



# Land Use Plan | RAC & NAC Implementation Mixed-Use District Code Public Draft #2

July 2023

Report prepared by:

**CLARION**

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# Article III Zoning Districts and Land Uses

## PART 1. IN GENERAL

### Sec 2-51. Establishment of Districts

#### A. Special Districts

Land within the corporate City limits is divided into the following special zoning districts:

Abbreviated Designation	District Name
BR	Brazos River Park and Conservation Zoning District
PD (a)	Planned Development
AZ (b)	Airport Zone
MUC	Mixed Use Conservation District
HR-1	The Hill Area Residential District
MU-N	Mixed-Use Neighborhood District
MU-R	Mixed-Use Regional District
REFERENCES	
a. This district may be created for land through the procedures specified in the zoning regulations.	
b. The land in this district is subject to the compatible land use regulations adopted by the Sugar Land Airport Zoning Commission and City Council.	

## PART 5. MIXED-USE DISTRICTS

### Sec 2-116. Statements of Intent

#### A. Mixed-Use Neighborhood (MU-N)

The MU-N district is established to provide pedestrian-friendly areas of low- to medium- density and accommodate primarily residential uses with limited community, educational, commercial uses, and incidental or accessory uses. Residential uses in the MU-N district are generally intended to offer a diverse mix of housing opportunities at varied densities consistent with the Land Use Plan. Commercial uses in the MU-N district are typically those providing limited retail and service for the convenience of the surrounding neighborhood. Development shall be at a walkable scale with an active streetscape that is compatible with surrounding residential neighborhoods and is appropriate for Neighborhood Activity Centers as identified in the Comprehensive Plan.

**B. Mixed-Use Regional (MU-R)**

The MU-R district is established to provide for pedestrian-friendly areas of medium- to higher-density residential development and compatible nonresidential uses such as lodging, offices, supporting commercial and service uses, other civic and community uses, and incidental or accessory uses. Development shall be at a walkable scale with an active streetscape that is compatible with surrounding residential neighborhoods. The district allows for a greater vertical and/or horizontal mix of uses and is appropriate for Regional Activity Centers as identified in the Comprehensive Plan.

**Sec 2-117. Use Mix Requirement**

**A. General**

1. Whether within a single building or on a development site, a mixed-use development of five acres or more in the Mixed-Use Districts must meet the use mix requirements in **Table 2-117.1: Minimum Use Mix Requirements by Zoning District** below. Proposed uses may be vertically or horizontally integrated, or a combination thereof.
2. Mixed-use development site percentages shall be calculated by determining the percent of square footage devoted to each type of use. The square footage shall include the Floor Area plus any outdoor space dedicated exclusively to the residential or nonresidential uses.

Table 2-117.1: Minimum Use Mix Requirements by Zoning District						
		Site Size				
		< 5 acres	5.01 - 10 acres	10.01 - 25 acres	25.01 - 50 acres	> 50 acres
MU-N	Minimum Nonresidential	N/A	5%	10%	15%	20%
	Minimum Residential		(1)	(1)	(1)	(1)
MU-R	Minimum Nonresidential		10%	15%	20%	25%
	Minimum Residential		(1)	(1)	(1)	(1)

1. Minimum of two (2) housing types required evenly dispersed throughout the subdivision.

3. All amenity spaces including, but not limited to a leasing office, gym, laundry room, or other community space reserved for the exclusive use of residents shall only be included in the residential use calculation.

4. For the purpose of Live/Work Dwellings, the Dwelling Unit counts toward the minimum residential requirement and the work space counts toward the minimum non-residential requirement.
5. The required mix of uses can may be achieved by including the properties within a 1,320-foot radius of the proposed development site boundary, and if
  - a. The proposed development provides a significant economic development opportunity,
  - b. The proposed development only includes Middle Housing, or
  - c. There are demonstrable unique site conditions.

**B. Minimum Housing Mix**

1. Any proposed development encompassing more than five acres must incorporate a minimum of two housing types. Housing types shall be interspersed and evenly distributed throughout the development. Housing types may include:
  - a. Dwelling, Urban Home
  - b. Dwelling, Single-Family Attached
  - c. Dwelling, Two-Family
  - d. Dwelling, Multi-Family
  - e. Dwelling, Triplex or Fourplex
  - f. Dwelling, Sixplex
  - g. Dwelling, Live/Work
  - h. Cottage Court Dwelling Development

**Sec. 2-118. District Regulations**

**A. Regulations for Nonresidential, Multi-Family and Mixed-Use Development**

The following bulk regulations apply to all nonresidential, multi-family, and mixed-use development in the Mixed-Use Districts:

Table 2-118.1: Bulk Regulations for Nonresidential, Multi-Family and Mixed-Use Development		
Regulation	Zoning District	
	Mixed-Use Neighborhood (MU-N)	Mixed-Use Regional (MU-R)
<b>Setbacks</b>		
Front, minimum/maximum	0/5 feet (a) (f)	0/5 feet (a) (f)
Street side, minimum/maximum	0/5 feet (a) (f)	0/5 feet (a) (f)

Table 2-118.1: Bulk Regulations for Nonresidential, Multi-Family and Mixed-Use Development

Regulation	Zoning District	
	Mixed-Use Neighborhood (MU-N)	Mixed-Use Regional (MU-R)
Interior side, minimum	0 feet (b) (c)	0 feet (b) (c)
Rear, minimum	5 feet (b) (c)	5 feet (b) (c)
<b>Other</b>		
Building height, max	90 feet or a maximum of 6 stories (d)(e)	150 feet (d)(e)
Building street frontage, minimum	See Sec 2-121.B	See Sec 2-121.B

REFERENCES

- a. Measured from the back of the Pedestrian Realm.
- a. Measured from the property line.
- b. For Yards abutting a Residential District, the minimum is 25 feet.
- c. Buildings adjacent to a Residential District are subject to the Residential Adjacency Building Height standards of Sec 2-170.
- d. Airport Height Hazard Regulations may apply.
- e. If easements are present, 75% of the building face shall be built to the easement line.

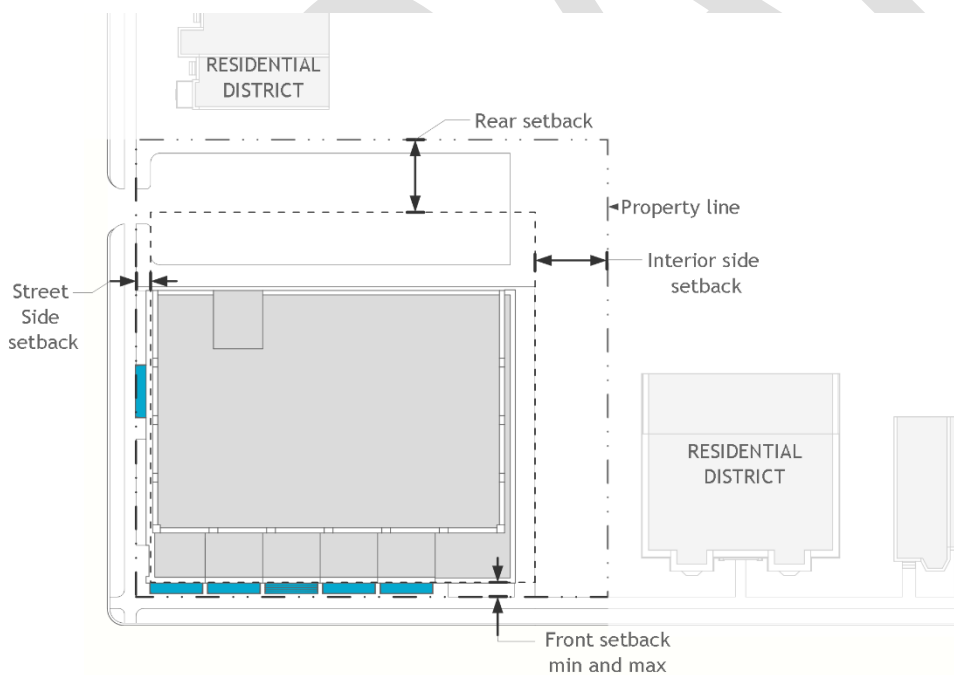


Figure 2-118.A: Nonresidential Use - Mixed-Use District Abutting a Residential District

C. Regulations for Middle Housing Development

The following bulk regulations apply to Middle Housing development in the Mixed-Use Districts. For Cottage Court Dwelling regulations, please see **Section 2-122 Building Design and Additional Development Standards - Middle Housing Development.**

Table 2-118-2: Bulk Regulations for Residential Development		
Regulation	Zoning District	
	Mixed-Use Neighborhood (MU-N)	Mixed-Use Regional (MU-R)
<b>Setbacks</b>		
Front, minimum/maximum	5/20 feet (a)	5/20 feet (a)
Street side, minimum/maximum	5/20 feet (a)	5/20 feet (a)
Interior Side, min	Dwelling, Single Family Attached (Townhome)	(b)
	Dwelling, Two-Family (Duplex)	5 feet
	Dwelling, Urban Home	3 feet (or (c))
	Dwelling, Triplex, Fourplex, Sixplex	5 feet
	Cottage Court (interior side, min/max)	5/10 feet
Rear, minimum	5 feet (d)	5 feet (d)
<b>Other</b>		
Building height, maximum	50 feet or a maximum of 4 stories	50 feet or a maximum of 4 stories
Density, minimum	5 Dwelling Units per gross acre	10 Dwelling Units per gross acre

REFERENCES

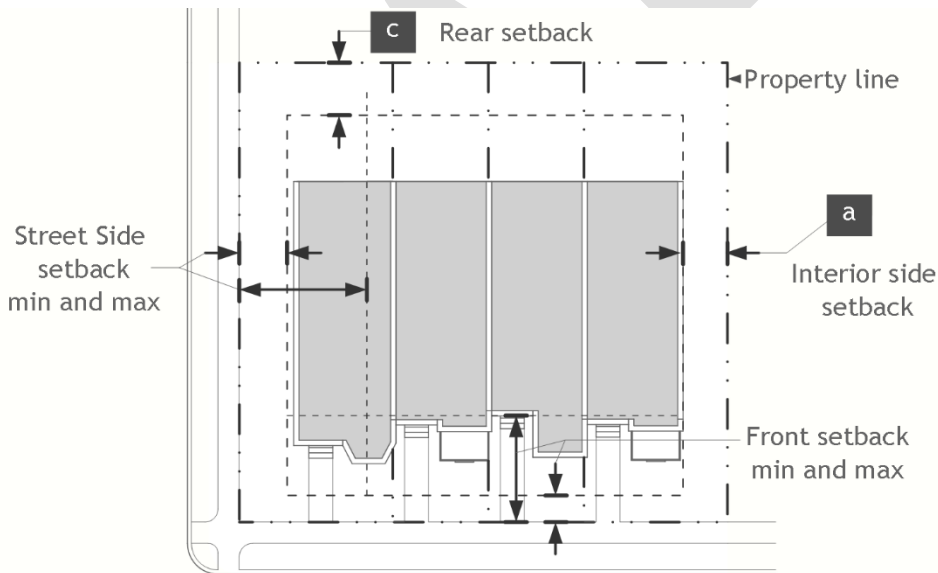
- a. Front and Street Side
  - i. Shall be measured from the back of the Pedestrian Realm.
  - ii. If an easement is present, 75% of the building face shall be built to the easement line.
- b. Townhome attached on 2 sides - 0 feet. Townhome attached on 1 side and other side yard open - 10 feet.
- c. Zero feet on one side. 6 feet on second side. Zero-foot side must abut required 6-foot Yard on adjacent lot. A 3-foot maintenance easement adjacent to the lot line

**Table 2-118-2: Bulk Regulations for Residential Development**

Regulation	Zoning District	
	Mixed-Use Neighborhood (MU-N)	Mixed-Use Regional (MU-R)

and within the 6-foot side yard shall be delineated on the plat, and there shall be a right to access the 0-foot building line side from the maintenance easement for maintenance purposes.

- d. Rear, minimum shall be as follows:
  - i. For rear-loading lots, Rear Yard setback shall be measured from the edge of alley or private drive pavement.
  - iii. For Yards abutting a single-family residential use within the R-1E, R-1, HR-1, R-1R, or R-1Z zoning district, the rear setback for structures less than 20 feet in height shall be 10 feet.
  - iv. For Yards abutting a single-family residential use within the R-1E, R-1, HR-1, R-1R, or R-1Z zoning district, the rear setback for structures over 20 feet in height shall be 15 feet.



**Figure 2-118.B.1: Setbacks - Single-Family Attached**



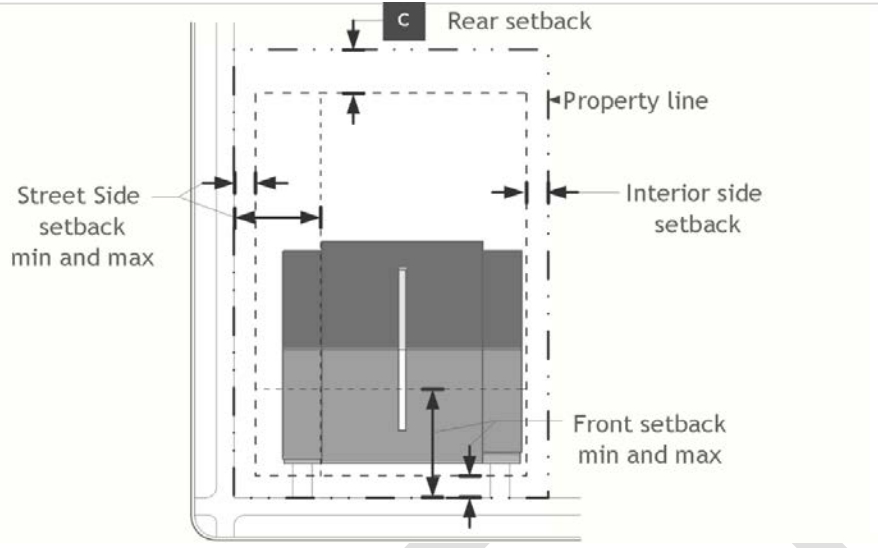


Figure 2-118.B.2: Setbacks - Two-Family

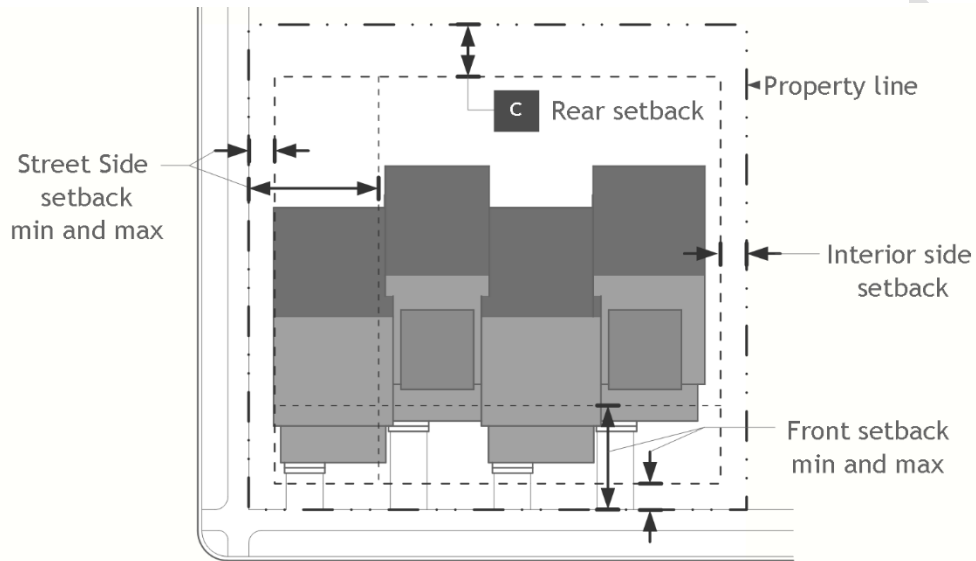


Figure 2-118.B.3: Setbacks - Triplex, Quadplex and Sixplex Dwelling

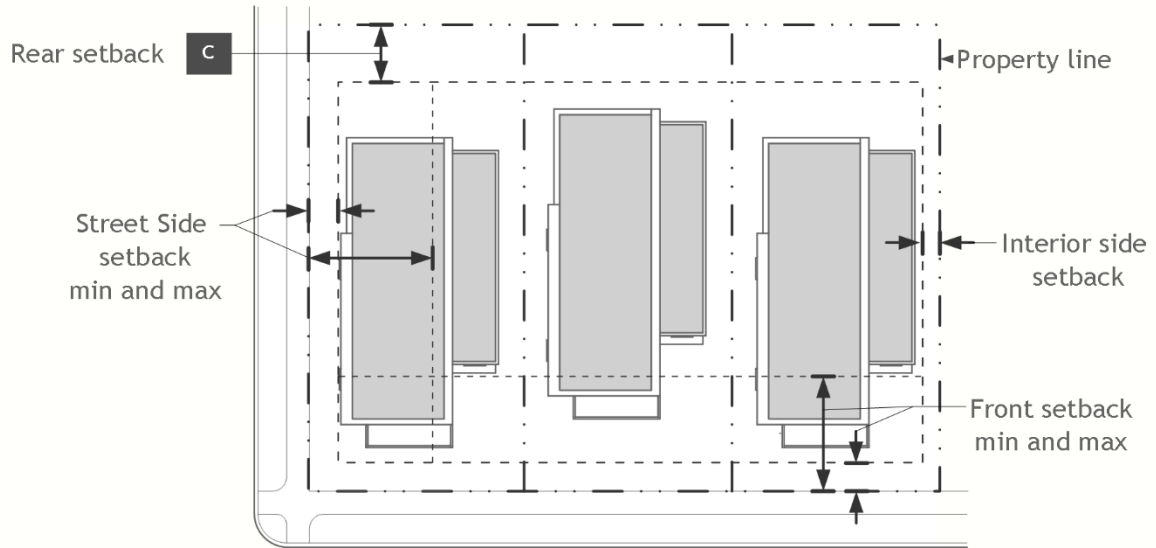


Figure 2-118.B.4: Setbacks - Urban Home Dwelling

## Sec 2-119. Lot Layout and Site Design Regulations

### A. Street Layout

#### 1. Block Length

At least 70% of block faces within a development must range between a minimum of 200 feet and a maximum of 600 feet.

#### 2. Pedestrian Realm

- a. As illustrated in **Figure 2-119.A: Pedestrian Realm** below, a Pedestrian Realm must be provided along the front and street side of lots and reserves and shall consist of two zones: a Clear Zone (sidewalk) and a Pedestrian Enhancement Zone. The Clear Zone is intended to provide a clear path of travel for pedestrian movement and the Pedestrian Enhancement Zone is intended for the placement of street trees and street furniture and utility equipment in a manner that does not obstruct pedestrian access or motorist visibility. This includes, but is not limited to seating, streetlights, waste receptacles, fire hydrants, traffic signs, bus shelters, bicycle racks, public utility equipment such as electric transformers and water meters, and similar elements.

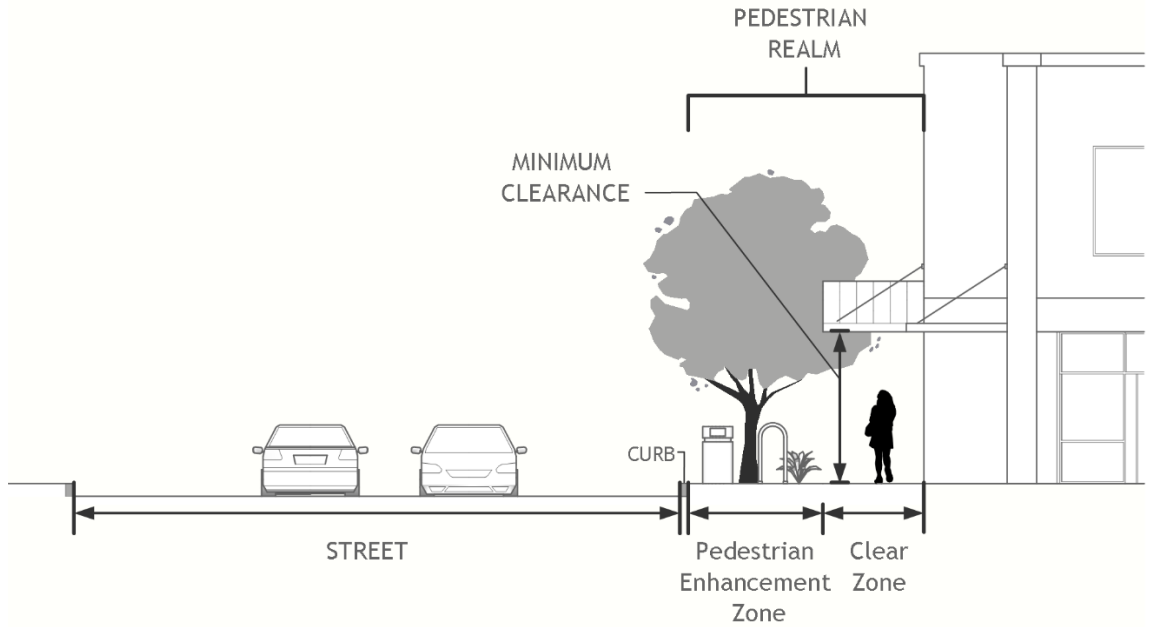


Figure 2-119.A: Pedestrian Realm

b. The following standards shall apply to these zones:

Table 2-119.1: Pedestrian Realm Requirements by Roadway Classification

Roadway Classification (a)	Minimum Clear Zone Width	Minimum Pedestrian Enhancement Zone Width
Type 1 Streets: Freeway/State Highway/ Arterial/	8 feet	6 feet
Type 2 Streets: Major Collector/ Minor Collector	8 feet	8 feet
Type 3 Streets: Local/Primary Access Easement	10 feet	8 feet

REFERENCES

a. As identified and defined in the City of Sugar Land Master Thoroughfare Plan.

- c. Sections of the Clear Zone may be reduced for temporary or permanent outdoor dining or other pedestrian amenities such as seating for a length of no more than 75 continuous feet, but a 5-foot clear space must be maintained at all times.
- d. Enhancements required within the Public Realm are described in **Section 2-120: Pedestrian Realm Enhancements.**

## B. Connectivity

### 1. General

- a. All public streets, roads, trails, and rights-of-way shall be consistent with the adopted Master Thoroughfare Plan and Pedestrian and Bicycle Master Plan.
- b. 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.

### 2. Vehicular Access

- a. Driveways shall be located at least 50 feet from any intersecting street right-of-way.
- b. Driveways shall be located at least 50 feet from driveways on an adjacent property, except where one shared access point and driveway can be established to serve both the subject property and the adjacent property on the other side of that property line. Driveways serving Middle Housing which connect to alleys or private drives are exempt from the minimum 50-foot separation requirement.
- c. Primary circulation and access points shall be oriented toward the abutting street with the lowest traffic volume, unless the Director approves an alternative due to pedestrian, bicycle, or traffic safety concerns.
- d. To facilitate vehicular, pedestrian, and bicycle cross access between abutting developments, encourage shared parking, and minimize access points along streets, new development shall comply with the following standards:
  - (1) 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 development.
  - (2) 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.

- (3) The Director 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 the Development Code.

### C. Parking Lot Location, Size, and Pedestrian Crossing

#### 1. Parking Lot Location

Surface parking areas designed to function as off-street parking shall be located to the side or rear of primary buildings. The parking lot shall not project beyond the front or street-side façade of the primary building. Please see **Figure 2-119.B: Parking Lot Location** for more information.

#### 2. Parking Lot Size

Any surface parking areas shall not exceed 40% of the total lot area.

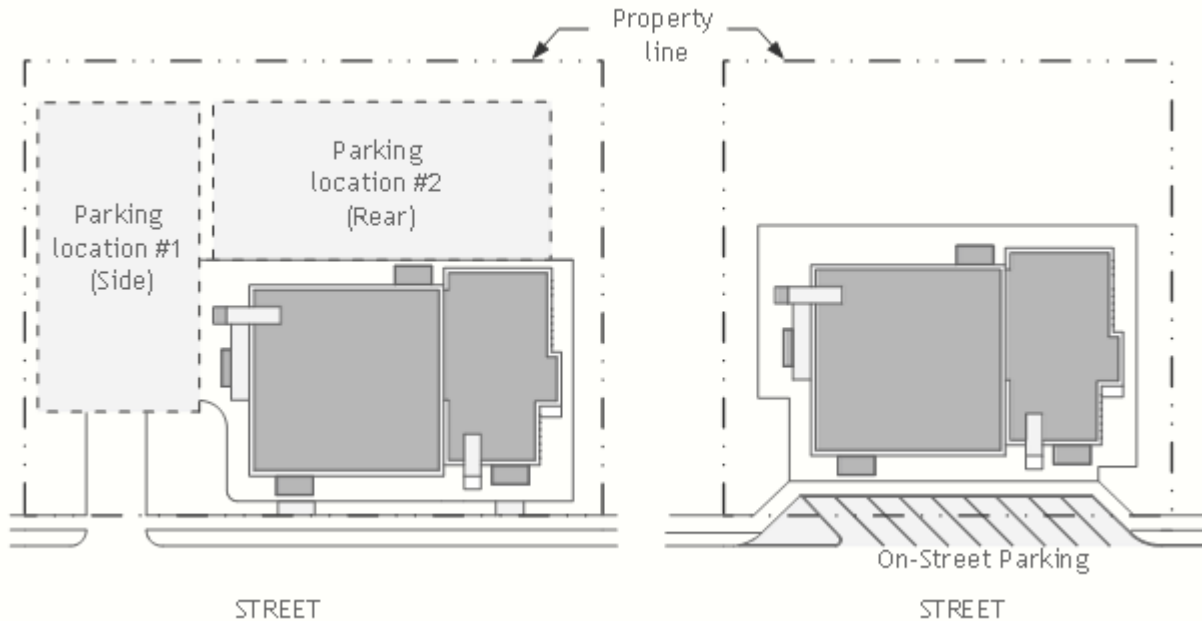
#### 3. Multi-Family Parking

Multifamily developments over 50 units shall provide Structured Parking on-site. Surface parking areas shall not exceed 15% of the total lot area.

#### 4. On-Street Parking

Angled, perpendicular, or parallel parking that is designed to function as on-street parking shall be permitted in the front of primary buildings if meets the following two conditions:

- a. The Director determines that the parking does not adversely affect public safety or circulation; and
- b. Each parking space is located adjacent to and is directly accessible from a public street or publicly accessible private street.



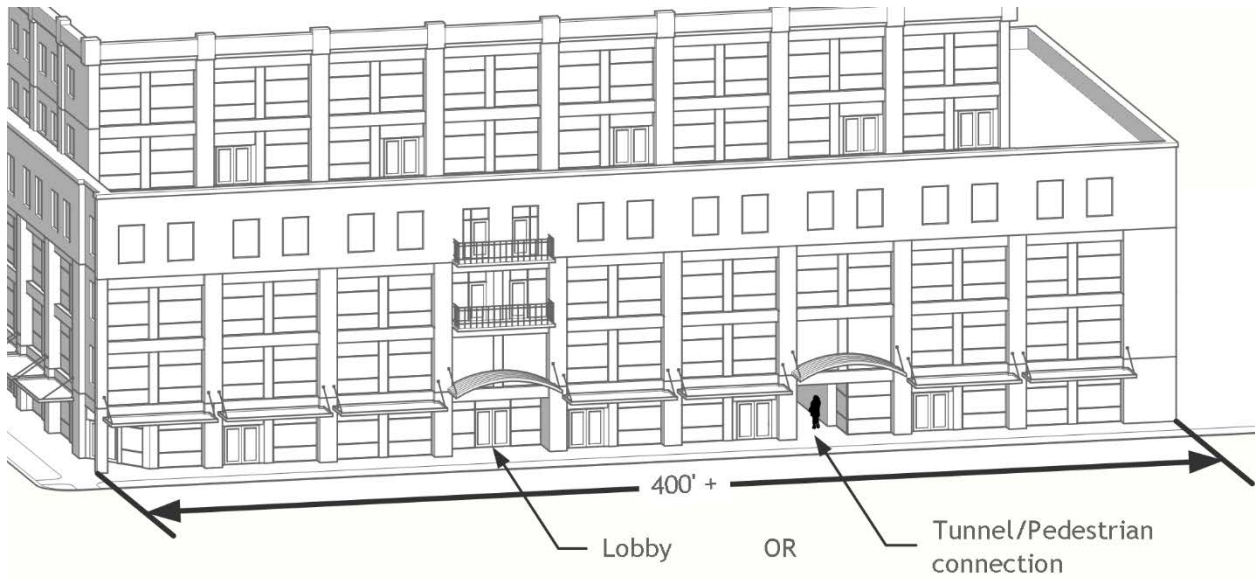
**Figure 2-119.B: Parking Lot Location**

5. Pedestrian Crossings in Parking Lots with 7 or More Spaces

All development with parking lots containing 7 or more parking spaces shall provide an on-site system of pedestrian walkways that provide direct access and connections to and between the following elements.

- 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.
- g. Building facades that are longer than 400 feet in length must provide a midblock pedestrian connection.

Please see **Figure 2-119.C: Midblock Pedestrian Connection** below for more information.

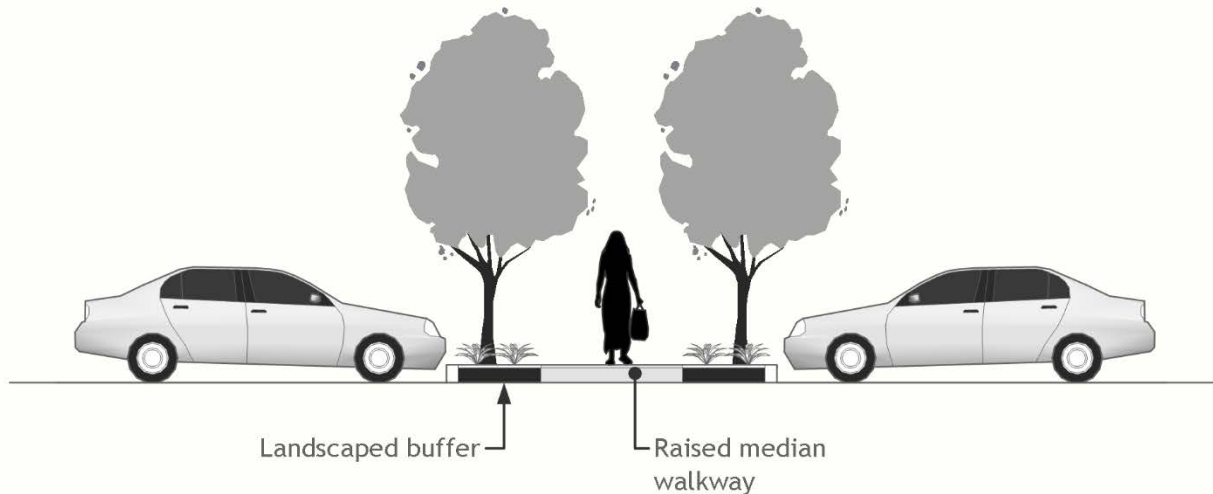


**Figure 2-119.C: Midblock Pedestrian Connection**

6. On-site Pedestrian Crossings

Per **Figure 2-119.D: Pedestrian Walkways**, required on-site pedestrian walkways shall:

- a. Be a minimum of 5 feet wide unless otherwise required by Sec. 2-118.A.3;
- b. Be distinguishable from areas used by vehicles using one or more of the following techniques:
  - (1) Changing surfacing material, patterns, and/or paving color, but not including the painting of the paving material;
  - (2) Changing paving height;
  - (3) Decorative bollards; or
  - (4) Raised median walkways with landscaped buffers;



**Figure 2-119.D: Pedestrian Walkways**

- (5) Be designed with similar and/or complementary details, colors, and finishes as other interconnected walkways;
- (6) Have adequate lighting for security and safety;
- (7) Be conveniently and centrally located on the subject property;
- (8) Be ADA-accessible; and
- (9) Not include barriers that limit pedestrian access between the subject property and required connections to adjacent properties.

#### **D. Transitions to Existing Residential**

New development shall be designed to minimize impacts on existing homes and the privacy of residents to the maximum extent practicable by:

- 1.** Locating off-street surface parking lots, loading, and service areas away from a shared property line and screening them from neighboring residences;
- 2.** Locating sources of audible noise (e.g., heating and air conditioning units) away from building facades that face lower intensity uses;
- 3.** Placing windows on the new development so as to maintain privacy by avoiding direct lines of sight into neighboring homes; and
- 4.** Orienting porches, balconies, and other outdoor living spaces away from neighboring homes.



## Sec 2-120. Pedestrian Realm Enhancements

### A. Pedestrian Amenities Required for All Development

1. Pedestrian-scaled lighting poles or bollards no more than 15 feet in height shall be installed at intervals of 50-70 feet on center and located an equal distance from street trees.
2. Street trees shall be installed at intervals of 25-35 feet on center for small or medium canopy trees and 35-40 feet on center for large canopy trees.

### B. Additional Pedestrian Amenities for Nonresidential, Multifamily, and Mixed-Use Buildings

#### 1. Applicability

This Section sets forth a range of options for pedestrian enhancement categories to enhance the streetscape and foster a pedestrian-oriented built environment. In order to satisfy these requirements, amenities must be open and accessible to the public. For all development subject to this Section, applicants shall select amenity options from **Table 2-120.1: Pedestrian Enhancement Options** below to achieve the minimum number of points required for that development.

#### a. Type 1 Streets and Middle Housing Exempt

The following shall not be required to provide additional pedestrian amenities as set forth in **Table 2-120.1: Pedestrian Enhancement Options**:

- (1) Development Pedestrian Realms abutting a Type 1 Street (Freeway/State Highway/Arterial as identified in the Sugar Land Master Thoroughfare Plan); and/or
- (2) Lots exclusively occupied by Middle Housing.

#### b. New Development

Any proposed New Construction or Redevelopment project as described in **Section 2-124 Mixed-Use District Standards** shall be required to achieve at least 8 points from the amenity options outlined in this Section.

#### c. Redevelopment

Any proposed New Construction or Redevelopment project as described in **Section 2-124 Mixed-Use District Standards** shall be required to achieve at least 6 points from the amenity options outlined in this Section.

d. Addition

Any proposed Addition project as described in **Section 2-124 Mixed-Use District Standards** shall be required to achieve at least 4 points from the amenity options outlined in this Section.

2. Pedestrian Enhancement Options

Table 2-120.1: Pedestrian Enhancement Options	
Amenity Description	Points
<b>Spaces and Areas</b>	
An enhanced landscaped area provided such landscaped area has a minimum depth and width of 10 feet and a minimum total area of the lesser of 650 square feet or two percent of the net site area. Enhanced landscaping includes additional plant quantity and varieties, pedestrian accommodations, raised beds, and landscape walls or similar hardscape elements.	1 point (Maximum 3)
A playground, patio, or plaza with outdoor seating areas, provided the playground, patio, or plaza has a minimum depth and width of ten feet and a minimum total area of 300 square feet.	2 points
Shade provided for the playground, patio, or plaza using canopies pergolas, trees, or other coverings.	2 points
<b>Site Features</b>	
At least one blank wall treatment: <ul style="list-style-type: none"> <li>• Install trellises with climbing vines or plant materials along wall;</li> <li>• Provide a planting bed with plant material that screens at least 50 percent of the wall surface; or</li> <li>• Provide artwork on the surface.</li> </ul>	1 point
Creative, ornate or decorative art installations, sculptures, murals, or other intentional artwork	2 points
Rain gardens, street-side swales, soil and turf management or other appropriate storm water infiltration system(s) to capture and infiltrate a minimum of 25 percent of site-generated stormwater (subject to Engineering approval)	3 points
Seating every 50 feet adjacent to the building or within the Pedestrian Enhancement Zone, provided such seating includes a variety of seating types and figurations, accommodates solitary and social activities, and provides a safe, comfortable seating surface with smooth, even surfaces and curved edges. The following kinds of seating may be used to meet the requirement: moveable seating, fixed individual seating, fixed benches with and without backs, and seating designed into architectural features (e.g., walls, planter ledges, and seating steps).	1 point
Shade provided for seating areas using canopies, pergolas, trees, or other coverings.	1 point

Table 2-120.1: Pedestrian Enhancement Options	
Amenity Description	Points
Trash and recycling receptacles installed every 250 feet along the building frontage and at each building entrance adjacent to a pedestrian walkway	1 point

**Sec 2-121. Building Design and Additional Development Standards - Multi-Family, Mixed-Use and Nonresidential Development**

**A. Building Arrangement**

Buildings on developments larger than 5 acres shall be organized to create pedestrian-friendly spaces and streetscapes. This shall be accomplished by using the buildings to frame corners of street intersections or entries into the development site and either of the following:

1. A “main street” pedestrian or vehicle access corridor within the development site or
2. A plaza, pocket park, square, or other outdoor gathering space for pedestrians. Please see **Figure 2-121.A: Building Arrangement** below for more detail.



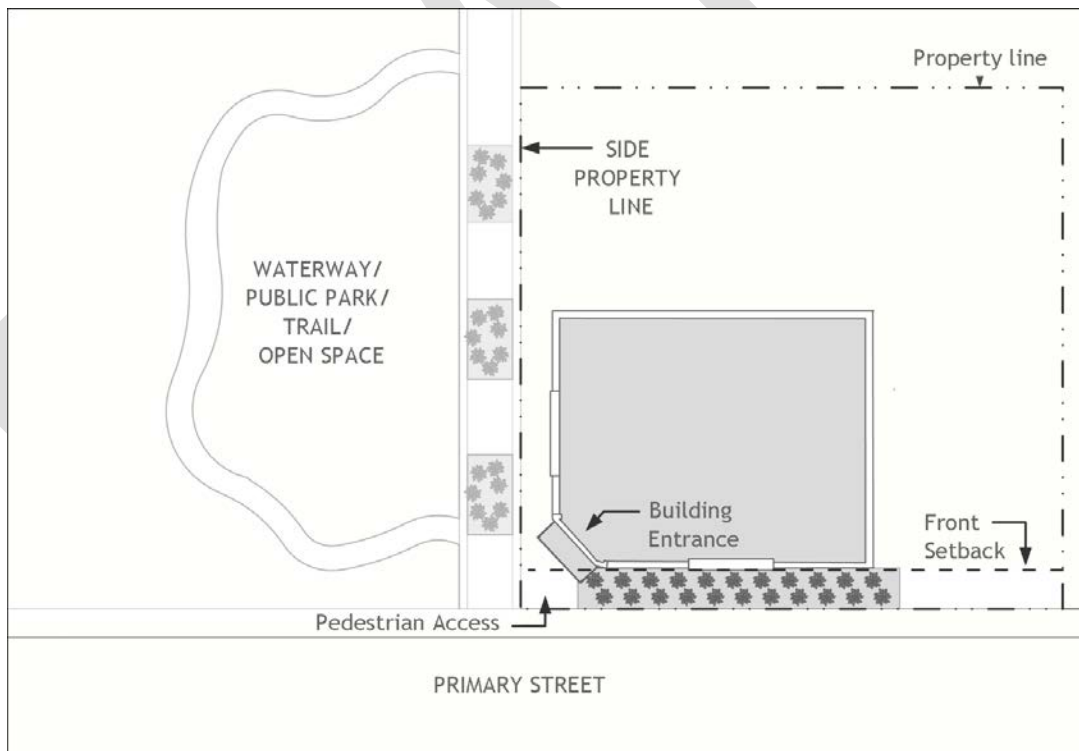
**Figure 2-121.A: Building Arrangement**

## B. Civic Space

Developments larger than 5 acres shall dedicate a minimum of 5% of the site to civic space. Civic space includes parks, squares, plazas, playgrounds and other open spaces for public use and may be privately or publicly owned and operated. Area within the Pedestrian Realm shall not count towards required civic space.

## C. Building Orientation and Entrances

1. Each building and separate lease space at grade along the street edge shall have a functioning primary entrance from the Pedestrian Realm. Shared/common lobbies may count as a primary entrance for spaces with entrances internal to the building. Corner entrances may count as a primary entry for both intersecting street frontages.
  - a. If a waterway or other major landscaping feature, such as public park, trail, or other open space is on or adjacent to the site, each building shall have a functioning entrance connecting to the feature. Please see **Figure 2-121.B: Orientation Toward Primary Street Frontage** below for more detail.



**Figure 2-121.B: Orientation Toward Primary Street Frontage**

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 tenant entrance shall be defined and articulated with architectural elements.
4. All ground-floor pedestrian entrances shall be covered or inset to provide a shelter from inclement weather. The inset or cover shall be no less than 20 square feet

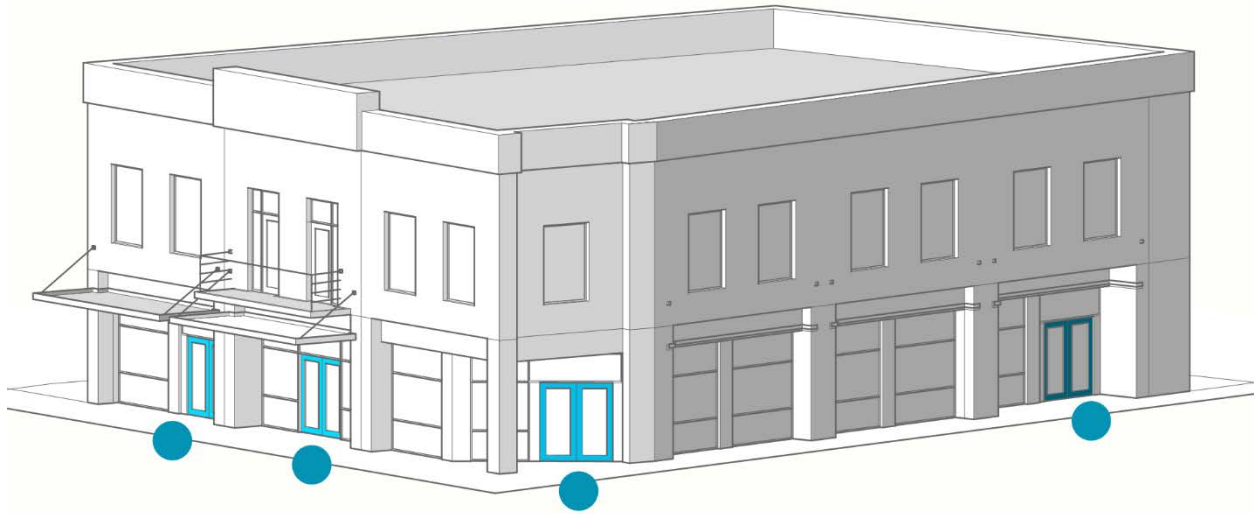
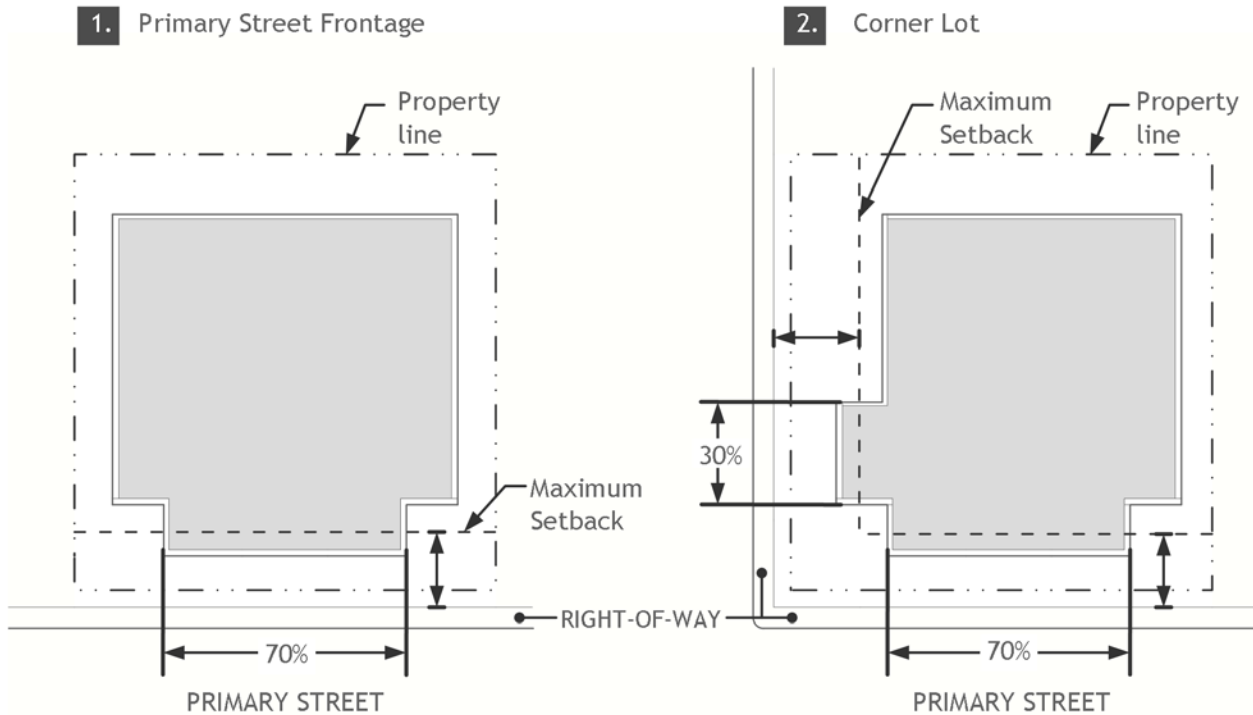


Figure 2-121.C: Building Entrances

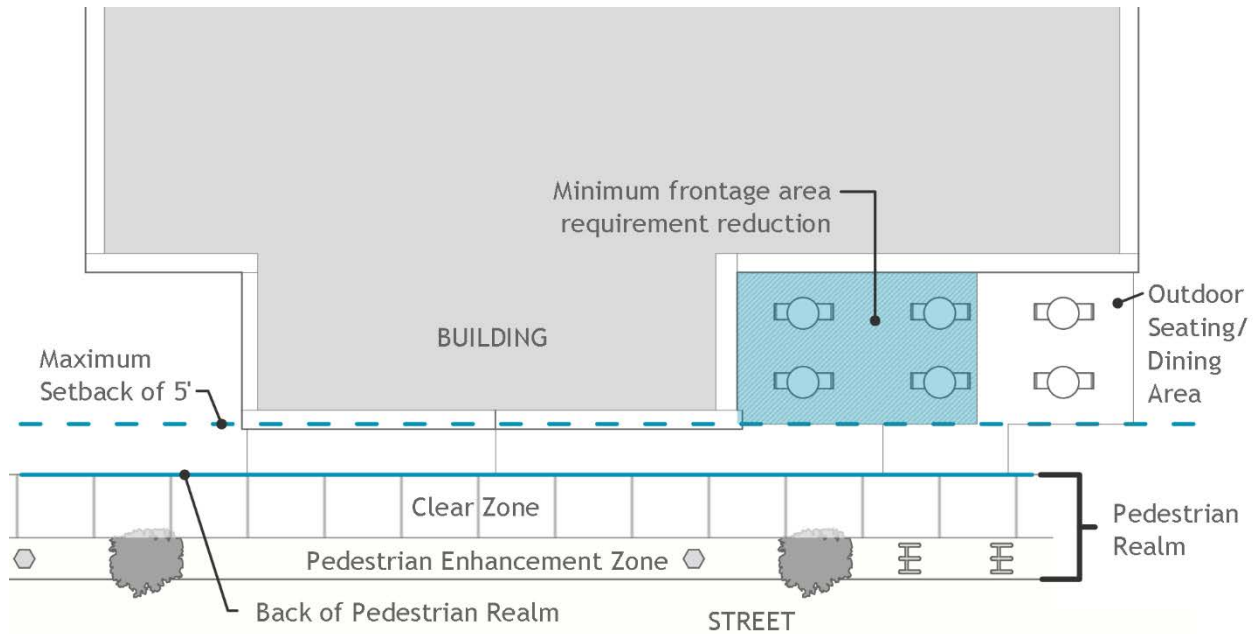
#### D. Minimum Street Frontage

1. Building walls shall be located within the area between the property line and the maximum setback for a minimum of 70 percent of the Primary Street Frontage of the parcel. See Figure 2-121.C.
2. On corner lots, building walls shall be located within the area between the property line and the maximum setback for a minimum of 30 percent of the side street frontage of the parcel.



**Figure 2-121.D: Minimum Building Street Frontage**

3. Required building street frontage shall apply only to the ground floor of the building.
4. The minimum frontage requirement may be reduced for an outdoor seating and dining area, provided such area is designed and located:
  - a. To avoid interference with any pedestrian access ramp from any abutting street onto the sidewalk, and to avoid all areas required for maneuvering of wheelchairs and other ambulatory devices at the top of any pedestrian access ramp; and
  - b. To meet the standards for clear area set forth in Sec 2-118A.3.



**Figure 2-121.E: Minimum Frontage Requirements - Outdoor Seating & Dining**

## E. Grade-Level Design

### 1. Multi-Family Residential At-Grade

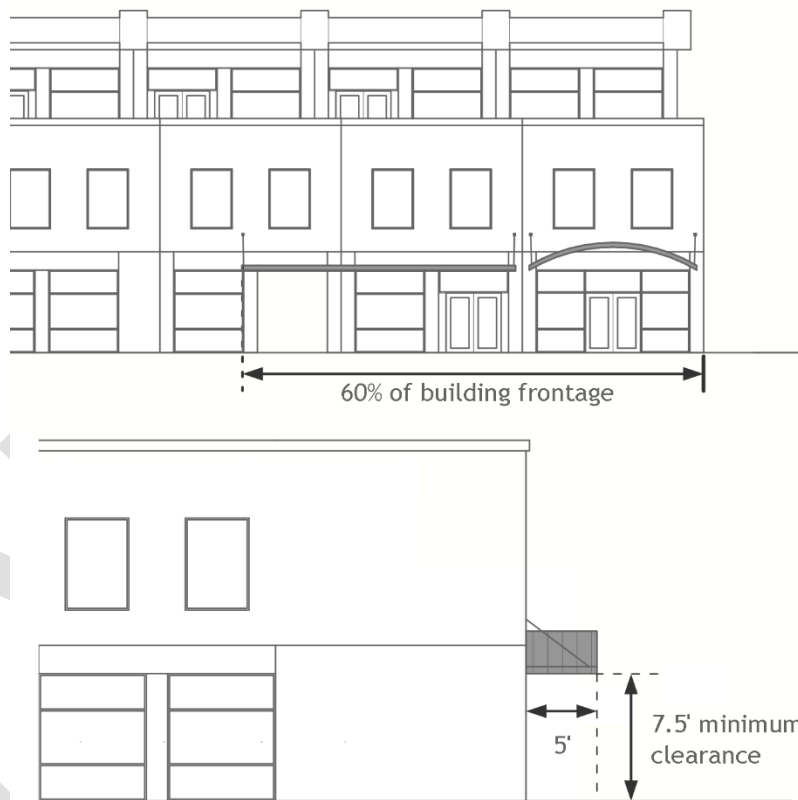
All Buildings that have residential unit floor plates within six feet of finished grade must meet the following standards:

- a. The building shall include a primary front door entrance into the unit that is accessible from the Pedestrian Realm. Entrances above grade are considered accessible from the Pedestrian Realm.
- b. Units shall also include windows that provide residents a view of the street and Pedestrian Realm.
- c. Lobbies that provide access to upper stories may be located at grade level.
- d. Any fencing used to enclose patios adjacent to the pedestrian realm may not exceed 4 feet in height.
- e. All ground floor residential units along Primary Frontage shall maintain a minimum structural ceiling height of 13 feet to provide the opportunity for future conversion to nonresidential uses.

### 2. Nonresidential At-Grade

- a. The ground floor entry shall be located at the approximate elevation of the adjacent sidewalk.

- b. Have a minimum clear height of 13 feet between finished floor and the ceiling or top plate. Mezzanines within the retail space shall be allowed per building code;
- c. Nonresidential uses adjacent to the Pedestrian Realm at grade must incorporate architectural details that create shade and cast shadows to provide visual relief through:
  - (1) Have an awning, canopy or other covering that extends at least five feet over the sidewalk for at least 60 percent of the frontage on any portion of a building facing south or west. Such awning or canopy shall maintain a minimum seven and one-half foot clearance over the sidewalk; and/ or



**Figure 2-121.F: Building Awning or Canopy Requirement**

- (2) Have an arcade that:
  - (i) Is open and unobstructed for a height of at least 12 feet;
  - (ii) Is open for its entire length with the exception of columns;
  - (iii) Is open to a street or to a public open space on the property;
  - (iv) Is between 10 feet and 30 feet wide; and
  - (v) Is accessible to the public at all times.



- (3) A different shade structure or element that satisfies the intent of creating shade, shadow and providing visual relief.

## F. Building Form

### 1. Building Mass

Buildings shall be designed to reduce apparent mass by including a clearly identifiable base, body, and top, with horizontal elements separating these components as shown in Figure 2-121..

#### a. Base

The building base shall be designed to visually ground the building and provide pedestrian scale.

#### e. Body

The component described as the body shall constitute a minimum of 50 percent of the total building height. For a building that is 2 stories or less, a middle section is not required.

#### f. Top

The building top may include a parapet wall or sloped roof to provide visual relief.

### 2. 360-Degree Architecture

Those sides of a building that are not visible from the street frontage shall have a finished façade that is similar to the visible facades in terms of materials and architectural detailing.

### 3. Façade Articulation

Each street-facing façade shall incorporate at least two of the following elements within each 50 horizontal feet of building façade:

- a. Providing vertical building modulation of at least 12 inches in depth;
- b. Projections, recessions, or reveals such as, but not limited to, columns, pilasters, cornices, and bays, and having a change of wall plane that is a minimum of six inches in depth; and/or
- c. A change in building material, siding style, or color.

## G. Building Transparency

### 1. Ground-Floor Transparency

- a. When the ground floor of a building is occupied by nonresidential uses, at least 40 percent of the ground floor, street-facing façade between four and eight feet above the Pedestrian Realm, shall be transparent.

- b. When the ground floor of a building is occupied by residential uses, at least 15 percent of the street-facing façade (all vertical surfaces generally facing the street) shall be transparent.

## 2. Upper-Floor Transparency

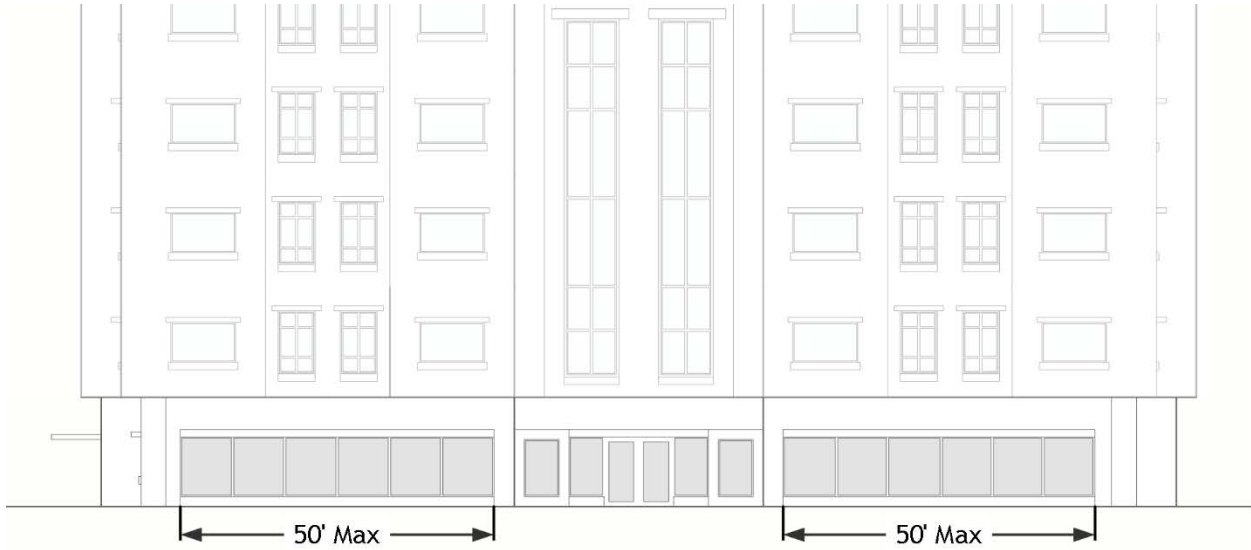
Upper floors of each façade facing a public street shall contain a minimum of 20 percent windows.



**Figure 2-121.G: Façade Articulation, Building Form, and Transparency**

## 3. Other Standards

- a. Windows and other materials intended to meet the minimum transparency requirements shall not be reflective or mirror-like in appearance.
- b. “Storefront”-type glass walls shall not extend in a continuous unbroken façade longer than 50 feet. The Director may waive this requirement if the design of the site and/or building provides a break in the visual appearance of the façade.
- c. Windows shall be individually defined with detail elements such as frames, sills and lintels unless otherwise approved by the Director.



**Figure 2-121.H: Building Transparency - Storefront**

#### H. Additional Standards for Multi-Family Development

In addition to the standards above, all Multi-Family development must provide additional amenities. Applicants shall select amenity options from the Development Application Handbook to achieve the minimum number of points required for the development as indicated below in **Table 2-121.1: Required Points for Multi-Family Development by Number of Units** for purposes of meeting the minimum requirements of this Section include but are not limited to improvements such as a pool; fitness center; community gathering space (indoor or outdoor); business center; bicycle storage; balconies; multiple floor plans; enhanced building finishes; Leadership in Energy and Environmental Design (LEED) certification; energy efficient appliances.

Table 2-121.1: Required Points for Multi-Family Development by Number of Units	
Number of Dwelling Units	Minimum Points Required
< 50	20 points
50-99	40 points
100-149	60 points
150-249	80 points
250-350	100 points
> 350	For every additional 50 units, an additional 10 points

## Sec 2-122. Building Design and Additional Development Standards - Middle Housing Development

### A. Cottage Court Development

1. Cottage Court Dwellings shall be arranged around the perimeter of a central common space of at least 200 square feet per Dwelling Unit. The central common space can include but is not limited to open space, pool, clubhouse, or other community amenities. Parking areas do not count toward open space requirements.
2. There shall be a minimum of 5 feet and a maximum of 10 feet between Cottage Court Dwellings. Community amenity buildings shall be a minimum of 5 feet from Cottage Court Dwellings.
3. All setbacks for the project site (not individual Dwellings) shall comply with the regulations for Middle Housing Development.
4. Parking shall be designed to limit curb cuts and most efficiently park vehicles.
5. Parking may take place on a shared, paved parking lot or in shared driveways.

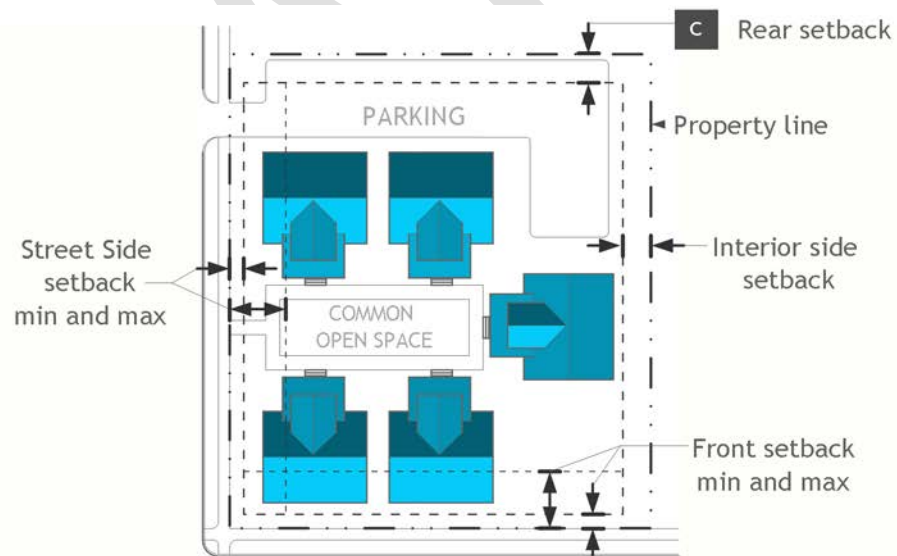


Figure 2-122.A: Cottage Court Development

### B. All Other Middle Housing

1. Building Orientation and Entrances
  - a. The orientation of the primary entrance and façade of residential dwellings shall be consistent with the established pattern along the block face.

- b. No residential structure shall be sited diagonally or otherwise skewed on the lot.
- c. On both interior and corner lots, at least one unit shall have a main entrance with a door visible from the street.

2. Building Form

a. Building Mass

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.

b. 360-Degree Architecture

Those sides of a building that are not visible from the street frontage shall have a finished façade that is similar to the visible facades in terms of materials and architectural detailing.

3. Building Transparency

At least 15 percent of the area of street-facing façades shall be windows or doors.

C. Private Garages and Surface Parking for Residential

- 1. Garages and surface parking shall be located behind dwelling units and may be accessed by alleys or private drives.
- 2. The minimum distance between the edge of the street or alley and the garage door shall be 20 feet.

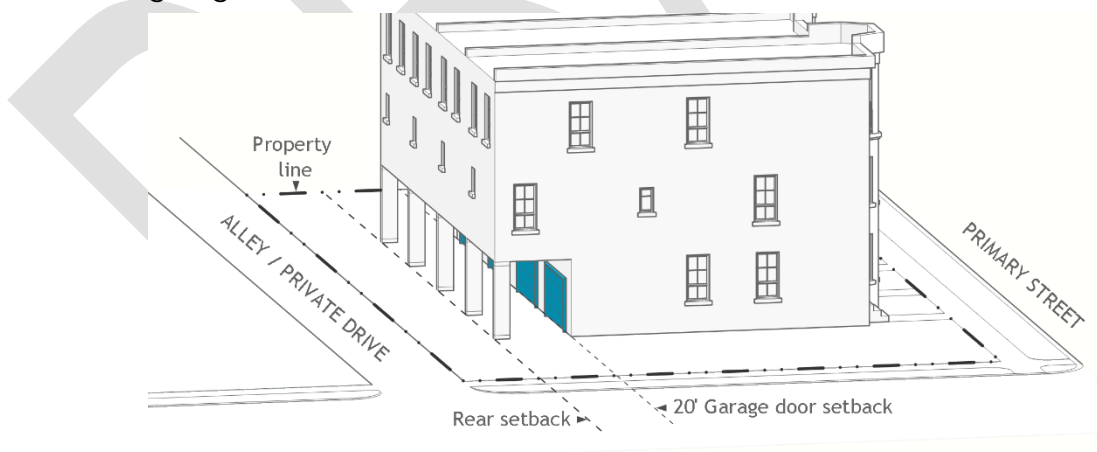


Figure 2-122.B: Rear Loading Garage Setback

**Sec 2-123. Mixed-Use Districts Permitted Uses and Parking Requirements**

The Mixed-Use Districts Permitted Uses and Parking Schedule is shown on the following pages. Additional regulations indicated in the “Notes” column can be found at the end of the Permitted Uses and Parking Schedule. Parking design requirements and reductions are set forth in Subsections B. and C., below.

**A. Table of Permitted Uses and Parking Schedule**

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts					
Land Use	MU-N	MU-R	Definition	Parking	Notes
<b>Residential</b>					
Dwelling, Multi-Family	P/C (N)	P/C (N)	7 or more Dwelling Units within a building on one platted lot.	1: 5 Dwelling Units PLUS 1.5: One Bedroom Unit and 2: Two or More Bedroom Units	1, 2
Dwelling, Single-Family Attached (Townhome)	P	P	A building that contains Dwelling Units located on separately platted lots that are joined to other Dwelling Units on one or both sides by a common wall that is located along the side lot line and separates the individual Dwelling Units, commonly referred to as a townhouse.	1: 5 Dwelling Units PLUS 1.5: One Bedroom Unit and 2: Two or More Bedroom Units	1
Dwelling, Two-Family (Duplex)	P	P	A building on one platted lot that contains only 2 Dwelling Units, either horizontally or vertically stacked, and has open space on all sides of the building, commonly referred to as a duplex.	2: Dwelling Unit	1
Dwelling, Urban Home	P(N)	P(N)	A building that contains only 1 Dwelling Unit and is typically larger in	2: Dwelling Unit	1

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			height than in width and located on a narrow lot, commonly referred to as a detached townhome.		
Dwelling, Triplex or Fourplex	P	P	A building on one platted lot that contains 3 or 4 Dwelling Units either horizontally or vertically stacked.	1: 3 Dwelling Units PLUS 1.5: One Bedroom Unit and 2: Two or More Bedroom Units	1
Dwelling, Sixplex	P	P	A building on one platted lot that contains 5 or 6 Dwelling Units either horizontally or vertically stacked.	1: 5 Dwelling Units PLUS 1.5: One Bedroom Unit and 2: Two or More Bedroom Units	1
Dwelling, Live/Work	P(N)	P(N)	A building that contains 1 or more Dwelling Units that maintain integrated living and working space in different areas of the unit, either horizontally or vertically stacked.	2: Dwelling Unit	3
Dwelling, Cottage Court	P(N)	P(N)	A cluster of at least 5 attached or detached single-family dwellings located within a common development that use shared access, parking, and common spaces. May include homes on individual lots, homes owned as condominiums, or leased homes.	1: 3 Dwelling Units PLUS 1.5: One Bedroom Unit and 2: Two or More Bedroom Units	1, 6
Child Care Home (≤6 Children)	P	P	A dwelling where state-licensed care, protection, and	2: Dwelling Unit	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			supervision are provided, for a fee, at least twice a week to no more than 6 children at one time, including children of the adult provider, for less than 24 hours per day, and in accordance with the requirements of Texas Administrative Code, Title 40, Part 19.		
Child Care Home (≥7 Children)	C	C	A dwelling where state licensed care, protection, and supervision are provided, for a fee, at least twice a week to no more than 12 children at one time, including children of the adult provider, for less than 24 hours per day, and in accordance with the requirements of Texas Administrative Code, Title 40, Part 19.	2: Dwelling Unit	
Clergy House, Monastery, or Convent	C	C	A dwelling where 4 or more unrelated employees of a Place of Worship, such as religious leaders or those studying worship, live; which is located on a separate platted lot than the associated Place of Worship; and that is tax exempt as defined by State law.	1: Resident	
Community Home	P	P	A dwelling for not more than 6 persons with disabilities and 2 supervisors and is	2: Dwelling Unit	



Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			licensed under and complies with Chapter 123 of the Texas Human Resources Code.		
<b>Institutional</b>					
Library	P	P	A public facility that allows the view and check out of books, videos, and other literature.	1:300 sq.ft.	
Museums and Art Galleries	P (N)	P	A building serving as a repository for a collection of natural, scientific, artistic, or literary objects of interest, and designed to be used for viewing, with or without an admission charge, and that may include the sale of goods and novelties as an accessory use.	1:300 sq.ft.	
Parks and Recreational Facilities	P	P	An area developed for active play and recreation that may include, but is not limited to, open space, sports courts, play equipment, trails, restrooms, and maintenance structures. The area may be owned by a public entity and used to provide recreational activities to the general public; or the area may be owned by a private, nonprofit, or homeowner's association and used to provide recreational	1:100 sq.ft. of Indoor Facilities Plus 1:4 Persons Design Capacity of Outdoor Facilities (Including Both Participants and Spectators as Applicable)	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			activities to the members of the association.		
School, College, and University		P	An institution established for educational purposes offering courses for study beyond the secondary education level. Dormitories for students and employees only are permitted in conjunction with these uses.	The applicant shall provide parking analysis for the proposed development and parking estimate shall be approved by the Director of Planning.	
School, Private, Elementary, Middle, and High	P	P	A school under the sponsorship of a private or religious organization, which provides elementary, middle, and/or secondary school curricula.	Elementary and Middle Schools: 1:20 Students High Schools: 1:4 Students	
School, Public, Elementary, Middle, and High	P	P	A school organized by a governmental entity or granted a charter under Chapter 12 of the Texas Education Code, which provides elementary, middle, and/or secondary school curricula.	Elementary and Middle Schools: 1:20 Students High Schools: 1:4 Students	
School, Vocational	P(N)	P	Trade schools and commercial schools offering training or instruction in a trade, art, or occupation.	1:100 sq.ft. of Classroom Space Plus 1:300 sq.ft. for Workshop or Instructional Space	4
<b>Office</b>					
Professional Office, Neighborhood	P	P	An establishment for the provision of executive, management, or administrative	1:250 sq.ft.	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			services in an office setting in a building less than or equal to 20,000 sq.ft. Examples may include offices of accountants, engineers, bookkeepers, attorneys, insurance, consultants, city planners.		
Professional Office, Regional		P	An establishment for the provision of executive, management, or administrative services in an office setting in a building greater than 20,000 sq.ft. Examples may include offices of accountants, engineers, bookkeepers, attorneys, insurance, consultants, city planners.	1:250 sq.ft.	
<b>Retail</b>					
Bar	P	P	A facility that derives more than 50% of its revenue from the sale of alcohol beverages for consumption on the premises where the same are sold.	1:200 sq.ft.	
Furniture and Home Furnishings Store	P(N)	P	A business that engages in the sale of household furniture, decorations, and related consumer goods.	1:300 sq.ft.	
Grocery, Convenience Store	P(N)	P(N)	A retail establishment that sells food and other consumable and	1:200 sq.ft.	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			non-consumable products for off-premise use or consumption that is 6,000 sq.ft. or less. See Gas Pumps (Accessory) and Car Wash (Accessory) for these uses in conjunction with Grocery.		
Grocery, Market	P(N)	P(N)	A retail establishment primarily selling prepackaged and perishable food as well as other convenience and household goods that is 30,000 sq.ft. or less. See Gas Pumps (Accessory) and Car Wash (Accessory) for these uses in conjunction with Grocery.	1:200 sq.ft.	
Grocery, Supermarket	P	P(N)	A retail establishment primarily selling prepackaged and perishable food as well as other convenience and household goods that is greater than 30,000 sq.ft. See Gas Pumps (Accessory) and Car Wash (Accessory) for these uses in conjunction with Grocery.	1:200 sq.ft.	7
Liquor Store	P(N)	P	A retail establishment primarily engaged in selling beer, wine, and other alcoholic beverages. Establishments may	1:200 sq.ft.	4

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			specialize in a particular type of alcoholic beverage.		
Nurseries and Gardening, Retail	P(N)	P	A facility for the growing, display, or sale of plant stock, seeds or other horticulture items. This use may include raising plants outdoors or in greenhouses for sale either as food or for use in landscaping. This does not include home improvement stores.	1:300 sq.ft.	4
Pharmacy	P(N)	P(N)	An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related merchandise.	1:200 sq.ft.	7
Restaurant, With Drive-In and/or Drive-Thru Service	P(N)		An establishment that prepares and sells food and beverages for immediate consumption, including cafes, coffee shops, sandwich shops, ice cream parlors, fast food, take-out, and similar uses, that has one or more drive-through lanes or drive-in spaces for ordering and dispensing food and beverages to patrons remaining in their vehicles.	1:100 sq.ft. (Including Outdoor Areas for Seating)	7,8
Restaurant, With No Drive-In or Drive-Thru Service	P(N)	P(N)	An establishment that prepares and sells food and	1:50 sq.ft. of Public Seating and Waiting Area	8

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			beverages for immediate consumption, including cafes, coffee shops, sandwich shops, ice cream parlors, take-out, and similar uses.	(Including Outdoor Areas for Seating and Waiting) PLUS 1:200 sq.ft. of the remainder of the building.	
<b>Services</b>					
Adult Day-Care	P	P	A group program that is licensed by the State of Texas and designed to meet the needs of four or more functionally and/or cognitively impaired adults through an individual plan of care. These structured, comprehensive programs provide a variety of health, social, and other related support services in a protective setting during any part of a day, but less than 24-hour care. Adult day care services are dedicated to keeping adults needing assistance healthy, independent, and non-institutionalized. Adult day centers generally operate programs during normal business hours five days a week. Some programs offer services in the evenings and on weekends.	1:200 sq.ft.	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
Animal Services, Boarding/Day Care	P	P	A facility for the overnight boarding or day care of small animals such as dogs, cats, birds, small reptiles, and other similar household animals.	1:300 sq.ft.	
Animal Services, Outdoor Runs (Accessory)	P(N)	P(N)	Fenced outdoor facilities for small animals. This use is an accessory only in association with an approved with an approved Animal Services, Small Animal or Animal Services, Boarding/Day Care use.	No Additional Parking Required	8, 9
Animal Services, Small Animals	P	P	A facility for the medical or surgical treatment, grooming, or other veterinary services for small animals such as dogs, cats, birds, small reptiles, and other similar household animals. Overnight stays are primarily for those required after a surgical procedure for a household pet.	1:300 sq.ft.	
Assembly Facility, Banquet/Event Center	P(N)	P(N)	A building, facility, room, or portion thereof, which is rented, leased or otherwise made available to any person or group for a private event function, that is not open to the general public, whether or not a fee is charged.	1:100 sq.ft.	4

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			This use also includes meeting halls for civic organizations or social groups. This definition does not include assembly facilities associated with and on the same campus as a Place of Worship.		
Assisted Living	P(N)		A facility providing residence, supervision and daily assistance for individuals with common dining and recreational areas designed for the needs of older adults or people with disabilities. Services in these establishments include personal services such as assistance with dressing, grooming, bathing, and social and recreational services, such as meal services, transportation, housekeeping, linen and organized social activities and administration of medication by a person licensed or otherwise authorized in this state to administer the medication. These facilities must be licensed as Type A or Type B facilities under the State of Texas.	1: 2 Resident Occupants (at maximum capacity of facility)	10



Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
Child Care Facility, Daycare	P(N)	P	An establishment, other than a public or private school, providing care training, education, custody, treatment or supervision for 7 or more children for less than 24 hours a day at a location other than the permit holder's home. A state license is required.	1:300 sq.ft.	4
Cleaning, Dry Cleaners Pick-Up & Drop-Off	P(N)	P(N)	An establishment that accepts clothing to be laundered, dry cleaned, dyed, or pressed. Laundering and pressing is permitted on site. Dry cleaning, dyeing, and other processes involving the use of solvents are prohibited on-site.	1:200 sq.ft.	7, 13
Clinic, Medical, Dental or Therapist	P	P	An institution, public or private, for the examination, evaluation, and treatment of out-patients by an individual or group of doctors, dentists, or other licensed members of a human health care profession, such as speech, physical, or occupational therapists, chiropractors, and dieticians.	1:200 sq.ft.	
Commercial Amusement, Indoor	P(N)	P	An amusement enterprise offering entertainment or games of skill to the general public for a	Bowling Alley: 4: each bowling lane; Billiard/Pool Facility: 2:pool table; Indoor	8

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			fee or charge, wherein all portions of the activity takes place indoors, including, but not limited to: bowling alley, billiard/pool facility, miniature golf course, gun range/archery range, roller/ice skating rink, racquetball/handball club, indoor tennis courts/club, indoor swimming pool or scuba diving facility, video arcade, indoor trampoline park/bouncy park, fortune telling, card reading, illusionists, magicians and puzzle-solving games.	Miniature Golf Course: 1:200 sq.ft. for indoor, plus 1½:hole; Gun Range/Archery Range: 1:200 sq.ft. of indoor facilities, plus 1:lane; Roller/Ice Skating Rink: 1:150 sq.ft. of rink area; Indoor Game Courts: 3:court; Video Arcade: 1:200 sq.ft., plus 1:3 persons that the facility is designed to accommodate at maximum capacity; Indoor Trampoline/Bouncy Park: 1:200 sq. ft. Other Uses: 1:200 sq.ft.	
Commercial Amusement, Outdoor	P(N)	P(N)	A commercially operated enterprise offering entertainment or games of skill to the general public for a fee or charge, wherein any portion of the activity takes place outdoors, including, but not limited to, miniature golf course, amusement park, golf driving range, archery range, batting cages, go-cart track, sports field, and swimming pool/waterpark. Gun ranges are classified as Commercial Amusement, Indoor.	Parking: Miniature Golf Course: 1:200 sq.ft. of indoor facilities, plus 1½:hole; Golf Driving Range/Archery Range: 1:200 sq.ft. of indoor facilities, plus 1:lane or skeet field; Amusement Park: 1:3 persons that the facilities are designed to accommodate at maximum capacity; Go-Cart Tracks/Sports Fields/Swimming Pool: 1:100 sq.ft. of indoor facilities, plus 1:4 persons design capacity of outdoor facilities,	8, 11

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
				including both participants and spectators as applicable; Other Uses: 1:200 sq.ft.	
Concert or Performance Hall		P	A building devoted to the showing of musical or live performances including rehearsal space.	1:500 sq.ft.	
Concierge Medical Care	P	P	A business engaged in medical care of clients for an annual or monthly fee with a limited number of clients. Doctors in this industry may conduct business in an office or visit patients at home. The concierge medical facility may not exceed 2,500 sq.ft.; a larger facility is classified under Clinic.	1:250 sq.ft.	
Counseling and Therapy Services	P	P	An establishment providing treatment on an outpatient basis for mental health and wellness issues (without the use of drugs) including individual, marital, and family counseling by one or more licensed therapists, counselors, and/or clinical social workers.	1:250 sq.ft.	
Emergency Rooms/Urgent Care Facilities	P/(N)	P	A stand-alone facility, outside of a hospital setting, that provides immediate or emergent medical treatment on a strictly	1:250 sq.ft.	8

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			outpatient basis. Patients are generally treated on a walk-in basis and services are not intended for long-term or overnight care.		
Financial Institution without Drive-Thru	P	P	A banking establishment without drive-thru facilities, open to the public, for the deposit, custody, loan, exchange or issue of money, the extension of credit, and facilitating the transmission of funds. Excludes pawnshops, check cashing businesses, payday advance/loan businesses, car title loan businesses and bail bonds.	1:250 sq.ft.	
Fitness Center	P(N)	P	An establishment engaged in providing indoor fitness instruction such as yoga, Pilates, martial arts, Zumba, kickboxing, boot camp, swimming instruction, etc. t. See Fitness Center, Outdoor Facilities & Activities (Accessory) for any outdoor facilities or activities.	1:200 sq.ft.	4, 8
Fitness Center, Outdoor Facilities & Activities (Accessory)	P(N)	P(N)	An accessory use only permitted in conjunction with and on the premises of a Fitness Center use. Permitted accessory uses include	No Additional Parking Required unless determined necessary by the Director of Planning	8

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			outdoor fitness facilities, outdoor ball courts, outdoor swimming pools, or outdoor fitness classes.		
Funeral Home		P	A place for the storage of human bodies prior to their burial or cremation, which may also be used for the preparation of the deceased for burial and the display of the deceased and ceremonies and services connected with these activities. Services shall be in accordance with applicable state or federal law.	With Fixed Seating: 1:4 Seats in the Main Assembly Area OR Without Fixed Seating: 1:100 sq.ft. in the Main Assembly Area PLUS 1:200 sq.ft. for the Remainder for the Building.	
Hospital		P	An institution used or designed for the housing or treatment of sick or injured patients where they are given medical or surgical treatment intended to restore them to health, and that is licensed by the State of Texas. This includes any helipads required for emergency services.	Inpatient Area - 2: Bed Outpatient Area - 1:400 sq.ft.	
Hotel, Full Service		P(N)	A hotel with guest rooms offered at nightly rates only, and that contains and offers the following amenities: 1. A minimum of 10,000 square feet of dedicated	1: Guest Room PLUS 1:200 sq.ft. for Meeting Room/ Restaurant	14

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			meeting and event facilities; 2. Full-menu room service; 3. Fitness center; 4. Swimming pool; 5. Restaurant accessible through the interior of the hotel that offers a full-menu, table service, and seating for at least 50 patrons during standard dining hours; and 6. Lounge area containing a counter, tables, or seating area where alcoholic beverages are sold for consumption in that area.		
Hotel, Select Service		C(N)	A hotel with guest rooms offered at nightly rates only, and that contains and offers the following amenities: 1. A minimum of 4,000 square feet of dedicated meeting and event facilities; 2. A restaurant accessible through the interior of the hotel that offers made-to-order food and seating for at least 30 patrons during standard dining hours; 3. Swimming pool; and 4. Fitness center.	1: Guest Room PLUS 1:200 sq.ft. for Meeting Room/ Restaurant	14
Hotel, Limited Service		C(N)	A hotel with guest rooms offered at	1: Guest Room PLUS	14

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			nightly rates only, and that contains the following amenities: 1. A minimum of 500 square feet of dedicated meeting and event facilities; 2. Swimming pool; and 3. Fitness center.	1:200 sq.ft. for Meeting Room/ Restaurant	
Independent Senior Living (55+)	P(N)	P(N)	An establishment providing dwelling units specifically designed for the needs of people 55 and over. In addition to housing, this type of facility provides convenience services, such as meals, housekeeping and transportation, and community facilities, such as central dining rooms and activity rooms.	2:Dwelling Unit	1
Individual and Family Social Services	P	P	Establishments engaged in providing one or more of a variety of individual and family social, counseling, welfare, or referral services, including refugee, disaster, and temporary relief services.	1:250 sq.ft.	
Long-Term Acute Care Facility/ Rehabilitation Hospital		P	A facility that is licensed by the State of Texas and devoted to patients with various neurological, musculo-skeletal, orthopedic and other medical conditions following	2:1 permanent beds	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			stabilization of their acute medical conditions. The acute care may include physical therapy, occupational therapy, speech therapy, and such and is designed to improve the patient's independence so they may return to their home.		
Medical and Dental Laboratory		P	A facility in which medical tests are conducted on specimen, body fluids, tissues, such as blood analysis, molecular diagnostics, forensic toxicology testing; or dentures, artificial teeth, and orthodontic appliances are made to order for the dental profession.	1:300 sq.ft.	
Movie Theater		P	A building or portion of a building devoted primarily to the showing of movies or motion pictures and including the sale of concessions to theater patrons.	1:4 Seats	
Other Educational Services	P	P	Educational establishments, other than elementary and secondary schools, providing instruction in a classroom setting with a specific set of curricula including	1:300 sq.ft.	



Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			tutoring, music schools, language school, and similar establishments as well as educational testing centers.		
Other Health Services	P	P	Establishments engaged in a variety of other outpatient health services not otherwise specified including dialysis centers, blood donations, and other non-surgical outpatient services.	1:300 sq.ft.	
Permanent Makeup	P	P	An establishment whose practices placing of marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the facial skin by means of the use of needles or other instruments designed to contact or puncture the skin to produce designs that resemble makeup such as eyebrows, eyeliner, lips, and other permanent enhancing colors.	1:200 sq.ft.	
Personal Services	P	P	An establishment engaged in the provision of informational, instructional, personal improvement, personal care, and similar services, such as portrait shops, photography	1:200 sq ft.	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
			studios, art and music schools, driving schools, print shops, handicraft/art or hobby instruction, salons, spas and barber shops, household and personal goods repair, and tailor/alterations shops.		
Place of Worship	P	P	A building for regular assembly for religious public worship that is used primarily for and designed for such purpose such as a church, synagogue, mosque or similar, along with accessory activities that are customarily associated therewith, such as a place of residence for clergy on the premises, and that is tax exempt as defined by State law.	With Fixed Seating: 1:3 Seats in the Main Assembly Area OR Without Fixed Seating: 1:75 sq.ft. in the Main Assembly Area	
Research, Life Sciences and Healthcare		P	An establishment engaged in research concerning biology, microbiology, biochemistry, other life sciences, and general healthcare such as agricultural research, food research, pharmaceutical research, oceanographers, biotechnical research, and other related life science and healthcare research.	1:300 sq.ft.	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
Research & Technology Development		P	An establishment which conducts scientific research, including development, testing or controlled production of high-technology electronic, industrial, or scientific such as computer software, electronic components, electronic research, instrument analysis, robotics, optical equipment, and other related services.	1:300 sq.ft.	
Studio, Glass or Ceramics		P	An establishment primarily used for an artisan workshop to make or manipulate glass or ceramic products.	1:500 sq.ft.	
Studio, Metalwork, Woodwork, & Furniture (Including Repair)		P	An establishment primarily used for an artisan workshop dedicated to metal work, woodworking, or furniture making. Activities include but are not limited to forging individual pieces of metal, welding services, blacksmithing, creating works of art using metal, carving wood, assembling pieces together, furniture upholstery and repair, or finishing wooden pieces. Activities may also include repair that utilizes welding.	1:500 sq.ft.	

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
<b>Vehicle-Related</b>					
Gas Pumps (Accessory)	C(N)		Any facility, equipment, or fixture, including a canopy, used for retail dispensing of motor vehicle fuels primarily to passenger vehicles. Only permitted in conjunction with a Grocery (Convenience, Market or Supermarket) use.	See Grocery for Parking Requirement. (Each Pumping Station Counts as a Parking Space)	16
Parking, Facility	P	P	A parking facility that provides parking spaces for vehicles less than 1-ton capacity for a fee or free.	No Additional Parking Required	17
<b>Industrial</b>					
Microbreweries	P(N)	P(N)	A facility with 30,000 sq.ft. or less of enclosed space, where beer, wine, or other alcoholic beverages are brewed, fermented, or distilled for distribution and consumption, which possess the Brewpub (BP) license from the State of Texas and which follows all TABC requirements from the State of Texas. This facility may also prepare and sell food and alcoholic beverages for immediate consumption on-site. Such facilities are typically	1:500 sq.ft. of Production Area and Office PLUS 1:100 sq.ft. of Taproom, Lounge, and Dining Area, of Both Indoor and Outdoor Seating	3, 18

**Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts**

Land Use	MU-N	MU-R	Definition	Parking	Notes
			independently owned.		

Mixed-Use District Supplemental Regulations

**1. Home Occupation**

A Home Occupation is only permitted as an Accessory Use in a residential Dwelling Unit if it meets the following conditions:

- a. It does not depend on the employment of a person who does not reside in the residence;
- b. A separate entrance is not provided for the conduct of the occupation;
- c. An alteration is not made in the Dwelling Unit that changes its character as a Dwelling Unit;
- d. It does not use outdoor storage;
- e. A Sign Advertising the Home Occupation is not located on the Premises;
- f. It does not require the delivery or shipment of merchandise, goods, or equipment by other than passenger motor vehicles, ¾ ton step-up van or similar sized trucks;
- g. It does not create or cause any perceptible noise, odor, smoke, electrical interference or vibrations to emanate from the Premises; and
- h. It is conducted so that it does not create parking or traffic congestion or otherwise place an undue burden on the abutting or adjoining neighbors or the immediate neighborhood.

**2. Multi-Family Dwelling**

- a. All Multi-Family Dwellings shall meet the additional criteria in Sec. 2-121.F.
- b. Maximum Number of Units
  - i. In the MU-N district, a Multi-Family Dwelling development shall not exceed the lesser of 150 dwelling units or 3 units per developable acre in the applicable Neighborhood Activity Center as identified in the Comprehensive Plan.
  - ii. In the MU-R district, a Multi-Family Dwelling development shall not exceed the lesser of 350 dwelling units or the maximum number of units in the applicable Regional Activity Center as identified in the Comprehensive Plan.
  - iii. Any proposed development that exceeds the limitations in paragraphs i. and ii. above must be approved through a Conditional Use Permit.

**3. Dwelling, Live/Work**

In all districts, Non-residential uses in a Live/Work dwelling are limited to the first floor of the dwelling.

**4. Size Limitation in MU-N District (total size)**

In the MU-N district, a use is not allowed to occupy a space larger than 10,000 square feet.

**Size Limitation in MU-N District (Ground Floor Area)**

In the MU-N district, the Ground Floor Area of the structure in which the use is located can be no larger than 10,000 square feet.

**5. Cottage Court Development**

Cottage Court Dwellings shall meet the additional criteria in Sec. 2-122.A.

**6. Drive-Thru Facilities**

In the MU-R district, drive-thru facilities are prohibited. In the MUN district:

- a. All drive-thru facilities shall comply with the following requirements:
  - i. Speakers must be oriented away from the nearest residential lot(s);
  - ii. A 10-foot wide bypass lane is required adjacent to the stacking lane to allow vehicles to circumvent the drive-thru lane.

Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts

Land Use	MU-N	MU-R	Definition	Parking	Notes
					<ul style="list-style-type: none"> <li>b. Each drive-thru lane may count as three spaces toward total parking count.</li> <li>c. Drive-thru lanes count toward total surface parking lot coverage.</li> <li>d. If adjacent residential provide a double row of 6-foot hedges or shrubs to screen.</li> <li>e. Drive-thru lanes shall be located at the side or rear of the building and not located between the building and the Primary Street Frontage.</li> </ul>
					<p><b>7. Limitations near Residential Uses</b> Within 200 feet of a residential use (excluding Multi-Family) the following are prohibited:</p> <ul style="list-style-type: none"> <li>a. Outdoor Speakers</li> <li>b. Emergency Rooms</li> </ul>
					<p><b>8. Outdoor Fitness areas Animal Services, Outdoor Runs (Accessory)Animal Services, Outdoor Runs (Accessory)</b></p> <ul style="list-style-type: none"> <li>a. In all districts, outdoor facilities greater than 2,500 square feet are prohibited</li> <li>b. Outdoor facilities shall not be located between the primary structure and the front or street side lot line.</li> <li>c. Outdoor facilities shall be screened from public view with an 8-foot opaque fence and double row of hedges a minimum of 3' in height at time of planting.</li> </ul>
					<p><b>9. Size Limitation (20,000 sq. ft.)</b> In all districts, a use is not allowed to occupy a space larger than 20,000 square feet.</p>
					<p><b>10. Assisted Living</b> Assisted Living uses must comply with the following requirements:</p> <ul style="list-style-type: none"> <li>a. Provide a common dining area;</li> <li>b. Provide housekeeping and transportation services to residents; and</li> <li>c. Be licensed by the state under Texas Administrative Code Ch. 92 as a Type A or Type B facility.</li> </ul>
					<p><b>11. Dry-Cleaning Facilities</b> Screening is required to minimize view of any rear door, utility door, or loading and unloading bay from any adjacent property line or right-of-way.</p>
					<p><b>12. Hotels (Full, Limited, Select Service)</b></p> <ul style="list-style-type: none"> <li>a. Intent The City Council has determined that establishing minimum standards for hotels protects and advances the general welfare of the community by providing for structural integrity, safety, durability, and improved maintenance of sites, and by promoting economic development by providing quality hospitality developments that support the City's businesses.</li> <li>b. Definition For hotels, Cooking Facility includes a conventional oven, convection oven, stove top burner, grill, hibachi or hotplate that does not serve an integral part of an appliance designed solely to produce coffee, sink with a 1 inch or larger in diameter drain, garbage disposal, dishwasher, counter space for cooking, preparing, or serving food, but does not include a microwave, miniature refrigerator or freezer, or coffee maker.</li> <li>c. Minimum Requirements A hotel must meet the following requirements: <ul style="list-style-type: none"> <li>i. Guest rooms must be accessible only through interior corridors;</li> <li>ii. Entrance through exterior doors must be secured and accessible only to guests and employees;</li> <li>iii. Hotel management must be on-site 24 hours each day;</li> </ul> </li> </ul>

**Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts**

Land Use	MU-N	MU-R	Definition	Parking	Notes
			<ul style="list-style-type: none"> <li>iv. Prohibit overnight parking of trucks with more than 2 axles and recreational vehicles in the hotel’s parking lot and Parking Garage, erect signs in compliance with Chapter 2308 of the Texas Occupations Code stating those vehicles will be towed from the hotel property;</li> <li>v. Except for not more than 5% of the total number of guest rooms in a Full Service Hotel, guest rooms in a hotel may not contain any Cooking Facility; and</li> <li>vi. Delivery service areas must be screened from the view of any Right-of-Way or residential area by masonry walls.</li> </ul>		
			<p><b>13. Independent Senior Living</b></p> <p>Independent Senior Living uses must comply with the following requirements:</p> <ul style="list-style-type: none"> <li>a. Provide a common dining area that is at least 3,000 sq.ft.;</li> <li>b. Provide housekeeping and transportation services to residents;</li> <li>c. Provide physical fitness and/or wellness facilities on-site;</li> <li>d. Units must be accessible through temperature controlled interior corridors; and</li> <li>e. At least one person aged 55 or over shall reside in each unit.</li> </ul>		
			<p><b>14. Gas Pumps (Accessory)</b></p> <p>In all districts Gas Pumps (Accessory) must comply with the following requirements:</p> <ul style="list-style-type: none"> <li>a. Gas canopy columns must be wrapped in a masonry finish;</li> <li>b. Gas canopy lighting must be recessed into the ceiling;</li> <li>c. There shall be no outside speakers at the gas pumps, except those required by state or federal law;</li> <li>d. Gas canopies must consist of a pitched or mansard roof; flat roof canopies are not permitted;</li> <li>e. Outside sales or rental of products, such as those sold from a vending machine, ice machine, movie kiosk etc., are prohibited.</li> </ul>		
			<p><b>15. Parking, Facility</b></p> <p>Parking Facilities are limited to parking garages. Standalone surface parking lots are not permitted.</p>		
			<p><b>16. Microbreweries</b></p> <p>Each establishment must include one or more of the following totaling at least 15% of the square footage of the enclosed space: a restaurant, tasting room, bar, or lounge.</p>		

**B. Parking Spaces and Maneuvering Area**

All developments must meet the standards for parking spaces and maneuvering area dimensions and design in Article V.

**C. Rules for Computing Parking Requirements**

In computing the number of Parking Spaces required for each of the uses as shown in the off-street Parking Schedule, the following rules govern:

**1. Base Off-Street Parking Reduction**

The minimum number of off-street parking spaces required for Multi-Family Dwellings and Nonresidential Uses listed in **Table 2-123.1: Permitted Uses and Parking Schedule for Mixed-Use Zoning Districts** shall be reduced by 25 percent

and may be further reduced in accordance with this section. Middle Housing is not eligible for parking reductions identified herein.

**2. On-Street Parking**

On-street parking spaces may count toward the requirement for off-street parking spaces if located adjacent to the development. On-street parking shall follow the established configuration of existing on-street parking, subject to City standards, except that angled parking may be allowed for some streets, as approved by the City. The configuration of the on-street parking and allowable credit toward off-street parking requirements shall be addressed during site/design review. The City shall maintain a written record of credits granted per each use.

**3. Shared and/or Off-Site Parking**

The Director may approve reduced parking requirements for shared and/or off-site parking for developments and/or uses with different operating hours or different peak business periods, if such parking complies with the following:

**a. Location**

- (1) Shared and/or off-site parking facilities shall be located within 1,320 feet (1/4 mile) (measured along a legal pedestrian route) of the entrance to each building for which the shared parking is provided.
- (2) Off-site parking shall not be located in Residential districts.

**b. Parking Demand Study Required**

- (1) The applicant shall prepare a parking demand study. The study shall be prepared by a traffic engineer and shall estimate parking demand for the proposed use based on the recommendations of the Institute of Traffic Engineers (ITE), Urban Land Institute, 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.

**c. Parking Agreement Required**

- (1) The parties involved in the joint use of shared parking facilities and/or the use of off-site parking facilities must execute and record in the Official Public Records an agreement that contains the following:
  - (i) A legal written and recorded agreement;
  - (ii) Proof of continuing use and maintenance; and
  - (iii) An accompanying site plan depicting the exact location and number of shared parking spaces.



- (2) Such agreement must be reviewed by the Director prior to the approval of the required Site Plan Package for any use to be served by the shared and/or off-site parking facility.
- (3) Subsequent revocation of such agreement may render any parking facilities that do not comply with this Code nonconforming.
- (4) If the shared parking arrangement is later terminated or modified and the Director determines that the termination or modification has resulted in traffic congestion, overflow parking in residential neighborhoods, or threats to pedestrian, bicycle, or motor vehicle safety, the property owners involved in the shared parking arrangement may be held in violation of this Code.

#### 4. Additional Off-Street Parking Reduction Options

a. Maximum Reduction for Parking Alternatives

Development in the MU districts may further reduce required minimum off-street parking in accordance with this Section. The maximum reduction of required off-street parking spaces by any single parking alternative or combination of parking alternatives shall be a total 60 percent, inclusive of the base 25 percent reduction.

b. Structured Parking

Off-street parking requirements may be reduced by 20 percent for developments providing structured parking.

c. Bicycle Parking Beyond Required

Providing more bicycle parking than required by Section 2-222 of the Development Code. The minimum required bicycle parking spaces must be calculated based on the initial vehicular parking requirement before any reduction is applied. Such reduction may be approved at a ratio of up to one off-street vehicle space reduction per five short-term bicycle spaces provided beyond the minimum required. Maximum reduction of 5 vehicle parking spaces.

d. Smart Parking

Up to 10 percent for development that install a smart parking system that provides parking availability information via sensors and/or cameras shared via mobile device or on physical markers/signs on site.

e. Ride-Share Parking

Reduced parking requirements for developments that provide vehicular parking spaces that are reserved for rideshare/taxi pick-up and drop-off provided the spaces meet the standards of Section 2-212. Such reduction

may be approved at a ratio of one off-street vehicle space per one pick-up/drop off space for up to five spaces.

f. Electric Vehicle Parking

For each electric vehicle charging station provided, the minimum number of required off-street parking spaces may be reduced by two. Each charging station counts toward the minimum number of required parking spaces.

Table 2-123.2 Parking Reduction Example: 15,000 Square Foot Neighborhood Retail

Base Minimum Requirement (1: 200 sq.ft.)	Mixed-Use District Reduction (25%)	Structured Parking Provided (20%)	2 EV Charging Stations Provided (-2 spaces per charging station)	Final Alternative Minimum Requirement
$15,000 / 200 = 75$	$75 \times 0.25 = 18.75$	$75 \times 0.2 = 15$	$5 \times 2 = 10$	$75 - 19 - 15 - 4 = 31$
75 spaces	19 spaces	15 spaces	10 spaces	<b>31 spaces</b>

Total allowed 60% reduction of 45 spaces ( $75 \times 0.60=45$ ) for a minimum requirement of 30 spaces.

Sec 2-124. Mixed-Use District Standards

A. Applicability

For all development in the MU-N and MU-R districts, the following activities require compliance with the standards listed in **Table 2-124.1: Development Standards Applicability Table**. Expansions may not be phased in order to circumvent the requirements of the Applicability Table.

1. New Development

Development activity on a site that has not been previously improved.

2. Redevelopment

Any development activity or site alteration on a previously developed site that requires demolition of an existing structure or parking lot.

3. Addition

Any building addition that:

- a. Increases the gross Floor Area of an existing structure by 10 percent or more; or

- b. Increases the total number of existing dwelling units on a lot by the lesser of 10 dwelling units or between 10 and 25 percent.

4. Other Improvements

Any site or land use change that is limited to:

- a. A change from residential to nonresidential use or nonresidential to residential use that does not alter the footprint of an existing building;
- b. Addition of surface parking by the greater of 6 spaces or 50 percent; or
- c. Modifications to landscaping, screening, or buffering.

B. Exemptions

The following activities are exempt from the standards listed in **Table 2-124.1: Development Standards Applicability Table:**

- 1. Expansions that increase the gross Floor Area of an existing structure by less than 10 percent;
- 2. Expansions that increase the total number of existing dwelling units on a lot by the lesser of 9 dwelling units or 10 percent;
- 3. The alteration or expansion of any surface parking area by the lesser of 5 spaces or 50 percent;
- 4. Re-striping any parking area; or
- 5. Any land use change from one nonresidential use to another nonresidential use that does not require on-site or off-site improvements.

C. Development Standards Applicability Table

For purposes of **Table 2-124.1: Development Standards Applicability Table**, "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.

Table 2-124.1: Development Standards Applicability Table				
✓ = Entire Site    ◇ = Development Impact Area Only				
Standard	New Development	Redevelopment	Addition	Other Improvements
<b>Section 2-119: Lot Layout and Site Design Regulations</b>				
A. Street Layout	✓	◇		
B. Connectivity	✓	◇	◇	
C. Parking Lot Location, Size, and Pedestrian Crossing	✓	◇	◇	
D. Transitions to Existing Residential	✓	◇	◇	◇

Table 2-124.1: Development Standards Applicability Table				
✓ = Entire Site ◇ = Development Impact Area Only				
Standard	New Development	Redevelopment	Addition	Other Improvements
<b>Section 2-120: Pedestrian Realm Enhancements</b>				
All	✓	◇	◇	
<b>Section 2-121: Building Design and Additional Development Standards - Multi-Family, Mixed-Use and Nonresidential</b>				
A. Building Arrangement	✓	◇		
B. Civic Space	✓	◇		
C. Building Orientation and Entrances	✓	◇	◇	
D. Minimum Street Frontage	✓	◇		
E. Grade-Level Design	✓	◇		
F. Building Form	✓	◇		
G. Building Transparency	✓	◇	◇	
H. Multi-Family	✓	◇	◇	
<b>Section 2-122: Building Design and Additional Development Standards - Middle Housing Development</b>				
A. Cottage Court Development	✓	◇	◇	
B. All Other Middle Housing	✓	◇	◇	
C. Private Garages and Surface Parking for Residential	✓	◇	◇	

## Sec 2-125. Mixed-Use District Development Review Procedures

### A. Mixed-Use Concept Plan

#### 1. Purpose

A Mixed-Use Concept Plan is intended to provide a mechanism for review of a large, complex, or phased project within the MU-N or MU-R. A Mixed-Use Concept Plan enables the Commission or the Director to evaluate the proposed development and its relationship to the surrounding area to ensure negative impacts are minimized; and to evaluate location of proposed uses and building orientation, connectivity, and location of public spaces. It also enables an applicant to demonstrate compliance with the use mix requirement set forth in **Section 2-117** through a multi-phased development.

**2. Mixed-Use Concept Plan Required**

When required by this section, a Mixed-Use Concept Plan must be submitted for review and approval prior to permitting. A Mixed-Use Concept Plan may be submitted either in conjunction with an application for Rezoning or as a precursor to the preparation and submittal of the more specific and detailed plans required for Subdivision or Site Plan approvals. When a proposed development requires both a Conditional Use Permit and a Mixed-Use Concept Plan, the applications may be reviewed concurrently.

**3. Approval Criteria**

In reviewing a proposed Mixed-Use Concept Plan, the Director or Commission shall ensure that:

- a.** The proposed development shall be consistent with the terms and conditions of any prior land use approval, plan, or plat approval that is in effect and not proposed to be changed.
- b.** The proposed development shall be consistent with and conform to the Comprehensive Plan, Land Use Plan and any other applicable plans.
- c.** The proposed development shall be consistent with the purpose statements of this Development Code and comply with all applicable standards in this Code and all other applicable regulations, requirements and plans. Compliance with these standards is applied at the level of detail required for the subject submittal.
- d.** The proposed development shall not cause significant adverse impacts on surrounding properties.
- e.** The applicant shall provide the City with sufficient information, as specified in the Development Application Handbook, to evaluate whether adequate road and public service facility capacity exists to accommodate the proposed development.

**4. Mixed-Use Concept Plan Requirements**

The Mixed-Use Concept Plan must contain a general site layout plan that includes the following:

- a.** Overall property boundary;
- b.** Existing and proposed Streets and Primary Access Easements and the property's relationship to adjoining subdivisions or properties;
- c.** Identification of development areas such as districts, blocks or parcels, with proposed phasing; and
- d.** Within each development area, total size (gross floor area) of proposed nonresidential land uses by categories (Institutional, Services, Retail, Vehicle-Related, Industrial, Office) and total size (gross floor area) of

proposed residential land uses by housing type demonstrating compliance with the use mix requirements of this Part.

- e. Location and orientation of multi-family, mixed-use, and nonresidential buildings. along the Streets and Primary Access Easements and civic spaces facilitating a walkable environment.

## 5. Mixed-Use Concept Plan - Commission

### a. Applicability

A Mixed-Use Concept Plan - Commission shall be required for any proposed development that includes a contiguous area twenty-five (25) acres or greater.

### b. Review Procedure

#### (1) Preapplication

##### (i) Pre-development Meeting

The applicant must attend a pre-development meeting with the Development Review Committee before formal application.

##### (ii) Public Participation Plan

The applicant shall engage the public early in the development process, including hosting a public meeting. Following the pre-development meeting, but prior to submittal of a Mixed-Use Concept Plan, the applicant must host a Public Participation meeting in accordance with the Public Participation Plan, as set forth in the Development Application Handbook.

#### (2) Commission Hearing and Action

The Commission will hold a public hearing on the proposed Mixed-Use Concept Plan, for which notice of the time and place of the hearing has been published in the official newspaper of general circulation in the City before the 15th day before the date of the public hearing. Notice must be given to owners of any Premises located within 200 feet of the land subject to the Mixed-Use Concept Plan. After the public hearing, the Commission will approve, deny, or approve with conditions the request. A tie vote on a request for a Mixed-Use Concept Plan is deemed to be the Commission's denial.

#### (3) Appeal of Commission Denial

If the Commission denies a Mixed-Use Concept Plan, an applicant may appeal the denial to City Council by submitting a written request to the Director within 30 days of the date of denial. The City Council may approve or deny the request, return it to the Commission for further consideration, or take whatever other action the Council deems appropriate.

(4) Changes to Mixed-Use Concept Plan - Commission

Substantial changes to the approved Mixed-Use Concept Plan - Commission, including but not limited to, change in location of residential or nonresidential uses, or significant lot, block and street design changes, shall require resubmittal to the Commission. Any other changes to the Concept Plan may be reviewed through the Mixed-Use Concept Plan - Administrative process.

(5) Expiration of Approval

Once final, an approval decision shall expire after 2 years, unless construction of the project has commenced. For the purposes of this provision, "commence" means any of the following:

- (i) Demolition or removal of an existing building or structure preparatory to rebuilding;
- (ii) Clearing or grading of the site (land disturbance); or
- (iii) Expansions, alterations, or modifications of an existing structure including electrical, mechanical, plumbing, structural, or cosmetic changes.

(6) Extension of Time

An applicant may request to extend the expiration time for commencement or completion of any application.

(i) Conditions of Approval

All extensions of time are subject to any conditions of approval that applied to the original approval. The Commission may impose additional conditions to further mitigate potential adverse effects of the proposal on adjacent properties and the community.

(ii) Extensions

The Commission may grant one extension of time up to one year from the original expiration date for any application unless a condition of approval prohibits an extension of time or conditions have not sufficiently changed to warrant a denial.

6. Mixed-Use Concept Plan - Administrative

a. Applicability

A Mixed-Use Concept Plan - Administrative shall be required for any application that meets one or more of the following criteria:

- (1) The application site includes a contiguous area of greater than ten (10) acres and no more than twenty-five (25) acres;
- (2) The application proposes to phase the development; or



- (3) The Director determines that the application is unusually complex or raises potentially unique or serious impacts on the city or the surrounding areas.

b. Review Procedure

- (1) Pre-development Meeting

The applicant must attend a pre-development meeting with the Development Review Committee before formal application.

- (2) Staff Review

A Mixed-Use Concept Plan must be submitted for staff review and approval prior to permitting.

- (3) Changes to Mixed-Use Concept Plan - Administrative

Revisions to an approved Mixed-Use Concept Plan Administrative shall be submitted for staff review and approval in the form and manner as prescribed by the Development Application Handbook.

- (4) Expiration of Mixed-Use Concept Plan Administrative Approval

Once final, an approval decision shall expire after 2 years, unless construction of the project has commenced. For the purposes of this provision, "commence" means any of the following:

- (i) Demolition or removal of an existing building or structure preparatory to rebuilding;
- (ii) Clearing or grading of the site (land disturbance); or
- (iii) Expansions, alterations, or modifications of an existing structure including electrical, mechanical, plumbing, structural, or cosmetic changes.

- (5) Extension of Time

An applicant may request to extend the expiration time for commencement or completion of any application.

- (i) Conditions of Approval

All extensions of time are subject to any conditions of approval that applied to the original approval. The Director may impose additional conditions to further mitigate potential adverse effects of the proposal on adjacent properties and the community.

- (ii) Extensions

The Director may grant one extension of time up to one year from the original expiration date for any application unless a condition of approval prohibits an extension of time or conditions have not sufficiently changed to warrant a denial.



## B. Minor Modification to MU-N and MU-R District Standards

### 1. Purpose

The Minor Modification process is intended to allow minor modification or deviations from dimensional or numeric standards of the Mixed-Use District. It is not a waiver of current standards of the Mixed-Use district standards.

### 2. Applicability

The Director may approve minor modifications of any numeric development standard in this Part up to a maximum of 10% (or up to a maximum of 20% to protect an existing natural site feature), provided that the applicable criteria in Subsection (e.) below are met. Standards not eligible for minor modifications include:

- a. Permitted number of multi-family units;
- b. Required minimum mix of uses; and
- c. Maximum parking reduction.

### 3. Review Process

#### a. Generally

- (1) An application for a Minor Modification shall only be submitted and reviewed concurrently with an application for a Conditional Use Permit, Site Plan approval, or Subdivision approval.

#### b. Review and Decision

Where the concurrently reviewed application requires review and approval by the Director, the Director shall review and approve, approve with conditions, or deny the modification in accordance with the approval criteria.

#### c. Effect of Approval

Approval of a Minor Modification authorizes only the particular modification of standards approved, and only to the subject property of the application.

#### d. Expiration of Minor Modification

A Minor Modification shall automatically expire if the associated development application is denied or if approval of the concurrently reviewed application expires, is revoked, or otherwise deemed invalid.

#### e. Minor Modification Approval Criteria

In reviewing a proposed Minor Modification, the Director shall consider the general approval criteria for the associated development application

and whether and to what extent the Minor Modification is of a technical nature that:

- (1) Compensates for an unusual site condition;
- (2) Protects a sensitive resource, natural feature, or community asset;  
and
- (3) The Minor Modification will not produce an adverse change to the character of the neighborhood.

DRAFT

## PART 6. PLANNED DEVELOPMENT DISTRICTS

### Sec 2-130. Intent

The Planned Development (PD) district is intended to accommodate innovative development approaches and creative design that offers a higher level of amenities and public benefits that cannot be achieved through the strict application of the base zoning districts and standards of this Development Code. PDs are intended to implement the stated goals of the City's Comprehensive Plan. The PD district may be used to permit new or innovative concepts that will promote the City's historical, cultural and architectural character. The PD district should provide an overall design, enhanced, or increased open space, or other features or amenities that result in a high-quality development or offer unique or special benefits to the community that will preserve and foster the community's pride in its historic, cultural, and architectural character.

### Sec 2-131. Minimum Size

[no change proposed]

### Sec 2-132. Other Qualifying Standards

An application for rezoning to a PD district may be considered if the following additional criteria are met:

1. The Director determines that an application is particularly large, complex, or potentially raises unique impacts on the city or surrounding neighborhoods;
2. The land included in the proposed PD district is not within a Regional Activity Center or Neighborhood Activity Center;
3. The proposed PD could not be developed using standard zoning districts or standards established in the Development Code; and
4. The proposed PD provides a greater level of building design quality, community amenities, connectivity, and other community benefits than would be required if the project were not being developed in a PD district.

### Sec 2-133. Submission of Application and Approval Procedure

[no change proposed]

### Sec 2-134. General Development Plan and Final Development Plan Requirements

[no change proposed]

### Sec 2-135. Development of District

[no change proposed]

### Sec 2-136. Plan Amendments

Except as herein provided, an amendment to a GDP or FDP will be processed in the same manner as required for the initial approval of the PD. The Director may

approve minor amendments to a GDP or an FDP to correct errors, make adjustments, or other minor revisions that do not:

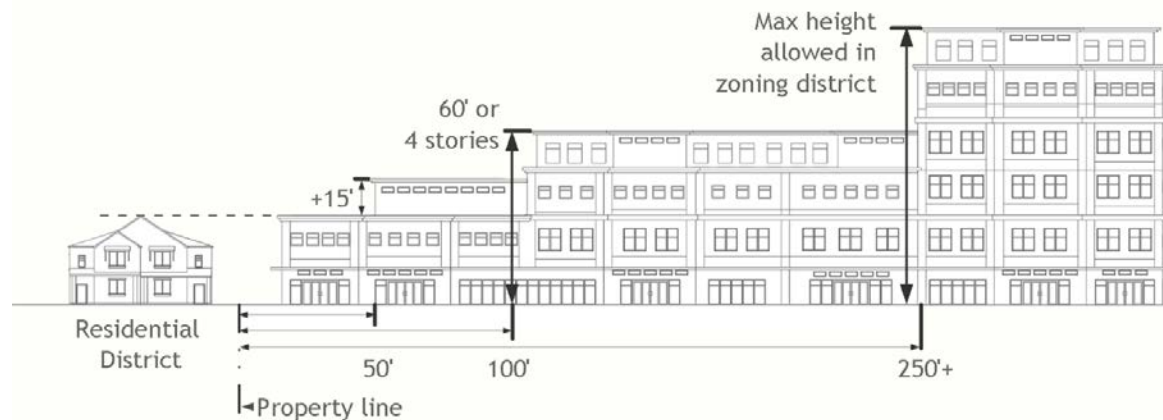
- 1.** Substantially alter the height, location, arrangement, or other configuration of Buildings;
- 2.** Substantially alter a required Yard or Setback;
- 3.** Add a use that is incompatible with other permitted uses in the PD; the Director may evaluate compatibility of the proposed use by considering the intensity of the proposed use, uses that are similar, and operations of the proposed use and its impacts on surrounding areas;
- 4.** Substantially alter the configuration of Streets or Lots;
- 5.** Substantially alter the vehicular circulation or placement of Parking Lots; or
- 6.** Conflict with other regulations established for the PD.

# Article IV Height and Area Regulations

## Sec 2-170. Residential Adjacency Building Height Transition

In the Nonresidential and Mixed-Use Districts, the following regulations apply. Please see **Figure 2-170.A: Residential Adjacency Building Height Transition** for more detail.

- A. Any portion of a building within 50 feet of a residential property in a Residential District, shall not exceed the maximum building height allowed in the abutting Residential District.
- B. Any portion of a building between 50 feet and 100 feet of a residential property in a Residential District, shall not exceed the maximum building height allowed in the abutting Residential District, plus 15 feet. If the building is subject to an increased height incentive for providing additional pedestrian amenities as set forth in **Section 2-120 Pedestrian Realm Enhancements**, the portion of that building within 100 feet of a Residential District is not eligible for additional height.
- C. Any portion of a building beyond 100 feet and up to 250 feet from a residential property in a Residential District shall not exceed the lesser of 60 feet or 4 stories.
- D. Any portion of a building beyond 250 feet from a residential property in a Residential District shall not exceed the allowed building height of the zoning district where the building is located.
- E. Building features referenced in Sec. 2-171, Height Exceptions and Exemptions, 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 2-170.A: Residential Adjacency Building Height Transition**

# Chapter 10 Definitions

## Sec 10-3 Definitions

### Arcade

A covered passageway, typically found at street level, often comprised of a series of arches supported by columns.

### Awning

A cover that projects from a wall of a building over a window or entrance to provide weather protection and architectural spatial definition. The top surface of an awning is typically sloped. An awning may be fixed in place or retractable. An awning is completely supported by the building.

### Blank Wall

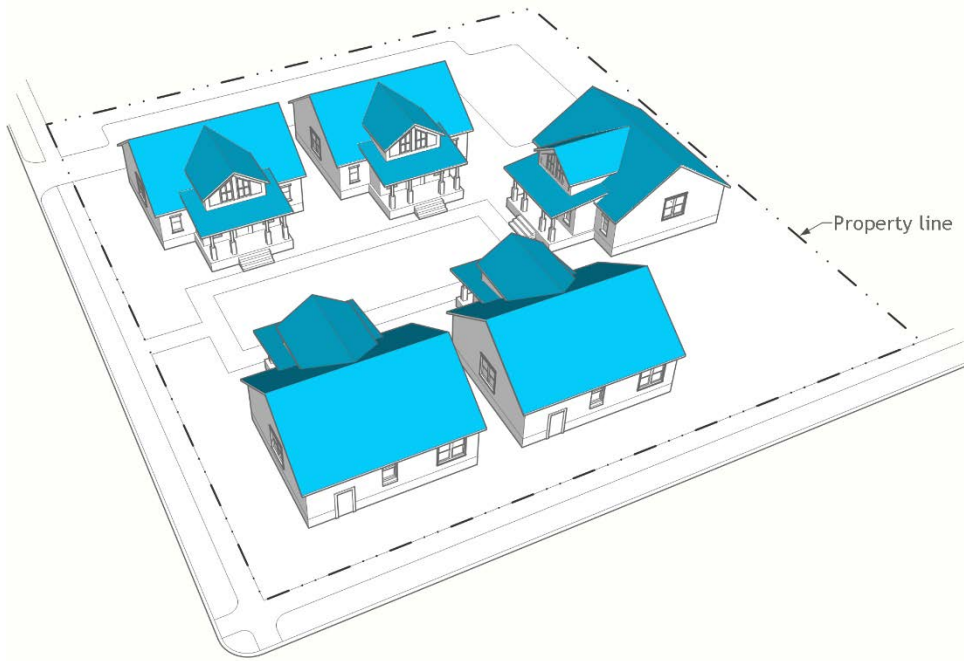
A wall which has few or no windows or doors, and has no decoration or visual interest.

### Canopy

A permanent, flat-roof shelter covering a sidewalk, driveway, or other similar area, that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extended from the ground.

### Dwelling, Cottage Court

A cluster of at least five attached or detached dwellings located within a common development that use shared access, parking, and common spaces. Cottage Court developments can include homes on individual lots, homes owned as condominiums, or leased homes.



### **Dwelling, Live/Work**

A building that contains 1 or more Dwelling Units that maintain integrated living and working space in different areas of the unit, either horizontally or vertically stacked.



### **Dwelling, Multi-Family**

7 or more Dwelling Units within a building on 1 platted lot.

### **Dwelling, Single-Family Attached**

A building that contains Dwelling Units located on separately platted lots that are joined to other Dwelling Units on one or both sides by a common wall that is located along the

side lot line and separates the individual Dwelling Units, commonly referred to as a townhouse.



**Dwelling, Sixplex**

A building on one platted lot that contains 5 or 6 Dwelling Units either horizontally or vertically stacked.





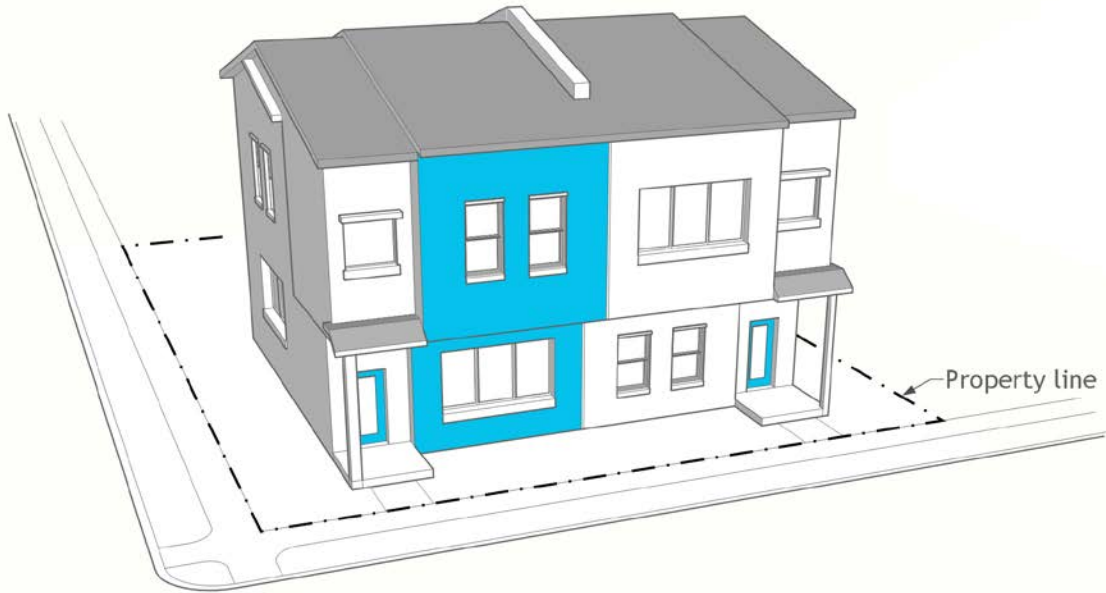
### Dwelling, Triplex or Fourplex

A building on 1 platted lot that contains 3 or 4 Dwelling Units either horizontally or vertically stacked.



### Dwelling, Two-Family

A building on 1 platted lot that contains only 2 Dwelling Units, either horizontally or vertically stacked, and has open space on all sides of the building, commonly referred to as a duplex.



### Dwelling, Urban Home

A building that contains 1 Dwelling Unit and is typically larger in height than in width and located on a narrow lot, commonly referred to as a detached townhome.



### **Mezzanine**

An intermediate level or levels between the floor and ceiling of any story.

### **Middle Housing**

Refers to the following residential use types as defined in the Development Code: Urban Home Dwelling, Two-Family Dwelling, Cottage Development Dwelling, Triplex or Fourplex Dwelling, Sixplex Dwelling, and Live/Work Dwellings.

### **Neighborhood Activity Center**

As defined in the Comprehensive Plan.

### **Primary Street Frontage**

Street frontage to which the primary building on the site is oriented, generally the street containing the primary pedestrian entrance to the building and/or the numbered street address of the building.

### **Regional Activity Center**

As defined in the Comprehensive Plan.

### **Structured Parking**

A structure designed to accommodate vehicular parking spaces that are fully or partially enclosed or located on the deck surface of a building. This definition includes parking garages, deck parking, and underground or under-building parking areas.

### **Surface Parking**

Any outdoor area or space for the parking of vehicles, including any parking spaces, drive aisles, and driveways appurtenant to the parking area.