 544 or Murphy Road) with the appropriate left 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 and Murphy 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 Murphy Road. On other public roadways interior to the PD-CB district, the minimum driveway spacing shall be one hundred and fifty feet (150'), and no driveway shall be closer than one hundred and fifty feet (150') to any street intersection (including intersections with F.M. 544, Murphy Road and Maxwell Creek 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.
- d. Access onto Maxwell Creek Road shall be limited to two (2) driveway openings, which shall be located no closer to the F.M. 544 intersection than one hundred and fifty feet (150') and no closer to the railroad right-of-way line than two hundred feet (200'). One of the two allowed openings onto Maxwell Creek Road may be comprised of an east/west public street serving properties within the PD-CB district, in which instance only one (1) additional driveway opening shall be allowed onto Maxwell Creek Road.

- (10) **Signage:** All signage 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. Requests for variance from the Sign Ordinance, particularly creative proposals for special types of signs that would make a positive contribution to the PD-CB district's goal of creating a pedestrian-oriented, "downtown" type of setting, may be considered and approved by the Sign Control Board, and shall be subject to review by City Council (in accordance with the Sign Ordinance).

- (11) **Public Building Site:** A site for a future municipal building/campus shall be reserved and made available for acquisition by the City (i.e., through a land purchase or other agreed upon arrangement) within the portion of the district which is east of Murphy Road, said site and location to be approved by the City. The site shall be of

sufficient size to accommodate a future City Hall (i.e., administrative, municipal court, etc.) and a possible future library and post office for Murphy, and shall be located in close proximity or integrated with the public plaza/common open space area (see below).

(12) Common Open Space:

- a. A site shall be reserved and made available for acquisition by the City (i.e., through a land purchase or other agreed upon arrangement) for a public plaza and common open space area (east of Murphy Road). The public plaza/open space shall be of sufficient size and shall be reserved in a centralized location (to be approved by the City) that will be conducive to utilization of such open space by the public for walking from one building/business to another, for passive recreational enjoyment, and for public gatherings (e.g., festivals, concerts, outdoor public meetings and assemblies, and other similar events).
- b. The layout and orientation of buildings surrounding (and in the vicinity of) the public plaza shall be such that pedestrian circulation is both accommodated and encouraged (i.e., not automobile-oriented), and shall make a positive contribution toward the goal of creating a vibrant "people place" and center of commerce for the City of Murphy.
- c. Long-term maintenance of the common open space area shall be through the joint efforts of the City and a property owners/merchants' association. The association shall be initially formed by the primary developers within the PD-CB district prior to final plat approval for the first major phase of the development. Membership in the association shall be mandatory (i.e., all property owners and end-users must be members), and the association shall assume maintenance responsibilities for common areas and amenities within the overall PD-CB district. The documents establishing the association shall be reviewed by the City prior to being filed for record at the County.

- (13) 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 PD-CB district. Appropriate locations for the special paving treatment shall include, but not necessarily be limited to, all street intersections, pedestrian crosswalks (including portions of the sidewalk immediately adjacent to the street curb, and including the barrier-free ramp area), driveway openings and sidewalk surfaces in the pedestrian-oriented sections of the district. All paving treatments used on pedestrian circulation surfaces shall be in compliance with appropriate ADA standards. The City shall explore (but shall not be obligated to provide) the feasibility of providing some financial assistance or cost participation for special PD-CB district amenities.

- (14) 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 for all types of uses shall adhere to the same front, side and rear setback requirements as those for 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.

- (15) **Awnings:** The design/appearance of awnings (defined as a structure typically composed of canvas, fabric or other similar lightweight material, supported 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, and shall be generally compatible with other awnings used in the immediate vicinity on other buildings. 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.

(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. For the purposes of the concept plan, the PD-CB district shall be divided into two sections: one section shall be comprised of property within the PD-CB district east of Murphy Road, and the second section shall be comprised of property west of Murphy Road. 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-CB district will be developed, and it shall address key design considerations as general layout of proposed land uses (including potential locations for a new City Hall campus, a future post office, a small-scale DART transit stop, etc.), on-site and peripheral vehicular and pedestrian circulation systems, central public plaza/open space area(s), and other similar items. One or more internal drives/streets (the location and configuration of which shall be approved by the City) will be incorporated into the conceptual design. If a public internal street is dedicated, then lots may be created on the interior of the overall development. For the areas designated for pedestrian-oriented uses, pedestrian orientation (i.e., amenities, lighting, streetscape furnishings, etc.) and circulation pathways along interior streets shall be required.

The City encourages some degree of agreement/consensus among the various property owners on the above overall design issues prior to submission of the concept plan for approval since the approved concept plan will be used during the review of preliminary and final site plans for each individual development.

The concept plan shall include the following elements:

- a. Location of possible public roads
- b. Location of private internal drives
- c. Location of proposed City Hall and related public open space
- d. Pedestrian linkages and circulation systems
- e. Identification of pedestrian and non-pedestrian uses
- f. 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 large land parcel under single ownership 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-CB district. Development standards for each building site within the PD-CB district 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 plan, building plans, etc.

(4) 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 plant materials to be used, and how the site meets the landscaping requirements of the PD-CB district. 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 within the PD-CB district 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 for the PD-CB District:

- a. Development in the PD-CB district shall have characteristics that result in a compact, mixed-use, pedestrian-oriented business environment.
- b. Development proposals shall be consistent with the Comprehensive Plan Concept for the "Town Center".
- c. 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.
- d. **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 possible, be placed underground or in a location that is away from, and not highly visible from, public roadways.
- e. **Pedestrian Streetscape** - Pedestrian spaces throughout the PD-CB district shall be treated with amenities that are selected based upon their ability to unify the streetscape and that are established on the overall concept plan. It is important that elements such as construction materials, colors, textures and fixture design complement the pedestrian orientation of the district as well as the overall design "theme" and character of the district. These features shall be repeated throughout the streetscape so as to unify the district as a whole. Such features shall include, but not be limited to, benches, trash receptacles, bicycle racks, street lighting poles and traffic signal standards, traffic control (e.g., "Stop", "Yield", etc.) and street name sign poles and sign blades, bollards, paving patterns, tree grates, plantings in containers or decorative beds, etc. The City shall explore (but shall not be obligated to provide) the feasibility of providing some financial assistance or cost participation for special PD-CB district amenities.
- f. 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.
- g. **Architectural Design:** The purpose of this section is not to require all structures and development projects within the PD-CB 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 PD-CB 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 PD-CB district;
 - (2) Human scale design and perception;
 - (3) Integration of uses and physical design elements;
 - (4) Encouragement of pedestrian activity and social interaction;
 - (5) Buildings that relate to, and are oriented toward, the pedestrian areas and surrounding buildings;
 - (6) Buildings that contain special architectural features to signify entrances and/or "special places, such as pedestrian courtyards, outdoor "malls", public plazas/courtyards, etc.;" and
 - (7) Buildings that focus activity on neighborhood square or public plazas and gathering places for public assemblies, special events, festivals, etc.
 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.
- h. **Building Placement/Orientation** - Buildings shall be placed in a manner that is conducive to a pedestrian-oriented atmosphere, wherever possible. 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).
- i. **Building Facade Articulation** - All facades (i.e., elevations) of all buildings within the PD-CB 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.).

- j. **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 of a development along F.M. 544, Murphy Road or another street which is non-pedestrian oriented in nature. For street frontages that are more pedestrian-oriented in nature, pad sites shall not be allowed (i.e., most buildings/lease spaces will abut one another in more of an "inline" appearance, with very few, if any, free-standing buildings).

- (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.

- (G) **ILLUSTRATIVE EXAMPLES:** See Exhibit "___" for photographs, illustrations and graphics which are intended to provide examples of possible design "themes" and details that could be used in the PD-CB district. These are intended for illustrative purposes only, and are not intended to be used or applied to the PD-CB district in a literal sense. They are merely examples that show important design concepts that should be used to achieve the overall "spirit and intent" of the district.

- (H) **PUBLIC/PRIVATE PARTNERSHIP:** Creation of the PD-CB district is viewed as a "partnership" between private property interests and the City of Murphy. The City may, as deemed in the public interest and appropriate by City Council, enter into an agreement with applicable private property interests to create and implement creative, cost-effective, and publicly beneficial funding and/or incentive strategies in order to help ensure the continued success of the PD-CB district partnership. Such strategies may include, but are not necessarily limited to, the following: cost participation for public infrastructure, creation of a public improvements district (PID), additional development incentives for creating a pedestrian-oriented "downtown" core area, etc. All proposals for public funding assistance and development incentives shall be reviewed by the City and the Planning & Zoning Commission, and can only be approved by City Council with a three-quarters (i.e., "super majority") vote of all Council members present.

City of Murphy, Texas

☒	Designates use permitted in District indicated
☐	Designates use prohibited in District indicated
☒	Indicates use may be approved as Specific Use

(Final Revisions September 25, 2000)

Auto-oriented Zone
Pedestrian-oriented Zone

[illegible]

Legend for Interpreting Use Charts

(Final Revisions September 25, 2000)

Auto-oriented Zone
Pedestrian-oriented Zone

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Legend for Interpreting Use Charts

(Final Revisions September 25, 2000)

UTILITY, SERVICE AND
OTHER USES

UTILITY, SERVICE AND OTHER USES	Auto-oriented Zone		Pedestrian-oriented Zone	
	A	P	A	P
ANIMAL POUND (PUBLIC)				
ANTENNA (NON-COMMERCIAL)	S	S		
ANTENNA (COMMERCIAL)	S	S		
ELECTRICAL ENERGY GENERATING PLANT				
ELECTRICAL SUBSTATION (HIGH VOLTAGE BULK POWER)				
ELECTRICAL TRANSMISSION LINE (HIGH VOLTAGE)				
FARM, RANCH, GARDEN, CROPS OR ORCHARD				
FIRE, POLICE OR MUNICIPAL BUILDINGS	•	•		
FRANCHISED PRIVATE UTILITY (NOT LISTED)				
GAS LINE AND REGulating STATION	•	•		
TY LINE	•	•		
PUBLIC AGENCY BUILDING, SHOP, YARD OR FACILITY	S	S		
STUDIO FOR RADIO OR TELEVISION	•	•		
SEWAGE PUMPING STATION (PUBLIC)	•	•		
TELEPHONE BUSINESS OFFICE	•	•		
TELEPHONE EXCHANGE, SWITCHING OR RELAY OR TRANSMITTING STATION				
UTILITY SHOPS OR STORAGE YARDS OR BUILDINGS	S	S		
WATER RESERVOIR WELL OR PUMPING STATION	•	•		
WATER STAND PIPE OR ELEVATED WATER STORAGE	•	•		
WATER TREATMENT PLANT				
MUNICIPAL FACILITY OR USE	•	•		

City of Murphy, Texas

S Indicates use may be approved as Specific Use Permit (SUP)

(Final Revisions September 25, 2000)

[illegible]4

USE CHART (PD-CB DISTRICT)

City of Murphy, Texas

Legend for Interpreting Use Charts

- Designates use permitted in District indicated
- Designates use prohibited in District indicated
- S Indicates use may be approved as Specific Use Permit (SUP)

Ordinance Number _____
Adopted _____, 2000

(Final Revisions September 25, 2000)

EDUCATIONAL, INSTITUTIONAL AND SPECIAL USES

	Auto-oriented Zone		Pedestrian-oriented Zone	
	A	P	A	P
ART GALLERY OR MUSEUM	●	●		
ASSISTED LIVING FACILITY	●	●		
CEMETERY, ANIMAL				
CEMETERY OR MAUSOLEUM				
CHILD CARE CENTER	S	S		
DAY CARE CENTER				
CHURCH, RECTORY OR TEMPLE	●	●		
COLLEGE OR UNIVERSITY	S	S		
COMMUNITY CENTER (PUBLIC)	●	●		
CONTINUING CARE RETIREMENT COMMUNITY	●	●		
CORPORATE OFFICE OR MONASTERY				
ELDERLY CENTER OR AREA				
FAMILY HOME (CHILD CARE)				
FRATERNAL ORGANIZATION, LODGE	●	●		
UNION HALL OR CIVIC CLUB				
GROUP DAY CARE HOME				
HOSPITAL, ACUTE CARE	S	S		
HOSPITAL, CHRONIC CARE	S	S		
INSTITUTION FOR ALCOHOLIC, NARCOTIC OR PSYCHIATRIC PATIENTS				
INSTITUTION OF RELIGIOUS, CHARITABLE OR PHILANTHROPIC NATURE	●	●		
KINDERGARTEN OR NURSERY SCHOOL (PRIVATE)	S	S		
NON-PROFIT ACTIVITIES BY A CHURCH	●	●		
REHABILITATION CARE FACILITY (HALFWAY HOUSE)				
RETIREMENT HOUSING FOR THE ELDERLY	●	●		
SCHOOL, BUSINESS (NO OUTSIDE STORAGE)	S	S		
SCHOOL, COMMERCIAL, TRADE (NO OUTSIDE STORAGE)	S	S		
SCHOOL, DRIVING/DEFENSIVE DRIVING	S	S		
SCHOOL, PRIVATE (PRIMARY OR SECONDARY)				
SCHOOL, PUBLIC OR PAROCHIAL				
SEASONAL USES (TEMPORARY) (75% PERMIT REQUIRED)	●	●		
SLEEPING FACILITY	●	●		

City of Murphy, Texas

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(Final Revisions September 25, 2000)

[illegible]

USE CHART (PD-CB DISTRICT)

City of Murphy, Texas

Legend for Interpreting Use Charts

- ☒ Designates use permitted in District indicated
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Ordinance Number _____
Adopted _____, 2000

(Final Revisions September 25, 2000)

AUTOMOBILE & RELATED USES

	Auto-oriented Zone										Pedestrian-oriented Zone									
	A	P									A	P								
AUTO ACCESSORY INSTALLATION, MINOR	●	●									●	●								
AUTO FINANCING AND LEASING (NO OUTDOOR LOT OR DISPLAY)	●	●									●	●								
AUTO GLASS, SEAT COVER/UPHOLSTERY AND MUFFLER SHOP	●	●									●	●								
AUTO LAUNDRY OR CAR WASH (ATTENDED)	●	●									●	●								
AUTO LAUNDRY OR CAR WASH (UNATTENDED)	●	●									●	●								
AUTOMOTIVE GASOLINE OR MOTOR FUEL SERVICE STATION	●	●									●	●								
AUTO PAINTING OR BODY REBUILDING SHOP	●	●									●	●								
AUTO PARTS AND ACCESSORY SALES (INDOOR)	●	●									●	●								
AUTO RENTAL	●	●									●	●								
AUTOMOBILE SALES, MAJOR	●	●									●	●								
AUTOMOBILE SALES, MINOR	●	●									●	●								
AUTO STORAGE OR AUTO AUCTION	●	●									●	●								
BOAT SALES	●	●									●	●								
MOTORCYCLE SALES AND REPAIR AND REPAIR (NO OUTDOOR STORAGE)	●	●									●	●								
NEW AUTO SALES (USED CAR SALES AS ACCESSORY ONLY) (NO OUTDOOR STORAGE)	●	●									●	●								
RVCAMPER SALES	●	●									●	●								
TIRE DEALERSHIP (NO OUTDOOR STORAGE)	●	●									●	●								
TRAILER OR TRUCK RENTAL	●	●									●	●								
TRAILER AND HEAVY LOAD VEHICLE REPAIR	●	●									●	●								
USED AUTO SALES	●	●									●	●								
WINDOW TINTING, AUTO	●	●									●	●								
WRECKING YARD (AUTO SALVAGE)	●	●									●	●								

City of Murphy, Texas

	Designates use permitted in District indicated	Designates use prohibited in District indicated	Indicates use may be approved as Specific Use
	☒	☐	☒

(Final Revisions September 25, 2000)

[illegible]

City of Murphy, Texas

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City of Murphy, Texas

	☒ Designates use permitted in District indicated	☐ Designates use prohibited in District indicated	☐ S Indicates use may be approved as Specific Use
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(Final Revisions September 25, 2000)

RETAIL & SERVICE
USES (CONT.)[illegible]

City of Murphy, Texas

Indicates use may be approved as Specific Use Permit (SUP)

(Final Revisions September 25, 2000)

[illegible]

City of Murphy, Texas

S Indicates use may be approved as Specific Use Permit (SUP)

(Final Revisions September 25, 2000)

Auto-oriented Zone
Pedestrian-oriented Zone

[illegible]

City of Murphy, Texas

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City of Murphy, Texas

- ☒ Designates use permitted in District indicated
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(Final Revisions September 25, 2000)

Auto-oriented Zone

Pedestrian-oriented Zone

SEE SEPARATE ORDINANCE

ORDINANCE NO. 20-10-504

AN ORDINANCE AMENDING THE BASIC ZONING ORDINANCE OF THE CITY OF MURPHY, TEXAS, BY CREATING A TOWN CENTER, THE ZONING AND CLASSIFICATION TO BE KNOWN AS PLANNED DEVELOPMENT-CENTRAL BUSINESS ZONING DISTRICT; 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 by creating and adopting a zoning classification to be known as Planned Development-Central Business Zoning District. The language creating the Planned Development-Central Business Zoning District and the Planned Development District Standards are attached hereto and marked Exhibit 1, and are incorporated herein as though fully set out.

The Preliminary Concept Plan for the Planned Development-Central Business Zoning District, attached hereto and marked Exhibit 2, is incorporated herein as though fully set out.

The City Secretary is hereby directed to correct the Code of Ordinances of the City of Murphy to reflect the changes herein adopted.

SECTION 2. 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 3. 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 4. 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 16th day of October, 2000.


Roy W. Bentle, Mayor

ATTEST:

Linda Marley, City Secretary

APPROVED AS TO FORM:


Jerry Gilmore, City Attorney

SECTION 2. 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 3. 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.

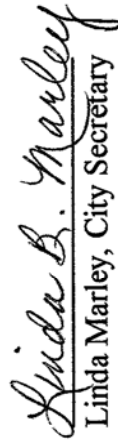
SECTION 4. Effective Date. This Ordinance shall become effective and be in full force and effect from and after the date of the passage in accordance with the provisions of State Law; and

IT IS SO ORDAINED.

PASSED AND APPROVED this the 16th day of October, 2000.


Roy W. Bentle, Mayor

ATTEST:


Linda Marley, City Secretary

APPROVED AS TO FORM:


Jerry Gilmore, City Attorney