ORDINANCE NO. _____

AN ORDINANCE AMENDING THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF FORT WORTH, BEING ORDINANCE NO. 21653, AS AMENDED, CODIFIED AS APPENDIX "A" OF THE CODE OF THE CITY OF FORT WORTH (2015), TO AMEND "THE BERRY/UNIVERSITY FORM-BASED CODE" PROVIDED BY SECTION 4.1308.D., "OTHER DEVELOPMENT STANDARDS" OF CHAPTER 4, "DISTRICT REGULATIONS" OF ARTICLE 13, "FORM BASED DISTRICTS", OF SECTION 4.1308, "BERRY/UNIVERSITY ("BU") DISTRICT" TO REVISE DEVELOPMENT STANDARDS FOR THE BU-RA RESIDENTIAL ATTACHED DISTRICT, AND TO ADD REGULATIONS ON THE NUMBER OF BEDROOMS PER UNIT, MULTIFAMILY BUILDING GROUND FLOOR REQUIREMENTS, BUILDING STREET FRONTAGE REQUIREMENTS, PARKING AND SCREENING REQUIREMENTS AND INCORPORATING OTHER FORM-BASED DISTRICT REQUIREMENTS FOR STREET TREE PLANTING, TREE CANOPY COVERAGE, ENHANCED STREETSCAPE REQUIREMENTS AND ALLEYS AND ACCESS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Council established the Berry/University Form Based District in 2017 to guide new investment in the Berry/University Urban Village while respecting the character of surrounding single-family neighborhoods; and

WHEREAS, since the creation of the Berry/University District and the implementation of the Berry/University Form-Based Code staff has worked on amendments to the Berry/University Form-Based Code to clarify certain standards to further promote desirable development that is consistent with the urban design and economic development goals for the Berry/University District; and

WHEREAS, staff has identified changes to promote desired development and "missing middle" housing (http://missingmiddlehousing.com/) in the BU-RA Residential Attached district and also recommends minor changes for streetscapes and alleys for the entire Berry/University District; and

WHEREAS, it is advisable to amend Section 4.1308.D. to revise development standards for the BU-RA residential attached district, to add regulations on the number of bedrooms per unit, multifamily building ground floor requirements, building street frontage requirements, parking and screening requirements and incorporating other form-based district requirements for street tree planting, tree canopy coverage, enhanced streetscape requirements and alleys and access; and

WHEREAS, the revisions to the Berry/University Form-Based Code have been reviewed and recommended for approval to the City Council by the Urban Design Commission and the Zoning Commission;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS AS FOLLOWS:

SECTION 1.

The Berry/University Form-Based Code, as adopted and incorporated into Ordinance No. 21653, the Zoning Ordinance in Chapter 4, "District Regulations", Article 13 "Form Based Districts", Section 4.1308, "Berry/University (BU) District", Subsection 4.1308.D. "Other standards" is hereby amended as set out in Exhibit "A", attached and hereby incorporated into the Zoning Ordinance by reference, in various sections of the Near Southside Development Standards and Guidelines to revise development standards for the BU-RA residential attached district, to add regulations on the number of bedrooms per unit, multifamily building ground floor requirements, building street frontage requirements, parking and screening requirements and incorporating other form-based district requirements for street tree planting, tree canopy coverage, enhanced streetscape

requirements and alleys and access**;**, which will provide clarity and flexibility for the property owners in the Near Southside District.

SECTION 2.

This ordinance shall be cumulative of all provision of ordinances and the Code of the City of Fort Worth, Texas (Ordinance No. 21653), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 3.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this ordinance are severable, and, if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 4.

Any person, firm or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined not more than Two Thousand Dollars ($2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

SECTION 5.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any all violations of the provisions of Ordinance No. 13896, 21563 which have accrued at the time of the effective date of this ordinance and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

SECTION 6.

The City Secretary of the City of Fort Worth, Texas, is hereby directed to publish the caption, penalty clause and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Section 52.013, Texas Local Government Code.

SECTION 7.

This ordinance shall take effect upon adoption and publication as required by law.

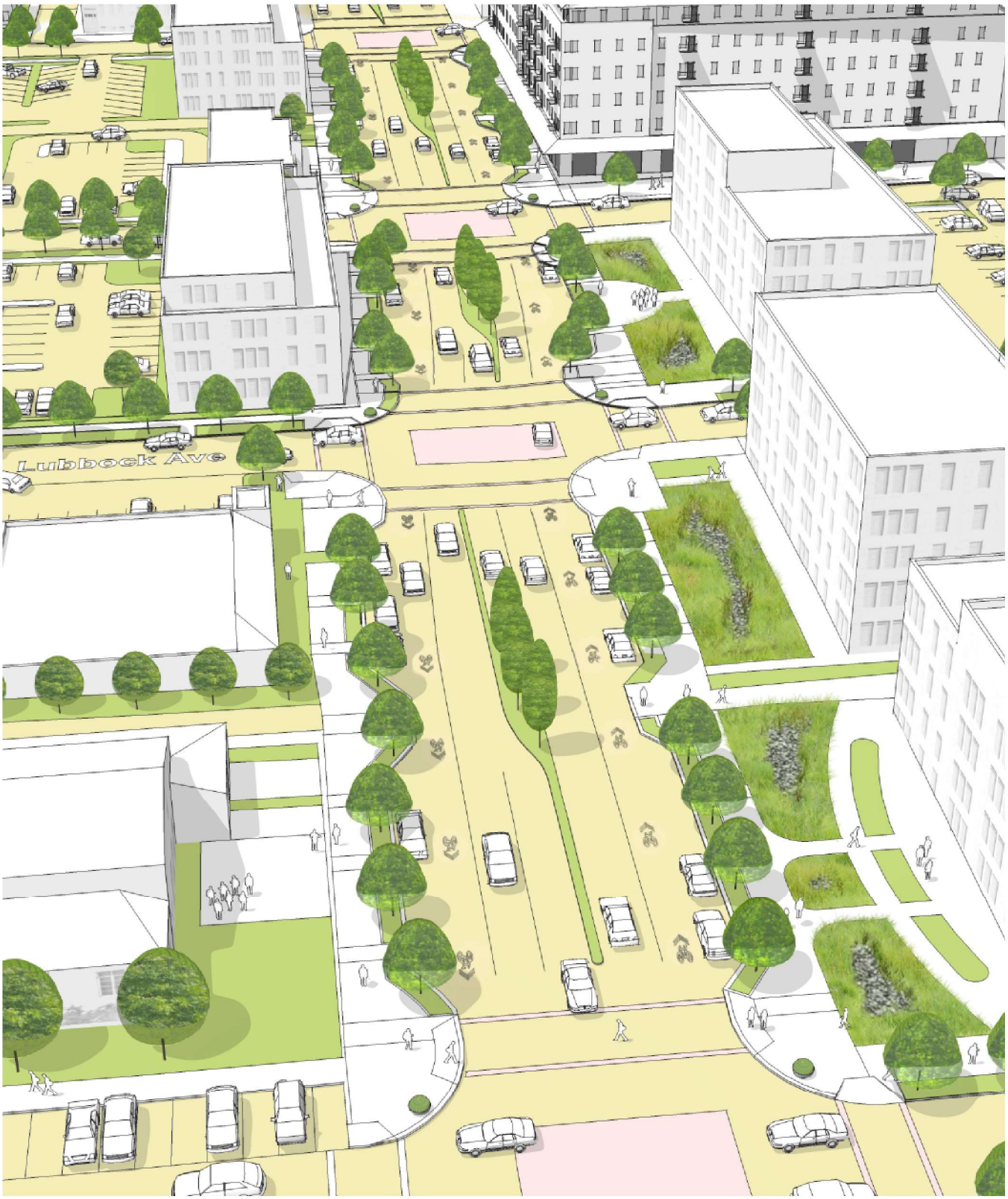
APPROVED AS TO FORM AND LEGALITY:

_____	_____
Assistant City Attorney	Mary Kayser, City Secretary

ADOPTED: _____

EFFECTIVE: _____

BERRY/UNIVERSITY
FORM-BASED CODE



March 14, 2019

Ordinance No.

PREPARED FOR:

City of Fort Worth

COLLABORATIVE PARTNERS:

North Central Texas Council of Governments

City of Fort Worth

Texas Christian University

The T

Berry Street Initiative

MAYOR AND CITY COUNCIL:

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Sal Espino (District 2)

W.B. 'Zim' Zimmerman (District 3)

Cary Moon (District 4)

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Curvie Hawkins (The T)

SPECIAL THANKS TO:

Fort Worth Blue Zones Project

Fort Worth Bike Sharing

University United Methodist Church

Fuzzy's Taco Shop

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Div. 1.1. Legal Requirements

Sec. 1.1.1. Title

This document is the "Berry/University Form-Based Code," and is referred to or cited throughout this document as this "Code or the "Berry/University Code."

Sec. 1.1.2. Effective Date

This Code was adopted on February 07, 2017 and became effective on March 19, 2017.

Sec. 1.1.3. Purpose

A. This Code was developed to serve as development standards for the University/Berry Urban Village, a mixed-use growth area that is defined by the City of Fort Worth and represented by the Berry Street Initiative.

B. This Code provides the means to guide implementation of the citizen-endorsed development plan, created for property within the Berry/University Neighborhood as defined by the Berry/University Zoning Map (See Div. 2.2 for map).

C. This Code helps to foster predictable results and a high-quality public realm by prescribing the physical form of buildings and other elements and addressing the relationship between building facades and the public realm, the form and mass of buildings in relation to one another and the scale and types of streets and blocks.

Sec. 1.1.4. Intent

A. This Code is intended to balance conservation and development by:

1. Promoting development along transit corridors that enhance their function as mixed-use, walkable centers that serve surrounding residential neighborhoods.

2. Providing standards for compatible transitions of use, building scale and height between existing and new development.

3. Guiding reinvestment in established neighborhoods that builds upon and reinforces their unique characteristics.

4. Promoting preservation and protection of historic resources.

5. Providing clear and consistent procedures for appropriate and effective public involvement in land use and development decisions.

B. This Code is intended to achieve design excellence in the built environment by:

1. Providing building and site design standards that address the public aspects of private development and how building form, placement, and uses contribute to the quality of the public realm.

2. Providing parking and access standards that appropriately balance pedestrian and vehicular needs and result in safe pedestrian environments of the highest quality.

3. Promoting innovative landscape and building design that advance the function and beauty of Fort Worth.

C. This Code is intended to guide Fort Worth's prosperous and sustainable future by:

1. Providing clear regulations and processes that result in predictable, efficient, and coordinated review processes.

2. Promoting sustainable building and site design practices.

3. Facilitating the storage and conveyance of stormwater.

4. Promoting diverse housing options.

5. Providing standards for interconnected streets and development patterns that support all modes of travel (walking, bicycling, public transit, driving).

6. Promoting the growth and redevelopment needs of Texas Christian University.

Sec. 1.1.5. Applicability

This Code applies to all Berry/University area property as shown in Div. 2.2 and the City of Fort Worth Official Zoning Map.

Sec. 1.1.6. Conflicting Provisions

A. Where the Zoning Ordinance conflicts with a standard set out in this Code, the standard of this Code controls.

B. Illustrations, photographs and graphics are included in this Code to illustrate the intent and requirement of the text. In the case of a conflict between the text of this Code and any Illustrations, photographs and graphics, the text governs.

Div. 1.2. Zoning Districts Established

Sec. 1.2.1. Districts

The following Berry/University zoning districts are established below and are shown on the map in Div. 2.2.

A. BU-RA: Residential Attached-3

B. BU-RX: Residential Mixed Use-4

C. BU-CX: Commercial Mixed Use-3, -4, -6

D. BU-SH: Shopfront-3, -4

E. BU-IX: Institutional Mixed Use-6

F. BU-CIV: Civic

Sec. 1.2.2. Naming Convention

Each district uses the following naming convention:

A. First letters = Berry/University Form Based District

B. Second Letters = Form and Use

C. Final Number = Maximum Height in Number of Stories

EXAMPLE:
BU-CX-3 (Berry/University - Commercial Mixed Use - 3 stories max height)

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Div. 2.1. Recommended Building Types and Placement

Sec. 2.1.1. Descriptions

A. Single-Unit Detached

~~A lot that allows~~ One detached dwelling unit plus 1 detached or attached secondary dwelling unit. No nonresidential activity is allowed except as specified in Sec. 3.1.2.

B. Single-Unit Attached

~~A lot that allows 1~~ One or more attached dwelling units (townhouse~~, rowhouse)~~. No nonresidential activity is allowed except as specified in Sec. 3.1.2.

C. ~~Townhome (Up to 2 units)~~

~~A lot that allows up to 2 attached or detached dwelling units. No nonresidential activity is allowed except as specified in Sec. 3.1.2.~~

D. Triplex/Fourplex (up to 4 units)

A lot that allows up to 4 detached or attached dwellings. No nonresidential activity is allowed except as specified in Sec. 3.1.2.

E. Mutiplex (5+ units)

A lot that allows up to 8 detached or attached dwelling units. No nonresidential activity is allowed except as specified in Sec. 3.1.2.

F. ~~Hybrid~~

~~A lot that allows a variety of permitted residential and nonresidential uses.~~

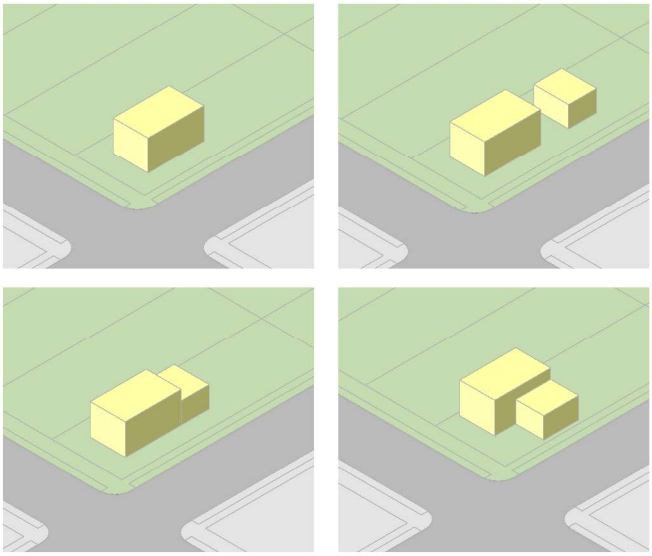
Sec. 2.1.2. Single-Unit Detached

A. Description

A lot that allows 1 detached dwelling unit plus 1 detached or attached secondary dwelling unit. No nonresidential activity is allowed except as specified in Sec. 3.1.2.

B. Character Examples

C. Configuration Options



D. ~~Districts Allowed~~

~~BU-RA (Div. 2.3)~~

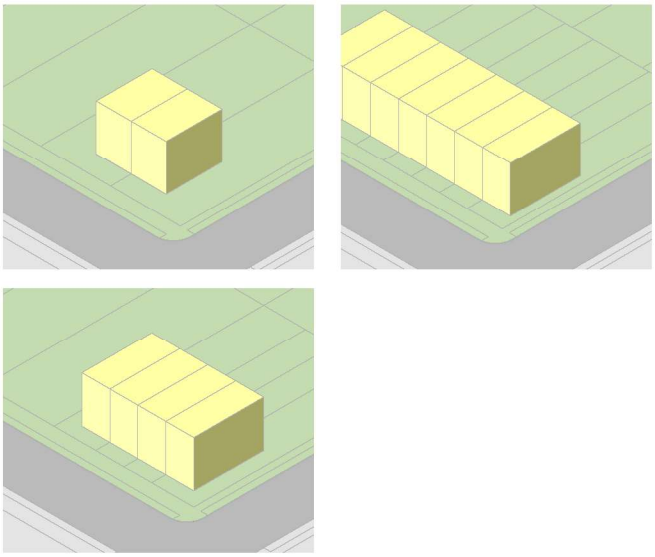
Sec. 2.1.3. Single-Unit Attached

A. Description

A lot that allows 1 attached dwelling unit (townhouse, rowhouse). No nonresidential activity is allowed except as specified in Sec. 3.1.2.

B. Character Examples

C. Configuration Options



D. ~~Districts Allowed~~ NOTE: Add appropriate lot configurations from Multi-Unit up to 2 units.

~~BU-RA (Div. 2.3)~~

~~BU-RX (Div. 2.4)~~

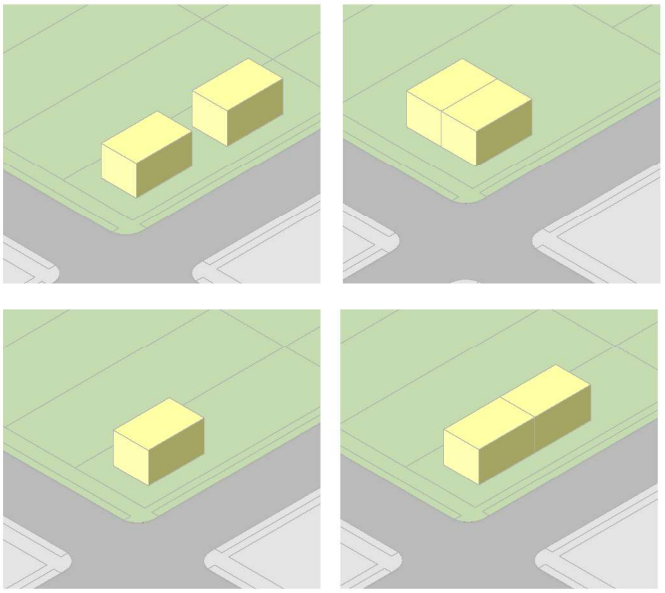
Sec. 2.1.4. ~~Multi-Unit (up to 2 units)~~

A. ~~Description~~

~~A lot that allows up to 2 attached or detached dwellings units. No nonresidential activity is allowed except as specified in Sec. 3.1.2.~~

B. ~~Character Examples~~

C. ~~Configuration Options~~



D. ~~Districts Allowed~~

~~BU-RA (Div. 2.3)~~

~~BU-RX (Div. 2.4)~~

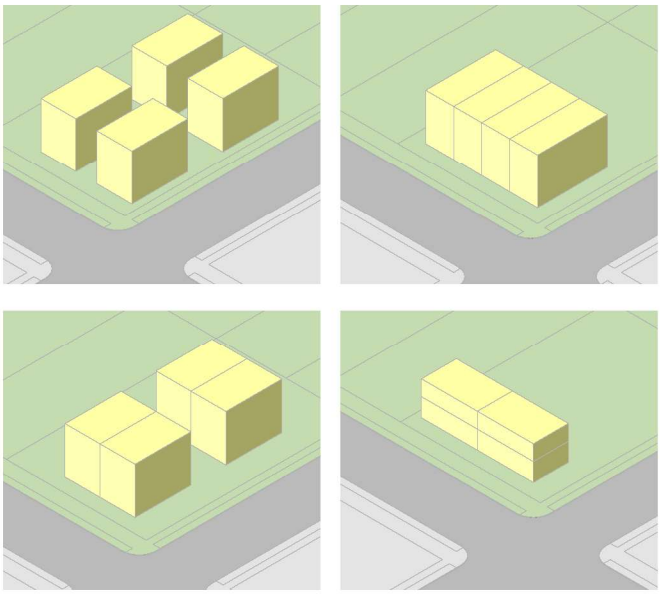
Sec. 2.1.5. Manor Home (up to 5 units)

A. Description

A lot that allows up to 5 ~~detached or~~ attached dwellings. No nonresidential activity is allowed except as specified in Sec. 3.1.2. Look at configuration options.

B. Character Examples

C. Configuration Options



D. ~~Districts Allowed~~

~~BU-RA (Div. 2.3)~~

~~BU-RX (Div. 2.4)~~

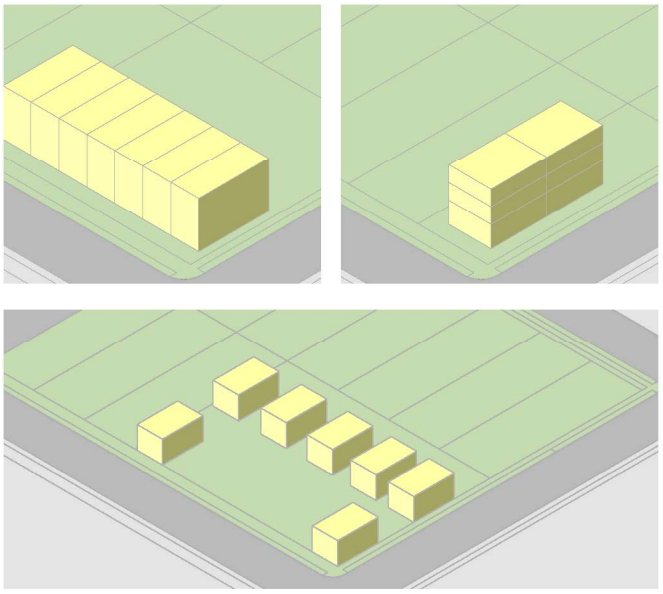
Sec. 2.1.6. Multi-Unit (6+ units)

A. Description

A lot that allows up to 6+ detached or attached dwelling units. No nonresidential activity is allowed except as expressly specified in Sec. 3.1.2.

B. Character Examples

C. Configuration Options



D. ~~Districts Allowed~~ FIX

~~BU-RA (Div. 2.3)~~

~~BU-RX (Div. 2.4)~~

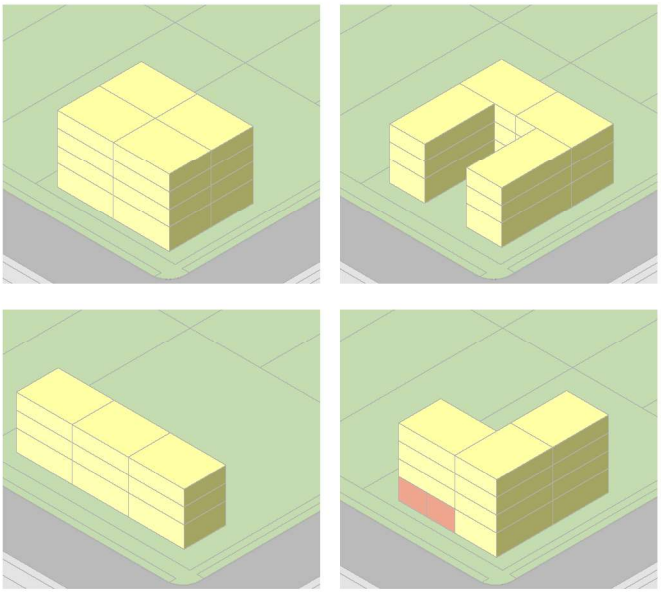
Sec. 2.1.7. Multi-Unit (9+ units) Consolidate with Multi-Unit section above.

A. Description

A lot that allows 9 or more attached or detached dwelling units. Limited commercial activity (see Sec. 3.1.2) is allowed in the BU-RX district subject to standards that limit the scale and extent of the nonresidential activity.

B. Character Examples

C. Configuration Options



D. ~~District Allowed~~

~~BU-RX (Div. 2.4)~~

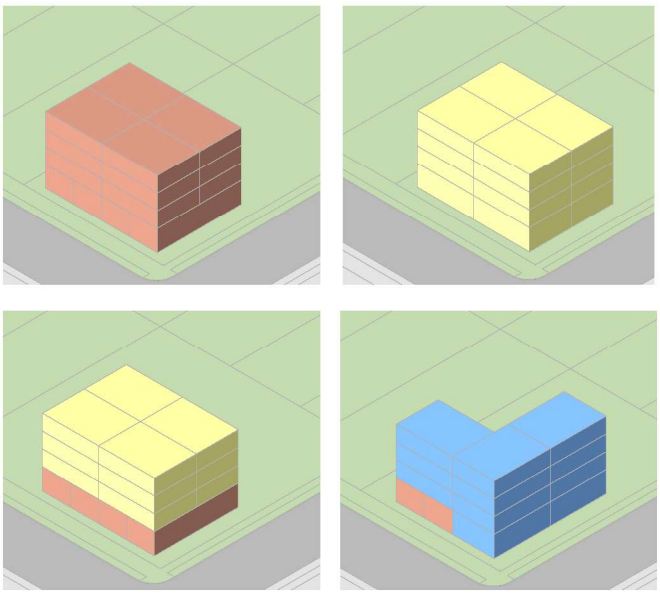
Sec. 2.1.8. ~~Hybrid~~

A. ~~Description~~

~~A lot that allows a variety of permitted residential and nonresidential uses.~~

B. ~~Character Examples~~

C. ~~Configuration Options~~



D. ~~Districts Allowed~~

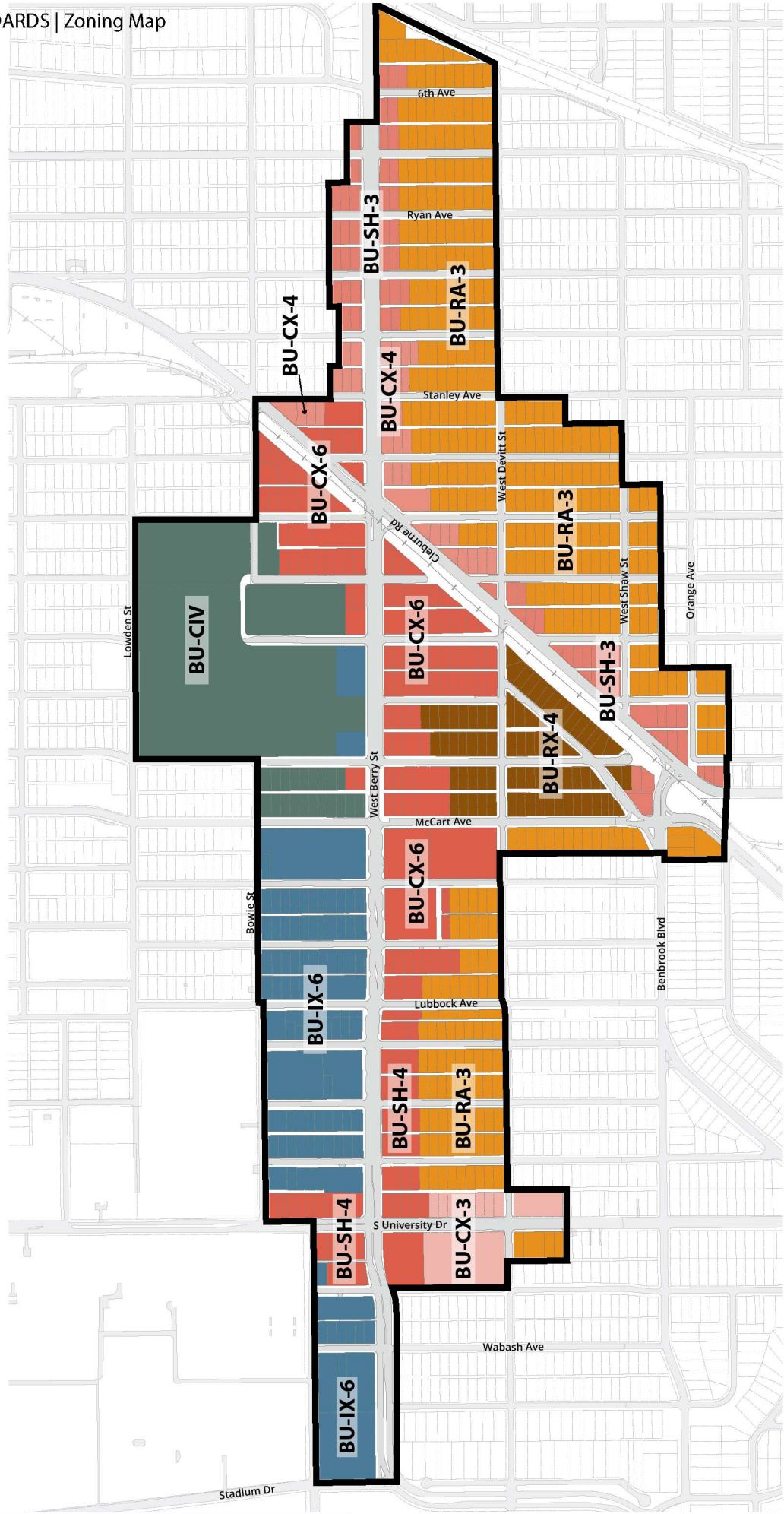
~~BU-CX (Div. 2.5)~~

~~BU-SH (Div. 2.6)~~

~~BU-IX (Div. 2.7)~~

~~BU-CIV (Div. 2.8)~~

Div. 2.2. Zoning Map



Div. 2.3. BU-RA: Residential Attached

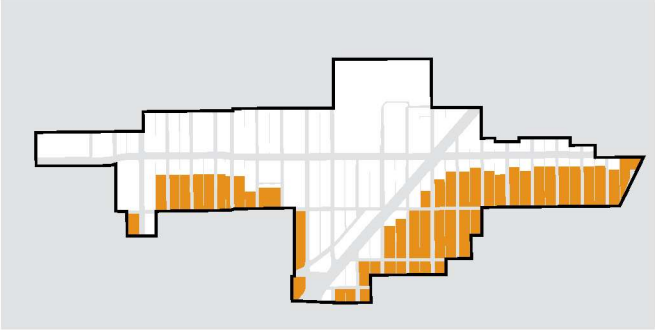
SEC. 2.3.1. SUMMARY

Intent
The Residential Attached (BU-RA) district is intended to accommodate a mix of detached and attached housing options in a pedestrian-friendly environment that respects the scale and character of traditional single-family houses.

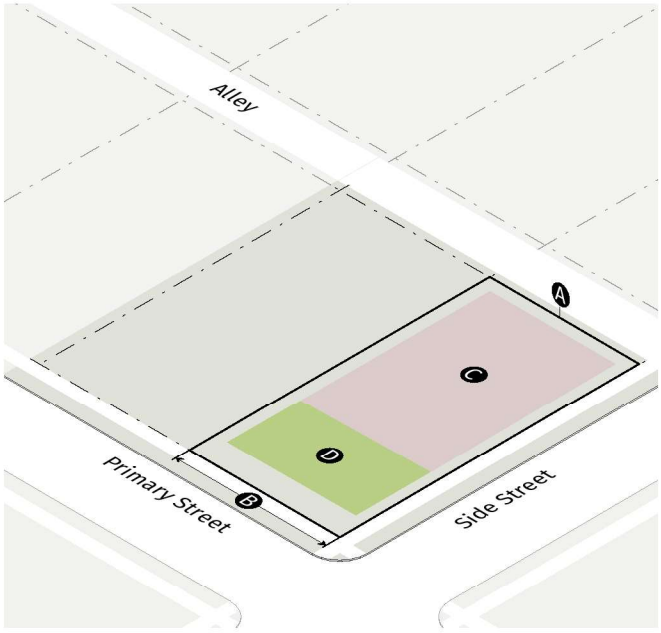
Applicable Districts
BU-RA-3

Use	
Allowed uses	see Div. 3.1

Recommend Building Types	
Single-unit detached	see Sec. 2.1.3
Single-unit attached	see Sec. 2.1.4
Townhome	see Sec. 2.1.5
Manor Home	see Sec. 2.1.6
Multi-unit	see Sec. 2.1.7
Zoning Map	See Div. 2.2

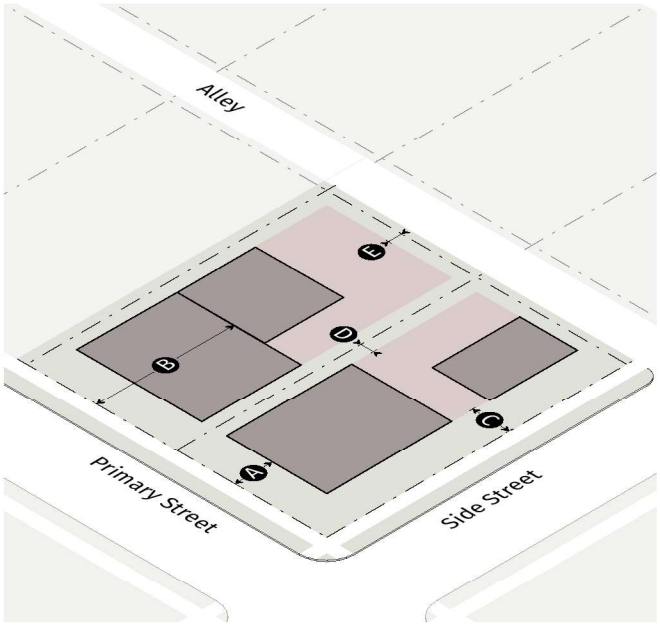


SEC. 2.3.2. LOT PARAMETERS



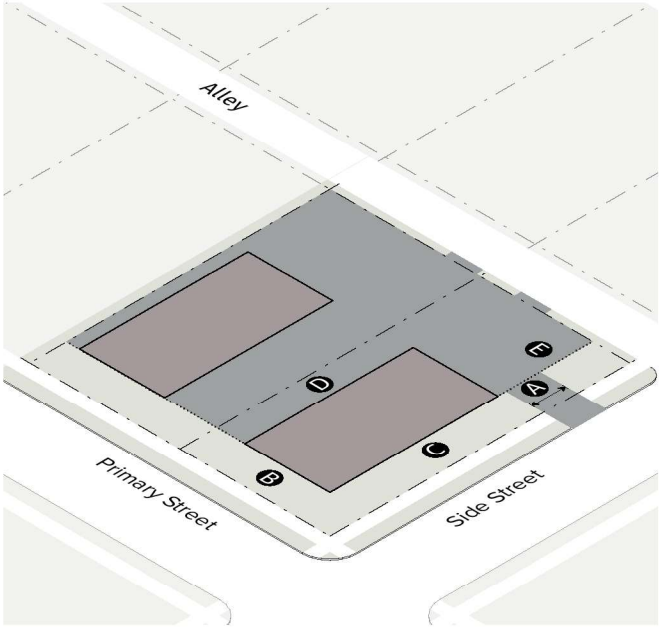
Residential Building Requirements
Three bedrooms per unit
1 unit per 750 sq. ft. of lot area
One 800 sq. ft. ground floor unit located along the street frontage for every 50 linear feet of street frontage.

SEC. 2.3.3. BUILDING PLACEMENT



Building Setbacks		
A	Primary street: principal structure	15' min
B	Primary street: accessory structure	60' min
C	Side street	10' min
D	Side: common lot line/alley	5' min
D	Side: single-unit attached, between abutting units	0' min
E	Rear: common lot line/alley	10' min

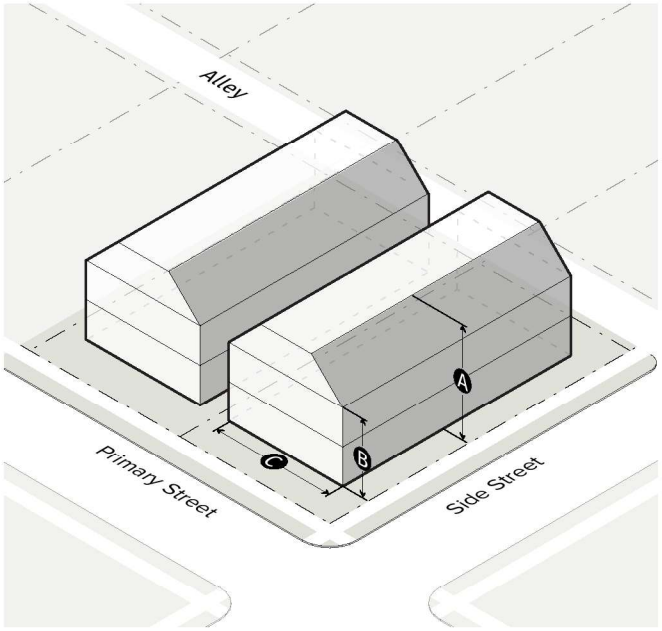
SEC. 2.3.4. ACCESS AND PARKING LOCATION



Vehicle Access		
	Primary street	Not allowed
	Side street	Allowed
	Alley	Allowed
A	Driveway width in side street setback	12' max

Parking Location		
B	Primary street yard	Not allowed
C	Side street yard	Not allowed
D	Side yard	Allowed
E	Rear yard	Allowed
	Solid screening fence required along side yard lot lines	
	Note: Minimum 1 space per bedroom Tandem spaces not included in count	

SEC. 2.3.5. HEIGHT AND MASS



Building Height		
A	Maximum height	
	Without stormwater bonus	3 stories/35' max
	With stormwater bonus (see Div. 2.10)	4 stories/50' max
	Minimum height	n/a
B	Side wall height, at setback line	24' max
	Height plane angle, at 24' feet in height at setback line	45°

Building Mass		
C	Street-facing building length	100' max

SEC. 2.3.6. PUBLIC REALM

The public realm standards below apply to all streets, unless noted otherwise.

Transparency	
A Ground story	20% min
B Upper story	20% min
C Blank wall area	50' max
Story Height	
D Ground floor elevation	2' min/5' max
E Ground story, floor to floor	10' min
F Upper story, floor to floor	9' min
Pedestrian Access	
G Entrance facing primary street	Required
H Entrance spacing along primary street	50' max
Building Elements	See Sec. 2.9.5
Awning/canopy	◆
Balcony	◆
Forecourt	◆
Gallery	
Porch	◆
Stoop	◆

Building Setbacks	
I Primary/side street	See Sec. 2.3.3
Sidewalk*	
J Paved pedestrian zone	6' min
Street Tree/Furniture Zone*	
K Parkway depth	6' min
Street tree planting	Required
Tree spacing	See Sec. 4.2.3
Small canopy	15' on-center
Medium canopy	25' on-center
Large canopy	35' on-center
Street lighting	If installed must be per TPW specifications

*Where there is insufficient ROW to meet the minimum requirements, the FBC Administrator may approve modifications (see Article 5, Administration).

Div. 2.4. BU-RX: Residential Mixed Use

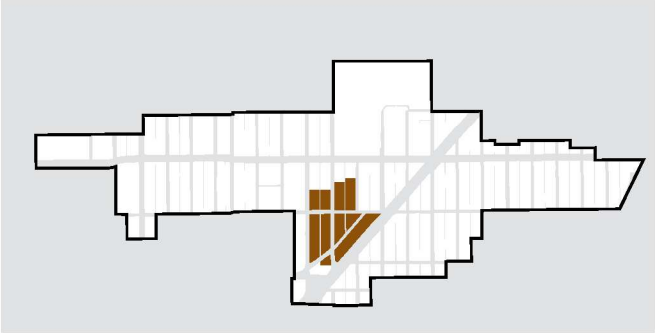
SEC. 2.4.1. SUMMARY

Intent
The Residential Mixed Use (BU-RX) district is intended to create residential neighborhoods with a variety of higher density housing options in a pedestrian-friendly environment. BU-RX allows limited office, retail and service activity subject to standards that manage the size, scale and location.

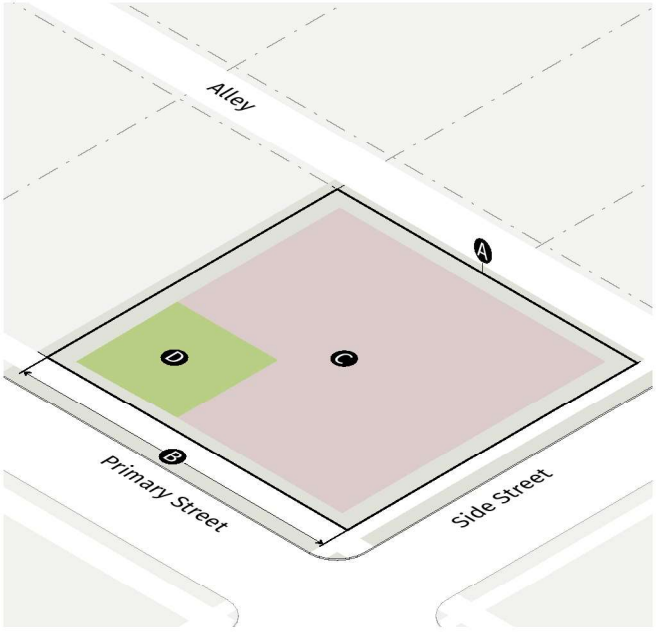
Applicable Districts
BU-RX-4

Use	
Allowed uses	see Div. 3.1

Recommend Building Types	
Single-unit detached	see Sec. 2.1.3
Single-unit attached	see Sec. 2.1.4
Townhome	see Sec. 2.1.5
Manor Home	see Sec. 2.1.6
Multi-unit	see Sec. 2.1.7
Zoning Map	See Div. 2.2

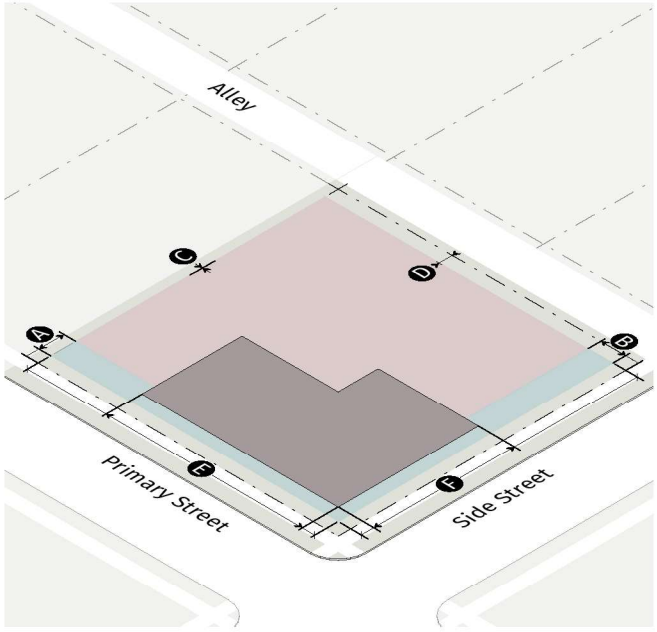


SEC. 2.4.2. LOT PARAMETERS



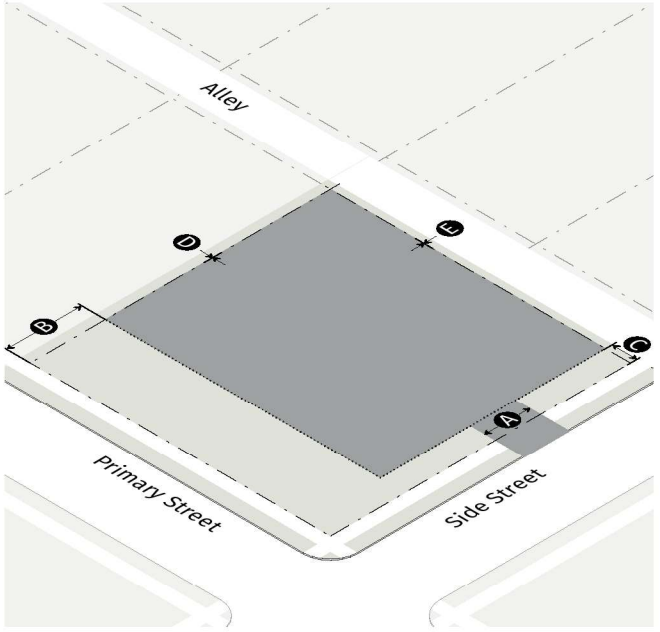
~~Multi-unit (up to 8 units)~~		
~~Multi-unit (9+ units)~~		
~~Nonresidential building requirements~~	~~10,000 SF~~	~~100' width~~
~~Coverage~~		
~~Building coverage~~		~~75% max~~

SEC. 2.4.3. BUILDING PLACEMENT



Building Setbacks		
A	Build-to zone: primary street	5' to 15' max
B	Build-to zone: side street	5' to 15' max
C	Side: common lot line	0' min
C	Side: alley	5' min
D	Rear: common lot line	0' min
D	Rear: alley	10' min
Build-to		
E	% of building facade in primary street build-to zone	70% min
F	% of building facade in side street build-to zone	35% min

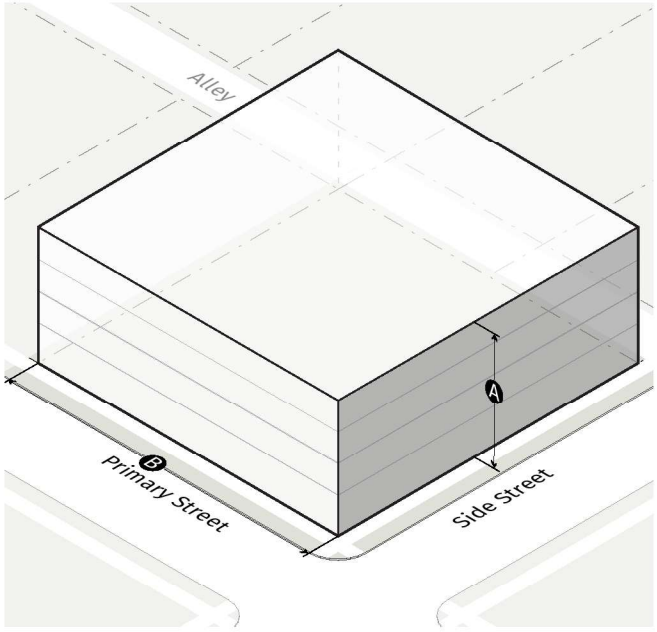
SEC. 2.4.4. ACCESS AND PARKING LOCATION



Vehicle Access		
	Primary street	Not allowed
	Side street	Allowed
	Alley	Allowed
A	Driveway width in side street setback	18' max

Parking Setbacks		
B	Primary street setback	30' min
C	Side street setback	10' min
D	Side: common lot line/alley	0' min
E	Rear: common lot line/alley	0' min

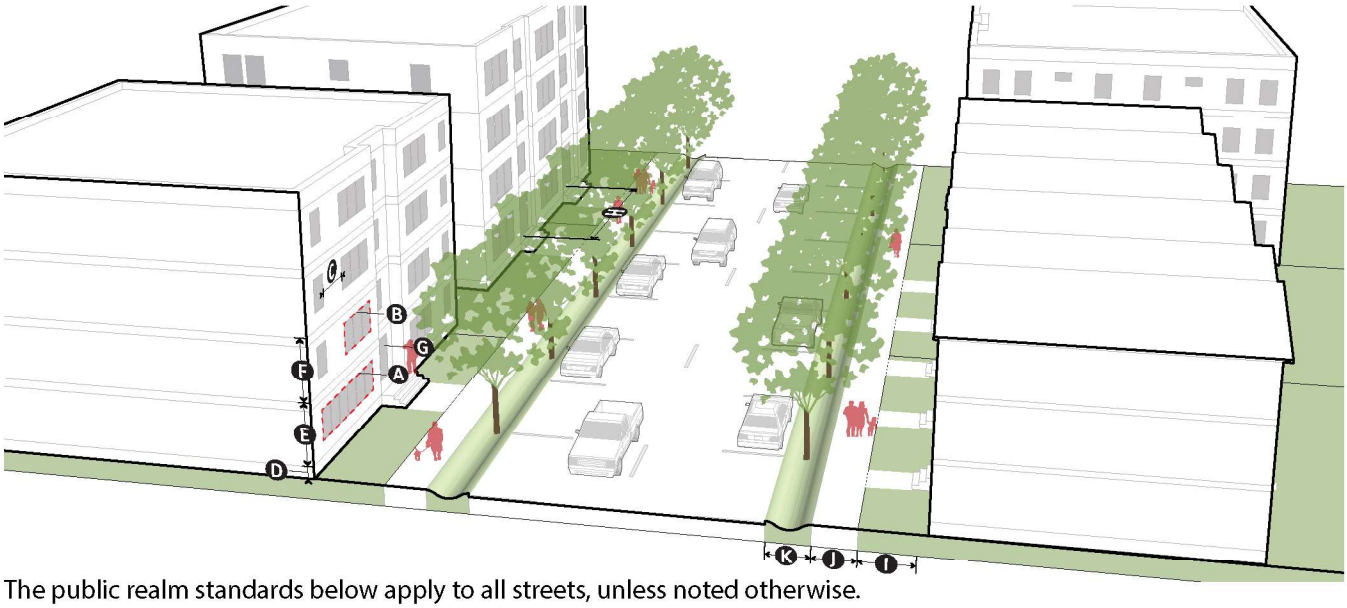
SEC. 2.4.5. HEIGHT AND MASS



Building Height		
A	Maximum height	
	Without stormwater bonus	4 stories/50' max
	With stormwater bonus (see Div. 2.10)	6 stories/75' max
	Minimum height	n/a

Building Mass		
B	Street-facing building length	200' max

SEC. 2.4.6. PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

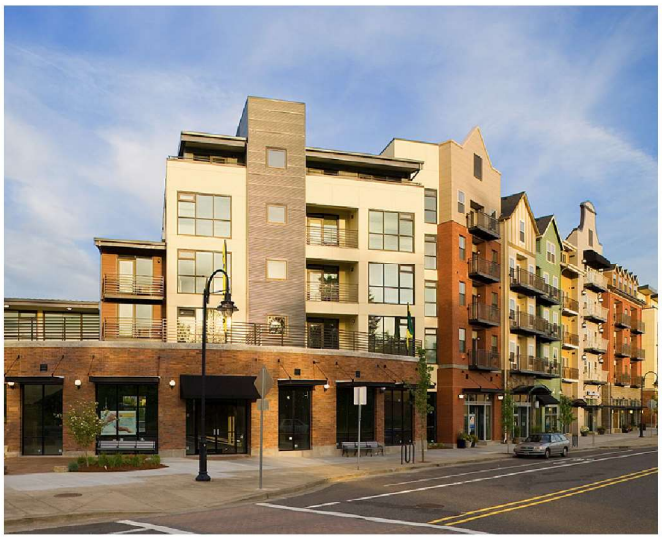
Transparency	
A Ground story	20% min
B Upper story	20% min
C Blank wall area	30' max
Story Height	
D Ground floor elevation, residential	2' min/5' max
D Ground floor elevation, commercial	0' min/2' max
E Ground story, floor to floor	10' min
F Upper story, floor to floor	9' min
Pedestrian Access	
G Entrance facing primary street	Required
H Entrance spacing along primary street	75' max
Building Elements	See Sec. 2.9.5
Awning/canopy	◆
Balcony	◆
Forecourt	◆
Gallery	
Porch	◆
Stoop	◆

Building Setbacks	
I Primary/side street	See Sec. 2.4.3
Sidewalk*	
J Paved pedestrian zone	6' min
Street Tree/Furniture Zone*	
K Parkway depth	6' min
Street tree planting	Required
Tree spacing	See Sec. 4.2.3
Small canopy	15' on-center
Medium canopy	25' on-center
Large canopy	35' on-center
Street lighting	If installed must be per TPW specifications

*Where there is insufficient ROW to meet the minimum requirements, the FBC Administrator may approve modifications (see Article 5, Administration).

Div. 2.5. BU-CX: Commercial Mixed Use

SEC. 2.5.1. SUMMARY



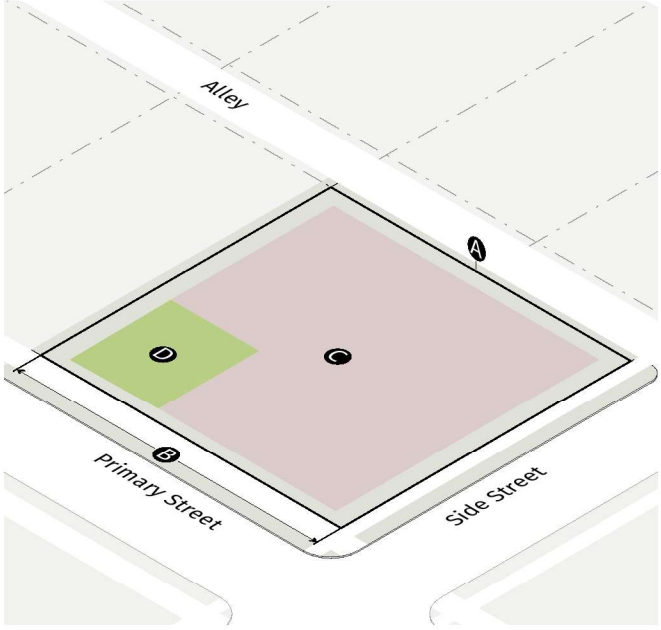
Intent
The Commercial Mixed Use (BU-CX) district is intended to provide for a variety of residential, retail, service and commercial uses at a variety of scales and intensities in a pedestrian-friendly environment. While BU-CX accommodates commercial uses, the inclusion of residential and employment uses are strongly encouraged in order to promote live-work and mixed-use opportunities.

Applicable Districts
BU-CX-3, BU-CX-4, BU-CX-6

Use	
Allowed uses	see Div. 3.1

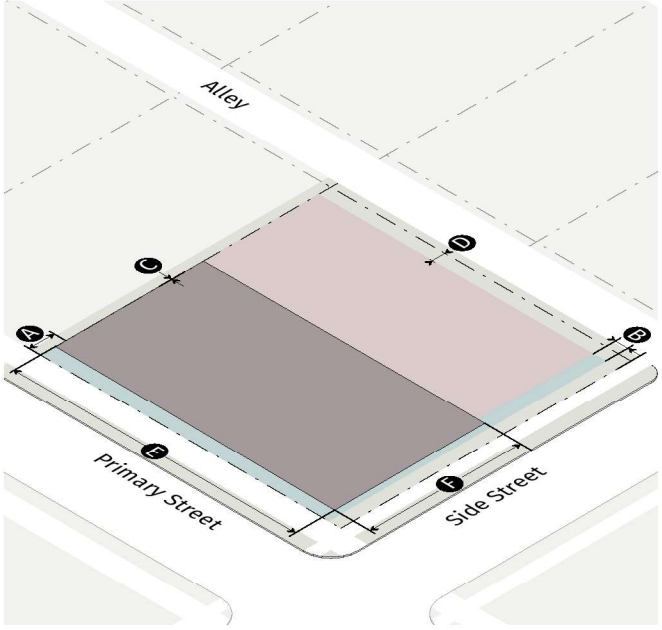
~~Lot Types~~	
~~Hybrid~~	~~see Sec. 2.1.9~~
Zoning Map	See Div. 2.2

SEC. 2.5.2. LOT PARAMETERS



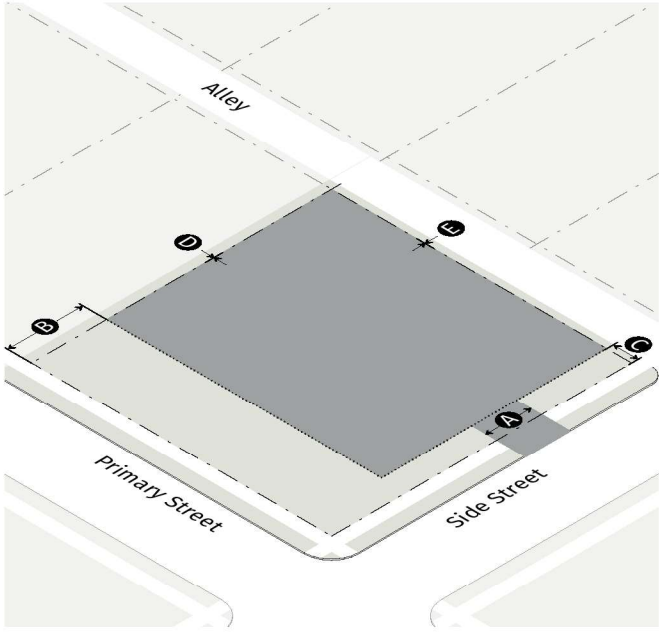
~~Lot~~	~~A Area~~	~~B Width~~
~~Hybrid~~	~~1,800 SF min~~	~~20' min~~
Coverage		
~~Building coverage~~		~~80% max~~

SEC. 2.5.3. BUILDING PLACEMENT



Building Setbacks		
A	Build-to zone: primary street	15' max
B	Build-to zone: side street	15' max
C	Side: common lot line	0' min
C	Side: alley	5' min
C	Side: protected district	6' min
D	Rear: common lot line	0' min
D	Rear: alley	5' min
D	Rear: protected district	6' min
Build-to		
E	% of building facade in primary street build-to zone	80% min
F	% of building facade in side street build-to zone	40% min

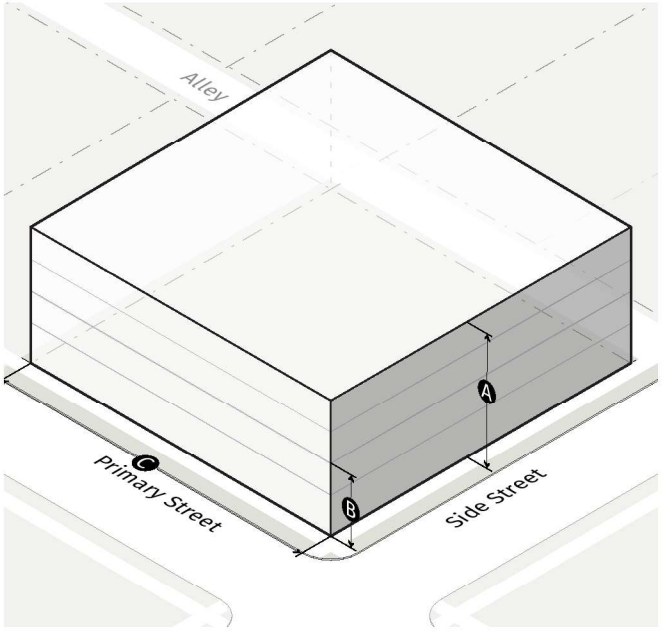
SEC. 2.5.4. ACCESS AND PARKING LOCATION



Vehicle Access		
	Primary street	Not allowed
	Side street	Allowed
	Alley	Allowed
A	Driveway width in side street setback	18' max

Parking Setbacks		
B	Primary street setback	30' min
C	Side street setback	10' min
D	Side: common lot line/alley	0' min
E	Rear: common lot line/alley	0' min

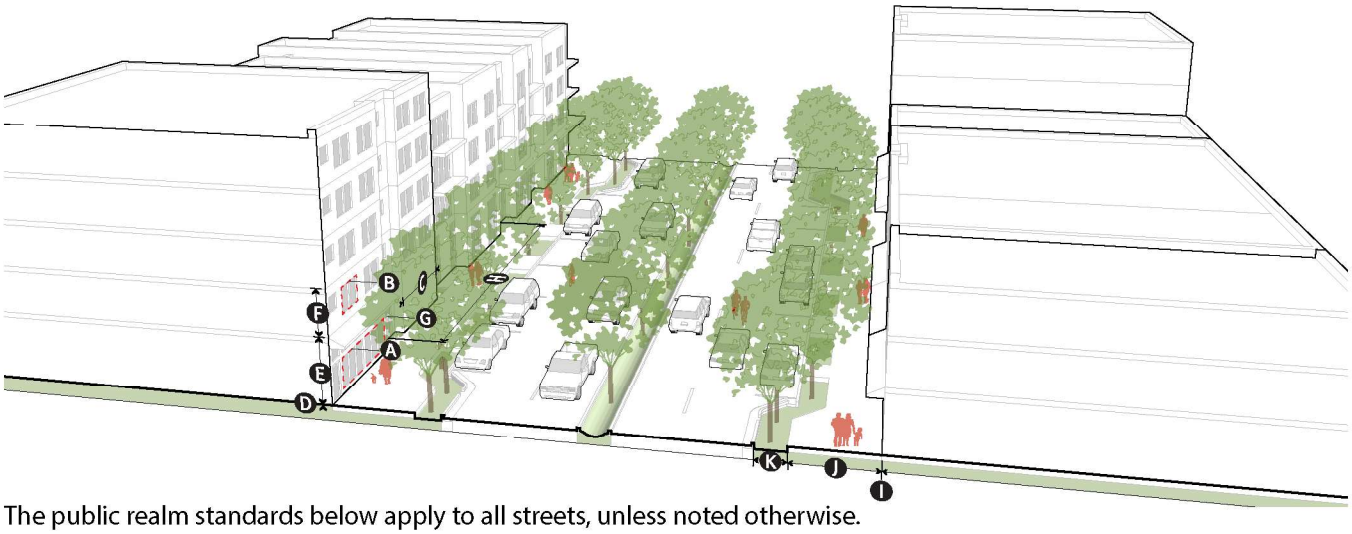
SEC. 2.5.5. HEIGHT AND MASS



Building Height		
A	Maximum height	
	Without stormwater bonus	
	BU-CX-3	3 stories/35' max
	BU-CX-4	4 stories/50' max
	BU-CX-6	6 stories/75' max
	With stormwater bonus (see Div. 2.10)	
	BU-CX-3	n/a
	BU-CX-4	6 stories/75' max
	BU-CX-6	8 stories/100' max
B	Minimum height	2 stories of occupiable space

Building Mass		
C	Street-facing building length	200' max

SEC. 2.5.6. PUBLIC REALM



The public realm standards below apply to all streets, unless noted otherwise.

	Residential Ground Floor	Nonresidential Ground Floor
Transparency		
A Ground story	20% min	50% min
B Upper story	20% min	20% min
C Blank wall area	30' max	30' max
Story Height		
D Ground floor elevation	2' min/ 5' max	0' min/ 2' max
E Ground story: floor to floor	10' min	12' min
F Upper story: floor to floor	9' min	9' min
Pedestrian Access		
G Entrance facing primary street	Required	Required
H Entrance spacing along primary street	75' max	100' max
Building Elements		See Sec. 2.9.5
Awning/canopy	◆	◆
Balcony	◆	◆
Forecourt	◆	◆
Gallery		◆
Porch	◆	
Stoop	◆	

Building Setbacks	
I Primary/side street	See Sec. 2.5.3
Sidewalk*	
J Paved pedestrian zone	
Berry/University/Cleburne	10' min
All other streets	6' min
Street Tree/Furniture Zone*	
K Parkway depth	6' min
Street tree planting	Required
Tree spacing	See Sec. 4.2.3
Small canopy	15' on-center
Medium canopy	25' on-center
Large canopy	35' on-center
Street lighting	If installed must be per TPW specifications

*Where there is insufficient ROW to meet the minimum requirements, the FBC Administrator may approve modifications (see Article 5, Administration).

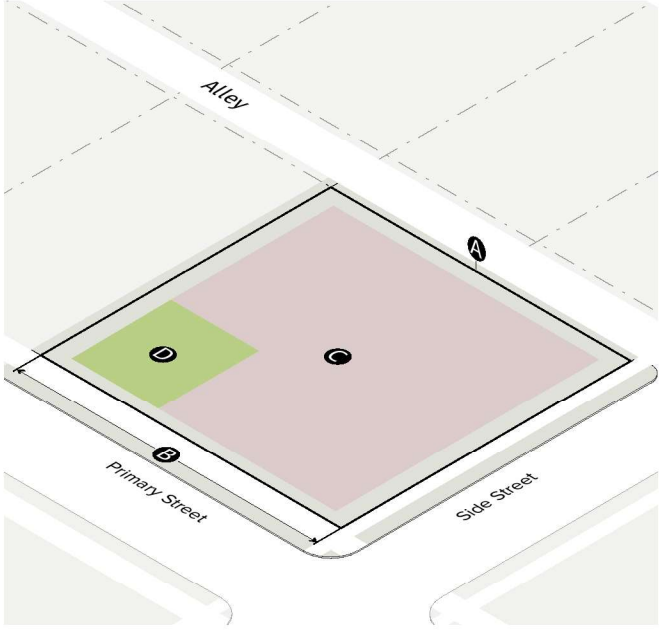
Div. 2.6. BU-SH: Shopfront

SEC. 2.6.1. SUMMARY

Intent
The Shopfront (BU-SH) district is intended to create pedestrian shopping streets that support a variety of ground floor active uses, with residential and office above. BU-SH should be used sparingly and is intended only for areas where a high level of walkability and pedestrian activity is desired.
Applicable Districts
BU-SH-3, BU-SH-4
Use
Allowed uses — see Div. 3.1

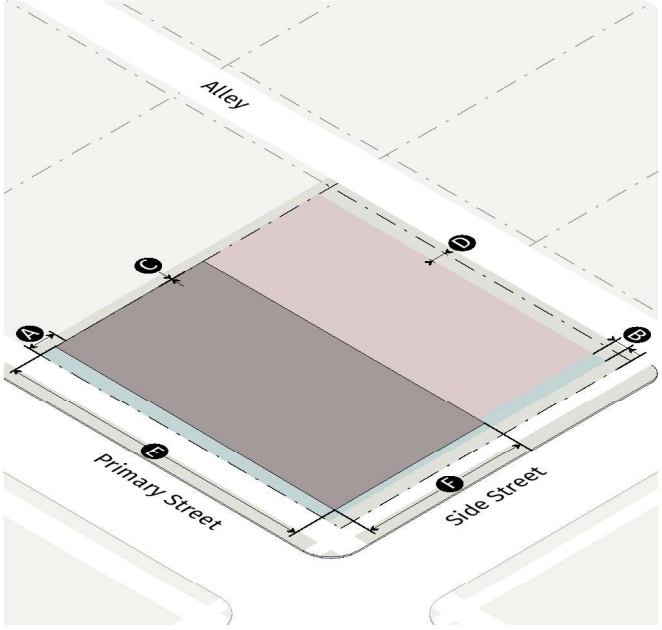
~~Lot Types~~	
~~Hybrid~~	~~see Sec. 2.1.9~~
Zoning Map	See Div. 2.2

SEC. 2.6.2. LOT PARAMETERS



~~Lot~~	~~Area~~	~~Width~~
~~Hybrid~~	~~3,000 SF min~~	~~30' min~~
~~Coverage~~		
~~Building coverage~~		~~80% max~~

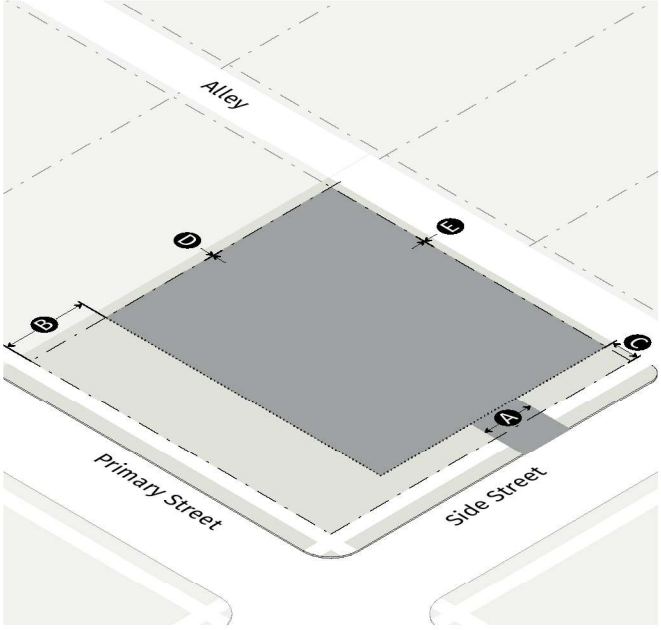
SEC. 2.6.3. BUILDING PLACEMENT



Building Setbacks		
A	Build-to zone: primary street	15' max
B	Build-to zone: side street	15' max
C	Side: common lot line	0' min
C	Side: alley	5' min
C	Side: protected district	6' min
D	Rear: common lot line	0' min
D	Rear: alley	5' min
D	Rear: protected district	6' min

Build-to		
E	% of building facade in primary street build-to zone	90% min
F	% of building facade in side street build-to zone	45% min

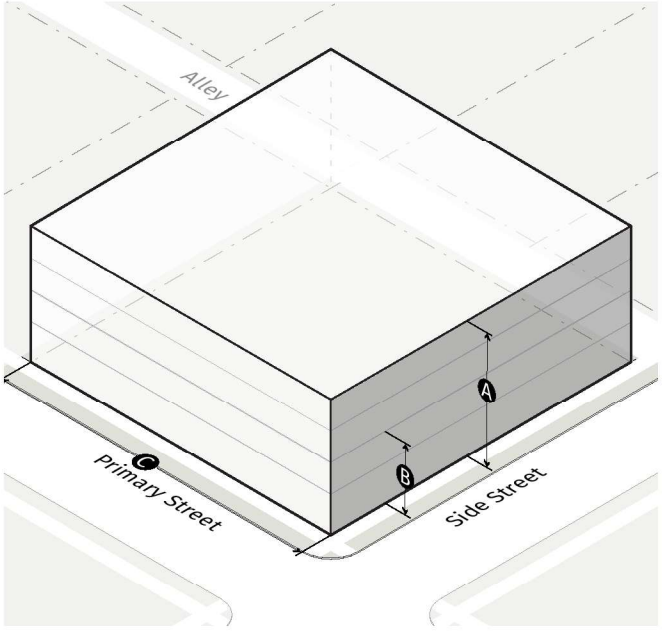
SEC. 2.6.4. ACCESS AND PARKING LOCATION



Vehicle Access	
Primary street	Not allowed
Side street	Allowed
Alley	Allowed
A Driveway width in side street setback	18' max

Parking Setbacks	
B Primary street setback	30' min
C Side street setback	10' min
D Side: common lot line/alley	0' min
E Rear: common lot line/alley	0' min

SEC. 2.6.5. HEIGHT AND MASS



Building Height	
A Maximum height	
Without stormwater bonus	
BU-SH-3	3 stories/35' max
BU-SH-4	4 stories/50' max
With stormwater bonus (see Div. 2.10)	
BU-SH-3	5 stories/65' max
BU-SH-4	n/a
B Minimum height	
BU-SH-3	n/a
BU-SH-4	2 stories of occupiable space

Building Mass	
C Street-facing building length	200' max

SEC. 2.6.6. PUBLIC REALM

The public realm standards below apply to all streets, unless noted otherwise.

Transparency	
A Ground story	60% min
B Upper story	20% min
C Blank wall area	20' max
Story Height	
D Ground floor elevation	0' min/ 2' max
E Ground story: floor to floor	14' min
F Upper story: floor to floor	9' min
Pedestrian Access	
G Entrance facing primary street	Required
H Entrance spacing along primary street	50' max
Building Elements	See Sec. 2.9.5
Awning/canopy	◆
Balcony	◆
Forecourt	
Gallery	◆
Porch	
Stoop	

Building Setbacks	
I Primary/side street	See Sec. 2.6.3
Sidewalk*	
J Paved pedestrian zone	
Berry/University	10' min
All other streets	6' min
Street Tree/Furniture Zone*	
K Parkway depth	6' min
Street tree planting	Required
Tree spacing	See Sec. 4.2.3
Small canopy	15' on-center
Medium canopy	25' on-center
Large canopy	35' on-center
Street lighting	If installed must be per TPW specifications

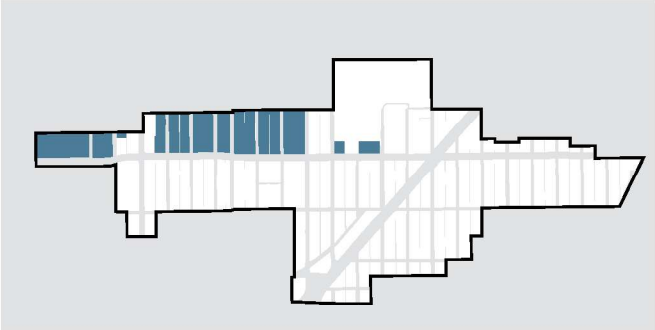
*Where there is insufficient ROW to meet the minimum requirements, the FBC Administrator may approve modifications (see Article 5, Administration).

Div. 2.7. BU-IX: Institutional Mixed Use

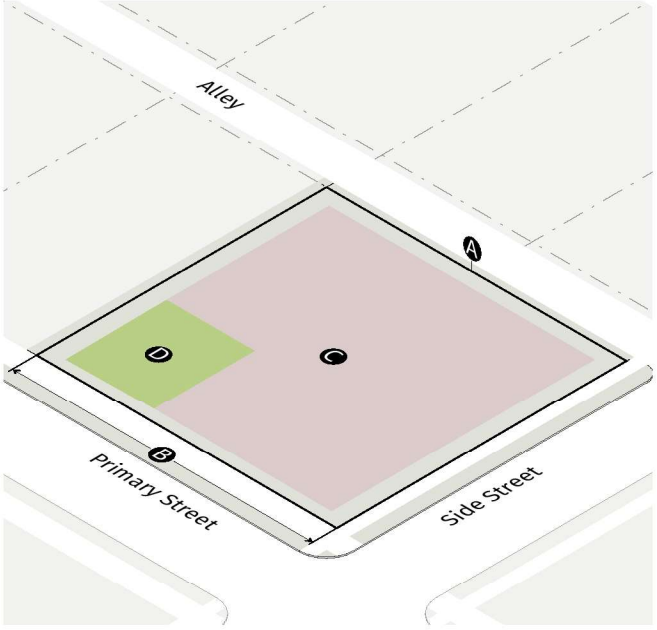
SEC. 2.7.1. SUMMARY

Intent
The Institutional Mixed Use (BU-IX) district is established to allow for the growth and development of institutional uses in a pedestrian-friendly environment. BU-IX allows for a variety uses and allows for the flexible placement of buildings along the street edge.
Applicable Districts
BU-IX-6
Use
Allowed uses — see Div. 3.1

~~Lots Types~~	
~~Hybrid~~	~~see Sec. 2.1.9~~
Zoning Map	See Div. 2.2

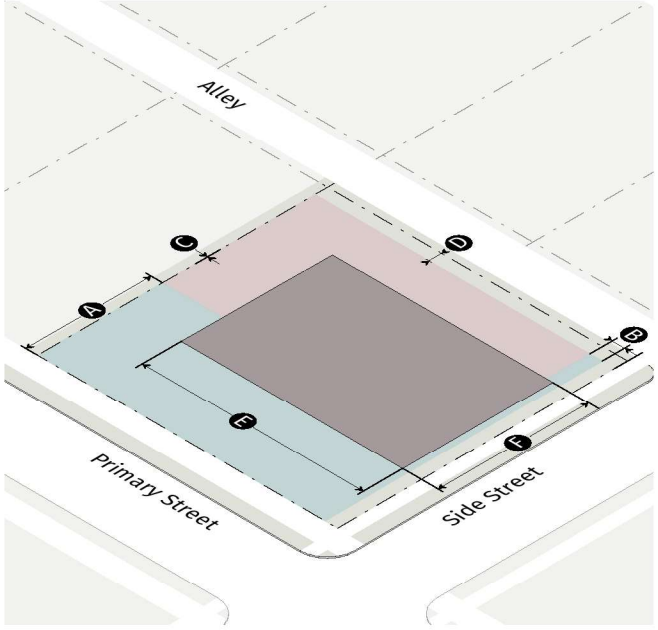


SEC. 2.7.2. LOT PARAMETERS



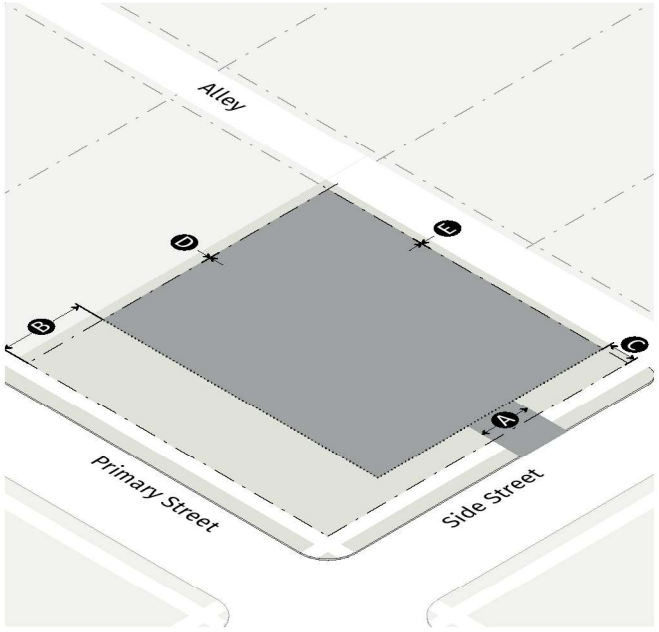
~~Lot~~	~~A Area~~	~~B Width~~
~~Hybrid~~	~~5,000 SF min~~	~~50' min~~
~~Coverage~~		
~~C Building coverage~~		~~80% max~~

SEC. 2.7.3. BUILDING PLACEMENT



Building Setbacks		
A	Build-to zone: primary street	
	Without stormwater bonus	20' max
	With stormwater bonus (see Div. 2.10)	50' max
B	Build-to zone: side street	20' max
C	Side: common lot line	0' min
C	Side: alley	5' min
D	Rear: common lot line	0' min
D	Rear: alley	5' min
Build-to		
E	% of building facade in primary street build-to zone	70% min
F	% of building facade in side street build-to zone	35% min

SEC. 2.7.4. ACCESS AND PARKING LOCATION

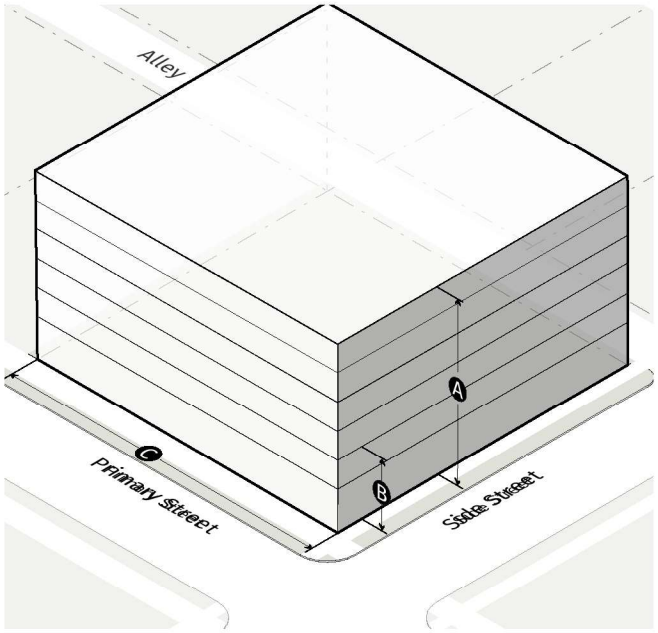


Vehicle Access		
	Primary street	Not allowed
	Side street	Allowed
	Alley	Allowed
A	Driveway width in side street setback	18' max

Parking Setbacks		
B	Primary street setback	30' min
C	Side street setback	10' min
D	Side: common lot line/alley	0' min
E	Rear: common lot line/alley	0' min

No on-site surface parking is allowed between buildings and the street

SEC. 2.7.5. HEIGHT AND MASS



Building Height		
A	Maximum height	
	Without stormwater bonus	6 stories/75' max
	With stormwater bonus (see Div. 2.10)	10 stories/125' max
B	Minimum height	2 stories of occupiable space

Building Mass		
C	Street-facing building length	
	Academic, support, utility, athletic, auditorium, research buildings	n/a
	Housing, mixed use with ground floor retail buildings	200' max

SEC. 2.7.6. PUBLIC REALM

The public realm standards below apply to all streets, unless noted otherwise.

	Building Setback	
	Up to 20'	20'+ to 50'
Transparency		
A Ground story	50% min	20% min
B Upper story	20% min	20% min
C Blank wall area	30' max	75' max
Story Height		
D Ground floor elevation	0' min/ 2' max	n/a
E Ground story: floor to floor	12' min	n/a
F Upper story: floor to floor	9' min	n/a
Pedestrian Access		
G Entrance facing primary street	Required	Required
H Entrance spacing along primary street	100'	n/a
Building Elements		See Sec. 2.9.5
Awning/canopy	◆	n/a
Balcony	◆	n/a
Forecourt	◆	n/a
Gallery	◆	n/a
Porch		n/a
Stoop		n/a

Building Setbacks	
I Primary/side street	See Sec. 2.7.3
No wall or fence is allowed in a Berry Street primary street yard.	
Sidewalk*	
J Paved pedestrian zone	
Berry Street	10' min
All other streets	6' min
Street Tree/Furniture Zone*	
K Parkway depth	6' min
Street tree planting	Required
Tree spacing	See Sec. 4.2.3
Small canopy	15' on-center
Medium canopy	25' on-center
Large canopy	35' on-center
Street lighting	If installed must be per TPW specifications

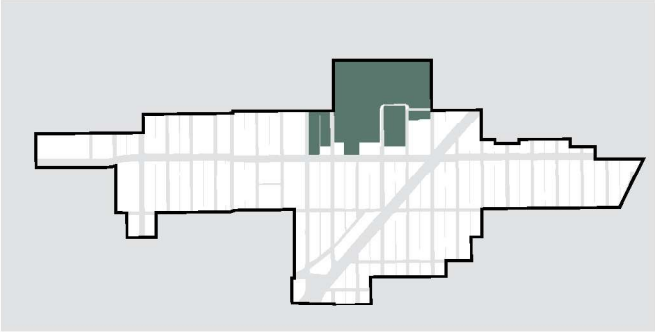
*Where there is insufficient ROW to meet the minimum requirements, the FBC Administrator may approve modifications (see Article 5, Administration).

Div. 2.8. BU-CIV: Civic

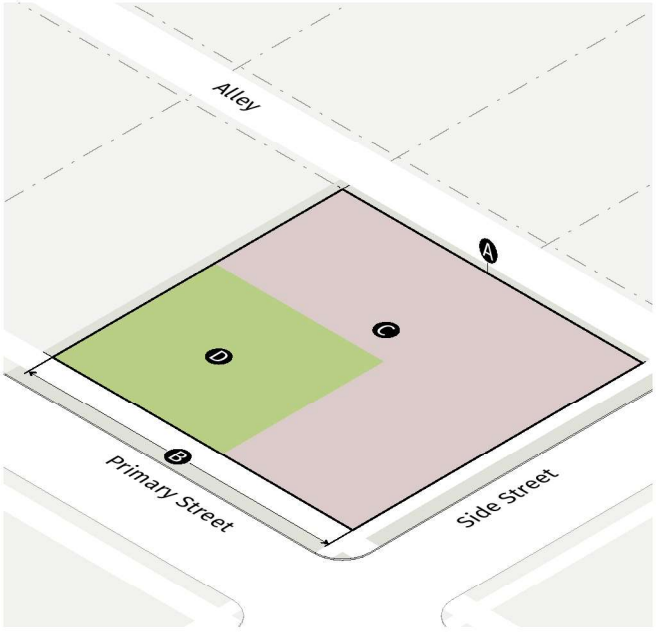
SEC. 2.8.1. SUMMARY

Intent	
The Civic (BU-CIV) district is intended to provide for civic and institutional uses that serve the surrounding neighborhoods at size and scale that do not readily assimilate into other zoning districts.	
Applicable Districts	
BU-CIV	
Use	
Allowed uses	see Div. 3.1

~~Lot Types~~	
~~Hybrid~~	~~see Sec. 2.1.9~~
Zoning Map	See Div. 2.2

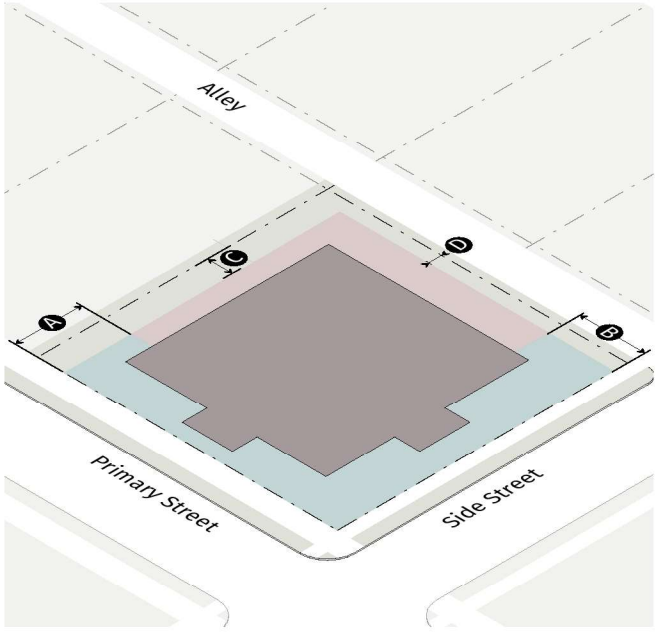


SEC. 2.8.2. LOT PARAMETERS



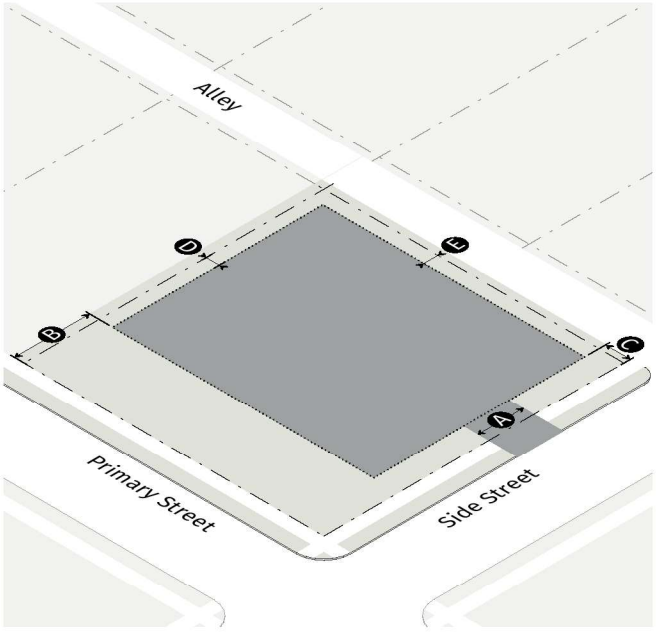
~~Lot~~	~~A Area~~	~~B Width~~
~~Hybrid~~	~~5,000 SF min~~	~~50' min~~
~~Coverage~~		
~~C Building coverage~~		~~70% max~~

SEC. 2.8.3. BUILDING PLACEMENT



Building Setbacks		
A	Build-to zone: primary street	
	Without stormwater bonus	20' max
	With stormwater bonus (see Div. 2.10)	50' max
B	Build-to zone: side street	20' max
C	Side: common lot line	10' min
C	Side: alley	5' min
D	Rear: common lot line	10' min
D	Rear: alley	5' min

SEC. 2.8.4. PARKING AND ACCESS



Vehicle Access

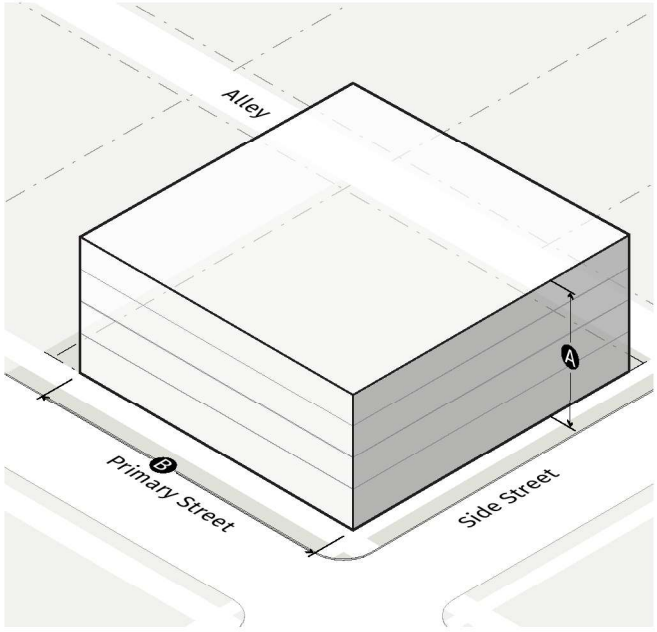
	Primary street	Not allowed
	Side street	Allowed
	Alley	Allowed
A	Driveway width in side street setback	18' max

Parking Setbacks

B	Primary street setback	30' min
C	Side street setback	10' min
D	Side: common lot line/alley	5' min
E	Rear: common lot line/alley	5' min

No on-site surface parking is allowed between buildings and the street

SEC. 2.8.5. HEIGHT AND MASS



Building Height

A	Maximum height	
	Without stormwater bonus	4 stories/50' max
	With stormwater bonus (see Div. 2.10)	6 stories/75' max
	Minimum height	n/a

Building Mass

B	Street-facing building length	300'

SEC. 2.8.6. PUBLIC REALM

The public realm standards below apply to all streets, unless noted otherwise.

Transparency	
A Ground story	40% min
B Upper story	20% min
C Blank wall area	75' max
Story Height	
D Ground floor elevation	n/a
E Ground story: floor to floor	n/a
F Upper story: floor to floor	n/a
Pedestrian Access	
G Entrance facing primary street	Required
H Entrance spacing along primary street	n/a
Building Elements	See Sec. 2.9.5
Awning/canopy	n/a
Balcony	n/a
Forecourt	n/a
Gallery	n/a
Porch	n/a
Stoop	n/a

Building Setbacks	
I Primary/side street	See Sec. 2.8.3
Sidewalk*	
J Paved pedestrian zone	
Berry Street	10' min
All other streets	6' min
Street Tree/Furniture Zone*	
K Parkway depth	6' min
Street tree planting	Required
Tree spacing	See Sec. 4.2.3
Small canopy	15' on-center
Medium canopy	25' on-center
Large canopy	35' on-center
Street lighting	If installed must be per TPW specifications

*Where there is insufficient ROW to meet the minimum requirements, the FBC Administrator may approve modifications (see Article 5, Administration).

Div. 2.9. Measurements and Exceptions

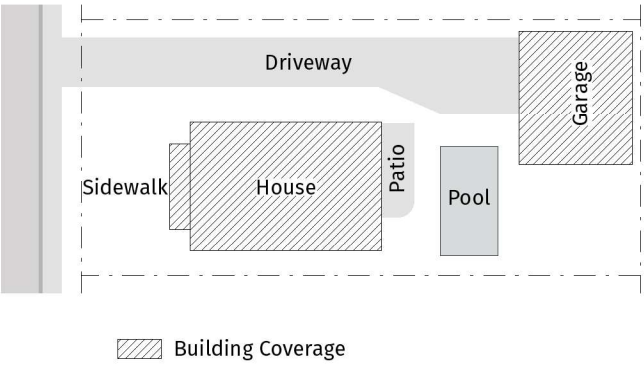
Sec. 2.9.1. Lot Parameters

A. Building Coverage

1. The area of a lot covered by roofed buildings and structures measured from the outside of the exterior wall at the ground floor, includes covered porches and patios and detached and attached accessory structures.

2. For covered porches and patios, the entire area under the roof is calculated as building coverage.

3. Building coverage does not include uncovered paved parking areas, driveways, walkways, roof overhangs, swimming pools, uncovered steps, terraces, decks, patios, porches, and architectural projections not intended for shelter or occupancy.



B. ~~Outdoor Amenity Space~~

1. ~~General~~

   a. ~~Outdoor amenity is common outdoor space provided in a development for use by all its occupants for social and recreational activities. Outdoor amenity space may also be provided for use by the general public, in addition to occupants of the development.~~

   b. ~~Examples of outdoor amenity space include swimming pools, playgrounds, sport courts, dog parks, gardens, community gardens, parks, greens, pavilions, seating areas, plazas, common balconies, rooftop decks or rooftop gardens.~~

   c. ~~Above ground stormwater measures such as biorention areas, enhanced swales, stormwater detention basins and green roofs can be used to meet an outdoor amenity space requirement (see Div. 2.10).~~

   d. ~~A buffer cannot be used to meet an outdoor amenity space requirement.~~

2. ~~Standards~~

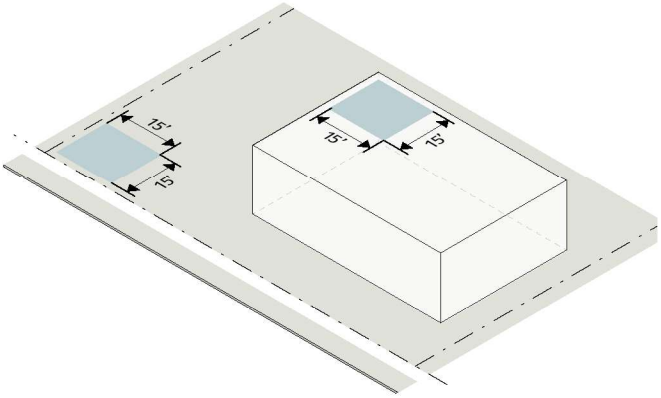
   a. ~~Required outdoor amenity space must be provided on the lot and be available as outdoor space.~~

   b. ~~Required outdoor amenity space can be roofed but cannot be fully enclosed.~~

   c. ~~Required outdoor amenity space cannot be parked or driven upon, except for emergency access and permitted temporary uses.~~

   d. ~~Required outdoor amenity space may be located at or above grade. However, in BU-RA, outdoor amenity space must be located at grade.~~

   e. ~~Required outdoor amenity space may be met in one contiguous outdoor area or in multiple outdoor areas on a lot and must have a minimum area of 225 square feet with no dimension less than 15 feet.~~



f. ~~Required outdoor amenity must be landscaped as follows:~~

i. ~~For every 75 square feet of required outdoor amenity space, a cluster of native shrubs and or grasses, consisting of a minimum of 5 plants must be provided.~~

ii. ~~Plants must be 3 gallon in size and be grouped with similar watering requirements and be chosen from the approved native plant list found in §6.301, Table A, Recommended List of Native Plants for Landscape Use in North Central Texas.~~

g. ~~Seating must be provided at the rate of 1 seat per 500 square feet, minimum of 1 seat. Seats may be permanent or movable. Two linear feet of bench or seat wall equals 1 seat.~~

Sec. 2.9.2. Building Placement

A. Primary Streets

1. The following streets are considered primary streets:

a. Berry Street;

b. University Drive; and

c. Cleburne Road.

2. Where only one street abuts a lot, that street is considered a primary street.

3. A multiple street frontage lot (not specified above) must designate at least one primary street. The FBC Administrator will determine which streets are primary streets based on the following:

a. The pedestrian orientation of the street, existing or proposed.

b. The established orientation of the block;

c. The street or streets abutting the longest face of the block;

d. The street or streets parallel to an alley within the block;

e. The street that the lot takes its address from; and

f. The street with the highest classification or highest traffic counts.

4. A lot can have more than one primary street.

B. Setbacks

All buildings and structures must be located at or within the required setbacks except as listed below. No building or structure can extend into a required easement.

1. Building Features

a. Awnings/canopies, balconies, galleries, porches and stoops may extend into a required primary street setback as stated in Sec. 2.9.5.

b. Building eaves, roof overhangs, gutters, downspouts, light shelves, bay windows and oriels less than 10 feet wide, cornices, belt courses, sills, buttresses or other similar architectural features may encroach up to 3 feet into a required setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.

c. Chimneys or flues may encroach up to 4 feet, provided that such extension is at least 2 feet from the vertical plane of any lot line.

d. Unenclosed patios, decks, balconies, stoops, porches, terraces or fire escapes may encroach into a side interior or rear setback, provided that such extension is at least 5 feet from the vertical plane of any lot line.

e. Handicap ramps may encroach to the extent necessary to perform their proper function.

f. Structures below and covered by the ground may encroach into a required setback.

2. Low Impact Stormwater Features

Low impact stormwater management features may encroach up to 2 feet into a primary street setback (but not into the required sidewalk), including, but not limited to:

a. Rain barrels or cisterns, 6 feet or less in height;

b. Planter boxes;

c. Bio-retention areas; and

d. Similar features, as determined by the FBC Administrator.

e. Low impact stormwater management features listed above may encroach into a side interior or rear setback, provided such extension is at least 2 feet from the vertical plane of any lot line.

3. Mechanical Equipment and Utility Lines

a. For residential buildings only, mechanical equipment such as HVAC units and security lighting, may encroach into a required rear or side interior setback, provided that such extension is at least 3 feet from the vertical plane of any lot line.

b. Minor structures accessory to utilities (such as hydrants, manholes, and transformers and other cabinet structures) may encroach into a required rear, side interior or side street setback.

4. Other Setback Encroachments

a. Fences and walls under Sec. 4.2.5.

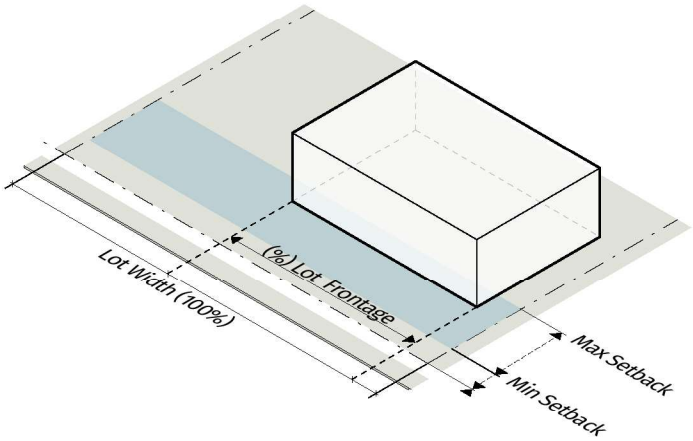
b. Buffers under Sec. 4.2.1.

C. Build-to-Zone

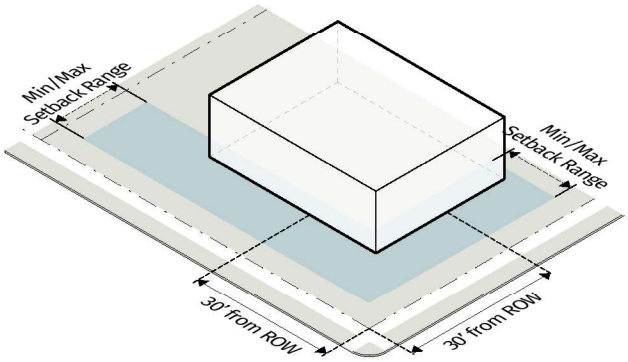
1. The build-to zone is the area on the lot where a certain percentage of the front building facade must be located, measured as a minimum and maximum setback range from the edge of the right-of-way.

2. The build-to zone applies to the 1st and 2nd stories of a building.

3. The required percentage specifies the amount of the front building facade that must be located in the build-to zone, measured based on the width of the building divided by the width of the lot.



4. On a corner lot, a building facade must be placed within the build-to zone for the first 30 feet along the street extending from the block corner, measured from the intersection of the two right-of-way lines.



5. With the exception of parking spaces, all structures and uses allowed on the lot are allowed within the build-to zone. Vehicle drive-thru lanes or facilities are not permitted within the build-to zone.

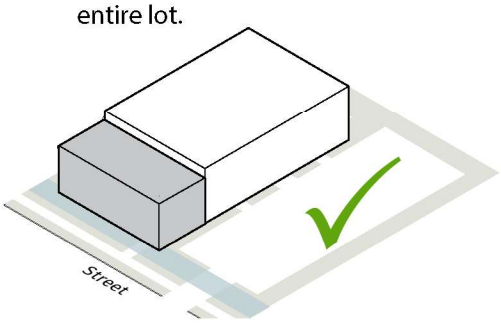
6. A forecourt meeting the requirements of Sec. 2.9.5.D is considered part of the building for the purpose of meeting the build-to requirement.

D. Build-to Zone Requirement on Lots with Existing Buildings

When an existing building is being expanded and the building or lot doesn't meet the build-to requirement, the following provisions apply.

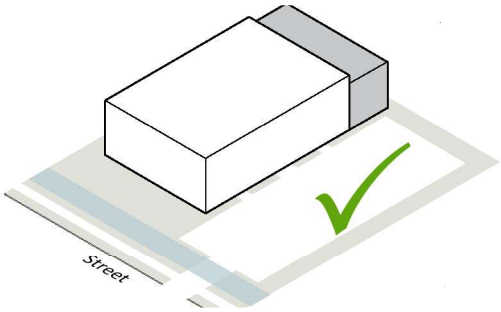
1. Front Additions

Any addition to the front must be placed in the build-to zone. The addition does not have to meet the build-to requirement for the entire lot.



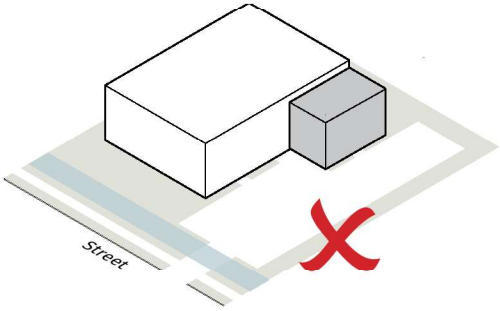
2. Rear Additions

Rear additions are allowed because the addition does not increase the degree of the nonconformity.



3. Side Additions

Side additions are not allowed because the extension increases the width of the building not located in the build-to zone.

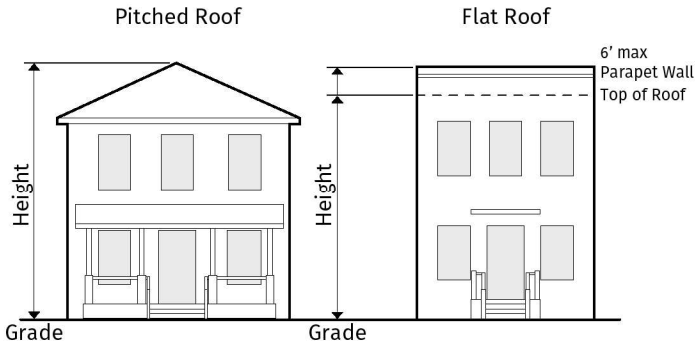


Sec. 2.9.3. Height and Mass

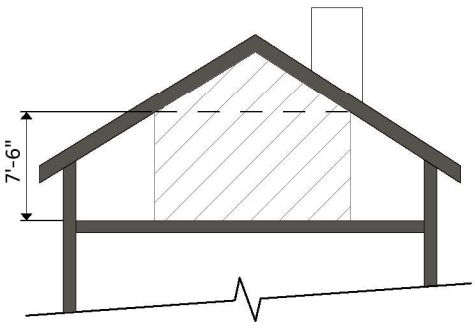
A. Building Height

1. Building height is the vertical distance measured from the top of the finished slab at grade to the highest point of the roof surface and is measured both number of stories and feet.

2. On a flat roof, a parapet wall may exceed the height limit by a maximum of 6 feet.



3. An attic does not count as a story where 50% or more of the attic floor area has a clear height of less than 7.5 feet; measured from the finished floor to the finished ceiling.



B. Height Encroachments

All buildings and structures must be located at or below the maximum height limit except as listed below.

1. The maximum height limits of the district do not apply to spires, belfries, cupolas, domes not intended for human occupancy; monuments, water tanks, water towers or other similar structures which, by design or function, must exceed the established height limits.

2. The following may exceed the established height limit provided they do not exceed the maximum height by more than 6 feet:

   a. Chimney, flue or vent stack;

   b. Flagpole;

   c. Vegetation or landscaping associated a green roof;

   d. Skylights;

   e. Unenclosed rooftop terrace;

   f. Parapet wall; and

   g. Solar panels, wind turbines and rainwater collection systems.

3. The following may exceed the established height limit provided they do not exceed the maximum building height by more than 10 feet, do not occupy more than 25% of the roof area, and are set back at least 10 feet from the edge of the roof:

   a. Elevator or stairway access to roof;

   b. Rooftop shade structure;

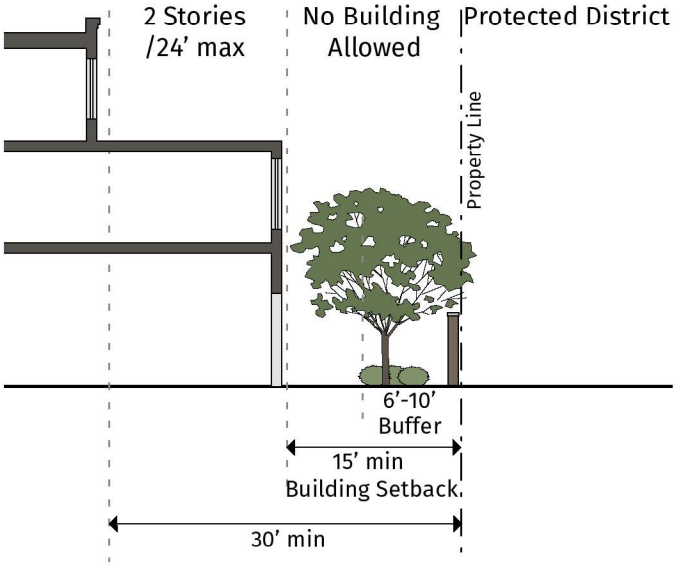
   c. Greenhouse; and

   d. Mechanical equipment.

4. In BU-IX, mechanical equipment may exceed the established height limit provided it does not exceed the maximum building height by more than 20 feet and is set back at least 10 feet from the edge of the roof.

C. ~~Height Adjacent to a Protected District~~

~~The maximum height of any portion of a building or structure within 30 feet of a common lot line adjacent to a protected district is 2 stories or 24 feet. Property separated by an alley is considered adjacent.~~



D. Building Mass and Design

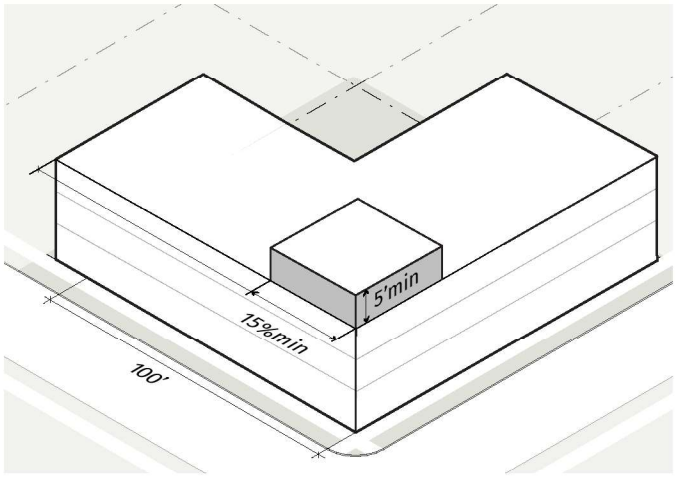
1. Street-Facing Building Length

Street-facing building length is the maximum length of a building or structure.

2. Building Height Variations

a. For buildings 100 feet or more in length, at least 15% of the street-facing roof line must have a variation in height of at least 5 feet.

b. The building height variation requirement does not apply in BU-IX.



3. Facade Variation

a. Each new building facade that is greater than 50 feet in width and is oriented to a publicly accessible street or open space must incorporate each of the following scaling elements. For building facades less than 50 feet in width, a minimum of 2 elements are required.

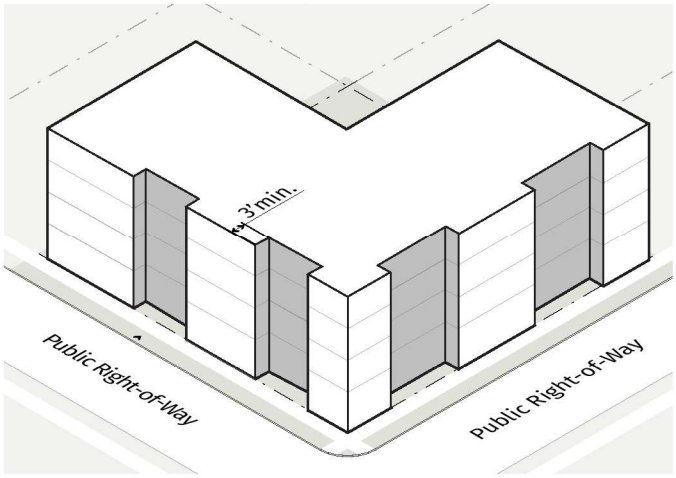
i. Expression of building structural elements such as:

a) Floors (banding, belt courses, etc. not less than one inch deep and 4 inches wide).

b) Columns (pilasters, piers, quoins, etc. not less than 1 inch deep and 6 inches wide).

c) Foundation (water tables, rustication).

ii. At least 2 variations in wall plane not less than 3 feet in depth or projection and not less than 2 stories in height for multi-story buildings. Such elements could include patterns of door and window openings by utilizing sills, mullions, and other scale providing window elements, and/ or more pronounced architectural features such as porches, alcoves, and roof dormers.



iii. Changes in material, material pattern, in color or shade. Each change of material shall involve minimum 1 inch variation in wall plane or noticeable change in color.

b. New building facades oriented to a publicly accessible street or open space must include differentiation between the first and second floors and the upper floors with a cornice, canopy, balcony, arcade, or other architectural features.

c. If a project consists of more than one block face, each sequential block of new construction shall contain a different building facade to encourage architectural variety within large projects, using the required architectural elements listed in Sec. 2.9.3.D.3.a and/or other architectural features.

d. The facade variation requirements do not apply in BU-RA and BU-IX.

Sec. 2.9.4. Public Realm

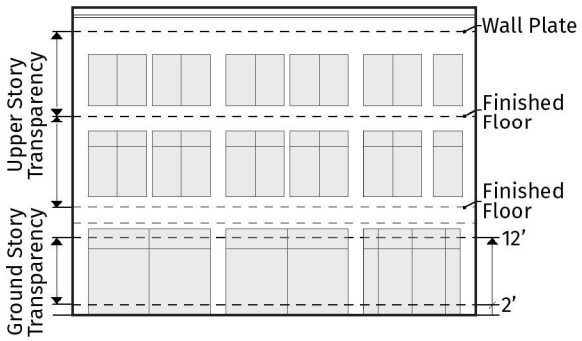
A. Transparency

1. Transparency is the minimum percentage of windows and doors that must cover a ground or upper story facade.

2. Transparency applies to all publicly-accessible street or open space building facades.

3. Clear glazing must have a visible transmittance rating of 0.5 or greater to count towards the transparency requirement.

4. Ground story transparency is measured between 2 and 12 feet above the abutting sidewalk. Upper story transparency is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate above.



5. In BU-SH, a minimum of 60% of the street-fronting, street-level window pane surface area must allow views into the ground story use for a depth of at least 8 feet. Windows cannot be made opaque by window treatments (except operable sunscreen devices within the conditioned space).

6. The following alternatives may count towards a portion of the transparency requirement and can be used in singular or combination. Alternatives may count for no more than 50% of the total transparency requirement.

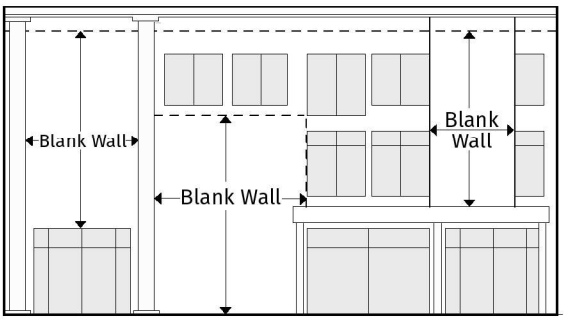
Alternative	Max % towards total requirement
Windows at the ground story but outside the 2 to 12 feet zone	40%
Wall mounted or recessed display cases at least 4 feet high	40%
Green screen system, planter walls, or similar vegetation	40%
Translucent, fritted, patterned, or color glazing:	40%
LEED certified windows	40%
Outdoor dining/seating located between the building and street	60%

B. Blank Wall Area

1. Blank wall area means a portion of the exterior facade of the building that does not include: windows or doors; columns, pilasters or other articulation greater than 12 inches in depth; or a substantial material change (paint color is not considered a substantial change).

2. Blank wall area applies in both a vertical and horizontal direction.

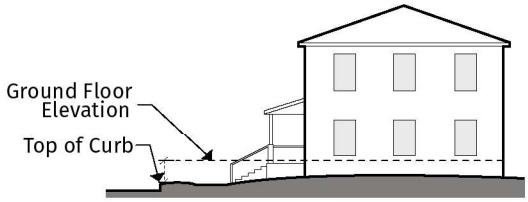
3. Blank wall area applies to all publicly-accessible street or open space building facades.



C. Ground Floor Elevation

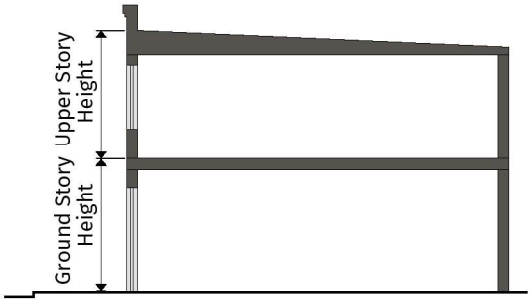
1. Ground floor elevation is measured from top of the adjacent curb to the top of the finished ground floor.

2. Minimum ground floor elevation applies to the first 30 feet of the lot measured from the right-of-way.



D. Story Height

Story height is the height of each story of building and it is measured from the top of the finished floor to the top of the finished floor above. When there is no floor above, upper story height is measured from the top of the finished floor to the top of the wall plate above.



E. Pedestrian Access

1. In order to create a pedestrian-oriented environment in which buildings are oriented toward publicly accessible streets and sidewalks, a building must have its main entrance front a primary street. The main entrance can not be from a public parking lot. Secondary entrances from parking lots are permitted.

2. The main building entrance must be operable to residents at all times and customers during regular business hours.

3. An angled entrance may be provided at either corner of a building along the street to meet the street-facing entrance requirements.

4. Entrance spacing is measured from the edge of door to the edge of the next door.

F. Building Materials

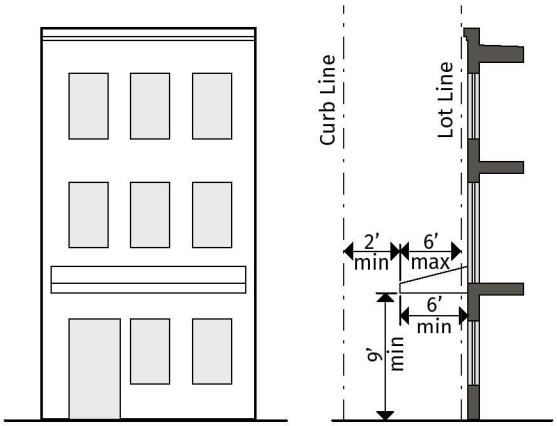
1. Not less than 70% of all new building facades (not including door and window areas) facing publicly-accessible streets or open space must be constructed of the following masonry materials: stone, brick, terra cotta, patterned pre-cast concrete, cement plaster stucco, cement board siding, cast stone or prefabricated brick panels.

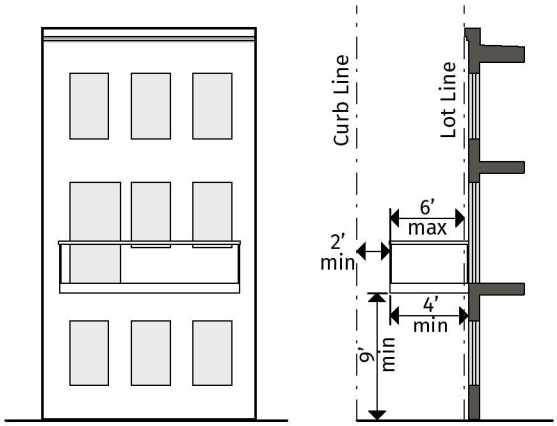
2. Material changes must occur at inside corners.

Sec. 2.9.5. Building Elements

A. Intent

The following standards are intended to ensure that certain building elements when added to a building frontage are of sufficient size to be both usable and functional and be architecturally compatible with the building that they are attached to.





B. Awning/Canopy

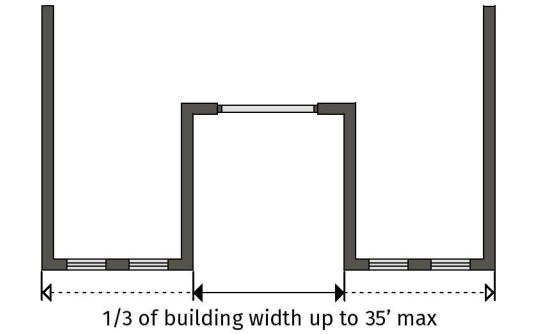
A wall-mounted, cantilevered structure providing shade and cover from the weather for a sidewalk.

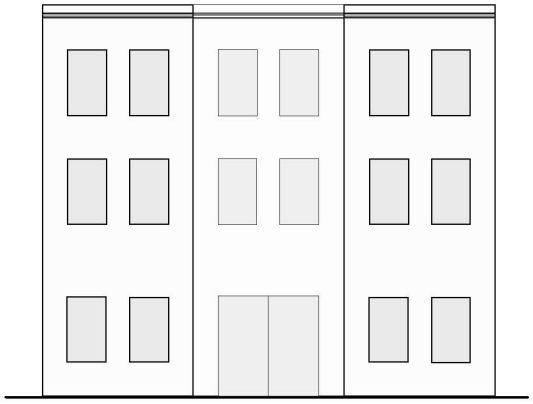
1. An awning/canopy must be a minimum of 9 feet clear height above the sidewalk and must have a minimum depth of 6 feet.
2. An awning/canopy may extend into a primary or side street setback.
3. Subject to the issuance of a right-of-way encroachment agreement, an awning/canopy may encroach up to 6 feet over the right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.

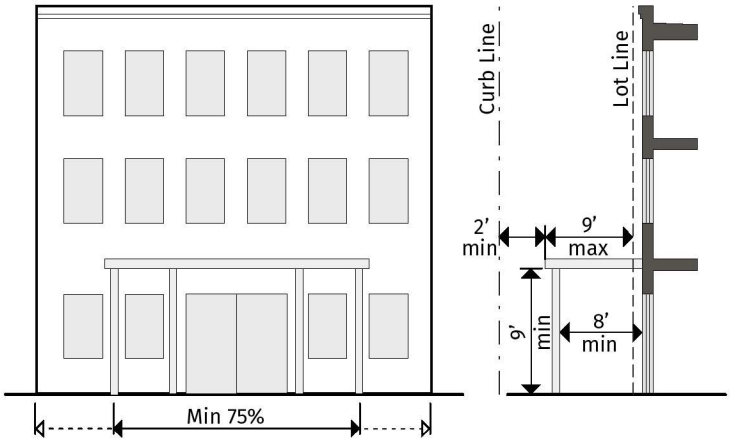
C. Balcony

A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window.

1. A balcony must be at least 4 feet deep.
2. A balcony must have a clear height above the sidewalk of at least 9 feet.
3. A balcony may be covered and screened, but cannot be fully enclosed.
4. An balcony may extend into a primary or side street setback.
5. Subject to the issuance of a right-of-way encroachment agreement, a balcony may encroach up to 6 feet over the right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.







D. Forecourt

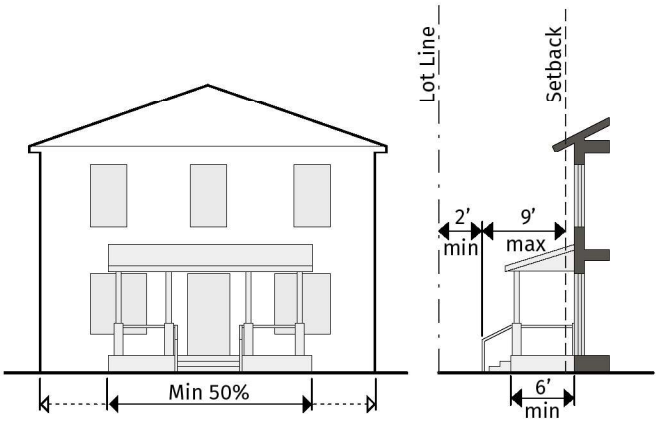
An open area at grade, or within 30 inches of grade, that serves as an open space, plaza or outdoor dining area.

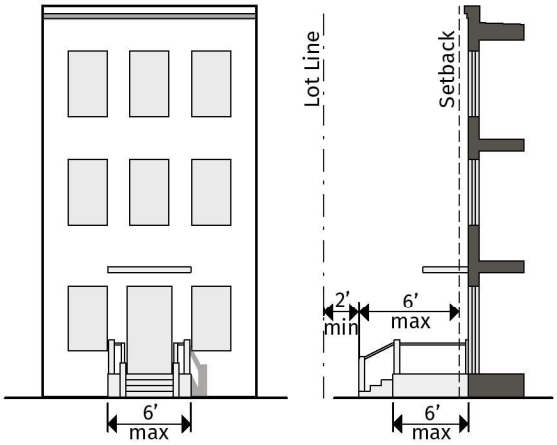
1. A forecourt must be no more than one-third of the length of the building face, and in no case longer than 35 feet in width.
2. A maximum of one forecourt is permitted per lot.
3. A forecourt meeting the above requirements is considered part of the building for the purpose of meeting the build-t0 requirement.

E. Gallery

A covered passage extending along the outside wall of a building supported by arches or columns that is open on three sides.

1. A gallery must have a clear depth from the support columns to the building's facade of at least 8 feet and a clear height above the sidewalk of at least 9 feet.
2. A gallery may extend into a primary or side street setback.
3. A gallery must be contiguous and extend over at least 75% of the width of the building facade from which it projects.
4. Subject to the issuance of a right-of-way encroachment agreement, a gallery may encroach up 9 feet into the right-of-way but must be at least 2 feet inside the curb line or edge of pavement, whichever is greater.





F. Porch

A raised structure attached to a building, forming a covered entrance to a doorway.

1. A porch must be at least 6 feet deep (not including the steps).
2. A porch must be roofed and may be screened, but cannot be fully enclosed.
3. A porch must be contiguous, with a width not less than 50% of the building facade from which it projects.
4. A porch, including the steps, may extend up to 9 feet, including the steps, into a primary or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
5. The porch, including the steps, may not encroach into the right-of-way.

G. Stoop

A small raised platform that serves as an entrance to a building.

1. A stoop must be no more than 6 feet deep (not including the steps) and 6 feet wide.
2. A stoop may be covered but cannot be fully enclosed.
3. A stoop, including the steps, may extend up to 6 feet into a primary or side street setback, provided that such extension is at least 2 feet from the vertical plane of any lot line.
4. The stoop, including the steps, may not encroach into the right-of-way.

Div. 2.10. Stormwater Management Bonus

Sec. 2.10.1. Applicability

All sites designated as eligible to receive the stormwater bonus on the map in Sec. 2.10.4 are entitled to a stormwater management bonus, subject to the requirements below. For the purpose of the stormwater management bonus review, the applicant must contact and coordinate with the FBC Administrator and Stormwater Development Services (SDS) when applying for the stormwater management bonus.

Sec. 2.10.2. Height Bonus

A. A bonus of 2 stories (1 story in RA-3) of additional height beyond that allocated in Article 2 is allowed within a designated stormwater management bonus area, provided that:

1. All existing stormwater requirements are met without the need for any variance or waiver and a stormwater facility maintenance agreement is executed;
2. An additional 1 inch of rainfall is retained on-site for a minimum of 24-hours or until the end of the rainfall event, whichever is longer. It is anticipated that the stormwater storage facility will require a manually operated discharge valve or a specifically designed ground infiltration system. Early coordination with SDS is recommended.
3. The installed stormwater measures meet or exceed the technical design requirements of the Site Development Controls in the NCTCOG iSWM manual;
4. Where the stormwater measures are not visible on the site, educational signage must be provided to raise awareness of the general public about the additional stormwater measures employed; and
5. Regional storage solutions are allowed to be implemented off site, but must be within the stormwater boundary area and must show the solutions are equal to or greater than providing the stormwater improvement on site.

B. In BU-IX, a bonus of 4 stories of additional height beyond that allocated in Article 2 is allowed within a designated stormwater management bonus area, provided that:

1. All existing stormwater requirements are met without the need for any variance or waiver and a stormwater facility maintenance agreement is executed;
2. An additional 2 inch of rainfall is retained on-site for a minimum of 24-hours or until the end of the rainfall event, whichever is longer. It is anticipated that the stormwater storage facility will require a manually operated discharge valve or a specifically designed ground infiltration system. Early coordination with SDS is recommended.
3. The installed stormwater measures meet or exceed the technical design requirements of the Site Development Controls in the NCTCOG iSWM manual;
4. Where the stormwater measures are not visible on the site, educational signage must be provided to raise awareness of the general public about the additional stormwater measures employed; and
5. Regional storage solutions are allowed to be implement off site, but must be within the stormwater boundary area and will be evaluated on a case by case basis to determine eligibility.

Sec. 2.10.3. Setback Bonus

In BU-IX and BU-CIV, a street setback of greater than 20 feet is allowed within a designated stormwater management bonus area, provided that:

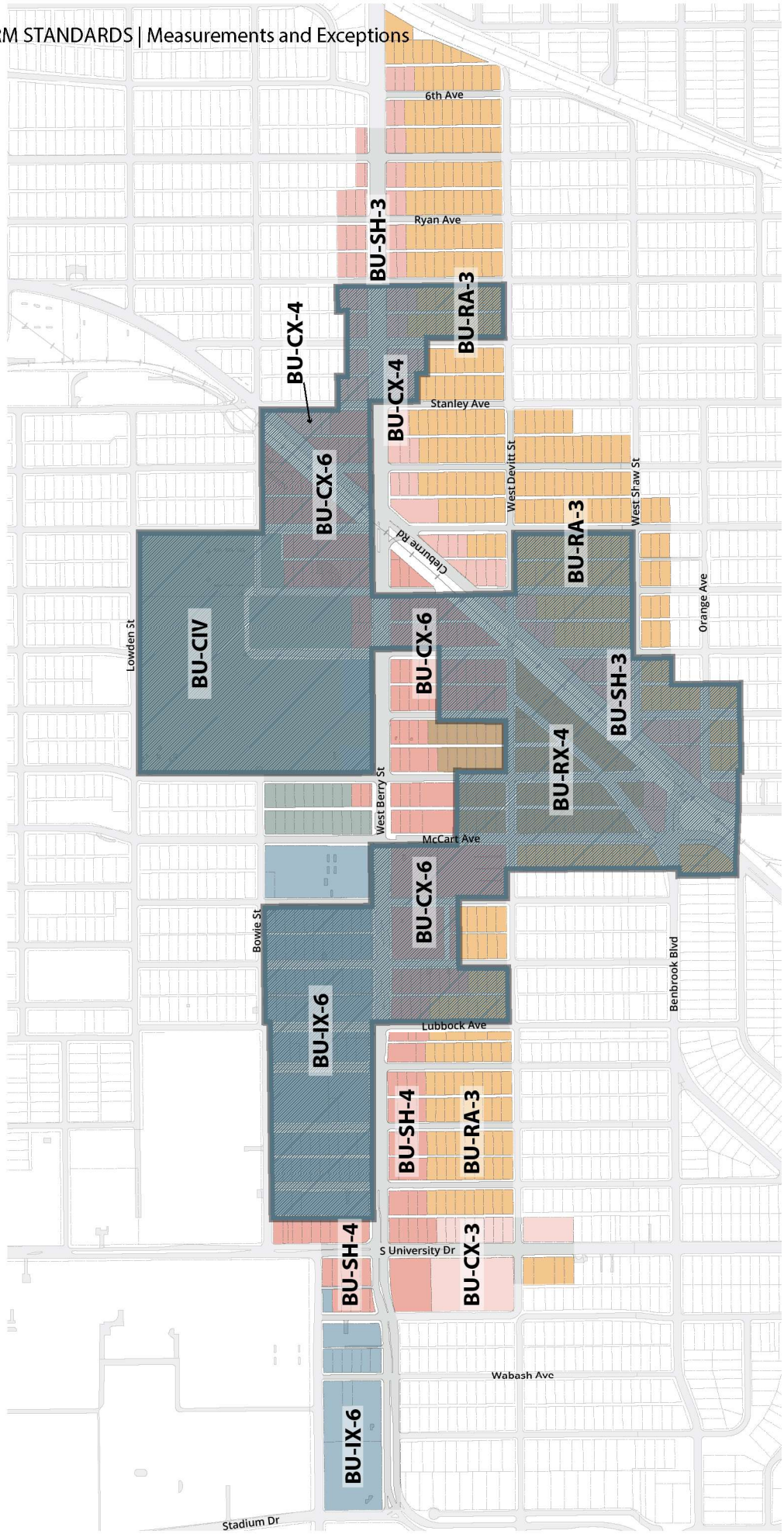
A. All existing stormwater requirements are met without the need for any variance or waiver and a stormwater facility maintenance agreement is executed;

   1. An additional 1 inch of rainfall is retained on-site for a minimum of 24-hours or until the end of the rainfall event, whichever is longer. It is anticipated that the stormwater storage facility will require a manually operated discharge valve or a specifically designed ground infiltration system. Early coordination with SDS is recommended.

   2. The additional setback is used for landscape, stormwater and pedestrian and bicycle facilities; and

   3. A stormwater measure that is visible to the public is employed and educational signage is provided to raise awareness of the general public about the stormwater measures employed.

Sec. 2.10.4. Stormwater Management Bonus Map



Stormwater Management Bonus Area

The Stormwater Management Bonus Area overlays known flood prone areas based on the "Zoo Creek Storm Drain Study" and this information is available to help set project finished floor elevations (FFE). Please contact the Stormwater Division for the latest available data.

ARTICLE 3. LAND USE PROVISIONS

Div. 3.1. Permitted Uses 3-2
Sec. 3.1.1. Use Classification 3-2
Sec. 3.1.2. Allowed Use Table 3-4

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Sec. 3.2.2. Drive-In Restaurant or Business 3-13
Sec. 3.2.3. Nonresidential Uses in BU-RX 3-13
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Div. 3.1. Permitted Uses

Sec. 3.1.1. Use Classification

A. Allowed Uses

Sec. 3.1.2 establishes allowed principal and accessory uses. No building or lot may be used except for a purpose permitted in the zoning district in which it is located. Uses not specifically listed must be approved by the FBC Administrator in accordance with Sec. 3.1.1.B.

B. Unlisted Uses

1. Principal Uses

   a. A principal use not specifically listed in Sec. 3.1.2 is prohibited. If a principal use is not listed then the FBC Administrator will, upon the request of any interested party, make a determination within which zoning district, if any, a proposed use is allowed.

   b. When determining whether a proposed use is similar to a listed use, the FBC Administrator will consider the following criteria:

      i. The actual or projected characteristics of the proposed use;

      ii. The relative amount of site area or floor area and equipment devoted to the proposed use;

      iii. Relative amounts of sales;

      iv. The customer type;

      v. The relative number of employees;

      vi. Hours of operation;

      vii. Building and site arrangement;

      viii. Types of vehicles used and their parking requirements;

      ix. The number of vehicle trips generated;

      x. How the proposed use is advertised;

      xi. The likely impact on surrounding properties; and

      xii. Whether the activity is likely to be found independent of the other activities on the site.

   c. Where a use not listed is found by the FBC Administrator not to be similar to any other permitted use, the use can only be permitted following a text amendment.

2. Accessory Uses

   An accessory use not specifically listed in Sec. 3.1.2 is prohibited unless the FBC Administrator determines the accessory use:

   a. Is clearly incidental to and customarily found in connection with an allowed principal use;

   b. Is serving an allowed principal use;

   c. Is subordinate in area, extent and purpose to the principal use served;

   d. Contributes to the comfort, convenience or needs of occupants, business or industry in the principal use served; and

   e. Is located on the same lot as the principal use served.

C. Key to the Allowed Use Table

1. Permitted Uses (P)

A "P" in a cell indicates that a use is allowed by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this Code and the Zoning Ordinance. A "P*" in any cell means that supplemental use standards apply. The specific section number of the standard is noted in the right-hand column, titled "Supplemental Use Standards."

2. Special Exception Required (SE)

An "SE" in a cell indicates that a use is allowed only if reviewed and approved as a special exception use, in accordance with the review procedures of Chapter 3, Article 3 of the Zoning Code. An "SE*" in any cell means that supplemental standards use also apply. The specific section number of the standard is noted in the right-hand column, titled "Supplemental Use Standards."

3. Uses Not Allowed

A "--" indicates that a use is not allowed in the respective district.

Sec. 3.1.2. Allowed Use Table

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Residential Uses							
Household Living							
One-family detached dwelling	P	--	--	--	--	--	
One-family detached dwelling with secondary dwelling unit	P*	--	--	--	--	--	Sec. 3.2.1
~~Two-family detached~~	P	--	--	--	--	--	
~~Duplex/two-family attached dwelling~~	P	--	--	--	--	--	
One-family attached town house	P	P	P	--	P	--	
Manor House (up to 5 units)	P	P	P	P	P	--	
Multifamily dwelling (6+ units)	--	P	P	P	P	--	
One dwelling unit (when part of a business or civic use)	--	--	P	P	P	P	
Group Living							
Boarding House	--	--	--	--	--	--	
Community Home	P*	P*	P*	P*	P*	--	§ 5.110 (Zoning Code)
Group Home I	P*	P*	P*	P*	--	--	§ 5.115 (Zoning Code)
Group Home II	--	P*	P*	P*	--	--	§ 5.115 (Zoning Code)
Halfway House	--	--	--	--	--	--	
Shelter	--	--	--	--	--	--	
Public and Civic Uses							
Education							
College or University	--	--	--	--	P	--	
Day Care Center (Child or Adult)	SE*	SE*	P	P	P	P	§ 5.111 (Zoning Code)
School, Elementary or Secondary (Public)	P	P	P	--	P	P	
School, Elementary or Secondary (Private)	--	--	P	--	P	P	
Business College or Commercial School	--	--	P	P	P	--	
Government							
Animal Shelter	--	--	--	--	--	--	
Correctional Facility	--	--	--	--	--	--	
Government Maintenance Facility	--	--	--	--	--	--	
Government							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Government Office Facility	--	P*	P	P	P	P	Sec. 3.2.3
Governmental Vehicle Storage/ Junkyard	--	--	--	--	--	--	
Museum, Library or Fine Art Center	--	--	P	P	P	P	
Probation or Parole Office	--	--	P*	P*	--	--	§ 5.127 (Zoning Code)
Health Care Facilities							
Ambulance Dispatch Station	--	--	P	--	P	P	
Assisted Living Facility	--	--	P	--	--	--	
Blood Bank	--	--	P	P	P	--	
Care Facility	--	--	P	--	--	--	
Health Services Facility, including Doctor's or Medical Office	--	P*	P	P	P	--	Sec. 3.2.3
Hospice	--	--	P	P	P	--	
Hospital	--	--	--	--	P	P	
Massage Therapy and Spa	--	P*	P	P	P	--	Sec. 3.2.3
Nursing Home (with Full Medical Services)	--	--	P	P	P	--	
Recreation							
Center, Community Recreation or Welfare	--	--	P	P	P	--	
Center, Community recreation or Welfare (private or non-profit)	--	--	P	P	P	--	
Country Club (private)	--	--	--	--	--	--	
Country Club (public)	--	--	--	--	--	--	
Golf Course	--	--	--	--	--	--	
Golf Driving Range	--	--	--	--	--	--	
Park or Playground (public or private)	P	P	P	P	P	P	
Religious							
Place of Worship	P	P	P	P	P	P	
Place of Worship Auxiliary Use	P	P	P	P	P	P	
Utilities							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Electric Power Substation	--	SE	P	P	P	P	
Gas Lift Compressor Station	--	--	--	--	--	--	
Gas Line Compressor Station	--	--	--	--	--	--	
Power Plant or Central Station Light	--	--	--	--	SE	--	
Stealth Telecommunications Towers	--	SE*	SE*	SE*	SE*	SE*	§ 5.137 (Zoning Code)
Telecommunications Antenna (on structure)	--	P*	P*	P*	P*	P*	§ 5.133 (Zoning Code)
Telecommunications Tower	--	SE*	SE*	SE*	SE*	SE*	§ 5.137 (Zoning Code)
Utility Transmission or Distribution Line	SE*	SE*	SE*	SE*	SE*	SE*	§ 5.140 (Zoning Code)
Wastewater (Sewage) Treatment Facility	--	--	--	--	--	--	
Water Supply, Treatment or Storage Facility	--	SE	SE	SE	SE	SE	
Commercial Uses							
Entertainment and Eating							
Amusement, Indoor	--	--	P	P	P	--	
Amusement, Outdoor	--	--	--	--	--	--	
Baseball, Softball Facility (commercial)	--	--	--	--	--	--	
Bar, Tavern, Cocktail Lounge; Club, Private or Teen	--	--	P	P	P	--	
Circus	--	--	--	--	--	--	
Club, Commercial or Business	--	--	P	P	P	--	
Drive-In Restaurant or Business	--	--	P*	--	--	--	Sec. 3.2.2
Health or Recreation Club	--	--	P	P	P	--	
Indoor Recreation	--	--	P	P	P	--	
Lodge or Civic Club	--	--	P	P	P	--	
Museum/Cultural Facility	--	--	P	P	P	--	
Racing: Horse, Dog or Automotive	--	--	--	--	--	--	
Restaurant, Cafe, Cafeteria	--	P*	P	P	P	--	Sec. 3.2.3
Sexually Oriented Business	--	--	--	--	--	--	
Shooting or Weapons Firing Range	--	--	--	--	--	--	
Entertainment and Eating							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Stable, Commercial, Riding, Boarding or Rodeo Arena	--	--	--	--	--	--	
Swimming Pool, Commercial	--	--	--	--	---	--	
Theater, Drive-In	--	--	--	--	--	--	
Theater, Movie Theater or Auditorium	--	--	P*	P*	P*	--	§ 5.138 (Zoning Code)
Lodging							
Bed and Breakfast Home	SE*	SE*	P*	P*	P*	--	§ 5.106 (Zoning Code)
Bed and Breakfast Inn	--	--	P	P	P	--	
Hotel, Motel or Inn	--	--	P	P	P	--	
Recreational Vehicle Park	--	--	--	--	--	--	
Office							
Bank, Financial Institution	--	--	P	P	P	--	
Office	--	P*	P	P	P	--	
Retail Sales and Service							
Antique Shop	--	P*	P	P	P	--	Sec. 3.2.3
Appliance, Sales, Supply or Repair	--	P*	P	P	P	--	Sec. 3.2.3
Bakery	--	P*	P	P	P	--	Sec. 3.2.3
Barber or Beauty Shop	--	P*	P	P	P	--	Sec. 3.2.3
Boat Rental or Sales	--	--	--	--	--	--	
Book, Stationary Stores or Newsstand	--	P*	P	P	P	--	Sec. 3.2.3
Burglar Alarm Sales and Service	--	P*	P	P	P	--	Sec. 3.2.3
Caterer or Wedding Service	--	P*	P	P	P	--	Sec. 3.2.3
Clothing/Wearing Apparel Sales, New	--	P*	P	P	P	--	Sec. 3.2.3
Clothing/Wearing Apparel Sales, Used	--	P*	P	P	P	--	Sec. 3.2.3
Convenience Store	--	P*	P	P	P	--	Sec. 3.2.3
Copy Store or Commercial Print Without Off-Set Printing	--	P*	P	P	P	--	Sec. 3.2.3
Dance Studio	--	P*	P	P	P	--	Sec. 3.2.3
Dressmaking, Custom; Millinery Shop	--	P*	P	P	P	--	Sec. 3.2.3
Retail Sales and Service							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Duplicating Services	--	P*	P	P	P	--	Sec. 3.2.3
Farmer's Market	--	--	P	P	P	--	
Feed Store, No Processing/Milling	--	P*	P	P	P	--	Sec. 3.2.3
Firewood Sales	--	--	P*	P*	P*	--	§ 5.113 (Zoning Code)
Furniture Sales, New and Used (Office and Residential) in a Building	--	P*	P	P	P	--	Sec. 3.2.3
Furniture Upholstery, Refinishing or Resale	--	P*	P	P	P	--	Sec. 3.2.3
General Merchandise Store	--	P*	P	P	P	--	Sec. 3.2.3
Greenhouse or Plant Nursery	--	P*	P	P	P	--	Sec. 3.2.3
Grocery Store, Meat Market	--	P*	P	P	P	--	Sec. 3.2.3
Gunsmithing, Repair or Sales	--	--	P	P	P	--	
Home Improvement Sales	--	P*	P	P	P	--	Sec. 3.2.3
Interior Decorating	--	P*	P	P	P	--	Sec. 3.2.3
Kennel	--	--	--	--	--	--	
Large Retail Store	--	--	P	P	P	--	
Laundry or Dry Cleaning Collection Office	--	P*	P	P	P	--	Sec. 3.2.3
Laundry, Dry Cleaning or Washeteria	--	P*	P	P	P	--	Sec. 3.2.3
Leather Goods Shop	--	P*	P	P	P	--	Sec. 3.2.3
Liquor or Package Store	--	--	P	P	P	--	
Locksmith	--	P*	P	P	P	--	Sec. 3.2.3
Medical Supplies/Equipment Sales	--	P*	P	P	P	--	Sec. 3.2.3
Mini-Warehouse	--	--	--	--	--	--	
Mortuary or Funeral Home	--	--	--	--	--	--	
Newspaper Distribution Center	--	--	--	--	--		
Optician	--	P*	P	P	P	--	Sec. 3.2.3
Pawn Shop	--	--	P*	P*	--	--	§ 5.125 (Zoning Code)
Pharmacy (Drug Store)	--	P*	P	P	P	--	Sec. 3.2.3
Photograph, Portrait/Camera Shop or Photo Finishing	--	P*	P	P	P	--	Sec. 3.2.3
Recording Studio	--	P*	P*	P*	P*	--	§ 5.128 (Zoning Code) Sec. 3.2.3
Retail Sales, General	--	P*	P	P	P	--	
Retail Sales and Service							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Saddle or Harness, Repair or Sales	--	P*	P	P	P	--	Sec. 3.2.3
Shoe Shine Shop	--	P*	P	P	P	--	Sec. 3.2.3
Studio, Art or Photography	--	P*	P	P	P	--	Sec. 3.2.3
Tailor, Clothing or Apparel Shop	--	P*	P	P	P	--	Sec. 3.2.3
Tattoo Parlor	--	--	P	P	P	--	
Taxidermist Shop	--	--	P	P	P	--	
Veterinary Clinic, indoor	--	--	P*	P*	P*	--	§ 5.142 (Zoning Code)
Veterinary Clinic, outdoor	--	--	--	--	--	--	
Vehicle Sales and Service							
Auto Parts Supply, Retail	--	--	P	P	--	--	
Automotive Repair; Paint and Body Shop	--	--	P*	--	--	--	§ 5.104 (Zoning Code)
Car Wash, Full or Self-Service	--	--	--	--	--	--	
Gasoline Sales	--	--	SE	--	--	--	
Mobile Home or Manufactured Housing Sales	--	--	--	--	--	--	
Recreational Vehicle (RV) Sales/ Service	--	--	--	--	--	--	
Service Station	--	--	SE	--	--	--	
Towing Yard w/ Office	--	--	--	--	--	--	
Truck Stop w/ Fuel and Accessory Services	--	--	--	--	--	--	
Vehicle Junkyard	--	--	--	--	--	--	
Vehicle Sales or Rental; Including Automobiles, Motorcycles, Boats or Trailers	--	--	--	--	--	--	
Vehicle Steam Cleaning	--	--	--	--	--	--	
Light Industrial Uses							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Light Industrial Services							
Assaying	--	--	--	--	--	--	
Assembly of Pre-Manufactured Parts, Except for Vehicles, Trailers, Airplanes or Mobile Homes	--	--	--	--	--	--	
Bottling Works, Milk or Soft Drinks	--	--	--	--	--	--	
Brewery, Distillery or Winery	--	--	P	P	--	--	
Carpet and Rug Cleaning	--	--	--	--	--	--	
Chicken Battery or Brooder	--	--	--	--	--	--	
Coal, Coke or Wood Yard	--	--	--	--	--	--	
Cottage Manufacturing Uses	--	P*	P	P	--	--	Sec. 3.2.3
Crematorium	--	--	--	--	--	--	
Electroplating	--	--	--	--	--	--	
Fabricating of Manufactured Housing, Temporary or Office Building	--	--	--	--	--	--	
Food Processing (no slaughtering)	--	--	P	P	--	--	
Furniture Sales, w/ Outside Storage/ Display (new/used)	--	--	--	--	--	--	
Galvanizing, Small Utensils	--	--	--	--	--	--	
Machine Shops	--	---	--	--	--	--	
Manufacture of Artificial Flowers, Ornaments, Awnings, Tents, Bags, Cleaning/Polishing Preparations, Boats Under 28'	--	--	--	--	--	--	
Manufacture of Aluminum, Brass or Others Metals or from Bone, Paper, Rubber, leather	--	--	--	--	--	--	
Manufactured Home/RV Repair	--	--	--	--	--	--	
Monument/Marble Works, Finishing and Carving Only	--	--	P	P	--	--	
Monument Works, Stone	--	--	P	P	--	--	
Outdoor Sales and Storage	--	--	--	--	--	--	
Paint Mixing or Spraying	--	--	--	--	--	--	
Paper Box Manufacture	--	--	--	--	--	--	
Light Industrial Services							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Pattern Shop	--	--	--	--	--	--	
Printing, Lithographing, Book-Binding, Newspapers or Publishing	--	--	P	P	P	--	
Rubber Stamping, Shearing/ Punching	--	--	--	--	--	--	
Rubber Stamp Manufacture	--	--	--	--	--	--	
Sheet Metal Shop	--	--	--	--	--	--	
Warehouse or Bulk Storage	--	--	--	--	--	--	
Welding Shop, Custom Work (not structural)	--	--	P	P	--	--	
Yards, Contractors, Lumber or Storage, Automobiles, Storage Yards, Building Materials	--	--	--	--	--	--	
Heavy Industrial Uses							
Heavy Industrial Manufacturing	--	--	--	--	--	--	
Transportation							
Airport, Aviation Field, Helistop or Landing Area	--	--	--	--	--	--	
Passenger Station	--	--	P	--	--	--	
Railroad Freight or Classification Yard	--	--	--	--	--	--	
Railroad Roundhouse or Railroad Car Repair Shop	--	--	--	--	--	--	
Railroad Tracks, Team, Spur or Storage	--	--	--	--	--	--	
Terminal: Truck, Freight, Rail or Water	--	--	--	--	--	--	
Waste Related							
Landfill, Recycling Center, Household Hazardous Waste or Waste Tire Facility	--	--	--	--	--	--	
Pet Cemetery	--	--	--	--	--	--	
Recycling Collection Facility	--	--	SE*	--	--	--	§ 5.130 (Zoning Code)
Salvage Yard (other than automotive)	--	--	--	--	--	--	
Wholesale Trade							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Wholesale: Bakery, Produce Market or Wholesale House	--	--	--	--	--	--	
Wholesale Office or Sample Room	--	--	--	--	--	--	
Other Uses							
Agriculture							
Agricultural Uses	--	--	--	--	--	--	
Community Garden	P	P	P	P	P	P	
Fresh Water Fracture Ponds and Production	--	--	--	--	--	--	
Gas Drilling and Production	P*	P*	P*	P*	P*	P*	Ch. 15, Gas City Code
Oil Drilling and Production	--	--	--	--	--	--	
Stockyards or Feeding Pens (commercial)	--	--	--	--	--	--	
Urban Agriculture	P*	P*	P*	P*	P*	P*	§ 5.146 (Zoning Code)
Accessory Uses							
Accessory Use or Building	P	P	P	P	P	P	
Home Occupation	P*	P*	P*	P*	P*	--	§ 5.116A (Zoning Code)
Outdoor Display	--	P*	P*	P*	P*	--	Sec. 4.5.2
Outdoor Storage	--	--	--	--	--	--	
Satellite Antenna (dish)	P	P	P	P	P	P	
Stable, Stockyards or Feeding Pens (noncommercial)	--	--	--	--	--	--	
Solar Energy Equipment	P	P	P	P	P	P	
Wind Energy Equipment	P	P	P	P	P	P	
Rain Water Harvesting Equipment	P	P	P	P	P	P	
Utility Equipment (includes electrical transformers, gas meters, etc.)	P	P	P	P	P	P	
Temporary Uses							
Amusement, Outdoor	--	SE*	SE*	SE*	SE*	SE*	§ 5.400 (Zoning Code)
Batch Plant, Concrete or Asphalt	--	--	--	--	--	--	
Garage or Other Occasional Sale	P*	P*	P	P	P	--	§ 5.402 (Zoning Code)
Model Home	--	--	--	--	--	--	
Residence for Security Purposes	--	--	--	--	--	--	
Temporary Uses							

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

	BU-RA-	BU-RX-	BU-CX-	BU-SH-	BU-IX-	BU-CIV	Supplemental Use Standards
Trailer, Portable, Sales, Construction or Storage	--	--	--	--	--	--	
Vendor, Food, Mobile Food Court	--	--	P*	P*	--	--	Sec. 3.2.4
Vendor, Merchandise	--	--	P*	P*	--	--	Sec. 3.2.4
Vendor, Transient	--	--	P*	P*	--	--	Sec. 3.2.4

P = Permitted, P* = Permitted w/ Special Standards, SE = Special Exception, SE* = Special Exception w/ Special Standards, -- = Not Permitted

Div. 3.2. Use Standards

Sec. 3.2.1. Secondary Dwelling Unit

A. General

1. The main dwelling unit must exist on the lot or will be constructed in conjunction with the secondary dwelling unit.
2. No more than one secondary dwelling unit per lot is allowed.

B. Living Area

No more than one person per 250 square feet of living area can occupy the secondary dwelling unit.

C. Size

The maximum size cannot exceed 33% of the main dwelling unit's square footage or 1,000 square feet, whichever is less.

D. Parking

Additional on-site parking spaces may be required for a secondary dwelling unit under Sec. 4.1.3.A.

Sec. 3.2.2. Drive-In Restaurant or Business

A. Adequate space must be made available on-site for the stacking, storage and queuing of vehicles.

B. Where allowed, vehicles using drive-in or drive-thru facilities may not encroach on or interfere with the public use of streets and sidewalks by vehicles or pedestrians.

C. All drive-thru areas, including but not limited to menu boards, stacking lanes, trash receptacles, ordering box, drive up windows, and other objects associated with the drive-thru, must be located to the side or rear of the building. Drive-thru windows and lanes may not be placed between a public street (not including an alley) and the associated building.

Sec. 3.2.3. Nonresidential Uses in BU-RX

A. Must be located within a residential building, cannot be located in a standalone building;

B. Must be located on the ground floor; and

C. The total amount of nonresidential floor area per building cannot exceed 2,000 square feet.

Sec. 3.2.4. Mobile Vendors

The requirements of § 5.406 of the Zoning Code apply, except as listed below:

A. § 5.406.C.3.

B. § 5.406.C.4.

C. § 5.406.C.13.

D. § 5.406.D.1.

E. § 5.406.D.2.

F. § 5.406.F.1.e. is replaced as follows:

   Restrooms must be provided within the boundaries of the Mobile Vendor Food Court. At least 1 restroom must be provided for each Mobile Vending Unit.

G. § 5.406.F.2.

H. § 5.406.F.3.

I. § 5.406.F.5.

J. § 5.406.F.6.

K. § 5.406.F.7.

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Div. 4.1. Parking and Access

Sec. 4.1.1. Vehicular Access

A. General

1. Primary street curb-cuts are not permitted except where there is no platted or improved alley to provide access.

2. Where a platted or improved alley exists, all primary street curb-cuts must be eliminated and access taken from the alley or side street at the time of construction.

3. In the absence of an alley, the side street must be used for vehicular access.

B. ~~Alley Improvements~~

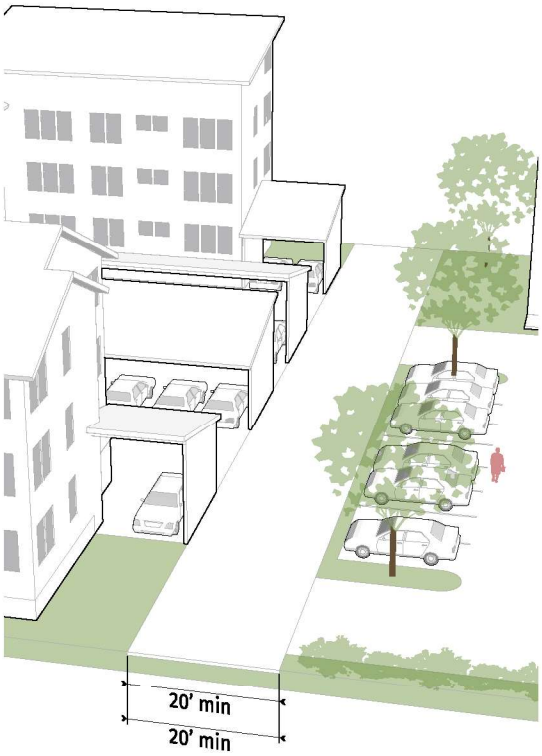
~~Alleys must be improved to meet the following minimum requirements. Paving surfaces must meet all Transportation and Public Works Department standards.~~

1. ~~BU-RA~~

~~Tracks can be utilized but behind the subject property the alley must be paved for the full 12 feet.~~

2. ~~BU-RX~~

3. ~~All Other Districts~~



Sec. 4.1.2. Pedestrian Access

A. Access

All development must provide safe, direct and convenient pedestrian access connecting public streets and parking lots to primary building entrances, and to all other uses in the development that allow for public access.

B. Pedestrian Facilities

1. Pedestrian access must consist of an accessible, easily discernible, well-lit, and ADA compliant walkway a minimum of 5 feet in width.
2. The pedestrian access surface located on private property must be paved with fixed, non-slip semi-pervious or impervious materials.
3. Pedestrian access routes between buildings and parking areas must be physically separated from drive aisles, except when crossing a drive aisle.
4. Where a pedestrian walkway crosses a drive aisle, the walkway must have a continuous surface treatment across the drive aisle.

Sec. 4.1.3. Vehicle Parking

Vehicle parking spaces must be provided in accordance with the following tables. In determining the required number of parking spaces, fractional spaces are rounded to the nearest whole number, with one-half or more counted as an additional space.

A. Residential: one space per bedroom.

B. Residential in a Mixed Use Building

Applies to residential in a mixed use building where office, entertainment and eating, and retail sales and service combined constitute 10% or more of the building's gross floor area.

	Minimum	Maximum
Not within 250' of One or Two Family zoned property	None required	see Sec. 4.1.3.A
Within 250' of One or Two Family zoned property	see Sec. 4.1.3.A	see Sec. 4.1.3.A

C. Nonresidential

	Requirement as a percentage of standard in §. 6.201.B (Zoning Code)	
	Minimum	Maximum
Not within 250' of One or Two Family zoned property	None required	100%
Within 250' of One or Two Family zoned property	75%	100%
Within 250' of One or Two Family zoned property and within 1,320' of a rail transit station	50%	100%

Sec. 4.1.4. Location of Vehicle Parking

Required vehicle parking must be located on the same lot as the use they are intended to serve, except as listed below.

A. On-Street Parking

1. One on-street parking space may be substituted for every required parking space, provided the on-street space is located on a public right-of-way immediately abutting the subject property. On-street parking spaces do not count towards the parking maximum.

2. Each on-street parking space may only be counted for one property. Where a space straddles an extension of a property line, the space may only be counted by the owner whose property abuts 50% or more of the on-street parking space.

B. Remote Parking

1. All required parking spaces, except required accessible spaces, can be located off site if the remote parking area is located within 500 feet from the primary entrance of the use served.

2. Up to 50% of the required parking spaces may be located more than 500 feet off site, if the parking area is located within 1,320 feet from the primary entrance of the use served.

3. All remote parking spaces used to meet an off-street parking requirement must be located within the boundaries of the University Berry Form District. Remote parking lots are not allowed in an RA- District.

4. The off-site parking area is measured in walking distance from the nearest point of the remote parking area to the primary entrance of the use served.

5. All remote parking must have a City-approved remote parking agreement as part of the approved site plan.

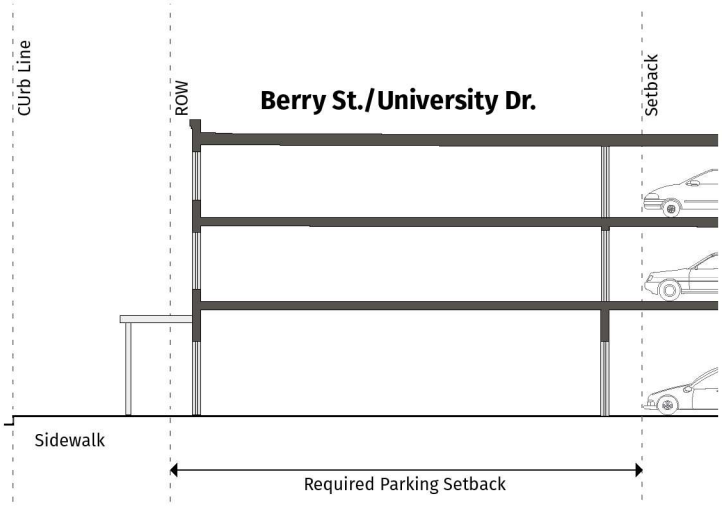
Sec. 4.1.5. Parking Setbacks

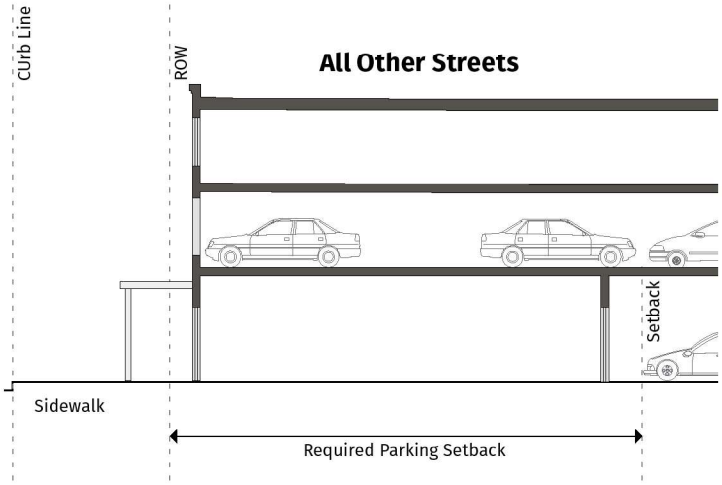
A. All parking spaces must be located behind the parking setback line (surface and structured). In almost all cases, this will prohibit parking between the building and the street. Parking below and covered by the ground may encroach into a required parking setback but cannot extend into a required easement or the right-of-way.

B. The parking setback applies to ground stories only, except for lots with frontage on Berry Street or University Drive.

C. For lots with frontage on Berry Street or University Drive, the parking setback applies to both ground and upper stories.

D. Parking setbacks are measured from the right-of-way.

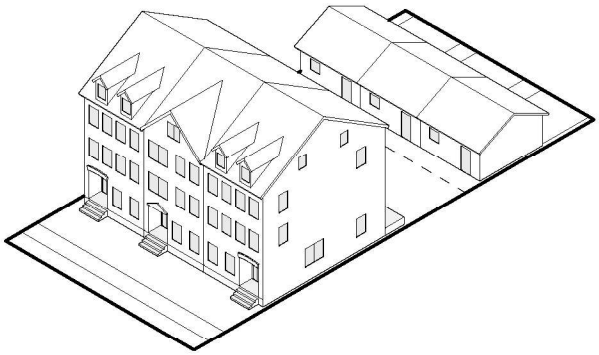




E. Residential Garages

1. Residential garages must be placed entirely to the rear of the unit and be rear-accessed. The garage can be attached or detached.

2. All garage doors must face the rear alley or easement.



Sec. 4.1.6. Bicycle Parking

See § 6.204 of the Zoning Code.

Sec. 4.1.7. Vehicle Loading

A. Applicability

If determined necessary by the FBC Administrator, adequate space must be made available on-site for the unloading and loading of goods, materials, items or stock for delivery and shipping, otherwise on-site loading space is not required.

B. Location

If a loading area is provided or required, it must meet the following.

1. With the exception of areas specifically designated by the City, loading and unloading activities are not permitted in a public street, not including an alley.

2. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, stacking areas and parking areas by vehicles, bicycles or pedestrians.

3. Loading areas must be located to the rear of buildings.

4. Loading areas may not be placed between a public street (not including an alley) and the associated building.

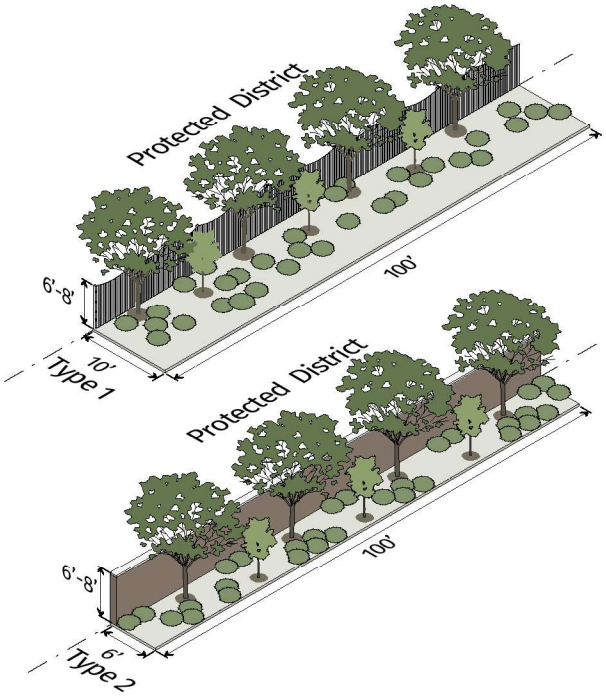
5. No loading area is permitted within 50 feet of a ground floor residential use (measured from the residential lot line to the closest point of the loading area).

Div. 4.2. Landscaping

Sec. 4.2.1. Buffers

A. ~~Buffers Required~~

~~One of the following buffer options is required along any perimeter lot line that abuts a protected district. Property separated by an alley is not considered abutting.~~



Buffer	Type 1	Type 2
~~Depth~~	~~10' min~~	~~6' min~~
~~Wall Height~~	~~Optional 8' max~~	~~Required 6' min 8' max~~
~~Fence Height~~	~~Required 6' min 8' max~~	~~Optional 8' max~~
~~Large canopy trees (per 100')~~	~~4 min~~	~~4 min~~
~~Small or medium canopy trees (per 100')~~	~~3 min~~	~~3 min~~
~~Shrubs (per 100')~~	~~30 min~~	~~30 min~~

B. Planting Requirements

1. Trees

Trees planted to meet a buffer requirement must be distributed so that there are no horizontal gaps between trees greater than 30 feet, measured along the property line.

Trees in the parkway shall be spaced accordingly:

1. Small and medium canopy trees: 15'-25' on center
2. Large canopy trees: 30'-40

2. Shrubs

a. Shrubs planted to meet a buffer requirement must be chosen from the approved native plant list found in §6.301, Table A, Recommended List of Native Plants for Landscape Use in North Central Texas.

b. All shrubs must be a minimum of 2 feet tall when planted.

c. 75% of all shrubs planted to meet the buffer requirements must be evergreen.

3. Walls

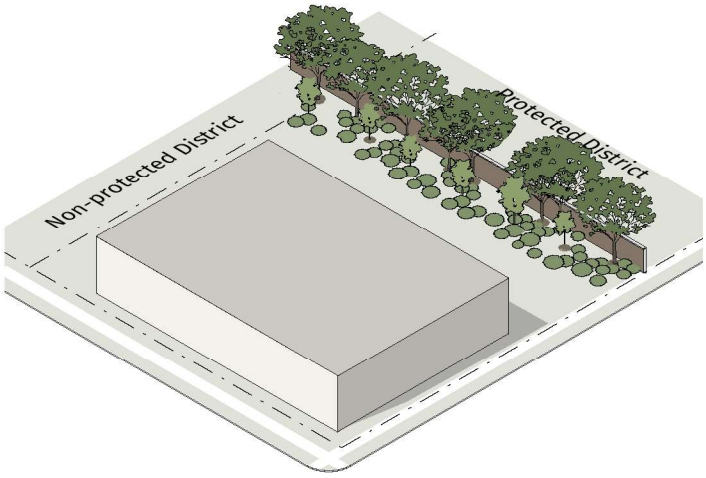
A wall installed to meet a buffer requirement must be opaque and be constructed of decorative block, brick, stone, cast-stone, split-faced block, stucco over standard concrete masonry blocks or glass block.

4. Fences

A fence installed to meet a buffer requirement must be opaque and be constructed of wood or composite material.

C. Location

1. A required buffer must be located within the outer perimeter of the lot, parallel to and extending to the property boundary line. A required buffer must be provided along the entire frontage immediately abutting the protected district.



2. A required buffer may not be located on any portion of an existing, dedicated or reserved right-of-way.

3. The buffer is not permitted within an easement. The required buffer must abut the easement.

D. Encroachments

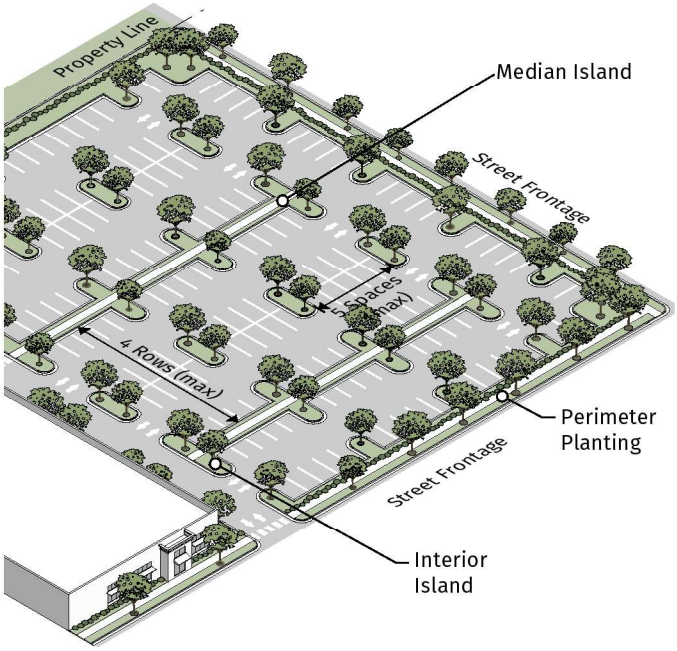
1. The parking of vehicles and the placement of buildings, signs or structures, except for walls, fences and landscaping, are not allowed in a required buffer.

2. Breaks for pedestrian, bicycle and vehicle access are allowed. Driveways or walkways must cross a buffer at or near a perpendicular angle as practical.

Sec. 4.2.2. Parking Lots

A. Applicability

Parking lot landscaping is required for all on-site vehicle parking areas with more than 10 spaces. Multiple platted lots contained on a single site plan, under one owner or development entity, and any separate parking areas connected with drive aisles are considered a single parking area.



B. Trees in Surface Parking Lots

All new construction projects shall provide at least 40 tree canopy coverage of surface parking lots.

C. All parking areas shall be screened along side lot lines as developed. When building across lot lines, parking areas shall be screened on development boundary.

D. Perimeter Planting

One of the following perimeter screens is required along the outer perimeter of all parking areas (of any size) abutting a public or private street (not including an alley), excluding breaks for pedestrians, bicycles and driveways.

1. Perimeter Planting with Shrubs

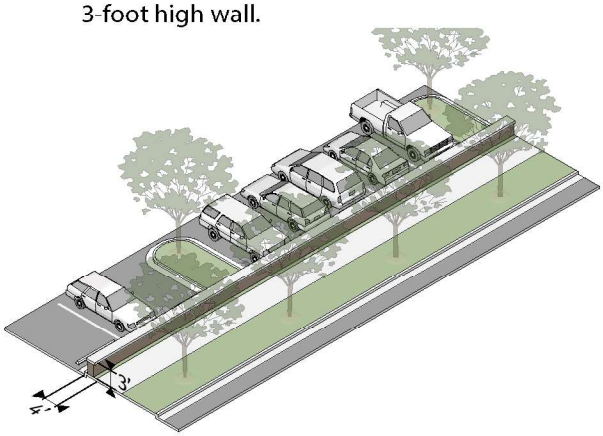
a. A minimum 6-foot wide landscape strip planted with 3-foot high continuous row of shrubs.

b. All required shrubs must be of a species that under typical conditions are expected to reach a minimum height and spread of 3 feet within 3 years of planting. All shrubs must be a minimum of 2 feet tall when planted.

c. All required shrubs must form at least one continuous row of shrubs.

2. Perimeter Planting with Wall

A minimum 4-foot wide landscape strip with a 3-foot high wall.



E. Curbing

Curbing must have openings to allow drainage to enter and percolate through landscaped areas.

Sec. 4.2.3. Plant Material

A. General Provisions

1. Plant materials must be able to survive on natural rainfall once established with no loss of health.

2. No artificial plants, trees, or other vegetation may be installed as required landscaping.

3. Required landscaping must be installed for full root contact with the surrounding subgrade. Planters planted on paved surfaces are not permitted.

4. Shrubs cannot be planted within the critical root zone of any tree.

B. Large Canopy Trees - 30' to 40' spacing.

1. Large canopy trees must be selected § 6.302 Table F. Preferred Tree List.

2. Large canopy trees planted to meet the landscaping requirements must have a minimum caliper of 3 inches and have a 6-foot clear trunk before branching.

C. Small and Medium Canopy Trees 10' to 25' spacing.

1. Small and medium canopy trees must be selected from § 6.302 Table F. Preferred Tree List, except Crepe Myrtles are not allowed.

2. Small and medium canopy single-stem trees planted to meet the landscaping requirements must have a minimum caliper of 2 inches and have a 5-foot clear trunk before branching.

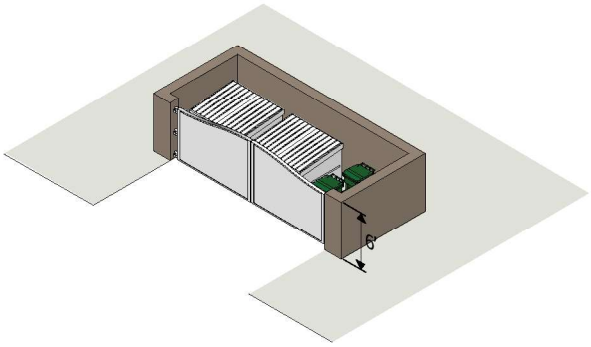
3. Small and medium canopy multi-stem trees planted to meet the landscaping requirements must have a minimum caliper of 2½ inches and have a 5-foot clear trunk before branching.

Sec. 4.2.4. Screening

A. Service Areas

1. Trash and recycling collection and other similar service areas must be located to the rear of buildings.

2. Trash and recycling collection and other similar service areas must be screened on 3 sides by a wall a minimum 6 feet in height or to the top of the equipment, whichever is higher up to 8 feet maximum and on the 4th side by a solid gate at a minimum of 6 feet in height.



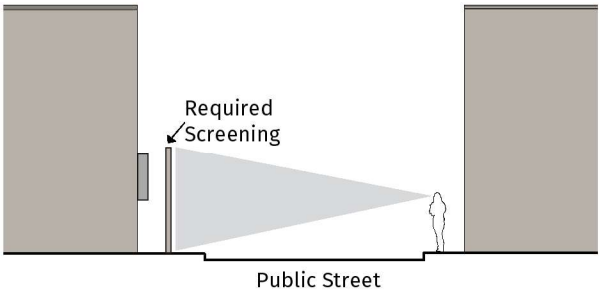
3. Trash and recycling collection and other similar service areas must be located on a concrete base.

4. The gate and wall must be maintained in good working order and must remain closed except when trash pick-ups occur.

B. Wall-Mounted Equipment

1. When feasible, wall-mounted equipment, not including antennas, must be located on non-street facing building facades or structures.

2. Wall-mounted equipment, not including antennas, located on any building facade or structure that is visible from a public street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material and color.

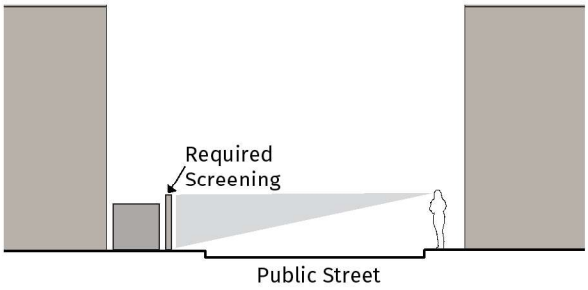


3. Screening must be of a height equal to the height of the mechanical equipment being screened.

C. Ground-Mounted Equipment

1. When feasible, all ground-mounted mechanical equipment must be located to the rear and side of buildings.

2. Ground-mounted mechanical equipment that is visible from a public street (not including an alley) must be fully screened by landscaping or an opaque wall or fence that is compatible with the principal building in terms of texture, quality, material and color.

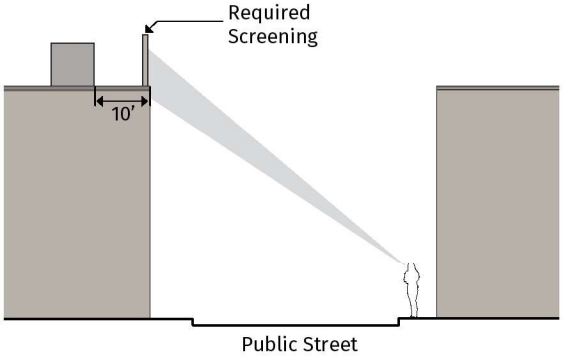


3. Screening must be of a height equal to or greater than the height of the mechanical equipment being screened.

D. Roof-Mounted Equipment

1. Roof-mounted equipment must be set back at least 10 feet from the edge of the roof and screened from ground level view from abutting property or abutting public street (not including an alley).

2. New buildings must provide a parapet wall up to 6 feet in height or other architectural element that is compatible with the principal building in terms of texture, quality, material and color that fully screens roof-mounted equipment from ground level view.



3. For buildings with no or low parapet walls, roof-mounted equipment must be screened on all sides by an opaque screen compatible with the principal building in terms of texture, quality, material and color.

Sec. 4.2.5. Walls and Fences

A. Materials

1. Walls must be constructed of high quality materials including decorative blocks, brick, stone, cast-stone, split-faced block, stucco over standard concrete masonry blocks, glass block; or other material approved by the FBC Administrator.

2. Fences must be constructed of high quality materials including; wrought iron; composite fencing; aluminum; metal; or other material approved by the FBC Administrator.

3. No wall or fence may be constructed of tires, junk, or other discarded materials.

4. Chain-link fence, barbed wire or concertina wire is prohibited.

B. Location

1. Walls and fences may be located on the lot line, except for the following:

   a. In BU-RA, a wall or fence must be set back at least 5 feet from a rear lot line that abuts a public alley.

   b. In BU-IX, a wall or fence may not be located in the Berry Street primary street yard.

2. No wall or fence may be located within any required easement.

3. The finished face of all walls and fences must be located toward the abutting property.

4. For walls and fences located outside of a required buffer, the maximum length of a continuous, unbroken and uninterrupted fence or wall plane is 50 feet. Breaks must be provided through the use of columns, landscaped areas, transparent sections or a change in material.

C. Height

1. A wall or fence located in an interior side yard or rear yard may be no more than 6 feet in height, unless used as part of a required buffer.

2. A wall or fence located in a primary street or side street yard may be no more than 4 feet in height.

3. Wall or fence height is measured from the subject property grade to the highest point of the wall or fence.

Div. 4.3. Site Lighting

Sec. 4.3.1. Applicability

A. New Fixtures

All lighting fixtures installed after the effective date of this Code must conform to all applicable standards and requirements of this Division.

B. Existing Fixtures

1. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures.

2. The installation of site lighting, replacement of site lighting and changes to existing light fixture wattage, type of fixture, mounting or fixture location must be made in compliance with this Division.

Sec. 4.3.2. Lighting Standards

A. Light Level Measuring

1. Light levels are specified, calculated and measured in footcandles. All footcandles values are maintained footcandles.

2. Measurements are to be made at ground level, with the light-registering portion of the meter held parallel to the ground pointing up.

B. Prohibited Sources

The following light fixtures and sources cannot be used:

1. Cobra-head-type fixtures having dished or drop lenses or refractors, which contain sources that are not incandescent;

2. Temporary searchlights and other high-intensity narrow-beam fixtures; and

3. Light sources that lack color correction or do not allow for uniform site lighting.

C. Design and Installation

1. The maximum light level of any light fixture cannot exceed 0.5 footcandles measured at the property line of any protected district and 2.0 footcandles measured at the right-of-way line of a street.

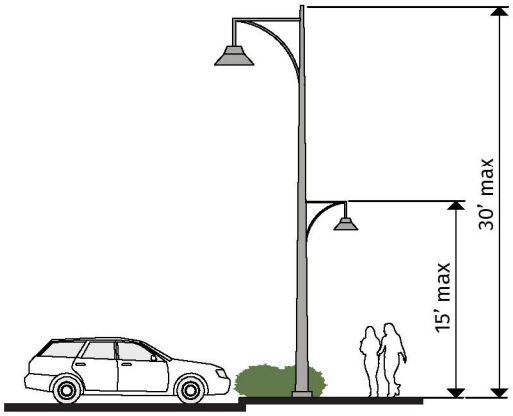
2. Lighting must not be oriented onto adjacent properties, streets or sidewalks.

3. Service connections for all freestanding lighting fixtures must be installed underground.

D. Parking and Pedestrian Areas

1. Light fixtures within vehicle parking areas may be no higher than 30 feet.

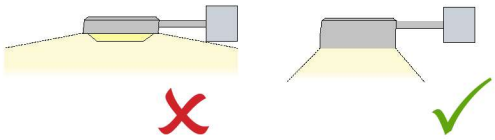
2. Light fixtures within pedestrian areas may be no higher than 15 feet.



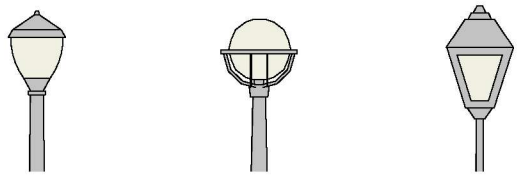
3. Light fixtures located within 50 feet of the property line of a protected district may be no higher than 15 feet.

4. Light fixtures within 25 feet of a street right-of-way (not including an alley) must be forward throw fixtures.

5. All light fixtures must be full cutoff, except as listed in paragraph 6. below.

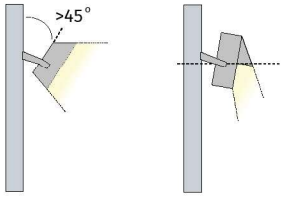


6. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9,500 initial lamp lumens. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

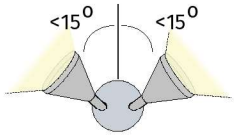


E. Flood Lights and Flood Lamps

1. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.

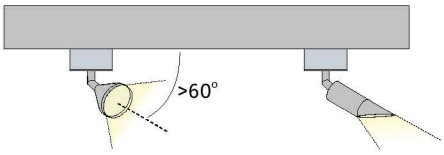


2. Any flood light fixture located within 50 feet of a street right-of-way must be mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees.



Overhead View

3. All flood lamps emitting 1,000 or more lumens must be aimed at least 60 degrees down from horizontal or shielded so that the main beam is not visible from adjacent properties or the street right-of-way.

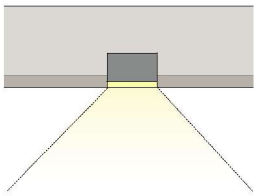


F. Vehicular Canopies

Lighting under vehicular canopies must be less than 24 maintained footcandles and be designed to prevent glare off-site. Acceptable lighting designs include the following:

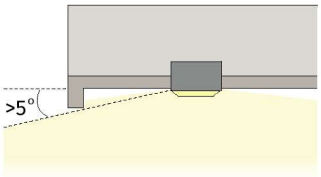
1. Recessed

   Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy;



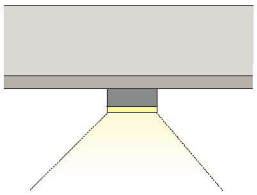
2. Shielded

   Light fixture incorporating shields or is shielded by the edge of the canopy itself, so that light is restrained to 5 degrees or more below the horizontal plane;



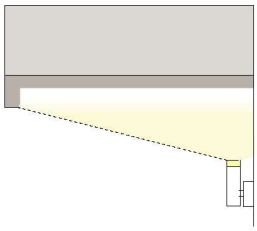
3. Surface Mounted

   Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution; or



4. Indirect

   Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy, provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the canopy.



G. Building Lighting

1. Lighting fixtures must be selected, located, aimed and shielded so that direct illumination is focused exclusively on the building facade, plantings and other intended site features and away from adjoining properties and the street right-of-way.

2. All wall pack fixtures must be full cutoff fixtures.

H. Only lighting used to accent architectural features, landscaping or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

Div. 4.4. Signs

Sec. 4.4.1. Applicability

The sign requirements of Chapter 6, Article 4 of the Zoning Code apply, except as listed below:

A. § 6.403.(f), Window Signs.

B. § 6.408, Regulations Governing On-Premise Attached Signs in Commercial and Industrial Districts.

C. § 6.409, Regulations Governing On-Premise Detached Signs in Commercial and Industrial Districts.

D. § 6.410, Unified Sign Agreements for On-Premise Signs.

Sec. 4.4.2. Sign Allowed By District

Signs are allowed by district as set forth below. Specific requirements for each sign type are shown on the following pages.

	BU-RA	BU-RX	BU-CX	BU-SH	BU-IX	BU-CIV	Standards
A-Frame Sign	--	P	P	P	P	P	Sec. 4.4.4
Awning Sign	--	--	P	P	P	P	Sec. 4.4.5
Canopy Sign	--	--	P	P	P	P	Sec. 4.4.6
Crown Sign	--	--	P	P	P	P	Sec. 4.4.7
Monument Sign	--	--	P	P	P	P	Sec. 4.4.8
Projecting Sign	--	--	P	P	P	P	Sec. 4.4.9
Shingle Sign	--	P	P	P	P	P	Sec. 4.4.10
Wall Sign	--	P	P	P	P	P	Sec. 4.4.11
Window Sign	--	--	P	P	P	P	Sec. 4.4.12

KEY: P = Sign allowed -- = Sign not allowed

Sec. 4.4.3. Sign Allocation

A. A-Frame Signs

An A-frame sign cannot exceed 6 square feet in area and only one A-frame sign per ground floor tenant space is allowed.

B. Awning Signs, Canopy Signs, Projecting Signs, Wall Signs

1. Awning signs, canopy signs, projecting signs and wall signs are allocated a combined sign area of 1.25 square foot of per linear foot of street-facing building facade, except in BU-RX.

2. In BU-RX, a wall sign cannot exceed 9 square feet in area and only 1 wall sign (or shingle sign) is allowed per ground floor tenant space.

C. Shingle Signs

A shingle sign cannot exceed 12 square feet in area and only 1 shingle sign is allowed per ground floor tenant space.

D. Crown Signs

1. No more than 2 crown signs are allowed per building and no more than 1 crown sign per building facade is allowed.

2. Crown signs cannot exceed a total sign area allocation of 80 square feet per street-facing building facade.

E. Monument Signs

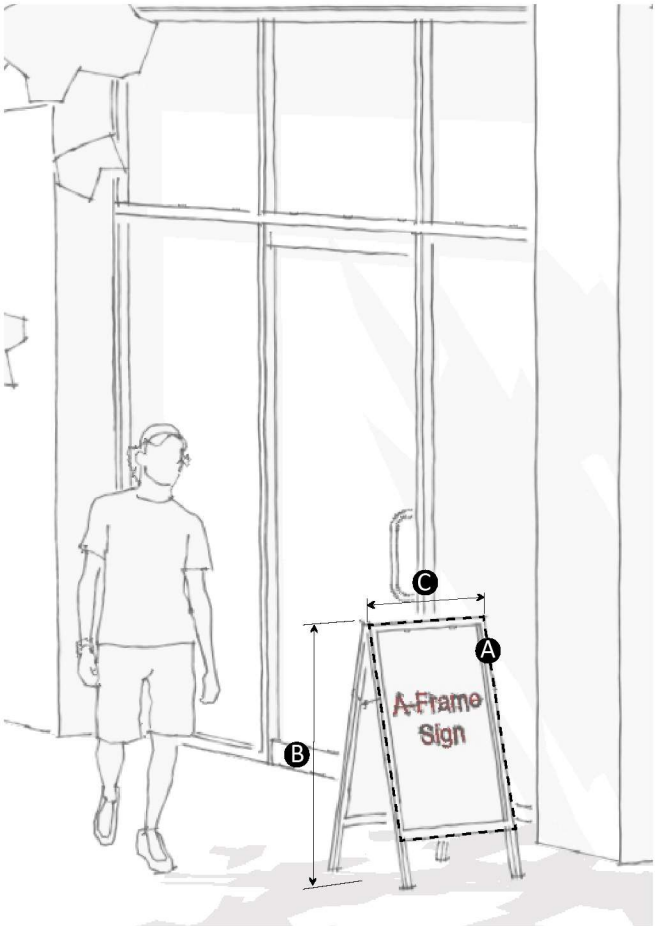
1. One monument sign is allowed per street frontage of the subject lot or site. A monument sign cannot exceed 64 square feet in area.

2. One additional monument sign is allowed for properties with 1,000 feet or more of street frontage. Where more than one monument sign is allowed, signs along the same street frontage of the subject lot or site must be spaced a minimum of 500 feet apart.

F. Window Signs

Window signs may occupy a maximum of 20% of the window area on each building facade. However, signs exceeding 10% of the window area will be included in the calculation of the maximum square footage of sign area for awning signs, canopy signs, projecting signs and wall signs.

Sec. 4.4.4. A-Frame Sign



Description
A movable sign not secured or attached to the ground or surface upon which it is located.

General Provisions
3. An A-frame sign must be placed along a building facade with a customer entrance to a ground-floor tenant space.
4. An A-frame sign must be placed no more than 12 feet from the building facade.
5. An A-frame sign must be located at least 25 feet from any other A-frame sign.
6. A-frame signs must be removed and placed indoors at the close of each business day.
7. A-frame signs must not obstruct vehicular, bicycle, or pedestrian traffic and must comply with ADA clearance and accessibility.
8. An A-frame sign cannot be illuminated.

Total Sign Area Allocation
1 A-frame sign is allowed per ground floor tenant space.

Dimensions		
A	Size of individual sign (max)	6 SF
B	Height (max)	3'
C	Width (max)	2'

Sec. 4.4.5. Awning Sign

Description

A sign where graphics or symbols are painted, sewn, or otherwise adhered to the awning material as an integrated part of the awning itself.

General Provisions

1. An awning sign cannot extend outside the awning.
2. Only awnings over ground story doors or windows may contain signs.
3. One sign is allowed per awning. A sign can be on either the front or side of the awning (but not on both).
4. An awning sign cannot be illuminated.

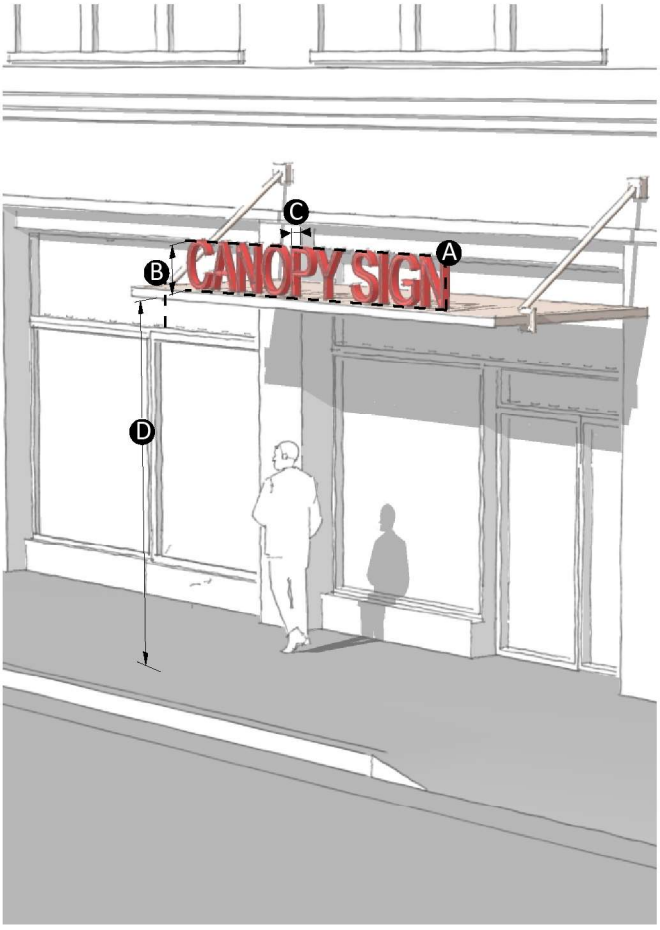
Total Sign Area Allocation

1.25 SF of sign area per linear foot of street-facing building facade or 30 SF if the frontage is less than 30 feet wide. This allocation includes area allocated for awning signs, canopy signs, projecting signs and wall signs.

Dimensions

A	Size of individual sign (max)	12 SF
B	Height (max)	2'

Sec. 4.4.6. Canopy Sign



Description

A sign attached to a canopy so that the display surface is parallel to the plane of the front building facade.

General Provisions

1. A canopy sign cannot extend outside the overall length or width of the canopy. However, a canopy sign may extend above or below the canopy.
2. Only canopies over ground story doors or windows may contain signs.
3. A maximum of one sign is allowed per canopy.
4. A canopy sign can be externally and internally illuminated in accordance with Sec. 4.4.13.

Total Sign Area Allocation

1.25 SF of sign area per linear foot of street-facing building facade or 30 SF if the frontage is less than 30 feet wide. This allocation includes area allocated for awning signs, canopy signs, projecting signs and wall signs.

Dimensions

A	Size of individual sign (max)	12 SF
B	Height (max)	2'
C	Depth (max)	8"
D	Clear height above sidewalk (min)	9'
D	Clear height above parking area or driveway (min)	14'

Sec. 4.4.7. Crown Sign

Description

A sign attached to the wall or surface of a building or structure at least 4 stories in height, the display surface of which does not project more than 2 feet from the outside wall of the building or structure.

General Provisions

1. A crown sign is only allowed on building facades at least 4 stories in height.
2. A crown sign cannot be placed below the start of the 4th story.
3. A crown sign cannot extend above the roof line.
4. A crown sign cannot cover windows or architectural details.
5. No more than 2 crown signs are allowed per building and no more than 1 crown sign per building facade is allowed.
6. A crown sign can be externally or internally illuminated in accordance with Sec. 4.4.13.

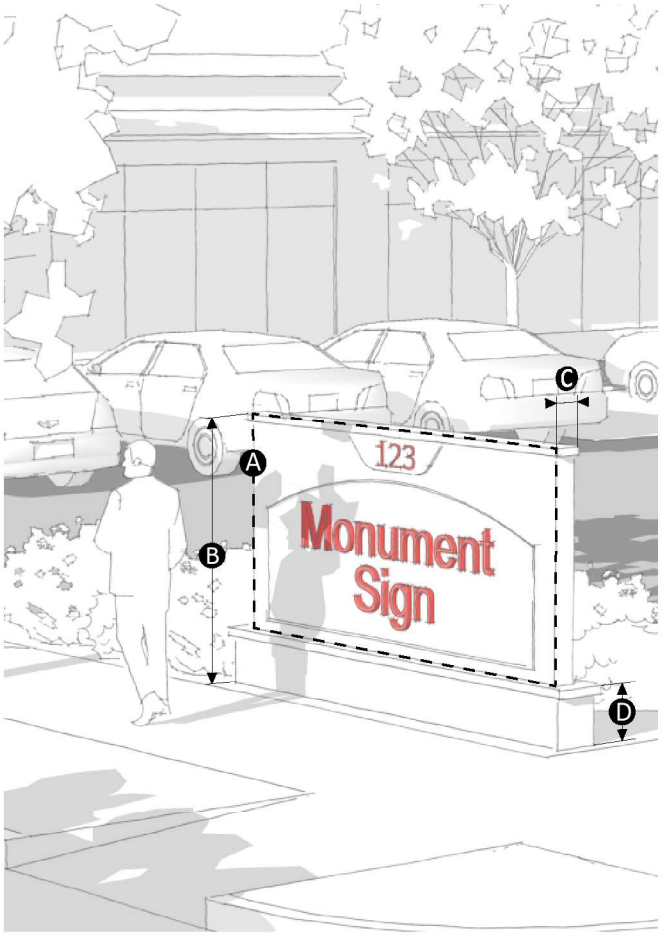
Total Sign Area Allocation

80 SF per street-facing building facade.

Dimensions

A	Height (max)	8'
	Projection - measured from building facade (max)	2'
B	Width (max)	10'

Sec. 4.4.8. Monument Sign



Description

A permanently affixed sign which is wholly independent of a building for support attached to the ground along its entire length.

General Provisions

1. A monument sign must be set back at least 5 feet from a primary or side street lot line and 10 feet from a side interior lot line.
2. A monument sign can be externally or internally illuminated in accordance with Sec. 4.4.13.

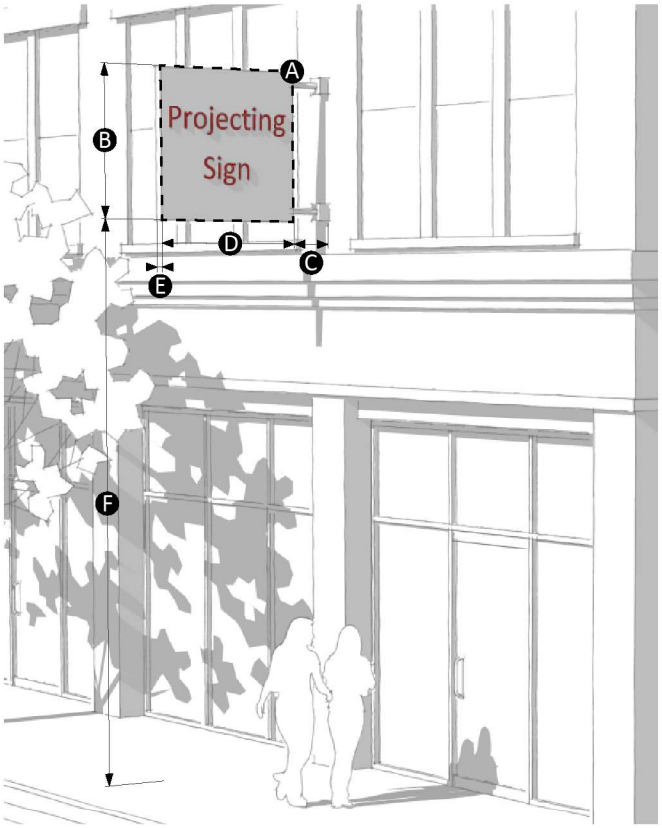
Total Sign Area Allocation

1 monument sign is allowed per street frontage of the subject lot or site, except that 1 additional monument sign is allowed for properties with 1,000 feet or more of street frontage. Where more than 1 monument sign is allowed, signs along the same street frontage of the subject lot or site must be spaced a minimum of 500 feet apart.

Dimensions

A	Size of individual sign (max)	64 SF
B	Height (max)	6'
C	Depth (max)	2'
D	Sign base height (min/max)	2'/4'

Sec. 4.4.9. Projecting Sign



Description

A sign attached to the building facade at a 90-degree angle, extending more than 1 foot from the outside wall of the building or structure.

General Provisions

1. A projecting sign must be at least 25 feet from any other shingle sign or projecting sign.
2. A projecting sign may be erected on a building corner. Allocation of sign area from both streets may be used.
3. A projecting sign can be placed no higher than 24 feet above the sidewalk, measured from the highest point of the sign to the top of the sidewalk below.
4. The top of a projecting sign can be no higher than the top of the building. However, on one story buildings, the top of a projecting sign may have a maximum of 2 feet of the sign height above the top of the building.
5. A projecting sign can be externally or internally illuminated in accordance with Sec. 4.4.13.

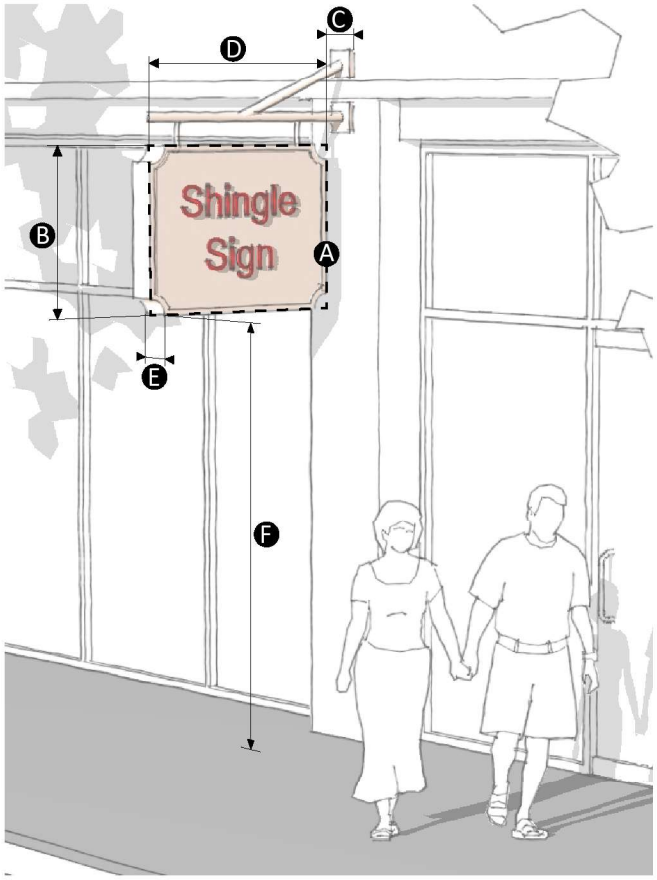
Total Sign Area Allocation

1.25 SF of sign area per linear foot of street-facing building facade or 30 SF if the frontage is less than 30 feet wide. This allocation includes area allocated for awning signs, canopy signs, projecting signs and wall signs.

Dimensions

A	Size of individual sign (max)	36 SF
B	Height (max)	6'
C	Spacing from building facade (min/max)	1'/2'
D	Projection width (max)	6'
E	Depth (max)	1'
F	Clear height above sidewalk (min)	9'
F	Clear height above parking area or driveway (min)	14'

Sec. 4.4.10. Shingle Sign



Description

A sign attached to the building facade at a 90-degree angle that hangs from a bracket or support extending more than 1 foot from the outside wall of the building or structure.

General Provisions

1. The hanging bracket must be an integral part of the sign design.
2. A shingle sign must be located below the window sills of the second story on a multi-story building or below the roof line on a single-story building.
3. A shingle sign must be located within 5 feet of an accessible building entrance.
4. A shingle sign must be at least 25 feet from any other shingle sign or projecting sign.
5. A shingle sign cannot be illuminated.

Total Sign Area Allocation

1 shingle sign is allowed per ground floor tenant space.

Dimensions

A	Size of individual sign (max)	12 SF
B	Height (max)	4'
C	Spacing from building facade (min/ max)	6"/1'
D	Projection width (max)	3'
E	Depth (max)	6"
F	Clear height above sidewalk (min)	9'
F	Clear height above parking area or driveway (min)	14'

Sec. 4.4.11. Wall Sign

Description

A sign attached to the wall or surface of a building or structure, the display surface of which does not project more than 1 foot from the outside wall of the building or structure.

General Provisions

1. A wall sign can be placed no higher than 24 feet above the sidewalk, measured from the highest point of the sign to the top of the sidewalk below.
2. No portion of a wall sign may extend above the roof line or above a parapet wall of a building with a flat roof.
3. A wall sign cannot cover windows or architectural details.
4. A wall sign can be externally or internally illuminated in accordance with Sec. 4.4.13.

Total Sign Area Allocation

1.25 SF of sign area per linear foot of street-facing building facade or 30 SF if the frontage is less than 30 feet wide. This allocation includes area allocated for awning signs, canopy signs and wall signs.

Dimensions

A	Size of individual sign (max)	
	BU-RX	9 SF
	All other districts	100 SF
B	Projection - measured from building facade (max)	1'

Sec. 4.4.12. Window Sign

Description

A sign affixed to the inside of a window or door, or a sign placed within a building less than 10 feet from a window or door so as to be plainly visible and legible through a window or door.

General Provisions

1. Window signs are only allowed on ground story windows and doors.
2. A window sign cannot be illuminated.

Total Sign Area Allocation

Window signs may occupy a maximum of 20% of the window area on each building facade. However, signs exceeding 10% of the window area will be included in the calculation of the maximum square footage of sign area for awning signs, canopy signs, projecting signs and wall signs.

Dimensions

A	Maximum combined window area of all ground story windows and doors covered by signs	20%

Sec. 4.4.13. Illumination

Illumination of signs must be in accordance with the following requirements.

1. Illumination Permitted by Sign Type

	Internal	External
A-Frame Sign	No	No
Awning Sign	No	No
Canopy Sign	Yes	Yes
Crown Sign	Yes	Yes
Monument Sign	Yes	Yes
Projecting Sign	Yes	Yes
Shingle Sign	No	No
Wall Sign	Yes	Yes
Window Sign	No	No

2. Prohibited Light Sources

   a. Blinking, flashing and chasing lights are prohibited.

   b. Colored lights used in any manner so as to be confused with or construed as traffic control devices are prohibited.

   c. Direct reflected light that creates a hazard to operators of motor vehicles are prohibited.

   d. Lights that outline property lines, sales areas, roof lines, doors, windows or similar areas are prohibited, except for seasonal lighting or very low luminosity lighting displays using multiple lamps.

   e. Exposed neon is prohibited, except when used for lettering or as building accent.

3. Internal Illumination

   a. For internally illuminated signs on a background, the background must be opaque or a darker color than the message of the sign.

External light sources

Internally lit channel letters

Back lit channel letters

Internally lit signs with darker backgrounds

b. Internally illuminated signs using channel letters may be internally lit or back-lit.

4. External Illumination

a. Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto public right-of-way or adjacent properties.

b. Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance and not obscure the sign.

Div. 4.5. Outdoor Display and Storage

Sec. 4.5.1. Applicability

The requirements of this Division apply where merchandise, material or equipment is stored outside of a completely enclosed building.

Sec. 4.5.2. Outdoor Display

A. Defined

1. The outdoor display of products actively available for sale.
2. The outdoor placement of ice storage bins, soft drink, video rentals or similar vending machines is considered outdoor display and must meet the standards below except for Sec. 4.5.2.B.2.

B. Standards

1. Outdoor display is only allowed with an allowed nonresidential use with ground floor frontage.
2. Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day.
3. Outdoor display may not encroach upon any right-of-way or sidewalk. Outdoor display may not impair the ability of pedestrians to use the sidewalk. There must be a minimum of 6 feet of clear distance of sidewalk at all times.
4. Outdoor display must abut the primary facade with the principal customer entrance, and may not extend more than 6 feet from the facade or occupy more than 25% of the horizontal length of the facade.
5. Outdoor display cannot exceed 6 feet in height.

Sec. 4.5.3. Outdoor Storage

A. Defined

1. The overnight outdoor storage of vehicles awaiting repair;
2. The outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers;
3. Outdoor sale areas for sheds, building supplies, garden supplies, plants, lawn mowers, barbecue's and other similar items;
4. The outdoor storage of contractors' equipment;
5. The outdoor storage of fleet vehicles; and
6. The outdoor storage of soil, mulch, stone, lumber, pipe, steel, salvage or recycled materials, and other similar merchandise, material or equipment

B. Standards

Outdoor storage is not permitted.

ARTICLE 5. ADMINISTRATION

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Sec. 5.1.2. Delegation of Authority 5-2

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Div. 5.1. Code Administration

Sec. 5.1.1. Authority

The Administrator of the Berry/University Form District is the FBC Administrator. The FBC Administrator is responsible for the day-to-day administration this Code.

Sec. 5.1.2. Delegation of Authority

The FBC Administrator may designate any staff member to represent the FBC Administrator in any function assigned by this Code. The FBC Administrator remains responsible for any final action.

Div. 5.2. Approval Process

Sec. 5.2.1. Applicability

All private construction projects, with the exception of interior construction or exterior in-kind replacement work, are subject to review by the FBC Administrator or the Urban Design Commission. All buildings, streets, and public spaces by public entities are also subject to review.

Sec. 5.2.2. Administrative vs. UDC Review

Projects that conform to all standards of this Code may be approved administratively by the FBC Administrator without review by the Urban Design Commission. The Urban Design Commission will review applications that require major modifications.

Sec. 5.2.3. Certificates of Appropriateness

The FBC Administrator or Urban Design Commission will issue a Certificate of Appropriateness for approved projects.

Sec. 5.2.4. Review Process

A. Step 1: Project Consultation

1. Before submitting an application for review, an applicant must schedule a meeting with the FBC Administrator to discuss the review procedures and applicable standards for approval. This meeting is not intended as an approval meeting, but to provide the applicant with an overview of the application requirements and to identify issues or opportunities relating to compliance with the requirements of this Code.

2. The FBC Administrator will inform the applicant of requirements as they apply to the proposed project, provide a preliminary list of issues that will likely be of concern during formal application review, suggest possible modifications to the project, and identify any technical studies that may be necessary for the review process when a formal application is submitted.

3. The FBC Administrator will provide the applicant with a list of required application materials/information in order to submit a complete application for review.

4. For the purpose of stormwater review, the FBC boundary, creates a common plan of development. The FBC Administrator will notify the Stormwater Development Services of the proposed project application.

B. Step 2: Application Submittal

Applications must be submitted to the FBC Administrator on forms and in such numbers as required by the Planning and Development Department.

1. All applications must be complete before the FBC Administrator is required to review the application. The FBC Administrator will notify the applicant whether or not the application is complete or whether additional information is required.

2. An application is considered complete when it contains all of the information necessary to decide whether or not the development as proposed will comply with all of the requirements of this Code.

C. Step 3: Application Review

Upon determination of a complete application, the FBC Administrator will promptly distribute the application for review by City departments and external agencies.

1. The FBC Administrator will determine whether the application conforms to all applicable requirements of the Code.

2. Final action on an application will be based solely on findings as to compliance with all applicable provisions of this Code and other applicable technical requirements.

3. Where an application is denied, the reasons for denial must be stated in writing, specifying the provisions of the Code or other applicable technical requirements that are not in compliance. A revised application may be submitted for further consideration.

Sec. 5.2.5. Code Modifications

A. Purpose

1. Specific site features (steep slopes, flood plain, drainage, lot shape, physical barriers or easements) may create conditions that make compliance with a specific code standard impractical or undesirable. It is also recognized that alternative design solutions may achieve the principles stated above but may not comply with a specific standard.

2. This section establishes the procedures for considering requests for a modification to the standards. These are divided into minor modifications approved by the FBC Administrator (see Sec. 5.2.5.C) and major modifications approved by the Urban Design Commission (see Sec. 5.2.5.D).

3. It is the responsibility of the applicant to meet the burden of clearly demonstrating the reason for the requested code modification and to provide sufficient documentation to illustrate how the modification is related to a site constraint and/or how the modification would equal or exceed the existing standard in terms of achieving the following guiding principles.

B. Guiding Principles

The standards established in this Code are intended to achieve the following principles:

1. Maintain a safe, walkable and attractive urban environment along the street;

2. Encourage creativity, architectural diversity, and exceptional design;

3. Maximize opportunities for redevelopment and investment;

4. Require excellence in the design of the public realm (building on Fort Worth's history of civic art) and of buildings that front public spaces.

5. Promote the preservation and creation of distinctive neighborhoods that provide diverse urban housing options;

6. Promote development that will support transit and commercial services the community desires;

7. Protect established single-family residential areas from incompatible development;

8. Protect integrity of established and significant historic/civic landmarks;

9. Consider impacts of stormwater, both in terms of reasonableness of the standard when applied to a particular site and the potential impacts on adjoining properties;

10. Increase the tree canopy;

11. Maximize connectivity and access; and

12. Support adopted plan policies and recommendations.

C. Minor Code Modifications

During the review process, the FBC Administrator is authorized to approve the following minor code modifications at the request of an applicant.

1. Building Coverage

   Increase of up to 5% of the maximum building coverage allowance.

2. Outdoor Amenity Space

   Reduction of up to 5% of the outdoor amenity space requirement.

3. Building Setbacks

   a. Increase of up to 5 feet of a required maximum primary or side street setback.

   b. Decrease of up to 2 feet of a required minimum primary or side street setback.

   c. Decrease of up to 2 feet of a required common lot line or alley setback.

4. Build-to

   Decrease of up to 10% of a primary or side street build-to requirement.

5. Parking Setbacks

   a. Decrease of up to 5 feet of a required primary or side street parking setback.

   b. Decrease of up to 2 feet of a required common lot line or alley setback.

6. Building Height

   Increase of up to 5 feet of the maximum building height.

7. Building Mass

   Increase of up to 10 feet of the maximum length of a street-facing building facade.

8. Transparency

   a. Decrease of up to 5% of the minimum percentage of widows and doors that must cover a street-facing building facade.

   b. Increase of up to 5 feet of a maximum allowed blank wall area on a street-facing building facade.

9. Story Height

   a. Decrease of up to 1 foot of a required minimum ground floor elevation or up to 18 inches for accessibility needs.

   b. Increase of up to 2 feet of a required maximum ground floor elevation.

   c. Increase of up to 5 feet of a required maximum ground floor elevation if there is a slope of 10% or greater (as measured parallel to the street).

   d. Decrease of up to 1 foot of a required minimum ground story floor height.

10. Pedestrian Access

    Increase of up to 10 feet of the maximum required distance between street-facing entrances.

11. Pedestrian/Street Tree Furniture Zone

    a. Decrease the minimum Pedestrian or Street Tree zone depth in cases where insufficient right-of-way exists.

    b. Decrease or increase tree spacing where the existing tree pattern is different.

12. Landscaping

    Where conflicts arise, perimeter plantings or other required landscaping abutting a street edge may be substituted for streetscape planting within the public right-of-way.

D. Major Modifications

1. The Urban Design Commission is responsible for reviewing major modification requests that do not qualify as minor modifications, and to review appeals of staff decisions/interpretations.

2. When reviewing requests for modifications, the Urban Design Commission must consider the guiding principles stated in Sec. 5.2.5.B.

3. The Urban Design Commission's decision to approve or deny a request for a major modification is based on the following considerations:

    a. The physical conditions of the property, such as steep slopes, flood plain, drainage, lot shape, physical barriers or easements, make compliance to the specific standard physically impossible, and this hardship is not created by the applicant; or

    b. The applicant meets the burden of presenting an alternative means of compliance that clearly demonstrates how the code exception would equal or exceed the existing standard in terms of achieving the guiding principles stated in Sec. 5.2.5.B; and

    c. The modification will not significantly impact adjacent property owners, the character of the area, traffic conditions, parking, public infrastructure, stormwater management, and other matters affecting the public health, safety and general welfare; and

    d. The modification will not result in a substantial departure from the basic urban principle that new development should add value to the animation and pedestrian walkability of the street edge.

ARTICLE 6. DEFINITIONS

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Div. 6.1. General Provisions

Sec. 6.1.1. General Meaning of Words & Terms

A. All words and terms used have their commonly accepted and ordinary meaning unless they are specifically defined in this Code or the context in which they are used clearly indicates to the contrary.

B. When vagueness or ambiguity is found to exist as to the meaning of any word or term used, any appropriate canon, maxim, principle or other technical rule of interpretations or construction used by the courts of this state may be employed to resolve vagueness and ambiguity in language.

Sec. 6.1.2. Abbreviations

n/a: Not applicable

ROW: Right-of-Way

SF: Square Feet

Div. 6.2. Defined Terms

The following terms are defined for the purpose of this Code. Terms not defined below may be defined in Chapter 9 of the Zoning Ordinance. In such case, the definition contained in Chapter 9 should be used. If there is a conflict between a definition in Chapter 9 and this Code, the definition in this Code must be used.

Awning (see Sec. 2.9.5).

Balcony (see Sec. 2.9.5).

Building Coverage (see Sec. 2.9.1.A).

Building Facade means the face of a building that delineates the edge of conditioned floor space.

Build-to Zone (see Sec. 2.9.2.E).

Canopy (see Sec. Sec. 2.9.5).

FBC Administrator means the person responsible for the day-to-day administration of this Code, or their designee.

Forecourt (see Sec. Sec. 2.9.5).

Gallery (see Sec. Sec. 2.9.5).

Lot Types establish a common vocabulary for the built environment and are used primarily to establish broad intensity and use options for each lot (see Div. 2.1).

Occupiable Space is an enclosed space intended for human activities, excluding those spaces intended primarily for other purposes, such as storage rooms and equipment rooms, that are only intended to be occupied occasionally and for short periods of time.

Porch (see Sec. Sec. 2.9.5).

Primary Street (see Sec. 2.9.2.A).

~~Protected District includes the following districts: Berry University Residential Attached-3 (BU-RA-3) District, One-Family ("A-5") District and Two-Family ("B") District.~~

Secondary Dwelling Unit means a subordinate second dwelling unit (attached or detached) located on the same lot as a principal dwelling unit for use as a complete, independent living facility, with provisions for cooking, sanitation and sleeping.

Side Street (see Sec. 2.9.2.A).

Stoop (see Sec. Sec. 2.9.5).