

ORDINANCE NO. 091-010

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING THE COMPREHENSIVE ZONING ORDINANCE NO. 66, AS HERETOFORE AMENDED; ESTABLISHING A NEW MIXED USE RESIDENTIAL DISTRICT ("MXR"); PROVIDING FOR NEW DEFINITIONS; PROVIDING FOR A PENALTY CLAUSE; PROVIDING FOR A REPEAL CLAUSE; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

WHEREAS, the City Council has approved by resolution a Comprehensive Plan to guide the future zoning and land use decisions for the Town of Addison; and

WHEREAS, the Comprehensive Plan establishes policies governing development in Special Planning Districts; and

WHEREAS, the Comprehensive Plan directs that the policies be implemented through adoption of new zoning regulations establishing special development standards applicable to special planning areas and providing for acquisition and improvement of open space; and

WHEREAS, the City Council finds that it is necessary to amend the text of the Zoning Ordinance for the Town of Addison in order to implement the policies of the Comprehensive Plan;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the Town of Addison, Texas:

SECTION 1. That Article XXI, Definitions, of the Comprehensive Zoning Ordinance, is amended to add the following definitions and to renumber existing definitions accordingly:

1. [text unchanged]
2. Accessory Building: [text unchanged]
3. Alley: [text unchanged]
4. Apartment: [text unchanged]
5. Apartment House: [text unchanged]
6. Apartment Hotel: [text unchanged]
7. Area of the Lot: [text unchanged]
8. Basement: [text unchanged]
9. Block: An area within the City enclosed by streets and occupied by or intended for buildings.
10. Block Length: The distance along a side of a street between the nearest two streets which intersect said street on said side.
11. Boarding House: [text unchanged]
12. Boulevard: A public street conforming to the standards shown in Appendix D of Article VIII-D.
13. Breezeway: [text unchanged]
14. Building: [text unchanged]
15. Building, End of: [text unchanged]
16. Building Line: [text unchanged]
17. Building Width: The mean horizontal distance between the side walls of a building.
18. Build-to Line: A line measured from and parallel to the street line, with which seventy-five (75%) percent of the facade of a building facing the street shall be co-extensive.
19. Business: [text unchanged]
20. Cellar: [text unchanged]

21. City Home: For the purposes of VIII-D only, any building, or portion thereof, consisting of five (5) or more dwelling units to be occupied as the home or residence of five (5) or more families living independently of each other and maintaining separate cooking facilities, whether owner occupied or for lease, and having a density of not more than twelve (12) units per gross acre.
22. Court: [text unchanged]
23. Customary Home Occupations: [text unchanged]
24. Day Nursery: [text unchanged]
25. Depth of Rear Yard: [text unchanged]
26. Depth of Lot: [text unchanged]
27. Development: The erection, alteration, or extension of any building or part thereof, or the change of use or occupancy of any building or land for which a building permit or certificate of occupancy is required under this Ordinance or the project involving such activity.
28. District: [text unchanged]
29. Dwelling, One-Family: [text unchanged]
30. Dwelling, Two-Family: [text unchanged]
31. Dwelling Unit: [text unchanged]
32. Efficiency Apartment: [text unchanged]
33. Family: [text unchanged]
34. Farm: [text unchanged]
35. Four Plex: For the purposes of Article VIII-D only, a detached building having separate accommodations for and occupied by not more than four (4) families.
36. Front Yard: [text unchanged]
37. Grade: [text unchanged]
38. Gross Floor Area: [text unchanged]
39. Gross Leasable Area: [text unchanged]
40. Height: [text unchanged]

41. Hobby Shop: [text unchanged]
42. Home Occupations: [text unchanged]
43. Home Work Shop: [text unchanged]
44. Hospital: [text unchanged]
45. Hotel or Motel: [text unchanged]
46. House Trailer: [text unchanged]
47. Housing Project: [text unchanged]
48. Kindergarten: [text unchanged]
49. Large Street: A public street conforming with the standards shown in Appendix C of Article VIII-D.
50. Living Area: [text unchanged]
51. Lodging House: [text unchanged]
52. Lot: [text unchanged]
53. Lot Coverage: The area of a lot covered by buildings or roofed areas, determined by dividing that area of the lot occupied or covered by the total horizontal projected surface of all buildings (excluding porches and arcades fronting a public street) by the usable area of the lot.
54. Lot Lines: [text unchanged]
55. Lot of Record: [text unchanged]
56. Masonry Construction: [text unchanged]
57. Net Density: The density of residential units expressed as the number of dwelling units per net acre, calculated by multiplying the number of units permitted per gross acre by a fraction, the numerator of which is the number of gross acres and the denominator of which is the number of acres in the net development site.
58. Net Development Site: That area of a development determined by deducting land dedicated or conveyed to the City for:
 1. Any public facility other than a park, recreational area or floodplain area, or

2. Any street right-of-way for a proposed street when such street is not necessitated by the development of the subject lot.
59. Nonconforming Uses: [text unchanged]
60. One-Family Dwelling: [text unchanged]
61. Open Space: [text unchanged]
62. Parking Plaza: A public or private street conforming to the standards shown in Appendix E of Article VIII-D.
63. Parking Space: [text unchanged]
64. Place: [text unchanged]
65. Porch: Any gallery, veranda, terrace, piazza, portico or similar projection from the main wall of a building and covered by a roof, other than a carport, as defined herein, with no side enclosures (except screens and handrails) that is more than eighteen (18) inches in height other than the side of the building to which the porch is attached.
66. Private Garage: [text unchanged]
67. Private Stables: [text unchanged]
68. Public Garage: [text unchanged]
69. Public Stables: [text unchanged]
70. Rear Yard: [text unchanged]
71. Restaurant: [text unchanged]
72. Rowhouse: For purposes of Article VIII-D only, a one family dwelling, both sides of which typically rest directly on the side lot lines.
73. Servants Quarters: [text unchanged]
74. Shopping Center: [text unchanged]
75. Side Street: A public street conforming to the standards shown in Appendix B of Article VIII-D.
76. Side Yard: [text unchanged]
77. Sight Barring Fence: [text unchanged]
78. Storage Garage: [text unchanged]

79. Story, Half: [text unchanged]
80. Street: [text unchanged]
81. Street Line: [text unchanged]
82. Structural Alterations: [text unchanged]
83. Thoroughfare: A street conforming to the standards shown in the Thoroughfare Plan of the City.
84. Three Plex: For the purposes of Article VIII-D only, a detached building having accommodations for and occupied by not more than three (3) families.
85. Tourist Court: [text unchanged]
86. Townhouse-Condominium: For the purposes of VIII-D only, any building, or portion thereof, consisting of five (5) or more dwelling units to be occupied as the home or residence of five (5) or more families living independently of each other and maintaining separate cooking facilities, whether owner-occupied or for lease, and having a density of not more than twenty-four (24) units per gross acre.
87. Trailer Camp or Park: [text unchanged]
88. Two-Family Dwelling: [text unchanged]
89. Used Car Lots: [text unchanged]
90. Width of Side Yard: [text unchanged]
91. Yard: [text unchanged]
92. Zero Lot Line-Detached: For purposes of Article VIII-D only, a one family dwelling, one side of which typically rests directly on a side lot line.

SECTION 2 There is hereby established a new zoning district, Mixed Use Residential ("MXR), appearing hereafter as Article VIII-D of Ordinance No. 66, with provisions to read as follows:

ARTICLE VIII-D

"MXR" MIXED USE RESIDENTIAL DISTRICT REGULATIONS

Section 1 STATEMENT OF PURPOSE

The purpose of the MXR District is to provide a variety of residential opportunities within an urban framework which is small in scale and which promotes compatibility between adjacent land uses. The MXR District is to be applied in special planning areas identified in the City's Comprehensive Plan to implement plan policies.

Section 2 PERMITTED USES

A. Permitted Uses

In an MXR District, permitted uses will be determined according to the subdistrict classification on the land use map for the special district in the City's Comprehensive Plan. One-family dwellings are permitted throughout the district, subject to compliance with design standards and open space requirements. All other uses are permitted only following approval of a concept plan and a development plan in accordance with this Article.

- (1) Low-Density Subdistrict
 - (a) One-Family Dwelling
 - (b) Zero lot line--detached
- (2) Medium-Density Subdistrict
 - (a) Any use permitted in low-density subdistrict
 - (b) Two-family dwelling
 - (c) Three plex
 - (d) Four plex
 - (e) Rowhouse
 - (f) City Home
- (3) High-Density Subdistrict
 - (a) Any use permitted in a medium-density subdistrict

(b) Townhouse-Condominium

B. Special Uses

Uses which may be permitted by special use permit pursuant to Article XII of this ordinance may be permitted in an MXR District; provided that the City Council shall grant a special use permit only if it finds that all of the following conditions are met:

- (1) the specific site is an appropriate location for such use;
- (2) the use will not adversely affect the character of the district;
- (3) no nuisance will be created by the use;
- (4) adequate and appropriate facilities will be provided for the proper operation of the use; and
- (5) the use is in conformity with the design standards provided in this Article.

Section 3 ACCESSORY USES

In an MXR District, the following uses are permitted as accessory to a principal use, except as otherwise provided in this article.

- A. Garages, workshops, and carports. Such garages and accessory buildings shall have a maximum building height of twenty (20) feet.
- B. Day Nursery where not more than four (4) children not related by blood are kept at one time.
- C. Home occupations engaged in by occupants of the dwelling, which do not conduct outdoor activities which are visible from a street, alley or adjacent property or generate noise, dust or smoke.
- D. Private swimming pools.

Section 4 DESIGN STANDARDS

In an MXR District, the following design standards apply. Standards for lot dimensions, building and unit dimensions, and setbacks are summarized and illustrations are provided in Appendix A of this Article, which is hereby incorporated by reference.

A. Density

(1) Gross Density Limitations

The gross residential density of a development site within a special planning area subdistrict shall not exceed the following number of units per gross acre. The gross residential density of tracts within a subdistrict may be limited further according to densities specified on the land use map for the special planning area in the City's Comprehensive Plan.

- (a) Low-Density Subdistrict: 5.5 units per gross acre.
- (b) Medium-Density Subdistrict: 12 units per gross acre.
- (c) High-Density Subdistrict: 24 units per gross acre.

(2) Net Density Limitations: High Density Subdistrict

- (a) The residential density of the net development site, for any lot, parcel or tract within the high density subdistrict may exceed the average net density only when approved as part of a clustering plan which is submitted with the concept plan.
- (b) The total number of units for the entire development site shall not exceed the average net density multiplied by the total net acres of the development site. For purposes of determining net density where clustering is proposed, the area of all required greenbelts shall be deducted from the net development site area. The net density of any lot, parcel or tract approved under a clustering plan may not exceed forty (40) dwelling units per net acre.
- (c) In determining whether a clustering plan should be approved, the City must determine that the proposed increase in net density on a particular lot or tract is consistent with the purposes of the MXR District and does not substantially detract from the character of the subdistrict.

(3) Density Mix: Low Density Subdistrict

Permitted residential uses within a low-density subdistrict shall consist of a mixture of lot sizes, with seventy-five (75%) percent of the uses for any final plat having lot sizes a minimum of fifty-five hundred (5500) square feet and twenty-five (25%) percent of the uses

having lot sizes a minimum of seventy-five hundred (7500) square feet, with sixty (60) foot minimum lot widths.

B. Lot Dimensions

(1) Minimum Width of Lot

The minimum width of lot shall be:

<u>Use</u>	<u>Minimum Width of Lot</u>
One-Family Dwelling	Fifty-five (55) feet; fifty (50) feet, if alley-loaded; sixty (60) feet, if lot sizes are seventy-five hundred (7500) square feet or greater
Zero Lot Line-Detached	Fifty-five (55) feet; fifty (50) feet, if alley-loaded; sixty (60) feet, if lot sizes are seventy-five hundred (7500) square feet or greater
Two-Family Dwelling	One hundred twenty (120) feet
Three Plex	Eighty (80) feet
Four Plex	Eighty (80) feet
Rowhouse	Thirty (30) feet
City Home	N/A
Townhouse-Condominium	N/A

(2) Minimum Depth of Lot

The minimum depth of a lot shall be:

<u>Use</u>	<u>Minimum Depth of Lot</u>
One-Family Dwelling	One Hundred (100) feet
Zero Lot Line-Detached	One Hundred (100) feet
Two-Family Dwelling	One Hundred (100) feet
Three Plex	One Hundred (100) feet
Four Plex	One Hundred (100) feet
Rowhouse	Ninety (90) feet
City Home	N/A
Townhouse-Condominium	N/A

(3) Minimum Lot Size

The minimum size of a lot shall be:

<u>Use</u>	<u>Minimum Size of Lot</u>
One-Family Dwelling	Fifty-five hundred (5500) square feet; five thousand (5000) square feet if alley-loaded, seventy-five hundred (7500) square feet for twenty-five (25%) of lots in low-density subdistrict
Zero Lot Line-Detached	Fifty-five hundred (5500) square feet; five thousand (5000) if alley-loaded, seventy-five hundred (7500) square feet for twenty-five (25%) of lots in low-density subdistrict
Two-Family Dwelling	twelve thousand (12000) square feet
Three Plex	eight thousand (8000) square feet
Four Plex	eight thousand (8000) square feet
Rowhouse	twenty-seven hundred (2700) square feet
City Home	N/A
Townhouse-Condominium	N/A

C. Building and Unit Dimensions

(1) Maximum Lot Coverage

The maximum lot coverage shall be:

<u>Use</u>	<u>Maximum Lot Coverage</u>
One-Family Dwelling	Sixty (60%) percent
Zero Lot Line-Detached	Sixty-five (65%) percent
Two-Family Dwelling	Fifty-five (55%) percent
Three Plex	Fifty-five (55%) percent
Rowhouse	Seventy (70%) percent

<u>Use</u>	<u>Maximum Lot Coverage</u>
City Home	Sixty (60%) percent
Townhouse-Condominium	Eighty (80%) percent

(2) Minimum Living Area per Dwelling Unit

The minimum living area per dwelling unit shall be:

<u>Use</u>	<u>Minimum Living Area per Dwelling Unit</u>
One-Family Dwelling	Two thousand (2000) square feet
Zero Lot Line-Detached	One thousand five hundred (1500) square feet
Two-Family Dwelling	One thousand eight hundred (1800) square feet
Three Plex	Nine hundred (900) square feet
Four Plex	Nine hundred (900) square feet
Rowhouse	One thousand four hundred (1400) square feet
City Home	Seven hundred fifty (750) square feet
Townhouse-Condominium	Efficiency: five hundred (500) square feet One bedroom: seven hundred fifty (750) square feet Two bedroom: nine hundred (900) square feet Three bedroom: one thousand fifty (1050) square feet

(3) Minimum Building Width

The minimum building width shall be:

<u>Use</u>	<u>Minimum Building Width (of width of lot)</u>
One-Family Dwelling	Sixty (60%) percent
Zero Lot Line-Detached	Seventy (70%) percent

<u>Use</u>	<u>Minimum Building Width (of width of lot)</u>
Two-Family Dwelling	Seventy-five (75%) percent
Three Plex	Sixty (60%) percent
Four Plex	Sixty (60%) percent
Rowhouse	Typically One hundred percent (100%)
City Home	Seventy-five (75%) percent
Townhouse-Condominium	Seventy-five (75%) percent

(4) Maximum Height of Building

Maximum height of building shall be:

<u>Use</u>	<u>Maximum Building Height</u>
One-Family Dwelling	Forty (40) feet if on a large street or boulevard; thirty-two (32) feet for a side street
Zero Lot Line-Detached	Forty (40) feet
Two-Family Dwelling	Forty (40) feet
Three Plex	Forty (40) feet
Four Plex	Forty (40) feet
Rowhouse	Forty (40) feet
City Home	Forty (40) feet
Multiple-Family Use	Forty (40) feet; if proposed building falls within the height envelope created by a 1:3 residential proximity slope originating from an adjacent residentially zoned property, a maximum height of forty-eight (48) feet

D. Setbacks

(1) Build-to Line

The build-to line for development shall be:

<u>Use</u>	<u>Build-to Line</u>
------------	----------------------

One-Family Dwelling	Fifteen (15) feet if on side streets; twenty (20) feet if on large streets or boulevards
Zero Lot Line-Detached	Fifteen (15) feet
Two-Family Dwelling	Fifteen (15) feet
Three Plex	Twenty (20) feet
Four Plex	Twenty (20) feet
Rowhouse	Fifteen (15) feet if rear entry; twenty (20) feet if front entry
City Home	Fifteen (15) feet if rear entry; twenty (20) feet if front entry
Townhouse-Condominium	Fifteen (15) feet for a side street; twenty (20) feet for large streets, boulevards and parking plazas; on thoroughfares, a variable setback of thirty (30) feet minimum to sixty (60) feet maximum (see App. A)

(2) Side Yards

There shall be side yards having the minimum widths as provided below:

<u>Use</u>	<u>Minimum Width of Side Yards</u>
One-Family Dwelling	Two (2) side yards, each having a minimum width of six (6) feet, (15) fifteen feet from a side street on a corner lot
Zero Lot Line-Detached	No minimum size yard is required. A minimum building separation of ten (10) feet shall be provided, (15) fifteen feet from a side street on a corner lot
Two-Family Dwelling	Two (2) side yards, each having a minimum width of six (6) feet, (15) feet from a side street on a corner lot

<u>Use</u>	<u>Minimum Width of Side Yards</u>
Three Plex	Two (2) side yards, each having a minimum width of six (6) feet, (15) fifteen feet from a side street on a corner lot
Four Plex	Two (2) side yards, each having a minimum width of six (6) feet, (15) fifteen feet from a side street on a corner lot
Rowhouse	N/A
City Home	N/A
Townhouse-Condominium	N/A

(3) Rear Yard

There shall be a rear yard having a minimum depth as provided below:

<u>Use</u>	<u>Minimum Depth of Rear Yards</u>
One-Family Dwelling	Ten (10) feet
Zero Lot Line-Detached	Ten (10) feet
Two-Family Dwelling	Ten (10) feet
Three Plex	Ten (10) feet
Four Plex	Ten (10) feet
Rowhouse	Ten (10) feet
City Home	Fifteen (15) feet
Townhouse-Condominium	N/A

(4) Garages and Accessory Buildings

- (a) Detached garages and accessory buildings, excluding attached garages, shall be set back from lot lines as provided below for the applicable use of the lot.

<u>Use</u>	<u>Detached Garage/Accessory Building Setbacks</u>
One-Family Dwelling	Sixty (60) feet from front lot line: Three (3) feet from side and rear lot lines *
Zero Lot Line-Detached	Sixty (60) feet from front lot line: Three (3) feet from side and rear lot lines *
Two-Family Dwelling	Sixty (60) feet from front lot line: Three (3) feet from side and rear lot lines *
Three Plex	Sixty (60) feet from front lot line: Three (3) feet from side and rear lot lines *
Four Plex	Sixty (60) feet from front lot line: Three (3) feet from side and rear lot lines *
Rowhouse	Forty (40) feet from front lot line *
City Home	Twenty (20) feet from alley or street
Townhouse-Condominium	N/A

* A garage with a door facing an alley shall be set back 20 feet from the lot line on the alley.

- (b) Driveways shall have a minimum setback from side lot lines of five (5) feet. This requirement shall not pertain to zero lot line or rowhouse developments provided there is a five (5) foot wide landscaping strip between driveways.

E. Exterior Appearance

(1) Materials

- (a) At least eighty (80%) percent of the exterior cladding of all buildings (including garages and accessory buildings) shall be masonry construction. Exterior cement plaster and exterior insulation finishing systems are not considered masonry materials.

(b) The exterior cladding of all buildings (including garages and accessory buildings) shall be composed of not more than two (2) materials, excluding glass and roofing materials. Aluminum or vinyl siding is not permitted.

(c) Glass shall be clear or tinted, not reflective.

(2) Colors

(a) The dominant color of all buildings (including garages and accessory buildings) shall be shades of warm gray, red, beige and/or brown. Black and white shall not be used. There are no restrictions on accent colors, except that fluorescent colors are prohibited.

(b) The roof color shall be a shade of cool gray, warm gray, brown, or red.

(3) Screening

(a) Mechanical equipment shall be screened from view from all thoroughfares, streets and boulevards, and located to minimize noise intrusion off the lot. Unless landscaping is used as a screening element, the required screening must be composed of the same exterior materials as the buildings on the lot, or a sight-barring fence.

(b) Loading, service, and trash storage areas shall be located at the rear of the lot and screened from all thoroughfares, streets, and boulevards by buildings or by walls composed of the same exterior materials as the buildings on the lot, or a sight-barring fence. This requirement shall only pertain to city homes and townhouse-condominium developments.

F. Relationship to Streets

Uses permitted in the district must front on an existing or proposed street in the following manner:

The frontage requirement shall be:

<u>Use</u>	<u>Frontage Requirement</u>
One-Family Dwelling	Side streets, large streets and boulevards
Zero Lot Line-Detached	Side street

<u>Use</u>	<u>Frontage Requirement</u>
Two-Family Dwelling	Side street
Three Plex	Large street
Four Plex	Large street
Rowhouse	Side street
Townhouse-Condominium	Any streets
Multiple-Family Use	Any streets

G. Streets and Alleys

All streets in an MXR District created after the effective date of this article shall conform to the provisions of this section.

(1) Street Design Standards

Standards for design of side streets, large streets, boulevards and parking plazas within the MXR District shall be as set forth in Appendices B through E of this article, respectively, which are incorporated by reference herein.

(2) Street Types and Pattern

The types and pattern of all streets in an MXR District shall be in conformity with the Thoroughfare Plan for the City and with the Comprehensive Plan land use map for the District. The location of side streets, large streets and boulevards on the land use plan map for the special district is approximate. Precise location of streets shall be determined in conjunction with approval of the concept and development plans and the subdivision plat for the development. Street patterns shall be based upon a small-scale grid system of interconnecting streets.

(3) Block Length

The length of a block shall not exceed six hundred (600) feet.

(4) Street Trees

Street trees shall be provided, either at the time of final plat approval or prior to issuance of a certificate of occupancy, in accordance with the following:

- (a) Each street shall have street trees planted at uniform spacing of fifty (50) feet on center, commencing forty (40) feet from the face of curb of intersecting streets (see Appendix A).
- (b) Typically, street trees shall be planted two and one-half (2 1/2) feet from back of curb, except on side streets, where trees shall be placed eight and one-half (8 1/2) feet from back of curb.
- (c) Street trees shall be large shade tree species having a minimum caliper of three (3) inches selected in accordance with the City's landscape regulations.

(5) Street Lighting

Street lighting shall be provided in accordance with the following:

- (a) Each street shall have street lamps uniformly spaced between trees, located two and one-half (2 1/2) feet from back of curb.
- (b) On boulevards, large streets and side streets locate street lamps at intervals no greater than two hundred fifty (250) feet.
- (c) Unless otherwise approved by the Town of Addison, mounting height of street lamps shall be between ten (10) feet and twelve (12) feet.
- (d) Unless otherwise approved by the Town of Addison, lamps shall be metal halide type.

(6) Alleys

Standard alley width shall be fifteen (15) feet.

H. Parking

- (1) For townhouse-condominium uses, the following parking standards apply, in addition to other applicable regulations:
 - (a) Parking spaces provided in parking plazas shall be used to satisfy a building's parking requirements. All parking lot lay-out must be reviewed at time of final development plan approval.

- (b) Decked parking garages shall be located at the rear of the lot and shall be screened from the street by the building.
 - (c) Below grade parking is permitted to the building line.
 - (d) Parking ratio is one (1) parking space per bedroom, up to a maximum of two (2) parking spaces per unit.
- (2) For other uses permitted in the MXR District, parking standards shall be those required by City ordinance.

I. Outside Storage

Except for the equipment and/or the materials stored on a construction site and used for a temporary construction project, the long term outside storage of equipment, building and/or other materials, goods and products shall be prohibited within this District.

Section 5 OPEN SPACE REQUIREMENTS

A. Greenbelt

Every development shall provide for a linear greenbelt around the perimeter of the site abutting major thoroughfares and easements, or situated so as to provide a continuous network of usable open space. The location and dimensions of the greenbelt shall be determined at the time of concept plan approval or preliminary subdivision plat.

B. Fee for Acquisition of Active Recreation Space

Every development in an MXR District shall pay a fee to be earmarked for the acquisition of active recreation space within the District. The amount of the fee shall be based upon the estimated costs of acquiring land for active recreation space within the District. The amount of the fee per person shall be determined by dividing the estimated costs of land acquisition by the number of persons estimated to reside within the District, for land uses authorized in the Comprehensive Plan. The schedule of fees for acquisition shall be established by resolution of the City Council, which may be amended from time to time.

C. Dedication of Land In Lieu of Fee Payment

In lieu of payment of a fee for active recreation space, the owner of a development within the MXR District may request the City to dedicate land in lieu thereof. Dedication shall be based on a standard of four (4) acres of active recreation space per one thousand (1000) residents of the district. The City shall not accept dedication unless the land is linear greenbelt or is centrally located within the District and is of sufficient amount to meet the need for active recreation space by residents of the District. The amount of centrally located land shall not be less than 2.5 acres in size. If the reasonable value of land dedicated is less than the applicable fee, such value shall be credited against the amount of the fee due. The value of dedicated land shall be that assumed for computation of land acquisition costs in calculating the land acquisition fee.

D. Credit for Private Recreation Facilities

Where private recreation facilities are provided for residents of a subdivision or development, a credit may be granted by the City Council in an amount not to exceed fifty (50%) percent of the fee due or dedication requirement imposed. The Council may establish standards for evaluation of requests for credits for private recreation facilities.

E. Conditions Applicable to Payment of Fee

(1) Time and Method of Fee Determination

The applicable fee or land dedication shall be determined by the City at the time of preliminary plat approval for developments consisting entirely of one-family dwellings, or at the time of approval of the development plan, for all other developments. The amount of the fee due shall be computed by multiplying the fee per dwelling unit by the number of dwelling units in the development, reduced by any credits for land dedication. The fee per dwelling unit shall be determined by reference to a table correlating the number of persons with types of dwelling units.

(2) Time of Collection and Form of Payment of Fee

The fee shall be collected at the time of final plat approval for developments consisting of one-family dwellings and at the time of building permit approval for all other developments. The required fee shall be paid in cash or by cashier's check or other instrument as may be approved by the City Attorney. Payment shall be made to the City Clerk, who shall provide a receipt therefor. Prior to accepting payment, the City Clerk shall verify

the amount due by referring to the condition of such payment imposed on the final Development Plan.

(3) Restrictions on Use of Fees Collected

All active recreation space fee payments received pursuant to this Section shall be used solely and exclusively for the acquisition of land for active recreation space within the MXR District within which the development is located,

(4) Time Limit on Expenditure of Fees

Fees collected shall be expended for active recreation space as provided in this section within a reasonable period of time of collection, but in no event later than five (5) years from the date of collection of such fees.

(5) Placement of Fees in Trust Fund

Fees received pursuant to this provision shall be deposited in a segregated interest-bearing fund to be known as the MXR District Active Recreation Space Trust Fund. The use of such fees shall be restricted to purchasing active recreation space directly, as herein provided, or for reimbursement to the City for the advancement and/or expenditure of funds for the purchase of such active recreation space.

The City may, in its sole discretion, (a) supplement fees collected pursuant to this provision; (b) advance funds to the Trust Fund to enable early development of active recreation space; or (c) expend funds for Active Recreation Space and obtain reimbursement from fees collected in the Trust Fund.

(6) Maintenance of Financial Records

The City Manager shall keep and maintain adequate financial records for the Trust Fund which shall: show the source of disbursement of all fees; account for all fees received; and ensure that the disbursement of fees from such Trust Fund shall be used exclusively for the purposes set forth herein.

(7) Interest on Trust Fund Account

Interest earned by the Trust Fund shall be credited to the Fund account and shall be utilized solely for and limited to the purposes specified for fees of the Trust Fund.

(8) Refunds

A developer may apply for a refund of an in-lieu fee paid pursuant to this provision if the City has failed to purchase active recreation space pursuant to this article within five (5) years of the date of collection of such fee.

F. Conditions Applicable to Dedication of Active Recreation Space Land

(1) Development Plan

Land proposed to be dedicated as active recreation space shall be clearly shown on the preliminary plat or Development Plan and shall be marked accordingly.

(2) Determination of Suitability

The City shall, during the preliminary plat or Development Plan review process, determine whether the land proposed to be dedicated for active recreation space is of a size, location, dimension, topography, and general character, as appropriate for active recreation space use and whether such site is in conformance with the City's Comprehensive Plan. Except for greenbelt, the land must have a minimum dimension of at least two hundred (200) feet. Dedication requirements may be satisfied in part on land located in a planned development district abutting the MXR District, if such land is functionally tied to open space within the district.

(3) Imposition of Conditions

In its approval of a preliminary plat or Development Plan which proposes active recreation space land dedication, the City shall impose such conditions as deemed necessary to assure that the intent and purposes of this section are satisfied.

(4) Submittal to Governing Body

Land to be dedicated for active recreation space on the preliminary plat or development plan shall be approved initially by the Planning and Zoning Commission and thereafter shall be submitted to the City Council for acceptance of the proposed dedication. No dedication shall be deemed approved without express action of the City Council in the form of a written "acceptance of dedication." Failure of the City Council to execute an

acceptance of dedication shall be deemed to be a refusal of the proposed dedication.

(5) Effect of Failure by Governing Body to Accept Dedication.

If the City Council refuses to accept the dedication, the final Development Plan shall be returned to the developer for resubmission with (i) appropriate changes to indicate the use of the portion of the property originally proposed to be dedicated for active recreation space; and/or (ii) payment of the applicable in-lieu fee.

Section 6 CONCEPT AND DEVELOPMENT PLAN APPROVAL

A. Concept Plan Approval

- (1) Prior to development of any lot, parcel or tract within an MXR District, except for developments consisting entirely of one-family dwellings and/or zero lot line-detached homes, the property owner shall submit a concept plan which includes the following elements:
 - (a) land uses for each tract or subarea to be developed;
 - (b) density of residential use;
 - (c) areas proposed for clustering of residential dwellings;
 - (d) proposed greenbelt areas and/or centrally located active recreation space;
 - (e) proposed and existing thoroughfares, boulevards and large streets;
 - (f) private recreation areas, where proposed;
 - (g) a time schedule of development; and
 - (h) such other features as are necessary to show the arrangement and pattern of private and public land uses.
- (2) No application submitted by a property owner shall be deemed to be on file with the City until the concept plan has been determined to be complete by the Planning Official. Eighteen (18) copies of the concept plan shall be submitted.

- (3) Upon determination by the Planning Official that the content of the concept plan is complete in accordance with City requirements, the plan and the application shall be submitted for comment and review to appropriate departments and agencies. Upon completion of such administrative review, the plan and application shall be submitted to the Planning and Zoning Commission. This submittal to the Planning and Zoning Commission shall occur within forty-five (45) days of the original submission to the City.
- (4) The Planning and Zoning Commission shall conduct a public hearing to consider the concept plan. The Commission shall formulate recommendations for approval, conditional approval, or disapproval of the concept plan and shall transmit said plan to the City Council within sixty (60) days following receipt from the Planning Official.
- (5) The City Council shall consider the concept plan in accordance with the purposes and standards of the MXR Districts. The City Council shall approve, approve with modifications or disapprove the concept plan within thirty (30) days after a public hearing thereon.
- (6) The Commission, in making its recommendations to the City Council, and the City Council, in acting upon the concept plan, shall take into account, but shall not be limited to, the following considerations:
 - (a) whether the concept plan meets the requirements of the District;
 - (b) whether the development is adequately served by roads, water, sewer and drainage facilities;
 - (c) whether proposed open space meets the requirements of the district; and
 - (d) whether a proposed clustering scheme preserves the character of the subdistrict.

In approving the concept plan, the City Council may establish such conditions and may require such modifications as shall assure compliance with said standards and regulations, including requirements that the development plan be accompanied by a drainage study or traffic study, and the City Council may waive or modify subdivision requirements otherwise applicable to the development when such waiver or modification is not in conflict with said standards.

- (7) Once a concept plan has been approved, and there is cause for a major amendment of same prior to the submission of a final development plan, such amendment shall be processed in like manner as the original submission.

B. Development Plan Approval

- (1) Except for developments consisting entirely of one-family dwellings, no use shall be approved and no building permits shall be issued within an MXR District, until the City Council has approved a final development plan which is in conformity with the concept plan and which meets District regulations.
- (2) A final development plan may be prepared and submitted for the entire development at one time or for approved development stages, and each such plan shall be submitted in fifteen (15) copies to the Planning Official.
- (3) At the developer's discretion, a final development plan may be submitted in place of a concept plan for the entire project, or a development plan for a portion of the development area may be submitted along with the concept plan and processed simultaneously therewith.
- (4) Upon determination by the Planning Official that the content of the final development plan is complete in accordance with City requirements, the plan shall be submitted for comment and review to appropriate City departments and agencies. Upon completion of such administrative review, the plan shall be submitted to the Planning and Zoning Commission.
- (5) The Planning and Zoning Commission shall promptly determine whether the final development plan is in accordance with the approved concept plan and with applicable District regulations. The Commission shall make its recommendation to the City Council for approval, approval with modifications, or disapproval of the final development plan within thirty (30) days following receipt of the development plan from the Planning Official.
- (6) Upon receipt of the Commission's recommendation, and following a public hearing thereon, the City Council shall approve, approve with modifications or disapprove the final development plan. The Planning and Zoning Commission, in making its recommendations to the City Council, and the City Council, in acting upon the final development plan, may establish such conditions and may require such modifications as will assure compliance with

a final development plan, such amendment shall be processed in like manner as the original submission.

B. Development Plan Approval

- (1) Except for developments consisting entirely of one-family dwellings, no use shall be approved and no building permits shall be issued within an MXR District, until the City Council has approved a final development plan which is in conformity with the concept plan and which meets District regulations.
- (2) A final development plan may be prepared and submitted for the entire development at one time or for approved development stages, and each such plan shall be submitted in fifteen (15) copies to the Planning Official.
- (3) At the developer's discretion, a final development plan may be submitted in place of a concept plan for the entire project, or a development plan for a portion of the development area may be submitted along with the concept plan and processed simultaneously therewith.
- (4) Upon determination by the Planning Official that the content of the final development plan is complete in accordance with City requirements, the plan shall be submitted for comment and review to appropriate City departments and agencies. Upon completion of such administrative review, the plan shall be submitted to the Planning and Zoning Commission.
- (5) The Planning and Zoning Commission shall promptly determine whether the final development plan is in accordance with the approved concept plan and with applicable District regulations. The Commission shall make its recommendation to the City Council for approval, approval with modifications, or disapproval of the final development plan within thirty (30) days following receipt of the development plan from the Planning Official.
- (6) Upon receipt of the Commission's recommendation, and following a public hearing thereon, the City Council shall approve, approve with modifications or disapprove the final development plan. The Planning and Zoning Commission, in making its recommendations to the City Council, and the City Council, in acting upon the final development plan, may establish such conditions and may require such modifications as will assure compliance with district standards and regulations and the approved concept plan.

- (7) Once a final development plan has been approved, and there is cause for major amendment of same, such amendment shall be processed in accordance with the provisions of this section.

C. Final Development Plan Contents

A final development plan prepared in accordance with the approved concept plan, shall be filed with the Planning Official in eighteen (18) copies and it shall contain the following information:

- (1) A vicinity map at a scale of not less than one inch equals two thousand feet (1"-2000').
- (2) A legal description and accompanying map exhibit of the property, with an error of closure within the limit of one (1) in ten thousand (10,000) related to true meridian, and showing the location and type of boundary evidence. Such description may be related to the U.S.C. & G.S., State grid north, if the coordinates of two (2) adjacent corners are shown. Such information may be provided from recorded plats.

The legal description shall include the following data:

- (a) Metes and bounds of all property lines.
 - (b) Total area of property.
 - (c) Scale and north arrow.
 - (d) Names and route numbers of boundary streets and the width of existing right(s)-or-way.
 - (e) Existing topography with a maximum contour interval of two (2) feet, except where existing ground is on a slope of less than two (2) per cent then either one (1) foot contours or spot elevations shall be provided where necessary.
- (3) A final detailed land use plan showing:
 - (a) The location and arrangement of all proposed uses.
 - (b) The height and number of floors of all buildings, other than single family dwellings, both above and below or partially below finished grade.
 - (c) The yard dimensions from the development boundaries and adjacent streets and alleys.

- (d) The traffic circulation system and the pedestrian circulation system, including the location and width of all streets, driveways, entrances to parking areas and parking structures, walkways, and bicycle paths.
 - (e) The off-street parking and loading areas and structures.
 - (f) Greenbelt and other active recreation space areas, together with proposed private recreational areas, specifying the proposed improvement of all such areas and delineating those areas proposed for specific types of developed recreational facilities.
- (4) Architectural sketches of typical proposed structures, including lighting fixtures, signs and landscaping.
 - (5) A plan or statement showing the location and design of all screening measures and indicating the type and height of such screening.
 - (6) When the development is to be constructed in stages or units, a final sequence of development schedule showing the order of construction of such stages or units, an approximate completion date for the construction of each stage or unit.
 - (7) A copy of all covenants, restrictions, and conditions pertaining to the use, maintenance and operation of private open space areas.
 - (8) A final statement in tabular form which sets forth the following data, when such data is applicable to a given development plan:
 - (a) Total number of dwelling units.
 - (b) Residential density in units per acre.
 - (c) Total floor area and floor area ratio for each type of use.
 - (d) Total area in open space.
 - (e) Total area in developed recreational open space.
 - (f) Total number of off-street parking and loading spaces.

- (g) Amount of density or floor area applied for under the bonus provisions, and the calculations supporting the specific development provisions giving rise to such bonus application.

D. Enforcement

The Building Official shall not issue a building permit or certificate of occupancy for any development in a MXR District unless such development is consistent with a Development Plan that is approved pursuant to this section.

E. Coordination with Subdivision Ordinances

Review of a Development Plan pursuant to this section shall be conducted simultaneously with subdivision review under the Subdivision Ordinance, if applicable. Subdivision requirements otherwise applicable to the development may be waived by the City Council where it finds that such waiver is not in conflict with district standards and regulations and the approved concept plan.

F. Lapse of Development Plan Approval

If a building permit has not been obtained within one (1) year following approval of the development plan for a use authorized therein, the development plan shall lapse unless the property owner requests an extension prior to the expiration of the one-year period. The request for extension shall be considered by the Commission and by the City Council in the same manner as for approval of the development plan. If the development plan consists of more than a single use, the property owner must make substantial progress in obtaining building permits for the remainder of the uses authorized by the development plan. The Commission or the City Council may initiate review of the development in order to determine whether significant progress is being made. In the event that the Council determines that significant progress is not being made, following notice and a public hearing, the Council may terminate the development plan or may attach additional conditions to the extension of the plan.

Section 7 WAIVER OF DESIGN STANDARDS

A. Authorization of Waiver of Design Standards

Except for variances of design standards applicable to one-family dwellings and zero lot line-detached homes, the City

Council may authorize, by ordinance, waiver of any design standard set forth in Section 4 of this Article. The ordinance authorizing such waiver shall specify the design standard that shall be applicable in lieu of the standard waived.

B. Conditions for Granting Waiver

The City Council shall grant a waiver of any design standard only if it finds that all of the following conditions are met:

- (1) the waiver at the specified location shall be in harmony with the policies embodied in the comprehensive plan for the City;
- (2) the waiver shall be in harmony with the general purpose and intent of this article and the zoning ordinance;
- (3) the waiver shall not adversely affect the use of neighboring properties in accordance with the provisions of this ordinance; and
- (4) the waiver is otherwise in conformity with the concept plan for the development approved pursuant to Section 6 of this article.

C. Other Conditions Necessary as Protection

In granting a waiver to a design standard, the City Council may attach such conditions and safeguards as it deems necessary to insure harmony with the general proposes and intent of this ordinance. Any such condition shall be satisfied before a certificate of occupancy may be issued for the development to which the waiver applies, and shall not be construed as a condition precedent to granting the waiver, but shall be construed as a condition precedent to granting of the certificate of occupancy.

D. Procedure

The procedure for seeking a waiver of a design standard shall be as follows:

- (1) An application for a waiver of a design standard may be made by any property owner, lessee, or contract purchaser at the time of submission of the concept plan or the development plan. A contract purchaser or lessee must file, with the application, a copy of the contract or lease or some other form of written statement which

indicates the endorsement of the application by the property owner.

- (2) The application shall be filed in duplicate with the Planning Official on forms provided by the City. The application shall be complete. No application shall be deemed to be on file with the City until all required submissions have been presented.
- (3) The Planning and Zoning Commission shall consider the request for waiver in conjunction with its recommendations to the City Council on the development plan.

E. Lapse of Waiver

A waiver of a design standard granted in conjunction with the development plan shall lapse with the lapse of such development plan.

Section 8 INCORPORATION OF APPENDICES

Appendices A through E are attached hereto and incorporated by reference as a part of this Article VIII-D.

SECTION 3. That Exhibit 1, being Appendices A through E for Article VIII-D, hereby is made a part of this Ordinance by reference and is attached hereto.

SECTION 4. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be subject to the same penalty as provided for in the Comprehensive Zoning Ordinance of the Town as heretofore amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand (\$ 2000.00) Dollars, but not less than Five Hundred (\$500.00) Dollars, for each offense and that each day such violation shall continue to exist shall constitute a separate offense.

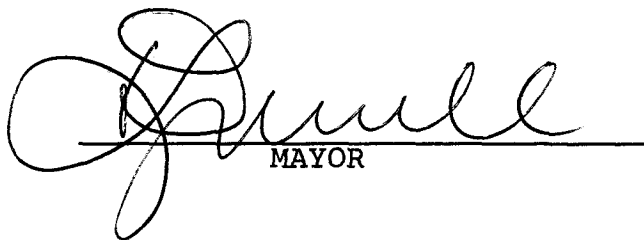
SECTION 5. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provisions thereof other than the part so decided to be invalid, illegal or unconstitutional, and shall not affect the validity of this ordinance as a whole.

SECTION 6. That all ordinances of the Town in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the Town not in conflict with

the provision of this ordinance shall remain in full force and effect.

SECTION 7. The importance of this ordinance creates an emergency and an imperative public necessity, and the ordinance shall take effect and be in force from and after its adoption.

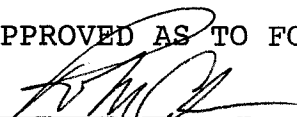
DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS this 9th day of April, 1991.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED AS TO FORM:


CITY ATTORNEY

EFFECTIVE DATE:

April 9, 1991

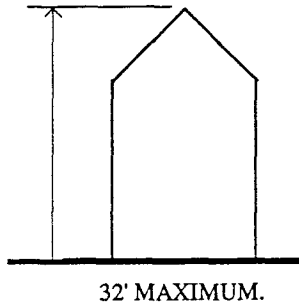
Published 6-20-91

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: ZERO LOT LINE - DETACHED

5

**MAXIMUM BUILDING
HEIGHT**



6

EXTERIOR APPEARANCE OF BUILDINGS

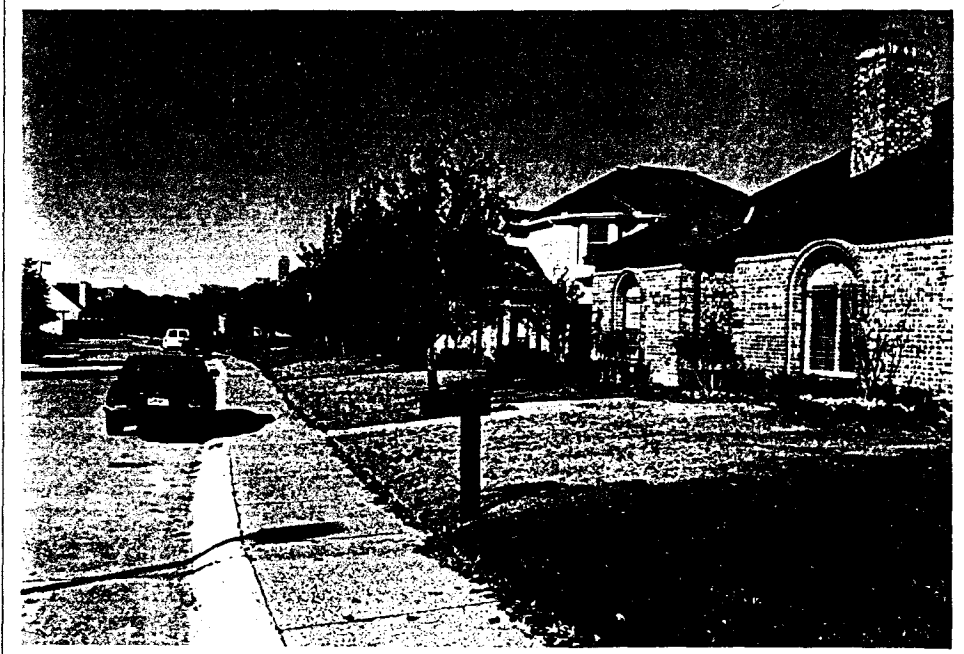
- THE PARTY WALL SHALL BE 100% MASONRY AND HAVE A MINIMUM HEIGHT OF 8'.
- 80% MASONRY CLADDING.
- USE NO MORE THAN TWO BUILDING MATERIALS (EXCLUDING GLASS AND ROOFING) AS EXTERIOR CLADDING.
- ALUMINUM AND VINYL SIDING ARE NOT PERMITTED.
- DOMINANT BUILDING COLORS SHALL BE SHADES OF WARM GRAYS, REDS, BEIGES AND BROWNS. BLACK AND WHITE SHALL NOT BE USED. THERE IS NO RESTRICTION ON ACCENT COLORS EXCEPT THAT FLUORESCENT COLORS ARE PROHIBITED.
- SCREEN MECHANICAL EQUIPMENT FROM VIEW AND LOCATE TO MINIMIZE NOISE INTRUSION.
- NO WINDOWS OR CLERESTORY LIGHTING ARE PERMITTED ON PARTY WALL.

DEVELOPMENT GUIDELINES: ZERO LOT LINE - DETACHED



EXAMPLES OF
ZERO LOT LINE-
DETACHED.

LANE PARK.
DALLAS, TEXAS.



LANE PARK.
DALLAS, TEXAS.

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: TWO-FAMILY DWELLING

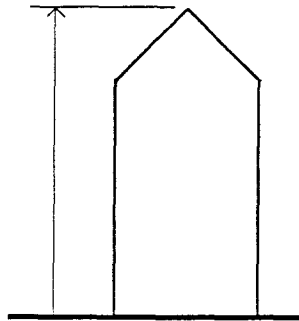
<p>1 WHERE PERMITTED</p> <ul style="list-style-type: none"> IN MXR DISTRICTS, AS INDICATED ON THE APPROVED CONCEPT PLAN AND DEVELOPMENT PLANS. (FRONTING SIDE STREETS ONLY). 	<p>2 SETBACKS</p> <ul style="list-style-type: none"> a and b = 6' minimum. c = 10' minimum setback. d = 75% of lot width (minimum). lot widths and depths are minimums.
<p>3 BUILDING SIZE</p> <ul style="list-style-type: none"> 55% MAXIMUM LOT COVERAGE. (TO ENCOURAGE THE USE OF PORCHES FRONTING PUBLIC STREETS THEY ARE NOT INCLUDED IN LOT COVERAGE CALCULATIONS). 1800 SQUARE FEET PER UNIT MINIMUM. 	<p>4 GARAGE / ACCESSORY BLDG. ZONE</p> <ul style="list-style-type: none"> Must have rear and side minimum setback of 3' except along party wall. Garages whose doors front the alley require a mandatory 20' setback. All driveways shall be set a minimum of 5' from side property lines.

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: TWO-FAMILY DWELLING

5

MAXIMUM BUILDING HEIGHT



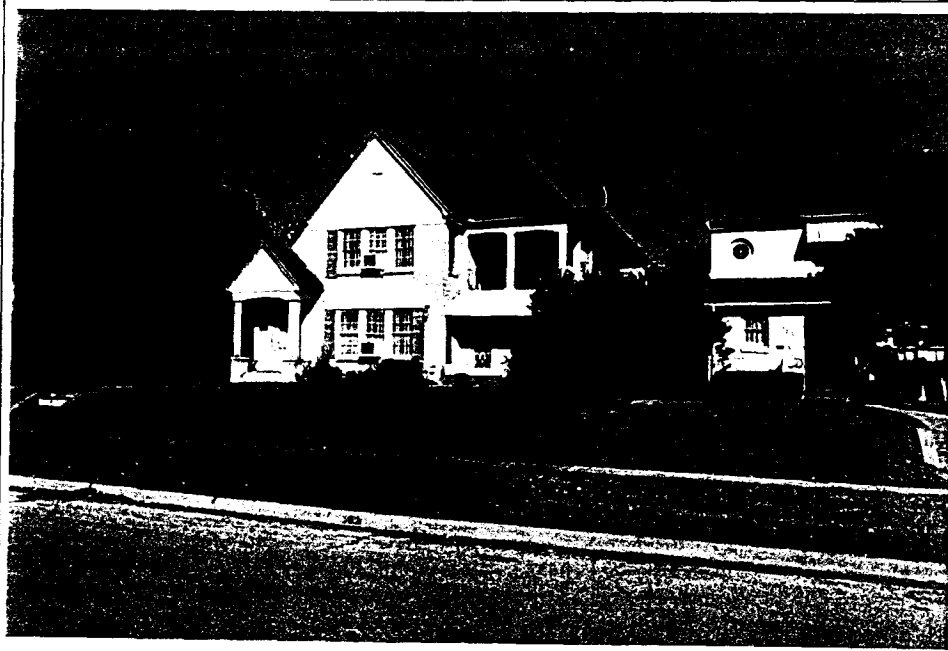
32' MAXIMUM.

6

EXTERIOR APPEARANCE OF BUILDINGS

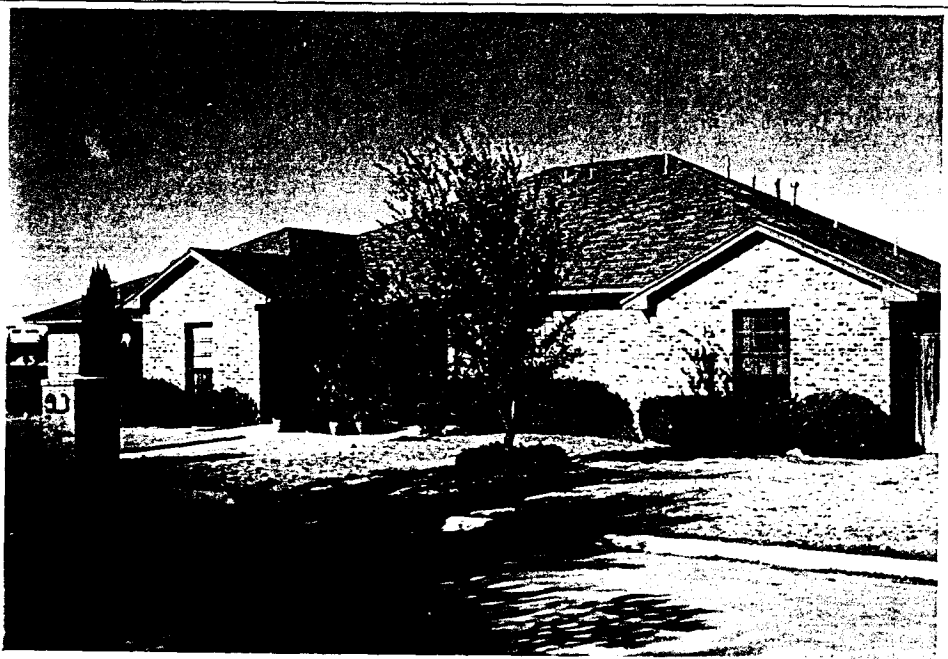
- 80% MASONRY CLADDING.
- USE NO MORE THAN TWO BUILDING MATERIALS (EXCLUDING GLASS AND ROOFING) AS EXTERIOR CLADDING.
- ALUMINUM AND VINYL SIDING ARE NOT PERMITTED.
- DOMINANT BUILDING COLORS SHALL BE SHADES OF WARM GRAYS, REDS, BEIGES AND BROWNS. BLACK AND WHITE SHALL NOT BE USED. THERE IS NO RESTRICTION ON ACCENT COLORS EXCEPT THAT FLUORESCENT COLORS ARE PROHIBITED.
- SCREEN MECHANICAL EQUIPMENT FROM VIEW AND LOCATE TO MINIMIZE NOISE INTRUSION.

DEVELOPMENT GUIDELINES: TWO-FAMILY DWELLING



EXAMPLES OF
TWO-FAMILY
DWELLINGS.

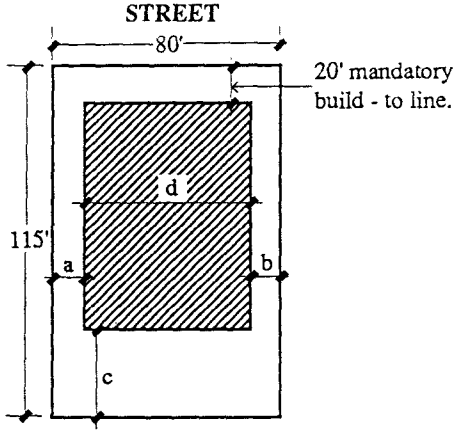
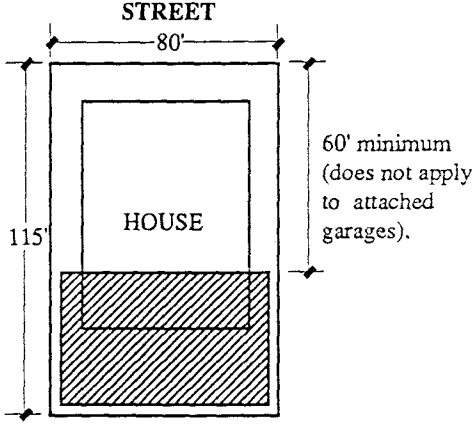
McCOMMAS AVE.
DALLAS, TEXAS.



MIDWAY
MEADOWS.
ADDISON, TEXAS.

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: THREE PLEX AND FOUR PLEX

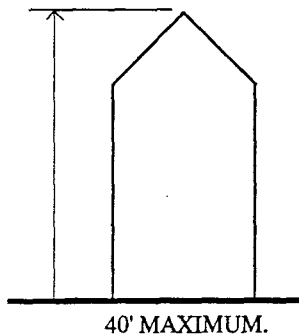
<p>1 WHERE PERMITTED</p> <ul style="list-style-type: none"> • IN MXR DISTRICTS, AS INDICATED ON THE APPROVED CONCEPT PLAN AND DEVELOPMENT PLANS. (FRONTING LARGE STREETS ONLY). 	<p>2 SETBACKS</p>  <p>ALLEY</p> <ul style="list-style-type: none"> • a and b = 6' minimum. • c = 10' minimum setback. • d = 60% of lot width (minimum). • lot widths and depths are minimums. • 75% min. of front wall shall occur on the mandatory build-to line.
<p>3 BUILDING SIZE</p> <ul style="list-style-type: none"> • 55% MAXIMUM LOT COVERAGE. (TO ENCOURAGE THE USE OF PORCHES FRONTING PUBLIC STREETS THEY ARE NOT INCLUDED IN LOT COVERAGE CALCULATIONS). • 900 SQUARE FEET PER UNIT MINIMUM. 	<p>4 GARAGE / ACCESSORY BLDG. ZONE</p>  <p>ALLEY</p> <ul style="list-style-type: none"> • Must have rear and side minimum setback of 3'. • Garages whose doors front the alley require a mandatory 20' setback. • All driveways shall be set a minimum of 5' from side property lines.

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: THREE PLEX AND FOUR PLEX

5

**MAXIMUM BUILDING
HEIGHT**



6

EXTERIOR APPEARANCE OF BUILDINGS

- 80% MASONRY CLADDING.
- USE NO MORE THAN TWO BUILDING MATERIALS (EXCLUDING GLASS AND ROOFING) AS EXTERIOR CLADDING.
- ALUMINUM AND VINYL SIDING ARE NOT PERMITTED.
- DOMINANT BUILDING COLORS SHALL BE SHADES OF WARM GRAYS, REDS, BEIGES AND BROWNS. BLACK AND WHITE SHALL NOT BE USED. THERE IS NO RESTRICTION ON ACCENT COLORS EXCEPT THAT FLUORESCENT COLORS ARE PROHIBITED.
- SCREEN MECHANICAL EQUIPMENT FROM VIEW AND LOCATE TO MINIMIZE NOISE INTRUSION.

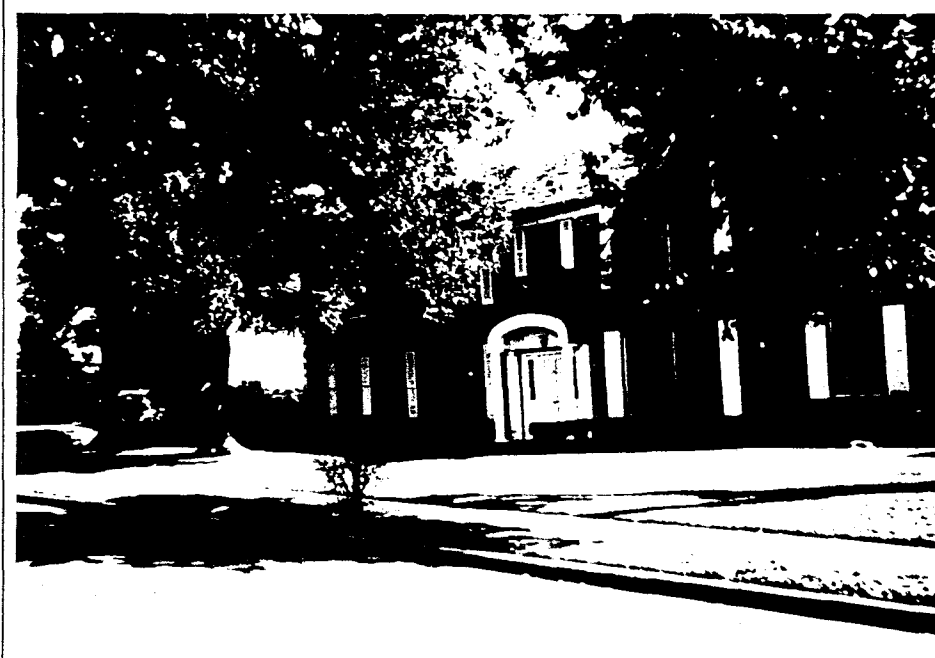
ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: THREE PLEX AND FOUR PLEX



**EXAMPLE OF
THREE-PLEX.**

McCOMMAS BLVD.
DALLAS, TEXAS.

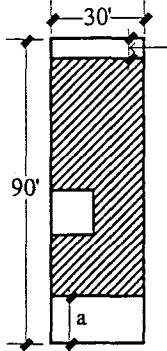
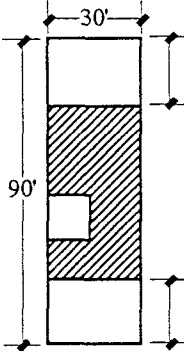


**EXAMPLE OF
FOUR-PLEX.**

McCOMMAS BLVD.
DALLAS, TEXAS.

ARTICLE VIII-D APPENDIX A

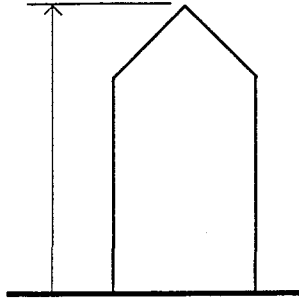
DEVELOPMENT GUIDELINES: ROWHOUSE

<p>1 WHERE PERMITTED</p> <ul style="list-style-type: none"> • IN MXR DISTRICTS, AS INDICATED ON THE APPROVED CONCEPT PLAN AND DEVELOPMENT PLANS. <i>(FRONTING SIDE STREETS ONLY).</i> 	<p>2 SETBACKS</p> <p style="text-align: center;">STREET</p>  <p style="text-align: center;">ALLEY</p> <ul style="list-style-type: none"> • a = 10' minimum setback. • lot widths and depths are minimums. • 75% min. of front wall shall occur on the mandatory build-to line.
<p>3 BUILDING SIZE</p> <ul style="list-style-type: none"> • 65% MAXIMUM LOT COVERAGE. <i>(TO ENCOURAGE THE USE OF PORCHES FRONTING PUBLIC STREETS THEY ARE NOT INCLUDED IN LOT COVERAGE CALCULATIONS).</i> • 1600 SQUARE FEET MINIMUM. 	<p>4 GARAGE / ACCESSORY BLDG. ZONE</p> <p style="text-align: center;">STREET</p>  <p style="text-align: center;">ALLEY</p> <ul style="list-style-type: none"> • Minimum setback for garage to alley is 20'. If front entry garage, mandatory 20' build-to line. • All driveways shall be set a minimum of 5' from side property lines.

DEVELOPMENT GUIDELINES: ROWHOUSE

5

MAXIMUM BUILDING HEIGHT



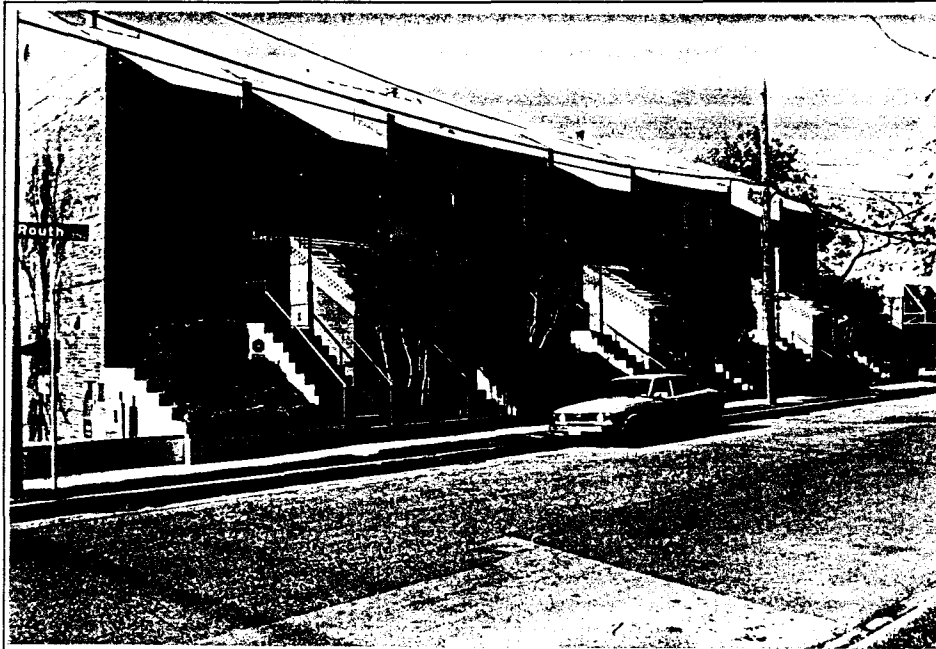
32' MAXIMUM.

6

EXTERIOR APPEARANCE OF BUILDINGS

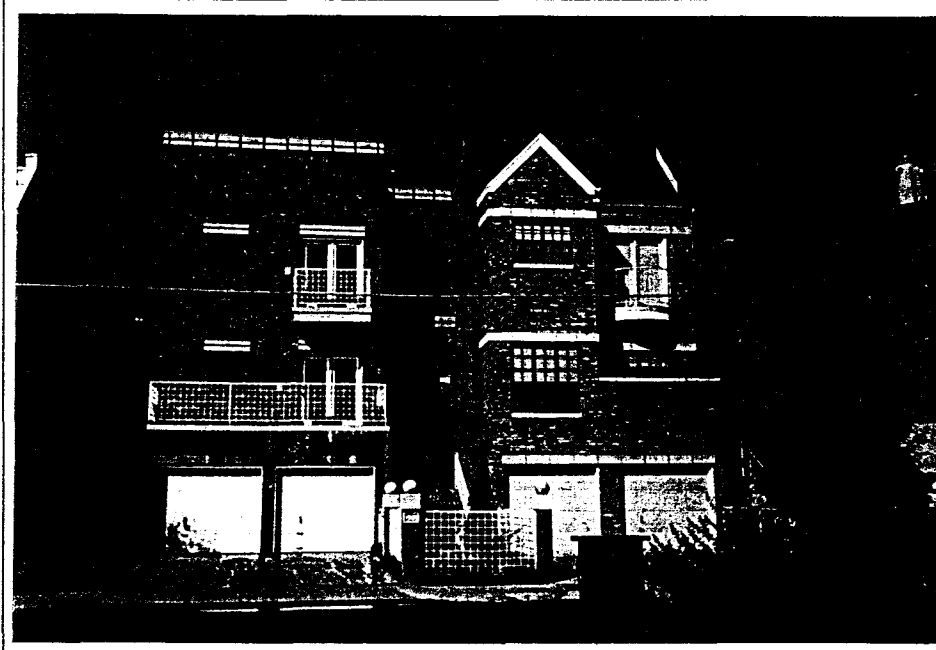
- 80% MASONRY CLADDING.
- USE NO MORE THAN TWO BUILDING MATERIALS (EXCLUDING GLASS AND ROOFING) AS EXTERIOR CLADDING.
- ALUMINUM AND VINYL SIDING ARE NOT PERMITTED.
- DOMINANT BUILDING COLORS SHALL BE SHADES OF WARM GRAYS, REDS, BEIGES AND BROWNS. BLACK AND WHITE SHALL NOT BE USED. THERE IS NO RESTRICTION ON ACCENT COLORS EXCEPT THAT FLUORESCENT COLORS ARE PROHIBITED.
- SCREEN MECHANICAL EQUIPMENT FROM VIEW AND LOCATE TO MINIMIZE NOISE INTRUSION.

DEVELOPMENT GUIDELINES: ROWHOUSE



EXAMPLES OF
ROWHOUSES.

ROUTH AND
HOOD ST.
DALLAS, TEXAS.



BRYAN PLACE.
DALLAS, TEXAS.

ARTICLE VIII-D APPENDIX A

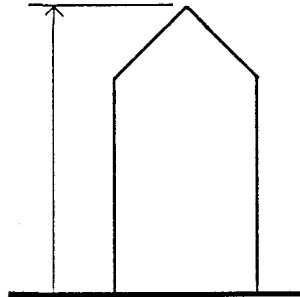
DEVELOPMENT GUIDELINES: TOWNHOUSE/CONDOMINIUM

<p>1 WHERE PERMITTED</p> <ul style="list-style-type: none">• IN MXR DISTRICTS, AS INDICATED ON THE APPROVED CONCEPT PLAN AND DEVELOPMENT PLANS. <i>(FRONTING LARGE STREETS, BOULEVARDS AND SIDE STREETS).</i>	<p>2 SETBACKS</p> <ul style="list-style-type: none">• 15' MANDATORY BUILD-TO LINE IF REAR ENTRY GARAGE.• 20' MANDATORY BUILD-TO LINE IF FRONT ENTRY GARAGE.• BUILDING WIDTH SHALL BE 75% OF LOT WIDTH (MINIMUM).• 15' SIDE AND REAR YARD.
<p>3 BUILDING SIZE</p> <ul style="list-style-type: none">• 60% MAXIMUM LOT COVERAGE <i>(TO ENCOURAGE THE USE OF PORCHES FRONTING PUBLIC STREETS THEY ARE NOT INCLUDED IN LOT COVERAGE CALCULATIONS).</i>• 1200 SQUARE FEET MINIMUM UNIT SIZE.	<p>4 GARAGE / ACCESSORY BLDG. ZONE</p> <ul style="list-style-type: none">• MINIMUM SETBACK FOR GARAGE TO ALLEY OR STREET IS 20'.• ALL DRIVEWAYS SHALL BE SET A MINIMUM OF 5' FROM SIDE OF PROPERTY LINES.

DEVELOPMENT GUIDELINES: TOWNHOUSE/CONDOMINIUM

5

**MAXIMUM BUILDING
HEIGHT**



32' MAXIMUM.

6

EXTERIOR APPEARANCE OF BUILDINGS

- 80% MASONRY CLADDING.
- USE NO MORE THAN TWO BUILDING MATERIALS (EXCLUDING GLASS AND ROOFING) AS EXTERIOR CLADDING.
- ALUMINUM AND VINYL SIDING ARE NOT PERMITTED.
- DOMINANT BUILDING COLORS SHALL BE SHADES OF WARM GRAYS, REDS, BEIGES AND BROWNS. BLACK AND WHITE SHALL NOT BE USED. THERE IS NO RESTRICTION ON ACCENT COLORS EXCEPT THAT FLUORESCENT COLORS ARE PROHIBITED.
- SCREEN MECHANICAL EQUIPMENT FROM VIEW AND LOCATE TO MINIMIZE NOISE INTRUSION.

DEVELOPMENT GUIDELINES: TOWNHOUSE/CONDOMINIUM



**EXAMPLE OF
TOWNHOUSE/
CONDOMINIUM.**

RAWLINS ST.
DALLAS, TEXAS

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: MULTI-FAMILY

<p>1 WHERE PERMITTED</p> <ul style="list-style-type: none"> • IN MXR DISTRICTS, AS INDICATED ON THE APPROVED CONCEPT PLAN AND DEVELOPMENT PLANS. <i>(FRONTING ALL STREETS AND THOROUGHFARES).</i> 	<p>2 SETBACKS</p> <ul style="list-style-type: none"> • FRONT SETBACKS: <ul style="list-style-type: none"> • 20' MANDATORY BUILD-TO LINE ON LARGE STREETS, BOULEVARDS AND PARKING PLAZAS. 15' MANDATORY BUILD-TO LINE ON SIDE STREETS. DEVELOP THESE SETBACKS AS LANDSCAPED OPEN SPACE, VISIBLE AND ACCESSIBLE FROM THE STREET, DESIGNED TO ACCOMMODATE PEDESTRIAN ACTIVITIES. • AT LEAST 75% OF THE BUILDING WALL MUST OCCUR ON THE MANDATORY BUILD-TO LINE. • 30' MINIMUM - 60' MAXIMUM SETBACK ON ALL THOROUGHFARES. THESE SETBACKS MAY BE DEVELOPED AS SINGLE LOADED PARKING BAYS OR AS LANDSCAPED OPEN SPACE, VISIBLE AND ACCESSIBLE FROM THE STREET, DESIGNED TO ACCOMMODATE PEDESTRIAN ACTIVITIES. • THE WIDTH OF THE BUILDING SHALL BE AT LEAST 75% OF THE LOT WIDTH. • NO SIDE OR REAR YARDS ARE REQUIRED.
<p>3 BUILDING SIZE</p> <ul style="list-style-type: none"> • 80% MAXIMUM LOT COVERAGE INCLUDING ABOVE GRADE PARKING STRUCTURES. <i>(PORCHES AND ARCADES FRONTING PUBLIC STREETS ARE NOT INCLUDED IN LOT COVERAGE CALCULATIONS).</i> • MINIMUM UNIT SIZES: <ul style="list-style-type: none"> • EFFICIENCY: 600 SQUARE FEET • 1 BEDROOM: 750 SQUARE FEET • 2 BEDROOM: 900 SQUARE FEET • 3 BEDROOM: 1050 SQUARE FEET 	<p>4 MAXIMUM BUILDING HEIGHTS</p> <ul style="list-style-type: none"> • MAY NOT EXCEED A HEIGHT OF 40' UNLESS THE PROPOSED BUILDING FALLS WITHIN THE HEIGHT ENVELOPE CREATED BY A 1:3 RESIDENTIAL PROXIMITY SLOPE ORIGINATING FROM AN ADJACENT RESIDENTIALLY ZONED PROPERTY TO A MAXIMUM HEIGHT OF 60'. • ARCHITECTURAL ELEMENTS SUCH AS TURRETS, TOWERS, ETC. MAY EXCEED HEIGHT LIMITS, SUBJECT TO REVIEW ON AN CASE BY CASE BASIS.

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: MULTI-FAMILY

5

PARKING

- PARKING SPACES PROVIDED IN PARKING PLAZAS, WHICH OCCUR IN A ZONE EQUAL IN LENGTH TO A BUILDING'S FRONTAGE AND EXTENDING TO THE CENTERLINE OF THE PARKING PLAZA, MAY BE APPLIED TO THE BUILDING'S PARKING REQUIREMENTS.
- ALL OTHER SURFACE AND ABOVE GRADE PARKING SHALL BE LOCATED AT THE REAR OF THE LOT, SCREENED FROM THE STREET BY THE BUILDING, EXCEPT WHEN A BUILDING FRONTS A THOROUGHFARE.
- BUILDINGS FRONTING THOROUGHFARES MAY PROVIDE SURFACE PARKING IN AN AREA BETWEEN 30' AND 60' FROM THE R.O.W. LINE.
- ABOVE GRADE PARKING GARAGES SHALL BE LOCATED AT THE REAR OF THE LOT, SCREENED FROM THE STREET BY THE BUILDING.
- BELOW GRADE PARKING IS PERMITTED TO THE BUILDING LINE.
- PARKING RATIO:
 - *1/BEDROOM UP TO 2/UNIT MAXIMUM.*

6

EXTERIOR APPEARANCE OF BUILDINGS

- 80% MASONRY CLADDING.
- USE NO MORE THAN TWO BUILDING MATERIALS (EXCLUDING GLASS AND ROOFING) AS EXTERIOR CLADDING.
- DOMINANT BUILDING COLORS SHALL BE SHADES OF WARM GRAYS, REDS, BEIGES AND BROWNS. BLACK AND WHITE SHALL NOT BE USED. THERE IS NO RESTRICTION ON ACCENT COLORS EXCEPT THAT FLUORESCENT COLORS ARE PROHIBITED.
- WINDOW OPENINGS SHALL CONSTITUTE NO MORE THAN 50% OF THE FACADE AREA.
- USE CLEAR OR TINTED GLASS - NOT REFLECTIVE.
- SCREEN MECHANICAL EQUIPMENT FROM VIEW AND LOCATE TO MINIMIZE NOISE INTRUSION.
- USE ARCHITECTURAL DETAILS SUCH AS PORCHES, ARCADES, COLUMNS, LINTELS AND QUOINS TO ANIMATE THE FACADE AND CREATE TEXTURE AND HUMAN SCALE.
- ALL ABOVE GRADE PARKING STRUCTURES SHALL BE ARCHITECTURALLY FINISHED ON ALL SIDES.
- LOADING, SERVICE AND TRASH STORAGE AREAS SHALL BE LOCATED AT THE REAR OF THE LOT, SCREENED FROM ALL THOROUGHFARES AND STREETS BY BUILDINGS OR ARCHITECTURALLY COMPATIBLE MASONRY WALLS.

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: MULTI-FAMILY

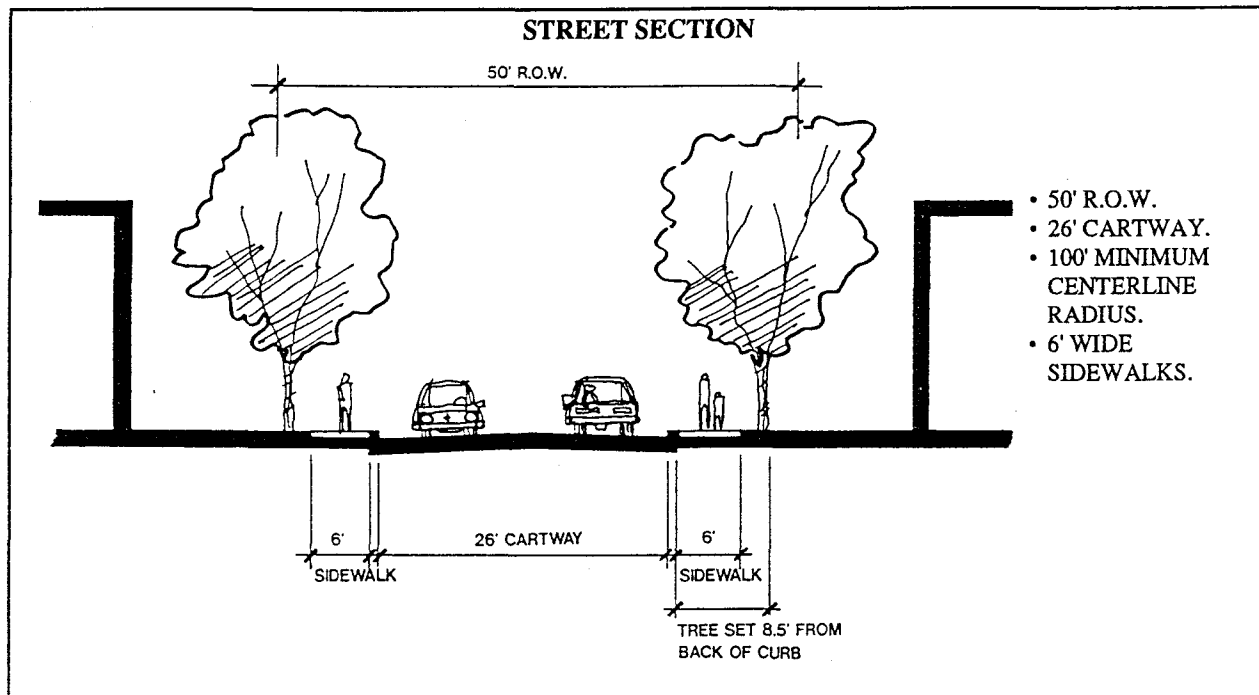


**EXAMPLE OF
MULTI-FAMILY.**

**THE COMMONS
AT TURTLE CREEK.
DALLAS, TEXAS.**

ARTICLE VIII - D APPENDIX B

STREET DESIGN STANDARDS: SIDE STREET



STREET TREES

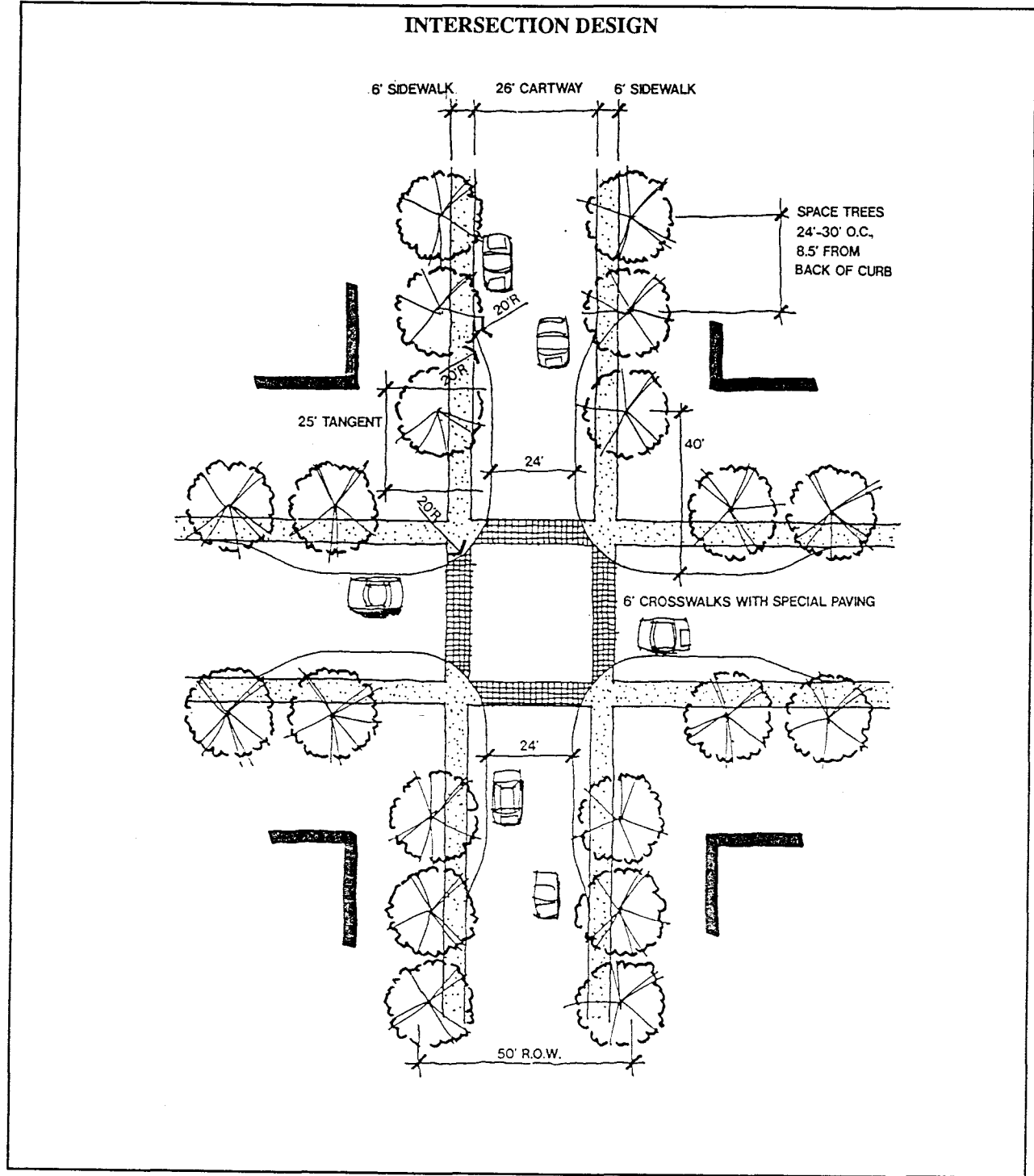
- EACH STREET SHALL HAVE STREET TREES PLANTED AT A UNIFORM SPACING OF 24' TO 30' ON CENTER.
- LOCATE TREES 8.5' FROM BACK OF CURB.
- USE LARGE TREE SPECIES SUCH AS CEDAR ELMS AND RED OAKS RATHER THAN SMALLER ORNAMENTAL TREES SUCH AS CRAPE MYRTLES AND YAUPONS.
- LOCATE STREET TREES NO CLOSER THAN 40' FROM THE CURB LINE OF AN INTERSECTING STREET.

STREET LIGHTING

- LOCATE STREET LAMPS 2.5' FROM BACK OF CURB, EVENLY SPACED BETWEEN STREET TREES AND AT INTERVALS NO GREATER THAN 100'.
- FIXTURE MOUNTING HEIGHT SHALL BE BETWEEN 10' AND 12'.
- USE METAL HALIDE LAMPS.

ARTICLE VIII - D APPENDIX B

STREET DESIGN STANDARDS: SIDE STREET



ARTICLE VIII - D APPENDIX B

STREET DESIGN STANDARDS: SIDE STREET

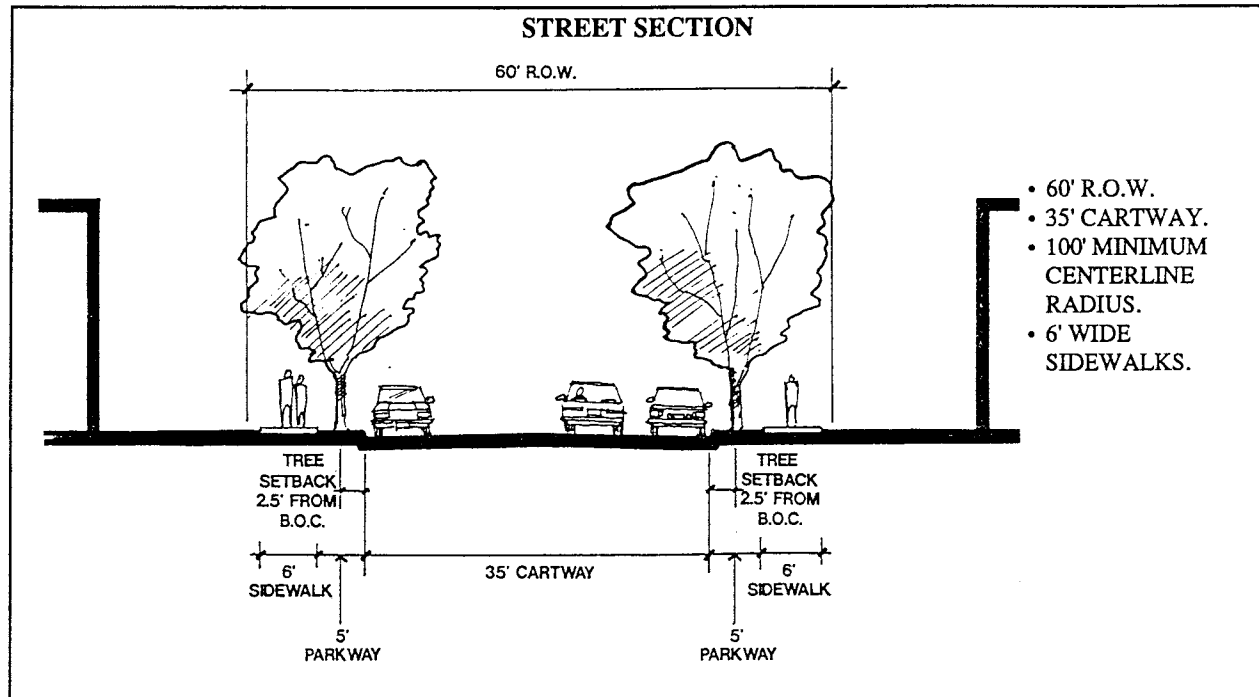


**EXAMPLE OF A
SIDE STREET.**

**PRESCOTT AVE.
DALLAS, TEXAS.**

ARTICLE VIII-D APPENDIX C

STREET DESIGN STANDARDS: LARGE STREET



STREET TREES

- EACH STREET SHALL HAVE STREET TREES PLANTED AT A UNIFORM SPACING OF 24' TO 30' ON CENTER.
- LOCATE TREES 2.5' FROM BACK OF CURB.
- USE LARGE TREE SPECIES SUCH AS CEDAR ELMS AND RED OAKS RATHER THAN SMALLER ORNAMENTAL TREES SUCH AS CRAPE MYRTLES AND YAUPONS.
- LOCATE STREET TREES NO CLOSER THAN 40' FROM THE CURB LINE OF AN INTERSECTING STREET.

STREET LIGHTING

- LOCATE STREET LAMPS 2.5' FROM BACK OF CURB, EVENLY SPACED BETWEEN STREET TREES AND AT INTERVALS NO GREATER THAN 100'.
- FIXTURE MOUNTING HEIGHT SHALL BE BETWEEN 10' AND 12'.
- USE METAL HALIDE LAMPS.

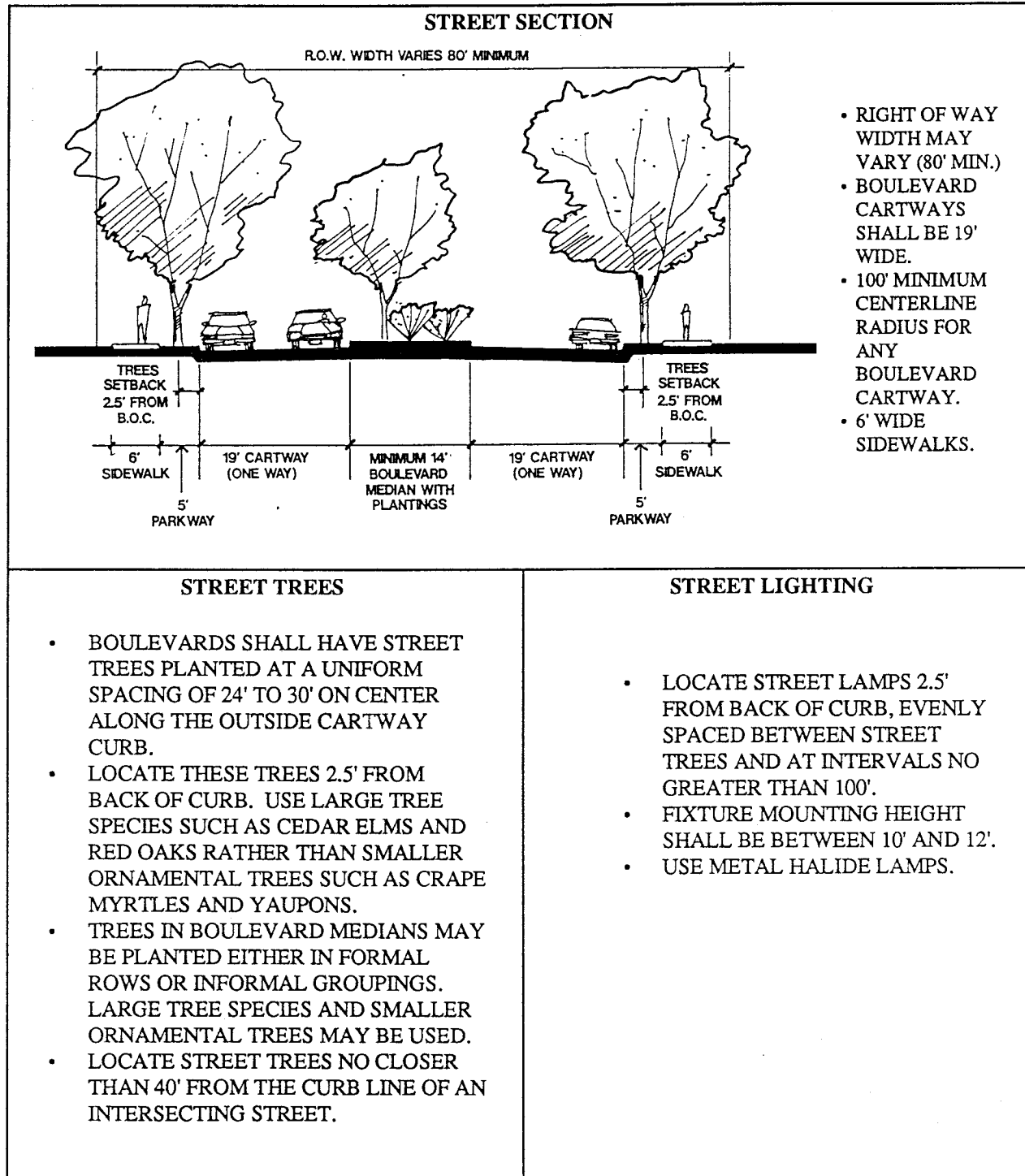
STREET DESIGN STANDARDS: LARGE STREET



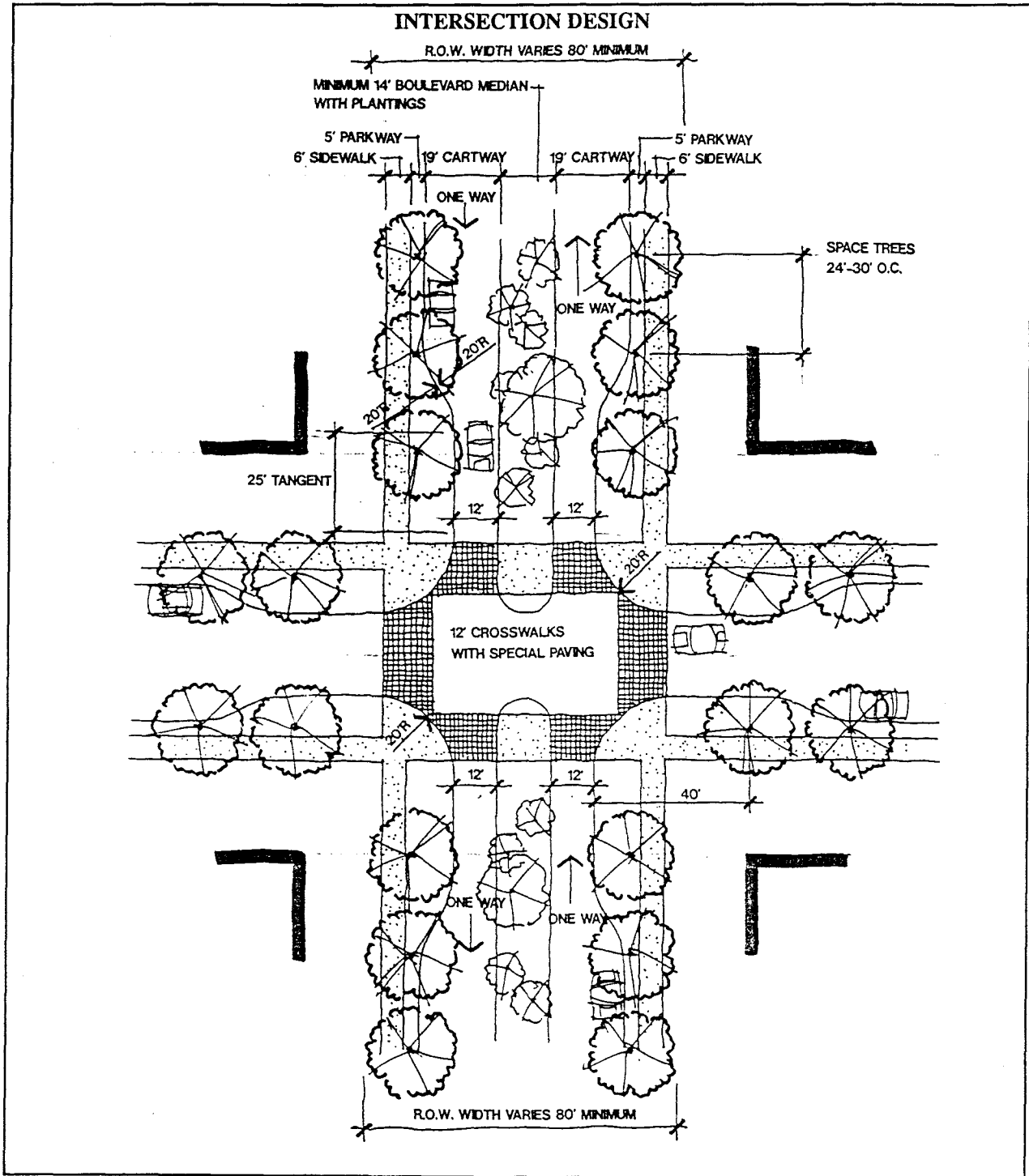
**EXAMPLE OF A
LARGE STREET.**

**ROUTH STREET.
DALLAS, TEXAS.**

STREET DESIGN STANDARDS: BOULEVARD



STREET DESIGN STANDARDS: BOULEVARD



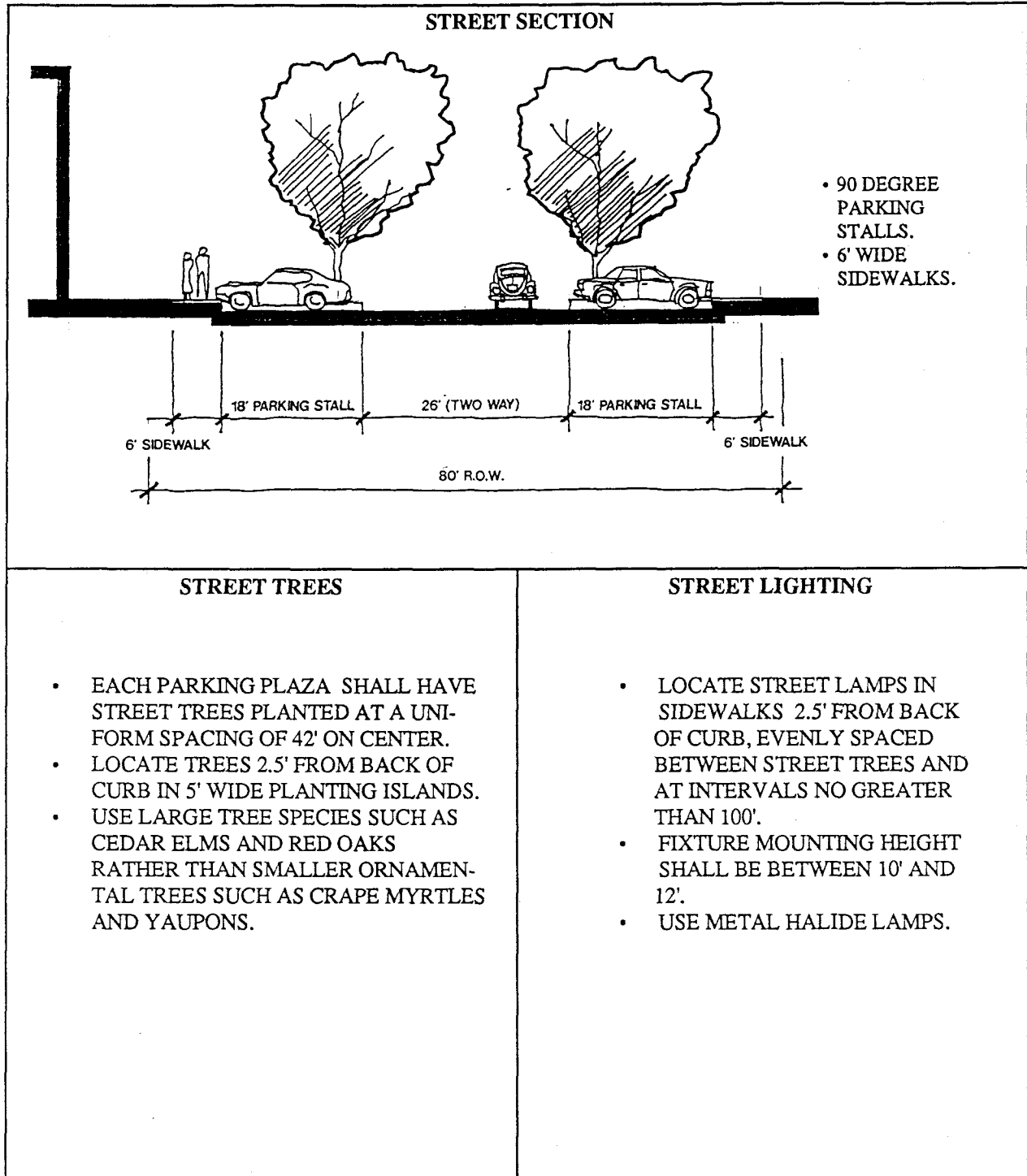
STREET DESIGN STANDARDS: BOULEVARD



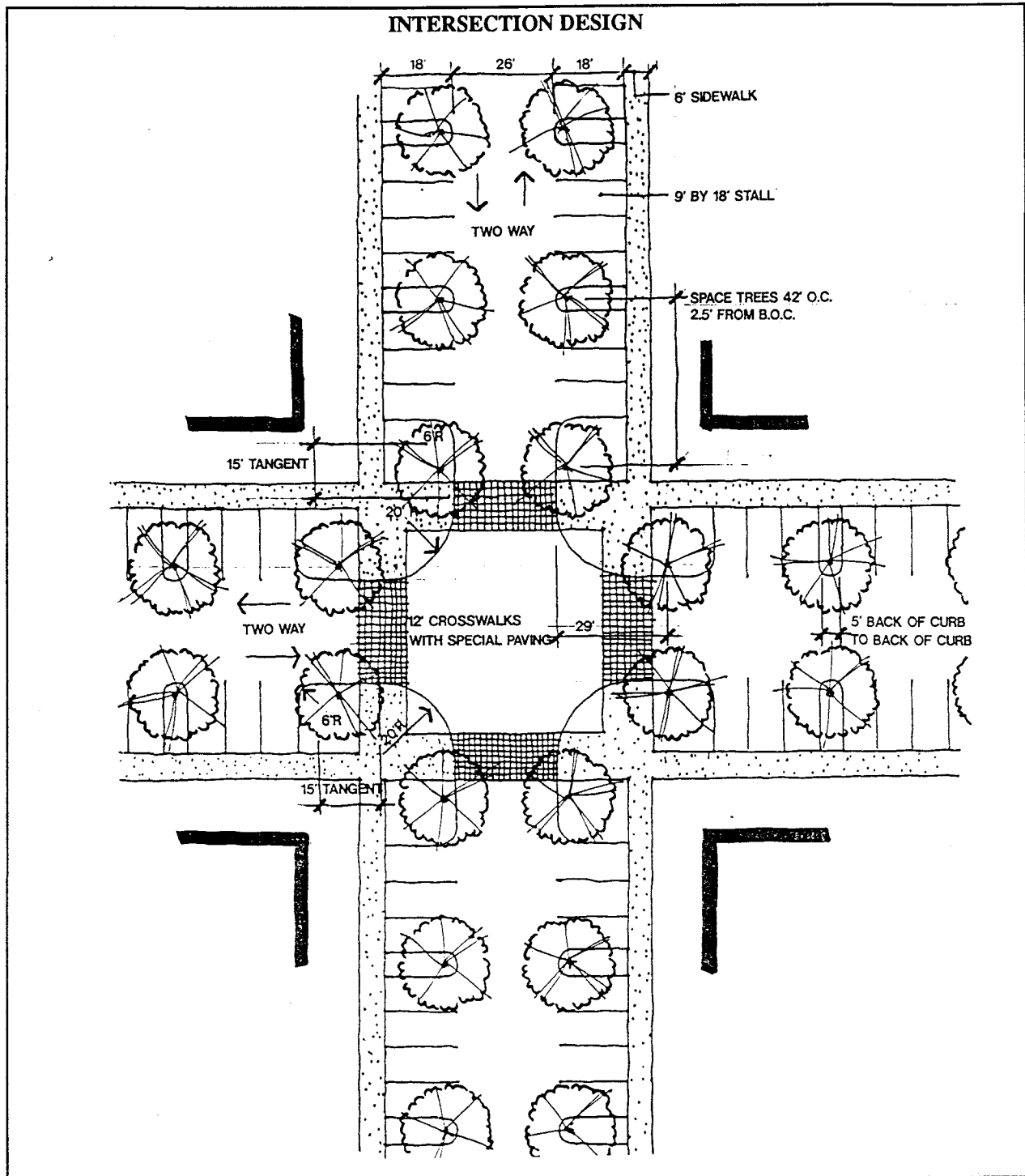
EXAMPLE OF A BOULEVARD.

ARMSTRONG PARKWAY.
HIGHLAND PARK, TEXAS.

STREET DESIGN STANDARDS: PARKING PLAZA

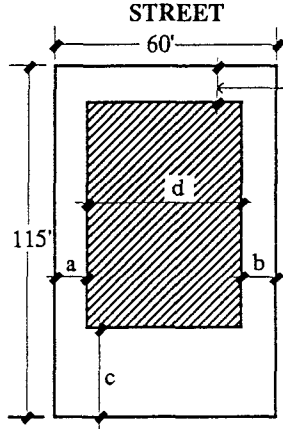
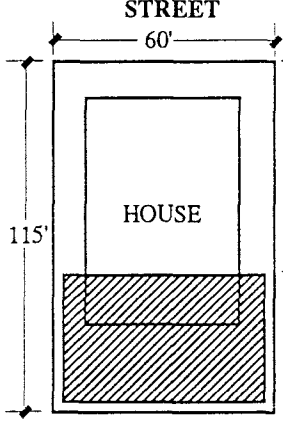


STREET DESIGN STANDARDS: PARKING PLAZA



ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: ONE-FAMILY DWELLING

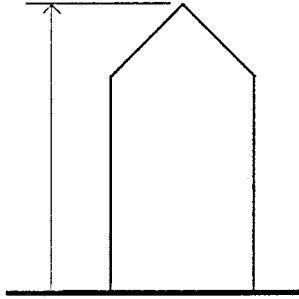
<p>1 WHERE PERMITTED</p> <ul style="list-style-type: none"> IN MXR DISTRICTS, AS INDICATED ON THE APPROVED CONCEPT PLAN AND DEVELOPMENT PLANS. <i>(FRONTING LARGE STREETS, BOULEVARDS AND SIDE STREETS.)</i> 	<p>2 SETBACKS</p>  <ul style="list-style-type: none"> a and b = 6' minimum . c = 10' minimum setback. d = 60% of lot width (minimum). lot widths and depths are minimums. 75% min. of front wall shall occur on the mandatory build-to line
<p>3 BUILDING SIZE</p> <ul style="list-style-type: none"> 55% MAXIMUM LOT COVERAGE. <i>(TO ENCOURAGE THE USE OF PORCHES FRONTING PUBLIC STREETS THEY ARE NOT INCLUDED IN LOT COVERAGE CALCULATIONS).</i> 2200 SQUARE FEET MINIMUM. 	<p>4 GARAGE / ACCESSORY BLDG. ZONE</p>  <ul style="list-style-type: none"> Must have rear and side minimum setback of 3'. Garages whose doors front the alley require a mandatory 20' setback. All driveways shall be set a minimum of 5' from side property lines.

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: ONE-FAMILY DWELLING

5

MAXIMUM BUILDING HEIGHT



32' MAXIMUM - ON SIDE STREETS.
40' MAXIMUM - ON LARGE STREETS AND BOULEVARDS.

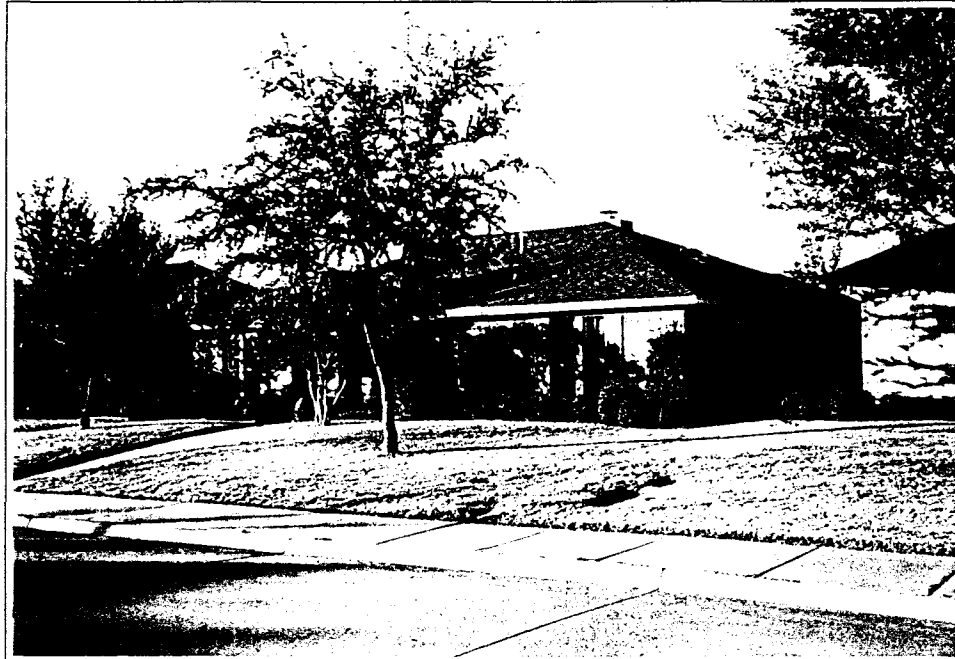
6

EXTERIOR APPEARANCE OF BUILDINGS

- 80% MASONRY CLADDING.
- USE NO MORE THAN TWO BUILDING MATERIALS (EXCLUDING GLASS AND ROOFING) AS EXTERIOR CLADDING.
- ALUMINUM AND VINYL SIDING ARE NOT PERMITTED.
- DOMINANT BUILDING COLORS SHALL BE SHADES OF WARM GRAYS, REDS, BEIGES AND BROWNS. BLACK AND WHITE SHALL NOT BE USED. THERE IS NO RESTRICTION ON ACCENT COLORS EXCEPT THAT FLUORESCENT COLORS ARE PROHIBITED.
- SCREEN MECHANICAL EQUIPMENT FROM VIEW AND LOCATE TO MINIMIZE NOISE INTRUSION.

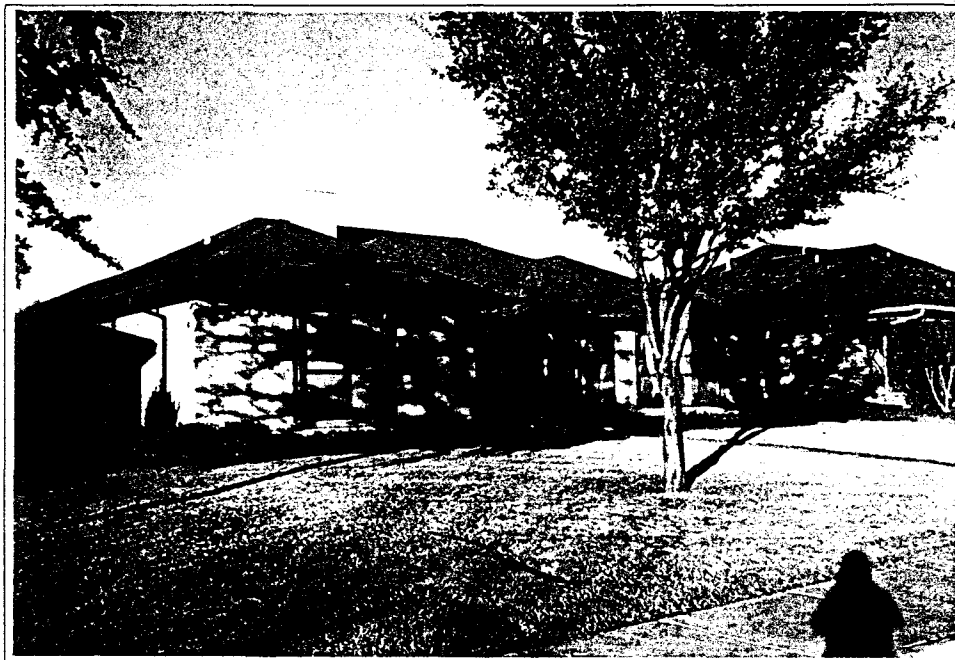
ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: ONE-FAMILY DWELLING



EXAMPLES OF ONE-FAMILY DWELLINGS.

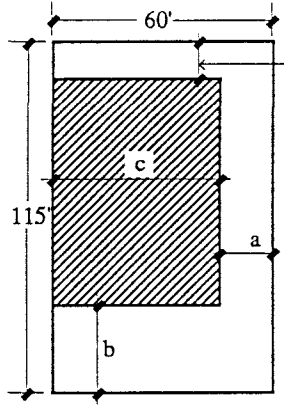
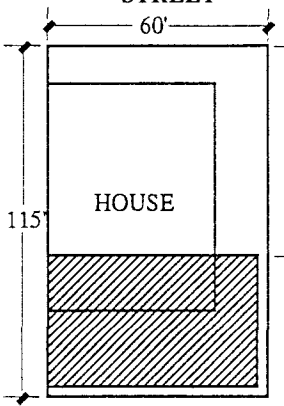
MIDWAY MEADOWS. ADDISON, TEXAS.



MIDWAY MEADOWS. ADDISON, TEXAS.

ARTICLE VIII-D APPENDIX A

DEVELOPMENT GUIDELINES: ZERO LOT LINE - DETACHED

<p>1 WHERE PERMITTED</p> <ul style="list-style-type: none"> • IN MXR DISTRICTS, AS INDICATED ON THE APPROVED CONCEPT PLAN AND DEVELOPMENT PLANS. (FRONTING SIDE STREETS ONLY). 	<p>2 SETBACKS STREET</p>  <p>15' mandatory build - to line.</p> <p>ALLEY</p> <ul style="list-style-type: none"> • a = 10' minimum setback. • b = 10' minimum setback. • c = 75% of lot width minimum. • lot widths and depths are minimums. • 75% min. of front wall shall occur on the mandatory build-to line.
<p>3 BUILDING SIZE</p> <ul style="list-style-type: none"> • 60% MAXIMUM LOT COVERAGE. (TO ENCOURAGE THE USE OF PORCHES FRONTING PUBLIC STREETS THEY ARE NOT INCLUDED IN LOT COVERAGE CALCULATIONS). • 1800 SQUARE FEET MINIMUM. 	<p>4 GARAGE / ACCESSORY BLDG. ZONE STREET</p>  <p>60' minimum (does not apply to attached garages).</p> <p>ALLEY</p> <ul style="list-style-type: none"> • Must have rear setback and non-zero side setback of 3'. • Garages whose doors front the alley require a mandatory 20' setback. • All driveways shall be set a minimum of 5' from side property lines.