Section 5-2 Special Districts: State Highway 205 Overlay District

5.2.1 Purpose

Recognizing that SH 205 is a major historic, cultural and non-residential arterial through the City of McLendon- Chisholm, Texas the City hereby provides additional development standards for non-residential developments in this corridor.

5.2.2 Limits of Overlay District.

The area encompassed by these standards shall include all those properties that extend from the centerline of State Highway 205 to a point 1,500 feet parallel on each side of the centerline of SH 205 from the northernmost to the southernmost City of McLendon-Chisholm city limit lines. The Overlay District is intended to apply to all non-residential developments within the SH 205 corridor. Any property zoned for non-residential development within this corridor, in full or in part, shall be subject to the development standards contained herein. This Overlay District will extend from the northern City limit line to the southern city limit line as they exist or as they may be amended in the future. The provisions of the State Highway 205 Overlay District shall apply to all properties fully or partially within the defined area. Due to the varying locations of property lines, tract lines or other ownership or geographic criteria, the City Council may approve modifications to the strict adherence to this Overlay District upon a request by a property owner or applicant.

5.2.3 Applicability.

Existing base zoning districts of properties within the area shall not be affected except as noted below. All applicable regulations for use, yard, area, lot dimensions, utility placement, site circulation, and landscaping shall be those specified for each individual district except as may be amended herein.

This Overlay District shall apply as follows:

(1) Property Not Zoned or Zoned AG - Agriculture:
   a. This Overlay District, as adopted and as amended in the future, shall apply as a "prefix" to base zoning.
   b. All future zoning regulations shall conform to the criteria set herein.

(2) Property with existing non-residential straight zoning:
   a. This Overlay District, as adopted and as amended in the future, shall apply as a "suffix" to property currently zoned as non-residential.
   b. The existing base zoning district shall prevail except in cases where the base district is silent or there is a direct conflict with this Overlay District
      i. Where the base zoning district is silent on any specific development standard, the Overlay District shall prevail.
      ii. Where the base zoning district and this Overlay District have conflicting standards, the stricter standard shall prevail.

(3) Property with existing residential zoning:
   a. This overlay district shall not apply to any properties with existing residential zoning
   b. Existing residential zoning shall be grandfathered.
   c. If property with existing residential zoning is rezoned, the City of McLendon-Chisholm shall consider this Overlay District as part of the rezoning evaluation process, but may waive the application of this Overlay District.

(4) Property with an existing "PD – Planned Development District":
   a. This Overlay District, as adopted and as amended in the future, shall apply as a "suffix" to property currently zoned as PD-Planned Development District.

b. Existing PD-Planned Development District standards shall prevail **except** in instances where the PD-Planned Development District is silent. Where the PD-Planned Development District is silent on any specific development standard found in the Overlay District, the Overlay District shall prevail.
c. Where the PD-Planned Development District and this Overlay District have conflicting standards, the PD-Planned Development District shall prevail.

(5) Except as noted herein, the requirements below shall apply to all lots or tracts located fully or partially within the geographic limits of the Overlay District. Any future changes to a site plan and/or a platted property after the adoption of this Overlay District may be subject to the standards herein as may be applicable. The City Council may approve amendments to specific standards herein and may adopt alternative regulations through the Specific Use Permit or a rezoning process.

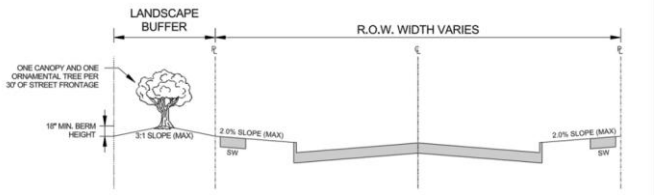
5.2.4 Non-Residential Uses.

Property within the State Highway 205 Overlay District shall be primarily developed as non-residential. No residential zoning shall be permitted within this overlay district.

5.2.5 Landscaping requirements:

The purpose of this section is to promote a unified landscaped corridor through the City, to enhance the City's major thoroughfare, provide for a noise pollution barrier for the residential development on either side of the Overlay District and promote an environmentally responsible corridor.

(1) A minimum 30-foot wide landscape buffer (as measured from the front property line, exclusive of rights-of-way, site visibility easements, future thoroughfare setbacks, etc.) shall be provided. This requirement is not intended to prohibit the placement of driveway openings as specified in the Thoroughfare Standards Rules & Regulations, as currently adopted or modified in the future.



TYPICAL ROADWAY SECTION

(2) The landscape buffer shall generally consist of street trees, shrubs, groundcover, berms, and related elements and shall meet the following criteria:
a. A minimum of one three-inch caliper canopy tree and one ornamental tree (measured at twelve inches above the soil line and six-foot planted height) per 30 feet of street frontage. The number of street trees required shall be calculated as one (1) each (canopy and ornamental) per thirty (30) feet of street frontage, but the trees may be planted in groups or clusters as indicated in a commercial development landscape plan. Up to thirty percent (30%) of the canopy trees are eligible for substitution with additional ornamental trees at a 1:3 ratio. For every canopy tree that is substituted, three ornamental trees will be required.
b. Headlight screening:
    i. The inclusion of a landscape screen is important for screening headlights from adjacent non-residential development parking. The headlight screening minimizes glare for adjacent arterial traffic.

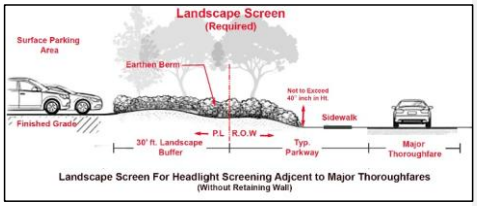
ii. A minimum height of eighteen inches (18”) inches (as measured from the finished grade of the parking area) in locations where the landscape edge separates a surface parking area from State Highway 205 or another major thoroughfare.

iii. Planting material shall be an evergreen variety, at least twelve inches (12”) in height at planting, spaced no more than twelve inches (12”) apart and the species shall reach an eighteen-inch (18”) height within twenty-four months and grow into a continuous hedgerow.

iv. All planting material shall include an irrigation plan to ensure viability. Landscape Plans shall include an irrigation note to this effect.

c. The use of earthen berms in the landscape buffer is encouraged under the following criteria:

i. The minimum height of a berm shall be eighteen inches (18”) as measured from the parkway elevation at the corresponding right-of-way line.

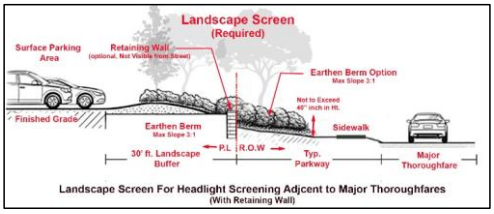


Landscape Screen For Headlight Screening Adjcent to Major Thoroughfares
(Without Retaining Wall)

ii. Maximum height of berms shall be four (4) feet as measured from the parkway elevation at the corresponding right-of-way line.

iii. Berms shall have a maximum slope of three (3) feet of horizontal run for every one (1) foot of height.

iv. A retaining wall with an independent footer may be used on the side furthest away from the right-of-way to tie into the associated development grade line. Retaining walls shall not be incorporated into standard curbs.



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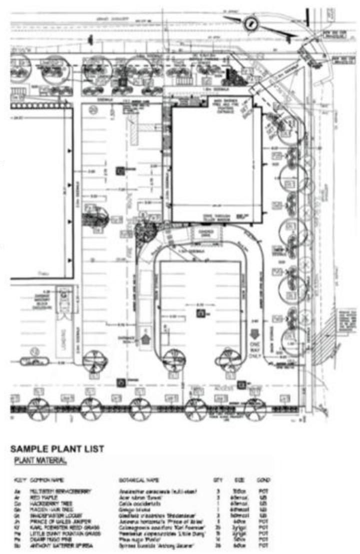
v. A minimum of thirty percent (30%) of the landscape buffer area shall include shrubs, hedges, ground cover, boulders, xeriscape elements, or a combination thereof.

i. No shrubbery, hedges, other plant material or retaining walls shall impede site visibility triangles.

ii. Shrubbery hedges forming a continuous living screen and retaining walls used in conjunction with berms shall not exceed 40 inches in height as measured from the parkway elevation at the right-of-way line.

(3) A landscape plan, including planting and irrigation details, shall be submitted in conjunction with the site plan for review and approval. Landscape Plans:

- a. Shall accompany all non-residential site plan submittals
- b. Shall be prepared by either a Registered Professional Engineer (PE) or a Registered Landscape Architect (RLA). A PE or RLA shall be responsible for insuring that the Landscape Plans adhere to these criteria by sealing and signing such plans.
- c. Landscape Plans shall include the following (at a minimum):
    - a. Site Features (north arrow, scale, site plan details, project name, owner, name of professional preparing the plan and other relevant information as required by City staff).
    - b. General Notes including irrigation notes, planting material and other site data as required by City staff.
    - c. Plan view of the proposed landscaped areas with dimensions and other critical site details.
    - d. Street Tree calculations and notes: required and provided
    - e. Plant material selected including name (common and Botanical), planting size (gallons, caliper inches, canopy dimensions), planting separation, full height notes, and related information.
    - f. Plant installation details which adhere to nurseryman standards
    - g. Irrigation plan by a State of Texas licensed irrigation specialist shall be submitted with the civil engineering construction documents.



- d. Planting material shall be selected from City of McLendon-Chisholm's approved plant material and tree lists. The City encourages the use of xeriscaping, drought tolerant material and a mixture of hardscape and landscape where possible. The landscape plan designer may propose alternative plant materials to enhance and promote environmental sustainability.

(4) Administrative modifications to the landscape requirements.

- a. An applicant shall have the opportunity to request a modification from these landscape standards when the strict interpretation and/or enforcement of these landscape standards would prevent a property's reasonable development in a safe and efficient manner.
- b. A request for the modified standard is reserved for unanticipated situations or specific site constraints and not merely for the convenience of the applicant.
- c. The standards shall not be modified on the basis of financial hardship.
- d. The acceptable modifications under this provision do not constitute a variance.
- e. Any modifications sought by an applicant beyond the limits summarized herein shall require a rezoning request or consideration by the Zoning Board of Adjustment.
- f. An applicant requesting a modified standard shall submit a written request at the time of the Site Plan submittal process and shall summarize the modification sought and the reasons for such request.

g. During the site plan review process, the Planning & Zoning Commission (or the City Council upon appeal) may reduce the width of the landscape buffer by as much as ten (10) feet administratively upon a finding that the strict enforcement of the full landscape buffer requirement would prevent a property's reasonable development in a safe and efficient manner. Additionally, the Planning and Zoning Commission (or the City Council upon appeal) may reduce any development criteria by as much as ten percent (10%) upon a finding that strict enforcement of the landscape requirements would prevent a property's reasonable development in a safe and efficient manner.

5.2.6 Public Art Program:

The purpose of this section is to promote cultural identity, enhance visual character, and integrate art into the built environment. The City of McLendon-Chisholm finds that public art increases community engagement, strengthens economic vitality, and enhances the aesthetic quality of public places.

(1) Applicability.
   a. This section applies to all new commercial development, redevelopment, or major renovation projects within the Overlay District located on a lot greater than one (1) acre.
   b. Projects subject to this section shall comply prior to the issuance of a certificate of occupancy.

(2) Public Art Requirement. All non-residential developments shall contribute to the City of McLendon-Chisholm's public art program by:
   a. Installation of public art as per the guidelines contained herein; OR
   b. Payment into a Public Art fee in lieu of the installation of the public art in an amount equal to 0.5% of the total construction cost of the development; AND
   c. Dedicating an area for the future public art of no less than 0.1% of the lot area or 1,000 square feet whichever is lesser. City Council may adjust the total area of the public art easement upon a formal request by an applicant. Public Art area location:
      i. Shall be subject to the approval of the Public Arts Committee, city planning staff, Planning and Zoning Commission and/or the City Council.
      ii. Shall be located in an area visible from the right-of-way.
      iii. Shall not be located in a visibility site triangle area.
      iv. Shall not be encumbered or limited by utility easements.
      v. Shall be noted on the site plan and a corresponding plat for recordation.
      vi. Shall have four (4) two-inch (2") electric conduits routed from the electricity transformer and stubbed out to the Public Art area.
   d. The City Council shall make the final determination as to whether to accept the installation of public art or to accept the fee in lieu of.

(3) Site Plan – Plat Designations and Notation.
   a. Any changes to an existing approved site plan for a development located within this district after the effective date of the adoption of this Overlay District, shall require conformance with the standards herein as may be applicable based on the existing zoning.
   b. Proposed public art area reservation shall be designated on a Site Plan submittal.
   c. Proposed public art area reservation shall be designated on a Plat as a "Public Art Easement"

(4) The City Council shall designate a Public Art Committee:
   a. The Committee can be comprised of any combination of the following:
      i. City Council Members
      ii. Planning and Zoning Commission Members
      iii. General Public
      iv. City Staff
   b. The Committee shall be composed as follows:

i. 3 members
ii. Staggering terms of three (3) years
iii. City Council shall appoint the chair of committee

c. The purpose of the committee shall be:
i. Establish public art goals and strategic plan.
ii. Establish public art guidelines.
iii. Review and approve public art proposals.
iv. Administer the public art program and make recommendations to the City Council.
v. Prepare an annual report to City Council on the status of the public art program.
vi. All expenditures using the Public Arts Fund shall be approved by the City Council.

(5) Eligible projects may provide public art through:
a. On-site installation.
b. Combination of installation and/or fee-in-lieu of contribution; or
c. Full fee-in-lieu payment to the City Public Art Fund.

(6) Public Art Guidelines
a. Commercial logos or advertising shall not qualify as public art.
b. Types
i. Sculpture or statues.
ii. Murals (paint, mosaic, mixed media).
iii. Integrated architectural art.
iv. Artist-designed infrastructure.
v. Other original visual works accessible to the public.

c. Design Standards.
i. Artwork shall be site-specific and integrated into project architecture or landscape design.
ii. Artwork shall be durable, safe, and designed for long-term public display.
iii. Artwork shall enhance the public realm and contribute to placemaking.

d. McLendon-Chisholm Public Art Themes
i. Within this Overlay District, public art shall reflect or interpret themes associated with Texas heritage and specifically the history of McLendon-Chisholm.
ii. These themes may include:
1. City history and local historical figures
2. Regional history or cultural traditions
3. Agricultural or ranching themes
4. Native ecology or landscape
5. Notable Texans or historic events
6. Western, frontier, or transportation themes

e. Artist Qualifications.
i. Artwork shall be designed and executed by a professional artist or design professional with demonstrated artistic experience
ii. City Council may allow alternative artwork which:
1. May not be prepared by a professional artist.
2. May not follow the stated themes described herein.

f. Maintenance.
i. Property owners shall maintain artwork in good condition.
ii. Public Art Fund shall not be eligible for maintenance expenses.

5.2.7 Land Use Spacing Regulations:

The following land uses shall comply with the residential adjacency standards herein:

Land Use	Conditional Land Use Adjacency Provisions
Amusement center, outdoor	1000 feet from any property zoned for residential development
Auto impound lot/wrecker business	1000 feet from any property zoned for residential development
Auto paint and body shop	1000 feet from any property zoned for residential development
Auto repair garage	1000 feet from any property zoned for residential development
Auto service station	1000 feet from any property zoned for residential development
Truck Stops (commercial vehicles)	1,000 feet from any property zoned for residential development
Bail Bonds	1,000 feet from any property zoned for residential development and 2,000 feet from another similar establishment
CBD Retail Stores	1,000 feet from any property zoned for residential development
Convenience Stores (with or without fuel sales) with alcohol sales	1,000 feet from any property zoned for residential development
Game rooms / Arcades	1,000 feet from any property zoned for residential development, schools, day care centers, or public parks
Go cart track and other vehicular track or facility	1,000 feet from any property zoned for residential development
Kennel	1,000 feet from any property zoned for residential development
Massage Parlors	1,000 feet from any property zoned for residential development and 2,000 feet from another similar establishment
Outdoor storage	1000 feet from any property zoned for residential development 2,000 feet from another similar establishment
Pawn Shops	1,000 feet from any property zoned for residential development 2,000 feet from another similar establishment
Payday Lenders / title loan stores	1,000 feet from any property zoned for residential development and 2,000 feet from another similar establishment
Recycling collection center	1,000 feet from any property zoned for residential development
Restaurant, drive-in/drive-thru	1000 feet from any property zoned for residential development
Sexually Orientated Business	1,000 feet from any property zoned for residential development and/or 2,000 feet from any school, day care center, or public parks
Tattoo parlor/body piercing studio	1,000 feet from any property zoned for residential development, schools, day care centers, or public parks 2,000 feet from another similar establishment
Tobacco shop (with greater than 51% of sales related to tobacco products)	1,000 feet from any property zoned for residential development, schools, day care centers, or public parks 2,000 feet from another similar establishment
Shooting range, outdoor	1,000 feet from any property zoned for residential development 2,000 feet from another similar establishment
Vape Stores / Smoke Shops / Hookah Lounges	1,000 feet from any property zoned for residential development, schools, day care centers or public parks 2,000 feet from another similar establishment
Veterinary hospital with outside pens	1,000 feet from any property zoned for residential development

5.2.8 Site Development Standards

The following site design standards shall apply for all non-residential developments within the Overlay District.

(1) Signs. For safety purposes, the Overlay District shall regulate the number and type of freestanding or pole signs along the corridor.

a. In addition to its usual definition a "sign" shall be any structure erected for the purpose of advertising or attracting attention to any business or activity.

b. The City of McLendon-Chisholm's sign ordinance shall govern the use, placement, design and or permitting processes for all signs. In addition to the City's sign ordinance, the following provisions shall apply. Where there may be a conflict between the City's sign ordinance and the criteria set forth herein, the stricter provision shall prevail.

c. Prohibited Signs

i. Off-Premise Signs – Billboard Signs shall be prohibited in this overlay district.

1. For definition purposes of this Section, an "off-premise" sign shall generally be considered a "billboard" sign or a free standing sign which is not associated with the immediately adjacent primary land use and identifies, advertises or attracts attention to a business, product, service, event or activity sold, existing or offered at a different location.

2. For definition purposes of this Section, a "billboard sign" shall be defined as a commercial sign which meets the following criteria:

a. Permanent structure sign which is used for the display of off-site commercial messages

b. Permanent structure sign which constitutes a principal, separate or secondary use, as opposed to an accessory use, of the parcel on which it is located;

c. Outdoor sign used as advertising for hire; as an example, on which display space is made available to parties, other than the owner or operator of the sign or occupant of the parcel (not including those who rent space from the sign owner, when such space is on the same parcel as the sign), in exchange for a rent, fee or other consideration; or

d. Off-site outdoor advertising sign on which space is leased or rented

ii. Painted or hand marked advertising on windows or buildings shall be prohibited.

iii. Flags, inflatable signs, portable signs, trailer signs, spotlights, or other temporary signs shall be prohibited unless a temporary sign permit is approved.

iv. Temporary Signs

1. Shall be allowed as per the City Sign Ordinance.

2. Shall be limited to one (1) sign per address; however, one (1) additional sign per tenant or unit shall be permitted. Signs associated with tenant occupancy and shall be removed within thirty (30) days following the issuance of the Certificate of Occupancy.

3. Shall be associated with a valid construction permit, where applicable.

4. Shall be removed promptly upon the expiration of the temporary permit; any costs incurred by the City of McLendon-Chisholm to

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remove temporary signs shall be the responsibility of the permit holder.

~~4. Shall be associated with a valid Certificate of Occupancy~~

~~5. Shall be removed promptly upon the expiration of the temporary permit; any costs incurred by the City of McLendon-Chisholm to remove temporary signs shall be the responsibility of the permit holder.~~

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d. Building Signs.
    i. Signs affixed to individual buildings, suites or demised premises shall be subject to and conform with the City's Sign Ordinance.
    ii. Painted or hand marked advertising on windows or buildings shall be prohibited.
    iii. Any free standing signs on the site, not affixed to the building, shall be considered a "Monument Sign" and shall conform to the criteria herein.
e. Real Estate signs and real estate directional signs shall be allowed as per the City's Sign Ordinance.
    i. A "real estate sign" shall be defined as a temporary sign that is located on the same lot as it is advertising, with the sole purpose of advertising that particular property for sale, for rent, or for lease.
    ii. A "real estate directional sign" shall be defined as a temporary sign that is located on the same lot as it is advertising; with the sole purpose to direct the public to a particular property or properties for purposes of sale, rent or lease.
f. Monument Signs.
    i. Multi-tenant non-residential development shall collocate freestanding signs into a cohesive monument sign on the overall property.
    ii. The number of monument signs allowed on a property shall be consistent with the number of driveway access points to an adjacent right-of-way allowed on the property.
    iii. A monument sign shall be dimensioned as such:
        1. No greater than six (6) feet in height from the footer at grade
        2. No greater than fifteen (15) feet in width of the structure
        3. Maximum sign face of sixty (60) square feet per side of actual signage
    iv. Each monument sign shall be designed by a structural engineer according to the City's approved and adopted International Building Code.
    v. Each monument sign shall include the following:
        1. Site Address: letters and numbers shall be between 4 and 8 inches in height
        2. Total number of slots or slats available per monument sign shall be the sum of the total number of suites plus four (4) per monument sign. The additional slots or slats are for possible expansion.
        3. Approved, or as amended in the future, City of McLendon-Chisholm Logo and slogan shall be incorporated into each monument sign banner.
            a. Logo shall be no greater than eight inches (8") in diameter.
            b. Logo may be incorporated into the slats / slots
            c. Logo may be placed on the monument sign frame

d. Logo specifications shall be provided by the City and may change from time to time.

vi. All sign electrical equipment and structural supports shall be enclosed and secured with exterior finishing materials to be consistent with the exterior finishing material of the main building.

vii. Shall be constructed with exterior finishing materials similar to those of the main associated building structure.

g. Sign Lighting.

i. Backlit signs within a monument sign shall be permitted with the following conditions:

1. Property owner shall be responsible for the adherence to these provisions.
2. Violations of these provisions shall be considered a violation of the City's Ordinances and shall be subject to fines and/or revocation of a Certificate of Occupancy.
3. Monument sign lighting shall be set to turn off by no later than 11:00 p.m. Sunday – Thursday and midnight Friday – Saturday. Sign lighting shall be on a timer and shall be consistent with the normal hours of operation of the associated business. The intent of this provision is to limit the amount of light pollution during non-business hours. Select businesses (i.e. emergency care, fuel sales, etc.) may request an exemption from this standard.

ii. Directional lighting shall be allowed under the following conditions:

1. Property owners shall be responsible for adherence to these provisions.
2. Violations of these provisions shall be considered a violation of the City's Ordinances and shall be subject to fines and/or revocation of a Certificate of Occupancy.
3. No lighting shall be pointed or directed towards a right-of-way
4. There shall be no more than one (1) foot candle spillover at the property line as measured three (3) feet from the natural grade.
5. The average foot candle across a commercial site shall not exceed five (5) foot-candles as measured at four and one-half feet from natural grade.

h. Site Plan – Plat Designations and Notation.

i. Any changes to an existing approved site plan for a development located within this district after the effective date of the adoption of this Overlay District, shall require conformance with the standards herein as may be applicable based on the existing zoning.

ii. Proposed monument signs shall be designated on a Site Plan submittal.

iii. Proposed monument signs shall be designated on a Plat as a "Sign Easement"

(2) Cross Access. For safety purposes and traffic access management purposes, the Overlay District shall regulate the access and circulation of non-residential developments.

a. All non-residential developments shall be required to provide cross access from a non-residential development to an adjacent non-residential development in order to limit the number of driveway openings and thereby limiting local vehicle trips from congesting SH 205.
b. Site Plan – Plat Designation and Notation.
    i. Any changes to an existing approved site plan for a development located within this district after the effective date of the adoption of this Overlay District, shall require conformance with the standards herein as may be applicable based on the existing zoning.
    ii. Cross-access shall be required on all non-residential development adjacent to other non-residential developments (existing or future).
    iii. Cross-access shall be noted on a proposed Site Plan as a connection to an existing development or as a stub-out to future development.
    iv. Cross-access shall be designated on a plat as a "Fire Lane, Access and Utility Easement"
    v. Fire lanes shall be consistent with the International Fire Code as adopted or amended by City Council. At a minimum, fire lanes shall be defined as:
        1. Thirty feet (30') wide with a twenty foot (20') radius measured from curb return to curb return; OR
        2. Twenty-four feet (24') wide with a thirty foot (30') radius measured from curb return to curb return; or
        3. Twenty-six feet (26') wide for all buildings two (2) stories or taller, in which case, the fire lane shall be located at least fifteen feet (15') but no further than thirty feet (30') feet from the front face of the structure along one of the long sides of the structure.
        4. All points of a building shall be within one-hundred fifty feet (150') (hose lay length) to a fire lane as determined by the Fire Marshal / Fire Chief of the City of McLendon-Chisholm. The Fire Marshal / Fire Chief of the City of McLendon-Chisholm may allow a hose lay length of up to two-hundred feet (200').
c. Cross-access connections shall be required as follows:
    i. Shall be required from non-residential development to all adjacent non-residential developments (current or future).
    ii. Shall be required to be identified on a Site Plan and all associated plats and constructed by the applicant to the property line in such a manner as to allow an adjacent development to connect into the cross-access connection without requiring additional permission or easements from the original applicant.
    iii. Shall be appropriately striped as a fire lane (see fire lane definitions previously).
    iv. If the adjacent property is not yet developed, the City Engineer shall determine the type of barriers required to indicate a "no through traffic" cross access connection. Appropriate barriers may include:
        1. "No Thru Traffic", "Dead End" or similar type signs
        2. Type I, II or III barricades (in ground or on sleds)
        3. Traffic barrels
        4. Construction barriers
        5. Other as approved by the City Engineer
    v. Cross-access fire lanes

1. Shall be dimensioned as a fire lane if required by the Fire Marshall / Fire Chief and/or the City Engineer. Dimensions shall follow the criteria previously defined.
2. Pavement standards for fire lane cross access connections:
    a. Concrete thickness: Six inches (6")
    b. Concrete strength:
        i. Four thousand (4,000) pounds per square inch (psi); OR
        ii. Dust free, all weather surface, with sufficient strength to support a proposed load of a two (2) axle vehicle capable of withstanding a 75,000 lb. fire apparatus
    c. Steel Reinforcement: #4 rebar on twenty-four inch (24") centers on concrete chairs
    d. Base course thickness:
        i. Six inches (6")
        ii. Lime stabilization; OR
        iii. Cementitious stabilization
        iv. Following geotechnical report (to be submitted to the City Engineer as part of the Civil Engineering construction plans)

(3) Solid Waste Dumpsters

a. All non-residential developments shall be required to provide solid waste dumpsters and dumpster enclosures
b. All dumpsters shall be screened as follows:
    i. Exterior finish material shall be consistent with the exterior finishing material of the associated primary structure of the commercial development.
    ii. The gate for the dumpster enclosure shall be a solid metal gate to be painted or powder coated.
    iii. The gate shall have a closing latch or other system to insure that the gate is closed when not in use.
    iv. The height of the dumpster enclosure shall be at least two feet (2') taller than the dumpster.
    v. The width of the dumpster enclosure shall be at least three feet (3') wider an all sides than the dumpster.
    vi. Vegetative screen shall be provided on outside on three sides and consist of evergreen shrubs that will grow at least ten eight (8') in height.
c. Dumpster enclosure shall include:
    i. Concrete thickness: Eight inches (8")
    ii. Concrete strength: Five thousand (5,000) pounds per square inch (psi)
    iii. Have a permanent water source with a shut off valve
    iv. Have a slatted drain/ grate inlet connected to an enclosed stormwater system
    v. At least one (1) security pole light or wall pack light with a photocell or motion sensor.
    vi. Protective bollards adjacent to any firelane, on-site access and circulation routes.
    vii. Signage
        1. No parking in front of gate

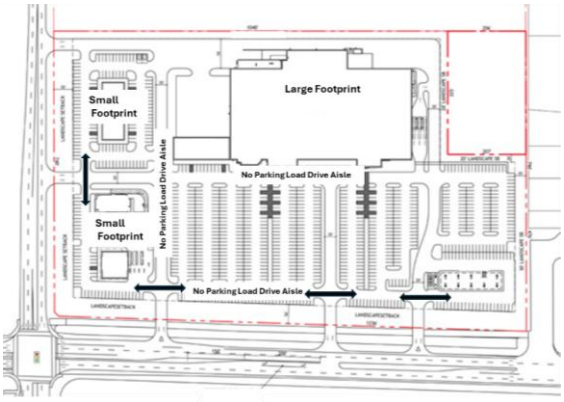
2. No storage of flammable material
3. City shall provide sign criteria

d. Dumpster Placement
   i. Dumpsters shall not be placed within one-hundred feet of a residential development or property zoned for residential development.
   ii. Shall have a clear path of at least forty feet (40') back up area which is not in conflict with any parking space or structure.
   iii. Shall be situated at a forty-five degree angle from the approaching access.

e. Site Plan – Plat Designations and Notation.
   i. Any changes to an existing approved site plan for a development located within this district after the effective date of the adoption of this Overlay District, shall require conformance with the standards herein as may be applicable based on the existing zoning.
   ii. Dumpsters and dumpster enclosures shall be designated on a Site Plan submittal.

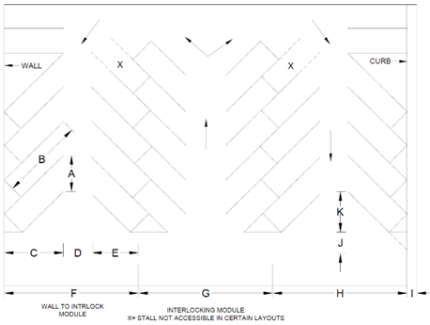
(4) Multi-lot Development Standards. For safety purposes, the Overlay District shall regulate the building orientation, parking, pedestrian and vehicular site circulation for multi-lot non-residential developments with multiple lots, buildings and/or larger footprint developments.

a. Building Orientation. Building orientation for multi-lot non-residential developments shall conform to the following criteria:
   i. Larger footprint buildings, over twenty thousand (20,000) square feet, shall be set back from the right-of-way providing sufficient area between the building(s) and the right-of-way for either parking for the main building or for the development of smaller footprint buildings on individual lots.
   ii. Smaller footprint buildings, under twenty-thousand (20,000) square feet, shall be within one-hundred fifty feet (150') of the right-of-way.
   iii. Longest side of the building shall be parallel to the adjacent right-of-way from which the building is addressed.
   iv. Where a building is located on a corner of two major arterials or there exists other site constraints, the building's longest side shall be orientated parallel to the right-of-way corresponding to the building's address.



b. Parking Field Standards. Parking lot designs for multi-lot nonresidential developments shall conform to the following criteria:
    i. Texas Accessibility Standards and the Americans with Disabilities Act (ADA) parking requirements:
        1. All commercial developments shall adhere to both the TAS and ADA standards.
        2. Where there may be a conflict between TAS or ADA standards, the stricter standard shall prevail.
        3. TAS/ADA parking spaces shall be located adjacent to the main doors of the building.
        4. TAS/ADA accessible routes shall be clearly designed and striped.

c. Parking lot design shall follow the following criteria.



STALL LAYOUT ELEMENTS					
Element	On Diagram	45°	60°	75°	90°
Stall width parallel to aisle	A	12.7	10.4	9.3	9.0
Stall length of line	B	25.0	22.0	20.0	18.5
Stall depth to wall	C	17.5	19.0	19.5	18.5
Aisle width between stall lines	D	12.0	16.0	23.0	26.0
Stall depth, interlock	E	15.3	17.5	18.8	18.5
Module, wall to interlock	F	44.8	52.5	61.3	63.0
Module, interlocking	G	42.6	51.0	61.0	63.0
Module, interlock to curb face	H	42.8	50.2	58.8	60.5
Bumper overhang (typical)	I	2.0	2.3	2.5	2.5
Offset	J	6.3	2.7	0.5	0.0
Setback	K	11.0	8.3	5.0	0.0
Cross aisle, one-way	L	14.0	14.0	14.0	14.0
Cross aisle, two-way	M	24.0	24.0	24.0	24.0

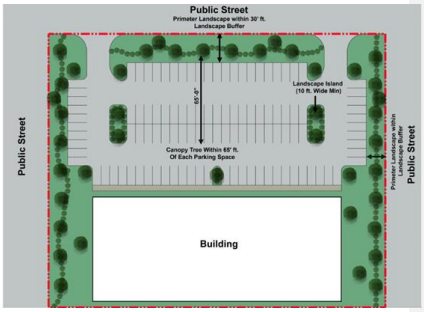
d. Pedestrian Accommodations
    i. Access Easements
        1. Shall be required for parking lots with more than forty (40) parking spaces in a perpendicular row to the main building.

a. At least one pedestrian route shall be required.
b. Shall be at least eight feet (8') wide raised pedestrian access way with six-inch (6") curbs located between two adjacent head in parking rows perpendicular to the main building; OR
c. Shall be designated as a six foot (6') sidewalk perpendicular to the main building.

2. Shall include barrier free ramps (BFR's) according to the TAS/ADA.

ii. Shopping cart corral
1. Retail developments with shopping carts shall require shopping cart corrals.
2. Shopping cart corrals shall be installed at the rate of 1 corral per 100 parking spaces.
3. Shopping cart corrals shall be distributed throughout parking field
4. Design Criteria:
a. Width: minimum ten feet (10')
b. Length: minimum fifteen feet (15')

iii. On-site trees
1. A canopy tree shall be provided at the end of every parking row
2. A canopy tree shall be provided so that every parking space is within sixty-five feet (65') of a tree.
3. A canopy tree shall be provided for every seven (7) parking spaces. Trees required for this provision may be installed throughout the site but shall not be counted towards the required street trees.
4. Every canopy tree located in a paved area shall be in a landscape island with a dimension of at least one-hundred eighty square feet.



e. Vehicular circulation
i. For parking lots with more than one-hundred (100) parking spaces, internal access and circulation routes shall be provided with no direct parking.
ii. Site visibility triangle criteria shall apply for all internal vehicular drive aisles, drive aisles intersections, driveways, placement of monument signs and other site features
iii. Stacking depths may be required as part of the site plan review process to insure pedestrian and vehicular safety.
iv. City may require traffic signs, speed bumps or other traffic calming devices as part of the site plan review process to insure pedestrian safety.

5.2.9 Variances and Appeals.

The Applicant may request a variance of any of the Site Development Standards based on a bona fide hardship. Variance requests shall be processed through and considered by the Zoning Board of Adjustments.