



**** AMENDED ****

Addition to Agenda Memo, 6/10 @ 2:33 pm

**SPECIAL JOINT MEETING
OF THE CITY COUNCIL
AND
PLANNING & ZONING COMMISSION**

June 17, 2021

ADDISON TREEHOUSE

**14681 MIDWAY RD., SUITE 200, ADDISON, TX 75001
6:30 PM REGULAR MEETING**

Notice is hereby given that the Addison City Council and Planning & Zoning Commission will conduct a SPECIAL JOINT MEETING on Thursday, June 17, 2021 at the Addison TreeHouse with a quorum of the City Council and Commission physically present. Limited seating for members of the public will be available using CDC recommended social distancing measures. The meeting will be live streamed on Addison's website at: www.addisontexas.net.

Call Meeting to Order:
Mayor Joe Chow - Addison City Council
Chair Eileen Resnick

Pledge of Allegiance

Announcements and Acknowledgments Regarding Town and Council Events and Activities

Discussion of Meetings / Events

Public Comment

The Town invites citizens to address the City Council and Planning & Zoning Commission on any matter, including items on the agenda, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing starts. Citizen comments are limited to three (3) minutes, unless otherwise required by law. To address the Council and Commission, please fill out an Appearance Card and submit it to a staff member prior to the Public Comment item on the agenda. The Council and Commission is not permitted to take any action or discuss any item not listed on the agenda. The Council and Commission may choose to place the item on a future agenda.

Regular Items

1. Present and Discuss the **Development Code Review Process and Solicit Feedback on the Draft Unified Development Code Development Standards Addressing Flood Prevention, Grading and Drainage, Access and Circulation, and the Subdivision of Land.**
-

Adjourn Meeting

NOTE: The City Council and Planning & Zoning Commission 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.

**THE TOWN OF ADDISON IS ACCESSIBLE TO PERSONS WITH
DISABILITIES. PLEASE CALL (972) 450-7017 AT LEAST 48 HOURS IN
ADVANCE IF YOU NEED ASSISTANCE.**

POSTED BY: _____

Irma G. Parker, City Secretary

DATE POSTED: Thursday, June 10, 2021

TIME POSTED: 12:00 pm

DATE REMOVED FROM BULLETIN BOARD: _____

REMOVED BY: _____

Joint Council & P&Z

1.

Meeting Date: 06/17/2021

Department: Development Services

Pillars: Optimize the Addison Brand

Milestones: Review Town's ordinances and regulations to modernize them and facilitate redevelopment

AGENDA CAPTION:

Present and Discuss the **Development Code Review Process and Solicit Feedback on the Draft Unified Development Code Development Standards Addressing Flood Prevention, Grading and Drainage, Access and Circulation, and the Subdivision of Land.**

BACKGROUND:

Beginning in Fiscal Year 2018, the City Council's Strategic Plan included a milestone to review Town ordinances and regulations to modernize them and facilitate redevelopment. To address this strategic need, the Town engaged Clarion Associates in June 2018 to review the Town's current development regulations and to create a new Unified Development Code (UDC) shaped by a robust public review process.

The UDC drafting and review process is comprised of four code drafting phases, a testing phase, and public review and adoption of the consolidated UDC document. The four code drafting phases are:

- Zoning Districts and Uses
- Development and Design Standards
- Administration and Procedures
- Signs and Communication Facilities

Following kickoff of the project in the summer of 2018, the project team initiated a thorough review of the Town's existing zoning and development regulations, which ultimately culminated in the Development Regulations Assessment Report. This report was shaped by initial feedback received during the first UDC Advisory Committee meeting and through additional engagement with Town staff. The Development Regulations Assessment Report was formally presented in March 2019 at the second UDC Advisory Committee meeting, a subsequent community workshop, and a joint meeting of the City Council and Planning and Zoning Commission.

After receiving feedback on the Assessment Report, the project team began drafting the Zoning Districts and Land Use sections of the UDC. Drafts of these components were presented in September 2019 at the third UDC Advisory Committee, a subsequent community workshop, and at a November 2019 joint meeting of the City Council and Planning and Zoning Commission.

At the conclusion of the first code drafting phase, the project team began the drafting and review process for the Development and Design Standards section of the UDC. From December 2019 to September 2020, Town staff and Clarion Associates exchanged feedback on these components while public meetings associated with the UDC project were suspended due to the ongoing COVID-19 pandemic. With pandemic conditions improving and the Director

of Development Services position being filled on a permanent basis, the project team is ready to restart this project.

Project Schedule: Based on remaining project needs, staff will execute the below completion schedule for the UDC:

	Start	Finish
Development and Design Standards	May 2021	August 2021
Administration and Procedures	August 2021	October 2021
Signs and Communication Facilities	August 2021	December 2021
Prepare and Review Consolidated Draft UDC	December 2021	March 2022
Final UDC Presentation and Adoption	April 2022	June 2022

Due to its size and complexity, the Development and Design Standards phase will be carried out over a four-month period and will include three site visits from the Clarion Associates team. For each site visit, the project team will facilitate a project advisory committee meeting, a community outreach event, and a joint meeting of the City Council and Planning and Zoning Commission. The community outreach event may be something very formal such as an open house or virtual public meeting, or it may be informal, such as pop-up events at a location in Town where people may already be congregating.

Review Guidance: To support your review efforts throughout the Development and Design Standards phase, we are providing the entire document up front so that you may review it at your own pace. Content from this phase will be covered as follows:

- Part I (June 16-17): Floods, Grading and Drainage, Access & Circulation, Subdivision Regulations
- Part II (July 21-22): Parking & Loading, Site and Building Design, Exterior Lighting
- Part III (August 25-26): Landscaping, Buffering & Fences, Parkland Dedication and Park Development Fee

At the June 17th joint meeting, the project team will reintroduce the project and will facilitate a targeted discussion of Part I of the Development Standards phase. Staff will be requesting direction from the City Council and Planning and Zoning Commission on proposed development standards addressing flood prevention, grading and drainage, site access and circulation, and the subdivision of land. The consultant presentation will be tailored to introduce critical elements of each topic and to provide opportunity for feedback on the direction of the code.

Presentation materials will be provided at the meeting.

RECOMMENDATION:

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

Attachments

Draft UDC Phase 2: Transmittal Memo

MEMORANDUM

TO: Charles Goff, Town of Addison
FROM: Matt Goebel and Gabby Hart, Clarion Associates
CC: James L. Dougherty
DATE: June 29, 2020
RE: **Addison UDC – Part 2: Development Standards**

We are pleased to submit Part 2 of 3 of the Addison Unified Development Code (UDC) update project. Part 2 introduces updates to the development quality standards, including flood regulations; grading and drainage; access and circulation; parking and loading; landscaping, buffering, and fences; site and building design; exterior lighting; and subdivision regulations. The following bullets summarize the new UDC organization and the timeline for when each article will be drafted:

- Article 1: General Provisions [stay tuned, Part 3]
- Article 2: Zoning Districts [included in Part 1]
- Article 3: Use Regulations [included in Part 1]
- **Article 4: Development Standards**
- **Article 5: Subdivision Standards**
- Article 6: Administration and Procedures [stay tuned, Part 3]
- **Article 7: Definitions [included in Part 2, will be updated with each Part]**

The remainder of this memorandum highlights key changes proposed in Part 2, based on our own analysis and meetings with staff and stakeholders, other area-specific planning efforts, guidance provided in the [Addison Comprehensive Plan](#), with particular focus on the [Development Regulations Assessment Report](#), specifically:

- **Create a more user-friendly code.** This draft illustrates how the new reformatted and reorganized UDC will be much more user-friendly than the current regulations. In addition to reformatting and reorganizing information, we also developed several tables to improve the readability. Subsequent drafts will also introduce additional new graphics to illustrate complicated concepts and ideas.
- **Improve and tailor development standards.** Part 2 includes updates to Addison's current development quality standards. This draft consolidates various provisions to remove unnecessary material and to move toward a more cohesive set of quality standards that address the different development contexts that exist in Addison. Proposed changes are based on the recommendations in the Assessment Report and additional discussions with staff.

This is a draft only; there will be several opportunities for public review and input related to this material before the formal adoption process begins (where several more opportunities for input will be provided).



Please visit www.addisonudc.org for project information, to sign up for regular updates, and to provide feedback.

Article 4: Development Standards

This draft introduces several updates to the development quality standards in Addison, based on the Assessment Report and subsequent discussions with staff.

4.1 Purpose

Article 4 includes a new purpose statement that establishes a clear intent for why Addison regulates development quality standards.

4.2 Applicability

This section is new and establishes clear thresholds for when development activity triggers the need to make site and building improvements. This section also includes clarification on the timing of applicability and how this article relates to existing and future PD development. Some of the thresholds in this draft are based on current standards; however, several are new and require further discussion.

4.3 Floods

This section carries forward current Chapter 42 with no substantive changes.

4.4 Grading and Drainage

The Town's current grading and drainage standards are located in a separate [Drainage Criteria Manual](#) available on the Town's website. Rather than dismantling that document and relocating some standards in the UDC, we think it is more effective to reference that manual in the UDC to retain a "one stop shop" for these standards and so that readers know where to find that information. Some communities include general site layout and design standards in the UDC and reference an outside criteria manual for detailed engineering and other technical design standards.

4.5 Access and Circulation

This is generally a new section for the Town's consideration. All provisions in the draft are new unless otherwise noted. This section is included in the general development standards, versus the subdivision standards, so that many of these improvements will be applied to redevelopment projects and individual sites, not just new subdivisions. The subsections cover vehicular, pedestrian, and bicycle connectivity independently.

4.6 Parking and Loading

This is a new section that consolidates off-street parking and loading standards from several sections of the *Code of Ordinances*. This draft includes a new table of minimum vehicle parking requirements that corresponds to the table of allowed uses presented in Part 1 (ensuring that each proposed land use type has an associated off-street parking requirement). The current minimum parking requirement for each use is listed (if one exists) in the middle column for comparison against the new proposed requirement. Some existing parking requirements include a broad range of land use types (e.g. "service, general retail"). In these cases, we used our judgment to assign a current parking standard to the proposed land use type most closely related to it. Proposed changes are indicated with footnotes. The current standards column will be removed prior to adoption. This draft includes new minimum parking standards as well as a new maximum parking standard of 125 percent of the minimum parking required (except for residential uses that have a set maximum of 2 spaces per dwelling unit).

The current code does not specify parking standards for many uses. We have suggested new standards for all use types for discussion purposes, based generally on Texas and national research. We heard differing feedback as to whether current standards are too high or too low. We were not overly aggressive

with the suggested new minimums in this draft (knowing that the Town is very auto-dependent). The applicability section can be more aggressive in setting exemptions for areas where parking ratios may not need to be as high (e.g., mixed-use areas).

Several other new and revised sections are included, including parking alternatives, vehicle parking layout and design, vehicle loading areas, drive-through facilities, and use of parking

4.7 Landscaping, Buffering, and Fences

This section is built on a consolidation of multiple landscaping sections from throughout the current ordinances, primarily Chapter 34: Environment, Article VI: Landscaping Regulations; Chapter 18, Article X: Fences; and various landscaping-related provisions found in the current zoning district standards. Many specific edits are noted to introduce new flexibility, to clarify requirements, and to raise the bar for landscape design quality generally. Buffering and fencing standards are enhanced.

Generally, discussion is needed on the administration of this section. The current code places the authority for landscaping under the Director of Parks and Recreation. This draft continues that practice. However, it is common in many communities for the Development Services Director to have such authority. Further discussion is also required to determine if the airport should be more explicitly exempt from landscape requirements.

4.8 Site and Building Design

This section includes several improvements from the current regulations, including a new organization. Rather than relocating separate standards based on discrete areas (e.g., UC and Belt Line zone districts), this draft organizes building and site design based on development type (residential, mixed-use, and nonresidential). This draft also establishes new town-wide standards for greater consistency across projects and to minimize the need to use the PD tool to require higher-quality building design. The content in this section builds on the Town's current standards and retains area-based design standards when appropriate – particularly with building material requirements.

As per staff's direction, this section is being drafted to include site and building design standards as if H.B. 2439 did not exist. This section (and others) will be re-evaluated and updated (if necessary) prior to adoption hearings to align with current Texas legislation. Once the draft text has been discussed and finalized, we will integrate graphics into this section to help illustrate key concepts (e.g., "distinct façade design").

4.9 Exterior Lighting

The current *Code of Ordinances* has minimal exterior lighting standards, mostly which apply to only specific districts (Belt Line, LR, C-2). Although we have not discussed exterior lighting standards in detail with staff, they are recommended in the Assessment Report as an additional tool that can help Addison raise the overall bar on development quality.

This draft proposes some relatively simple standards to apply more broadly throughout the Town, but they are more complex than what the Town is administering today. Comprehensive lighting standards require additional up-front submittal requirements to demonstrate compliance and can require additional code enforcement measurement devices.

This draft also introduces a new concept of lighting classes that tailors exterior lighting standards to recognize that different parts of the community, and/or different use types, have different lighting needs. Lighting classes may become complex and have many tiers in larger cities. For Addison, further discussion is necessary about whether lighting classes are necessary and worthwhile. They would provide a tool to be more fine-grained in regulating lighting differently in various areas – but they may not be worth the additional administrative complexity in a community the size of Addison. This draft introduces a relatively

simple system of three classes of lighting based on the type of use. If this approach is embraced, then we could further fine-tune the subsequent standards based on the lighting classes.

4.10 Signs

This section will be drafted in Part 3.

Article 5: Subdivision Standards

This article consolidates and updates the current subdivision standards as outlined in the Assessment and Annotated Outline. This article also reorganizes content to be more user-friendly, beginning with general provisions, followed by subdivision design standards (i.e., how to layout and design the subdivision), and then regulations for subdivision improvements (i.e., required infrastructure and utilities). Footnotes throughout identify proposed changes from current standards.

5.1 General Provisions

This new section includes several new subsections to clarify the purpose, applicability, and administration of the subdivision standards. The current regulations lack a clear intent statement and do not explicitly identify when subdivision standards apply to development. Current sections related to the administration of the subdivision regulations have been relocated to this section.

5.2 Subdivision Design Standards

This section establishes the general standards for how subdivisions should be designed in Addison, including lot planning, access, block length, and block arrangement. This section also includes street design and construction standards, several of which are technical in nature and recommended to be relocated to a criteria manual outside of the UDC. Private street standards are also included in this section. New cluster subdivision regulations are introduced to allow alternate forms of development in exchange for permanently protected sensitive lands and/or common open space.

5.3 Subdivision Improvements

This section includes standards for required subdivision improvements within public rights-of-way or recorded easements (i.e., storm sewer, sanitary sewer, water, street lighting, sidewalks, street trees). Updated parkland dedication standards derived from the current MXR and UC zoning districts are also included, providing developers with a dedication or payment-in-lieu option for providing required open space.

Article 7: Definitions and Rules of Construction

Rules of Construction

Section 7.1 includes general rules of construction that are essential in understanding the context and general terminology used throughout the UDC. Most of the content in this section is new.

Definitions

This draft includes the definitions pertinent to the elements drafted to-date. New terms added in Part 2 are highlighted in yellow. We will continue to build on these definitions as future drafts are released. Several of the definitions in this draft are new, but some were carried forward from the existing regulations and revised as footnoted.

General Comments

Footnotes, Cross-References, and Commentary

This draft includes numerous footnotes that highlight relocations, new or modified provisions, and ask important policy questions. Some of the footnotes are marked “**STAFF**” to identify topics that require further discussion with Town staff, stakeholders, and the general public; we hope to resolve these prior to publishing the Consolidated Draft. Cross-references throughout are hyperlinked to other sections within the document for ease of reference. Since some articles have not yet been drafted, there are several placeholders “**Section ---**” that will be updated after all three Parts of the UDC have been drafted.

Each article (and some sections) begin with a shaded text commentary box drawing attention to the primary purpose of the article or section and the major changes from the current development regulations. These commentary boxes provide context for review and will be deleted prior to the final Adoption Draft.

Grammar and Minor Corrections

We made several style, grammar, and formatting assumptions throughout this draft, such as consistent capitalization of key terms, and spelling out numbers one through nine (numerals for 10 and higher). Any spelling errors, typos, or grammatical errors from the current regulations were corrected in this draft UDC, often without footnote.

ADDISON, TEXAS



UNIFIED DEVELOPMENT CODE PART 2: DEVELOPMENT STANDARDS

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Article 1: General Provisions

[To be drafted in Part 3]

Article 2: Zoning Districts

[Submitted with Part 1]

Article 3: Use Regulations

[Submitted with Part 1]

Article 4: Development Standards

Commentary:

This article contains standards that address development quality, such as grading and drainage, parking, landscaping, and building design. The current ordinances contain development quality standards in multiple locations. The primary tasks in drafting this article were to consolidate the various related and overlapping provisions and to remove unnecessary material (either because it is outdated, or duplicative, or because it belongs in separate administrative or design review guidelines).

This proposed draft also contains a substantial amount of new material based on the Assessment Report and Annotated Outline and follow-up discussions with staff and other community stakeholders. In this article, and subsequent articles, we often refer to an “Administrative Manual,” which was recommended in the Assessment report and is proposed to include the requirements for application submittal materials, fees, time periods for review, and other administrative information that does not need to be included in this UDC. Keeping such material outside the UDC allows it to be updated more regularly without formal UDC amendments.

4.1 Purpose¹

This article includes standards that regulate the physical layout and design of development within Addison to ensure the protection of the health, welfare, safety, and quality of life and to implement the Addison Comprehensive Plan. These standards address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to create and maintain an attractive, efficient, and livable community.

4.2 Applicability²

Except as otherwise provided in this Article 4: *Development Standards*, the standards of this article shall apply to all development located within the Town, pursuant to the TLGC and **Section ---**³, and as further detailed below.

Commentary

This section specifies the applicability of this article to various types of development and redevelopment projects. While new construction always must comply with all the standards, the related question is what to do about partial redevelopment projects. The following sections propose a tiered approach to determining which and to what extent the development standards of this article apply to various types of redevelopment projects. A uniform tiered structure like this will increase the predictability of the development review process and better balance required development standards with the size and scale of a project.

Such an approach is not unusual around the country, but few of Addison’s peer communities in north Texas have adopted such a methodical, formal approach in this way. Other local communities generally apply development standards based on the underlying zoning district or the building type (i.e., residential versus nonresidential) rather than based on the physical condition and extent of proposed changes to a structure.

4.2.1 Development Standards Applicability Table

- A. Paragraph (C) below identifies activities that trigger compliance with specific development standards contained in Article 4: *Development Standards*. These standards shall not exempt development activity that falls below the thresholds identified in Subsections 4.2.2 or 4.2.3 from complying with applicable standards of this UDC or any applicable federal, state, or local regulations.

¹ New.

² Based on and updates current 34-203, but mostly new. The current applicability thresholds are unnecessarily complex; this section attempts to apply more uniform applicability thresholds to development town-wide.

³ This will be updated to reference the general applicability and jurisdiction standards to be drafted in Part 3.

- B. For purposes of this section, “entire site” shall mean the total area of the lot on which development is occurring. “Development impact area” shall mean those areas of the lot or those portions of the structure that are included in the project area or that are affected by the proposed development activity, as defined in Article 7: *Definitions*.
- C. Specific applicability thresholds and applicable exemptions are provided in Sections 1.1 through 4.10.

✓ = Entire Site ◇ = Development Impact Area Only				
UDC Standard	UDC Reference	New Construction	Minor: Tier 1	Major: Tier 2
Floods	1.1	✓	All development, see Section 1.1	
Grading and Drainage	4.4	✓	All development, see Section 4.4	
Access and Circulation	4.5	✓	All development, see Section 4.5	
Parking and Loading	4.6	✓	◇	✓
Landscaping, Buffering, and Fences	4.7	✓	◇	✓
Site and Building Design	4.8	✓	◇	✓
Exterior Lighting	0	✓	All development, see Section 0	
Signs	4.10	✓	[will be included in Part 4]	

4.2.2 Minor Redevelopment: Tier 1

- A. Expansions, alterations, or modifications that increase the gross floor area of an existing structure by the greater of 10,000 square feet or between 10 and 50 percent;
- B. Expansions, alterations, or modifications that increase the total number of existing dwelling units on a lot by the lesser of 10 dwelling units or between 10 and 25 percent;
- C. The alteration or expansion of any vehicular parking area by the greater of six spaces or 50 percent, excluding resurfacing or restriping;
- D. Any expansion or enlargement of a structure or land use that requires a Special Use Permit; or
- E. Applications for building permits or for certificates of occupancy for buildings previously unoccupied for a period of six consecutive months.

4.2.3 Major Redevelopment: Tier 2

- A. Expansions, alterations, or modifications that increase the gross floor area of an existing structure by more than 50 percent;
- B. Expansions, alterations, or modifications that increase the total number of existing dwelling units on a lot by more than 25 percent;
- C. An existing principal structure is relocated on the lot; or
- D. Applications for building permits or for certificates of occupancy for buildings previously unoccupied for a period of longer than six consecutive months.

4.2.4 Timing of Applicability

- A. The standards in this article shall become applicable to each individual lot at such time a site plan is submitted for review or an application for a building permit on such lot is made.

- B. When this UDC becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

4.2.5 Planned Development (PD)⁴

- A. Development within any new planned development (PD) established after the effective date of this UDC shall be subject to this Article 4: *Development Standards*, unless alternative standards are adopted as part of the PD approval that, in the determination of the Director, are at least equal to the standards set forth in this article.

4.3 Floods

Commentary

This section carries forward the current Chapter 42, Article II, with no changes. These regulations are typical of how Texas cities address flood issues.

4.3.1 Generally

A. Statutory Authorization

Local governments are authorized by State law to adopt regulations designed to minimize flood losses, and to take all necessary and reasonable actions to comply with the requirements and criteria of the National Flood Insurance Program.

B. Applicability

This section applies to all areas of special flood hazard within the jurisdiction of the Town of Addison.

C. Penalties for Noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered, or have its use changed without full compliance with the terms of this section and all other applicable regulations. Violation of the provisions of this section by failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with conditions, shall constitute a misdemeanor. Any person who violates this section or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2,000.00 for each violation in accordance with Section --- of this Code. Each day a violation continues to exist will constitute a new and separate violation. Nothing contained in this section shall prevent the Town of Addison from taking such other lawful action as is necessary to prevent or remedy any violation.

D. Interpretation

In the interpretation and application of this section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the city council; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

E. Purpose

It is the purpose of this section to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;

⁴ New.

3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
7. Ensure that potential buyers are notified that property is in a flood area.

F. Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) . The current maps are hereby adopted by reference and declared to be a part of this section.

G. Abrogation and Greater Restrictions

This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

H. Methods of Reducing Flood Losses

In order to accomplish its purposes, this section includes methods and provisions for:

1. Restricting or prohibiting uses that are dangerous to health, safety or property in times of flood, or that cause excessive increases in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards to other areas.

I. Warning and Disclaimer or Liability

The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This section does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This section shall not create liability on the part of the town or any officer or employee thereof for any flood damages that result from reliance on this section or any administrative decision lawfully made under this section.

4.3.2 Flood Hazard Reduction

A. General Standards

In all areas of special flood hazards the following standards are required:

1. Anchoring

All new construction or substantial improvements must be designed (or modified) in such a manner that they are adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

2. **Construction Materials and Methods**

- a. All new construction or substantial improvements must be constructed by methods and practices that minimize flood damage.
- b. All new construction or substantial improvements must be constructed with materials resistant to flood damage.

3. **Utilities**

- a. All new construction and substantial improvements must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- b. All new and replacement water supply systems must be designed to minimize or eliminate infiltration of floodwaters into the system.
- c. All new and replacement sanitary sewage systems must be designed to minimize or eliminate infiltration of flood waters into the system, and to minimize or eliminate discharge from the systems into flood waters.
- d. On-site waste disposal systems must be located to avoid impairment to them or contamination from them during flooding.

B. Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Subsection 4.3.1F (regarding the basis for establishing the area of special flood hazard), Section ---⁵ (pertaining to the use of other base flood data), or Subsection 4.3.2C (pertaining to standards for subdivision proposals), the following provisions are required:

1. **Residential Construction**

New construction and substantial improvement of any residential structure must have the lowest floor, including basement, elevated at least two feet above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that this standard is satisfied. The administrator shall maintain a record of such certification.

2. **Nonresidential Construction**

New construction and substantial improvements of any commercial, industrial or other nonresidential structure must either have the lowest floor, including basement, elevated at least two feet above the base flood elevation, or together with attendant utility and sanitary facilities, be designed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop or review the structural design, specifications, and plans for the construction, and shall certify to the floodplain administrator that the design and methods of construction are in accordance with accepted standards of practice as outlined in this section. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed must be maintained by the floodplain administrator.

3. **Enclosures**

New construction and substantial improvements with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, must be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

⁵ Will refer to the duties of the floodplain administrator, to be drafted in installment 3.

- a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding must be provided.
- b. The bottom of all openings must be no higher than one foot above grade.
- c. Openings equipped with screens, louvers, valves, or other coverings or devices must permit the automatic entry and exit of floodwaters.

4. Manufactured Homes

- a. Manufactured homes to be placed within Zone A on the FHB or FIRM must be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated to two feet above the base flood elevation and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- b. Manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- c. Manufactured homes placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH and AE on the FIRM that are not subject to the provisions of subsection (4)b. of this section must be elevated so that either:
 - i. The lowest floor of the manufactured home is at or above the base flood elevation, or
 - ii. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and are securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

5. Recreational Vehicles

Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the FIRM must either:

- a. Be on the site for fewer than 180 consecutive days;
- b. Be fully licensed and ready for highway use; or
- c. Meet the permit requirements of Section ---⁶ and the elevation and anchoring requirements for "manufactured homes" in Subsection 4.3.2B.4. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

C. Standards for Subdivision Proposals

- 1. All subdivision proposals, including the placement of manufactured home parks and subdivisions, must be consistent with the need to minimize flood damage.
- 2. All proposals for the development of subdivisions, including the placement of manufactured home parks and subdivisions, must meet development permit requirements of this section.
- 3. Base flood elevation data must be provided for subdivision proposals and other proposed development, including the placement of manufactured home parks and subdivisions, that is greater than 50 lots or 5 acres, whichever is less, if not otherwise provided pursuant to Subsection 4.3.1F regarding the basis for establishing the areas of special flood hazard or Section ---⁷ pertaining to the use of other base flood data.

⁶ Will refer to the floodplain development permit, to be drafted in installment 3.

⁷ Will refer to the duties of the floodplain administrator, to be drafted in installment 3.

4. All subdivision proposals, including the placement of manufactured home parks and subdivisions, must have adequate drainage provided to reduce exposure to flood hazards.
5. All subdivision proposals, including the placement of manufactured home parks and subdivisions, must have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

D. Standards for Areas of Shallow Flooding (AO/AH Zones)

Located within the areas of special flood hazard established in Subsection 4.3.1F, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified).
2. All new construction and substantial improvements of non-residential structures must:
 - a. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified);
 - b. Together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
3. A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section are satisfied.
4. Within Zones AH and AO, adequate drainage paths must be provided around structures on slopes to guide flood waters around and away from proposed structures.

E. Floodways

Located within areas of special flood hazard established in Subsection 4.3.1F, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris, potential projectiles and erosion potential, the following provisions apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development, within the adopted regulatory floodway, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the town during the occurrence of the base flood discharge.
2. If paragraph (1) of this section is satisfied, all new construction and substantial improvements must comply with all applicable flood hazard reduction provisions of this section.
3. Under the provisions of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by the National Flood Insurance Program Regulations.

F. Severability

If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

4.4 Grading and Drainage

Commentary

The Town's current grading and drainage standards are located in a separate [Drainage Criteria Manual](#) available on the Town's website. Rather than dismantling that document and relocating some standards here, we think it is more effective to reference that manual in the UDC to retain a "one stop shop" for these standards and so that readers know where to find that information. Some communities include general site layout and design standards in the UDC and reference an outside criterial manual for detailed engineering and other technical design standards.

All development is subject to the requirements in the Drainage Criteria Manual and any other applicable Public Works and Engineering Department standards.

4.5 Access and Circulation

Commentary

This is generally a new section for the Town's consideration. All provisions are new unless otherwise noted. This section is included in the general development standards, versus the subdivision standards, so that many of these improvements will be applied to redevelopment projects and individual sites, not just new subdivisions. The subsections cover vehicular, pedestrian, and bicycle connectivity independently.

4.5.1 Purpose

The purpose of this section is to support the creation of a highly connected transportation system within the Town in order to:

- A. Promote multimodal travel in Addison by providing options for automobiles, transit, bicycles, and pedestrians;
- B. Connect neighborhoods to each other;
- C. Connect neighborhoods to local destinations such as employment, schools, parks, and shopping centers;
- D. Reduce vehicle miles of travel and travel times;
- E. Mitigate the traffic impacts of new development and redevelopment;
- F. Reduce stormwater runoff, reduce heat island effect from large expanses of pavement, improve water quality, and minimize dust pollution;
- G. Improve air quality; and
- H. Reduce emergency response times.

Generally, access and circulation systems associated with any development shall provide for multiple travel modes (vehicular, transit, bicycle, and pedestrian), as appropriate to the development's size, character, and relationship to existing and planned community transportation systems. Vehicular, transit, bicycle, and pedestrian access and circulation systems shall be coordinated and integrated as necessary to offer the development's occupants and visitors improved transportation choices while enhancing safe and efficient mobility throughout the development and the community.

4.5.2 Applicability

Except as otherwise provided in this section, the standards of this section shall apply to all development as established in Section 4.2: *Applicability*.

4.5.3 Developer Responsibility for Access and Circulation Improvements⁸

A. On-Site Circulation

1. If a street is proposed within a development site, the developer shall provide roadway, bikeway, sidewalk, and other access and circulation improvements in accordance with the standards in this section, the Master Transportation Plan, current engineering design standards, and shall dedicate any required rights-of-way or easements as determined necessary by the Town.
2. If a development site includes the proposed corridor of a street designated on an adopted plan, the development shall incorporate provision of the street into the design of the development and shall dedicate right-of-way that meets the right-of-way width standards for the street. If a traffic impact analysis shows that the development itself is expected to generate sufficient traffic to warrant design of the street as a principal or minor arterial thoroughfare, the developer shall be responsible for constructing the street (including any bikeway, sidewalk, and other associated access and circulation improvements) in accordance with the Town's standards for a principal or minor arterial thoroughfare, as appropriate; otherwise, the developer shall be responsible for constructing the street (including any bikeway, sidewalk, and other associated access and circulation improvements) to meet at least those standards in the Town's Master Transportation Plan for a local or collector street as determined by Town staff.

B. Off-Site Circulation

1. If a development site fronts on and obtains vehicular access from an existing street, the developer shall be required to dedicate additional right-of-way along the street frontage or in the vicinity of the development and to provide roadway, bikeway, sidewalk, and other access and circulation improvements within the street right-of-way that are reasonably necessary to ensure the safe, convenient, efficient, and orderly accommodation of vehicular and pedestrian traffic demands and impacts generated by the proposed development.
2. Such improvements may include, but are not limited to, turn lanes, deceleration and acceleration lanes, widening or paving of substandard roadways, medians, bikeways, sidewalks, sidewalk ramps and crossings, street lights, bus shelters, and the relocation or improvement of utility lines and facilities needed to accommodate street improvements. The extent of required dedications and improvements related to the abutting street shall be roughly proportional to the traffic demands and impacts generated to and along that street by the proposed development.

4.5.4 Streets, Alleys, and Vehicular Circulation

A. Uniform Street Standards

All streets and related improvements shall be constructed in accordance with the standards in the Town's Master Transportation Plan and current engineering design standards.

B. Layout and Design

1. The street pattern shall be designed to afford safe and convenient access to all lots.
2. The street pattern shall have a logical relationship to topography.
3. Where possible, streets shall be aligned to afford maximum solar access to each building site.
4. Where a proposed development borders a principal or minor arterial, street intersections with the arterial street shall be at intervals of one-quarter mile or greater.
5. Bicycle lanes are required in the design of all arterial and collector streets where low traffic speeds and volumes allow bicyclists and motorists to share the road safely, as prescribed in the Master Transportation Plan.

⁸ This is intended to clarify when the Town may require a developer to construct public street improvements, reflecting limitations defined by the courts. This is likely already existing Town policy but is helpful to have spelled out in clear language in the code.

C. Circulation Plan

1. All development, except for single-family residential uses within previously platted subdivisions, shall prepare a circulation plan. The circulation plan shall be submitted with the respective site plan or subdivision application, as appropriate.
2. The circulation plan shall address, at a minimum: street connectivity, emergency and service vehicle access, parking movements, accommodation of loading and unloading operations, turning radii, traffic calming measures where future “cut-through” traffic is likely, and similar issues identified by the Director at a pre-application conference.
3. The Director may waive the requirement for a circulation plan upon determining that a proposed development is expected to have no impact on circulation or proposes no change in existing circulation patterns. This provision shall not be construed to exempt development that includes additional parking, driveways, or substantial modifications to the existing pedestrian network.

D. Street Connectivity

1. Purpose

Street and block patterns shall include a clear hierarchy of well-connected streets that distribute traffic over multiple streets and avoid traffic congestion on principal routes. Within each development, the access and circulation system should accommodate the safe, efficient, and convenient movement of vehicles, bicycles, and pedestrians through the development, and provide ample opportunities for linking adjacent neighborhoods, properties, and land uses. Local neighborhood street systems are intended to provide multiple direct connections to and between local destinations such as parks, schools, and shopping.

2. Standards

- a. The vehicular access and circulation for a development shall incorporate the continuation and connection of public street roadways and associated rights-of-way that have been extended or connected to the boundary of the development site from existing or approved abutting developments.
- b. The vehicular access and circulation for a development shall provide for the extension or connection of proposed internal public street roadways and associated rights-of-way to those boundaries of the development site whenever such extensions or connections are or may be necessary to ensure that the development site or the abutting property will have:
 - i. At least two vehicular access points to and from an external through street system, preferably on to two separate streets;
 - ii. Convenient and efficient access by vehicles needed to provide police, fire, and emergency services; and
 - iii. Convenient and efficient access by vehicles needed to provide other public services.
- c. An extension or connection of a public street roadway and right-of-way to an abutting property shall include the extension or connection of associated bikeways and sidewalks.
- d. The Director and/or the Director of Public Works and Engineering may require a temporary turnaround at the end of a roadway extension if needed to facilitate traffic flow or to accommodate emergency vehicles pending the roadway's connection to other roadways.
- e. The Director and/or the Director of Public Works and Engineering may waive or modify the requirements or standards for extension or connection of a public roadway from or to an abutting property if such extension is impractical or undesirable because it would:
 - i. Require crossing a significant physical barrier or environmentally sensitive area (e.g., watercourses, floodplains, riparian areas, steep slopes; wildfire hazard areas);
 - ii. Require the extension or connection of a proposed internal public street to an abutting property with existing development whose design makes it unlikely that the street will ever be part of a network of public streets (for example, the abutting existing development has no public streets, or there are no “stubbed-out” street rights-of-way or open corridors between

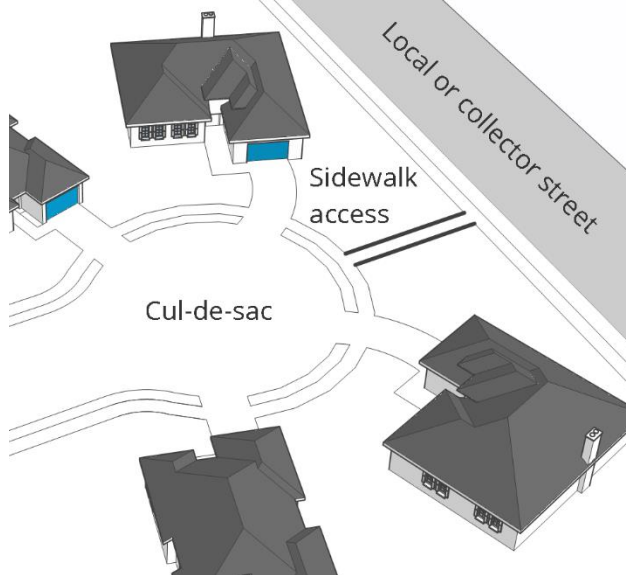
the proposed development site and public streets in the abutting development to accommodate a current or future extension or connection);

- iii. Require the extension or connection of a proposed internal public street to an abutting property owned by a government or public utility to which vehicular access is restricted, or other property to which vehicular access is restricted by easement or deed; or
- iv. Require the extension or connection of a proposed internal public street to an abutting property that is developed or zoned for a use whose level and type of generated traffic would be incompatible with the proposed development.

3. Cul-de-Sacs and Dead-End Streets

- a. Cul-de-sacs shall be avoided to the maximum extent feasible.
- b. Dead-end streets shall be avoided to the maximum extent feasible except where planned for future extension.
- c. Where residential developments have cul-de-sacs or dead-end streets, such streets shall be connected to the closest local or collector street or to cul-de-sacs in adjoining subdivisions via a sidewalk or multi-use path, except where deemed impractical by the Director.
- d. All stub streets and temporary dead-end streets greater than 100 feet in length shall terminate in a cul-de-sac.

Figure 4.1: Sidewalk Access for Cul-De-Sac or Dead-End Streets



4. Cross Access Between Abutting Development

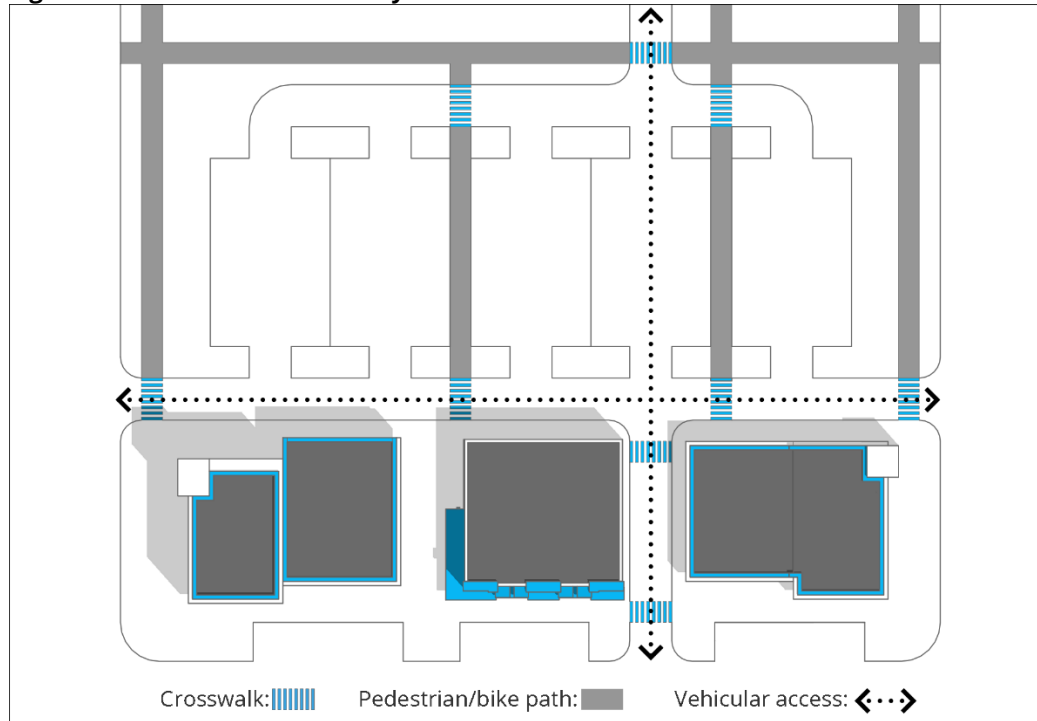
To facilitate vehicular, pedestrian, and bicycle access between abutting developments, encourage shared parking, and minimize access points along streets, new single-family attached, multifamily, nonresidential, and mixed-use development shall comply with the following standards:

- a. The internal circulation system shall be designed to allow for cross-access between the development’s common use areas and common use areas in an abutting single-family attached, multifamily, nonresidential, or mixed-use development, or to the boundary of abutting vacant land zoned to allow single-family attached, multifamily, nonresidential or mixed-use development.
- b. Required vehicular cross access between the abutting lots shall be provided through the use of a frontage or service street (if the lots front on a major arterial thoroughfare right-of-way), a single two-way driveway or drive aisle, or two one-way driveways or aisles that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
- c. The Director, in conjunction with the Director of Public Works and Engineering, may waive or modify the requirement for cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally

sensitive area (e.g., railroad, watercourse, floodplain, wetlands, steep slopes), or would create unsafe conditions or impede the application of other design requirements in this UDC.

- d. Easements allowing cross access to and from properties served by a vehicular, pedestrian, or bicycle cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the County Clerk before issuance of a Building Permit for the development.

Figure 4.2: Internal Circulation System for Cross Access



E. Use and Maintenance

1. Access and circulation routes are intended to provide pedestrian, bicycle, and vehicle access. Vehicle parking, garbage containers, merchandise storage or display, utility boxes and poles, signs, trees, and other obstructions shall not encroach into the required minimum width of any required access or circulation route, unless otherwise authorized by this UDC.
2. Access and circulation routes required by this UDC shall be maintained in usable condition throughout the year.

4.5.5 Driveways and Access

A. Access

1. The number of access points to any property shall be limited to one, unless it can be shown that the development will generate sufficient volumes to require two points of access for safe internal operations.¹²
2. All driveways shall meet the spacing, clearance, and design requirements set forth in the Town's Transportation Technical Standards.

¹² From the "General Driveway Access Principles" in the current *Transportation Technical Standards*.

3. Direct driveway access (ingress or egress) from any single-family residential lot to any arterial street or commercial collector street is prohibited, unless no other legal access alternative is available.¹³
4. In the M-1 zoning district, site access and curb cuts shall be limited to one curb cut per lot for single-family residential uses.¹⁴
5. In the M-1, M-3 and M-5 zoning districts, site access and curb cuts shall be limited to two curb cuts per block, unless no other legal access alternative is available.¹⁵

B. Location

1. In the M-1, M-2, M-3, M-4, and M-5 zoning districts, driveways shall have a minimum setback of five feet from side lot lines. This requirement shall not apply to zero-lot-line or rowhouse developments, provided there is a five-foot wide landscaping strip between driveways.¹⁶
2. In all other zoning districts, driveway surfaces must be located a minimum of two feet from an interior side property line unless prior approval, recorded in the property records of Dallas County, Texas, has been obtained from the adjoining property owner. Where driveways are located parallel and adjacent to a side street property line, a minimum of five feet shall be provided between the surface and the property line.¹⁷
3. Driveways located near intersections shall maintain the vision clearance areas as required by Subsection 4.5.6, and the Town's Transportation Technical Standards.

C. Removing or Relocating Driveways¹⁹

1. Where the removal or relocation of one or more existing driveways or portions of driveways is necessary to comply with this UDC, any driveway or portion of driveway that is removed shall be replaced with the installation of curb and gutter along the gutter line of the street, in accordance with Public Works and Engineering Department specifications.
2. If there is no existing curb and gutter on the street, the driveway shall be removed in the manner specified by the Director of Public Works and Engineering.
3. The removal or relocation of one or more existing driveways or portions of driveways shall require the developer to maintain or improve drainage patterns to meet the standards of this UDC.
4. The removal or relocation of a driveway shall also require the installation of landscape treatments for that portion of the site pursuant to the standards in this UDC.

D. Surfacing²¹

1. All driveways and access drives to improved parking surfaces shall be constructed as a continuous improved surface of concrete, brick pavers, pavenstone, or other approved surfacing material designed to support vehicular weight and installed on an approved base course or other hard surfaced durable material designed to support vehicular weight approved by the Director of Public Works and Engineering.
2. Driveways and improved parking surfaces shall be designed and constructed in compliance with the improved driveway standards of the Town.

¹³ Replaces current standard in UC-Residential subdistrict that prohibits direct vehicular access to individual townhouses/condominiums fronting Quorum Drive, Spectrum Drive, and Mildred Street. New standard broadens applicability Town-wide and includes any arterial or commercial collector street.

¹⁴ Replaces current Article XIX, Section 3(G).

¹⁵ Replaces current Article XIX, Section 3(G) and Section 5(E). UC-Commercial currently limits curb cuts along principal collectors (category B) and the special events parkway/retail street (category E/F). Added "unless no other legal access alternative is available."

¹⁶ Consolidates standards from MXR and UC-Residential districts. Revised to apply to all mixed-use zoning districts.

¹⁷ From current Sec. 18-132, Driveway Requirements.

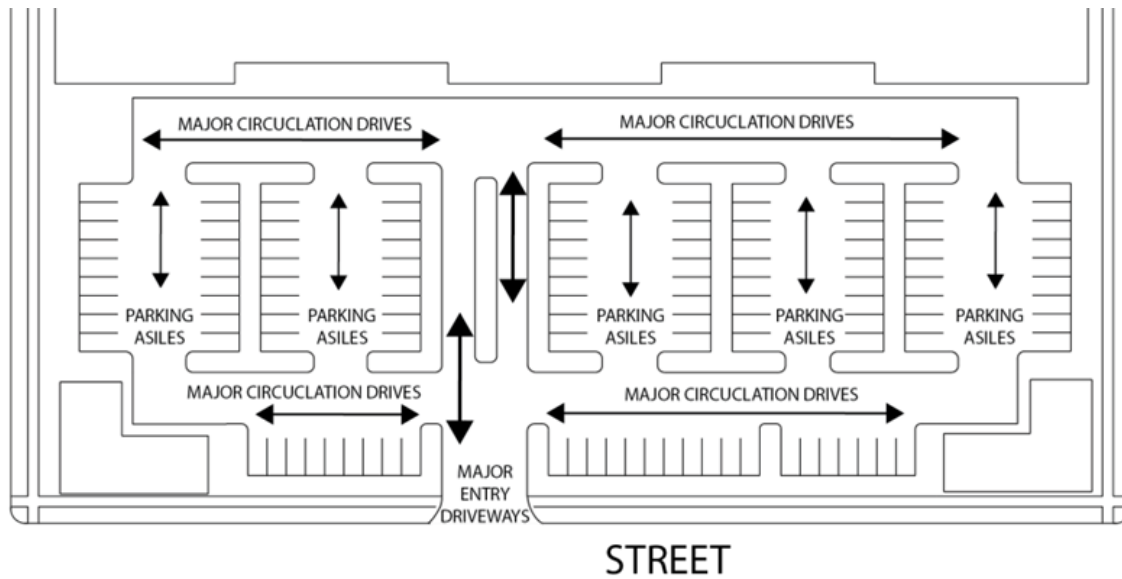
¹⁹ New, unless otherwise noted.

²¹ From current Sec. 18-132, Driveway Requirements.

E. Vehicle Maneuvering²³

1. Except for single-family, duplex, and triplex uses, groups of more than five vehicle parking spaces per lot shall be provided with adequate aisles or turn-around areas so that all vehicles may enter the public right-of-way in a forward manner.
2. Except for single-family, duplex, and triplex uses, more than five vehicle parking spaces shall be served by a driveway designed and constructed to facilitate the flow of traffic on or off the site, with due regard to pedestrian, bicycle, and vehicle safety, and shall be clearly and permanently marked and defined.
3. Vehicle parking lots exceeding one drive aisle and 100 spaces shall be designed with a clear hierarchy of circulation. The hierarchy shall consist of:
 - a. Major entry driveways without parking spaces; then
 - b. Major circulation drives with little or no parking; then
 - c. Parking aisles for direct access to parking spaces.

Figure 4.3: Vehicle Maneuvering



4.5.6 Vision Clearance²⁴

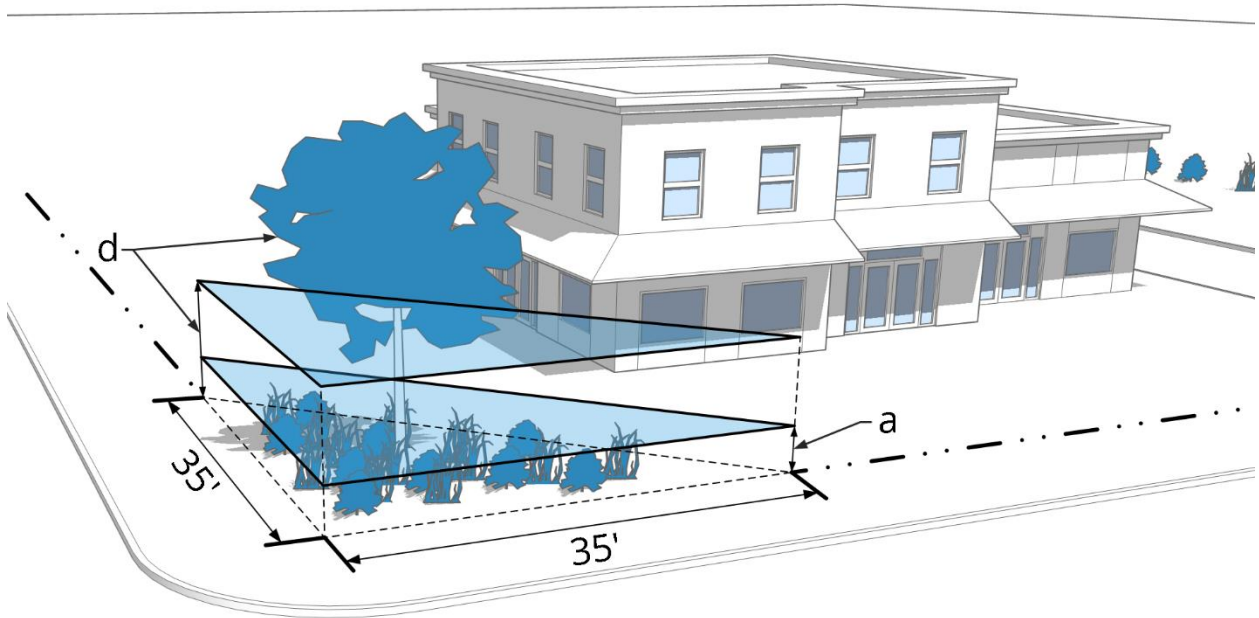
- A.** For all lots on which a front setback or build-to is required:
 1. No obstruction over 18 inches that will obscure or partly obscure the view of vehicle drivers shall be placed within the triangular area formed by joining points measured 35 feet along the property line from the intersection of two streets;
 2. No obstruction over 30 inches that will obscure or partly obscure the view of vehicles drivers shall be placed within the triangular area determined by site-specific AASHTO standards.
- B.** This restriction shall not apply to traffic control signs and signals, street signs, or utility poles placed within such area by the Town.

²³ New.

²⁴ Replaces current Article XXII(1) and 34-207(c). New standards: two required site triangles including the standard 35-foot triangle with a required overlapping AASHTO site triangle for all sites. The current maximum height allowed within the vision clearance area is two feet in Sec. 34-207(c); we have applied the 30-inch standard from Article XXII(1). A graphic will be preparing illustrating these two triangles.

- C. The use of plant material in a vision clearance area is intended to provide aesthetic appeal while not unduly limiting or restricting visibility, whether as a pedestrian or a passenger in a vehicle. Plants shall not reduce or limit visibility to such an extent that a safety hazard is presented. Plants normally considered as effective screens shall be prohibited within a vision clearance area.
- D. Trees within the vision clearance area may be placed within approval by the Director and shall be single trunked and have a minimum branching clearance of six feet from the ground to the first branch.
- E. Vertical measurement shall be made from the top of the curb on the street adjacent to the nearest street of the vision clearance triangle or, if no curb exists, from the edge of the nearest traveled way.

Figure 4.4: Vision Clearance Measurement



4.5.7 Pedestrian Circulation²⁵

A. Sidewalks

Sidewalks shall be installed on both sides of all streets and within and along the frontage of all new development or redevelopment, as required by the Master Transportation Plan.

1. Where Required

- a. Sidewalks shall be provided by the developer to allow convenient pedestrian access through or across the development and joining with pedestrian ways of adjacent properties.
- b. Sidewalks shall be installed on both sides of all arterials, collector streets, and local streets, and within and along the frontage of all new development and redevelopment.

2. Design and Materials

Sidewalks shall be constructed in accordance with the Master Transportation Plan and current engineering design standards.

²⁵ New.

B. On-Site Pedestrian Walkways

All multifamily, nonresidential, and mixed-use development shall provide an on-site system of pedestrian walkways that meets the following standards:

1. Areas to Connect

On-site pedestrian walkways shall provide direct access and connections to and between:

- a. The primary entrance or entrances to each building, including pad-site buildings;
- b. Any sidewalks, walkways, or multi-use paths on adjacent properties that extend to the boundaries shared with the development;
- c. Any parking areas intended to serve the development;
- d. Any sidewalk system along the perimeter streets adjacent to the development;
- e. Any public transit station areas, transit stops, park and ride facilities, or other transit facilities on-site or along an adjacent street; and
- f. Any adjacent or on-site public park, trail system, open space, greenway, or other public or civic use or amenity.

2. Walkway Design

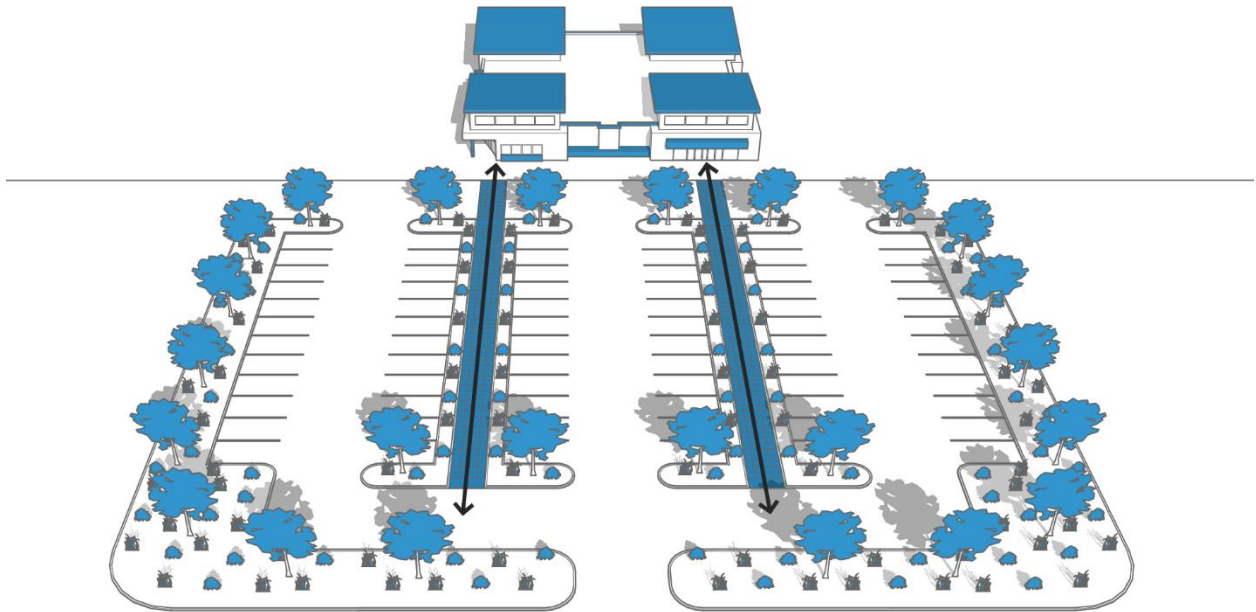
Required on-site pedestrian walkways shall be a minimum width of five feet. All required walkways shall:

- a. Be distinguishable from areas used by vehicles using one or more of the following techniques:
 - i. Changing surfacing material, patterns, and/or paving color, but not including the painting of the paving material;
 - ii. Changing paving height;
 - iii. Decorative bollards;
 - iv. Raised median walkways with landscaped buffers;
- b. Be designed with similar and/or complementary details, colors, and finishes as other interconnected walkways;
- c. Have adequate lighting for security and safety;
- d. Be conveniently and centrally located on the subject property;
- e. Be ADA-accessible; and
- f. Not include barriers that limit pedestrian access between the subject property and required connections to adjacent properties.

C. Pedestrian Access through Parking Areas

All parking lots that contain more than two double rows of vehicle parking shall include pedestrian walkways through the parking lot to the primary building entrance or a sidewalk providing access to the primary building entrance. At a minimum, walkways shall be provided for every three driving aisles or at a distance of not more than 150-foot intervals, whichever is less.

Figure 4.5: Pedestrian Access through Parking Areas



D. Pedestrian Access through Parking Garages

Pedestrian walkways shall be provided through parking garages from the parking area to the abutting public right-of-way and sidewalk and/or to the primary entrance of the building served. Pedestrian walkways shall not use vehicle entrance or exit driveways from the parking area to a public right-of-way.

E. Active Transportation Connectivity

Off-street trails, enhanced pedestrian paths, and active transportation corridors shall be installed in all new development or redevelopment, as required by the Master Transportation Plan.

4.5.8 Bicycle Circulation

- A.** Bicycle routes shall be established in accordance with the Master Transportation Plan and Public Works and Engineering Department specifications.
- B.** The development’s internal bicycle circulation system shall permit safe, convenient, efficient, and orderly movement of bicycles between the development’s internal origin and destination points and adjacent parts of an existing or planned external, community-wide bicycle circulation system, as well as any adjacent transit stations, bus stops and shelters, public parks, greenways, schools, community centers, and shopping areas.
- C.** Sidewalks shall not be used to satisfy the bicycle circulation requirement unless at least 10 feet wide and with the approval of the Director.

Article 5: Subdivision Standards

Commentary

This article consolidates and updates the current subdivision standards as outlined in the Assessment and Annotated Outline. This article also reorganizes content to be more user-friendly, beginning with general provisions, followed by subdivision design standards (i.e., how to layout and design the subdivision), and then regulations for subdivision improvements (i.e., required infrastructure and utilities). Footnotes throughout identify proposed changes from current standards.

5.1 General Provisions

Commentary:

This new section includes several new subsections to clarify the purpose, applicability, and administration of the subdivision standards. The current regulations lack a clear intent statement and do not explicitly identify when subdivision standards apply to development. Current sections related to the administration of the subdivision regulations have been relocated to this section.

5.1.1 Purpose¹⁷³

This article establishes standards that regulate the subdivision of property in order to:

- A. Facilitate the orderly growth and harmonious development of the Town and to protect and promote public health, safety, and welfare;
- B. Provide lots and parcels of sufficient size and appropriate design for the purposes for which they are to be used;
- C. Protect the natural environment;
- D. Promote the use of good design, landscape architecture, and civil engineering to preserve and enhance natural features, watercourses, drainage ways, floodplains, native vegetation, and trees;
- E. Provide safe ingress and egress for vehicular and pedestrian traffic;
- F. Ensure safe and efficient traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, adjoining streets, and public facilities;
- G. Provide adequate water supply, sewage disposal, storm drainage, and other utilities and facilities;
- H. Provide for adequate sites for schools, recreation areas, and other public purposes;
- I. Protect or enhance real property values;
- J. Facilitate the transfer of lands having accurate legal descriptions and to establish and assure the rights, duties and responsibilities of subdividers and developers with respect to land development;
- K. Ensure that the costs of providing the necessary rights-of-way, street improvements, utilities and public areas and facilities for new developments are borne fairly and equitably; and
- L. Encourage the clustering of dwellings and other structures to preserve open space, minimize adverse visual impacts, minimize public infrastructure costs, and prevent public safety hazards; and
- M. Provide a common ground of understanding and an equitable working relationship between public and private interests, so that both independent and mutual objectives can be achieved in the subdivision of land.

¹⁷³ New.

5.1.2 Applicability¹⁷⁴

A. Regulatory Jurisdiction

1. Generally

This article shall apply to all land and all developments within the corporate limits of the Town of Addison, except as otherwise provided for in this subchapter.

2. Land Included

Except where otherwise specifically provided for in this article, all the provisions of this article shall apply to the following lands located within the corporate limits of the Town:

- a. Any tract of land which has not been recorded by plat in the plat records of Dallas County, Texas, and which is intended to be sold, leased, or otherwise subdivided from another tract of land or which is intended or proposed to be used for the purpose of development.
- b. Any tract of land which has been recorded as a lot or block by plat in the plat records of Dallas County, Texas; prior to and upon which no development has been constructed or placed prior to the effective date of this article.
- c. The division of any previously platted lot into two or more parts.
- d. The removal of one or more lot lines of any platted lot so as to permit the combining of two or more contiguous platted lots into one or more new lots.

B. Exemptions

1. Prior to the subdivision, re-subdivision, or development of any land within the Town, all plans, plats, and construction plans for public improvements shall first be approved in accordance with these regulations, except as provided in paragraph (2) below.
2. The following are exempt from the subdivision regulations of this article, but are subject to all other standards in this UDC:
 - a. The division of land into two or more parts, other than for purposes of development, if the smallest resulting parcels, tract or site is five acres or larger in size where each part has access and no public improvement is being dedicated.
 - b. Construction of additions or alterations to an existing building where no drainage, street, utility extension or improvement, additional parking or street access changes required to meet the standards of this article are necessary to support such building addition or alterations.
 - c. Construction of accessory structures or fences.
 - d. Dedication of easement or right-of-way by separate document recordable in the county records if approved by Town.
 - e. Cemeteries complying with all state and local laws and regulations.
 - f. Divisions of land created by order of a court of competent jurisdiction.
 - g. A change in ownership of a property through inheritance or the probate of an estate.

5.1.3 Compliance and Enforcement

- A. It shall be unlawful for any person to begin, continue, or complete any development on any land within the corporate limits of the Town to which the provisions of this article apply, except in accordance with and upon compliance with the provisions of this article.
- B. Except as otherwise authorized by this article, the Town shall not issue a building permit or certificate of occupancy required by any article of the Town for any land located within the corporate limits to which this article applies, until and unless there is compliance with this article.
- C. The Town may refuse to authorize or make utility connections on the grounds set forth in TLGC, § 212.012, as amended.

¹⁷⁴ New.

- D. No improvements shall be initiated until the approval of the Town has been given. Disapproval of a final plat by the Town shall be deemed a refusal by the Town to accept offered dedications shown thereon.
- E. Approval of a final plat shall not be deemed an acceptance of the proposed dedications and shall not impose any duty upon the Town concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the Town have both given their written acceptance of the improvements and have actually appropriated the same by entry, use, or improvements.
- F. All subdivisions, as proposed or reflected in any plat, replat, amending plat, or otherwise, must conform to all applicable zoning regulations. A subdivision submission reflecting a condition not in conformity with applicable zoning regulations shall not be approved until any available relief from the board of adjustment has been finally obtained. If the property is not zoned as required for the proposed subdivision, permanent zoning shall be requested. Application for zoning includes completion of application forms, payment of required fees, and performance of other requirements of the zoning ordinance and the rules and regulations of the town, as the same may be, from time to time, passed or amended.¹⁷⁵

5.1.4 Withholding Improvements¹⁷⁶

It shall be the policy of the town to withhold all town improvements, including the maintenance of streets and the furnishing of sewage facilities and water service, from all additions, the platting of which has not been officially approved by the city council. No improvements should be initiated, nor contracts executed, until the approval of the city council has been given.

5.1.5 Annexation¹⁷⁷

If the property is not within the corporate limits of the Town Addison and the owner desires that it be annexed so as to be qualified to receive town services, when available, and be afforded zoning protection, the owner must petition the Town for annexation through lawful annexation proceedings.

5.1.6 Platting Requirements¹⁷⁸

A. Division of Property

- 1. No land may be subdivided or platted through the use of any legal description other than with reference to a plat approved pursuant to the procedures established in **Section ---¹⁷⁹**, and in accordance with the standards in this UDC.
- 2. Excepting agricultural leases, no land described in this article shall be platted or sold, leased, transferred, or developed until the property owner has obtained approval of the applicable plat pursuant to the procedures established in **Section ---**, and in accordance with the standards in this UDC.
- 3. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.
- 4. No plat may be recorded and no transfer of title to any part of a tract of land shall be made until a plat, accurately describing the property to be conveyed, is approved in accordance with these provisions and recorded.

¹⁷⁵ Current Appendix B, Section VI.

¹⁷⁶ Current Appendix B, Section II.

¹⁷⁷ Current Appendix B, Section V.

¹⁷⁸ New.

¹⁷⁹ References highlighted in yellow will be updated in the Consolidated Draft.

B. Permits for Construction Activity or Public Improvements

The Town shall not issue permits for any construction activity or allow any public improvements for a development until a plat is approved and filed of record and all public improvements have been accepted (if applicable) except as provided in Section 5.1.2: *Applicability*, or for the following:

1. Model Homes

A developer may construct no more than four model homes within a single-family, duplex, triplex, or fourplex development phase containing public improvements that have not yet been finally accepted, provided that:

- a. All off-site drainage or regional improvements have been installed, inspected and accepted;
- b. Each model home is inspected and found to meet all building, plumbing, and fire code requirements prior to being opened to observation by the public;
- c. The home will not be sold or occupied as a dwelling unit until all public improvements within that phase have been completed and accepted by the Town; and
- d. The applicant complies with Section 4.4: *Grading and Drainage*.

2. Multifamily or Nonresidential Development

Upon application and satisfaction of the following conditions, together with other UDC, Town Ordinance, and Criteria Manual requirements, otherwise applicable to full building permits, the Building Official may issue a building permit for multifamily or nonresidential development to allow for limited construction subject to the following:

- a. The applicant shall complete installation of all drainage and other regional improvements, including off-site improvements. This requirement may be satisfied by constructing temporary drainage improvements (such as detention ponds) that, in the opinion of the Director of Public Works and Engineering, are adequate to offset the decrease in permeable surface of the permitted phase of development and prevent harm to downstream properties, pending completion and acceptance of required permanent regional improvements for drainage.
- b. The applicant must enter into an agreement with the Town, in a form approved by the Town Attorney, which indemnifies and holds the Town harmless for any failure of the applicant, owner, or builder to obtain necessary access and drainage easements and permits, or to build needed offsite improvements.
- c. A building permit issued in this manner may be withdrawn upon failure to meet any imposed condition, as set forth in **Section --- (reference to enforcement section)**.
- d. The applicant shall install and demonstrate proper function of fire hydrants and all-weather access improvements for fire apparatus required by the Fire Code and the Addison Code of Ordinances, prior to any construction above slab.
- e. The applicant complies with Section 4.4: *Grading and Drainage*.

5.2 Subdivision Design Standards**Commentary:**

This section establishes the general standards for how subdivisions should be designed in Addison, including lot planning, access, block length, and block arrangement. This section also includes street design and construction standards, several of which are technical in nature and recommended to be relocated to a criteria manual outside of the UDC. Private street standards are also included in this section. New cluster subdivision regulations are introduced to allow alternate forms of development in exchange for permanently protected sensitive lands and/or common open space.

5.2.1 General

- A.** Every subdivision shall comply with all other ordinances and regulations of the Town and the TLGC.

- B. Public infrastructure shall be constructed in accordance with this UDC, the Town of Addison Criteria Manuals or, if no standard or specification can be found, then the standard or specification used shall be subject to approval by the Director of Public Works and Engineering based on professional engineering practices.
- C. The applicant shall make all required improvements, at their expense, according to Town regulations, without reimbursement by the Town, except for certain reimbursable costs as provided in this UDC.

5.2.2 Lot Planning¹⁸¹

A. General

The size, shape, and orientation of lots shall be appropriate to the location of the proposed subdivision and to the type of development contemplated. The following lot design standards shall apply to all subdivisions:

1. All lots created through the subdivision process shall be developable and conform to the minimum zoning, development, and floodplain standards provided in this UDC. No subdivision shall create lots that prohibit development due to configuration of the lots, steepness of terrain, location of watercourses or floodplain, natural physical conditions, or other existing conditions.
2. The minimum area and dimensions of all lots shall conform to the requirements of Article 2: *Zoning Districts*, and Article 4: *Development Standards*, relating to the zoning district in which the lot is located.
3. Side lot lines shall be at right angles or radial to street lines, except where other terrain makes such design impractical.
4. Double frontage lots may be allowed; however, driveways are only permitted on one frontage.
5. Flag lots and other irregularly shaped lots shall be avoided to the maximum extent practicable.
6. Corner lots may be required to be wider than interior lots to facilitate conformance with required setbacks.
7. The town, county, school district, or other taxing agency boundary shall not divide a lot except in conformance with this UDC.

B. Drainage

Lots shall be designed and located to provide positive drainage away from all buildings and shall comply with the standards in Section 4.4: *Grading and Drainage*.

C. Access

1. Each lot shall be provided with adequate access to an existing or proposed public street.
2. At least two points of vehicular access into the proposed subdivision shall be provided, where feasible, unless it can be shown to the satisfaction of the Director of Public Works and Engineering that legal, topographical, and/or engineering constraints preclude such access.

D. Common Area and Facilities

Such areas shall be noted on the plat and the association's covenants shall be filed with the county. Alternatively, other arrangements for permanent maintenance of these areas and facilities may be approved by the final decision-making body.

¹⁸¹ New.

5.2.3 Block Layout

A. Block Length¹⁸²

Blocks shall not be less than 200 feet nor more than 600 feet in length. The Town may approve a longer block length when necessary to accommodate natural features such as steep slopes, environmentally sensitive lands, and pedestrian linkages.

B. Block Arrangement¹⁸³

Blocks shall have sufficient width to provide for two tiers of lots of depth meeting the minimum requirements of this UDC, except where lots back onto a collector or greater classified street, natural feature, or subdivision boundary, or where lots face an approved cul-de-sac.

5.2.4 Street Design and Construction

A. General Requirements¹⁸⁴

In general, streets shall conform to the following standards:

1. Streets shall be in line and consistent with existing streets in adjoining subdivisions.
2. Streets shall be named so as to provide continuity with existing streets.
3. Dead-end streets shall be avoided except where planned for future extension.
4. The subdivision shall be platted with appropriate regard for all topographical features lending themselves to treatment and layout of utilities.
5. Streets and alleys shall generally not exceed 1,200 feet in length.
6. Cul-de-sacs shall not exceed 600 feet in length, measured from the centerline of the street it intersects with to the center point of the cul-de-sac.
7. In platting the subdivision, the developer shall provide additional right-of-way required for existing or future streets as shown in the *Addison Master Transportation Plan* or other plan approved by the City Council.
8. When land is subdivided or developed in areas adjacent to existing town streets or county roads that are not improved to town standards, the developer shall include the improvements of these streets in the overall development of the area. Should the City Council determine that it is not feasible to develop said street at the time of development of the area, the developer shall put their pro rata share for the improvements of said street in escrow until such time as improvement is deemed necessary by the City Council.

B. Master Transportation Plan and Pavement Requirements

1. Streets and alleys shall be platted and constructed in accordance with the *Addison Master Transportation Plan* or other plans approved by the City Council. and shall conform to the requirements in <Appendix A>.¹⁸⁶
2. **M-1, M-2, and M-4 Zoning Districts**
All streets and blocks shall conform to the following provisions:

¹⁸² Consolidates current block length standards from the MXR, UC-Residential, and Belt Line zoning districts and makes standard applicable generally town-wide. The current MXR standard does not include a minimum threshold. Did not carry forward language from Belt Line district allowing modifications through the major waiver procedure; the new minor modification tool may include allowances for minor deviations from this standard.

¹⁸³ Exceptions are new.

¹⁸⁴ Current Appendix B, Section XVI.

¹⁸⁶ Appendix A will eventually be formatted into a supplemental Engineering and Landscaping Manual outside of the UDC.

- a. Streets within the M-1 and M-4 zoning districts shall comply with the standards established in Ordinance 095-019, Appendix A: *Streetscape Cross Sections*, and made a part hereof by reference.¹⁸⁷
- b. Streets within the M-2 zoning district shall comply with the standards established in Ordinance 006-024, Appendix II: *Street Types*, and made a part hereof by reference.¹⁸⁸
- c. The types and pattern of all streets in the M-1, M-2, and M-4 zoning districts shall be in conformity with the *Addison Master Transportation Plan*. The location of streets on the *Addison Master Transportation Plan* is approximate. Precise location of streets shall be determined in conjunction with approval of the concept and development plans. Street patterns shall be based upon a small-scale grid system of interconnecting streets.¹⁸⁹

5.2.5 Private Street Regulations¹⁹⁰

A. General Requirements

1. A private street system shall comply with all design, construction, and other standards of the Town of Addison including, without limitation, this Article 5: *Subdivision Standards*, applicable to streets and alleys generally. Without limiting the foregoing, all references in this Article 5: *Subdivision Standards*, and other applicable regulations to "street," "public street," "right-of-way," "public right-of-way," or "alley" shall apply to a private street system.
2. A private street system shall provide access for emergency vehicles, public and private utility maintenance and service personnel, the U.S. Postal Service, and government employees in pursuit of their official duties.
3. The Town shall not pay for any portion of the cost of constructing, maintaining, repairing, or replacing a private street.
4. Each plat containing any private street shall contain the following wording on the face of the plat: "The streets have not been dedicated to the public, for public access, nor have been accepted by the Town of Addison, Texas as public improvements, and the streets shall be maintained by the property owners' or property owners' association within the subdivision, and the streets shall always be open to emergency vehicles, public and private utility maintenance and service personnel, the U.S. Postal Service, and governmental employees in the completion of their official duties."
5. Private streets leading into a private subdivision may not contain a gate or a controlled access mechanism at the entrance or exit of the private subdivision preventing free flow of traffic.
6. All building lines as required by zoning shall, in the case of private streets, be measured from the public utility and storm sewer easement.
7. Private streets and alleys shall be located in a "public utility and storm sewer easement." The width of the easement shall be the same as the required right-of-way for a public street, unless specifically approved at a lesser width by the City Council upon a recommendation by the Director of Public Works.

¹⁹⁰ Current Appendix B, Section VII-A. All regulations of the approval of new private streets have been removed as the Town does not intend to approve new private streets. Only regulations affecting the maintenance of existing private streets remain. Additional deletions may be possible to further streamline this section.

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B. Easements

1. Private street developments shall include any pre-existing easements unaffected by the platting process.
2. A private street and alley shall include and be subject to all public utility (including, without limitation, water and sanitary sewer) and storm sewer easements in favor of and reserved unto the Town of Addison, the width of which shall be the same as the entire width of the street or alley right-of-way.
3. A private street or alley shall include and be subject to all additional public utility easements required by any utility company (including, without limitation, any electric, telephone, gas, or cable television companies or providers) or public agency, as well as any easements existing at the time of the creation of the private street or alley.
4. There shall also be reserved other easements, including but not limited to easements for fire lanes, street lighting, government vehicle access, mail collection and delivery access, and utility meter reading access, as may be necessary or convenient.
5. Easements shall also provide the Town with the right of access for any purpose related to the exercise of a governmental service or function, including but not limited to fire and police protection, inspection and code enforcement.
6. Easement shall permit the Town to remove any vehicle or obstacle within the street lot that impairs emergency access.
7. Private streets and alleys may be required to have fire lane markings as determined by the Town's Fire Marshal. For purposes hereof, "Fire Marshal" means the Fire Chief or the Fire Chief's designee.

C. Hold Harmless Agreement

In connection with the approval of a subdivision with private streets or alleys, the applicant shall provide, in form and content acceptable to the Town, an agreement to be recorded in the appropriate records of Dallas County, whereby the applicant or the property owners' association, as the case may be, as the owner of the private streets and alleys, agrees to release, defend, indemnify, and hold harmless the Town of Addison, its officials, officers, employees, and agents, and any other governmental entity and public utility, and their respective officials, officers, employees or agents, for any damage to the private street or alley occasioned by the use thereof by the Town, governmental entity, or public utility (or their respective officials, officers, employees, and agents), and for damages and injury (including death) arising from the condition of said private street or alley; and for damages and injury (including death) arising out of any use of the subdivision by the Town, government entity, or public utility (or their respective officials, officers, employees, and agents). Further, such language shall provide that all lot owners shall release and forever discharge the Town, governmental entities, and public utilities (and their respective officials, officers, employees, and agents) for such damages and injuries. The indemnifications contained in this subsection apply regardless of whether or not such damages and injury (including death) are caused by the negligent act or omission of the Town, governmental entity, or public utility, or their respective officials, officers, employees or agents.

D. Conversion of Private Streets to Public Streets

1. Voluntary Conversion

The Town may in its sole discretion, but is not obligated to, accept private streets and alleys for public ownership, access and maintenance. The procedure to convert private streets and alleys to public streets and alleys must conform to all of the following provisions and such other standards as the Town may determine:

- a. The property owners' association must submit a petition signed by at least 75 percent of its members (or a greater number of signatures if required by the property owners' association document).
- b. All of the infrastructure to be converted from private to public status must be in a condition that is acceptable to the Town, in the Town's sole discretion.

- c. All monies in the reserve fund must be delivered and paid to the Town.
- d. The subdivision plat covering the area which is the subject of the conversion must be submitted as a replat, and upon approval shall be re-filed to dedicate the streets, alleys, utility, storm sewer easements, and other appurtenances to the Town or other appropriate entity, as determined by the Town.
- e. The property owners' association documents must be modified and re-filed to remove requirements specific to private street subdivisions.

2. Mandatory Conversion

- a. The Town will notify the property owners' association of violations of the private street regulations, including the standards and provisions set forth in this section. Failure to bring the subdivision into compliance with the regulations may cause the Town to revoke, amend, or modify the PD District zoning for the area covered by the private streets and alleys, including, without limitation, an amendment to remove the allowance for private streets and alleys under the PD District zoning.
- b. If the PD District zoning is so amended, modified, or revoked, the Town may correct all remaining violations and unilaterally re-file the subdivision plat thereby dedicating the streets, alleys, and appurtenances to the public. All monies in the reserve fund will become the property of the Town and will be used to offset any costs associated with converting the private streets to public streets. In the event the balance is not sufficient to cover all expenses, the property owners' association and/or the property owners will be responsible for the amount of unpaid work, and the Town shall have the right, in addition to any other rights it has or may have to collect such amounts from the property owners' association and/or the property owners, to levy an assessment upon each lot on a pro rata basis for the cost of such work and to collect the same, and the Town shall further have any and all liens and lien rights granted to the property owners' association to enforce such assessments; and/or to avail itself of any other enforcement actions available to the Town pursuant to state or Town codes, ordinances, and regulations. Provisions to this effect shall be included in the property owners' association documents, all property deeds, and the final plat.

5.2.6 Alternatives to Subdivision Standards

A. Alternatives Generally

Alternatives to the standards in this article shall be subject to approval by the City Engineer and Director prior to approval of the subdivision application pursuant to **Section ---: *Minor Modification***.¹⁹²

B. Cluster Subdivision

1. Purpose

This subsection provides optional standards for cluster subdivision development to protect sensitive lands and common open space areas, and to implement the Addison Comprehensive Plan and/or adopted small area plans. A cluster subdivision is a residential or mixed-use subdivision in which some or all of the lots are allowed to be smaller (in area and width) than otherwise required for the underlying zoning district, in exchange for permanent protection of sensitive lands and/or common open space.

2. Applicability

- a. The cluster subdivision option is available in the residential, mixed-use, and planned development zoning districts.
- b. The minimum parcel size for a cluster subdivision shall be at least three acres.
- c. All other standards in the UDC shall apply to cluster subdivisions unless modified by this subsection.

¹⁹² This will require further discussion during the draft of the administration article. The minor modification tool would be new.

C. Cluster Subdivision Standards¹⁹³

The standards for cluster subdivision lots are established below. The measurements and exceptions in **Section 2.9: Measurements and Exceptions**, shall also apply to cluster subdivision lots unless otherwise stated below.

Type of Standard	Requirement
Project Site Standards	
Parcel size, minimum	3 acres
Individual Lot Standards	
Lot area, minimum	15 percent reduction from underlying zoning district

D. Identification and Maintenance of Protected Lands

1. Protected lands shall be identified on the final subdivision plat with a notation that indicates that those lands shall not be used for future development.
2. Protected lands shall be marked in the field with appropriate permanent signage markers in order to distinguish these areas from private property.
3. Protected lands shall be permanently maintained and preserved as:
 - a. Open space lots with deed restrictions; or
 - b. Land dedicated to the Town; or
 - c. Protected through a conservation easement; or
 - d. Other means of permanent protection approved by the Town.
4. For any protected land not dedicated to the Town, the developer shall provide a permanent mechanism acceptable to the Town Attorney for the primary purpose of conservation, preservation, and management of protected lands.
5. There shall be no further subdivision of land in an area approved for cluster subdivision; however, dedication of easements for public purposes may be permitted.

E. Use of Protected Lands

1. Protected lands shall be left in an undisturbed natural state or landscaped pursuant to Section 4.7: *Landscaping, Buffering, and Fences*.
2. The protected lands shall be used for low-intensity recreation, buffers, or other passive park or open space purposes.
3. The use of protected lands may be further limited or controlled at the time of final approval where necessary to protect adjacent properties.

F. Review and Approval of Cluster Subdivisions

The review and approval of cluster subdivisions shall follow the procedures for preliminary and final plats in **Section ---**. The applicable procedure is dependent on the number of lots proposed in the cluster subdivision.

5.3 Subdivision Improvements

Commentary:

This section includes standards for required subdivision improvements within public rights-of-way or recorded easements (i.e., storm sewer, sanitary sewer, water, street lighting, sidewalks, street trees). Updated parkland

¹⁹³ New standards replace references to alternate plans pursuant to a cluster plan in the MXR zoning district. This tool allows for the preservation of land by clustering development on a site.

dedication standards derived from the current MXR and UC zoning districts are also included, providing developers with a dedication or payment-in-lieu option for providing required open space.

5.3.1 General Standards¹⁹⁴

- A. The developer shall furnish all easements and rights-of-way necessary for construction of electrical, gas, telephone service to the subdivision and all other public infrastructure identified in the standards.
- B. The developer shall be responsible for all damage to improvements caused during installation of utilities.
- C. The developer shall provide street signs for the subdivision. There shall be one sign for each three-way intersection and two signs for each four-way intersection. The signs will be ordered by the public works department and the developer billed a fixed fee for each sign. Such price shall include cost of the sign assembly, pole, and installation.
- D. All lots shall meet the following monumentation standards:¹⁹⁵
 - 1. At all angle points, points of curve, and points of tangency on the perimeter of the platted boundary, a minimum three inch metallic cap disc must be affixed to a metal pipe or rod and stamped with the addition name and the registered professional land surveyor number of the surveyor of record, or the name of the surveying company.
 - 2. At all block corners, a minimum two-inch metallic cap must be affixed to a metal pipe or rod. The cap must be stamped with the block number and registered professional land surveyor number of the surveyor of record, or the name of the surveying company.
 - 3. At all lot corners, points of curve, and points of tangency of curves, a minimum 1/2-inch diameter metal pipe or rod is required with a cap stamped with the registered professional land surveyor number of the surveyor of record, or the name of the surveying company.
 - 4. All monuments installed must contain a cap or disc imprinted with the addition name, if required, and the registration number of the surveyor or the name of the engineering or surveying firm that prepared the plat. In locations where such monuments cannot be installed, alternate types of monuments may be installed with the prior approval of the chief city surveyor. A request for alternate monumentation must be made in writing by the surveyor of record, and must include the City Plan File Number and the reason for the alternate monumentation request.
 - 5. Any points of monumentation that can not be set at the designated place must be referenced with sufficient witness monumentation.
 - 6. If the monument is placed on the boundary of property being platted in which no areas are to be dedicated to the public, the following standards apply:
 - a. Monuments must be installed on the boundary of such property being platted at all corners, angle points, and points of curvature and tangency.
 - b. The size, shape, and substance of monuments found or installed on the perimeter of the platted boundary must be described on the drawing and in the owner's certificate of the submitted plat.
 - 7. If the monument is placement on and within the boundary of property being platted in which areas are to be dedicated to the public, the following standards apply:
 - a. Monuments must be installed on the boundary of such property being platted at all corners, angle points, and points of curvature and tangency, except those points falling within areas to be dedicated. In areas to be dedicated, all points on new right-of-way lines must be monumented. Monuments must be installed within the boundary of such property being platted at the following points:
 - i. All corners of parks, squares, or other portions intended for public use.
 - ii. All block corners.

¹⁹⁴ From current Appendix B, Section XVI.F.

¹⁹⁵ New.

- iii. On the right-of-way lines of all alleys and public and private streets at all points of intersections, angle points, and points of curvature and tangency.
- 8. Monuments must be installed on each lot line and boundary line where these lines are intersected by or tangent with a floodway management area, floodway easement, conservation easement area, or the escarpment zone.
- 9. Monuments for floodway management areas, floodway easements, and detention areas must be installed at all angle points and points of curvature or tangency.
- 10. Floodway management areas, detention areas, escarpment zones, and conservation easement areas must be monumented with a minimum 1/2-inch iron rod with a cap stamped with the registered professional land surveyor number of the surveyor of record, or the name of the surveying company.
- E. Where subdivisions are platted so that the rear yards of single-family residential lots are adjacent to a dedicated roadway or separated from a roadway by an alley or service road, the developer shall provide, as their sole expense, a six-foot reinforced concrete or masonry wall to be located on private property at the public right-of-way line for the purpose of screening the rear yards from the street. The wall shall be maintained by an HOA and/or individual property owners as specified in the subdivision agreement. The City Council may waive or modify, in exceptional cases, this requirement. Plans and specifications for the wall shall be approved by the Public Works Department. The wall shall conform to the requirements of the ordinance of the Town governing the sight distance for traffic safety and other Town ordinances.
- F. Where landscaping in public rights-of-way or other public property is required or planned, such work shall first be approved by the Public Works Department. Such approval is intended to assure that plant materials used in the work will not create maintenance problems or require excessive amounts of Town labor during future maintenance. The work shall also conform to the Town ordinance governing sight distance for traffic safety.
- G. Before any street is opened to traffic in the Town of Addison, all necessary pavement markings necessary to comply with the most recent edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways* shall be completed. All work must first have the approval of the Public Works Department.
- H. Maintenance of any and all easements shall be the responsibility of owners of the properties traversed by or adjacent to such easements. The Town shall have the right, but not the obligation, to enter upon such properties to abate any nuisances thereon in accordance with Chapter 34, Article IV, with costs attendant to such abatement charged to such property owners, which costs shall become a lien against said property in favor of the Town pursuant to such article.

5.3.2 Storm Sewers¹⁹⁶

An adequate storm sewer system, consisting of inlets, pipes, and other underground drainage structures, shall be constructed to conform with current drainage requirements and current engineering design standards of the Town of Addison. The following policy shall govern the installation of all drainage facilities within the Town:

A. Residential Subdivisions or Additions

- 1. The developer shall pay the total cost of storm drainage systems where pipe 72 inches in diameter or less is installed.
- 2. In cases where the storm drain is larger than 72 inches in diameter, but not larger than 84 inches, 25 percent of the cost of providing the additional pipe larger than 72 inches but smaller than 84 inches will be borne by the Town and shall be reimbursed to the developer when the Town funds become available. The developer shall pay for the remaining 75 percent and the cost of constructing the pipe to 72 inches in diameter. The developer shall also bear the cost of all channel excavation, inlets, laterals, headwalls, manholes, junction structures, and all other items required to complete the system.

¹⁹⁶ Current Appendix B, Section XVI.

3. In those cases where the runoff cannot be handled by a pipe 84 inches in diameter or smaller, the developer shall dedicate at their own expense a right-of-way of sufficient width to permit excavation and maintenance of an open channel of satisfactory depth and width. The developer shall complete all necessary excavation on the channel and shall sod or seed the channel to prevent erosion. If deemed necessary by the Public Works Department, the channel shall be lined with reinforced concrete to prevent erosion. The Town will pay for 25 percent of the cost of such lining and shall reimburse the developer for such costs when Town funds become available.
4. In street crossings (bridges or culverts) with an opening larger than that of a double 72-inch pipe culvert, the Town will participate to the extent of 25 percent of the cost of the structure as approved by the Director of Public Works, and shall reimburse the developer for such costs when Town funds become available.
5. Creeks may remain in open natural condition or excavated channels may be constructed provided they meet the criteria and standards set by the Town.
6. When a creek or excavated channel is allowed to remain open, or in its natural condition, it shall be dedicated to the Town through the use of the drainage and floodway easement form described in (update reference from current Appendix B, Section IX.P). The Planning and Zoning Commission may recommend waiving this dedication requirement only for the following exceptions:
 - a. Replats which were originally platted prior to the dedication requirement; or
 - b. Subdivisions of five lots or less.
7. The developer must provide sufficient access on each side of creeks and drainage ways for maintenance purposes. The location and size of the accessways shall be determined by the City Engineer and the Director of Public Works. The maximum width of the accessway shall be 15 feet. Permanent physical markers, the type and locations of which to be determined by the City Engineer, shall be placed along the boundaries of the accessway and private property. The requirements of paragraph (6) above.

B. Commercial and Industrial Developments

1. The developer shall pay the total construction cost of storm drainage systems where a double 72-inch diameter pipe or smaller pipe will carry the runoff.
2. In those cases where the runoff cannot be handled by a double 72-inch pipe or smaller, the developer shall dedicate, at their own expense, a right-of-way of sufficient width to permit excavation and maintenance of an open channel of satisfactory depth and width. The developer shall excavate the channel at their own expense and line the channel with reinforced concrete. The Town shall participate to the extent of 10 percent of the cost of such lining when Town funds become available.
3. In street crossings (bridges or culverts) with an opening larger than that of a double 72-inch pipe culvert, the Town will participate to the extent of 10 percent of the total construction cost of the structure as approved by the Director of Public Works and shall reimburse the developer for such costs when Town funds become available.
4. A creek may remain open in its natural condition, provided that the requirements of paragraphs 5.3.2A(5), (6), and (7) shall apply.

5.3.3 Sanitary Sewers

Sanitary sewer facilities shall be provided to adequately service the subdivision and conform to the Town of Addison sewer system master plan and current engineering design standards.

- A.** Sewer pipe shall have a minimum internal diameter of eight inches. Construction and materials shall conform to the standard specifications of the Town of Addison.
- B.** Sewer services for each lot shall be carried to the property line.

- C. Should the subdivision or addition abut and use a sewer main of the Town, the developer shall pay to the Town of Addison a "pro rata" charge as prescribed by the pro rata ordinance of the Town for the use of the same.
- D. The developer shall construct all manholes, cleanouts, and other appurtenances as required on the plans.
- E. Should a lift station, either temporary or permanent, be necessary to provide a sanitary sewer service to the subdivision, the developer shall construct the station and all appurtenances, at their own expense. If and when the lift station is no longer needed, the installation will remain the property of the Town of Addison for disposal.

5.3.4 Water

Water systems shall have a sufficient number of outlets and shall be of sufficient size to furnish adequate domestic water supply, to furnish fire protection to all lots, and to conform to the Town of Addison water system master plan and current engineering design standards.

- A. Water pipe shall be a minimum of eight-inch nominal internal diameter. Construction and material shall conform to the standard specifications of the Town of Addison.
- B. Water services for each lot shall be stubbed out with an angle stop to the location required as shown on the standard details. A meter box conforming to the requirements of the standard specifications shall be installed over the end of each service.
- C. Valves and fire hydrants shall be located at intervals of 300 feet.
- D. Should the subdivision or addition abut and use a water main of the Town, the developer shall pay to the Town of Addison a "pro rata" charge as prescribed by the pro rata ordinance of the Town for use of the same.

5.3.5 Street Lighting

Street lighting shall be provided in accordance with the following:

- A. The developer shall pay for the number of streetlights required in the subdivision as determined by the Director of Public Works. After acceptance of the subdivision, service charges for electricity will be paid by the Town.
- B. Each street shall have streetlamps uniformly spaced between trees, located 2½ feet from back of curb.
- C. On boulevards, large streets, and side streets, locate streetlamps at intervals no greater than 250 feet.
- D. Unless otherwise approved by the Town of Addison, mounting height of streetlamps shall be between 10 feet and 12 feet.
- E. Unless otherwise approved by the Town of Addison, lamps shall be metal halide type.

5.3.6 Sidewalks¹⁹⁹

- A. Any owner or person in control of real estate fronting upon a public street which is improved with street paving and curbs and gutters shall not be issued a building permit for any construction when sidewalks have not been installed unless such owner, either as a part of the construction covered by the building permit or other separate arrangements satisfactory to the Director of Public Works and Engineering, constructs public sidewalks in accordance with the Master Transportation Plan and current engineering and design standards.
- B. The failure to so construct the required sidewalk shall constitute a violation of the Town's code of ordinances.

¹⁹⁹ From current Chapter 70, Article I, Sec. 70-2.

- C. Sidewalk construction may be delayed until development of the lot, except across bridges or culverts. In these cases, the sidewalks shall be constructed with the other improvements to the subdivision.²⁰¹
- D. The City Council may upon application of a property owner, affected by the provisions herein, waive the requirements for installation of sidewalks because of unusual circumstances or hardship.

5.3.7 Parkland Dedication²⁰³

A. General Requirements²⁰⁴

1. Whenever land is proposed for residential subdivision, the developer shall provide land or fee-in-lieu of land for park land demand generated by the proposed use.²⁰⁵
2. Dedicated park land may include public parks, greenbelts, school recreation facilities, open space, floodplain lands, national and state historical or natural features, and bikeways, trails, and pedestrian paths identified in the Addison Master Transportation Plan.
3. All park facilities shall conform to the design guidelines set forth in the Addison Parks, Recreation and Open Space Master Plan.²⁰⁶
4. Required park land shall be suitable for the development of active recreation areas, passive open areas, and when applicable, to preserve natural resources.

B. Amount of Land Required²⁰⁷

1. Eight acres for every 1,000 residents shall be dedicated for public use by the project applicant to be computed by estimating the number of dwelling units authorized for a proposed project, multiplied by a factor of one and one-half persons per dwelling unit.
2. Land proposed to be dedicated as park land shall be clearly shown on the preliminary plat or development plan and shall be marked accordingly.
3. Sufficient land for open space shall be provided in each phase of the development to assure that the recreational needs of district residents are satisfied, taking into consideration the nature of open space required to serve the district, and the amount of land previously provided, or to be provided, in conjunction with the phase of the development under consideration.
4. The Town shall, during the preliminary plat or development plan review process, determine whether the land proposed to be dedicated for park land is of a size, location, dimension, topography, and general character, as appropriate for park land use and whether such site is in conformance with the Addison Parks, Recreation and Open Space Master Plan and the Town's Comprehensive Plan.
5. Dedication requirements may be satisfied in part on land located in a planned development district abutting the proposed development, if such land is functionally tied to open space within the development.

C. Approval

1. Land to be dedicated for park land shall be approved initially by the Planning and Zoning Commission and then shall be submitted to the City Council for acceptance of the proposed dedication. No dedication shall be deemed approved without express action of the City Council in the form of a

²⁰¹ From current Appendix B, Section XVI.F(2).

²⁰³ Did not carry forward linear greenbelt requirement from the current MXR standards. Updated all instances of "active recreation space" to be "park land" for clarity.

²⁰⁴ New standards to better align with language in Addison Parks, Recreation, and Open Space Master Plan.

²⁰⁵ **Policy Discussion:** Does the Town want to require park land dedication (and fee-in-lieu) for nonresidential development?

²⁰⁶ The plan has four classifications of in the plan that differ by minimum size and facilities/amenities required.

²⁰⁷ From current UC zoning district and MXR zoning district standards. Replaced UC standard (two acres per 1,000 residents) and MXR standard (four acres per 1,000 residents) to align with the recommendation in the Addison Parks, Recreation and Open Space Master Plan. The provision allowing the decrease in required park land dedication after it has been provided for 2,250 residents has been removed. **Policy Discussion:** What is the Town's desired level of service for park land?

ADDISON, TEXAS



UNIFIED DEVELOPMENT CODE PART 2: DEVELOPMENT STANDARDS

CLARION

SEPTEMBER 2020
PUBLIC DRAFT

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Article 1: General Provisions

[To be drafted in Part 3]

Article 2: Zoning Districts

[Submitted with Part 1]

Article 3: Use Regulations

[Submitted with Part 1]

Article 4: Development Standards

Commentary:

This article contains standards that address development quality, such as grading and drainage, parking, landscaping, and building design. The current ordinances contain development quality standards in multiple locations. The primary tasks in drafting this article were to consolidate the various related and overlapping provisions and to remove unnecessary material (either because it is outdated, or duplicative, or because it belongs in separate administrative or design review guidelines).

This proposed draft also contains a substantial amount of new material based on the Assessment Report and Annotated Outline and follow-up discussions with staff and other community stakeholders. In this article, and subsequent articles, we often refer to an “Administrative Manual,” which was recommended in the Assessment report and is proposed to include the requirements for application submittal materials, fees, time periods for review, and other administrative information that does not need to be included in this UDC. Keeping such material outside the UDC allows it to be updated more regularly without formal UDC amendments.

4.1 Purpose¹

This article includes standards that regulate the physical layout and design of development within Addison to ensure the protection of the health, welfare, safety, and quality of life and to implement the Addison Comprehensive Plan. These standards address the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment, in order to create and maintain an attractive, efficient, and livable community.

4.2 Applicability²

Except as otherwise provided in this Article 4: *Development Standards*, the standards of this article shall apply to all development located within the Town, pursuant to the TLGC and **Section ---**³, and as further detailed below.

Commentary

This section specifies the applicability of this article to various types of development and redevelopment projects. While new construction always must comply with all the standards, the related question is what to do about partial redevelopment projects. The following sections propose a tiered approach to determining which and to what extent the development standards of this article apply to various types of redevelopment projects. A uniform tiered structure like this will increase the predictability of the development review process and better balance required development standards with the size and scale of a project.

Such an approach is not unusual around the country, but few of Addison’s peer communities in north Texas have adopted such a methodical, formal approach in this way. Other local communities generally apply development standards based on the underlying zoning district or the building type (i.e., residential versus nonresidential) rather than based on the physical condition and extent of proposed changes to a structure.

4.2.1 Development Standards Applicability Table

- A. Paragraph (C) below identifies activities that trigger compliance with specific development standards contained in Article 4: *Development Standards*. These standards shall not exempt development activity that falls below the thresholds identified in Subsections 4.2.2 or 4.2.3 from complying with applicable standards of this UDC or any applicable federal, state, or local regulations.

¹ New.

² Based on and updates current 34-203, but mostly new. The current applicability thresholds are unnecessarily complex; this section attempts to apply more uniform applicability thresholds to development town-wide.

³ This will be updated to reference the general applicability and jurisdiction standards to be drafted in Part 3.

- B. For purposes of this section, “entire site” shall mean the total area of the lot on which development is occurring. “Development impact area” shall mean those areas of the lot or those portions of the structure that are included in the project area or that are affected by the proposed development activity, as defined in Article 7: *Definitions*.
- C. Specific applicability thresholds and applicable exemptions are provided in Sections 1.1 through 4.10.

✓ = Entire Site ◇ = Development Impact Area Only				
UDC Standard	UDC Reference	New Construction	Minor: Tier 1	Major: Tier 2
Floods	1.1	✓	All development, see Section 1.1	
Grading and Drainage	4.4	✓	All development, see Section 4.4	
Access and Circulation	4.5	✓	All development, see Section 4.5	
Parking and Loading	4.6	✓	◇	✓
Landscaping, Buffering, and Fences	4.7	✓	◇	✓
Site and Building Design	4.8	✓	◇	✓
Exterior Lighting	0	✓	All development, see Section 0	
Signs	4.10	✓	[will be included in Part 4]	

4.2.2 Minor Redevelopment: Tier 1

- A. Expansions, alterations, or modifications that increase the gross floor area of an existing structure by the greater of 10,000 square feet or between 10 and 50 percent;
- B. Expansions, alterations, or modifications that increase the total number of existing dwelling units on a lot by the lesser of 10 dwelling units or between 10 and 25 percent;
- C. The alteration or expansion of any vehicular parking area by the greater of six spaces or 50 percent, excluding resurfacing or restriping;
- D. Any expansion or enlargement of a structure or land use that requires a Special Use Permit; or
- E. Applications for building permits or for certificates of occupancy for buildings previously unoccupied for a period of six consecutive months.

4.2.3 Major Redevelopment: Tier 2

- A. Expansions, alterations, or modifications that increase the gross floor area of an existing structure by more than 50 percent;
- B. Expansions, alterations, or modifications that increase the total number of existing dwelling units on a lot by more than 25 percent;
- C. An existing principal structure is relocated on the lot; or
- D. Applications for building permits or for certificates of occupancy for buildings previously unoccupied for a period of longer than six consecutive months.

4.2.4 Timing of Applicability

- A. The standards in this article shall become applicable to each individual lot at such time a site plan is submitted for review or an application for a building permit on such lot is made.

- B. When this UDC becomes applicable to a lot, its requirements are binding on all current and subsequent owners of the lot.

4.2.5 Planned Development (PD)⁴

- A. Development within any new planned development (PD) established after the effective date of this UDC shall be subject to this Article 4: *Development Standards*, unless alternative standards are adopted as part of the PD approval that, in the determination of the Director, are at least equal to the standards set forth in this article.

4.3 Floods

Commentary

This section carries forward the current Chapter 42, Article II, with no changes. These regulations are typical of how Texas cities address flood issues.

4.3.1 Generally

A. Statutory Authorization

Local governments are authorized by State law to adopt regulations designed to minimize flood losses, and to take all necessary and reasonable actions to comply with the requirements and criteria of the National Flood Insurance Program.

B. Applicability

This section applies to all areas of special flood hazard within the jurisdiction of the Town of Addison.

C. Penalties for Noncompliance

No structure or land shall hereafter be constructed, located, extended, converted, or altered, or have its use changed without full compliance with the terms of this section and all other applicable regulations. Violation of the provisions of this section by failure to comply with any of its requirements, including violations of conditions and safeguards established in connection with conditions, shall constitute a misdemeanor. Any person who violates this section or fails to comply with any of its requirements shall upon conviction thereof be fined not more than \$2,000.00 for each violation in accordance with Section --- of this Code. Each day a violation continues to exist will constitute a new and separate violation. Nothing contained in this section shall prevent the Town of Addison from taking such other lawful action as is necessary to prevent or remedy any violation.

D. Interpretation

In the interpretation and application of this section, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the city council; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

E. Purpose

It is the purpose of this section to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;

⁴ New.

3. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
4. Minimize prolonged business interruptions;
5. Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in floodplains;
6. Help maintain a stable tax base by providing for the sound use and development of flood-prone areas in such a manner as to minimize future flood blight areas; and
7. Ensure that potential buyers are notified that property is in a flood area.

F. Basis for Establishing the Areas of Special Flood Hazard

The areas of special flood hazard identified by the Federal Emergency Management Agency with accompanying Flood Insurance Rate Maps and Flood Boundary-Floodway Maps (FIRM and FBFM) . The current maps are hereby adopted by reference and declared to be a part of this section.

G. Abrogation and Greater Restrictions

This section is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this section and another ordinance, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

H. Methods of Reducing Flood Losses

In order to accomplish its purposes, this section includes methods and provisions for:

1. Restricting or prohibiting uses that are dangerous to health, safety or property in times of flood, or that cause excessive increases in flood heights or velocities;
2. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
3. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
4. Controlling filling, grading, dredging and other development which may increase flood damage; and
5. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters, or which may increase flood hazards to other areas.

I. Warning and Disclaimer or Liability

The degree of flood protection required by this section is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. On rare occasions greater floods can and will occur and flood heights may be increased by man-made or natural causes. This section does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This section shall not create liability on the part of the town or any officer or employee thereof for any flood damages that result from reliance on this section or any administrative decision lawfully made under this section.

4.3.2 Flood Hazard Reduction

A. General Standards

In all areas of special flood hazards the following standards are required:

1. Anchoring

All new construction or substantial improvements must be designed (or modified) in such a manner that they are adequately anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

2. **Construction Materials and Methods**

- a. All new construction or substantial improvements must be constructed by methods and practices that minimize flood damage.
- b. All new construction or substantial improvements must be constructed with materials resistant to flood damage.

3. **Utilities**

- a. All new construction and substantial improvements must be constructed with electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities that are designed and located so as to prevent water from entering or accumulating within the components during conditions of flooding.
- b. All new and replacement water supply systems must be designed to minimize or eliminate infiltration of floodwaters into the system.
- c. All new and replacement sanitary sewage systems must be designed to minimize or eliminate infiltration of flood waters into the system, and to minimize or eliminate discharge from the systems into flood waters.
- d. On-site waste disposal systems must be located to avoid impairment to them or contamination from them during flooding.

B. Specific Standards

In all areas of special flood hazards where base flood elevation data has been provided as set forth in Subsection 4.3.1F (regarding the basis for establishing the area of special flood hazard), **Section ---⁵** (pertaining to the use of other base flood data), or Subsection 4.3.2C (pertaining to standards for subdivision proposals), the following provisions are required:

1. **Residential Construction**

New construction and substantial improvement of any residential structure must have the lowest floor, including basement, elevated at least two feet above the base flood elevation. A registered professional engineer, architect, or land surveyor shall submit a certification to the floodplain administrator that this standard is satisfied. The administrator shall maintain a record of such certification.

2. **Nonresidential Construction**

New construction and substantial improvements of any commercial, industrial or other nonresidential structure must either have the lowest floor, including basement, elevated at least two feet above the base flood elevation, or together with attendant utility and sanitary facilities, be designed so that below the base flood elevation the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy. A registered professional engineer or architect shall develop or review the structural design, specifications, and plans for the construction, and shall certify to the floodplain administrator that the design and methods of construction are in accordance with accepted standards of practice as outlined in this section. A record of such certification that includes the specific elevation (in relation to mean sea level) to which such structures are floodproofed must be maintained by the floodplain administrator.

3. **Enclosures**

New construction and substantial improvements with fully enclosed areas below the lowest floor that are usable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding, must be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect or meet or exceed the following minimum criteria:

⁵ Will refer to the duties of the floodplain administrator, to be drafted in installment 3.

- a. A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding must be provided.
- b. The bottom of all openings must be no higher than one foot above grade.
- c. Openings equipped with screens, louvers, valves, or other coverings or devices must permit the automatic entry and exit of floodwaters.

4. Manufactured Homes

- a. Manufactured homes to be placed within Zone A on the FHB or FIRM must be installed using methods and practices that minimize flood damage. For the purposes of this requirement, manufactured homes must be elevated to two feet above the base flood elevation and anchored to resist flotation, collapse, or lateral movement. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.
- b. Manufactured homes that are placed or substantially improved within Zones A1-30, AH, and AE on the FIRM on sites (i) outside of a manufactured home park or subdivision, (ii) in a new manufactured home park or subdivision, (iii) in an expansion to an existing manufactured home park or subdivision, or (iv) in an existing manufactured home park or subdivision on which a manufactured home has incurred "substantial damage" as a result of a flood, must be elevated on a permanent foundation such that the lowest floor of the manufactured home is elevated to or above the base flood elevation and be securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.
- c. Manufactured homes placed or substantially improved on sites in an existing manufactured home park or subdivision within Zones A1-30, AH and AE on the FIRM that are not subject to the provisions of subsection (4)b. of this section must be elevated so that either:
 - i. The lowest floor of the manufactured home is at or above the base flood elevation, or
 - ii. The manufactured home chassis is supported by reinforced piers or other foundation elements of at least equivalent strength that are no less than 36 inches in height above grade and are securely anchored to an adequately anchored foundation system to resist flotation, collapse, and lateral movement.

5. Recreational Vehicles

Recreational vehicles placed on sites within Zones A1-30, AH, and AE on the FIRM must either:

- a. Be on the site for fewer than 180 consecutive days;
- b. Be fully licensed and ready for highway use; or
- c. Meet the permit requirements of Section ---⁶ and the elevation and anchoring requirements for "manufactured homes" in Subsection 4.3.2B.4. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices and has no permanently attached additions.

C. Standards for Subdivision Proposals

- 1. All subdivision proposals, including the placement of manufactured home parks and subdivisions, must be consistent with the need to minimize flood damage.
- 2. All proposals for the development of subdivisions, including the placement of manufactured home parks and subdivisions, must meet development permit requirements of this section.
- 3. Base flood elevation data must be provided for subdivision proposals and other proposed development, including the placement of manufactured home parks and subdivisions, that is greater than 50 lots or 5 acres, whichever is less, if not otherwise provided pursuant to Subsection 4.3.1F regarding the basis for establishing the areas of special flood hazard or Section ---⁷ pertaining to the use of other base flood data.

⁶ Will refer to the floodplain development permit, to be drafted in installment 3.

⁷ Will refer to the duties of the floodplain administrator, to be drafted in installment 3.

4. All subdivision proposals, including the placement of manufactured home parks and subdivisions, must have adequate drainage provided to reduce exposure to flood hazards.
5. All subdivision proposals, including the placement of manufactured home parks and subdivisions, must have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize or eliminate flood damage.

D. Standards for Areas of Shallow Flooding (AO/AH Zones)

Located within the areas of special flood hazard established in Subsection 4.3.1F, are areas designated as shallow flooding. These areas have special flood hazards associated with base flood depths of one to three feet where a clearly defined channel does not exist and where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow; therefore, the following provisions apply:

1. All new construction and substantial improvements of residential structures must have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified).
2. All new construction and substantial improvements of non-residential structures must:
 - a. Have the lowest floor (including basement) elevated above the highest adjacent grade at least as high as the depth number specified in feet on the FIRM (at least two feet if no depth number is specified);
 - b. Together with attendant utility and sanitary facilities be designed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads of effects of buoyancy.
3. A registered professional engineer or architect shall submit a certification to the floodplain administrator that the standards of this section are satisfied.
4. Within Zones AH and AO, adequate drainage paths must be provided around structures on slopes to guide flood waters around and away from proposed structures.

E. Floodways

Located within areas of special flood hazard established in Subsection 4.3.1F, are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of floodwaters that carry debris, potential projectiles and erosion potential, the following provisions apply:

1. Encroachments are prohibited, including fill, new construction, substantial improvements and other development, within the adopted regulatory floodway, unless it has been demonstrated through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment would not result in any increase in flood levels within the town during the occurrence of the base flood discharge.
2. If paragraph (1) of this section is satisfied, all new construction and substantial improvements must comply with all applicable flood hazard reduction provisions of this section.
3. Under the provisions of the National Flood Insurance Program Regulations, a community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations, provided that the community first completes all of the provisions required by the National Flood Insurance Program Regulations.

F. Severability

If any section, clause, sentence, or phrase of this chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

4.4 Grading and Drainage

Commentary

The Town's current grading and drainage standards are located in a separate [Drainage Criteria Manual](#) available on the Town's website. Rather than dismantling that document and relocating some standards here, we think it is more effective to reference that manual in the UDC to retain a "one stop shop" for these standards and so that readers know where to find that information. Some communities include general site layout and design standards in the UDC and reference an outside criterial manual for detailed engineering and other technical design standards.

All development is subject to the requirements in the Drainage Criteria Manual and any other applicable Public Works and Engineering Department standards.

4.5 Access and Circulation

Commentary

This is generally a new section for the Town's consideration. All provisions are new unless otherwise noted. This section is included in the general development standards, versus the subdivision standards, so that many of these improvements will be applied to redevelopment projects and individual sites, not just new subdivisions. The subsections cover vehicular, pedestrian, and bicycle connectivity independently.

4.5.1 Purpose

The purpose of this section is to support the creation of a highly connected transportation system within the Town in order to:

- A. Promote multimodal travel in Addison by providing options for automobiles, transit, bicycles, and pedestrians;
- B. Connect neighborhoods to each other;
- C. Connect neighborhoods to local destinations such as employment, schools, parks, and shopping centers;
- D. Reduce vehicle miles of travel and travel times;
- E. Mitigate the traffic impacts of new development and redevelopment;
- F. Reduce stormwater runoff, reduce heat island effect from large expanses of pavement, improve water quality, and minimize dust pollution;
- G. Improve air quality; and
- H. Reduce emergency response times.

Generally, access and circulation systems associated with any development shall provide for multiple travel modes (vehicular, transit, bicycle, and pedestrian), as appropriate to the development's size, character, and relationship to existing and planned community transportation systems. Vehicular, transit, bicycle, and pedestrian access and circulation systems shall be coordinated and integrated as necessary to offer the development's occupants and visitors improved transportation choices while enhancing safe and efficient mobility throughout the development and the community.

4.5.2 Applicability

Except as otherwise provided in this section, the standards of this section shall apply to all development as established in Section 4.2: *Applicability*.

4.5.3 Developer Responsibility for Access and Circulation Improvements⁸

A. On-Site Circulation

1. If a street is proposed within a development site, the developer shall provide roadway, bikeway, sidewalk, and other access and circulation improvements in accordance with the standards in this section, the Master Transportation Plan, current engineering design standards, and shall dedicate any required rights-of-way or easements as determined necessary by the Town.
2. If a development site includes the proposed corridor of a street designated on an adopted plan, the development shall incorporate provision of the street into the design of the development and shall dedicate right-of-way that meets the right-of-way width standards for the street. If a traffic impact analysis shows that the development itself is expected to generate sufficient traffic to warrant design of the street as a principal or minor arterial thoroughfare, the developer shall be responsible for constructing the street (including any bikeway, sidewalk, and other associated access and circulation improvements) in accordance with the Town's standards for a principal or minor arterial thoroughfare, as appropriate; otherwise, the developer shall be responsible for constructing the street (including any bikeway, sidewalk, and other associated access and circulation improvements) to meet at least those standards in the Town's Master Transportation Plan for a local or collector street as determined by Town staff.

B. Off-Site Circulation

1. If a development site fronts on and obtains vehicular access from an existing street, the developer shall be required to dedicate additional right-of-way along the street frontage or in the vicinity of the development and to provide roadway, bikeway, sidewalk, and other access and circulation improvements within the street right-of-way that are reasonably necessary to ensure the safe, convenient, efficient, and orderly accommodation of vehicular and pedestrian traffic demands and impacts generated by the proposed development.
2. Such improvements may include, but are not limited to, turn lanes, deceleration and acceleration lanes, widening or paving of substandard roadways, medians, bikeways, sidewalks, sidewalk ramps and crossings, street lights, bus shelters, and the relocation or improvement of utility lines and facilities needed to accommodate street improvements. The extent of required dedications and improvements related to the abutting street shall be roughly proportional to the traffic demands and impacts generated to and along that street by the proposed development.

4.5.4 Streets, Alleys, and Vehicular Circulation

A. Uniform Street Standards

All streets and related improvements shall be constructed in accordance with the standards in the Town's Master Transportation Plan and current engineering design standards.

B. Layout and Design

1. The street pattern shall be designed to afford safe and convenient access to all lots.
2. The street pattern shall have a logical relationship to topography.
3. Where possible, streets shall be aligned to afford maximum solar access to each building site.
4. Where a proposed development borders a principal or minor arterial, street intersections with the arterial street shall be at intervals of one-quarter mile or greater.
5. Bicycle lanes are required in the design of all arterial and collector streets where low traffic speeds and volumes allow bicyclists and motorists to share the road safely, as prescribed in the Master Transportation Plan.

⁸ This is intended to clarify when the Town may require a developer to construct public street improvements, reflecting limitations defined by the courts. This is likely already existing Town policy but is helpful to have spelled out in clear language in the code.

C. Circulation Plan

1. All development, except for single-family residential uses within previously platted subdivisions, shall prepare a circulation plan. The circulation plan shall be submitted with the respective site plan or subdivision application, as appropriate.
2. The circulation plan shall address, at a minimum: street connectivity, emergency and service vehicle access, parking movements, accommodation of loading and unloading operations, turning radii, traffic calming measures where future “cut-through” traffic is likely, and similar issues identified by the Director at a pre-application conference.
3. The Director may waive the requirement for a circulation plan upon determining that a proposed development is expected to have no impact on circulation or proposes no change in existing circulation patterns. This provision shall not be construed to exempt development that includes additional parking, driveways, or substantial modifications to the existing pedestrian network.

D. Street Connectivity

1. Purpose

Street and block patterns shall include a clear hierarchy of well-connected streets that distribute traffic over multiple streets and avoid traffic congestion on principal routes. Within each development, the access and circulation system should accommodate the safe, efficient, and convenient movement of vehicles, bicycles, and pedestrians through the development, and provide ample opportunities for linking adjacent neighborhoods, properties, and land uses. Local neighborhood street systems are intended to provide multiple direct connections to and between local destinations such as parks, schools, and shopping.

2. Standards

- a. The vehicular access and circulation for a development shall incorporate the continuation and connection of public street roadways and associated rights-of-way that have been extended or connected to the boundary of the development site from existing or approved abutting developments.
- b. The vehicular access and circulation for a development shall provide for the extension or connection of proposed internal public street roadways and associated rights-of-way to those boundaries of the development site whenever such extensions or connections are or may be necessary to ensure that the development site or the abutting property will have:
 - i. At least two vehicular access points to and from an external through street system, preferably on to two separate streets;
 - ii. Convenient and efficient access by vehicles needed to provide police, fire, and emergency services; and
 - iii. Convenient and efficient access by vehicles needed to provide other public services.
- c. An extension or connection of a public street roadway and right-of-way to an abutting property shall include the extension or connection of associated bikeways and sidewalks.
- d. The Director and/or the Director of Public Works and Engineering may require a temporary turnaround at the end of a roadway extension if needed to facilitate traffic flow or to accommodate emergency vehicles pending the roadway's connection to other roadways.
- e. The Director and/or the Director of Public Works and Engineering may waive or modify the requirements or standards for extension or connection of a public roadway from or to an abutting property if such extension is impractical or undesirable because it would:
 - i. Require crossing a significant physical barrier or environmentally sensitive area (e.g., watercourses, floodplains, riparian areas, steep slopes; wildfire hazard areas);
 - ii. Require the extension or connection of a proposed internal public street to an abutting property with existing development whose design makes it unlikely that the street will ever be part of a network of public streets (for example, the abutting existing development has no public streets, or there are no “stubbed-out” street rights-of-way or open corridors between

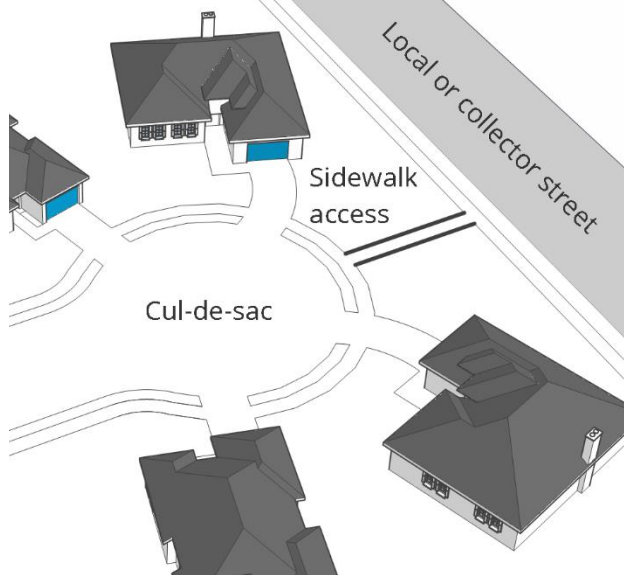
the proposed development site and public streets in the abutting development to accommodate a current or future extension or connection);

- iii. Require the extension or connection of a proposed internal public street to an abutting property owned by a government or public utility to which vehicular access is restricted, or other property to which vehicular access is restricted by easement or deed; or
- iv. Require the extension or connection of a proposed internal public street to an abutting property that is developed or zoned for a use whose level and type of generated traffic would be incompatible with the proposed development.

3. Cul-de-Sacs and Dead-End Streets

- a. Cul-de-sacs shall be avoided to the maximum extent feasible.
- b. Dead-end streets shall be avoided to the maximum extent feasible except where planned for future extension.
- c. Where residential developments have cul-de-sacs or dead-end streets, such streets shall be connected to the closest local or collector street or to cul-de-sacs in adjoining subdivisions via a sidewalk or multi-use path, except where deemed impractical by the Director.
- d. All stub streets and temporary dead-end streets greater than 100 feet in length shall terminate in a cul-de-sac.

Figure 4.1: Sidewalk Access for Cul-De-Sac or Dead-End Streets



4. Cross Access Between Abutting Development

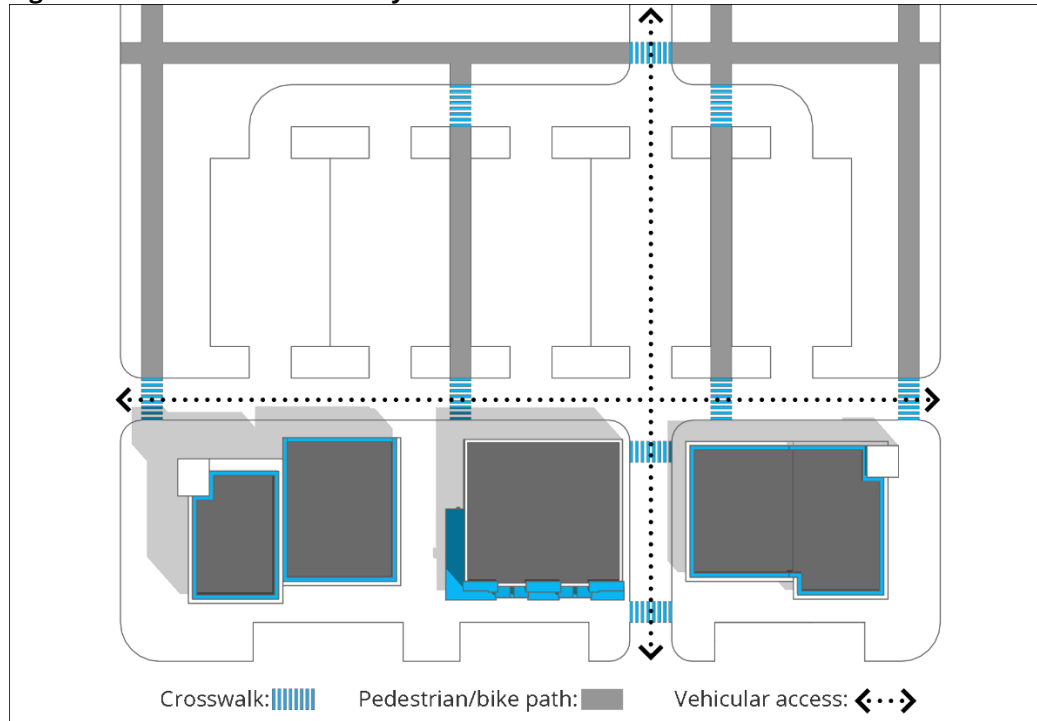
To facilitate vehicular, pedestrian, and bicycle access between abutting developments, encourage shared parking, and minimize access points along streets, new single-family attached, multifamily, nonresidential, and mixed-use development shall comply with the following standards:

- a. The internal circulation system shall be designed to allow for cross-access between the development’s common use areas and common use areas in an abutting single-family attached, multifamily, nonresidential, or mixed-use development, or to the boundary of abutting vacant land zoned to allow single-family attached, multifamily, nonresidential or mixed-use development.
- b. Required vehicular cross access between the abutting lots shall be provided through the use of a frontage or service street (if the lots front on a major arterial thoroughfare right-of-way), a single two-way driveway or drive aisle, or two one-way driveways or aisles that are sufficiently wide to accommodate traffic by automobiles, service vehicles, loading vehicles, and emergency vehicles.
- c. The Director, in conjunction with the Director of Public Works and Engineering, may waive or modify the requirement for cross access on determining that such cross access is impractical or undesirable because it would require crossing a significant physical barrier or environmentally

sensitive area (e.g., railroad, watercourse, floodplain, wetlands, steep slopes), or would create unsafe conditions or impede the application of other design requirements in this UDC.

- d. Easements allowing cross access to and from properties served by a vehicular, pedestrian, or bicycle cross-access, along with agreements defining maintenance responsibilities of property owners, shall be recorded with the County Clerk before issuance of a Building Permit for the development.

Figure 4.2: Internal Circulation System for Cross Access



E. Use and Maintenance

1. Access and circulation routes are intended to provide pedestrian, bicycle, and vehicle access. Vehicle parking, garbage containers, merchandise storage or display, utility boxes and poles, signs, trees, and other obstructions shall not encroach into the required minimum width of any required access or circulation route, unless otherwise authorized by this UDC.
2. Access and circulation routes required by this UDC shall be maintained in usable condition throughout the year.

4.5.5 Driveways and Access

A. Access

1. The number of access points to any property shall be limited to one, unless it can be shown that the development will generate sufficient volumes to require two points of access for safe internal operations.¹²
2. All driveways shall meet the spacing, clearance, and design requirements set forth in the Town's Transportation Technical Standards.

¹² From the "General Driveway Access Principles" in the current *Transportation Technical Standards*.

3. Direct driveway access (ingress or egress) from any single-family residential lot to any arterial street or commercial collector street is prohibited, unless no other legal access alternative is available.¹³
4. In the M-1 zoning district, site access and curb cuts shall be limited to one curb cut per lot for single-family residential uses.¹⁴
5. In the M-1, M-3 and M-5 zoning districts, site access and curb cuts shall be limited to two curb cuts per block, unless no other legal access alternative is available.¹⁵

B. Location

1. In the M-1, M-2, M-3, M-4, and M-5 zoning districts, driveways shall have a minimum setback of five feet from side lot lines. This requirement shall not apply to zero-lot-line or rowhouse developments, provided there is a five-foot wide landscaping strip between driveways.¹⁶
2. In all other zoning districts, driveway surfaces must be located a minimum of two feet from an interior side property line unless prior approval, recorded in the property records of Dallas County, Texas, has been obtained from the adjoining property owner. Where driveways are located parallel and adjacent to a side street property line, a minimum of five feet shall be provided between the surface and the property line.¹⁷
3. Driveways located near intersections shall maintain the vision clearance areas as required by Subsection 4.5.6, and the Town's Transportation Technical Standards.

C. Removing or Relocating Driveways¹⁹

1. Where the removal or relocation of one or more existing driveways or portions of driveways is necessary to comply with this UDC, any driveway or portion of driveway that is removed shall be replaced with the installation of curb and gutter along the gutter line of the street, in accordance with Public Works and Engineering Department specifications.
2. If there is no existing curb and gutter on the street, the driveway shall be removed in the manner specified by the Director of Public Works and Engineering.
3. The removal or relocation of one or more existing driveways or portions of driveways shall require the developer to maintain or improve drainage patterns to meet the standards of this UDC.
4. The removal or relocation of a driveway shall also require the installation of landscape treatments for that portion of the site pursuant to the standards in this UDC.

D. Surfacing²¹

1. All driveways and access drives to improved parking surfaces shall be constructed as a continuous improved surface of concrete, brick pavers, pavestone, or other approved surfacing material designed to support vehicular weight and installed on an approved base course or other hard surfaced durable material designed to support vehicular weight approved by the Director of Public Works and Engineering.
2. Driveways and improved parking surfaces shall be designed and constructed in compliance with the improved driveway standards of the Town.

¹³ Replaces current standard in UC-Residential subdistrict that prohibits direct vehicular access to individual townhouses/condominiums fronting Quorum Drive, Spectrum Drive, and Mildred Street. New standard broadens applicability Town-wide and includes any arterial or commercial collector street.

¹⁴ Replaces current Article XIX, Section 3(G).

¹⁵ Replaces current Article XIX, Section 3(G) and Section 5(E). UC-Commercial currently limits curb cuts along principal collectors (category B) and the special events parkway/retail street (category E/F). Added "unless no other legal access alternative is available."

¹⁶ Consolidates standards from MXR and UC-Residential districts. Revised to apply to all mixed-use zoning districts.

¹⁷ From current Sec. 18-132, Driveway Requirements.

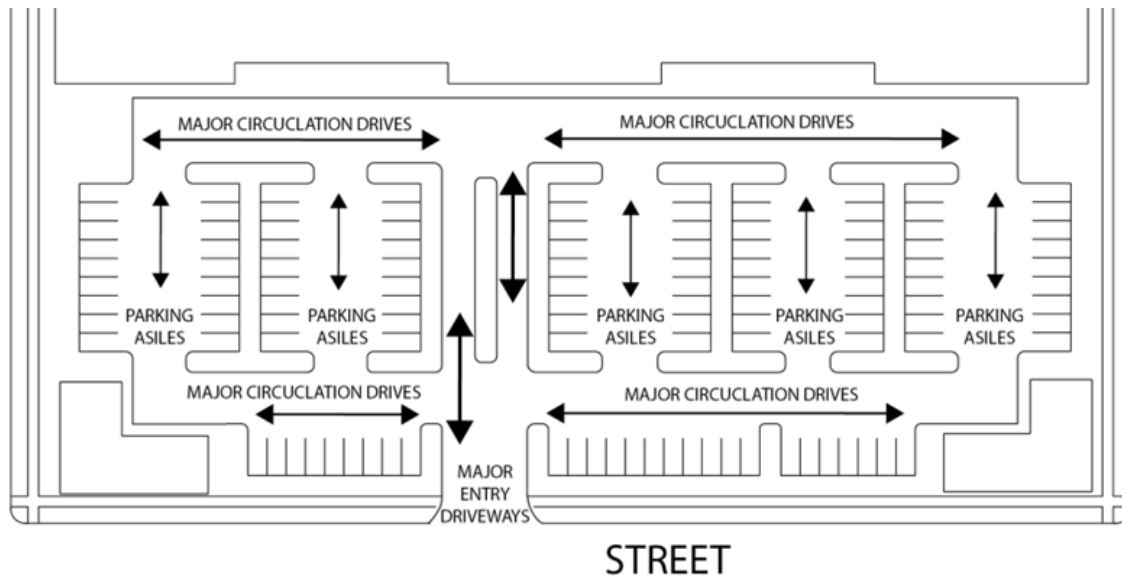
¹⁹ New, unless otherwise noted.

²¹ From current Sec. 18-132, Driveway Requirements.

E. Vehicle Maneuvering²³

1. Except for single-family, duplex, and triplex uses, groups of more than five vehicle parking spaces per lot shall be provided with adequate aisles or turn-around areas so that all vehicles may enter the public right-of-way in a forward manner.
2. Except for single-family, duplex, and triplex uses, more than five vehicle parking spaces shall be served by a driveway designed and constructed to facilitate the flow of traffic on or off the site, with due regard to pedestrian, bicycle, and vehicle safety, and shall be clearly and permanently marked and defined.
3. Vehicle parking lots exceeding one drive aisle and 100 spaces shall be designed with a clear hierarchy of circulation. The hierarchy shall consist of:
 - a. Major entry driveways without parking spaces; then
 - b. Major circulation drives with little or no parking; then
 - c. Parking aisles for direct access to parking spaces.

Figure 4.3: Vehicle Maneuvering



4.5.6 Vision Clearance²⁴

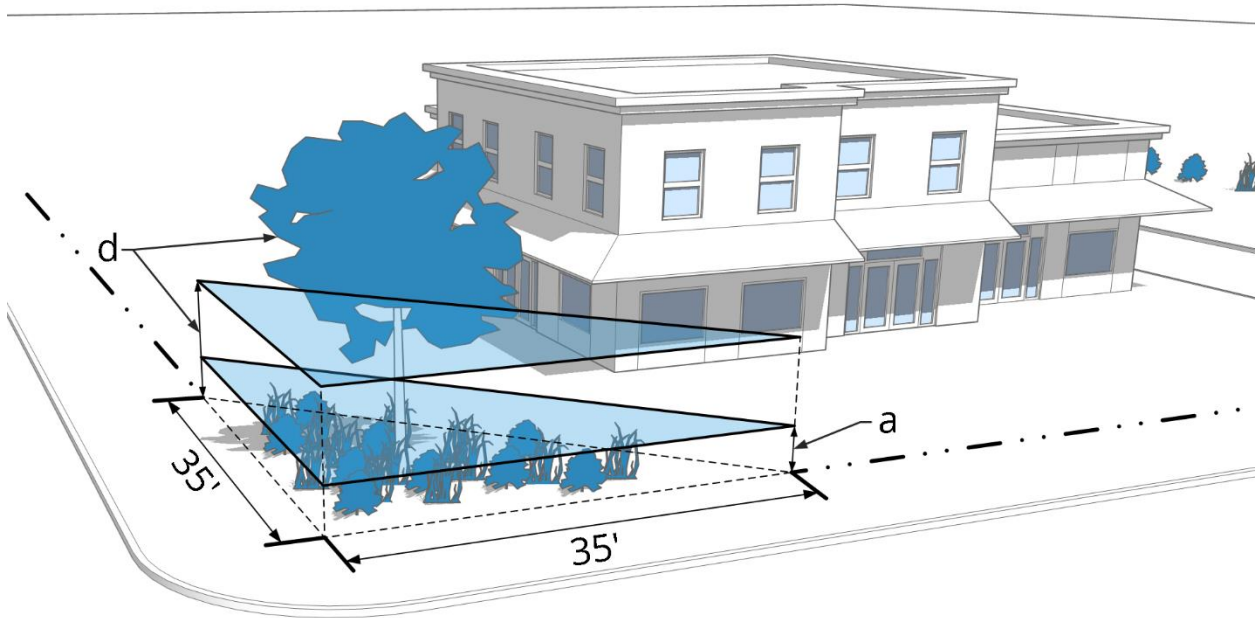
- A.** For all lots on which a front setback or build-to is required:
 1. No obstruction over 18 inches that will obscure or partly obscure the view of vehicle drivers shall be placed within the triangular area formed by joining points measured 35 feet along the property line from the intersection of two streets;
 2. No obstruction over 30 inches that will obscure or partly obscure the view of vehicles drivers shall be placed within the triangular area determined by site-specific AASHTO standards.
- B.** This restriction shall not apply to traffic control signs and signals, street signs, or utility poles placed within such area by the Town.

²³ New.

²⁴ Replaces current Article XXII(1) and 34-207(c). New standards: two required site triangles including the standard 35-foot triangle with a required overlapping AASHTO site triangle for all sites. The current maximum height allowed within the vision clearance area is two feet in Sec. 34-207(c); we have applied the 30-inch standard from Article XXII(1). A graphic will be preparing illustrating these two triangles.

- C. The use of plant material in a vision clearance area is intended to provide aesthetic appeal while not unduly limiting or restricting visibility, whether as a pedestrian or a passenger in a vehicle. Plants shall not reduce or limit visibility to such an extent that a safety hazard is presented. Plants normally considered as effective screens shall be prohibited within a vision clearance area.
- D. Trees within the vision clearance area may be placed within approval by the Director and shall be single trunked and have a minimum branching clearance of six feet from the ground to the first branch.
- E. Vertical measurement shall be made from the top of the curb on the street adjacent to the nearest street of the vision clearance triangle or, if no curb exists, from the edge of the nearest traveled way.

Figure 4.4: Vision Clearance Measurement



4.5.7 Pedestrian Circulation²⁵

A. Sidewalks

Sidewalks shall be installed on both sides of all streets and within and along the frontage of all new development or redevelopment, as required by the Master Transportation Plan.

1. Where Required

- a. Sidewalks shall be provided by the developer to allow convenient pedestrian access through or across the development and joining with pedestrian ways of adjacent properties.
- b. Sidewalks shall be installed on both sides of all arterials, collector streets, and local streets, and within and along the frontage of all new development and redevelopment.

2. Design and Materials

Sidewalks shall be constructed in accordance with the Master Transportation Plan and current engineering design standards.

²⁵ New.

B. On-Site Pedestrian Walkways

All multifamily, nonresidential, and mixed-use development shall provide an on-site system of pedestrian walkways that meets the following standards:

1. Areas to Connect

On-site pedestrian walkways shall provide direct access and connections to and between:

- a. The primary entrance or entrances to each building, including pad-site buildings;
- b. Any sidewalks, walkways, or multi-use paths on adjacent properties that extend to the boundaries shared with the development;
- c. Any parking areas intended to serve the development;
- d. Any sidewalk system along the perimeter streets adjacent to the development;
- e. Any public transit station areas, transit stops, park and ride facilities, or other transit facilities on-site or along an adjacent street; and
- f. Any adjacent or on-site public park, trail system, open space, greenway, or other public or civic use or amenity.

2. Walkway Design

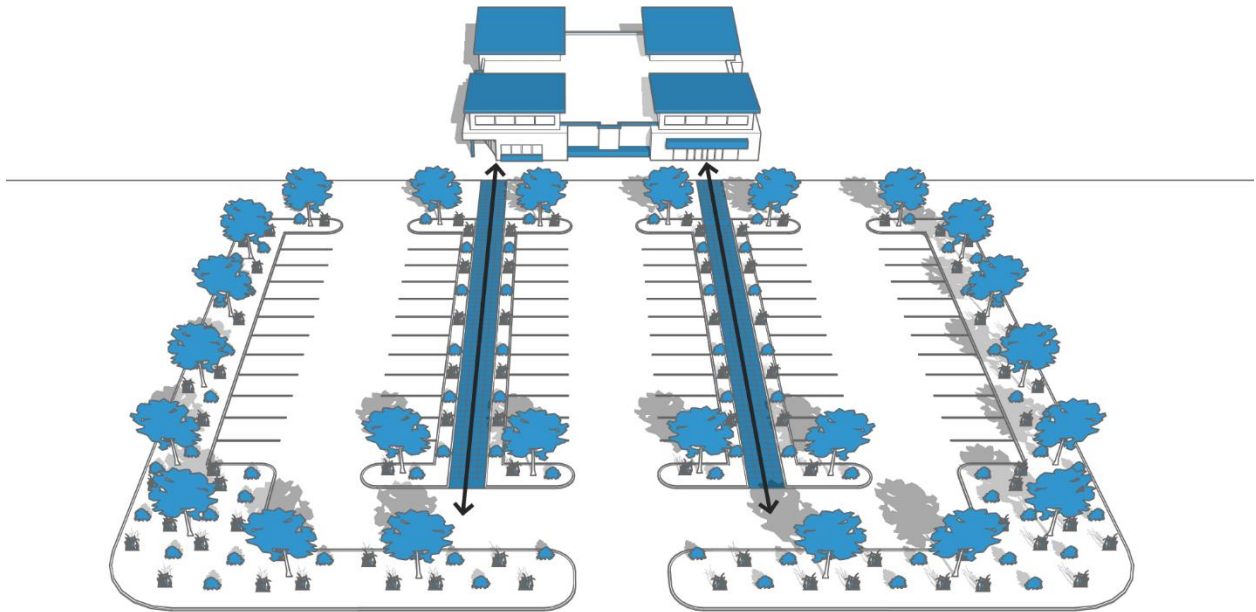
Required on-site pedestrian walkways shall be a minimum width of five feet. All required walkways shall:

- a. Be distinguishable from areas used by vehicles using one or more of the following techniques:
 - i. Changing surfacing material, patterns, and/or paving color, but not including the painting of the paving material;
 - ii. Changing paving height;
 - iii. Decorative bollards;
 - iv. Raised median walkways with landscaped buffers;
- b. Be designed with similar and/or complementary details, colors, and finishes as other interconnected walkways;
- c. Have adequate lighting for security and safety;
- d. Be conveniently and centrally located on the subject property;
- e. Be ADA-accessible; and
- f. Not include barriers that limit pedestrian access between the subject property and required connections to adjacent properties.

C. Pedestrian Access through Parking Areas

All parking lots that contain more than two double rows of vehicle parking shall include pedestrian walkways through the parking lot to the primary building entrance or a sidewalk providing access to the primary building entrance. At a minimum, walkways shall be provided for every three driving aisles or at a distance of not more than 150-foot intervals, whichever is less.

Figure 4.5: Pedestrian Access through Parking Areas



D. Pedestrian Access through Parking Garages

Pedestrian walkways shall be provided through parking garages from the parking area to the abutting public right-of-way and sidewalk and/or to the primary entrance of the building served. Pedestrian walkways shall not use vehicle entrance or exit driveways from the parking area to a public right-of-way.

E. Active Transportation Connectivity

Off-street trails, enhanced pedestrian paths, and active transportation corridors shall be installed in all new development or redevelopment, as required by the Master Transportation Plan.

4.5.8 Bicycle Circulation

- A.** Bicycle routes shall be established in accordance with the Master Transportation Plan and Public Works and Engineering Department specifications.
- B.** The development’s internal bicycle circulation system shall permit safe, convenient, efficient, and orderly movement of bicycles between the development’s internal origin and destination points and adjacent parts of an existing or planned external, community-wide bicycle circulation system, as well as any adjacent transit stations, bus stops and shelters, public parks, greenways, schools, community centers, and shopping areas.
- C.** Sidewalks shall not be used to satisfy the bicycle circulation requirement unless at least 10 feet wide and with the approval of the Director.

4.6 Parking and Loading

Commentary

This is a new section that consolidates off-street parking and loading standards from several sections of the *Code of Ordinances*. This draft includes a new table of minimum vehicle parking requirements that corresponds to the table of allowed uses presented in Part 1 (ensuring that each proposed land use type has an associated off-street parking requirement). Several other new and revised sections are included, including parking alternatives, vehicle parking layout and design, vehicle loading areas, drive-through facilities, and use of parking.

Peer community comparison. Outside of this draft, we have prepared a parking comparison table using the use breakdown of Section 4.6.4 to compare the minimum required off-street parking standards proposed for Addison to those of surrounding communities. Generally, the Addison standards are equivalent to or less restrictive than peer communities excluding Carrollton where there are several use types (e.g. office, restaurant, vehicle repair and sales) with even less restrictive standards than Addison.

The proposed maximum off-street vehicle parking allowance in Section 4.6.5 would also be somewhat unique in north Texas, but not in other parts of the country. Other local communities generally either do not set maximums or only require them for a small amount of specific uses. (The exception is Plano, where the maximum is set at 110% of the required minimum number of off-street spaces for all uses unless otherwise required.)

4.6.1 Purpose²⁷

This section is intended to regulate the amount and design of off-street parking and loading for different land uses and to help protect the public health, safety, and general welfare by:

- A. Avoiding and mitigating traffic congestion and adverse impacts on residential neighborhoods;
- B. Providing necessary access for service and emergency vehicles;
- C. Providing for safe and convenient interaction between vehicles, bicycles, pedestrians, and other modes of travel;
- D. Encouraging multi-modal transportation options and enhanced pedestrian safety;
- E. Providing flexibility to respond to the transportation, access, and loading impacts of various land uses in different areas of the town;
- F. Reducing stormwater runoff, reducing heat island effect from large expanses of pavement, improving water quality, and minimizing dust pollution; and
- G. Avoiding and mitigating the adverse visual impact and inefficient use land of large concentrations of exposed parking;
- H. Maximizing the use of on-street parking, except along arterial thoroughfares.

4.6.2 Applicability

The standards of this section shall apply to all development that meets the applicability thresholds established in Section 4.2: *Applicability*.

4.6.3 Calculations

A. Generally

1. All parking and loading requirements that are based on square footage shall be calculated on the basis of gross floor area of the subject use, unless otherwise specified.

²⁷ Mostly new, some content taken from the Belt Line parking intent statement in current Article XIX.A(V)(A)(1).

2. When measurements of the minimum number of required parking spaces for vehicles or bicycles result in a fractional number, any fraction of shall be rounded up to the next higher whole number.
3. When measurements of the maximum number of required parking spaces for vehicles or bicycles result in a fractional number, any fraction of 0.5 or larger shall be rounded down to the next lowest whole number.
4. The following types of parking spaces shall not count towards the maximum parking requirement:
 - a. On-street parking spaces provided pursuant to paragraph 4.6.6D;
 - b. Designated accessible parking;
 - c. Parking spaces intended for storage of business vehicles, such as fleet vehicles, delivery vehicles, or vehicles on display associated with sales or rental; and
 - d. Structured parking, underground parking, and parking within, above, or beneath the building(s) it serves.
5. Lots containing more than one use shall provide parking and loading based on the shared parking calculations in paragraph 4.6.6A.

B. Unlisted Uses²⁹

For uses not listed in Subsection 4.6.4: Minimum Off-Street Vehicle Parking Requirement or Subsection 4.6.5: Maximum Off-Street Vehicle Parking Allowed, the Director is authorized to establish minimum and maximum parking requirements pursuant to paragraph 4.6.4A: Director Determination.

4.6.4 Minimum Off-Street Vehicle Parking Requirement

Each development or land use subject to this section pursuant to Subsection 4.6.2: *Applicability*, shall provide at least the minimum number of off-street vehicle parking spaces required below, unless otherwise provided in this UDC.

Commentary

This new table of minimum vehicle parking requirements corresponds to the table of allowed uses presented in Part 1 (ensuring that each proposed land use type has an associated off-street parking requirement). The current minimum parking requirement for each use is listed (if one exists) in the middle column for comparison against the new proposed requirement. Some existing parking requirements include a broad range of land use types (e.g. “service, general retail”). In these cases, we used our judgment to assign a current parking standard to the proposed land use type most closely related to it. Proposed changes are indicated with footnotes. The current standards column will be removed prior to adoption. This draft includes new minimum parking standards for the Town’s consideration. This draft includes a new maximum parking standard of 125 percent of the parking required, except for residential uses that have a set maximum of 2 spaces per dwelling unit.

The current code does not specify parking standards for many uses, as can be seen in the table below. We have suggested new standards for all use types for discussion purposes, based generally on Texas and national research. We heard differing feedback as to whether current standards are too high or too low. We were not overly aggressive with the suggested new minimums in this draft (knowing that the Town is very auto-dependent). The applicability section can be more aggressive in setting exemptions for areas where parking ratios may not need to be as high (e.g., mixed-use areas).

DU = dwelling unit sq. ft. = square feet GFA = gross floor area

Use	Minimum Vehicle Parking Current	Minimum Vehicle Parking Proposed
Residential		
Household Living		
Cottage development (NEW)	--	1 space per DU

²⁹ New.

Article 4: Development Standards

4.6 Parking and Loading

4.6.4 Minimum Off-Street Vehicle Parking Requirement

DU = dwelling unit sq. ft. = square feet GFA = gross floor area

Use	Minimum Vehicle Parking Current	Minimum Vehicle Parking Proposed
Dwelling, duplex	UC-Res, UC-Com, Belt Line: 1 per bedroom (2 per unit max)	1 space per DU
Dwelling, fourplex	UC-Res, UC-Com, Belt Line: 1 per bedroom (2 per unit max)	1 space per DU
Dwelling, live/work	UC-Res, UC-Com, Belt Line: 1 per bedroom (2 per unit max)	1 space per DU
Dwelling, multifamily	MXR: 1 space per bedroom (2 per unit max)	Studio: 0.5 spaces per DU 1 Bedroom: 1 space per DU 2 Bedroom: 1.5 spaces per DU 3 Bedroom: 2 spaces per DU
Dwelling, single-family (attached)	R-1 and R-16: 2 spaces per DU	2 space per DU
Dwelling, single-family (detached)	R-1 and R-16: 2 spaces per DU	2 spaces per DU
Dwelling, triplex	UC-Res, UC-Com, Belt Line: 1 per bedroom (2 per unit max)	1 space per DU
Manufactured home development (HUD-Code)	--	1 space per DU
Group Living		
Assisted living facility	--	1 space per 6 patient beds
Continuing care retirement facility (NEW)	--	0.5 space per unit
Group care home, FHAA small	--	1 space per 4 persons design capacity
Group care home, FHAA large	--	1 space per 4 persons design capacity
Supportive housing, small (NEW)	--	1 space per 4 persons design capacity
Supportive housing, large (NEW)	--	1 space per 4 persons design capacity
Public, Institutional, and Civic Uses³⁰		
Community and Cultural Facilities		
Cemetery or interment facility (NEW)	--	No requirement
Police, fire, or rescue facility	--	1 space per 1,000 sq. ft. GFA, plus 1 space per commercial vehicle
Club or lodge	--	1 space per 300 sq. ft. GFA
Conference or convention center	--	1 space per 1,000 sq. ft. GFA
Day care center, adult or child	UC-Res: 1 per 10 students, plus 1 per employee	1 space per 500 sq. ft. GFA
Day care home, adult or child	--	1 space per non-resident employee
Funeral facility	--	1 space per 250 sq. ft. GFA
Library	--	1 space per 1,000 sq. ft. GFA
Museum	--	1 space per 1,000 sq. ft. GFA
Park or open space, active	--	Director Determination

³⁰ The UC-Residential, UC-Commercial, and Belt Line districts currently defer minimum parking requirements for "civic" uses to a director determination based on a parking demand analysis.

Article 4: Development Standards

4.6 Parking and Loading

4.6.4 Minimum Off-Street Vehicle Parking Requirement

DU = dwelling unit sq. ft. = square feet GFA = gross floor area

Use	Minimum Vehicle Parking Current	Minimum Vehicle Parking Proposed
Park or open space, passive (NEW)	--	Director Determination
Place of worship	--	1 space per 250 sq. ft. GFA
Educational Facilities		
School, college or university	--	1 space per 500 sq. ft. office, research, and library area; plus 1 space per 250 sq. ft. assembly areas and classrooms
School, public or private	--	Elementary or middle school: 1 space per 20 students design capacity High school: 1 space per 8 students design capacity
School, vocational or trade	--	1 space per 500 sq. ft. GFA
Healthcare Facilities		
Hospital	--	1 space per 3 patient beds design capacity
Medical clinic	1 space per 200 sq. ft. floor area	1 space per 250 sq. ft. GFA
Treatment facility (NEW)	--	1 space per 250 sq. ft. GFA
Rehabilitation facility (NEW)	--	1 space per 250 sq. ft. GFA
Commercial		
Agricultural and Animal Uses		
Kennel, commercial	--	1 space per 1,000 sq. ft. GFA
Plant nursery or greenhouse	--	1 space per 500 sq. ft. GFA
Urban agriculture, noncommercial	--	No requirement
Veterinary hospital or clinic	--	1 space per 500 sq. ft. GFA
Recreation and Entertainment		
Recreation facility, indoor	"Theaters auditoriums, gymnasiums and field houses, public or private" R-1, R-16: 1 per 3 seats "Motion picture theater" LR: 1 per 4 seats, maximum occupancy load "Health club or studio for dance, music, drama, health, and reducing" LR, C-1, C-2, I-1, I-2, I-3, UC-Com: 1 per 100 sq. ft. "Health club" UC-Res: 1 per 3 people, maximum occupancy capacity	Bowling or similar use: 1.5 spaces per lane Theaters, auditoriums, gymnasiums, fieldhouse, or similar use: 1 space per 4 seats Health club, fitness facility, or similar use: 1 space per 500 sq. ft. GFA Other uses: Director Determination
Recreation facility, outdoor	"Soccer fields, baseball fields and stadiums" R-1, R-16: 1 per 4 seats "Theaters auditoriums, gymnasiums and field houses, public or private" R-1, R-16: 1 per 3 seats	Theaters, auditoriums, gymnasiums, stadiums, sports fields, or similar use: 1 space per 4 seats Other uses: Director Determination

Article 4: Development Standards

4.6 Parking and Loading

4.6.4 Minimum Off-Street Vehicle Parking Requirement

DU = dwelling unit sq. ft. = square feet GFA = gross floor area

Use	Minimum Vehicle Parking Current	Minimum Vehicle Parking Proposed
Sexually oriented business	--	1 space per 350 sq. ft. GFA
Food and Beverage		
Beer and Wine sales, off-premise consumption	--	1 space per 350 sq. ft. GFA
Brewpub, distillery, or winery	--	Indoor tasting/seating area: 1 space per 300 sq. ft. GFA Outdoor tasting/seating area: 1 space per 500 sq. ft. GFA
Catering establishment	--	1 space per 1,000 sq. ft. GFA
Liquor sales, off-premise consumption	--	1 space per 350 sq. ft. GFA
Microbrewery	--	Indoor tasting/seating area: 1 space per 300 sq. ft. GFA Outdoor tasting/seating area: 1 space per 500 sq. ft. GFA
Mobile food vending (NEW)	--	1 space per mobile food business
Restaurant	"Restaurant (freestanding)" LR: 1 per 70 sq. ft. floor area or 1 per 100 sq. ft. gross floor area for restaurants in mixed-use development that are allowed to use entire on-site parking. "Restaurant (mixed-use/shopping center)" LR: less than 30,000 sq. ft. floor area total and more than 40% restaurant use – 1 per 70 sq. ft. gross restaurant floor area LR Zone: unfinished center needs one per 70 sq. ft. for restaurant use "Restaurant" UC-Res: 1 per 70 sq. ft. gross floor area UC-Com, Belt Line: 1 per 100 sq. ft.	1 space per 100 sq. ft. GFA
Lodging		
Bed and breakfast	--	1 space per guestroom
Hotel, Full Service	LR, UC-Res, UC-Com, Belt Line: 1 per room, plus 1 per 300 sq. ft. conference/banquet or meeting space	1 space per guestroom, plus 1 space per 300 sq. ft. of meeting space
Hotel, Limited Service	--	1 space per guestroom, plus 1 space per 300 sq. ft. of meeting space
Residence Hotel	--	1 space per guestroom, plus 1 space per 300 sq. ft. of meeting space
Office, Business, Professional, and Personal Services		
Bank or financial institution	LR, C-1, C-2, I-1, I-2, I-3, UC-Com: 1 per 300 sq. ft. floor area	1 space per 500 sq. ft. GFA
Credit access business (NEW)	--	1 space per 500 sq. ft. GFA

Article 4: Development Standards

4.6 Parking and Loading

4.6.4 Minimum Off-Street Vehicle Parking Requirement

DU = dwelling unit sq. ft. = square feet GFA = gross floor area

Use	Minimum Vehicle Parking Current	Minimum Vehicle Parking Proposed
Laundromat, self-service	--	1 space per 300 sq. ft. GFA
Office	LR, UC-Res, UC-Com: 1 per 300 sq. ft. of floor area LR, C-1, C-2, I-1, I-2, I-3: Office complex with 50,000 sq. ft. or more: 1 per 300 sq. ft. net usable area Belt Line: 1 per 200 sq. ft.	1 space per 300 sq. ft. GFA
Personal services	C-1, UC-Com: 1 per 1,000 sq. ft. floor area	1 space per 500 sq. ft. GFA
Retail Sales		
Building supply store (NEW)	--	1 per 400 sq. ft. GFA
Pawn shop	--	1 per 400 sq. ft. GFA
Retail sales, less than 15,000 sq. ft. GFA	"Furniture store" LR, C-1, C-2, I-1, I-2, I-3, UC-Com: 1 per 1,000 sq. ft. floor area	1 per 400 sq. ft. GFA
Retail sales, 15,000 to 50,000 sq. ft. GFA	"General retail" LR, C-1, C-2, I-1, I-2, I-3: 1 per 200 sq. ft. floor area	1 per 400 sq. ft. GFA
Retail sales, more than 50,000 sq. ft. GFA	UC-Res: 1 per 250 sq. ft. UC-Com, Belt Line: 1 per 200 sq. ft. floor area	1 per 400 sq. ft. GFA
Transportation, Vehicles, and Equipment		
Airport, public-owned	--	Director Determination
Equipment sales or rental (NEW)	--	Indoor: 1 space per 500 sq. ft. GFA Outdoor: 1 space per 1,000 sq. ft.
Fleet services	--	1 space per 1,000 sq. ft. GFA, plus 1 space per commercial fleet vehicle
Parking facility, private	--	No Requirement
Parking facility, public	--	No Requirement
Transit terminal or station	--	No Requirement
Vehicle fuel station	--	1 space per 400 sq. ft. GFA
Vehicle repair, major (NEW)	--	1 space per 400 sq. ft. of indoor sales/leasing/office area, plus 1 space per service bay
Vehicle repair, minor	--	1 space per 400 sq. ft. of indoor sales/leasing/office area, plus 1 space per service bay
Vehicle sales or leasing	--	1 space per 400 sq. ft. of indoor sales/leasing/office area, plus 1 space per service bay
Vehicle wash	--	No Requirement

Article 4: Development Standards

4.6 Parking and Loading

4.6.4 Minimum Off-Street Vehicle Parking Requirement

DU = dwelling unit sq. ft. = square feet GFA = gross floor area

Use	Minimum Vehicle Parking Current	Minimum Vehicle Parking Proposed
Industrial³¹		
Manufacturing and Processing		
Commercial laundry facility	--	1 space per 1,000 sq. ft. GFA
Food production or processing	--	1 space per 1,000 sq. ft. production area; plus 1 space per 300 sq. ft. indoor seating/tasting area; plus 500 sq. ft. outdoor seating/tasting area
Manufacturing, artisan (NEW)	--	1 space per 500 sq. ft. GFA
Manufacturing, low-impact	--	1 space per 1,000 sq. ft. GFA
Resource or mineral extraction	--	Director Determination
Storage and Warehousing		
Contractor's office (NEW)	--	1 space per 500 sq. ft. office area
Storage, self-service	--	1 space per 500 sq. ft. office area, plus 1 space per 30 storage units
Storage, outdoor	--	No Requirement
Warehouse or wholesale facility (NEW)	--	1 space per 1,000 sq. ft. GFA
Utilities and Communication		
Communication facility	--	No Requirement
Public utility, major	--	No Requirement
Public utility, minor	--	No Requirement
Satellite earth station	--	No Requirement
Solar energy system	--	No Requirement
Wind energy system, more than 100 kW	--	No Requirement
Wind energy system, less than 100 kW	--	No Requirement
Accessory Uses		
Alcohol sales, on-premise consumption	--	Based on primary use
Drive-through (NEW)	--	Based on primary use
Drop box, self-service (NEW)	--	No Requirement
Dwelling, accessory (ADU) (NEW)	--	1 space
Guest quarters	--	No Requirement
Home occupation	"Home office" UC-Res: 1 per 250 sq. ft.	1 space per non-resident employee
Valet parking service (NEW)	--	Based on primary use
Caretaker's quarters	--	1 space
Temporary Uses		
Construction support activities	--	Director Determination

³¹ "Manufacturing, industrial and processing establishments, repair shops, warehouses, storage buildings, lumber and supply yards" -1, I-2, I-3: 1 per 5 employees on duty at a time. Where number of employees is indeterminate, 1 per 1,000 sq. ft. floor area

DU = dwelling unit sq. ft. = square feet GFA = gross floor area

Use	Minimum Vehicle Parking Current	Minimum Vehicle Parking Proposed
Outdoor retail and display	--	Director Determination
Portable storage structure	--	No Requirement
Real estate sales or model home	--	Director Determination
Seasonal sales	--	Director Determination
Special event (NEW)	--	Director Determination

A. Director Determination Based on Demand Study³²

Uses in Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, that reference this paragraph have varied parking and loading demands, making it difficult to specify a single standard for off-street parking or loading requirements. With an application for a use that is subject to this paragraph, the Director shall apply the off-street parking and loading standards on the basis of a demand study prepared by the applicant. Such study shall estimate the parking and loading demand based on recommendations of the Institute of Traffic Engineers, Urban Land Institute, the International Council of Shopping Centers, the American Association of State Highway and Transportation Officials, the American Planning Association, or other acceptable source of parking demand data for uses and/or combinations of uses of comparable activities, scale, bulk, area, and location.

B. Unlisted Uses³³

For uses not listed in Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, the Director is authorized to:

1. Apply the minimum off-street parking space requirement specified in Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, for the listed use that is deemed most similar to the proposed use; or
2. Establish the minimum off-street parking space requirement by reference to standards in parking resources published by the National Parking Association, American Planning Association, Institute of Traffic Engineers (ITE), or other acceptable sources of parking data; or
3. Establish the minimum off-street parking space requirement based on local or national best practices; or
4. Establish the minimum off-street parking space requirement based on a demand study prepared by the applicant. Such a study shall be prepared according to paragraph 4.6.4A.

C. Accessible Parking³⁴

All areas of newly designed or newly constructed buildings and facilities required to be accessible under federal and state law shall comply with the standards set forth in the Texas Accessibility Standards of the Architectural Barriers Act, Tex. Rev. Civ. Stat. Art. Ann. §9102 (Vernon Supp 2000.), the International Building Code (IBC) as adopted in the Town of Addison Code of Ordinances, and the American with Disabilities Act (ADA), as amended.

4.6.5 Maximum Off-Street Vehicle Parking Allowed

Commentary:

³² New.

³³ New.

³⁴ New.

We proposed maximum parking standards to reduce stormwater runoff and minimize negative impacts associated with large expanses of vacant parking areas. Rather than propose a maximum standard for each use type, we established a maximum percentage threshold above the minimum parking requirements (no more than 125 percent of the minimum parking required).

An alternative approached used in some codes is not to flat-out prohibit excess parking, but to say that any parking provided over a certain amount must be surfaced with permeable pavers, or feature additional landscaping, or provide some other benefit to minimize the environmental impacts of the extra pavement.

A. Residential Uses³⁵

In no case shall any use listed under the residential use category in Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, provide more than two vehicle parking spaces per dwelling unit, unless otherwise allowed in this UDC. This maximum shall not apply to single-family attached or detached dwelling units in the R-1 and R-2 zoning districts.

B. Nonresidential Uses

In no case shall any nonresidential use provide more than 125 percent of the minimum number of off-street parking spaces required by Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, unless otherwise provided in this UDC.

C. Mixed-Use Development

For mixed-use development (development including both residential and nonresidential uses), the maximum vehicle parking allowance shall be the sum of the maximum parking calculations pursuant to paragraphs (A) and (B) above.

4.6.6 Parking Alternatives

The Director may approve parking alternatives that result in a cumulative adjustment not to exceed 25 percent of the minimum or maximum vehicle parking spaces required by Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, and Subsection 4.6.5: *Maximum Off-Street Vehicle Parking Allowed*, in accordance with the following standards.

A. Shared Parking Facilities³⁷

1. When reviewing a shared parking proposal, the Director shall consider any additional reductions in minimum parking requirements that might otherwise apply pursuant to paragraphs (B) through (E) below, but such additional reductions shall not apply to further reduce the shared parking requirements approved by the Development Services Department.
2. Where a minimum number of parking spaces is required by Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, the owners of two or more properties may join together to provide the required parking spaces for their respective uses. Upon request by the owners and after review of the request, the Director may authorize the shared use of parking facilities subject to the following:
 - a. Any property using shared parking facilities shall be located within 500 feet of such parking facility, using established sidewalks and crosswalks that meet current standards of the Master Transportation Plan.
 - b. The parking for the specific uses occurs at alternating time periods, as determined by a parking analysis.

³⁵ Current maximum of two spaces per dwelling unit applies in the MXR, UC-Residential, UC-Commercial, and Belt Line zoning districts. This standard establishes a maximum for all residential uses throughout Addison. This draft carries forward the maximum parking exemption for single-family uses in the current R-1 and R-16 zoning districts (proposed R-1 and R-2).

³⁷ New unless otherwise noted.

- c. Required parking shall be determined based on parking demand for the peak parking period, as determined by a parking analysis study approved by the Director.³⁸
3. The property owner seeking leased spaces shall provide a recordable zoning document to the Director stating that in the case where leased spaces are no longer available, that an adequate parking alternative will be provided or the use will no longer be allowed.

B. Proximity to Transit

Except for single-family detached, single-family attached, duplex, triplex, and fourplex dwelling uses, the minimum vehicle parking required for development within one-quarter mile, measured radially in a straight line, of a fixed transit station shall be reduced from those required by Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, by 10 percent.

C. Workforce and Senior Housing⁴⁰

The minimum vehicle parking requirement for multifamily residential structures established in Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, shall be reduced by 25 percent if:

1. At least 25 percent of the dwelling units are income-restricted for a period of at least 25 years to households earning below 120 percent of the Median Family Income for the Dallas, Texas HUD Metro FMR Area; or
2. At least 75 percent of the dwelling units are restricted for purchase or occupancy by persons 65 years of age or older.

D. On-Street Parking⁴¹

Any on-street vehicle parking may be counted toward the minimum number of required vehicle parking spaces on a one-to-one basis, subject to the following:

1. On-street parking may not be used to meet the minimum vehicle parking requirements for residential uses;
2. On-street parking that is subject to time restrictions shall not be used to meet any minimum vehicle parking requirements for any use;
3. On-street parking along an arterial street as classified in the *Addison Master Transportation Plan* shall not be used to meet any minimum vehicle parking requirements for any use;⁴²
4. Only those street parking spaces abutting any lot line of the subject property, and with over one-half the length of a parking space located between the imaginary extension of the side property lines into the street right-of-way, may be counted.
5. Each on-street parking space may only be counted once toward the parking requirements of the abutting lot, regardless of the number of individual buildings or tenants on the lot;
6. On-street parking spaces shall be available for general public use at all times. No signage or actions limiting general public use of on-street spaces shall be permitted; and
7. No development or use approved with an on-street parking credit shall be considered nonconforming if the on-street parking is later removed by Town action and the remaining on-site vehicle parking does not meet the minimum vehicle parking requirements of this section.

³⁸ From current Article XIX(3)(H)(6) and Article XIX(5)(F)(3): UC parking standards; and Article XIX.A(V)(A)(2)(f): Belt Line parking standards. Did not carry forward the Belt Line district requirement that shared parking be identified with signs and markings – this may be difficult to manage overtime as business relocate.

⁴⁰ New. Workforce housing and senior residential projects tend to have lower parking demands than other traditional developments. Proposed percentages are for discussion purposes.

⁴¹ New standards. This replaces the current UC-Residential and UC-Commercial subdistrict standards allowing on-street parking within 300 feet of a nonresidential use to be credited toward the minimum parking requirement.

⁴² New standard based on the Belt Line parking intent statement in current Article XIX.A(V)(A)(1)d. that limits on-street parking on major thoroughfares and supports the Addison Master Transportation’s goals to improve traffic safety by eliminating potential vehicular and pedestrian conflict.

E. Parking Demand Study

If an applicant submits a parking demand study pursuant to 4.6.4A, demonstrating that anticipated off-street vehicle parking demand for the proposed development, use, or combination of uses will be less than that calculated from Subsection 4.6.4: *Minimum Off-Street Vehicle Parking Requirement*, or Subsection 4.6.5: *Maximum Off-Street Vehicle Parking Allowed*, and the Director determines that the information and assumptions used in the study are reasonable and that the study accurately reflects anticipated off-street vehicle parking demand for the proposed development, use, or combination of uses, the Director may authorize a reduction or increase in required off-street vehicle parking spaces based on that study.

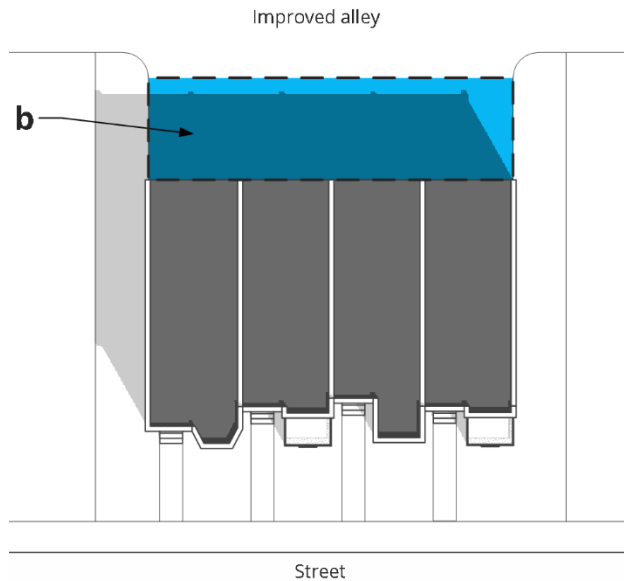
4.6.7 Vehicle Parking Layout and Design

A. At-Grade Parking Standards⁴³

1. Single-Family, Duplex, Triplex, Fourplex, and Manufactured Home Dwellings

- a. Vehicle parking for single-family detached, single-family attached, duplex, triplex, fourplex, and manufactured home dwelling uses shall only be allowed in a garage or on an approved surface. All other off-street vehicle parking within a required front setback area shall be prohibited.
- b. In cases where the side or rear setback area is accessible via an improved alley, no front yard drive or parking shall be permitted. The required parking area shall directly access the alley. Determinations of whether an alley allows for safe access shall be made by the Director.

Figure 4.6: Parking Area Accessed by Improved Alley

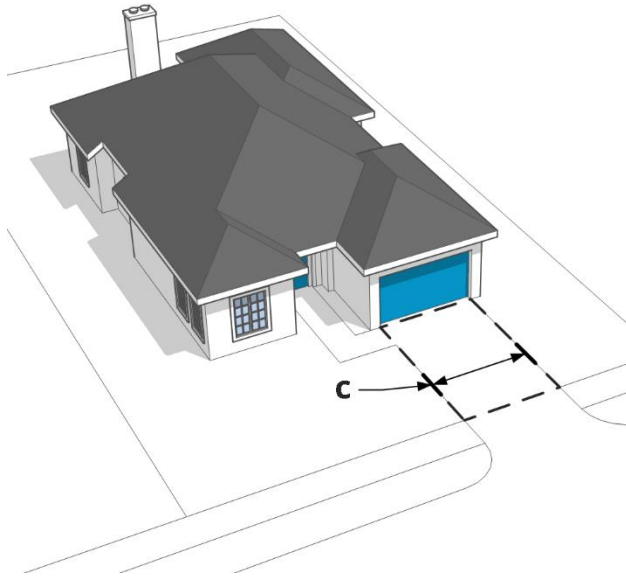


- c. Where vehicle parking is permitted within the front setback area, the width of the driveway between the front building façade and the street shall not exceed the width of the garage door of an attached garage or 22 feet where there is no attached garage.⁴⁴

⁴³ Did not carry forward standard in MXR allowing parking in a parking plaza to satisfy minimum parking requirements for townhouse-condominium (multifamily) uses. Largely from current Sec. 78-179, relocated screening requirements to the screening and buffering section of the UDC. Language regulating vehicle parking/storage on an unimproved surface for existing residences prior to June 26, 1990 will be relocated and addressed in the “nonconformities” section of the UDC to be completed in Part 3 of the drafting effort.

⁴⁴ Replaces current requirement limiting driveway or improved parking surface coverage to 67 percent of the residential front yard. This new standard is clearer and achieves the same intent without assigning a seemingly arbitrary percentage maximum.

Figure 4.7: Driveway Width Requirement



2. All Other Uses⁴⁵

Vehicle parking areas located between the front building façade and the adjacent street frontage is prohibited, unless the subject property satisfies all of the following standards:

- a. It is not located within the M-1, M-2, M-3, M-4, and M-5 zoning districts;
- b. It adjoins either side of an arterial street, as defined in the *Addison Master Transportation Plan*;
- c. Development with 100 or fewer off-street vehicle parking spaces shall be limited to no more than two rows of vehicle parking or 60 feet, whichever is less, between the front building façade and the adjacent street frontage;
- d. Development with 100 or more off-street vehicle parking spaces shall be limited to no more than four rows of parking or 120 feet, whichever is less, between the front building façade and the adjacent street frontage; and
- e. Vehicle parking areas shall be setback a minimum of 10 feet from the adjacent right-of-way and shall satisfy the landscape and screening requirements established in Subsection 4.7.4D, *Parking Area Landscaping*.

B. Below-Grade Parking Standards⁴⁶

1. Below-grade vehicle parking shall be constructed in accordance with Section 4.3: *Floods*.
2. Below-grade vehicle parking is permitted to property lines; but shall be designed to satisfy the landscape requirements established in Section 4.7: *Landscaping, Buffering, and Fences*.
3. Below-grade vehicle parking shall not be visible from the public right-of-way.

⁴⁵ This new standard carries forward several concepts from the current regulations for the Beltline, MXR, and UC-Residential zoning districts. The Beltline district currently requires all surface parking to be located behind buildings which face on a street or public open space and accessed by an alley or short driveway between buildings. Exceptions for some areas (not defined in code) along Belt Line Road and Arapaho Road, or by approval of a major waiver. The MXR zoning district currently requires that all surface parking areas for townhouse-condominium (multifamily) uses be located at the rear of the lot, except when fronting on a thoroughfare (i.e., arterial street). This draft prohibits surface parking between the front building façade and a street in all mixed-use districts. Properties not zoned in a mixed-use district that are located along arterial streets may have front parking areas, subject to qualifying standards. The MXR zoning district currently allows at-grade parking along thoroughfares between 30 and 60 feet from the right-of-way line. The Belt Line and UC-Residential zoning districts require a minimum 10-foot setback from the right-of-way line, subject to landscaping and screening standards. This draft applies those standards more broadly.

⁴⁶ The current MXR, UC-Residential, UC-Commercial, and Belt Line zoning districts allow below-grade parking to the lot lines, so long as landscaping standards are satisfied. This draft broadens the applicability of this standard town-wide. Revised standard from the Belt Line zoning district requiring that below-grade parking not be visible from the public right-of-way rather than from a sidewalk.

C. Structured Parking Standards

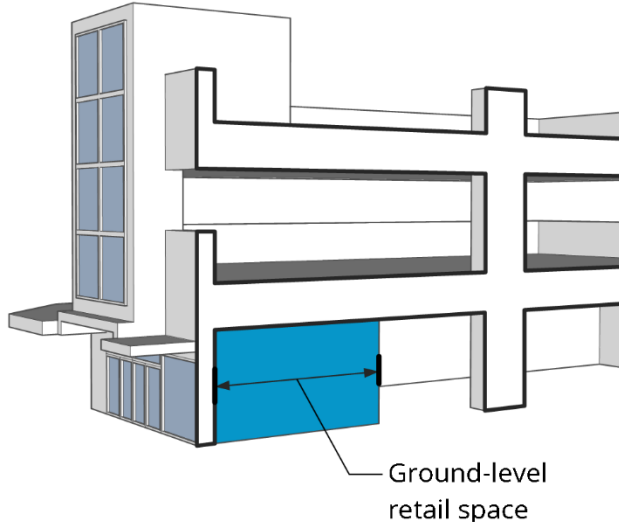
1. Location⁴⁷

- a. Parking structures shall be located an additional 10 feet beyond the minimum setbacks required in the district to allow for additional landscape screening.⁴⁸
- b. Parking structures shall not be located between the front building façade and the adjacent street frontage.
- c. Parking structures are not required to meet minimum building height requirements, where applicable.⁴⁹

2. Ground-Level Retail Required⁵⁰

The ground-level of parking structures in the M-1, M-2, M-3, M-4, and M-5 zoning districts shall include a minimum 20-foot space behind the parking structure façade to accommodate occupancy by a retail, office, civic, or other allowed nonresidential use. This space shall include standard retail floor to ceiling heights and structural bay spacing. The Director may waive the requirement based on a market study at the time of development.

Figure 4.8: Ground-Level Retail Space Below Structured Parking



3. Exterior Design⁵¹

- a. Parking structures that have frontage on public streets shall comply with the building design standards established in **Section ---**.
- b. All parking garages shall be constructed with flat parking decks for ease in reuse of all or portions of the structure when parking demand wanes, unless otherwise approved by major waiver.⁵²

⁴⁷ Standards taken from current language regulating parking structures in the UC-Residential, UC-Commercial, MXR, and Belt Line zoning districts. The Belt Line district requires parking structures to be a minimum of 50 feet from the adjacent street and lined with buildings occupied by a non-parking use. The MXR district requires structured parking to be located at the rear of the lot and screened from the street by the building.

⁴⁸ New.

⁴⁹ New.

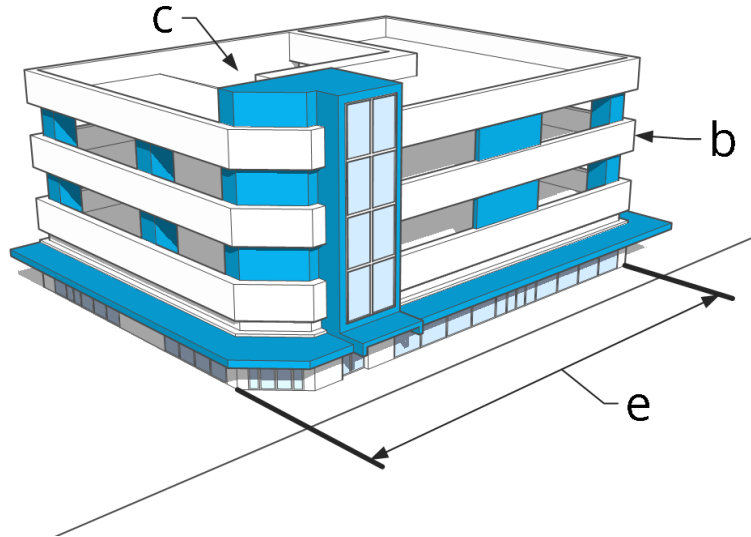
⁵⁰ The current UC-Residential and UC-Commercial zoning districts require ground-level retail along Mildred Street and Category E/F streets (now referred to as Addison Circle). The Belt Line zoning district currently requires all parking structures fronting a street to include ground-level nonparking uses.

⁵¹ The current UC-Residential, UC-Commercial, and Belt Line districts require compliance with respective exterior materials requirements. Belt Line requires compliance for any parking structure fronting a public street, UC-Commercial requires compliance for structures fronting on Spectrum Drive and Addison Circle, UC-Residential requires compliance for structures fronting Addison Circle.

⁵² Currently only applicable in the Belt Line district.

- c. Ramps shall not be expressed on the facades of parking structures fronting, or visible from, public streets.⁵³
- d. Steel parking garages and steel guard cables on garage facades are prohibited.⁵⁴
- e. Maximum frontage of parking structures along any one block face shall be 200 feet.⁵⁵

Figure 4.9: Structured Parking Design



D. Dimensions of Parking Spaces and Drive Aisles⁵⁶

All on-site parking and maneuvering areas shall be constructed according to the following dimensional standards:

1. All parking aisles shall terminate with a bump-out for turnaround maneuverability.
2. Unobstructed, direct, and convenient access for vehicles to and from a public street shall be provided for all off-street parking spaces. Access from any parking area to a public street shall be designed to allow vehicles to enter and exit in forward drive.
3. Parking spaces and drive aisles shall comply with the following dimensional standards. The letters (A through D) in Figure 4.10 correspond with the dimensions (in feet) in the table below:

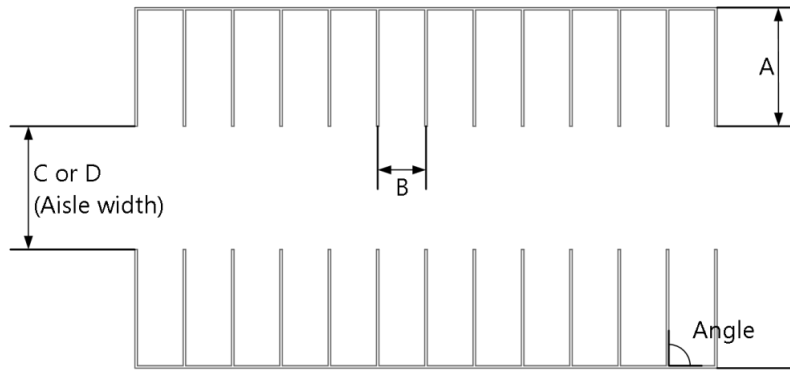
⁵³ Currently applicable in the Belt Line, UC-Residential, and UC-Commercial districts.

⁵⁴ Currently applicable in the Belt Line, UC-Residential, and UC-Commercial districts. The Belt Line allows modifications through approval of a major waiver process.

⁵⁵ Currently only applicable along Spectrum Drive and Addison Circle within the UC-Commercial subdistrict.

⁵⁶ New. These dimensional standards reflect current trends in allowing smaller parking conventional parking spaces to reduce pervious surface and to increase overall development efficiency.

Figure 4.10: Parking Space and Drive Aisle Dimensions



Dimensions shown in feet

Angle	Parking Space		One-Way Aisle	Two-Way Aisle
	A	B	C [2]	D
0° (parallel)	8.0	22.5 [1]	12.0	20.0
30°	16.0	8.5	12.0	20.0
45°	17.0	8.5	12.0	20.0
60°	17.5	8.5	16.0	20.0
90°	17.0	8.5	20.0	20.0

Notes:

- [1] End spaces may be a minimum of 20 feet in length where no obstruction exists.
- [2] Fire lanes shall be a minimum of 24 feet in length.

4. The final decision-making body may approve alternative standards based on a professionally recognized source of parking lot design, pursuant to the minor modification process outlined in **Section --**.

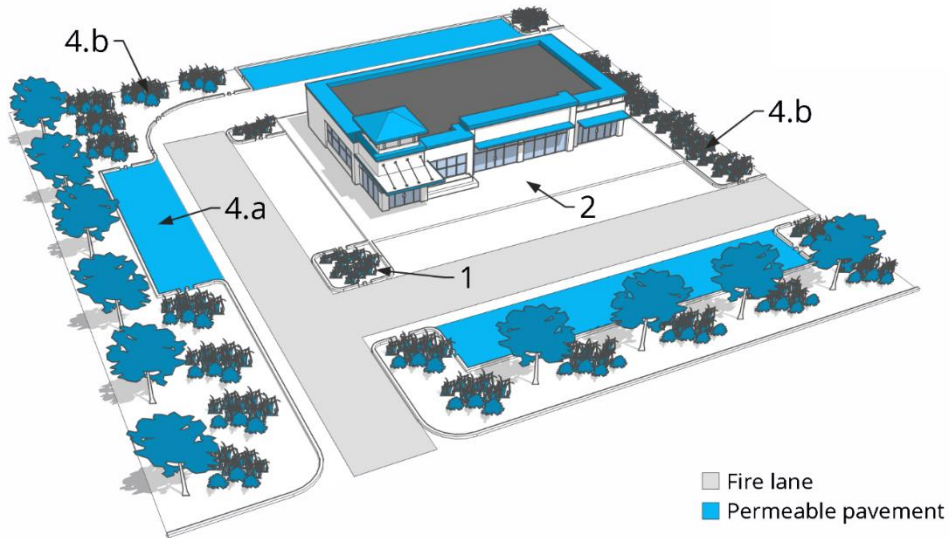
E. Stormwater Drainage⁵⁷

1. Parking lots shall be constructed such that all surface water is directed into an approved landscape bumpout, island, or endcap. Stormwater run-off that cannot be directed into approved landscape bumpouts, islands, or endcaps shall be treated using one or more of the best management practices approved by the Town or directed into an approved stormwater drainage system.
2. Water draining from a parking lot shall not flow across a sidewalk.
3. Stormwater drainage plans for off-street vehicle parking areas shall be reviewed and approved by the Town.
4. For all new parking lots containing 10 or more spaces, the following best management practices shall be used to improve stormwater infiltration and water quality:
 - a. Permeable pavement materials shall be installed in non-fire lane areas covering at least 25 percent of the total parking lot area; or
 - b. Treatments such as culvert outfalls, bioretention basins, or vegetated swales designed to the specifications of the Public Works and Engineering Department shall be installed; or

⁵⁷ New. These standards are intended to provide improve stormwater quality and to minimize impacts to public infrastructure.

- c. Other combinations of best management practices for stormwater infiltration and water quality subject to approval by the Development Services and Public Works and Engineering Departments.

Figure 4.11: Parking Area Stormwater Drainage Standards



F. Surface Material

1. Except as stated in paragraph (E) above, or an exception is provided elsewhere in this UDC, all areas used for vehicle parking shall be an improved surface of concrete, asphalt, brick pavers, or other approved material.
2. All new driveway aprons onto a street shall be surfaced with concrete. Enlargement or modification of an existing driveway shall require the driveway apron to be surfaced with concrete.
3. Areas using permeable parking pavers shall receive relief from impervious surface calculations in accordance with Public Works and Engineering Department standards.
4. Except for single-family attached, single-family detached, duplex, triplex, fourplex, manufactured home residential uses, and display areas for vehicle sales and rental uses, all off-street parking spaces shall be striped or otherwise designated to clearly mark each space.⁵⁹
5. All driving lanes and parking aisles in vehicle parking lots shall be curbed, unless an alternative design allowing for adequate stormwater management is approved.

G. Electric Vehicle Charging⁶⁰

Parking areas with 50 or more vehicle parking spaces shall provide a minimum of one vehicle parking space dedicated to electric vehicles for every 25 vehicle parking spaces provided on site. Electric vehicle parking spaces shall not count toward the maximum allowed number of vehicle parking spaces. The electric vehicle parking space shall be:

1. Located on the same lot as the principal use;
2. Signed in a clear and conspicuous manner, such as special pavement marking or signage, indicating exclusive availability to electric vehicles; and
3. Outfitted with a standard electric vehicle charging station.

H. Parking Area Landscaping

All development shall comply with Section 4.7: *Landscaping, Buffering, and Fences*.

⁵⁹ Did not carry forward requirement in Belt Line district requiring public, customer, and visitor parking to be clearly signed. This is a private land managing concern and would be difficult to enforce and track.

⁶⁰ New.

I. Parking Area Lighting

All development shall comply with Section 4.9, *Exterior Lighting*.

J. Pedestrian and Bicycle Circulation

All development shall comply with Section 4.5: *Access and Circulation*.

4.6.8 Vehicle Loading Areas

A. Number and Size of Loading Berths Required⁶¹

1. The Director may approve a variation from the required loading berth requirements if warranted by the building use.
2. The Director may approve a variation from the required loading space requirements if warranted by the building use.
3. The minimum turning radius for truck traffic areas shall be 40 feet.
4. The number and size of loading berths shall be provided pursuant to the table below:

Use Category	Number of Loading Berths	Loading Berth Dimensions (ft)		
		Length	Width	Height
Office, Lodging, Personal Services, and Retail	1 per 50,000 sq ft of gross floor area, up to a maximum requirement of 3	25	10	14
Other Nonresidential Uses	1 per 50,000 sq ft of gross floor area, up to a maximum requirement of 2	25	10	14

B. Design and Use of Service and Loading Areas

1. **Location⁶²**
 - a. Required off-street loading spaces shall not be permitted between the primary building façade and the street.
 - b. Streets or rights-of-way shall not be used for loading and unloading purposes, unless otherwise authorized in this UDC.
 - c. Alleys may be used for loading or unloading materials or merchandise for periods not to exceed 30 consecutive minutes so long as sufficient width of the roadway is available for free movement of vehicular traffic access to abutting property is maintained.
 - d. Off-street loading spaces shall be located on the same lot or parcel as the structure or use for which it is provided or on the lot adjacent to a private alley or private service drive.
 - e. Delivery vehicles parked in a loading area shall not encroach into required parking spaces or required building setbacks.
 - f. Delivery vehicles loading or unloading materials shall not block required on-site access and circulation routes or fire lanes.
2. **Maneuvering**
Loading areas shall be designed to provide for delivery vehicle backing and maneuvering on-site and not from or within a public right-of-way, unless otherwise authorized by this UDC.

⁶¹ Replaces current standards – LR and C-2 zoning districts require retail and service buildings to provide loading/unloading space (no specific number or size requirement). C-1 zoning district references location and screening standards, but no specific number or size requirement. I-1 zoning district requires all business uses to provide loading/unloading areas and requires minimum 10-foot by 25-foot stall for each 20,000 square feet of floor space or fraction thereof in excess of 3,000 square feet used for retail, storage, or service purposes. This draft proposes revised standards reducing the overall number of loading berths required. Many deliveries today occur multiple times during the day and by smaller vehicles.

⁶² Standards carried forward and reworded for clarity and consistency.

3. **Screening**
 Service and loading areas visible from a Residential zone district or a public right-of-way shall be screened pursuant to **Section ---**.

4.6.9 Drive-Through Facilities⁶³

A. Number of Stacking Spaces Required

1. The Director may approve a variation from the required stacking requirements if warranted by the building use.
2. All drive-through facilities shall provide at least the number of on-site stacking spaces required by the table below. The Director may require a stacking study for uses expected to generate higher than normal queuing.

Use	Number of Loading Berths
Bank or financial institution or Automated Teller Machine (ATM)	4 per teller window/ATM
Other uses with drive-through facilities	3 per service lane
Personal services	3 per service lane
Restaurant	4 per service lane
Retail sales	3 per service lane
Vehicle fuel station	1 per fuel pump
Vehicle wash	3 per washing bay

B. Location and Design of Drive-Through Facilities

1. Each stacking space shall be 20 feet in length unless otherwise approved by the Director. Required stacking distances shall be measured from the end of the queuing lane or property line to the first point of service.
2. Vehicle stacking spaces shall be integrated into the site layout and shall not interfere with site access points, access to parking or loading spaces or areas, or internal circulation routes.
3. Drive-through service windows shall be oriented away from pedestrian areas, residentially-zoned areas, and public streets to the maximum extent practicable.
4. Audible electronic devices such as loudspeakers, vehicle service order devices, and similar instruments shall not be audible beyond the property line within any Residential zoning district.

4.6.10 Bicycle Parking⁶⁴

A. Purpose⁶⁵

Bicycle parking is required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.

B. Applicability⁶⁶

The following standards shall apply to all principal uses except for single-family attached, single-family detached, duplex, triplex, fourplex, and manufactured home residential uses.

⁶³ New.

⁶⁴ New, unless otherwise noted.

⁶⁵ Carried forward from current Belt Line zoning district standards, now applicable Town-wide.

⁶⁶ Carried forward from current Belt Line zoning district standards, now applicable Town-wide.

C. Required Bicycle Parking⁶⁷

1. Generally

Development subject to this section shall provide a minimum of six bicycle parking spaces or the number of bicycle parking spaces required in the table below, whichever is more.

Use	All Other Zoning Districts	Mixed-Use Zoning Districts
Residential uses	10%	20%
Public, Institutional, and Civic Uses	5%	15%
Commercial Uses	5%	10%
Industrial Uses	2%	5%

Notes:

Percentages are based on the total number of vehicle parking spaces required on-site or in a permitted off-site location to serve the principal use(s).

2. Mixed-Use Developments

Developments with both nonresidential and residential uses shall provide the cumulative required number of bicycle parking spaces as calculated for the respective nonresidential and residential requirements.

3. Building Expansions or Changes of Use

Building expansions or changes of use that require additional vehicle parking spaces pursuant to Subsection 4.6.2, shall also require additional bicycle parking spaces based on the percentages in the table above, applied to the building expansion area or the additional parking required by the change of use.

4. Existing Public Bicycle Parking Spaces

Permanent bicycle parking spaces available for public use, such as Town installed bicycle racks or bike corrals that exist at the time of development, expansion, or change of use, and are located within 100 feet of the primary entrance to the primary building may be used to satisfy up to two required bicycle parking spaces.

5. Bicycle Parking Reduction

Subject to the approval of the Director, the number of bicycle parking spaces may be reduced if:

- a. Unique or unusual characteristics exist on a development site that would preclude safe travel of bicycles to and from the site; or
- b. Existing bicycle parking facilities are located within the public right-of-way and within 100 feet of the building's main entrance, provided that a minimum of four bicycle parking spaces are provided on-site.

D. Bicycle Parking Layout and Design⁶⁸

- 1. Bicycle parking spaces shall not be located fully or partially within a public right-of-way without prior approval of the Town.

⁶⁷ Currently a minimum of one bicycle parking space per 10 required vehicle parking spaces. This approach tailors bicycle parking requirements based on land use and development context and will likely result in more bicycle parking overall. New standard also requires that any use subject to bicycle parking requirements provide a minimum of six spaces (regardless of how many vehicle parking spaces are provided). All other proposed standards are new.

⁶⁸ Current standard allows bicycle parking to be located in the right-of-way with a minor waiver. Did not carry forward standards requiring 50 percent of bicycle parking spaces to be covered if covered vehicle parking is provided on site. Did not carry forward standard requiring signage if bicycle parking is not visible from the street.

2. Required bicycle parking spaces shall be designed to allow bicycles to be secured with a lock to a fixed object and shall comply with the rack types and standards established in the Engineering and Landscape Standards <Appendix A>. ⁶⁹
3. Bicycle parking shall be located within 50 feet of the main entrance of each principal building on site and shall not be located farther than the closest motor vehicle parking space, excluding accessible vehicle parking spaces.
4. Bicycle parking spaces must be at least six feet long, two feet wide, and provide a minimum of seven feet of overhead clearance.
5. A five-foot aisle for bicycle maneuvering shall be maintained beside or between each row of bicycle parking.
6. Areas designated for bicycle parking shall be clearly marked and reserved for bicycle parking only.

4.6.11 Use of Parking Areas

A. Exclusive Use

1. Unless a shared parking agreement has been established in accordance with Section 4.6.6A, required vehicle and bicycle parking spaces shall be designed, maintained, and used exclusively for the tenants, occupants, and patrons of the buildings or uses on the site.
2. Excess or unused vehicle or bicycle parking spaces or loading areas may not be rented or leased to the general public or to those who are not tenants, occupants, or patrons of the buildings or uses where the parking is located unless:
 - a. Otherwise allowed under the shared parking standards pursuant to Section 4.6.6A; or
 - b. A parking facility is listed as a permitted or conditional use in the zoning district where the parking lot or parking garage is located pursuant to Subsection [\[insert hyperlink to use table\]](#).

B. Storage of Vehicles or Equipment

Vehicle parking spaces, including both required and excess parking spaces, shall not be used for storing vehicles that are not used in conjunction with the primary use of the lot.

C. Vehicles and Trailers

Except for uses where vehicle repair is authorized, the parking of vehicles or trailers of any type without current state registration or in an inoperable condition shall be prohibited for periods in excess of 30 days, unless such vehicle or trailer is completely enclosed within a building.

D. Storage, Occupancy, or Similar Uses

Vehicles, campers, or tractor/trailers of any type shall not be used for the purpose of storage, occupancy, or similar use.

E. Overnight Parking⁷⁰

Overnight parking of any truck-tractor, road-tractor, semitrailer, bus, truck, or trailer with more than three-quarter ton rated capacity between the hours of midnight and 6:00 a.m. shall be prohibited within the R-1, R-2, R-3, R-4, R-5, A, and PD-TH zoning districts.

⁶⁹ We recommend the detailed street furniture and lighting specifications in the Belt Line District Engineering and Landscape Standards be relocated to an administrative or other design manual outside of the code and applied citywide.

⁷⁰ Replaces current Sec. 78-175, reworded for clarity and simplicity. Did not include exemption for the "expeditious unloading and loading of passengers, freight, or merchandise."

4.6.12 Maintenance

- A. All improved parking surfaces shall be maintained in good and safe condition and be free of holes, cracks or other failures that may affect the use, safety, appearance or drainage of the surface or of the adjoining property.
- B. Driveways and improved parking surfaces shall be maintained in good and safe condition and be free of holes, cracks, spalling, or other failures that may affect the use, drainage from the property, drainage on adjoining property or the longevity of the material.⁷¹

4.7 Landscaping, Buffering, and Fences

Commentary

This section is built on a consolidation of multiple landscaping sections from throughout the current ordinances, primarily Chapter 34 (Environment), Article VI: Landscaping Regulations; Chapter 18, Article X: Fences; and various landscaping-related provisions found in the current zoning district standards. Many specific edits are noted to introduce new flexibility, to clarify requirements, and to raise the bar for landscape design quality generally. Buffering and fencing standards are enhanced.

Generally, discussion is needed on the administration of this section. The current code places the authority for landscaping under the Director of Parks and Recreation. This draft continues that practice. However, it is common in many communities for the Development Services Director to have such authority.

Other outstanding discussion question: Should the airport be more explicitly exempted from any of these provisions?

4.7.1 Purpose⁷²

The intent of this section is, through the preservation, protection, maintenance, and planting of trees and other plant materials, to:

- A. Provide visual buffering and enhance the visual appeal of the Town;
- B. Realize the environmental benefits of landscaping such as: storm water retention; recharging groundwater; retaining soil moisture; preventing erosion; providing bird and wildlife habitat; and mitigating air quality, water pollution, dust, noise, heat, and glare;
- C. Conserve water resources by using sustainable design and maintenance techniques and native and/or adapted plant species that are low water-use and regionally appropriate;
- D. Provide screening to minimize the visual impacts of some types of facilities, structures, and equipment;
- E. Establish an attractive streetscape that contributes to the character and appearance of the Town; and
- F. Improve the appearance of development to protect and enhance public and private investments and property values.

⁷¹ From current Sec. 18-132.

⁷² Combination of current 34-3, 34-201, and new suggested language.

4.7.2 Applicability⁷³

A. Generally

Unless otherwise exempted by paragraph (B) below, the standards of this section shall apply to all development that meets the applicability thresholds established in Section 4.2: *Applicability*, or any work that meets one or more of the following:

1. Increases the non-permeable lot coverage by more than 2,000 square feet; or
2. Building permit applications for exterior remodeling with a value equal to or greater than \$10,000.00 exclusive of maintenance and repair.

B. Exemptions

Properties containing only single-family and/or duplex uses where only one such structure is constructed are exempt from all parts of this section except for the following:

1. Subsection 4.7.6D: Tree Replacement and Protection: Application to Residential Districts, and
2. Section 4.7.8: Buffering.

C. Establishment and Modification of Planned Development Districts and Special Use Permits

The City Council shall, at a minimum, impose landscaping requirements that are reasonably consistent with the standards and purposes of this section as a part of any ordinance establishing or amending a planned development district, or amending a special use permit. All landscaping requirements imposed by the City Council shall be reflected in landscape and irrigation plans that comply in form and content with the requirements of Subsection 4.7.3.

D. Special Exceptions to Landscaping Requirements

The Board of Zoning Adjustments may grant a special exception to the landscaping requirements of this section upon making a special finding from the evidence presented that strict compliance with the requirements of this section will result in substantial financial hardship or inequity to the applicant without sufficient corresponding benefit to the Town and its residents in accomplishing the objectives and purposes of this section. To be considered for special exception, the applicant shall submit a justification statement that describes which of the requirements set forth in this section will be met with modifications, which project conditions justify using alternatives, and how the proposed measures equal or exceed normal compliance.

4.7.3 Landscape/Irrigation Plans⁷⁴

A. Registration

The Town may require landscaping companies to register with the Development Services Department prior to submitting landscape/irrigation plans.⁷⁵

B. Submittal⁷⁶

Landscape/irrigation plans shall be submitted to the Director prior to site plan review, or as part of building permit applications if site plan review is not required.

⁷³ Based on but updates current 34-203. The current code's applicability provisions appear to be more complex than necessary. They both identify specific districts within which the landscaping standards apply, and also types of projects. This proposed new section simply states that standards apply throughout the city (with some exceptions) and then states the types of projects that must demonstrate compliance with landscaping standards.

⁷⁴ Replaces and updates current 34-204. The current text treats the landscape and irrigation plans as separate documents, but it is unclear if that is necessary. This section proposes a consolidation for simplicity.

⁷⁵ We recommend these registrations follow a similar process to the other building contractor licenses/registrations currently required by the Town.

⁷⁶ Integrates parts of current 34-204 and 34-206.

C. Contents⁷⁸

Landscape/irrigation plans required under this section shall be prepared to technical specifications established by the Director and shall at minimum contain the following information:

1. Date, scale, north arrow, and the names, addresses, and telephone numbers of both the property owner and the person preparing the plan;
2. Project name, street address, and lot and block description;
3. Location of walks, buildings, utilities, parking, drives and other site features.
4. Location of existing trees and landscaping.
5. Chart indicating required buffers, open space, frontage trees, parking lot trees, interior parking lot landscaping and other required landscaping elements.
6. Tree preservation and mitigation table that identifies the existing trees on site, the species and caliper inch of the tree, an indication of if the tree is to be preserved or removed, and how it will be mitigated, if necessary.
7. Location, height, and material of proposed screening and fencing (with berm to be delineated by one-foot contours);
8. Complete description of plant materials shown on the plan, including names (common and botanical name), locations, quantities, container or caliper sizes, heights, spread, and spacing. The location, size and species of all existing trees on the lot must be specifically indicated;
9. Complete description of landscaping and screening to be provided in or near off-street parking and loading areas, including information as to the amount (in square feet) of landscape area compared to gross site square feet. The Town right-of-way shall be included as part of the gross site landscaping;
10. Size, height, location, and material of proposed seating, lighting, planters, sculptures, decorative paving, and water features;
11. Cross-section drawing of berms and grading plan showing berm contours; and
12. Location of sprinkler heads, valves, double-check valve, water meter, automatic controller with rain and freeze sensors;

D. Seal Required

1. Landscape plans shall contain the seal of a landscape architect licensed in the State of Texas that such plans have been reviewed by such architect and satisfy all requirements of these landscape regulations.
2. Irrigation plans shall contain the certification and seal of an irrigator licensed by the Texas Commission on Environmental Quality that such plans were prepared by such irrigator and satisfy all requirements of these landscape regulations.

E. Certificate of Occupancy⁷⁹

It shall be unlawful to issue an occupancy permit prior to the approval and complete installation of the landscape and irrigation plans. However, for a variety of reasons, it is not always possible to complete the landscape installation as quickly as desired or needed. In such cases, a time extension may be granted, and a temporary certificate of occupancy may be issued for variable periods from 15 to 45 days.

⁷⁸ Some or all of this information could be relocated to a technical or administrative manual prepared by the Director (where it may be updated without code amendments), not in the actual code. Are these requirements still current? We already removed the following existing language in preparing this draft: "The plans shall have a scale of one-inch equals 30 feet or larger and be on a standard drawing sheet of a size no smaller than 24 inches by 36 inches, not to exceed 36 inches by 48 inches. A plan that cannot be drawn in its entirety on a 36-inch by 48-inch sheet shall be drawn with appropriate match lines on two or more sheets."

⁷⁹ Current 34-213.

F. Evaluation of Landscape/Irrigation Plans⁸⁰

The Director of Parks and Recreation shall review each landscape/irrigation plan to determine whether it complies with the requirements of this section, including the landscape design standards in Section 4.7.5: *General Landscape Standards and Specifications*. The following considerations shall be used to evaluate proposed plans:

1. The landscape design should have proportion, balance, unity, variety of species, and a variety of color through the seasons.
2. Landscape designs should define spaces including entrance areas, pedestrian paths, vehicular avenues, parking areas, sitting areas, etc.
3. As an architectural feature, landscape designs should visually soften the mass of the buildings, parking areas, and other structures.
4. Native or adapted Texas Smartscape landscape materials should be selected.
5. Landscaping should reduce the reliance on irrigation, thus conserving the public water supply, and reduce the reliance on inorganic fertilizer and pesticides; thus reducing the amounts carried off by runoff to lakes and streams.

4.7.4 Minimum Landscaping Required⁸¹

A. General⁸²

1. Trees and other plant material shall be provided according to this section.
2. Existing landscaping may be used to satisfy the landscaping requirements of this section, except that preservation of existing trees shall comply with paragraph 4.7.5B.4: *Credits for Tree Preservation*.
3. Artificial trees, shrubs, turf, or plants shall not be used to satisfy any of the requirements of this section.
4. Where fractional number results, the number of trees, shrubs, or perennials shall be rounded to the next highest whole number.

B. Minimum Landscaped Area⁸³

In the districts listed in the following table, a minimum percentage of the gross site or lot shall be maintained as landscaped area meeting the standards of Subsection 4.7.5: *General Landscape Standards and Specifications*. All required screening, parking perimeter, and interior parking landscaping shall count toward this minimum landscaped area requirement. This shall include front, side, and rear landscaping abutting the building foundation.

District	Minimum Landscaped Area
A – Apartment	20%
R-3 Residential	
R-4 Residential	
R-5 Residential	
M-1 Mixed-use Neighborhood	
M-2 Mixed-Use Suburban Corridor	
M-3 Mixed-Use Urban Corridor	

⁸⁰ Builds on current 34-201.

⁸¹ Based on current 34-207 with a new title and updates as noted. Some provisions from 207 relocated into the Landscaping Standards section.

⁸² New.

⁸³ Districts updated to reflect the new lineup of districts introduced in Part 1.

District	Minimum Landscaped Area
CL Commercial Limited	
CG Commercial General	
Planned Development Districts (all)	
Special Use Permits (any district)	
M-4 Mixed-Use Center	10%
M-5 Mixed-Use Regional	
LI Light Industrial	
AA Addison Airport	

C. Street Landscape Buffer⁸⁴

1. Mixed-Use Districts

The following standards apply in the mixed-use zoning districts:

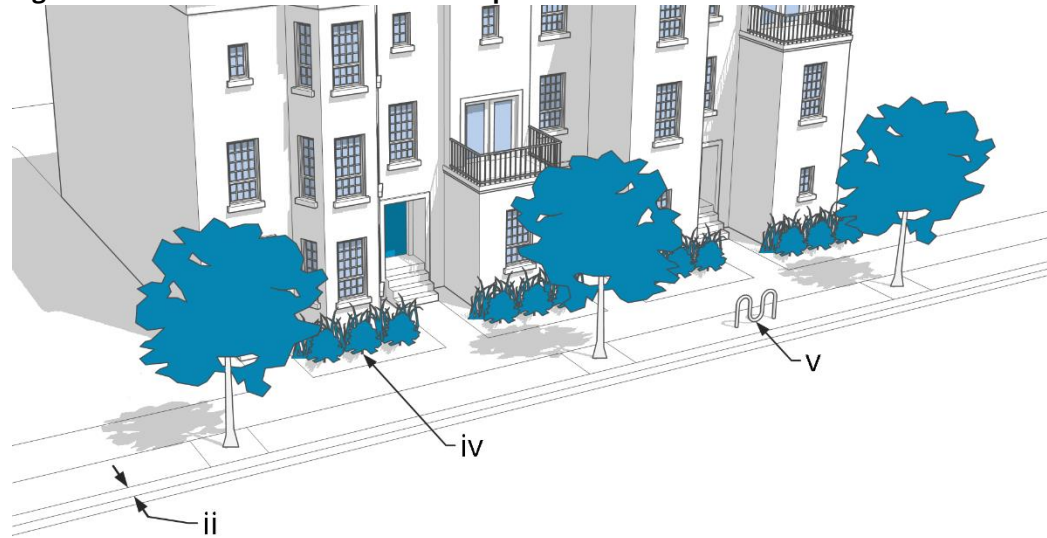
a. Streetscape Standards

- i. Streetscape standards are established in [appendix III, Belt Line District Engineering and Landscape Standards]⁸⁵, for both residential and nonresidential ground-level frontages.
- ii. Where on-street parking is adjacent to landscaping, a 1.5-foot dismount strip shall be provided behind the curb to facilitate passengers exiting from parked cars.
- iii. Nonresidential ground-floor frontages shall not be required to provide additional landscaping beyond that required in the [Belt Line District Engineering and Landscape Standards].
- iv. Residential ground-floor frontages shall be required to landscape a minimum of five feet between the edge of sidewalk and the primary building facade, excluding access to sidewalks, stairs, stoops, porches and patios. This area may be landscaped with ground cover, low shrubs, ornamental trees and street trees. In addition, street tree wells may also be landscaped. Landscaping for this area is limited to ground cover and low shrubs.
- v. Any bicycle parking in the public right-of-way should be located within the band created by street trees and pedestrian streetlights, however, it must be placed in a manner that avoids conflicts with pedestrian and vehicular paths.

⁸⁴ The streetscape landscaping is one of the areas where the code should draw a distinction between more urban development patterns versus more suburban. This draft does that by carrying forward the UC and Belt Line standards for the mixed-use districts. There may be other opportunities to tailor landscaping for different districts.

⁸⁵ These standards are more detailed than is appropriate to include in the code. Discussion needed about how to merge the Belt Line and UC district manuals, especially the streetscape requirements, with other city technical standards.

Figure 4.12: Mixed-Use District Streetscape Standards



b. **Plant Material**

Front yards shall be landscaped except at building entries, seating areas, and adjacent to commercial uses, where the front yard may be paved. Plant materials shall consist of shade trees, ornamental trees, shrubs, evergreen ground covers, vines, and seasonal color.

c. **Street Trees⁸⁶**

Street trees shall be provided in accordance with the following:

- i. Each street shall have street trees planted at uniform spacing of 50 feet on center, commencing 40 feet from the face of curb of intersecting streets.
- ii. Typically, street trees shall be planted two and one-half feet from back of curb, except on side streets, where trees shall be placed eight and one-half feet from back of curb.
- iii. Street trees shall be large shade tree species having a minimum caliper of three inches selected in accordance with the Town's landscape regulations.

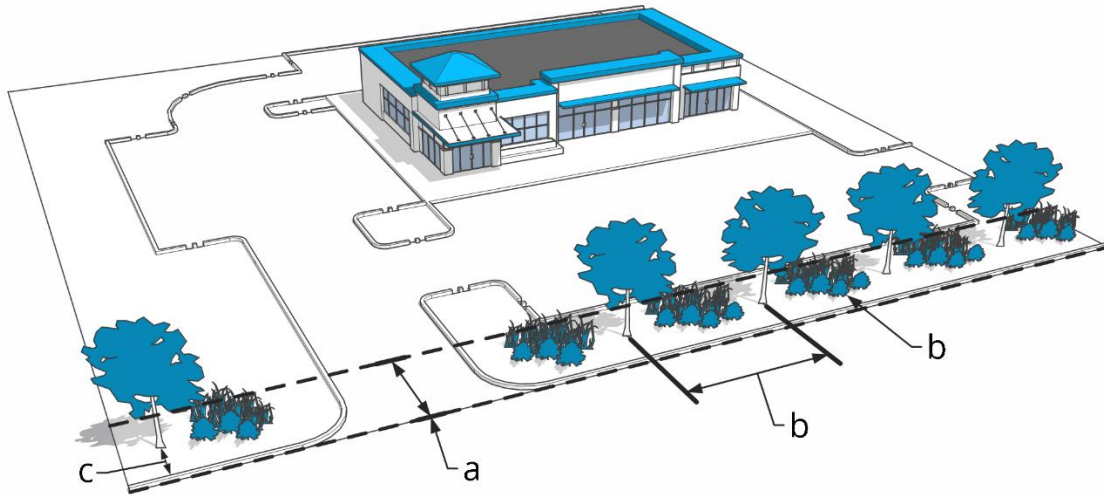
2. **All Other Districts**

In all other zoning districts except the mixed-use districts, a 20-foot wide landscape buffer strip, including sidewalks, shall be provided along the entire length of the portion of the perimeter of the lot where a public or private street exists, exclusive of driveways and access ways to points of ingress and egress to and from the lot. The property owner shall be responsible for landscaping, irrigation, and maintenance of any right-of-way area between the property line and the curb line.

- a. Town right-of-way shall be included in the 20-foot wide buffer and shall reduce the amount of required landscaping area of the lot by that amount (square foot for square foot). The property owner shall irrigate and maintain this area.
- b. The minimum requirement for street landscape buffers shall be one four-inch caliper shade tree for each 30 linear feet of frontage and evergreen shrubs planted three to three and one-half feet on center depending on the species selected. Plant material planted in the street landscape buffer strip can be massed together to create visual interest at key entry points or focal points.
- c. No tree may be planted closer than 36 inches to any paved surfaces.

⁸⁶ These are currently required for more urban areas – Addison Circle, Vitruvian, Addison Grove, and some areas of MXR.

Figure 4.13: Street Landscape Buffer Requirements



D. Parking Area Landscaping

1. Screening from Adjacent Streets

- a. Screening shall be provided for all surface parking lots to screen the site from all adjacent streets. The screening shall extend along the entire street frontage of the surface parking lot, exclusive of driveways and access ways at points of ingress and egress to and from the site, and vision clearance areas.
- b. The surface parking lot screening shall be at least three and one-half feet higher than the finished elevation of the adjacent parking lot. The screening may be provided by using one of the following, unless the Director of Parks and Recreation approves an alternative screening plan capable of providing a solid appearance:
 - i. Evergreen shrubs planted three feet on center in a single row in a bed at least 42 inches wide;
 - ii. A berm at least three and one-half feet high with a slope not to exceed 33 percent. The minimum crown width must be three feet. Berms must be covered in live vegetation;
 - iii. A fence or wall constructed of materials compatible with the principle building. One-third of any fence or wall must be screened with plant material.

2. Perimeter Parking Lot Landscaping

- a. A perimeter parking lot landscape strip shall be provided around the site perimeter, with a minimum width based on the size of the site.
 - i. For sites 10,000 square feet or more, the perimeter strip shall be at least five feet wide and shall be planted with a minimum of one four-inch caliper shade tree for each 35 linear feet of perimeter and one shrub planted three to three and one-half feet on center.
 - ii. For a site smaller than 10,000 square feet, the perimeter strip shall be at least three feet wide and shall be planted with a minimum of one shrub planted three to three and a half feet on center.
- b. Required perimeter landscaping between adjacent parking lots does not preclude the need to provide vehicular access between lots.

3. **Interior Parking Lot Landscaping⁸⁷**

- a. The required percentage of interior parking lot landscaping shall be determined based on the following sliding scale:

Total Parking Area	Interior Planting Area
7,000—49,999 sq. ft.	5 percent
50,000—149,000 sq. ft.	8 percent
150,000 sq. ft. and larger	10 percent

- b. To calculate the total parking area and the subsequent percentage of required interior lot planting, total the square footage of all areas within the lot's perimeter including:
 - i. Planting islands;
 - ii. Curbed areas;
 - iii. Comer lots;
 - iv. Parking spaces; and
 - v. All interior driveways and aisles except those with no parking spaces located on either side.
- c. Landscaped areas located outside the parking lot shall not be used to meet the interior planting requirement; however, building front, side, or rear landscaping abutting the building foundation may be credited toward the interior planting requirement.
- d. Curbs or wheel stops shall be provided to prevent cars from parking too close to trees or damaging shrubs and screens.
- e. All planting islands located parallel to and between parking spaces shall be at least nine feet wide to prevent cars from damaging trees and shrubs.
- f. Large shade trees shall be provided in each parking lot at a minimum average density of one shade tree for each 10 required parking spaces on the lot Acceptable tree species are listed in <Appendix A>.⁸⁸
- g. No required parking space may be located further than 50 feet from the trunk of a shade tree, or farther than 75 feet from two or more shade trees.
- h. Parking spaces shall not exceed 10 spaces in a row without being interrupted by a landscaped island (nine-foot minimum width). Islands shall be planted with a minimum of one shade tree per every 10 cars.⁹⁰
- i. No landscaping shall be required for the interior of structured parking facilities.

4.7.5 General Landscape Standards and Specifications⁹¹

A. General Standards

- 1. The best professional practices of the American Society of Landscape Architects, the International Society of Arboriculture, the American Nursery and Landscape Association and Texas Nursery and Landscape Association regarding planting installation, trimming, pruning, and fertilization shall apply to the landscape standards and specifications included in this subsection.
- 2. Nursery standards shall be based on the American Standard for Nursery Stock, ANSI Z60.1-2004.

⁸⁷ The Belt Line district has the following provision which does not require interior parking lot landscaping. We propose not carrying this provision forward: "Landscaping of the internal surface parking area shall not be required unless it is planned to serve as long term parking. In which case, such long-term surface parking areas shall meet the requirements of section VII, landscaping. For the purpose of this subsection, long term parking shall be determined by the director of development services and may include parking which has a likelihood of being in place for a period of ten years or more."

⁸⁸ Appendix A will eventually be formatted into a supplemental Engineering and Landscaping Manual outside of the UDC.

⁹⁰ This provision is from the UC district.

⁹¹ Current 34-209 with additions noted.

3. Pruning standards shall be based on the International Society of Arboriculture Pruning Guidelines ANSI A300 - Pruning Guidelines.

B. Tree and Plant Materials Specifications

1. Suggested Tree and Plant Lists

The Town maintains a suggested list of trees and plants for replacements and that are suitable for new plantings in <Appendix A>.⁹³ Other species may be acceptable for new plantings; however, their suitability for the proposed planting area shall be approved by the Addison Parks Department.

2. Minimum Tree Size Standards

- a. Shade trees shall have a minimum caliper of four inches. Ornamental trees shall have a minimum caliper of two and one-half inches. Caliper measurements shall be taken six inches above grade for trees under four inches in diameter and 12 inches above grade for trees four inches in diameter and larger.
- b. Minimum branching height for all shade trees shall be six feet.
- c. Minimum size for newly planted shade trees shall be four inches in diameter, 14 to 16 feet in height. The maximum height shall not exceed 16 feet.
- d. Minimum size for Crape Myrtle shall be six to eight feet in height. Other ornamental flowering trees shall be eight to 10 feet in height.
- e. Minimum size for evergreen trees shall be eight to 10 feet in height.
- f. Tree heights shall be measured from the tops of root balls to the nominal tops of plants.
- g. Tree spread refers to nominal outer width of the tree, not to the outer leaf tips.

3. Tree Quality

- a. Trees shall be healthy, vigorous, full-branched, well-shaped with symmetrical crowns. Root balls shall be firm, neat, slightly tapered and well burlapped. Trees shall be free of physical damage such as scrapes, bark abrasions, split branches, mistletoe or other parasitic growth. The Town shall reject any trees delivered and/or planted not meeting the minimum size and shape standards set forth above.
- b. Red Oaks other than Shumard Oak (*Quercus shumardii*) or Texas Oak (*Quercus texana*) shall be rejected. The owner or contractor shall be responsible for providing certification that Red Oaks are true to variety.
- c. Bradford pears or other pear cultivars shall not receive credit toward the tree planting requirements; however, this shall not preclude their use as flowering accent trees.
- d. Ornamental trees shall be substituted for shade trees in cases where maturing shade trees would otherwise interfere with overhead utilities. Shade trees shall not be planted closer than 10 feet from either side of the outermost overhead utility obstruction.

4. Credits for Tree Preservation⁹⁴

a. Amount of Tree Preservation Credit

- i. The number of trees preserved can be credited toward the total number of trees required for the development to meet the landscaping requirements of this section. Credit shall be applied on a one-for-one basis.
- ii. The Director shall determine whether or not credit shall be granted for existing trees.
- iii. Tree species that are not acceptable to receive credit under this standard are listed in <Appendix A>.⁹⁶

b. Procedure for Evaluating Existing Trees

- i. Existing trees intended for preservation shall be evaluated by a licensed arborist prior to submitting and application for development, or prior to issuance of a grading or building permit. The arborist's written evaluation shall include an assessment of the likelihood of the

⁹³ Appendix A will eventually be formatted into a supplemental Engineering and Landscaping Manual outside of the UDC.

⁹⁴ New.

⁹⁶ Appendix A will eventually be formatted into a supplemental Engineering and Landscaping Manual outside of the UDC.

survivability of the trees based on proximity to any grading activity on the site and recommendations for tree preservation during grading and construction activities.

- ii. Based on the licensed arborist's evaluation, the development may receive credit for existing trees provided that all of the following criteria are met:
- iii. The trees are each a minimum of four-inch caliper in size;
- iv. Any grading, digging, and/or site preparation activities shall not be permitted within the drip line of the trees intended for preservation; and
- v. Trees intended for preservation shall be shown on the landscape plan with caliper size and drip line noted.

5. Shrubs

- a. Plants shall conform to the measurements specified by the Town. The minimum size for shrub containers shall be five gallons. Substitution of three-gallon material meeting the height requirement of five-gallon shrubs is acceptable. Shrubs shall be full bodied, well-shaped and symmetrical.
- b. All shrub beds shall be edged using steel, concrete, masonry, or pre-cast concrete edging and all plant materials mulched with a two-inch layer of shredded hardwood mulch. Plastic edging shall not be acceptable.

6. Ground Cover

Ground cover spacing shall be eight inches on center maximum for four-inch pots and 16 inches on center maximum for one-gallon containers.

7. Plant Material Substitutions⁹⁷

Due to seasonal planting concerns and a lack of plant availability, approved landscape plans may require minor revisions. Planting plans shall be accepted if there is no reduction in the quality of plant material or no significant change in size or location of plant materials, and if the new plants are of the same general category (i.e., shade, ornamental, or evergreen trees) and have the same general design characteristics (mature height, crown spread) as the materials being replaced. Proposed materials must also be compatible with the area to ensure healthy plant growth. If these criteria are not fulfilled, changes to approved plans must be resubmitted and reviewed anew.

8. Conflict with Drainage & Utility Easements

Trees shall not be placed within existing or proposed drainage or utility easements without proper mitigation as approved by the Director. The trunk of a tree shall not be planted within eight feet of an existing or proposed utility or drainage line when measured from the outside edge of the trunk to the outside edge of the line without approval from the Director.

C. Irrigation System Design and Standards⁹⁸

1. All required minimum landscape areas (including street trees and planting within the public right-of-way) shall be provided with adequate, inconspicuous, and properly maintained automatic irrigation systems.
2. Irrigation systems shall be professionally designed by a licensed irrigator.
3. Irrigation systems shall be designed to prevent water from spraying on impervious surfaces adjacent to landscape areas, neighboring properties, and adjacent buildings; shall use drip irrigation where appropriate to minimize run-off from sprinklers; and shall incorporate moisture sensors to reduce water consumption.
4. Reclaimed water may be used for irrigation following TCEQ guidelines. If the system is not supplemented by a potable water system, the irrigation plans must include a water storage container. Plans must provide calculations that verify the system is sized to provide adequate irrigation

⁹⁷ Current 34-205.

⁹⁸ Consolidates irrigation standards from current 34-204 and other sections.

throughout the year as established by the Texas Water Development Board in the Texas Manual on Rainwater Harvesting.

5. Backflow prevention devices shall be placed per the Town of Addison Public Works and Engineering Department's standards.
6. The Town encourages the use of water-conserving system design and materials including the use of drip irrigation and native plants.
7. Install separate valves for turf and non-turf areas to accommodate different water use requirements within the landscaped area.
8. Irrigation controllers shall be set to water between midnight and 5:00 a.m. This shall not apply to watering of newly planted turf or landscaping for a period of 90 days after installation.
9. All automatically controlled irrigation systems required to be installed shall include rain and freeze shut-off devices and sensors or other technology designed to inhibit or interrupt operation of the irrigation system during periods of rainfall or freezing temperatures. All properties subject to this section where a new certificate of occupancy is requested shall submit a letter from a licensed irrigator that the irrigation system complies with the provisions of this section and includes an operational sensor or other technology designed to inhibit or interrupt operation of the irrigation system during periods of freezing weather and rainfall. Repairs to existing automatic irrigation systems on all properties subject to this section that require replacement of an existing controller must include an operational sensor or other technology designed to inhibit or interrupt operation of the irrigation system during periods of freezing weather and rainfall.
10. Irrigation systems adjacent to any street, sidewalk, alley, highway, or parking lot shall not operate so as to cause damage to other property or to interfere with the free movement of any vehicle or pedestrian.

D. Vision Clearance Area⁹⁹

The design and placement of landscaping materials shall be at the discretion of the owner or landscape architect; however, the landscaping shall not obstruct the view between access drives and dedicated streets, parking aisles, or access drives of parking lots as established in Subsection 4.5.6: *Vision Clearance*.

E. Structures and Fixture Features Allowed in Landscaped Area

1. The following structures and fixtures may be included in a required landscape or buffer area, in addition to the required landscaping:
 - a. Street furniture (e.g., benches);
 - b. Up to 25% hardscape (e.g., brick pavers, scored concrete); and
 - c. Structures to protect trees (e.g., tree grates and curbs).
2. In residential and mixed-use districts:¹⁰¹
 - a. Paving material in front yards and on sidewalks shall be concrete or natural materials such as brick and stone.
 - b. Asphalt and gravel as paving materials is prohibited.

F. Sustainable Landscapes¹⁰²

The Town encourages sustainable landscaping. Sustainable landscapes are managed by using practices that preserve limited and costly natural resources, reduce waste generation, and help prevent air, water, and soil pollution. The goal is to minimize environmental impacts and maximize value received from dollars expended.

⁹⁹ Current 34-207(c).

¹⁰¹ From UC Residential and Belt Line.

¹⁰² From existing purpose statements.

4.7.6 Tree Replacement and Protection¹⁰³

A. Maintain Existing Natural Landscape Character

1. The existing natural landscape character (especially native oaks, elms, and pecan trees) shall be preserved to the extent reasonable and feasible. In an area of the street frontage containing a stand of trees, the property owner shall use best good-faith efforts to preserve such trees.
2. Indiscriminate clearing or stripping of the natural vegetation on a lot or other property is prohibited.
3. In determining whether there is compliance with this subsection, the Director of Parks and Recreation shall consider topographical constraints on design, drainage, access and egress, utilities, and other factors reasonable related to the health, safety, and welfare of the public which necessitated disturbance of the existing natural landscape character; economic usefulness of the property without disturbance of its natural character; the nature and quality of the landscaping installed to replace it; and such other factors as may be relevant and proper.

B. Replacement Trees

1. Every property owner shall replace dead, removed, missing, improperly pruned, or damaged trees, by any act or omission, within 30 days after notification by the Town, unless the existing season, climate, or calendar dictates postponement of the tree replacement beyond the said period of 30 days as agreed to by the Town. In the event of such postponement, a property owner shall replace any such tree within the time period identified in the notification from the Town. This provision shall also apply to trees that have been severely damaged, or disfigured by improper pruning, including, but not limited to, lion-tailing or topping.
2. Any tree that was required to be installed pursuant to Section 4.7.4: *Minimum Landscaping Required*, and that is subsequently removed, topped, severely damaged, or disfigured by improper pruning methods without the prior written approval of the Town's Director of Parks and Recreation (as reflected in a tree permit issued pursuant to subsection ---) shall be replaced caliper inch for caliper inch. For example, if a 15-inch caliper tree is removed, it shall be replaced with a 15-inch caliper tree.
3. Acceptable types of replacement trees are designated in Section 4.7.5: *General Landscape Standards and Specifications*.
4. If the physical limitations of the subject property are such that all of the replacement trees cannot be properly placed on the subject property, the property owner shall locate any extra trees, with the approval of the Town, in the following locations: public rights-of-way, medians, or public park land. Such location of extra trees shall be performed at the discretion of the Town. The property owner may pay a one-time fee per site to the Town in lieu of tree replacements, as approved by the Director.

C. Tree Permit¹⁰⁴

1. Tree Permit Required

- a. No person shall prune, remove or transplant a tree listed in Section 4.7.4: *Minimum Landscaping Required*, without first obtaining from the Town a tree permit approved by the Director of Parks and Recreation. This section shall apply to shade trees four-inch caliper or larger, measured six inches from the soil surface, and two and one-half to three-inch caliper ornamental trees or larger measured six inches from the soil surface.
- b. For purposes of this subsection, "person" means the owner, tenant, and/or subtenant of, and/or any entity or individual with any interest in, the land on which a tree is located, and/or any contractor or subcontractor of any of them.
- c. A tree permit shall be obtained by a utility company before any trimming and/or removal of tree(s) by or for a utility company, except in the case of emergency repairs.

¹⁰³ Current 34-208.

¹⁰⁴ Consider relocating to administration chapter in the consolidated draft code.

- d. Branches less than one-half inch in diameter and not more than five percent of the canopy can be removed without a permit.

2. Application for Tree Permit

Tree permits shall be obtained by making application to the Director of Parks and Recreation. An application shall include the consent of the owner of the land on which a tree which is the subject of the application is located. The application shall include a written document indicating the reasons for transplanting and/or removal (or trimming, in the case of a utility company) of a tree and a copy of a site plan or planting plan showing the tree(s) proposed for removal/transplanting (or trimmed, in the case of a utility company).

3. Review of Application for Tree Permit

Upon receipt of a proper application for a tree permit, the Director of Parks and Recreation shall review the application and may conduct field inspections of the site or development and/or refer the permit application to other departments for review and recommendations as deemed necessary and appropriate by the Director. Trees may not be removed or transplanted (or trimmed, in the case of a utility company) unless the Director of Parks and Recreation approves the tree permit.

4. Approval Criteria¹⁰⁵

Consideration for the approval of a tree removal permit shall be based upon the following criteria:

- a. Whether the removal of the protected tree is permitted by this section;
- b. Whether or not a reasonable accommodation or alternative solution can be made to accomplish the desired activity without the removal of the protected tree;
- c. The effect of the removal of the protected tree on erosion, soil moisture, retention, flow of surface waters and drainage systems;
- d. The need for buffering of residential areas from the noise, glare, and the visual effects of nonresidential uses;
- e. Whether the removal of the protected tree affects the public health, safety, or welfare of the Town; and
- f. Whether the application demonstrates the attempt to preserve existing trees on the site.

5. Expiration of Tree Permit

An approved tree permit shall expire within six months of the date of the approval of the permit by the Director of Parks and Recreation.

D. Application to Residential Districts

For property in any zoning district containing only single-family and/or duplex uses, the provisions of this Section 4.7.6, apply only to trees listed in Section 4.7.4: *Minimum Landscaping Required*, located within the right-of-way adjacent to a street where only one such structure is constructed.

4.7.7 Trees and Plant Materials on Public Property

A. Trees on Public Property¹⁰⁶

The Director of Parks and Recreation shall have exclusive jurisdiction and supervision over all trees and plant materials planted or growing in public property. The Director shall have the authority and it shall be their duty to plant, trim, spray, treat, preserve and remove trees and plant materials in public property to ensure safety or preservation of the symmetry and beauty of such public property.

B. Permit for Removal or Planting of Plant Materials on Public Property¹⁰⁷

No person shall trim, spray, treat, remove, or plant any plant materials in any public property or excavate, trench, grade, remove, or fill dirt upon public property which may endanger or affect trees or plant materials growing thereon without first obtaining a permit from the Director of Parks and Recreation

¹⁰⁵ These are referred to as "guidelines" in the current ordinance.

¹⁰⁶ Current 34-35 reorganized.

¹⁰⁷ Current 34-36.

pursuant to this subsection. The Town shall issue a permit under this section when it is determined that the desired action is necessary, that the proposed methods are satisfactory and that the proposed plantings conform with this section and Town standards and practices.

1. Trim, Spray, Treat, or Remove Plant Materials

Any person desiring a permit to trim, spray, treat, or remove plant materials in any public property shall submit a written application that sets forth the following:

- a. The number, kind, and size of plant materials to be trimmed, sprayed, treated, preserved or removed;
- b. The kind of treatment to be administered;
- c. The kind and condition of the nearest plant material upon adjoining property; and
- d. Such other information as the director shall find reasonably necessary to a fair determination of whether a permit should be issued.

2. Excavate, Trench, Grade, Remove, or Fill Dirt

Any person desiring to excavate, trench, grade, remove, or fill dirt thereby endangering any plant material in a public property or area shall submit a written application setting forth the following:

- a. A diagram of the area showing the proposed work and location of plant materials;
- b. The number, location and variety of plant materials;
- c. A method of excavating, trenching, grading, removing or filling to be used; and
- d. Such other information as the Director shall find reasonably necessary to a fair determination of whether a permit should be issued.

3. New Plant Materials

Any person desiring a permit to plant any plant materials in any public property shall submit a written application setting forth the following:

- a. A diagram of the area showing pavement, streets, sidewalks, curbs and gutters, with a definite indicated scale;
- b. The number, location and variety of plant materials to be planted;
- c. The number, location and variety of plant materials already existing in the area;
- d. The method of planting, including the supplying of suitable soil;
- e. The method of water maintenance; and
- f. Such other information as the director shall find reasonably necessary to a fair determination of whether a permit should be issued.

4.7.8 Buffering¹⁰⁸

A. Where Required

To mitigate the impacts of significant differences in property use, size, or scale, landscaped buffers shall be provided along rear and side lot lines where a multifamily, mixed-use, or any non-residential land use abuts:

1. The R-1, R-2, R-3, R-4, or R-5 zoning district; or
2. Any property containing a single-family detached or duplex residential dwelling.

B. Exemptions

1. Rear and side lot buffers are not required between properties that are separated by a street or drainage way.
2. Areas with sidewalks, walkways, multi-use paths, vehicle access, or other improvements allowing access from one property to another are exempt from buffering requirements.

¹⁰⁸ New. Currently the ordinance requires a six-foot fence when a property in the LR or C-2 district is adjacent to a residential use. Per the Assessment Report, this is an expanded and more flexible requirement to enhance the options for buffering.

3. Rear and side lot buffers are not required along any portion of the lot line covered by an access easement (e.g., vehicular connections, pedestrian walkways, etc.). In these cases, an equivalent amount of landscaping shall be installed on remaining portions of the side or rear lot lines, as applicable.

C. Buffer Options

Required side and rear buffers shall conform to one or a combination of the following options:

1. A landscape buffer planted at a minimum rate of two evergreen trees and three shrubs per 250 square feet with spacing designed to minimize sound, light, and noise impacts on adjacent properties; or
2. A solid wall or fence no less than six feet in height, the side of the fence or wall facing the residential development shall be at least as finished in appearance as the side facing the non-residential use; or
3. The Director may approve alternative screening methods if the intent of this section is met.

4.7.9 Screening

A. Credits Toward Required Landscaping¹⁰⁹

Any landscaping provided to meet screening standards will be credited towards the overall landscaping requirements enumerated in this section.

B. Mechanical and Utility Equipment¹¹⁰

All mechanical and utility equipment, including but not limited to air-conditioning, heating and soft water tanks, television antennas, satellite dishes, security apparatus, and above ground electric and gas equipment shall be integrated into the building design, screened from public view, or enclosed in a suitable accessory structure, pursuant to the following standards:

1. Location

- a. To the extent practicable, ground mounted mechanical and utility equipment shall be located out of view of public rights-of-way, customer entrances, and other public areas.
- b. Ground-mounted mechanical and utility equipment shall be located outside of vision clearance areas in order to avoid obscuring vision at intersections.

2. Design

a. Materials

Materials used for screening purposes shall be wood or masonry. The use of split-face concrete block is prohibited.

b. Ground-Mounted Equipment

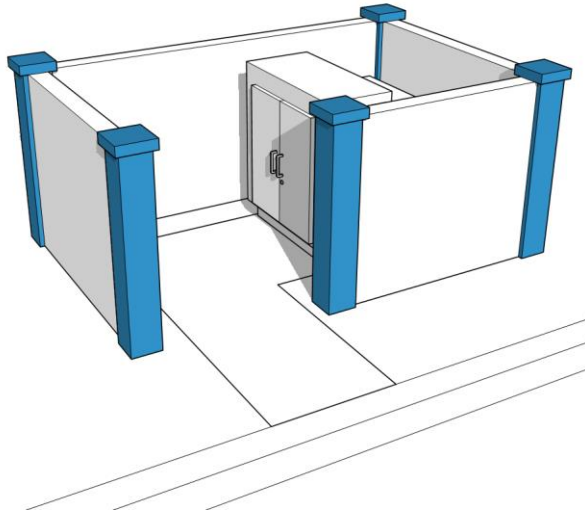
Ground-mounted mechanical and utility equipment located within view of customer entrances or public rights-of-way shall be integrated into the overall site design, the architectural design of the building, and screened from public view using one or a combination of the following:

- i. Decorative wall, fence (at least 80 percent opaque), or enclosure that is constructed of materials that are compatible with the overall architectural design of the development and of a height that is not less than the height of the equipment to be screened; or

¹⁰⁹ New.

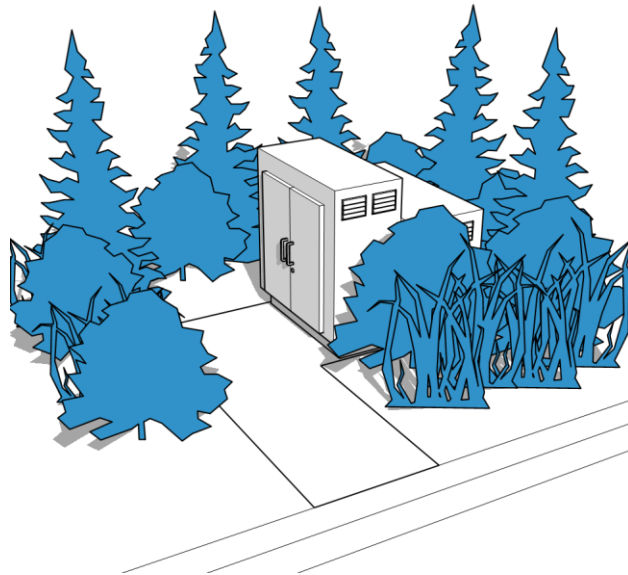
¹¹⁰ New. Consolidates, expands, and makes generally applicable standards from the Belt Line, C-1, C-2, I-1, I-2, I-3, LR, MXR, and UC districts.

Figure 4.14: Ground-Mounted Equipment Screening



- ii. Landscaping that is of sufficient height at maturity and of opacity to effectively soften and screen the equipment, and that is integrated into the overall landscaping plan.

Figure 4.15: Ground-Mounted Equipment Landscaping



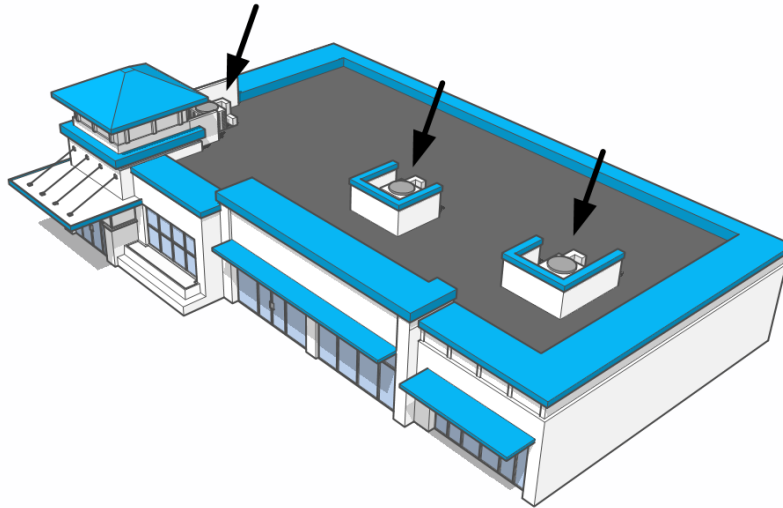
c. **Roof-Mounted Equipment**

Roof-mounted equipment shall be an integral part of the building's overall architectural design and shall be screened from view to the extent practicable from public rights-of-way, residential land uses, public parking areas, and/or adjacent properties using parapet walls or other means of screening. When reviewing the type and amount of screening, the Director shall consider the following:

- i. The proximity of the development to surrounding residential land uses and the visual impact that roof-mounted equipment may have upon those surrounding residential land uses.
- ii. The number and size of roof-mounted equipment. The greater the number and/or size, the more screening may be warranted.

- iii. Roof-mounted equipment shall be neutral earth-toned colors that have a matte finish and that are compatible with the primary building façade. In no case shall rooftop mechanical equipment be galvanized, shiny, white, off-white, or other light colors that can be observed from a distance.

Figure 4.16: Roof-Mounted Equipment Screening



C. Refuse Containers¹¹¹

All refuse and refuse containers shall be screened from all public rights-of-way. Such containers shall be placed on a designed reinforced concrete pad and approach. Screening walls must be of aesthetic material.

1. Enclosures Required

Refuse containers shall be located within an enclosure.

2. Location

Refuse container enclosures shall be located at the rear of the property to the extent practicable and shall be sited to allow for easy vehicular access such that access does not require backing movements onto public rights-of-way, with the exception of alleys.

3. Design and Materials

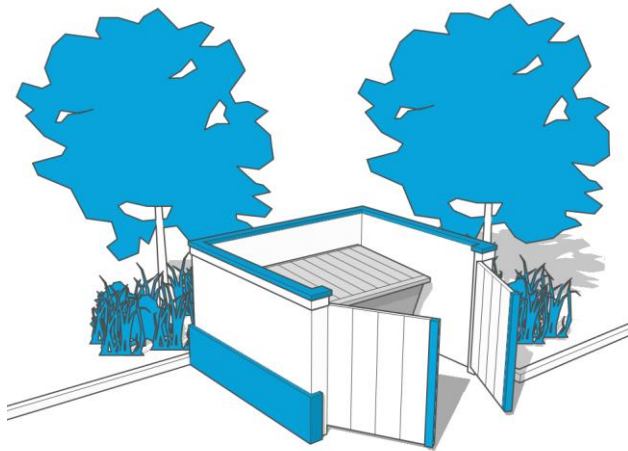
Refuse container enclosures shall be of sufficient height to screen containers but shall not exceed eight feet in height unless screening a refuse container taller than eight feet. Such enclosures shall be visually compatible with materials used on the primary building. In no case shall enclosures consist of chain link or corrugated metal.

4. Landscaping

Landscaping shall be used to soften the appearance of the enclosure where such enclosure is located within a side yard or can be viewed from public rights-of-way.

¹¹¹ New. Consolidates and makes generally applicable standards from the Belt Line, C-1, C-2, I-1, I-2, I-3, LR, MXR, and UC districts.

Figure 4.17: Refuse Enclosure Landscaping



D. Outdoor Storage Areas¹¹²

Outdoor storage areas shall be screened from view of public rights-of-way and from adjacent residential land uses or districts using any one or a combination of fences, walls, berms, or landscaping that is at least six feet in height and provides a permanent, opaque, year-round screen.

E. Off-Street Loading Spaces¹¹³

All off-street loading spaces on a site shall be screened from all public and private streets adjacent to that site.

1. All screening shall be at least six feet in height measured from the horizontal plane passing through the nearest point of the off-street loading space and may be provided by using any one or combination of the following, subject to approval by the Director of Parks and Recreation:
 - a. Evergreen shrubs planted three feet on center, in a single row; or
 - b. Evergreen trees planted six feet on center, unless the Director of Parks and Recreation approves an alternative planting density as being capable of providing a solid appearance within one year; or
 - c. A fence, wall, or berm. Fences and walls shall not consist of corrugated metal, corrugated fiberglass, sheet metal, chain link or wire mesh.¹¹⁴
2. When screening for off-street loading spaces is provided by earthen berm or evergreen plant materials, the following regulations apply:
 - a. An earthen berm shall be planted with turf grass or ground cover recommended for local area use by the Director of Parks and Recreation. The slope of the berm shall not exceed 33 percent for lawn areas and shall have a minimum crown width of three feet.
 - b. Evergreen plant materials shall be recommended for local area use by the Director of Parks and Recreation. In addition, the plant materials:
 - i. Shall be located in a bed that is at least three feet wide; and
 - ii. Shall be placed a maximum of 36 inches on center in a single row over the entire length of the bed, unless the Director of Parks and Recreation approves an alternative planting density as being capable of providing a solid appearance within one year; and

¹¹² Makes generally applicable a standard from the MXR district.

¹¹³ Current 34-207(b).

¹¹⁴ Removed the following vague language: "or any material that in the Planning and Zoning Commission's opinion is an unsightly material."

- iii. Shall provide a six-foot high visual barrier of the required height within one year of their initial planting.

F. Parking or Storage of Vehicle on Unimproved Surface¹¹⁵

The parking or storage of any vehicle within a residential side yard or the residential rear yard of a corner lot, of a residential single-family, duplex, or townhouse lot or tract, upon any surface other than an improved parking surface, unless otherwise concealed from view from all public street rights-of-way by:

- 1. A solid, opaque, screening fence or wall at least six feet in height;
- 2. Vegetation consisting of a solid hedgerow of evergreen shrubs, or trees and shrubs, providing full screening from the ground to a minimum height of six feet;
- 3. Any combination of the above that effectively conceals the vehicle from view and accomplishes the required screening height; or
- 4. Any other form of compatible and appropriate screening as so determined by the building official.

4.7.10 Fences¹¹⁶

A. Height and Location¹¹⁷

1. General Height Standards

a. Front Yard

Walls and fences within a required front yard shall not exceed three feet in height.

b. Side and Rear Yards

Walls and fences along the interior side or rear lot lines shall not exceed eight feet in height provided, that the wall or fence does not extend into any required front yard.

c. Corner Lots

Walls and fences located between a primary structure and a public or private street shall not exceed six feet in height.

2. Maximum Fence Height

No person shall build, erect, construct, or maintain any fence within the Town limits at a height exceeding eight feet along any lot line (front, side, or rear).

3. Alternative Fence Height Standards¹¹⁸

a. Walls and Fences up to Eight Feet in Height

Walls and fences up to eight feet in height may be allowed if:

- i. They are temporary fences on construction sites erected for protection purposes during the period of construction only; or
- ii. They enclose loading, service, or refuse areas outside the front setback area; or
- iii. They enclose outdoor storage areas in non-residential zoning districts outside the front setback area.

b. Special Use Permit Required

- i. Fences and walls exceeding eight feet in height, as permitted in subsection a above, shall require special use permit approval.

¹¹⁵ Current 78-179.

¹¹⁶ Based on current Chapter 18, Article X. Edited for clarity and organization, with new material and edits noted. Graphics will be included in the updated code.

¹¹⁷ New.

¹¹⁸ New.

4. **Setback Requirements¹¹⁹**

No person shall build, erect, construct, maintain, or suffer or permit the building, erecting, constructing, or maintaining of any fence within the Town limits in such a manner that any portion of the fence extends nearer to the street on which the main dwelling, building, or structure faces than the required front yard setback line. This restriction does not apply to property owned by the Town of Addison.

5. **Walls and Fences in Easement Areas**

- a. Permanent walls and fences, except for standard wooden board fences, shall not be constructed within or across Town utility easements.
- b. Permanent walls and fences shall not be constructed within drainage easements in a way that obstructs the natural flow of water runoff.

B. Fence Materials

1. **Residential and Mixed-Use Districts¹²⁰**

- a. Within residential and mixed-use districts, fences shall be constructed of new materials or products, such as wood planks and boards, masonry as defined by the building code, and wrought iron or ornamental iron.
- b. Used or secondhand materials shall not be used in the construction of any fence in a residential or mixed-use district.

2. **Prohibited Fence Materials¹²¹**

The following are prohibited as fence materials:

- a. Rope, string, or netting;
- b. Wire and wire products including, but not limited to, barbed wire, razor ribbon wire, chicken wire, wire fabric, and welded wire fabrics;
- c. Chain;
- d. Cut or broken glass;
- e. Paper;
- f. Corrugated metal panels;
- g. Plywood; and
- h. Other wood, metal, or plastic products that are designed specifically for uses other than fence construction.

C. Fence Design

1. **General Fence Design**

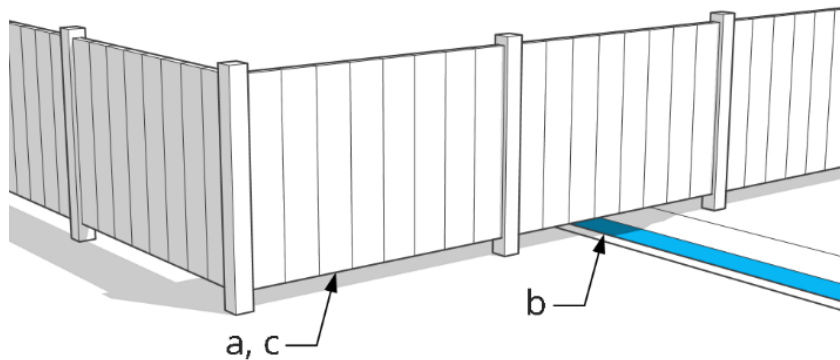
- a. Fences shall be of uniform construction throughout the fence. Once a pattern of materials and construction method is established, it shall be carried throughout the entire length of the fence section from corner post to corner post.
- b. No fence shall be erected that alters the natural or planned drainage on any residential lot.
- c. The exterior surface of all masonry fences, including concrete block materials, shall be free from projections, inequalities or unevenness of surface, ridges or hollows, and obstructions. The exterior surface of wood fences in residential areas shall be finished with a stain, pigment, paint, or other surface treatment or material that is consistent with other finishes existing on the principal structure existing on the property.
- d. All fence materials, construction, and workmanship shall comply with all requirements of the building code and all approved plans and specifications.

¹¹⁹ In the current code, this provision is limited to A (apartment dwelling district), R-1 (single-family dwelling district), MXR (mixed use residential district), LR (local retail district), C-1 (commercial-1 district), C-2 (commercial-2 district), I-3 (industrial-3 district), and PD (planned development district). The draft text makes it generally applicable.

¹²⁰ The current code distinguishes here between "residential uses" and "nonresidential uses." We have changed the references to districts and also included mixed-use districts in the residential category.

¹²¹ This list of prohibited materials is carried forward but made generally applicable; currently it applies only to residential districts. We did not carry forward the allowance for barbed wire fences in nonresidential districts.

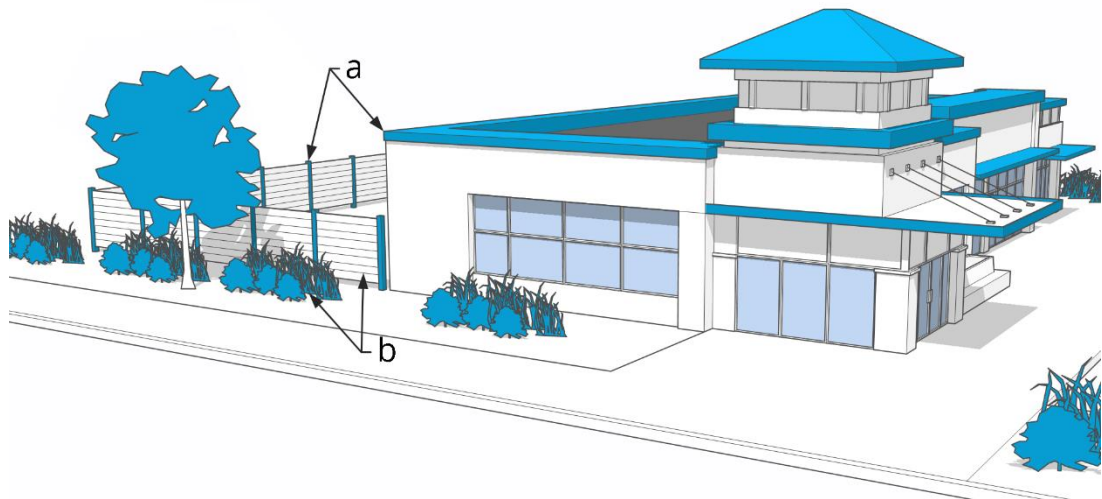
Figure 4.18: General Fence Design



2. Compatible Design¹²²

- a. Walls and fences shall be designed as an integral part of a new development project and shall be architecturally compatible with principal buildings in terms of materials, colors, and design.
- b. Walls and fences shall be designed to be compatible with the total surrounding landscape and architectural character of the building.

Figure 4.19: Compatible Design for Walls and Fences



3. Articulation and Alignment¹²³

Portions of walls or fences that face any public street right-of-way, public open space, or public trail shall incorporate the following features to break up the massing:

- a. If the wall or fence exceeds 20 feet in length, a landscape area a minimum of three feet in width shall be provided and planted with a minimum of four shrubs for each 20 linear feet of wall; and
- b. If the wall exceeds 40 feet in length, architectural features such as columns, vertical pilasters, changes in wall alignment, or terracing of walls shall be provided and planted with a minimum of four shrubs for each 20 linear feet of wall.

¹²² New.

¹²³ New.

D. Gates and Access

1. Generally

It shall be unlawful for any person to erect, construct, or maintain any fence without providing a gate or other means of entrance and exit into and out of the area which the fence encloses, and it shall further be unlawful for any person to erect, construct, or maintain any fence along or near a rear property line that adjoins an alley or easement without providing and maintaining a reasonable means of access to such alley or easement.

2. Emergency Personnel Access

In order to allow ingress and egress for emergency personnel and equipment, there shall be at least one gate or opening with a minimum width of three feet in each fence that is adjacent to or running parallel to any public alley, drainage easement or utility easement, except this standard shall not apply to utility easements that the Town has allowed to be completely fenced in. Equipment providing emergency personnel access through such gate may be required.

3. Electric Charge

No fence erected on property zoned for residential use or used for residential use shall be electrically charged in any manner or form.

E. Fences for Schools

1. Notwithstanding other provisions of this section, the owner or operator of any school or kindergarten may erect upon school or kindergarten property a fence to protect any schoolyard or playground, provided that no fence shall be erected or maintained in such a position or manner as to cause danger to traffic by obstructing the view.

2. For the purpose of this section, the word "school" shall mean a public, private or denominational institution having for its purpose the instruction of children and having a curriculum equivalent to a public elementary or high school. The word "kindergarten" shall mean for little children of preschool age, in which constructive endeavors, object lessons and helpful games are prominent features of the curriculum.

F. Inspection and Maintenance

Upon completion of installation, the Building Official shall be called upon for inspection. A certificate of acceptance will then be issued or a rejection slip indicating the defects in fence. All fences constructed under the provisions of this section shall be maintained as to comply with the requirements of this section at all times.

4.7.11 Installation and Maintenance¹²⁵

A. Applicability

This Section 4.7.8 shall apply to all applications for building permits.

B. Timing of Installation¹²⁶

The developer shall install all landscape improvements including operable irrigation systems prior to receiving a Certificate of Occupancy. This requirement may be modified by the Director if security is provided pursuant to subsection C below and the developer identifies an alternative timeframe for landscaping and/or irrigation system installation.

C. Security¹²⁷

When a property owner seeks a Certificate of Occupancy, the Director of Parks and Recreation may, in their discretion, require a maintenance bond, letter of credit, personal undertaking, cash escrow, or other

¹²⁵ All provisions in this section are from the current 34-210 unless noted. Removed enforcement and inspection provisions, which were general and will be replaced by the new general enforcement provisions to be drafted in module 3.

¹²⁶ New.

¹²⁷ From Sec. 34-212, modified to list what the security may cover.

security acceptable to the Director that guarantees and secures maintenance of newly installed landscape for a period not to exceed two years. The amount of security shall be based on itemized cost estimates of all landscaping and irrigation system improvements, as well as related labor costs. Itemizations shall be generated from a qualified landscape architect, irrigation system specialist, and/or a local or regional landscaping nursery or garden center.

D. Landscape Inspections

The installation of the approved landscape plan shall be inspected and approved by the Parks Department prior to issuance of a Certificate of Occupancy.

E. Maintenance

Every property owner and any tenants shall keep their landscaping in a well-maintained, safe, clean, and attractive condition at all times. Any plant that dies shall be replaced with another living plant, including trees, within 30 days after notification by the Town. Such maintenance includes, but is not limited to, the following:

1. Prompt removal of all litter, trash, refuse and waste;
2. Lawn mowing on a weekly basis during the growing season;
3. Shrub pruning according to accepted practices of landscape professionals to maintain plants in a healthy condition;
4. Tree pruning according to tree-pruning guidelines approved by an arborist registered with the Town after obtaining a tree pruning permit;
5. Pruning/thinning that removes no more than one fourth of the tree canopy annually;
6. Watering of landscaped areas on a regular basis to maintain good plant health;
7. Sprinkler run times set on controllers to water between midnight and 5:00 a.m.;
8. Keeping landscape lighting in working order;
9. Keeping lawn and garden areas alive, free of weeds, and attractive;
10. Cleaning of abutting waterways and landscaped areas lying between public right-of- way lines and the property unless such streets, waterways or landscaped areas are expressly designated to be maintained by applicable governmental authority; and
11. Proper placement and maintenance of metal edging.

F. Discharge of Vegetation Waste

The discharge, deposit, blowing or sweeping of grass, leaves, other vegetation, or litter debris into public or private streets or alleys or storm drains is prohibited. In connection with yard or landscape maintenance, lawn or grass clippings, leaves, other vegetation, and litter debris caused by or resulting from such maintenance shall be promptly removed from any public or private street or alley adjacent to the property being maintained and shall be disposed of in a manner to prevent the material from blowing or falling from a maintenance truck, trailer, or disposal container. Lawn clippings, leaves, other vegetation, and litter debris shall be removed from sidewalks, streets and street gutters, and alleys after mowing and edging is performed to prevent collection in the storm water system.

G. No Obligation on Town¹²⁹

Nothing in this section shall be deemed to impose any obligation upon the Town or upon any of its officers or employees or to relieve the property owner from the duty to keep trees and other plant materials in a safe condition.

¹²⁹ Current 34-33.

4.8 Site and Building Design

Commentary

This section includes several improvements from the current regulations, including a new organization. Rather than relocating separate standards based on discrete areas (e.g., UC and Belt Line zone districts), this draft organizes building and site design based on development type (residential, mixed-use, and nonresidential). This draft also establishes new town-wide standards for greater consistency across projects and to minimize the need to use the PD tool to require higher-quality building design. The content in this section builds on the Town's current standards and retains area-based design standards when appropriate – particularly with building material requirements.

As per staff's direction, this section is being drafted to include site and building design standards as if H.B. 2439 did not exist. This section (and others) will be re-evaluated and updated (if necessary) prior to adoption hearings to align with current Texas legislation.

4.8.1 Purpose¹³¹

This Section 4.8 is intended to:

- A. Promote high-quality development and construction that directly contributes to the attractiveness, safety, and function of the street and public areas;
- B. Ensure compatibility between residential neighborhoods and adjacent commercial and mixed-use areas;
- C. Mitigate negative impacts created by the scale and bulk of large buildings;
- D. Provide variety and visual interest in the exterior design of buildings;
- E. Enhance the streetscape and diminish the prominence of garages and parking areas;
- F. Promote an environment that is friendly toward multiple modes of transportation and accommodates varying ages and abilities;
- G. Promote building designs and construction practices that are sustainable and adaptable to multiple uses for extended building lifecycles;
- H. Promote building designs and construction in a manner, and with materials, that are highly durable and will continue to endure and be attractive over a long time, especially adjacent to public and pedestrian areas.
- I. Minimize negative impacts of on-site activities to adjacent uses; and
- J. Balance the community's economic and aesthetic concerns.

4.8.2 Applicability¹³²

A. General Applicability

Except as otherwise provided in this section, the standards of this section shall apply to all development as follows:

1. New Construction

- a. A new principal structure is constructed; or
- b. An existing principal structure is relocated on the lot.

2. Expansions and Enlargements

- a. The entire site and buildings and/or dwelling units shall comply with this section when:
 - i. The number of multifamily dwelling units on a property is increased by more than 25 percent; or

¹³¹ Mostly new, however, some content taken from the intent statement from the Belt Line district.

¹³² New. The thresholds established in this draft are for discussion purposes; they are based on our work in other communities and intended to distinguish relatively large projects that require greater attention to development and design quality. Following review of this entire code, we may update these thresholds as necessary to align with the overall article applicability provisions.

- ii. The square footage of a nonresidential or mixed-use building is expanded or enlarged by more than 50 percent; or
 - iii. The addition or expansion of one or more structures or uses that requires special use permit approval.
- b. The portion of the building and/or site being expanded and/or improved shall comply with this section when:
- i. The number of dwelling units on a property is increased by between 10 and 25 percent or 10 dwelling units, whichever is less; or
 - ii. The square footage of a nonresidential or mixed-use building is expanded or enlarged by between 10 and 50 percent.

B. Exemptions

Expansions and enlargements of a multifamily, mixed-use, or nonresidential use less than the greater of 1,000 square feet or 10 percent of the building's square footage.

C. Conflicting Standards

Where the site and building design standards in this section conflict with the design standards applicable to an overlay district or Planned Development, the standards in the overlay district or Planned Development shall govern.

D. Alternative Compliance

Alternatives to these standards may be approved by the Director if the applicant demonstrates that the proposed alternative:

1. Achieves the intent of the subject standard to the same or better degree than the subject standard;
2. Advances the goals and policies of the Comprehensive Plan and this UDC to the same or better degree than the subject standard;
3. Results in benefits to the community that are equivalent to or exceed benefits associated with the subject standard; and
4. Imposes no greater impacts on adjacent properties than would occur through compliance with the specific requirements of this UDC.

4.8.3 Residential Site and Building Design

A. Single-Family, Duplex, Triplex, and Fourplex Dwellings¹³³

1. Building Variety¹³⁴

For new subdivisions, the following building variety standards shall apply:

a. All New Subdivisions

No two buildings with the same front elevation shall be constructed side by side, directly across the street from one another, or to either side of the building across the street.

b. Three Dwelling Units or Fewer

Each building shall have a distinct front elevation.

c. Three to 10 Dwelling Units

Three different buildings with distinct front elevations shall be required.

¹³³ From the current MXR and R-1 standards. Carries forward 80 percent masonry requirement. Updated to clarify that these standards apply to household living use types. Replaced reference to "masonry construction" with table listing materials that are acceptable as masonry, as provided in the current definition of "masonry construction." Added "cultured stone" to list to provide additional flexibility and variety.

¹³⁴ New standards to ensure new development includes a variety of front elevations.

d. **More than 10 Dwelling Units**

Five different buildings with distinct front elevations are required, and no more than 30 percent of the units constructed shall have the same front elevation.

2. **Building Mass¹³⁵**

Exterior walls shall be broken by recessed entryways, bay windows, use of more than one exterior finish material, use of architectural details, or such other technique or combinations of techniques to prevent the appearance of featureless walls.

Figure 4.20: Residential Building Mass



3. **Exterior Finish Materials**

- a. The exterior cladding of all single-family, duplex, triplex, and fourplex dwellings (including garages and accessory buildings) shall be composed of not more than two materials, excluding glass and roofing materials. Glass shall be clear or tinted, not reflective.
- b. Exterior cladding materials shall be applied across the façade using a consistent visual design, and not an inconsistent or fragmented application of materials.
- c. At least 80 percent of the exterior cladding of all buildings (including garages and accessory buildings) shall be the following allowed materials:

✓ = allowed blank cell = prohibited

Material	Zoning District					
	R-1	R-2	R-3	R-4	R-5	A
Brick	✓	✓	✓	✓	✓	✓
Brick veneer	✓	✓	✓	✓	✓	✓
Stone	✓	✓	✓	✓	✓	✓
Stone veneer	✓	✓	✓	✓	✓	✓

¹³⁵ New.

Cultured stone	✓	✓	✓	✓	✓	✓
Concrete masonry units		✓				
Stucco		✓				
Class PB Exterior Insulating and Finishing Systems (EIFS)		✓				
Aluminum siding						
Vinyl siding						

4. **Colors**

There are no restrictions on colors, except that fluorescent colors are prohibited.

B. Multifamily Dwellings

1. **Building Placement and Orientation**¹³⁷

- a. The siting of a building shall reflect the natural topography and preserve existing trees and landscaping material pursuant to Section 4.7: *Landscaping, Buffering, and Fences*.
- b. The minimum percentage of building façades shall be built parallel to the street frontage at build-to-ranges as established in Article 2: *Zoning Districts*. Where a build-to-range is not established, a minimum of 60 percent of the primary building façade shall be parallel to the primary street frontage. A façade containing a primary building entrance may be curved or angled toward an intersection at street intersections.

2. **Multi-Building Developments**¹³⁸

For multifamily developments with three or more buildings, the buildings shall be arranged using one or more of the following techniques:

- a. Organize units around a central courtyard that maintains a consistent side yard setback between units along the street frontage;
- b. Locate the buildings on the corner of an adjacent street intersection or entry point to the development to frame the corner;
- c. Provide common gathering spaces between buildings; and/or
- d. Other site improvements as approved by the Director.

3. **Building Entrances**¹³⁹

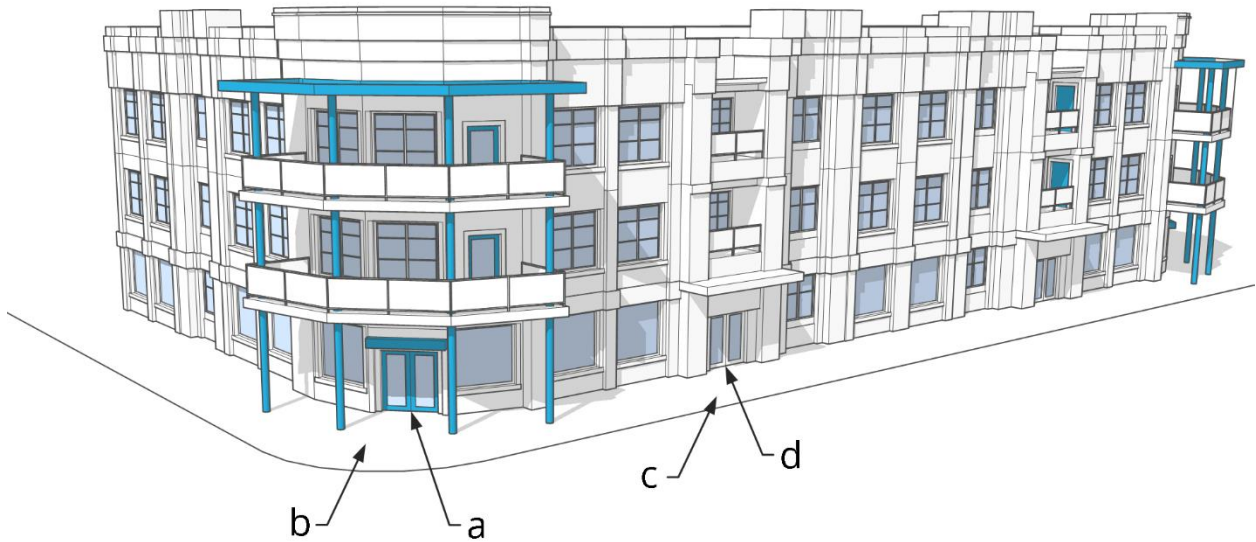
- a. The primary building entrance shall face a public or private street. For buildings on corners, there shall either be an additional entrance on the side street frontage, or the primary entrance shall be on the corner.
- b. Primary building entrances shall be defined and articulated with architectural elements such as pediments, columns, porticos, porches, overhangs, or other elements approved by the Director.
- c. For buildings with multiple tenant entries, each entrance shall be defined and articulated with architectural elements.
- d. All ground-floor pedestrian entrances shall be covered or inset.

¹³⁷ New.

¹³⁸ New.

¹³⁹ New.

Figure 4.21: Building Entrance Requirements



4. **Building Mass**¹⁴⁰

Buildings shall not extend more than 50 continuous feet without incorporating at least two of the following elements for each 50-foot segment:

- a. Projections, recessions, or reveals such as columns, pilasters, cornices, and bays, and having a change of wall plane that is a minimum depth of two feet and has the effect of casting shadows;
- b. Changes in materials, colors, patterns, or textures;
- c. Changes in roof form pursuant to paragraph 4.8.3B.5;
- d. Windows, doors, and openings pursuant to minimum transparency requirements in paragraph 1.1.1A.1; and/or
- e. Alcoves, porticoes, awnings, and other architectural features to provide visual interest and relief.

5. **Roof Form**¹⁴¹

Building shall be designed to avoid any continuous roofline longer than 60 feet. Rooflines longer than 60 feet shall include at least one vertical elevation change of at least two feet in height. Sloped rooflines shall provide variation in overhangs and architectural elements to provide visual relief.

¹⁴⁰ New.

¹⁴¹ New.

Figure 4.22: Roofline Variation



6. **Transparency (Windows, Doors, and Openings)**¹⁴²

- a. At least 25 percent of the ground-floor wall area, as measured from floor plate to floor plate, of any façade facing a public street or other public area such as a plaza, park, or open space shall contain windows, other transparent materials, or doorways. Such windows, transparent materials, or doorways shall be unobstructed and allow views into working areas or lobbies, pedestrian entrances, and display areas.
- b. At least 20 percent of each upper-floor wall area, as measured from floor plate to floor plate, of all building façades shall contain windows or other transparent materials.
- c. Requirements for ground-floor transparency shall allow views into common areas such as foyers, hallways, and entryways, but may be translucent or opaque for individual dwelling units.
- d. Windows and other materials intended to meet the minimum transparency requirements shall not be reflective.
- e. Reductions to these minimum standards may be approved by the Director if required to comply with local energy codes.

¹⁴² New.

Figure 4.23: Transparency Requirements



7. Exterior Finish Materials¹⁴³

- a. The exterior cladding of all multifamily dwellings (including garages and accessory buildings) shall be composed of not more than three materials, excluding glass and roofing materials. Glass shall be clear or tinted, not reflective.
- b. Exterior cladding materials shall be applied across the façade using a consistent visual design, and not an inconsistent or fragmented application of materials.
- c. At least 80 percent of the exterior cladding of all multifamily buildings (including garages and accessory buildings) shall be one or more the following allowed materials:

✓ = Façades not visible from public street ◇ = Façades visible from public street blank cell = prohibited

Material	Zoning District							
	R-4	R-5	A	M-1	M-2	M-3	M-4	M-5
Aluminum siding								
Architecturally finished concrete block	✓	✓	✓	✓	✓	✓	✓	✓
Brick	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓
Brick veneer	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓
Class PB Exterior Insulating and Finishing Systems (EIFS)					✓	✓	✓	
Comparable materials as approved by the Director	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓	◇✓
Concrete masonry units				✓	✓	✓	✓	✓
Cultured stone	◇✓	◇✓	◇✓	✓	◇✓	◇✓	✓	◇✓
Exterior cement plaster								
Galvanized steel or other bright metal								
Glass block					✓	✓	✓	
Glass tile					✓	✓	✓	

¹⁴³ These standards carry forward the various building material lists from districts where multifamily units are allowed. We have revised the list to reflect typical multifamily cladding materials and removed those that would be more typical of nonresidential construction (plate glass). The limit of three materials is carried forward from the Urban Center (Addison Circle) standards. This table includes a new option for approval of comparable materials as approved by the Director for added flexibility and also specifies which materials are appropriate for façades facing public streets and those that are not.

✓ = Façades not visible from public street ◇ = Façades visible from public street blank cell = prohibited

Material	Zoning District							
	R-4	R-5	A	M-1	M-2	M-3	M-4	M-5
Plate glass								
Stone	◇ ✓	◇ ✓	◇ ✓	✓	◇ ✓	◇ ✓	✓	◇ ✓
Stone veneer	◇ ✓	◇ ✓	◇ ✓	✓	◇ ✓	◇ ✓	✓	◇ ✓
Stucco					✓	✓	✓	
Unfinished concrete block								
Vinyl siding								
Wood or plastic siding								
Wood roof shingles								

8. Colors

There are no restrictions on colors, except that fluorescent colors are prohibited.

4.8.4 Mixed-Use and Nonresidential Site and Building Design¹⁴⁵

A. Building Placement and Orientation¹⁴⁶

The minimum percentage of building façades shall be built parallel to the street frontage at build-to-ranges as established in Article 2: *Zoning Districts*. A façade containing a primary building entrance may be curved or angled toward an intersection at street intersections.

B. Large and/or Multi-Building Developments¹⁴⁷

Developments with more than 100,000 square feet shall be organized to create pedestrian-friendly spaces and streetscapes. This shall be accomplished by using the buildings to frame and enclose at least one of the following:

1. The corners of street intersections or entries into the development site;
2. A “main street” pedestrian or vehicle access corridor within the development site; and/or
3. A plaza, pocket park, square, or other outdoor gathering space for pedestrians; and/or
4. Other site improvements as approved by the Director.

C. Building Entrances¹⁴⁸

1. Each building and separate lease space at grade along the street edge shall have a functioning primary entry from the sidewalk. Corner entries may count as a primary entry for both intersecting street frontages.¹⁴⁹
2. Primary building entrances shall be defined and articulated with architectural elements such as pediments, columns, porticos, porches, overhangs, or other elements approved by the Director.
3. For buildings with multiple tenant entries, each entrance shall be defined and articulated with architectural elements.
4. All ground-floor pedestrian entrances shall be covered or inset.

¹⁴⁵ From current UC-Residential and UC-Commercial subdistrict standards. Did not carry forward statement from UC-Commercial subdistrict indicating that standards apply to all buildings and parking structures within 150 feet of the UC-Residential subdistrict or the special events/retail street. These standards would now generally apply.

¹⁴⁶ From current Belt Line standards.

¹⁴⁷ New.

¹⁴⁸ New unless otherwise noted.

¹⁴⁹ Did not carry forward entrance inset requirements or entrance spacing standards.

D. Building Mass¹⁵⁰

1. All buildings shall be designed and constructed in tri-partite architecture so that they have a distinct base, middle, and top; and all windows shall have a vertical proportion.
2. Except where adjacent to arterials, buildings greater than three stories in height shall be set back at the fourth floor and above at least eight feet behind the front building face of the first three floors along street frontages.¹⁵¹
3. Buildings that are located on axis with a terminating street or at the intersection of streets shall be considered a landmark building. Such buildings shall be designed with landmark features which take advantage of that location, such as an accentuated entry and a unique building articulation that is off-set from the front wall planes and goes above the main building eave or parapet line.
4. Buildings shall not extend more than 50 continuous feet without incorporating at least two of the following elements for each 50-foot segment:
 - a. Projections, recessions, or reveals such as columns, pilasters, cornices, and bays, and having a change of wall plane that is a minimum depth of two feet and has the effect of casting shadows;
 - b. Changes in materials, colors, patterns, or textures;
 - c. Changes in roof form pursuant to paragraph 4.8.4E;
 - d. Windows, doors, and openings pursuant to minimum transparency requirements in paragraph 4.8.4H; and/or
 - e. Alcoves, porticoes, awnings, and other architectural features to provide visual interest and relief.

E. Roof Form¹⁵²

Building shall be designed to avoid any continuous roofline longer than 60 feet. Rooflines longer than 60 feet shall include at least one vertical elevation change of at least two feet in height. Sloped rooflines shall provide variation in overhangs and architectural elements to provide visual relief.

F. Architectural Features

1. Residential at Grade¹⁵³

- a. All buildings that have residential unit floor plates within six feet of finished grade shall include a primary front door entrance into the unit accessible from the sidewalk.
- b. The entry shall be located a minimum of two feet above the sidewalk elevation and include a minimum 24 square foot stoop.
- c. Units must also include windows that provide residents a view of the street and sidewalk area.
- d. Lobbies to upper stories may be located at grade level.
- e. Balcony and patio railings and fences shall be constructed of wrought iron or metal. Wood fences and railings and chain-link fencing are prohibited. Masonry columns may be used on patios provided that they are used as accents.

2. Nonresidential at Grade

- a. The ground floor entry must be located at the approximate elevation of the adjacent sidewalk.
- b. Retail uses adjacent to the sidewalk at grade shall:
 - i. Be constructed to meet fire code separation from any other uses constructed above;
 - ii. Have a minimum clear height of 16 feet between finished floor and the bottom of the structure above. Mezzanines within the retail space shall be allowed per building code; and
 - iii. Have an awning or canopy that extends at least six feet over the sidewalk for at least 75 percent of the frontage on any portion of a building. Such awning or canopy shall maintain a minimum seven and one-half foot clearance over the sidewalk.

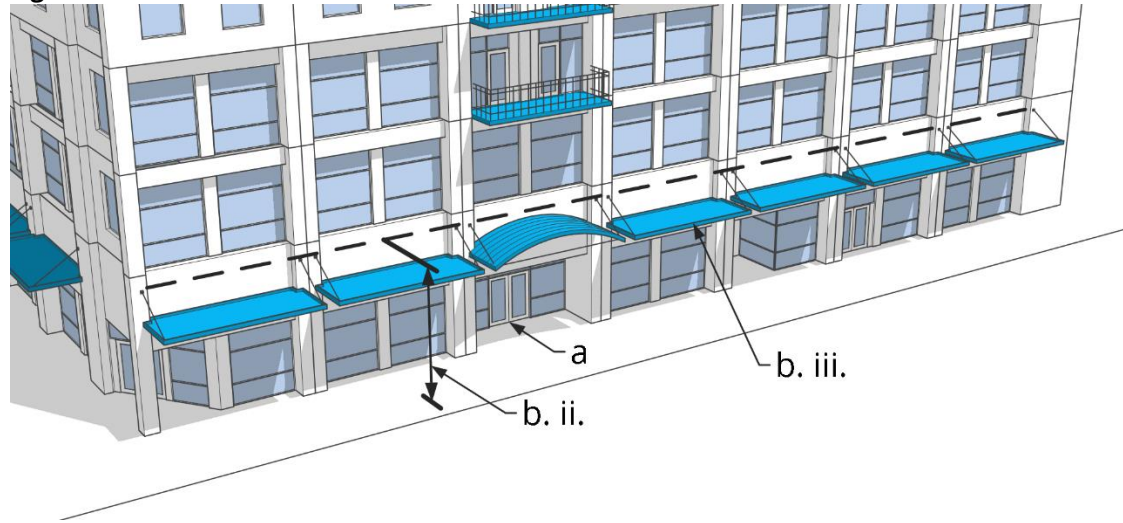
¹⁵⁰ Paragraphs (1) and (2) are from current Belt Line standards. Other standards are new.

¹⁵¹ Replaced "Belt Line and Arapahoe" with "arterials." Did not carry forward allowance for major waiver for changes to this standard.

¹⁵² New.

¹⁵³ From current Belt Line standards. Did not carry forward allowance for changes to standards (a), (b), and (c) with approval of a major waiver.

Figure 4.24: Nonresidential Uses at Grade



G. Exterior Finish Materials¹⁵⁴

1. The exterior cladding of all mixed-use and nonresidential buildings (including garages and accessory buildings) shall be composed of not more than three materials, excluding glass and roofing materials. Glass shall be clear or tinted, not reflective.
2. Exterior cladding materials shall be applied across the façade using a consistent visual design, and not an inconsistent or fragmented application of materials.
3. Unpainted metal, or metal subject to ordinary rusting shall not be used as a building material. Factory finished metal elements as well as metals that develop an attractive oxidized finish, such as copper, galvanized metal, or weathering steel, may be used as architectural accents.¹⁵⁵
4. Walls attached to buildings shall be developed as architectural extensions of the building, constructed of the same material and in the same style.
5. At least 80 percent of the exterior cladding of all mixed-use and nonresidential buildings (including garages and accessory buildings) shall be one or more the following allowed materials:¹⁵⁶

✓ = Façades not visible from public street ♦ = Façades visible from public street blank cell = prohibited

Material ¹⁵⁷	Zoning District								
	Residential Districts	M-1	M-2	M-3	M-4	M-5	CL, CG	LI ¹⁵⁸ , CF, PO	AA ¹⁵⁹
Aluminum siding									

¹⁵⁴ These standards carry forward the various building material lists from districts. The limit of three materials is carried forward from the Urban Center (Addison Circle) standards. This table includes a new option for approval of comparable materials as approved by the Director for added flexibility.

¹⁵⁵ From current Belt Line standards, did not carry forward requirement for minor waiver to use accents.

¹⁵⁶ Urban Center (Addison Circle) currently requires 90 percent brick construction for exterior walls visible from public streets. We recommend this be reduced to 80 percent for consistency with other districts and to allow additional flexibility.

¹⁵⁷ Did not carry forward limitation of composition shingles in the Urban Center (Addison Circle) district to areas not visible from a public street. Did not carry forward 90 percent brick requirement in UC-Commercial for minimum height of 50 feet.

¹⁵⁸ Did not carry forward requirement to have side walls extending back 20 feet to be constructed of brick or stone.

¹⁵⁹ New standards for the airport district, currently there are no architectural requirements.

✓ = Façades not visible from public street ◇ = Façades visible from public street blank cell = prohibited

Material ¹⁵⁷	Zoning District							LI ¹⁵⁸ , CF, PO	AA ¹⁵⁹
	Residential Districts	M-1	M-2	M-3	M-4	M-5	CL, CG		
Architecturally finished concrete block	◇ ✓	✓	✓	✓	✓	✓	✓	✓	◇ ✓
Brick	◇ ✓	◇ ✓	◇ ✓	✓	◇ ✓	✓	◇ ✓	◇ ✓	◇ ✓
Brick veneer	◇ ✓	◇ ✓	◇ ✓	✓	◇ ✓	✓	◇ ✓	◇ ✓	◇ ✓
Class PB Exterior Insulating and Finishing Systems (EIFS)			✓	✓	✓		✓	✓	◇ ✓
Comparable materials as approved by the Director	◇ ✓	◇ ✓	◇ ✓	◇ ✓	◇ ✓	◇ ✓	◇ ✓	◇ ✓	◇ ✓
Concrete masonry units	✓	✓	✓	✓	✓	✓	✓	✓	✓
Concrete tilt-wall							✓	✓	✓
Corrugated metal									
Cultured stone	◇ ✓	✓	◇ ✓	✓	✓	✓	◇ ✓	◇ ✓	◇ ✓
Exterior cement plaster	✓	✓	✓	✓	✓	✓	✓	✓	✓
Architectural metals (e.g., stainless steel, galvanized steel)			◇ ✓ [1]						
Glass block		✓	✓	✓	✓		✓	✓	◇ ✓
Glass tile		✓	✓	✓	✓		✓	✓	◇ ✓
Plate glass		✓					✓	✓	◇ ✓
Prefabricated metal								✓	✓
Stone	◇ ✓	✓	◇ ✓	✓	✓	✓	◇ ✓	◇ ✓	◇ ✓
Stone veneer	◇ ✓	✓	◇ ✓	✓	✓	✓	◇ ✓	◇ ✓	◇ ✓
Stucco			✓	✓	✓		✓	✓	✓
Unfinished concrete block									✓
Vinyl siding									
Wood or plastic siding									
Wood roof shingles									

Note:

[1] Only allowed for properties fronting on Inwood Road.¹⁶⁰

H. Transparency (Windows, Doors, and Openings)¹⁶¹

1. For live/work dwellings and residential uses, requirements for ground-floor transparency shall allow views into common areas such as foyers, hallways, and entryways, but may be translucent or opaque for individual dwelling units.
2. Windows, except for retail at grade, shall be vertical in proportion and have at least a four-inch reveal.
3. No glass curtain wall shall be permitted, except as approved by the Director.¹⁶²

¹⁶⁰ Replaced reference to “epicurean district” with “properties fronting on Inwood Road.”

¹⁶¹ New, unless otherwise footnoted.

¹⁶² Replaced reference to “minor waiver” with approval by the Director.

4. Windows and other materials intended to meet the minimum transparency requirements shall not be reflective.
5. At least 50 percent and no more than 80 percent of the ground-floor wall area between three and eight feet above grade of any building façade facing a public street or other public area such as a plaza, park, or open space shall contain windows, other transparent materials, or doorways. Such windows, transparent materials, or doorways shall be unobstructed and allow views into working areas or lobbies, pedestrian entrances, and display areas.¹⁶³
6. At least 20 percent of each upper-floor wall area, as measured from floor plate to floor plate, of all building façades shall contain windows or other transparent materials. In the M-1 and M-4 zoning districts, windows or other transparent materials of upper-floor wall areas shall be limited to no more than 60 percent.¹⁶⁴
7. Modifications to these standards may be approved by the Director if required to comply with local energy codes.

I. Colors

1. There are no restrictions on colors, except that fluorescent colors are prohibited.

4.8.5 Parking Structure Design¹⁶⁶

The following standards shall apply to all above-ground parking garages or structures, whether freestanding or incorporated into a building:

- A. Each façade or a parking garage adjacent to a public street or public space shall have an external skin designed to conceal the view of all parked cars. Examples include heavy gauge metal screen, precast concrete panels, live green or landscaped walls, laminated or safety glass, or decorative photovoltaic panels.
- B. In mixed-use zoning districts, all parking garages or structures shall be designed to meet the building design standards applicable in the zoning district in which it is located. Alternative designs may be approved pursuant to Section ---.¹⁶⁷
- C. No horizontal length of the parking garage façade shall extend longer than 50 feet without the inclusion of architectural elements such as decorative grillwork, louvers, translucent screens, alternating building materials, and other external features to avoid visual monotony. Facade elements shall align with parking levels.
- D. Internal circulation shall allow parking surfaces to be level (without any slope) along each parking garage façade adjacent to a public street or public space. All ramps between levels shall be located along building façades that are not adjacent to a public street or public space or shall be located internally so they are not visible from adjacent public streets or public spaces.
- E. The location of elevators and stairs shall be highlighted through the use of architectural features or changes in façade colors, textures, or materials so that visitors can easily identify these entry points.
- F. Interior garage lighting shall not produce glaring sources toward adjacent properties while providing safe and adequate lighting levels. The use of sensor dimmable LEDs and white stained ceilings are recommended to control light levels on-site while improving energy efficiency.

¹⁶³ Current standards vary based on zoning district – between 60 and 80 percent in Belt Line, 70 percent in UC (Addison Circle).

¹⁶⁴ Currently 50 percent in M-1 (UC-Residential) and 60 percent in M-4 (UC-Commercial).

¹⁶⁶ Current standards require all parking structures to comply with building design standards. These new standards ensure screening of vehicles and enhanced parking structure design generally, but do not require parking structures outside of mixed-use zoning districts to comply with the building design standards.

¹⁶⁷ Current standards allow for approval of alternate building materials for parking structures, subject to Town approval. This will be included in Part 3 when the minor modification standards are drafted.

- G. Vent and fan locations shall not be located on parking garage façades facing public streets or public spaces, or adjacent to residential uses, to the greatest extent practicable.
- H. Any parking garage with more than 100 parking spaces shall be designed with at least two access points unless a traffic study is submitted.

4.8.6 Neighborhood Transition Standards

Commentary:

These new standards enhance neighborhood transitions between more intense development and residential zoning districts. Increased building setback and building stepback provisions are intended to ensure that development immediately adjacent to residential zoning districts respect the scale of adjacent buildings and ensure an adequate buffer between uses.

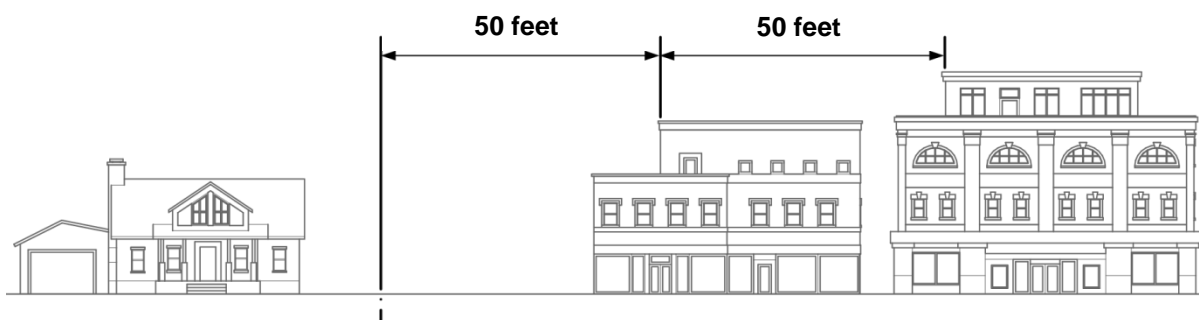
A. Setbacks

Buildings abutting a property in the R-1, R-2, R-3, R-4, or R-5 zoning district, or Planned Development districts with abutting residential uses shall comply with the minimum building setback of the adjacent residential zoning district along the common property line or the minimum building setback of the zoning district where the building is located, whichever is greater.

B. Building Height

1. Any portion of a building within 50 feet of a property in the R-1, R-2, R-3, R-4, or R-5 zoning district, or Planned Development districts with abutting residential uses shall not exceed the maximum building height allowed in the abutting residential district or the maximum building height of the zoning district where the building is located, whichever is lower. Where a lot abuts two or more residential districts, the residential district with the lowest maximum building height shall govern.
2. Any portion of a building between 50 feet and 100 feet of a property in the R-1, R-2, R-3, R-4, or R-5 zoning district shall not exceed the maximum building height allowed in the abutting residential district, plus one story (not to exceed 15 feet); or the maximum building height of the zoning district where the building is located, whichever is lower. Where a lot abuts two or more residential districts, the residential district with the lowest maximum building height shall govern.
3. Any portion of a building beyond 100 feet from a property in the R-1, R-2, R-3, R-4, or R-5 zoning district shall not exceed the allowed building height of the zoning district where the building is located.
4. Building features referenced in [\[reference Subsection 2.9.5.C\]](#), shall be designed to minimize visibility from adjacent residential districts and fit within the allowed building height of the zoning district where the building is located, to the maximum extent practicable.

Figure 4.25: Neighborhood Transition Standards



4.9 Exterior Lighting

Commentary

The current Addison code has minimal exterior lighting standards, mostly which apply to only specific districts (Belt Line, LR, C-2). Although we have not discussed exterior lighting standards in detail with staff, they are recommended in the Assessment Report as an additional tool that can help Addison raise the overall bar on development quality.

This draft proposes some relatively simple standards to apply more broadly throughout the Town, but they are more complex than what the Town is administering today. Comprehensive lighting standards require additional up-front submittal requirements to demonstrate compliance and can require additional code enforcement measurement devices.

Peer community comparison. Farmers Branch, Plano, and Carrollton do not maintain a separate Exterior Lighting chapter in their respective development codes and keep lighting (glare) as a performance standard with minimal requirements. Frisco is the only other community in the area with a dedicated lighting chapter that sets forth standards based on lighting types and includes more detailed requirements for lighting plans. The first option provided in Section 4.9.5 follows the more simplistic approach with basic glare standards (i.e. shielding and lighting trespass requirements) and Section 4.9.6 includes a more thorough set of standards.

4.9.1 Purpose

The purpose of this section is to provide for exterior lighting that enhances safety, preserves the Town's nighttime character, and improves the ability to view the nighttime sky from within the Town. This section is intended to:

- A. Decrease light pollution;
- B. Increase energy efficiency;
- C. Promote high-quality lighting design as it relates to the built environment;
- D. Ensure that parking areas, public gathering places, and other public places have adequate outdoor illumination;
- E. Ensure that light levels are uniform to enhance night vision and security;
- F. Minimize adverse impacts on public safety and neighborhood enjoyment due to excessive glare; and
- G. Minimize spillover of light onto adjacent or nearby properties.

4.9.2 Applicability

A. New Lighting

New lighting shall meet the requirements of this UDC with regard to shielding and lamp type. The total outdoor light output after the new lighting is installed shall not exceed that on the site before the new lighting was installed, or that is permitted by this UDC, whichever is larger.

B. Additions or Modifications

1. If the total cumulative increase in floor area is greater than 50 percent for single-family residential or greater than 25 percent for all other uses, or if the total cumulative cost of any exterior modification, alteration, or repair is greater than 25 percent of the valuation of the building as determined by the Director, then all exterior lighting fixtures shall comply with this UDC.
2. Cumulative modification or replacement of outdoor lighting constituting 25 percent or more of the permitted lumens for the parcel, no matter the actual amount of lighting already on the site, shall require all exterior lighting fixtures to comply with this UDC.

C. Exemptions

1. **Emergency Lighting**
Lighting used only under emergency conditions shall not be subject to this Section 0.
2. **Seasonal Lighting**
Temporary seasonal lighting between Thanksgiving and January 15 shall not be subject to this Section 0, provided such lighting does not create glare to motorists or result in light trespass onto adjacent properties. This exemption shall not apply to permanent exposed string lighting typically used for patio ambiance lighting.
3. **Lighting Required by FAA or FCC**
Lighting required by the Federal Aviation Administration or the Federal Communications Commission shall not be subject to this Section 0.
4. **Special Events**
Special events that have been issued a temporary use permit pursuant to **Section ---** shall be allowed temporary lighting for the duration of the event, provided such lighting does not create glare to motorists or result in light trespass onto adjacent properties.
5. **Street Lighting**
With the exception of shielding requirements, this UDC does not apply to street lighting within Town and state rights-of-way.
6. **Underwater Lighting**
Underwater lighting used for the illumination of swimming pools and decorative water fountains shall not be subject to this Section 0, though they must conform to all other provisions of this UDC.
7. **Lighting Required by Building Code**
Any lighting that is required by the building code for life safety purposes such as stairway lighting, walkways, and building entrances, shall not be prohibited by this Section 0 but shall be subject to the lighting standards.

4.9.3 Administration

Commentary

Many (but not all) communities that regulate exterior lighting tailor standards to recognize that different parts of the community, and/or different use types, have different lighting needs. This can be done through the designation of "lighting classes." Lighting classes may become complex and have many tiers in larger cities.

For Addison, further discussion is necessary about whether lighting classes are necessary and worthwhile. They would provide a tool to be more fine-grained in regulating lighting differently in various areas – but they may not be worth the additional administrative complexity in a community the size of Addison. The proposed text below introduces a relatively simple system of three classes of lighting based on the type of use. If this approach is embraced, then we could further fine-tune the subsequent standards based on the lighting classes.

A. Lighting Districts Established [optional]¹⁶⁸

1. **Lighting District 1**
The standards for this lighting district shall apply to the M-3, M-4, M-5, CL, CG, LI, and AA zoning districts.

¹⁶⁸ An example of an alternative classification system recently adopted in Sedona, Arizona:

1. Class 1 Lighting: Lighting used for outdoor sales or eating areas, assembly or repair areas, signage, recreational facilities, and other similar applications where color rendition is important to preserve the effectiveness of the activity.
2. Class 2 Lighting: Lighting used for illumination of walkways, roadways, equipment yards, parking lots, and outdoor security where general illumination for safety or security of the grounds is the primary purpose.
3. Class 3 Lighting: Lighting used for decorative effects such as architectural illumination, flag and monument lighting, and illumination of landscaping elements.
4. Multi-Class Lighting: Lighting used for more than one purpose such that the use falls within more than one class as defined for Class 1, 2, or 3 lighting. Multi-class lighting must conform to the standards that apply to the most restrictive included class.

2. **Lighting District 2**
The standards for this lighting district shall apply to the R-4, R-5, M-1, M-2, and CF zoning districts.
3. **Lighting District 3**
The standards for this lighting district shall apply to the R-1, R-2, R-3, and PO zoning districts.

B. Evaluation of Compliance

1. **Lighting Plan Submittal Required¹⁶⁹**
 - a. All new multifamily, mixed-use, or nonresidential developments shall provide a lighting plan with the applicable site plan application and/or building permit.
 - b. *Option 1:* The lighting plan shall include sufficient information to enable the Director to determine whether proposed lighting complies with this UDC.
 - c. *Option 2:* Lighting plans shall show the following:
 - i. The location and height above grade of light fixtures;
 - ii. The type of light source (such as incandescent, fluorescent, high pressure sodium, metal halide, LED), rated lumens, and wattage of each light source;
 - iii. The type of fixture (such as full-cutoff, cut-off, lantern, wall pack);
 - iv. The Backlight, Uplight, Glare (BUG) rating for each fixture;
 - v. Calculations for site illumination resulting from the lighting, measured in foot-candles (see Exhibit 1 for examples) including minimum, maximum and average foot-candles and uniformity ratios;
 - vi. If building walls are to be illuminated, or if façade-mounted fixtures are to be used, drawings of all relevant building elevations showing the fixtures and the portions of the walls to be illuminated calculated point-by-point and light levels; and
 - vii. Other information deemed necessary to document compliance with the provisions of this section.
2. **Plan Approval**
If the Director determines that any proposed lighting does not comply with this UDC, the associated permit shall not be issued or the application approved unless an alternative is approved pursuant to paragraph 3, below.
3. **Discretionary Approval of Lighting Alternatives**
The Director may approve alternative lighting designs, materials, or methods of installation or operation not specifically prescribed by this UDC provided the proposed alternative:
 - a. Results in approximate equivalence to the applicable specific requirement of this UDC; and
 - b. Complies with the intent of this UDC.

4.9.4 Prohibited Lighting Types

The following types of exterior lighting are prohibited unless allowed elsewhere in this UDC:

- A. Unshielded lights, lamps, or floodlights that produce glare and light trespass in excess of that allowed in paragraph 4.9.6B.1: *Maximum Lighting Trespass Levels*;
- B. Lights affixed to the top of a roof, except where required by building code;
- C. Lights that flash, move, revolve, blink, flicker, vary in intensity, change color, or use intermittent electrical pulsation, except for holiday lighting pursuant to paragraph 4.9.2C.2: *Seasonal Lighting*;
- D. Mercury vapor and low-pressure sodium lighting;
- E. Linear lighting; and

¹⁶⁹ Policy Discussion: We have included two options for lighting plan submittal requirements. The first includes no detail and assumes that technical requirements would be outside the code in an administrative manual; this would allow maximum flexibility. The second option listed is more specific as to what is required in a lighting plan.

- F. Upward-directed lighting that allows spillage into the sky.

4.9.5 General Lighting Standards (option 1: simplest)

Commentary

In this section and the next, we offer two optional approaches for general lighting standards. The first is a very simple approach that simply lists some of the most common and fundamental concerns with lighting. This essentially would take some of the simple lighting standards in the Belt Line district and apply them town-wide.

The second option that follows is a more sophisticated and involved set of standards. It reflects the types of standards being adopted in many communities nationwide that are focusing on dark-sky protection (though Texas communities have been relatively slower to embrace this type of regulation).

A hybrid approach mixing elements of both sections is also possible.

- A. Lighting along public rights-of-way and landscaped areas within a specific development shall be designed uniformly.
- B. Lighting shall be the minimum recommended practice necessary for safety and security per Illuminating Engineering Society of North America (IESNA) recommended practices, as amended.
- C. Glare from exterior lighting shall not spillover onto adjacent properties except onto walkways, driveways, and streets and shall be directed downward.
- D. Except for decorative lighting, building-mounted lights shall be installed so that all light is directed downward.
- E. Interior or exterior flickering, pulsating, flashing lights, neon tubing or lights, high- and low-pressure sodium lights, and any other lights that could distract or confuse a motorist are prohibited.

4.9.6 General Lighting Standards (option 2: more detailed)

A. On-Site Lighting Level

Maximum on-site illumination, including spillage from doorways, signs, and windows, shall not exceed 10 foot-candles, unless otherwise allowed in this UDC.

B. Light Trespass

1. **Maximum Lighting Trespass Levels**¹⁷⁰

The maximum measured light levels (footcandles) shall not exceed those provided in the following table:

Lighting District	Point A (property line)	Point B (10 feet onto adjacent property)
District 1	5.0	3.0
District 2	0.5	0.2
District 3	0.3	0.1

¹⁷⁰ This type of table could also be more fine-grained and set different maximum light outputs for different types of uses or areas. As a general note, the methodology for regulating maximum light levels is a fast-changing and evolving field. While many communities focus on regulating maximum light trespass at property boundaries, as is shown in this draft text, we today see some communities moving toward regulating overall maximum light output per parcel (e.g., the new Sedona code sets a maximum light output per parcel of 100,000 lumens per acre).

2. **Measurement**

a. **Methodology**

- i. Light trespass shall be measured at grade level unless otherwise noted. Two measurements shall be taken: one at any point along the property line (point A), and one taken 10 feet (measured perpendicular to property line) onto the property being trespassed (point B). Where grade changes or obstructions prohibit measurements at the same grade level, measurements shall be taken on the same horizontal plane.
- ii. Lighting measurements shall be taken under normal conditions. Measurements to determine compliance shall not be taken when conditions are present that will influence the outcome of measurements including snow, snowpack, rain, fog, or other influences.

b. **Cumulative Light Readings**

Light sources from a property shall be measured as cumulative of all sources on the subject property, except for internally illuminated signs.

3. **Transitions between Lighting Districts**

The maximum light level for light trespass in any lighting district that borders a different lighting district shall be the lower of the two, along that border only. Where separated by a public street or right-of-way, the levels shall apply at the center line of the street adjacent to the light source.

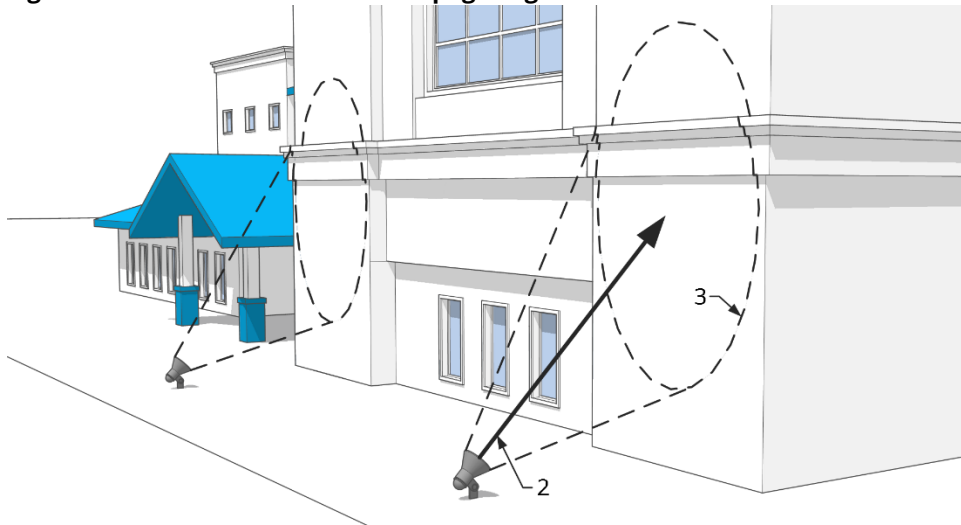
C. Shielding and Light Trespass

- 1. All light fixtures are required to be fully shielded, unless approved by the Director pursuant to paragraph 4.9.3B.3: *Discretionary Approval of Lighting Alternatives*.
- 2. All light fixtures shall be aimed and shielded so that the direct illumination shall be confined to the property boundaries of the source. Lighting shall not be aimed onto adjacent properties, except in cases of shared parking, shared pedestrian pathways, or for coordinated development sites spanning multiple parcels.
- 3. Light trespass onto adjacent public rights-of-way may be allowed subject to approval of the Director pursuant to paragraph 4.9.3B.3.

D. Uplighting

- 1. Subject to the approval of the Director, uplighting or ground-mounted lighting may be allowed to accent unique features of a building and/or surrounding landscaping such as exceptional architectural features, specimen trees with dense year-round foliage, or large native shrub masses). Uplighting or ground-mounted lighting shall be designed and installed to minimize glare with special consideration to vehicular and pedestrian traffic.
- 2. All lighting that is directed upward shall be located so that the angle of the lamp does not exceed 45 degrees measured from a horizontal plane to a line projected through the center of the lamp, and fixtures shall be fully shielded to contain and direct the light onto the featured to be illuminated.
- 3. All uplighting shall be selected, designed, installed, and aimed so that there is a minimum amount of spill beyond the area intended to be lighted.

Figure 4.26: Ground-Mounted and Uplighting



E. Surface Parking Area Lighting

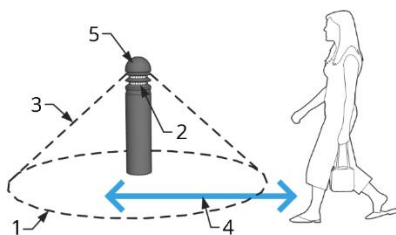
1. All lighting for surface parking lots and upper uncovered decks of parking structures shall use full cut-off fixtures.
2. Parking lot lighting poles shall not exceed 35 feet in height in District 1 and 20 feet in height in District 2. In District 3, parking area lighting shall be prohibited except for public or quasi-public facilities requiring exterior parking lot illumination; such facilities shall comply with the parking area lighting standards for District 2.¹⁷¹

F. Pedestrian-Scale Lighting

Low-level pedestrian lighting may be used along walkways pursuant to the following:

1. Shall direct light downward;
2. Shall use shatterproof lamp coverings;
3. Shall not cause the site to exceed the maximum trespass pursuant to paragraph 4.9.6B.1: *Maximum Lighting Trespass Levels*;
4. Shall not be located to present hazards for pedestrians or vehicles; and
5. Post or bollard-type lights shall be painted dark colors such as black, dark gray, dark brown, or dark earth tone.

Figure 4.27: Pedestrian-Scale Lighting



¹⁷¹ Some communities also set minimum foot candle measurements for parking lots for security reasons.

G. Security Lighting

1. Applicability

Security lighting shall be allowed in all lighting districts. The need for security lighting shall be demonstrated as part of any development permit application package.

2. Standards

a. Examples of Appropriate Security Lighting Techniques

- i. Recessed lights under a canopy.
- ii. Full cut-off fixtures on parking lot poles.
- iii. Fully shielded wall packs or other fixtures.
- iv. Floodlights that are down-directed, fully shielded, and are controlled by motion sensors.

b. Fixtures

- i. Security lighting fixtures shall be fully shielded and directed only to the designated area.
- ii. Security lighting shall not be directed above a horizontal plane through the top of the lighting fixture.
- iii. Security lighting fixtures shall include shields that prevent the light source from being visible from adjacent properties and roadways to the maximum extent practicable.

c. Light Levels

- i. Security lighting may illuminate ingresses and egresses of buildings up to a level eight feet above grade or the bottom of doorways, windows, or entries, whichever is greater.
- ii. Security lighting on a parcel in District 1 that shares a common lot line with a parcel located in Districts 2 or 3 shall comply with specifications for light levels and maximum mounting heights as noted in District 2.
- iii. Security lighting for entrances, stairways, and loading docks shall not exceed five foot-candles at the designated area illuminated. Parking lot lighting used for after-hours security shall not exceed three foot-candles at the designated area illuminated.

H. Service Station Canopies

- 1. Canopies shall be illuminated so that the minimum horizontal illuminance at grade level is at least five foot-candles. The maximum horizontal illuminance under canopies shall be 25 foot-candles.
- 2. Light fixtures mounted on canopies shall be installed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy or the fixture.
- 3. Lights shall not be mounted on the top or sides of the canopy. The sides (fascias) of the canopy shall not be illuminated for any purpose, with the exception of internally illuminated signage which shall comply with the sign regulations of this UDC.

4.9.7 Installation and Maintenance

A. Compliance with Building Code and other Applicable Codes

Exterior lighting fixtures shall comply with the building code and other applicable codes as adopted by the .

B. Maintenance

Exterior lighting shall be maintained in good structural condition at all times.

C. Electrical Service Underground

New electrical service required for exterior lighting shall be located underground unless the fixtures are directly mounted on utility poles.

4.10 Signs

[To be drafted in Part 3]

Article 5: Subdivision Standards

Commentary

This article consolidates and updates the current subdivision standards as outlined in the Assessment and Annotated Outline. This article also reorganizes content to be more user-friendly, beginning with general provisions, followed by subdivision design standards (i.e., how to layout and design the subdivision), and then regulations for subdivision improvements (i.e., required infrastructure and utilities). Footnotes throughout identify proposed changes from current standards.

5.1 General Provisions

Commentary:

This new section includes several new subsections to clarify the purpose, applicability, and administration of the subdivision standards. The current regulations lack a clear intent statement and do not explicitly identify when subdivision standards apply to development. Current sections related to the administration of the subdivision regulations have been relocated to this section.

5.1.1 Purpose¹⁷³

This article establishes standards that regulate the subdivision of property in order to:

- A. Facilitate the orderly growth and harmonious development of the Town and to protect and promote public health, safety, and welfare;
- B. Provide lots and parcels of sufficient size and appropriate design for the purposes for which they are to be used;
- C. Protect the natural environment;
- D. Promote the use of good design, landscape architecture, and civil engineering to preserve and enhance natural features, watercourses, drainage ways, floodplains, native vegetation, and trees;
- E. Provide safe ingress and egress for vehicular and pedestrian traffic;
- F. Ensure safe and efficient traffic circulation through coordinated street systems with relation to major thoroughfares, adjoining subdivisions, adjoining streets, and public facilities;
- G. Provide adequate water supply, sewage disposal, storm drainage, and other utilities and facilities;
- H. Provide for adequate sites for schools, recreation areas, and other public purposes;
- I. Protect or enhance real property values;
- J. Facilitate the transfer of lands having accurate legal descriptions and to establish and assure the rights, duties and responsibilities of subdividers and developers with respect to land development;
- K. Ensure that the costs of providing the necessary rights-of-way, street improvements, utilities and public areas and facilities for new developments are borne fairly and equitably; and
- L. Encourage the clustering of dwellings and other structures to preserve open space, minimize adverse visual impacts, minimize public infrastructure costs, and prevent public safety hazards; and
- M. Provide a common ground of understanding and an equitable working relationship between public and private interests, so that both independent and mutual objectives can be achieved in the subdivision of land.

¹⁷³ New.

5.1.2 Applicability¹⁷⁴

A. Regulatory Jurisdiction

1. Generally

This article shall apply to all land and all developments within the corporate limits of the Town of Addison, except as otherwise provided for in this subchapter.

2. Land Included

Except where otherwise specifically provided for in this article, all the provisions of this article shall apply to the following lands located within the corporate limits of the Town:

- a. Any tract of land which has not been recorded by plat in the plat records of Dallas County, Texas, and which is intended to be sold, leased, or otherwise subdivided from another tract of land or which is intended or proposed to be used for the purpose of development.
- b. Any tract of land which has been recorded as a lot or block by plat in the plat records of Dallas County, Texas; prior to and upon which no development has been constructed or placed prior to the effective date of this article.
- c. The division of any previously platted lot into two or more parts.
- d. The removal of one or more lot lines of any platted lot so as to permit the combining of two or more contiguous platted lots into one or more new lots.

B. Exemptions

1. Prior to the subdivision, re-subdivision, or development of any land within the Town, all plans, plats, and construction plans for public improvements shall first be approved in accordance with these regulations, except as provided in paragraph (2) below.
2. The following are exempt from the subdivision regulations of this article, but are subject to all other standards in this UDC:
 - a. The division of land into two or more parts, other than for purposes of development, if the smallest resulting parcels, tract or site is five acres or larger in size where each part has access and no public improvement is being dedicated.
 - b. Construction of additions or alterations to an existing building where no drainage, street, utility extension or improvement, additional parking or street access changes required to meet the standards of this article are necessary to support such building addition or alterations.
 - c. Construction of accessory structures or fences.
 - d. Dedication of easement or right-of-way by separate document recordable in the county records if approved by Town.
 - e. Cemeteries complying with all state and local laws and regulations.
 - f. Divisions of land created by order of a court of competent jurisdiction.
 - g. A change in ownership of a property through inheritance or the probate of an estate.

5.1.3 Compliance and Enforcement

- A. It shall be unlawful for any person to begin, continue, or complete any development on any land within the corporate limits of the Town to which the provisions of this article apply, except in accordance with and upon compliance with the provisions of this article.
- B. Except as otherwise authorized by this article, the Town shall not issue a building permit or certificate of occupancy required by any article of the Town for any land located within the corporate limits to which this article applies, until and unless there is compliance with this article.
- C. The Town may refuse to authorize or make utility connections on the grounds set forth in TLGC, § 212.012, as amended.

¹⁷⁴ New.

- D. No improvements shall be initiated until the approval of the Town has been given. Disapproval of a final plat by the Town shall be deemed a refusal by the Town to accept offered dedications shown thereon.
- E. Approval of a final plat shall not be deemed an acceptance of the proposed dedications and shall not impose any duty upon the Town concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the Town have both given their written acceptance of the improvements and have actually appropriated the same by entry, use, or improvements.
- F. All subdivisions, as proposed or reflected in any plat, replat, amending plat, or otherwise, must conform to all applicable zoning regulations. A subdivision submission reflecting a condition not in conformity with applicable zoning regulations shall not be approved until any available relief from the board of adjustment has been finally obtained. If the property is not zoned as required for the proposed subdivision, permanent zoning shall be requested. Application for zoning includes completion of application forms, payment of required fees, and performance of other requirements of the zoning ordinance and the rules and regulations of the town, as the same may be, from time to time, passed or amended.¹⁷⁵

5.1.4 Withholding Improvements¹⁷⁶

It shall be the policy of the town to withhold all town improvements, including the maintenance of streets and the furnishing of sewage facilities and water service, from all additions, the platting of which has not been officially approved by the city council. No improvements should be initiated, nor contracts executed, until the approval of the city council has been given.

5.1.5 Annexation¹⁷⁷

If the property is not within the corporate limits of the Town Addison and the owner desires that it be annexed so as to be qualified to receive town services, when available, and be afforded zoning protection, the owner must petition the Town for annexation through lawful annexation proceedings.

5.1.6 Platting Requirements¹⁷⁸

A. Division of Property

1. No land may be subdivided or platted through the use of any legal description other than with reference to a plat approved pursuant to the procedures established in **Section ---¹⁷⁹**, and in accordance with the standards in this UDC.
2. Excepting agricultural leases, no land described in this article shall be platted or sold, leased, transferred, or developed until the property owner has obtained approval of the applicable plat pursuant to the procedures established in **Section ---**, and in accordance with the standards in this UDC.
3. A division of a tract under this subsection includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.
4. No plat may be recorded and no transfer of title to any part of a tract of land shall be made until a plat, accurately describing the property to be conveyed, is approved in accordance with these provisions and recorded.

¹⁷⁵ Current Appendix B, Section VI.

¹⁷⁶ Current Appendix B, Section II.

¹⁷⁷ Current Appendix B, Section V.

¹⁷⁸ New.

¹⁷⁹ References highlighted in yellow will be updated in the Consolidated Draft.

B. Permits for Construction Activity or Public Improvements

The Town shall not issue permits for any construction activity or allow any public improvements for a development until a plat is approved and filed of record and all public improvements have been accepted (if applicable) except as provided in Section 5.1.2: *Applicability*, or for the following:

1. Model Homes

A developer may construct no more than four model homes within a single-family, duplex, triplex, or fourplex development phase containing public improvements that have not yet been finally accepted, provided that:

- a. All off-site drainage or regional improvements have been installed, inspected and accepted;
- b. Each model home is inspected and found to meet all building, plumbing, and fire code requirements prior to being opened to observation by the public;
- c. The home will not be sold or occupied as a dwelling unit until all public improvements within that phase have been completed and accepted by the Town; and
- d. The applicant complies with Section 4.4: *Grading and Drainage*.

2. Multifamily or Nonresidential Development

Upon application and satisfaction of the following conditions, together with other UDC, Town Ordinance, and Criteria Manual requirements, otherwise applicable to full building permits, the Building Official may issue a building permit for multifamily or nonresidential development to allow for limited construction subject to the following:

- a. The applicant shall complete installation of all drainage and other regional improvements, including off-site improvements. This requirement may be satisfied by constructing temporary drainage improvements (such as detention ponds) that, in the opinion of the Director of Public Works and Engineering, are adequate to offset the decrease in permeable surface of the permitted phase of development and prevent harm to downstream properties, pending completion and acceptance of required permanent regional improvements for drainage.
- b. The applicant must enter into an agreement with the Town, in a form approved by the Town Attorney, which indemnifies and holds the Town harmless for any failure of the applicant, owner, or builder to obtain necessary access and drainage easements and permits, or to build needed offsite improvements.
- c. A building permit issued in this manner may be withdrawn upon failure to meet any imposed condition, as set forth in **Section --- (reference to enforcement section)**.
- d. The applicant shall install and demonstrate proper function of fire hydrants and all-weather access improvements for fire apparatus required by the Fire Code and the Addison Code of Ordinances, prior to any construction above slab.
- e. The applicant complies with Section 4.4: *Grading and Drainage*.

5.2 Subdivision Design Standards**Commentary:**

This section establishes the general standards for how subdivisions should be designed in Addison, including lot planning, access, block length, and block arrangement. This section also includes street design and construction standards, several of which are technical in nature and recommended to be relocated to a criteria manual outside of the UDC. Private street standards are also included in this section. New cluster subdivision regulations are introduced to allow alternate forms of development in exchange for permanently protected sensitive lands and/or common open space.

5.2.1 General

- A.** Every subdivision shall comply with all other ordinances and regulations of the Town and the TLGC.

- B. Public infrastructure shall be constructed in accordance with this UDC, the Town of Addison Criteria Manuals or, if no standard or specification can be found, then the standard or specification used shall be subject to approval by the Director of Public Works and Engineering based on professional engineering practices.
- C. The applicant shall make all required improvements, at their expense, according to Town regulations, without reimbursement by the Town, except for certain reimbursable costs as provided in this UDC.

5.2.2 Lot Planning¹⁸¹

A. General

The size, shape, and orientation of lots shall be appropriate to the location of the proposed subdivision and to the type of development contemplated. The following lot design standards shall apply to all subdivisions:

1. All lots created through the subdivision process shall be developable and conform to the minimum zoning, development, and floodplain standards provided in this UDC. No subdivision shall create lots that prohibit development due to configuration of the lots, steepness of terrain, location of watercourses or floodplain, natural physical conditions, or other existing conditions.
2. The minimum area and dimensions of all lots shall conform to the requirements of Article 2: *Zoning Districts*, and Article 4: *Development Standards*, relating to the zoning district in which the lot is located.
3. Side lot lines shall be at right angles or radial to street lines, except where other terrain makes such design impractical.
4. Double frontage lots may be allowed; however, driveways are only permitted on one frontage.
5. Flag lots and other irregularly shaped lots shall be avoided to the maximum extent practicable.
6. Corner lots may be required to be wider than interior lots to facilitate conformance with required setbacks.
7. The town, county, school district, or other taxing agency boundary shall not divide a lot except in conformance with this UDC.

B. Drainage

Lots shall be designed and located to provide positive drainage away from all buildings and shall comply with the standards in Section 4.4: *Grading and Drainage*.

C. Access

1. Each lot shall be provided with adequate access to an existing or proposed public street.
2. At least two points of vehicular access into the proposed subdivision shall be provided, where feasible, unless it can be shown to the satisfaction of the Director of Public Works and Engineering that legal, topographical, and/or engineering constraints preclude such access.

D. Common Area and Facilities

Such areas shall be noted on the plat and the association's covenants shall be filed with the county. Alternatively, other arrangements for permanent maintenance of these areas and facilities may be approved by the final decision-making body.

¹⁸¹ New.

5.2.3 Block Layout

A. Block Length¹⁸²

Blocks shall not be less than 200 feet nor more than 600 feet in length. The Town may approve a longer block length when necessary to accommodate natural features such as steep slopes, environmentally sensitive lands, and pedestrian linkages.

B. Block Arrangement¹⁸³

Blocks shall have sufficient width to provide for two tiers of lots of depth meeting the minimum requirements of this UDC, except where lots back onto a collector or greater classified street, natural feature, or subdivision boundary, or where lots face an approved cul-de-sac.

5.2.4 Street Design and Construction

A. General Requirements¹⁸⁴

In general, streets shall conform to the following standards:

1. Streets shall be in line and consistent with existing streets in adjoining subdivisions.
2. Streets shall be named so as to provide continuity with existing streets.
3. Dead-end streets shall be avoided except where planned for future extension.
4. The subdivision shall be platted with appropriate regard for all topographical features lending themselves to treatment and layout of utilities.
5. Streets and alleys shall generally not exceed 1,200 feet in length.
6. Cul-de-sacs shall not exceed 600 feet in length, measured from the centerline of the street it intersects with to the center point of the cul-de-sac.
7. In platting the subdivision, the developer shall provide additional right-of-way required for existing or future streets as shown in the *Addison Master Transportation Plan* or other plan approved by the City Council.
8. When land is subdivided or developed in areas adjacent to existing town streets or county roads that are not improved to town standards, the developer shall include the improvements of these streets in the overall development of the area. Should the City Council determine that it is not feasible to develop said street at the time of development of the area, the developer shall put their pro rata share for the improvements of said street in escrow until such time as improvement is deemed necessary by the City Council.

B. Master Transportation Plan and Pavement Requirements

1. Streets and alleys shall be platted and constructed in accordance with the *Addison Master Transportation Plan* or other plans approved by the City Council. and shall conform to the requirements in <Appendix A>.¹⁸⁶
2. **M-1, M-2, and M-4 Zoning Districts**
All streets and blocks shall conform to the following provisions:

¹⁸² Consolidates current block length standards from the MXR, UC-Residential, and Belt Line zoning districts and makes standard applicable generally town-wide. The current MXR standard does not include a minimum threshold. Did not carry forward language from Belt Line district allowing modifications through the major waiver procedure; the new minor modification tool may include allowances for minor deviations from this standard.

¹⁸³ Exceptions are new.

¹⁸⁴ Current Appendix B, Section XVI.

¹⁸⁶ Appendix A will eventually be formatted into a supplemental Engineering and Landscaping Manual outside of the UDC.

- a. Streets within the M-1 and M-4 zoning districts shall comply with the standards established in Ordinance 095-019, Appendix A: *Streetscape Cross Sections*, and made a part hereof by reference.¹⁸⁷
- b. Streets within the M-2 zoning district shall comply with the standards established in Ordinance 006-024, Appendix II: *Street Types*, and made a part hereof by reference.¹⁸⁸
- c. The types and pattern of all streets in the M-1, M-2, and M-4 zoning districts shall be in conformity with the *Addison Master Transportation Plan*. The location of streets on the *Addison Master Transportation Plan* is approximate. Precise location of streets shall be determined in conjunction with approval of the concept and development plans. Street patterns shall be based upon a small-scale grid system of interconnecting streets.¹⁸⁹

5.2.5 Private Street Regulations¹⁹⁰

A. General Requirements

1. A private street system shall comply with all design, construction, and other standards of the Town of Addison including, without limitation, this Article 5: *Subdivision Standards*, applicable to streets and alleys generally. Without limiting the foregoing, all references in this Article 5: *Subdivision Standards*, and other applicable regulations to "street," "public street," "right-of-way," "public right-of-way," or "alley" shall apply to a private street system.
2. A private street system shall provide access for emergency vehicles, public and private utility maintenance and service personnel, the U.S. Postal Service, and government employees in pursuit of their official duties.
3. The Town shall not pay for any portion of the cost of constructing, maintaining, repairing, or replacing a private street.
4. Each plat containing any private street shall contain the following wording on the face of the plat: "The streets have not been dedicated to the public, for public access, nor have been accepted by the Town of Addison, Texas as public improvements, and the streets shall be maintained by the property owners' or property owners' association within the subdivision, and the streets shall always be open to emergency vehicles, public and private utility maintenance and service personnel, the U.S. Postal Service, and governmental employees in the completion of their official duties."
5. Private streets leading into a private subdivision may not contain a gate or a controlled access mechanism at the entrance or exit of the private subdivision preventing free flow of traffic.
6. All building lines as required by zoning shall, in the case of private streets, be measured from the public utility and storm sewer easement.
7. Private streets and alleys shall be located in a "public utility and storm sewer easement." The width of the easement shall be the same as the required right-of-way for a public street, unless specifically approved at a lesser width by the City Council upon a recommendation by the Director of Public Works.

¹⁹⁰ Current Appendix B, Section VII-A. All regulations of the approval of new private streets have been removed as the Town does not intend to approve new private streets. Only regulations affecting the maintenance of existing private streets remain. Additional deletions may be possible to further streamline this section.

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B. Easements

1. Private street developments shall include any pre-existing easements unaffected by the platting process.
2. A private street and alley shall include and be subject to all public utility (including, without limitation, water and sanitary sewer) and storm sewer easements in favor of and reserved unto the Town of Addison, the width of which shall be the same as the entire width of the street or alley right-of-way.
3. A private street or alley shall include and be subject to all additional public utility easements required by any utility company (including, without limitation, any electric, telephone, gas, or cable television companies or providers) or public agency, as well as any easements existing at the time of the creation of the private street or alley.
4. There shall also be reserved other easements, including but not limited to easements for fire lanes, street lighting, government vehicle access, mail collection and delivery access, and utility meter reading access, as may be necessary or convenient.
5. Easements shall also provide the Town with the right of access for any purpose related to the exercise of a governmental service or function, including but not limited to fire and police protection, inspection and code enforcement.
6. Easement shall permit the Town to remove any vehicle or obstacle within the street lot that impairs emergency access.
7. Private streets and alleys may be required to have fire lane markings as determined by the Town's Fire Marshal. For purposes hereof, "Fire Marshal" means the Fire Chief or the Fire Chief's designee.

C. Hold Harmless Agreement

In connection with the approval of a subdivision with private streets or alleys, the applicant shall provide, in form and content acceptable to the Town, an agreement to be recorded in the appropriate records of Dallas County, whereby the applicant or the property owners' association, as the case may be, as the owner of the private streets and alleys, agrees to release, defend, indemnify, and hold harmless the Town of Addison, its officials, officers, employees, and agents, and any other governmental entity and public utility, and their respective officials, officers, employees or agents, for any damage to the private street or alley occasioned by the use thereof by the Town, governmental entity, or public utility (or their respective officials, officers, employees, and agents), and for damages and injury (including death) arising from the condition of said private street or alley; and for damages and injury (including death) arising out of any use of the subdivision by the Town, government entity, or public utility (or their respective officials, officers, employees, and agents). Further, such language shall provide that all lot owners shall release and forever discharge the Town, governmental entities, and public utilities (and their respective officials, officers, employees, and agents) for such damages and injuries. The indemnifications contained in this subsection apply regardless of whether or not such damages and injury (including death) are caused by the negligent act or omission of the Town, governmental entity, or public utility, or their respective officials, officers, employees or agents.

D. Conversion of Private Streets to Public Streets

1. Voluntary Conversion

The Town may in its sole discretion, but is not obligated to, accept private streets and alleys for public ownership, access and maintenance. The procedure to convert private streets and alleys to public streets and alleys must conform to all of the following provisions and such other standards as the Town may determine:

- a. The property owners' association must submit a petition signed by at least 75 percent of its members (or a greater number of signatures if required by the property owners' association document).
- b. All of the infrastructure to be converted from private to public status must be in a condition that is acceptable to the Town, in the Town's sole discretion.

- c. All monies in the reserve fund must be delivered and paid to the Town.
- d. The subdivision plat covering the area which is the subject of the conversion must be submitted as a replat, and upon approval shall be re-filed to dedicate the streets, alleys, utility, storm sewer easements, and other appurtenances to the Town or other appropriate entity, as determined by the Town.
- e. The property owners' association documents must be modified and re-filed to remove requirements specific to private street subdivisions.

2. **Mandatory Conversion**

- a. The Town will notify the property owners' association of violations of the private street regulations, including the standards and provisions set forth in this section. Failure to bring the subdivision into compliance with the regulations may cause the Town to revoke, amend, or modify the PD District zoning for the area covered by the private streets and alleys, including, without limitation, an amendment to remove the allowance for private streets and alleys under the PD District zoning.
- b. If the PD District zoning is so amended, modified, or revoked, the Town may correct all remaining violations and unilaterally re-file the subdivision plat thereby dedicating the streets, alleys, and appurtenances to the public. All monies in the reserve fund will become the property of the Town and will be used to offset any costs associated with converting the private streets to public streets. In the event the balance is not sufficient to cover all expenses, the property owners' association and/or the property owners will be responsible for the amount of unpaid work, and the Town shall have the right, in addition to any other rights it has or may have to collect such amounts from the property owners' association and/or the property owners, to levy an assessment upon each lot on a pro rata basis for the cost of such work and to collect the same, and the Town shall further have any and all liens and lien rights granted to the property owners' association to enforce such assessments; and/or to avail itself of any other enforcement actions available to the Town pursuant to state or Town codes, ordinances, and regulations. Provisions to this effect shall be included in the property owners' association documents, all property deeds, and the final plat.

5.2.6 Alternatives to Subdivision Standards

A. **Alternatives Generally**

Alternatives to the standards in this article shall be subject to approval by the City Engineer and Director prior to approval of the subdivision application pursuant to **Section ---: *Minor Modification***.¹⁹²

B. **Cluster Subdivision**

1. **Purpose**

This subsection provides optional standards for cluster subdivision development to protect sensitive lands and common open space areas, and to implement the Addison Comprehensive Plan and/or adopted small area plans. A cluster subdivision is a residential or mixed-use subdivision in which some or all of the lots are allowed to be smaller (in area and width) than otherwise required for the underlying zoning district, in exchange for permanent protection of sensitive lands and/or common open space.

2. **Applicability**

- a. The cluster subdivision option is available in the residential, mixed-use, and planned development zoning districts.
- b. The minimum parcel size for a cluster subdivision shall be at least three acres.
- c. All other standards in the UDC shall apply to cluster subdivisions unless modified by this subsection.

¹⁹² This will require further discussion during the draft of the administration article. The minor modification tool would be new.

C. Cluster Subdivision Standards¹⁹³

The standards for cluster subdivision lots are established below. The measurements and exceptions in **Section 2.9: Measurements and Exceptions**, shall also apply to cluster subdivision lots unless otherwise stated below.

Type of Standard	Requirement
Project Site Standards	
Parcel size, minimum	3 acres
Individual Lot Standards	
Lot area, minimum	15 percent reduction from underlying zoning district

D. Identification and Maintenance of Protected Lands

1. Protected lands shall be identified on the final subdivision plat with a notation that indicates that those lands shall not be used for future development.
2. Protected lands shall be marked in the field with appropriate permanent signage markers in order to distinguish these areas from private property.
3. Protected lands shall be permanently maintained and preserved as:
 - a. Open space lots with deed restrictions; or
 - b. Land dedicated to the Town; or
 - c. Protected through a conservation easement; or
 - d. Other means of permanent protection approved by the Town.
4. For any protected land not dedicated to the Town, the developer shall provide a permanent mechanism acceptable to the Town Attorney for the primary purpose of conservation, preservation, and management of protected lands.
5. There shall be no further subdivision of land in an area approved for cluster subdivision; however, dedication of easements for public purposes may be permitted.

E. Use of Protected Lands

1. Protected lands shall be left in an undisturbed natural state or landscaped pursuant to Section 4.7: *Landscaping, Buffering, and Fences*.
2. The protected lands shall be used for low-intensity recreation, buffers, or other passive park or open space purposes.
3. The use of protected lands may be further limited or controlled at the time of final approval where necessary to protect adjacent properties.

F. Review and Approval of Cluster Subdivisions

The review and approval of cluster subdivisions shall follow the procedures for preliminary and final plats in **Section ---**. The applicable procedure is dependent on the number of lots proposed in the cluster subdivision.

5.3 Subdivision Improvements

Commentary:

This section includes standards for required subdivision improvements within public rights-of-way or recorded easements (i.e., storm sewer, sanitary sewer, water, street lighting, sidewalks, street trees). Updated parkland

¹⁹³ New standards replace references to alternate plans pursuant to a cluster plan in the MXR zoning district. This tool allows for the preservation of land by clustering development on a site.

dedication standards derived from the current MXR and UC zoning districts are also included, providing developers with a dedication or payment-in-lieu option for providing required open space.

5.3.1 General Standards¹⁹⁴

- A. The developer shall furnish all easements and rights-of-way necessary for construction of electrical, gas, telephone service to the subdivision and all other public infrastructure identified in the standards.
- B. The developer shall be responsible for all damage to improvements caused during installation of utilities.
- C. The developer shall provide street signs for the subdivision. There shall be one sign for each three-way intersection and two signs for each four-way intersection. The signs will be ordered by the public works department and the developer billed a fixed fee for each sign. Such price shall include cost of the sign assembly, pole, and installation.
- D. All lots shall meet the following monumentation standards:¹⁹⁵
 1. At all angle points, points of curve, and points of tangency on the perimeter of the platted boundary, a minimum three inch metallic cap disc must be affixed to a metal pipe or rod and stamped with the addition name and the registered professional land surveyor number of the surveyor of record, or the name of the surveying company.
 2. At all block corners, a minimum two-inch metallic cap must be affixed to a metal pipe or rod. The cap must be stamped with the block number and registered professional land surveyor number of the surveyor of record, or the name of the surveying company.
 3. At all lot corners, points of curve, and points of tangency of curves, a minimum 1/2-inch diameter metal pipe or rod is required with a cap stamped with the registered professional land surveyor number of the surveyor of record, or the name of the surveying company.
 4. All monuments installed must contain a cap or disc imprinted with the addition name, if required, and the registration number of the surveyor or the name of the engineering or surveying firm that prepared the plat. In locations where such monuments cannot be installed, alternate types of monuments may be installed with the prior approval of the chief city surveyor. A request for alternate monumentation must be made in writing by the surveyor of record, and must include the City Plan File Number and the reason for the alternate monumentation request.
 5. Any points of monumentation that can not be set at the designated place must be referenced with sufficient witness monumentation.
 6. If the monument is placed on the boundary of property being platted in which no areas are to be dedicated to the public, the following standards apply:
 - a. Monuments must be installed on the boundary of such property being platted at all corners, angle points, and points of curvature and tangency.
 - b. The size, shape, and substance of monuments found or installed on the perimeter of the platted boundary must be described on the drawing and in the owner's certificate of the submitted plat.
 7. If the monument is placement on and within the boundary of property being platted in which areas are to be dedicated to the public, the following standards apply:
 - a. Monuments must be installed on the boundary of such property being platted at all corners, angle points, and points of curvature and tangency, except those points falling within areas to be dedicated. In areas to be dedicated, all points on new right-of-way lines must be monumented. Monuments must be installed within the boundary of such property being platted at the following points:
 - i. All corners of parks, squares, or other portions intended for public use.
 - ii. All block corners.

¹⁹⁴ From current Appendix B, Section XVI.F.

¹⁹⁵ New.

- iii. On the right-of-way lines of all alleys and public and private streets at all points of intersections, angle points, and points of curvature and tangency.
 8. Monuments must be installed on each lot line and boundary line where these lines are intersected by or tangent with a floodway management area, floodway easement, conservation easement area, or the escarpment zone.
 9. Monuments for floodway management areas, floodway easements, and detention areas must be installed at all angle points and points of curvature or tangency.
 10. Floodway management areas, detention areas, escarpment zones, and conservation easement areas must be monumented with a minimum 1/2-inch iron rod with a cap stamped with the registered professional land surveyor number of the surveyor of record, or the name of the surveying company.
- E.** Where subdivisions are platted so that the rear yards of single-family residential lots are adjacent to a dedicated roadway or separated from a roadway by an alley or service road, the developer shall provide, as their sole expense, a six-foot reinforced concrete or masonry wall to be located on private property at the public right-of-way line for the purpose of screening the rear yards from the street. The wall shall be maintained by an HOA and/or individual property owners as specified in the subdivision agreement. The City Council may waive or modify, in exceptional cases, this requirement. Plans and specifications for the wall shall be approved by the Public Works Department. The wall shall conform to the requirements of the ordinance of the Town governing the sight distance for traffic safety and other Town ordinances.
- F.** Where landscaping in public rights-of-way or other public property is required or planned, such work shall first be approved by the Public Works Department. Such approval is intended to assure that plant materials used in the work will not create maintenance problems or require excessive amounts of Town labor during future maintenance. The work shall also conform to the Town ordinance governing sight distance for traffic safety.
- G.** Before any street is opened to traffic in the Town of Addison, all necessary pavement markings necessary to comply with the most recent edition of the *Manual on Uniform Traffic Control Devices for Streets and Highways* shall be completed. All work must first have the approval of the Public Works Department.
- H.** Maintenance of any and all easements shall be the responsibility of owners of the properties traversed by or adjacent to such easements. The Town shall have the right, but not the obligation, to enter upon such properties to abate any nuisances thereon in accordance with Chapter 34, Article IV, with costs attendant to such abatement charged to such property owners, which costs shall become a lien against said property in favor of the Town pursuant to such article.

5.3.2 Storm Sewers¹⁹⁶

An adequate storm sewer system, consisting of inlets, pipes, and other underground drainage structures, shall be constructed to conform with current drainage requirements and current engineering design standards of the Town of Addison. The following policy shall govern the installation of all drainage facilities within the Town:

A. Residential Subdivisions or Additions

1. The developer shall pay the total cost of storm drainage systems where pipe 72 inches in diameter or less is installed.
2. In cases where the storm drain is larger than 72 inches in diameter, but not larger than 84 inches, 25 percent of the cost of providing the additional pipe larger than 72 inches but smaller than 84 inches will be borne by the Town and shall be reimbursed to the developer when the Town funds become available. The developer shall pay for the remaining 75 percent and the cost of constructing the pipe to 72 inches in diameter. The developer shall also bear the cost of all channel excavation, inlets, laterals, headwalls, manholes, junction structures, and all other items required to complete the system.

¹⁹⁶ Current Appendix B, Section XVI.

3. In those cases where the runoff cannot be handled by a pipe 84 inches in diameter or smaller, the developer shall dedicate at their own expense a right-of-way of sufficient width to permit excavation and maintenance of an open channel of satisfactory depth and width. The developer shall complete all necessary excavation on the channel and shall sod or seed the channel to prevent erosion. If deemed necessary by the Public Works Department, the channel shall be lined with reinforced concrete to prevent erosion. The Town will pay for 25 percent of the cost of such lining and shall reimburse the developer for such costs when Town funds become available.
4. In street crossings (bridges or culverts) with an opening larger than that of a double 72-inch pipe culvert, the Town will participate to the extent of 25 percent of the cost of the structure as approved by the Director of Public Works, and shall reimburse the developer for such costs when Town funds become available.
5. Creeks may remain in open natural condition or excavated channels may be constructed provided they meet the criteria and standards set by the Town.
6. When a creek or excavated channel is allowed to remain open, or in its natural condition, it shall be dedicated to the Town through the use of the drainage and floodway easement form described in (update reference from current Appendix B, Section IX.P). The Planning and Zoning Commission may recommend waiving this dedication requirement only for the following exceptions:
 - a. Replats which were originally platted prior to the dedication requirement; or
 - b. Subdivisions of five lots or less.
7. The developer must provide sufficient access on each side of creeks and drainage ways for maintenance purposes. The location and size of the accessways shall be determined by the City Engineer and the Director of Public Works. The maximum width of the accessway shall be 15 feet. Permanent physical markers, the type and locations of which to be determined by the City Engineer, shall be placed along the boundaries of the accessway and private property. The requirements of paragraph (6) above.

B. Commercial and Industrial Developments

1. The developer shall pay the total construction cost of storm drainage systems where a double 72-inch diameter pipe or smaller pipe will carry the runoff.
2. In those cases where the runoff cannot be handled by a double 72-inch pipe or smaller, the developer shall dedicate, at their own expense, a right-of-way of sufficient width to permit excavation and maintenance of an open channel of satisfactory depth and width. The developer shall excavate the channel at their own expense and line the channel with reinforced concrete. The Town shall participate to the extent of 10 percent of the cost of such lining when Town funds become available.
3. In street crossings (bridges or culverts) with an opening larger than that of a double 72-inch pipe culvert, the Town will participate to the extent of 10 percent of the total construction cost of the structure as approved by the Director of Public Works and shall reimburse the developer for such costs when Town funds become available.
4. A creek may remain open in its natural condition, provided that the requirements of paragraphs 5.3.2A(5), (6), and (7) shall apply.

5.3.3 Sanitary Sewers

Sanitary sewer facilities shall be provided to adequately service the subdivision and conform to the Town of Addison sewer system master plan and current engineering design standards.

- A.** Sewer pipe shall have a minimum internal diameter of eight inches. Construction and materials shall conform to the standard specifications of the Town of Addison.
- B.** Sewer services for each lot shall be carried to the property line.

- C. Should the subdivision or addition abut and use a sewer main of the Town, the developer shall pay to the Town of Addison a "pro rata" charge as prescribed by the pro rata ordinance of the Town for the use of the same.
- D. The developer shall construct all manholes, cleanouts, and other appurtenances as required on the plans.
- E. Should a lift station, either temporary or permanent, be necessary to provide a sanitary sewer service to the subdivision, the developer shall construct the station and all appurtenances, at their own expense. If and when the lift station is no longer needed, the installation will remain the property of the Town of Addison for disposal.

5.3.4 Water

Water systems shall have a sufficient number of outlets and shall be of sufficient size to furnish adequate domestic water supply, to furnish fire protection to all lots, and to conform to the Town of Addison water system master plan and current engineering design standards.

- A. Water pipe shall be a minimum of eight-inch nominal internal diameter. Construction and material shall conform to the standard specifications of the Town of Addison.
- B. Water services for each lot shall be stubbed out with an angle stop to the location required as shown on the standard details. A meter box conforming to the requirements of the standard specifications shall be installed over the end of each service.
- C. Valves and fire hydrants shall be located at intervals of 300 feet.
- D. Should the subdivision or addition abut and use a water main of the Town, the developer shall pay to the Town of Addison a "pro rata" charge as prescribed by the pro rata ordinance of the Town for use of the same.

5.3.5 Street Lighting

Street lighting shall be provided in accordance with the following:

- A. The developer shall pay for the number of streetlights required in the subdivision as determined by the Director of Public Works. After acceptance of the subdivision, service charges for electricity will be paid by the Town.
- B. Each street shall have streetlamps uniformly spaced between trees, located 2½ feet from back of curb.
- C. On boulevards, large streets, and side streets, locate streetlamps at intervals no greater than 250 feet.
- D. Unless otherwise approved by the Town of Addison, mounting height of streetlamps shall be between 10 feet and 12 feet.
- E. Unless otherwise approved by the Town of Addison, lamps shall be metal halide type.

5.3.6 Sidewalks¹⁹⁹

- A. Any owner or person in control of real estate fronting upon a public street which is improved with street paving and curbs and gutters shall not be issued a building permit for any construction when sidewalks have not been installed unless such owner, either as a part of the construction covered by the building permit or other separate arrangements satisfactory to the Director of Public Works and Engineering, constructs public sidewalks in accordance with the Master Transportation Plan and current engineering and design standards.
- B. The failure to so construct the required sidewalk shall constitute a violation of the Town's code of ordinances.

¹⁹⁹ From current Chapter 70, Article I, Sec. 70-2.

- C. Sidewalk construction may be delayed until development of the lot, except across bridges or culverts. In these cases, the sidewalks shall be constructed with the other improvements to the subdivision.²⁰¹
- D. The City Council may upon application of a property owner, affected by the provisions herein, waive the requirements for installation of sidewalks because of unusual circumstances or hardship.

5.3.7 Parkland Dedication²⁰³

A. General Requirements²⁰⁴

1. Whenever land is proposed for residential subdivision, the developer shall provide land or fee-in-lieu of land for park land demand generated by the proposed use.²⁰⁵
2. Dedicated park land may include public parks, greenbelts, school recreation facilities, open space, floodplain lands, national and state historical or natural features, and bikeways, trails, and pedestrian paths identified in the Addison Master Transportation Plan.
3. All park facilities shall conform to the design guidelines set forth in the Addison Parks, Recreation and Open Space Master Plan.²⁰⁶
4. Required park land shall be suitable for the development of active recreation areas, passive open areas, and when applicable, to preserve natural resources.

B. Amount of Land Required²⁰⁷

1. Eight acres for every 1,000 residents shall be dedicated for public use by the project applicant to be computed by estimating the number of dwelling units authorized for a proposed project, multiplied by a factor of one and one-half persons per dwelling unit.
2. Land proposed to be dedicated as park land shall be clearly shown on the preliminary plat or development plan and shall be marked accordingly.
3. Sufficient land for open space shall be provided in each phase of the development to assure that the recreational needs of district residents are satisfied, taking into consideration the nature of open space required to serve the district, and the amount of land previously provided, or to be provided, in conjunction with the phase of the development under consideration.
4. The Town shall, during the preliminary plat or development plan review process, determine whether the land proposed to be dedicated for park land is of a size, location, dimension, topography, and general character, as appropriate for park land use and whether such site is in conformance with the Addison Parks, Recreation and Open Space Master Plan and the Town's Comprehensive Plan.
5. Dedication requirements may be satisfied in part on land located in a planned development district abutting the proposed development, if such land is functionally tied to open space within the development.

C. Approval

1. Land to be dedicated for park land shall be approved initially by the Planning and Zoning Commission and then shall be submitted to the City Council for acceptance of the proposed dedication. No dedication shall be deemed approved without express action of the City Council in the form of a

²⁰¹ From current Appendix B, Section XVI.F(2).

²⁰³ Did not carry forward linear greenbelt requirement from the current MXR standards. Updated all instances of "active recreation space" to be "park land" for clarity.

²⁰⁴ New standards to better align with language in Addison Parks, Recreation, and Open Space Master Plan.

²⁰⁵ **Policy Discussion:** Does the Town want to require park land dedication (and fee-in-lieu) for nonresidential development?

²⁰⁶ The plan has four classifications of in the plan that differ by minimum size and facilities/amenities required.

²⁰⁷ From current UC zoning district and MXR zoning district standards. Replaced UC standard (two acres per 1,000 residents) and MXR standard (four acres per 1,000 residents) to align with the recommendation in the Addison Parks, Recreation and Open Space Master Plan. The provision allowing the decrease in required park land dedication after it has been provided for 2,250 residents has been removed. **Policy Discussion:** What is the Town's desired level of service for park land?

written "acceptance of dedication." Failure of the City Council to execute an acceptance of dedication shall be deemed to be a refusal of the proposed dedication.

2. In its approval of the concept plan and development plan, the Town shall impose such conditions as deemed necessary to assure that the intent and purpose of this section is satisfied.
3. In its approval of a preliminary plat or development plan which proposes park land dedication, the Town shall impose such conditions as deemed necessary to assure that the intent and proposes of this subsection are satisfied.
4. If the City Council refuses to accept the dedication, the final development plan shall be returned to the developer for resubmission with (i) appropriate changes to indicate the use of the portion of the property originally proposed to be dedicated for active recreation space; and/or (ii) payment of the applicable in-lieu fee.

D. Fee-in-Lieu of Dedication²⁰⁹

1. Applicability

In lieu of dedicating park land for public use, a developer may pay a fee to be earmarked for the acquisition or development of park land within the Town.

2. Fee-in-Lieu Calculation²¹⁰

- a. The amount of the fee shall be based upon the Parkland Fee Calculation Methodology established by resolution of the City Council, which may be amended from time to time.
- b. The applicable fee or land dedication shall be imposed by the Town at the time of preliminary plat approval for developments consisting entirely of single-family dwellings, or at the time of approval of the development plan for all other developments.

3. Payment

- a. The fee shall be collected at the time of final plat approval for developments consisting of single-family dwellings and at the time of building permit approval for all other developments. The required fee shall be paid in cash or by cashier's check or another instrument as may be approved by the Town Attorney. Payment shall be made to the Town Clerk, who shall provide a receipt therefor. Prior to accepting payment, the Town Clerk shall verify the amount due by referring to the condition of such payment imposed on the final development plan.
- b. All park land fee payments received pursuant to this subsection shall be used solely and exclusively for the acquisition of land for park land within which the development is located.²¹¹
- c. Fees collected shall be expended for park land as provided in this subsection within a reasonable period of time of collection, but in no event later than five years from the date of collection of such fees.
- d. Fees received pursuant to this provision shall be deposited in a segregated interest-bearing fund to be known as the park land trust fund. The use of such fees shall be restricted to financing park land directly, as herein provided, or for reimbursement to the Town for the advancement and/or expenditure of funds for the provision of such park land.
- e. The Town may, in its sole discretion, (a) supplement fees collected pursuant to this provision; (b) advance funds to the trust fund to enable early development of park land; or (c) expend funds for active recreation space and obtain reimbursement from fees collected in the trust fund.
- f. The Town Manager shall keep and maintain adequate financial records for the trust fund which shall: show the source of disbursement of all fees; account for all fees received; and ensure that the disbursement of fees from such trust fund shall be used exclusively for the purposes set forth herein.

²⁰⁹ Generally, carried forward from current MXR standards with changes as noted. **Policy Discussion:** Does the Town want to consider a fee-in-lieu of dedication when parkland dedication standards cannot be met? If so, how is that fee calculated?

²¹⁰ New standards with reference to the Parkland Fee Calculation Methodology. Since the fee will change periodically, the actual fee is not in the code.

²¹¹ Prior language here specified that the land acquired must be "within the district" of the subject property. That language could be carried forward, or we could use a distance limitation (e.g., within one quarter mile).

- g. Interest earned by the trust fund shall be credited to the fund account and shall be used solely for and limited to the purposes specified for fees of the trust fund.
- h. A developer may apply for a refund of an in-lieu fee paid pursuant to this provision if the Town has failed to provide active recreation space pursuant to this article within five years of the date of collection of such fee.

5.3.8 Park Development Fee

Commentary:

This is generally a placeholder for further discussion. The staff are exploring the assessment of a park development fee, separate from and in addition to the parkland dedication requirement in the previous section. The purpose of this fee, as described in the new parks plan, would be to provide funding for the continued maintenance and development of existing park facilities. It would apply to both residential and nonresidential development. An impact fee study meeting the requirements of state law would be necessary to support the fee. Credits may be available against the required fee for new dedications of land under the prior section.

Policy Discussion: Does the Town want to require a park development fee to fund the construction of new parks and/or improvements to existing parks and recreation facilities to accommodate future development? If so, how should that fee calculated? Should the fee apply to new development or any time a building permit is pulled? Should a fee apply to nonresidential development?

A. Applicability

To help offset the financial impact of new residential development on maintaining existing park facilities, all new residential or mixed-use development within the City shall pay a park development fee as provided for in this section. This fee shall be residential subdivision in conjunction with the parkland dedications requirements set forth in Section 5.3.7, above.

B. Park Development Fee Calculation²¹³

- 1. The amount of the fee shall be based upon the methodology established by resolution of the City Council, which may be amended from time to time.
- 2. The applicable fee shall be imposed at the time of building permit application.

C. Payment

- 1. The fee shall be collected prior to the issuance of building permits for the number of dwelling units designated in the application.
- 2. All park development fees received pursuant to this section shall be used solely and exclusively on park improvements located in park land that benefits the dwelling unit(s) paying the fee.
- 3. Fees collected shall be expended for park improvements as provided in this subsection within a reasonable period of time of collection, but in no event later than five years from the date of collection of such fees.

²¹³ Note: An impact fee support study is necessary to determine the required development fees.

Article 6: Administration and Procedures

[To be drafted in Part 3]

Article 7: Definitions²¹⁴

Commentary:

This section includes general rules of construction and defined terms. Many of the rules of construction are new. This definitions article will continue to grow as future material is developed. Many of the terms were carried forward from the current Code of Ordinances and revised as noted. New terms are also noted and are based on our work in other jurisdictions and tailored for Addison. There are several placeholders where we will prepare graphics to supplement the text definitions, both by updating existing graphics and creating new graphics.

7.1 Rules of Construction²¹⁵

7.1.1 Meanings and Intent

All provisions, terms, phrases, and expressions contained in this UDC shall be construed according to the general purpose set forth in Section --, and the specific purpose statements set forth throughout this UDC. When, in a specific section of this UDC, a different meaning is given for a term defined for general purposes in this UDC, the specific section's meaning and application of the term shall control.

7.1.2 Headings, Illustrations, and Text

In the event of a conflict or inconsistency between the text of this UDC and any heading, caption, figure, illustration, table, or map, the text shall control.

7.1.3 Lists and Examples

Unless otherwise specifically indicated, lists of items or examples that use terms such as "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

7.1.4 Computation of Time

The time in which an act is to be done shall be computed by excluding the first day and including the last day. If a deadline or required date of action falls on a Saturday, Sunday, holiday observed by the Town, or other day that Town offices are not open, the deadline or required date of action shall be the next day that is not a Saturday, Sunday, holiday observed by the Town, or other day that Town offices are not open. References to days are calendar days unless otherwise stated.

7.1.5 Technical and Non-Technical Terms

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

7.1.6 Mandatory and Discretionary Terms

The words "shall," "must," and "will" are mandatory, establishing an obligation or duty to comply with the particular provision. The words "may" and "should" are discretionary.

²¹⁴ Discussion Item: There may be several definitions in current Chapter 18, Article 8, Sec. 18-451; and Chapter 34, Article 34, that may need to be reconciled with definitions found in this UDC (e.g., dwelling unit, owner, structure, etc.). We recommend a uniform set of definitions be used in the UDC and the *Code of Ordinances*, if possible.

²¹⁵ New.

7.1.7 Conjunctions

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

- A. "And" indicates that all connected items, conditions, provisions, or events apply; and
- B. "Or" indicates that one or more of the connected items, conditions, provisions, or events apply.

7.1.8 Tenses, Plurals, and Gender

Whenever appropriate with the context, words used in the present tense include the future tense. Words used in the singular number include the plural. Words used in the plural number include the singular, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

7.1.9 Titles and Headings

All titles and headings of articles, sections, or subsections of this UDC are to be used for convenience in arrangement only and shall not be construed to alter the intended meaning.

7.2 Use-Related Definitions

[Included in Part 1]

7.3 Other Defined Terms

Commentary

New terms added in Part 2 are highlighted **yellow**.

The following words, terms and phrases when used in this UDC, shall have the meanings ascribed to them in this article, except where the context clearly indicates a different meaning:

Abandon

For purposes of airport regulations, that property has been left on non-leased property at the airport without the consent of the Town for a period of 48 hours or more without the owner moving or claiming it, or on leased property at the airport without the consent of the tenant.

Access or Access Way²¹⁶

The place, means, or way by which pedestrians and vehicles shall have safe, adequate and usable ingress/egress to a property or use as required by this UDC.

Adult Arcade

Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

Adult Bookstore or Adult Video Store

A commercial establishment which as one of its principal business purposes openly advertises, displays or offers for sale or rental for any form of consideration any one or more of the following:

²¹⁶ New.

- 1) Books, magazines, periodicals or other printed matter, or photographs, films, motion pictures, videocassettes or video reproductions, slides, or other visual representations which depict or describe specified sexual activities or specified anatomical areas; or
- 2) Instruments, devices, or paraphernalia which are designed for use in connection with specified sexual activities.

Adult Cabaret

A dance hall, nightclub, bar, restaurant, or similar commercial establishment which regularly features:

- 1) Persons who appear in either a state of nudity or a state of seminudity, or a state of simulated nudity;
- 2) Live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities;
- 3) Films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas; or
- 4) Dance, drama, opera, musical, lingerie modeling, or other similar live performances presented to the public and which are advertised either on or off the premises as:
 - a) Topless;
 - b) Adult entertainment;
 - c) X-rated;
 - d) Nude;
 - e) Seminude; or
 - f) By other terms calculated to attract patrons with nudity, or seminudity.

Adult Motel

For purposes of sexually oriented business regulations, a hotel, motel or similar commercial establishment which:

- 1) Offers accommodations to the public for any form of consideration, provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas, and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions;
- 2) Offers a sleeping room for rent for a period of time that is less than ten hours; or
- 3) Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than ten hours.

Adult Motion Picture Theater

A commercial establishment which, as one of its principal business purposes, regularly shows for any form of consideration films, motion pictures, videocassettes, slides, or similar photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical areas.

Adult Theater

A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity, simulated nudity and/or seminudity, or live performances which are characterized by the exposure of specified anatomical areas or by specified sexual activities.

Air Traffic Control Tower (ATCT or Tower)

The facility from which FAA-authorized personnel provide instructions to aircraft and approved vehicles operating on and/or within the vicinity of the airport movement areas via two-way radio communications or light gun signals.

Air Traffic Controller (ATC)

FAA-authorized personnel who provide instructions to aircraft and approved vehicles operating on and/or within the vicinity of the airport movement areas via two-way radio communications or light gun signals from the tower.

Aircraft

Any device intended, used, or designed for flight in the air.

Aircraft Maintenance

The maintenance, preventive maintenance, rebuilding, or alteration of aircraft as described in Part 43, Title 14, Code of Federal Regulations, and includes only major repairs and minor repairs as defined below:

- 1) Major repairs means major alterations or major repairs to the airframe, power plant, propeller, appliance, or otherwise of an aircraft as set forth or described in Appendix A, subsections (a) (major alterations) and (b) (major repairs) to Part 43, Title 14, Code of Federal Regulations.
- 2) Minor repairs means preventive maintenance (provided it does not involve complex assembly operations) to an aircraft as set forth or described in Appendix A, subsection (c) (preventive maintenance) to Part 43, Title 14, Code of Federal Regulations; provided, however, that "replacing prefabricated fuel lines," identified as item (22) in said subsection (c), is not preventive maintenance (and therefore not a minor repair) but is and shall be considered a major repair.

Aircraft Parking and Storage Areas

Those hangar and apron locations of the airport designated by the Airport Director for the parking and storage of aircraft.

Airport

The area of land owned by the Town and known as Addison Airport.

Airport Director

The duly designated person (whether designated pursuant to a contract between the Town and a third party, or otherwise) responsible for the overall operation and management of the airport, or the Airport Director's designated representative.

Airport Elevation

The established elevation of the highest point on the usable landing area measured in feet from mean sea level.

Airport Hazard

A structure or object of natural growth that obstructs the air space required for the taking off, landing, and flight of aircraft or that interferes with visual, radar, radio, or other systems for tracking, acquiring data relating to, monitoring, or controlling aircraft.

Airport Hazard Area

An area of land or water on which an airport hazard could exist.

Airport Layout Plan (ALP)

The City Council's most recently accepted scaled drawing of existing and proposed land and facilities necessary for the operation and development of the airport, which has been submitted to the FAA for approval or approved by the FAA.

Airport Operations Area (AOA) or "Airside"

The portion of the airport, paved and unpaved, specifically reserved for the use of the actual operators of licensed aircraft, the aircraft crews, passengers of the aircraft, employees of the Town and of any entity or

person that operates and manages the airport for the Town, and such other persons as may be authorized to enter thereon by reason of their official duties in connection with the maintenance, inspection, and operation of the aircraft and airport. Generally, the airport operations area is that portion of the airport which lies inside the airport perimeter security fence giving direct access to any aircraft and its movement area.

Airport Reference Point

The point established as the approximate geographic center of the airport landing area and so designated.

Airport Zoning Board

The Planning and Zoning Commission appointed pursuant to the comprehensive zoning ordinance of the Town.

Alley²¹⁷

A minor or secondary right-of-way that provides only a secondary means of access to abutting property and that is used primarily for vehicular service to the back or side of properties that otherwise front on a street.

Applicant²¹⁸

A person whom submits a development application requesting a development permit or approval authorized by this Code. Approach Surface

A surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in section 14-123. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, Transitional, Horizontal and Conical Zones

The zones as are set forth in section 14-122.

Apron

For purposes of airport regulations, a paved area that is located adjacent to an aircraft hangar door and allows the maneuvering of aircraft to and from the hangar it serves.

Arterial Street

Any street with a functional classification of "arterial" as indicated in the *Addison Master Transportation Plan*.

Authorized Person

For purposes of airport regulations, a person that has successfully completed a Ground Vehicle Training Program and possesses a permit described in Chapter 14, Article 3, Sec. 14-68(a)(1), of the Addison Code of Ordinances, and all persons that have been granted access to the airport by Federal, State, or other law.

Berm

An earthen mound designed to provide visual interest, screen undesirable views, and/or decrease noise.

Board of Adjustment

The Board of Adjustment appointed to hear appeals under the comprehensive zoning ordinance of the Town. Such board shall also hear all appeals and be invested with all authority as provided by TLGC Chapter 241.

Building

Any structure or building for the support, shelter, and enclosure of persons, animals, possessions, or movable property of any kind. For purposes of airport regulations, the main portion of each structure, all projections or

²¹⁷ Replaces current definition.

²¹⁸ From private street regulations. Need to adjust to be broader.

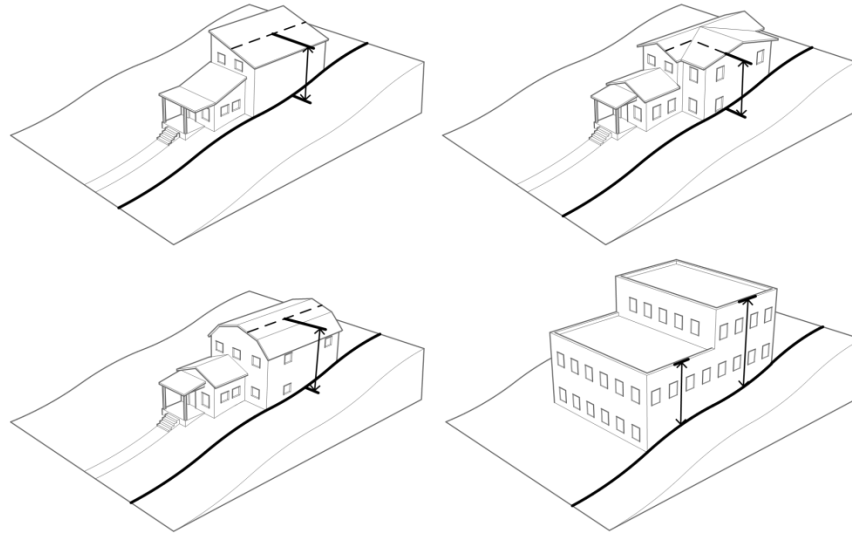
extensions therefrom, and any additions or changes thereto including, but not limited to, garages, outside platforms, docks, carports, canopies, eaves, and porches.

Building Façade, Primary

Any façade that faces a public street or open space.

Building Height²¹⁹

The height of a building measured as the vertical distance above the average finished grade measured to the highest point of the roof of a flat roof or to the deck line of a mansard roof, or to the midpoint of the highest gable of a pitched or hipped roof.

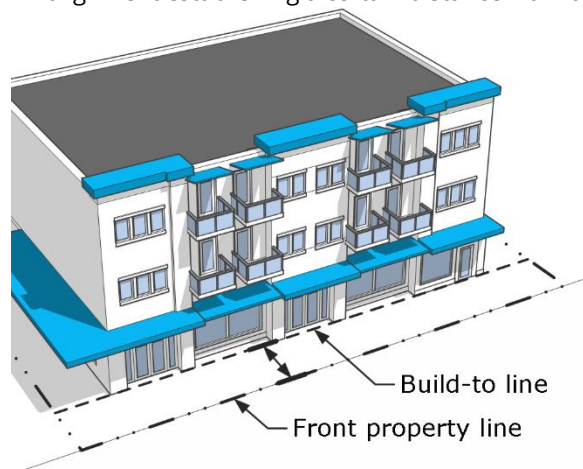


Building Official

The Building Official of the Town of Addison or their designated representative.

Build-to

An alignment establishing a certain distance from the front property line where a building must be constructed.



²¹⁹ Did not carry forward last sentence exempting some architectural features, those are addressed in building height exceptions. Replaces current definition, did not carry forward references to the street lot line or average natural ground level. Illustration is new.

Business

Any for-profit or non-profit commercial, industrial, or professional operation, occupation, work, or trade, or any other business of any kind, including, without limitation, any sole proprietorship, partnership, limited partnership, joint venture, association, corporation, limited liability company, franchisee, cooperative, or any other entity recognized by law that owns, leases, or occupies any premises.

Church

For purposes of sexually oriented business regulations, a regular place of religious worship.

City Council (or "Council")

The city council of the Town of Addison, Texas.

Cluster Subdivision

A subdivision technique and design that concentrates buildings in specific areas on a site to allow the remaining land to be used for recreation, common open space, and preservation of environmentally sensitive areas.

Collector Street

Any street with a functional classification of "collector" as indicated in the *Addison Master Transportation Plan*.

Commercial Aeronautical Activity (CAA)

The operation of a business enterprise providing aviation-related goods, services, or facilities for a commercial purpose, including but not limited to, any activity by the operator securing earnings, income, compensation, including the exchange or barter of goods or services, and/or profit from said activities, whether or not such objectives are accomplished, to users of the airport and approved by the Town. This definition includes fixed-based operation (FBO), as that term is generally used by the FAA.

Common Area²²⁰

For purposes of airport regulations, that portion of the airport, which is now or hereafter considered by the FAA, TxDOT, the Town, or any other regulatory agency with oversight of the airport to be the obligation and responsibility of the Town to operate and maintain for the common use and benefit of the general aviation public. The common area includes, without limitation, any air navigation facility or structure designed and intended to serve the general public not specifically subject to a lease agreement; all runways, taxiways and other common-use paved, graveled or turfed areas and their respective protection zones, safety areas and/or object-free areas; any other facility or facilities at the airport that are eligible for Federal or State grants or subsidies awarded on the basis of their serving the benefit of the public (including runways, taxiways, vehicle streets and alleys, public aircraft aprons/tarmac, vehicle parking areas, and drainage structures); field lighting and associated beacon and lighted wind and landing direction indicators; security, fire, and emergency medical protection; protection of aerial approaches to the airport; directional signs; and perimeter or restricted-access fences. The common area is under the control and management of the Town and may be rearranged, modified, changed or terminated at the Town's discretion. The common area is shown in Appendix 1: *Addison Airport Common Area Map*, which appendix is on file in the office of the Airport Director and which is incorporated into and made a part of this UDC, which identifies the common area as both the red shaded and yellow shaded areas.

Conical Surface

A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to one for a horizontal distance of 4,000 feet.

²²⁰ Town staff to provide revised *Addison Airport Common Area Map*.

Crown/Canopy

The upper portion of a tree or shrub from the lowest branch on the trunk of the tree to the highest or widest extending branch at the top or sides of the tree including all the leaves and branches of the tree or shrub.

Dedication

An offer of real property by its owner(s) and its acceptance by the Town for any general or public use.

Development

The erection, alteration, or extension of any building or part thereof, or the change of use or occupancy of any building or land for which a building permit or certificate of occupancy is required under this UDC or the project involving such activity.

Development Impact Area²²¹

Means and includes any man-made change to improved or unimproved real estate, including but not limited to, buildings or other structures, paving, drainage or utilities. Development activities include subdivision of land; construction or alteration of structures, roads, parking, fences, pools, signs, temporary uses, utilities, and other facilities; grading; excavation, mining or drilling operations; deposit of refuse, debris, or fill materials; and clearing of natural vegetative cover.

Director²²²

Unless otherwise specified, the Director of Development Services or their designee.

Disabled Aircraft

An aircraft that has become disabled as the result of an incident, accident, mechanical failure, or for any other reason on any portion of the airport.

Driveway

The primary improved or unimproved parking surface that provides egress and ingress from a garage, carport, or off-street parking area to an adjacent street or alley.

Dwelling, Manufactured Home (HUD-Code)

A structure constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width, or 40 body feet or more in length, or, when erected on-site, is 400 or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes plumbing, heating, air conditioning and electrical systems. The term does not include a recreational vehicle as defined by 24 C.F.R. Section 3282.8(g).

Dwelling Unit

A building or portion of a building which is arranged, occupied, or intended to be occupied as living quarters.

Easement

The portion of a lot or lots reserved for present or future use by a person or agency other than the legal fee owner(s) of the property. The easement may be for use under, on or above said lot or lots.

Efficiency Unit

A dwelling unit in a multifamily structure having a combination living and bedroom. (No separate bedroom.)

²²¹ New.

²²² New.

Employee

For purposes of airport regulations, an individual who works for an aircraft owner, and for which the aircraft owner files federal income taxes and tax withholding with the IRS on behalf of the employee.

Entity

For purposes of airport regulations, a person, firm, corporation, partnership, limited liability company, or other entity recognized in law.

Equipment

For purposes of airport regulations, equipment, machinery, tools and other supplies and materials.

Escort

For purposes of airport regulations, a person and/or vehicle authorized to access the AOA who accompanies and is responsible for the actions of another person and/or vehicle that is otherwise not authorized to access the AOA. For purposes of sexually oriented business regulations, A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees to offer to privately model lingerie or to privately perform a striptease for another person.

Escort Agency

A person or business association who furnishes, offers to furnish or advertises to furnish escorts as one of its primary business purposes, for a fee, tip, or other consideration.

Establishment

For purposes of sexually oriented business regulations, includes any of the following:

- 1) The opening or commencement of any sexually oriented business as a new business;
- 2) The conversion of an existing business, whether or not a sexually oriented business, to any sexually oriented business;
- 3) The addition of any sexually oriented business to any other existing sexually oriented business; or
- 4) The relocation of any sexually oriented business.

FAA

The Federal Aviation Administration.

Family

Any number of individuals living together as a single housekeeping unit, in which not more than four individuals are unrelated by blood.

Floodplain²²³

See Section 1.1: *Floods*, for definitions.

Frontage²²⁴

The width of a lot or parcel abutting a public right-of-way measured at the front property line.

Fuel Farm

A facility located on the airport owned by the Town and leased, in whole or in part, to third parties in which aboveground bulk fuel storage tanks are located and which facility is designed to contain fuel spills or leaks from entering the environment.

²²³ New.

²²⁴ New.

Glare²²⁵

The sensation produced by a bright source within the visual field that is sufficiently brighter than the level to which the eyes are adapted to cause annoyance, discomfort, or loss in visual performance and visibility; blinding light. The magnitude of glare depends on such factors as the size, position, brightness of the source, and on the brightness level to which the eyes are adapted.

Gross Floor Area (GFA)²²⁶

The total floor area of all stories of a building or buildings, measured by taking the outside dimensions of the building at each floor level intended for occupancy or storage (including basements), but not including any uncovered or unenclosed porches, patios, or decks.

Ground Vehicle Training Program

A training class or course offered by the Airport Director to provide awareness and instruction on the requirements and procedures for gaining access to the airport operations area of the airport safely and correctly.

Hangar

A shelter and all required components constructed especially for storing aircraft.

Hazard to Air Navigation

An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height

For the purpose of determining the height limits in the Airport Overlay (AO) zone, the datum shall be mean sea level elevation unless otherwise specified.

Horizontal Surface

A horizontal plane 150 feet above the established airport elevation, the perimeter of which plane coincides with the perimeter of the horizontal zone.

Impervious Coverage²²⁷

Any hard surface, man-made area that does not absorb water, including principal and accessory building roofs, sidewalks, paved parking, driveways, and other paved surfaces.

Improved Parking Surface²²⁸

An area used for the parking or storage of vehicles that is overlaid or otherwise paved with concrete, asphalt, paving stones or other approved hard surfaced durable material.

Landing Area

The surface area of the airport used for the landing, take-off or taxiing of aircraft.

Landmark Building

Buildings that are located on axis with a terminating street or at the intersection of streets. Such buildings shall incorporate architectural features that address height and articulation in order to emphasize the importance of such a location.

²²⁵ New.

²²⁶ Replaces current definition.

²²⁷ Replaces current definition for "lot coverage."

²²⁸ Did not carry forward "as approved by the Building Official."

Landscape Buffer

A combination of physical space and vertical elements such as plants, berms, fences, or walls, the purpose of which is to separate and screen incompatible land uses from each other.

Landscape Plan²²⁹

A detailed drawing that identifies the quantities or numbers, placement, type, and common and botanical names of plant materials to be used on a development site.

Landscaped Open Area (or Landscaped Area)

Any combination of living plants (such as grass, ground cover, shrubs, vines, mulch, hedges, or trees).

Lease

For purposes of airport regulations, a written contractual agreement by and between the Town and an entity granting the entity the exclusive right to use and occupy certain airport land and/or facilities in consideration of the payment of rent and other terms and conditions. In addition, lease also includes a sublease agreement between an airport tenant (who has a legal and authorized lease with the Town) and an entity in which the tenant grants to the entity a right to use and occupy all or a portion of the airport land and/or facilities that the tenant leases from the Town, but only if the sublease was properly contracted, executed and agreed to according to the rules and regulations and was consented to in writing by the Town.

Local Street

Any street with a functional classification of "local" as indicated in the *Addison Master Transportation Plan*.

Lot²³⁰

A designated parcel, tract or area of land established by a plat or otherwise permitted by law to be used, developed or built upon as a unit.

Lot, Corner

a lot situated at the junction of two or more dedicated public streets.

Lot, Interior

A lot situated in a block with frontage on only one dedicated public street and specifically not a corner lot.

Lot Area²³¹

The total horizontal area within the lot lines of a lot, said area to be exclusive of street right-of-way.

Lot Depth²³²

The horizontal distance from the midpoint of the rear of lot line to the midpoint of the front lot line.

Lot Lines²³³

A boundary of a lot. "Lot line" is synonymous with "property line."

Lot Width²³⁴

The horizontal distance between the side lines, measured at the front property line adjacent to the public right-of-way. The lot width for a corner lot shall be measured along the right-of-way upon which the address is assigned.

²²⁹ Detailed specifications removed.

²³⁰ Replaces current definition.

²³¹ Replaces current definition for "area of the lot."

²³² Replaces current definition.

²³³ Replaces current definition.

²³⁴ Replaces current definition.

Maximum Extent Feasible²³⁵

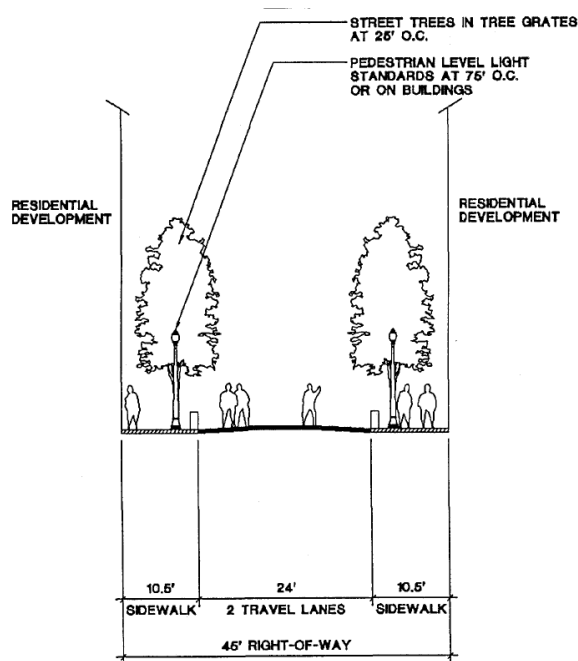
As determined by the Director, no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize potential harm or adverse impacts have been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining “maximum extent feasible.”

Maximum Extent Practicable²³⁶

As determined by the Director, under the circumstances, reasonable efforts have been undertaken to comply with the regulation, the costs of compliance clearly outweigh the potential benefits to the public or would unreasonably burden the proposed project, and reasonable steps have been undertaken to minimize any potential harm or adverse impacts resulting from noncompliance with the regulation.

Mew Street²³⁷

Any street conforming to the standards shown in **Figure ---**.



Microirrigation

A low pressure, low volume irrigation system that applies water only to the plant's root zone, saving water as a result of application efficiency and distribution uniformity. Drip and micro spray irrigation are examples of microirrigation.

Minimum Standards

For purposes of airport regulations, the standards adopted from time to time by the Town or the Airport Director with the approval of the City Council that provide threshold entry requirements for those wishing to perform commercial aeronautical activities, which provide aeronautical products and services to the public, at the airport.

²³⁵ New.

²³⁶ New.

²³⁷ Revised to include graphic from Ord. 095-019. Discussion Item: The “mew street” category is being carried forward for now but may be folded into the “alley” category when the development standards chapter is drafted. Requires further discussion.

Movement Area²³⁸

For purposes of airport regulations, that portion of the common area, including taxiways and runways, which is used for takeoff, landing, taxiing, and maneuvering of aircraft, and which requires explicit authorization from the ATC prior to entry or access during the ATCT's hours of operation. The movement area is shown in Appendix 1, *Addison Airport Common Area Map*, which identifies the movement area as the red shaded area.

Nonconforming Use

Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this article or an amendment thereto.

Non-Movement Area²³⁹

For purposes of airport regulations, that portion of the common area which is used to provide a path for taxiing and maneuvering of aircraft to a taxiway (such as aprons, taxi lanes, and all other areas within the paved portions of the common area) and does not require prior permission from the ATCT to enter and access. The non-movement area is shown in Appendix 1: *Addison Airport Common Area Map*, which identifies the non-movement area as the yellow shaded area.

Nonpermeable

Any surface lacking the ability for air and water to pass through to the root zone of plants.

NTSB

The Federal National Transportation Safety Board.

Nude Model Studio

Any place where a person, who appears in a state of nudity, simulated nudity and/or seminudity, or displays specified anatomical areas, is provided, to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons who pay money or any form of consideration.

Nudity or a State of Nudity

- 1) The appearance of bare human genitals, pubic region, buttocks, anus, female breast; or
- 2) A state of dress which fails to opaquely cover human genitals, buttocks, pubic region, anus, or areola or the female breast.

Obstruction

Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in section 14-123.

Operates or Causes to be Operated

For purposes of sexually oriented business regulations, to cause to function or to put or keep in operation. A person may be found to be operating or causing to be operated a sexually oriented business whether or not that person is an owner, part owner, employee, independent contractor, agent or licensee of the business.

Park or Parking

For purposes of airport regulations, to stand an occupied or unoccupied vehicle, other than temporarily, while loading or unloading merchandise or passengers.

Parking Area²⁴⁰

An area designed and constructed for the parking, storage and maneuvering of vehicles.

²³⁸ Discussion Item: Town staff is verifying if this reference to the *Addison Airport Common Area Map* is still accurate.

²³⁹ Discussion Item: Town staff is verifying if this reference to the *Addison Airport Common Area Map* is still accurate.

²⁴⁰ New.

Parking Space²⁴¹

A space within a public or private parking area, exclusive of driveways, ramps, columns, offices and work areas, which is for the temporary parking or storage of one vehicle.

Pedestrian Way²⁴²

A dedicated public walk or path.

Patio Hangar

For purposes of airport regulations, a hangar that consists of a multiple number of individual T-shaped bays or units, each suitable for the storage of a single aircraft, and each bay or unit of which is not fully enclosed.

Permittee

For purposes of sexually oriented business regulations, a person in whose name a permit to operate a sexually oriented business has been issued, as well as any individual listed as an applicant on the application for a permit, and each person who must sign the application.

Person²⁴³

An individual, assumed name entity, partnership, joint venture, association, corporation, or other legal entity. For purposes of airport regulations, an individual, corporation, company, association, firm, partnership, society, government, tenant, lessee, concessionaire, passenger, visitor, customer, contractor, and other entities doing business on, employed at, or otherwise using Town property as the context shall deem appropriate. It includes a trustee, receiver, assignee, successor or similar representative of any of them.

Planning and Zoning Commission

The Planning and Zoning Commission of the Town of Addison, Texas.

Plant Material

Trees, shrubs, grasses, ground covers, and other vegetation meeting the requirements of this Code, not including weeds.

Plat

The graphic presentation of one or more lots or tracts of land, or of a subdivision, resubdivision, combination, or recombination of lots or tracts. "Plat+" includes a replat and an amending plat.

Precision Instrument Runway

A runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

Primary Entrance

The main entry to a building on a block face; any additional building entries may be considered a secondary entrance.

Primary Surface

The width of the primary surface which is 1,000 feet.

²⁴¹ New.

²⁴² New.

²⁴³ From current Chapter 70, Article VII, Sec. 70-320.

Principal Business Purpose

For purposes of sexually oriented business regulations, any business activity which accounts for 15 percent or more of any one of the following:

- 1) Gross revenues of the business;
- 2) Floor area of the business; or
- 3) Inventory.

Private Street

A platted street providing limited local traffic circulation among adjacent lots which is privately owned and maintained, contained within a private street lot, and constructed in accordance with the requirements of this section and all other applicable ordinances, standards, and regulations. The term "private street" shall be inclusive of private alleys.

Private Street Lot

A separate tract, typically termed a common area, owned by the property owners' association whereupon a private street is constructed.

Property Owner

The owner, occupant, tenant, manager or other person in control of property or their agent or designee.

Public Property

Interests in easements, rights-of-way, fee simple property and public ways owned by the town.

Recreational Vehicle

Includes motor homes, campers, trailers, boats and other aquatic vehicles, all-terrain vehicles, and other vehicles used for recreational purposes.

Residential District

For purposes of sexually oriented business regulations, a single-family, duplex, townhouse, multiple-family or mobile home zoning district, located within the Town or located within the boundaries of any municipality which adjoins the boundaries of the Town.

Residential Use

For purposes of sexually oriented business regulations, a single-family, duplex, multiple-family, or mobile home park, mobile home subdivision, and campground use.

Right-of-Way²⁴⁴

The surface of and the space above and below, any street, road, highway, freeway, tollway, lane, path, drainageway, channel, fee interest, public way or place, sidewalk, alley, boulevard, parkway, drive, fire lane, or other easement now or hereafter held by the Town or over which the Town exercises any rights of management or control and shall include, but not be limited to, all easements now held, or hereafter held, by the Town, but shall specifically exclude private property.

Rules and Regulations

For purposes of airport regulations, rules and regulations for the use of the airport prepared and maintained by the Airport Director and approved by the City Council.

Runway

A defined area on an airport prepared for landing and take-off of aircraft along its length.

²⁴⁴ From current Sec. 70-36.

School

For purposes of sexually oriented business regulations, any public or private nursery, preschool, day care center, learning center, elementary or secondary school.

Screen

A method of reducing the impact of noise and unsightly visual intrusions with less offense or more harmonious elements, such as plants, berms, fences, walls, or any appropriate combination thereof.

Seminude or State of Seminudity

A state of dress in which clothing covers no more than the genitals, pubic region, and areola of the female breast, as well as portions of the body covered by supporting straps or devices.

Service Provider

For purposes of airport regulations, any person, operator or business on the airport that has been authorized by the Town to offer a public service to aeronautical users of the airport for a fee and has met the requirements of the minimum standards.

Setback

The minimum distance between a lot line and a building or structure required by this UDC.

Sexual Encounter Center

A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

- 1) Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- 2) Activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or seminudity.

Sexually Oriented Business

An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio or sexual encounter center.

Shrub

A self-supporting woody perennial plant of low to medium height characterized by multiple stems and branches continuous from the base, usually not more than ten feet in height at maturity.

Simulated Nudity or State of Simulated Nudity

A state of dress in which any device or covering, exposed to view, is worn which simulates any portion of the genitals, buttocks, or pubic region or areola of the female breast.

Specified Anatomical Areas

Human genitalia.

Specified Sexual Activities

Includes any of the following:

- 1) The fondling or other erotic touching of human genitalia, pubic region, buttocks, anus, or female breasts;
- 2) Sex acts, actual or simulated, including intercourse, oral copulation, or sodomy;
- 3) Masturbation, actual or simulated; or
- 4) Excretory functions as part of or in connection with any of the activities set forth in subsections (1) through (3) of this definition.

Stand

For purposes of airport regulations, to halt an occupied or unoccupied vehicle, other than temporarily, while receiving or discharging passengers.

Stoop

A structure that is located approximately at the level of the first floor of the structure and intended to provide access to a residential dwelling unit.

Street²⁴⁵

Any thoroughfare or public driveway, other than an alley, and more than 20 feet in width, which has been dedicated or deeded to the public for public use.

Structure

An object constructed or installed by one or more persons and includes a building, tower, smokestack and overhead transmission line.

Subdivision

The division of any tract or parcel of land into two or more lots for the purpose, whether immediate or future, of sale or building development, and shall include resubdivision. "Subdivision" shall also mean the division or redivision of an existing subdivision together with any change of lot size therein or with the relocation of any street. "Subdivision" shall also mean the combination of lots or tracts into one or more lots and shall include recombination. "Subdivision" shall also mean a tract of land intended to be built upon and for which a building permit is required.

Substantial Enlargement of Sexually Oriented Business

The increase in floor area occupied by the business by more than 24 percent, as the floor area exists on the date of passage of the ordinance from which this article is derived.

Tailgating

For purposes of airport regulations, the act of entering or attempting to enter the fenced areas of the airport (the AOA) through a gate without being escorted and gaining access to the airport in violation of this article or the rules and regulations.

Taxi Lane

For purposes of airport regulations, the portion of the apron or non-movement area used by aircraft for access between taxiways and aircraft parking positions.

Taxiway

For purposes of airport regulations, a portion of the movement area that is used for taxiing aircraft from one part of the airport to another.

T-Hangar

A hangar that consists of a multiple number of individual T-shaped bays or units, each suitable for the storage of a single aircraft, and each bay or unit of which can be fully enclosed by a door located within a single door opening.

Tie-Down

For purposes of airport regulations, the area, paved, suitable for parking of aircraft, and/or wherein suitable tie-down points have been located.

²⁴⁵ New definitions for "arterial," "collector," and "local" streets, currently not defined.

TLGC

The Texas Local Government Code.

Town

The Town of Addison, Texas. For purposes of airport regulations, the Town of Addison, Texas. Where approval, enforcement, or other act on the part of the Town is referred to herein, the Town shall act by and through its Town ordinances unless otherwise specifically indicated.

Transfer of Ownership or Control of a Sexually Oriented Business

Includes any of the following:

- 1) The sale, lease, or sublease of the business;
- 2) The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
- 3) The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

Transitional Surfaces

Surfaces that extend outward at 90-degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend 5,000 feet measured horizontally from the edge of the approach surface and at 90-degree angles to the extended runway centerline.

Tree

A plant listed as a tree in any of the following:

- 1) Forest Trees of Texas, by the Texas Forest Service of the Texas A & M University system;
- 2) Hortus third;
- 3) The Audubon Society's Field Guide to North American Trees; or
- 4) A list of trees in <Appendix A>.²⁴⁷

Tree, Ornamental

A deciduous or evergreen tree planted primarily for its ornamental value or for screening purposes; tends to be smaller at maturity than a shade tree.

Tree, Shade

Sometimes evergreen, usually deciduous tree planted for its high crown of foliage or overhead canopy; a large woody perennial having one or more self-supporting stems and numerous branches reaching a mature height of at least 25 feet and a mature spread of at least 20 feet.

TxDOT

The Texas Department of Transportation or its successor entity.

Unauthorized Access

For purposes of airport regulations, to gain access to the AOA without properly using an airport-authorized access control method, an escort or explicit authorization from the Airport Director to do so.

²⁴⁷ Appendix A will eventually be formatted into a supplemental Landscaping Manual outside of the UDC.

Unauthorized Person

For purposes of airport regulations, a person that has not completed the Ground Vehicle Training Program and is not authorized to be within the common facility without an authorized person.

Unified Development Code

This Code, including any and all amendments to this Code.

Vehicle

Vehicle (Generally)

Every device in, upon or by which any person or property is or may be transported or drawn or moved upon a street, highway, waterway or airway and shall include any automobile, bus, truck, tractor, motorhouse, farm machinery, motorcycles, scooters, mopeds, all-terrain vehicles, boats, aircraft, recreational vehicles, golf carts, go-carts, trailers, fifth wheel trailers, campers, camper shells, wheeled towing frames, semi-tractor trailers, truck beds mounted on chassis and mobile homes. This definition does not include nonmotorized bicycles, small engine lawn mowers and devices of similar scale.

Vehicle (Airport Regulations)

For purposes of airport regulations, includes automobiles, trucks, buses, motorcycles, tractors, all-terrain vehicles, golf carts, go-carts, go-peds, or any other device in or upon any person or property that may be transported, other than aircraft.

Vision Clearance Area

That area within the curb lines of two intersecting such curb lines at points 35 feet back from their intersection.

Weed

Grass, weed, or brush in excess of 12 inches, but not cultivated vegetation or crops.

Yard²⁴⁸

A required open space located on the same lot as the principal structure, unoccupied and unobstructed except for accessory uses and landscaping.

Front Yard

A yard extended across the full width of and situated between the front lot line and the principal structure extending to the side lot lines. In the case of a corner lot, the front yard that adjoins the public or private rights-of-way where the principal entrance is located and the street on which the dwelling address is assigned. The secondary front yard adjoins the public or private rights-of-way but does not contain the principal entrance nor the assigned dwelling address.

Side Yard

A yard extended across the full width of and situated between the side lot line and the principal structure extending from the front yard to the rear yard. In the case of a corner lot, the corner side yard shall extend from the front yard to the rear lot line.

Rear Yard

A yard extended across the full width of and situated between the rear lot line and the principal structure extending to the side lot lines. In the case of a corner lot, the rear yard shall not extend past the corner side yard.

²⁴⁸ Replaces current definitions.

Zoning District²⁴⁹

A classification established by this UDC that limits or permits various and specific uses at specified lot and building standards.

7.3.1 Flood Definitions

The following words, terms and phrases, when used in Section 4.3: *Floods* , shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning:

Alluvial fan flooding

Flooding occurring on the surface of an alluvial fan or similar landform which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport, and deposition; and unpredictable flow paths.

Apex

A point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur.

Appurtenant structure

A structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure.

Area of shallow flooding

A designated AO, AH, or VO zone on the Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard

The land in the floodplain subject to a one percent or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed ratemaking has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zone A, AE, AH, AO, A1-99, VO, V1-30, VE or V.

Base flood

The flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE)

The elevation shown on the Flood Insurance Rate Map (FIRM) and found in the accompanying Flood Insurance Study (FIS) for Zones A, AE, AH, A1-A30, AR, V1-V30, or VE that indicates the water surface elevation resulting from the flood that has a one percent chance of equaling or exceeding that level in any given year, also called the base flood.

Basement

Any area of the building having its floor sub-grade (below ground level) on all sides.

Critical feature

An integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised.

²⁴⁹ New.

Development

Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated building

A non-basement building (i) built, in the case of a building in Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, to have the top of the elevated floor, or in the case of a building in Zones V1-30, VE, or V, to have the bottom of the lowest horizontal structure member of the elevated floor elevated above the ground level by means of pilings, columns (posts and piers), or shear walls parallel to the floor of the water and (ii) adequately anchored so as not to impair the structural integrity of the building during a flood of up to the magnitude of the base flood. In the case of Zones A1-30, AE, A, A99, AO, AH, B, C, X, and D, "elevated building" also includes a building elevated by means of fill or solid foundation perimeter walls with openings sufficient to facilitate the unimpeded movement of flood waters. In the case of Zones V1-30, VE, and V, "elevated building" also includes a building otherwise meeting the definition of "elevated building," even though the lower area is enclosed by means of breakaway walls if the breakaway walls meet the standards of Section 60.3(e)(5) of the National Flood Insurance Program regulations.

Existing construction

For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures."

Existing manufactured home park or subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the adoption of floodplain management regulations.

Expansion to an existing manufactured home park or subdivision

The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads).

Flood or flooding

A general and temporary condition of partial or complete inundation of normally dry land areas from:

- 5) The overflow of inland or tidal waters; or
- 6) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood elevation study

An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood insurance rate map (FIRM)

The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones.

Flood insurance study (FIS)

See flood elevation study.

Floodplain or flood-prone area

Any land area susceptible to being inundated by water from any source (see definition of flooding).

Floodplain management

The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations.

Floodplain management regulations

Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Flood protection system

Those physical structural works for which funds have been authorized, appropriated and expended, and which have been constructed specifically to modify flooding in order to reduce the extent of the areas subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards.

Flood proofing

Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

Floodway (regulatory floodway)

The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

Functionally dependent use

A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, but does not include long-term storage or related manufacturing facilities.

Highest adjacent grade

The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure

Any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- 3) Individually listed on the state's inventory of historic places; or

- 4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - a) By an approved state program as determined by the Secretary of the Interior or;
 - b) Directly by the Secretary of the Interior in states without approved programs.

Levee

A man-made structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control, or divert the flow of water so as to provide protection from temporary flooding.

Levee system

A flood protection system that consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices.

Lowest floor

The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations.

Manufactured home

A structure transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

Manufactured home park or subdivision

A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

Mean sea level

For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on the Flood Insurance Rate Map are referenced.

National Flood Insurance Program Regulations

Those regulations contained in Chapter 1 of Title 44 of the Code of Federal Regulations (CFR) pertaining to floodplain management.

New construction

For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures.

New manufactured home park or subdivision

A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community.

Recreational vehicle

A vehicle that is:

- 5) Built on a single chassis;
- 6) 400 square feet or less when measured at the largest horizontal projections;
- 7) Designed to be self-propelled or permanently towable by a light duty truck; and
- 8) Designed primarily not for use as a permanent dwelling, but as temporary living quarters for recreational, camping, travel, or seasonal use.

Start of Construction

(For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348) includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure

A walled and roofed building, including a gas or liquid storage tank and a manufactured home, that is principally above ground, as well as a manufactured home.

Substantial damage

Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement

Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before "start of construction" of the improvement. This includes structures that have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include either:

- 9) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the building official and which are the minimum necessary conditions; or
- 10) Any alteration of a "historic structure," provided that the alteration will not preclude the structure's continued designation as a "historic structure."

Town

The Town of Addison, Texas.

Variance

A grant of relief by a community from the terms of a floodplain management regulation. (For full requirements see Section 60.6 of the National Flood Insurance Program regulations.)

Violation

The failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided.

Water surface elevation

The height, in relation to the North American Vertical Datum (NAVD) of 1988 (or other datum, where specified), of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Appendix A: Engineering and Landscaping Manual

Engineering

Master Transportation Plan and Pavement Requirements²⁵¹

A. Thoroughfares

Thoroughfares shall generally be constructed as required in the Addison Master Transportation Plan. The developer's pro rata share shall include the outside 18½-foot lanes (measured from back of curb) adjoining their property, the outside curb, and any lime-treated subgrade. If requested by the City Council, the developer shall construct additional width pavement with reimbursement from the Town for such additional pavement when Town funds become available.

1. Concrete

Pavement shall be a minimum of eight-inch reinforced concrete (3,000 psi) and shall include six-inch monolithic curbs. The subgrade shall be thoroughly compacted and stabilized with hydrated lime for a minimum depth of six inches below the pavement.

B. Collector Streets

Collector streets shall generally be constructed within 60-foot right-of-way and consist of a 36-foot roadway measured from face-to-face of curb. The developer shall construct, at their own cost, the entire width of the roadway if it is located in the interior of the subdivision.

1. Concrete

Pavement shall be six-inch thick reinforced concrete (3,000 psi) with six-inch monolithic curbs placed on six-inch lime stabilized subgrade.

C. Residential Streets

Residential streets shall generally be constructed within a 50-foot right-of-way and shall consist of a 26-foot wide roadway measured from face to face of the curbs.

1. Concrete

Pavement shall be six-inch thick reinforced concrete (3,000 psi) with six-inch monolithic curbs placed on six-inch lime stabilized subgrade.

D. Alleys

Alleys shall be constructed within a 15-foot right-of-way and shall be 10 feet in width. Alley turnout shall be 12 feet wide at the property line then narrowing to 10 feet.

1. Concrete

The pavement shall be six-inch reinforced concrete (3,000 psi) with a four-inch invert for drainage.

²⁵¹ All asphalt requirements and allowances have been removed as the Town moves away from asphalt to only allow concrete streets for all street types.

Landscaping

E. Pre-Approved Plant List

1. Canopy Trees

The trees listed below shall be planted in small quantities to preclude localized insect and disease issues.

Common Name	Scientific Name
Ash, Green	<i>Fraxinus pennsylvanica*</i>
Ash, Texas	<i>Fraxinus texensis*</i>
Cypress, Bald	<i>Taxodium distichum</i>
Cypress, Pond	<i>Taxodium ascendens</i>
Elm, Cedar	<i>Ulmus crassifolia</i>
Elm, Lacebark	<i>Ulmus parvifolia*</i>
Ginkgo	<i>Ginkgo biloba</i>
Magnolia, Southern	<i>Magnolia grandiflora</i>
Maple, Caddo	<i>Acer saccharum</i>
Maple, October Glory	<i>Acer rubrum</i>
Maple, Shangtun	<i>Acer truncatum</i>
Oak, Chinquapin	<i>Quercus muhlenbergii</i>
Oak, Lacey	<i>Quercus glaucoides</i>
Oak, Live	<i>Quercus virginiana</i>
Oak, Shumard	<i>Quercus shumardii</i>
Oak, Texas	<i>Quercus buckleyi</i>
Pistache, Chinese	<i>Pistacia chinensis</i>
Pecan	<i>Carya illinoensis</i>

2. Ornamental Trees

Common Name	Scientific Name
Crape Myrtle	<i>Lagerstromia indica</i>
Desert Willow	<i>Chilopsis linearis</i>
Eastern Red Cedar	<i>Juniperus virginiana</i>
Easter Redbed	<i>Cercis canadensis</i>
Holly, Possumhaw	<i>Ilex decidua</i>
Holly, Yaupon	<i>Ilex vomitoria</i>
Magnolia, Little Gem	<i>Magnolia grandiflora</i> 'Little Gem'
Rusty Blackhaw Viburnum	<i>Viburnum rufidulum</i>
Texas Mountain Laurel	<i>Sophora secundiflora</i>
Vitex	<i>Vitex agnus - castus</i>
Wax Myrtle	<i>Myrica cerifera</i>

3. **Evergreen Shrubs**

Common Name	Scientific Name
Abelia	<i>Abelia grandiflora</i>
Holly, Dwarf Burford	<i>Ilex cornuta burfordii</i> 'Pygmy'
Holly, Dwarf Yaupon	<i>Ilex vomitoria</i> 'Nana'
Holly, Nellie R	<i>Ilex</i> x. 'Nellie R. Stevens'
Mahonia, Leatherleaf	<i>Mahonia bealeii</i>
Mahonia, Soft Caress	<i>Mahonia eurybracteata</i> 'Soft Caress'
Nandina	<i>Nandina domestica</i>
Rosemary	<i>Rosemary officinalis</i>
Texas Sage	<i>Leucophyllum frutescens</i>

4. **Deciduous Shrubs**

Common Name	Scientific Name
Butterfly Bush	<i>Buddleia davidii</i>
Crape Myrtle	<i>Lagerstromia indica</i>
Oakleaf Hydrangea	<i>Hydranges quercifolia</i>
Sage, Autumn	<i>Salvia greggii</i>
Sage, Mexican Bush Sage	<i>Salvia leucantha</i>
Spirea	<i>Spirea</i> spp.
St. John's Wort	<i>Hypericum patulum</i>
Zexmenia	<i>Wedelia texana</i>

5. **Ground Cover**

Common Name	Scientific Name
Asian Jasmine	<i>Trachelospermum asiaticum</i>
Germander	<i>Teucrium chamaedrys</i>
Liriope	<i>Liriope</i> spp.
Purple Wintercreeper	<i>Euonymus fortunei</i> 'Colorata'

6. **Accent Plants**

Common Name	Scientific Name
Yucca, Colorguard	<i>Yucca fimamentosa</i> 'Color Guard'
Yucca, Red	<i>Hesperaloe parviflora</i>
Yucca, Soft Leaf	<i>Yucca recurvifolia</i>
Yucca, Twist-Leaf	<i>Yucca rupicola</i>

7. **Ornamental Grasses**

Common Name	Scientific Name
Blue Grama	<i>Bouteloua gracillis</i> 'Blonde Ambition'

Inland Sea Oats	<i>Chasmanthium latifolium</i>
Fountain Grass, Hameln's	<i>Pennisetum 'Hameln'</i>
Mexian Feathergrass	<i>Nasella tenuissima</i>
Miscanthus	<i>Miscanthus sinensis</i>
Muhly, Gulf	<i>Muhlenbergia capillaris</i>
Muhly, Lindheimer's	<i>Muhlenbergia lindheimeri</i>
Pampas Grass	<i>Cortaderia selloana</i>

F. Unprotected Trees

Common Name	Scientific Name
Bois d'Arc	<i>Maclura pomifera</i>
Box Elder	<i>Acer negundo</i>
Catalpa	<i>Catalpa spp.</i>
Chinaberry	<i>Melia azedarach</i>
Cottonwood	<i>Populus spp.</i>
Hackberry	<i>Celtis occidentalis</i>
Mulberry, Red	<i>Morus rubra</i>
Pear, Bradford	<i>Pyrus calleryana</i>
Western Soapberry	<i>Sapindus saponaria</i>

G. Tree Replacements

Existing Tree Size	Required Mitigation	Minimum Caliper of Replacement Tree	Examples
4" - 11"	1 to 1	4"	Remove 4" Tree Plant Back (1) 4" Tree Remove 8" Tree Plant Back (2) 4" Trees
12" or >	1 to 2	6"	Remove 12" Tree Plant Back (2) 6" Trees