



**JOINT SPECIAL MEETING  
CITY COUNCIL  
and  
PLANNING & ZONING COMMISSION**

**Thursday, March 28, 2019 @ 6:00 pm**

**ADDISON TREEHOUSE  
14681 Midway Road, Ste. 200  
Addison, TX 75001**

**JOINT SPECIAL MEETING**

Call to Order and Announce Quorum

- Addison City Council, Mayor Joe Chow
- Planning and Zoning Commission, Chair Kathryn Wheeler

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Present and Discuss the **Development Code Review Process and Solicit Feedback on the Addison Development Regulations Assessment Report.**

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Adjourn Meeting

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**NOTE:** *The City Council reserves the right to meet in Executive Session closed to the public at any time in the course of this meeting to discuss matters listed on the agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Chapter 551, including §551.071 (private consultation with the attorney for the City); §551.072 (purchase, exchange, lease or value of real property); §551.074 (personnel or to hear complaints against personnel); §551.076 (deployment, or specific occasions for implementation of security personnel or devices); and §551.087 (economic development negotiations). Any decision held on such matters will be taken or conducted in Open Session following the conclusion of the Executive Session.*

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**POSTED BY:** \_\_\_\_\_

Irma G. Parker, City Secretary

**DATE POSTED:** Monday, March 25, 2019

**TIME POSTED:** 5:00 pm

**DATE REMOVED FROM BULLETIN BOARD:**

\_\_\_\_\_  
**REMOVED BY:** \_\_\_\_\_

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CALL (972) 450-7017 AT LEAST 48 HOURS IN ADVANCE IF YOU NEED ASSISTANCE.**

**AI-3079**

**Joint City Council & Planning & Zoning Commission Meeting**

**Meeting Date:** 03/28/2019

**Department:** Infrastructure- Development Services

**Pillars:** Entrepreneurship and Business Hub

**Milestones:** Review town ordinances and regulations with a focus on modernization in order to facilitate redevelopment

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**Information**

**AGENDA CAPTION:**

Present and Discuss the **Development Code Review Process and Solicit Feedback on the Addison Development Regulations Assessment Report.**

**BACKGROUND:**

Beginning in Fiscal Year 2018, the City Council's Strategic Plan has included a milestone to review Town ordinances and regulations to modernize them and facilitate redevelopment. In accordance with this milestone, in 2018, the Town began the review of its development regulations with the goal to create a new Unified Development Code. Clarion Associates, LLC was selected to assist Staff with this process and facilitate a robust community engagement program.

As a first step, in October 2018, Staff and Clarion met with stakeholders, the Council appointed Special Project Committee, and the City Council. The purpose of these conversations was to gather initial thoughts and concerns about the Town's current regulations. Since that time, Staff and Clarion have been reviewing the Town's regulations pertaining to zoning, subdivision, landscaping, and signage. This review has been summarized in the two attached documents.

- The Addison Development Regulations Assessment Report looks at the strengths and weaknesses of Addison's current regulations and highlights issues that need to be addressed while drafting a new Unified Development Code.
- The Detailed Review of Current Development Regulations provides a more thorough section-by-section review of the elements of Addison's current Code of Ordinances.

These documents were provided for public comment on the Town's website and various social media outlets beginning on March 8, 2019. On March 27, 2019, Staff and Clarion will discuss the findings of the report with the Council appointed Special Project Committee. Additionally, a community workshop will be held that evening for members of the public to attend, learn more about the update project and provide feedback on the report.

During the March 28, 2019 Joint Work Session of the City Council and Planning and Zoning Commission, Clarion will present an update on the project, the findings of the report, a summary of the public input received, and request direction from the Council and Commission. The Assessment Report includes a number of *Key Questions* pertaining to how development regulations should be changed in the future. The direction received about these *Key Questions* will serve as a roadmap for the remainder of the project as Staff and Clarion begin to draft the new Unified Development Code.

**RECOMMENDATION:**

Staff requests direction from the City Council and Planning and Zoning Commission.

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**Attachments**

Development Regulations Assessment Report  
Detailed Review of Current Development Regulations  
Presentation - Addison UDC Assessment

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**ADDISON UDC**  
**UNIFIED DEVELOPMENT CODE**

# Development Regulations Assessment

March 2019

**CLARION**

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# 1) Project Overview and Summary

## PROJECT PURPOSE

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The Town of Addison has initiated a review and update of the current zoning, subdivision, sign, and landscaping ordinances, which are separate chapters in Addison's Code of Ordinances. This project will update and consolidate these ordinances (called the "development regulations" in this report) into a new Unified Development Code (UDC).



*Vitruvian Park*

Although the development regulations have been amended many times over the years, they have never been comprehensively evaluated or revised, resulting in regulations that are outdated and not well-equipped to implement the Town's adopted land use policies. Major amendments like the Urban Center and Belt Line districts have been added but not effectively integrated into the overall structure, resulting in repetition, inconsistencies, and a confusing overall organization. As a result, most recent projects have relied on negotiated agreements that bypass the development regulations altogether, which is often a sign that a zoning code is not meeting a community's needs.

## PROJECT GOALS

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Addison's new Unified Development Code is intended to support a thriving, resilient, and forward-thinking community that will remain locally and nationally competitive.

The new Addison UDC will establish an updated list of zoning districts and land uses, set clear minimum quality standards for new development, and establish efficient procedures under which proposed development applications are considered. The Addison UDC project demonstrates the Town's commitment to the future and will play an integral role in shaping the natural and built environments over the next generation.

The new UDC will be a more effective tool to help Addison realize several important goals, including:

- Implement the Addison Comprehensive Plan;
- Simplify and improve the user-friendliness of the development regulations;
- Integrate best planning and zoning practices and current trends from Texas and around the nation;
- Modernize regulations to maintain a high level of quality and private investment;
- Preserve and protect existing neighborhood development;
- Update the menu of zoning districts to encourage high-quality mixed-use and transit-oriented development projects that complement existing development contexts;
- Promote alternate forms of transportation, including walking, biking, and transit;
- Strengthen standards related to the sustainable built and natural environments; and
- Create development regulations that will meet the current and future needs of the Town.

Another important project objective is to respect, enhance, and leverage existing community assets while looking to the future, ensuring that Addison continues to be a regional and national leader in its

development approaches. Addison's long-held culture of excellence has helped set it apart from its peer communities in North Texas; however, other cities have effectively adapted to current trends and in some ways are outperforming Addison. Exceptional Class-A office space, a robust restaurant scene, high-quality development, superior parks and open space, and unique airport access have branded Addison a desirable place to live, work, and shop. While these community assets have been instrumental in Addison's past and current success, it is important to consider how the Town will respond to shifting demographics, dynamic markets, and evolving consumer preferences.

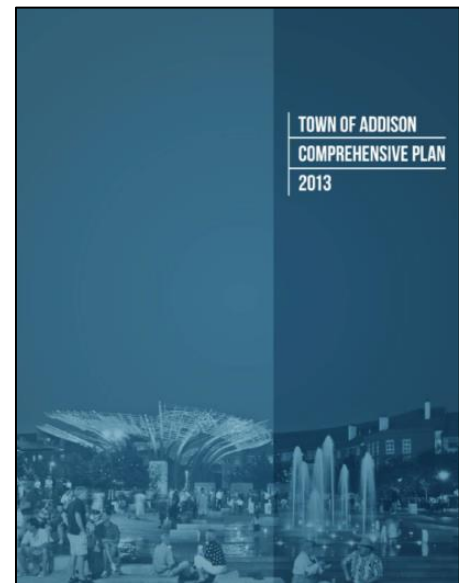
The demand for compact, mixed-use development with direct access to amenities (like Addison Circle) is increasing. Both in Texas and around the country, aging baby boomers, young adults, and other affluent individuals are flocking to areas rich in jobs, entertainment, and culture. This is not only true for large city centers but also suburban developments emphasizing a mix of residential and commercial developments with nearby services and amenities. Communities that support a convenient and healthy lifestyle with well-connected street and sidewalk networks, walkable designs, and a variety of amenities are very desirable and tend to gain an advantage over other jurisdictions by attracting more businesses and residents. This, in turn, results in a community with a greater sense of place and an improved quality of life. The new Addison UDC should act as an incentive to promote economic development and attract business and industry, while also promoting quality of life and helping to create a healthy community.

Lastly, clear, defined, and consistent development review procedures are critical in helping staff, the development community, and local officials understand the Town's expectations for development. This ensures a higher level of predictability, consistency, and fairness in administering the UDC. Encouraging creative and private investment through added flexibility and menu-based options is another way to increase fairness and predictability. Often times, the constraints associated with redevelopment projects are exacerbated by a rigid "one-size-fits-all" approach, usually resulting in timely and unpredictable requests for variances, waivers, or negotiated agreements.

### PROJECT TEAM AND KICK-OFF

To assist with the creation of a new UDC, Addison has retained a team led by Clarion Associates, a Denver-based land use consulting firm. The team also includes James Dougherty, a Texas land-use law attorney, to assist with Texas legal compliance. The team brings experience and perspective from working with communities throughout Texas and the nation.

The Addison UDC project officially began in early October 2018, when a series of meetings were held with a local Special Project Committee and various stakeholder groups. The Special Project Committee includes residents, attorneys, developers, and development professionals (architects and engineers) and will provide focused feedback at key stages throughout the project. Other stakeholders that were interviewed included Town staff who administer, work with, and enforce the development regulations; human service organizations; elected and appointed officials; local home owners association groups; airport operations and management staff; chamber of commerce and economic development staff; and other stakeholders who participate in the development process (e.g., developers, business owners, and development professionals such as engineers, architects, and planners).



These meetings solicited feedback from a large cross-section of individuals to analyze the existing development regulations and to specifically determine:

- How the current development regulations work well;
- How the current development regulations are ineffective or difficult to use;
- Areas of consistency and inconsistency between existing local policies and practices, the adopted plans, and the existing regulatory language;
- Modifications necessary to streamline the development review process; and
- Necessary changes related to Texas and/or federal law.

In addition to holding in-person interviews, the consulting team also reviewed relevant background documents including the current *Code of Ordinances*, the *Addison Comprehensive Land Use Plan*; the *Addison Master Transportation Plan*; the *Inwood Road Enhancement Zone Study Report*, the *Parks Master Plan*, the *Economic Development Strategic Plan*, and the *Addison Circle Special Area Study Comprehensive Plan Amendment*. The team also toured the Town with staff members to observe examples of a variety of development issues first-hand.

## REPORT ORGANIZATION

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This report is organized into three parts, described below, and will serve as a roadmap for the Addison UDC project moving forward. All of the information gathered during meetings, analysis, site visits, and interviews has influenced the discussion in this report. This report is intended to provide a methodical analysis of the strengths and weaknesses of the current development regulations and to gain consensus on the general scope and parameters of the issues to be addressed in the drafting of the new UDC. Recognizing that there are no one-size-fits-all solutions for any community, the recommendations are tailored to Addison's goals. In our experience, having a clear roadmap ensures that the remainder of the process proceeds smoothly and effectively. This report will be presented and discussed with Town officials at meetings in early 2019.

Following this introductory section, the report includes the following two main sections:

### Key Areas to Improve the Land Use Regulations

This section identifies major themes that emerged from Clarion's review of the Town's development regulations and stakeholder feedback. The discussion includes recommendations for how the development regulations should be improved to best address identified concerns. The recommendations are organized into the following categories:

- Create a More User-Friendly Code
- Fine-Tune the Zoning Districts
- Reorganize and Strengthen the Use Regulations
- Improve and Tailor the Development Standards
- Streamline Development Review Procedures
- Rewrite the Sign Regulations

A separate appendix includes additional detailed section comments on the current regulations.

### Annotated Outline of a New UDC

This section presents an outline showing what a new UDC would look like if the Town elects to move forward with the recommended actions in this report. It also provides a general framework for the new unified code structure and describes the scope and content of each article.



## SUMMARY OF RECOMMENDATIONS

The table below summarizes the major recommendations included in Part 2.

Theme	Recommendations
<b>Create a More User-Friendly Code</b>	
Establish a Clear Organization	<ul style="list-style-type: none"> <li>Reorganize the development regulations into a Unified Development Code (UDC) as proposed in the Annotated Outline later in this report.</li> </ul>
Add Illustrations and Other Graphics	<ul style="list-style-type: none"> <li>Include illustrations and other graphics (summary tables, flowcharts, etc.) throughout new UDC.</li> </ul>
Improve the Page Layout	<ul style="list-style-type: none"> <li>Establish a more attractive and user-friendly page format with: <ul style="list-style-type: none"> <li>Dynamic headers, showing article, section, and subsection on each page;</li> <li>Consistent formatting and location of tables and graphics;</li> <li>Clear and prominent hierarchy of heading titles (using color and/or bold fonts); and</li> <li>Consistent indentation and nested text.</li> </ul> </li> </ul>
Define Key Terms and Use Clear Language	<ul style="list-style-type: none"> <li>Consolidate, expand, and update all definitions.</li> <li>Rewrite code with clear and simple language. Remove duplication and resolve inconsistencies.</li> <li>Rewrite standards to eliminate vague, subjective language.</li> </ul>
<b>Fine-Tune the Zoning Districts</b>	
Generally	<ul style="list-style-type: none"> <li>Clarify district purpose statements.</li> <li>Re-organize and reformat content to be more user-friendly.</li> <li>Extract district-specific development and procedural standards and relocate them to the appropriate sections addressing that content.</li> <li>Retain district-specific standards that are working well and consider applying them more broadly.</li> <li>Replace district-specific waiver procedures with the “minor modification” procedure generally applicable to all development.</li> <li>Make additional district-specific adjustments as shown this report.</li> </ul>
Minimum Dwelling Area	<ul style="list-style-type: none"> <li>Consider eliminating for all zoning districts.</li> </ul>
Mapping the New Districts	<ul style="list-style-type: none"> <li>Create a simple “conversion” map to be considered with the UDC.</li> <li>Identify the most appropriate zone classification for parcels that do not have a simple “one-to-one” conversion (i.e., districts that are proposed to be consolidated or eliminated).</li> </ul>

## Key Questions

- How ambitious does the Town want to be in remapping existing zone districts to new districts that better align with Comprehensive Plan?
- To simplify the zoning map, should the Town explore converting some existing PDs to base zone districts where they would no longer be necessary under the new UDC, the owner agrees, and no nonconformities would be created?
- In the R-1 zone district, is it more important to retain current dimensional standards or to preserve the existing neighborhood character?



## Reorganize and Strengthen the Use Regulations

Enhance the Use Regulations	<ul style="list-style-type: none"> <li>• Develop a consolidated use table.</li> <li>• Categorize and define all land uses.</li> <li>• Establish a process for unlisted uses.</li> <li>• Refine the list of land uses by eliminating antiquated uses, consolidating like uses, and creating new uses.</li> <li>• Consolidate and update use-specific standards.</li> <li>• Ensure all districts allow appropriate land uses.</li> <li>• Diversify housing types by removing barriers that prevent the development of work force housing. Consider introducing incentives to encourage work force housing in targeted areas.</li> </ul>
Accessory and Temporary Uses and Structures	<ul style="list-style-type: none"> <li>• Consolidate and update accessory and temporary use and structure standards.</li> <li>• Create new temporary use and structure standards.</li> </ul>

## Key Questions

- Are there specific land uses that are not currently addressed in the Code of Ordinances that should be as part of this effort?
- Is the Town interested in requiring or incentivizing workforce housing?

## Improve and Tailor Development Standards

Generally, Focus on Infill and Redevelopment	<ul style="list-style-type: none"> <li>• Review dimensional and development standards to ensure they accommodate infill and redevelopment projects.</li> <li>• Introduce additional flexibility by adding optional approaches and menus wherever possible.</li> </ul>
Access and Connectivity	<ul style="list-style-type: none"> <li>• Consolidate and strengthen access, circulation, and connectivity standards.</li> <li>• Coordinate standards with other site development standards (parking, landscaping, grading and drainage, etc.)</li> <li>• Integrate and clarify minimum sidewalk standards.</li> </ul>
Parking	<ul style="list-style-type: none"> <li>• Consolidate and rewrite off-street parking and loading standards.</li> <li>• Evaluate parking ratios against national standards; consider maximum requirements in some areas.</li> <li>• Provide additional tools for flexibility in meeting parking requirements.</li> <li>• Establish clear and objective standards for shared and valet parking.</li> <li>• Update parking area design requirements.</li> <li>• Consider limits on parking location in some areas.</li> </ul>
Landscaping, Buffering, Screening, and Tree Protection	<ul style="list-style-type: none"> <li>• Calibrate minimum landscape requirements to cater to redevelopment and infill.</li> <li>• Coordinate landscape and buffer requirements to maximize efficiency.</li> <li>• Relocate and enhance fencing standards to include more graphics and illustrations.</li> <li>• Introduce tools to provide more flexibility, especially for infill, redevelopment, and small sites.</li> <li>• Consider alternative landscaping standards for airport properties.</li> <li>• Integrate environmentally friendly standards that help conserve water and energy, and that improve stormwater quality.</li> </ul>

### Improve and Tailor Development Standards (continued)

Building and Site Design	<ul style="list-style-type: none"> <li>Create town-wide building design standards using successful development projects and special area districts as a model.</li> <li>Consider neighborhood protection standards to provide a smooth transition from low-density residential neighborhoods to larger or more intense uses.</li> <li>Consider calibrating the minimum masonry requirement to foster architectural creativity and to avoid monotonous and uniform development.</li> <li>Incorporate alternative building design standards for airport properties.</li> </ul>
Exterior Lighting	<ul style="list-style-type: none"> <li>Create town-wide exterior lighting design standard to ensure safety for owners and users of the property.</li> </ul>
Grading and Drainage	<ul style="list-style-type: none"> <li>Consolidate grading and drainage standards and reconcile inconsistencies.</li> <li>Consider integrating low-impact development standards.</li> </ul>

### Key Questions

- Is the community willing to explore alternative building material standards to relax and/or supplement the current masonry requirement?
- Should the UDC require vehicle, pedestrian, and/or bicycle connections for new development?
- Is the Town willing to explore eliminating parking minimums and introducing parking maximums in some areas or for specific use types?
- Would the Town consider reducing the minimum landscape requirement if the resulting landscape treatment was strategically located and of high quality?

### Streamline Development Review Procedures

Delegate More Decision-Making Power to Staff	<ul style="list-style-type: none"> <li>Delegate greater decision-making authority to professional planning staff, while complex and significant requests go to a hearing before the Planning and Zoning Commission and/or City Council.</li> </ul>
Establish Common Review Procedures	<ul style="list-style-type: none"> <li>Establish standard review procedures for the procedural steps described above.</li> <li>Draft application-specific review procedures that reference the new standard procedures; note any variations and additions particular to that type of application.</li> </ul>
Codify and Update the Site Plan Review Procedure	<ul style="list-style-type: none"> <li>Formalize and update the site plan review procedure.</li> <li>Establish a distinct procedure for major site plan review from minor site plan review.</li> <li>Strengthen approval criteria.</li> </ul>
Establish Distinct Review Procedures for the Airport Zone District	<ul style="list-style-type: none"> <li>Formalize and update the site plan review procedure for development on airport property.</li> </ul>
Consider Introducing a Development Plat Procedure	<ul style="list-style-type: none"> <li>Consider introducing a development plat procedure.</li> </ul>
Establish Process to Allow Minor Modifications	<ul style="list-style-type: none"> <li>Establish a Minor Modification procedure to allow approval of minor deviations, based on clear criteria.</li> </ul>
Create Supporting Documents	<ul style="list-style-type: none"> <li>Create an administrative manual and technical specifications manual.</li> </ul>

## Streamline Development Review Procedures (continued)

### Reform the Planned Development Process

- Formalize a two-step PD review process (preliminary and final approval).
- Reaffirm the essential project characteristics to consider at preliminary PD plan.
- Revise application submittal requirements.
- Codify the final plan approval procedure, clarifying the role of each decision-maker in the process.
- Establish specific criteria for acceptable changes to a preliminary plan.
- Establish a PD conversion process.
- Require benefits to the community in exchange for PD plan consideration.
- Consider limiting the qualifying criteria for when PDs are allowed.
- Clarify amendment procedures, and what differentiates a “minor” amendment from a “major” one.
- Draft new approval criteria to guide decision-making.

## Key Questions

- Does Addison want to delegate greater decision-making authority to their professional planning staff for matters that are not controversial, complex, or significant?
- Should a neighborhood meeting be required prior to the submittal of a major development proposal?

## Rewrite the Sign Regulations

### Reorganize, Simplify, and Update Sign Regulations

- Formalize and update the sign review procedures.
- Consider establishing sign districts.
- Establish unique sign controls for airport properties.
- Consider added flexibility.
- Consider allowing electronic signs in select areas.

### Remove Content-Based Regulation

- Remove references to sign types that include or imply a particular message.
- Remove references to “multi-tenant signs.”
- Make exemptions for flags and decorations more general.
- Clarify what distinguishes “wall art” and “murals” from “signs” and “advertising.”

## Key Questions

- Should electronic signage be allowed in specific areas of the Town?
- Moving forward, should Addison maintain the same level of strict sign controls or allow for more flexibility?
- Should permanent and commercial signage regulations be updated to reflect the Supreme Court decision regarding content neutrality?

## 2) Key Areas for Improving the Regulations

Six major themes for improving Addison's current development regulations emerged from the kick-off interviews and the consulting team's background review. These themes present an organized way to discuss the strengths and weaknesses of the current regulations. They include:

- Create a More User-Friendly Code
- Fine-Tune the Zoning Districts
- Reorganize and Strengthen the Use Regulations
- Improve and Tailor the Development Standards
- Streamline Development Review Procedures
- Rewrite the Sign Regulations

Each of these themes is discussed below. Additional detailed comments appear in a supplemental document that contains a section-by-section review.

### CREATE A MORE USER-FRIENDLY CODE

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Beyond the substantive issues discussed in this report, many stakeholders said they find the development regulations cumbersome and difficult to understand and use. Issues include an unclear organization, redundant information, and lack of graphics. Piecemeal amendments over time have made it hard to find key information. It appears from our discussions that the lack of a well-organized, user-friendly ordinance has impeded effective communication (both internally between departments and also externally between Town officials and the public), and perhaps has unnecessarily complicated the overall development review process.

These challenges are not unusual. Many communities find that, as zoning rules are modified and updated over time, they become increasingly complicated and more difficult to navigate and understand. The recommendations below are intended to make the UDC more user-friendly, which should help improve the efficiency of the review process and overall effectiveness of the UDC.

#### Establish a Clear Organization

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The zoning, subdivision, landscaping, and sign ordinances should be updated and consolidated in a more organized, user-friendly manner. Similar information should be grouped to reduce repetition. The proposed new organization of the UDC is discussed in detail in the Annotated Outline in Part 3 of this report.

#### Recommendation

Reorganize the development regulations into a Unified Development Code (UDC) as proposed in the Annotated Outline in Part 3 of this report.

#### Add Illustrations and Other Graphics

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Illustrations, flowcharts, and tables should be used frequently throughout the new UDC to explain standards and to summarize detailed information. Sample graphics from other codes prepared by Clarion are shown on the following page. They are included here to illustrate a small range of possible formats. Each community is unique in how they choose to illustrate a code (freehand versus software, heavy detail versus light detail, etc.). We will work with staff during the drafting process to select a style that works best for Addison.

## 2) Key Areas for Improving the Regulations

### Create a More User-Friendly Code

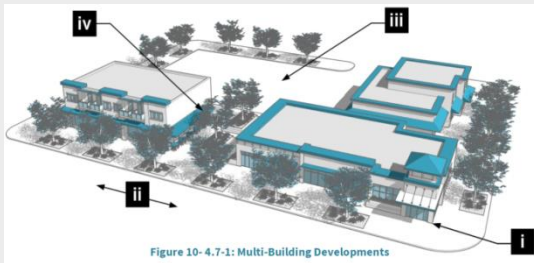


Figure 10-4.7-1: Multi-Building Developments

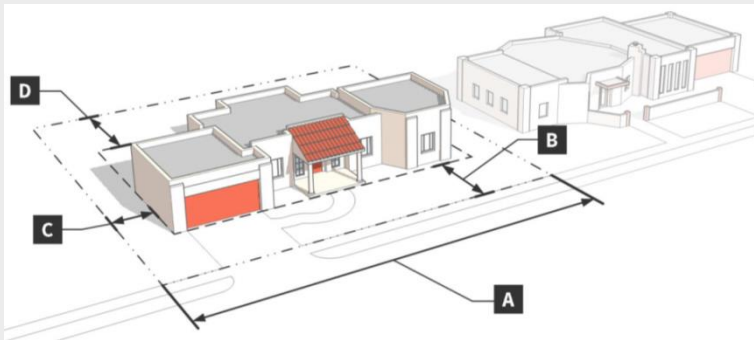
#### (b) Building Locations in Multi-Building Developments

Multi-building developments with three or more buildings shall be arranged and grouped using one or more of the following techniques:

- (i) Frame the corner of an adjacent street intersection or entry point to the development; or
- (ii) On sites of 15 acres or more, frame and enclose a "main street" pedestrian and/or vehicle access corridor within the development; or
- (iii) Frame and enclose parking areas on at least two sides; or
- (iv) Frame and enclose outdoor dining and/or outdoor gathering spaces between buildings.

This diagram depicts building orientation standards for multi-building developments. The labels (i through iv) help illustrate specific standards in the code related to addressing street frontages, pedestrian and vehicle access, parking location, and outdoor dining/gathering space.

This illustration shows the desired scale and character of a mixed-use downtown zoning district.



#### Lot Standards

<b>A</b>	Width (minimum)	145 feet
	Area (minimum)	35,000 sq. ft.
	Density (maximum for new subdivisions) [1]	1 du/acre

#### Setbacks (minimum)

<b>B</b>	Front	40 feet
<b>C</b>	Side	20 feet
<b>D</b>	Rear	40 feet

#### Height

	Building height	See 2.24.E
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#### Impervious Coverage (maximum)

	Building coverage	15 percent
	Total coverage	40 percent

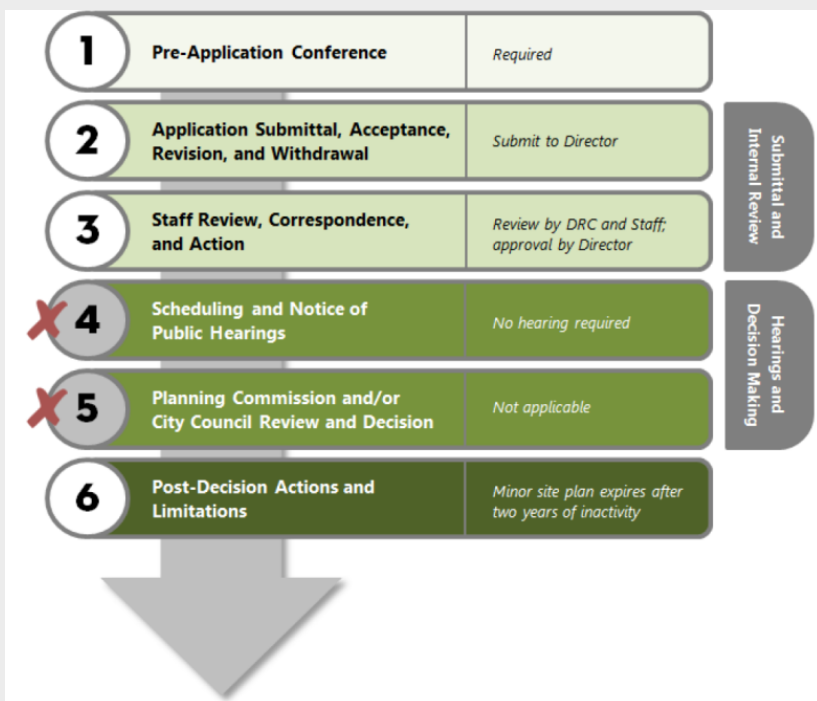
This graphic illustrates some of the basic dimensional requirements for a single-family zoning district. Labels (A through D) correlate to a dimensional table that identifies setbacks, height, and lot requirements.

Graphics like these help users identify which sign types are permitted. This graphic can also be customized to identify specific sign standards, such as area, height, placement, etc.



## 2) Key Areas for Improving the Regulations

### Create a More User-Friendly Code



An example flowchart for a minor site plan procedure in another community. The graphic quickly conveys the overall process for approval (which in this case would not require public hearings with Planning Commission or City Council).

### Recommendation

Include illustrations and other graphics (summary tables, flowcharts, etc.) throughout new UDC.

### Improve the Page Layout

The current development regulations are only available via an online platform (Municode). While it is common for communities to contract with an online publishing service, the constraints of the online platform can sometimes make it difficult to identify how a specific provision fits in with the overall document hierarchy. These platforms often times overly simplify formatting and may also degrade graphic quality. Beyond the platform issues, Addison's current development regulations have been assembled over many years by different authors, resulting in inconsistent formatting. The most noticeable example is the Belt Line District, which is organized and looks substantially different than the rest of the content in the Code of Ordinances.

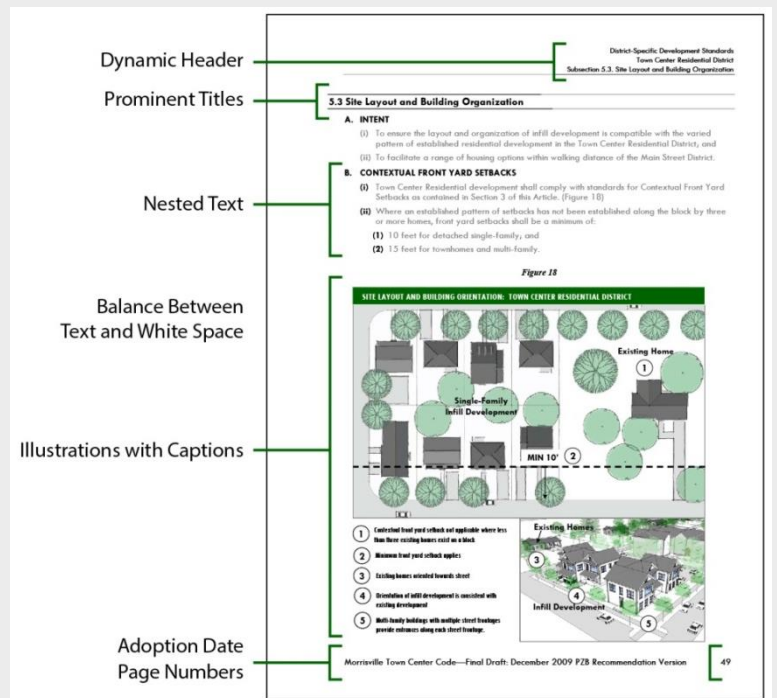
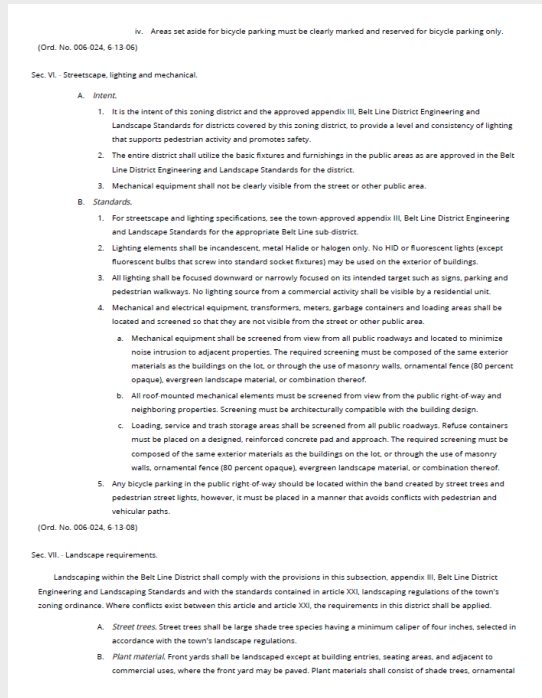
In addition to an online version of the code, most planning offices also retain an editable and formatted digital version, usually as a Microsoft Word or PDF file. Addison currently relies solely on the online version, which poses challenges with printing, image resolution, and formatting. The formatted digital version allows for enhanced formatting and presents information in a more user-friendly format, enhancing the reader's ability to understand the context for specific provisions. The Word/PDF version also allows staff to keep an internal record of any proposed edits and revisions to the document.

The new UDC will feature a new document layout with dynamic headers (that automatically update) showing section references for that page, footers, page numbers, and illustrations with captions. The following graphic compares the current Code of Ordinances to an improved layout from another code Clarion has drafted.



## 2) Key Areas for Improving the Regulations

### Create a More User-Friendly Code



A typical page from the Addison Code of Ordinances (when downloaded from the online version) is shown on the left. Compare this to the sample page layout at the right, which illustrates how headers, text, graphics, and use of page numbers help to modernize a code and make it more user-friendly.

### Recommendations:

Establish a more attractive and user-friendly page format with:

- Dynamic headers, showing article, section, and subsection on each page;
- Consistent formatting and location of tables and graphics;
- Clear and prominent hierarchy of heading titles (using color and/or bold fonts); and
- Consistent indentation and nested text.

### Define Key Terms and Use Clear Language

The use of clear and precise language is just as important as document organization and format. There are several opportunities to improve definitions in the new UDC. Currently, definitions are in multiple locations in Addison's regulations. Many key terms such as "drive-through" and "outside storage" are undefined. In the new UDC, all key terms should be defined, while inconsistent or obsolete definitions should be removed. Definitions for terms limited by state or federal law should also be reconciled (e.g., housing for disabled persons, school facilities, manufactured housing, etc.), to ensure they do not conflict with state or federal regulation. Regulations should be relocated outside of definitions into the main body of the UDC.

Also, all text should be reviewed and rewritten as necessary to provide greater clarity. When carrying forward any language, we will identify and remove "legalese" and replace jargon with plain language. We heard from stakeholders that subjective language in the current ordinances create uncertainty and delay by requiring negotiation (e.g., on design-related issues) with staff and with various reviewing entities. For example, the term "character" is used often; projects should not "substantially detract from the character of the area," and decisions are made based on "whether the plan preserves the character of the area."

Staff, decision makers, developers, and community members could all interpret that term differently. Another common term with similar issues is “compatible.”

Generally, the code should provide greater certainty by avoiding the use of purely subjective language, disconnected from any measurable criteria. The new UDC, and particularly the new development standards, should use clear, objective language, that presents a win-win opportunity for both the community and developers. It is important to note that increased flexibility can also be achieved through clear and objective development standards. For example, the Town can establish both a minimum and a maximum off-street parking requirement, allowing the developer to decide how many parking spaces will be provided. Projects near public transit facilities or those with age-restricted dwelling units may be allowed to reduce the minimum number of parking spaces required by a fixed percentage. Clearly stating the Town’s standards up-front can save time and money, as expectations are set in the beginning of the development process and the need for lengthy negotiations regarding design standards is removed.

In addition, there are many current examples of duplication and internal inconsistency. One example is the visibility triangle requirements, which are described differently in multiple locations. Conflicting provisions should be reconciled by consolidating all related standards into one part of the UDC and crafting just one definition. (The current Addison Code of Ordinances defines “visibility triangle” in four locations; each different from the other).

#### Recommendations:

- Consolidate, expand, and update all definitions.
- Rewrite code with clear and simple language. Remove duplication and resolve inconsistencies.
- Rewrite standards to eliminate vague, subjective language.



## FINE-TUNE THE ZONING DISTRICTS

The foundation of any zoning ordinance is the collection of zoning districts into which the community is divided, and the land uses allowed within those districts. The current Addison zoning ordinance has 16 established base zoning districts, listed in the following table (along with the number and percentage of parcels in each district).

District Abbreviation	District Name	Number of Parcels	Percent of Total Parcels
R-1	Single-Family Dwelling District	21	0.8%
R-2	Single-Family Dwelling District	-	0.0%
R-3	Single-Family Dwelling District	-	0.0%
R-16	Single-Family Dwelling District	56	2.2%
MXR	Mixed-Use Residential	574	22.5%
A	Apartment Dwelling District	6	0.2%
LR	Local Retail District	76	3.0%
C-1	Commercial-1 District	72	2.8%
C-2	Commercial-2 District	11	0.4%
BL	Belt Line District	78	3.1%
I-1	Industrial-1 District	115	4.5%
I-2	Industrial-2 District	4	0.2%
I-3	Industrial-3 District	122	4.8%
UC	Urban Center District	78	3.1%
P	Open Space	47	1.8%
PD	Planned Development District	1,288	50.5%
PD-TH	Planned Development – Townhouse/Condominium	4	0.2%
PD-CC	Planned Development – Condominium Conversions	1	0.0%
<b>Total</b>		<b>2,553</b>	<b>100.0%</b>

In evaluating and updating these districts for the new UDC, it will be important to ensure that the revised lineup of districts is appropriate to meet the needs of Addison now and in the future. However, **this section's title refers to "fine-tuning" the districts because substantial changes to existing zoning are not contemplated at this time.** Rather, the district lineup should be cleaned up by removing unnecessary districts and making any necessary adjustments to current district standards. Also, some new districts may be introduced even if they are not immediately applied to the zoning map. The goal is to broaden Addison's zoning toolbox, so that more types of projects may be built by-right and fewer projects need to opt for PDs, and so that additional district options are available for future use as the Town updates its Comprehensive Plan and completes other area-specific planning efforts.

### Key Question

How ambitious does the Town want to be in remapping existing zone districts to new districts that better align with Comprehensive Plan?



Addison's updated districts should also encourage high-quality infill and redevelopment while protecting Addison's stable neighborhoods, rather than promoting greenfield development patterns; this topic is discussed later in this report in the Development Standards theme discussion.

The following sections discuss Addison's current zoning districts in light of the following questions:

- Is the intent of each district clear and does the district name match the intent?
- Is the district currently used? If not, is it unnecessary or obsolete?
- Are any districts so similar in purpose and standards that they overlap and could be consolidated?
- Are new districts needed to accommodate development patterns that are hard to achieve with existing districts?
- Are the dimensional standards for each district (setbacks, density, and height) appropriately tailored to the purpose of the district?

### Planned Development Districts (PDs)

There are three distinct PD districts in Addison: the standard "planned development" district (PD); the "planned development, townhouse/condominium" district (PD-TH); and the "planned development, condominium conversions district (PD-CC). As indicated in the table above, more than half of the Town's parcels are regulated by PDs. The large number of PDs in Addison has led to challenges in administering Addison's overall zoning system. PDs are negotiated for a specific area, establishing development standards that would not otherwise apply to adjacent properties without similar approvals. This results in a lack of predictability that a consistent level of development quality will be applied broadly throughout the town. Additionally, PDs are usually intended to produce a specific development product at initial build-out, and are generally not designed to address redevelopment (which may occur when the Town's planning goals and market demands have changed). As a result, the Town must spend time amending adopted PD provisions to allow reasonable redevelopment over time. For these and other reasons, many communities seek to reduce the need for PDs (though not removing them entirely). Further discussion on reducing the use of PDs is provided on page 42 of this report.

#### Key Question

To simplify the zoning map, should the Town explore converting some existing PDs to base zone districts where they would no longer be necessary under the new UDC, the owner agrees, and no nonconformities would be created?



#### PD-TH - Planned Development, Townhouse/Condominium

This district was created to specifically address the introduction of townhouses and condominium housing categories in Addison. There were no clear standards for these housing types at the time, and rather than introducing a new base district, or amending an existing base district to allow such uses, the Town elected to adopt this PD tool. Other zoning tools have since been adopted by the Town that allow townhouse and condominium development, thereby eliminating the need for this specific PD-TH district. Additionally, Sec. 82.006 of the Texas Property Code restricts local regulation of condominiums, stating that local condo regulations may not be different from regulations of "physically identical development" (e.g. apartments). We recommend that this district be either eliminated or carried forward as a legacy district. Our preferred approach is to rezone these properties to one of the base zoning districts in the new UDC; however, until the detailed standards are drafted for those districts, it is difficult to know if doing so would make current PD-TH properties nonconforming. If one of the proposed base districts does not accommodate these properties, we recommend the current PD-TH district be carried forward in an appendix to the UDC as a legacy district (i.e., an obsolete district that is carried forward, but that cannot

be used in future rezonings).

### PD-CC - Planned Development, Condominium Conversions

This district was established with the intent of converting apartment units into individually owned dwelling condominium units. Only one property has been rezoned to PD-CC, the Bent Tree Oaks Apartment project on the northeast corner of Addison Road and Westgrove Drive; however, the units were never converted to condominiums. Due to the unlikelihood that future apartment conversions will take place, staff has recommended this district be eliminated. If eliminated, the Bent Tree Oaks Apartment project would be rezoned back to the A zone district.

## Residential Districts

### R-1 - Single-Family Dwelling District

We propose carrying this district forward largely intact. This district has been the default designation for parcels that are annexed into the Town, and as a result, not all of the parcels in this district are residential. There are a few nonresidential parcels in the R-1 zone owned by institutional facilities. While it is common for schools to be included in residential zone districts (because they are often in single-family neighborhoods), some communities prefer to establish a separate “community facilities” zone district for public and civic uses (i.e., libraries, religious buildings, schools, police and fire stations, etc.).

The remaining 17 parcels in this category have a single-family residential land use and are located along Lake Forest Drive. This neighborhood is characterized by large homes on large lots. If preserving the established large-lot character of this neighborhood is desired, we recommend revising the lot dimensional standards to better reflect the existing built condition, as summarized below.

Dimensional Standard	Current Standard	Existing Built Condition (approximate)	Recommended Standard
Lot area (minimum)	12,000 sqft	26,900 sqft – 86,750 sqft	25,000 sqft
Lot width (minimum)	80 feet	90 feet – 280 feet	80 feet
Lot depth (feet)	120 feet	300 feet	250 feet

In addition to the revised dimensional standards above, we recommend that “flag lots” not be allowed in this zone district to prevent future lot splits that may alter the character of the area. Adjusting the lot dimensional standards may prohibit the subdivision of existing lots that may be allowed under current standard, but as stated previously, if preserving the existing built condition is desired we recommend these changes be made. We also recommend eliminating the current minimum dwelling area requirement of 4,000 square feet. Modern codes typically do not regulate the minimum size of single-family dwellings. If necessary, other tools could be explored to ensure that new infill dwellings are compatible with the existing neighborhood character.

#### Key Question

In the R-1 zone district, is it more important to retain current dimensional standards or to preserve the existing neighborhood character?



### R-2 and R-3 - Single-Family Dwelling Districts

These zone districts are currently not applied to the zoning map. The Comprehensive Plan indicates that future single-family development is not desired in Addison; therefore, we propose these districts be eliminated from the UDC.

**R-16 - Single-Family Dwelling District**

We propose carrying this district forward largely intact and renaming it to “R-2 Residential Large Lot” to ensure consistency with district names and to reflect its large lot character. The 56 parcels included in this zone category primarily front on Bellbrook Drive, Havenshire Place, and Hampton Court. The current dimensional standards in the code fit the built condition and do not need further refinement. Similar to the R-1 zone district, we recommend eliminating the current minimum dwelling area requirement of 1,000 square feet. Modern codes typically do not regulate the minimum size of single-family dwellings.

**A - Apartment Dwelling District**

This district currently regulates garden-style apartment development. The Comprehensive Plan indicates that future garden-style apartment development is not desired in Addison. The six parcels in this zone category are consolidated in the area along Ledgesmont Lane (Bent Tree Trails Apartments, Fountains of Bent Tree Apartments, Bent Tree Fountains Townhomes, and Bent Tree Brook Apartments).

Careful consideration should be made when determining the future zoning district designation for these properties. One option would be to rezone them to another district, such as one of the new mixed-use zones or a higher-density residential zone. This approach would make these properties non-conforming. Another option is to retain the A district as a legacy zoning district. The current lot and building standards and allowable uses would be carried forward in an appendix to the new UDC, and no new nonconformities would be created. However, no future rezoning would be allowed to the A zone district.

**MXR – Mixed-Use Residential**

The 574 parcels in this category were part of a larger master plan community and are concentrated in the Les Lacs area. While the path of least resistance would be to keep this district intact, we propose carrying forward the substance of the three current sub-districts as three new base zone districts (R-3 low-density, R-4 medium-density, and R-5 high-density) that could potentially have applicability beyond the bounds of the current MXR. The organization and format of the three new base districts should be revised to better integrate with other parts of the new code.

The new UDC will also consolidate all regulatory standards for the MXR district (versus the current appendix). The current sub-district boundaries are also identified outside of the code in the 1991 comprehensive plan land use map. The current sub-district boundaries will be mapped as the new boundaries of the proposed R-3, R-4, and R-5 zone districts. Some of the specific development standards and review procedures that are working well may be relocated and made generally applicable to one or more districts in the UDC.

To ensure predictability and fairness, we recommend that the design standard waiver procedure be eliminated from the MXR district standards and replaced with a “minor modification” tool that would be generally applicable to all development. The minor modification tool is described later in this report.

**Nonresidential Districts**

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**LR – Local Retail District**

The current code lacks a purpose statement for this district, making it difficult to determine the LR zone district’s intended purpose and where it is most appropriate in Addison. The district’s dimensional and design standards cater to suburban-style commercial corridor development patterns. For example, a minimum 25 foot front yard setback is required from any street frontage, which pushes buildings away from the street and caters to a more auto-oriented development pattern. This particular standard does not support the vision of creating a more pedestrian-friendly and urbanized Addison, which we heard support for in many interviews.

The 76 parcels in this zone category are dispersed throughout the Town's nonresidential areas and do not appear to have a consistent land use or building typology. For example, six parcels in this category at the north end of the city along the Dallas North Tollway are large office uses. Several parcels along Belt Line Road are more suburban in nature (i.e., larger building setbacks, vehicle parking in front of the principal building, and relatively low density on large lots). Eight parcels on the west side of Inwood Drive are also in this zone category and appear to be dated and vacant commercial strip centers looking for new life.

We have outlined three options for how the LR zone district can be addressed in the new UDO:

**Option 1: Carry forward and rename to CL (Commercial Limited)**

If Addison desires to maintain a suburban corridor commercial district, we recommend this district be carried forward largely intact, but renamed to "commercial limited." This would likely produce suburban-style development forms like exists in these areas today (i.e., large building setbacks, prominent parking, etc.). This option takes a light touch in improving what is currently on the books today, but would not alter the overall character of the current LR zone district.

**Option 2: Eliminate and replace with one or more new mixed-use district(s).**

If Addison desires to move away from the suburban development pattern to embrace more urban development patterns (buildings addressing street, enhanced pedestrian amenities, etc.), then we recommend the LR district be eliminated and replaced with one of the new mixed-use zone districts derived from the UC or Belt Line sub-districts. This approach would require the Town to rezone parcels in the current LR zone district to one of the new mixed-use zone districts during the zoning map conversion process. Some nonconformities may be created with this option, but any future development would be subject to the updated standards in the UDC that actively promote the goals and objectives in the Comprehensive Plan.

**Option 3: Carry forward in appendix as a legacy district, not in main UDC.**

This option carries forward the LR district as a legacy district and relocates the current LR standards to an appendix of the UDC. Any parcels in the LR district would remain in the LR district, and the current standards would be carried forward unchanged, thus, eliminating the creation of nonconformities. Any future rezonings to LR would not be available. This option is the most conservative of the three and would require an "opt-in" approach from property owners or would require the Town to initiate rezonings. In other words, until LR properties are rezoned to one of the new zone districts, the current development standards would apply to both existing and new development.

### **C-1 Commercial Districts**

Similar to the LR zone district, the C-1 district caters to a suburban-style development pattern and generally does not support the vision of creating a more pedestrian-friendly and urbanized Addison. Like the LR zone district, if Addison wishes to move away from suburban-style development, we recommend this district be eliminated and replaced with one of the UC or Belt Line sub-districts. Otherwise, the district should be carried forward and renamed "commercial general" or be carried forward as a legacy district in an appendix to the UDC.

### **C-2 Commercial District**

We recommend that the Town consider consolidating this district with the I-1 and I-2 zoning districts. The C-2 district allows more intensive, industrial-type uses that are not permitted in C-1: ambulance service, car wash, bus/truck terminal, commercial laundry plant, dyeing plant, machine shop, paint shop, pawn shop, tire store, and sexually oriented businesses. The inherently light industrial nature of this zone

district is reinforced when examining the existing parcels included in this category, specifically along Bellwood Parkway. Several of the existing buildings in this area are warehouse/flex space and are typically associated with a light industrial district.

An important consideration in consolidating the C-2 with the I-1 and I-2 zone districts is how sexually oriented businesses will be addressed moving forward. The current code only allows sexually oriented businesses in the C-2 zone, with minimum separation requirements limiting their placement within 1,000 feet of any churches, schools, residential districts, lots devoted to residential uses, and parks. Most communities allow sexually oriented businesses as a conditional use in a zone district where other intense commercial or industrial activities take place (i.e., away from residences and areas where compatibility will be of concern). The treatment of sexually oriented businesses should consider Chapter 243 of the Texas Local Government Code (TLGC); specifically related to the location, licensing, and/or permitting requirements for such uses.

#### **I-1 – Industrial District**

We propose the I-1 zone district category be consolidated with the current C-2 and I-2 zone districts to create a true light industrial/flex space zone in Addison. Similar to the LR zone district, the 115 parcels in the I-1 zone include a wide range of building types, ranging from office buildings to manufacturing facilities. The majority of parcels in the I-1 zone are west of the airport, along Arapahoe Drive west of Inwood, and along South Inwood Drive.

The code differentiates the I-1 zone district from the C-1 and C-2 zone districts by allowing legal manufacturing and industrial plant operations, in addition to all uses allowed in C-1 and C-2 (except for sexually oriented businesses and pawn shops). Auto sales is currently an allowed use in the I-1 zone district, but not in the C-2 zone district. It may be necessary to introduce use-specific standards for auto sales to help mitigate any potentially negative impacts that may arise if these two zone districts are consolidated (i.e., the outdoor display of vehicles for sale is prohibited – only indoor showrooms would be allowed). The dimensional standards for the three districts match those in the LR zone. One unique standard in the I-1 zone is the masonry requirement, which is stricter than other zoning categories. Buildings in the I-1 zone are required to have 100 percent of exterior walls of masonry construction (not 80 percent like elsewhere). We recommend carrying forward a more relaxed building masonry requirement similar to what is currently required in the I-2 zone district – masonry on facades facing a dedicated street and then 20 feet back from that façade. The I-1 zone district also allows outdoor storage, provided that it is adequately screened.

#### **I-2 – Industrial District**

The current zone map identifies four parcels zoned I-2 (along Lindbergh Dr). The general standards for the I-1 and I-2 zone districts are nearly identical, with the only major differences being the masonry requirement (described above). Provided that Addison is largely built out and that the likelihood of new industrial projects coming to the town are low, we recommend consolidating C-2, I-1, and I-2 as noted above.

#### **I-3 – Industrial District**

We propose carrying this district forward with a new name (such as “Airport”) to emphasize its focus on the airfield. The 122 parcels included in this category are located on airport property or are immediately adjacent to the airport. The district standards are identical to those for the I-2 and I-3 districts, except that “airport” is an allowed use. Given the unique challenges associated with development in and around an airport, we recommend that a new suite of design and development regulations tailored to the airport context be introduced to address development quality, scale, and design. These regulations will help balance design with the economic realities of airport development, to ensure that airport development



contribute to the overall quality and aesthetics of the community without making it unfeasible.

### UC – Urban Center

The 78 parcels in the UC zone district make up Addison Circle, which is considered a great success based on stakeholder feedback. Given its success, the Town would like to expand Addison Circle to the north and south. We propose carrying the substance of this district forward, but in two different mixed-use zone districts that align with the current sub-districts (residential and commercial). We think the foundation and design principals are sound, but that these principals can be extracted into mixed-use districts that can be applied more broadly in other areas where similar urban development is desired.



*Addison Circle*

The district also requires substantial organizational and formatting improvements to improve user-friendliness and integrate it with the rest of the zoning ordinance. Currently, it reads more like a PD (i.e., unique development standards, standards can be negotiated, distinct review and approval procedures, etc.). Similar to the MXR district, there are several specific development standards that only apply in the UC district that may be good candidates for more broad (possibly town-wide) application (e.g., open space requirements, parking standards, maximum block length, site access, building materials, landscaping, screening, and general procedural requirements).

Another challenge with the current standards is that the sub-district categories are not represented on the zoning map, making it difficult to determine which set of sub-district standards apply to a particular property. The current code refers readers to a sub-district map included in the comprehensive plan, but the reference is to the old comprehensive plan and has not been included in the newly adopted comprehensive plan. By converting the sub-districts to base districts, these properties would be easily identified on the zoning map.

To ensure predictability and fairness, we recommend that the design standard waiver procedure be eliminated from the UC district and replaced with a “minor modification” tool (described later in this report) that would be generally applicable to all development.

### Belt Line District

The initial intent of establishing the Belt Line district was to introduce new residential uses and densities and to help catalyze development along Belt Line Road. While this district has only been applied to the zoning map for Asbury Circle Townhomes, it has been used as a reference and foundation for planned development projects, including Addison Grove. We recommend that the substance of the Belt Line district be carried forward, but restructured as one or more mixed-use districts that capture the purpose and intent of the four current sub-districts (Les Lacs Village, Dining District, Epicurean District, and Addison Village). Converting these sub-districts into one or more base districts will enable broader application of these districts in other areas of the town and will help simplify a complex regulatory tool.

One challenge with the current Belt Line district is the illegible sub-district map included in the code. Like the UC district, converting the sub-districts to base districts will help clarify which standards apply to specific properties. Similarly, the current standards are not well integrated with the rest of the zoning ordinance and read like a stand-alone zoning ordinance, with unique development standards, definitions, and approval procedures. We recommend extracting those standards to the new sections in the UDC that

address similar content.

Similar to the UC and MXR zone districts, we recommend that the design standard waiver procedure be eliminated and replaced with a generally applicable “minor modification” tool described later in this report.

#### Recommendations:

- Clarify district purpose statements.
- Re-organize and reformat content to be more user-friendly.
- Extract district-specific development and procedural standards and relocate them to the appropriate sections addressing that content.
- Retain district-specific standards that are working well and consider applying them more broadly.
- Replace district-specific waiver procedures with the “minor modification” procedure generally applicable to all development.
- Consider eliminating the minimum dwelling area requirements.
- Make additional district-specific adjustments as shown in the summary table below.

### Overlay Districts

#### Airport Overlay Zone

We recommend the Town create a new airport overlay zone district to establish area-specific height, noise, and use standards for properties that are immediately affected by their proximity to the airport. The overlay district tool acts as an additional layer of regulation that would inform specific development standards for properties that are within its boundary. For example, it is common for airport overlay districts to prohibit specific land uses within runway approach zones (residential uses, schools, hospitals, etc.) due to increased noise levels, and to limit the height of structures to avoid creating airport hazards. Some communities also require alternate building construction techniques within airport overlay districts to reduce noise concerns (i.e., thicker exterior walls, sound absorbing building materials, double-glazed window assemblies, solid core doors, etc.). The standards regulating the new airport overlay zone district will consider the enabling authority granted by the state in Chapter 241 of the Local Government Code, and any recommendations and findings in the Addison Circle Special Area Study and any other applicable policies that guide development in and near the airport.



*Addison Airport*

#### Mapping the New Districts

The new lineup of zoning districts in Addison will require a revised zoning map that reflects the various district updates included in the new UDC discussed above. For example, if the C-2, I-1, and I-2 districts are consolidated as proposed, each property currently designated C-2, I-1, and I-2 would need to be converted to the new consolidated district on the new zoning map. The new map should be adopted at the same time as the new UDC.

In most cases, individual parcels will likely require only a simple “one-to-one” conversion (e.g., properties currently zoned “I-3” are re-mapped to “airport” to reflect the new naming convention). In some cases, however, Town staff may need to conduct additional research to verify the appropriate conversion based on existing land uses or other factors.



In addition to converting existing zoning districts to the appropriate renamed or consolidated district, the Town may also consider applying some of the new zoning districts established in the new UDC. For example, some properties currently zoned LR may be better suited to be rezoned into one of the mixed-use districts extrapolated from the current Belt Line or Urban Center sub-districts. To apply a new district, and any associated standards, a rezoning of an existing property would have to be approved. Communities often wait until after a code is adopted to consider either legislative rezoning (large areas of the Town at one time) or rezoning individual properties.

#### Recommendations:

- Create a simple “conversion” map to be considered with the UDC.
- Identify the most appropriate zone classification for parcels that do not have a simple “one-to-one” conversion (i.e., districts that are proposed to be consolidated or eliminated).

#### Summary Table of Proposed Zoning Districts

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The following table shows how each of the current zoning districts would translate to the new lineup of zoning districts if all of the recommendations are implemented. The far-right column indicates the required mapping needs to convert the current lineup of zoning districts into the proposed lineup.

## Summary Table of Proposed Zoning Districts

Current District		Proposed District	Comments	Mapping Change
<b>Residential Districts</b>				
R-1 – Single-Family Dwelling		R-1 – Residential Estate	Update lot dimensional standards to better reflect existing built condition.	No change.
R-2 – Single-Family Dwelling		--	Do not carry forward because the district has never been applied.	No change.
R-3 – Single Family Dwelling		--	Do not carry forward because the district has never been applied.	No change.
R-16 – Single-Family Dwelling		R-2 – Residential Large Lot	Carry forward but rename to be establish hierarchy in residential district line-up (large lot to small lot)	Properties would be renamed to R-2.
MXR – Mixed-Use Residential	Low-Density	R-3 – Residential Low-Density	Extract the MXR sub-district standards and establish three new base districts. Rename to reflect their true intent.	Remap properties from the MXR district to the new corresponding base-district (dependent on their current sub-district designation).
	Medium-Density	R-4 – Residential Medium-Density		
	High-Density	R-5 – Residential High-Density		
A – Apartment Dwelling		--	Carry forward in appendix as a legacy district, not in main UDC.	Retain as a legacy district. Town would initiate future rezoning to implement the Comprehensive Plan.
<b>Mixed-Use Districts</b>				
UC – Urban Center	Residential	Without comparing in detail how these sub-districts are different from one another, it's difficult to know exactly how they would translate into a new line up of mixed-use districts. It might make sense to extract them one-for-one or it may only result in two or three new districts.		Remap properties from the UC district to the new corresponding base-district (dependent on their current sub-district designation).
	Commercial			
BL – Belt Line	Les Lacs Village			Remap properties from the UC district to the new corresponding base-district (dependent on their current sub-district designation).
	Dining District			
	Epicurean District			
	Addison Village			

## Summary Table of Proposed Zoning Districts (continued)

Current District		Proposed District	Comments	Mapping Change
<b>Non-Residential Districts</b>				
LR – Local Retail	Option 1	CL – Commercial Limited	Carry forward but rename to commercial limited.	Properties would be renamed to CL.
	Option 2	--	Eliminate and replace with one or more new mixed-use district(s).	Properties would be rezoned to one or more of the new mixed-use districts.
	Option 3	--	Carry forward in appendix as a legacy district.	Retain as a legacy district. The Town or property owner would initiate future rezoning to implement the Comprehensive Plan.
C-1 – Commercial-1 District	Option 1	CG – Commercial General	Carry forward but rename to commercial general.	Properties would be renamed to CG.
	Option 2	--	Eliminate and replace with one or more new mixed-use district(s).	Properties would be rezoned to one or more of the new mixed-use districts.
	Option 3	--	Carry forward in appendix as a legacy district.	Retain as a legacy district. The Town or property owner would initiate future rezoning to implement the Comprehensive Plan.
C-2 – Commercial-2 District		LI – Light Industrial	Consolidate the C-2, I-1, and I-2 districts and rename it to light industrial.	Properties in these categories would be renamed to IN to reflect the consolidation.
I-1 – Industrial-1 District				
I-2 – Industrial-2 District				
I-3 – Industrial-3 District		A – Airport	Carry forward but rename to airport.	Properties would be renamed to A.

## Summary Table of Proposed Zoning Districts (continued)

Current District		Proposed District	Comments	Mapping Change
Other Districts				
P – Open Space		PO – Parks and Open Space	Carry forward but rename to parks and open space.	Properties would be renamed to PO.
--		CF – Community Facilities	New district intended to accommodate community uses such as schools (public and private), libraries, city buildings, public safety facilities, etc.	No immediate change. District could be applied through future rezoning efforts.
PD – Planned Development	PD – standard	PD – Planned Development	Carry forward.	No change.
	PD-TH – Townhouse / Condo Option 1	--	Eliminate and replace with one or more new mixed-use district(s).	Properties would be rezoned to one or more of the new base zone districts.
	PD-TH – Townhouse / Condo Option 2	--	Carry forward in appendix as a legacy district.	Retain as a legacy district. The Town or property owner would initiate future rezoning to implement the Comprehensive Plan.
	PD-CC – Condominium Conversions	--	Do not carry forward because even though it was applied to the map, apartment units were never converted to owned dwelling units.	Properties would be zoned back to the A district.

## REORGANIZE AND STRENGTHEN THE USE REGULATIONS

Beyond the lineup of districts, the various land uses allowed within each district are an important element of any zoning ordinance. Sample land uses include “single-family residential,” “general retail,” and “bed and breakfast.” Even contemporary form-based codes that attempt to prioritize physical design over use still define and regulate land uses to some extent. The Addison UDC project provides an opportunity to revisit the way Addison defines, categories, and regulates various land uses. This section recommends several improvements for the Town’s consideration.

### Develop a Consolidated Use Table

The current regulations identify each allowable use in every district in numbered lists, resulting in repetitious and inconsistent land uses. For example, the C-1 district lists 45 individual permitted uses. The uses are listed alphabetically and not grouped by type, so unrelated uses appear one after another (e.g., meat market, medical and dental offices, mortuary, and novelty or variety store). This makes for a lengthy document and also makes it difficult to compare allowed uses across districts.

We recommend creating a summary table of allowed uses such as the sample table (excerpt) from another community shown below. This format allows quick comparison of the allowable uses in each zoning district, and eliminates the potential for inconsistencies as uses are updated. A master use table can also consolidate information on accessory and temporary uses, as well as use-specific standards (shown in the right column in this example). Some communities also integrate the minimum required parking spaces for each specific use type in the table of allowed uses, rather than having a separate parking requirements table elsewhere in the document.

Table 4.2-1: Allowed Uses – Town of Carbondale		Residential Districts					Commercial and Mixed-Use Districts				Other Non-Residential Districts				Use-Specific Standards
P = permitted use C = conditional use	S = special use Blank cell = prohibited use	AG	OTR	R/LD	R/MD	R/H/D	C/T	CRW	HCC	MU	O	T	PF	I	
Use Category	Use Type														
RESIDENTIAL USES															
Household Living	Dwelling, duplex				P	P									
	Dwelling, live/work			C	C	C	P	C	P	P				P	
	Dwelling, manufactured/factory-built home or modular structure (IBC or IRC homes, not HUD)	P	P	P	P	P				C					
	Dwelling, multi-family				C	C	P	S	P	P					
	Dwelling, single-family attached				C	P				C					
	Dwelling, single-family detached	P	P	P	P	P									
	Mobile home park				S	S									
Group Living	Adult day care			C	C	C	P	P	P	P					
	Assisted living facility				S	S	P	S	S	S					
	Group home	C	C	C	C	C	C	C	C	C					
	Nursing home					S	S	S	S	S					
PUBLIC, INSTITUTIONAL, AND CIVIC USES															
Community and Cultural Facilities	Civic building						P	P	P	P			P	P	
	Club or lodge						C	C	C	C					
	Community center		C	C	C	C	C	C	C	C					
	Convention hall						C	C	C	P			P		

### **Define, Categorize, and Consolidate Use Types**

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The current development regulations are more specific than needed when describing allowable land uses. For example, the C-1 district lists “book or stationary store” and “camera shop,” both of which are simply types of general retail and typically do not have different land use impacts.

A new table of allowed uses should categorize specific use types within larger categories and subcategories. In the example table above, the specific use type of “adult day care” falls within the category of “residential uses” and the subcategory of “group living.” Providing this hierarchy of uses is a more logical way to organize uses compared to the current list of uses in the development regulations, and allows the Town to make decisions on future proposed uses that are unlisted in the table.

Each use category, subcategory, and specific use type should also be defined, providing clear examples of the types of activities that are encapsulated by a specific use type. For example, a definition for “retail” may be drafted to include many of the current land uses listed in the development regulations, such as “antique shop,” “bird and pet shop,” “book or stationary store,” “camera shop,” and others that are commonly referred to as retail. The land-use impacts of an “antique shop” and “book or stationary store” are similar, customers arrive with the intent of browsing or purchasing goods. The same logic should be applied to personal service uses such as “barber and beauty shop” and “seamstress, dressmaker or tailor,” where again the impacts of such uses are similar. Part of this exercise should include review and likely removal of unnecessary or antiquated use types, like “camera shop,” “film developing and printing,” and “shoe repair shop.” While the intent is to simplify and consolidate where possible, some uses should still be called out as a specific land use with different regulations, such as “hospital” and “medical office.”

### **Establish a Process for Unlisted Uses**

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The UDC should establish new procedures and criteria to follow when determining whether a use type not expressly listed in the use table should be allowed in a particular zoning district. The standards should require review of the nature, function, size, duration, impacts, and other characteristics of the use in relation to those of listed permitted uses in the district, as well as in relation to the purpose and intent of the district. If possible, at least some of this interpretative authority should rest with staff. New standards would also provide clear criteria to determine when unlisted uses that have been permitted through interpretation should be formally added to the use table via an amendment to the UDC. Some communities require an applicant to receive a special exception approval by the Board of Adjustment and some require a special use permit to be approved by the Planning and Zoning Commission and the City Council. While any of these options are possible, we recommend establishing a procedure that allows a staff-level decision based on conformance to clear qualifying criteria.

### **Establish Use-Specific Standards**

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Use-specific standards apply to a particular use regardless of the zoning district. In Addison’s regulations, most of these are found in the definitions and permitted use lists. For example, the definition of “day nursery” reads, “A place where children are left for care between the hours of 7:00 a.m. and 12:00 midnight.” Generally, regulatory requirements (such as time limitations) should be removed from definitions and relocated into the main body of the UDC.

We recommend consolidating use-specific standards and cross-referencing them in the new use table. New standards should be drafted in order to mitigate the impacts of certain uses regardless of the underlying zoning district. This approach often allows uses to be permitted by right or with limited staff review, subject to conformance with the standards, rather than requiring discretionary review and public hearings. Such standards typically address how certain uses must operate, (e.g., size limitations, specific location or separation requirements, additional buffering standards, operational standards). The

approach also helps ensure consistency, in that standards are uniformly applied rather than negotiated anew for each application, and streamlines the development review process.

### Reconcile Alcoholic Beverage Regulations with State Law

The Texas Alcoholic Beverage Code is strongly pre-emptive. Sec. 109.57 says: “Except as is expressly authorized by this code, a regulation, charter, or ordinance promulgated by a governmental entity of this state may not impose stricter standards on premises or businesses required to have a license or permit under this code than are imposed on similar premises or businesses that are not required to have such a license or permit.” In some cases, the Code allows restrictions within prescribed distances (radii) from specified facilities (e.g., churches or schools). It also allows regulation of beer in “residential areas.” However, Section 109.57 allows zoning regulations that were formally enacted before June 11, 1987 to remain valid. We recommend that any regulations that are not consistent with the Texas Alcoholic Beverage Code be eliminated, and that any regulations that were formally enacted prior to June 11, 1987 be reevaluated.

### Consider Standards for Uses that are not Currently Addressed

The UDC should address land uses that are emerging across the country but are not addressed in Addison’s current regulations. For example:

- **Artisan manufacturing.** These “maker” uses are usually a hybrid between small-scale light industrial, office, and retail uses. For example, an artisan who owns a small welding business where they fabricate metal artwork and sell the products in a retail space, or an artist who fabricates ceramics and sells the products direct to consumers. Some communities establish clear size thresholds for production and manufacturing and prohibit or limit distribution, warehousing, and/or wholesaling.
- **Breweries, distilleries, and wineries.** The UDC should address these increasingly popular uses by including them in the table of allowed uses and establishing use-specific standards that address outdoor dining areas, storage of raw and processed materials, tasting facilities, and potentially differentiating between types of facilities (e.g., craft breweries vs. larger breweries with distribution and/or bottling activities).
- **Urban agriculture.** Sustainability is a broad goal of the Addison Comprehensive Plan, and accommodating urban agricultural uses helps build a more resilient and sustainable community. Urban agricultural uses may include community gardens, produce stands, and potentially even small-scale farms and nurseries. Ensure all Districts Allow Appropriate Land Uses

#### Key Question

Are there specific land uses that are not currently addressed in the Code of Ordinances that should be as part of this effort?



Land use types allowed by right or through special use permit approval should represent the desired mix of land uses based on the intent and character of each zone district. There may be current uses allowed in Addison that are inconsistent with the intended character of their respective districts, or there may be opportunities to allow more uses by right that are currently not allowed or that require a special use permit. For example, a “day nursery,” “hotel and motel,” and “restaurant” all currently require approval of a special use permit in all zone districts before they can operate. This is unusual and results in requiring a more involved and timely review process than may be necessary. Too many or too few uses in a district may also encourage the use of a planned development (PD), which is accompanied by its own use list. A proliferation of projects with unique use lists complicates administration and enforcement over time.

The creation of a new consolidated use table will allow for a district-by-district evaluation of the uses

allowed within each base zoning district. Addison should, for example, identify those districts most appropriate (or not) for new uses, such as artisan manufacturing. This analysis might result in a proposal to add new uses to existing districts, or prohibiting some uses in certain districts.

The menu of uses should also be updated to better address market demands and to accommodate a broad spectrum of uses—residential, institutional, recreational, commercial, and industrial—with more uses by-right where possible, as well as opening up additional opportunities for mixed-use in targeted areas.

### Diversify Housing Types

The need for a variety of housing options came up in almost every stakeholder meeting. The demand for compact, mixed-use development with direct access to amenities (like Addison Circle) is increasing. Providing a variety of housing options that are attainable at all income levels is important to ensure an inclusive and economically resilient community.

One obstacle in currently developing these housing products in Addison is that they are currently limited to the planned areas identified in an outdated land use map. In other words, because the zoning districts that allow these residential housing types are so specifically tied to geographical planned areas, they are not applicable to other areas of Addison. If the first obstacle can be overcome, a secondary obstacle is the unpredictable, subjective, and timely process by which a developer would need to rezone and request approval for such development. Converting the existing UC, MXR, and Belt Line sub-districts to mixed-use base districts will help clarify where land uses are allowed, simplify the development review process, and allow those tools to be applied in areas where increased density and a variety of housing options makes sense.

Another topic that surfaced in nearly every meeting is workforce housing. As the cost of living rises nationwide, it is becoming increasingly difficult for a variety of people to find affordable housing that is not located on the fringes of urbanized areas. These individuals may include emerging young professionals, young families, skilled workers, service industry workers, teachers, police officers, and retired individuals. This is especially important for Addison because of the restaurant and hospitality industries, which bring a large number of employees to Addison. Providing housing options for these individuals in Addison would help reduce traffic congestion and commute times. Some communities address workforce housing demands by removing barriers that prevent the creation of a wider variety of housing types that may be affordable to these individuals. Removing barriers may increase the supply of workforce housing, thereby reducing demand and overall pricing. This is likely the best initial step for Addison at this time, and should be done as part of the creation of the new UDC. Other communities go further; beyond removing barriers, they establish additional financial or development incentives to encourage (or require) workforce housing in targeted areas.

#### Key Question

Is the Town interested in requiring or incentivizing workforce housing?



#### Recommendations:

- Develop a consolidated use table.
- Categorize and define all land uses.
- Establish a process for unlisted uses.
- Refine the list of land uses by eliminating antiquated uses, consolidating like uses, and creating new uses.
- Consolidate and update use-specific standards.
- Consolidate and update accessory and temporary use and structure standards.
- Ensure all districts allow appropriate land uses.



**Recommendations:**

- Diversify housing types by removing barriers that prevent the development of work force housing. Consider introducing incentives to encourage work force housing in targeted areas.

**Accessory and Temporary Uses and Structures**

As with other topics, the identification and standards for accessory uses and structures are dispersed throughout the Code of Ordinances and are unclear and difficult to administer. For example, setback standards, building material standards, and heights are not consistent among districts. Stakeholders also mentioned the need for clearer standards for carports and rooftop antennas. The current organization would require one to search in several places to identify specific standards related to accessory uses. The current development regulations do not address temporary structures or uses at all. We recommend relocating and updating all accessory use and structure standards into one central location, as well as drafting new temporary use and structure standards.

Both accessory and temporary uses can be controversial if not carefully defined and limited. An ordinance without comprehensive standards addressing both can lead to abuses. An effective UDC should identify a broader range of accessory and temporary uses than is in the current development regulations (e.g., seasonal sales, contractors' trailers) and also a range of performance standards designed to make the regulation of such uses clear, efficient, and consistent (e.g., location on site, hours of operation, expiration times for temporary uses, signage, etc.).

**Recommendations:**

- Consolidate and update accessory use and structure standards.
- Create new temporary use and structure standards.

## IMPROVE AND TAILOR DEVELOPMENT STANDARDS

Setting high standards for development quality is considered a legacy issue in Addison. The Town's comprehensive plan thoroughly recounts Addison's tradition of setting a high bar for development aesthetics and quality in order to help grow the Town's economy and set it apart from other North Texas communities.

Addison has done much more than many communities, both in Texas and around the country, to ensure new development is of high quality. Projects such as Addison Circle and Vitruvian are viewed as positive models of attractive site and building design that set Addison apart from its neighbors. However, these projects and nearly all other high-quality efforts have been achieved through negotiated tools (planned development) or through master planned efforts, rather than being required by the development regulations.



*Addison Circle*

Today, many stakeholders emphasized that maintaining the high level of development quality in Addison should be a major priority in the new UDC. Some suggest the Town has not been consistent in applying high standards to reflect the community's overall design preferences. For example, the design standards regulating development in the Vitruvian and Village on the Parkway projects are not viewed as the same caliber as Addison Circle. Additionally, some mentioned that recent construction near the Tollway appears to be driven primarily based on market considerations and not the Town's design preferences. Addison can use this project to build on successful projects like Addison Circle to create a stronger UDC that sets a new model for high-quality development in the region. The new UDC should raise the bar by setting clear, objective minimum standards, but not make code-based development overly complicated or cost-prohibitive. Standards should address both site design—how buildings relate to their site and surrounding development—and building design. The standards should allow enough flexibility to address unique sites and circumstances and to encourage innovation and creative design.

This project also provides an opportunity to take a fresh look at the Town's approach to design, focusing more on establishing unified and consistent standards for the entire Town. Unified standards could help reduce repetition and bulk in the document, and also could make zoning administration easier and more predictable.

While many strong standards exist in the current development regulations, we note below several opportunities to improve existing standards. The following sections discuss the major issues that surfaced during stakeholder interviews and our background review. Further details are in the detailed review in Part 4 of this report.

### Generally, Focus on Infill and Redevelopment

Addison is mostly built-out, yet the current regulations focus on traditional suburban development patterns and do not adequately encourage or support infill or redevelopment of existing properties. The current regulations also do not anticipate a transition to more urban style development as Addison continues to grow and redevelop.

Because most of the development opportunity in Addison will come in the way of infill or redevelopment, the new UDC should be calibrated accordingly. Infill and redevelopment parcels can often present specific

challenges ranging from environmental cleanup to compatibility with surrounding properties. For redevelopment parcels in particular, many current development standards were adopted long after the original development of the property, and complying with those requirements can act as a deterrent due to lack of physical land area or financial burdens. Stormwater and detention requirements are one example of such an impediment. Vacant or underused lots can be overlooked when a quick read of the development regulations renders the investment infeasible. Addison must take advantage of potential infill sites by capitalizing on existing infrastructure, an improving public transportation system, and the stable neighborhoods throughout the town. As we draft the new UDC, we will focus generally on opportunities to reduce barriers to infill and redevelopment. Particular areas of focus will include:

- **Dimensional requirements.** Minimum setbacks and lot areas and maximum height standards can discourage redevelopment or infill on a vacant lot. For example, requiring a 25-foot minimum front yard setback on both street frontages on a small corner lot in the C-1 district may render the parcel unusable.
- **Development standards.** For particularly challenging infill lots, both residential and commercial, every inch of the site matters. Once requirements such as parking, loading, and landscaping standards have been met, many infill sites have difficulty making a project “pencil out.” One way to help make a development more financially feasible is to reduce minimum parking requirements, where possible, without harm to surrounding neighborhoods.
- **Flexibility.** The broad range of Addison’s existing development patterns prohibits the application of a one-size-fits-all approach to infill and redevelopment. The new UDC should allow flexibility to meet unusual circumstances and encourage creativity. We recommend using menus of alternatives where possible and allowing the property owner options in how compliance with the standards is achieved. Although site-specific challenges cannot be eliminated altogether, well-drafted regulations can remove layers of complexity from development of context-sensitive areas.

#### Recommendations:

- Review dimensional and development standards to ensure they accommodate infill and redevelopment projects.
- Introduce additional flexibility by adding optional approaches and menus wherever possible.

#### Access and Connectivity

The Addison Comprehensive Plan places an emphasis on walkability and circulation, recognizing the current challenges with a lack of connected neighborhoods and activity centers. The Town is investing significant resources to beautify and improve the Belt Line corridor, to help attract investment and to improve the bicycle and pedestrian experience. Several stakeholders indicated there are connectivity



*Pedestrian walkway*

issues both in terms of internal circulation (within a site) and external circulation (access and connections between sites).

While most stakeholders agreed that connectivity plays an important role in providing increased recreational opportunities and alternative mobility options, some expressed concern regarding increased access to established residential neighborhoods. The Addison Grove project (former Sam’s Club site) was raised as an example, where residents immediately south of the project were opposed to new vehicle and

pedestrian connections to Belt Line Road. Any new regulations intended to improve connectivity and walkability within Addison will need to be balanced with the concerns of neighborhoods.

Traffic and congestion are also issues of concern to the community. As Addison continues to redevelop, promoting alternate forms of transportation, including walking, biking, and transit will be increasingly important to help reduce pressure on the automobile transportation network. Establishing clear and objective criteria for making traffic and connectivity determinations will also be important when evaluating requests for new development. Moving forward it will be important to strike a balance between accommodating new development and effectively managing traffic and congestion.

Some existing regulations address access, circulation, and connectivity, but they are minimal and could be strengthened. For example, the Apartment zone district requires that a parking space be no more than 100 feet pedestrian travel distance from the entrance of the dwelling unit; however, there are no specific standards for how pedestrians navigate through the parking area to the entrance. Additionally, the landscape standards mention connectivity (i.e., “landscape designs should define spaces including entrance areas, pedestrian paths, vehicular avenues, parking areas, sitting areas, etc.”); however, no clear standards are provided. The current standards also lack regulations regarding residential driveway spacing, width, and lot coverage.

### Key Question

Should the UDC require vehicle, pedestrian, and/or bicycle connections for new development?



The new UDC should include a distinct section addressing access, circulation, and connectivity, including standards for how multiple buildings will include circulation standards for both automobiles and pedestrians through streets, alleys, pathways, and sidewalks between buildings. This new section should also fold in standards from current Chapter 70, Article I, Section 70-2 and address when sidewalks need to be installed, whether they are required on both sides of the street, and whether those standards apply broadly or only within certain zoning districts.

### Recommendations:

- Consolidate and strengthen access, circulation, and connectivity standards.
- Coordinate standards with other site development standards (parking, landscaping, grading and drainage, etc.)
- Integrate and clarify minimum sidewalk standards.

### Parking

We recommend a full rewrite of the parking and loading standards for clarity and to allow more flexibility. In addition to consolidating the standards, specific issues to address include:

- **Evaluate parking ratios.** We will review the current parking standards for all uses against national best practices to determine where the current standards may be requiring too many (or too few) spaces. The national trend is to move to lower required parking standards since many communities in the past have required an excessive amount of parking. Also, some pedestrian-friendly areas (such as mixed-use districts) often have maximum parking standards (typically 125 percent of the minimum requirement) or require

### Key Question

Is the Town willing to explore eliminating parking minimums and introducing parking maximums in some areas or for specific use types?



increased landscaping or other mitigation when additional parking is provided.

- **Provide flexibility in meeting parking standards.** Another trend nationwide is to provide more flexibility in parking standards and how parking is provided. For example, many communities allow for a reduction of parking in mixed-use areas, when development is served by regular transit service, or when parking demand management tools are used. In addition, the Town might consider allowing development to count adjacent on-street parking toward its minimum parking requirements. Several communities are also adapting site design requirements to accommodate autonomous and ride sharing services by requiring pick-up and drop-off areas for specific uses. Finally, additional flexibility should be provided for redevelopment sites in areas of the Town if existing development limits the ability to provide on-site parking.
- **Establish standards for shared and valet parking.** Allowing shared and valet parking on multi-tenant properties helps to increase efficiency and prevent over-parking on a site, and has been used in Addison for years. However, the current regulations do not include clear or enforceable shared parking standards, requiring those interested in pursuing such an agreement to enter into a negotiated agreement with the Town (planned development). Because there are no clear baseline standards, several stakeholders expressed concern that current shared parking agreements and valet services are being poorly managed and enforced, resulting in limited parking during peak hours. Some have also expressed concern regarding the location and percentage of overall parking spaces dedicated to shared and valet parking. Such spaces should be strategically located away from retail storefronts and busy drive aisles. Shared parking allowances and valet services should be reevaluated and clear enforcement mechanisms should be in place when violations occur.
- **Enhance and coordinate parking area design.** Where parking lots are required, they should be designed to be attractive and safe. While the current development regulations already require parking lots to be landscaped within the interior as well as around the perimeter, those standards can be enhanced and coordinated with other site design features (such as pedestrian accessways and required streetscaping). In addition, pedestrian walkways should be provided within the parking area and from the adjacent roadway/sidewalk through the parking area to the building entrance to encourage pedestrian activity and for safety.
- **Consider parking location requirements.** The location of parking relative to the street should also be considered. We recommend establishing objective standards for how much parking (if any) may be located in front of the building in pedestrian-oriented areas. The standard should vary based on the type and location of development. For example, in retail centers and along major corridors, at least 70 percent of required parking might be required behind or to the sides of a building to bring the building closer to the street and create a more pedestrian-friendly environment. When parking is strategically located on a site to reduce its presence from the street, equally important measures should be taken to ensure sufficient signage and wayfinding is available for motorists to know where parking is available. For example, Addison Circle has had difficulty leasing space because parking is so well hidden; improved signage would help address this issue.



*Parking structure*



### Recommendations:

- Consolidate and rewrite off-street parking and loading standards.
- Evaluate parking ratios against national standards; consider maximum requirements in some areas.
- Provide additional tools for flexibility in meeting parking requirements.
- Establish clear and objective standards for shared and valet parking.
- Update parking area design requirements.
- Consider limits on parking location in some areas.

### Landscaping, Buffering, Screening, and Tree Protection

Landscaping is an important element of Addison's character and identity. There are several references in the Comprehensive Plan related to maintaining high-quality landscaped areas in the Town. The following improvements should be considered during the UDC update:

- **Evaluate minimum landscape requirements.** Addison currently requires 20 percent of the gross site area of any apartment, mixed-use residential, retail, or commercial development to be irrigated landscape. This is an aggressive standard, even for suburban areas where greenfield development is prevalent. Staff has indicated they are receiving requests for development waivers from this particular standard because it is difficult to achieve given Addison's built context. Additionally, the Town's desire to attract more pedestrian-friendly urban development patterns (like Addison Circle) may warrant the need to reduce the overall percentage of site area dedicated to landscape. Any reduction in minimum required landscape percentage will need to be off-set to ensure a high quality green aesthetic remains for all development types. This may be achieved by allowing alternative treatments such as green roofs and/or walls and by requiring higher plant densities where landscaping is required.
- **Consider enhanced buffering standards.** Buffering standards play an important role in preserving privacy and quiet enjoyment of property. Several stakeholders stressed the importance of ensuring sufficient edge buffer standards be established for transitions between low-density residential and nonresidential and/or higher density residential uses. The current development regulations require perimeter screening and landscaping around parking lots, which may indirectly provide a buffer; however, we recommend that specific buffering requirements be established (even if no parking is provided) to help minimize any potentially negative impacts caused by a more intense use.
- **Relocate fencing regulations.** The fencing regulations from Chapter 18, Article X, should be relocated to this section of the UDC. These standards will be updated to be more comprehensive, include more graphics, and to provide examples of fencing scenarios to help users better understand the content.
- **Establish more flexible standards.** Having very rigid standards often leads to frustration for both the developer and the Town; however, new flexible tools can be introduced to allow creativity without sacrificing development quality. Effective tools may include providing a menu of options to achieve compliance and allowing one landscape treatment to satisfy multiple requirements where overlap exists. Increased flexibility is especially important for small sites and infill or redevelopment sites. Several stakeholders also mentioned a need to update the one-to-one caliper replacement

#### Key Question

Would the Town consider reducing the minimum landscape requirement if the resulting landscape treatment was strategically located and of high quality?



requirement in the tree replacement and protection standards. While preserving and protecting established trees is important, it needs to be balanced with practical standards that ensure the health and longevity of the trees.

- **Consider alternative airport standards.** The current landscape regulations apply to both properties on and off the airport. This has proven to be difficult to administer because the airport development context is very different than elsewhere in the Town. For example, the use of trees or other tall vegetation is discouraged to limit vertical obstructions, plant species need to be selected that do not attract wildlife and using 20 percent of a parcel for landscape is not economical or practical. While maintaining a high level of quality and aesthetics is important at the airport edges, alternative standards should be established for projects interior to the airport.
- **Integrate environmentally friendly standards.** The Comprehensive Plan summarizes the Town's commitment to incorporate EarthKind landscape management principles including, water conservation practices; using landscape to treat stormwater, and strategic landscape placement to increase energy conservation. The UDC should integrate and coordinate as many of these principles as possible with other site development standards to maximize site efficiency and sustainability.
- **Parkland dedication or fee in Lieu of.** Consider updating parkland requirements for residential development. Currently, the city applies dedication requirements everywhere. For infill purposes it may be better to allow a fee in lieu of dedication in the future. This concept is currently being explored in the Parks Master Plan project.



*Landscaping*

#### Recommendations:

- Calibrate minimum landscape requirements to cater to redevelopment and infill.
- Coordinate landscape and buffer requirements to maximize efficiency.
- Relocate and enhance fencing standards to include more graphics and illustrations.
- Introduce tools to provide more flexibility, especially for infill, redevelopment, and small sites.
- Consider alternative landscaping standards for airport properties.
- Integrate environmentally friendly standards that help conserve water and energy, and that improve stormwater quality.

#### Building and Site Design

The existing building stock in Addison, especially newer construction, is built to an elevated standard compared to most inner-ring communities in large metropolitan areas. This is due to careful planning and a dedicated staff and community leaders. However, these projects and nearly all other high-quality efforts have been achieved through negotiated tools (planned development) or through master planned efforts, rather than being required by the development regulations. While Addison is ahead of the curve with regard to building design, the following should be considered to elevate development quality even further:

- **Create town-wide building design standards.** Except for the minimum exterior façade masonry



requirement, the current development regulations have no town-wide building design standards; rather, there are discrete standards in place for certain areas (e.g., UC and Belt Line zone districts) and certain types of buildings. Establishing new town-wide standards would provide greater consistency across projects and minimize the need to use the PD tool simply to require higher-quality building design. Such standards could be structured to address a variety of common design aspects like building orientation, building placement, primary facade treatment, massing, materials, and roof form. In some cases, these new standards would not need to be developed from scratch, but rather simply build on and incorporate the Town's current standards from Addison Circle, Vitruvian, or other areas that the Town believes have been successful.



*Vitruvian*

Adopting town-wide standards does not mean that area-based design standards would be unnecessary. Because Addison is a town of different places and character types, special approaches may be needed in one or more districts; however, an ordinance that starts with some uniform standards as a base, and then supplements those with district-based or development-based standards as necessary, could help bring greater consistency and effectiveness to the Town's zoning system overall.

- **Consider neighborhood protection standards.** Most districts currently require increased building setbacks when non-residential uses abut single-family or apartment zone districts, but more comprehensive neighborhood protection standards should be introduced to address building scale and form when larger or more intense land uses abut single-family neighborhoods. These standards might include building setback requirements, articulation standards, modified height limits, or other standards to help provide a smooth transition from low-density residential neighborhoods to larger or more intense uses.
- **Consider alternative building material standards.** Masonry is often synonymous with “high quality”; however, new technologies and building materials have emerged that are also of high quality design and durability. The current development regulations require nearly all new development to construct exterior walls with a minimum of 80 percent masonry. While this standard has elevated the overall development quality in Addison, staff and the development community have expressed concern that it limits creativity and may result in monotonous and uniform development. This project should consider calibrating the minimum requirement for masonry and introduce a menu of options that result in similar building quality and design. Recent development projects with reduced percentages of masonry, such as Vitruvian, can be used to gauge the community's tolerance for the use of alternative materials.
- **Consider alternative airport standards.** Building design for airport projects, especially for aircraft hangers, has proven to be especially difficult to administer. The UDC should consider establishing unique building design standards for projects on airport property that integrate building

### Key Question

Is the community willing to explore alternative building material standards to relax and/or supplement the current masonry requirement?



functionality and design with project cost and practicality. These new standards may place more emphasis for design and aesthetics on the airport periphery, and less emphasis for interior properties that are less visible from public rights of way. These standards may also allow a diverse menu of building material options that are practical and that contribute to the overall quality and image of the town.

#### Recommendations:

- Create town-wide building design standards using successful development projects and special area districts as a model.
- Consider neighborhood protection standards to provide a smooth transition from low-density residential neighborhoods to larger or more intense uses.
- Consider calibrating the minimum masonry requirement to foster architectural creativity and to avoid monotonous and uniform development.
- Incorporate alternative building design standards for airport properties.

### Exterior Lighting

The current development regulations do not include town-wide exterior lighting standards; rather, there are discrete standards for certain zone districts. For example, the Belt Line district requires that lighting be focused downward and that a lighting source from a commercial activity not be visible from a residential unit. The Apartment district requires driveways and emergency access easements to be lit, but has no other standards. New town-wide lighting standards should be introduced to distinguish standards for types of lighting fixtures, the illuminance levels of lighting (and how it is measured), glare standards, parking lot lighting, building lighting, and street lighting. Generally, the lighting standards should reinforce CPTED principles (Crime Prevention Through Environmental Design) and ensure safety for owners and users of the property.

#### Recommendations:

- Create town-wide exterior lighting design standard to ensure safety for owners and users of the property.

### Grading and Drainage

Grading and drainage standards are dispersed in the current development regulations (Chapter 42: Floods, Appendix B: Subdivisions, and a separate Drainage Criteria Manual) and should be consolidated and any conflicting standards should be reconciled. We recommend retaining grading and drainage standards in a separate criteria manual allowing staff to update the technical and administrative content over time without requiring a formal code amendment by City Council. The Town should also consider integrating low-impact development standards into the UDC, such as requiring development to use natural site features to drain and treat water instead of piped infrastructure whenever possible.

#### Recommendations:

- Consolidate grading and drainage standards and reconcile inconsistencies.
- Consider integrating low-impact development standards.

## STREAMLINE DEVELOPMENT REVIEW PROCEDURES

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Development regulations should clearly describe the procedures by which new development applications are accepted, considered, and acted upon by local officials. A well-written code makes it easy for staff, the development community, and local officials to know exactly what is required for project approval and helps ensure consistent administration over time.

During our stakeholder interviews, we received significant feedback about the development review process in Addison. Some aspects of the process were complimented, such as staff's responsiveness and their commitment to deliver exceptional customer service, which is often a selling point for attracting economic development. Others noted that weekly Development Review Committee (DRC) meetings are valuable and help set expectations early in the process. Overall, participants expressed respect and support for staff, who they feel do a good job administering the code, despite its challenges and limitations.

Many stakeholders also expressed concerns about the Town's development procedures. Some issues include:

- The current development regulations do not spell out important procedural steps in a clear manner, resulting in a lack of transparency, inconsistencies in processing requests, and occasional applicant confusion.
- The inflexibility of the current development regulations results in many requests for variances, waivers, and projects seeking planned development approval. These requests add complexity, time, and uncertainty to the approval process. Some suggested that establishing clear procedures with added flexibility would foster more economic development interest.
- The review criteria are unclear and subjective, sometimes resulting in regulation based on preference rather than clear standards.
- Several community members expressed concern that adequate notice is not provided for large projects. Codifying noticing procedures and involving the public earlier in the review process for major projects may result in increased public trust and support for projects.
- While some projects can be handled by staff, many seemingly small requests end up requiring a public hearing and approval by the Planning and Zoning Commission and/or the City Council, creating additional time, cost, and uncertainty.
- Circulating applications to various Town agencies and departments takes time, and sometimes results in competing comments that are challenging for applicants and staff to reconcile.
- The review procedures for development on airport property are unique and not codified, which leads to uncertainty.

The sections below discuss a variety of recommended strategies and tools that could help improve Addison's zoning procedures and address these concerns.

### Delegate More Decision-Making Power to Staff

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Because most development applications request waivers and/or are processed using the planned development tool, the City Council is required to decide most development applications. While staff reviews all development applications, they make final decisions only on select applications.

Increasingly in Texas and around the country, elected officials opt to delegate greater decision-making authority to their professional planning staff. The elected officials set clear, objective standards through an initial legislative review and adoption, and then rely on professional staff to apply those standards fairly and effectively. If an applicant disagrees with a staff decision, they are able to file an appeal to the

Board of Adjustment. Unlike rezoning decisions or special use permit reviews, which inherently involve policy issues and subjective determinations, development plan review generally involves yes-or-no determinations of whether a plan meets objective standards, especially for smaller projects. The more objective the standards, the greater the opportunity for staff-level review. This allows elected and appointed officials to focus on big-picture planning issues and other community affairs. It also provides for an expedited review process and more predictability, since staff reviews typically do not require a public hearing.

Many other Texas communities have delegated more approvals to the administrative level (such as Frisco, which has numerous staff approvals). Development types should be grouped into broad categories, with many types approvable through administrative processes, and only the most complex and significant applications requiring full hearings before both the Planning and Zoning Commission and City Council. The most common applications in other communities that are reviewed administratively include: minor site plans; grading permits; sign permits; temporary uses; accessory uses; and special events.

### Key Question

Does Addison want to delegate greater decision-making authority to their professional planning staff for matters that are not controversial, complex, or significant?



### Recommendations:

- Delegate greater decision-making authority to professional planning staff, while complex and significant requests go to a hearing before the Planning and Zoning Commission and/or City Council.

### Establish Common Review Procedures

Addison's development regulations call for a number of different permits and approvals, such as rezonings, subdivision plats, and conditional use permits. Some procedural steps are common to many of these different applications. For example, each requires an application to be submitted and the application to be reviewed by staff to ensure it is complete before further review. If a public hearing is required, notice requirements apply.

These basic steps are currently scattered in approximately 15 different articles. The level of detail for each process is inconsistent and many key details are left unanswered. A lack of common procedures makes the code longer, with unnecessary duplication of provisions addressing the same or similar steps and requirements.

The new UDC should include a consolidated procedures article with separate sections for each type of application, all written in a uniform format and with a consistent level of detail. It should include a new section of "common" or generally applicable procedures that apply to all types of applications unless the ordinance specifies otherwise. Establishing common procedures—through codification of existing practices, incorporation of procedures located in other Town documents, and introduction of professional best practices—helps code users better understand the Town's basic procedural steps and requirements, avoids unnecessary duplication, ensures consistent application of generally applicable procedural steps and requirements, and eliminates the need to amend multiple sections of the code if a process is revised. Other specific procedures (e.g., conditional use permits, variances, etc.) can refer back to the common review procedures, noting any deviations from the general rules.

We suggest the following common procedural elements:

- **Pre-application staff conference.** A meeting of a prospective applicant with Town staff that provides an opportunity for the prospective applicant to learn about or confirm application requirements

and to present conceptual development plans for informal preliminary staff input regarding potential code compliance issues (and suggestions on how best to resolve such issues).

- **Pre-application neighborhood meeting.** A meeting at which prospective applicants for major development proposals (such as a major site plans or rezoning applications) present conceptual development plans to the owners and residents/occupants of properties surrounding the proposed development site. Town staff would not necessarily have a role in this meeting or be required to attend, but the applicant would have to submit proof the meeting was held together with a summary of information presented. Some communities have found this an effective way to allow residents an opportunity to speak with developers early in the process to voice concerns and influence the final design.
- **Application submittal and acceptance.** Application submittal and staff review of the application to determine whether it is complete (i.e., contains all prescribed plans and information necessary to make an adequately informed decision about the proposal's compliance with applicable development regulations) and thus can be accepted for review.
- Staff review and action
  - Distribution of the application to Town staff and applicable outside agencies for review and comment as to its compliance with applicable regulations.
  - Collection, consolidation, and finalization of staff review comments.
  - Transmittal of staff review comments to the applicant with an invitation to revise the application.
  - Applicant preparation and submittal of a revised application.
  - Acceptance and staff review of and comments on the revised application.
  - Either a final decision by staff or a staff report and recommendation to forward to an advisory board and/or decision-making board.
- Public hearing scheduling and notice
  - Scheduling of any required public hearing on the application.
  - The types (published, posted, mailed), content, and timing of hearing notices.
- Advisory board review and action
  - Review of (and hearing on) the application.
  - Either a final decision by the board or a recommendation to forward to a decision-making board.
- Decision-making review and action
  - Review of (and hearing on) the application.
  - A final decision of approval, approval with conditions, or denial.
- **Public hearing proceedings.** How public hearings are conducted (e.g., order of speakers, limitations on speakers) and special requirements for quasi-judicial hearings (e.g., sworn testimony).
- Post-decision actions and limitations
  - Notice of the final decision to the applicant (and other interested parties).
  - Opportunity for the applicant and affected parties to appeal the final decision.
  - Procedures for amending an approved plan, ideally distinguishing between minor and

### Key Question

Should a neighborhood meeting be required prior to the submittal of a major development proposal?



minor amendments (the latter being required to restart the approval process).

- Approval expiration—i.e., how long an application approval is valid as authorization to start development or apply for subsequent development permits and approvals, and how that time period might be extended (e.g., approval valid for one year, with up to two one-year extensions).
- Possible limitations on the submittal of applications for the same or similar development proposal (to avoid attempts to wear down the Town until the proposal is approved).

#### Recommendations:

- Establish standard review procedures for the procedural steps described above.
- Draft application-specific review procedures that reference the new standard procedures; note any variations and additions particular to that type of application.

#### Codify and Update the Site Plan Review Procedure

Many Texas communities currently require site plans, including Plano, Frisco, and Richardson. In Plano and Frisco, these are administrative reviews, while in Richardson the Plan Commission is the approval authority. While Addison currently requires site plan review for development permits, there are no clear processes established in the development regulations outlining that procedure.

Other parts of this report recommend reducing reliance on PDs, in part by improving the regulations generally through a better lineup of zoning districts; more complete use permissions that respond better to market demand; and more calibrated, flexible, and predictable development standards. If all those tools are embraced, and by-right development does become more common in Addison, then a revised site plan tool would provide an important mechanism for the Town to evaluate compliance with the new UDC, and to make more efficient use of Town resources. We recommend formalizing and updating the current site plan review procedures to consider the following:

- **Distinguish major versus minor projects.** Addison should distinguish between major and minor projects and have separate site plan review procedures for each. This distinction allows smaller projects with fewer impacts to move through a quicker, simpler process. For example, a proposal for a small building addition would not require the same review process as a proposal to build a large office building on an undeveloped site. Minor projects should be decided by the Zoning Administrator (without a hearing) with major projects going to the Planning and Zoning Commission for a public hearing and decision.
- There is no “correct” dividing line to distinguish between major and minor development plans; the line is different in every community. Specific thresholds for determining if an application is major or minor should be proposed and evaluated during the process of drafting new development regulations. Such thresholds might include size of development (e.g., number of dwelling units or gross square footage of nonresidential floor area), certain uses, or development in certain areas. Along with thresholds for determining an application’s project category, different review and approval procedures should be proposed as well. The Zoning Administrator should have the ability to bump up a minor project into the major category at their discretion.
- **Require pre-application conference for all major projects.** We recommend establishing a pre-application conference for most types of land use reviews. This conference is helpful to both staff and applicants, and we recommend requiring it of the site plan review process for major projects and optional for minor projects. Some communities also require neighborhood meetings prior to formal submittal of a major project, to allow an early opportunity for nearby owners and residents



to weigh in on the proposed project and to provide recommendations or suggestions.

**Strengthen approval criteria.** Throughout the development review procedures, the approval criteria for all application types should be strengthened to be objective and clear. One way to provide objectivity in criteria is to provide examples of compliance. For example, require a minimum number of elements for horizontal composition that must be included to break up continuous building wall surfaces (roofline variation, façade offset, change in materials, etc.). More objective criteria will provide an improved level of predictability in the development review process for neighborhoods and developers, and also lead to more efficient public hearings.

#### Recommendations:

- Formalize and update the site plan review procedure.
- Establish a distinct procedure for major site plan review from minor site plan review.
- Strengthen approval criteria.

### Establish Distinct Review Procedures for the Airport Zone District

Several stakeholders expressed their desire for a refresh of airport-related zoning issues as part of this project. In recent years, airport projects have incorporated elevated building and site design elements to better reflect the image of the Town. To continue to incentivize investment on airport property, development proposals are currently reviewed administratively, forgoing the need for Planning and Zoning Commission or City Council approval. Airport representatives expressed interest in maintaining and formalizing a streamlined development review procedure in the new UDC. The development review procedure for airport projects may be drafted as a unique process only applicable to projects in the “airport” zone district, or these projects may fall into a new generalized administrative development review procedure also available to off-airport properties.

#### Recommendations:

- Formalize and update the site plan review procedure for development on airport property.

### Consider Introducing a Development Plat Procedure

Subchapter B of Chapter 212 of the Texas Local Government Code (TLGC) allows municipalities, at their option, to require “development plats” in lieu of subdivision plats, whenever there is “development,” which is defined broadly: “. . . the new construction or the enlargement of any exterior dimension of any building, structure, or improvement.” Development plats can apply whether the property is subdivided or not, and the approval provisions can be specified by the adopting municipality, with some flexibility. The Town may want to consider allowing development plats in lieu of various other types of plans or plats mentioned in the current development regulations (e.g., concept plans, development plans, preliminary plats, etc.).

#### Recommendations:

- Consider introducing a development plat procedure.

### Establish Process to Allow Minor Modifications

The majority of development applications in Addison require variances, waivers, and/or negotiated planned development in order to obtain final approval. In part, the high number of requests for flexibility or relief is a result of outdated and inflexible development standards. From a procedural perspective, the



issue can result from not having any tools that give the final decision-maker authority to extend limited relief from specific standards in targeted circumstances. Variances, waivers, and PD approvals also appear to have simply become part of the development culture in Addison—an expected part of most applications.

Many communities use a Minor Modification procedure to authorize the final decision-maker the authority to approve minor deviations (usually about ten percent) from certain dimensional or development standards based on specific criteria. There are already similar tools built into the MXR, UC, and Belt Line district standards, but their availability are limited to properties in those zone districts and require City Council approval. This new procedure would carry forward and expand this authority to be available town-wide to provide relief where strict application of the standards would otherwise create unnecessary difficulties. Such a procedure could identify standards that are commonly adjusted in Addison, and would prevent having to file a request for a variance, waiver, or planned development. Criteria for adjustments should be clearly stated, should not undermine the intent of the underlying regulations, and should not impose greater impacts on surrounding properties than strict compliance would. Examples of standards that are frequently subject to minor modifications include: lot width and lot coverage; building setbacks; fence or screening height; and the number or size of required parking spaces.

#### Recommendations:

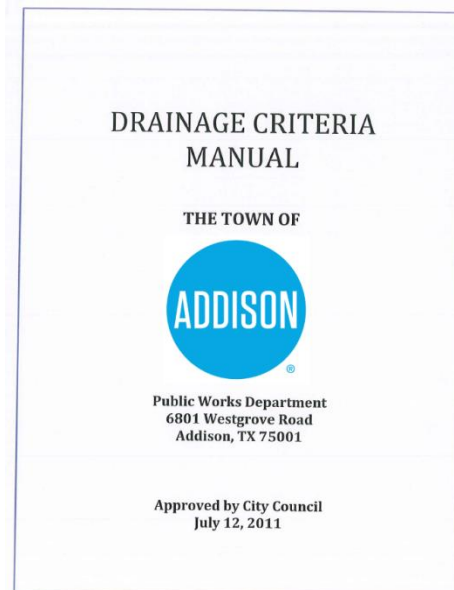
- Establish a Minor Modification procedure to allow approval of minor deviations, based on clear criteria.

#### Create Supporting Documents

The current development regulations contain information that is either technical in nature or otherwise not necessary to carry forward into the new UDC. Examples include application submittal requirements, plan content requirements, and certificates for plats. This information should live outside the UDC in some sort of an administrative manual, guidebook, or dedicated webpage on the Town's website. During the drafting process, the consulting team will maintain a separate document including content from the current development regulations that should be considered for relocation. This will make the UDC shorter and more user-friendly, while also allowing staff to update the technical and administrative content over time without requiring a formal code amendment by City Council.

Related, some communities develop an independent set of standard specifications and engineering details in design manual, separate from the administrative manual. That type of information is critical to code users and provides important information about the Town's expectations for technical requirements. The design manual should remain separate from the UDC, and any existing engineering standards in the development regulations (e.g., water and wastewater engineering standards, specific street design standards, etc.) should be removed to that new document. Other information typically considered for relocation to an administrative manual or design manual includes:

- Required fees and/or fees-in-lieu.



- Technical engineering standards (e.g., best management practices for erosion control, or asphalt thickness standards).
- Lists of acceptable and prohibited landscaping species.

#### Recommendations:

- Create an administrative manual and technical specifications manual.

### Reform the Planned Development Process

#### Overview of PDs in Addison

Most applicants for development in Addison turn to the Planned Development (PD) process rather than attempting to work within the existing zone district regulations and development standards. The underlying concept is that if a developer is given greater leeway and flexibility to design a project and mix uses, communities will benefit from more creative development and from a higher level of amenities and community benefits, such as open space, than would otherwise be required. The theory is sound, yet many communities across Texas and the country have found themselves overusing the PD process, turning to it even for relatively straightforward projects. An overreliance on the PD process suggests that the underlying regulations are not adequate to address local market demands, and creates practical difficulties for all parties:

- Developers find that the negotiation inherent in creating a PD causes a loss of predictability, which lengthens approval times and increases carrying costs. Also, they cannot rely on past approvals for guidance and must negotiate every aspect of the development anew.
- Neighbors cannot rely on existing zoning standards for protection and have little certainty about the unpredictable potential impacts of each new PD, making each new project a potential battle.
- Planning staff must devote substantial time to not only negotiating the PD up front, but in trying to administer each PD once it is adopted, making enforcement and compliance extremely difficult. PDs often result in substantial administrative burdens for local staff down the road.

We heard all these concerns expressed from stakeholders. While the flexibility of PDs is appreciated, many stakeholders say that PDs have been overused and have not always resulted in better-quality projects. Over time, increasing usage of this process and appreciation of the flexibility it provides has led PD development to become the norm in Addison, rather than the exception. Over half of the Town's parcels are currently regulated by a planned development. Each adopted PD is its own unique zoning district and functions essentially as a mini-zoning ordinance and must be tracked, administered, and enforced alongside the current Code of Ordinances.



One of the original rationales for allowing developers to use PDs was the promise of significant community benefits such as additional open space, in exchange for greater flexibility. But in Addison, stakeholders noted that the public benefits received through initial PD approvals have often been minimal, and PD amendments are not required to make any showing of public benefit.

We recommend that the Town pursue a two-pronged approach toward reforming the role of PDs. First, improve the development regulations generally in order to minimize the need for new PDs in the future. Second, because there will still be a need for new PDs in certain situations, the procedure for establishing a new PD should be reformed to help simplify and improve efficiency. The following sections discuss these recommended new steps.

### **Improve the Regulations Generally to Reduce the Need for PDs**

The most important way to minimize the future use of PDs in Addison is to rewrite the development regulations to not only accommodate, but also to encourage, innovative and creative projects that respond to the Comprehensive Plan and area plans, rather than restricting such projects and thus requiring applicants to negotiate. This report recommends many approaches to help accomplish this goal. A handful of the most important approaches are summarized below:

- **Authorize minor adjustments to certain standards, like setbacks.** This would reduce the need to use

PDs to tailor specific development regulations. (This is discussed under “Streamline Development Review Procedures” on page 37.)

- **Update and modernize the current lineup of zone districts and use tables.** This will help accommodate more straightforward ordinance-based development. For example, by creating mixed-use zone districts that allow a mix of residential and commercial development by right, developers are less likely to need the PD process to combine such uses. (This is discussed under “Fine-Tune the Zoning Districts” on page 13 and “Reorganize and Strengthen the Use Regulations” on page 25.)
- **Clearly articulate the level of quality that the Town expects to see in all new development.** This is more effective than negotiating over quality issues as part of each PD application. The Town should provide clear and objective standards in the UDC that anticipate the issues and concerns that Addison is currently negotiating on a case-by-case basis, and that are tailored to specific areas. The new codified standards will be less vulnerable to legal challenges than ad hoc, case-by-case requirements. The UDC should specify that the general development standards are baseline requirements that apply to each PD unless specific alternatives are approved through the PD process. (This is discussed under “Improve and Tailor the Development Standards” on page 30.)

Even though the new UDC should be designed to lessen the frequency of PD applications, a PD process is still needed for unusual or large projects that require added flexibility unavailable in the base zoning districts and procedures. To accommodate such projects, the PD procedure (current Appendix A, Article XVI) should be revised and carried forward. The following subsections summarize particular areas of focus to improve the PD procedure in Addison.

### **Clarify the Two-Step PD Process**

Communities vary in their approach to PD processes and the approval of planned development projects. Some communities include a two-step process (preliminary and final approval) while others have a three-step process (conceptual, preliminary, and final approval). Addison’s PD approval process uses the simpler two-step process in practice; however, it is unclear in the Ordinance which decision-making body approves which step in the process. Appendix A, Article XV, Sections 5 and 6 contain the procedures for PD development plans. Section 6 indicates that processing under the subdivision ordinance is carried out simultaneously with the review of the preliminary plan, which would imply the preliminary and final subdivision review are decided by the Planning and Zoning Commission. That section also states that every planned development district is reviewed as a zoning ordinance amendment, which would be decided by the City Council. We recommend a more clear process be established in the new UDC to clarify the role of each decision-making body in the process, as summarized below.

### **Preliminary PD Plan**

The general purpose of a preliminary plan is to evaluate and discuss basic concepts, including whether the development is in “substantial conformance” with the comprehensive plan and other adopted plans and policies. In addition, the preliminary plan is the opportunity to reach general agreement on uses, number of units, general access alignments, and other factors. The stated outcome of the preliminary plan process is an identification of issues and concerns the applicant must address to ultimately receive final plan approval. Typically, the preliminary plan stage is reviewed by the Planning and Zoning Commission.

It is important to ensure that the preliminary plan process not require too much detail too early in the process. All communities struggle with where best to draw the line between early and later versions of a complex development application. It is not uncommon to see thresholds change over time as local officials and planners learn lessons and adapt. Town officials and staff should discuss and identify the essential project attributes that are key to understanding a project’s overall impacts. As a starting point,

we recommend the following:

- What currently exists on the site?
- What land uses are proposed? Where would they be located, and how big would they be?
- Why could this project not be built using the base zoning districts? What additional flexibility is needed?
- What public benefits will be provided? (Open space, street improvements, trails, etc.)
- How will people access and move around the site—by car, by bicycle, and on foot?
- How will water, sewer, and other utilities be provided?
- What is the timing of the development, and will it occur in stages?
- Does this project comply with the Comprehensive Plan and any applicable area plan?

After the criteria are established for preliminary plan review, the application requirements should be revised to reflect those criteria. Any items not essential to understanding these key project attributes should be deferred to the site plan review stage. The following is an example of what the preliminary plan submittals list might look like this:

- Existing conditions map (existing vegetation, natural watercourses, natural features, etc.).
- Proposed land uses (including residential densities and nonresidential intensities).
- Proposed building locations, building heights, and vehicular use areas.
- Conceptual access and circulation plan (vehicular, pedestrian, trails).
- Conceptual phasing plan.
- Conceptual utility plan.
- Public benefits to be provided, including any open space to be protected.
- Statement of plan conformance.

These would be prepared at a “bubble plan” level of illustration. The actual application submittal list would not be in the UDC but in a separate administrative manual, along with specific technical specifications for each submittal (e.g., the requirement for drawings to be to scale). Ultimately, all submittal requirements for the preliminary plan and final stages should be located in a separate administrative manual (discussed on page 43 of this report). Doing so will allow the submittal requirements to be refined over time by simply updating the manual, not by making formal changes to the UDC.

### Final PD Plan Approval

After the preliminary plan is reviewed and approved by the Planning and Zoning Commission, the next step is having the applicant revise the plan to reflect Planning and Zoning Commission comments and conditions for consideration by the City Council. At the final review stage, the City Council considers the final PD plan/plat together with the proposed development standards package (zone text amendment) and the zone map amendment. The City Council would be the final decision-making body. We recommend this two-step process be more clearly outlined in the UDC to provide predictability and to ensure an overall efficient review process.

#### Recommendations:

- Formalize a two-step PD review process (preliminary and final approval).
- Reaffirm the essential project characteristics to consider at preliminary PD plan.
- Revise application submittal requirements.
- Codify the final plan approval procedure, clarifying the role of each decision-maker in the process.



### Establish Specific Criteria for Acceptable Changes to a Preliminary Plan

The Town should specify the amount of minor change that will be tolerated in preliminary plans that depart from approved development plans without going back through the preliminary plan process. The significant time and expense involved in creating a preliminary plan in many communities creates a sense that this is the final plan from both the public's and the developer's standpoint. At the preliminary plan stage, developers resist making changes to a development plan that already was the subject of extensive public scrutiny. And if changes are made at the preliminary plan stage, there are debates about how much change should be allowed without having to go back to development—the current regulations are not clear on the threshold.

The new UDC should establish specific criteria on what constitutes a major change to a development plan, clarifying that changes, even significant ones, in response to conditions of approval are permissible, but that truly significant changes require additional input and the applicant must submit a new development plan. The following thresholds are examples from other communities that may be appropriate for Addison: a reduction by greater than 10 percent of the open space; an increase of greater than 10 percent in the approved gross developable commercial floor area; or an increase by greater than 10 percent of the approved residential density of the development.

#### Recommendations:

- Establish specific criteria for acceptable changes to a preliminary plan.

### Establish a PUD Conversion Process

The Town should consider establishing a process by which an existing PD may be converted to one or more base zoning districts if and when a property owner seeks amendment to the PD. Through this process, the PD could be re-designated as an existing zoning district but the conditions attached to the PD might be brought forward or supplemented. In many cases, the original reason for flexibility that necessitated the creation of a PD may be allowed through more inclusive zoning districts, more flexible development standards, minor modification, or other new tools introduced in the new UDC. This may not be worthwhile or feasible for large, complex PDs that involved significant customization, but it could make sense for smaller PDs. For example, if a small PD was originally approved to allow shared parking, that ability might become automatic (by-right) in a new mixed-use zoning district, and so the PD could be considered for conversion to the new mixed-use district. Over time, elimination of at least some PDs through such a process could help simplify the process of tracking and enforcing the various PD approvals.

#### Recommendations:

- Establish a PD conversion process.

### Address Other Issues with the PD Approval Process

Beyond the significant changes proposed to the sketch plan process discussed above, other changes are necessary to improve the PD procedures. These include:

- **Require public benefits.** The code should explicitly state that PDs and PD amendments shall provide benefits to the community, in exchange for the opportunity of gaining approval outside of the base zoning districts and procedures, as listed in the general standards for zone change section. Desired benefits do not need to be specified with mathematical precision, but they should be described with as much specificity as possible and should be required for major changes. Also, stronger enforcement and tracking of public benefits is necessary. Benefits such as preserved open space

should be legally identified and protected through easements.

- **Consider restricting when PDs are allowed.** PDs should be reserved for unusual, large, or exemplary projects that have a measurable impact on the community as originally intended. This can be accomplished in part through a new minimum size requirement – a typical threshold is five acres, unless the Director authorizes a waiver of this requirement for unusual sites or conditions, such as for constrained sites where infill or redevelopment is proposed. The regulations also should prohibit the PD process from being used when the variance or minor modification procedures could handle the situation.
- **Clarify amendment procedures.** Define and distinguish between “major” and “minor” amendments to approved PDs. Major amendments should require a recommendation by the Planning and Zoning Commission and approval by the City Council. They might include, for example, changing the list of allowed uses, the allowed densities, or the geographic boundaries of the PD. Minor amendments could be handled by staff and might include things like internal boundary adjustments or shifting of a specified limited density among phases of a project.
- **Draft new approval criteria.** There are no explicit approval criteria for PDs in the current development regulations. There are standards for PDs, but they do not take the form of criteria used to directly evaluate each proposal.

#### Recommendations:

- Require benefits to the community in exchange for PD plan consideration.
- Consider limiting the qualifying criteria for when PDs are allowed.
- Clarify amendment procedures, and what differentiates a “minor” amendment from a “major” one.
- Draft new approval criteria to guide decision-making.



## REWRITE THE SIGN REGULATIONS

### Reorganize, Simplify, and Update Sign Regulations

A major element of the Addison UDC project is rewriting the Town's sign regulations. Generally, stakeholders agree that the organization, user-friendliness, and clarity of the current sign regulations could be improved, and that maintaining a high standard is necessary to preserve Addison's character and image. Everyone also agreed that the sign regulations should prevent Addison's primary corridors from being overwhelmed with advertising and signage.

Stakeholders, however, were split in their preference for maintaining strict sign controls versus allowing more flexibility. Those favoring stricter controls argue that relaxing or providing flexibility may degrade the high-quality character of development and Addison's reputation, while those favoring more flexibility argue that the current sign regulations are unusually strict and an obstacle to economic development. The most prevalent challenge mentioned is the content-based controls regulating beer and wine sale advertising. Those controls are proposed to be eliminated as summarized in the "remove content-based regulation" below. Areas of focus for updating the sign regulations include:



*Village on the Parkway signage*

- **Formalize and update the sign review procedures.** The current sign regulations do not outline the review procedure for obtaining a sign permit. We recommend that staff verify compliance with sign regulations and that they be the final decision-making body for any sign permit. A new master sign plan procedure could also be established for a large campus, center, or airport that would allow deviations from the standards of the base sign regulations. If such a procedure is introduced, the Planning and Zoning Commission and/or City Council could review those requests.
- **Consider establishing sign districts.** Addison's current sign ordinance includes general standards applicable to all signage, in addition to five sets of distinct standards for specific areas (Addison Circle, Addison Walk Shopping Center, Inwood Quorum Village, Dallas Parkway, and Vitruvian Park). The area-specific standards are not comprehensive; for example, only one distinct requirement is listed for signage in the Inwood Quorum Village area (attached signs with letter heights of 24 inches and 30 inches are allowed). Establishing formal sign districts should be considered to allow sign regulations to be tailored to area-specific context and design.
- **Establish unique sign controls for airport properties.** Specific sign regulations should be tailored for the airport. Signage on airport property typically needs to be larger due to the speed and distance of traveling aircraft. Air traffic controllers also use signage as ground references when providing directions to pilots. Currently, the airport is subject to the same sign regulations as the rest of the Town; however, most sign requests receive informal variances to install appropriate signage. The

#### Key Question

Moving forward, should Addison maintain the same level of strict sign controls or allow for more flexibility?



airport is considering creation of a sign master plan that may include distinct sizing requirements and to help promote some level of uniformity in design, primarily way finding and airport information signs.

- **Consider added flexibility.** The current sign regulations are unusually prescriptive in the area, height, and design of allowed signage. For example, Chapter 62, Division 4, Section 62-185(1) requires single-tenant pole signs to be exactly 36 square feet in area and exactly 20 feet in height. A more common approach is establishing a maximum sign area and height and allowing the applicant to design the sign within those parameters. This level of specificity is carried throughout the regulations.
- **Consider allowing electronic signs in select areas.** Some stakeholders expressed interest in updating the sign standards allow electronic signs in specific areas of Addison (e.g., along the Dallas Tollway). This concept was supported by some, and not supported by others. As Addison reevaluates its sign regulations, policy-makers should weigh the pros and cons of introducing this sign type to the menu of allowable signs and what types of controls and/or approval procedures would be appropriate if such a sign type was allowed.

### Key Question

Should electronic signage be allowed in specific areas of the Town?



### Recommendations:

- Formalize and update the sign review procedures.
- Consider establishing sign districts.
- Establish unique sign controls for airport properties.
- Consider added flexibility.
- Consider allowing electronic signs in select areas.

### Remove Content-Based Regulation

Nearly every community in the nation has had to evaluate their sign regulations in light of the 2015 U.S. Supreme Court case of *Reed v. Town of Gilbert*. The focus of the sign regulation update is to ensure consistency with federal law regarding the First Amendment to the U.S. Constitution, but other updates may be considered as needed to address sign design and allowances (height, number, area, location, etc.) and overall organization and administration.



*Specs signage*

Rev. Reed challenged the Town of Gilbert's sign regulations, which required that signs for temporary events be small and remain in place for only a short period of time. The Supreme Court agreed with Rev. Reed: The adoption of different size, height, number and other regulations for certain types of signs violate the "content-neutrality" rule.

Although the Reed decision involved temporary non-commercial signs, the text of the decision is not limited to that topic, and many commentators have suggested that later court decisions will apply the same principle to permanent and commercial signs. The town's legal department should consider

whether updates should be made to permanent and commercial signs in the event the Reed holding applies to those signs (and not just temporary signs). Some commentators have suggested that the Reed holding will eventually make it illegal to distinguish between on-site and off-site (billboard) signs, but one Justice's concurring opinion stated that is not the intent. Accordingly, the consulting team does not recommend removing the on-site/off-site distinction from the Town's sign controls.

The bullet points below identify the key recommended changes to Addison's sign regulations to comply with the Reed v Gilbert decision in light of the assumptions above.

- All references to sign types that include or imply a particular message (for example, impound signs, gasoline signs, no trespassing signs, real estate signs, etc.) will be removed and replaced with general sign controls regulating the time, place, and manner of messaging.
- Eliminate the multi-tenant sign type and consider allowing larger buildings and properties in more intense zone districts to qualify for a larger sign. Additional projecting signs and under-canopy signs can still be permitted on a per-tenant basis.
- Make exemptions for flags and decorations more general (i.e. they do not depend on the content of the flag and are not limited to holiday decorations).
- Clarify what distinguishes "wall art" and "murals" from "signs" and "advertising."

### Key Question

Should permanent and commercial signage regulations be updated to reflect the Supreme Court decision regarding content neutrality?



### Recommendations:

- Remove references to sign types that include or imply a particular message.
- Remove references to "multi-tenant signs."
- Make exemptions for flags and decorations more general.
- Clarify what distinguishes "wall art" and "murals" from "signs" and "advertising."

### 3) Annotated Outline of a New UDC

This part of the report provides an overview of what the proposed structure and general content of a new UDC for Addison might look like if the recommendations from Parts 2 and 4 of this report are implemented. This outline is structured as a new chapter in the Municipal Code of Ordinances. It is intended as a starting point for further dialogue and is tailored for Addison, building on our experience with successful code projects throughout Texas and the nation.

The Code of Ordinances is currently comprised of 26 chapters and three appendices. While only 26 chapters include content, the chapter numbers range anywhere from one to 86, with several gaps. The zoning and subdivision standards are listed as Appendix A and Appendix B respectively. In the current Code of Ordinances, standards related to land development are scattered throughout several chapters. This project will consolidate the Town's development regulations into a single chapter, making it easier for users to find the information they are seeking. An improved and efficient organization will consolidate like information, minimize (but not eliminate) cross-referencing, and make it relatively easy for users to find needed answers.

The proposed new articles are below. Each proposed article indicates (with grey shading) which articles and sections from the current Code of Ordinances would be folded into the proposed UDC.

#### GENERAL PROVISIONS

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This article will include provisions that are applicable to the UDC as a whole, including:

##### **Title, Effective Date, and Mapping**

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This section will establish the title of the UDC, its effective date, and describe how the official zoning map and district boundaries are maintained.

##### **Purpose and Intent**

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This section will describe generally why the UDC is important to the Town of Addison and how it regulates land development to protect the public health, safety, and welfare of the Town.

##### **Authority, Applicability, and Jurisdiction**

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This section will describe the UDC's applicability to development or redevelopment (unless otherwise exempted), the UDC's application to governmental agencies, how internal code conflicts are resolved, and a statement on the UDC's relationship to the extraterritorial areas (ETJ) and private covenants.

##### **Transition from Prior Regulations**

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This section will describe how prior building permits, violations, nonconformities, and development approvals will be processed by the new UDC. It could also include an option for pending applications to be reviewed and decided under the current regulations or the new UDC.

##### **Nonconformities**

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This section will describe how legal nonconformities are administered and enforced and standards for nonconforming uses, nonconforming structures, nonconforming lots, nonconforming signs, and nonconforming site features.

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## Enforcement

This section will describe how Addison enforces the UDC, including standards for violations, penalties and remedies, and authorized enforcement officers. As with many other sections in the UDC, we recommend relocating specific information that may change frequently to an administrative manual, such as dollar amounts for fees and penalties.

## Severability

This section will clarify that any specific standard in the UDC that is invalidated by a court, shall not affect the application or validity of any other standard in the UDC not included by that court's judgment.

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## Current Sections

Below is a summary of content from the current Code of Ordinances that will be incorporated into this new article:

### **Chapter 14 – Aviation**

#### **Article IV – Airport Zoning**

*14-125: Nonconforming Uses*

*14-151: Enforcement and Remedies*

### **Chapter 34 – Environment:**

#### **Article VI – Landscaping Regulations**

*Sec. 30-211: Enforcement*

### **Chapter 62 – Signs:**

#### **Article II – Administration and Enforcement**

*Sec. 62-32: Nonconforming Signs*

*Sec. 62-35: Violations*

#### **Article III – Contractors**

*Sec. 62-100: Cancellation*

### **Appendix A – Zoning:**

#### **Article I – Title and Purpose**

#### **Article II – Districts and District Boundaries**

*Sec. 2: Boundaries*

#### **Article XXIII – Nonconforming Uses (except definitions)**

#### **Article XXVII – Enforcement**

#### **Article XXVIII – Penalty for Violation**

#### **Article XXXI – Interpretation, Purpose, and Conflict**

#### **Article XXXII – Boundaries of Districts**

#### **Article XXXIII – Completion of Existing Buildings**

#### **Article XXXIV – Preserving Rights in Pending Litigation and Violations Under Existing Ordinances**

#### **Article XXXV – Repealing Clause**

#### **Article XXXVI – Validity**

#### **Article XXXVII – When Effective**

### **Appendix B – Subdivisions**

*Sec. 9-B: Fee for Subdivision or Plat – Violations*

*Sec. 16-A: Penalty*

*Sec. 18: Penalty*

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## ZONING DISTRICTS

The zoning districts article establishes the base zoning districts, sub-districts, planned development district, overlay districts, and describes how the districts relate to one another.

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## Zoning Districts Established

This section will summarize the lineup of zoning districts, according to earlier recommendations for consolidation, elimination, and creation of new districts. A table will be incorporated similar to the example provided earlier in this assessment.

## Residential Districts

This section will include zoning district information for all residential districts in the Town. Each district will include a purpose statement, a summary table for applicable dimensional standards (height, setbacks, lot area requirements, etc.), and any standards that are applicable to that specific district. We recommend including graphics that illustrate the dimensional standards for each district. Some communities also supplement their zoning districts with conceptual graphics or photographs depicting typical development in each district. This section will also reference residential design standards.

## Mixed-Use and Nonresidential Districts

This section will include zoning district information for all mixed-use districts and other nonresidential (such as commercial and industrial) districts. The components included in residential districts will also be included for all other districts in the code (purpose, summary of dimensions, district-specific standards, graphics, and references to design standards).

## Special Purpose Districts

This section will include zoning information for all special purpose districts, such as the planned development district.

## Overlay Districts

This section will describe the purpose and applicability of overlay districts, summarize how they are administered.

## Dimensional Standards and Exceptions

This section will summarize the dimensional standards for all zoning districts. This will include summary tables with dimensional standards for the following:

- Lot standards (e.g., minimum lot area, minimum open space, maximum lot coverage)
- Setbacks (e.g., minimum yard requirements, build-to requirements)
- Building standards (e.g., minimum and maximum height)

A summary of the key dimensional standards will be included in a short summary table for each zoning district. Following the dimensional standards tables, a list of exceptions and encroachments will be included, as well as references to the residential design standards. This will describe what types of structures, building elements, or site features are either exceptions from dimensional standards (such as uncovered porches), or may encroach into required areas (such as spires, chimneys, and bay windows).

## Current Sections

Below is a summary of content from the current Code of Ordinances that will be incorporated into this new article:

### **Appendix A – Zoning:**

#### **Article II – Districts and District Boundaries**

##### **1: Districts**

#### **Article III – Newly Annexed Territory**



- 1: Temporary Classification
- 2: Issuance of Permits
- Article IV – R-1 Single-Family Dwelling District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article V – R-2 Single-Family Dwelling District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article VI – R-3 Single-Family Dwelling District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article VII – R-16 Single-Family Dwelling District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article VIII – “A” Apartment District Regulations**
  - 2: Building Regulations
  - 3: Height Regulations
  - 4: Area Regulations (except for setback exceptions)
- Article IX – LR Local Retail District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article X – C-1 Commercial-1 District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article XI – C-2 Commercial-2 District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article XII – I-1 Industrial-1 District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article XIII – I-2 Industrial-2 District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article XIV – I-3 Industrial-3 District Regulations**
  - 2: Height Regulations
  - 3: Area Regulations
- Article XV – Planned Development District**
  - 1: Purpose and Intent
  - 3: Uses Permitted
- Article XVI – Planned Development, Townhouse/Condominium District**
  - 1: Purpose of District
  - 3: Uses Permitted
  - 7: General Conditions
  - 8: Townhouse Yard Requirements
  - 9: Density
  - 13: Open Space (except for specific landscape standards)
- Article XVI – Planned Development, Condominium Conversions**
  - 1: Purpose of District
  - 5: Permitted Uses
- Article XVIII – MXR Mixed Use Residential District Regulations**
  - 1: Statement of Purpose
  - 2.2: Design Standards (except for permit procedural requirements and building design requirements)
- Article XIX – UC Urban Center District Regulations**



*1: Purpose of District*

*3: Dimensional and Design Standards; Residential Sub-District (only lot and building dimensional standards)*

*5: Dimensional and Design Standards; Commercial Sub-District (only lot and building dimensional standards)*

**Article XIX.A – Belt Line District Regulations**

*1: Purpose, Goals, and Intent*

*3: General District Standards (except for waivers and use regulations)*

*Appendix II: Street Types (some content may be moved to Development Standards and apply generally city-wide)*

**Article XXII - Exceptions**

**Appendix B – Subdivisions**

*7-A: Private Street Regulations (as part of Planned Development standards)*

## USE REGULATIONS

This article will contain all of the standards applicable to specific land uses. The current regulations include land uses and applicable standards within each zoning district, which makes comparative analysis across districts difficult.

### Table of Allowed Uses

The table of allowed uses will summarize allowable uses by zoning district or sub-district, indicating the level of approval required (by-right, special use permit, or not permitted), and will include cross-references to additional standards that apply to a specific use. This table will reduce the overall length of the UDC, reduce the potential for inconsistencies throughout districts, and provide an opportunity to compare uses across districts without navigating between different sections. As discussed previously in this assessment, the current list of uses will be consolidated into fewer specific uses in broad categories.

### Use-Specific Standards

This section will incorporate standards that apply to specific land uses, such as telecommunications, home occupations, drive-throughs, outdoor storage, and other uses that have unique impacts or standards associated with them. Use-specific standards are currently scattered throughout the development code and we recommend consolidating them into this single section of a use regulations article. Use-specific standards will be cross-referenced in the table of allowed uses to provide quick access to additional standards for any given land use. When the code is drafted, additional use-specific standards may be necessary to address concerns as they come to light.

### Accessory and Temporary Uses and Structures

This section will describe the standards for accessory uses (such as day care facilities), accessory structures (such as detached garages), temporary uses (such as construction offices), and temporary structures (such as produce stands). Accessory uses will be shown in the table of allowed uses, likely marked with an “A,” or at the end of the table in its own category of uses. Temporary uses will likely be included at the end of the allowed uses table marked with a “T.” As with primary uses, use-specific standards will apply to accessory and temporary uses where necessary.

### Current Sections

Below is a summary of content from the current Code of Ordinances that will be incorporated into this new article:

**Chapter 10 – Animals**

**Article I – In General**

*10-9: Requirements on Keeping Livestock and Fowl*

**Chapter 14 – Aviation****Article III – Municipal Airport***14-69: Hangars (may provide cross-reference only)***Article IV – Airport Zoning***14-122: Zones**14-123: Height Limitations**14-124: Use Restrictions**14-126: Permits***Chapter 18 – Buildings and Building Regulations****Article III – Property Maintenance Code***Sec. 18-129 - Vehicles being offered for sale**Sec. 18-130 - Outside storage in residential areas**Sec. 18-131 - Accessory structures**Sec. 18-133 - Recreational vehicles - residential**Sec. 18-134 - Portable storage structure***Article XI – Satellite Earth Stations***18-652: Purpose**18-655: Size, Location, Etc.***Article XIII – Solar Energy Systems***18-727: Purpose**18-729: Size, Location, Etc.***Chapter 22 – Business****Article IV – Sexually Oriented Business (all except 22-131 definitions)****Chapter 67 – Special Events (may provide cross-reference only)****Chapter 78 – Traffic and Vehicles****Article VI – Abandoned and Junked Vehicles***78-286: Storage***Appendix A – Zoning:****Article II – Districts and District Boundaries***3: Use of Land and Buildings***Article IV – R-1 Single-Family Dwelling District Regulations***1: Use Regulations***Article V – R-2 Single-Family Dwelling District Regulations***1: Use Regulations***Article VI – R-3 Single-Family Dwelling District Regulations***1: Use Regulations***Article VII – R-16 Single-Family Dwelling District Regulations***1: Use Regulations***Article VIII – “A” Apartment District Regulations***1: Use Regulations**6: Accessory Buildings**8: Recreational Facilities***Article IX – LR Local Retail District Regulations***1: Use Regulations**8: Outside Sales and/or Commercial Promotions**9: Outside Storage***Article X – C-1 Commercial-1 District Regulations***1: Use Regulations**6: Outside Sales or Commercial Promotions**8A: Outside Sales and/or Commercial Promotions (except for permit procedural requirements)**8B: Outside Storage***Article XI – C-2 Commercial-2 District Regulations**

1: Use Regulations
7: Outside Sales and/or Commercial Promotions (except for permit procedural requirements)
8: Outside Storage
<b>Article XII – I-1 Industrial-1 District Regulations</b>
1: Use Regulations
6: Outside Sales and/or Commercial Promotions (except for permit procedural requirements)
7: Outside Storage
<b>Article XIII – I-2 Industrial-2 District Regulations</b>
1: Use Regulations
6: Outside Sales and/or Commercial Promotions (except for permit procedural requirements)
7: Outside Storage
<b>Article XIV – I-3 Industrial-3 District Regulations</b>
1: Use Regulations
7: Outside Storage
<b>Article XVI – Planned Development, Townhouse/Condominium District</b>
2: Planned Development
17: Deed Restrictions and Owner Association Agreements
<b>Article XVI – Planned Development, Condominium Conversions</b>
2: Planned Development
<b>Article XVIII – MXR Mixed Use Residential District Regulations</b>
2: Permitted Uses
2.1: Accessory Uses
<b>Article XIX – UC Urban Center District Regulations</b>
2: Use Regulations; Residential Sub-District
3: Dimensional and Design Standards; Residential Sub-District (only use related content; outside sales and storage)
4: Use Regulations; Commercial Sub-District
3: Dimensional and Design Standards; Residential Sub-District (only use related content; outside sales and storage)
14: Special Conditions Applicable to Particular Uses
<b>Article XIX.A – Belt Line District Regulations</b>
3: General District Standards (only use regulations)
Appendix I: Belt Line District Land Use Chart

## DEVELOPMENT STANDARDS

Development standards incorporate site layout, building design, and operational standards. While the districts and uses articles focus on what a property owner can do with their property, and where they can do it, the development standards regulate the quality of development.

### Site Layout Standards

This section will describe the standards for site layout features, including:

- Preservation of natural site features;
- Stormwater drainage;
- Landscaping;
- Access, circulation, and connectivity; and
- Parking, loading, and stacking.

Each of these components is important to how the physical site is laid out for development, and will be organized in the UDC “from the ground up.”

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## Building Design Standards

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Any building design standards that apply to multiple districts will be located here. Even building design standards specific to a single district (e.g., Urban Center or Belt Line) may be relocated here and made generally applicable. These standards will be revisited to determine the appropriate level of detail and to remove redundancy. Additionally, the new UDC should explore more flexible options for complying with the design standards as discussed above in the major themes, such as providing alternatives to the existing masonry requirement.

Neighborhood protection standards will be integrated into the development standards to help address development and redevelopment near existing low-density residential districts to ensure adequate mitigation of potential impacts. These standards could include building “stepbacks,” reductions of light pole height, increased setbacks, additional buffering or screening requirements, and further controls on service areas or drive-throughs.

## Operational Standards

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This section will include standards for operational facilities associated with site development, such as off-street parking, lighting, and screening and fencing. Performance standards that are more specific to nuisance regulations (noise and odor) will remain in current Code of Ordinances and references to these sections will be included in the UDC.

## Current Sections

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Below is a summary of content from the current Code of Ordinances that will be incorporated into this new article:

### **Chapter 18 – Buildings and Building Regulations**

#### **Article III – Property Maintenance Code**

*Sec. 18-128 - Standards for trees, plants and shrubs*

*Sec. 18-132 - Driveway requirements*

#### **Article X – Fences (all content except for 18-611 definitions and 18-623 inspection)**

### **Chapter 34 – Environment:**

#### **Article I – In General**

*34-32: Intent and Purpose*

*34-33: No Obligation to Town*

#### **Article II – Landscape Preservation and Protection**

*34-36: Permit for Removal or Planting of Plant Materials on Public Property (except for permit procedural requirements)*

#### **Article VI – Landscaping Regulations**

*34-201: Purpose*

*34-203: Applicability*

*34-205: Plant Material Substitutions*

*34-207: Landscape Design Standards (except visibility triangle standards (c) and inspection requirements (j))*

*34-208: Tree Replacement and Protection (except for permit procedural requirements)*

*34-209: Landscape Standards and Specifications*

*34-210: Landscape Maintenance*

### **Chapter 42 – Floods**

#### **Article II – Flood Damage Prevention (except for permit procedural requirements)**

### **Chapter 62 – Signs:**

#### **Article I – In General**

*62-2: Purpose*

*62-3: Compliance with Laws Required; Conflict*

62-4: Maintenance  
62-5: Nuisances  
62.51: Required (except for specific permit fee amounts)

**Article III – Contractors**

62-81: Abandoned Signs  
62-96: Required  
62-101: Required Prior to Issuance of Permit

**Article IV – Requirements for Specific Types of Signs**

**Article V – Prohibited Signs**

**Article VI – Special Districts**

**Chapter 70 – Streets, Sidewalks, and Other Public Places**

**Article I – In General**

70-2: Owners to Construct Sidewalk.

**Article VII – License for Use of Public Right-Of-Way**

70-321 through 70-330 (valet parking standards)

**Chapter 78 – Traffic and Vehicles**

**Article IV – Stopping, Standing, and Parking**

78-171 through 78-180

**Appendix A – Zoning:**

**Article IV – R-1 Single-Family Dwelling District Regulations**

4: Parking Regulations  
5: Type of Construction  
6: Refuse Containers

**Article V – R-2 Single-Family Dwelling District Regulations**

4: Parking Regulations  
5: Type of Construction  
6: Refuse Containers

**Article VI – R-3 Single-Family Dwelling District Regulations**

4: Parking Regulations  
5: Type of Construction

**Article VII – R-16 Single-Family Dwelling District Regulations**

4: Parking Regulations  
5: Type of Construction  
6: Refuse Containers

**Article VIII – “A” Apartment District Regulations**

5: Parking Regulations  
7: Refuse Facilities  
9: Mechanical Equipment  
10: Lighting  
11: Maintenance  
13: Site Landscaping

**Article IX – LR Local Retail District Regulations**

4: Miscellaneous Provisions  
5: Parking Regulations  
6: Type of Construction  
7: Loading and Unloading Facilities  
10: Mechanical Equipment  
11: Refuse Facilities  
12: Site Landscaping

**Article X – C-1 Commercial-1 District Regulations**

4: Parking Regulations  
5: Type of Construction

- 7: Loading and Unloading Facilities
- 9: Mechanical Equipment
- 10: Refuse Facilities
- 11: Site Landscaping

**Article XI – C-2 Commercial-2 District Regulations**

- 4: Miscellaneous Regulations
- 5: Parking Regulations
- 6: Type of Construction
- 9: Mechanical Equipment
- 10: Site Landscaping

**Article XII – I-1 Industrial-1 District Regulations**

- 4: Parking Regulations
- 5: Type of Construction
- 8: Mechanical Equipment
- 9: Refuse Facilities
- 10: Site Landscaping

**Article XIII – I-2 Industrial-2 District Regulations**

- 4: Parking Regulations
- 5: Type of Construction
- 8: Mechanical Equipment
- 9: Refuse Facilities
- 10: Site Landscaping

**Article XIV – I-3 Industrial-3 District Regulations**

- 4: Parking Regulations
- 5: Type of Construction
- 6: Emergency Access Easement
- 8: Mechanical Equipment
- 9: Refuse Facilities
- 10: Site Landscaping

**Article XVI – Planned Development, Townhouse/Condominium District**

- 10: Construction Materials and Design (as a use-specific standard)
- 11: Parking
- 12: Streets, Alleys, and Accessways
- 14: Utilities
- 15: Postal Service
- 16: Refuse Collection and Storage
- 18: Fire Walls Separating Dwelling Units

**Article XVI – Planned Development, Condominium Conversions**

- 6: Parking
- 7: Landscaping
- 8: Utilities
- 9: Balconies
- 10: Postal Service
- 11: Refuse Collection and Storage
- 13: Fire Walls

**Article XVIII – MXR Mixed Use Residential District Regulations**

- 2.2: Design Standards (except for dimensional standards)
- 3: Open Space Requirements

**Article XIX – UC Urban Center District Regulations**

- 3: Dimensional and Design Standards; Residential Sub-District (except for lot and building dimensional standards)
- 5: Dimensional and Design Standards; Commercial Sub-District (except for lot and building dimensional standards)

**Article XIX.A – Belt Line District Regulations**

4: Buildings

5: Parking

6: Streetscape, Lighting, and Mechanical

7: Landscape Requirements

Appendix II: Street Types (some content may apply generally city-wide)

## SUBDIVISION STANDARDS

This section will include the standards that apply to landowners seeking to subdivide land for development (any standards that might apply to both subdivision and redevelopment would be located in the Development Standards article). Subdivision procedures will be located in the new Administration and Procedures article. Content for this new article may include:

- Lot and block layout;
- Street standards;
- Sensitive area protection;
- Walkability and mobility;
- Requirements for sidewalks and trails;
- Common open space standards;
- Dedication of park lands; and
- Developer agreements for improvements.

### Current Sections

Below is a summary of content from the current Code of Ordinances that will be incorporated into this new article:

**Appendix A – Zoning:**

**Article VIII – “A” Apartment District Regulations**

12: Special Requirements

**Appendix B – Subdivisions**

1: Division of Land to be Under Supervision of the Town

2: Withholding Improvements

16: General Requirements

## ADMINISTRATION AND PROCEDURES

This article will describe the review and approval procedures for the various types of development applications, with revisions to the current standards as described earlier in this assessment. This article will address some of the concerns we heard related to procedures, including codifying current review practices, redefining thresholds for minor and major developments, and incorporating more objective approval criteria. Please see the discussion above in Part 2 of this report for additional detail on proposed improvements to the procedures.

### Summary Table of Development Review Procedures

This first section will incorporate a table similar to the one below from another jurisdiction, summarizing the basic requirements for review and approval of any development application in this code. The table will be organized by type of application (e.g., ordinance and plan amendments), review authorities (e.g., Planning Commission), and will identify other specific requirements such as which types of approvals require public hearings.



Table 8.1

### Summary of Development Review Procedures

KEY: R= Review and Recommendation D= Review and Decision A= Appeal ✓ = Required <> =Public Hearing Required

Procedure	Code Reference	Notice			Pre-Application Conference	Review and Decision-Making Bodies				
		Published	Written	Posted		Staff	Historic Prsvtn Comm.	Planning & Zoning Comm.	City Council	Board of Adjustment
Development Permits										
Development Review	Minor	8.4				✓	D [1]		< A >	
	Major	8.4	✓	✓	✓	✓	R	< R > [3]	< D >	< A >
Conditional Use Permit		8.4.B	✓	✓	✓	✓	R	< R > [3]	< D >	< A >
Single-Family Residential Review		8.4.C					D			< A >
Temporary Use Permit		8.4.D				✓ [2]	D			< A >
Subdivision Procedures										
Preliminary Plat		8.5.A	✓	✓	✓	✓	R		< R >	< D >
Final Plat		8.5.B					R		< D >	
Land Division or Combination		8.5.C					D			< A >
Reversion to Acreage		8.5.E	✓	✓	✓	✓	R		< R >	< D >
Ordinance Amendments										
Rezoning		8.6.A	✓	✓	✓	✓	R	< R > [3]	< R >	< D >
Rezoning to Planned Development (PD)		8.6.B	✓	✓	✓	✓	R		< R >	< D >
Code Amendment (Text)		8.6.C	✓			✓ [4]	R		< R >	< D >

### Common Review Procedures

Common review procedures identify and describe the procedures that apply to most development applications in the Town. Proposed common review procedures for Addison are described earlier in this report. Any common procedure from the current Code of Ordinances, such as application submittal requirements, public noticing procedures, and hearing procedures will be located here rather than repeating the same information for each application type. This will reduce the overall length of the UDC and eliminate the possibility of conflicting provisions as the UDC is updated over time.

### Development Permits and Procedures

This section will include review and approval procedures for applications such as site plan review and special use permit review. This section will cross-reference common review procedures and include application-specific modifications. Communities often maintain floodplain development permitting procedures outside the overall administration and procedures section of the zoning regulations due to the unique nature and length of the provisions. The same is true for historic preservation procedures (designations, certificates, etc.).

### Subdivision Procedures

This section will include review and approval procedures for subdivision applications.

### Ordinance and Plan Amendment Procedures

This section will include review and approval procedures for applications such as rezonings, text amendments, and amendments to the comprehensive plan. This section will cross-reference the common review procedures where possible, and will include additional standards that apply to specific applications

types. For example, the rezoning section might cross-reference the staff review standards from common review procedures, but include an additional provision requiring a traffic impact analysis.

### Flexibility and Relief Procedures

This section will include review and approval procedures for applications such as appeals, variances, and minor modifications.

### Review and Decision-Making Bodies

This final section will describe the powers and duties, membership, and basic meeting procedures for the various review and decision-making authorities for development applications.

### Current Sections

Below is a summary of content from the current Code of Ordinances that will be incorporated into this new article:

#### **Chapter 14 – Aviation**

##### **Article IV – Airport Zoning**

14-127: Variances

14-128: Obstruction Marking and Lighting

14-146 through 14-120: Administration

#### **Chapter 18 – Buildings and Building Regulations**

##### **Article X – Fences**

18-623: Inspection

##### **Article XI – Satellite Earth Stations**

18-653: Building/Fire Code Board of Appeals

18-654: Installation; Permit Required

##### **Article XIII – Solar Energy Systems**

18-728: Installation-Permit Required

18-730: Building/Fire Code Board of Appeals

#### **Chapter 34 – Environment:**

##### **Article II – Landscape Preservation and Protection**

34-34: Authority of Director

34-35: Trees in Public Property

34-36: Permit for Removal or Planting of Plant Materials on Public Property (only procedural requirements)

##### **Article VI – Landscaping Regulations**

34-204: Required Landscape Documents

34-206: Landscape and Irrigation Plan Submittal

34-207: Landscape Design Standards (only landscape inspection requirements (j))

34-208: Tree Replacement and Protection (only permit procedural requirements)

34-212: Bonding

34-213: Certificate of Occupancy

#### **Chapter 42 – Floods**

##### **Article II – Flood Damage Prevention**

42-56 through 42-60: Administration and Enforcement

#### **Chapter 62 – Signs:**

##### **Article II – Administration and Enforcement**

62-31: Administration

62-33: Meritorious Exceptions

62-34: Impounded Signs

62-52: Applications

62-53: Permanent Detached Signs

62-55: Lapse of Sign Permit  
62-55: Revocation  
62-56: Duration  
62-57: Fees  
62-58: Electrical Permit  
62-59: Condemnation Notice

**Article III – Contractors**

62-97: Application  
62-98: Fee  
62-99: Insurance or Bond Required  
62-101: Required Prior to Issuance of Permit

**Appendix A – Zoning**

**Article XV – Planned Development District**

2: Application  
4: Development Schedule  
5: Procedure for Approval of Development Plan  
6: Coordination with Subdivision Regulation Ordinance

**Article XVI – Planned Development, Townhouse/Condominium District**

3: Comprehensive Site Plan  
4: Detail Development Plan  
5: General Location of Zoning

**Article XVI – Planned Development, Condominium Conversions**

3: Comprehensive Site Plan  
4: Detail Conversion Site Plan  
12: Creation of a Condominium Regime and Bylaws

**Article XVIII – MXR Mixed Use Residential District Regulations**

4: Concept and Development Plan Approval  
5: Waiver of Design Standards

**Article XIX – UC Urban Center District Regulations**

6: Flexible Standards  
7: Establishment of District  
8: Preliminary Development Plan Approval Procedure  
9: Final Development Plan Approval  
10: Conditional Use Procedure  
11: Waiver Procedure  
12: Amendments of Plan  
13: Lapse of Approvals

**Article XIX.A – Belt Line District Regulations**

8: Procedures

**Article XX – Special Uses**

**Article XXIV – Board of Adjustment**

**Article XXV – Unplatted Property**

**Article XXVI – Permits and Certificates**

**Article XXIX – Changes and Amendments**

**Appendix B – Subdivisions**

4: Procedures for Subdivision  
5: Annexation  
6: Zoning  
7: Land Study  
8: Preliminary Plat and Plans  
9: Final Plat and Plans  
10: Filing of Plat

11: Submittals Required for Construction  
12: Subdivision Construction  
13: Acceptance of Subdivision  
14: As-Built Plans  
15: Issuance of Building Permits  
17: Minor Amendments and Corrections

## RULES OF CONSTRUCTION AND DEFINITIONS

The definitions in the current Code of Ordinances are scattered throughout several articles including Chapter 34: *Environment*; Chapter 62: *Signs*; Appendix A: *Zoning*; and Appendix B: *Subdivisions*. We recommend consolidating all definitions at the end of the UDC, similar to where glossaries are located for other technical documents.

### Rules of Construction

This section will describe how specific terms are interpreted throughout the UDC, including lists and examples, computation of time, public officials mentioned in the UDC, mandatory vs. discretionary terms, conjunctions, tenses and plurals, and conflicts between text and illustrations.

### Other Terms Defined

This section will include definitions for all terms in the UDC, including definitions for use categories (e.g., group living, agricultural, manufacturing, utilities), definitions for specific uses included in the new Table of Allowed Uses, acronyms, dimensional and terms of measurement, procedural terms, and development standards and design terms.

### Current Sections

Below is a summary of content from the current Code of Ordinances that will be incorporated into this new article:

#### **Chapter 1 – General Provisions**

1-2: *Definitions and Rules of Construction (partial)*

#### **Chapter 2 – Administration**

##### **Article III – Officers and Employees**

2-91 – *Definitions (partial)*

#### **Chapter 14 – Aviation**

##### **Article III – Municipal Airport**

14-61A: *Definitions (partial)*

##### **Article IV – Airport Zoning**

14-121: *Definitions*

#### **Chapter 18 – Buildings and Building Regulations**

##### **Article X – Fences**

18-611: *Definitions*

##### **Article XI – Satellite Earth Stations**

18-651: *Definitions*

##### **Article XIII – Solar Energy Systems**

18-726: *Definitions*

#### **Chapter 22 – Business**

##### **Article IV – Sexually Oriented Business**

22-131: *Definitions*

#### **Chapter 34 – Environment:**

**Article II – Landscape Preservation and Protection**

34-31: Definitions

**Article VI – Landscaping Regulations**

34-202: Definitions

34-207 Landscape Design Standards (only visibility triangle standard (c))

**Chapter 42 – Floods**

**Article II – Flood Damage Prevention**

42-32: Definitions

**Chapter 62 – Signs:**

**Article I – In General**

62-1: Definitions

**Chapter 70 – Streets, Sidewalks, and Other Public Places**

**Article VII – License for Use of Public Right-Of-Way**

70-320: Definitions

**Chapter 78 – Traffic and Vehicles**

**Article I – In General**

78-8: Obstacles

78-12: Structures and Vegetation on Corner Lots

**Article VI – Abandoned and Junked Vehicles**

78-231: Definitions (partial)

**Appendix A – Zoning:**

**Article VIII – “A” Apartment District Regulations**

4: Area Regulations (only setback exceptions)

**Article XIX.A – Belt Line District Regulations**

2: Definitions

**Article XXIII – Nonconforming Uses**

1: Definition

**Article XXX - Definitions**

**Appendix B – Subdivisions**

3: Definitions



**ADDISON UDC**  
**UNIFIED DEVELOPMENT CODE**

# Detailed Review of Current Development Regulations

March 2019

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# 1) Detailed Review of Current Development Ordinances

In addition to the general comments noted in the Development Regulations Assessment, the table below provides a section-by-section review of the elements of the current Addison Code of Ordinances that will be into the new Unified Development Code (UDC). This analysis is based on discussions with staff and stakeholders and our own observations. The following table includes comments for several section of the Code of Ordinances; however, we do not provide detailed comments on every section.

ARTICLE/SECTION	COMMENTS
Table of Contents	<ul style="list-style-type: none"> <li>Consolidate all contents of the new Unified Development Code under one cover.</li> <li>Include a summary TOC for the entire document, along with detailed contents for each chapter.</li> <li>Add page numbers.</li> </ul>
Generally	<ul style="list-style-type: none"> <li>Relocate existing content to the new chapter addressing that topic. For example, all definitions will be relocated to the Definitions chapter. Likewise, all content related to permitting and procedures will be relocated to the Administration and Procedures chapter. See the detailed annotated outline in the Development Regulations Assessment Report for section-by-section relocations.</li> <li>Reconcile any duplicative and/or conflicting standards to ensure consistent interpretation and meaning.</li> </ul>
<b>Chapter 10 – Animals</b>	
<b>Article I – In General</b>	
Sec 10-9 – Requirements for keeping livestock and fowl	<ul style="list-style-type: none"> <li>Relocate to use-specific standards section and adjust location separation requirements and minimum area requirements per animal as necessary.</li> </ul>
<b>Chapter 14 – Aviation</b>	
<b>Article III – Municipal Airport</b>	
<b>Division 1 – Generally</b>	
Sec 14-69 – Hangars	<ul style="list-style-type: none"> <li>Relocate to use-specific standards section, or provide a cross-reference to this section so airport hangar use regulations are clear.</li> </ul>
<b>Article IV – Airport Zoning</b>	
<b>Division 1 – Generally</b>	
Sec 14-122 - Zones	<ul style="list-style-type: none"> <li>As necessary, provide graphic or illustration identifying zones.</li> </ul>
Sec 14-123 - Height limitations	<ul style="list-style-type: none"> <li>As necessary, provide graphic or illustration identifying height limitation in zones.</li> </ul>
<b>Chapter 18 – Buildings and Building Regulations</b>	
<b>Article X – Fences</b>	
Generally	<ul style="list-style-type: none"> <li>Update standards to be more comprehensive, include more graphics, and provide examples of fencing scenarios to help users better understand the content.</li> <li>Expand applicability of fencing standards to all property in all zones and eliminate the exemption for town-</li> </ul>

## 1) Detailed Review of Current Development Ordinances

ARTICLE/SECTION	COMMENTS
	owned property.
Sec 18-619 - Fence materials—Residential uses	<ul style="list-style-type: none"> <li>Clarify to be more objective.</li> </ul>
Sec 18-620 - Barbed wire—Nonresidential uses	<ul style="list-style-type: none"> <li>Consider limiting barbed-wire to specified zone districts (light industrial and airport zones).</li> </ul>
Sec 18-622 - Same—Schools	<ul style="list-style-type: none"> <li>Reconcile embedded definition for “school” with other definitions found throughout the UDC.</li> </ul>
Sec 18-624 - General fence provisions	<ul style="list-style-type: none"> <li>Update to be more objective and enforceable.</li> </ul>
<b>Article XI – Satellite Earth Stations</b>	
Generally	<ul style="list-style-type: none"> <li>Relocate to the use-specific standards section of the UDC (except definitions will go to definitions chapter).</li> </ul>
Sec 18-652 - Purpose	<ul style="list-style-type: none"> <li>Rewrite purpose statement to remove embedded definitions and to use simpler language relevant to today’s technology.</li> </ul>
<b>Article XIII – Solar Energy Systems</b>	
Generally	<ul style="list-style-type: none"> <li>Relocate to the use-specific standards section of the UDC (except definitions will go to definitions chapter).</li> </ul>
Sec 18-727 - Purpose	<ul style="list-style-type: none"> <li>Rewrite purpose statement to be clearer and to reference specific town goals/objectives related to solar energy.</li> </ul>
<b>Chapter 22 – Business</b>	
<b>Article IV – Sexually Oriented Business</b>	
<b>DIVISION 1 – Generally</b>	
Generally	<ul style="list-style-type: none"> <li>Relocate content to the use-specific standards section of the UDC to satisfy Sec. 243.003 of the LGC (any amendments fall under the procedures for a zone text amendment, which require notices, hearings, etc.).</li> <li>Carry forward largely intact without changing substantive content. Evaluate current standards to ensure they are consistent with state and federal law, and consult the Town’s legal department for items requiring attention.</li> </ul>
<b>Chapter 34 - Environment</b>	
Generally	<ul style="list-style-type: none"> <li>Replace all references to “director” with “director of parks and recreation.”</li> </ul>
<b>Article II – Landscape Preservation and Protection</b>	
Sec 34-35 - Trees in public property	<ul style="list-style-type: none"> <li>Clarify that any authority or duty granted to the director of parks and recreation also includes persons the director delegates that authority to.</li> </ul>
Sec 34-36 - Permit for removal or planting of plant materials on public property	<ul style="list-style-type: none"> <li>Clarify what type of permit is needed and ensure a specific procedure is established to review and evaluate said permit.</li> </ul>
<b>Article VI – Landscaping Regulations</b>	
General	<ul style="list-style-type: none"> <li>Various rules requiring screening or view-blocking should be tightened, by including, the exact location</li> </ul>

## 1) Detailed Review of Current Development Ordinances

	and height of the viewpoint and the opacity of the screen, if not specified.
Sec 34-201 - Purpose	<ul style="list-style-type: none"> <li>• Update purpose statement to capture additional goals and objectives specified in the Comprehensive Plan.</li> <li>• Relocate landscape plan evaluation criteria to the administration and procedures section.</li> </ul>
Sec 34-202 - Definitions	<ul style="list-style-type: none"> <li>• “Landscaped open area” – clarify whether non-irrigated areas count as landscaping (i.e., hardscape). There may be an existing interpretation that requires irrigation (verify with staff).</li> </ul>
Sec 34-203 - Applicability	<ul style="list-style-type: none"> <li>• (a): Remove references to specific application types.</li> <li>• (f)(4): Remove specific dollar threshold for remodeling projects that must meet landscaping requirements.</li> <li>• Reconcile applicability triggers with other redevelopment triggers in new UDC.</li> <li>• Staff’s goal: rather than strict compliance for redevelopment, should instead come into as much compliance as possible.</li> <li>• (i): Reconcile BZA authority to grant special exception with variance and minor modification procedures</li> </ul>
Sec 34-204 - Required landscape documents	<ul style="list-style-type: none"> <li>• Establish authority to submit an alternative landscape plan.</li> <li>• Relocate specific submittal requirements to an administrative manual outside the code.</li> </ul>
Sec 34-205 - Plant material substitutions	<ul style="list-style-type: none"> <li>• Allow artificial turf in limited circumstances (e.g., where grass is difficult to grow, where there is a history of maintenance challenges). Set minimum quality requirements for turf.</li> </ul>
Sec 34-206 - Landscape and irrigation plan submittal	<ul style="list-style-type: none"> <li>• Relocate to the administration and procedures chapter.</li> </ul>
Sec 34-207 - Landscape design standards	<ul style="list-style-type: none"> <li>• Replace minimum landscape area requirement with a standard that requires landscaping on all areas of the lot that are not covered by buildings, parking areas, accessways, trails, etc. This approach requires the balance of the lot area to be landscaped (without establishing arbitrary percentages that are difficult to justify). Additionally, impervious surface coverage maximums indirectly influence minimum landscape area on a lot.</li> <li>• Define how much space should be provided around trees to support required trees.</li> <li>• (a): Revise to clarify how much landscape buffer is needed along a street frontage. Allow flexibility/exceptions for mixed-use urban areas with required build-to standards.</li> <li>• (b), (d), (e): Coordinate standards and establish a menu of screening options.</li> <li>• (c) Reconcile visibility triangle standards with other conflicting standards in the code.</li> <li>• (e): Replace arbitrary landscaping percentage requirements for interior parking lots with clear and</li> </ul>

## 1) Detailed Review of Current Development Ordinances

	<p>objective standards (i.e., one landscape island for every 10 consecutive parking spaces).</p> <ul style="list-style-type: none"> <li>• (e) Allow landscaped bio-swailes or other environmentally friendly alternatives in lieu of curbed islands (to improve water quality and reduce demand on stormwater infrastructure).</li> </ul>
Sec 34-208 - Tree replacement and protection	<ul style="list-style-type: none"> <li>• Generally, ensure that the UDC reflects current enabling authority for tree protection.</li> <li>• (b)(2): Provide more flexibility in mitigation requirements (i.e., maintain caliper inch for caliper inch requirement, but allow several small trees to fulfill that requirement.</li> <li>• (c): Relocate to the administration and procedures section and update for overall consistency with the UDC.</li> </ul>
Sec 34-209 - Landscape standards and specifications	<ul style="list-style-type: none"> <li>• (b): Put as much of this in a separate manual as possible.</li> <li>• (c): Carry forward, these specs are correct and current.</li> </ul>
Sec 34-213 - Certificate of occupancy	<ul style="list-style-type: none"> <li>• Reconcile this standard with the bonding options above (i.e., if a bond is placed, can a CO be issued?).</li> </ul>

### Chapter 42 – Floods

Generally	<ul style="list-style-type: none"> <li>• Content specifically related to development standards and quality may be relocated to the development standards of the UDC. Rather than relocating the entire contents of this chapter, these standards may be cross-referenced in the UDC to ensure developers are aware they need to comply with flood requirements.</li> </ul>
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### Chapter 62 - Signs

Generally	<ul style="list-style-type: none"> <li>• Revise standards to be “content neutral” in compliance with the Reed v. Gilbert federal court case (see Development Regulations Assessment).</li> <li>• Relocate all fees to an administrative manual outside of the UDC.</li> <li>• Relocate specific application submittal requirements to an administrative manual outside the UDC.</li> <li>• Standardize methods of measurement for consistency (i.e., all required setbacks measured from the property line rather than the curb, etc.).</li> </ul>
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### ARTICLE I - In General

General	<ul style="list-style-type: none"> <li>• Do not allow electronic/LED signs. Currently: changing message board signs are allowed, but need to update to prohibit.</li> </ul>
Sec 62-1 - Definitions	<ul style="list-style-type: none"> <li>• “Sign, monument”: remove “route wood planks or beams”</li> <li>• “sign, protective”: contains content-based regulation.</li> </ul>
Sec 62-5 - Nuisances	<ul style="list-style-type: none"> <li>• Verify (3) is consistent with enforcement provisions and local law.</li> </ul>

## ARTICLE II - Administration and Enforcement

### DIVISION 1 - Generally

Sec 62-31 - Administration	<ul style="list-style-type: none"> <li>Consider replacing this with the Director of Infrastructure and Development Services.</li> </ul>
Sec 62-32 - Nonconforming signs	<ul style="list-style-type: none"> <li>Relocate to the nonconforming section in the Administration and Procedures chapter.</li> </ul>
Sec 62-33 - Meritorious exceptions	<ul style="list-style-type: none"> <li>Rename this from the awkward “meritorious exception.” Process is used four or five times per year.</li> <li>Provision d(3) is too vague to be enforced. Also, why is this authority given to Council and not P&amp;Z? Consider giving P&amp;Z purview over signs generally.</li> <li>Consider folding this procedure into the minor modification procedure discussed in the Assessment.</li> </ul>
Sec 62-34 - Impounded signs	<ul style="list-style-type: none"> <li>Relocate to enforcement and penalties section.</li> </ul>
Sec 62-35 - Violations	<ul style="list-style-type: none"> <li>Relocate to enforcement and penalties section.</li> </ul>

### DIVISION 2 - Permits

Sec 62-51 - Required	<ul style="list-style-type: none"> <li>(b): verify correct terminology of “repair permit.” Reconcile with nonconforming section regarding repairs.</li> </ul>
Sec 62-59 - Condemnation; notice	<ul style="list-style-type: none"> <li>Relocate to enforcement and penalties section.</li> <li>Confirm policy decision to require removal of signage, discuss with town attorney’s office.</li> </ul>

## ARTICLE III - Contractors

### DIVISION 1 - Generally

Sec 62-81 - Abandoned signs	<ul style="list-style-type: none"> <li>Relocate to enforcement and penalties section.</li> <li>Confirm policy decision to require removal of signage, discuss with town attorney’s office.</li> </ul>
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## ARTICLE IV - Requirements for Specific Types of Signs

### DIVISION 2 - Signs Allowed Without Permits

Sec 62-137 - Government signs	<ul style="list-style-type: none"> <li>(b): Revise to make “content neutral” (i.e., remove references to specific flags that can be displayed without a permit).</li> </ul>
Sec 62-138 - Holiday decorations	<ul style="list-style-type: none"> <li>Rename to “seasonal lighting.”</li> <li>Update illustration.</li> </ul>
Sec 62-140 - Gasoline signs	<ul style="list-style-type: none"> <li>Consider eliminating standards for fuel pump and pricing signage.</li> </ul>
Sec 62-141 - Words on machinery or equipment	<ul style="list-style-type: none"> <li>Consider eliminating standards for words on machinery or equipment.</li> </ul>
Sec 62-142 - Protective signs	<ul style="list-style-type: none"> <li>Consider eliminating standards for protective signs.</li> </ul>
Sec 62-143 - Single-family or duplex residential premises	<ul style="list-style-type: none"> <li>Update for content neutrality, (i.e., allow a three square foot sign for all residential property).</li> </ul>

### DIVISION 3 - Attached Signs

## 1) Detailed Review of Current Development Ordinances

Sec 62-163 - Area	<ul style="list-style-type: none"> <li>Consider eliminating maximum letter/logo standards to be consistent with Reed v. Gilbert decision (i.e., if the content on the sign has to be evaluated to determine if it complies with code it is not consistent with case law).</li> </ul>
<b>DIVISION 4 - Detached Signs</b>	
Sec 62-183 - Number of signs	<ul style="list-style-type: none"> <li>(4): Reconcile with other clear view triangle standards.</li> </ul>
Sec 62-184 - Setback, effective area and height	<ul style="list-style-type: none"> <li>Curb distance is not always the most appropriate measurement; add in authority for alternative measurement of setback at Director discretion.</li> </ul>
Sec 62-185 - Specifications	<ul style="list-style-type: none"> <li>Staff reports that the required measurements do not add up to 36 square feet.</li> <li>Consider allowing more flexibility in color and structure, but not size.</li> <li>"Sign face": this specifies plastic sheet, but the older ones were metal. Be careful in calling something a "nonconforming sign" solely for this reason.</li> <li>Update illustrations.</li> </ul>
<b>DIVISION 5 - Real Estate/Leasing/Construction Signs</b>	
Sec 62-208 - Real estate/leasing signs	<ul style="list-style-type: none"> <li>Revise to remove content-based regulation.</li> <li>Consider allowing more flexibility in color and structure, but not size.</li> </ul>
Sec 62-209 - Real estate directional signs	<ul style="list-style-type: none"> <li>Revise to allow temporary signage of a specific size and during a specific time.</li> </ul>
<b>DIVISION 7 - Temporary Signs</b>	
Sec 62-247 - Political signs	<ul style="list-style-type: none"> <li>Revise to remove content-based regulation.</li> </ul>
<b>ARTICLE V - Prohibited Signs</b>	
Sec 62-271 - Animation prohibited	<ul style="list-style-type: none"> <li>Consider revising 20 minute threshold to 8 minutes.</li> </ul>
Sec 62-273 - Hazardous or nuisance signs	<ul style="list-style-type: none"> <li>Revise to be more enforceable (i.e., a specific light output measured at a specific place on the property).</li> </ul>
Sec 62-279 - Temporary real estate directional signs	<ul style="list-style-type: none"> <li>Reconcile with current Sec. 62-209.</li> </ul>
<b>ARTICLE VI - Special Districts</b>	
Sec 62-289 - Generally	<ul style="list-style-type: none"> <li>Reevaluate special sign districts and establish a map with specific boundaries for each.</li> <li>Rewrite to specify standards (rather than simply referring to a graphic/figure).</li> <li>(a)(1): Eliminate maximum letter height.</li> <li>(b): Eliminate specific standards based on the type of tenant, standards for a specific sign type should be consistent throughout (regardless of if it's a grocer or health club).</li> <li>(b)(12): Window signs – Consider revisions to allow more flexibility and/or to improve compliance.</li> </ul>

## Chapter 66 – Solid Waste

## ARTICLE II – Collection and Disposal

### DIVISION 1 - Generally

Sec 66-32 – Location of trash receptacles; use

- Reconcile these standards with new standards in the UDC, provide a cross-reference as necessary.

## Chapter 70 – Streets, Sidewalks and Other Public Places

### Article VII – License for Use of Public Right-of-Way

#### DIVISION 1 - Valet Parking Services

Sec 70-320 - Definitions

- Clarify who administers these standards, current code is unclear.

Sec 70-322 - License required; application; issuance

- Evaluate the effectiveness of the current permitting system (i.e., how are permits obtained, are they being enforced, who is tracking permits?).
- Consider replacing the valet permit system with clear and objective standards in the UDC allowing valet/shared parking and leaving administration up to the land manager.

Sec 70-324 - Denial or revocation of license; temporary suspension

- Rewrite criteria to be clear and objective.

## Chapter 78 – Traffic and Vehicles

### ARTICLE I – In General

Sec 78-8 Obstacles

- Reconcile with other clear view standards.

Sec 78-12 – Structures and Vegetation on Corner Lots

- Reconcile with other clear view standards.

### ARTICLE IV - Stopping, Standing and Parking

Sec 78-175 – Overnight parking of trucks and buses with more than three-quarter ton rated capacity within certain zones prohibited

- Relocate to general use standards for residential

Sec 78-176 – Parking for handicapped persons

- Cross-reference this section in the parking chapter.

Sec 78-179 – Parking on unimproved surfaces

- Relocate to the parking design section. Relocate administration, enforcement, and appeals to the administration chapter and reconcile with the standard enforcement/appeal process.

Sec 78-180 – Valet parking services; reflective clothing

- Cross-reference this standard in the valet parking section of the UDC.

### ARTICLE VI - Abandoned and Junked Vehicles

Sec 78-231 – Definitions

- Ensure consistent terminology and definitions for outdoor storage sections.

Sec 78-286 – Storage

- Relocate to the general use standards for residential uses, reconcile with Sec. 78-175.

## APPENDIX A - Zoning

Generally

- Zoning Districts



## 1) Detailed Review of Current Development Ordinances

	<ul style="list-style-type: none"> <li>○ See Major Themes – Create a More User-Friendly Code. List uses and use-specific standards in a summary table.</li> <li>○ Summarize dimensional standards related to setbacks, lot size, and height in a summary table for all zone districts.</li> <li>○ Consider eliminating the minimum dwelling area requirement.</li> <li>○ List all minimum and maximum parking requirements in a summary table for all uses and zoning districts.</li> <li>○ Relocate all site and building design standards (e.g., exterior brick requirements, refuse containers, etc.) to the Site and Building Design Chapter.</li> <li>○ Consider defining masonry products to clarify if thin brick, sticky stone, or spray on limestone products are acceptable.</li> </ul>
<b>ARTICLE I - Title and Purpose</b>	
Section 1 - Title	<ul style="list-style-type: none"> <li>• Update reference to be “unified development code” or “UDC.”</li> </ul>
Section 2 - Purpose	<ul style="list-style-type: none"> <li>• Reference implementation of the Comprehensive Plan and its goals and policies.</li> </ul>
<b>ARTICLE II – Districts and District Boundaries</b>	
Section 1 - Districts	<ul style="list-style-type: none"> <li>• Update to reflect revised line-up of zoning districts.</li> <li>• Current zoning map has “P” open space district but not mentioned in the code text.</li> <li>• Remove SUP, not a district.</li> </ul>
Section 2 - Boundaries	<ul style="list-style-type: none"> <li>• Establish general rules for where zoning district boundaries exist. Nothing should be left un-zoned (street centerlines should be the normal line of demarcation when boundaries follow streets, and “open space” should be included in an actual district.).</li> <li>• Include process by which boundary disputes are handled, and how to make amendments to the map.</li> <li>• Move content from Appendix A, Article III, Section 1 regarding procedures for mapping newly annexed land to this section.</li> <li>• Confirm zoning map is actually “on file with the city secretary” and make sure it is up-to-date, legible, etc. This should probably not be the GIS map.</li> </ul>
Section 3 - Use of Land and Buildings	<ul style="list-style-type: none"> <li>• Move to Use Regulations Chapter and make broader.</li> </ul>
<b>ARTICLE III - Newly Annexed Territory</b>	
Section 1 - Temporary classification	<ul style="list-style-type: none"> <li>• Update to refer to <i>any</i> land added by boundary change (if any).</li> <li>• Remove “temporary” and “permanent” classifications.</li> <li>• Amend to allow combination of annexation proceedings with zoning proceedings (simultaneous).</li> </ul>

### Section 2 - Issuance of permits

- Relocate to the post-decision actions and limitations portion of the Administration and Procedures Chapter addressing annexations.
- Verify consistency with Sec. 43.002 of the LGC.

### ARTICLE IV - R-1 Single-Family Dwelling District Regulations

### Section 3 - Area regulations

- Consider revising the lot dimensional standards to better reflect the existing built condition (see Development Regulations Assessment).

### ARTICLE V - R-2 Single-Family Dwelling District Regulations

### Generally

- Eliminate as obsolete, never applied to zoning map.

### ARTICLE VI - R-3 Single-Family Dwelling District Regulations

### Generally

- Eliminate as obsolete, never applied to zoning map.

### ARTICLE VII - R-16 Single-Family Dwelling District Regulations

### Generally

- Carry forward and rename to "R-2 Residential Large Lot."

### ARTICLE VIII - "A" Apartment District Regulations

### Generally

- Relocate to appendix as obsolete district.

### ARTICLE IX - LR Local Retail District Regulations

### Generally

- Write a clear purpose statement.
- Option 1: To maintain a suburban corridor commercial district, carry forward largely intact, and rename to "commercial limited."
- Option 2: To move away from the suburban development pattern, eliminate and replace with one of the new mixed-use zone districts derived from the UC or Belt Line sub-districts.
- Option 3: Carry forward the district as obsolete in an appendix to the UDC, allowing currently zoned parcels to maintain their status, but prohibiting any future rezonings to the district.

### Section 7 - Loading and unloading facilities

- Clarify loading requirement thresholds and provide specific options for screening methods.

### ARTICLE X - C-1 Commercial-1 District Regulations

### Generally

- Option 1: To move away from the suburban development pattern, eliminate and replace with one of the new mixed-use zone districts derived from the UC or Belt Line sub-districts.
- Option 2: Carry forward the district as obsolete in an appendix to the UDC, allowing currently zoned parcels to maintain their status, but prohibiting any future rezonings to the district.

### ARTICLE XI - C-2 Commercial-2 District Regulations

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Generally	<ul style="list-style-type: none"><li>Consider consolidating this district with the I-1 and I-2 zone districts to create a true, “IN, Light Industrial” district.</li></ul>
Section 1 - Use regulations	<ul style="list-style-type: none"><li>Consider the treatment of sexually oriented businesses and ensure standards are compliant with Chapter 243 of the LGC.</li></ul>
<b>ARTICLE XII - I-1 Industrial-1 District Regulations</b>	
Generally	<ul style="list-style-type: none"><li>Consider consolidating this district with the C-1 and I-2 zone districts to create a true, “IN, Light Industrial” district.</li></ul>
Section 5 - Type of construction	<ul style="list-style-type: none"><li>Consider a more relaxed building masonry requirement similar to what is currently required in the I-2 zone district – masonry on facades facing a dedicated street and then 20 feet back from that façade.</li></ul>
<b>ARTICLE XIII - I-2 Industrial-2 District Regulations</b>	
Generally	<ul style="list-style-type: none"><li>Consider consolidating this district with the C-1 and I-1 zone districts to create a true, “IN, Light Industrial” district.</li></ul>
<b>ARTICLE XIV - I-3 Industrial District Regulations</b>	
Generally	<ul style="list-style-type: none"><li>Carry forward and rename to “A, Airport.”</li><li>Introduce a new suite of design and development regulations tailored to the airport context to address development quality, scale, and design.</li></ul>
<b>ARTICLE XV - Planned Development District</b>	
Section 2 - Application	<ul style="list-style-type: none"><li>Consider establishing a minimum site area threshold limiting the available of PD development (i.e., minimum 5 acres).</li></ul>
Section 5 - Procedure for approval of development plan	<ul style="list-style-type: none"><li>Formalize a two-step PD review process – preliminary and final approval (see Development Regulations Assessment).</li></ul>
Section 6 - Coordination with subdivision regulation ordinance	<ul style="list-style-type: none"><li>Clarify how PD submittals and review coordinate with subdivision procedures (simultaneous review).</li></ul>
<b>ARTICLE XVI - Planned Development, Townhouse/Condominium</b>	
Generally	<ul style="list-style-type: none"><li>Eliminate district.</li></ul>
<b>ARTICLE XVII - Planned Development, Condominium Conversions</b>	
Generally	<ul style="list-style-type: none"><li>Eliminate district and revert PD-CC properties back to the “A” zone designation (or equivalent).</li></ul>
<b>ARTICLE XVIII - MXR Mixed Use Residential District Regulations</b>	
Generally	<ul style="list-style-type: none"><li>Extract the MXR sub-district standards and establish three new residential base districts (R-3 low-density, R-4 medium density, and R-5 high density).</li><li>Relocate regulatory standards from the original ordinance appendix to the UDC.</li></ul>

## 1) Detailed Review of Current Development Ordinances

Section 1 - Statement of purpose	<ul style="list-style-type: none"> <li>Draft clear purpose statements for each new base district.</li> </ul>
Section 21 - Accessory uses	<ul style="list-style-type: none"> <li>Relocate specific standards to the use regulations chapter and consolidate with other standards addressing accessory uses.</li> </ul>
Section 22 - Design standards	<ul style="list-style-type: none"> <li>Consider removing density metrics and replacing them with other lot and building envelope standards (setbacks, building height, lot coverage, etc.), which achieves the same intent without establishing an arbitrary maximum.</li> <li>(E): Consider added flexibility with exterior building material and colors.</li> </ul>
Section 3 - Open space requirements	<ul style="list-style-type: none"> <li>Consider updating these standards to generally apply to all development that meets a specific threshold and relocate them to a new Parks and Open Space Section of the UDC.</li> </ul>
Section 4 - Concept and development plan approval	<ul style="list-style-type: none"> <li>Replace this process with standard site plan procedures (when applicable).</li> <li>Consider making some of these standards generally applicable to PD development review.</li> </ul>
Section 5 - Waiver of design standards	<ul style="list-style-type: none"> <li>Eliminate procedure and replace with the “minor modification” tool (see Development Regulations Assessment).</li> </ul>
<b>ARTICLE XIX - UC Urban Center District Regulations</b>	
Generally	<ul style="list-style-type: none"> <li>Carry the substance of this district forward, but in two different mixed-use zone districts that align with the current sub-districts (residential and commercial).</li> </ul>
Section 1 - Purpose of district	<ul style="list-style-type: none"> <li>Rewrite purpose statement to allow broad application of the new districts anywhere in the Town.</li> <li>Replace the phased approval procedure with standard site plan procedures.</li> </ul>
Section 2 - Use regulations; residential subdistrict	<ul style="list-style-type: none"> <li>(E): When appropriate, consider applying these use-specific standards town-wide.</li> </ul>
Section 3 - Dimensional and design standards; residential subdistrict	<ul style="list-style-type: none"> <li>(B)(2): Consider eliminating floor area ratio standards.</li> <li>(E): Establish a “build-to-range” allowing more flexibility with building and site design.</li> <li>(F): Relocate open space requirements and consider applying more broadly town-wide.</li> </ul>
Section 5 - Dimensional and design standards; commercial subdistrict	<ul style="list-style-type: none"> <li>(C): Establish a “build-to-range” allowing more flexibility with building and site design.</li> </ul>
Section 6 - Flexible standards	<ul style="list-style-type: none"> <li>Eliminate procedure and replace with the “minor modification” tool (see Development Regulations Assessment).</li> </ul>
Section 7 - Establishment of district	<ul style="list-style-type: none"> <li>Eliminate and replace with general zoning map amendment procedure.</li> </ul>
Section 8 - Preliminary development plan approval procedure	<ul style="list-style-type: none"> <li>Eliminate and replace with standard site plan or other development permit procedures. Consider making some of these standards generally applicable to PD</li> </ul>

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	development review.
Section 9 - Final development plan approval	<ul style="list-style-type: none"> <li>Eliminate and replace with standard site plan or other development permit procedures. Consider making some of these standards generally applicable to PD development review.</li> </ul>
Section 10 - Conditional use procedure	<ul style="list-style-type: none"> <li>Relocate to the administration and procedures chapter and consider making procedure generally applicable to all conditional use review town-wide.</li> <li>Consider delegating decision-making authority from the City Council to the Planning and Zoning Commission.</li> </ul>
Section 11 - Waiver procedure	<ul style="list-style-type: none"> <li>Eliminate procedure and replace with the “minor modification” tool (see Development Regulations Assessment).</li> </ul>
Section 12 - Amendments of plan	<ul style="list-style-type: none"> <li>Replace with amendment procedures for specific development permit approvals (i.e., site plans, etc.).</li> </ul>
Section 13 - Lapse of approvals	<ul style="list-style-type: none"> <li>Eliminate and replace with standard site plan or other development permit procedures. Consider making some of these standards generally applicable to PD development review.</li> </ul>
Section 14 - Special conditions applicable to particular uses	<ul style="list-style-type: none"> <li>When appropriate, consider applying these use-specific standards town-wide.</li> </ul>
<b>ARTICLE XIXA - Belt Line District Regulations</b>	
Generally	<ul style="list-style-type: none"> <li>Carry the substance of this district forward, but in one or more different mixed-use zone districts that align with the current sub-districts.</li> <li>Extract development and design standards to the new sections in the UDC that address similar content and consider making standards generally applicable town-wide.</li> </ul>
Sec I - Purpose, goals and intent	<ul style="list-style-type: none"> <li>Rewrite purpose statements to allow broad application of the new districts anywhere in the Town.</li> </ul>
Sec III - General district standards	<ul style="list-style-type: none"> <li>Eliminate procedure and replace with the “minor modification” tool (see Development Regulations Assessment).</li> <li>(E): Consider build-to-range to provide more flexibility.</li> <li>Staff suggests keeping the sub-district structure for predictability.</li> </ul>
Sec VIII - Procedures	<ul style="list-style-type: none"> <li>Eliminate and replace with general zoning map amendment procedure.</li> <li>Consider making some of these standards generally applicable to PD development review.</li> </ul>
Appendix II - Street Types	<ul style="list-style-type: none"> <li>Consider relocating to a separate design manual.</li> </ul>
Appendix III - Belt Line District Engineering And Landscape Standards	<ul style="list-style-type: none"> <li>Consider relocating to a separate design manual.</li> </ul>
<b>ARTICLE XX - Special Uses</b>	

## 1) Detailed Review of Current Development Ordinances

Section 1 - Special uses in specified districts	<ul style="list-style-type: none"> <li>• (A): Allowing so many uses in “any district” and liberally allowing intrusive uses in restricted districts is probably unintended, and it weakens the theoretical underpinnings for SUP’s or CUP’s (e.g., they should be pre-planned and protect surrounding areas).</li> <li>• (B) and (C): Relocate to the administration and procedures chapter and rewrite review criteria to be more subjective.</li> </ul>
<b>ARTICLE XXII - Exceptions</b>	
Generally	<ul style="list-style-type: none"> <li>• Create a comprehensive list of features that can project into required yards (fences, mechanical equipment, etc.)</li> </ul>
Section 1 - Vision clearance	<ul style="list-style-type: none"> <li>• Definition is different from the definition in Article XXX</li> <li>• Reconcile clear vision area with Chapter 34, Article VI, Section 34-207(c) and paragraph (3) of Section 34-207(c).</li> </ul>
Section 2 - Front yard	<ul style="list-style-type: none"> <li>• Rewrite standards to address lack of clarity, vagueness, improper delegation (to the neighbors), inconsistency with other sections (e.g., “build-to” sections).</li> </ul>
Section 4 - Lot area	<ul style="list-style-type: none"> <li>• Clarify that the developer would need to demonstrate that the lot was legally created at some point in time (i.e., a legal nonconforming lot).</li> <li>• Ensure definition of “lot” is broad enough to cover this provision.</li> </ul>
Section 5 - Location of dwellings and buildings	<ul style="list-style-type: none"> <li>• Reconcile conflicts with other articles, especially multifamily provisions.</li> <li>• Clarify what “minimum width” and “means of access” means.</li> </ul>
<b>ARTICLE XXIII - Nonconforming Uses</b>	
Generally	<ul style="list-style-type: none"> <li>• Draft distinct rules to regulate “uses” (which should be defined to include occupancies and activities) and structures.</li> <li>• Introduce process to register nonconforming status.</li> <li>• Add comprehensive provisions for losing nonconforming status, for both uses and structures.</li> <li>• Consider adding provisions for reinstating nonconforming status that has been lost, with appropriate criteria.</li> <li>• Provide efficient procedures for adjudicating nonconforming status, with appeals (safest to use the ZBA).</li> <li>• Consider modifying application forms to require applicants to disclose any claims to nonconforming status and any claims that the then-current ordinances do not apply to them (i.e., Alcoholic Beverage Code has special grandfathering for premises that do not meet distance restrictions).</li> </ul>
Section 8 - Registration of nonconforming use	<ul style="list-style-type: none"> <li>• Allowing a certificate of occupancy to “renew” a nonconformity is unorthodox.</li> </ul>

## 1) Detailed Review of Current Development Ordinances

Section 10 - Abandonment	<ul style="list-style-type: none"><li>• Separate rules for uses with rules for structures.</li></ul>
<b>ARTICLE XXIV - Board of Adjustment</b>	
Generally	<ul style="list-style-type: none"><li>• To keep up-to-date, adopt ZBA provisions from Ch. 211, LGC as amended from time to time in the future, by reference, and only insert amendments or supplements that are needed and allowed by the LGC.</li></ul>
Section 1 - Created	<ul style="list-style-type: none"><li>• Keep definitions of review bodies in Article 2; but ensure there are no conflicts with UDC definitions.</li></ul>
<b>ARTICLE XXV - Unplatted Property</b>	
Generally	<ul style="list-style-type: none"><li>• Should refer to any land added by boundary change (if any).</li><li>• Coordinate standards with overlapping requirements in Art. III (annexation, etc.).</li></ul>
<b>ARTICLE XXVI - Permits and Certificates</b>	
Section 1 - Certificate of occupancy and compliance	<ul style="list-style-type: none"><li>• Should follow standard practice and the Town's current approach, especially A and C. Example: A building permit--not a CO--is normally required to construct or alter a building or excavate for it.</li><li>• Should be much broader and coordinated with Art. II, Sec. 3 and Art. XXVII.</li></ul>
<b>ARTICLE XXVII - Enforcement</b>	
Section 1 - Administration and enforcement by the zoning administrator	<ul style="list-style-type: none"><li>• Should be much broader and coordinated with Art. II, Sec. 3 and Art. XXVI; include all remedies allowed.</li><li>• Rewrite to include better descriptions of enforcement process, what is a violation, penalties and remedies, timeframe for coming into compliance, etc.</li></ul>
<b>ARTICLE XXVIII - Penalty for Violation</b>	
Section 1 - Violation; penalty	<ul style="list-style-type: none"><li>• Revise to be more broad (especially as to persons liable) and coordinated with Art. II, Sec. 3, Art. XXVI and Art. XXVII.</li><li>• Include all remedies allowed (e.g., injunctions, civil penalties).</li><li>• Civil penalties require special "due process" procedures.</li></ul>
<b>ARTICLE XXIX - Changes and Amendments</b>	
Generally	<ul style="list-style-type: none"><li>• Clarify that this Article applies to all legislative amendments, including planned development, special use permits, conditional use permits, etc.</li><li>• To keep this Article always up to date and consistent with state law, the UDC could adopt the amendment provisions of Ch. 211 of the LGC as amended from time to time in the future, by reference, and only insert changes or supplements that are needed and allowed by the LGC. Examples: (i) specifying the persons and entities that may apply for amendments--which would</li></ul>



	<p>traditionally include the property owner, the P&amp;ZC, and City Council—with specific application provisions for each; (ii) providing for notices and joint public hearings; (iii) inserting requirements for three-fourths vote to approve; (iv) including provisions for rehearing, re-noticing, etc. (v) imposing “blackout” periods to restrict repetitive applications from owners, if desired.</p> <ul style="list-style-type: none"> <li>• An optional provision might require the P&amp;ZC to make reports to the Council when it disproves—or does not act upon—any application (to avoid disabling the Council from considering the application).</li> <li>• Formalize the required steps in Ch. 211 of the LGC for amendments (i.e., preliminary report, final report, multiple hearings before the P&amp;ZC, etc.) (see Sec. 211.007).</li> </ul>
Section 16 – Reserved	<ul style="list-style-type: none"> <li>• Verify new location of this content that was removed in 2016; make sure they are sufficient.</li> </ul>
Section 20 – Meeting open to the public	<ul style="list-style-type: none"> <li>• Revise to include an except for closed or executive sessions allowed by law.</li> </ul>

### Article XXX - Definitions

Generally

- Many terms have unexpected or obsolete meanings. Many important terms are not defined at all, and sometimes regulations have been nestled inside definitions.
- Define the following terms: Lot; block; tract; building; structure; height (improve base-level definition); face; front; street (including full right of way and roadway, also front street, side street, alley, public right of way, etc.); accessory (also accessory building, accessory structure, and accessory use; also, if needed, incidental); use (should be defined as an occupancy or activity, not a synonym for improvement or structure); family; dwelling (refer to constitutional cases and state law on “community homes”; dwelling unit (which should provide clearly for “servants quarters” or, perhaps, “accessory apartment;” and administrative official (see Ch. 211, LGC).
- Extract all regulatory language nestled inside definitions and move it to appropriate regulating sections.
- Some definitions that need special attention are:
  - #2: Accessory building
  - #5: Apartment-hotel
  - #8: Area of the lot (does not address easements)
  - #19: Building
  - #20 Building height
  - #25: City home
  - #35: Development
  - #39: District
  - #41: Family

- #44: Four plex (“not more than” clause)
  - #45: Front yard (“unoccupied” and “open” wording)
  - #47: Grade
  - #57: Hotel (also consider Texas Tax Code definition)
  - #59: Housing project
  - #66: Lot
  - #69: Lot of record
  - #73, #74: Mix use . . .
  - #75: Multifamily
  - #79: Nonconforming uses
  - #83: Open space
  - #87: Parking space (“on street” issue; embedded regs)
  - #89: Place
  - #96: Rear yard (“open space”; embedded regs)
  - #103: Servants quarters
  - #105: Shopping center
  - #108: Side yard
  - #109.1: Single-family dwelling
  - #118: Thoroughfare plan
  - #120.1: Townhouse
  - #121: Townhouse/condominium
  - #123: Trailer camp or park (check state law definitions)
  - #124: Two-family dwelling
  - #126: Visibility triangle
  - #127: Width of yard
  - #128: Yard
  - **Adjacent.** The word “adjacent,” which appears throughout, has been construed by a Texas court to mean “near,” not necessarily adjoining or touching. Need to check for intent each time the word is used and revise, if necessary; and add a definition of “adjacent.”
  - **Bedroom.** Minimum apartment area rule in Art. II, Sec.2, and other bedroom-based rules (including parking rules) appear to be easy to evade without a tight definition of “bedroom.” Refer to IBC/IRC and adopt or adapt a tight definition.
  - **Yards.** Re-wording the “yard” definitions and use yard or setback consistently. Clearly define front yard; side yard; etc. (should be defined as fixed areas measured front street line, property line, etc.--not from buildings),
  - Adopt Penal Code definitions and usage for “exceptions,” “presumptions,” “affirmative defenses,” etc.
-

### Article XXXII – Boundaries of Districts

Section 1 – Boundary uncertainties; rules

- Coordinate and consolidate with Article II.
- C: Reword and make more broad (not just un-subdivided property).

### Article XXXIII – Completion of Existing Buildings

Section 1 – Buildings under construction at the passage of this appendix

- Update to be consistent with all other nonconformity rules.

### Article XXXIV – Preserving Rights in Pending Litigation and Violations Under Existing Ordinances

Section 1 – Illegal use prior to passage of appendix

- Coordinate with nonconformity rules.
- Saving clause should be made to apply to any amendment (use effective date language).

### Appendix B - Subdivisions

Generally

- Clarify that a hearing is required to adopt or amend any rules governing plats and subdivisions.
- Clarify the definition for the term “subdivision” (which can mean either an area or an act) and under-inclusive, which can be especially troublesome if a plat is required when there is no actual “subdivision” (i.e., single-tract plats, combining plats).
- Avoid using “subdivision” in all titles, definitions, and “triggers.” Instead: (i) use a more-inclusive and less-ambiguous term like “platting,” and (ii) adopt and use key words from Ch. 212, LGC, e.g., “division” and “development.”

Section I - Division of land to be under supervision of the tow

- Incorporate broadly-worded triggers for platting, including all “divisions” of land mentioned in Ch. 212 (also, broad interpretation by Texas cases, including, division by leasing).
- Verify consistency with the Texas Condominium Act re “horizontal condos.”
- If the Town wants to use “development plats,” the ordinance must expressly “choose to be covered by Subchapter B of Ch. 212” of the LGC and broaden the “triggers” for platting.
- Geographic scope of the ordinance should cover all of the Town’s incorporated area and should be expressly “extended to” its extraterritorial jurisdiction, if any, subject to state laws. See 212.0025 and 212.00 of LGC.
- Should refer to exemptions granted by state law from time to time (i.e., “greater than five acres” exemption in Sec. 212.004), but not re-adopt them into the UDC. Even if there is a state-law exemption from filing a division plat, a development plat might still be required when there is “development.”
- Should list any additional local exemptions desired. See Sec. 212.0045, which allows cities to “define and classify” divisions that must be platted; cities “need not” require platting for every division of land.

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	<ul style="list-style-type: none"> <li>• Should refer to Ch. 212 and adopt all kinds of plats mentioned by Ch. 212 now or in the future (e.g., division plat, development plat, replat, minor plat, vacating plat, amending plat, etc.), also any special types of plats created by ordinance, e.g., street-dedication plat, preliminary plat.</li> <li>• Consider assigning special names for specialized plats (e.g., PD platting).</li> <li>• --Should specify municipal authority responsible for approving plats for each type of plat, with any applicable appeals. Clarify that review and approval require interpretations, evaluations, weighing of evidence, etc., so it is discretionary.</li> <li>• Clarify enforcement language to be more broad and consolidated with other enforcement and penalty provisions.</li> <li>• Requiring a developer to plat all contiguous land under developer's control would help avoid piecemeal, unplanned development.</li> </ul>
Section II - Withholding improvements	<ul style="list-style-type: none"> <li>• Refer to language about utilities in Ch. 212.012 and enforcement under Sec. 212.018--and list any additional remedies desired locally.</li> </ul>
Section III - Definitions	<ul style="list-style-type: none"> <li>• Define all plat types mentioned by Ch. 212 (e.g. division plat, development plat, replat, minor plat, vacating plat, amending plat, etc.), also any special types of plats created by ordinance, e.g., street-dedication plat, preliminary plat.</li> <li>• D: Reconcile to be consistent with Ch. 212 of LGC.</li> </ul>
Section IV - Procedures for subdivision	<ul style="list-style-type: none"> <li>• Revise to reflect the current practice, reconcile with state law requirements.</li> <li>• Consider requiring a determination of infrastructure costs under Sec. 212.904 which has become final (i.e., all appeals exhausted).</li> <li>• Require approval of all supporting documents (including plans) before approval of final plat, or at least simultaneously.</li> <li>• Consider introducing bonding requirements consistent with Ch. 212 of the LGC.</li> </ul>
Section V - Annexation	<ul style="list-style-type: none"> <li>• May have limited application (if there is land left to annex).</li> <li>• Refer to initiation of annexation by any allowed means.</li> </ul>
Section VI - Zoning	<ul style="list-style-type: none"> <li>• Referring to zoning regulations would be more substantive if development plats are used, because they can show buildings and improvements.</li> </ul>
Section VII - Land study	<ul style="list-style-type: none"> <li>• Consider eliminating this requirement to better align with current practices.</li> <li>• Replace term "large area" with clear and objective threshold.</li> <li>• Land study overlap traditional purposes of a preliminary plat. Consider consolidating, or maybe just requiring more detail for larger preliminary plats.</li> </ul>

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Section VII-A - Private street regulations	<ul style="list-style-type: none"> <li>• Eliminate – private streets are no longer allowed in Addison.</li> </ul>
Section VIII - Preliminary plat and plans	<ul style="list-style-type: none"> <li>• Introduce an abbreviated subdivision process for smaller projects.</li> <li>• Consider adding more administratively approved plats.</li> <li>• Clarify all standards for approval.</li> <li>• Ensure compliance with Sec. 212.904 of the LGC regarding Town participation in costs of infrastructure.</li> <li>• Clarify the location of screening walls (on private property or in a private common area) and responsibility for maintenance.</li> </ul>
Section IX - Final plat and plans	<ul style="list-style-type: none"> <li>• Update the plat notice language and consider removing to a separate manual.</li> <li>• Write clear purpose statement and consider allowing combined submissions of preliminary and final plats (one step; saves time and money) for some projects.</li> <li>• Include all standards for approval. See Secs. 212.004(b), 212.010 and other applicable sections of the LGC (should be incorporated by reference).</li> <li>• Reconcile language in first paragraph with other provisions (complete construction plans submitted after plat approval).</li> <li>• Reword paragraph 2 to avoid starting a “shot clock.”</li> </ul>
Section X - Filing of plat	<ul style="list-style-type: none"> <li>• Consider standards requiring a bond to secure costs of infrastructure installations.</li> </ul>
Section XI - Submittals required for construction	<ul style="list-style-type: none"> <li>• Clarify items that must be submitted before final plat approval and items that may be brought-in later.</li> </ul>
Section XII - Subdivision construction	<ul style="list-style-type: none"> <li>• Require conveyance of facilities with warranties (by special instrument signed by developer, not a letter from the Town).</li> </ul>
Section XIII - Acceptance of the subdivision	<ul style="list-style-type: none"> <li>• Shift responsibility to “supervise” construction, “assure” conformance, “verify” completion, etc. to the project engineer (not the Town).</li> </ul>
Section XIV - As-built plans	<ul style="list-style-type: none"> <li>• Require submittal of “as-built” plans with the final engineer’s certificate, before acceptance.</li> <li>•</li> </ul>
Section XV - Issuance of building permits	<ul style="list-style-type: none"> <li>• Consider allowing some building permits to be issued before acceptance (e.g., for the facilities themselves, grading, site work, etc.).</li> <li>• Reconcile issuance of permits and development plats in Sec. 212.046 of LGC.</li> </ul>
Section XVI - General requirements	<ul style="list-style-type: none"> <li>• Create a general “applicability” section and a statement that these requirements apply in addition to the General Plan and other requirements.</li> <li>• Create applicable customary provisions (e.g., lot widths flag lot standards, easement requirements, stub street standards, etc.).</li> <li>• Replace “adequate” with more objective standards (i.e., storm sewer system).</li> <li>• Verify compliance with or exemption from Ch. 395, LGC</li> </ul>

## 1) Detailed Review of Current Development Ordinances

---

	<p>(impact fee law) and Sec. 212.904 LGC.</p> <ul style="list-style-type: none"><li>• A(9): Reconcile definition for “adjacent” with Texas case law.</li><li>• A(10): Require compliance with all plans.</li><li>• A(10)(a), (b), (c), (d): Revise standard to clarify that concrete must be used.</li><li>• B: Provide a reference to the Drainage Criteria Manual.</li><li>• B: Update to ensure compliance with Sec. 212.904, LGC.</li><li>• C(3): Update to ensure compliance with or exemption from Ch. 395, LGC (impact fees).</li><li>• C(5): Clarify why is title to lift stations is handled differently from other facilities.</li><li>• E(2): Coordinate application of Sec. 212.904, LGC to streetlights. If it applies, an engineer determination with appeals must be provided.</li><li>• F(5): Specify location of wall (private property or common area), and that the responsibility for maintenance lies with the property owner/HOA, not the Town.</li></ul>
Section XVII - Minor amendments and corrections	<ul style="list-style-type: none"><li>• Refer to Sec. 212.016 of the LGC (not repeat it).</li><li>• Consider also referencing Sec. 212.0065, LGC that allows administrative approval of other types of plats (e.g., “minor plats”).</li></ul>

## 2) Supplemental Legal Analysis

This section is intended to provide legal context and highlight general observations that do not necessary apply to one particular section or chapter of the Code of Ordinances. These concepts apply generally and will inform the detailed drafting of the UDC to ensure compliance with federal and state statutes, as well as case law.

### References to Plans

---

#### General Observations

The existing development regulations refer to various plans by various names, and it is not always coordinated with the official Comprehensive Plan.

#### Recommendations

- Make all references to plans in the UDC consistent and clear.
- Consider amending the existing Comprehensive Plan to meet specific criteria of Ch. 213, LGC (*e.g.*, adding statutory disclaimers to all maps).
- Consider making other plans (like the major thoroughfare plan) part of the Comprehensive Plan. Both documents should cover:
  - The relationships among the Comprehensive Plan, the UDC and the “general plan” mentioned in Ch. 212, LGC; and
  - “Standards for determining the consistency required between a plan and development regulations.”
- Check and reconcile all plan-related provisions in the UDC and coordinate language in both documents, especially as to locations and limitations for conditional use permits, special use permits, and planned development districts (both documents should provide for them but leave plenty of legislative discretion, preferably by using general criteria instead of highly-prescriptive rules with waivers that appear in the current ZO).

### Preempted subjects

---

#### General Observations

Many definitions and regulations in the existing development regulations are preempted, or limited by, state or federal law (*e.g.*, telecommunications (including cellphones), railroads, pipelines, pawnshops, alcoholic beverages, condominiums, sexually-oriented businesses, etc.).

#### Recommendations

- Remove any references to obviously-preempted regulations, leaving only regulations that are allowed by the law(s) in question that should be in the UDC.
- Consider inserting cross-references or footnotes for known preemptive laws.
- Provide an efficient procedure to receive claims of preemption (known and unknown) and rule on them quickly, with appeals, keeping in mind any “shot clocks” that may apply (Example: “shot clocks” on telecommunication applications, especially those with “deemed approvals”).
- Allow administrative approval of preemption claims--if they are clear-cut and not discretionary--and provide the full range administrative remedies, including special exceptions, variances, interpretations, etc.
- Provide a formal procedure to request City Council to act (*e.g.*, by granting a conditional use permit or special use permit).
- Check other Town ordinances to see if all preempted subjects (*e.g.*, small-cell and other



telecommunication facilities) are adequately addressed, to the extent desired.

- Consider modifying application forms to require all applicants to disclose any claims to preemption and any claims that Town ordinances do not apply to them.

### Uniformity Within Districts

---

#### General Observations

Sec. 211.005 of the LGC proclaims: “Zoning regulations must be uniform for each class or kind of building in a district, but the regulations may vary from district to district.” See *FLCT, Ltd. v. City of Frisco*, 493 S.W.3d 238, 265 (Tex. App.—Fort Worth 2016) where the court cited the uniformity rule, with related sections from Ch. 211, and implied they are intended to preserve primary protections for property owners.

#### Recommendations

- Check each regulation that applies to only part of district (e.g., regulations for properties fronting on certain streets or located on the edge of the district) and revise it, if possible, so that it applies district-wide (consider referring to property lines instead of specific streets or district boundaries).
- Where a regulation cannot be applied district-wide, re-word it so that the differences are clearly based on “class or kind of building” (Example: “Each Class 3 Building must be set back from . . .”).
- Eliminate all “subdistricts,” or, at least, define them as separate “districts” for purposes of Ch. 211 (see Development Regulations Assessment Report).

### Vested Rights

---

#### General Observations

Because of the broad sweep of Ch. 245 of the LGC, claiming vested rights has largely become a complicated and somewhat ambiguous process.

#### Recommendations

- Modify application forms to require all applicants to disclose any claims under Ch. 245.
- Provide an efficient procedure to receive claims under Ch. 245 and adjudicate them quickly, with administrative appeals (e.g., through the ZBA).
- For permits and approvals of all kinds, specify expiration dates as allowed by Ch. 245.
- Consider requiring that “vested” status be claimed and established as an affirmative defense, like a nonconformity.
- Consider adding provisions for losing “vested” status, like losing nonconformity status.

### Small-Tract Rezoning

---

#### General Observations

Historically, Texas courts have been wary of small-tract rezonings, sometimes invalidating them as illegal “spot zoning” or zoning not “in accordance with a comprehensive plan.” The landmark case is *City of Pharr v. Tippitt*, 616 S.W.2d 173, 177 (Tex. 1981), where the Texas Supreme Court resolved a challenge to a City ordinance that rezoned a 10.1-acre tract from single-family use to multi-family use.

#### Recommendations

The City of Pharr case suggests several measures to reduce risks that small-tract rezonings (whether done as classification changes, boundary changes or designations of conditional use permits, special use permits, or planned development districts) will get tagged with the dreaded “spot zoning” label:

- Prior to making zoning map amendments, make sure the affected area is “large enough for planning as a self-contained orderly development which can in advance provide for the direction and the flow of traffic and assure a careful development of necessary public utilities . . .” and include express provisions to make sure the change will not cause “disharmony” with “lands or tracts that are already developed.”
- For each zone map change:
  - Make sure both the UDC and the Comprehensive Plan specify and limit the places eligible to receive it (negate any implication that “anything can go anywhere”), perhaps by matrix or chart;
  - For each eligible area, impose a minimum size (for classification changes), qualitative limits (like allowable uses) and limits on intensity (like units per acre, height, FAR, etc.) and require both harmonization with the regulations that apply to nearby areas and mitigation of any adverse effects; and
  - Make it clear that approval is discretionary, not mandatory.
- Reduce the intricate, highly-prescriptive descriptions of the authorized small-tract changes (like MRX zoning) and eliminate provisions for changing those descriptions by waiver, etc.
- Use more generally-worded criteria (like the criteria used in the City of Pharr opinion) that can be applied to any tract in the area eligible to receive the change, but keep location restrictions, minimum sizes and the qualitative and quantitative limits mentioned above.
- Ensure all of the above are recognized and authorized by both the UDC and the Comprehensive Plan to weave them into a continuous, coordinated plan for the whole Town, making it clear that all authorized small-tract rezonings have been pre-planned.

### Enforcement and Penalties

---

#### General Observations

There are incomplete and obsolete criminal provisions throughout the development regulations.

#### Recommendations

- Mimic or adopt Texas Penal Code approach for specifying criminal “offenses” (or use the traditional phrase, “It shall be unlawful for . . .”).
- Make sure all persons potentially liable are named (e.g., owners, contractors, tenants, occupants, persons “in control” of the premises, etc.).
- Consider defining plenty of presumptions and affirmative defenses in the UDC (and converting exceptions to affirmative defenses) to aid enforcement and prosecution (e.g., prosecution for lack of a permit or loss of PNC status).
- Consider imposing parallel or separate civil penalties, with procedures for initiation, imposition and due process review (Note: there’s a new case).

### Impact Fees, Dedications, Etc.

---

#### General Observations

Several sections of the development regulations require payment of impact fees, dedications of property, and mandatory public improvements. These standards should be strengthened.

#### Recommendations

- For parkland dedication (and fees “in lieu”), follow closely the approach that the Supreme Court upheld in *City of College Station v. Turtle Rock Corp.*, 680 S.W.2d 802 (Tex., 1984)
- Check each required dedication and payment to make sure the Town can always prove both a

logical nexus to a legitimate public purpose and “rough proportionality” to the estimated impact of the regulated activity.

- Require an individualized determination each time (including dedications of streets, street improvements, easements, water facilities, sewer facilities, etc.) by an engineer--subject to appeals--as required by Sec. 212.904 of the LGC.
- Tighten language about who must pay or dedicate, when it must be done, how it must be done (e.g., deed or plat, fee or easement) and how dedicated property is accepted.
- Require all fee rates to be adopted by ordinance.

### **Town Registry**

---

#### **General Observations**

An important element of administering development regulations is tracking official Town actions and decisions.

#### **Recommendations**

- Consider creating an official registry in the town secretary’s office, accessible online and cross-indexed by addresses, map, etc. (possibly using the online GIS map), to record:
  - Required and optional registrations (like PNC’s);
  - “Vested rights” and preempted regulations that have been ruled-upon by the Town;
  - Grandfathered special use permits, conditional use permits, planned development districts, etc. and related concept plans, development plans, plats, etc.;
  - Permits, approvals, and decisions by the administrative official, P&ZC, ZBA, City Council, etc.;
  - Variable-width or combined side yard designations;
  - Maps and map amendments; and
  - Similar matters.
- Consider creating a presumption that anything required to be registered does not exist if a diligent search of the registry does not disclose it.





# ADDISON, TX

## UNIFIED DEVELOPMENT CODE

Development  
Regulations  
Assessment Report  
March 2019



# AGENDA

- Project Overview
- Overview of the Assessment Report
- Questions and Discussion

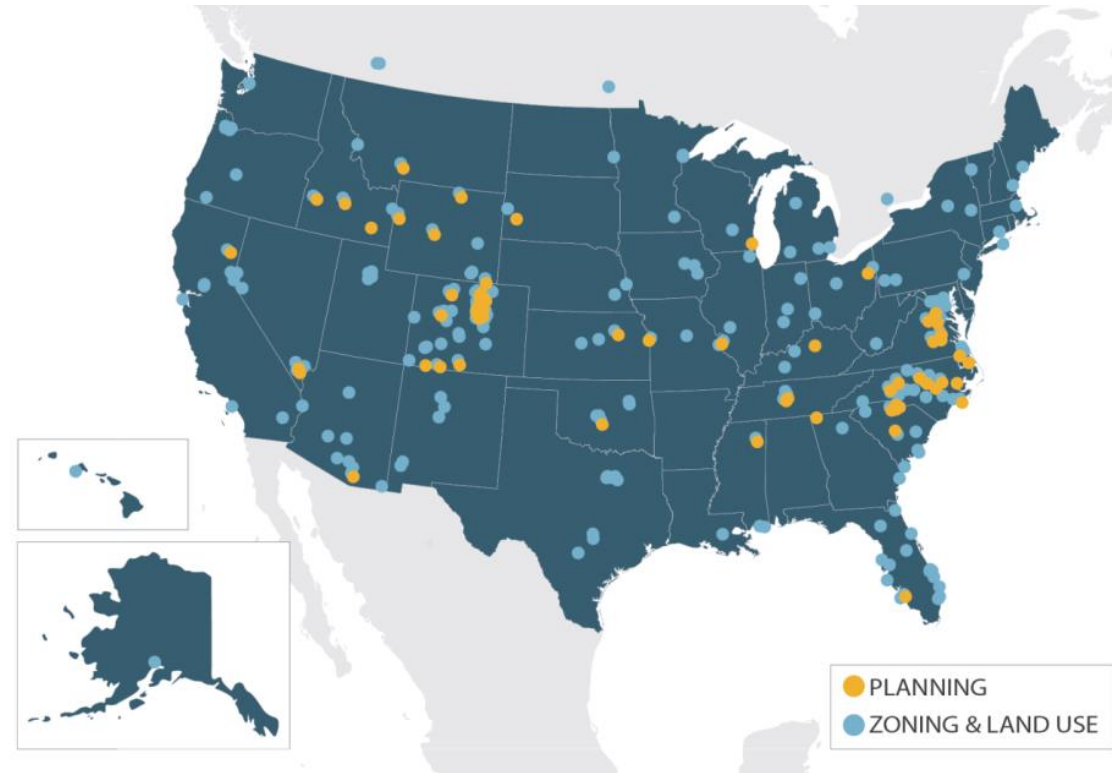




# PROJECT OVERVIEW

# CLARION ASSOCIATES

- National presence with 25+ years experience
- Planners, attorneys, designers
- Focus on plan implementation
- Leaders in innovative approaches
- Texas experience: Arlington, Austin, Cedar Hill, Denton, Irving, Rowlett, San Antonio





# TEAM MEMBERS

## Matt Goebel, AICP

Clarion - Project Manager  
Code Drafting

## Jim Spung, AICP

Clarion - Project Associate  
Code Drafting

## Jim Dougherty, Esq.

Texas Land-use Law Expert  
Texas Planning Knowledge and Best Practices  
Extensive Texas Experience



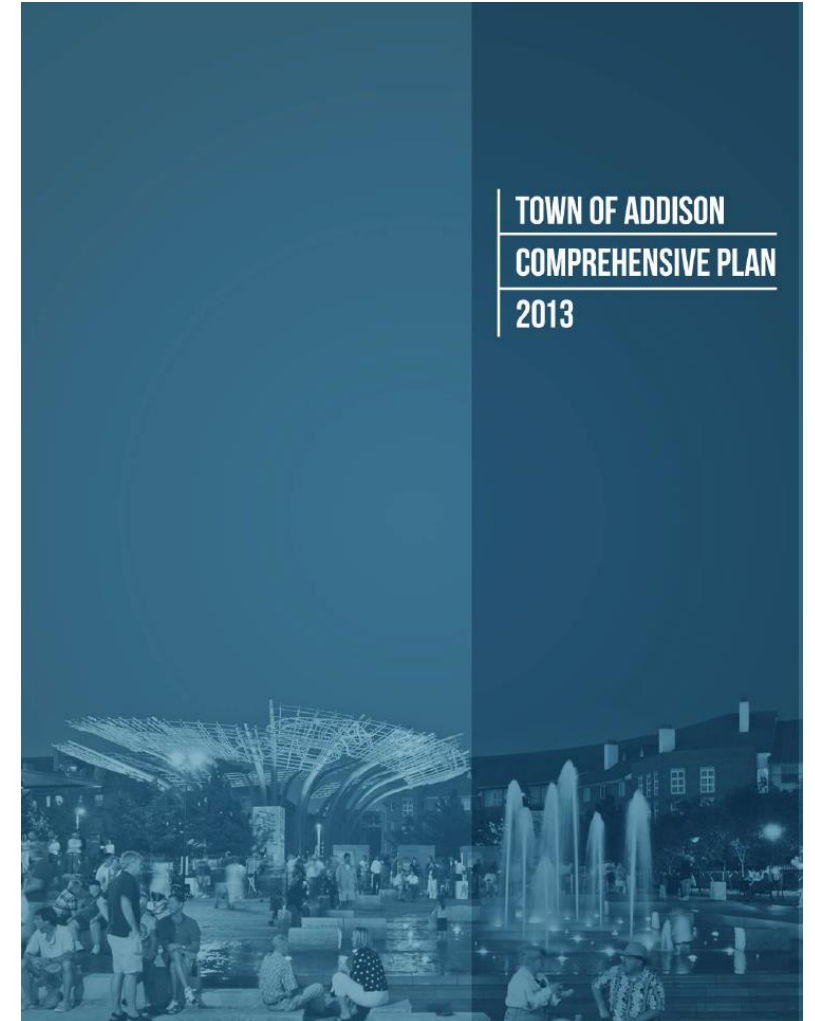
# WHAT ARE THE DEVELOPMENT REGULATIONS?

- Addison's ordinances covering:
  - Zoning
  - Subdivision
  - Signs
  - Landscaping
- Collectively, they are the rulebook for development:
  - Location and size of buildings
  - Allowable land uses
  - Quality and layout of development
  - Development review procedures

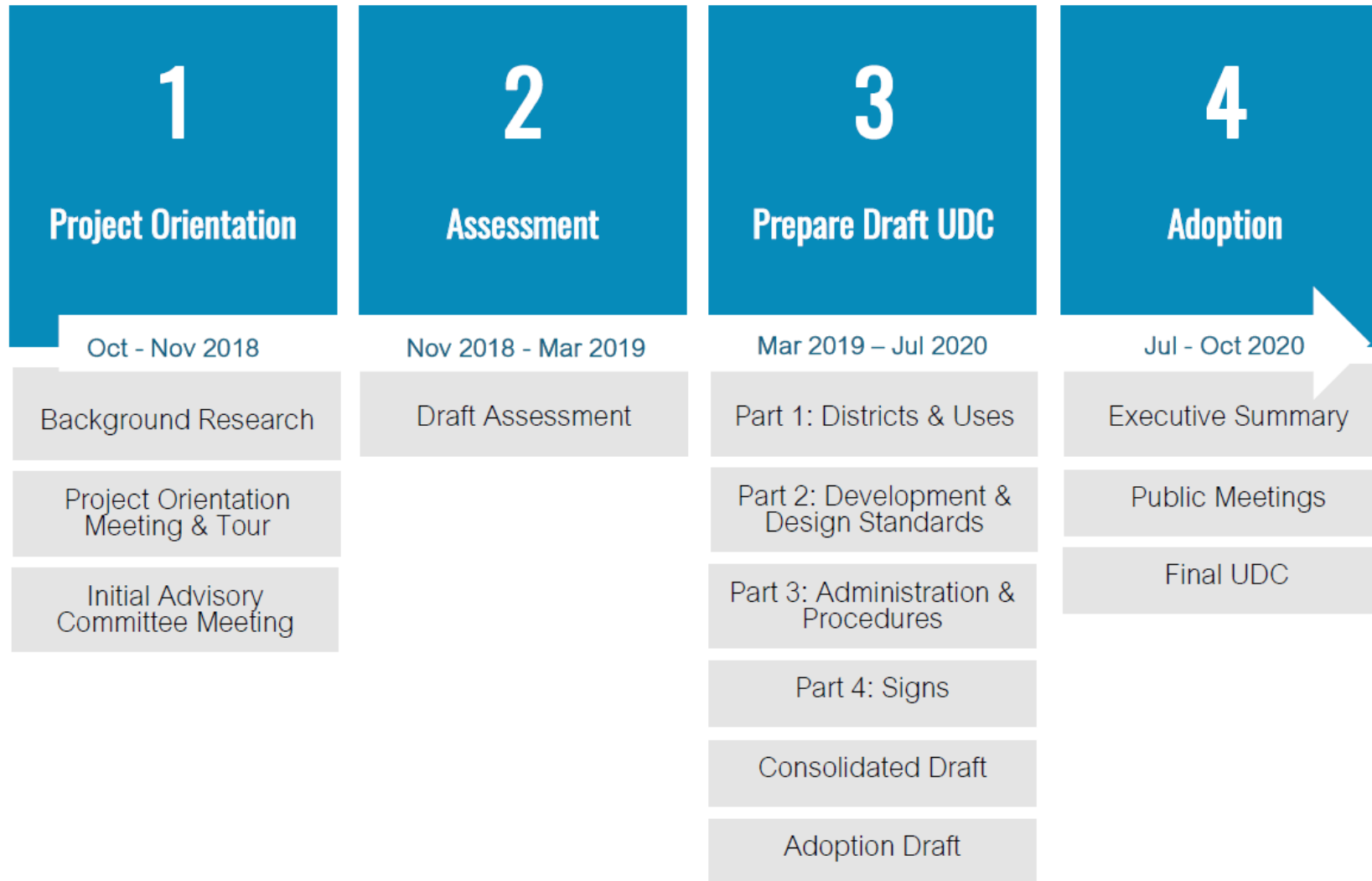


# WHY UPDATE THE REGULATIONS?

- Implement the Comprehensive Plan
- Improve user-friendliness
- Streamline development review process
- Enhance design and form standards
- Protect existing neighborhoods
- Promote alternative forms of transportation
- Encourage sustainable development

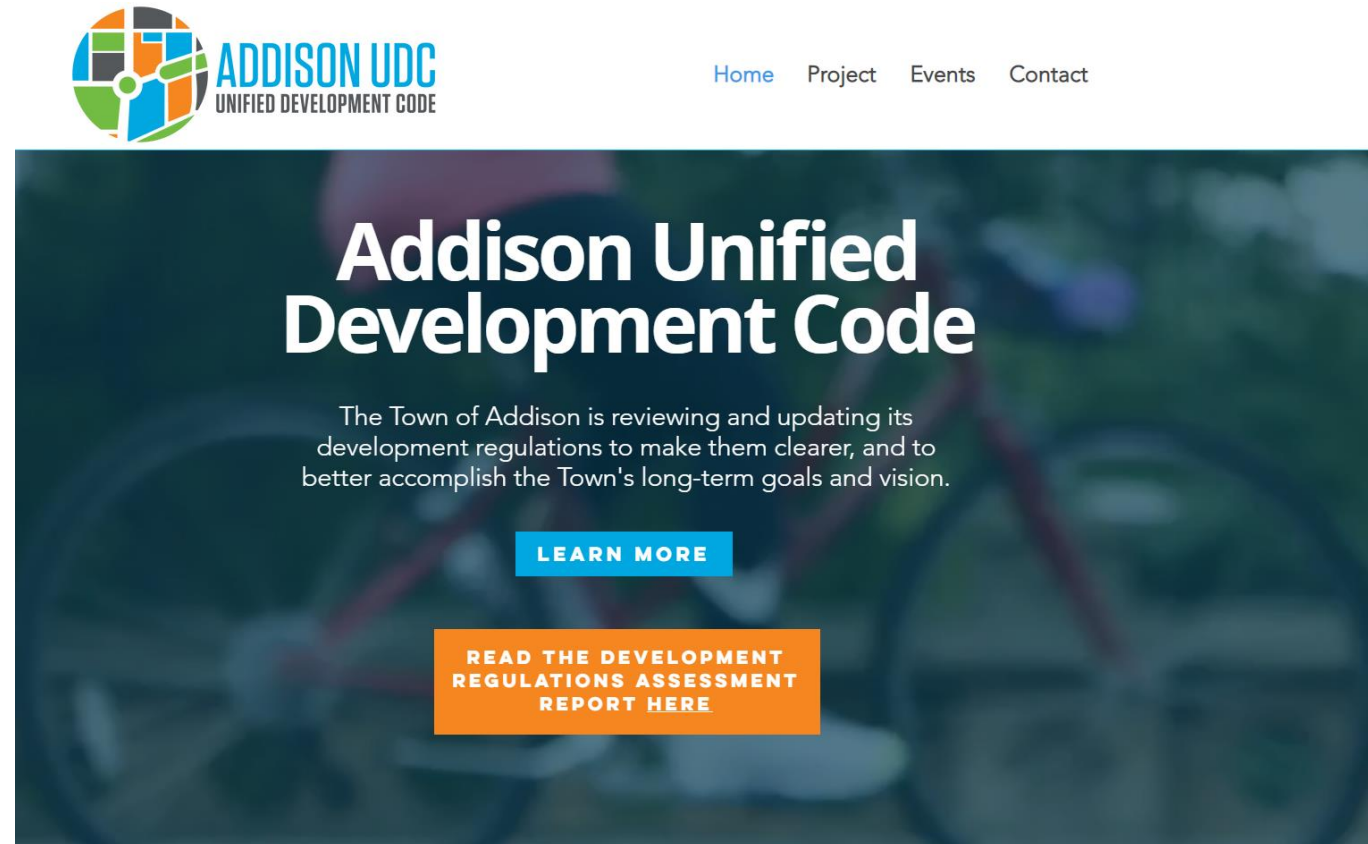


# PROJECT SCOPE & TIMELINE



# PROJECT WEBSITE

- [www.AddisonUDC.org](http://www.AddisonUDC.org)
- Collect information
- Access project materials
- Submit comments
- Ask questions
- Sign-up to receive project alerts
- View project calendar





# KEY IMPROVEMENTS



# MAIN THEMES

- Improve user-friendliness
- Fine-tune the zoning districts
- Enhance use regulations
- Improve and tailor development standards
- Streamline development review procedures
- Rewrite sign regulations





# IMPROVE USER-FRIENDLINESS ESTABLISH A CLEAR ORGANIZATION

- Establish a clear organization
- Add illustrations, graphics, and tables
- Improve page layout
- Define key terms & use clear language

## 3) Annotated Outline of a New UDC

This part of the report provides an overview of what the proposed structure and general content of a new UDC for Addison might look like if the recommendations from Parts 2 and 4 of this report are implemented. This outline is structured as a new chapter in the Municipal Code of Ordinances. It is intended as a starting point for further dialogue and is tailored for Addison, building on our experience with successful code projects throughout Texas and the nation.

The Code of Ordinances is currently comprised of 26 chapters and three appendices. While only 26 chapters include content, the chapter numbers range anywhere from one to 86, with several gaps. The zoning and subdivision standards are listed as Appendix A and Appendix B respectively. In the current Code of Ordinances, standards related to land development are scattered throughout several chapters. This project will consolidate the Town's development regulations into a single chapter, making it easier for users to find the information they are seeking. An improved and efficient organization will consolidate like information, minimize (but not eliminate) cross-referencing, and make it relatively easy for users to find needed answers.

The proposed new articles are below. Each proposed article indicates (with grey shading) which articles and sections from the current Code of Ordinances would be folded into the proposed UDC.

### GENERAL PROVISIONS

This article will include provisions that are applicable to the UDC as a whole, including:

#### Title, Effective Date, and Mapping

This section will establish the title of the UDC, its effective date, and describe how the official zoning map and district boundaries are maintained.

#### Purpose and Intent

This section will describe generally why the UDC is important to the Town of Addison and how it regulates land development to protect the public health, safety, and welfare of the Town.

#### Authority, Applicability, and Jurisdiction

This section will describe the UDC's applicability to development or redevelopment (unless otherwise exempted), the UDC's application to governmental agencies, how internal code conflicts are resolved, and a statement on the UDC's relationship to the extraterritorial areas (ETJ) and private covenants.

#### Transition from Prior Regulations

This section will describe how prior building permits, violations, nonconformities, and development approvals will be processed by the new UDC. It could also include an option for pending applications to be reviewed and decided under the current regulations or the new UDC.

#### Nonconformities

This section will describe how legal nonconformities are administered and enforced and standards for nonconforming uses, nonconforming structures, nonconforming lots, nonconforming signs, and nonconforming site features.

# IMPROVE USER-FRIENDLINESS CREATE A UNIFIED CODE

- Article 1: General Provisions
- Article 2: Zoning Districts
- Article 3: Use Regulations
- Article 4: Development Standards
- Article 5: Subdivision Standards
- Article 6: Administration & Procedures
- Article 7: Rules of Construction & Definitions

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# IMPROVE USER-FRIENDLINESS

# IMPROVE PAGE LAYOUT

Section 1. - Districts.	
The Town of Addison is hereby divided into 17 types of districts. The use, hereinafter referred to as:	
R-1	Single-family dwelling district
R-2	Single-family dwelling district
R-3	Single-family dwelling district
R-16	Single-family dwelling district
"A"	Apartment dwelling district
LR	Local retail district
PD	Planned development district
PDT	Planned development townhouse/condominium
PDC	Planned development condominium/conversions
MXR	Mixed use residential
C-1	Commercial-1 district
C-2	Commercial-2 district
I-1	Industrial-1 district
I-2	Industrial-2 district
I-3	Industrial-3 district
SUP	Special use permit
UC	Urban center

Section 2. - Boundaries.

The boundaries of these districts are indicated upon the Zoning Map of the Town of Addison, Texas, and shall be the same as if copied in full herein.

ARTICLE IV. - R-1 SINGLE-FAMILY DWELLING DISTRICT REGULATIONS

Section 1. - Use regulations.

In an R-1 single-family dwelling district, no land shall be used and buildings shall be constructed for any of the following purposes:

1. A single-family dwelling.
2. A church or school, public or denominational, having a campus, but not including a portable school building (which shall be subject to the provisions of the Texas Education Code).
3. Public park, playgrounds or neighborhood recreation center.

only.

4. Telephone exchange, provided no public business and no repair or storage facilities are maintained, fire stations, public museums, public libraries, water supply reservoir, water pumping plant, tower or artesian well.
5. Railway right-of-way and tracks, passenger station but not including railroad yards, team tracks or storage yards.
6. Golf course, but not including miniature golf course, driving range or any forms of commercial amusement.
7. Farm, truck, garden, orchard or nursery and greenhouse for the growing of plants, shrubs and trees, provided no retail, or wholesale business is maintained on the premises.
8. Accessory buildings, including a private garage, bona fide servants quarters, not for rent but for the use of servants employed on the premises, when located not less than 60 feet from the front lot line, nor less than five feet from either side line, provided said accessory building shall not occupy more than 50 percent of the minimum required rear yard in the case of a one-story building. When the accessory building is directly attached to the main building, it shall be considered an integral part of the main building. When the accessory building is attached to the main building by a breezeway, the breezeway is considered a part of the accessory building. Temporary metal buildings of less than 600 square feet which are used for tool and supply storage shall be allowed.
9. Temporary buildings to be used for construction purposes only and which shall be removed upon completion or abandonment of construction work. Field offices for the sale of real estate which shall be removed upon request of the building inspector.
10. The uses customarily incidental to any of the above uses when situated in the same dwelling and not involving the conduct of a business, including home occupations engaged in by occupants of the dwelling, but said incidental use shall never be permitted as a principal use, rather only as a secondary use engaged in by persons of the immediate family.
11. Day nursery where not more than four children, not related by blood, are kept at one time.

(Ord. No. 010-007, § 2.A., 3-9-10)

Section 2. - Height regulations.

No building shall exceed 2½ stories in height (29 feet).

Section 3. - Area regulations.

1. Front yard:
  - (A) There shall be a front yard having a minimum depth of not less than 30 feet, except hereinafter provided in the article on exceptions and variances.
  - (B) Where lots have double frontage, running through from one street to another, the required front yard shall be provided on both streets.
2. Side yard: There shall be two side yards, one on each side of the building having a combined width of not less than 20 percent of the lot width, provided that in no case shall one side yard be less than five feet. The side yard of corner lots adjacent to a side street shall be not less than ten feet. The side yard of corner lots having adjoining structures fronting on two adjacent property lines shall have a 30-foot side yard.
3. Rear yard: There shall be a rear yard having a depth of not less than 20 percent of the depth of the lot.
4. Area of the lot: The minimum area of the lot shall be 12,000 square feet; however, a lot having an area of less than 12,000 square feet that was of record prior to passage of this appendix may be used for any use permitted in this article.
5. Width of lot: The minimum width of the lot shall be 80 feet. The above area regulations apply to the R-1 single-family dwelling district and do not apply to lots which may be of 12,000 square feet or larger in other districts.
6. Minimum depth of lot: The minimum depth of the lot shall be 120 feet.
7. Area of dwelling: Four thousand square feet shall be the minimum living area of the dwelling.

Section 4. - Parking regulations.

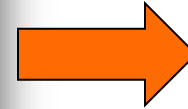
Off-street parking space shall be provided on the lot to accommodate two motor cars for each dwelling unit; however, no supporting member of any garage, carport, or other automobile storage structure shall be located within the required front yard.

For schools, churches, public parks, playgrounds, or neighborhood recreation centers, parking in assembly areas such as theaters, auditoriums, gymnasiums, stadiums, and field houses shall be based on the following ratios:

- (1) Soccer fields, baseball fields and stadiums, one parking space for every four seats.
- (2) Theaters auditoriums, gymnasiums and field houses, public or private, one space for every three seats.

Section 5. - Type of construction.

At least 80 percent of the exterior walls of all structures shall be of masonry construction.



## 2.6. RS-6: Single-Family Residential

### A. Purpose

The RS-6 district is intended to accommodate high-density single-family residential uses, including manufactured homes. The RS-6 district may include limited community and educational uses and incidental or accessory uses. This district can also serve as a transition between medium-density single-family residential and multifamily zoning districts.

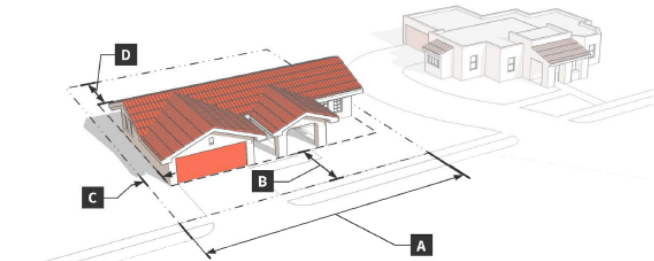
### B. RS-6 Lot and Building Standards

Lot Standards	
<b>A</b> Width (minimum)	60 feet
Area (minimum)	6,000 sq. ft.
Density (maximum for new subdivisions) [1]	6 du/acre
Setbacks (minimum)	
<b>B</b> Front	20 feet
<b>C</b> Side	5 feet
Side, abutting street	10 feet
<b>D</b> Rear	20 feet
Height	
Building height	See 2.24.E
Impervious Coverage (maximum)	
Building coverage	40 percent
Total coverage	65 percent

### C. Other Standards

Other Standards	Location in LDC
Measurements and Exceptions	Section 2.24
Use-Specific Standards	Section 3.3
Off-Street Parking	Section 5.5
Landscaping, Buffering, and Screening	Section 5.6

Notes:  
[1] For lot planning in new subdivisions, see Section 7.3.C



# IMPROVE USER-FRIENDLINESS ADD GRAPHICS & ILLUSTRATIONS

(2) Dimensional Standards

The following table is a summary of the district specific dimensional standards. Additional standards from Section 20.04.010 (Dimensional Standards) also apply.

Table 2-5: R3 District Dimensional Standards

Lot Dimensions (Minimum, only for lots created after the effective date)	
A Lot area	5,500 square feet (0.126 acres) (1)
B Lot width	50 feet (1)
Building Setbacks (Minimum)	
C Front build-to-line	15 feet or The smallest front setback of abutting residential structures on the entire block face, whichever is less.
Attached front-loading garage or carport	10 feet behind the primary structure's front building wall
D Side	First floor: 6 feet Two or more floors: 10 feet (1) (2)
E Rear	25 feet (1)
Other Standards	
Impervious surface coverage (maximum)	45%
F Primary structure height (maximum)	35 feet
Accessory structure height (maximum)	20 feet

Notes:

- (1) See Section 20.04.110 (Incentives) for alternative standards.  
(2) Legally established lots of record that are less than the minimum lot width may reduce the required setback up to 2 feet.

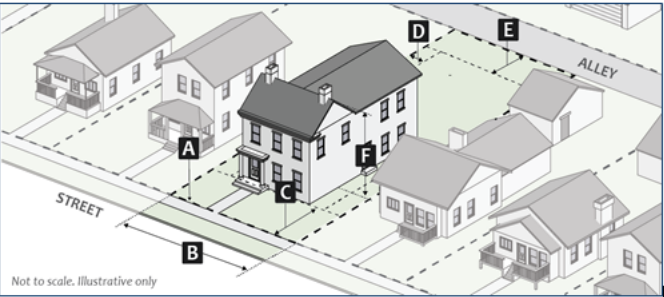


Figure 8: R3 Dimensional Standards

Article 6: Signs

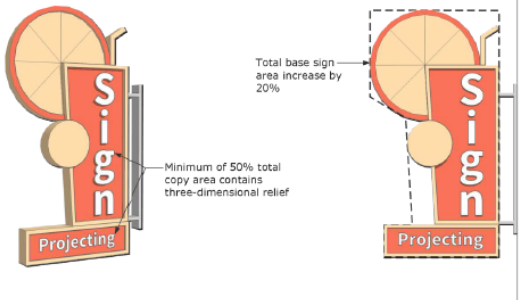
6.7 Design Standards Applicable to All Signs | 6.7.E. Sign Illumination

- a. Wood (carved, sandblasted, etched, sealed and painted, or stained)
- b. Red rock and river rock
- c. Tile (painted, sealed, inlaid tiles)
- d. Metal, including rusted metal (formed, etched, cast, engraved, primed or factory coated).
- e. Stucco, when used to match an existing building onsite.
- f. High density sign foam, when designed to successfully imitate another acceptable sign material
- g. Decorative iron or wood brackets are preferred for sign hardware support
- h. Requests to use alternative materials may be approved on a case-by-case basis by the Director

(3) Signs with Relief

- a. Signs with relief are encouraged but not required.
- b. The total base sign area may increase by 20 percent when a minimum of 50 percent of the total copy area incorporates three-dimensional relief. (See Figure 6-6.)

Figure 6-6: Signs with Relief



E. Sign Illumination

Sign illumination is necessary to ensure businesses can be found when open after dark. However, as a Dark Sky Community, Sedona seeks to limit outdoor lighting to only what is necessary and to minimize light pollution. The following illumination standards seek to achieve a balance between providing sufficient sign lighting while ensuring maintenance of the dark skies.

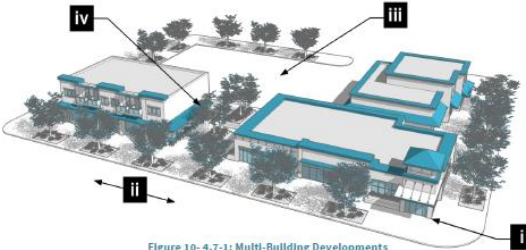


Figure 10-4.7-1: Multi-Building Developments

(c) Solar Access and Shading

To mitigate the sun's heat and maximize easterly breezes, buildings shall be sited according to the following standards:

- (i) Buildings shall be oriented and grouped to reduce exposure to midday sun while maximizing northern and southern sun exposure to utilize consistent, glare-free interior daylighting.
- (ii) To maximize building solar access, buildings and blocks shall be oriented with east-west lengths equal to or greater than north-south building lengths, and east-west axis within 15 degrees of geographic east-west.
- (iii) Buildings shall be designed to provide shading for windows, entrances, and outdoor spaces – for example, by locating outdoor gathering spaces on the north and east sides of buildings under shade devices such as awnings, verandahs, or deep balconies.

(3) Outdoor Gathering Spaces

(a) Definition

For purposes of this requirement, an outdoor gathering space is an open or partially open area intended for the benefit of residents, employees, or visitors to a site. The following shall not be counted toward any requirement of this section:

- (i) Private yards;
- (ii) Public or private streets or rights-of-way; and
- (iii) Parking areas and driveways.

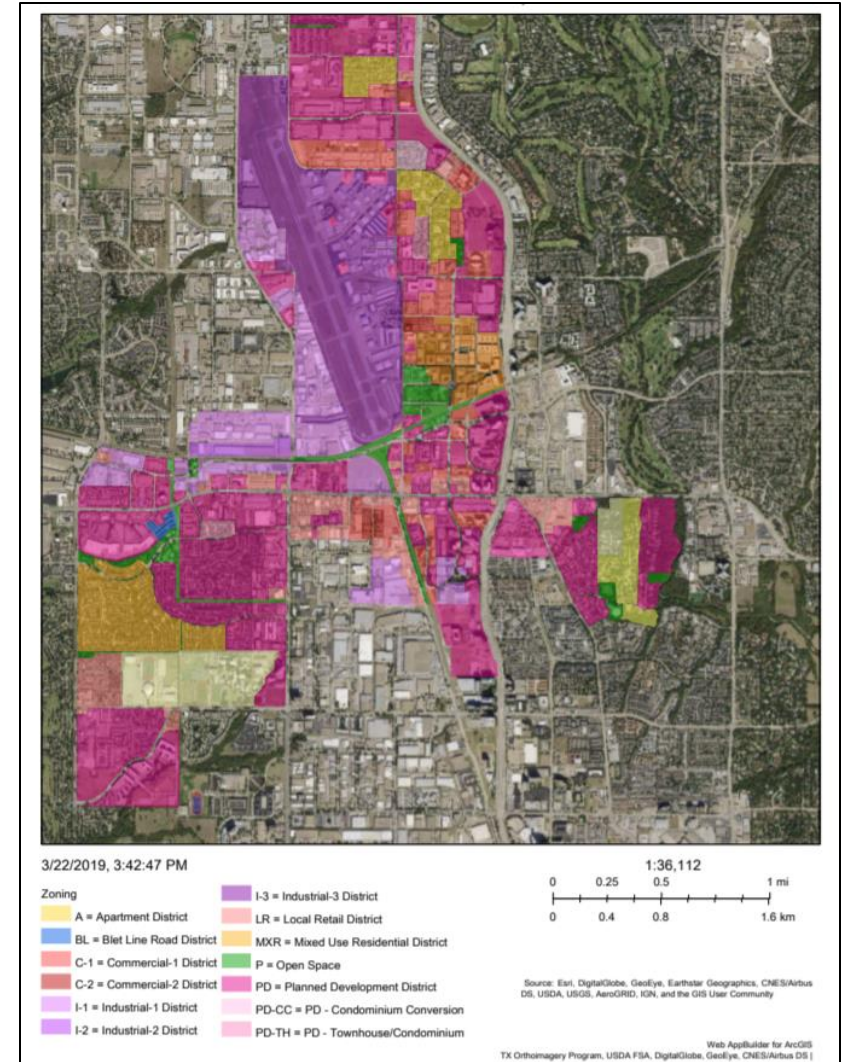


Figure 10-4.7-2: Outdoor Gathering Spaces



# FINE-TUNE THE ZONING DISTRICTS

- Substantial changes to existing zoning are not contemplated as part of this project.
- Rather, need to “clean up” the district lineup:
  - Remove unnecessary districts
  - Adjust current district standards
  - Introduce new districts to build a better toolbox for future use (even if not applied immediately)



# FINE-TUNE THE ZONING DISTRICTS

Current District		Proposed District
<b>Residential Districts</b>		
R-1 – Single-Family Dwelling		R-1 – Residential Estate
R-2 – Single-Family Dwelling		--
R-3 – Single Family Dwelling		--
R-16 – Single-Family Dwelling		R-2 – Residential Large Lot
MXR – Mixed-Use Residential	Low-Density	R-3 – Residential Low-Density
	Medium-Density	R-4 – Residential Medium-Density
	High-Density	R-5 – Residential High-Density
A – Apartment Dwelling		--
<b>Mixed-Use Districts</b>		
UC – Urban Center	Residential	May extract subdistricts one-for-one or may result in two or three new districts
	Commercial	
BL – Belt Line	Les Lacs Village	
	Dining District	
	Epicurean District	
	Addison Village	

# FINE-TUNE THE ZONING DISTRICTS

Current District		Proposed District
Non-Residential Districts		
LR – Local Retail	Option 1	CL – Commercial Limited
	Option 2	TBD – Replace with mixed-use district
	Option 3	LR – Carry forward as legacy district
C-1 – Commercial-1 District	Option 1	CG – Commercial General
	Option 2	TBD – Replace with mixed-use district
	Option 3	C-1 – Carry forward as legacy district
C-2 – Commercial-2 District		
I-1 – Industrial-1 District		LI – Light Industrial
I-2 – Industrial-2 District		
I-3 – Industrial-3 District		A – Airport



# FINE-TUNE THE ZONING DISTRICTS

Current District			Proposed District
Other Districts			
P – Open Space			PO – Parks and Open Space
--			CF – Community Facilities
PD – Planned Development	PD – standard		PD – Planned Development
	PD-TH – Townhouse/ Condo	Option 1	TBD – Replace with mixed-use district
		Option 2	PD-TH – Carry forward as legacy district
	PD-CC – Condominium Conversions		--

# FINE-TUNE THE ZONING DISTRICTS

## KEY QUESTIONS

- How ambitious does the Town want to be in remapping existing zone districts to new districts that better align with the Comprehensive Plan?
- Is it more important to retain current dimensional standards in the R-1 zone or preserve the existing neighborhood character?



# ENHANCE USE REGULATIONS

- Create a consolidated use table
- Define, categorize, and define use types
- Introduce new use types to help implement the Comprehensive Plan
- Establish use-specific standards
- Consolidate and improve accessory and temporary use/structure standards

# ENHANCE USE REGULATIONS

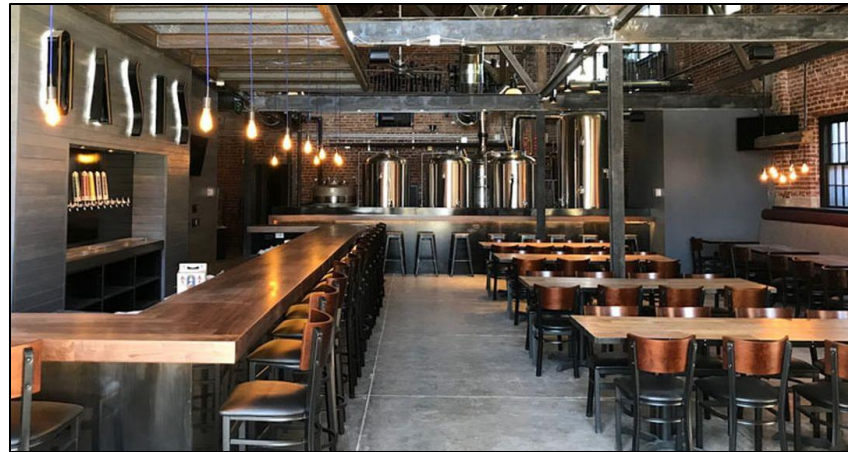
## CREATE CONSOLIDATED USE TABLE

		RE	R1	R2	R3	R4	RM	RH	RS	MS	MN	MM	MC	ME	MI	MD	MH	EM	PO	Use-Specific Standards
<b>RESIDENTIAL</b>																				
Household Living	Dwelling, single-family (detached)	P	P	P	P	P	P*	P*	P	P	P	P*	P*	P*			P*			20.03.030(b)(1)
	Dwelling, single-family (attached)			P*	P*	P*	P*	P*		P*	P*	P*				P*				20.03.030(b)(2)
	Dwelling, duplex	P	P*	P*	P*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(3)
	Dwelling, triplex		P*	P*	C*	P*	P*	P*		P*	P*	P*	C*			P*				20.03.030(b)(3)
	Dwelling, fourplex				C*	P*	P*	P*		P*	P*	P*	P*			P*				20.03.030(b)(3)
	Dwelling, multifamily					C*	P	P		P	P*	P*	P	P*	C	P*				20.03.030(b)(5)
	Dwelling, live/work					C*	P*	P*			P*	P*	P*			P*				20.03.030(b)(6)
	Dwelling, cottage development		C*	C*	C*	C*	C*	C*	C*		C*									20.03.030(b)(7)
	Dwelling, mobile home								P*											20.03.030(b)(8)
	Manufactured home park								P*											20.03.030(b)(9)
Group Living	Assisted living facility					C	P	P			C	P	P		P	P	P			
	Continuing care retirement facility					C	P	P			C	P	P		P	P	P			
	Fraternity or sorority house									P					P					
	Group care home, FHAA small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(10)
	Group care facility, FHAA large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(10)
	Nursing or convalescent home					C	P	P			C	P	P	P	P	P	P			
	Opioid rehabilitation home, small	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*		P*		P*			20.03.030(b)(10)
	Opioid rehabilitation home, large					P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*			20.03.030(b)(10)
	Residential rooming house						P*	P*		P	P*	P	P	C*						20.03.030(b)(11)
	Student housing or dormitory						C*	P*		P	C*	P*	P*		P*	C*				20.03.030(b)(12)
	Supportive housing, small							C			C	C	C		C	C	C			
	Supportive housing, large											C	C		C	C	C			

# ENHANCE USE REGULATIONS INTRODUCE NEW USE TYPES

Sample new uses to consider:

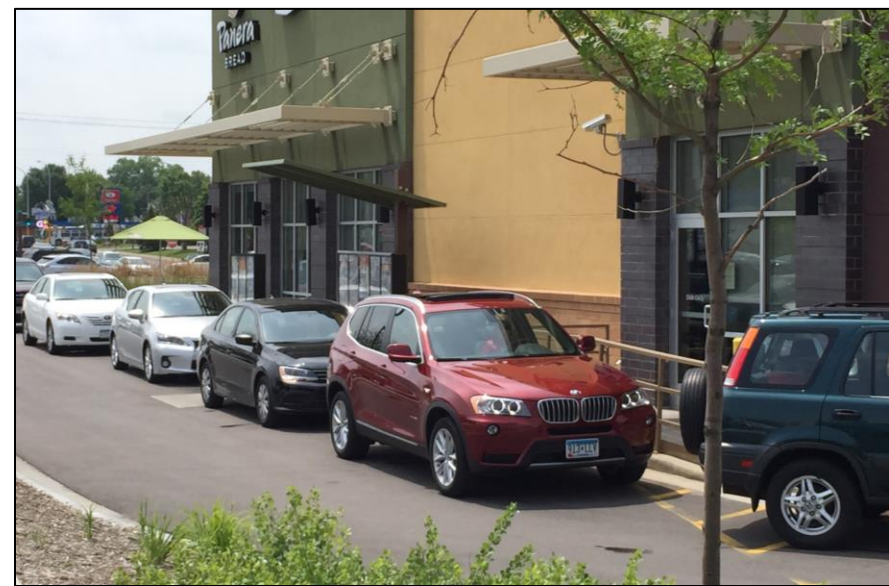
- Artisan manufacturing
- Brewery, distillery, winery
- Urban agriculture





# ENHANCE USE REGULATIONS CREATE USE-SPECIFIC STANDARDS

- Address unique physical or operational characteristics (i.e., licensing, siting standards, size/scale, design)
- Consolidate existing and introduce new standards
- Reconcile Alcoholic Beverage regulations with state law





# ENHANCE USE REGULATIONS DIVERSIFY HOUSING TYPES

- Remove barriers that prevent development of workforce housing
- Consider new incentives to encourage workforce housing in targeted areas



# ENHANCE USE REGULATIONS TEMPORARY & ACCESSORY USES

- Both topics are not clearly addressed in current regulations
- Consolidate and update accessory use/structure standards
- Create new temporary use/structure standards



# ENHANCE USE REGULATIONS

## KEY QUESTIONS

- Are there specific land uses that are not currently allowed that should be?
- Is the Town interested in requiring or incentivizing workforce housing?



# TAILOR DEVELOPMENT STANDARDS

- Encourage and support infill development
- Strengthen access and connectivity standards
- Rewrite parking and loading standards
- Align landscape standards with comprehensive plan guidance
- Create town-wide building design standards and evaluate material requirements
- Create town-wide exterior lighting standards
- Tailor development standards for airport development



# TAILOR DEVELOPMENT STANDARDS ENCOURAGE & SUPPORT INFILL

- Generally, update dimensional and development standards to accommodate infill and redevelopment projects
- Introduce additional flexibility by adding optional approaches and menus wherever possible.

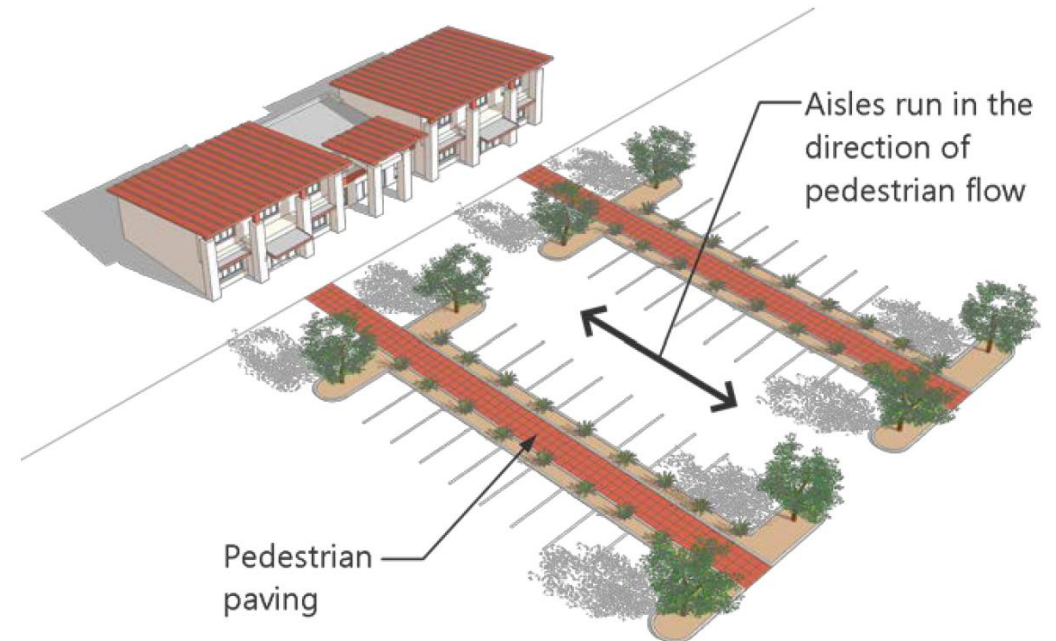


# TAILOR DEVELOPMENT STANDARDS

## ACCESS & CONNECTIVITY

- Consolidate and strengthen access, circulation, and connectivity standards.
- Coordinate with other development standards (e.g., parking, landscaping, grading & drainage)
- Integrate and clarify minimum sidewalk standards

Figure 5-2: Example Pedestrian Access through a Parking Lot





# TAILOR DEVELOPMENT STANDARDS

## PARKING

- Consolidate and rewrite off-street parking and loading standards
- Establish clear and objective standards for shared and valet parking
- Update parking area design requirements
- Consider limits on parking location in some areas



# TAILOR DEVELOPMENT STANDARDS

## PARKING

- Evaluate ratios against national standards
- Consider maximum requirements in some areas
- Provide tools for flexibility in meeting requirements

Use Category	Use Type	Number of Spaces Required
<b>Educational Facilities</b>	School, Public or Private	<b>High school:</b> 6 per classroom plus 1 per 300 square feet of administrative office space <b>Elementary and junior high:</b> 2 per classroom <b>All others:</b> 1 space per 300 square feet
	School, Vocational or Trade	1 space per 300 square feet
<b>Healthcare Facilities</b>	Hospital	1 space per 400 square feet
	Medical or Dental Clinic	1 space per 200 square feet
<b>Commercial Uses</b>		
<b>Animal-Related Uses</b>	Kennel, Commercial	1 space per 1,000 square feet
	Stable, Commercial	1 per 5 animals boarding capacity
	Veterinary Hospital or Clinic	1 space per 500 square feet
<b>Recreation and Entertainment</b>	Campground or RV Park	1 space per visitor site; plus 1 space per resident caretaker
	Indoor Recreation Facility	1 space per 300 square feet
	Outdoor Recreation Facility	1 space per 250 square feet building area; plus 1 space per 10,000 square feet site area

# TAILOR DEVELOPMENT STANDARDS LANDSCAPING, BUFFERING, SCREENING

- Calibrate for redevelopment and infill
- Coordinate landscape and buffer requirements
- Relocate fencing standards and include graphics and illustrations
- Consider alternative standards for airport properties
- Integrate sustainable practices





# TAILOR DEVELOPMENT STANDARDS BUILDING & SITE DESIGN

- Create town-wide building design standards (currently discrete standards apply to certain areas, like Belt Line)
- Consider neighborhood protection standards
- Consider alternative building material standards
- Incorporate alternative building design standards for airport properties



# ENHANCE USE REGULATIONS

## KEY QUESTIONS

- Should Addison explore alternative building material standards to relax and/or supplement the current masonry requirement?
- Should the UDC require vehicle, pedestrian, and/or bicycle connections for new development?
- Should Addison explore eliminating parking minimums and/or introducing parking maximums in some areas or for specific use types?
- Should the Town reduce the minimum landscape requirement if the resulting landscape treatment is strategically located and of high quality?



# STREAMLINE REVIEW PROCEDURES

- Delegate greater decision-making authority to town staff
- Establish common review procedures
- Update the site plan review procedure
- Create distinct review procedure for airport development
- Introduce a minor modification procedure for added flexibility
- Create supporting documents (e.g., criteria manuals, administrative manuals)
- Reform the Planned Development process



# STREAMLINE REVIEW PROCEDURES INCREASE STAFF AUTHORITY

- Set clear and objective standards and rely on staff to apply those standards
- Frees up P&Z and City Council agendas to focus on big-picture planning issues
- Only relatively more complex and significant applications would require a hearing



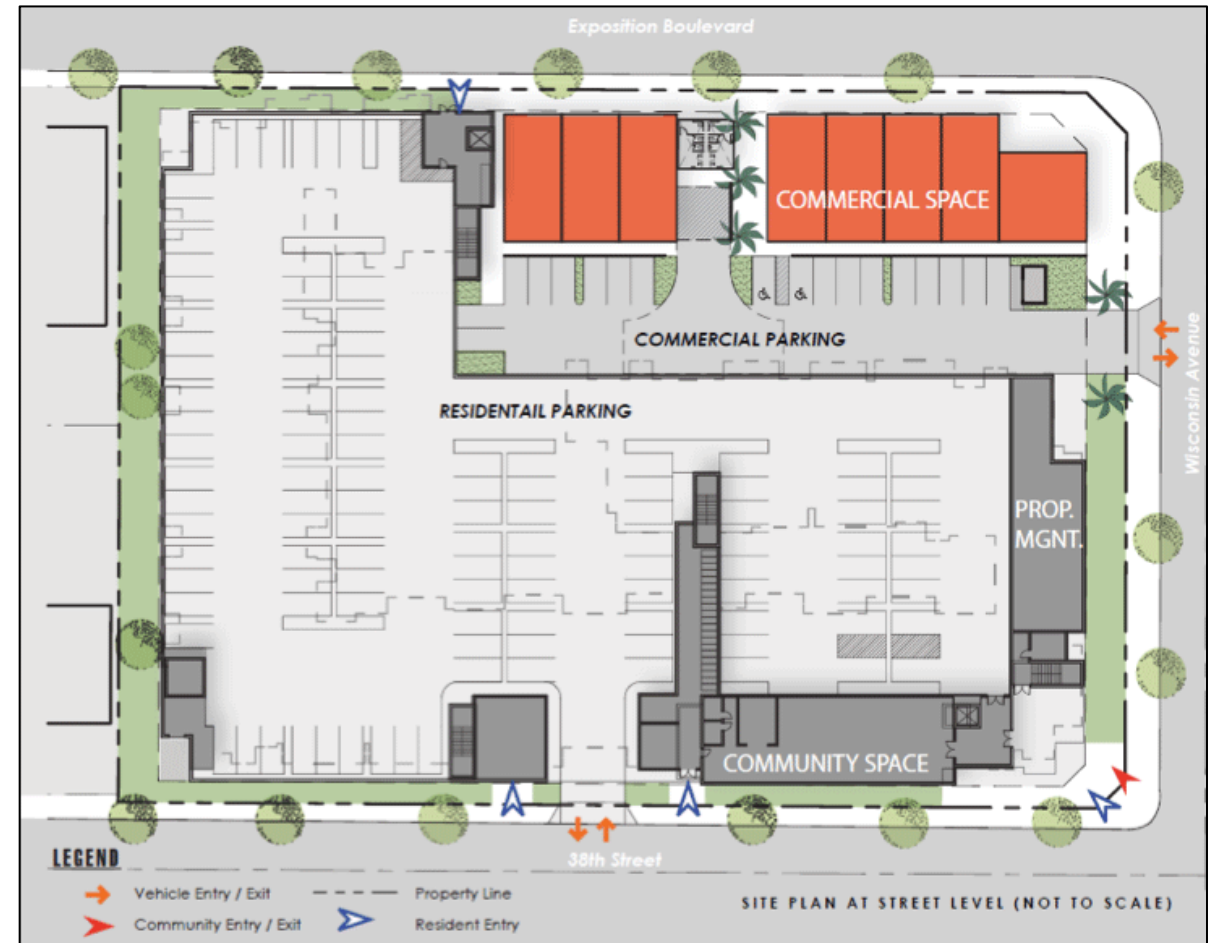
# STREAMLINE REVIEW PROCEDURES

## COMMON REVIEW PROCEDURES



# STREAMLINE REVIEW PROCEDURES CODIFY SITE PLAN PROCEDURE

- Formalize and update the site plan review procedure
- Separate major and minor site plan review processes
- Strengthen approval criteria



# STREAMLINE REVIEW PROCEDURES ALLOW MINOR MODIFICATIONS

UDO Standard	Allowable Modification (maximum percentage)
<b>Subdivision Standards</b>	
Parent tract size, minimum	10
Open space required, minimum	5
Block length, minimum or maximum	10
<b>Site Standards</b>	
Lot area, minimum	10
Lot coverage, maximum	10
<b>Lot Dimensional Standards<sup>1262</sup></b>	
Front building setback, minimum	Lots 6,000 square feet or smaller, 25
	Lots larger than 6,000 square feet, 15
Front parking setback, minimum	25
Front build-to range, minimum	25
Front building façade at build-to range, minimum	25
Side building setback, minimum	Lots 6,000 square feet or smaller, 25
	Lots larger than 6,000 square feet, 15
Rear building setback, minimum	Lots 6,000 square feet or smaller, 25
	Lots larger than 6,000 square feet, 15

UDO Standard	Allowable Modification (maximum percentage)
Impervious surface coverage, maximum	5
<b>Building Standards</b>	
Primary structure height, maximum	10
Primary structure height, minimum	10
Student housing or dormitory building floor plate (maximum)	5
Accessory building height, maximum	10
Projection into height requirement pursuant to Table 4-7	10
<b>Development Standards</b>	
Number of required vehicle or bicycle parking spaces, maximum or minimum	10
Minimum landscaped area	10
Fence or wall height, maximum	15

# STREAMLINE REVIEW PROCEDURES REDUCE THE NEED FOR PDs

- Generally, improvements elsewhere in the new UDC should lessen the need for new PDs, such as:
  - Minor adjustments to certain standards (e.g., setbacks, parking)
  - Updates and modernization of zone districts and use tables
- Consider a PD conversion process for existing PDs that could be approved as regular zoning under the new code





# STREAMLINE REVIEW PROCEDURES

# REFORM PD PROCESS

- Consider limiting when PDs are allowed (e.g., size, geographic area)
- Formalize a two-step PD review process (preliminary and final)
  - Reaffirm the essential project characteristics to consider at preliminary PD plan
  - Codify the final plan approval procedure
- Require public benefits
- Clarify amendment procedures (“minor” vs. “major”)





# ENHANCE USE REGULATIONS

## KEY QUESTIONS

- Does Addison want to delegate greater decision-making authority to their professional planning staff for matters that are not controversial, complex, or significant?
- Should a neighborhood meeting be required prior to the submittal of a major development proposal?
- Should the Town convert existing PDs to base zone districts where they would no longer be necessary under the new UDC, the owner agrees, and no nonconformities would be created?



# REWRITE SIGN REGULATIONS

- Formalize and update sign review procedures
- Consider establishing sign districts
- Consider added flexibility
- Consider allowing electronic signs in some areas





# REWRITE SIGN REGULATIONS TAILOR SIGN CONTROLS FOR AIRPORT

- Current standards do not anticipate the speed and distance of traveling aircraft
- Most signage is not visible to rest of community
- Improved visibility for ground references



# REWRITE SIGN REGULATIONS REMOVE CONTENT-BASED REGULATIONS

- Do you have to read it to regulate it?
- Remove references to specific sign types (e.g., real estate sign, gasoline sign)
- Consider removing SUP requirement related to alcoholic beverage signage
- Replace multi-tenant standards with increased sign area for large commercial properties
- Clarify exemptions for flags and decorations
- Distinguish “wall art” and “murals” from “signs” and “advertising”





# ENHANCE USE REGULATIONS

## KEY QUESTIONS

- Should electronic signage be allowed in specific areas of the Town?
- Should Addison maintain the same level of strict sign controls or allow for more flexibility?
- Should permanent and commercial signage regulations be updated to reflect the Supreme Court decision regarding content neutrality?



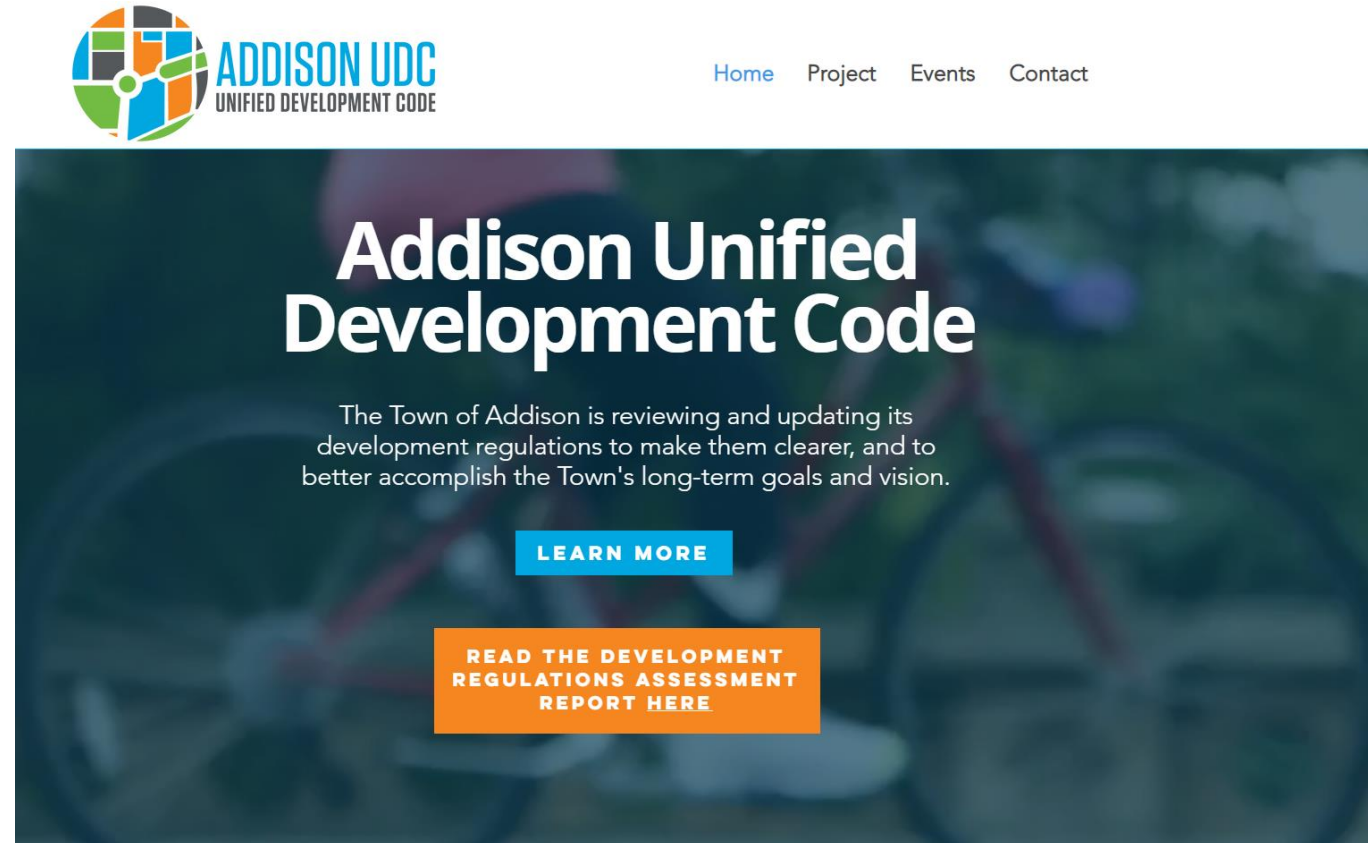


NEXT STEPS

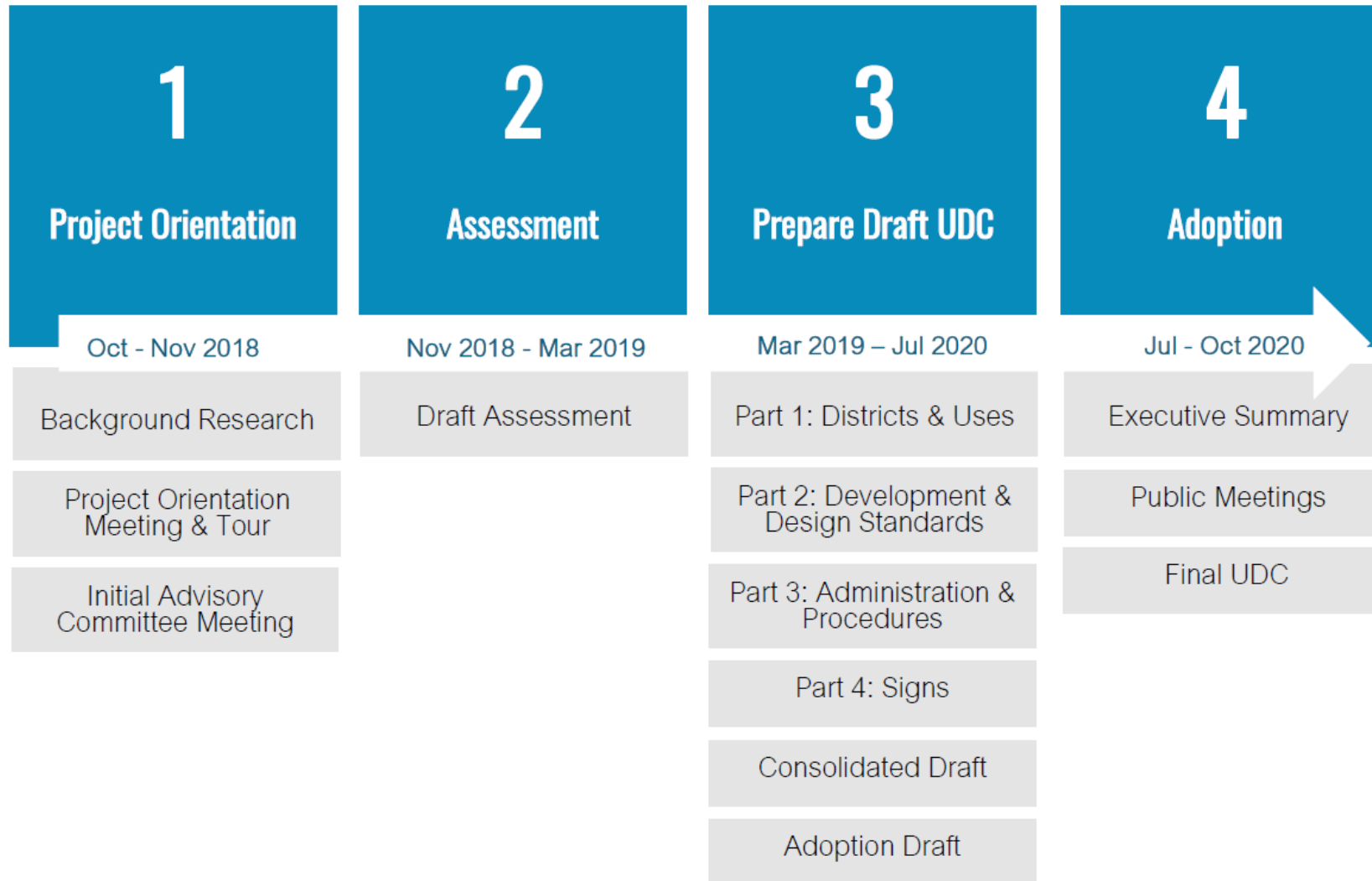


# COMMENTS?

- Please submit any comments by **April 15** on the Assessment Report to the project website
- [www.AddisonUDC.org](http://www.AddisonUDC.org)



# NEXT STEP: PREPARE DRAFT UDC



# THANK YOU

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**CLARION**

