



HB 2439

Justin Newhart
Acting Manager
Preservation & Design

HB 2439

- The City may not adopt or enforce an ordinance or building code that:
 - **Prohibits or limits the use or installation of a building product or material in construction, of a residential or commercial building if the material or product is approved by a national model code within the last three code cycles; or**
 - Establishes a standard for a building product, material or aesthetic construction method in construction of a residential or commercial building if the standard is more stringent than the national model code within the last three code cycles
- The City may amend the building code but only if the amendment doesn't conflict with the prohibitions and the amendment is meant to address local concerns

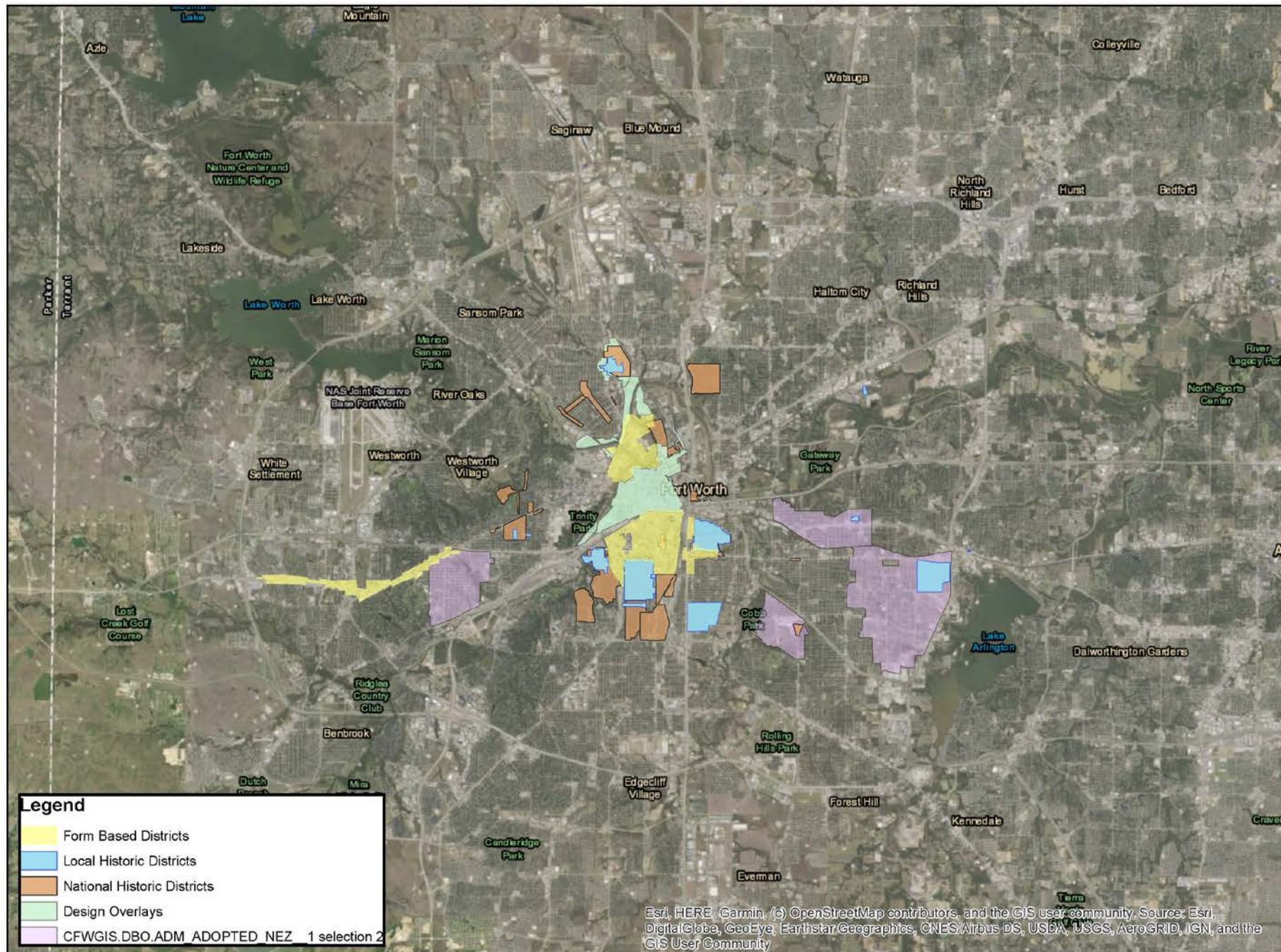
Exemptions

- **Buildings** located in a place or area designated for its **historical, cultural or architectural importance** and significance regulated through zoning if the city is a:
 - Certified Local Government under the National Historic Preservation Act, or
 - Has an applicable landmark ordinance that meets requirements of the Texas Historic Commission
- Buildings located in a place or area designated for its historical, cultural, or architectural importance and significance by a city, if designated by **April 1, 2019**
- Buildings located in an area designated as a historic district on the **National Register** of Historic Places

Exempt Districts

- Historic Districts (local and national)
- Form-based Districts and Design Overlay districts
 - Downtown Urban Design District
 - Stockyards Form-Based Code
 - Camp Bowie Form-Based Code
 - Near Southside Form-Based Code
- Neighborhood Empowerment Zone (NEZ) districts
 - Stop Six
 - Oakland Corners
 - Como/Sunset Heights
 - Berryhill-Mason

Exempt Areas under H.B. 2439



Materials allowed by National Model Codes

- Concrete, stone, or masonry
- Fiber cement
- Horizontal aluminum
- Vinyl
- Wood





Is anything still enforceable?

Building Design Elements - Enforceable	Building Materials - Not Enforceable
Roof Line	Material percentage requirements
Roof Pitch	Prohibition of materials
Garages	
Fenestration	
Articulation	

Is anything still enforceable?

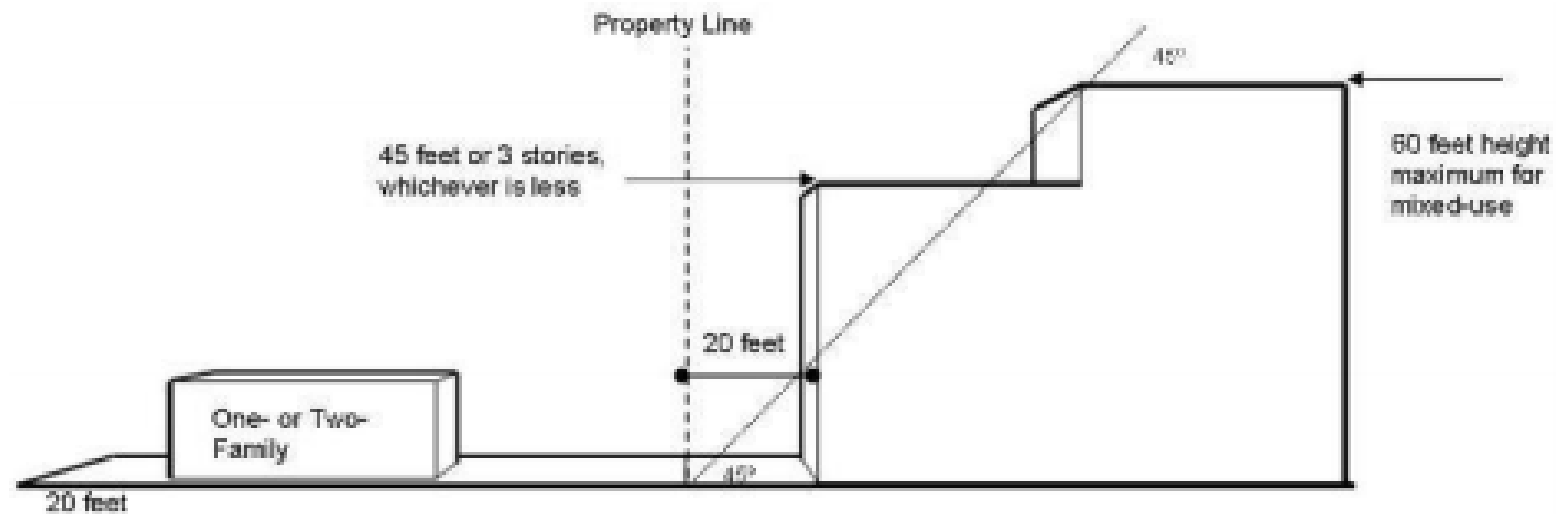


Figure 4.1 . MU-1 Transitional Height Plane

Architectural Standards

Intent

The purpose of the architectural standards and guidelines is to promote a high quality of design and character along the I-35W corridor.

Architectural Guidelines for Commercial and Retail Development

- Articulation by the use of offsets, change in material, pilasters, and similar architectural features are encouraged to express a rhythm or pattern along the façade.
- The use of canopies, awnings, blade signs and arcades are encouraged for providing shade and pedestrian interest.
- A combination of a variety of building materials, offsets and recesses are encouraged to break up long façades.

Primary Building Architectural Standards

- If a building cannot have its primary entrance facing I-35W, then the requirements for the I-35W facing elevation include the following:
 - Excluding window glazing, which may include spandrel glass, employ the same materials and colors as the building façade with the primary entrance for the development or business.
 - In the Central Zone, buildings must employ architectural treatments, detail and scale elements such as canopies, that are consistent with the primary building façade.

Secondary Building Standards

- Secondary buildings and service enclosure structures must utilize similar materials and architectural treatments as the primary building front façade.
- Screen service areas, including storage, meter banks, HVAC equipment, generators and similar equipment with screening walls and/or landscaping.
- Enclose dumpsters, recycle bins and compactors within screening walls that match style and colors of the adjacent building.



Ordinance Language No Longer Enforced

MU, UR, and MFD Masonry Requirement

Building materials. **Not less than 70%** of all new building facades (not including door and window areas) facing publicly accessible streets or open space shall be constructed of the following masonry materials:

- a. Stone.
- b. Brick.
- c. Terra cotta.
- d. Patterned pre- cast concrete.
- e. Cement plaster stucco.
- f. Cement board siding.
- g. Cast stone or prefabricated brick panels.



Ordinance Language No Longer Enforced

Residential Design Standards (6.507)

Exterior walls **shall consist of a minimum of 50% masonry**. Exposures to a minor arterial or wider street **shall require 100% masonry construction** except where such building face is obscured by a minimum six-foot masonry wall.

“Masonry” shall include brick, stone, cementitious fiber concrete products or stucco.



Ordinance Language No Longer Enforced

Commercial Buildings

Metal buildings. The exterior metal walls of the front and any sides of a building facing a public street that will be constructed with metal cladding as the **primary siding material shall not be constructed with exposed fasteners on more than 50% of the building**. All buildings with metal siding shall have at least two exterior architectural features for articulation, such as front porches, gables, awnings or other exterior siding materials.



Ordinance Language No Longer Enforced

Supplemental Use Standards

Car Wash

(c) The building surfaces **shall be faced with** masonry , porcelainized steel, baked enamel steel or other material equal in durability and appearance.



Ordinance Language No Longer Enforced

Supplemental Use Standards

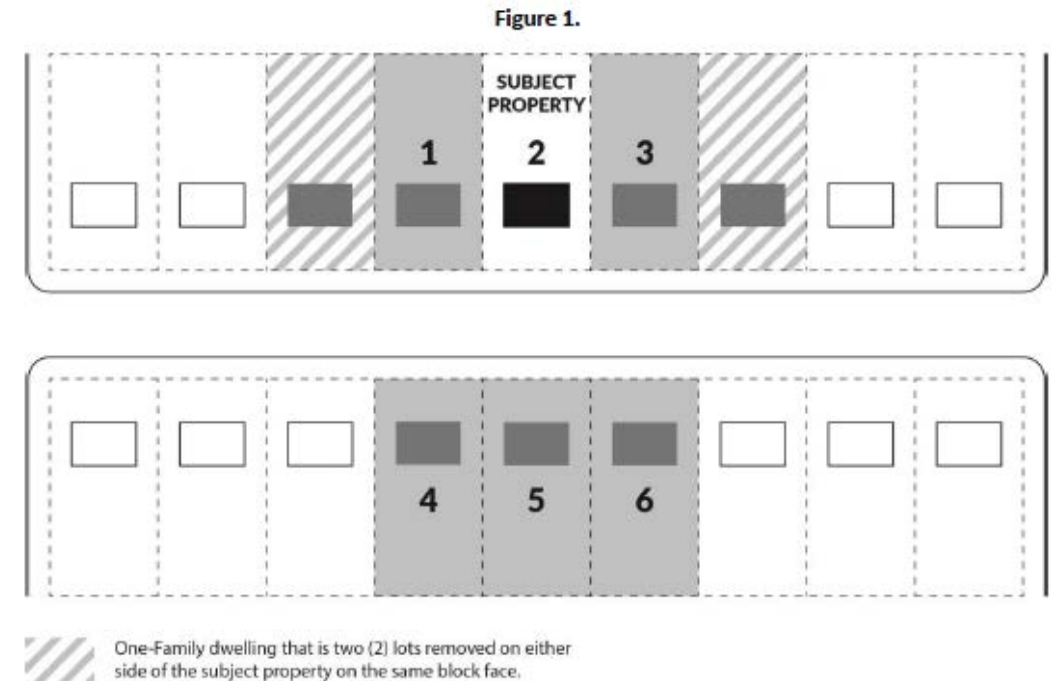
Large Retail Store

1. *Materials.* All building facades that are visible from adjoining properties and/or public streets **shall be of architectural block, brick, stone or tinted, textured concrete masonry units**. Tilt-up concrete construction is permitted, provided the exterior surface is textured or covered with brick, stone or material fabricated to simulate brick or stone. **Stucco and EIFS (exterior installation finished system) are permitted, up to a maximum of 30% of a facade area. Smooth concrete block and prefabricated steel panels are prohibited.**



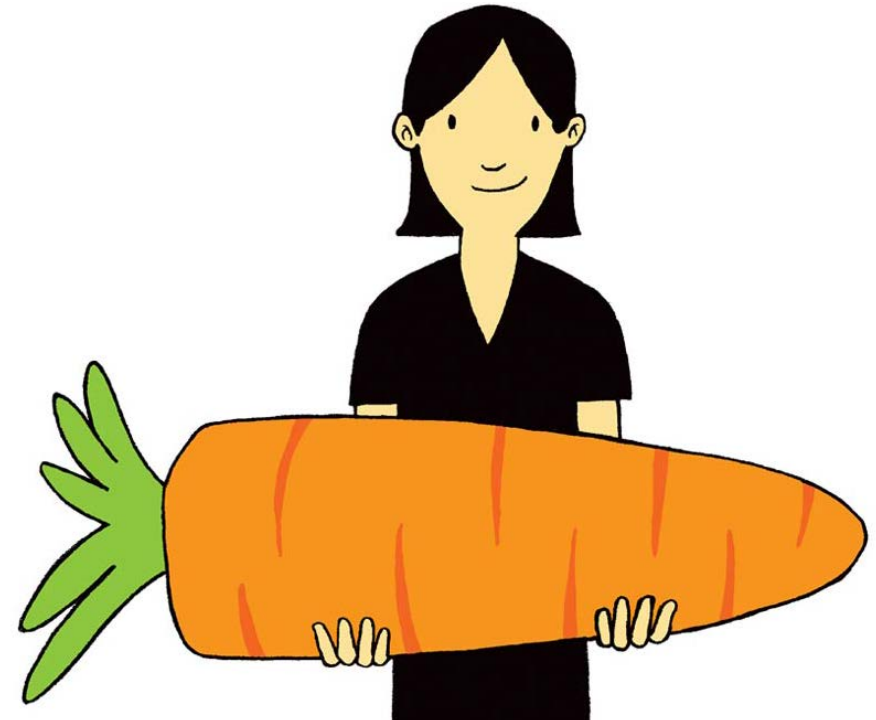
What material requirements are not effected?

- Fences, walls, signs, and other non-buildings
- Single-family anti-monotony
- Parking structure façade materials
- Existing Planned Developments (PDs)
- Existing Development Agreements



Potential Incentives

- Reduction of fees
- Economic development agreements
- Planned Development agreements



Questions?

