

# GATEWAY OVERLAY DISTRICT REGULATIONS

## 10A-100. Function and Purpose of the Gateway Overlay District

- (a) *Function.* The Gateway Overlay District (“Gateway”) shall function as an overlay zoning district. The requirements and development standards of the Gateway shall supersede the regulations of the underlying zoning district where such district’s regulations conflict with this Section or are silent in regard to a specific regulation. When the regulations of the Gateway are silent, all regulations of the underlying zoning district shall be in effect.
- (b) *Purpose.* The Gateway Overlay District Regulations and Design Guidelines (“Gateway Regulations”) are intended to serve a number of purposes, including but not limited to:
  - (1) Educate property owners, designers, developers, the public and plan reviewers on what the City of The Colony expects and desires for new development and redevelopment within the designated Gateway;
  - (2) Identify the main thoroughfares, the Sam Rayburn Tollway (“S.H. 121”) and F.M. 423 (“Main Street”), located within the City of The Colony as areas requiring special attention to detail and design; and,
  - (3) Illustrate specific techniques to use when planning and designing developments, landscaping and individual buildings.

## 10A-200. Intent of the Gateway Overlay District

The intent of these regulations is to ensure a high quality development through design control measures. The Gateway Regulations are based on the following eight (8) principles:

- (a) *Create a sense of place.* Along corridors where substantial pedestrian activity occurs and/or is encouraged, or where mixed-use and multiple building projects are proposed, a goal of the Gateway Regulations shall be to create a recognizable and memorable sense of place. Building arrangements, materials, design, uses, natural features and landscaping shall contribute in creating exterior spaces where people can interact.
- (b) *Design for a Gateway vision.* New building design shall be compatible (in massing, scale, materials and colors) with other neighboring structures and contribute to the overall aesthetic quality of the Gateway. Existing developments are encouraged to redesign with the same high quality that is consistent with the Gateway vision. Site designs shall contain common elements to provide continuity within the Gateway. New development, including franchise development, shall complement the City’s character and respect those qualities that distinguish the City’s natural and built environment.
- (c) *Facilitate pedestrian access.* Compact, walkable developments are encouraged within the Gateway area. Pedestrian connections shall be part of the integral design and shall be placed between vehicular parking and buildings, connecting adjacent buildings and Gateway properties to any adjacent residential areas.
- (d) *Create an inviting streetscape.* Gateway developments shall incorporate inviting streetscapes and public spaces including, but not limited to, plazas, shaded seating areas and walkways. Redevelopment of properties shall enhance the existing streetscapes and be engaging to the public.

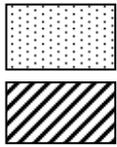
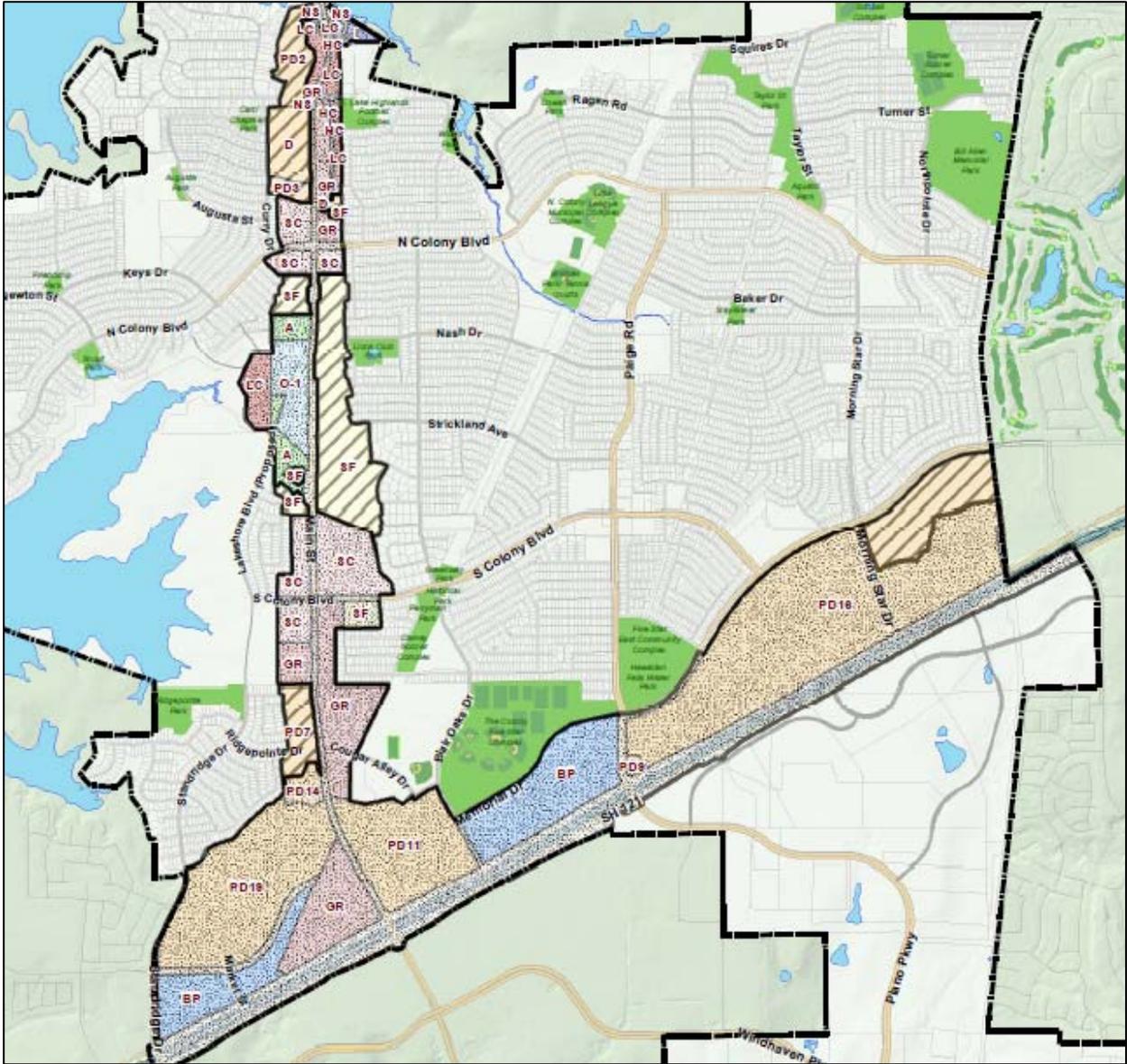
- (e) *Maintain building scale and design.* Developers shall consider the impact of their design including, but not limited to, architectural features, height, mass and landscaping, on the people who will live, work and/or shop within the Gateway.
- (f) *Preserve and enhance natural character.* Gateway developments are encouraged to incorporate existing streams and channels, mature trees and natural buffers into the site design to maximize the natural character of The Colony. Designs shall use the existing topography, where practical, to minimize grading and limit impervious surfaces.
- (g) *Create harmonious signage.* Public and private signage shall be harmonious and in scale with building elements, public areas and landscaping features.
- (h) *Mask the utilitarian.* Gateway developments shall provide screening from public view of parking lots, outdoor storage, loading areas, trash and recycling receptacles, mechanical equipment and other uses that may have adverse visual impacts to adjacent properties.

**10A-300. District Boundaries**

The Gateway Overlay District is defined as the area along the north side of S.H. 121 from the western city limit to the eastern city limit and along Main Street (F.M. 423) from S.H. 121 north to approximately 650 feet south of the Main Street (F.M. 423) bridge over Lake Lewisville (see map on next page).

Residential areas have been removed from the Gateway Overlay District. When and if any of the abutting residential district changes to a commercial zoning, the tract will automatically be incorporated into the Gateway Overlay District upon approval of the rezone request.

10A-300 Exhibit 1  
Gateway Overlay District



Proposed Gateway Overlay District Area

Residential Areas removed from Gateway Overlay District

## **10A-400. Review Authority**

The Development Review Committee (“DRC”), after review of an application, shall determine the appropriateness of the proposed construction, reconstruction, or alteration of buildings or structures. The DRC will make a recommendation to the Planning and Zoning Commission (“Commission”). Upon further review, the Commission will make a recommendation to the City Council. The City Council reserves the right to review any decision it deems necessary.

All permitted uses, prohibited uses and Specific Use Permit requirements in the Gateway Overlay District shall be the same as for the underlying zoning district based on the uses permitted in Section 10-100, “Use of Land and Buildings,” of this Chapter. Definitions of terms contained in Section 10-300, “Definitions,” of this Chapter are applicable.

- (a) *Existing developments.* Additions, renovations or redevelopment of existing developments shall comply with the Gateway Regulations if one (1) of the following conditions exists:
- (1) The construction value of such addition, renovation or redevelopment exceeds fifty (50) percent of the assessed value, per the latest Denton County records, of the existing structures;
  - (2) Thirty-five (35) percent of the square footage of the existing structure or structures is affected by the addition, renovation, replacement or redevelopment;
  - (3) A period of more than 180 consecutive days has lapsed where the structure is vacant, as identified by active utilities; or,
  - (4) Cumulative additions, renovations or redevelopment initiated within a five (5) year period meets the thresholds listed above.
- (b) *Exterior change approval process.* It is the intent of the Gateway Overlay District that existing developments be upgraded to meet the Gateway Regulations as upgrades are made to the building and/or site. Any exterior change shall require review and approval by the City. Such changes shall include, but are not limited to, colors, materials, roof shapes and finishes, landscaping and signage. The purpose of such approval shall be to ensure that any exterior change is consistent with the intent of the Gateway Regulations. Routine maintenance that does not affect the approved exterior design shall be exempt from these regulations.

## 10A-500. Specific Use Permit Procedures

In the event that the building and/or site cannot comply with the regulations in this Section, the owner of the proposed site may request a Specific Use Permit ("SUP") before the City Council.

- (a) *Process.* Upon submission of an application for a SUP, the case shall be scheduled for consideration by the Development Review Committee ("DRC"). The DRC shall consider the case and make a recommendation to the Planning and Zoning Commission ("Commission") and the City Council. The City Council shall consider the case during a public hearing for which proper notification has been made. Proper notification shall be in accordance with Section 24, "Amendments," of this Chapter.
- (b) *Application.* An application for an SUP, any revision of a previously approved SUP application, or any reconstruction, enlargement, extension, relocation or structural alteration of an approved SUP shall be submitted in writing to the DRC, accompanied by the following:
  - (1) A complete application with applicable fees, as approved by the City Council in the City's Master Fee Schedule;
  - (2) A written statement describing the proposed use;
  - (3) A site plan in accordance with Section 17, "Site Plan Approvals," of this Chapter; and,
  - (4) Architectural plans showing the elevations of the proposed structure, if applicable.
- (c) *Criteria for approval.* In reviewing an application for an SUP, the City Council will take the following criteria into consideration:
  - (1) The DRC recommendation;
  - (2) The Planning and Zoning Commission recommendation;
  - (3) The impact on adjacent property owners;
  - (4) The existence of a hardship that is not a result of the property owner's action;
  - (5) The appropriateness of the request in terms of location, density and height of the structure or use; and,
  - (6) The compatibility with the existing uses on the lot and surrounding land uses.
- (d) *SUP amendments.* A request for a change to an SUP shall be considered entirely on its own merits and the unique conditions related to the property on which the appeal is brought.

## 10A-600. Site Design Standards

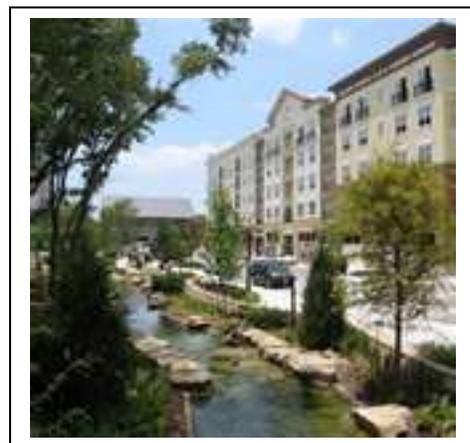
The intent of this Section is to foster site design that provides superior architectural types, forms, scale and pedestrian amenities. Site design within the Gateway Overlay District is subject to enhanced design standards. The elements used shall create an aesthetically pleasing appearance to The Colony that is distinctive from other cities in the North Texas area. The following are the minimum standards for site design:

(a) *Connectivity between and within sites.*

- (1) *Focal points.* The site design shall designate major entryways into a development and include some type of entry feature such as landscaping, an entry monument, sculpture or fountain (see Section 10A-700(d)(2) for developer choices).
- (2) *Architectural features.* Materials, forms, scale and design shall be used to visually link individual sites to adjacent properties and neighborhoods.
- (3) *Traffic impact.* New development will be subject to the *Engineering Design Manual* in regard to design for traffic volume and movement. A Traffic Impact Analysis (TIA) may be required, as specified in the *Engineering Design Manual*.
- (4) *Bike trails.* A continuous pedestrian/bicycle route shall be constructed along Main Street (F.M. 423). Refer to the Trail Master Plan for locations of planned bike routes (see Section 10A-1300 for bicycle standards) throughout the Gateway.
- (5) *Pedestrian system.* In addition to the required public hike and bike system, large sites shall create a pedestrian pathway system that link all buildings, parking areas and open spaces utilizing the pedestrian pathways that will connect to any nearby public sidewalks (see Section 10A-1100 for pedestrian standards).
- (6) *Cross access.* Driveways, curb cuts, parking and internal roadway/traffic circulation shall be designed to provide cross access so that uninterrupted vehicular access from parcel to parcel is achieved.

(b) *Natural features.*

- (1) *Retention of features.* Lakes, ponds, creeks, wetlands and other natural features are encouraged to be retained in the design and development process. Significant natural amenities shall be fronted by streets or paths at least thirty (30) percent of their length rather than privatized behind backyards.
- (2) *Natural topography.* Developments shall conform to the natural site topography of the property, when practical, to minimize the amount of grading necessary and to achieve connectivity with adjacent sites.



(c) *Lighting.* Lighting standards shall be designed to ensure personal safety, avoid unnecessary light pollution and prevent motor vehicle and pedestrian conflicts by reducing the negative effects of glare and light trespass.

- (1) *Lighting plan.* An exterior lighting master plan detailing areas and structures requiring illumination, lighting fixture styles, light sources and light levels shall be

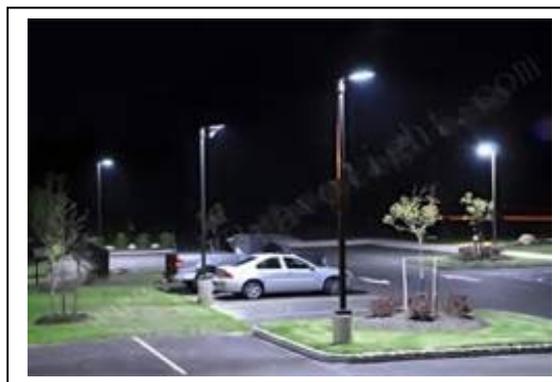
included as part of the site plan review for new and existing developments that trigger the Gateway Regulations.

- (2) *Street lighting.* It is the policy of the City that all new subdivision developments provide street lighting in accordance with the Subdivision Ordinance, Appendix B of the Code of Ordinances.
- (3) *Site lighting.* Site lighting shall be installed in accordance with the standards set forth in this Section and according to City ordinances.
- (4) *Glare and illumination.* All outside lights must be designed and installed so as not to produce a glare or direct illumination greater than one-half (½) foot candles when measured three (3) feet in height at the bounding property lines.
- (5) *Backlit awnings and canopies.* Backlit awnings and canopies are not permitted.
- (6) *Walkway lighting.* Walkway lighting, when provided, shall be installed in accordance with the standards set forth in the most recently adopted International Energy Conservation Code.
- (7) *Accent lighting.* Accent lighting, when provided, shall be installed in accordance with the standards set in the most recently adopted International Energy Conservation Code.
- (8) *Security lighting.* Security lighting, when provided, shall be installed in accordance with the standards set in the most recently adopted International Energy Conservation Code.



- (d) *Building placement.* The intent of this Section is to properly orient the façade of new buildings and their service areas to provide the best intended impact on neighboring properties and the Gateway Overlay District as a whole. (See also Section 10A-900, “Building Design Standards”).
  - (1) *Orientation.* The building’s primary façade shall face the public road from which addressing is provided. Where the building’s primary façade is unable to be oriented parallel to the road from which it is addressed due to site constraints or other factors, each façade which is clearly visible from a public right-of-way or public area shall be designed with architectural treatments required for primary façades.
  - (2) *Larger developments.* The design of developments that are five (5) acres or larger shall provide architectural breaks in building massing to create visual interest (see Section 10A-900).
- (e) *Parking.* The intent of this Section is to design parking lots that provide access to commercial and office developments, while minimizing the potential negative impact associated with expansive vistas of unbroken concrete pavement.
  - (1) *Parking between building and street.* A maximum of 100 feet between the right-of-way and building façade shall be used for parking and drive aisles. A maximum of two (2) single rows of parking are permitted between the primary building and the street. Parking shall be designed to be perpendicular with the building and provide a minimum twenty-four (24) foot wide fire lane.

- (2) *Parking locations on site.* The majority of parking for new developments within the Gateway shall be provided on the side or rear of the primary building.
  - (3) *Shared parking agreements.* Shared parking agreements for adjacent commercial properties are acceptable where uses exceed the required parking and the partners agree to share the excess spaces. Shared parking agreements cannot be approved if there are insufficient parking spaces.
  - (4) *No parking in landscape buffers.* Parking is prohibited in required landscape buffers.
  - (5) *Pedestrian pathways.* Each parking lot with more than 100 parking spaces shall have a designated and landscaped pedestrian pathway from the public sidewalk to the main entrance of the primary building.
  - (6) *Parking garages.* Parking garages shall be sited behind or to the side of the primary building. If a parking garage fronts on a public street, it shall have an architecturally finished façade facing the street(s), complementary to the surrounding buildings. Street front openings in parking structures shall not exceed fifty-five (55) percent of the façade area. This percentage excludes the top floor if the garage is unroofed. Where possible, the narrower façade of the parking garage shall be oriented to the street in order to minimize the visual impact of the structure on the public right-of-way and pedestrian paths.
- (f) *Parking lot lighting.* The intent of this Section is to ensure that safe levels of lighting are maintained within commercial developments, while protecting adjacent residential development from light pollution.
- (1) *Glare.* All lighting shall be installed and operated so as not to produce glare or direct illumination across the bounding property line of such intensity as to create a nuisance or detract from the use or enjoyment of the adjacent property.
  - (2) *Reflection.* All outside lights shall be constructed of a light source and reflector, so that acting together, the light beam is controlled and not directed across any bounding property line above a height of three (3) feet and at a maximum intensity of one-half (½) foot candles.
  - (3) *Prohibited lighting types.* Low pressure sodium lighting and fixtures that cast a similar yellow color are prohibited.
  - (4) *Lighting fixtures.* All lighting fixtures shall be restricted to down-light or cut-off types. Standards, poles and fixture housings shall be of a single color and compatible with the architecture of the building.
  - (5) *Maximum lighting height.* The mounting height of luminary fixtures shall not exceed the following heights as indicated in 10A-600, Table 1, Parking Lot Light Height, on the next page.



10A-600 Table 1 Parking Lot Light Height	
<i>Minimum Dimension of Longest Side of Parking Area</i>	<i>Maximum Luminary Mounting Height</i>
Up to 60 feet	15 feet
61 to 196 feet	20 feet
197 feet or greater	25 feet

## 10A-700. Streetscaping and Landscaping Standards

The intent of this Section is to spell out specific regulations in the Gateway Overlay District with respect to landscaping, buffering and screening with the use of plant materials. These regulations supersede and supplement what is required by Section 17A, "Landscaping," of this Chapter.

- (a) *General standards.* Overall standards of landscaping regarding quality, quantity, maintenance and choices of tree, shrub, turf and vine varieties are spelled out in this Section.

(1) *Species selection.*

- (A) *Use of Texas SmartScape® plant list (see Section 10A-800 for plant list).* All plants proposed on any landscape plan shall be from the approved Texas SmartScape® plant list, be a type that is drought tolerant and requires low water usage for optimal plant health and survival in North Texas soils and climate.



- (B) *Quality.* Plant materials used shall conform to the standards of the American Standard for Nursery Stock, or equal thereto. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
- (C) *Variety of species.* No more than twenty-five (25) percent of the number of required trees shall be of the same species for any tree category (large, ornamental or urban) in order to discourage monocultures.
- (D) *Use of shrubs and hedges.* Plants used for screening of mechanical equipment, parking lot screening or from one land use to another shall be of an appropriate size, type and species on the Texas SmartScape® plant list.

- (E) *Use of vines and ornamental grasses.* Vines and ornamental grasses shall be chosen from the Texas SmartScape® plant list. Vines may be used in conjunction with fences, screens or walls to meet screening requirements.



- (F) *Use of groundcover.* Groundcover shall be chosen from the Texas SmartScape® plant list and when used in lieu of grass shall be planted in such a manner as to present a finished appearance and reasonably complete coverage within one (1) year of planting.
- (G) *Use of turf grasses.* Sod/grass types shall be chosen from the Texas SmartScape® plant list. Grass areas shall be sodded. Large, expansive lawn areas may be hydromulched, plugged, sprigged or seeded with approval from the City Manager or his designee, as long as the edges, four (4) feet adjacent to the curb, are sodded and all soil run-off is contained.

- (2) *Measurement, size and spacing.* When the type of required tree (large canopy, ornamental or urban) is unclear, it is assumed that a large canopy tree is required, unless otherwise approved by the City Manager or his designee.

- (A) *Tree categories and sizes.*
- (i) *Large, canopy trees.* Large, canopy trees shall have a single trunk and shall be a minimum of eight (8) feet in height and three (3) caliper inches when measured twelve (12) inches above ground at the time of planting.
  - (ii) *Ornamental trees.* Ornamental trees may have a single trunk or multiple trunks. When ornamental trees have two (2) or more trunks, the caliper shall be measured by adding the measurement of the largest trunk to one-half ( $\frac{1}{2}$ ) the measurement of the remaining trunks when measured twelve (12) inches above ground at the time of planting. Ornamental trees shall be a minimum of six (6) feet in height and four (4) caliper inches when measured twelve (12) inches above ground at the time of planting.
  - (iii) *Urban trees.* Urban trees shall have a single trunk, be a minimum of six (6) feet in height and two (2) caliper inches when measured twelve (12) inches above ground at the time of planting.
- (B) *Spacing from curbs, utility lines, screening walls and structures.* Large canopy trees shall be planted a minimum of four (4) feet from curbs, sidewalks, utility lines, screening walls and/or other structures. Ornamental trees may be placed closer than four (4) feet, with specific approval by the City Manager or his designee. Utility installation that includes common trench and conduit banks is exempt from the planting distance requirement for large canopy trees.
- (C) *Substitution of trees.* Three (3) trees from the small ornamental tree list may be substituted for one (1) large canopy tree, not to exceed twenty-five (25) percent of the required number of large canopy trees.
- (D) *Use of tree wells.* Tree wells for urban trees shall be a minimum sixteen (16) square feet in size with generally similar lengths and widths.
- (E) *Credit for existing trees.* Any protected trees that are preserved on a site shall be credited toward meeting the tree requirement of the landscaping provisions. At the discretion of the City Manager or his designee, trees of exceptional quality due to size, large canopy cover, rareness, age or species may be credited at a ratio greater than 1:1.
- (F) *Shrub size.*
- (i) *Screening of mechanical equipment and screening between land uses.* Plants used for screening of mechanical equipment or from one land use to another shall be at least twenty-four (24) inches in height at the time of planting, shall attain a mature height of approximately six (6) to ten (10) feet and shall form a continuous hedge. Sporadic breaks in the hedge row may be approved to achieve unique designs.
  - (ii) *Screening of vehicular areas.* Shrubs used for parking lot screening shall be at least eighteen (18) inches in height at the time of planting, shall attain a mature height of approximately three (3) to four (4) feet and shall form a continuous hedge. Sporadic breaks in the hedge row may be approved to achieve unique designs.

- (G) *Hardscape.* Hardscape elements shall utilize smooth cobble river stone, crushed granite or other natural Texas materials, as appropriate. The City Manager or his designee shall have final approval of the use of hardscape materials on the landscape plan.



(3) *Installation and maintenance.*

- (A) *Plant root protection during construction.* Existing trees and their roots shall be protected during construction through the use of barricades and temporary fencing materials placed at the drip line. Trees that are damaged or missing at the time of occupancy shall be replaced with like species and size.
- (B) *Permanent root guards.* Tree root guards shall be provided adjacent to sidewalks, paved trails and curbs, or as deemed necessary by the City Manager or his designee.
- (C) *Utility conflicts.* When necessary, spacing allowances and alternate choices of plant species may be made to accommodate fire hydrants, utility easements and other existing or planned infrastructure.
- (D) *Irrigation.* Refer to current City standards for all irrigation systems.
- (E) *Walkway interference.* Trees and shrubs shall not overhang or encroach upon walkways, drives, parking areas and traffic signs to the extent that they interfere with the intended use of these facilities.
- (F) *Maintenance.* The property owner shall be responsible for the maintenance of all trees, landscaped areas and plant materials to be kept in a vigorous and healthy condition, free from disease, pests, weeds and litter.
- (G) *Replacement.* All dead, dying or diseased landscaping shall be removed and replaced within thirty (30) days of notification from the City. The City may grant an extension of time where seasonal or adverse weather conditions make replanting impractical.

(b) *Interior landscaping requirements.* Landscaped areas shall include all outside plantable ground surfaces including buffers, parking lot landscaping, and other landscaped areas. It will not include areas inside buildings or any paved or hard surfaced areas such as walks, drives, parking areas, patios, plazas and hard surfaced recreation areas. All landscaped areas shall be planted with trees, shrubs, turf, other living ground cover and/or limited hardscape materials. Artificial turf is not allowed in these areas.

- (1) *Minimum percentage of interior landscaping.* A minimum of ten (10) percent of the gross vehicular use area shall be devoted to living landscape which includes turf, groundcover, plants, shrubs and trees. This is to be measured from the edge of the parking and/or driveway paving and sidewalks.
- (2) *Tree spacing.* There shall be a minimum of one (1) large canopy tree planted for each 400 square feet or fraction thereof of required interior landscape area. Three (3) small ornamental trees may be substituted for one (1) required large

canopy tree not to exceed twenty-five (25) percent of the required number of large canopy trees.

- (3) *Landscape islands.* Interior areas of parking lots shall contain planting islands located so as to best relieve the expanse of paving. Such islands shall contain at least one (1) large canopy tree, and shall be located at the terminus of all parking rows. The remainder of the island space shall be landscaped with shrubs, ornamental grasses, turf and/or living groundcover not to exceed three (3) feet in height. Trees located within a landscape island may be counted toward the total number of required interior trees. The minimum total area of such islands shall be nine (9) feet by eighteen (18) feet, but may be designed to accommodate the turning radii to facilitate traffic maneuverability.
- (4) *Spacing of landscape islands.* Parking lot trees within landscape islands shall not be spaced greater than every twelve (12) spaces, unless approved on the landscape plan to preserve existing trees and natural features or due to unique site conditions.
- (5) *Alternate spacing.* “Big Box” stores, in lieu of providing a landscaped island every twelve (12) spaces, may choose to provide a minimum ten (10) foot wide continuous landscape island every eight (8) single rows of parking, with one (1) large canopy tree every forty (40) linear feet, subject to review and approval by the City Manager or his designee. This does not waive the requirement for terminus islands and trees on parking rows.

- (6) *Building entrance landscaping.* In commercial developments where the total area of the buildings is 15,000 square feet or more, one (1) urban tree shall be placed in a tree well with grate (or approved container) for every forty (40) linear feet or portion thereof along the storefront façades. Trees may be clustered so not to block the main entrance. If the commercial development is constructed in phases, the ultimate total square footage of the development is used in determining if this requirement must be met.



- (7) *Access drive landscaping.* One (1) small ornamental tree is required along major access lanes and/or fire lanes for every thirty (30) linear feet within a development, subject to review and approval by the City Manager or his designee.
- (8) *Pedestrian connectivity landscaping.* One (1) urban tree is required along internal pedestrian connections for every forty (40) linear feet.

- (9) *Parking lots with curbs.* Parking lots that utilize raised six (6) inch concrete curbs shall be designed so the curb expanse will be designed to allow the passage of accumulated water to the landscaped area and/or drainage system without any backflow of water, mud and debris. Wheel stops are required for all perimeter parking spaces. Pavement shall not be placed closer than four (4) feet from the trunk of any tree unless approved by the City Manager or his designee.



(10) *Parking lot wheel stops.* Parking lots may be constructed without raised six (6) inch concrete curbs if the design and grading is planned to utilize natural run-off for irrigation purposes and wheel stops are used.

(11) *Additional, optional plantings.* The applicant is also encouraged to plant a variety of ornamental trees, shrubs and flowers in addition to the required landscaping. Any permeable surface not occupied by trees, shrubs, planting beds, signs or other permitted fixtures shall be planted with turf, other living groundcover or with approved hardscape elements such as stone, crushed granite or pavers.



(c) *Perimeter landscaping requirements.*

(1) *Streetscape buffers along S.H. 121.* A twenty-five (25) foot wide landscape buffer shall be provided adjacent to the right-of-way of S.H. 121. This landscape buffer strip is exclusive of the street parkway (i.e. located entirely within the subject property).

(2) *Streetscape buffers along Main Street (F.M. 423).*

(A) *New development.* A twenty (20) foot wide landscape buffer shall be provided adjacent to the right-of-way of Main Street (F.M. 423). This landscape buffer strip is exclusive of the street parkway (i.e. located entirely within the subject property).

(B) *Existing development.* Due to the State widening project on Main Street (F.M. 423), it may be necessary to reduce the preferred twenty (20) foot landscape buffer for renovations or additions to properties already existing along Main Street (F.M. 423). The width of the landscape buffer will be reviewed on a case-by-case basis and a recommendation to the City Council shall be made by the DRC and the Planning and Zoning Commission.

(3) *Streetscape buffers along all other streets within the Gateway Overlay District.* Properties with frontage on any road other than S.H. 121 or Main Street (F.M. 423) shall provide a fifteen (15) foot wide landscape buffer adjacent to the right-of-way. This landscape buffer strip is exclusive of the street parkway (i.e. located entirely within the subject property).

(4) *Tree spacing within right-of-way buffers.* Landscape buffers adjacent to the public right-of-way shall contain at least one (1) large canopy tree every forty (40) linear feet or fraction thereof and two (2) ornamental trees every fifty (50) linear feet of street frontage, inclusive of driveways. Trees may be grouped or clustered to facilitate site design.

(5) *Perimeter buffers.* A ten (10) foot wide perimeter landscape buffer shall be maintained between adjacent properties. This buffer may be reduced to five (5) feet when the abutting property is the same zoning. Accessways between lots may be permitted through perimeter landscape areas.

(6) *Tree spacing within perimeter buffers.* Perimeter landscape buffers not adjacent to the public right-of-way shall contain at least one (1) ornamental tree every fifty (50) linear feet or fraction thereof, when adjacent to another commercial use, and at least one (1) ornamental tree every forty (40) linear feet when adjacent to

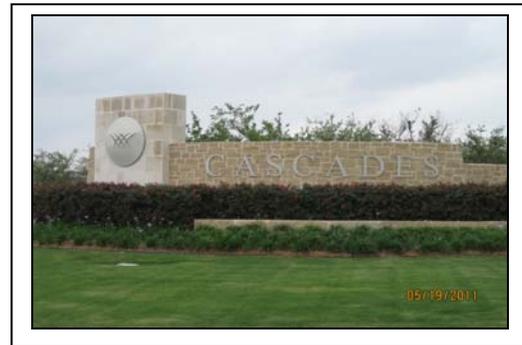
residential uses or zoning. For every five (5) ornamental trees or fraction thereof required along the street frontage and perimeter, two (2) large canopy trees shall also be provided. Trees may be grouped or clustered to facilitate site design and shall be appropriately staggered when adjacent to property of the same zoning.

- (7) *Transitional landscaping and screening.* Transitional screening is used to fully separate one type of land use from another, such as commercial from residential. In these situations, a fence shall be constructed in perimeter buffers, along with the ten (10) foot wide planted buffer strip. The minimum height of the transitional screening fence shall be six (6) feet and the maximum height shall be eight (8) feet six (6) inches. Planting in the buffer strip shall be in accordance with Section 10A-700(c)(5) and (6), above

- (8) *Screening of vehicular uses.* Vehicular use areas shall be screened from all abutting properties and from the public right-of-way with a wall, fence, berm, evergreen hedge or other durable landscape barrier. Sporadic breaks in any hedge row may be approved to achieve unique designs. Any landscape barrier used for the screening of vehicles not containing live plants or trees shall be a minimum of three (3) feet in height.



- (9) *Points of entry.* Entrances to developments shall have features that distinguish the property from others, such as an entrance sign that is landscaped to enhance the aesthetics of the development and attract visitors. An entry feature may be grouped landscape elements that draw the eye to the entrance of the development, such as a water feature with complementary landscaping. Main vehicular driveways may be tree-lined. The entry feature may incorporate special lighting, seating, seasonal color or other hardscape elements to augment the desired effect.



- (10) *Landscaping of monument signs.* A perimeter of at least two (2) feet surrounding any monument sign shall be reserved for landscaping other than sod. Plant choices may be selected to prevent interference with the effective sign area while enhancing the aesthetics of the site.

- (11) *Use of stationary planters.* Retail sites that are considered to be a “Big Box” development (department stores, home improvement stores, furniture stores, etc.) and shopping centers with more than one (1) tenant are encouraged to make use of stationary planters filled with perennial and seasonal color to draw visitors toward the entrance and soften the architectural lines of the structure.



(d) *Landscape plan point system requirements.*

- (1) *Points required by size of development.* In addition to the interior and perimeter landscape requirements listed above, landscape plans shall incorporate a minimum number of points accumulated from a combination of the following choices to enhance the aesthetics of the site, based on the size of the site as indicated in 10A-700, Table 1, below.

10A-700 Table 1 Landscape Plan Aesthetics Points Required	
<i>Site Size</i>	<i>Minimum Number of Points Required</i>
Less than 1 acre	None required
Between 1 and 3 acres	15 points
Between 3 and 10 acres	20 Points
Greater than 10 acres	30 Points

- (2) *List of landscape amenities and points.* Table 2, below, indicates landscape element options and their associated point value, subject to review and approval by the City Manager or his designee.

10A-700 Table 2 Amenity Options and Maximum Points	
<i>Choice of Amenity</i>	<i>Max. Points</i>
Enhanced hardscape (stamped crosswalks, pavers, decorative cobble walkways, meandering sidewalks, etc.)	5
Use of curbsless parking design that allows run-off to augment irrigation system to water interior landscaping	5
Enhanced landscaping (within development and at the entryways of the development)	5
Enhanced landscaping surrounding a monument sign	5
Enhanced site canopy (planting perimeter trees 1 per 40 feet and locating a parking island every 10 spaces)	5
Enhanced streetscape elements (i.e., decorative lampposts, benches, receptacles, decorative bollards, etc.)	5
Enhanced buffers (providing a landscape buffer 5 feet more than what is required adjacent to street frontage and perimeter)	5
Open space provision greater than what is required (minimum of 20% over requirement)	5
Buffer berms (providing 3 foot high berms along the street frontage) on a minimum of 50% of frontage	5
Public art (obelisks, sculptures, statues, clock towers, water fountains, etc.)	Small: 5 Large: 10
Amenity detention/retention pond	Dry: 5 Wet: 10
Use of decorative outdoor seating areas (benches, outdoor dining, etc.)	5
Use of masonry planters with irrigation (minimum 3)	5
Foundation plantings along 75% of the building's primary facade	5
Decorative entrance including a landscaped median entry which is a minimum 8 feet in width and 60 feet long	5

Other (a developer may propose unlisted landscape elements that meet the spirit and intent of the ordinance, subject to review and approval by the City Manager or his designee)	5
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- (3) *Combination or choice of amenities.* The developer may use any combination of the aforementioned landscape elements to obtain the necessary number of points required for the development. Different lots and landscapes will lend themselves to different types of designs. These regulations attempt to encourage creativity, diversity and water conservation in landscaping.
- (4) *Scale of elements.* Elements shall be in scale with the development in terms of quantity and quality, as determined by the City Manager or his designee.

**10A-800. Texas SmartScape® Plant List**

All required plant material, including required residential trees, shall be from the following Tables unless alternate plant materials are approved through the landscape plan.

10A-800 Table 1 Allowed Trees		
Large Canopy Trees	Ornamental Trees	Urban Trees
Bald Cypress Burr Oak Cedar Elm Chinquapin Oak Chinese Pistache Ginkgo Lacebark Elm Live Oak Montezuma Cypress Pecan Pond Cypress Red Oak Southern Magnolia Texas Ash	American Smoketree Carolina Buckthorn Crepe Myrtle (tree form) Desert Willow Dogwood Eve's Necklace Flameleaf Sumac Golden Raintree Italian Cypress Lacey Oak Mexican Buckeye Possumhaw Holly Redbud Savannah Holly Teddy Bear Magnolia Viburnum Vitex Wax Myrtle Yaupon Holly	Chinese Pistache Ginkgo Lacey Oak Teddy Bear Magnolia

10A-800 Table 2 Allowed Shrubs and Grasses		
Shrubs/Parking Lot Screening <i>maximum mature height = 4 feet</i>	Shrubs/Perimeter Screening <i>minimum mature height = 6 feet</i>	Other Allowed Shrubs and Ornamental Grasses
Agarito Boxwood Dwarf Abelia Dwarf Burford Holly Dwarf Texas Sage Elaeagnus (Silverberry) Euonymus Grayleaf Cotoneaster Indian Hawthorn Juniper Nandina	Austrian Black Pine Cleyera Eastern Red Cedar Foster Holly Leyland Cypress Little Gem Magnolia Nelly R. Steven's Holly Sweet Viburnum Waxleaf Ligustrum	American Beautyberry Apache Plume Aralia Aucuba Autumn Sage Azalea Barberry Black Dalea Burning Bush Chinese Fringe Flower Desert Spoon Dwarf Crepe Myrtle Flowering Quince Holly (multiple varieties) Horizontal Cotoneaster Leatherleaf Mahonia Pampas Grass Red Yucca Rose (shrub form) Spirea

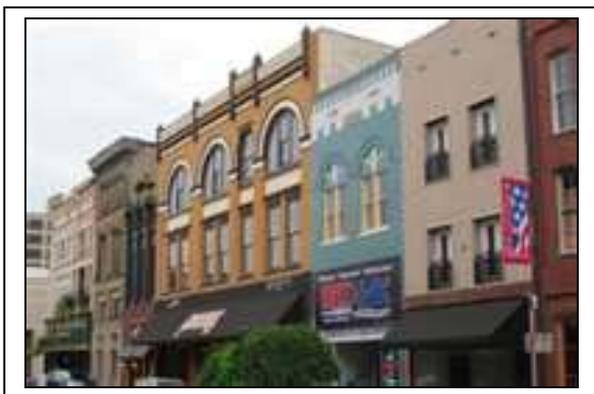
10A-800 Table 3  
Allowed Vines, Turf and Groundcover and Prohibited Plants

Vines	Turf and Groundcover	Prohibited Plant Materials
Boston Ivy Carolina Jasmine Confederate Star Jasmine Coral Honeysuckle Crossvine English Ivy Japanese Honeysuckle Rose (climbing variety) Trumpet Vine Virginia Creeper	Ajuga Asian Jasmine Bermuda Grass Buffalo Grass Creeping Juniper Fountain Grass Liriope (Monkey Grass) Mondo Grass Purple Wintercreeper Tall Fescue Zoysia	Bois D' Arc Bradford Pear Catalpa Cottonwood Hackberry Lombardy Poplar Mesquite Mimosa Mulberry Red Tip Photinia Siberian Elm Silver Maple

## 10A-900. Building Design Standards

Buildings within the Gateway are subject to enhanced design standards. The elements used shall separate The Colony, both aesthetically and visually, from adjacent cities. The following are the minimum standards for building design intended to form a distinct identity for the Gateway Overlay District. Through the use of a common palette of materials, forms, features and colors, the Building Standards create a coordinated and inviting mix of buildings and spaces which encourage a diversity of architectural styles and materials that respect and enhance the inviting atmosphere of the City.

- (a) *Building mass, scale and height.* The intent of this Section is to create a comfortably scaled and well detailed urban environment that is pleasing to the eye through the establishment of an organized variety of building massing, architectural form and detail while avoiding large areas of undifferentiated or blank building façades and to exhibit an urban character that compliments the adjacent land uses.



(1) *Building massing standards.*

- (A) A single building mass with more than one (1) tenant shall be varied by height and width so that it appears to be divided into distinct massing elements and architectural details can be viewed from a pedestrian scale.
- (B) For structures less than 5,000 square feet in gross building area on the ground floor, no uninterrupted horizontal length of a building façade shall exceed thirty-five (35) linear feet.
- (C) For structures greater than 5,000 square feet in gross building area on the ground floor, no uninterrupted horizontal length of a building façade shall exceed fifty (50) linear feet.
- (D) Variations in building massing shall include changes in wall plane or height and shall relate to primary building entries, important corners or other significant architectural features.
- (E) Blank, uninterrupted wall areas shall incorporate the use of landscaping to break up the monolithic appearance of such areas. Blank wall areas shall not exceed ten (10) feet in vertical direction or twenty (20) feet in horizontal direction of any building façade.

(2) *Building scale design standards.*

Each building façade oriented to a public street or open space shall incorporate architectural scaling patterns that use three (3) or more of the following elements:

- (i) Changes in material;
- (ii) Changes in color;

- (iii) Changes in texture; and/or
- (iv) Changes in design pattern.

- (A) Each change of material shall involve at least one (1) foot variation in wall plane. Reveals shall not be less than one (1) foot deep and one (1) foot wide.
- (B) Architectural scaling patterns shall occur both horizontally and vertically.
- (C) Architectural scaling elements shall be used to break down the appearance of large building façades into architectural patterns and component building forms.
- (D) Required scaling elements shall be integral with the building form and construction, not a thinly applied façade treatment.

(b) *Entryways, façades and storefronts.* Through the use of architectural details and scale, the intent is to design architectural features and patterns which shall provide visual interest from the perspective of the pedestrian and the motorist.

(1) *Entryway design standards.* All buildings shall be required to provide one (1) of the following exterior elements:

- (i) Awnings, canopies or porticos, integrated with building massing and style at all entryways; and/or
- (ii) Trim elements of appropriate materials at entryways and fenestrations.

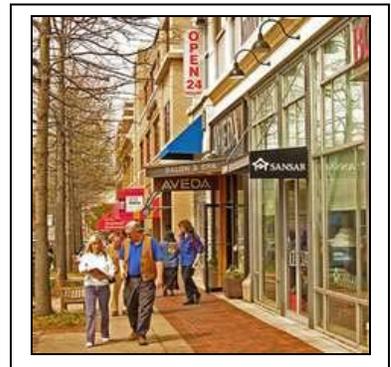


- (A) Entryways shall be differentiated from the remainder of the façade through, at a minimum, the use of color, change in materials, application of architectural features (arches, columns, colonnades, etc.), setbacks, offsets and the like.
- (B) Primary entrances on a building façade shall be oriented to the street from which it is addressed.
- (C) Any secondary entrances shall allow convenient access from adjacent buildings, sidewalks, parking and bicycle paths.

(2) *Façade design standards.*

- (A) Provide attractive façade treatments on any elevation that is visible from the street or from any primary elevation of adjacent developments.
- (B) A minimum of ten (10) percent of the façade area shall include windows.

(3) *Storefront design standards.* Storefronts or large display windows shall be used when at street level.



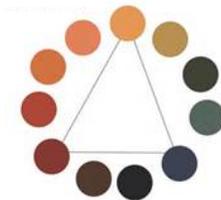
(c) *Building materials, decorative features and colors.* The intent of this Section is to project an image of high quality aesthetics within the Gateway. Exterior building materials, roofing materials and colors contribute significantly to the visual impact of a building on a community, which, in turn, individually and collectively reflect upon the visual character and quality of said community.

(1) *Material standards.*

- (A) All building walls shall be faced 100 percent with approved materials that are of a durable, high quality appearance.
- (B) Acceptable exterior materials shall include:
  - (i) Brick
  - (ii) Stone
  - (iii) Stucco
- (C) When stucco is used as an exterior finish, no more than seventy-five (75) percent of the building facade may consist of this product. A minimum of twenty-five (25) percent shall be of a contrasting stone and/or brick product.
- (D) Cellulose fiber board, aluminum, vinyl siding and Exterior Insulation and Finish System (“EIFS”) may be allowed only through an approved Specific Use Permit.
- (E) Concrete tilt wall construction may be permitted with an acceptable exterior covering from the approved list (see B, above) through an approved Specific Use Permit.
- (F) When two (2) wall materials are combined on any façade, the material shall be divided horizontally with the heavier material below and covering the lower quarter ( $\frac{1}{4}$ ) of the overall wall height.
- (G) Architectural accents consisting of metal products are permitted with a maximum coverage not to exceed twenty (20) percent.

(2) *Color standards.*

- (A) Exterior colors shall be limited to natural earth tones, such as the warm and muted hues of reds, browns, tans, and grays.
- (B) Other colors, excluding fluorescents, may be permitted as accent colors, not to exceed ten (10) percent of the surface area of any one (1) elevation.
- (C) The requirement for earth tones shall not apply to colors commonly found in natural materials such as brick or stone, unless such material has been artificially colored in a manner which would be contrary to the intent of these regulations.
- (D) A color or color scheme which is directly inherent to a uniquely recognized architectural style or exterior artwork, but not otherwise in compliance with this Section, may be permitted through the Site Pplan approval process.
- (E) Building materials and colors shall be consistent on all sides of a building.



(3) *Roof forms and material standards.* The intent of this Section is to have roof features in scale with each building’s mass to complement the character of the structure, adjacent developments and neighborhoods.

- (A) The design of roof structures shall be flat with a parapet wall, hip roof or gable roof. Long stretches of the same roof form shall be avoided.

- (B) Roof-like appurtenances such as false roofs, parapets and other similar features may be allowed if such features are required for mechanical equipment screening or acoustical control that cannot be accomplished through utilization of approved roof styles. Application of such roof-like features shall be accomplished in such a manner as to minimize the appearance of a flat roof design.
  - (C) The use of any form of metal roofing is prohibited unless approved with a Specific Use Permit.
- (4) *Awning standards.* The intent of this Section is to encourage the use of awnings that provide color, protection, enclosure and interest to commercial façades.

- (A) Awnings shall be provided at storefronts and entryways to shield displays and to add visual interest.
- (B) Awnings shall be provided over public walkways and dining areas.
- (C) Awnings shall be angled or curved.
- (D) Awnings shall not serve as the primary architectural element of a building.
- (E) The location of awnings shall relate to



window openings, door openings and/or dining areas.

- (F) Awning material shall be constructed of traditional cloth fabric in no more than three (3) colors.
  - (G) Awnings shall not be internally illuminated or backlit but may be lighted from above by shrouded fixtures mounted to the building wall.
  - (H) Awnings may have letterings or logos on the valance only.
- (5) *Canopy standards.* The intent of this Section is to encourage the use of canopies to provide color, protection, enclosure and interest to commercial façades.
- (A) Detached canopies shall be constructed of compatible materials and forms with the building that the canopy serves.
  - (B) Internally illuminated canopies are prohibited.
  - (C) Canopies shall be of a complementary scale to the building it serves.
  - (D) Lighting fixtures at the bottom of canopies shall be fully shielded with the bottom of the lighting fixture flush with the canopy.
  - (E) Canopies shall have columns at least eighteen (18) inches in width.
  - (F) Canopies shall not be taller than sixteen (16) feet from grade.

## 10A-1000. Public Area Amenities and Standards

The intent of this Section is to create a sense of place through the use of visually interesting plazas or other public areas within the Gateway Overlay District. These places are intended to be open to the public and shall be created by incorporating a variety of planting types, paving materials, seating areas and outdoor furnishings as appropriate in relationship to the size and setting of the plaza, park or open space and the development as a whole.

(a) *Required amenities.*

- (1) *Five (5) acres or greater.* Commercial and multiple family developments that are five (5) acres or greater in size and have frontage along S.H.121 or Main Street (F.M. 423) shall incorporate two (2) public area amenities from (3) below.
- (2) *Greater than one (1) but less than five (5) acres.* Commercial developments less than five (5) acres in size shall incorporate one (1) public area amenity from the list of amenities below.

(3) *List of amenities:*

- (A) *Patio or plaza with seating areas.* Such spaces shall have a minimum depth and width of ten (10) feet and a minimum total area of 300 square feet. Acceptable surface materials include decorative pavers, brick, slate and textured, colored concrete. The use of asphalt is prohibited.



- (B) *Landscaped mini-parks, squares, or greens.* Parks or greens shall have a minimum depth and width of fifteen (15) feet and a minimum total area of 650 square feet. Such spaces shall include pedestrian amenities intended to support these places as public gathering areas.

- (C) *Water features.* Features, such as fountains and streams, shall be easily accessed and include seating to encourage pedestrians to relax, pause and enjoy.



- (D) *Outdoor public art.* Shall be located in an area that is visible from an adjacent public sidewalk and/or street and easily accessed for viewing by the public.

(b) *Building access.* When a building is adjacent to a pedestrian plaza, patio, mini-park, square or green as provided above, the building wall facing such outdoor amenity shall contain at least one (1) of the following elements:

- (1) Covered pedestrian access along the edges of the outdoor amenity;
- (2) A building entry;
- (3) Windows facing the outdoor amenity;
- (4) Outdoor seating areas; or,

(5) A similar feature as determined by the City Manager or his designee that will encourage pedestrian use of the outdoor amenity.



(c) *Trash receptacles.* Trash receptacles shall be provided at all public amenities, be maintained on a regular schedule and consist of an attractive design and materials.

(d) *Storm water detention ponds.* Areas that are designed to catch rainwater and other run-off shall not be considered a water feature for the purposes of the Gateway. However, detention and retention ponds may be considered as amenities if suitable enhancements are made, such as fountains, pathways and/or substantial plantings.



(e) *Seating requirements.* Café seating, benches, bus waiting areas and/or other passive meeting and recreation areas shall be in accordance with the seating ratio below:

- (1) A minimum of twenty-five (25) linear feet of seating for every 1,000 square feet of open space shall be provided.
- (2) Seating shall be greater than twelve (12) inches but less than thirty (30) inches in height and a minimum of sixteen (16) inches in depth.
- (3) Seating greater than twenty-eight (28) inches in depth and accessible from two (2) sides will count double.



## 10A-1100. Pedestrian and Bicycle Standards

The intent of this Section is to encourage walking and biking as viable alternatives to automobile transportation. In order to create a safe environment in which pedestrians and bicyclists are able to share the street environment with motorized vehicles, the following standards have been adopted. Projects shall be designed to provide an attractive street edge and to encourage both pedestrian and bicycle activity.



### (a) *Sidewalks and trails.*

- (1) Sidewalks designed for pedestrian use shall generally be a minimum of five (5) feet in width.
- (2) Sidewalks that are shaded and curvilinear in nature are encouraged.
- (3) Sidewalks that incorporate seating features are encouraged.
- (4) Sidewalks designed primarily for bicycle use shall generally be a minimum of ten (10) feet in width.
- (5) Where bicycle sidewalks or bike trails are planned and/or provided, bike racks where cyclists may lock their bicycles are required.
- (6) Refer to the latest Hike and Bike Trail Map for further information regarding City-planned trails.

### (b) *Pedestrian/bicycle connectivity.* The intent of this Section is to create pedestrian pathways that connect with adjacent developments.

- (1) *Sidewalks required.* Pedestrian sidewalks along all roadways are required. Walkways from the required streetside sidewalk to any doorways, through parking areas, are also required.
- (2) *Pedestrian pathways between buildings.* Breaks through large building masses to allow pedestrians to pass through, particularly through shopping centers that provide parking at the rear of the center, shall be provided.

### (c) *Internal access.* Internal pathways shall connect to public sidewalks to maintain walkway connectivity. Any parking lot with 100 parking spaces or more shall provide at least one (1) designated pedestrian pathway through the parking lot. This pathway shall be separated from the vehicular uses through the use of brick or concrete pavers, grade separations and distinctive landscaping.

### (d) *Bike racks.* For businesses located along designated bike routes, bike racks shall be provided so that cyclists may park and lock their bikes while shopping.



The following ratio of bike rack to size of business shall apply, as shown in 10A-1100, Table 1, below:

10A-1100 Table 1  
Provision of Bicycle Racks

<i>Size of Business</i>	<i>Bike Rack for Number of Bikes</i>
< 10,000 square feet	bike racks optional
10,001 to 30,000 square feet	1 bike rack for a minimum of 6 bikes
≥ 30,0001 square feet	2 bike racks for a minimum of 12 bikes



**10A-1200. Fence and Wall Standards**

The intent of this Section is to ensure that various land uses that are adjacent to one another are afforded the separation of a masonry fence in a landscaped buffer and that the construction of fences and walls within the Gateway shall meet or exceed the regulations in Section 18 of the Zoning Ordinance, "Fences and Walls." The following regulations shall apply to properties located within the Gateway Overlay District:

(a) *Fences and screening walls.*

- (1) *Location.* Fences and walls for the purposes of screening a higher intensity land use from another are required within the Gateway. Screening fences or walls shall be placed within a landscape buffer along the perimeter of any commercial property that abuts a less intense use or zoning district.



As development occurs, or when the Gateway Overlay District regulations are triggered, screening fences and walls shall follow the regulations set forth herein.

- (2) *Integrated design.* Fences and walls, whether required for project approval or voluntarily incorporated into the overall project design, shall be designed to be an integral part of the development as a whole.
- (3) *Architectural features.* Fences and walls shall be architecturally designed with offsets, raised elements and landscape pockets to avoid an expansive monolithic appearance and straight, unbroken design elements.
- (4) *Height.* The minimum height for a screening fence or wall shall be six (6) feet and the maximum height of any fence or wall shall be eight (8) feet, six (6) inches. Any fence or wall constructed shall be in keeping with the average height of other fences and walls of surrounding properties.
- (5) *Visibility triangle encroachment.* Fences and walls shall not encroach upon any visibility triangle at intersections with adjacent streets or drive aisles. Refer to the *Engineering Design Manual* for visibility triangle requirements and dimensions at other locations.
- (6) *Fence materials.* The allowed and prohibited fencing materials are listed in 10A-1200, Table 1, below.

10A-1200 Table 1 Fence/Wall Materials	
<i>Allowed Fence Materials</i>	<i>Prohibited Fence Materials</i>
Masonry	Wood
Stone	Wrought Iron (see (b) below)
Brick	Vinyl
Exposed Aggregate	Chain Link
Stucco with masonry columns	Wire Mesh (hog wire/chicken wire)
	Above-ground Electric Fencing
	Barbed Wire or Razor Wire

(7) *Fence finishing.* Fence supports, if any, shall be located facing the interior of the subject property lot, with the finished side facing out away from the subject property.

(b) *Alternate living plant screen.* A living plant screen made up of shrubs planted four (4) feet on center with a mature height of approximately six (6) to eight (8) feet, along with wrought iron fence lengths no longer than eight (8) feet each with masonry columns set a minimum of every five (5) fence lengths, may be used in lieu of a wall or fence made of approved materials listed in 10A-1200, Table 1, above, on a case-by-case basis, with a separate application for an SUP.



(c) *Retaining walls.* Any retaining wall visible to the public shall have a decorative finish in addition to meeting structural requirements. Retaining walls shall be approved as part of the Site Plan approval process.



## 10A-1300 Service Area and Equipment Regulations

The intent of this Section is to enhance the aesthetics of the Gateway Overlay District by limiting the unsightly view of utilities, mechanical and communication equipment from the street and from nearby development, and to provide regulations for any drive-thru use.

- (a) *Service areas.* In order to enhance the overall look of the Gateway Overlay District, the intent of these regulations is to minimize the negative visual impact from the following service items:

- (1) *Dumpsters.* Dumpsters shall not be seen from the public right-of-way. Screening of the dumpsters shall be of the same masonry material as the primary structure and be a minimum of six (6) feet in height. Evergreen shrubs, twenty-four (24) inches in height at the time of planting, shall be planted surrounding the dumpster enclosure, spaced three (3) feet on center. All landscaping shall be irrigated, maintained and replaced as necessary.



- (2) *Outdoor storage.* Outdoor storage and display of merchandise is not permitted to exceed forty-five (45) day duration in the Gateway, unless specifically allowed by the underlying zoning district or by the approval of a Specific Use Permit. Seasonal display of merchandise, such as garden items, may be displayed for the normal duration of the planting season, so long as the display does not utilize required parking spaces or impede normal traffic patterns.

- (b) *Loading/unloading areas.*

- (1) *Prohibited locations.* Truck loading berths and apron space is not permitted on the street side of any building or within any landscape buffer, unless screened from the street with masonry wall and landscaping.
- (2) *Bay door locations.* Overhead doors shall not be located along the front façade or facing a public right-of-way.
- (3) *Exceptions.* In instances where three (3) or more sides of the building face dedicated streets, loading berths and apron spaces shall be located at the rear or side of the building. This loading area shall be screened from abutting streets as follows:
- (A) A combination of permanent architectural and landscape elements such as walls, berms, trees and shrubs shall be placed so as to distract, soften or interrupt the view of the casual observer. These elements shall be installed along approximately fifty (50) percent of the affected property line;
  - (B) Screening shall be to the height of the top of the dock door but no greater than twelve (12) feet above the truck dock apron;
  - (C) When viewed from a perpendicular angle from the street, the truck berths shall be screened completely, except for driveway openings; and,
  - (D) Loading dock or service bay doors shall not be allowed on any portion of a front wall facing S.H. 121 or Main Street (F.M. 423), on a side or rear wall within 100 feet of S.H. 121 or Main Street right-of-way, or within sixty

(60) feet of any front property line along S.H. 121 or Main Street (F.M. 423).

- (c) *Roof-mounted equipment.* Roof-mounted equipment shall be located away from the front edge of the building façade and shall be screened from pedestrian and vehicular views.
  - (1) *Sight lines.* Elevations with sight lines from the street (measured from the edge of pavement closest to the building) shall be provided to ensure that the roof-mounted equipment is fully screened.
  - (2) *Screening height.* Overall minimum screening height shall be the height of the highest element of the roof-mounted equipment.
  - (3) *Colors and materials.* The screening device, if independent of the building façade, trim, or roof surface, shall use colors and materials that are most effective in minimizing the visibility of the equipment from ground level.
  
- (d) *Other mechanical equipment.* Mechanical equipment shall be located a minimum of twenty-five (25) feet from any building setback line and shall not be visible from any public street. Mechanical equipment includes, but is not limited to, air compressors, mechanical pumps, exterior water heaters, water softeners, utility and telephone company transformers, meters or electrical boxes, dumpsters, storage tanks or any other similar mechanical equipment. Said equipment shall be screened by a dense row of shrubs that are intended to grow to a height of six (6) feet when mature and are a minimum of thirty-six (36) inches at the time of planting.
  
- (e) *Utilities.* The primary goal of this subsection is to minimize the negative visual impact of overhead utility wires and their poles. All new utilities, including but not limited to, electrical, gas and telephone, shall be placed underground subject to the following provisions:
  - (1) *Underground placement.* At the time that a property is developed, all on-site electrical service lines, shall be placed underground;
  - (2) *Feeder lines.* Feeder lines may be either placed underground or along the rear property line; and,
  - (3) *Meter/equipment location.* Utility meters and other utility apparatus including, but not limited to, transformers shall be located to the rear of the structure unless adequately screened from public streets and adjoining properties, as approved by the City Manager or his designee.
  
- (f) *Commercial satellite dishes, antennas and cellular equipment.*
  - (1) *Screening.* Satellite dishes, antennas and cellular equipment shall be screened, as approved by the City Manager or his designee, from right-of-way and adjacent properties.
  - (2) *Monopoles.* Monopole facilities may be permitted within the Gateway if these facilities are mounted on a structure or on an existing pole, such as a light standard, and are virtually invisible or stealth in design. Such facilities shall be approved through the Specific Use Permit process.

**10A-1400. Drive-thru Regulations**

The intent of these regulations is to establish drive-thru regulations that will provide access to service windows while ensuring safe vehicle operation, maneuverability and reduce conflict with parked cars, traffic flow and pedestrian movement. Drive-thru facilities shall be secondary in emphasis and priority shall be given to any other vehicle access and circulation function.



- (a) *Location.* Drive-thru facilities shall be located at the side or rear of the building in order to not interrupt direct pedestrian access and avoid potential pedestrian/vehicle conflict.
- (b) *Landscape buffer.* If site constraints limit the location of the drive-thru to the area between the right-of-way and building, a landscape buffer shall be installed between the drive-thru and the right-of-way
- (c) *Stacking spaces for drive-thru facilities.* Vehicle stacking space shall mean a paved area constructed in accordance with applicable standards of the City of The Colony. Areas designated to satisfy the requirements for off-street stacking spaces shall not be permitted to encroach upon or occupy a fire lane, maneuvering aisle or parking space.
- (d) *Stacking space number and layout.* Stacking spaces shall be subject to the following minimum requirements:

10A-1400, Table 1 Required Stacking Spaces for Drive-Thru Facilities		
<i>Use Type</i>	<i>Minimum Stacking</i>	<i>Measured From</i>
Automated Teller Machine (ATM)	2	Teller Machine
Bank Teller Lane	3	Teller or Window
Car Wash stall, automatic	4	Entrance
Car Wash stall, Self-service	1	Per Bay
Restaurant Drive-thru	5	Order Box
Vehicle Quick Lube Facility	1	Service Bay
Other Uses determined by Engineering Department based on traffic study		

- (1) *Size.* The size of a stacking or queuing space shall be twenty (20) feet in length by ten (10) feet in width;
- (2) *Marking/Delineation.* Each stacking lane shall be clearly defined in a manner that is identifiable during all seasons. Stacking spaces shall be separated from other internal driveways and pedestrian circulation areas by raised medians or variation in pavement type or color, as deemed necessary by the Engineering Department.

**10A-1500. Signage**

See Article XI, Chapter 6 of the Code of Ordinances.

**10A-1600 through 10A-3000. Reserved.**