

ORDINANCE NO. 2055

AN ORDINANCE OF THE CITY OF DUNCANVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES BY AMENDING APPENDIX A, ZONING, BY ADDING ARTICLE XII-L, TO PROVIDE FOR A NEW ZONING DISTRICT TO BE ENTITLED “DOWNTOWN DUNCANVILLE DISTRICT (DD)”, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT “A”; PROVIDING A GENERAL PURPOSE; PROVIDING FOR THE DOWNTOWN DUNCANVILLE MASTER PLAN; PROVIDING FOR APPLICABILITY AND LOCATION; PROVIDING GENERAL DISTRICT STANDARDS; PROVIDING FOR PERMITTED USES BY FRONTAGE TYPE; PROVIDING FOR DEVELOPMENT STANDARDS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED TWO THOUSAND DOLLARS (\$2,000) FOR EACH AND EVERY OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission of the City of Duncanville, Texas, and the governing body of the City, in compliance with the laws of the State of Texas and the ordinances of the City, have given requisite notice by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof, and in the exercise of its legislative discretion have concluded that the Comprehensive Zoning Ordinance and Zoning Map of the City should be amended; **NOW, THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DUNCANVILLE, TEXAS:

SECTION 1. That the Code of Ordinances be, and the same is, hereby amended by amending Appendix A, Zoning, by adding a new Article XII-L, to provide for a new zoning district to be entitled “Downtown Duncanville District (DD),” which is attached hereto and incorporated herein as Exhibit A.

SECTION 2. In the event that a property owner or occupant invokes the provisions of Article XII-L, Section 4, Subsection (2) for “Transition Exemption” as provided herein, such property owner or occupant shall construct the façade of the building to the style and elevation

existing on the date of the adoption of the Ordinance; the building must comply with the Building Code in effect at the time of issuance of a building permit.

SECTION 3. That all provisions of the ordinances of the City of Duncanville in conflict with the provisions of this ordinance be and the same are hereby repealed and all ordinances not so in conflict shall remain in full force and effect.

SECTION 4. That an offense committed before the effective date of this ordinance is governed by the prior law and the provisions of the Code of Ordinances, as amended, in effect when the offense was committed and the former law is continued in effect for this purpose.

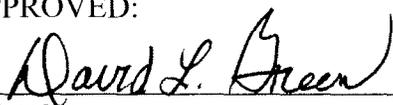
SECTION 5. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision hereof other than the part so decided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

SECTION 6. That any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be punished by a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense; and each and every day such violation shall continue shall be deemed to constitute a separate offense.

SECTION 7. This ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law and Charter in such cases provide.

DULY ADOPTED by the City Council of the City of Duncanville, Texas on the 17th day of June, 2008.

APPROVED:

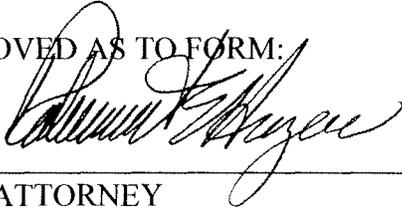


MAYOR

ATTEST:

Dana Crabtree
CITY SECRETARY

APPROVED AS TO FORM:



CITY ATTORNEY
(REH/cdb 06/09/08)

EXHIBIT “A”

ARTICLE XII-L. DOWNTOWN DUNCANVILLE DISTRICT “DD”

Section 1. General purpose.

The purpose of the Downtown Duncanville District is to support a pedestrian-oriented, mixed-use urban development environment, with convenient access to rail transit, shopping, employment, housing, and neighborhood retail services. The intent is to revitalize Duncanville’s Main Street to be the center of life in the community. Therefore, an efficient, compact land use pattern; encouraging pedestrian activity; reducing the reliance on private automobiles; promoting a more functional and attractive community through the use of recognized principles of urban design; and allowing property owners flexibility in land use, while prescribing a high level of detail in building design and form are encouraged by the Downtown Duncanville District. The Downtown Duncanville District is intended to implement the vision laid out in the Downtown Duncanville Master Plan including maximizing development opportunities in the vicinity of the future rail transit stop at Center Street. Specifically, the zoning district will guide the private development decisions on a market based approach with flexibility in use and density.

The Downtown Duncanville District provides simple and clear graphic standards for the location, height, and building elements to achieve good urban design.

Section 2. Downtown Duncanville Master Plan.

The Downtown Duncanville Master Plan establishes the community vision for the redevelopment of city’s downtown into a vibrant center of community life. The Master Plan builds on “Our Visions”, Main Street Duncanville established 2003. The Master Plan is illustrative but provides guidance for the character and standards for the redevelopment of the “Main Street/Downtown” Sector of the City’s Comprehensive Plan.

Section 3. Applicability and location.

(1) The Downtown Duncanville District shall be mandatory for all properties along with frontage along Main Street from I-20 frontage road to Wheatland Road and other properties as depicted in the Regulating Plan. See Exhibit 1.

(2) The Downtown Duncanville District is composed of following major elements:

(A) **Downtown Regulating Plan:** The frontage types are provided herein and establish the development standards for all lots within the district including:

(1) Frontage types – The *frontage type* establishes the building standards including height, bulk, building and parking location, and functional design for all lots within the Downtown Duncanville District. The frontage types in Section 4 classify all lots within the Downtown Duncanville Master Plan area into one of five (5) frontage types. The different frontage types are based on historic and regional architectural traditions to create a built environment that is consistent with the vision for Downtown Street, Duncanville.

- (2) Build-to lines and zones (BTL/BTZ) - The *Build-to line or zone* establishes the location on the lot where the building shall be built.
 - (3) Parking setback lines (PSL) – The *Parking setback line* shall establish the location behind which surface parking is permitted on each lot, and
 - (4) Streetscape standards – The *Streetscape standards* shall establish a consistent character along Main Street that relates private development along the street to its public improvements. Public improvements along Main Street shall include the placement of street trees, sidewalks, pedestrian amenities, on-street parking, configuration of travel lanes, and the relationship between the street and buildings.
- (B) Downtown Duncanville District Text: The *Downtown Duncanville District Text* shall enumerate the use and development standards with text and graphics including frontage, streetscape, landscape, architectural, signage, lighting, and all related standards for all private development.
- (C) The development standards under Appendix A of the City of Duncanville Comprehensive Zoning Ordinance, as amended, shall not apply to the Downtown Duncanville District except as specifically referenced herein. Development standards not addressed in this ordinance shall be governed by the City of Duncanville Comprehensive Zoning Ordinance to the extent they are not in conflict with the intent of the Downtown Duncanville District.

Section 4. General district standards.

(1) Non-conforming uses and buildings: Non-conforming uses shall be governed by Article XVI of the Comprehensive Zoning Ordinance, as amended. Regardless of transfer of ownership, existing buildings that do not conform to the provisions of this District may continue in use as they are until the building is reconstructed or substantially modified such that the collective reconstructions or modifications within any five (5) year period are valued at more than either \$50,000 or a total of fifty (50) % of the assessed value of the structure in the most recently certified tax rolls, whichever is greater. In addition, for all improvements over either \$50,000 or 50% of the assessed value the structure, any changes to non-conforming buildings that do not comply with *Section 6, Development Standards* shall only be approved if a Special Exception (SE) permit is granted by the Board of Adjustments after a recommendation from the Development Review Committee. In reviewing the Special Exception application the Board shall grant the Special Exception based on the extent to which standards in Section 6 can be feasibly met and the extent to which the proposed changes not in conformance with Section 6 meet the pedestrian orientation intent of the Ordinance.

(2) Exemption.

- (A) The provisions of this Ordinance shall not require a current property owner or occupant to conform to the development regulations as set forth herein for any structure, lot or property currently owned or occupied and used as of the effective date of this ordinance, if and only if, such property or structure is destroyed by an act of nature, such as tornado, flooding or natural disaster or by fire, not the cause of intentional negligence or gross negligence of the owner or occupant.

- (B) The provisions of this exemption shall expire on the tenth anniversary date of enactment of this ordinance.

(3) Pedestrian Orientation: In order to facilitate walkability and livability, Main Street and intersecting streets within the Downtown Duncanville District shall provide accessible sidewalks with street trees. Cross-sections as delineated on the Main Street Regulating Plan, incorporated herein by reference, are established to facilitate guidance for an integrated set of transportation choices—driving, walking and cycling, as well as to form public places bounded by building facades creating a sense of “outdoor rooms” or enclosure along the street or within building courtyards opening to the street.

(4) Public Improvements: The public improvements within city right-of-way necessary to facilitate walkability, as delineated on the Downtown Duncanville Master Plan and Regulating Plan, shall be designed and constructed by the City or other public entities when funding becomes available; accordingly, new design and construction of private buildings and improvements within the district shall conform to and be complementary with those public improvements.

(5) Frontage Types Established: Based on the existing character and to implement the ultimate vision for the Main Street corridor, the following frontage types are established:

- (A) Core Main Street Frontage (CMS) – This frontage type is intended to preserve and enhance the existing historic character of Main Street between Carder Street and Cherry Street.
- (B) General Main Street Frontage (GMS) – This frontage type is intended to encourage properties along and behind Main Street from Camp Wisdom to Carder Streets to redevelop into a pedestrian-oriented, mixed use character through the aggregation of lots for urban village projects.
- (C) Transit-Oriented Development Frontage (TOD) – This frontage type is intended to maximize the development opportunities in the vicinity of the future rail stop identified in the Santa Fe Trail and Center Street area. Development in the TOD frontage shall be higher intensity mixed use with a significant residential component to support future transit ridership.
- (D) Urban Living Frontage (UL) – This frontage type along the cross streets intersecting with Main Street and along the blocks flanking Main Street is intended to encourage a dense residential neighborhood to support the revitalization of the Core Main Street and the future rail transit stop.
- (E) Civic Frontage (CV) – This frontage is intended to integrate the significant civic, public and commercial uses along Main Street from Nance Street to Wheatland Road with the Core Main Street and TOD frontages.

(F) Major Roadway Frontage (MR) – This frontage is intended to provide appropriate development opportunities to take advantage of the I-20 frontage road access while transitioning to pedestrian-oriented development along the Main Street and Camp Wisdom Road frontages.

Section 5. Schedule of permitted uses by frontage type.

(1) Generally: Due to the emphasis on urban form over land uses in the Downtown Duncanville District, general use categories have been identified by frontage types. Uses not listed in the following schedule, but are substantially similar, may be permitted upon the approval of the City Manager or his or her designee, subject to appeal to the City Council. For the purposes of use regulation, uses permitted in the Core Main Street, General Main Street, TOD, and Civic frontages shall be same.

(2) Schedule of Uses

Table 1

<i>Land Use</i>	<i>CMS/GSM/TOD/CV Frontages</i>	<i>MR Frontage</i>	<i>Urban Living Frontage</i>
Commercial Uses (Office & Retail Uses)			
<ul style="list-style-type: none"> ▪ Retail Sales or Service with <u>no drive through facility</u> (includes alcohol sales). Excluded from this category are retail sales and services establishments geared towards the automobile, including gasoline service stations. 	P	P	P/C (permitted only at corner sites on the ground floor)
<ul style="list-style-type: none"> ▪ Finance, Insurance, and Real Estate establishments including banks, credit unions, real estate, and property management services, <u>with no drive through facility</u> 	P	P	P/C (permitted only at corner sites on the ground floor)
<ul style="list-style-type: none"> ▪ Offices for business, professional, and technical uses such as accountants, architects, lawyers, doctors, etc. 	P	P	P
<ul style="list-style-type: none"> ▪ Food Service Uses such as full-service restaurants, cafeterias, and snack bars with no drive through facilities including café seating within a public or private sidewalk area with no obstruction of pedestrian circulation 	P	P	P/C (permitted only at corner sites on the ground floor)
Arts, Entertainment, and Recreation Uses			
<ul style="list-style-type: none"> ▪ Art galleries 	P	P	P/C (permitted only at corner sites on the ground floor)
<ul style="list-style-type: none"> ▪ Art, antique, furniture or electronics studio (retail, repair or fabrication; excludes auto electronics sales or service) 	P	P	NP
<ul style="list-style-type: none"> ▪ Games arcade establishments 	SUP	SUP	NP
<ul style="list-style-type: none"> ▪ Theater, cinema, dance, or music establishment 	P	P	NP
<ul style="list-style-type: none"> ▪ Museums and other special purpose recreational institutions 	P	P	NP
<ul style="list-style-type: none"> ▪ Fitness, recreational sports, gym, or athletic club 	P	P	P/C (permitted only at corner sites on the ground floor)
<ul style="list-style-type: none"> ▪ Parks, greens, plazas, squares, and playgrounds 	P	P	P
Educational, Public Administration, Health Care and Other Institutional Uses			
<ul style="list-style-type: none"> ▪ Business associations and professional membership organizations 	P	P	P/C (permitted only at corner sites on the ground floor)
<ul style="list-style-type: none"> ▪ Child day care and preschools 	SUP	SUP	P/C (permitted only on the ground floor)
<ul style="list-style-type: none"> ▪ Schools, libraries, and community halls 	P	P	NP
<ul style="list-style-type: none"> ▪ Civic uses 	P	P	NP
<ul style="list-style-type: none"> ▪ Social and fraternal organizations 	P	P	NP
<ul style="list-style-type: none"> ▪ Social services and philanthropic organizations [consultant recommendation] 	SUP	SUP	NP
<ul style="list-style-type: none"> ▪ Religious Institutions [consultant recommendation] 	SUP	SUP	NP

<i>Land Use</i>	<i>CMS/GSM/TOD/CV Frontages</i>	<i>MR Frontage</i>	<i>Urban Living Frontage</i>
▪ Funeral homes	SUP	SUP	NP
Residential Uses			
▪ Home Occupations	NA	NA	P
▪ Live/Work units	NA	NA	P
▪ Residential Apartments and/or condominiums	P	P/C (permitted on N. Duncanville Road frontage only)	P
▪ Upper floor residential uses ¹	P	P	P
▪ Single-family residential attached dwelling unit (Townhomes)	NP	NP	P
Other Uses			
▪ Model homes for sales and promotion**	NA	NP	P
▪ Full-service hotels	P	P	NP
▪ Bed and breakfast establishments	P	NP	P
▪ Parking, surface	P	P	A
▪ Parking, structured	P	P	P
▪ Sales from kiosks	P	P	NP
▪ Any permitted use with a drive through facility	SUP (minimize pedestrian conflicts and, drive through shall not be visible from Main Street)		NP
▪ Veterinary clinic (no outdoor facilities for overnight storage of animals)	P	NP	NP

P= Permitted by right NP= Not Permitted P/C= Permitted with conditions A= Permitted Accessory Use NA= Not applicable SUP = Permitted with a Specific Use Permit

Section 6. Development standards.

In addition to the following development standards, all buildings/structures shall meet all other applicable city ordinances with respect building code, fire code, and other related ordinances.

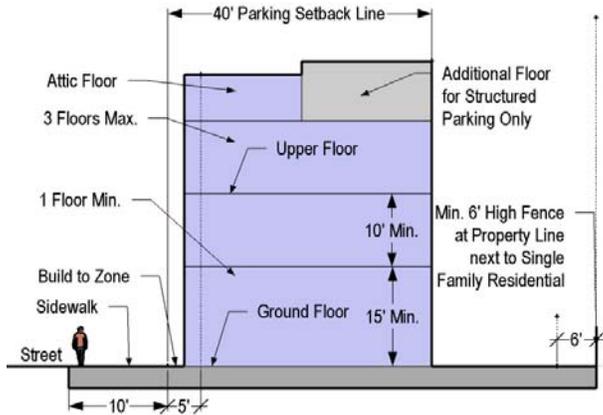
(1) Building Standards by Street Frontage Type

¹ Residential uses shall be permitted by right in the upper floors of all buildings

** Model homes are limited to a time period until all the homes are sold in the neighborhood.

I. CORE MAIN STREET (CMS) FRONTAGE SITES

Height Standards



Principal building height:

- i. Height shall be established by number of floors.
- ii. The height of principal buildings shall be between 1 and 3 floors or as established in the Regulating Plan.

Structured Parking height:

- i. Parking structures shall not exceed the principal building height for all principal structures 2 floors or less.
- ii. Parking structures may be permitted to be a maximum of 4 floors if the principal building is at least 3 stories tall.

Mezzanines and Attics:

Mezzanines and attics shall be excluded from the height calculations as long as they do not exceed 50% of the floor area of a typical floor in the same building.

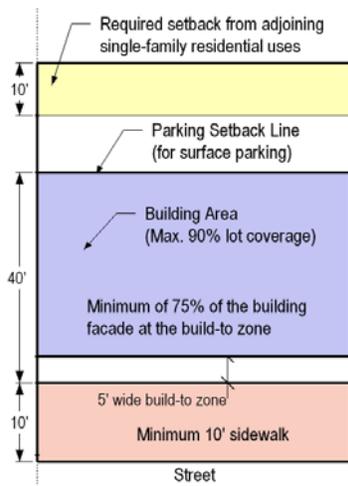
Ground Floor Height:

- i. The finished floor elevation of the ground floor relative to the finished elevation of the sidewalk shall be either the same or no greater than 18" higher.
- ii. The minimum height as measured from the finished sidewalk to the second floor shall be a minimum of 15 feet.
- iii. Minimum height of upper floors shall be 10'.

Neighborhood Transitions:

- i. A Neighborhood Transition Zone shall be established on all sites in the Core Main Street frontage area at 25' parallel to any lot line that is common with a single-family residential lot.
- ii. Building height within this Neighborhood Transition Zone shall not exceed 3 floors. This standard shall apply to any parking structures located within the Neighborhood Transition Zone.

Building Disposition



- ii. Corner lots shall be built to the build-to-zone for a minimum of 35' from the corner along each street front.
- iii. The building to zone shall be a 5' wide zone that provides property owners flexibility in the location of the building along Main Street to accommodate building jogs, café seating, and other pedestrian amenities.
- iv. The build-to-zone is established from the future edge of pavement as shown in the Regulating Plan. The build-to zone shall be a minimum of 10' from the future edge of pavement to allow for a sidewalk width of 10'.

Buildable Area:

- i. A maximum of 100% of the lot may be covered with the building footprint.
- ii. Buildings over 10,000 sq. ft. gross shall provide at least 5% of the lot area in publicly accessible civic space in the form of courtyards, forecourts, plazas, squares, greens, playgrounds or other forms of civic space.

Rear and Side Setbacks:

- i. No rear or side setbacks are required unless abutting a single-family residential lot in which case, the side and/or rear setback shall be a minimum of 10' from the shared lot line.
- ii. A privacy fence (masonry or vegetative only) of a 6' height shall be required when abutting a single-family residential lot and shall be optional for all other adjacencies.

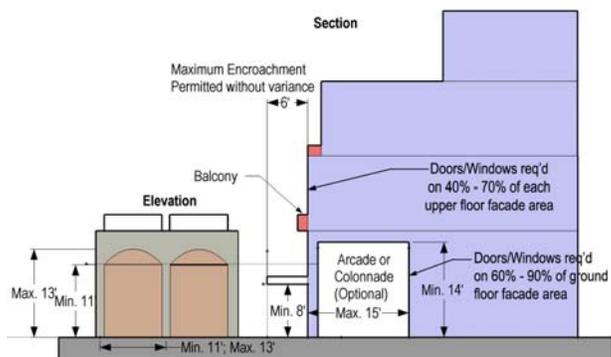
Off-Street Parking:

- i. Ground floor surface parking shall be located behind the parking setback line established on the lot which shall be 40' from the edge of the build-to zone.
- ii. Parking garages shall be lined along Main Street with active uses at least on the ground floor.
- iii. Access to surface parking shall generally be from alleys unless no alley access is available in which case; driveways shall be consolidated between adjoining lots to the extent possible.

Street Façade:

- i. At least 75% of each building in the Core Main Street Frontage area shall be built to the build-to-zone.

Façade Elements



- iii. Primary entrance doors for all buildings shall be on the Main Street façade.
- iv. Windows and doors on the upper floors shall be between 40% and 70% of each upper floor façade area which is measured between 3' and 9' above each finished floor.
- v. Windows on facades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.

Building projections and encroachments:

- i. Building projections and appurtenances such as awnings, balconies, canopies, etc, may project a maximum of 6' over any sidewalk or public right-of-way along Main Street provided they meet the standards established in Section 6(d) of this ordinance.

- ii. Building projections on all other facades may not be closer than 5' to any adjacent property line.

Arcades and Colonnades:

- i. Arcades and Colonnades are permitted within the build-to zone and shall not encroach into any sidewalk area. The arcade/colonnade area shall be designated with a public access easement.
- ii. They shall be no deeper than 15' from the edge of the required sidewalk.
- iii. Columns or piers shall be spaced between 12' and 15'.

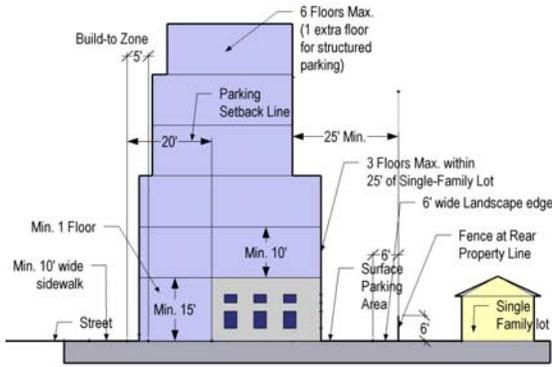
Doors and Windows:

- i. There shall be no blank walls more than 25 feet in width along any public street façade (except alleys) of any building.
- ii. Doors and windows on the ground floor of all buildings shall be between 60% and 90% of the ground floor façade area along any public street (except alleys).

- iv. The minimum interior clearance height within an arcade or colonnade shall be 14' and the height of the arcade/colonnade opening shall be between 11' and 13'.

II. GENERAL MAIN STREET (GMS) FRONTAGE SITES

Height Standards



Principal building height:

- i. Height shall be established by number of floors.

- ii. The height of principal buildings shall be between 1 and 6 floors or as established in the Regulating Plan.

Structured Parking height:

- i. Parking structures shall not exceed the principal building height for all principal structures 2 floors or less.
- ii. Parking structures may be permitted to be a maximum of 7 floors if the principal building is at least 3 stories tall.

Mezzanines and Attics:

Mezzanines and attics shall be excluded from the height calculations as long as they do not exceed 50% of the floor area of a typical floor in the same building.

Ground Floor Height:

- i. The finished floor elevation of the ground floor relative to the finished elevation of the sidewalk

shall be either the same or no greater than 18" higher.

- ii. The minimum height as measured from the finished sidewalk to the second floor shall be a minimum of 15 feet.

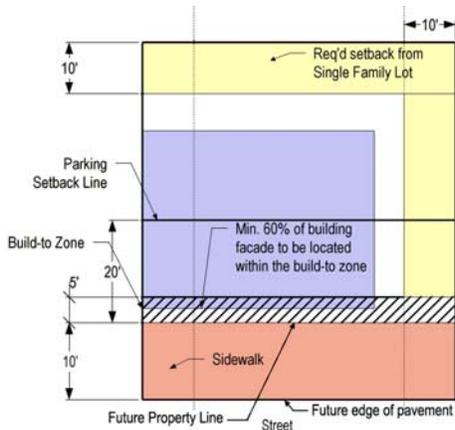
- iii. Minimum height of upper floors shall be 10'.

Neighborhood Transitions:

- i. A Neighborhood Transition Zone shall be established on all sites in the General Main Street frontage area at 25' parallel to any lot line that is common with a single-family residential lot.

- ii. Building height within this Neighborhood Transition Zone shall not exceed 3 floors. This standard shall apply to any parking structures located within the Neighborhood Transition Zone.

Building Disposition



Street Façade:

- i. At least 60% of each building on the ground floor in the General Main Street Frontage area shall be built to the build-to-zone.
- ii. Corner lots shall be built to the build-to-zone for a minimum of 20' from the corner along each street front.

- iii. The building to zone shall be a 5' wide zone that provides property owners flexibility in the location of the building along Main Street to accommodate building jogs, café seating, and other pedestrian amenities.

- iv. The build-to-zone is established from the future edge of pavement as shown in the Regulating Plan. The build-to zone shall be a minimum of 15' from the future edge of pavement to allow for a clear sidewalk width of 9' and a tree planting zone of 6'.

Buildable Area:

- i. A maximum of 100% of the lot may be covered with the building footprint.
- ii. Buildings over 10,000 sq. ft. gross shall provide at least 5% of the lot area in publicly accessible civic space in the form of courtyards, forecourts, plazas, squares, greens, playgrounds or other forms of civic space.

Rear and Side Setbacks:

- i. No rear or side setbacks are required unless abutting a single-family residential lot in which

case, the side and/or rear setback shall be a minimum of 10' from the shared lot line.

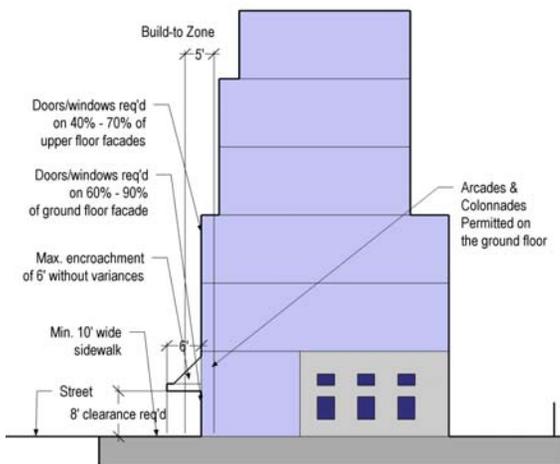
- ii. A privacy fence (masonry or vegetative only) of a 6' height shall be required when abutting a single-family residential lot and shall be optional for all other adjacencies.

Off-Street Parking:

- i. Ground floor surface parking shall be located behind the parking setback line established on the lot which shall be a minimum of 20' from the edge of the build-to-zone for all interior lots and 40' for all corner lots.
- ii. Surface parking lots along any public street shall be no more than either 40% of lot width or 60'.
- iii. Parking garages shall be lined along all public streets (except alleys) with active uses at least on the ground floor.

- iv. Access to surface parking shall generally be from alleys unless no alley access is available in which case driveways shall be consolidated between adjoining lots to the extent possible.

Façade Elements



Doors and Windows:

- i. There shall be no blank walls along any public street façade (except alleys) of any building.

- ii. Doors and windows on the ground floor of all buildings shall be between 60% and 90% of the ground floor façade area along any public street (except alleys).

- iii. Primary entrance doors for all buildings shall be on the Main Street façade.

- iv. Windows and doors on the upper floors shall be between 40% and 70% of each upper floor façade area which is measured between 3' and 9' above each finished floor.

- v. Windows on facades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.

Building projections and encroachments:

- i. Building projections and appurtenances such as awnings, balconies, canopies, etc, may project a maximum of 6' over any sidewalk or public right-of-way along Main Street provided they

meet the standards established in Section 6(d) of this ordinance.

- ii. Building projections on all other facades may not be closer than 5' to any adjacent property line.

Arcades and Colonnades:

- i. Arcades and Colonnades are permitted within the build-to zone and shall not encroach into any sidewalk area. The arcade/colonnade area shall be designated with a public access easement.

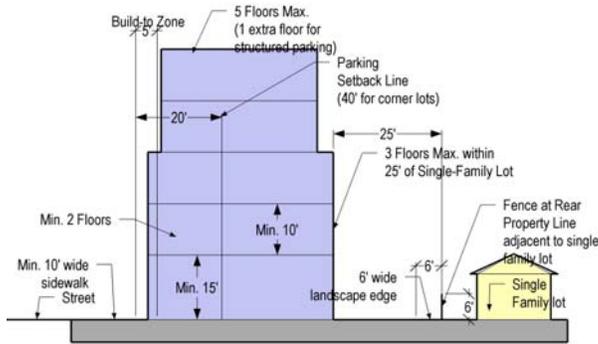
- ii. They shall be no deeper than 15' from the edge of the required sidewalk.

- iii. Columns or piers shall be spaced between 12' and 15'.

- iv. The minimum interior clearance height within an arcade or colonnade shall be 14' and the height of the arcade/colonnade opening shall be between 11' and 13'.

III. TRANSIT-ORIENTED DEVELOPMENT (TOD) FRONTAGE SITES

Height Standards



Principal building height:

- i. Height shall be established by number of floors.

- ii. The height of principal buildings shall be between 2 and 5 floors or as established in the Regulating Plan.

Structured Parking height:

- i. Parking structures shall not exceed the principal building height for all principal structures 2 floors or less.
- ii. Parking structures may be permitted to be a maximum of 6 floors if the principal building is at least 3 stories tall.

Mezzanines and Attics:

Mezzanines and attics shall be excluded from the height calculations as long as they do not exceed 50% of the floor area of a typical floor in the same building.

Ground Floor Height:

- i. The finished floor elevation of the ground floor relative to the finished elevation of the sidewalk

shall be either the same or no greater than 18" higher.

- ii. The minimum height as measured from the finished sidewalk to the second floor shall be a minimum of 15 feet.

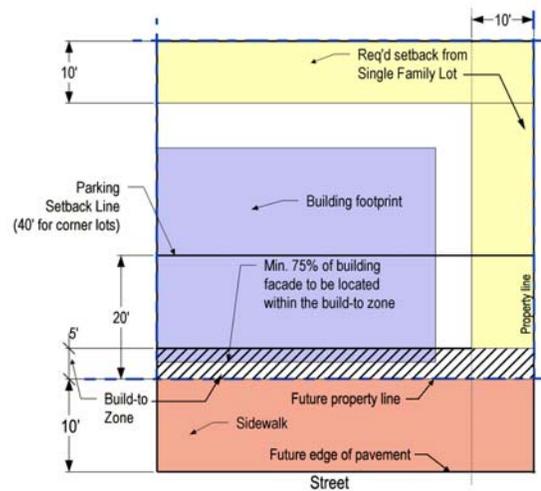
- iii. Minimum height of upper floors shall be 10'.

Neighborhood Transitions:

- i. A Neighborhood Transition Zone shall be established on all sites in the TOD frontage area at 25' parallel to any lot line that is common with a single-family residential lot.

- ii. Building height within this Neighborhood Transition Zone shall not exceed 3 floors. This standard shall apply to any parking structures located within the Neighborhood Transition Zone.

Building Disposition



Street Façade:

- i. At least 75% of each building in the Transit-Oriented Development Frontage area shall be built to the build-to-zone.

- ii. Corner lots shall be built to the build-to-zone for a minimum of 35' from the corner along each street front.

- iii. The building to zone shall be a 5' wide zone that provides property owners flexibility in the location of the building along a public street to accommodate building jogs, café seating, and other pedestrian amenities.

- iv. The build-to-zone is established from the future edge of pavement as shown in the Regulating Plan. The build-to zone shall be a minimum of 15' from the future edge of pavement to allow for a clear sidewalk width of 9' and a tree planting zone of 6'.

Buildable Area:

- i. A maximum of 95% of the lot may be covered with the building footprint.
- ii. Buildings over 10,000 sq. ft. gross shall provide at least 5% of the lot area in publicly accessible civic space in the form of courtyards, forecourts, plazas, squares, greens, playgrounds or other forms of civic space.

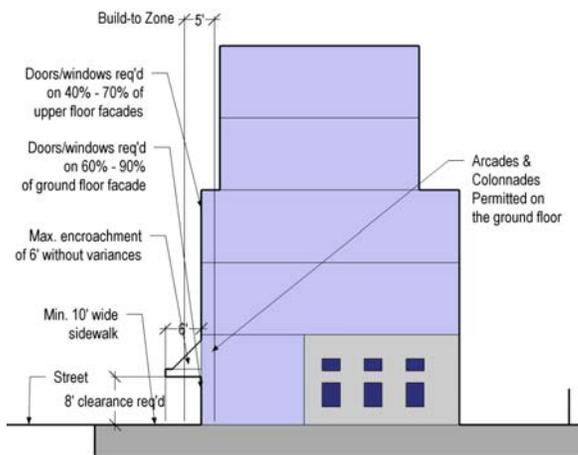
Rear and Side Setbacks:

- i. No rear or side setbacks are required unless abutting a single-family residential lot in which case, the side and/or rear setback shall be a minimum of 10' from the shared lot line.
- ii. A privacy fence (masonry or vegetative only) of a 6' height shall be required when abutting a single-family residential lot and shall be optional for all other adjacencies.

Off-Street Parking:

- i. Ground floor surface parking shall be located behind the parking setback line established on the lot which shall be a minimum of 20' from the edge of the build-to-zone for all interior lots and 40' for all corner lots.
- ii. Parking garages shall be lined along all public streets (except alleys) with active uses at least on the ground floor.
- iii. Access to surface parking shall generally be from alleys unless no alley access is available in which case driveways shall be consolidated between adjoining lots to the extent possible.

Façade Elements



Doors and Windows:

- i. There shall be no blank walls along any public street façade (except alleys) of any building.

- ii. Doors and windows on the ground floor of all buildings shall be between 60% and 90% of the ground floor façade area along all public street facades (except alleys).

- iii. Primary entrance doors for all buildings shall be on a public street façade.

- iv. Windows and doors on the upper floors shall be between 40% and 70% of each upper floor façade area which is measured between 3' and 9' above each finished floor.

- v. Windows on facades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.

Building projections and encroachments:

- i. Building projections and appurtenances such as awnings, balconies, canopies, etc, may project a maximum of 6' over any sidewalk or public

right-of-way along Main Street provided they meet the standards established in Section 6(d) of this ordinance.

- ii. Building projections on all other facades may not be closer than 5' to any adjacent property line.

- iii. Arcades and colonnades permitted in corner buildings with retail uses only. Standards for arcades and colonnades shall be the same as the Core Main Street frontage sites.

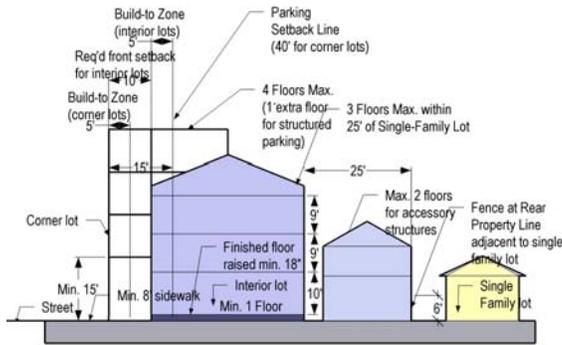
Stoops & Porches:

- i. Stoops and porches are within the build-to zone and shall not encroach into any sidewalk area.

- ii. Stoops and porches that provide access to residential uses on the ground floor shall be at least 18" higher than the finished elevation of the sidewalk.

IV. URBAN LIVING (UL) FRONTAGE SITES

Height Standards



Principal building height:

- i. Height shall be established by number of floors.
- ii. The height of principal buildings shall be between 1 and 4 floors or as established in the Regulating Plan.

Accessory Structure height:

The maximum height for accessory structures such as residential garages and accessory dwelling units shall be 2 floors.

Structured Parking height:

- i. Parking structures shall not exceed the principal building height for all principal structures 2 floors or less.
- ii. Parking structures may be permitted to be a maximum of 5 floors if the principal building is at least 3 stories tall.

Mezzanines and Attics:

Mezzanines and attics shall be excluded from the height calculations as long as they do not exceed 50% of the floor area of a typical floor in the same building.

Ground Floor Height:

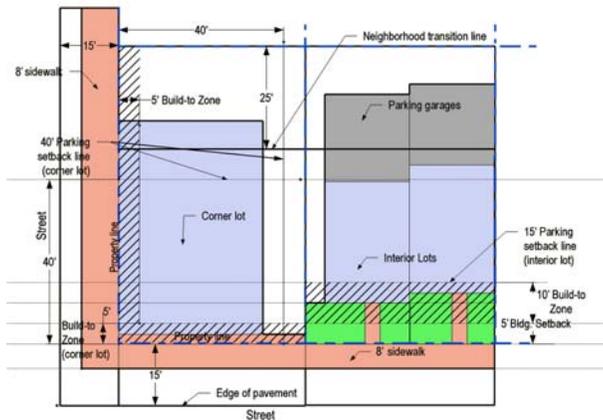
- i. For commercial and live/work buildings, the finished floor elevation of the ground floor shall be either the same or no greater than 18" higher than the finished elevation of the sidewalk.

- ii. For all other residential buildings, the finished floor elevation of the ground floor shall be at least 18" higher than the finished elevation of the sidewalk.
- iii. For commercial and live/work buildings, the minimum height as measured from the finished sidewalk to the second floor shall be a minimum of 15 feet.
- iv. For all other residential buildings, the minimum ground floor height shall be 10' and all other upper floors shall be 9'.

Neighborhood Transitions:

- i. A Neighborhood Transition Zone shall be established on all sites in the Urban Living frontage area at 25' parallel to any lot line that is common with a single-family residential lot.
- ii. Principal building height within this Neighborhood Transition Zone shall not exceed 3 floors. This standard shall apply to any parking structures located within the Neighborhood Transition Zone.

Building Disposition



Street Façade:

- i. At least 60% of each building in the Urban Living Frontage area shall be built to the build-to-zone.
- ii. Corner lots shall be built to the build-to-zone for a minimum of 25' from the corner along each street front.

- iii. The building to zone shall be a 5' – 10' wide zone that provides property owners flexibility in the location of the building to accommodate building jogs, café seating, and other pedestrian amenities.
- iv. For interior lots: The build-to-zone is established from the future edge of pavement as shown in the Regulating Plan. The build-to zone shall be a minimum of 22' from the future edge of pavement to allow for a clear sidewalk width of 6', a tree planting zone of 6', and a minimum front setback of 5'.
- v. For corner lots: The build-to zone shall be a minimum of 15' from the future edge of pavement, allowing a 9' wide sidewalk and a 6' planting strip.

Buildable Area:

- i. A maximum of 90% of the lot may be covered with the building footprint.
- ii. Buildings over 5,000 sq. ft. gross shall provide at least 10% of the lot area in publicly accessible civic space in the form of courtyards, forecourts, plazas, squares, greens, playgrounds or other forms of civic space.

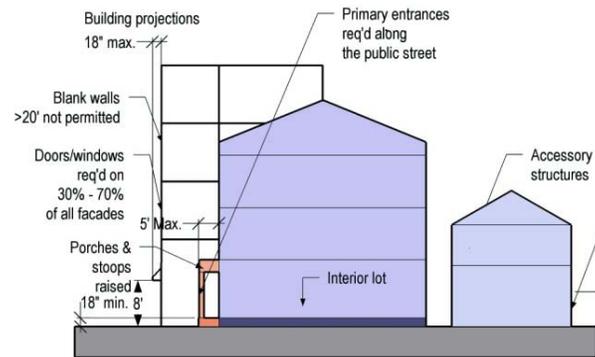
Rear and Side Setbacks:

- i. No rear or side setbacks are required unless abutting a single-family residential lot in which case, the side and/or rear setback shall be a minimum of 10' from the shared lot line.
- ii. A privacy fence (masonry or vegetative only) of a 6' height shall be required when abutting a single-family residential lot and shall be optional for all other adjacencies.

Off-Street Parking:

- i. Ground floor surface parking shall be located behind the parking setback line established on the lot which shall be a minimum of 15' from the edge of the build-to-zone for all interior lots and 40' for all corner lots.
- ii. Parking garages shall be lined along all public streets (except alleys) with active uses at least on the ground floor.
- iii. Access to surface parking shall generally be from alleys unless no alley access is available in which case driveways shall be consolidated between adjoining lots to the extent possible.

Façade Elements



Doors and Windows:

- i. Continuous blank walls exceeding 20 linear feet shall not be permitted along any public street façade (except alleys) of any building.

- ii. Doors and windows on the ground floor of all buildings shall between 30% and 70% of the ground floor façade area along all public street facades (except alleys). Windows shall be oriented vertically.
- iii. Primary entrance doors for all buildings shall be on a public street façade.
- iv. Windows and doors on the upper floors shall be between 30% and 70% of each upper floor façade area which is measured between 3' and 9' above each finished floor.
- v. Windows on facades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.

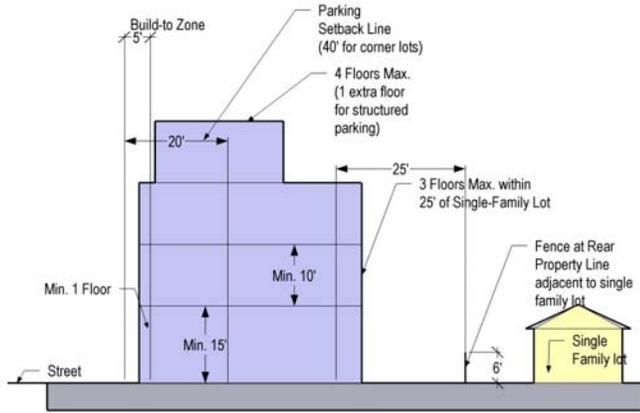
Building projections and encroachments:

- i. Building projections and appurtenances such as awnings, balconies and canopies, etc, may project a maximum of 6' for commercial buildings and 18" for residential buildings and shall meet the standard in Section 6(d) of this ordinance.
- ii. Building projections on all other facades may not be closer than 5' to any adjacent property line.

Stoops & Porches:

- i. Stoops and porches are encouraged within the build-to zone and may encroach a maximum of 5' into the required front setback.
- ii. Stoops and porches that provide access to residential uses on the ground floor shall be at least 18" higher than the finished elevation of the sidewalk.

Height Standards



Principal building height:

- i. Height shall be established by number of floors.
- ii. The height of principal buildings shall be between 1 and 4 floors or as established in the Regulating Plan.

Structured Parking height:

- i. Parking structures shall not exceed the principal building height for all principal structures 2 floors or less.
- ii. Parking structures may be permitted to be a maximum of 5 floors if the principal building is at least 3 stories tall.

Mezzanines and Attics:

Mezzanines and attics shall be excluded from the height calculations as long as they do not exceed 50% of the floor area of a typical floor in the same building.

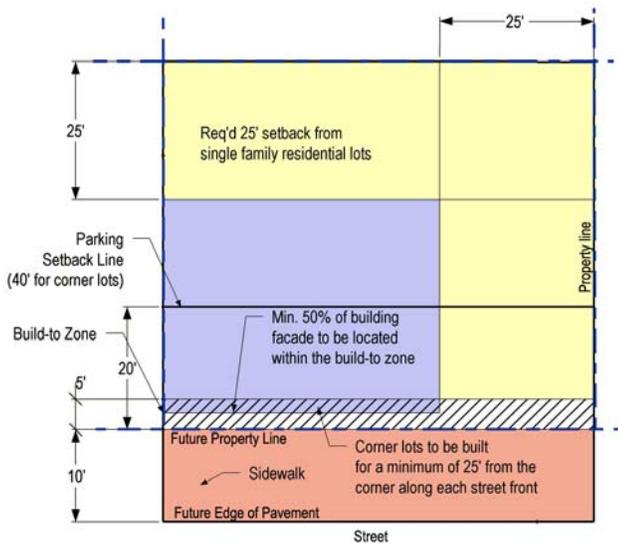
Ground Floor Height:

- i. For commercial and live/work buildings, the finished floor elevation of the ground floor shall be either the same or no greater than 18" higher than the finished elevation of the sidewalk.
- ii. For commercial and live/work buildings, the minimum height as measured from the finished sidewalk to the second floor shall be a minimum of 15 feet.

Neighborhood Transitions:

- i. A Neighborhood Transition Zone shall be established on all sites in the Civic frontage area at 25' parallel to any lot line that is common with a single-family residential lot.
- ii. Building height within this Neighborhood Transition Zone shall not exceed 3 floors. This standard shall apply to any parking structures located within the Neighborhood Transition Zone.

Building Disposition



- ii. Corner lots shall be built to the build-to-zone for a minimum of 25' from the corner along each street front.

- iii. The building to zone shall be a 5' wide zone that provides property owners flexibility in the location of the building to accommodate building jogs, café seating, and other pedestrian amenities.

- iv. The build-to-zone is established from the future edge of pavement as shown in the Regulating Plan. The build-to zone shall be a minimum of 12' from the future edge of pavement to allow for a clear sidewalk width of 6' and a tree planting zone of 6'.

Buildable Area:

- i. A maximum of 90% of the lot may be covered with the building footprint.
- ii. Buildings over 10,000 sq. ft. gross shall provide at least 5% of the lot area in publicly accessible civic space in the form of courtyards, forecourts, plazas, squares, greens, playgrounds or other forms of civic space.

Rear and Side Setbacks:

- i. No rear or side setbacks are required unless abutting a single-family residential lot in which case, the side and/or rear setback shall be a minimum of 25' from the shared lot line.
- ii. A privacy fence (masonry or vegetative only) of a 6' height shall be required when abutting a single-family residential lot and shall be optional for all other adjacencies.

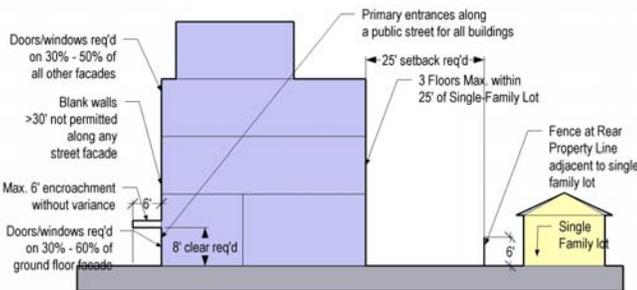
Off-Street Parking:

- i. Ground floor surface parking shall be located behind the parking setback line established on the lot which shall be a minimum of 20' from the edge of the build-to-zone for all interior lots and 40' for all corner lots.
- ii. Parking garages shall be lined along all public streets (except alleys) with active uses at least on the ground floor.

Street Façade:

- i. At least 50% of each building in the Civic Frontage area shall be built to the build-to-zone.

Façade Elements



- iii. Windows and doors on the upper floors shall be between 30% and 50% of each upper floor façade area which is measured between 3' and 9' above each finished floor.

- iv. Primary entrance doors for all buildings shall be on a public street façade.

- v. Windows on facades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.

Building projections and encroachments:

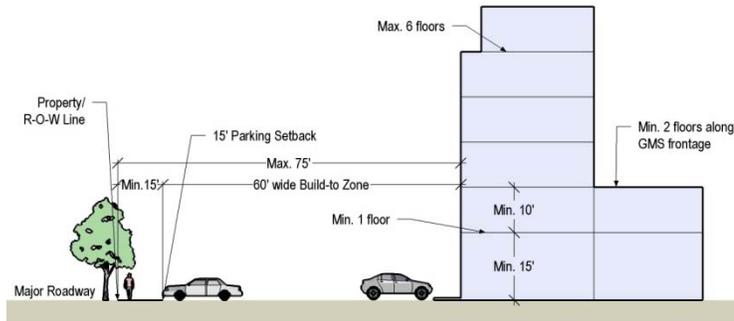
- i. Building projections and appurtenances such as awnings, balconies, canopies, etc, may project a maximum of 6' over any sidewalk or public right-of-way provided they meet the standards established in Section 6(d) of this ordinance.
- ii. Building projections on all other facades may not be closer than 5' to any adjacent property line.

Doors and Windows:

- i. Continuous blank walls exceeding 30 linear feet shall not be permitted along any public street façade (except alleys) of any building.
- ii. Doors and windows on the ground floor of all buildings shall between 30% and 60% of the ground floor façade area along all public street facades (except alleys).

VI. MAJOR ROADWAY (MR) FRONTAGE SITES

Height Standards



Principal building height:

- i. Height shall be established by number of floors.
- ii. The height of principal buildings shall be between 1 and 6 floors and between 2 and 6 stories along the GMS frontage or as established in the Regulating Plan.

Mezzanines and Attics:

Mezzanines and attics shall be excluded from the height calculations as long as they do not exceed 50% of the floor area of a typical floor in the same building.

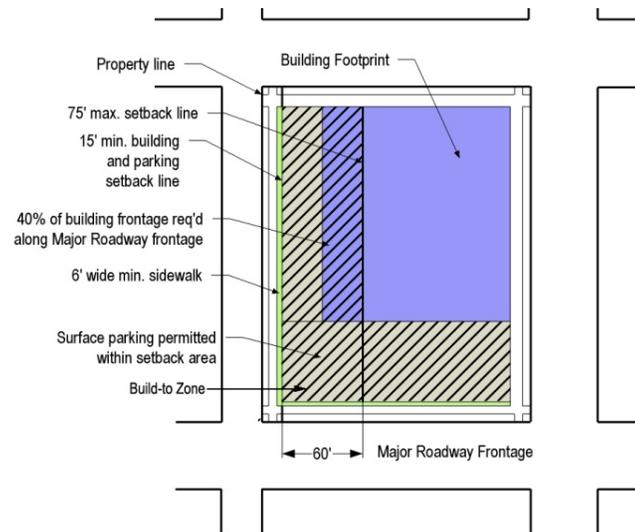
Structured Parking height:

- i. Parking structures shall not exceed the principal building height for all principal structures 2 floors or less.
- ii. Parking structures may be permitted to be a maximum of 7 floors if the principal building is at least 3 stories tall.

Ground Floor Height:

- i. The finished floor elevation of the ground floor relative to the finished elevation of the sidewalk shall be either the same or no greater than 18" higher.
- ii. The minimum height as measured from the finished sidewalk to the second floor shall be a minimum of 15 feet.
- iii. Minimum height of upper floors shall be 10'.

Building Disposition



Street Façade:

- i. At least 40% of each building on the ground floor in the Major Roadway Frontage area shall be built to the build-to-zone.
- ii. The building to zone shall be a 60' wide zone that provides property owners flexibility in the location of the building along the Major Roadway to accommodate surface parking along the major roadway frontage.
- iii. The build-to-zone is established from the right-of-way line/property line as shown in the Regulating Plan. The build-to zone shall be a minimum of 15' from the property line to allow for a clear sidewalk width of 6' and a tree planting zone.

Rear and Side Setbacks:

- i. No rear or side setbacks are required unless abutting a single-family residential lot in which case, the side and/or rear setback shall be a minimum of 10' from the shared lot line.
- iii. A privacy fence (masonry or vegetative) of a 6' height shall be required when abutting a single-family residential lot and shall be optional for all other adjacencies.

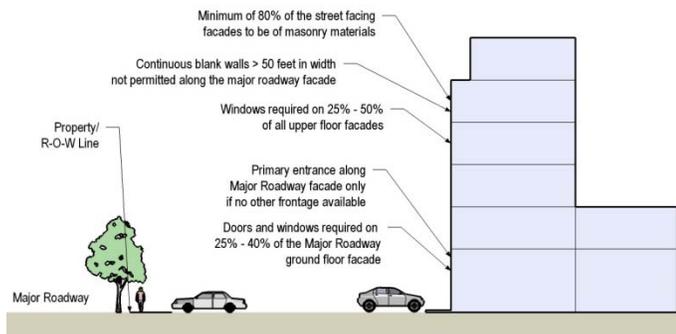
Buildable Area:

- i. A maximum of 90% of the lot may be covered with the building footprint.
- ii. Buildings over 10,000 sq. ft. gross shall provide at least 3% of the lot area in publicly accessible civic space in the form of courtyards, forecourts, plazas, squares, greens, playgrounds or other forms of civic space.

Off-Street Parking:

- i. Ground floor surface parking shall be located behind the parking setback line established on the lot which shall be a minimum of 15' from the front property line.
- ii. Surface parking may be located between the major roadway and the building but shall be limited to one double loaded parking aisle along each roadway frontage.

Façade Elements



- iii. Primary entrance doors for all buildings shall be on the Major Roadway façade only if the building has no other roadway frontage.
- iv. Windows on the upper floors shall be between 25% and 50% of each upper floor façade area which is measured between 3' and 9' above each finished floor.
- v. Windows on façades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence (masonry or vegetative) or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.

- ii. Building projections on all other façades may not be closer than 5' to any adjacent property line.

Arcades and Colonnades:

- i. Arcades and Colonnades are permitted within the build-to zone and shall not encroach into any sidewalk area. The arcade/colonnade area shall be designated with a public access easement.
- ii. They shall be no deeper than 15' from the edge of the required sidewalk.
- iii. Columns or piers shall be spaced between 12' and 15'.

Doors and Windows:

- i. There shall be no blank walls > than 50 feet in width along any Major Roadway street façade (except alleys) of any building.
- ii. Doors and windows on the ground floor of all buildings shall be between 25% and 40% of the ground floor façade area along any public street (except alleys).

Building projections and encroachments:

- i. Building projections and appurtenances such as awnings, signs, balconies, canopies, etc, may project a maximum of 18" over any sidewalk. A clear distance of 8' shall be maintained between the projection and the finished elevation of the sidewalk.

- iv. The minimum interior clearance height within an arcade or colonnade shall be 14' and the height of the arcade/colonnade opening shall be between 11' and 13'.

(2) Note about measuring build-to lines, zones, and parking setbacks: Due to the public improvements planned for Main Street including the realignment of travel lanes, addition of the slip-street and on-street parking, the future right-of-way lines and corresponding property lines are subject to change based on the approved streetscape plan. The future edge of pavement as shown the adopted Downtown Master Plan shall be the basis for establishing the build-to zones, lines and parking setback lines along Main Street and any other street in the Downtown Duncanville District that requires public street improvements. If the existing street does not require any public improvements, the build-to zone, line and parking setback lines shall all be measured from the property/R-O-W line along that street frontage. The City Manager or designee may revise the build-to lines, zones, and parking setbacks to accommodate required streetscape improvements based upon a Council approved Streetscape Plan and survey.

(3) Landscaping

New landscaping or substantial reconfiguration of existing landscaping on all lots within the Downtown Duncanville District shall comply with the following standards:

(A) Landscaping Requirements for Surface Parking Lots: Where an existing off-street surface parking area is altered or expanded to increase the number of parking spaces to more than 20, interior landscaping shall be provided on the new portion of the lot in accordance with the following standards. All new surface parking lots with more than 20 parking spaces shall also meet the following standards. Parking provided in structured parking garages shall be exempt from the parking lot landscaping requirements.

(1) *Landscape Edge*: At least 75 percent of the frontage of parking lots, adjacent to a public right-of-way and within the street yard (on private property), shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet, earthen berm, or a low masonry wall of equal height. The minimum width of the landscape edge shall be five feet. Within this landscaped edge, shrubs (five gallon minimum) shall be planted at a four feet spacing. Use of a wall for parking lot screening should be accompanied with landscape planting in the form of low shrubs and ground cover to soften the appearance of the wall. In cases of extreme grade differential between the street grade and private property, the building official has the authority to modify and/or eliminate the berm requirement, or accept an alternative screening arrangement that would accomplish the same goal.

a. Necessary driveways, sidewalks, lead walks, accessibility ways/ramps from the public right-of-way shall be permitted through all required landscaping in accordance with city regulations.

(2) Landscape areas within parking lots should generally be at least one parking space in size, with no landscape area less than 50 square feet in area. Landscape areas shall be no less than five feet wide. There shall be a landscaped area with at least one small tree within 60 feet of every parking space. There shall be a minimum of one small tree planted in the parking area for every 15 parking spaces. Within parking lots, landscape areas should be located to define parking areas and assist in clarifying appropriate circulation patterns. A landscape island shall be located at the terminus of all parking rows, and should contain at least one small tree. All landscape areas shall

be protected by a monolithic curb or wheel stops and remain free of trash, litter, and car bumper overhangs. Large trees may be planted in parking lot areas as long as sufficient permeable surface is provided for the ultimate drip line of the mature tree.

(3) *Residential Adjacency*: If a surface parking lot is located immediately adjacent to a single-family residential lot:

a. A landscaped area of at least six feet wide shall be provided, planted with one large tree for each 30 linear feet or portion thereof of adjacent exposure.

(B) To ensure regional compatibility and reduce excessive vehicular emissions, all proposed plant materials should be grown/propagated and delivered from a nursery source located within a 200-mile radius to the site.

(C) All efforts should be made to preserve existing plant materials that are in a desirable condition. Existing trees 6 inches in diameter measured at 4 feet above the finished ground level that are removed shall be replaced at an inch per inch ratio.

(D) All proposed plant materials should conform to the American Standard for Nursery Stock, *ANSI Z60.1-1990*. Seasonal bed color should be achieved through the use of either native or well adapted xeriphytic perennials. The use of St. Augustine turf grass shall not be permitted.

(E) Pedestrian safety shall be considered in the location of planting beds and plant material locations.

(F) Shade trees shall be a minimum of 3 inches in caliper and 10 feet in height.

(G) Ornamental trees should be a minimum 3 inches in caliper and 6-8 feet in height.

(H) Even with the preferred pallet of native and well-adapted plant species, irrigation should be provided for, at a minimum, the first growing season following installation. The primary function of the irrigation system is as a means of establishing new tree, shrub, and bed (perennial) plantings.

(I) The use of municipally-provided potable water for landscape irrigation is discouraged. All efforts should be made to incorporate the use of captured rainwater, ground water and/or recycled site water for all irrigation needs.

(J) In areas where the use of municipally-provided potable water is the only feasible option, temporary above-ground irrigation should be installed for all tree, shrub, and bed plantings. Temporary irrigation should be actively maintained and routinely evaluated, and modifications should be made to ensure adequate coverage. All above ground irrigation components should be removed no later than one year after installation. Permanent in-ground irrigation should be provided for all turf areas regardless of the water source.

(K) “High efficiency” equipment shall be used for all required irrigation components.

(L) Drip irrigation is encouraged for all non-turf irrigation areas zones.

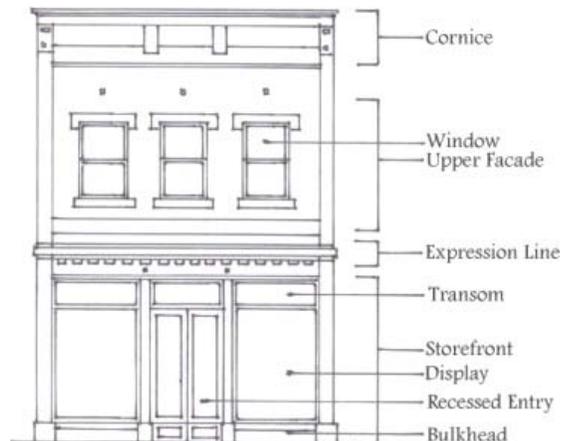
(M) Irrigation delivery systems shall be designed in such a manner that water does not run off or over spray onto adjacent pavement, sidewalks, structures or other non-landscaped areas. Irrigated areas adjacent to structures should not spray within 18 inches of the structural foundation.

(N) Freeze and rain sensors shall be provided for all irrigation delivery systems installed.

(4) Architectural standards

(A) Commercial and Mixed Use Buildings

(1) An expression line shall delineate divisions between floors of all buildings, and a cornice shall delineate the tops of facades that do not utilize a pitched roof. For retail storefronts, a transom, display window area and bulkhead at the base shall be utilized.



(2) The visual and acoustic impacts of all mechanical, electrical, and communications equipments (ground and roof-mounted) shall not be visible from adjacent properties and public streets, and screening materials and landscape screens shall be architecturally compatible with and similar in design and color to the building materials of the principal structures on the lot.

(3) Mansard roofs are prohibited. Flat roofs without parapets on all sides are prohibited.

(4) Roofs shall be constructed of a process and of materials that shall have a minimum installation and manufacturer’s warranty of at least 20 years.

(5) Ground floor retail building plate heights shall be at least fifteen (15) feet in height.

(6) Windows shall be oriented vertically.

- (7) Columns and piers shall be spaced no farther apart than the height of the column or pier.
- (8) Transparency: Each floor of any building façade facing a park, plaza or street shall contain transparent windows. The specific standards for transparency are established under the Frontage standards for all sites within the Downtown Duncanville District.
- (9) Permitted finishes for commercial or mixed use buildings – At least eighty percent (80%) of the exterior facades of all new buildings (excluding area included in doors and windows) fronting on any public street (with the exception of alleys) and fifty percent (50%) of all non-public street fronting (including alleys) facades shall be finished in one or more of the following materials:
- a. Brick, stone, cast stone, rock, marble, granite, non-synthetic stucco applied using a 3-step process, glass block and/or tile.
 - b. Cementitious-fiber siding with at least a 30-year warranty.
 - c. Split face concrete block, poured-in-place concrete, and tilt-wall concrete. Any use of concrete products shall have an integrated color and be textured or patterned. Tilt-wall concrete structures shall include reveals, punch-outs, or other similar surface characteristics to enhance the façade on at least twenty-five (25) percent of each façade.
 - d. Fascia and soffit shall be constructed with a cementitious fiber material with a 30-year warranty. Hardboard and pressboard shall not be permitted.
- (10) EFIS (Exterior Insulating Finishing System) or synthetic stucco shall only be permitted as an accent material and shall be less than 20% of any given façade and shall be permitted only on the portions of the building facades higher than 8 feet from the finished ground level.
- (11) The exterior walls of buildings may be lit with wall washer type lights, natural gas lamps, or low wattage decorative electric lamps.
- (12) Building Encroachments: Table 2 shall establish the standards for encroachments into the public right-of-way:

Table 2

<i>Item</i>	<i>Maximum encroachment allowed</i>	<i>Criteria to be Met</i>
Awnings, stoops, first floor roof overhangs and canopies	6' from the front property line	<ul style="list-style-type: none"> • Minimum 10-foot wide sidewalk required (including planting well or strip) • Minimum of 8' of vertical clearance from the finished sidewalk • Shall all be cantilevered with no support structure on the sidewalk
Balconies and upper floor roof overhangs	6' from the front property line	<ul style="list-style-type: none"> • Minimum 10-foot wide sidewalk required (including planting well or strip) • Minimum of 23' of vertical clearance from the finished sidewalk • Shall not interfere with any existing or future mature street tree canopy • Shall not interfere with any overhead utility lines

Awnings, stoops, roof overhangs, canopies, and balconies	Greater than permitted by right	<ul style="list-style-type: none"> • Shall not overhang on to any travel lanes Shall require a Special Exception by the Board of Adjustments and shall meet the following standards <ul style="list-style-type: none"> • Minimum 10-foot wide sidewalk required (including planting well or strip) • Minimum of 8' of vertical clearance from the finished sidewalk • Shall not interfere with any existing or proposed street tree planting scheme • Shall not interfere with any overhead utility lines • Shall not overhang on to any travel lanes
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(B) Live/Work and Residential Buildings

- (1) Windows on live/work and town house residential buildings shall also utilize significant surrounds or shutters, as well as mullions between grouped windows.
- (2) The following permitted finishes for residential buildings and live/work units shall be allowed: Cementitious-fiber siding (not sheets) with at least a 30-year warranty; brick; stone; man-made stone and non-synthetic stucco utilizing a three-step process. The following shall be allowed up to twenty percent (20%) as an accent material: Exterior Insulating Finishing System (EIFS) (abuse resistant EIFS above 8 feet above grade) or similar material over a cementitious base, rock, glass block and tile.
- (3) Side facades, rear facades, accessory structures, and garages shall be of finished quality and of the same color and materials that blend with the front of the building. Rear facades may be painted tilt-wall or painted block matching the same color of the rest of the building if the rear façade faces an alley or is not viewable from a public street or right-of-way.
- (4) On townhouses, at least one of the following shall be utilized: porches, stoops, bay windows, balconies, masonry clad chimneys, attached pergolas or colonnades. These architectural elements may encroach into the build-to-line.
- (5) Plate Heights for townhouse residential units shall be no less than ten (10) feet for the first floor and nine (9) feet for the second or higher floors.
- (6) Unless served by a parking structure or shared parking, all residential buildings shall utilize rear-loaded or “pull-through” garages/carports. Carports shall be constructed and finished of the same material and style as the primary building.

(5) Signage

Except as specifically listed below, all other signage and sign standards must comply with Chapter 16A, Sign Guidelines of the City of Duncanville Code of Ordinances, as amended.

- (A) For conforming uses and new signs for non-conforming uses, the standards in Table 3 shall apply and sign permits may be approved administratively unless specifically noted in this section. An applicant has the option to establish unique sign standards including size, color, type, design, and location based upon specific performance criteria. Such

sign standards shall be reviewed by staff and is subject to approval of the Sign Control Board.

Table 3

Frontage Zone	CMS	GMS	TOD	UL	CV	MR	Standard
Sign Type							
(1) Wall Signs	P	P	P	P	P	P	<ul style="list-style-type: none"> For all commercial uses fronting on I-20 access road: One sign per tenant space; area to be calculated at 0.75 sq.ft. per linear foot of highway frontage with a maximum of 200 sq.ft. For all other commercial uses (retail, office, and restaurant): One sign per tenant space; area to be calculated at 1 sq.ft. per linear foot of public street frontage with a maximum of 50 sq.ft. Second floor commercial uses may also be permitted one second floor wall sign per tenant space per public street frontage; area to be calculated at 0.75 sq.ft. per linear foot of second floor frontage along that public street. Live-Work and Home occupations: One sign limited to an area of 12 sq.ft. max. May encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 7' from the finished sidewalk. Wall signs may be internally or externally lit.
(2) Monument Signs	NP	NP	NP	NP	P	P	One monument sign per lot per street frontage (no more than 2 per lot separated by at least 300 feet) limited to a maximum of 50 sq.ft. per sign face and 6' in height.
(3) Window Signs	P	P	P	P	P	P	Limited to 10% of the window area The following shall be exempt from this limitation: <ul style="list-style-type: none"> Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs. Mannequins and storefront displays of merchandise sold. Interior directory signage identifying shopping aisles and merchandise display areas.
(4) Blade Signs	P	P	P	P	P	NP	<ul style="list-style-type: none"> Shall be permitted for all commercial uses only (retail, restaurant, and office) 10 sq.ft. maximum per sign face. May encroach a maximum of 2' on to a sidewalk. Blade signs may be attached to the building or hung under the soffit of an arcade or under a canopy/awning while maintaining a vertical clearance of 7' from the finished sidewalk.
(5) For sale/for lease signs	P	P	P	P	P	P	Same as Sign Ordinance
(6) Address signs	P	P	P	P	P	P	Same as Sign Ordinance
(7) Temporary construction signs	P	P	P	P	P	P	1 free standing sign per lot during construction only; limited to 32 sq.ft.
(8) Banners	P	P	P	P	P	P	Same as Sign Ordinance
(9) Sandwich board signs	P	P	P	P	NP	NP	<ul style="list-style-type: none"> Permitted only for retail, service, or restaurant uses Limited to 8 sq.ft. per storefront; Sign may not exceed 2 feet in width or 4 feet in height. A minimum of 4 feet of sidewalk shall remain clear. Chalkboards may be used for daily changing of messages. Readerboards (electronic and non-electronic) shall be prohibited. Sign shall be removed every day after the business is closed.
(10) Light Pole Banners	P	P	P	P	P	P	<ul style="list-style-type: none"> 10 sq.ft. per sign face. Limited to one per light pole

Frontage Zone							
							<ul style="list-style-type: none"> All light pole banners shall be approved by the appropriate utility company prior to consideration by Sign Control Board. Light pole banners shall be limited to publicize community-wide events, holiday celebrations, public art, and other city sponsored events.
(11) Directory signs	P	P	P	P	P	P	<ul style="list-style-type: none"> Shall be allowed for all multi-tenant buildings only One directory sign per multi-tenant building limited to 10 sq.ft. in area Design of the sign shall be integral to the façade on which the sign is to be affixed.
(12) Any sign with LED lights or electronic reader boards	NP	NP	NP	NP	NP	NP	<ul style="list-style-type: none"> New signs with LED lights and electronic reader boards shall be prohibited in the Downtown Duncanville District.

(6) Other Standards:

(A) All masonry screening walls shall meet the requirements under Article XIV-G of the City of Duncanville Comprehensive Zoning Ordinance

(B) Refuse storage areas shall be located on the site to the rear or side of the principal structure on the lot in such a manner as to minimize its visibility from any adjoining rights-of-way. In addition, they shall be visually screened by a minimum six foot solid brick or masonry wall on all sides except the side used for garbage pickup service, such side shall provide a gate (See Article XIV-G, Figure #2). No container shall exceed the height of the screening wall. Refuse containers over eight feet in height shall require a Special Exception from the Board of Adjustments.

(C) Off-street Parking and Loading:

(1) The Downtown Duncanville District shall be exempt from the off-street parking requirements under Article XIV-D Subsection (6) of the Duncanville Comprehensive Zoning Ordinance. However, if off-street parking is provided on the lot, then the frontage standards for location of off-street parking and design standards in this section shall apply.

(2) All provided off-street parking, maneuvering, loading and storage areas shall be paved with concrete.

(3) To prevent nuisance situations, all parking area shall be lit and lighting shall be designed and operated so as not to reflect or shine on adjacent properties.

(4) Where feasible, common access easements shall be provided to adjacent off-street parking lots.

(5) Each parking space provided shall be a minimum of 18 feet by 9 feet (perpendicular) or 22 feet by 8 feet (parallel).

(6) All parking and loading spaces on private property shall have a vehicle stopping device installed so as to prevent parking of motor vehicles in any required landscaped areas, to prevent vehicles from hitting buildings, and to prevent any parked vehicle from overhanging a public right-of-way line, public sidewalk, or adjacent private property.

- (7) The perimeter of all surface parking lots and driveways shall be provided with concrete curbs, medians, or other means to control traffic.
- (8) Handicap parking space(s) shall be provided according to State and Federal regulations.
- (9) Refuse storage facilities placed in a parking lot shall not be located in a designated parking or loading space. Each refuse facility shall be located so as to facilitate pickup by refuse collection agencies. Adequate reinforced concrete paved areas shall be provided for refuse facilities and their approaches for loading and unloading.
- (10) Off-street loading shall meet the requirements set forth under Article XIV-D Subsection (4) of the City of Duncanville Comprehensive Zoning Ordinance.

Section 7. Application and review requirements.

- (1) The City's Development Review Committee shall be responsible for the following:
 - (A) Reviewing applications for concept plans, site plans, and any other development related applications within the Downtown Duncanville District.
 - (B) Make determinations on the applications and interpretations of guidelines, standards, and requirements of this ordinance.
 - (C) Approval of site plans within the Downtown Duncanville District that comply with all applicable city ordinances.
- (2) Site Plan: All non-residential and mixed use development within the Downtown Duncanville District shall comply with the requirements under Article XIV-H of the City of Duncanville Comprehensive Zoning Ordinance, as amended.
- (3) Special Uses, Special Events, and Specific Use Permits: Special Uses, Special Events, and Specific Use Permits in the Downtown Duncanville District shall meet the requirements under Article XIII, XIII-A, and XIII-B of the City of Duncanville Comprehensive Zoning Ordinance.

Section 8. Definitions.

The following definitions shall apply exclusively to this article:

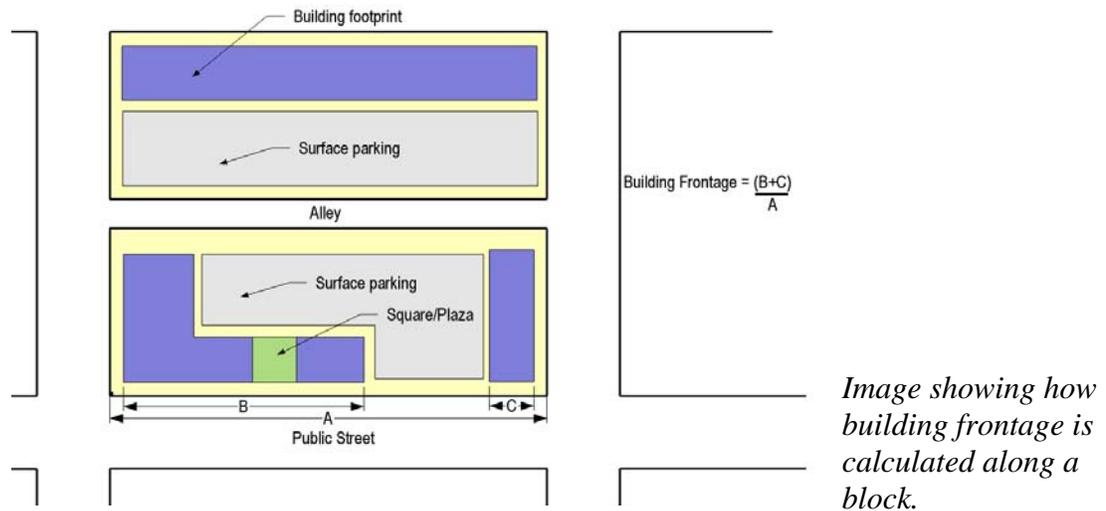
Alley. The right of way for vehicles and pedestrians within a block that provides access to the rear of buildings, vehicle parking, utility meters, and service areas. An easement for public access is required if the alley is a private right-of-way.

Awning/Canopy. An awning is a cantilevered, projected or suspended cover over the sidewalk portion of any public street. Awnings may also be roof-like coverings, usually of canvas or metal and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain. Awnings shall have a minimum clear height of eight (8) feet from the finished sidewalk in front of it.

Block. A block is an increment of land comprised of lots, alleys, and tracts circumscribed by streets.

Build-to Line or Build-to Zone. The build-to line or build-to zone shall be the line or area within which the principal building's front façade shall be built.

Building Frontage. It is the percentage of the building's front façade that is required to be located at the front building setback line or zone as a proportion of the block frontage along that public street. Parks, plazas, squares, and pedestrian breezeway frontages shall be considered as buildings for the calculation of building frontage.



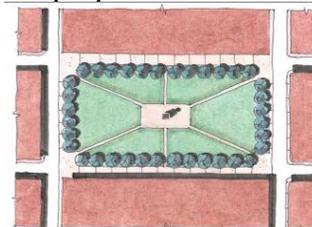
Building Permit. An official document or certificate issued by the City of Duncanville authorizing erection, construction, renovation, maintenance, or any other specified activity on any building, structure or land, or on any installations or facilities therein. The term "building permit" shall include but not be limited to building permits, electrical permits, mechanical permits, and plumbing permits.

Certificate of Occupancy. An official certificate issued by the City through the Administrative Official which indicates conformance with building, zoning and health and safety regulations and authorizes legal use and occupancy of the premises for which it is issued.

Civic Space. Civic space shall be publicly accessible open space in the form of parks, courtyards, forecourts, plazas, greens, pocket parks, playgrounds, etc. They may be privately or publicly owned. For all residential uses, privately accessible open spaces such as courtyards, porches, and balconies may also be considered as Civic Space for the purposes of this ordinance.

Square

A civic/open space available for unstructured recreation and civic purposes. A square is spatially defined by buildings. Its landscape shall consist of landscaping, hardscaping, water features, pathways, and pedestrian amenities arranged in formal and informal patterns. Squares shall be located at the intersection of important streets.

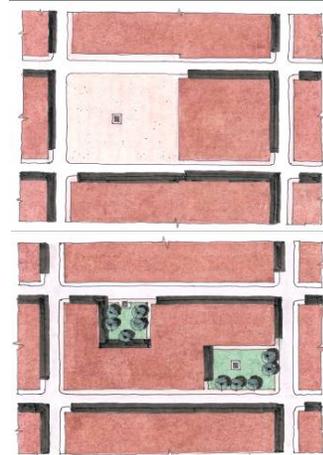


Plaza

A primarily hardscaped civic/open space with formal landscaping, available for civic purposes and commercial activities. A plaza shall be spatially defined by buildings.

Playground

A civic/open space designed and equipped for children's recreation. A playground shall be fenced and may include an open shelter. Playgrounds shall be located within residential areas and may be placed within a block as illustrated. They may included in other open spaces.



Colonnade or Arcade. A colonnade or arcade is a roofed or built structure, extending beyond the ground floor front façade of a building and over the sidewalk or civic space. A colonnade or arcade shall be open to the street except for supporting columns, piers, or arches. Residential or office units may occupy the space over the colonnade or arcade.

Common Lot Line. A lot line shared by more than one lot shall be a common lot line.

Corner Site/Lot. A corner site or lot shall be one that has more than one intersecting street frontages (with the exception of alleys).

Interior Site/Lot. An interior site or lot shall be one that has only one public street frontage (with the exception of alleys).

Live-Work Unit. A live-work unit is a dwelling unit that is also used for work purposes, provided that the 'work' component is restricted to the uses of professional office, artist's workshop, studio, or other similar uses and is located on the street level. The 'live' component may be located on the street level (behind the work component) or any other level of the building.

Parking Setback Line. The parking setback line shall be the line behind which *ground floor surface parking* may be located on any lot in the Downtown Duncanville District. The parking setback line shall be established in the regulating plan by frontage type.

Regulating Plan. A plan for adoption of zoning and a conceptual plan that establishes the location of frontages, streetscape standards, and other development standards within such frontages, subject to changes within such plan pursuant to the terms of this Ordinance.

Sign, blade.



An attached sign oriented perpendicular to the face of the building which projects (vertically or horizontally) more than twelve (12) inches beyond the surface of the building to which it is affixed or supported.

Sign, Directory.



A permanent on-site attached wall sign providing direction to or identifying the buildings/suites in the development/building.

Sign, Light Pole Banner.



A banner sign attached to a light/utility pole along a public street or within a public park.

Sign, Sandwich Board.

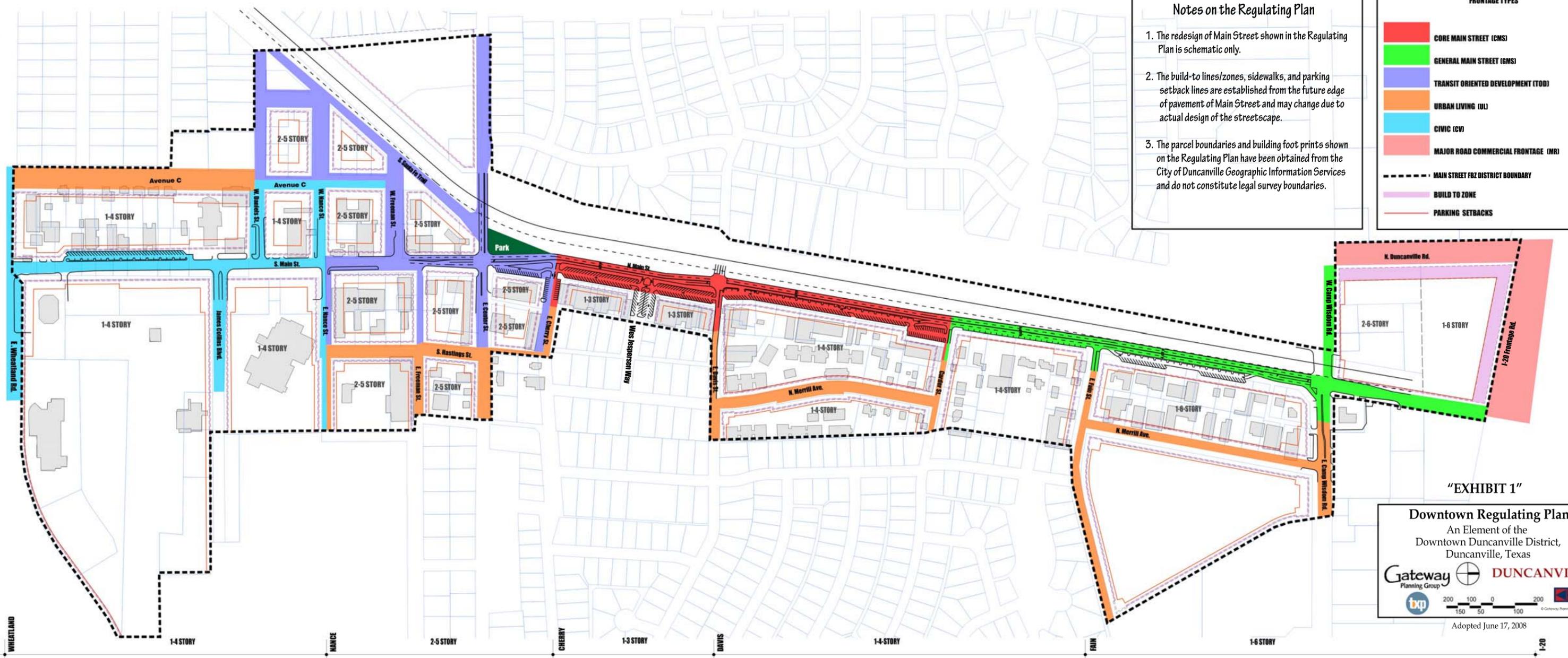


A portable sign consisting of two panels of equal size, which are hinged at the top and or a single panel placed on the ground or pavement so as to be self-supporting.

Stoop.



A small porch or set of steps at the front entrance of a house.



Notes on the Regulating Plan

1. The redesign of Main Street shown in the Regulating Plan is schematic only.
2. The build-to lines/zones, sidewalks, and parking setback lines are established from the future edge of pavement of Main Street and may change due to actual design of the streetscape.
3. The parcel boundaries and building foot prints shown on the Regulating Plan have been obtained from the City of Duncanville Geographic Information Services and do not constitute legal survey boundaries.

FRONTAGE TYPES

- CORE MAIN STREET (CMS)
- GENERAL MAIN STREET (GMS)
- TRANSIT ORIENTED DEVELOPMENT (TOD)
- URBAN LIVING (UL)
- CIVIC (CV)
- MAJOR ROAD COMMERCIAL FRONTAGE (MRF)

- MAIN STREET FBZ DISTRICT BOUNDARY
- BUILD TO ZONE
- PARKING SETBACKS

"EXHIBIT 1"

Downtown Regulating Plan
An Element of the
Downtown Duncanville District,
Duncanville, Texas

Adopted June 17, 2008

WHEATLAND 1-4 STORY HANCE 2-5 STORY CHERRY 1-3 STORY DAVIS 1-4 STORY FAIR 1-6 STORY