#### **RESOLUTION NO. 9283**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS, ADOPTING THE DOWNTOWN DEVELOPMENT STANDARDS, AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS**, the City of Garland, Texas has engaged in the process of creating site development standards to ensure that quality, compatible development occurs in the City of Garland, thereby contributing to the promotion of the public health, safety and general welfare; and

WHEREAS, the Downtown Development Standards are designed to accommodate development of a diversity of office, retail, commercial, residential and civic land uses located in a more densely developed environment than typically found elsewhere in the city; and to conserve and enhance the unique value, character and design of downtown Garland; and

WHEREAS, the Downtown Development Standards constitute a revision of the Downtown Garland Urban Design Standards, adopted on July 21, 1987 by Resolution No. 6137 of the City Council; and

**WHEREAS,** public hearings were held by the Plan Commission on October 25, 2004 and by the City Council on March 22, 2005 to receive public testimony regarding the Downtown Development Standards;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARLAND, TEXAS:

#### Section 1

That the City Council hereby adopts the Downtown Development Standards attached hereto and incorporated herein as Exhibit A.

#### Section 2

That the Downtown Development Standards shall, by their adoption, replace the Downtown Garland Urban Design Standards, adopted on July 21, 1987 by Resolution No. 6137 of the City Council.

### Section 3

That this Resolution shall become effective immediately from and after its adoption, and it is so ordered.

**PASSED AND APPROVED** this 5th day of April, 2005.

	THE CITY OF GARLAND, TEXA
	By: <u>Bob Day</u> Mayor
ATTEST:	
Ranette Larsen	
City Secretary	

### DOWNTOWN DEVELOPMENT STANDARDS

Adopted April 5, 2005

## I. PURPOSE OF THE STANDARDS

The Downtown Development Standards are designed to accommodate development of a diversity of office, retail, commercial, residential and civic land uses located in a more densely developed environment than typically found elsewhere in the city. Mixed-use developments of compatible residential and nonresidential uses are allowed and encouraged. Special provisions are made for off-street parking, building materials, signage, lighting and screening and landscape requirements in order to conserve and enhance the unique value and character as well as the special infrastructure and design of downtown Garland.

## II. BOUNDARIES

The Downtown Development Standards specified herein shall apply within the area depicted in Figure 1; bound by West Walnut Street, North and South First Street and West Avenue D. The western boundary shall be North Garland Avenue from the DART rail line north to West Walnut Street. South of the DART rail line to West Avenue D the western boundary shall be defined as the western property line of parcels having frontage on North and South Garland Avenue. Those requirements which are specified for the Downtown Core shall apply within the area bound by West Walnut Street, the Santa Fe Railroad tracks, West Avenue A and North Glenbrook Drive (Figure 1).

## III. APPLICABILITY

These Standards shall apply to:

- 1. New nonresidential construction on an undeveloped site.
- 2. New nonresidential construction on a developed site that exceeds the percentage of total floor area of all existing structures on the site as indicated by the following chart:

Total Floor Area of Existing Structures	Percentage of Total Floor Area
Less than 10,000 sf	40%
10,000 to 50,000 sf	30%
Greater than 50,000 sf	20%

- 3. Expansion or renovation of an existing structure or site that:
  - A. <u>Increases the area of surface parking on the site by forty</u> (40) percent or greater. Where the area of surface parking is increased by 40 percent or greater, all parking on the site shall be brought into compliance with these Standards.
  - B. <u>Increases any loading and related maneuvering area on the site by twenty (20) percent or greater</u>. Where the size of any loading and related maneuvering area on the site is increased by 20 percent or greater, all loading and

maneuvering area shall be brought into compliance with these Standards.

- C. <u>Increases the size or alters the layout of any outdoor storage area on the site.</u> Where the size of any outdoor storage area is increased or its layout is altered, the entire storage area shall be brought into compliance with these Standards.
- D. Provides additional refuse storage containers or alters the locations of existing containers on the site. Where additional refuse storage containers are provided or the location of existing containers is altered, the affected storage containers shall be brought into compliance with these Standards.
- 4. New nonresidential construction on a developed site and expansion or renovation of existing structures shall not be required to meet the requirements set forth herein regarding exterior wall materials (Section V.B.), except when an existing structure is demolished and the site is redeveloped, in which case compliance with Section V.B. is required. In any case, compliance with the City's Metal Building Ordinance shall be required. Any addition, expansion or renovation to buildings on a developed site shall utilize materials, colors, architectural features and styles that are compatible with, and enhance, existing building facades on the site.

## IV. REVIEW AND APPEALS PROCESS

It shall be the responsibility of each applicant submitting a request for approval of a zoning change or building permit to confirm that the proposed development complies fully with the special development requirements of these regulations. A pre-submittal meeting with pertinent City departments is required regarding the applicability of these standards to the proposed development.

Where unique natural features such as soil and geological characteristics, topography, or significant vegetation; historical features such as building design and materials and site configuration; or man-made features such as peculiarly-shaped lots, joint or split ownership patterns or location of existing structures and infrastructure on the site inhibit creative site design or pose unnecessary constraints to appropriate development as a result of strict compliance with these requirements, the Director of Planning may approve an alternative plan upon determining that such plan meets or exceeds the intent of these standards.

If the Director of Planning determines alternative compliance is not applicable, a request for a variance or exception from these standards may be filed with the Planning Department. The Plan Commission shall review all requests for variances and exceptions to these requirements and forward a recommendation to the City Council regarding appropriate measures for compliance with the intent of these standards. The City Council shall take action on the recommendation of the Plan Commission.

Prior to making its recommendation to the City Council, the Plan Commission shall hold a public hearing on any request for a variation or exception to these standards. The City Council shall hold a public hearing to consider the Plan Commission's recommendation. Written notice of public hearings before the Plan Commission and City Council shall be sent to all owners of property as shown on the current tax rolls, located within the area of application and within four hundred (400) feet of any property

affected thereby, within not less than ten (10) days before such hearing is held. Such notice may be served by using the last known address as listed on the City tax roll and depositing the notice, postage paid, in the United States mail. Notice of City Council hearings shall be given by publication in the official newspaper of the City, stating the time and place of such hearing, which shall be at least fifteen (15) days after the date of publication.

## V. BUILDING DESIGN

### A. General Provisions

All new construction, whether a new building and site feature or an addition or exterior renovation of an existing building, shall respect existing building heights, offsets and bay spacing, and other design elements.

## B. Exterior Wall Materials

- 1. Masonry materials shall be required for each façade. For the purposes of this ordinance, masonry shall be defined as brick, stone, manufactured stone, Exterior Insulation Finish System (EIFS), split face concrete masonry unit, stucco, polished block or tile. Smooth face concrete masonry unit and Hardi Plank/Hardi Board shall be prohibited. The Director of Planning shall have the ability to approve the use of synthetic materials engineered to mimic those materials listed above. The determination of the Director of Planning can be appealed to the Plan Commission and City Council following the procedure set forth in Section IV, Review and Appeals Process.
- 2. Each exterior elevation shall consist of a minimum of eighty (80) percent masonry (excluding doors, windows or window walls). The use of EIFS and split face concrete masonry unit shall be limited to no more than ten (10) percent of each elevation.

# C. Façade Articulation

Front building facades shall be articulated through the use of one or more of the following: architectural features, pilasters, building offsets, building materials and textures. The intent of this requirement is to avoid box-like appearance of structures. Building elevations shall be submitted and approved through the technical review process.

## D. Colors and Finishings

All paint colors shall be compatible with each other and with the overall character of the building and surrounding development.

### VI. AWNINGS AND CANOPIES

- 1. The design and placement of awnings and canopies shall be sensitive to the proportion and scale of the individual building as well as the character of the area. At least eight (8) feet of clearance height above the sidewalk shall be provided, and awnings and canopies shall not extend closer than two (2) feet from the curb line.
- 2. Awnings shall be constructed of canvas or cloth fabric, and canopies shall be constructed of rolled or flat metal or wood. Design patterns and colors shall complement the overall character of the building and district. Plastic components or other such synthetic materials shall not be used.
- 3. The design, construction and placement of awnings and canopies shall comply with all applicable requirements of the Building Code.

## VII. SIGNS

# (A) General Provisions

- 1. Each sign shall be designed and located to be a complementary architectural element of the building to which it principally relates as well as to the character of the area.
- 2. The citywide *Sign Ordinance* (Article VI, Sections 30.85 through 30.124) shall be adhered to with the exceptions set forth in this section.

# (B) Freestanding Signs

Freestanding signs shall not be permitted, with the following exceptions:

1. Temporary sandwich boards that comply with Section 30.93 of the Sign Ordinance shall be permitted.

One monument sign shall be permitted for each site outside of the Downtown Core. Monument signs shall be limited to a maximum overall height of seven (7) feet and a maximum sign area of thirty-five (35) square feet, and shall be set back a minimum of five (5) feet from the right-of-way.

# (C) Projecting Signs

Attached projecting signs, not exceeding twelve (12) square feet in area, shall be permitted in the Downtown Core. No projecting sign may be closer than twenty (20) feet to any other projecting sign unless one of these projecting signs consists solely of a symbol. Projecting signs shall not extend higher than the parapet on a single-story building or higher than the bottom of the second-story windows on multi-story buildings, nor protrude more than four (4) feet into the sidewalk/right-of-way space. At least eight (8) feet of clearance height above the sidewalk shall be provided.

# (D) Attached Signs

- 1. The sign area of an attached sign shall have a maximum square footage of two (2) times the width of the occupant space as measured along the main entrance or frontage.
- 2. The sign area for attached signs on multi-story buildings shall be two (2) times the width of the main building frontage. The sign area for attached signs on tenant spaces within a multi-story building that has a public entrance shall be allowed per the attached sign requirements in Item 1.
- 3. Attached signs shall meet all other requirements of the citywide Sign Ordinance.

## (E) Murals

Murals are defined by the citywide Sign Ordinance to be signs, and therefore they are regulated as attached signs. It is not, however, the City of Garland's intent to discourage appropriate murals that enhance the unique character of the downtown area. Section IV sets forth the procedure by which variances and exceptions may be heard by the Plan Commission and City Council.

## VIII. OUTDOOR LIGHTING

- 1. All outdoor lighting shall be designed, installed and maintained so as not to overflow onto adjacent properties.
- 2. Light standards and exterior fixtures shall complement the style, materials and color of standards and fixtures as recommended by the 2004 Downtown Garland Urban Design Plan, and shall be comparable to one another in design, height and light projection.

## IX. UTILITIES

- 1. All newly installed utility service lines shall be underground. Any relocation of existing utilities and any improvement, which results in an increase in the capacity of the existing service, shall comply with this requirement.
- 2. All outdoor utility equipment, such as pad-mounted transformers, telephone switch boxes, and gas meters, whether mounted on the ground, building wall or building roof, shall be reasonably screened

from the view of public rights-of-way and from the view of adjacent properties. Whenever possible such appurtenances for utility services shall be installed at the rear of the structure that they service. All required screening shall meet clearance requirements of the affected utility company. Acceptable means of screening include landscaping, masonry walls, metal fences that are wrought iron in appearance, and cabinets that are comparable to the architecture of the structure and the character of the area.

#### X. OFF-STREET PARKING

1. Common off-street parking, driveways and access drives to offstreet parking are encouraged in order to reduce the number of curb cuts and facilitate vehicular and pedestrian movement.

### XI. TRUCK PARKING AND LOADING

- 1. Truck parking, truck loading docks/berths and apron spaces shall not be located on the street side of any building, nor shall they be located within any required setback or landscape buffer. If three or more sides face a dedicated street, the Director of Planning may grant approval for an appropriate street-side location.
- 2. Loading docks shall be screened in accordance with the requirements of the citywide Screening and Landscape Standards.

#### XII. SCREENING AND LANDSCAPING

- 1. No landscaping, other than that required for landscaping and screening of parking and other site features, shall be required within the Downtown Core.
- 2. Properties having frontage on West Avenue D, North and South Garland Avenue, and North and South First Street shall comply with the requirements of the citywide Screening and Landscape Standards.
- 3. On properties outside the Downtown Core, except for those having frontage on West Avenue D, North and South Garland Avenue, and North and South First Street, a minimum five (5) foot wide landscape buffer shall be provided adjacent to all street rights-of-way when structures are set back from the street. One (1) large shade tree for each twenty-five (25) feet of street frontage and fraction thereof shall be provided within the landscape buffer of each lot. Required trees shall be evenly distributed and spaced no closer than twenty-five (25) feet on center.
- 4. All off-street parking areas shall be screened from the view of adjacent public streets. Such screening shall consist of a masonry wall or evergreen shrubs or a combination of these, and shall provide a continuous minimum height of twenty-four (24) inches above the top of the adjacent parking area curb. A minimum of five percent (5%) of the total parking area shall be landscaped, and such landscaping shall be located and distributed within the parking area within medians or islands. One (1) large shade tree shall be provided for each ten (10) parking spaces.

- 5. Screening and landscaping of nonresidential yards from residential districts shall meet the requirements set forth in Section 6.0 of the citywide Screening and Landscape Standards.
- 6. All required landscaping shall be irrigated and maintained in accordance with the citywide Screening and Landscape Standards.

## XIII. REFUSE CONTAINERS

- 1. Refuse containers added to a developed site shall not be located within any required front or side yard building setback or landscape buffer. Refuse containers shall be screened from the view of public street rights-of-way and from the view of adjacent residential uses and districts. Where they are not entirely screened from view of these areas by the building or landscaping, refuse containers shall be screened on three (3) sides by masonry walls of a minimum height of six (6) feet. An opening shall be provided on the fourth side for access to refuse collection vehicles, and this opening shall have a gate of metal, wood or a combination thereof when the opening is visible from public rights-of-way and residential properties so that the container is completely screened. Panel walls shall not be permitted.
- 2. In the event of new development or redevelopment, refuse containers shall be placed adjacent to the building, and shall be screened with a masonry screen/wing wall. Refuse containers shall not be permitted within a parking area, front yard, side yard or landscape buffer. The wall shall adequately screen the container from pedestrian and vehicular traffic. Screen/wing walls shall be constructed of materials complementary to the main structure. Panel walls shall not be permitted.
- 3. In order to minimize the number of dumpsters, sharing of refuse containers is encouraged on adjacent properties. In the instance where an existing building is 20,000 square feet or greater, a refuse container shall not be shared.

## XIV. OUTDOOR USES

- 1. No outdoor storage, repair or assembly of goods shall be permitted in the Downtown Core.
- 2. Outdoor storage, repair or assembly shall not be permitted outside of the Downtown Core except when indicated as permitted by Section 10-200 of the Comprehensive Zoning Ordinance, Schedule of Uses. Outdoor storage, repair or assembly shall not be permitted within any yard that is adjacent to a street. All outdoor storage areas, regardless of their location, shall be screened from view of adjacent properties and streets. Screening of such storage areas shall meet the requirements of Section 5.0 of the Screening and Landscape Standards, except that the planting of trees as required in Section 5.2.3.1 shall not be required.

3. Outdoor display or sale of goods, products or equipment shall not be permitted except on the sidewalk adjacent to the building, provided such goods, products or merchandise does not extend more than five (5) feet from the wall of the building and is not more than five (5) feet in height, and that there is at least five (5) feet in

## XV. SIDEWALK DINING

The limited use of public sidewalks for restaurant seating may be permitted provided the requirements of the *Guidelines for Sidewalk Dining*, Resolution Number 7990, are met.

# XVI. MAINTENANCE AND REPAIR

All structures, parking and landscaping on properties, other than single-family residential uses, shall be maintained and repaired in a timely manner in compliance of Section 30.199 of the *Code of Ordinances*.

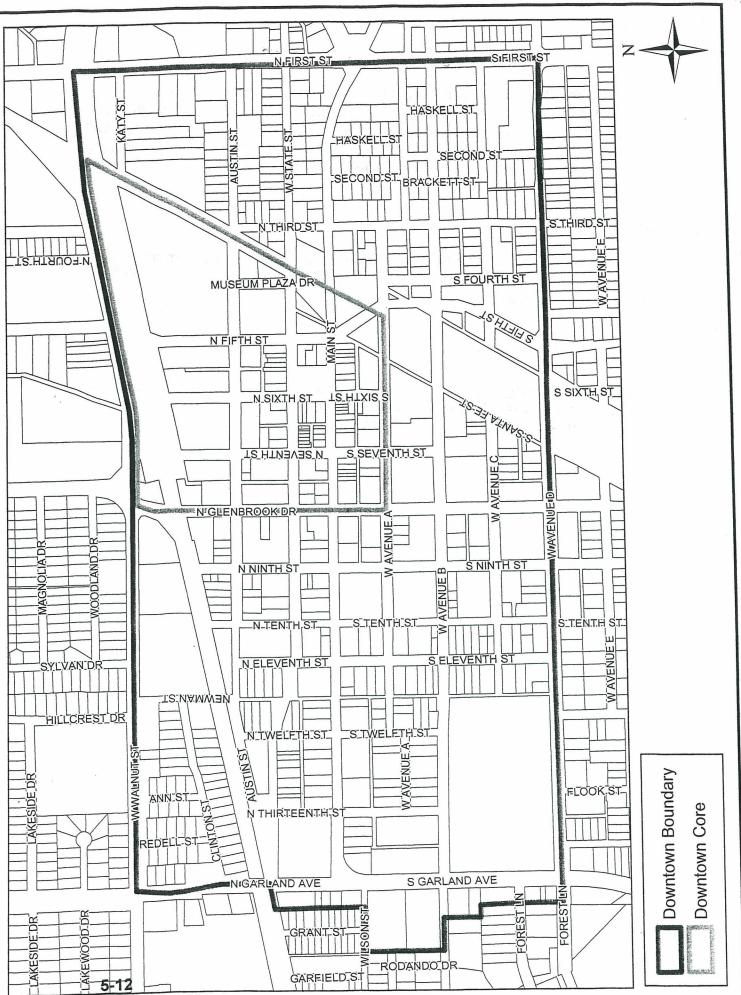


Fig. 1 Downtown Development Standards District