

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, AMENDING THE ALLEN LAND DEVELOPMENT CODE AND ZONING MAP, AS PREVIOUSLY AMENDED, RELATING TO THE USE AND DEVELOPMENT OF 135.35± ACRES OUT OF THE JOHN PHILLIPS SURVEY, ABSTRACT NO. 718, J.W. PARSONS SURVEY, ABSTRACT NO. 705 AND THE J.W. ROBERTS SURVEY, ABSTRACT NO. 762, BY AMENDING AND RESTATING IN THEIR ENTIRETY THE DEVELOPMENT AND USE REGULATIONS OF PLANNED DEVELOPMENT “PD” NO. 134 MIXED USE MIX, AS ADOPTED PURSUANT TO ORDINANCE NO. 3542-1-18 TO CREATE PLANNED DEVELOPMENT “PD” NO. 134A FOR SINGLE-FAMILY, MULTIFAMILY, OFFICE AND RETAIL USES, AND ADOPTING A ZONING EXHIBIT, SCHEDULE OF USES, REGULATING PLAN, OPEN SPACE PLAN, STREET PLAN, STREET CROSS SECTIONS, DRIVEWAY PLAN, WEST LAKE PARK CONCEPTUAL PLAN, LOT PLAN, AND RIDGEVIEW PARKWAY CROSS SECTIONS; PROVIDING FOR A CONFLICTS RESOLUTION CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY OF FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Planning and Zoning Commission and the governing body of the City of Allen, Texas, in compliance with the laws of the State of Texas and the ordinances of the City of Allen, Texas, have given the requisite notices by publication and otherwise, and after holding due hearings and affording a full and fair hearing to all the property owners generally and to all persons interested and situated in the affected area, and in the vicinity thereof, and in the exercise of its legislative discretion, have concluded that Allen Land Development Code Zoning Regulations and Zoning Map of the City of Allen, Texas, as previously amended, should be amended.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:

SECTION 1. The Allen Land Development Code Zoning Regulations and Zoning Map, of the City of Allen, Texas, as amended, is hereby further amended by amended and restating in their entirety the development and use regulations of Planned Development No. 134 as adopted by Ordinance No. 3542-1-18 relating to the development and use of 135.35± acres out of the John Phillips Survey, Abstract No. 718, J.W. Parson Survey, Abstract No. 705 and the J.W. Roberts Survey, Abstract No. 762, in the City of Allen, Collin County, Texas, described in Appendix 1 of Exhibit “A” attached hereto and incorporated herein by reference (“the Property”) and creating Planned Development No. 134A (“PD-134A”) for Single-Family, Multifamily, Office and Retail Uses..

SECTION 2. The Property shall be developed and used in accordance with applicable provisions of the Allen Land Development Code, as amended (“ALDC”) except to the extent modified by the Development Regulations set forth in Exhibit “A,” attached hereto and incorporated herein by reference.

SECTION 3. To the extent of any irreconcilable conflict with the provisions of the Ordinance and other ordinances of the City of Allen governing the use and development of the Property and which are not expressly amended by this Ordinance, the provisions of this Ordinance shall be controlling.

SECTION 4. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance, or of the Allen Land Development Code Zoning Regulations, as amended hereby, be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said ordinance or the Allen Land Development Code Zoning Regulations, as amended hereby, which shall remain in full force and effect.

SECTION 5. An offense committed before the effective date of this Ordinance is governed by prior law and the provisions of the Allen Land Development Code Zoning Regulations, as amended, in effect when the offense was committed, and the former law is continued in effect for this purpose.

SECTION 6. Any person, firm or corporation violating any of the provisions or terms of this Ordinance shall be subject to the same penalty as provided for in Allen Land Development Code Zoning Regulations of the City of Allen, as previously amended, and upon conviction shall be punished by a fine not to exceed the sum of Two Thousand Dollars (\$2,000) for each offense.

SECTION 7. This Ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Allen, and it is accordingly so ordained.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 14th DAY OF JULY 2020.

APPROVED:

Debbie Stout, MAYOR

APPROVED AS TO FORM:

ATTEST:

Peter G. Smith, CITY ATTORNEY
(kbl:6/15/2020:116199)

Shelley B. George, CITY SECRETARY

EXHIBIT “A”
DEVELOPMENT REGULATIONS FOR
121/ALMA PLANNED DEVELOPMENT DISTRICT

SECTION 1 – PLANNED DEVELOPMENT SUMMARY AND PURPOSE

City of Allen, Texas, Ordinance No. _____, enacted on July ___, 2020, amended the Allen Land Development Code Zoning Regulations and the Zoning Map of the City of Allen, Collin County, Texas, relating to the use and development of 135.35± acres of land described in Appendix A, attached hereto and incorporated herein by reference (“the Property”) by amending in their entirety the development and use regulations of “PD” Planned Development No. 134 as originally adopted pursuant to Ordinance No. 3542-1-18 and establishing “PD” Planned Development No. 134A for Single Family, Multi-Family, Office and Retail Uses (referred to herein alternatively as “PD-134A” or “the District”).

PD-134A provides an integrated mix of uses that provides flexibility and creates a creative, efficient and aesthetically desirable community by strategically positioning buildings, open spaces, and circulation patterns within a mixed-use context. The District utilizes an existing creek, vegetation, and proposed open spaces and parks to create a desirable environment for living, working and recreating within a walkable community.

SECTION 2 – PLANNED DEVELOPMENT STRUCTURE

The Property shall be developed and used in accordance with the applicable provisions of the Allen Land Development Code, as amended, (“ALDC”) except to the extent modified by the Development Regulations set forth below:

- A. DEVELOPMENT STANDARDS.** The Development Regulations establish the regulations by which the Property is to be developed and used.
- B. CHARACTER DISTRICTS/BASE ZONING.** The Property is divided into subdistricts (“Character Districts”) as shown on the regulating plan attached hereto as Appendix “C” and incorporated herein by reference (“Regulating Plan”). The Base Zoning District regulations for each Character District shall be as follows:
 - 1. Alma Character District shall comply with the “CC” Corridor Commercial zoning regulations except as provided herein.
 - 2. Central Character District shall comply with the “CC” Corridor Commercial zoning regulations except as provided herein.
 - 3. Tollway Character District shall comply with the “O” Office zoning regulations except as provided herein.
 - 4. Neighborhood-North Character District shall comply with the “MF-18” Multifamily Residential zoning regulations except as provided herein.
 - 5. Neighborhood-South Character District shall comply with the “TH” Townhome Residential zoning regulations except as provided herein.

6. Creek Character District shall comply with the “O” Office zoning regulations except as provided herein.
 7. Greenbelt Character District shall comply with the “CC” Corridor Commercial zoning regulations except as provided herein.
- C. **REGULATING PLAN.** The Property shall be developed and used in general conformance with the Regulating Plan. Minor amendments to the Regulating Plan, as determined by the Director of Community Development, may be approved by the Director of Community Development. Any amendment to the Regulating Plan not determined to be a minor amendment shall be processed as a zoning amendment in accordance with the ALDC. An amendment to the Regulating Plan that substantially alters the streets and circulation patterns within the Property, the location of the Character Districts and, in turn, the base zoning district(s) of portions of the Property, the designation of permitted uses, and/or increases the density of residential uses, shall not be considered a “minor amendment.”

SECTION 3 – PROPERTY DEVELOPMENT STANDARDS

- A. **PERMITTED USES.** The Property, as divided into the Character Districts, may be developed and used in accordance with the Schedule of Uses attached hereto as Appendix “B” and incorporated herein by reference (“Schedule of Uses”). In addition, the following provisions apply:
1. “Microbrewery, microdistillery or winery” use is permitted as set forth herein. For purposes of these Development Regulations, a “Microbrewery, microdistillery or winery” use means an establishment for the manufacture, blending, distilling, fermentation, processing, and packaging of alcoholic beverages subject to the following:
 - a. The maximum floor area is 50,000 square feet;
 - b. All manufacture, blending, distilling, fermentation, processing, and packaging of alcoholic beverages activities takes place wholly inside a building;
 - c. Required off-street parking:
 - i. Except as otherwise provided, one space per 1,000 square feet of floor area;
 - ii. One space per 2,000 square feet of floor area used for storage; and
 - iii. One space per 200 square feet of floor area used for retail sales and seating;
 - d. The “microbrewery, microdistillery or winery” use shall comply with all applicable requirements in the Texas Alcoholic Beverage Code;
 - e. Retail sales of alcoholic beverages for on premises or off premises consumption and related items and tastings or sampling are allowed in accordance with Texas Alcoholic Beverage Commission regulations;

- f. Silos and containers for raw materials and spent grain are allowed as outdoor storage;
 - g. Drive-through facilities are prohibited; and
 - h. Brewpubs are included in this definition and are allowed to the extent the establishment otherwise qualifies for issuance of a Brewpub License under the Texas Alcoholic Beverage Code.
- 2. Retail, restaurant, microdistillery, microbrewery or winery uses may provide outside dining.
- 3. Mini-warehouses must comply with ALDC Section 6.06.5 except as follows:
 - a. An on-site office must be provided and operate during normal business hours.
 - b. An on-site caretaker residence is not required.
 - c. Mini-warehouse structures are limited to three stories or a maximum of forty-five (45) feet, whichever is less.
 - d. Exterior walls facing a public right-of-way may have penetrations. Penetrations in exterior walls for loading door purposes shall be adequately screened so as not to be visible at ground level from adjacent properties and/or public rights-of-way.
- 4. Screening shall be provided as follows:
 - a. Screening is required for single-family residential uses adjacent to Ridgeview Drive and shall comply with Appendix “J” and be either of the following:
 - i. A masonry wall constructed in accordance with the ALDC; or
 - ii. A sodded buffer not less than thirty feet (30’) wide constructed with a trail or sidewalk with at least one (1) shade, minimum four caliper inches, and one (1) ornamental tree planted on an average distance between trees of not less 30 feet along the street frontage.
 - b. Screening walls are not required to separate the boundaries of Character Districts internal to the Property.

B. TEMPORARY USES AND SPECIAL EVENT USES. Temporary uses and special events conducted on the Property shall be conducted in accordance with ALDC Section 6.04 “Temporary Uses and Special Events” subject to the following:

- a. Temporary Uses and Special Events shall not be limited by number or duration in a calendar year;
- b. Temporary Use and Special Event locations may not obstruct fire lanes/emergency access points.

- c. Temporary Use and Special Events may not occupy the public recreational trails in the development without prior written permission from the Director of Parks and Recreation.

C. BUILD-TO, SETBACK AND YARD STANDARDS

1. Buildings constructed on the Property shall comply with the setback and yard standards set forth in Table 1, below.

TABLE 1: BUILD-TO, SETBACK AND YARD STANDARDS

Character Area	Tollway	Central	Neighborhood North	Neighborhood South	Creek
Primary/Secondary Building Frontage (Build-to-Zone) ^{(1) (2) (3)(4)(5)}	14' min. – 25' max.	14' min. – 25' max. ⁽⁵⁾	14' min. – 25' max.	Not applicable	Not applicable
Front / Side Yard Setback (Facing an internal street)	14' min. – No max.	14' min. – 25' max. ⁽⁵⁾	Not applicable.	Not applicable.	14' min. – No max
Front / Side Yard Setback (State Highway 121)	30' min. – No max.	Not applicable	Not applicable	Not applicable	30' min. – No max.
Front / Side Yard Setback (Ridgeview Drive and Alma Drive)	Not applicable	Not applicable.	Not applicable	30' min. – No max. ⁽⁴⁾	Not applicable
Side Yard or Rear Yard Setback (Facing interior lot line or alley)	0' min. – No max.	Not applicable	0' min. – No max.	0' min. – No max.	0' min. – No max.

Notes:

- (1) Garage facades and the edge of outside patios are included in this frontage calculation.
- (2) The build-to-zone is measured from the back-of-curb to the nearest exterior wall facing the street.
- (3) Buildings may be set back further than the Build-To-Zone defined, if warranted by required site visibility triangles.
- (4) There are no build-to requirements for lots on which there is a sustainability feature between the building and the street.

2. Except as otherwise permitted in these Development Regulations, at-grade structural encroachments other than structural columns are not permitted within the setback. Structural foundation locations shall not impede pedestrian traffic within the designated pedestrian zone below. Support columns may be located anywhere within the setback provided they are located in a manner that does not violate sight distance requirements.

D. DENSITY AND LOT COVERAGE

1. **Maximum Number of Residential Units.** No more than 2,400 Urban Residential units may be constructed on the Property. Urban Residential Units constructed on the

Property shall be sequentially phased according to the following:

- a. The first 600 Urban Residential units may be constructed on the Property without regard to the commencement of construction on the Property of buildings to be developed for uses other than Urban Residential use;
 - b. No building permit(s) authorizing the construction of more than the 600 Urban Residential units authorized to be constructed pursuant to paragraph 1.a., above, shall be granted until one or more building permits for not less than 100,000 square feet of office uses to be constructed on the Property have been issued and not less than five (5) acres of improved open space is restricted on a site plan or platted as a common area, developed and available for recreational use. Said five (5) acres of improved open space shall include the completion of construction of West Lake Park in general conformance with the West Lake Park Conceptual Plan depicted in Appendix “H”;
 - c. No building permit(s) authorizing the construction of more than the 1,200 Urban Residential units authorized pursuant to paragraphs 1.a. and 1.b., above, shall be granted until (i) final shell building inspections have been approved for the building shell (but not the finish out) of a cumulative area of 100,000 square feet of office space, and (ii) one or more building permits for not less than an additional 50,000 square feet of office uses to be constructed on the Property have been issued;
 - d. No building permit(s) authorizing construction of more than the 1,800 Urban Residential units authorized pursuant to paragraphs 1.a., 1.b., and 1.c., above shall be granted until (i) final shell building inspections have been approved for the building shell (but not the finish out) of a cumulative area of 50,000 square feet of office space required under paragraph 1.c above.
2. **No Maximum Density.** There shall be no maximum density for any Urban Residential use in any Character District, where an Urban Residential Use is otherwise allowed.
 3. **Maximum FAR.** There is no maximum FAR for any use in any Character District.
 4. **Maximum Lot Coverage.** There is no maximum lot coverage in any Character District.

E. BUILDING FRONTAGE REQUIREMENTS

1. **Minimum Building Frontage.**
 - a. Minimum building frontage shall be provided for facades included in the “Primary Building Frontage” or “Secondary Building Frontage” areas identified on the Regulating Plan.
 - b. Character Areas without a building frontage indicated on the Regulating Plan shall be considered “General Frontage”. There is no minimum building frontage requirement in the Central District for the following

- i. Lots 11, 12, and 17;
 - ii. Lots that have open space along a Primary Street; and
 - iii. Lots along Alma Road, SH 121, and Ridgeview Drive.
 - c. Minimum building frontage percentages shall be calculated based on a percentage of building frontage for each individual block face. Each street is required to comply with the minimum building frontage as dictated by the street type/zone. Block frontage requirements shall only apply to the Tollway and Neighborhood North Character Areas.
2. **Additional Building Features.** For purposes of calculating the frontage requirement, building façades may include patios, plazas, forecourts, and other similar people-spaces as well as mid-block paseos providing public access through the block. These features, patios, forecourts, and other similar people-spaces integrated into a building as well as mid-block paseos, may be used to satisfy frontage requirements.
3. **Minimum Frontage Requirements.**
- a. The minimum required percentage of building façade frontage, not including site visibility triangles, shall be as follows:
 - i. Primary Building Frontage: 75%
 - ii. Secondary Building Frontage: 50%
 - iii. General Frontage: 30%.
 - b. Parking garage facades shall be included in the calculation of building façade frontage.
 - c. Detention and retention areas, parks, and open spaces shall not be included in the overall block length measurement for purposes of calculating the minimum building façade frontage.
 - d. Except as otherwise permitted herein, the minimum primary and secondary building façade frontage shall only apply to frontages along streets as shown on the Regulating Plan in the Tollway and Neighborhood North Character District. The minimum general building façade frontage requirement shall apply to buildings in the Central and Creek Character District.

F. BLOCK LENGTH.

- 1. Except as provided in Section 3.F.2 below, maximum vehicular block lengths, measured curb edge to curb edge, shall not exceed the following:
 - a. 600 feet in the Tollway Character Districts,
 - b. 700 feet in the Central and Neighborhood North Character Districts,

- c. 900 feet in the Neighborhood South Character Districts, and
 - d. No maximum block length requirement in the Creek Character Districts or for Lots 13, 14, 15 and 16 as shown in Appendix "I".
2. Block lengths may exceed the maximum set forth in Section 3.F.1. above to accommodate a mixed-use/office campus development, provided that pedestrian trails, paseos, driveways, fire lanes and/or bicycle linkages are used to break up block face.
 3. The area subject to block length exceptions made under Section 3.F.2., above, shall not exceed 33% of the total area within the Tollway and Central Character Districts combined. For illustration purposes, if the total area in the Tollway and Central Character Districts is 60 acres, then an exception to the block lengths may be allowed for 19.8 acres within either the Tollway Character District or Central Character District, or portions of both the Tollway Character District and Central Character District not to exceed 19.8 acres.
 4. Pedestrian trails, paseos, driveways, fire lanes, and bicycle linkage may be used in lieu of intersecting streets to break up the block face in addition to streets provided pedestrian trails and bicycle linkages used to break up the block face are a minimum of eight (8) feet wide and within a strip of land a minimum of thirty (30) feet wide.

G. BUILDING HEIGHT.

1. **Minimum Number of Stories:**
 - a. At least 80% of the principal buildings in the Tollway and Neighborhood North Character Districts shall not be less than three stories or 35 feet in height except for retail, restaurants and allowed accessory uses, which are permitted to be one story in height.
 - b. Principal buildings in the Neighborhood South Character District shall not be less than two stories in height.
2. **Maximum Height:** No maximum height restrictions apply except for Townhome construction in the Neighborhood South Character District, which shall not exceed three (3) stories or forty-five (45) feet in height.

H. PARKING STANDARDS:

1. **Parking Minimums.** Uses within the Property shall be developed with the following minimum number of off-street parking spaces calculated as follows:
 - a. Multifamily uses (Urban Residential, Dwelling, Multi-Family Apartment): 1.2 spaces per dwelling unit.
 - b. Senior independent living uses (as defined in Appendix A, Definitions, of the ALDC): 0.7 off-street parking spaces per dwelling unit or suite.

- c. Retail use: 3 spaces per 1,000 square feet of gross floor area.
 - d. Restaurant use (stand-alone): 10 spaces per 1,000 square feet of gross floor area.
 - e. Restaurant use (when in-line with other retail or part of a multiple use building): 3 spaces per 1,000 square feet of gross floor area.
 - f. Office: 2.5 spaces per 1,000 square feet of gross floor area.
 - g. Hotel: 0.75 spaces per room/suite and for any non-hospitality use within a Hotel a 50% reduction in parking requirement shall apply to the specific use.
 - h. Other uses: per ALDC.
2. **Parking Reduction.** The Director of Community Development and Director of Engineering may jointly reduce the number of off-street parking spaces if such reduction is supported by the findings of a parking study prepared by a professional engineer or transportation planner which demonstrates need, reviews industry standards, and proposes a modification that will not result in a parking deficiency for the proposed uses for the portion of the Property to be served by the related parking areas.
 3. **Cross Access.** A perpetual cross-access easement for vehicle and pedestrian travel as well as cross-easements for parking, both at-grade and below-grade, shall be granted between and among all contiguous lots within the Property. The cross-access easement may be provided by plat or separate instrument.
 4. **On-Street Parking.** On-street parking spaces located within 300 feet of a building/use may be counted towards the number of off-street parking spaces required for such building or use; provided, however, such spaces may only be counted once and not counted for purposes of determining the number of required off-street parking spaces for other uses or buildings. Nothing in this Section 3.H.4 shall be construed as prohibiting a shared parking agreement (defined in Section 2.H.5 below) from allowing off-street parking spaces to be counted toward satisfying the minimum number of off-street parking requirements for multiple uses or buildings.
 5. **Shared Parking.**
 - a. Except as otherwise provided herein, off-street parking for non-shared uses shall be provided in compliance with ALDC standards.
 - b. Subject to the approval of the Director of Community Development and the Director of Engineering, a Shared Parking Study may be used to reduce the minimum required off-street parking spaces set forth in the ALDC. A parking study shall use independently collected empirical data or use data by an acceptable industry-standard resource.
 - c. Off-street parking requirements may be satisfied through the use of shared

parking agreements, provided that:

- i. The parking lot or garage containing the shared spaces is located no greater than 800 feet from the building/use for which the off-street spaces are being counted;
 - ii. The shared parking agreement provides for an easement establishing a perpetual use of the off-site parking spaces by the building/use for which the off-street spaces are being counted;
 - iii. The shared parking area(s) identified in a shared parking agreement shall generally be limited to areas where the users (e.g., owners, tenants, employees, customers, and/or clients) sharing the parking are open to the public during different times of the day with minimal overlap in business hours;
 - iv. The shared parking agreement must be recorded in the Official Public Records of Collin County, Texas, after execution; and
 - v. Prior to execution and recording, the form of the shared parking agreement will be reviewed and approved by the City Attorney to determine if it conforms to the requirements set forth above and in the ALDC as modified herein.
6. **Surface Parking Lots.** Surface Parking Lots shall comply with the parking lot screening and landscape requirements set forth in the ALDC.

SECTION 4 – STREET TYPES AND TRANSPORTATION NETWORK

- A. **STREET TYPES.** Street types, as identified on the Street Plan, Appendix “E”, are as follows:
1. **Primary Street.** Primary streets are streets with an easement as indicated in the Street Cross Sections in Appendix “F” that serve vehicular and pedestrian users with no fewer than two (2) lanes, optional parallel or angled on-street parking, and parkways (amenity zone and sidewalk zone).
 2. **Secondary Street.** Secondary streets are streets with an easement as indicated in the Street Cross Sections in Appendix “F” that serve vehicular and pedestrian users with no fewer than two (2) lanes, optional parallel or angled on-street parking, parkways (amenity zone and sidewalk zone), and with optional bike path on one side of the street. Modifications to the Street Cross Sections are permitted to accommodate any of sustainability techniques including, but not limited to such items identified in Section 8.
 3. **Townhome Street/Alley.** Townhome streets are public streets constructed as indicated in the Cross Sections in Appendix “F” that serve vehicular and pedestrian users with no fewer than two lanes, optional parallel or angled on-street parking, parkways (amenity zone and sidewalk zone), and with optional bike path on one side of the street.

Townhome alleys are public alleys that are no less than twelve (12) feet in width. All landscaping, irrigation, landscape lighting, and landscape drainage systems located within public street rights-of-way shall be maintained by a Property Owner's Association.

4. **Additional Streets.** The location of additional streets shall be determined at the time of site plan approval. Additional developer-driven public and private streets may be approved by the Director of Engineering to ensure connectivity, comply with block length requirements, and provide adequate emergency coverage and access.

B. STREET CROSS SECTIONS. Primary and secondary streets shall conform to the street cross section details as provided in Appendix "F". Minor modifications to the Street Cross Sections may be approved by the Director of Community Development and the Director of Engineering.

C. STREET AND CHARACTER DISTRICT MODIFICATIONS. Streets may be modified as follows:

1. **Street Modifications.** Street alignments as depicted in the Regulating Plan may shift in location up to 200 feet as long as spacing requirements are satisfied for streets connecting to State Highway 121, the required block lengths are maintained, and street intersections at Alma Drive and Ridgeview Drive satisfy ALDC spacing standards. Such shifting of street alignments shall not alter the minimum number of Trailside Activity Areas along the Watters Creek Trail.
2. **Character District Modifications.** If the location of a street that is the boundary of a Character District shifts, the Character District may shift in size and location consistent with the shift in street locations.
3. **Street Removal.**
 - a. Secondary streets shown on the Regulating Plan may be removed or moved beyond the street modification threshold set forth in Section 4.C.2. above, to correspond with the block length requirements in these Development Regulations in order to accommodate a mixed-use/office campus development, provided that either of the following conditions are satisfied:
 - i. Minimum FAR of 0.5; or
 - ii. Minimum FAR of 0.3 and minimum gross floor area of 200,000 square feet.
 - b. Pursuant to Section 3.F.1, streets may be replaced by pedestrian trails, paseos, driveways, fire lanes, and bicycle linkage used to break up the block face.
4. **Street Continuity Flexibility.** Streets not affected by the relocation of other streets shall not be modified unless environmental or other constraints require alternative connectivity.

- D. **PRIVATE STREETS.** Except for streets on which townhome lots front, all streets within the Property, as generally illustrated in the Regulating Plan, will be private streets which will be designed and constructed by owner or developer, and maintained by a property owner's association in accordance with ALDC Section 8.05.1.
- E. **ACCESS.** Vehicle access points and improvements to the City arterial right-of-way and TXDOT right-of-way adjacent to the Property shall be generally consistent with the Driveway Plan attached as Appendix "G". All driveway locations along the SH 121 frontage road are subject to TxDOT approval. Adjustments or modifications to alignment and/or location of connections to the adjacent rights-of-way shall require approval by the Director of Engineering and TXDOT.

SECTION 5 – PARK LAND, OPEN SPACE, TRAILS AND TREE MITIGATION.

A. GENERAL.

1. **Conformance with Parks and Open Space Plan.** Parks, Open Space and Trails shall generally be provided as set forth in the Regulating Plan, The Parks and Open Space Plan and in accordance with the other requirements set forth in these Development Regulations. Nothing in these Development Regulations shall be construed as prohibiting the development of Character District Parks in addition to those required by these Development Regulations. The parks and open space restricted or platted in accordance with these Development Regulations shall satisfy the requirements for property to be dedicated for parkland and open space for the District, in accordance with Sec. 4.08.17 (5) and Article X, of the ALDC.
 - a. **Mandatory Parks and Open Space.** The following parks and open space shall be constructed within the Property and shall count toward the Parkland and Open Space Dedication requirement set forth in Section 5.A.1.d below:
 - i. **Watters Creek Greenbelt Open Space.** A nature area lining both sides of Watters Creek and containing approximately 16 acres including portions in the flood plain and will include a hike and bike trail as further defined below. The Greenbelt Open Space shall include Trailside Activity Areas or "nodes," one on each side of every parcel that has frontage on Watters Creek (but no less than six nodes in total).
 - ii. **West Lake Park.** An improved 3.0± acre park (with an aerated lake with a minimum water surface area of 1.5 acres) located on the west side of the Property adjacent to Alma Road as shown on the West Lake Park Conceptual Plan attached as Appendix "H" surrounded by retaining walls, walkways, overlooks, hike and bike trail and seating
 - iii. **Central Park.** A 1.25± acre variable width continuous park (but not less than fifteen (15) feet wide at any point) developed with landscaping, hardscape and furnishings connecting the Watters Creek Greenbelt Open Space and the West Lake Park and accommodating pedestrian access through the Property.

iv. **Character Area Parks.** Any of the following shall be considered a “Character Area Park”:

- (1) a Plaza
- (2) a Paseo;
- (3) a Special Use Park with an area of not less than 10,000 square feet and no boundary dimension of less than thirty (30) feet;
- (4) West Lake Park; and
- (5) a trailhead developed with the number and type of amenities required described in Section 5.B.2, below.

Character Area Parks shall be developed in the Central Character District (no fewer than two (2)), the Tollway Character District (no fewer than one (1)), and the Neighborhood North (Urban Residential) District (no fewer than one (1)) with improvements tailored to each district.

b. **Landscape Buffer Open Space.** Landscape buffer open space with a cumulative area of 5.0± acres, a minimum width at any point of not less than thirty feet (30.0’), and developed with a meandering ten-foot (10.0’) wide trail shall be developed along the north, south and west perimeter of the Property No more than fifteen feet (15.0’) of the width of the landscape buffer open space may be unencumbered by any easement.

c. **Mandatory Trails and Trail Improvements.** The following public trails and public trail system improvements to be conveyed and maintained by the City shall be constructed on the Property within dedicated twenty-foot (20.0’) wide public trail easements and designed and constructed in accordance with the City of Allen Trail Design and Construction standards (Appendix I, of the ALDC):

i. **Watters Creek Greenbelt Open Space Trail.** A 10-foot wide hike and bike trail extending from the south property line of the Property, extending north to the Highway 121 Landscape Buffer Trail, and connecting to the Central Linear Trail and the Trailhead Trail. No fewer than six Trailside Activity Areas shall be provided along this trail.

ii. **Ridgeview Drive Trail.** A 12-foot wide hike and bike trail meandering within a 30-foot wide landscape buffer easement running from the southeast corner of the Property to the intersection of Alma Drive and Ridgeview Drive and connecting to the Alma Drive Trail.

iii. **Alma Drive Trail.** A 10-foot wide hike and bike trail meandering within a 30-foot wide landscape buffer easement running from the intersection of Alma Drive and Ridgeview Drive to the intersection of Alma Drive and State Highway 121 and connecting to the Ridgeview Drive Trail and the State Highway 121 Landscape Trail. Trail

connectors shall be provided between the Alma Drive Trail and the Central Linear Trail.

- iv. **State Highway 121 Trail.** A hike and bike trail with a minimum width of 10 feet meandering within a landscape buffer easement not less than 30 feet wide commencing in the approximate location shown on the Open Space Plan, Appendix “D”.
- v. **Primary Trailhead.** A primary trailhead (as defined in the ALDC) shall be developed along the State Highway 121 Trail.
- vi. **Central Linear.** The Central Linear Trail is a minimum 10-foot wide trail to be constructed within the Property extending from the Watters Creek Greenbelt Trail on the east to the Alma Landscape Buffer Trail on the west and routing through West Lake Park. The Director of Parks and Recreation may authorize deviations from the trail design and construction standards included in the ALDC relating to surface materials, turning radius, visibility distances and shoulder design in order to accommodate the urban and slow-speed nature of this trail.

d. Trailside Activity Area. A “Trailside Activity Area” shall include:

- i. an accessible pedestrian area containing no less than 1,000 square feet adjoining the trail, of which no less than 50% shall be hard surface or paved;
- ii. shade/ or a structured shelter and; and
- iii. at least one of the following:
 - (1) bicycle rack;
 - (2) bike minor maintenance station;
 - (3) exercise fitness station;
 - (4) public art;
 - (5) trail sign(s)
 - (6) educational sign(s)
 - (7) benches;
 - (8) drinking fountain; or
 - (9) such other amenities useful to and supportive of trail users.

Each Trailside Activity Area shall be designed and submitted to the Director of Parks and Recreation for approval prior to installation and/or construction.

Designs shall intentionally avoid repeating the amenities of adjacent areas.

e. Park Land and Open Space Dedication.

- i. Parks, open space, and improvements provided in accordance with these Development Regulations shall comply with all parkland and open space requirements set forth in the ALDC and the Code of Ordinances except as otherwise set forth in these regulations.
- ii. For the development of a total of 2,400 Urban Residential units, a cumulative area of not less than 32 acres of open space shall be restricted or platted (for open space) and developed as any combination of the open space types identified on the finals plat(s) of the Property, of which not less than 16 cumulative acres shall be dedicated and developed as park land with amenities as set forth in Sections 5.B.2.a through 5.B.2.c. If fewer than 2,400 Urban Residential units are constructed on the Property, then the required area of open space/park land shall be proportionately reduced to the amount equivalent to the ratio that the constructed Urban Residential units are to 2,400 total Urban Residential units multiplied by 32 acres. Any deficit of required open space may be satisfied in accordance with Section 5.C. below.

2. Park/Open Space Fees Reconciliation.

- a. Upon application for development of the area of the Property at which 25% of the non-floodplain portion of the Property acreage will be developed, a report shall be provided to the Director of Parks and Recreation or designee for approval showing: 1) the total parkland and open space dedication requirements for the Property as of the date of the report; 2) the total parkland and open space provided relating to development of the Property as of the date of the report; and 3) the amount of park dedication fees due, if any. The Director of Parks and Recreation may at his/her discretion consider and grant or deny a Park Investment Value credit (as defined Section 5.C.1.c. ("PIV")) to reduce the amount of park dedication fees due. A request for consideration of a PIV credit against a deficit shall be proposed to the City prior to the design and implementation of any improvements to be considered for such credit. No payment will be required at that time.
- b. Upon application for development of the area of the Property at which 50% of the non-floodplain portion of the Property acreage is developed, a report shall be provided to the Director of Parks and Recreation or his/her designee for approval, showing: 1) the total parkland and open space dedication requirements for the Property as of the date of the report; 2) the total park land and open space provided relating to development of the Property as of the date of the report; and 3) park land fees paid in lieu of parkland dedication to date in relation to the second 25% of the non-floodplain portion of the Property being developed. If there is an outstanding amount of parkland and open space dedication required (i.e., deficit), no further development permits shall be issued by the City relating to the development of any area of the Property

exceeding the first 50% of the Property acreage until the City has been paid the amounts due pursuant to Article X of the ALDC. The Director of Parks and Recreation may at his/her discretion consider and grant or deny a PIV credit to reduce the amount of park dedication fees due. A request for consideration for a PIV credit against a deficit shall be proposed to the City prior to the design and implementation of any improvements to be considered for such credit. If there is more land dedicated for park land and/or restricted or platted for open space in the first quarter of development of the non-floodplain portion of the Property than required for the development of the first quarter of development (i.e. surplus), such surplus will be applied to the dedication requirements relating to development of the second quarter of the non-floodplain portion of the Property developed.

- c. Upon application for development of the area of the Property at which 75% of the non-floodplain portion of the Property acreage is developed, a report shall be provided to the Director of Parks and Recreation or designee for approval, showing 1) the total parkland and open space dedication requirements for the Property as of the date of the report , 2) the total park land and open space provided relating to development of the Property as of the date of the report; and 3) park land fees paid in lieu of parkland dedication to date in relation to the second quarter of the non-floodplain portion of the Property developed. If there is an outstanding amount of parkland and open space dedication required (i.e., deficit), no further development permits shall be issued by the City relating to the development of an area of the Property exceeding the first 75% of the Property acreage until the City has been paid the amounts due pursuant to Article X of the ALDC. The Director of Parks and Recreation may at his/her discretion consider and grant or deny a PIV credit to reduce the amount of park dedication fees due. A request for consideration for a PIV credit against a deficit shall be proposed to the City prior to the design and implementation of any improvements to be considered for such credit. If there is more land dedicated for park land and/or restricted or platted for open space in the one-half of development of the non-floodplain portion of the Property than required for development of such portion of the Property (i.e. surplus), such surplus shall be applied to the dedication requirements relating to development of the third quarter of the non-floodplain portion of the Property.
- d. Upon application for development of the remaining non-floodplain area of the Property, a report shall be provided to the Director of Parks and Recreation or designee for approval, showing 1) total parkland and open space dedication requirements for the Property as of the date of the report, and 2) credits for dedication and fees paid in-lieu-of parkland and open space dedication relating to development of the Property as of the date of the report. If there is more land dedicated for parks and/or restricted or platted for open space in the first three quarters of development of the non-floodplain portion of the Property than required for development of such portion of the Property (i.e. surplus), such surplus shall be applied to the dedication requirements relating to development of the remaining non-floodplain portion of the Property. If there is a deficit of 5% or less in this final report after applying any surplus, a plan shall be mutually developed to use the remaining fees due for installing additional recreational

amenities within the Property not later than one year from the date of approval of the last final plat for the Property. Any deficit greater than 5% shall convert to fees to be paid to the City at a rate of \$48,375 per acre or fraction thereof. The Director of Parks and Recreation may at his/her discretion consider and grant or deny a PIV credit to reduce the amount of park dedication fees due. A request for consideration for a PIV credit against a deficit shall be proposed to the City prior to the design and implementation of any improvements to be considered for such credit.

3. Parks and Open Space Phasing

- a. Prior to issuance of a certificate of occupancy or approval of a final inspection for any dwelling unit in the Neighborhood South Character District, the Ridgeview Trail shall be constructed and completed in accordance with the Parks and Open Space Plan.
- b. Prior to issuance of a certificate of occupancy or approval of a final inspection for any structure on Lots 5, 10, 16, 21, 22, and 28 as shown on the Appendix "I", Lot Plan, the corresponding adjacent section of the Watters Creek Greenbelt Open Space Trail shall be constructed in accordance with the Parks and Open Space Plan. For purposes of this paragraph b., the phrase, "corresponding adjacent section" means the entire portion of the subject lot that shares a common property line with the Greenbelt Character District.
- c. No fewer than one (1) Trailside Activity Areas per lot frontage, and no fewer than six (6) total, shall be constructed on the Watters Creek Greenbelt Open Space Trail as shown on the Lot Plan
- d. Notwithstanding anything to the contrary in paragraph b., above, once the first four segments of the Watters Creek Greenbelt Open Space Trail have been constructed and determined by the Director of Parks and Recreation and Director of Community Development to have been completed in accordance with these Development Regulations, regardless of where the first four segments are constructed, the remainder of the Watters Creek Greenbelt Open Space Trail must be constructed in accordance with the Parks and Open Space Plan, which construction must be completed and accepted by the Director of Parks and Recreation prior to the issuance of a certificate of occupancy or approval of a final inspection for any structure on the remaining Lots along the Watters Creek Greenbelt Open Space Trail.
- e. All other trails shall be constructed in conjunction with the building construction on the lot where the trail is located.

4. Calculation of Required Area of Parks and Open Space. When a minimum area of park land and/or open space to be dedicated, restricted or platted is required by these Development Regulations, determination of compliance with such minimum area shall be subject to the following:

- a. An area located within the Watters Creek flood plain shall be counted toward the minimum open space area required if it is left in its natural state and used

as an amenity or is developed with a continuous trail as shown on the Open Space Plan and a Trailside Activity Area for each developable land parcel along the trail. There shall be a minimum of six Trailside Activity Areas activity nodes, inclusive of Lot 28, along the trail.

- b. Parking areas located in or adjacent to a park area that is subject to use for non-park uses, service drives, and cross access easements shall not be counted as parkland or open space dedication. Parking located at the Primary Trailhead with proper signage and other trailhead amenities as required for a primary trailhead as defined in the ALDC Appendix I, shall be counted toward satisfaction of the required parkland/open space area.
- c. Landscape Buffer Open Space developed with a continuous meandering hike and bike trail not less than 10 feet in width shall count toward the required open space area.
- d. Detention and retention ponds will be graded with side slopes from top of bank to the bottom of pond gently sloped with a gradient not exceeding 4:1 unless approved by the Director of Engineering. Retaining walls may be incorporated when slope requirements of a 4:1 gradient have been approved. The floor/bottom of such pond shall be designed to drain completely within seven days after the end of a 100-year rain event. A detention or retention pond with embankments or with slopes of greater than 4:1, inclusive of hard edged walls and natural areas in the vicinity of creeks, shall be counted toward the minimum area of the Property to be dedicated as park land or restricted or platted for open space if enhanced with pedestrian amenities such as boardwalks, decorative lighting, vegetation, decorative terracing, enhanced landscape treatment or other treatments approved by the Director of Parks and Recreation.
- e. A credit may be applied to the amount of Park Dedication Fees owed for development of the Property if the Owner shows that the costs of the park and recreation related amenities in the parks of the Project constructed for and accessible by the public will exceed that remaining amount of Park Dedication Fees due after the credit is applied in accordance with Section 3.e. above. Prior to the construction of such amenities exceeding the Park Dedication Fees, the Owner shall provide a written notification to the Director of Parks and Recreation for approval or denial, establishing the proposed excess paid for amenities. Annual reports shall be submitted by the Owner to the Director of Parks and Recreation outlining the Park Dedication Fees applied to the Property and the costs of improvements.

5. Ownership and Maintenance

- a. The final plat(s) of the portions of the Property within the Greenbelt Character District shall dedicate public trail easements for the location of said Watters Creek Greenbelt Open Space Trail unless such trails are constructed prior to approval of a final plat containing a Watters Creek Greenbelt Open Space Trail segment, in which case the owner of said portion of the Property may convey public trail easements to the City by separate easement in a form approved by

the City Attorney.

- b. A Property Owners Association shall be owner of fee simple title of the portion of the Property within the Greenbelt Character District and of the public trail easements noted above; provided, however, the City shall be responsible for the maintenance of the Watters Creek Greenbelt Open Space Trail once constructed and accepted by the City, inclusive of the areas within any dedicated public trail easements. The City shall be responsible for maintaining only the paved portion of the trail, while the POA shall be responsible for mowing and control of vegetation along the trail. The POA or the property owner of tracts along the greenbelt shall maintain the Trailside Activity Areas.
- c. The portion of the Property within the Greenbelt Character District, the boundaries of which shall be determined by one or more final plats of said tract and shall contain at least all portions of the Property located within the designated floodplain area as set forth in a floodplain study approved by the Director of Engineering.
- d. At any location where the Watters Creek Greenbelt Open Space Trail exits the floodplain and traverses non-floodplain property, such section of trail not in the floodplain shall be located in a permanent twenty-foot wide trail easement dedicated and conveyed to the City.

B. PARKLAND, OPEN SPACE AND TRAIL STANDARDS.

1. General Standards

- a. The final location of each trail to be constructed on the Property must be approved by the Director of Parks and Recreation or his/her designee prior to commencement of construction of said trail.
- b. Park locations are indicated on the Regulatory Plan, but the location may be shifted based on final development plans and building construction. Any relocation of the park location by more than 300 feet must be approved by the Director of Parks and Recreation.
- c. Deviations to the park requirements Section 5.B.2, below, may be authorized by the Director of Parks and Recreation.

- 2. **Park Requirements.** Parks are to be publicly accessible open spaces that will be used for passive or active recreational use or a combination of the two as shown on the Regulating Plan. Areas set aside for parkland and open space that satisfy the requirements below shall satisfy the parkland dedication requirements.

- a. Parks shall be constructed to include the following amenities:
 - i. Benches or various types of outdoor seating;
 - ii. trash receptacles;
 - iii. irrigated turf grass (not all turf areas within a park or open space are

- required to be irrigated);
 - iv. pedestrian paving;
 - v. at least one shade tree with a minimum of four caliper inches in diameter per 4,000 square feet of park area, shall be planted not less than 25 feet apart; and
 - vi. a maximum of 25% of the shade trees required by paragraph a.v., above, may be substituted with ornamental trees at a ratio of two ornamental trees for each shade tree, which ornamental trees may be planted in groups or separately with no minimum spacing requirement
- b. Parks shall be constructed to include at least three of the following amenities:
- i. dog waste receptacles;
 - ii. drinking fountains;
 - iii. bottle fillers;
 - iv. chilled bottle fillers;
 - v. bicycle racks;
 - vi. electrical receptacles at tables;
 - vii. grill;
 - viii. interpretive signage or markers;
 - ix. pedestrian lighting;
 - x. wayfinding signage;
 - xi. one additional shade tree (minimum of four caliper inches) or ornamental tree (minimum of four caliper inches (single trunk) or five caliper inches (multi-trunk)), or combination thereof, per 4,000 square feet of neighborhood park area in conjunction with the neighborhood park amenity trees (if more than four trees, 75% of the shade or ornamental trees shall be native trees);
 - xii. native drought tolerant ornamental plantings;
 - xiii. native turf/lawn or artificial grass;
 - xiv. certified pollinator habitat;
 - xv. rainwater cisterns;
 - xvi. “smart” irrigation controllers; or
 - xvii. One green storm water infrastructure improvement such as bioswales, bioretention, permeable pavements, and stormwater curb extensions.
- c. In addition to the amenities required by paragraphs a. and b., above, parks may be constructed to include the following recreational amenities which amenities shall also qualify for park dedication fee credits upon the approval of the Director of Parks and Recreation:
- i. shade pavilion;
 - ii. picnic tables in open areas;
 - iii. dog park;
 - iv. outdoor movable tables and chairs;
 - v. stage for outdoor movies or small performances;
 - vi. privately operated restaurants or cafes;
 - vii. splash pad;
 - viii. active playground;

- ix. musical play trail;
- x. nature play area;
- xi. demonstration gardens;
- xii. hardscape gathering space;
- xiii. lawn gathering space;
- xiv. sand volleyball;
- xv. bocce ball;
- xvi. yard games;
- xvii. interactive public art;
- xviii. public art;
- xix. boardwalk; or
- xx. water feature.

3. **Plaza Requirements.** Plazas are small, publicly accessible urban open spaces that are used for passive or active recreation, or a combination of the two. Plazas are not required but in the event plaza construction is desired, the following standards apply:

- a. Plazas are typically connected to a building and can be located between buildings, next to a building and a street, or on a corner.
- b. Soft-scape may include raised planters, at-grade plantings in the hardscape, or potted plant material.
- c. Plazas may be constructed to include the following amenities:
 - i. fabric shade structures;
 - ii. stage for small performances;
 - iii. splash pad;
 - iv. water feature;
 - v. hardscape gathering space;
 - vi. interactive public art;
 - vii. public art;
 - viii. benches;
 - ix. outdoor seating;
 - x. movable tables and chairs;
 - xi. trash receptacles;
 - xii. bike racks;
 - xiii. electrical receptacles;
 - xiv. pedestrian lighting;
 - xv. wayfinding signage;
 - xvi. native shade trees;
 - xvii. native ornamental trees;
 - xviii. native drought tolerant ornamental plantings;
 - xix. certified pollinator habitat with a minimum area of 100 square feet;
 - xx. “smart” irrigation controllers; or
 - xxi. One green stormwater infrastructure improvement such as rainwater cisterns, permeable pavements and stormwater curb extensions.
- d. Plazas shall have an area of not less than 400 square feet.

4. **Paseos Requirements.** Paseos are publicly accessible urban linear open spaces used for pedestrian connectivity, and if provided shall be designed and constructed in accordance with the following:
- a. To the extent possible, paseos shall be straight with the opening at the opposite end readily visible from the other end;
 - b. A minimum of two public access points is required;
 - c. Buildings with a minimum of 50% façade transparency or restaurants with outdoor dining shall line the paseo;
 - d. Blank walls in adjacent buildings shall be interrupted with planting, vines, murals, or other types of art;
 - e. Service vehicles shall be restricted from the paseo, and any back of house services shall be contained to designated areas and screened;
 - f. Focal points shall anchor each end of the paseo;
 - g. Where a paseo pivots, a focal point or slightly expanded open area shall be provided at the pivot;
 - h. Planting shall be provided with raised planters or at-grade plantings in the hardscape;
 - i. Hardscape of pedestrian scaled detail, texture, and color shall be provided to enhance the pedestrian experience;
 - j. Focal points include, but are not limited to, water features, public art, or distinctive planters;
 - k. Fabric shade structures, independent or connected to the building, are permitted in paseos;
 - l. Supportive standard amenities including, but not limited to, benches, trash receptacles, pedestrian lighting, wayfinding, native drought tolerant ornamental plantings, wayfinding and signage, are permitted;
 - m. Additional amenities including, but not limited to, certified pollinator habitat, irrigation controllers, and stormwater infrastructure (such as permeable pavements) are permitted; and
 - n. A paseo shall be a minimum of 18 feet in width and, in cases where a paseo passes through a building must have a minimum height clearance of 10 feet.
5. **Special Use Park Requirements.** Special use parks are private or publicly accessible open spaces that are predominantly designed for at least one specific use and user group.

- a. Types of special use parks may include, but not limited to, a dog park, dog park with restaurant, sculpture park, community garden, trail stretch station, courtyard, passive non-programmed open space, or other special use park as approved by the Director of Parks and Recreation or designee.
 - b. Supportive standard amenities of a special use park may include, but are not limited to, shade pavilions, outdoor restrooms, benches, various types of outdoor seating, trash receptacles, dog waste receptacles, bike racks, drinking fountains, bottle fillers, chilled bottle fillers, picnic tables, electrical receptacles at tables, grill, interpretive signage or markers, pedestrian lighting, wayfinding, native shade trees, native ornamental trees, native drought tolerant ornamental plantings, and lawn.
 - c. Sustainable supportive amenities such as certified butterfly habitat, native or artificial turf, smart irrigation controllers, green stormwater infrastructure such as bioswales, bioretention, rainwater cisterns, permeable pavements, and stormwater curb extensions are permitted.
 - d. Special use parks shall have an area of not less than 5,000 square feet.
6. **Trail Requirements.** Trails are publicly accessible linear open spaces that are used for pedestrian connectivity and active recreational use.
- a. Required sidewalks are not part of the trail system, but sidewalk connectivity to the trail system is required. Sidewalks are not required along Alma Drive, Ridgeview Drive, and SH 121.
 - b. Permitted amenities include, but are not limited to, the following:
 - i. Trailheads;
 - ii. neighborhood connections;
 - iii. seating nodes;
 - iv. wayfinding;
 - v. benches;
 - vi. trash receptacles;
 - vii. dog waste receptacles;
 - viii. educational signage;
 - ix. exercise station;
 - x. bike racks;
 - xi. drinking fountains;
 - xii. native drought tolerant ornamental plantings;
 - xiii. certified pollinator habitat; and
 - xiv. public art.
 - c. Material for the trail connector shall be concrete in accordance with Appendix I of the ALDC or other material approved by the Director of Parks and Recreation or his/her designee.
 - d. Supplementary trails may be improved with gravel or unimproved.

- e. All parcels having frontage on the Watters Creek Greenbelt Open Space shall have trail access to the greenbelt trail.
7. **Individual Lot Open Space.** Open space restricted on each individual development lot shall be counted toward the minimum area required and shall be tracked per the report required per Section 5.A.2. Each Urban Residential building shall include one or more courtyards and/or central greens as open spaces that in the aggregate contain an area of not less than 0.20 acres within the building. Areas consisting of water features, swimming pools, pedestrian hardscape, and softscape with ornamental shade trees or shade structures, bench seating, or handicap accessible walkways may be counted toward the minimum area required. Areas on individual lots occupied by drainage facilities and/or related easements, floodplain areas, erosion hazard setbacks, or other related facilities shall not be counted toward the minimum area of open space required by this Paragraph 7.

C. **OPEN SPACE DEDICATION.**

- 1. Open Space shall be provided in accordance with one of the following:
 - a. Not less than 32 acres of the Property shall be restricted or platted (for open space) or dedicated (for park land) for combined parks/open space purposes in relation to development of 2,400 total Urban Residential units on the Property, such area to be subject to reduction in accordance with Section 5.A.1.e.ii, above; or
 - b. Payment to the City of a fee in lieu of open space dedication equal to a rate of \$48,375 per required acre; or
 - c. Dedication Alternative (Park Investment Value): For every acre or partial acre of open space required but not restricted or platted, compliance with open space restriction and platting requirements may be satisfied by receiving a credit on a dollar for dollar basis against the amount of open space fee that would otherwise be due pursuant to Section 5.C.2.b above. Such credit will be the amount of the cost of installing and/or constructing recreational enhancements or amenities on existing or newly dedicated park sites on this Property in addition to the amenities otherwise required to be installed or constructed in the park areas as set forth in Subsections B.2 through B.6 of this Section 5 (hereafter referred to as “Park Investment Value” or “PIV”), which additional enhancements or amenities shall be limited to the following, or as approved by the Director of Parks and Recreation:
 - i. shade pavilion;
 - ii. picnic tables in open areas;
 - iii. outdoor movable tables and chairs;
 - iv. stage for outdoor movies or small performances;
 - v. splash pad;
 - vi. active playground;
 - vii. musical play trail;

- viii. nature play area;
- ix. hardscape gathering space;
- x. bocce ball;
- xi. interactive public art;
- xii. public art;
- xiii. water feature;
- xiv. fabric shade structures;
- xv. benches;
- xvi. Outdoor trail fitness/stretch equipment.

City shall not be liable for payment to the owner or developer of the Property for any amounts of PIV exceeding the amount of park land dedication fees due to the City, nor shall PIV generated from the installation and/or construction of the additional amenities and enhancements on parks developed within one phase of the Property be credited to park land dedication fees due for other phases developed within the Property.

EXAMPLE: Solely for purposes of illustrating how a PIV credit would be calculated, assume 400 dwelling units are to be constructed in Phase 1, and that one acre of open space is required to be restricted or platted for each 75 dwelling units, resulting in a requirement to dedicate 5.33 acres of open space or pay the City the amount of \$257,839 in fees based on the rate of \$48,375 per acre (5.33 acres x \$48,375/acre). Assume further that only 2.0 acres of open space is restricted or platted in Phase 1, which could include a 1.5-acre Central District Park and one 0.5-acre Character Area Park, resulting in a remaining requirement to restrict or plat 3.33 acres of open space (5.33 acres – 1.5 acres – 0.5 acres = 3.33 acres).

The owner or developer of the Property will have the option to either pay \$162,288 in park land dedication fees (3.33 acres not dedicated x \$48,375/acre), restrict or plat an additional 3.33 acres of land for open space, or use a combination of restricting or platting additional land for open space, paying for park land dedication at a rate of \$48,375 per acre of land otherwise required, or providing PIV in excess of what is otherwise required as set forth in Subsections B.1 through B.4 of this Section 5. To further illustrate this example, if amenities from the approved list in this Section 5.C, above and beyond what are otherwise required in Subsections B.1 through B.4 of this Section 5, are installed on the 2.0 acres of dedicated park land at a cost of \$150,000, the amount of park land fee due and payable to the City will be reduced to \$12,288. If the amount of PIV exceeds \$162,288, the amount of park land dedication fee due to the City for said phase would be reduced to \$0.00.

- c. A combination of the three methods above (5.C.2.a through 5.C.2.c).
- 2. Landscape Buffers at the perimeter of the development shall be counted as open space (i.e., not “park”) for the purposes of dedication calculations if developed with a continuous 10-foot wide concrete recreational trail.

D. TREE MITIGATION AND LANDSCAPING: Development of the Property shall comply

with ALDC Section 7.06 except as follows:

1. Tree Fund payments required due to the removal of Hackberries or Sugarberries will be reduced by 25% of the amount otherwise due.
2. Negative tree credits will not be assessed for a tree that is removed following the City arborist's determination the tree is at the end of its life, diseased, dead or dying per a tree condition survey.
3. Negative tree credits will not be assessed for removal of fence row trees. Fence row trees, defined as a row of trees located within fifteen feet on either side of a fence line, shall not be considered protected trees.
4. Negative tree credits will not be assessed for removal of Siberian Elm (*Ulmus pumila*), hybridized elms of Siberian Elm or Chinaberry (*Melia azedarach*).
5. Tree credits shall be provided for street trees, parkway, and median trees, perimeter open space trees, and any trees preserved in park areas provided such trees are located where served by an irrigation system.
6. Removal of protected trees and historic trees not mitigated through replacement shall be offset by payment to the City Forestry Fund at the rate of \$200 per caliper inch of tree removed.
7. Tree preservation or replacement credits may be granted on the determination of the Director of Parks and Recreation based upon development details and level of landscaping provided during phase planning, with consideration being given to:
 - a. Interior landscape development such as high impact plantings throughout the site;
 - b. Protection of natural areas, etc.; and
 - c. Common areas.
8. Tree mitigation and preservation shall be evaluated on the entire Property and not for individual lots with the Property. Owner will maintain records of the tree mitigation and preservation for the entire Property and on an annual basis provide a written report to the Director of Parks and Recreation on the status of the overall tree mitigation and preservation for the Property.
9. Written reports shall be provided to the City Forester showing a calculation of total credits and debits on tree mitigation fees as follows:
 - a. Upon application for the development of the area of the Property at which 1/3 of the Property acreage is developed; provided, no Tree Fund payment will be required with or in relation to the submission of the initial report;
 - b. Upon application for development of the area of the Property at which 2/3 of

the Property acreage is developed; provided, if there is an outstanding negative tree credit at the time of such report, a Tree Mitigation Liability Account will be established by the City to receive a deposit of funds equal to the outstanding negative tree credit; such funds shall be dedicated to and restricted to be used towards tree mitigation through on-site tree replacement under these Tree Mitigation guidelines; and

- c. Upon application for the development of the remaining area of the Property; provided, if there is an outstanding negative tree credit at the time of such report, a plan shall be identified to use the remaining Tree Funds for on-site tree replacement in accordance with these Tree Mitigation guidelines. Such plan will require the approval of the Director of Parks and Recreation or his/her designee who may alternatively require the payment of funds into the Tree Fund or delivery of trees to the City tree farm.

SECTION 6 - BUILDING DESIGN STANDARDS.

A. BUILDING ORIENTATION

1. At intersections, corner buildings may have their primary entrances oriented at an angle to the intersection.
2. All primary entrances shall be oriented to the sidewalk zone of the Primary Street, for ease of pedestrian access; provided, however, if a cluster of buildings surrounds a parking lot or open space, the primary entrance may be oriented towards the parking lot or open space.
3. A porte-cochere is permitted as a primary entrance as long as a pedestrian connection from the sidewalk to the primary entrance is maintained.
4. Secondary and service entrances may be located from Secondary Streets, internal parking areas or alleys.

B. DESIGN OF PARKING STRUCTURES

1. Upper floor structured parking facades shall be designed so that vehicles on all parking levels are substantially screened from view from adjacent public street rights-of-ways.
2. Facades of above-ground parking structures that face internal Secondary Streets must have an enhanced architectural treatment.
3. Except for ramps at the entrances of parking garages, a long dimension of parking garages (length) shall not face any Primary Street; provided, however, the shorter dimension (width) and entrances to parking structures and ramps may be located on Primary Streets if otherwise designed to comply with this Section 6.B. and such width and entrances shall satisfy the frontage requirements.
4. When parking structures are located at corners of Primary and Secondary Streets, corner architectural elements such as corner entrance, signage and glazing shall be

incorporated at the Primary Street corner.

5. Parking structures and adjacent sidewalks shall be designed so pedestrians are clearly visible to entering and exiting automobiles.
6. The following images are intended to convey a general range of architectural features that would be approved as described in the regulatory text. Approval of final elevations by the Director of Community Development or designee shall be based on application of the requirements herein.



C. DESIGN OF AUTOMOBILE RELATED BUILDING SITE ELEMENTS

1. Drive-through lanes for commercial uses shall not be located along a Primary Street.
2. Drive-through lanes for commercial uses may be located along a Secondary Street if incorporated into the building frontage.
3. All off-street loading, unloading, and trash pick-up areas shall be located along alleys or internal drives. If an alley or internal drive is not available, a Secondary Street may be used. Any off-street loading, unloading, or trash pick-up areas shall be screened using a Street Screen that is at least as tall as the trash containers and/or service equipment it is screening. The Street Screen shall be a continuous masonry wall consisting of (i) the same or complementary materials as the principal building; or (ii) if approved by the Director of Community Development and the Director of Community Services, a living screen or a combination of a masonry screen and living screen.

D. MECHANICAL AND SERVICE SCREENING

1. All buildings shall be designed such that no mechanical equipment (HVAC, etc.) except vents or stacks, is visible from the public right-of-way or open space, whether the equipment is located on the ground, exterior wall or roof.
2. The screening material required by paragraph 1, above, shall be raised at least one foot above the top of the mechanical equipment. Metal or a complementary material may be used as a screen and is permitted above the roof level, but do not count towards elevation maximums.

E. FAÇADE COMPOSITION

1. Buildings shall maintain a façade rhythm along all Primary Streets, which may be expressed by changing materials, or color, or by using design elements such as fenestration articulation, columns and pilasters, or by varying the setback of portions of the façade.
2. Except for the Central and Creek Character Districts, facades will generally be built parallel to the street frontage; provided, however, at street intersections, a façade containing a primary building entrance may be curved or angled toward the intersection.
3. Multi-story office buildings shall be designed with the second floor structure built to a height that allow a minimum first floor ceiling height of not less than 14 feet.
4. A transom, display window area, bulkhead at the base, or similar feature shall be used in the design of retail storefronts unless an alternative design provides similar visual permeability into the storefront.
5. The following images are intended to convey a general range of architectural features

that would be approved as described in the regulatory text. Approval of final elevations by the Director of Community Development or his/her designee shall be based on application of the requirements herein.



F. WINDOWS AND DOORS

1. The required first floor windows along a primary storefront façade of a building on any street or along any façade facing a Primary or Secondary Street shall not be opaque, heavily tinted or mirrored glass.
2. All ground floor primary facades of nonresidential buildings and residential buildings in which the ground floor is a nonresidential use shall have windows (not opaque, heavily tinted or mirrored) covering no less than 60% of the façade area. Each upper floor of the same primary building facades shall contain windows covering at least 30% of the façade area. All other street facing facades (not including façades facing alleys) shall have windows covering at least 15% of the façade area for all floors.



G. GENERAL

1. **Accessory Buildings.** Accessory buildings shall be constructed of materials that complement the main structure.
2. **Rear Facades.** Rear facades visible from adjoining properties and/or a public right-of-way shall be of a finished quality and consist of colors and materials that blend with the remainder of the building's primary facade(s).

H. URBAN RESIDENTIAL BUILDING STANDARDS. Urban Residential dwelling uses shall be subject to the following development and use regulations:

1. **Mixed-use integration.** Urban Residential projects shall be planned and designed to be integrated as part of horizontal or vertical mixed-use development on the Property. Urban Residential units may be located in separate freestanding buildings or may be combined in multi-use buildings of multi-story design.
2. **One-bedroom minimums.** No less than 65% of the Urban Residential dwelling units constructed on the Property shall be one-bedroom and studio units. A room used as a study or office that does not have a closet or bathroom directly accessible only from the interior of the room does not count as a bedroom for purposes of this Section 6.H. If a phase of Urban Residential development results in construction of one-bedroom or

studio units exceeding 65% of the total units constructed, the surplus in that phase may be applied to later phases in the development of the Property which would allow individual properties to have fewer than 65% one bedroom and studio units. Notwithstanding the foregoing, the percentage of one-bedroom and studio units upon completion of construction of all Urban Residential within the Property shall be not less than 65% of the total Urban Residential dwelling units constructed. With each phase of Urban Residential development, a report demonstrating that the aggregate percentage of one-bedroom and studio units to total Urban Residential units is no less than 65% shall be delivered to the Director of Community Development.

3. **Internal Access.** All dwelling units shall be accessed through an interior climate-controlled corridor, except for individual units designed along a street with access to a sidewalk such as a “stoop” design. All interior corridors shall be climate-controlled.
4. **Connectivity.** Pedestrian walkways shall connect all on-site common areas, parking areas, open space, recreational facilities to each other and to the adjacent public sidewalks within the Property but are not required to connect to private amenities.
5. **Non-Residential Component.** The first floor of buildings located on a Primary Building Frontage as depicted on the Regulating Plan shall be non-residential ready and constructed so that the underside of the second floor structure is built to a height to allow a first floor ceiling height if not less than fourteen (14) feet and mechanical chases necessary for conversion to commercial uses.
6. **Structured Parking.** Seventy percent (70%) of the Urban Residential units constructed on the Property shall have access to use of structured parking integrated with the building in which such units are located or in an immediately adjacent building. The number of structured parking spaces constructed in any phase of Urban Residential development may be fewer than 70% of the number of related Urban Residential units constructed provided later phases of Urban Residential development provide for construction of structured parking spaces in sufficient numbers so that the total number of structured parking spaces constructed on the Property is not less than 70% of the number of Urban Residential units constructed on the Property. The developer shall provide a tracking report with the preliminary site plan for each phase of Urban Residential development demonstrating the surplus or deficit for that phase and total percentage of structured parking spaces constructed on the Property and used for owners or tenants of Urban Residential units.
7. **Architecture.** All buildings containing Urban Residential dwelling units shall be a minimum of two stories. Street-facing facades shall incorporate articulation consistent with the architectural style of the building to create diversity in the streetscape. All buildings are required to have consistent "four-sided" architectural treatments except for facades that are not visible from a street. Sloped roofs shall provide articulation, variations, parapets, gables, dormers or similar architectural elements to screen the roof and to break up the massiveness of the roof.

I. TOWNHOME DESIGN STANDARDS. Townhomes shall comply with the following standards:

1. Minimum lot width: 22 feet
2. Minimum front yard: 10 feet
3. Minimum side yard: 5 feet
4. Minimum alley paving width: 12 feet
5. Fence may extend to edge of utility easement or alley paving

J. FLEXIBLE DESIGN STANDARDS

1. Exceptions to the development standards relating to building design or construction set forth in these Development Regulations may be granted for the purpose of improving performance in energy and water use and consumption, carbon dioxide emissions reduction, and improved indoor environmental quality. The standards used for best practices in sustainable design and the measures used to describe a building's environmental performance shall follow those principles, practices, and standards set forth by any of the following organizations:
 - a. U.S. Green Building Council (USGBC) – Leadership in Energy and Environmental Design (LEED); or
 - b. EPA and U.S. Department of Energy – Energy Star for Homes and Businesses; or
 - c. The Sustainable Sites Initiatives (SITES); or
 - d. Congress for the New Urbanism (CNU); or
 - e. BRE Environmental Assessment Method (BREEAM).
2. A request for an exception to the building design standards of these Development Regulations shall be submitted and approved before implementation by the Director of Community Development, Director of Engineering, and Chief Building Official, who shall have the authority, but not the obligation, to approve the alternative design(s) without being processed as a zoning amendment in accordance with the ALDC provided such design alternatives are generally consistent with the intent of these Development Regulations and such exception does not:
 - a. result in the approval of a land use not otherwise authorized by these Development Regulations or the ALDC;
 - b. increase the allowable intensity or density of any land use; and
 - c. effectively result in an amendment to these Development Regulations or the ALDC.

SECTION 7 - STREETSCAPE STANDARDS.

A. GENERAL

1. The streetscape standards contained herein shall apply to all streets within the Property except service drives, alleys, and fire lanes.
2. All private streets and landscaping within them shall be maintained by a property owners association.

B. PLANTING STANDARDS

1. Minimum caliper for required trees at time of planting, measured six inches above the root ball, shall be a minimum of four inches.
2. Trees in the landscape areas along streets shall be from the list of recommended trees in the ALDC unless other species are approved by the City Forester.
3. Trees planted along streets in the pedestrian amenity zone and/or median shall include a root barrier between the tree and back-of-curb.

C. STREET TREES

1. Pedestrian Amenity Zones will extend at least 50% of the block face, excluding site visibility triangles.
2. Except for street trees planted within curb extensions, no fewer than one shade tree for every 40 feet of street frontage, or portion thereof, shall be planted within the Pedestrian Amenity Zone. Flexibility on the spacing of street trees in the Central District will be permitted provided the number of trees is not less than the number of trees that would otherwise be required with the typical spacing herein.
3. Detention and retention areas and parks and open spaces along a block frontage shall be included in the calculation of the overall block frontage for purposes of calculating the minimum number of street trees required in a given block.
4. Street trees shall be planted no less than four feet behind the curb line and also placed in curb extensions (bump-outs into the parking lane) as long as the spacing complies with paragraph 5, below.
5. Each tree shall be planted in a planting area not less than 36 square feet; provided, however, the tree well area may be no smaller than five feet by five feet (5' x 5') or 25 square feet. Trees installed in street well locations will include structural soil as designed by a Landscape Architect for the specific conditions or other approved system to remediate reduced planting areas.
6. Tree wells shall be irrigated in accordance with the City of Allen Water Conservation Code and include a connecting subsurface drainage system. Root barrier shall be installed on the sides of tree wells.

D. STREETScape FURNISHINGS

1. All street furniture shall be located in a manner to allow a clear sidewalk passageway of not less than eight feet for Primary Streets and not less than six feet for Secondary Streets.
2. Furnishings may include one or more of the following:
 - a. Benches
 - b. Wayfinding signage or kiosks
 - c. Bollards
 - d. Dog waste facilities
 - e. Electric charging stations
 - f. Planters
 - g. Bicycle racks
 - h. Trash/recycling receptacles
 - i. Water feature
 - j. Public art
3. Light poles, signs, and other street improvements may be located in the Pedestrian Amenity Zone outside of the path of pedestrian travel.

E. SIDEWALKS. Unless otherwise identified on the Regulating Plan, sidewalks constructed on the Property shall be not less than six feet wide; provided, however, sidewalks on Primary Streets shall be not less than eight feet wide.

F. LIGHTING

1. Light standards no taller than 20 feet in height shall be installed along all streets.
2. Streetlights shall be placed at uniform locations based on the placement of street trees and other street furniture to provide safety for both pedestrians and automobiles while limiting spill-over and light pollution effects.
3. Light poles on public streets shall comply with ALDC base standards.

SECTION 8 – SUSTAINABILITY

Incorporation of one or more of the following sustainable features may be used if privately owned and maintained:

1. Permeable pavement
2. Bioswale/bioretention feature
3. Rainwater cistern
4. Drought tolerant plant material

5. Pollinator supportive habitat
6. Smart irrigation controllers

SECTION 9 – INFRASTRUCTURE IMPROVEMENTS

- A. Construction of storm water detention facilities designed to detain surface water flows for the western 25% of the Property shall be constructed on the Property. Staged detention designed to receive the developed runoff that makes the detention facility necessary shall be shown on the final site plans for each portion of the Property being platted and constructed in accordance with ALDC standards concurrently with development of the other public and private infrastructure associated with the portion of the Property being developed. In lieu of multiple detention/retention facilities and subject to approval of the design by the Director of Engineering, a common detention area for receiving developed runoff based on full development of the Property may be constructed. All storm water detention facilities shall be sufficiently designed and sized to accommodate all drainage requirements set forth in the City's standards. All storm water detention facilities shall be shown as a common area at the time of final plat and shall be owned and maintained by the developer and/or a property/homeowner's association subject to ALDC Section 8.20.
- B. Designated 100-year floodplain may be modified in accordance with procedures established by the Federal Emergency Management Agency (FEMA) and Section 5.01 of the ALDC and upon approval of the Director of Engineering.

SECTION 10 - SIGN STANDARDS

- A. **GENERAL.** Signs in the District shall conform to applicable ALDC provisions except as provided in this Section 10.
- B. **ALLOWED SIGNS.** The following signs shall be allowed subject to the size restrictions set forth in the ALDC unless otherwise indicated below:
1. **Sandwich/A-Frame Sign.** Sandwich/A-frame sidewalk signs may be located in the Tollway, Central, Neighborhood North and Creek Character Districts subject to the following:
 - a. The sign height shall not exceed four feet;
 - b. Each sign face shall not exceed an area of eight square feet;
 - c. The sign may be placed in the pedestrian amenity zone created by street trees and pedestrian lighting, provided that:
 - i. The sign is located no closer than one foot to the face of the curb;
 - ii. A minimum unobstructed sidewalk width of six feet is maintained;
 - d. A sign permit must be obtained from the City prior to placement of the sign on the Property;
 - e. Only one A-frame sign is permitted per occupancy;
 - f. A-frame signs may be placed on the sidewalk adjacent to a restaurant associated with the sign only during the restaurant's business hours; and
 - g. A maximum of one of each type of the following signs are allowed per retail, restaurant or service business: A-frame (sandwich board) signs and menu signs.
 2. **Off-Premise Multi-Tenant Signs.**
 - a. Maximum effective area: 180 square feet per side.
 - b. Maximum number: four on SH 121 frontage, three on Alma Drive frontage, and two on Ridgeview Drive frontage.
 3. **Off-Premise District Signs.**
 - a. Maximum effective area: 180 square feet per side.
 - b. Maximum number: three on SH 121 frontage, three on Alma Drive frontage, and two on Ridgeview Drive frontage.
 4. **Outdoor Patio Umbrellas.** Outdoor patio umbrellas may contain advertising and be

allowed for special events, retail, service, or restaurant uses.

5. **Vehicular Signs.** Vehicular Signs on food trucks and trailers.
6. **Wall signs.** Wall signs shall be in accordance with applicable provisions of the ALDC unless modified herein.
7. **Blade Signs.**
 - a. No more than one blade sign will be allowed for each building face. No monument sign shall be permitted on the same street frontage adjacent to the building face when a blade sign is installed on the same building face. Wall signs on the same building face may be approved by the Sign Control Board pursuant to the criteria set forth in Section 2.03 of the ALDC.
 - b. Each sign face of a Blade sign shall not exceed an area of fifty square feet per building face and shall not exceed five feet in width.
 - c. The lowest edge of the Blade sign shall be not less than twelve feet above the ground beneath the sign.
 - d. The top edge of the Blade sign shall not exceed a height that is two-thirds (in linear feet) of the height of the building face at the location of the building face where the sign is attached.
8. **Hanging/Projecting Signs.**
 - a. No more than one hanging sign will be allowed for each first-floor occupancy; provided, however, a first floor building occupant with public entrances on more than one street frontage may have one hanging sign on each street frontage;
 - b. Each sign face shall not exceed an area of twelve square feet;
 - c. Each sign face shall not exceed a width of five feet;
 - d. The lowest edge of the sign shall not be less than eight feet above the ground below the sign; and
 - e. No hanging sign shall be closer than fifteen feet from another hanging sign.
9. **Illuminated Signs.** Illuminated signs are allowed within 150 feet of a residential property internal to the District, but only if illumination does not exceed 2.0 foot-candles measured at a level five feet above the shared property line.
10. **Painted Signs.** Signs painted directly on the surface of a building or structure are allowed if approved by the Sign Control Board.
11. **Utility Poles.** Signs may be attached to public utility poles or light poles if approved in

advance by the Sign Control Board, the owner of the pole, and any other party that has prior rights to use of the pole. This paragraph 12 does not constitute approval to place signs on public utility poles or light poles owned by the City, which approval must be obtained from the City department with jurisdiction over the pole and the Director of Community Development prior to placement of the sign on the City pole.

12. **Banners.** Banners for special events shall not be restricted by number of permits per year or restrictions on running consecutively; provided, however, banner signs may be installed no earlier than three weeks prior to the special event to which the sign relates and must be removed no later than one week after the conclusion of the special event.
13. **Digital Signs.**
 - a. Digital signs may be façade-integrated, pylon, pole signs or monument signs.
 - b. Façade-integrated signs may be digital signs or static signs with a light source that is not directly visible.
 - c. The maximum copy area for any individual sign of this type is 900 square feet per side. The total copy area for all signs of this type is 8,000 square feet.
 - d. Digital signs may not display light of such intensity or brilliance to cause glare, impair the vision of an ordinary driver, or constitute a nuisance.
 - e. No flashing, dimming, or brightening of message is permitted except to accommodate changes of message.
 - f. Nothing in this Section 10.B.14 shall be construed as authorizing installation of a digital sign at a location that requires approval by TxDOT prior to installation.
14. **Multistory Office Wall Signs.**
 - a. Multistory office wall signs shall not be required to be placed above a tenant's lease space.
 - b. Signs may be located on the face of a building in either a horizontal or vertical direction or near the top of the building facade.
 - c. Multistory office wall signs may be illuminated.
 - d. A multistory office wall sign may project no more than four feet from the building surface at the location to which it is attached.
 - e. Ground floor tenants in a multistory office shall be treated separately and may have signs regulated in accordance with the standards in these Development Regulations and the ALDC.
 - f. The allowable number and size of cumulative signs for multistory office wall signs, per façade, is as follows:

- i. Multistory office buildings may have three signs per elevation not including ground floor signage.
 - ii. Single-story building signs shall conform to the standards in these Development Regulations and the ALDC for attached (wall) signs.
 - iii. Buildings between 20 feet and 60 feet in height shall have signs no larger than 25 square feet plus an additional three square feet for every one foot in building height over 20 feet.
 - iv. Buildings greater than 60 feet in height shall have signs no larger than 25 square feet plus an additional five (5) square feet for every one foot in building height over 60 feet. This signage shall be restricted to placement anywhere in the top 20% of the building façade.
- 15. **Rooftop Signs.** One rooftop-mounted premise sign is permitted per lot, subject to the following conditions:
 - a. A rooftop-mounted premise sign may be illuminated internally or externally, or both;
 - b. A rooftop-mounted premise sign may not exceed 1,200 square feet of total effective area; and
 - c. A rooftop-mounted premise sign must comply with Fire Code regulations.
- 16. **Character Structure Signs.** Signs are permitted to be erected on character structures (e.g. water towers, windmills, etc.), subject to the following conditions:
 - a. Character Structure Signs may be illuminated internally or externally, or both; and
 - b. Character Structure Signs may not exceed 1,200 square feet of total effective area.
- 17. **Undefined Signs.** Sign types not clearly defined in the ALDC may be allowed if approved by the Sign Control Board after a recommendation by the Director of Community Development.

SECTION 11 - SITE PLAN ADMINISTRATION.

A. SITE PLAN REVIEW PROCESS

- 1. **Site Plan Details.** Site plan details to be provided on a site plan shall comply with Section 6.05.3 of the ALDC.
- 2. **Site Plan Review Standards.** The Director of Community Development shall be authorized to approve a site plan if such site plan complies with the Regulating Plan

and conforms to the standards set forth in these Development Regulations and the ALDC.

3. **Amendments to Approved Site Plans.** The Director of Community Development shall be authorized to approve changes to approved site plans that comply with the Regulating Plan and the provisions in these Development Regulations.

B. AMENDMENTS TO THE REGULATING PLAN

1. **Minor Modifications.** Except as otherwise provided in these Development Regulations, the Director of Community Development shall have the authority to administratively approve minor changes to the Regulating Plan. “Minor modifications” include changes that:
 - a. Do not materially change the circulation on the Property;
 - b. Do not change the relationship between buildings and streets;
 - c. Do not amend the overall area allocation between different Character Areas by more than 15%;
 - d. Relocate mandatory parks provided the amount of park area satisfies the amount of park area required as shown on the Regulating Plan or as required by these Development Regulations;
 - e. Add amenities to the parks and open space requirements which may be used in addition to or in lieu of the amenities identified as approved by the Director of Parks and Recreation; or
 - f. Relocate required trails provided pedestrian and bike connectivity is provided as intended by the Regulating Plan.
2. **Major Modifications.** Changes to the Regulating Plan that do not qualify as minor changes shall be processed as an amendment to a zoning ordinance pursuant to the ALDC.
3. **Modifications Mandated by Law.** Any modification to a street location shown on the Regulating Plan that is necessitated by a Federal, State, or Local action may be administratively approved by the Director of Engineering.

SECTION 12 – DEFINITIONS

Unless the context indicates otherwise, the following words and phrases shall have the following meanings as used in these Development Regulations:

- A. **Build-to-Zone:** the distance in which a building shall be constructed from the street back-of-curb or property line along a Primary or Secondary Frontage. Publicly accessible and activated people spaces, such as outdoor cafes, patios and plazas differentiated from the sidewalk shall be considered as buildings for the calculation of building frontage.

- B. **Building Frontage:** the percentage of a building's façade that is required to be located in the Build-to-Zone, except for any additional setback needed to account for site visibility triangles, as a proportion of that lot's frontage along the private street. Publicly accessible and activated people spaces, such as outdoor cafés, forecourts, patios and plazas differentiated from the sidewalk shall be considered as buildings for the calculation of building frontage.
- C. **Flex Space:** floor area built to provide for flexibility of use over time, and which is constructed in a manner that can accommodate residential, office or retail use. It will conform to commercial Building Code standards and ADA accessibility, and have at least a 14-foot clear ceiling height.
- D. **Open Space:** For purposes of these Development Regulations, and in addition to the provisions of the ALDC, open space shall also include:
1. Land area, including easements, accessible to and permanently reserved for the common use and enjoyment of the residents, tenants and visitors within the District for leisure, and active and passive recreational purposes;
 2. Floodplain, natural drainage areas or creeks as long as developed and maintained as an amenity;
 3. Ponds and bodies of water; so long as these are developed with pedestrian amenities not limited to walking trails, decorative lighting, seating or enhanced landscape treatment; and
 4. Right-of-way setbacks developed with a planting mix supportive of native wildlife. but shall not include:
 - a. Areas reserved for the exclusive use and benefit of an individual tenant or owner; and
 - b. Streets, parking for non-park uses, alleys and public rights-of-way.
- E. **Park:** For purposes of these Development Regulations, and in addition to the provisions of the ALDC, parks may include:
1. Floodplain, drainage easements, natural drainage areas or creeks, as long as developed or preserved and maintained as an amenity;
 2. Drainage easements for conveying stormwater to the West Lake Park water feature may be counted in the area considered for park dedication credit
 3. Ponds and bodies of water as maintained as an amenity;
 4. Trails so long as they are developed with at least five amenities required for parks;
 5. Trailheads developed with at least five amenities required for parks;
 6. Permitted amenities; but shall not include:

- a. Areas reserved for the exclusive use and benefit of an individual tenant or owner; and
 - b. Dedicated streets, parking, cross-access easements, alleys and public rights-of-way.
- F. **Pedestrian Amenity Zone:** the band between the back of curb and the sidewalk which contains such things as street trees, pedestrian scale lighting, street furnishings and bicycle parking.
- G. **Sign:**
 - 1. *A-Frame/Sandwich Board Sign* means a self-supporting A-shaped sign with two visible sides that is situated on or adjacent to a sidewalk.
 - 2. *Blade Sign* means a projecting sign mounted on a building facade perpendicular to the street or sidewalk, typically spanning multiple stories along a facade.
 - 3. *Hanging/Projecting Sign* means a single tenant sign mounted on a building façade and projecting perpendicular to a street or sidewalk, with the location/mounting of the sign at or below the indicated architectural break between the ceiling of the first story use and the floor of the second story use.
 - 4. *Menu sign* means a window or freestanding sign containing menu items for the on-site retail or restaurant business.
 - 5. *Patio Umbrella with advertising* means a patio umbrella containing incidental advertising directly or indirectly associated with the on-site retail or restaurant business.
 - 6. *Vehicular Signage on food trucks and trailers* means vehicular signage attached to the food truck or trailer that is serving as the place of business.
- H. **Street Screen:** a low screening wall built at the edge of a parking area or utility/ service area made up of:
 - 1. the same material as the principal building the parking is serving; or
 - 2. a living screen; or
 - 3. a combination of the two.