

## CHAPTER 14

### EXHIBIT A

CITY OF BANDERA, TX

ADOPTED NOVEMBER 16, 2021

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## **ARTICLE 14.01 GENERAL PROVISIONS**

(Reserved)

### **PLACE TYPE ZONING ORDINANCE**

#### **ADOPTED.**

The zoning ordinance, Ordinance 397, adopted by the City on November 16, 2021, is included at the end of this chapter as exhibit A. Due to the nature of the zoning ordinance and technicalities involved in adopting or amending it, such ordinance is printed herein as enacted, with only non-substantive formatting and style changes. Capitalization, punctuation, and numbering of articles, sections, and subsections have been retained as enacted. Subsequent amendments will be inserted in their proper place and denoted by a history note following the amended provisions. The absence of a history note indicates the material is unchanged from the original. Obviously misspelled words have been corrected without notation. Any other material added for purposes of clarification is enclosed in brackets.

### **EXHIBIT A**

#### **PLACE TYPE ZONING ORDINANCE**

##### **GENERAL**

#### **SHORT TITLE.**

This Ordinance shall be known and may be cited as the "Place Type Zoning Ordinance" of the City of Bandera. (Ordinance 397 adopted 11/16/21).

#### **PURPOSE.**

As authorized by Chapter 211 of the Texas Local Government Code, the Place Type Zoning Standards and Districts, as herein established, have been made in accordance with an adopted Comprehensive Plan for the purpose of promoting the public health, safety, and general welfare, and protecting and preserving places and areas of historical, cultural, or architectural importance and significance in the City.

Standards have been designed to lessen the congestion in the streets; to secure safety from fire, and other dangers; to ensure adequate light and air; to prevent the overcrowding of land, to avoid undue concentration of population; and to facilitate the adequate provision of transportation, water, wastewater treatment, schools, parks, and other public requirements.

The standards for building neighborhoods require distribution of Place Types, to provide lifestyle and living variation that define distinct physical environments of varying degrees of urbanity and development intensity. The "P" designation represents each Place Type's relative place on a continuum of low intensity to high intensity development, from rural-to-urban, with the character and associated standards of "P5" being more urban than those of "P4."

## **ADOPTION OF LEGISLATIVE GRANT OF POWER.**

Chapter 211, Texas Local Government Code, is hereby adopted, as it presently exists or is hereafter amended, and the provisions of this ordinance are adopted in the exercise of the power granted to municipalities by such statutes and pursuant to any and all other applicable laws.

## **VALIDITY.**

If any section, paragraph, subdivision, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof, other than the part so decided to be invalid or unconstitutional.

## **RULES OF WORDING.**

- (1) Words, phrases, and terms defined herein shall be given the defined meaning.
- (2) Words, phrases, and terms not defined herein shall be given their usual and customary meanings except where the context clearly indicates a different meaning.
- (3) The text of the ordinances shall control captions, titles, and maps.
- (4) The word “shall” is mandatory and not permissive. The word “may” is permissive and not mandatory.
- (5) Words used in the singular include the plural and words used in the plural include the singular. Words used in the present tense include the future tense and words used in the future tense include the present tense.

## DEFINITIONS

For the purposes of this Ordinance, certain terms and words are hereby defined; terms not defined herein shall be constructed in accordance with customary usage in municipal planning and engineering practices.

**Accessory Building** shall mean an outbuilding behind the main structure on the lot.

**Addition** shall mean any construction that increases the size of a structure in terms of site coverage, height, or gross floor area.

**Administrative Approval** shall mean the process by which the City Administrator reviews submitted administrative plats, public frontage, site and/or building plans and provide approval based on compliance with this ordinance.

**Administrative Procedure** shall mean the procedure to be followed for the approval of the subdivision or re-subdivision of an existing lot(s) when such subdivision meets certain limited conditions set by the City.

**Administrative Review** shall mean the process by which the City review submitted Neighborhood Plan, Public Frontage, site and/or building plans to determine compliance with this ordinance.

**Administrator** shall mean the City Administrator and or designated City Staff.

**Alley** shall mean a vehicular drive located to the rear of lots providing access to service areas, parking, rear building access or containing utility easements.

**Alteration** shall mean any change, demolition or modification to a structure or site designated as a historic landmark or located in a local historic area including, but not limited to, the following:

- (a) Exterior changes to or modification of any buildings or structures, architectural details or visual characteristics.
- (b) Construction of new structures.
- (c) Disturbance, placement or removal of exterior objects that affect the exterior qualities of the property.

**Amending Plat** shall mean plat as defined in 212.016 of the Texas Local Government Code and the procedure for such plats shall be the same as the procedure as defined herein.

**American Grid** shall mean the grid plan, grid street plan, or gridiron plan is a type of city plan that the streets run at right angles to each other, forming a grid.

**Appeal** shall mean a means for obtaining review of a decision, determination, order, or failure to act.

**Applicant** shall mean a person or entity who submits to the City an application for an approval required by this ordinance. To be qualified as an applicant under this ordinance, the person or entity must have sufficient legal authority or proprietary interests in the land to commence and maintain proceedings under this Chapter. The term shall be restricted to include only the property owner(s), or a duly authorized agent and representative of the property owner.

**Application** shall mean a written request to the City for an approval required by this ordinance that contains all information required by this ordinance and that has been deemed administratively complete by the City.

**Arcade** shall mean colonnade supported upper stories of a building projecting over the sidewalk, where the facade of the first story remains at or behind the frontage line.

**Architectural Element** shall mean the unique details and component parts that combined, form the architectural style of a structure, building or object.

**Apartment Building** shall mean a building or series of buildings containing greater than five (5) dwelling units in a building with exterior dwelling unit entrances, primarily rented or leased for terms longer than 30 days.

**Awning** shall mean a cloth, plastic, or other nonstructural covering that either is permanently attached to a building or can be raised or retracted to a position against the building when not in use. This term does not include canopies.

**Bicycle Corral** shall mean a group of either short-term or long-term bicycle parking spaces that are located in the vehicular parking area adjacent to the curb. The corral is generally surrounded by a painted white box on the street with flexible vertical delineators and a wheel stop where vehicles are likely to back into the adjacent parking spot.

**Bicycle Rack, Long-Term** shall mean a bicycle parking fixture that provides at least two bicycle spaces and includes at least a four-foot-wide by six-foot-long dimension, intended for parking more than three hours, and is fully protected from the elements.

**Bicycle Rack, Short-Term** shall mean a bicycle parking fixture that provides at least two bicycle spaces and includes at least a four-foot-wide by six-foot-long dimension, intended for parking less than three hours.

**Block** shall mean an aggregate land area circumscribed by streets or thoroughfares.

**Block Face** shall mean the aggregate of all the principal frontage lines or alternatively the building facades on one side of a block.

**Building** shall mean a structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, real property, and business activity.

**Building Block** shall mean the 335' X 335' block created by dividing a farm lot. It is the foundation of the walkable environment.

**Building Official** shall mean the inspector or administrative official charged with responsibility for issuing permits and enforcing the Building Code and this ordinance where indicated.

**Building Types** shall mean a range of structures with different standards to create a variety of options for human settlements. The four (4) building types in the ordinance include edgeyard, rearyard, sideyard, and courtyard.

**Bunkhouse** shall mean a secondary building located toward the rear of the same lot as a principal building used as an additional dwelling unit.

**Business** shall mean a place where a person practices their regular occupation, profession, or trade.

**By Right** shall mean characterizing a proposal or component of a proposal for a Neighborhood Plan or Site Plan that complies with this ordinance and is permitted and processed administratively without public hearing.

**Certificate of Occupancy** shall mean an official certificate issued by the City through the Building Official that indicates conformance with the zoning standards and building codes and authorizes legal use of the premises that it is issued; may be referred to as an occupancy permit.

**Character District Map** shall mean the official map or maps that are part of the Comprehensive Plan and delineate the boundaries of individual Character Districts.

**City Council** shall mean the governing body of the City of Bandera, Texas.

**City Engineer** shall mean a registered Engineer or their representative employed by the City.

**City or The City** shall mean the City of Bandera and its authority of its City Limits and ETJ.

**City Secretary** shall mean the City Secretary of the City of Bandera or the authorized representative of the secretary.

**Civic** shall mean a designation for public sites dedicated for civic buildings and civic space.

**Civic Building** shall mean a building operated by not-for-profit organizations dedicated to arts, culture, education, recreation, government, transit, and municipal parking, or as approved by the Planning and Zoning Commission and City Council.

**Civic Space** shall mean an outdoor area dedicated for public use. Civic space types are defined by the combination of certain physical constants including the relationships among their intended use, their size, their landscaping, and the buildings that front them.

**Clustered Land Development or CLD** shall mean a Development Pattern structured by a pedestrian shed oriented toward a common destination such as a general store, meeting hall, schoolhouse, or church clustered together in order to preserve open space. CLD takes the form of a small settlement standing free in the countryside.

**Commercial** shall mean the term collectively defining workplace, office, retail, and lodging uses.

**Common Destination** shall mean an area of focused community activity, usually defining the approximate center of a pedestrian shed. It may include without limitation one or more of the following: a Civic Space, a Civic Building, a commercial center, or a transit station, and may act as the social center of a neighborhood.

**Comprehensive Plan** shall mean a document adopted by the City that consists of graphic and textual policies that govern the future development of the City and that consists of various components governing specific geographic areas and functions and services of the City.

**Conservation Easement** shall mean a voluntary legal agreement between a landowner and a land trust or government agency that permanently limits uses of the land in order to protect its conservation values.

**Construction** shall mean the act of adding an addition to an existing building, structure or object or the erection of a new principal or accessory building, structure or object on any lot, parcel or site.

**Courtyard** shall mean the placement of a building within the boundaries of its lot to create a private courtyard, while internally defining one or more private patios. Courtyard is a building type.

**Curb** shall mean the edge of the vehicular pavement that may be raised or flush to a swale. It usually incorporates the drainage system.

**Demolition** shall mean an act or process which: (1) destroys a lot, parcel or site or building, structure or object in its entirety, (2) destroys a part of a lot, parcel or site or building, structure or object and permanently impairs its structural, historic or architectural integrity, (3) removes the building, structure or object or any part thereof from the original lot, parcel or site without the requisite moving permit, or (4) removes architectural elements and features from the exterior of a building, structure or object.

**Development** shall mean any construction activity or alteration of the landscape, its terrain contour or vegetation, including the erection or alteration of structures or land use.

**Development Pattern** shall mean options for land configuration for a Neighborhood Plan. The three types addressed in this ordinance are Cluster Land Development (CLD), Traditional Neighborhood Development (TND), and Village Cluster Development (VCD).

**Drainage** shall mean any activity that intentionally alters the hydrological regime of any locality by facilitating the removal of surface or ground water. It may include the construction, deepening, extending, opening, installation or laying of any canal, drain or pipe, either on the land or in such a manner as to encourage drainage of adjoining land.

**Driveway** shall mean a vehicular lane within a lot, often leading to a garage.

**Duplex** shall mean a building with two (2) units within one (1) structure on a lot. The configuration can be side by side, stacked, front to back, etc.

**Dwelling** shall mean any building or portion thereof, that is designed or used as living quarters for one or more families.

**Edgeyard Building** shall mean a building that occupies the center of its lot with setbacks on all sides. edgeyard is a building type.

**Elevation** shall mean the exterior wall of a building that is set along a frontage line. Syn. Facade.

**Encroachment** shall mean any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, into the public frontage, or above a height limit.

**Extraterritorial Jurisdiction (ETJ)** shall mean the area adjacent to the City Limits of the City over that the City is authorized to control, among other things, subdivision as prescribed or defined by law.

**Facade** shall mean the principal face of a building, including parapet walls and omitted wall lines, or any part of a building that encloses or covers usable space. Where separate faces are oriented in the same direction, or in directions within 45 degrees of one another, they are to be considered as part of a single facade.

**Farm Lot** shall mean the equivalent of four (4) Bandera Blocks which are 335' X 335' with the reserved between 60' and 80' of right-of-way between the blocks. A farm lot is bounded by streets and measures approximately 750' X 750'.

**Filed** shall mean the date when a submission has been deemed an administratively complete application. A plan or permit application shall be reviewed for completeness and be deemed administratively complete to be considered filed.

**Final Plat** shall mean a plat as defined in 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

**Floodplain** shall mean an area of land subject to inundation by a 100-year frequency flood as determined using standard engineering practices and generally as shown on the FIRM (Flood Insurance Rate Map) of the City of Bandera.

**Frontage** shall mean the area between a building facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into private frontage and public frontage.

**Frontage Line** shall mean a lot line bordering a public frontage. Facades facing frontage lines define the public realm and are therefore more regulated than the elevations facing other lot lines.

**Full Cut-Off Fixtures** shall mean fixtures, as installed, that are designed or shielded in such a manner that all light rays emitted by the fixture, either directly from the lamps or indirectly from the fixture, are projected below a horizontal plane running through the lowest point on the fixture where light is emitted.

**Gallery** shall mean an attached cantilevered shed or a lightweight colonnade extending from a building facade to overlapping the sidewalk.

**Green** shall mean a Civic Space Place Type (P-CS) for unstructured recreation, spatially defined by landscaping rather than building frontages.

**House** shall mean a single dwelling unit edgeyard building on a regular lot.

**IBC/ ICC (International Building Code/ International Code Council)** shall mean the Code or Codes adopted by the City of Bandera to ensure public health and safety of buildings, including all related Codes.

**Infill/ Infill Development** shall mean new development on land that had been previously developed, including most greyfield and brownfield sites, or remainder lands surrounded by developed lands and cleared land within urbanized areas. verb- to develop such areas.



**Layer** shall mean a range of depth of a Lot within those certain elements are permitted.

**First Layer:** The area of a lot from the frontage line to the facade of the principal building.

**Second Layer:** The area of a lot set behind the first layer to a depth of 20 feet in all Place Types

**Third Layer:** The area of a lot set behind the second layer and extending to the rear lot line.

**Light Trespass** shall mean light emitted from fixtures designed or installed in a manner that unreasonably causes light to fall on a property other than the one where the light is installed, in a motor vehicle drivers' eyes, or upwards toward the sky.

**Lighting** shall mean any source of light that does not include natural light emitted from celestial objects or fire. The term includes any type of lighting, fixed or movable, designed or used for outdoor illumination of buildings or homes, including lighting for billboards, streetlights, canopies, gasoline station islands, searchlights used for advertising purposes, externally or internally illuminated on- or off-premises advertising signs, and area-type lighting. The term includes luminous elements or lighting attached to structures, poles, the earth, or any other location.

**Lot** shall mean an undivided tract or parcel of land having frontage on a public right-of-way or on an approved civic space or open space having direct thoroughfare access, and that is or may be offered for sale, conveyance, transfer or Improvement, that is designated as a distinct and separate tract, and that is identified by a tract, or Lot number or symbol in a duly approved plat that has been properly filed of record.

**Lot Line** shall mean the boundary that legally and geometrically demarcates a lot.

**Lot of Record** shall mean a lot that is part of a plat that has been recorded in the office of the County Clerk of Bandera County.

**Lot Width** shall mean the length of the principal frontage line of a lot.

**Lumen** shall mean the unit of measurement used to quantify the amount of light produced by a bulb or emitted from a fixture (as distinct from "watt," a measure of power consumption). The initial lumen rating associated with a given lamp is generally indicated on its packaging or may be obtained from the manufacturer. (Abbreviated lm)

**Lumens per Acre** shall mean the total number of lumens produced by all lamps utilized in outdoor lighting on a property divided by the number of acres, or part of an acre, with outdoor illumination on the property.

**Luminous Elements (of a light fixture)** shall mean the lamp (light bulb), any diffusing elements, and surfaces intended to reflect or refract light emitted from the lamp individually or collectively comprise the luminous elements of a light fixture (luminaire).

**Main Civic Space** shall mean the primary outdoor gathering place for a community. The main civic space is often, but not always, associated with an important civic building.

**Street Network Plan** shall mean the system of thoroughfares identifying the physical location of each thoroughfare and its Street Type.

**Manufactured Home** shall mean a structure, transportable in one (1) or more sections, which is built on a permanent chassis and designed for use with or without a permanent foundation when attached to the required utilities. The term "manufactured home" does not include a "recreational vehicle."

**Minor Plat** shall mean a plat as defined in 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

**Mobile Home** shall mean a factory assembled structure approved by the municipality with the necessary service connections made so as to be movable on site and designed to be used as a permanent dwelling.

**Neighborhood Plan** shall mean a neighborhood design plan created through a series of maps defining the physical form, Place Type allocation, block types, and extent of a settlement as required the ordinance. The three Development Patterns addressed in this ordinance are CLD, TND, and VCD and allow for the creation of a variety of Neighborhood Plan patterns.

**Non-contributing Structure** shall mean a structure within a designated local Historic District that is not considered to be of historical significance or which does not possess significant physical features, historical associations, or historical architectural qualities.

**Nonresidential** shall mean a property used for purposes other than to residential.

**Open Space** shall mean land intended to remain undeveloped; it may be for civic space, left natural or integrate trails or other activities.

**Ordinary Maintenance** shall mean activities relating to a property that would be considered ordinary or common for maintaining the property, such as a) repair using the same material and design as the original and does not require structural modifications; b) repainting; c) reroofing, using the same type; or d) repair of sidewalks and driveways.

**OSSF** shall mean on-site sewage facility, commonly referred to as septic systems, whether of a traditional or “engineered” design.

**Park** shall mean a civic space type that is a natural preserve available for unstructured recreation.

**Path or Pathway** shall mean a pedestrian way traversing a park or rural area with landscape matching the contiguous open space, ideally connecting directly with the urban sidewalk network.

**Pedestrian** shall mean any person afoot. A person who uses an electric personal assistive mobility device or a manual or motorized wheelchair is considered a pedestrian unless the manual wheelchair qualifies as a bicycle. For the purposes of this paragraph, “motorized wheelchair” means a self-propelled wheelchair that is used by a person for mobility.

**Pedestrian Shed** shall mean the area covered by a 5-minute walk from the center of a neighborhood (about 0.25 miles or 1,320 feet). The acreage of the pedestrian shed is determined by the development pattern.

**Place Types or Place Type Zones** shall mean geographic boundaries that use standards to establish the building types density, height, and other elements of the intended habitat. Each Place Type has associated standards relating to the private and public frontages.

**Place Type Zoning Map** shall mean the official map or maps that are part of this ordinance and delineate the boundaries of individual districts.

**Planning and Zoning Commission** shall mean a board, appointed by the City Council, authorized to recommend changes in the zoning and other planning functions as delegated by the City Council. Also referred to as the “Commission.”

**Plat** shall mean a of a division of land creating building lots or tracts, showing all essential dimensions, and other information necessary to comply with the standards of the City of Bandera, approved by the City of Bandera, and recorded in the plat records of Bandera County. It shall include plan, plat or replat, both singular and plural.

**Plaza** shall mean a civic space type designed for civic purposes and commercial activities in the more urban Place Types, generally paved and spatially defined by building frontages.

**Pre-Construction** shall mean a formal meeting with the City Engineer before a Public Improvement Plan or Public Improvement Plan Agreement may be approved.

**Pre-Development Meeting** shall mean a formal meeting with City staff required before a request for any plat, replat, or plat vacation may be submitted to the City.

**Premises** shall mean land together with any buildings or structures situated thereon.

**Preservation** shall mean the stabilization of a historic building, its materials and features in their present condition to prevent future deterioration. Preservation focuses on the maintenance and repair of existing historic materials and retention of a property's form as it has evolved over time.

**Primary Frontage** shall mean the private frontage designed to bear the address and principal entrance(s) of a building.

**Principal Building** shall mean the main building on a lot.

**Principal Entrance** shall mean the main point(s) of access for pedestrians into a building or unit within a building.

**Principal Building Facade** shall mean the primary street side of the building facing the public realm.

**Principal Frontage** shall mean the private frontage designed to bear the address and principal entrance(s) of a building.

**Private Frontage** shall mean the privately held first lot layer and the facade of the building.

**Private Realm** shall mean the privately-owned lot layers, land and /or structures.

**Project** shall have the same definition as "development".

**Public Frontage** shall mean the area between the curb of the vehicular lanes and the frontage line.

**Public Improvement Plan** means any project for the erection, construction, alteration, repair or improvement of any public structure, building, road, or other public improvement of any kind.

**Public Realm** shall mean the streets, parks, squares, green spaces, and other interconnected outdoor places that require no key to access them and are available without charge for everyone to use.

**Public Wastewater Treatment and Collection System** shall mean a system that is installed and maintained by an entity that holds a wastewater CCN from the state and is served by a wastewater treatment facility that holds a discharge permit from the Texas Commission on Environmental Quality, or successor entity.

**Rearyard Building** shall mean a building that occupies the full frontage line, leaving the rear of the lot as the sole yard.

**Reconstruction** shall mean the act or process of reassembling, reproducing or replacing by new Construction, the form, detail and appearance of property and its setting as it appeared at a particular period of time by means of Removal of later work or by the replacement of missing earlier work or by reuse of original materials.

**Recreational Vehicle** (need definition – Listed in Supplemental Regulations for Mobile Homes, etc.)

**Rehabilitation** shall mean the act or process of returning a property to a state of utility through repair or alteration that makes possible an efficient contemporary use while preserving those portions or features of the property that are significant to its historical, architectural, and cultural values.

**Relocation** shall mean any change of the location of a structure in its present location to another location within the City Limits.

**Removal** shall mean permanently moving a structure or feature or tree from its current location.

**Replat** shall mean a plat as defined in Chapter 212.014 or 212.015 of the Local Government Code and the procedure for such plats shall be the same as standard procedure as defined herein.

**Residence or Residential** shall mean a structure designated and built for a someone to live. Same as dwelling.

**Resubdivision** shall mean the division of any part of an existing Subdivision, including any change of Lot(s) size therein, and/or with relocation of any Street lines.

**Restoration** shall mean the act or process of accurately recovering the form and details of a building, structure or object or lot, parcel or site and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacements of missing earlier work.

**Screened** shall mean shielded, concealed, and effectively hidden from view by a person standing at ground level on an abutting Site, or outside the area or feature so Screened by a fence, wall, hedge, berm, or similar architectural or landscape feature.

**Secondary Frontage** shall mean on corner lots, the private frontage that is not the principal frontage.

**Setback** shall mean the area of a lot measured from the lot line to a building facade or elevation that is maintained clear of permanent structures, with the exception of encroachments listed in this Code. The Build-to-Line replaces the front setback in the zoning standards.

**Shall or May** shall mean the word “shall” shall be deemed mandatory, the word “may” shall be deemed permissive.

**Sidewalk** shall mean a type of walkway paved with concrete or pavers.

**Sideyard** shall mean the placement of a building within the boundaries of its lot to create a private sideyard, with a setback to one side. Sideyard is a building type.

**Sight Triangle** shall mean a triangular shaped area required on corner lots at the intersection of two streets including alleys that impact multi-modal traffic safety.

**Sign** shall mean a structure, sign, display, light device, figure, painting, drawing, message, plaque, poster, billboard, or other object that is designed, intended, or used that includes text or images designed to communicate. Signs located completely within an enclosed building and not exposed to view from outside the building or structure shall not be considered a sign. Each display surface of a sign or sign face shall be a sign.

**Site(s)** shall mean the location of a significant event, a prehistoric or historic occupation or activity, Building or Structure, whether standing, ruined, or vanished, where the location itself possesses historical, cultural, architectural or archeological value regardless of the value of any existing structure.

**Site Plan** shall mean the engineered or surveyed drawings depicting proposed development of land.

**Sketch Drawing** shall mean a preliminary design of a subdivision and/or development that illustrates the layout of rights-of-way, blocks, lots, easements, civic/open spaces, drainage and land uses. A sketch drawing is preliminary in nature but provides enough detail to define the physical form of a subdivision and/or development to allow staff to provide relative feedback to an applicant. Review of a sketch drawing is not considered the filing of an original application or plan for development for purposes of Chapter 245 of the Texas Local Government Code.

**Standard Procedure** shall mean the procedure to be followed for the approval of a subdivision when the land proposed to be subdivided.

**Square** shall mean a civic space designed for unstructured recreation and civic purposes, circumscribed by thoroughfares, spatially defined by building frontages, and consisting of paths and/or sidewalks, lawn and trees, formally lining the space.

**Standards** shall mean the mandatory requirements or rules of this Code.

**Story** shall mean a habitable level within a building, excluding an attic or raised basement.

**Street** shall mean a local urban thoroughfare of low speed and low to moderate capacity .

**Street Trees** shall mean any tree that is growing in the City right-of-way, whether in improved (between the Sidewalk and the Curb) or unimproved (no Sidewalk and/or Curb) right-of-way.

**Street Type** shall mean a particular type of street and its characteristics, including right-of-way width, number and dimensions of elements, and the intended purpose of the Street.

**Structure** shall mean anything constructed or erected, the use of that requires location on the ground, or that is attached to something having a location on the ground.

**Subdivision** shall mean the division of any lot, tract or parcel of land into 2 or more parts in order to lay out a subdivision of the tract, including an addition to the City, to lay out a neighborhood, building, or other lots, or to lay out streets, alleys, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of lots fronting on or adjacent to the streets, alleys, squares, parks, or other parts.

**Swale** shall mean a low or slightly depressed area for drainage, usually vegetated.

**Terminated Vista** shall mean a location at the axial conclusion of a Thoroughfare or Pedestrian way. A Building located at a Terminated Vista, designated on a Neighborhood Plan, is required or recommended to be designed in response to the axis.

**Texas Department of Transportation and/or TxDOT** shall mean the state agency authorized by the State Legislature, or its successor agency, to regulate matters related to highway and road construction. (Note: When any TxDOT standard, "Item" regulation, definition or other matter is referenced, utilized, or adopted herein, the City also specifically adopts by this note of reference, and shall automatically apply without further amendment to this Code, the applicable successor TxDOT standard(s), "Item(s)", regulation(s), definition(s) or other matter(s), as amended by state law over time).

**Thoroughfare** shall mean a way for use by vehicular and pedestrian traffic and to provide access to lots and open spaces, consisting of vehicular lanes and the public frontage.

**Travel Trailer** (Need to add definition. Listed under Supplemental District Regulations – Mobile Homes, etc.)

**Uplighting** shall mean lighting that is directed in such a manner as to project light rays above the horizontal plane running through the lowest point on the fixture where light is emitted.

**Village Center Development or VCD** shall mean a development pattern structured by a pedestrian shed oriented toward a common destination such as a general store, meeting hall, schoolhouse, or church with dense P4 and P5 Place Types surrounded by Open Space. Vehicles are kept on the peripheral and rear of the development.

**Walkability** shall mean a measure of how easy it is to travel a place by walking. Walkable places are safe, comfortable, interesting, and have useful destinations.

**Walkway** shall mean the section of the public frontage dedicated exclusively to pedestrian activity.

**Warrant** shall mean a ruling that would permit a practice that is not consistent with a specific provision of this Code, but that is justified by its Intent. Warrants are granted administratively jointly by the City Administrator & City Engineer.

## ADMINISTRATION

When a building permit/sign permit application is submitted to the City office, it must be accompanied with a drawing of the property showing the location of the structure or sign and a drawing of the construction or sign. Applications shall also include a description of how the structure or sign conform to the Master Plan, if at all. The plans and specifications will be reviewed for compliance with all city building and zoning ordinances by the following city officials:

- (1) The building inspector or, in case [case] of a conflict of interest, the public works director; and
- (2) The mayor or, in case of a conflict of interest, the mayor pro-tem.

The building permit/sign permit shall be signed by each of the two city officials for the permit to be granted.

## SUPPLEMENTAL DISTRICT REGULATIONS

### DISTRICT REGULATIONS.

Except as provided in this Ordinance, no building shall be erected, reconstructed or structurally altered, nor shall any building or land be used, for any purpose other than is permitted in the district in which such building or land is located.

### MOBILE HOMES, HUD-CODE MANUFACTURED HOMES, AND TRAVEL TRAILERS.

The following regulations shall apply within the City, to the permitted use of HUD-Code manufactured homes, mobile homes and travel trailers:

- (1) No mobile home shall be permitted anywhere in the City.
- (2) Development of HUD-Code manufactured home sites shall be permitted only within Place Type 2.
- (3) No HUD-Code manufactured home shall be allowed in the City unless it meets the requirements of the Texas Manufactured Housing Code.
- (4) Except as set out in this subsection, residential occupancy of travel trailers or recreational vehicles within the City limits shall be permitted only in Place Type 2. Residential occupancy of a travel trailer or recreational vehicle outside of Place Type 2 shall be permitted for a period not to exceed fourteen (14) days within any given one-year period, whether calculated cumulative or consecutively. Such limited residential occupancy shall also be subject to all applicable City, county, and state laws and regulations. A recreational vehicle must remain mobile at all times in that it must be capable of running and being driven under its own power or is capable of being towed without any physical modification. Storage of unoccupied travel trailer[s] and recreational vehicles is permitted in all districts of the City; however, such storage is prohibited on public streets and rights-of-way.

### HOME OCCUPATION.

Home occupations must meet the following requirements:

- (1) The incidental use shall never be permitted as a principal use.
- (2) The home occupation use shall not utilize more than fifty (50) percent of the gross floor area of the dwelling.
- (3) No exterior alterations shall be permitted, and no construction features shall be permitted which are not customarily found in a dwelling.
- (4) There shall be no exterior storage of equipment or materials used in the occupation.
- (5) The home occupation must be conducted entirely within a building.
- (6) No signs identifying the home occupation shall be permitted; but nameplates, not exceeding two (2) square feet in area, may be permitted when attached flat to the main structure.

## EFFECT ON EXISTING CONDITIONS.

### NONCONFORMING USES:

The lawful use of land existing on the date of this Ordinance although such use does not conform to the provisions of this Ordinance may be continued. But if such nonconforming use is discontinued, any future use of such premises shall be in conformity with the provisions of this Ordinance.

The lawful use of any building existing on the date of adoption of this Ordinance may be continued even though such use does not conform to the provisions of this Ordinance, [and] such use may be extended throughout the building, provided no structural alterations, except those required by law or Ordinances, are made therein.

The right of nonconforming uses to continue shall be subject to such regulations as to the maintenance of the premises and conditions of operation as may, in the judgment of the City Council, be reasonably required for the protection of adjacent property.

### COMPLETION OF EXISTING BUILDINGS:

Nothing contained in this Ordinance shall require any change in the plans, construction, or designated use of a building actually under construction before or on the date of adoption of this Ordinance, and which entire building was completed within a year from that date.

### NONCONFORMING STRUCTURES:

**Continuance of nonconforming structures.** Except as herein provided, any nonconforming structure may be occupied and operated and maintained in a state of good repair.

**Enlargement or extension of nonconforming structures.** A nonconforming structure in which a nonconforming use is operated shall not be enlarged or extended; a nonconforming structure in which only permitted uses are operated may be enlarged or extended if the enlargement or extension can be made in compliance with all of the provisions of this Ordinance established for structures in the Place Type in which the nonconforming structure is located.

**Restoration of damaged, nonconforming structures.** A nonconforming structure damaged in any manner and from any cause whatsoever to the extent of not more than fifty (50) percent of its replacement cost may be restored, provided restoration is begun within one (1) year and completed within two (2) years of the date of the damages.

**Nonconforming mobile home use.** In the event a nonconforming mobile home use of any premises or lot is discontinued or vacated for a period of thirty (30) days, the use of the premises or lot shall thereafter conform to the provisions of the Place Type in which it is located.



## ZONING CLASSIFICATION

### PLACE TYPE ZONING MAP PLACEMENT.

The boundaries of Place Types set out herein are delineated upon a Place Type Zoning Map of the City, adopted as part of this Ordinance as fully as if the same were set forth herein in detail. One (1) original of the Place Type Zoning Map shall be filed in the office of the City Secretary. This copy shall be the official Place Type Zoning Map and shall bear the signature of the Mayor and attestation of the City Secretary. This copy shall not be changed in any manner. In case of any question, this copy, together with amending Ordinances, shall be controlling.

### ZONING MAP DESIGNATIONS.

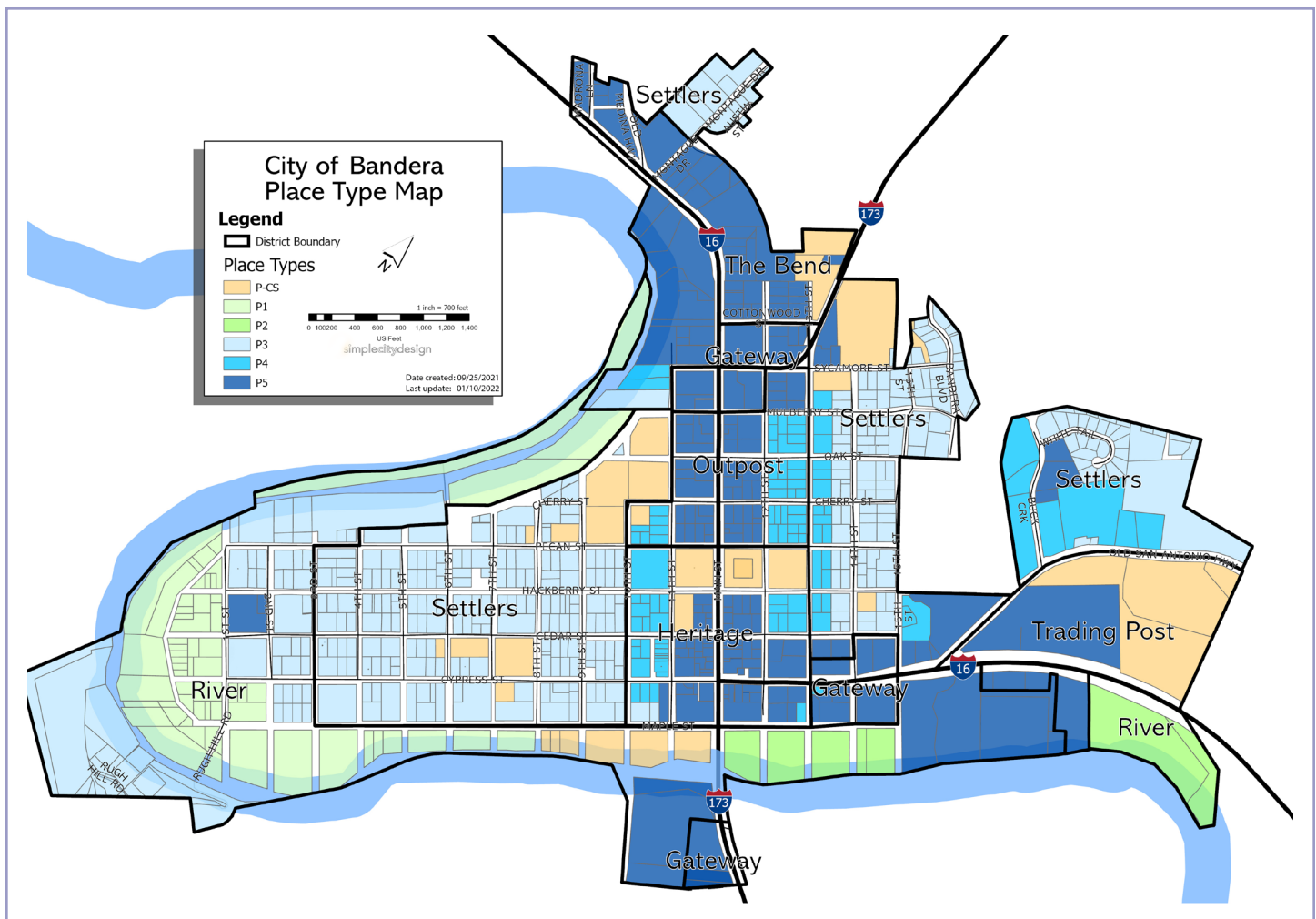
The boundary lines shown on the Place Type Zoning Map are usually along streets, alleys, property lines, or extensions thereof. Where uncertainty exists as to the boundaries of Place Types as shown on the official Place Type Zoning Map:

- (1) Boundaries indicated as approximately following the centerline of streets, highways, or alleys shall be construed to follow such centerline.
- (2) Boundaries indicated as approximately following platted Lot lines shall be construed as following such lot lines.
- (3) Boundaries are indicated as approximately following City limits shall be construed as following the City limits.
- (4) Boundaries indicated as following the centerline of all creeks, streams, or drainage-ways shall be construed to follow such centerline, and in the event of change in the centerline, shall be construed to move with such centerline.
- (5) Boundaries indicated as parallel to or extensions of features indicated in Subsections 1 through 4 above shall be so construed. Distances not specifically indicated on the official zoning maps shall be determined by the scale of the map.
- (6) Whenever any street, alley, or other public way is vacated by official action of the City Council or whenever such area is franchised for building purposes, the Place Type Zoning line adjoining each side of such street, alley, or other public way shall be automatically extended to the centerline of such vacated street, alley, or way and all areas so involved shall then and henceforth be subject to all standards of the extended Place Types.
- (7) The zoning classification applied to a tract of land adjacent to a street shall extend to the centerline of the street, unless as a condition of zoning approval, it is stated that the zoning classification shall not apply to the street.
- (8) Where physical features on the ground are at variance with information shown on the Official Place Type Zoning Map or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of Subsections 1 through 7, the property shall be considered as classified P-2 Rural, in the same manner as provided for newly annexed territory.

## NEWLY ANNEXED TERRITORY ESTABLISHING CLASSIFICATION.

All territory annexed to the City hereafter shall be temporarily classified as P-2 Rural, unless otherwise classified at the time of such annexation, until permanently zoned by the City Council.

## ZONING MAP.



## PLACE TYPE ZONING

### **GENERAL.**

The establishment of Place Types in the City of Bandera, Texas, are intended to promote compatible patterns of land use and site development consistent with the City's adopted Comprehensive Plan.

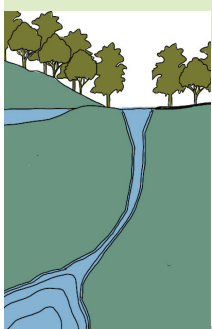
### **DESCRIPTION.**

Place Types are the transition of places from natural to urban, through the use of specific zoning standards. Place Types replace conventional zoning districts with identifiable characteristics that represent six (6) arrangements of places. The zoning standards reflect the Place Type and were inspired by the DNA of the Bandera community.

### **PLACE TYPES ESTABLISHED WITH DESCRIPTIONS.**

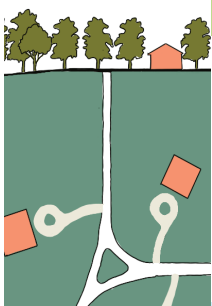
The City of Bandera is hereby divided into six (6) Place Types. All land within the City Limits shall be classified into one of the following six (6) Place Types:

## PLACE TYPE CHART.



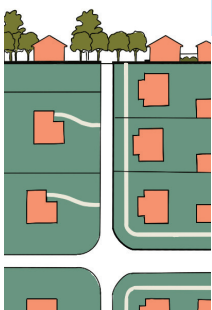
### P1: NATURE

The Nature Place Type is land that has been left in a natural state or reverting to a wilderness condition, including lands unsuitable for settlement due to topography, hydrology or vegetation. P1 is intended to preserve areas that contain sensitive habitats, active or passive civic spaces, parks, and limited agriculture uses.



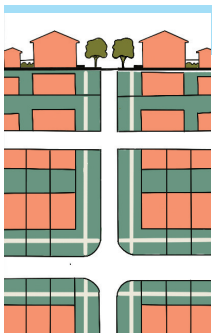
### P2: RURAL

The Rural Place Type regulates mainly large lot sparsely settled land or land used for agricultural purposes and food production. This Place Type helps preserve Bandera's natural beauty and agricultural roots. Rural living and sparsely settled lands are to be located in a manner that does not cause a nuisance to a more intensely inhabited areas.



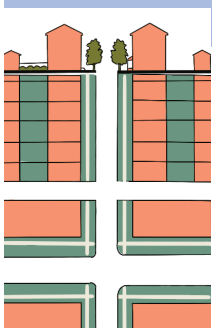
### P3: NEIGHBORHOOD

The Neighborhood Place Type regulates generally low density detached housing types in varied styles. Neighborhood also supports civic spaces, such as schools and places of worship. Owner occupied residential lots may have one bunkhouse behind the primary building. Neighborhood is adjacent to higher density Place Types that have some mixed use buildings. Landscaping is naturalistic and build-to-lines vary from relatively deep to shallow. In certain areas where the topography requires an alternative development pattern, the roads and blocks may be irregular to accommodate for natural conditions.



### P4: NEIGHBORHOOD MIX

The Mix Place Type functions as a smooth transition from the commercial oriented P5 Core place type outward to the established residential P3 Neighborhood place type. P4 Mix regulates a variety of building types ranging from smaller more traditional commercial form buildings to intermixed house-from commercial and detached residential residences. This Place Type provides flexibility for this area to easily transition between low intensity commercial and residential building types allowing for the neighboring P5 zoning to expand and contract overtime, increasing Bandera's economic resiliency.



### P5: CORE

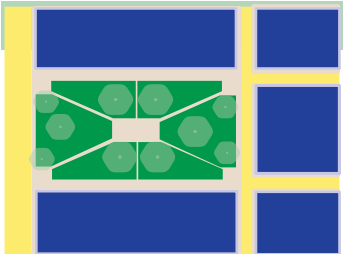
The Core Place Type regulates a higher density mixture of building types that accommodate commercial, restaurants, and bars, retail, offices, hotels, and apartments. The P5 Core Place Type radiates out from Main Street splitting Bandera in half. Main Street has buildings set close to the sidewalk and high pedestrian and car traffic. P5 is integrated into the grid through a network of streets with the potential for wide sidewalks, consistent street tree planting, and a highly walkable environment throughout the place type. P5 promotes a continuous line of buildings critical to defining the public frontage.

**P6 - CIVIC SPACE. SEE TYPES BELOW:****PARK**

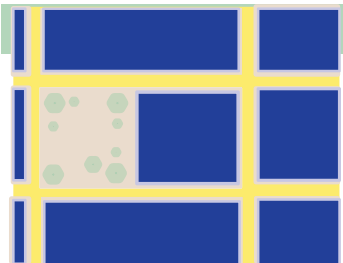
A natural preserve available for unstructured recreation. It is standalone from building frontages. Its landscape shall consist of paths and trails, meadows, water bodies, woodlands and open shelters, all naturally disposed. Parks may be lineal, following the trajectories of natural corridors.

**GREEN**

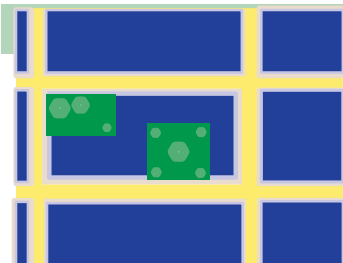
A Civic Space, available for unstructured recreation. A Green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturally disposed.

**SQUARE**

A Civic Space available for unstructured recreation and civic purposes. A Square is spatially defined by building frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important streets.

**PLAZA**

A Civic Space available for civic purposes and commercial activities. A Plaza shall be spatially defined by building frontages. Its landscape should consist of pavement related materials. Trees are optional. Plazas should be located at the intersection of important streets.

**PLAYGROUND**

A Civic Space designed and equipped for the recreation of children. A Playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens.

## PLACE TYPE ZONING CHANGE AND ORDINANCE AMENDMENTS PROCEDURES.

### **AUTHORITY TO AMEND THE PLACE TYPE ZONING ORDINANCE.**

The regulations, restrictions, and boundaries established by this Ordinance may from time to time be amended, supplemented, changed, modified, or repealed. The Planning & Zoning Commission shall make a preliminary report on all such proposed amendments, supplements, changes, modifications, or repeals, hold public hearing, and thereafter submit its final report to the City Council.

The City Council may from time to time, after receiving a final report by the Planning & Zoning Commission and after public hearings required by law, amend, supplement, or change the standards herein provided or the boundaries of the Place Types Zones specified on the Place Type Zoning Map. Any ordinance standards or Place Type Zone boundary amendment may be ordered for consideration by the City Council, be initiated by City, the Planning & Zoning Commission, or be requested by the owner of the property, or the authorized representative of an owner of the property.

Consideration for a change in any district boundary line or special zoning standard may be initiated only with written consent of the property owner, or by the Planning & Zoning Commission or City Council on its own motion, when it finds that public benefit will be derived from consideration of such matter. In the event the ownership stated on an application and that shown on the City records are different, the applicant shall submit proof of ownership.

No person who owes delinquent taxes or any other delinquent debts or obligations to the City of Bandera, and that are directly attributable to a piece of property requested for zoning shall be allowed to submit a Place Type Zoning request until the taxes, assessments, debts, or obligations directly attributable to said property and owed by the owner or previous owner thereof shall have been first fully discharged by payment, or until an arrangement satisfactory to the City has been made for the payment of such debts or obligations. It shall be the applicant's responsibility to provide evidence or proof that the taxes have been paid.

## PROCEDURE FOR AMENDMENT AND CHANGES IN THE PLACE TYPE ZONING.

A written request for change in the Place Type Zoning Ordinance is required to be filed with the City. In making a determination regarding a requested Place Type Zoning Change, the City Council shall consider the following factors:

- (1) Whether the Place Type characteristics permitted by the proposed Place Type Zoning change shall be appropriate in the immediate area concerned and the City as a whole.
- (2) Whether the proposed change is in accord with the Comprehensive Plan, any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
- (3) The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances that may make a substantial part of such vacant land unavailable for development.
- (4) The recent rate that land is being developed in the same Place Type classification as the request, particularly in the vicinity of the proposed change.
- (5) How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved.
- (6) Any other factors that will substantially affect the public health, safety, or general welfare.

All written requests for change in the Place Type zoning of a property or for change in the textual provision of this Ordinance and for special approval of uses permitted in certain zones, where such approval is indicated in the permitted uses contained in this ordinance, shall be filed with the City Council.

### PLACE TYPE ZONING CHANGE FEE.

When a request is filed for any change in Place Type Zone boundaries or for any change in the Place Type Zoning Ordinance or classifications, such written request shall be accompanied by a fee as determined by the City Fee Schedule to be paid to the City Secretary immediately upon filing such written request.

Until the fees are paid, no notice of such written request shall be issued, and no hearing shall be had before the City Council. The City Secretary shall keep and preserve an itemized record of all fees received and the disposition thereof.

## **PREVIOUS DENIAL OF REZONING REQUEST.**

No written request for the rezoning of any lot, lots, or block of land situated in the City shall be received or filed with the City Council if within one (1) year prior thereto the City Council, after notice and hearing, has denied a written request for rezoning of the same property. Provided, however, if the applicant produces by sworn affidavit with new and relevant evidence, which was not presented at the previous hearing, the City Council shall have the right to waive the one (1) year period and proceed to hear and consider such written request.

## **PUBLIC HEARING REQUIRED FOR ZONING CHANGE.**

No change in the Place Type Zone boundaries, or Place Type zoning classification or regulations or for special approval of any use shall become effective until after a public hearing before the City Council at which parties in interest and citizens shall have an opportunity to be heard, after notice has been given as required by this ordinance.

## **NOTICE OF PUBLIC HEARING REQUIRED.**

At least fifteen (15) days' notice of the time and place of such hearing before the City Council shall be published in an official newspaper, or a paper of general circulation, in the City.

In addition, written notice of all public hearings before the City Council on proposed changes in zoning classifications shall be sent to owners of real property lying within two hundred (200) feet of the property on which the change in zoning classification is proposed, such notice to be given not less than ten (10) days before the date set for hearing, to all such owners who have rendered their said property for City taxes as the ownership appears on the last approved City tax roll. Such notice may be served by depositing same, properly addressed and postage paid, in the City's post office.

Where property lying within two hundred (200) feet of the property proposed to be changed is located in territory which was annexed to the City after the final date for making the renditions which are included on the last approved City tax roll, at least fifteen (15) days' notice of the time and place of such hearings shall be given to such owners by publication in an official newspaper, or a paper of general circulation, in the City.

The City Council may not adopt the proposed change until after the thirtieth (30th) day after the date the notice required by this subsection is given.



### **THREE-FOURTHS VOTE.**

A favorable vote of three-fourths of all members of the City Council shall be required to approve any change in zoning when written objections are received from 20% of the owners of the area within the required notification area of the adjacent landowners that comply with the provisions of Section 211.006 of the Texas Local Government Code, commonly (referred to as the “20% rule”).

If a protest against such proposed amendment, supplement, or change has been filed with the City Secretary, duly signed and acknowledged by the owners of 20% or more, either of the area of the lots included in such a proposed change or those immediately adjacent to the area thereof extending 200 feet therefrom or of those directly opposite thereto extending 200 feet from the street frontage of such opposite lots, such amendments shall not become effective except by a three-fourths vote of the City Council.

When the Planning and Zoning Commission makes a recommendation(s) that a proposed Place Type Zoning change be denied, the request (in its original form) shall require a three-fourths majority vote from City Council for it to be approved.

### **FINAL APPROVAL AND ORDINANCE ADOPTION.**

Upon approval of the Place Type Zoning request by the City Council, the applicant shall submit all related material with revisions, if necessary, to the City for the preparation of the amending ordinance. The Place Type Zoning request shall be approved by the City Council in a Public Hearing and may approve rezoning with conditions.

### **PROCEDURE FOR NEWLY ANNEXED LAND.**

As soon as reasonable, after an annexation ordinance is approved by the City Council, the City Administrator shall prepare an application for zoning the newly annexed land from P-2 Rural to a more permanent Place Type Zone. The application shall be placed on the City Council's agenda. All procedures as set forth in this Ordinance shall apply.

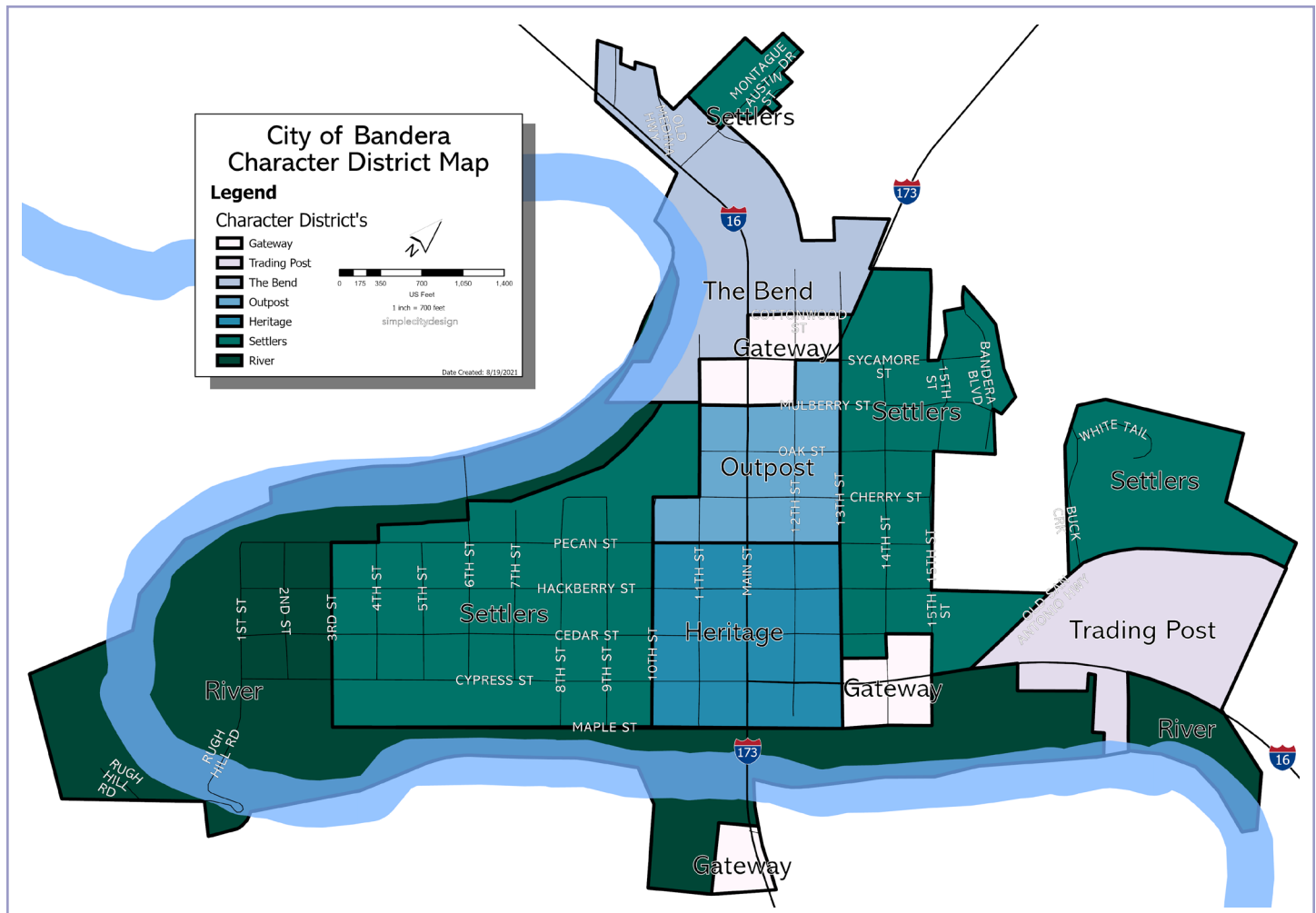
## CHARACTER DISTRICT REGULATIONS.

### INTENT.

Character Districts are the largest regulating geographic boundary in the Code. The boundaries are intended to have standards that align with the natural landscape and the patterns of development established on the land. Development patterns, Place Types, and street types are localized and represented in the standards. These regulations governs the preparation of a Character District Map that allocates identity and special standards to areas within the City of Bandera. Character Districts shall integrate the largest practical geographic area, overlapping property lines, as necessary, and municipal boundaries, if possible.

### CHARACTER DISTRICT MAP.

The City Council hereby adopts the City of Bandera Character District Map (hereafter referred to as the "Character District Map"), that is on file with the City Secretary. The Character District Map is hereby incorporated into this Ordinance by reference as though it were fully included here. The location and boundaries of the districts in these regulations are hereby established and will be shown on the Character District Map.



## **INTERPRETATION OF DISTRICT BOUNDARIES.**

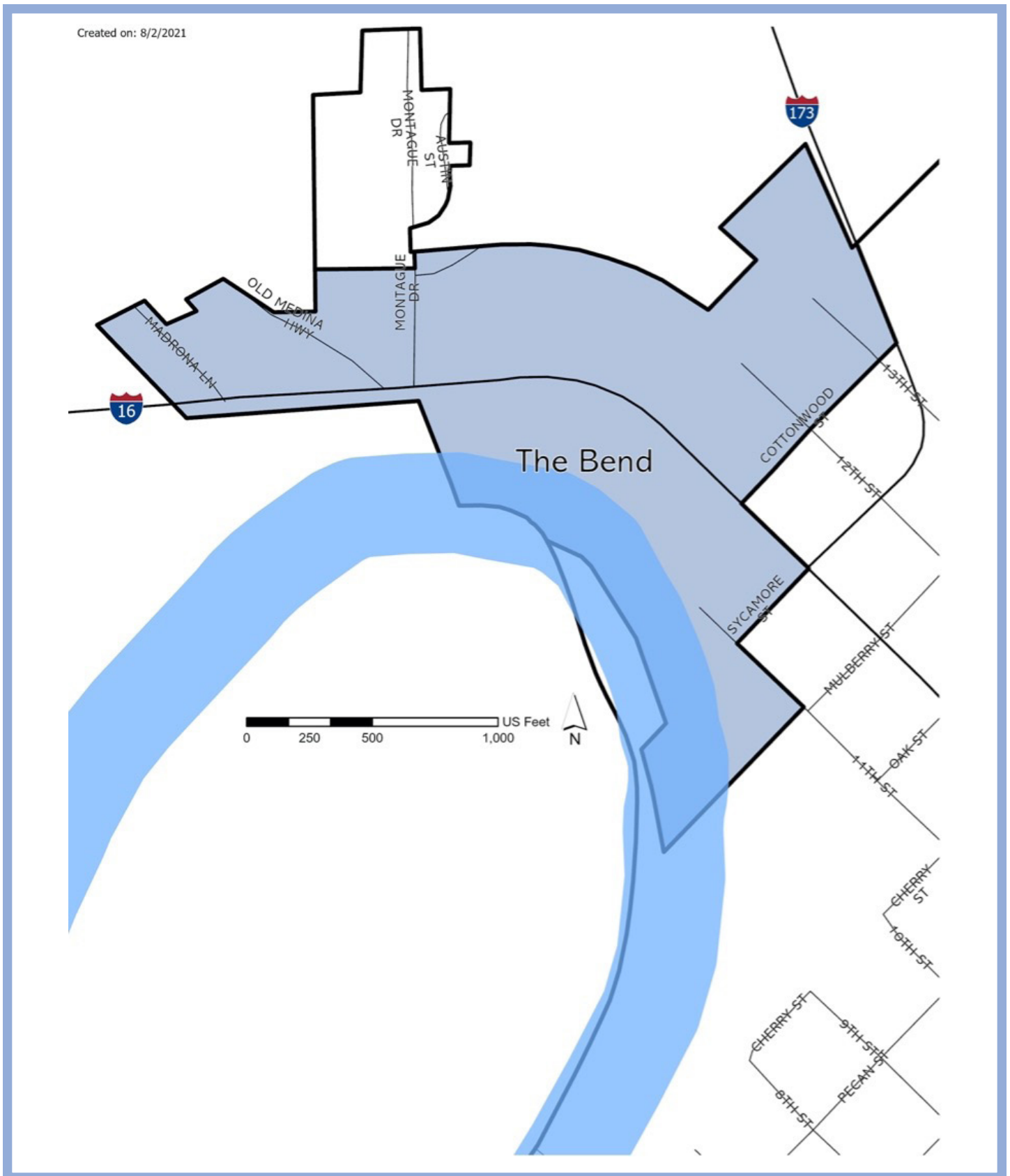
The City Administrator will be initially responsible for interpretations of the official Character District Map. The following Standards will govern the interpretation of District boundaries:

- (1) Boundaries indicated as approximately following the centerlines or right-of-way lines of streets, highways, alley, railways, or public utility easements will be construed to follow such lines.
- (2) Boundaries indicated as approximately following platted Lot or tract lines will be construed as following such lines, whether public or private.
- (3) Boundaries indicated as approximately following the City Limit line will be construed to follow such City Limit line.
- (4) Boundaries indicated as approximately following the center, mean high water mark, or shoreline of streams, rivers, canals, lakes, marsh areas, or other bodies of water, lowland, or tidal areas, will be construed to follow such boundaries.

## **CHARACTER DISTRICT DESCRIPTIONS AND STANDARDS.**

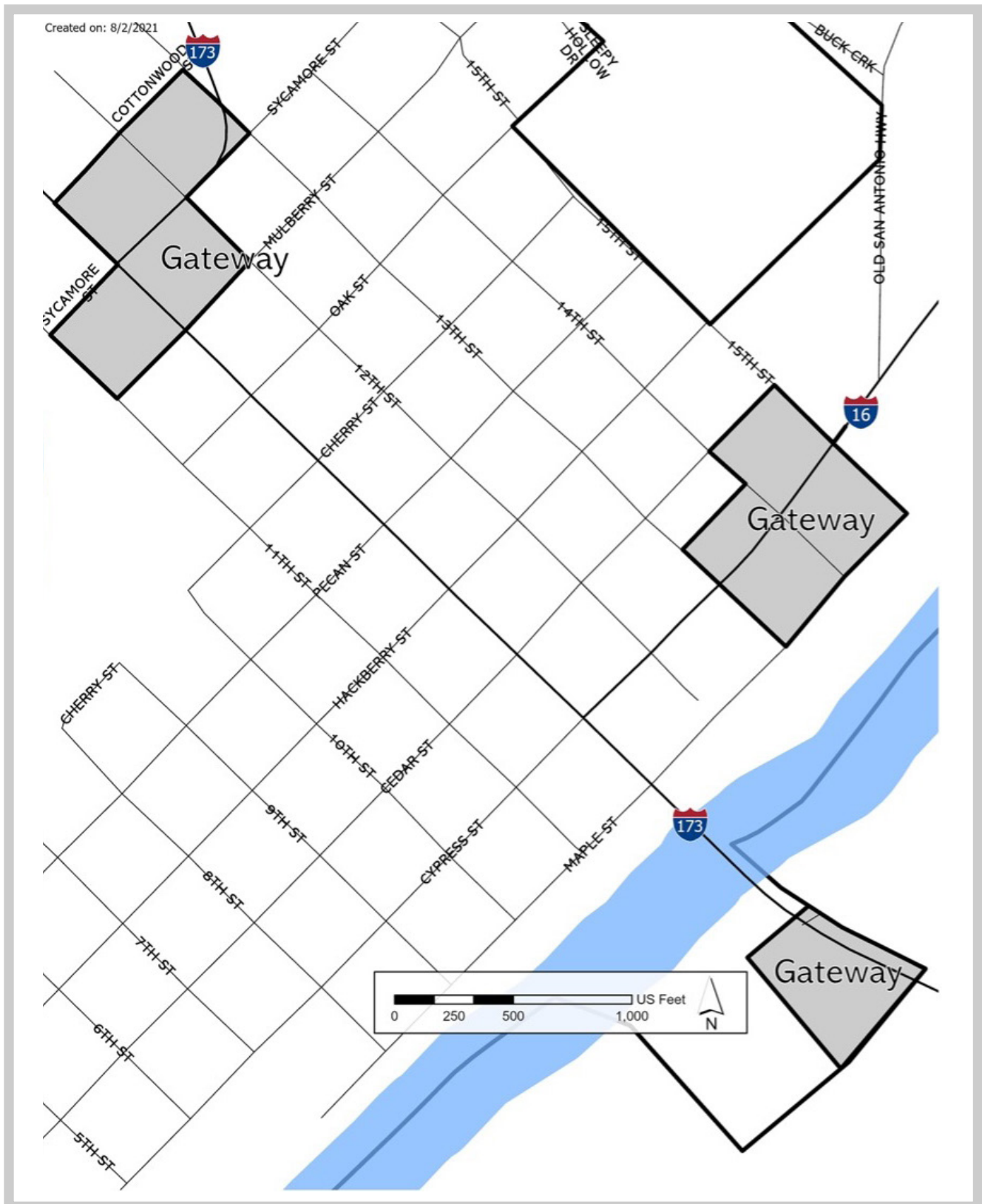
The Character District descriptions and standards must serve as the development requirements that coordinate with the individual Character District for each other corresponding development patterns, Place Types, street types, building and block types. The seven (7) Character Districts Descriptions are as follows:

## #1 BEND DISTRICT



|                                | P1      | P2              | P3              | P4             | P5           |
|--------------------------------|---------|-----------------|-----------------|----------------|--------------|
| <b>BLOCKS</b>                  |         |                 |                 |                |              |
| LENGTH                         | N/A     | 750 ft          | 335 ft          | 335 ft         | 335 ft       |
| PERIMETER                      | N/A     | 3,000 ft        | 1,340 ft        | 1,340 ft       | 1,340 ft     |
| <b>LOTS</b>                    |         |                 |                 |                |              |
| WIDTH                          | N/A     | 60 ft min.      | 40 ft min.      | no min.        | no min.      |
| AREA                           | N/A     | no min.         | 8,000 sf min.   | no min.        | no min.      |
| LOT COVERAGE (MAX.)            | N/A     | 40%             | 60%             | 70%            | 80%          |
| BUILD-TO-LINE "BTL"            | N/A     | 10 ft - no max. | 10 ft - no max. | 5 ft - 15 ft   | 2 ft - 15 ft |
| FACADE BUILDOUT AT BTL (MIN.)  | N/A     | 40%             | 40%             | 60%            | 80%          |
| <b>BUILDINGS</b>               |         |                 |                 |                |              |
| MAX. HEIGHT (STORIES)          | N/A     | 2               | 2               | 3              | 3            |
| EDGEYARD                       | NP      | P               | P               | P              | NP           |
| SIDEYARD                       | NP      | NP              | NP              | P              | P            |
| COURTYARD                      | NP      | NP              | NP              | NP             | P            |
| REARYARD                       | NP      | NP              | NP              | P              | P            |
| <b>PRIVATE FRONTAGE</b>        |         |                 |                 |                |              |
| COMMON YARD                    | NP      | P               | P               | P              | NP           |
| PORCH (OPTIONAL FENCE)         | NP      | P               | P               | P              | NP           |
| SHOPFRONT                      | NP      | NP              | NP              | P              | P            |
| GALLERY                        | NP      | NP              | NP              | NP             | P            |
| ARCADE                         | NP      | NP              | NP              | NP             | P            |
| <b>PUBLIC FRONTAGE</b>         |         |                 |                 |                |              |
| RURAL FRONTAGE                 | P       | P               | NP              | NP             | NP           |
| NEIGHBORHOOD FRONTAGE          | NP      | P               | P               | P              | NP           |
| MIX FRONTAGE                   | NP      | NP              | NP              | P              | P            |
| MAJOR FRONTAGE                 | NP      | NP              | NP              | NP             | P            |
| <b>CIVIC SPACE</b>             |         |                 |                 |                |              |
| PARK                           | P       | P               | P               | NP             | NP           |
| GREEN                          | NP      | NP              | P               | P              | P            |
| SQUARE                         | NP      | NP              | NP              | P              | P            |
| PLAZA                          | NP      | NP              | NP              | NP             | P            |
| PLAYGROUND                     | P       | P               | P               | P              | P            |
| <b>&gt;3 ACRES DEVELOPMENT</b> |         |                 |                 |                |              |
| CLD REQUIRES                   | no min. | 50% min.        | 10% - 30%       | 20% - 40%      | NP           |
| TND REQUIRES                   | no min. | no min.         | 10% - 30%       | 40% - 60%      | 10% - 30%    |
| <b>BUNKHOUSE</b>               |         |                 |                 |                |              |
| FRONT SETBACK                  | N/A     | BTL+20 ft min.  | BTL+20 ft min.  | BTL+20 ft min. | n/a          |
| REAR SETBACK                   | N/A     | IBC             | IBC             | 40 ft max.     | IBC          |
| SIDE SETBACK                   | N/A     | IBC             | IBC             | IBC            | IBC          |
| MAX. HEIGHT (STORIES)          | N/A     | 2 max.          | 2 max.          | 2 max.         | 2 max.       |
| <b>PARKING LOCATION</b>        |         |                 |                 |                |              |
| FIRST LAYER                    | N/A     | P               | P               | P              | NP           |
| SECOND LAYER                   | N/A     | P               | P               | P              | NP           |
| THIRD LAYER                    | N/A     | P               | P               | P              | P            |

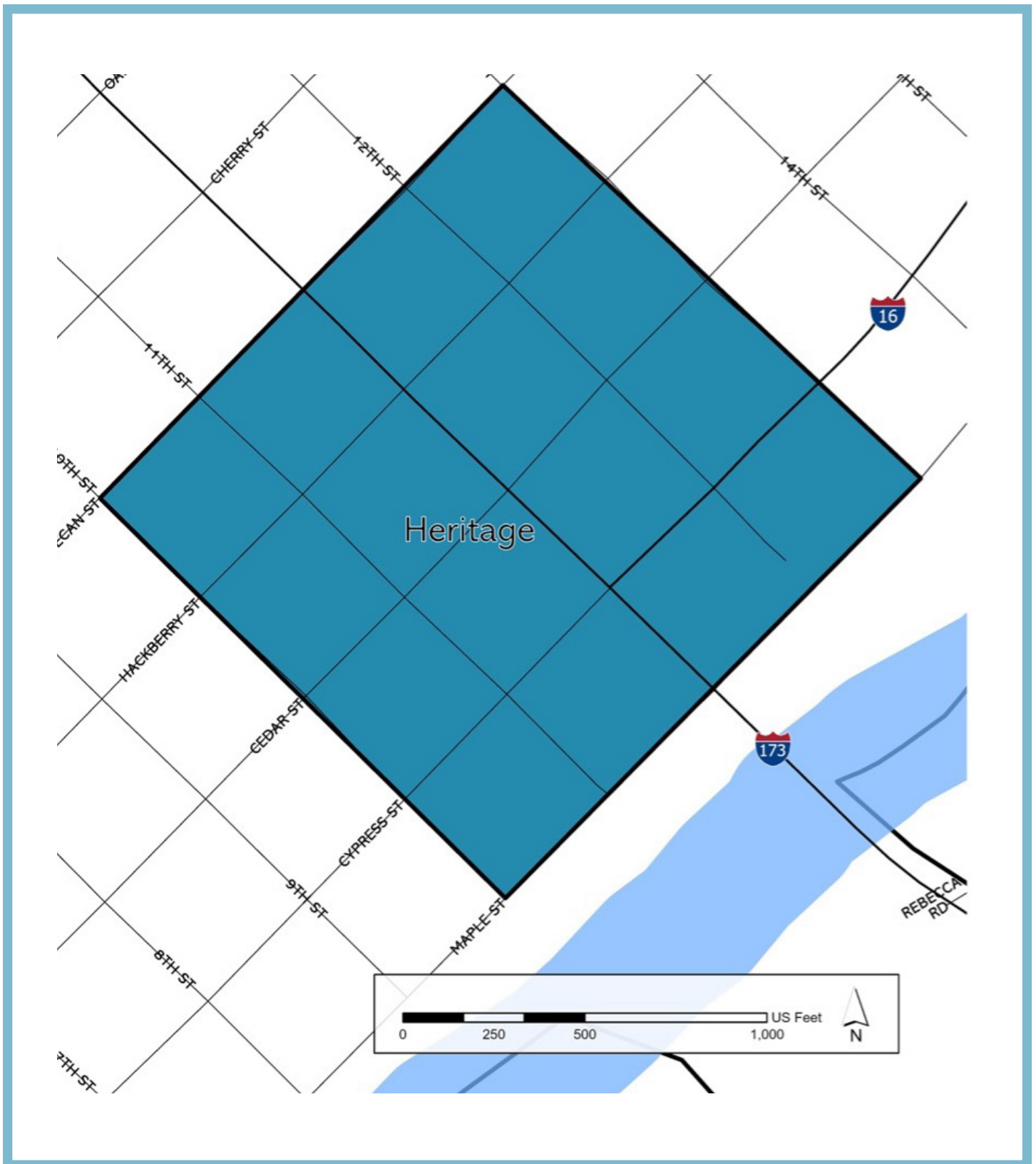
## #2 GATEWAY DISTRICT



|                                | P1      | P2              | P3              | P4             | P5           |
|--------------------------------|---------|-----------------|-----------------|----------------|--------------|
| <b>BLOCKS</b>                  |         |                 |                 |                |              |
| LENGTH                         | N/A     | 750 ft          | 335 ft          | 335 ft         | 335 ft       |
| PERIMETER                      | N/A     | 3,000 ft        | 1,340 ft        | 1,340 ft       | 1,340 ft     |
| <b>LOTS</b>                    |         |                 |                 |                |              |
| WIDTH                          | N/A     | 60 ft min.      | 40 ft min.      | no min.        | no min.      |
| AREA                           | N/A     | no min.         | 8,000 sf min.   | no min.        | no min.      |
| LOT COVERAGE (MAX.)            | N/A     | 40%             | 60%             | 70%            | 80%          |
| BUILD-TO-LINE "BTL"            | N/A     | 10 ft - no max. | 10 ft - no max. | 5 ft - 15 ft   | 2 ft - 15 ft |
| FACADE BUILDOUT AT BTL (MIN.)  | N/A     | 40%             | 40%             | 60%            | 80%          |
| <b>BUILDINGS</b>               |         |                 |                 |                |              |
| MAX. HEIGHT (STORIES)          | N/A     | 2               | 2               | 3              | 3            |
| EDGEYARD                       | NP      | P               | P               | P              | NP           |
| SIDEYARD                       | NP      | NP              | NP              | P              | P            |
| COURTYARD                      | NP      | NP              | NP              | NP             | P            |
| REARYARD                       | NP      | NP              | NP              | P              | P            |
| <b>PRIVATE FRONTAGE</b>        |         |                 |                 |                |              |
| COMMON YARD                    | NP      | P               | P               | P              | NP           |
| PORCH (OPTIONAL FENCE)         | NP      | P               | P               | P              | NP           |
| SHOPFRONT                      | NP      | NP              | NP              | P              | P            |
| GALLERY                        | NP      | NP              | NP              | NP             | P            |
| ARCADE                         | NP      | NP              | NP              | NP             | P            |
| <b>PUBLIC FRONTAGE</b>         |         |                 |                 |                |              |
| RURAL FRONTAGE                 | P       | P               | NP              | NP             | NP           |
| NEIGHBORHOOD FRONTAGE          | NP      | P               | P               | P              | NP           |
| MIX FRONTAGE                   | NP      | NP              | NP              | P              | P            |
| MAJOR FRONTAGE                 | NP      | NP              | NP              | NP             | P            |
| <b>CIVIC SPACE</b>             |         |                 |                 |                |              |
| PARK                           | P       | P               | P               | NP             | NP           |
| GREEN                          | NP      | NP              | P               | P              | P            |
| SQUARE                         | NP      | NP              | NP              | P              | P            |
| PLAZA                          | NP      | NP              | NP              | NP             | P            |
| PLAYGROUND                     | P       | P               | P               | P              | P            |
| <b>&gt;3 ACRES DEVELOPMENT</b> |         |                 |                 |                |              |
| CLD REQUIRES                   | no min. | 50% min.        | 10% - 30%       | 20% - 40%      | NP           |
| TND REQUIRES                   | no min. | no min.         | 10% - 30%       | 40% - 60%      | 10% - 30%    |
| <b>BUNKHOUSE</b>               |         |                 |                 |                |              |
| FRONT SETBACK                  | N/A     | BTL+20 ft min.  | BTL+20 ft min.  | BTL+20 ft min. | n/a          |
| REAR SETBACK                   | N/A     | IBC             | IBC             | 40 ft max.     | IBC          |
| SIDE SETBACK                   | N/A     | IBC             | IBC             | IBC            | IBC          |
| MAX. HEIGHT (STORIES)          | N/A     | 2 max.          | 2 max.          | 2 max.         | 2 max.       |
| <b>PARKING LOCATION</b>        |         |                 |                 |                |              |
| FIRST LAYER                    | N/A     | P               | P               | P              | NP           |
| SECOND LAYER                   | N/A     | P               | P               | P              | NP           |
| THIRD LAYER                    | N/A     | P               | P               | P              | P            |



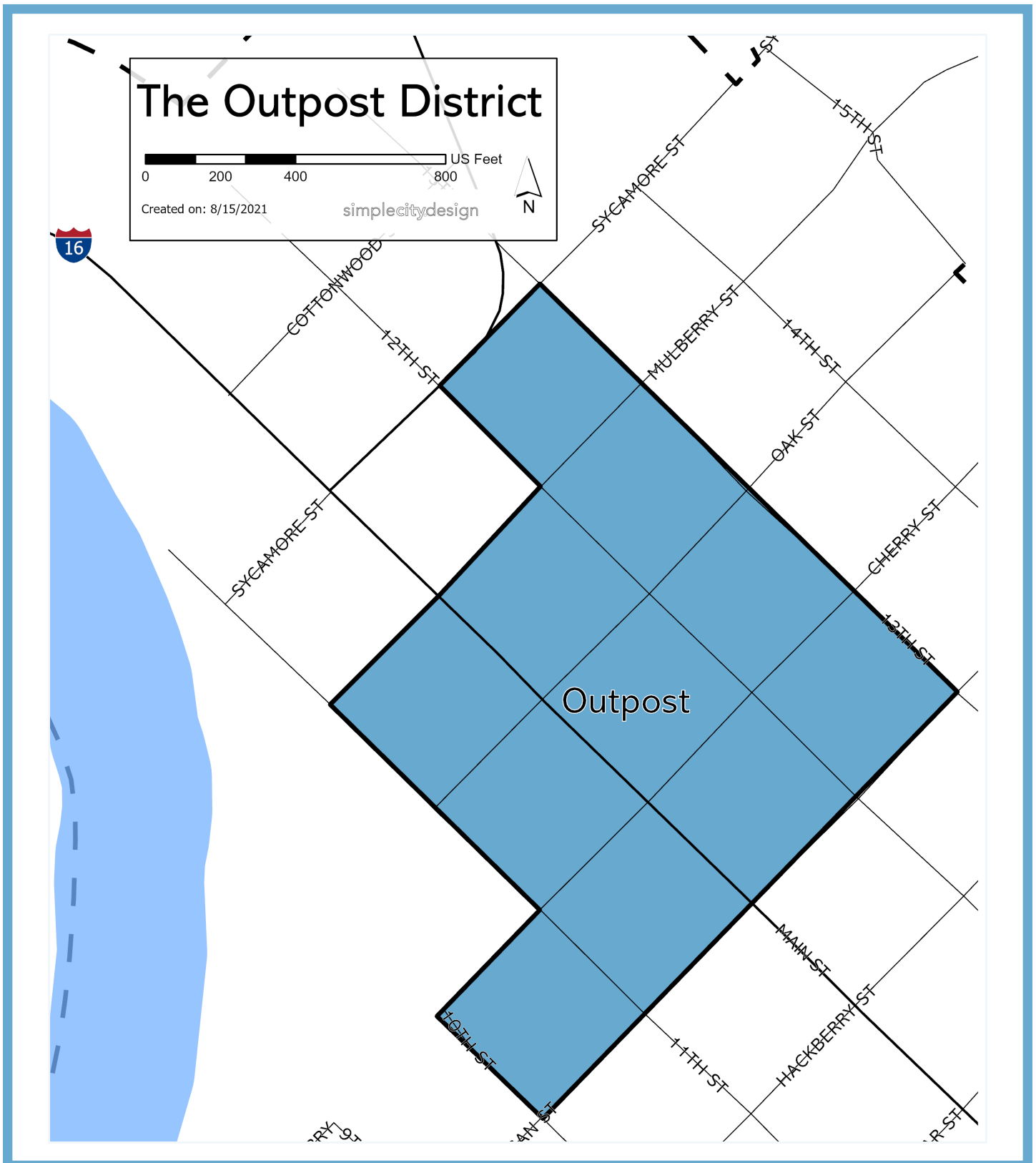
### #3 HERITAGE DISTRICT





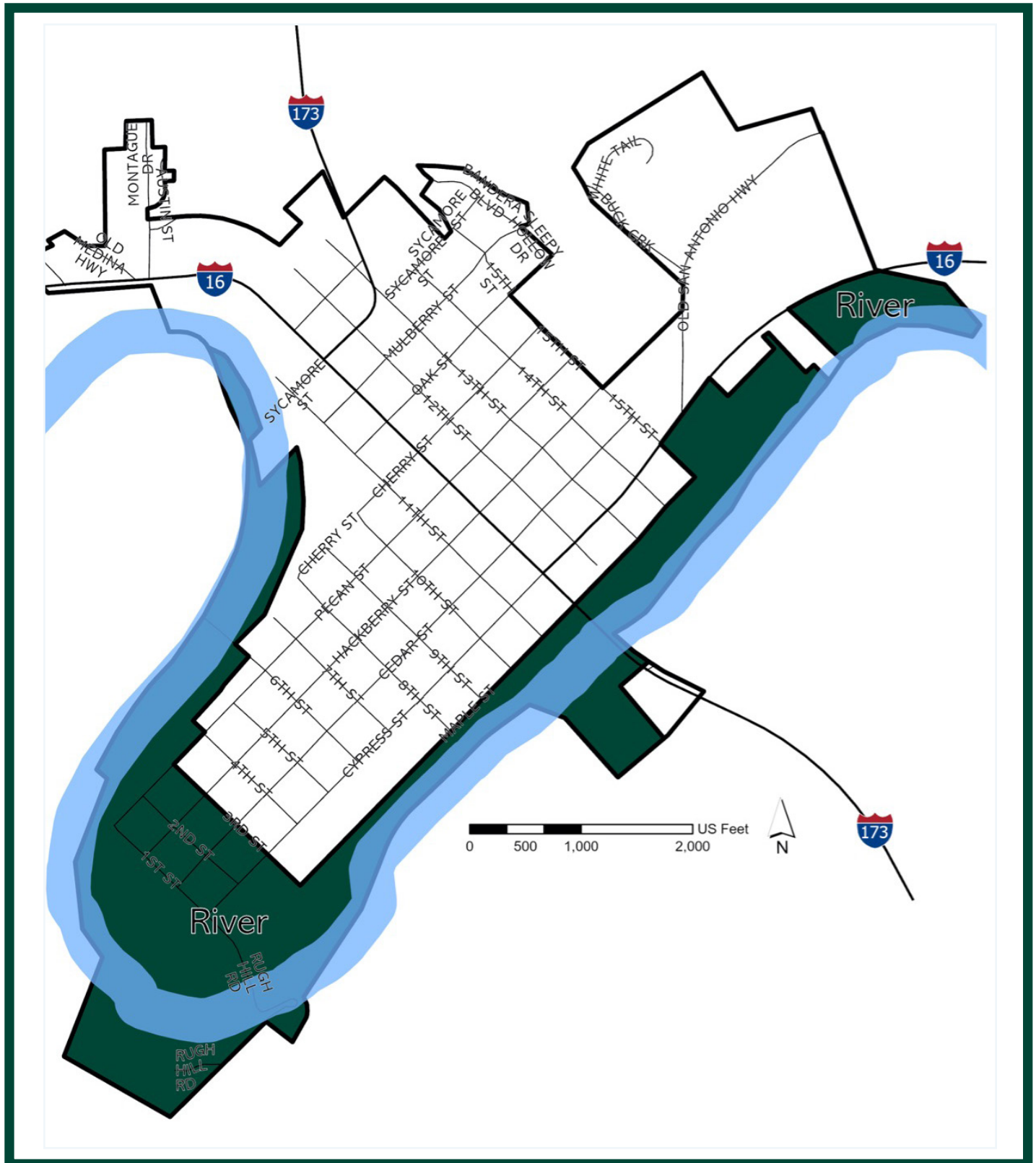
|                                | P1      | P2              | P3              | P4             | P5           |
|--------------------------------|---------|-----------------|-----------------|----------------|--------------|
| <b>BLOCKS</b>                  |         |                 |                 |                |              |
| LENGTH                         | N/A     | 750 ft          | 335 ft          | 335 ft         | 335 ft       |
| PERIMETER                      | N/A     | 3,000 ft        | 1,340 ft        | 1,340 ft       | 1,340 ft     |
| <b>LOTS</b>                    |         |                 |                 |                |              |
| WIDTH                          | N/A     | 60 ft min.      | 40 ft min.      | no min.        | no min.      |
| AREA                           | N/A     | no min.         | 8,000 sf min.   | no min.        | no min.      |
| LOT COVERAGE (MAX.)            | N/A     | 40%             | 60%             | 70%            | 80%          |
| BUILD-TO-LINE "BTL"            | N/A     | 10 ft - no max. | 10 ft - no max. | 5 ft - 15 ft   | 2 ft - 15 ft |
| FACADE BUILDOUT AT BTL (MIN.)  | N/A     | 40%             | 40%             | 60%            | 80%          |
| <b>BUILDINGS</b>               |         |                 |                 |                |              |
| MAX. HEIGHT (STORIES)          | N/A     | 2               | 2               | 3              | 3            |
| EDGEYARD                       | NP      | P               | P               | P              | NP           |
| SIDEYARD                       | NP      | NP              | NP              | P              | P            |
| COURTYARD                      | NP      | NP              | NP              | NP             | P            |
| REARYARD                       | NP      | NP              | NP              | P              | P            |
| <b>PRIVATE FRONTAGE</b>        |         |                 |                 |                |              |
| COMMON YARD                    | NP      | P               | P               | P              | NP           |
| PORCH (OPTIONAL FENCE)         | NP      | P               | P               | P              | NP           |
| SHOPFRONT                      | NP      | NP              | NP              | P              | P            |
| GALLERY                        | NP      | NP              | NP              | NP             | P            |
| ARCADE                         | NP      | NP              | NP              | NP             | P            |
| <b>PUBLIC FRONTAGE</b>         |         |                 |                 |                |              |
| RURAL FRONTAGE                 | P       | P               | NP              | NP             | NP           |
| NEIGHBORHOOD FRONTAGE          | NP      | P               | P               | P              | NP           |
| MIX FRONTAGE                   | NP      | NP              | NP              | P              | P            |
| MAJOR FRONTAGE                 | NP      | NP              | NP              | NP             | P            |
| <b>CIVIC SPACE</b>             |         |                 |                 |                |              |
| PARK                           | P       | P               | P               | NP             | NP           |
| GREEN                          | NP      | NP              | P               | P              | P            |
| SQUARE                         | NP      | NP              | NP              | P              | P            |
| PLAZA                          | NP      | NP              | NP              | NP             | P            |
| PLAYGROUND                     | P       | P               | P               | P              | P            |
| <b>&gt;3 ACRES DEVELOPMENT</b> |         |                 |                 |                |              |
| CLD REQUIRES                   | no min. | 50% min.        | 10% - 30%       | 20% - 40%      | NP           |
| TND REQUIRES                   | no min. | no min.         | 10% - 30%       | 40% - 60%      | 10% - 30%    |
| <b>BUNKHOUSE</b>               |         |                 |                 |                |              |
| FRONT SETBACK                  | N/A     | BTL+20 ft min.  | BTL+20 ft min.  | BTL+20 ft min. | n/a          |
| REAR SETBACK                   | N/A     | IBC             | IBC             | 40 ft max.     | IBC          |
| SIDE SETBACK                   | N/A     | IBC             | IBC             | IBC            | IBC          |
| MAX. HEIGHT (STORIES)          | N/A     | 2 max.          | 2 max.          | 2 max.         | 2 max.       |
| <b>PARKING LOCATION</b>        |         |                 |                 |                |              |
| FIRST LAYER                    | N/A     | P               | P               | P              | NP           |
| SECOND LAYER                   | N/A     | P               | P               | P              | NP           |
| THIRD LAYER                    | N/A     | P               | P               | P              | P            |

## #4 THE OUTPOST DISTRICT



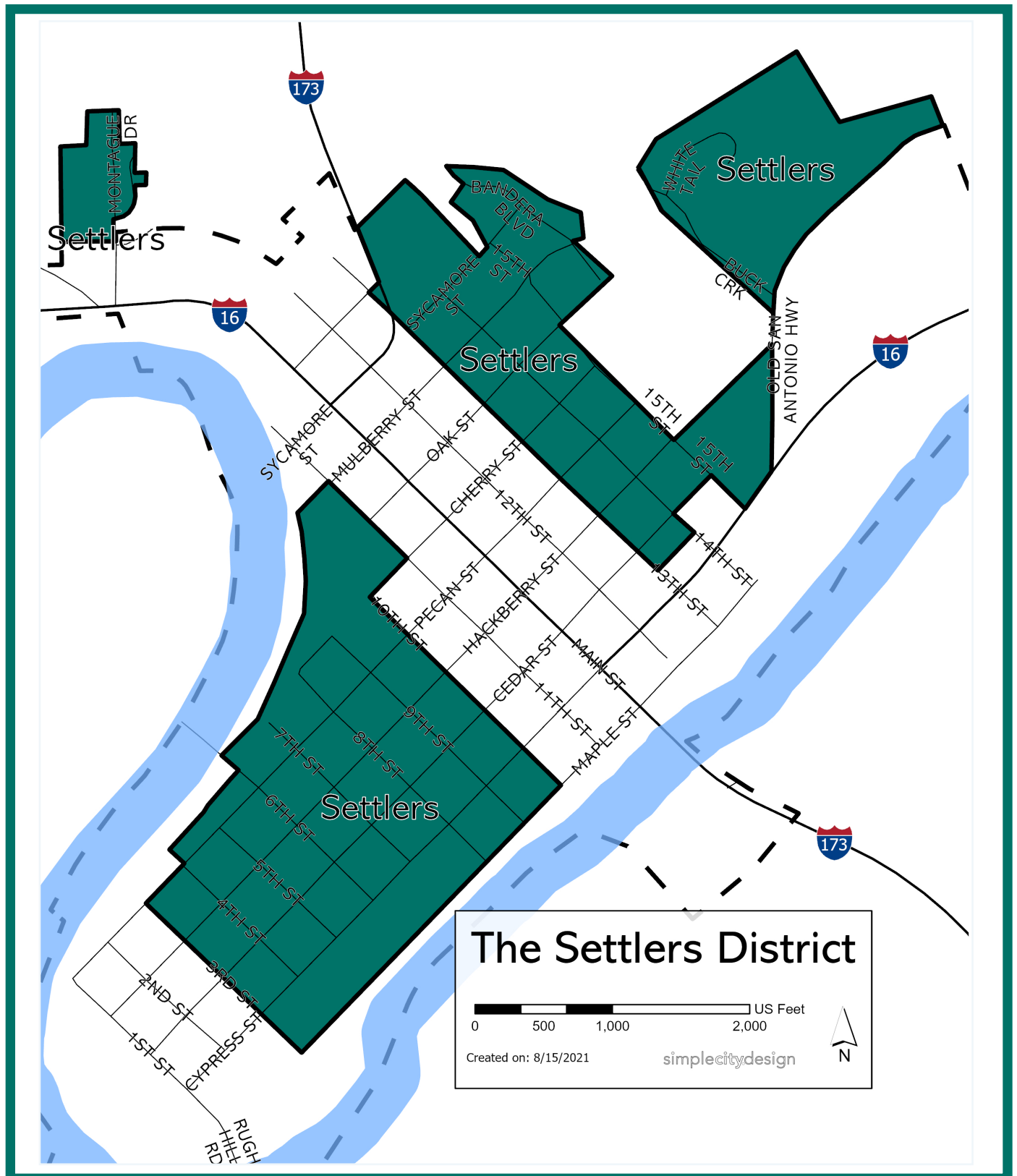
|                                | P1      | P2              | P3              | P4             | P5           |
|--------------------------------|---------|-----------------|-----------------|----------------|--------------|
| <b>BLOCKS</b>                  |         |                 |                 |                |              |
| LENGTH                         | N/A     | 750 ft          | 335 ft          | 335 ft         | 335 ft       |
| PERIMETER                      | N/A     | 3,000 ft        | 1,340 ft        | 1,340 ft       | 1,340 ft     |
| <b>LOTS</b>                    |         |                 |                 |                |              |
| WIDTH                          | N/A     | 60 ft min.      | 40 ft min.      | no min.        | no min.      |
| AREA                           | N/A     | no min.         | 8,000 sf min.   | no min.        | no min.      |
| LOT COVERAGE (MAX.)            | N/A     | 40%             | 60%             | 70%            | 80%          |
| BUILD-TO-LINE "BTL"            | N/A     | 10 ft - no max. | 10 ft - no max. | 5 ft - 15 ft   | 2 ft - 15 ft |
| FACADE BUILDOUT AT BTL (MIN.)  | N/A     | 40%             | 40%             | 60%            | 80%          |
| <b>BUILDINGS</b>               |         |                 |                 |                |              |
| MAX. HEIGHT (STORIES)          | N/A     | 2               | 2               | 3              | 3            |
| EDGEYARD                       | NP      | P               | P               | P              | NP           |
| SIDEYARD                       | NP      | NP              | NP              | P              | P            |
| COURTYARD                      | NP      | NP              | NP              | NP             | P            |
| REARYARD                       | NP      | NP              | NP              | P              | P            |
| <b>PRIVATE FRONTAGE</b>        |         |                 |                 |                |              |
| COMMON YARD                    | NP      | P               | P               | P              | NP           |
| PORCH (OPTIONAL FENCE)         | NP      | P               | P               | P              | NP           |
| SHOPFRONT                      | NP      | NP              | NP              | P              | P            |
| GALLERY                        | NP      | NP              | NP              | NP             | P            |
| ARCADE                         | NP      | NP              | NP              | NP             | P            |
| <b>PUBLIC FRONTAGE</b>         |         |                 |                 |                |              |
| RURAL FRONTAGE                 | P       | P               | NP              | NP             | NP           |
| NEIGHBORHOOD FRONTAGE          | NP      | P               | P               | P              | NP           |
| MIX FRONTAGE                   | NP      | NP              | NP              | P              | P            |
| MAJOR FRONTAGE                 | NP      | NP              | NP              | NP             | P            |
| <b>CIVIC SPACE</b>             |         |                 |                 |                |              |
| PARK                           | P       | P               | P               | NP             | NP           |
| GREEN                          | NP      | NP              | P               | P              | P            |
| SQUARE                         | NP      | NP              | NP              | P              | P            |
| PLAZA                          | NP      | NP              | NP              | NP             | P            |
| PLAYGROUND                     | P       | P               | P               | P              | P            |
| <b>&gt;3 ACRES DEVELOPMENT</b> |         |                 |                 |                |              |
| CLD REQUIRES                   | no min. | 50% min.        | 10% - 30%       | 20% - 40%      | NP           |
| TND REQUIRES                   | no min. | no min.         | 10% - 30%       | 40% - 60%      | 10% - 30%    |
| <b>BUNKHOUSE</b>               |         |                 |                 |                |              |
| FRONT SETBACK                  | N/A     | BTL+20 ft min.  | BTL+20 ft min.  | BTL+20 ft min. | n/a          |
| REAR SETBACK                   | N/A     | IBC             | IBC             | 40 ft max.     | IBC          |
| SIDE SETBACK                   | N/A     | IBC             | IBC             | IBC            | IBC          |
| MAX. HEIGHT (STORIES)          | N/A     | 2 max.          | 2 max.          | 2 max.         | 2 max.       |
| <b>PARKING LOCATION</b>        |         |                 |                 |                |              |
| FIRST LAYER                    | N/A     | P               | P               | P              | NP           |
| SECOND LAYER                   | N/A     | P               | P               | P              | NP           |
| THIRD LAYER                    | N/A     | P               | P               | P              | P            |

## #5 THE RIVER DISTRICT



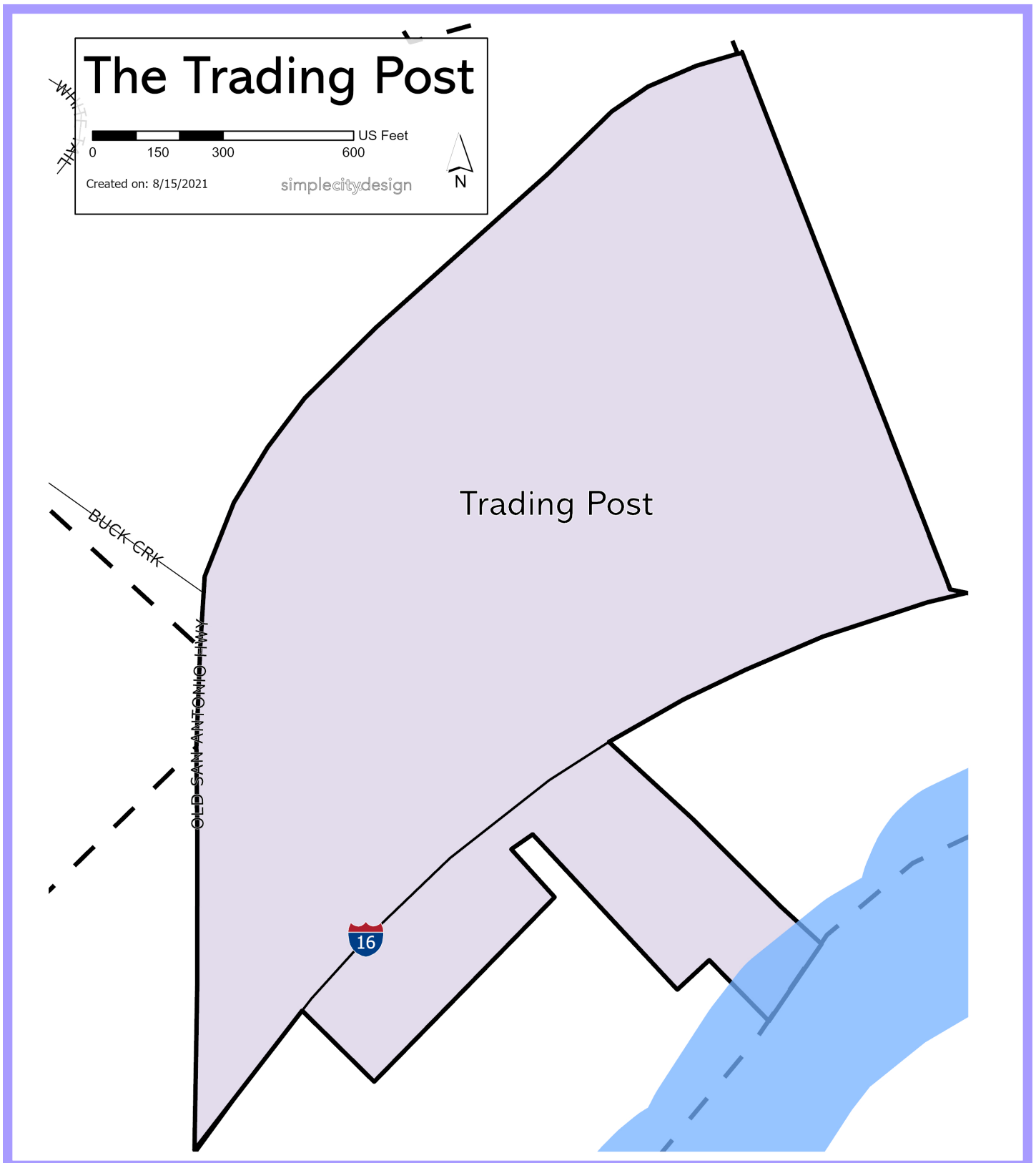
|                                | P1      | P2              | P3              | P4             | P5           |
|--------------------------------|---------|-----------------|-----------------|----------------|--------------|
| <b>BLOCKS</b>                  |         |                 |                 |                |              |
| LENGTH                         | N/A     | 750 ft          | 335 ft          | 335 ft         | 335 ft       |
| PERIMETER                      | N/A     | 3,000 ft        | 1,340 ft        | 1,340 ft       | 1,340 ft     |
| <b>LOTS</b>                    |         |                 |                 |                |              |
| WIDTH                          | N/A     | 60 ft min.      | 40 ft min.      | no min.        | no min.      |
| AREA                           | N/A     | no min.         | 8,000 sf min.   | no min.        | no min.      |
| LOT COVERAGE (MAX.)            | N/A     | 40%             | 60%             | 70%            | 80%          |
| BUILD-TO-LINE "BTL"            | N/A     | 10 ft - no max. | 10 ft - no max. | 5 ft - 15 ft   | 2 ft - 15 ft |
| FACADE BUILDOUT AT BTL (MIN.)  | N/A     | 40%             | 40%             | 60%            | 80%          |
| <b>BUILDINGS</b>               |         |                 |                 |                |              |
| MAX. HEIGHT (STORIES)          | N/A     | 2               | 2               | 3              | 3            |
| EDGEYARD                       | NP      | P               | P               | P              | NP           |
| SIDEYARD                       | NP      | NP              | NP              | P              | P            |
| COURTYARD                      | NP      | NP              | NP              | NP             | P            |
| REARYARD                       | NP      | NP              | NP              | P              | P            |
| <b>PRIVATE FRONTAGE</b>        |         |                 |                 |                |              |
| COMMON YARD                    | NP      | P               | P               | P              | NP           |
| PORCH (OPTIONAL FENCE)         | NP      | P               | P               | P              | NP           |
| SHOPFRONT                      | NP      | NP              | NP              | P              | P            |
| GALLERY                        | NP      | NP              | NP              | NP             | P            |
| ARCADE                         | NP      | NP              | NP              | NP             | P            |
| <b>PUBLIC FRONTAGE</b>         |         |                 |                 |                |              |
| RURAL FRONTAGE                 | P       | P               | NP              | NP             | NP           |
| NEIGHBORHOOD FRONTAGE          | NP      | P               | P               | P              | NP           |
| MIX FRONTAGE                   | NP      | NP              | NP              | P              | P            |
| MAJOR FRONTAGE                 | NP      | NP              | NP              | NP             | P            |
| <b>CIVIC SPACE</b>             |         |                 |                 |                |              |
| PARK                           | P       | P               | P               | NP             | NP           |
| GREEN                          | NP      | NP              | P               | P              | P            |
| SQUARE                         | NP      | NP              | NP              | P              | P            |
| PLAZA                          | NP      | NP              | NP              | NP             | P            |
| PLAYGROUND                     | P       | P               | P               | P              | P            |
| <b>&gt;3 ACRES DEVELOPMENT</b> |         |                 |                 |                |              |
| CLD REQUIRES                   | no min. | 50% min.        | 10% - 30%       | 20% - 40%      | NP           |
| TND REQUIRES                   | no min. | no min.         | 10% - 30%       | 40% - 60%      | 10% - 30%    |
| <b>BUNKHOUSE</b>               |         |                 |                 |                |              |
| FRONT SETBACK                  | N/A     | BTL+20 ft min.  | BTL+20 ft min.  | BTL+20 ft min. | n/a          |
| REAR SETBACK                   | N/A     | IBC             | IBC             | 40 ft max.     | IBC          |
| SIDE SETBACK                   | N/A     | IBC             | IBC             | IBC            | IBC          |
| MAX. HEIGHT (STORIES)          | N/A     | 2 max.          | 2 max.          | 2 max.         | 2 max.       |
| <b>PARKING LOCATION</b>        |         |                 |                 |                |              |
| FIRST LAYER                    | N/A     | P               | P               | P              | NP           |
| SECOND LAYER                   | N/A     | P               | P               | P              | NP           |
| THIRD LAYER                    | N/A     | P               | P               | P              | P            |

## #6 THE SETTLER'S DISTRICT



|                                | P1      | P2              | P3              | P4             | P5           |
|--------------------------------|---------|-----------------|-----------------|----------------|--------------|
| <b>BLOCKS</b>                  |         |                 |                 |                |              |
| LENGTH                         | N/A     | 750 ft          | 335 ft          | 335 ft         | 335 ft       |
| PERIMETER                      | N/A     | 3,000 ft        | 1,340 ft        | 1,340 ft       | 1,340 ft     |
| <b>LOTS</b>                    |         |                 |                 |                |              |
| WIDTH                          | N/A     | 60 ft min.      | 40 ft min.      | no min.        | no min.      |
| AREA                           | N/A     | no min.         | 8,000 sf min.   | no min.        | no min.      |
| LOT COVERAGE (MAX.)            | N/A     | 40%             | 60%             | 70%            | 80%          |
| BUILD-TO-LINE "BTL"            | N/A     | 10 ft - no max. | 10 ft - no max. | 5 ft - 15 ft   | 2 ft - 15 ft |
| FACADE BUILDOUT AT BTL (MIN.)  | N/A     | 40%             | 40%             | 60%            | 80%          |
| <b>BUILDINGS</b>               |         |                 |                 |                |              |
| MAX. HEIGHT (STORIES)          | N/A     | 2               | 2               | 3              | 3            |
| EDGEYARD                       | NP      | P               | P               | P              | NP           |
| SIDEYARD                       | NP      | NP              | NP              | P              | P            |
| COURTYARD                      | NP      | NP              | NP              | NP             | P            |
| REARYARD                       | NP      | NP              | NP              | P              | P            |
| <b>PRIVATE FRONTAGE</b>        |         |                 |                 |                |              |
| COMMON YARD                    | NP      | P               | P               | P              | NP           |
| PORCH (OPTIONAL FENCE)         | NP      | P               | P               | P              | NP           |
| SHOPFRONT                      | NP      | NP              | NP              | P              | P            |
| GALLERY                        | NP      | NP              | NP              | NP             | P            |
| ARCADE                         | NP      | NP              | NP              | NP             | P            |
| <b>PUBLIC FRONTAGE</b>         |         |                 |                 |                |              |
| RURAL FRONTAGE                 | P       | P               | NP              | NP             | NP           |
| NEIGHBORHOOD FRONTAGE          | NP      | P               | P               | P              | NP           |
| MIX FRONTAGE                   | NP      | NP              | NP              | P              | P            |
| MAJOR FRONTAGE                 | NP      | NP              | NP              | NP             | P            |
| <b>CIVIC SPACE</b>             |         |                 |                 |                |              |
| PARK                           | P       | P               | P               | NP             | NP           |
| GREEN                          | NP      | NP              | P               | P              | P            |
| SQUARE                         | NP      | NP              | NP              | P              | P            |
| PLAZA                          | NP      | NP              | NP              | NP             | P            |
| PLAYGROUND                     | P       | P               | P               | P              | P            |
| <b>&gt;3 ACRES DEVELOPMENT</b> |         |                 |                 |                |              |
| CLD REQUIRES                   | no min. | 50% min.        | 10% - 30%       | 20% - 40%      | NP           |
| TND REQUIRES                   | no min. | no min.         | 10% - 30%       | 40% - 60%      | 10% - 30%    |
| <b>BUNKHOUSE</b>               |         |                 |                 |                |              |
| FRONT SETBACK                  | N/A     | BTL+20 ft min.  | BTL+20 ft min.  | BTL+20 ft min. | n/a          |
| REAR SETBACK                   | N/A     | IBC             | IBC             | 40 ft max.     | IBC          |
| SIDE SETBACK                   | N/A     | IBC             | IBC             | IBC            | IBC          |
| MAX. HEIGHT (STORIES)          | N/A     | 2 max.          | 2 max.          | 2 max.         | 2 max.       |
| <b>PARKING LOCATION</b>        |         |                 |                 |                |              |
| FIRST LAYER                    | N/A     | P               | P               | P              | NP           |
| SECOND LAYER                   | N/A     | P               | P               | P              | NP           |
| THIRD LAYER                    | N/A     | P               | P               | P              | P            |

## #7 THE TRADING POST DISTRICT





|                                | P1      | P2              | P3              | P4             | P5           |
|--------------------------------|---------|-----------------|-----------------|----------------|--------------|
| <b>BLOCKS</b>                  |         |                 |                 |                |              |
| LENGTH                         | N/A     | 750 ft          | 335 ft          | 335 ft         | 335 ft       |
| PERIMETER                      | N/A     | 3,000 ft        | 1,340 ft        | 1,340 ft       | 1,340 ft     |
| <b>LOTS</b>                    |         |                 |                 |                |              |
| WIDTH                          | N/A     | 60 ft min.      | 40 ft min.      | no min.        | no min.      |
| AREA                           | N/A     | no min.         | 8,000 sf min.   | no min.        | no min.      |
| LOT COVERAGE (MAX.)            | N/A     | 40%             | 60%             | 70%            | 80%          |
| BUILD-TO-LINE "BTL"            | N/A     | 10 ft - no max. | 10 ft - no max. | 5 ft - 15 ft   | 2 ft - 15 ft |
| FACADE BUILDOUT AT BTL (MIN.)  | N/A     | 40%             | 40%             | 60%            | 80%          |
| <b>BUILDINGS</b>               |         |                 |                 |                |              |
| MAX. HEIGHT (STORIES)          | N/A     | 2               | 2               | 3              | 3            |
| EDGEYARD                       | NP      | P               | P               | P              | NP           |
| SIDEYARD                       | NP      | NP              | NP              | P              | P            |
| COURTYARD                      | NP      | NP              | NP              | NP             | P            |
| REARYARD                       | NP      | NP              | NP              | P              | P            |
| <b>PRIVATE FRONTAGE</b>        |         |                 |                 |                |              |
| COMMON YARD                    | NP      | P               | P               | P              | NP           |
| PORCH (OPTIONAL FENCE)         | NP      | P               | P               | P              | NP           |
| SHOPFRONT                      | NP      | NP              | NP              | P              | P            |
| GALLERY                        | NP      | NP              | NP              | NP             | P            |
| ARCADE                         | NP      | NP              | NP              | NP             | P            |
| <b>PUBLIC FRONTAGE</b>         |         |                 |                 |                |              |
| RURAL FRONTAGE                 | P       | P               | NP              | NP             | NP           |
| NEIGHBORHOOD FRONTAGE          | NP      | P               | P               | P              | NP           |
| MIX FRONTAGE                   | NP      | NP              | NP              | P              | P            |
| MAJOR FRONTAGE                 | NP      | NP              | NP              | NP             | P            |
| <b>CIVIC SPACE</b>             |         |                 |                 |                |              |
| PARK                           | P       | P               | P               | NP             | NP           |
| GREEN                          | NP      | NP              | P               | P              | P            |
| SQUARE                         | NP      | NP              | NP              | P              | P            |
| PLAZA                          | NP      | NP              | NP              | NP             | P            |
| PLAYGROUND                     | P       | P               | P               | P              | P            |
| <b>&gt;3 ACRES DEVELOPMENT</b> |         |                 |                 |                |              |
| CLD REQUIRES                   | no min. | 50% min.        | 10% - 30%       | 20% - 40%      | NP           |
| TND REQUIRES                   | no min. | no min.         | 10% - 30%       | 40% - 60%      | 10% - 30%    |
| <b>BUNKHOUSE</b>               |         |                 |                 |                |              |
| FRONT SETBACK                  | N/A     | BTL+20 ft min.  | BTL+20 ft min.  | BTL+20 ft min. | n/a          |
| REAR SETBACK                   | N/A     | IBC             | IBC             | 40 ft max.     | IBC          |
| SIDE SETBACK                   | N/A     | IBC             | IBC             | IBC            | IBC          |
| MAX. HEIGHT (STORIES)          | N/A     | 2 max.          | 2 max.          | 2 max.         | 2 max.       |
| <b>PARKING LOCATION</b>        |         |                 |                 |                |              |
| FIRST LAYER                    | N/A     | P               | P               | P              | NP           |
| SECOND LAYER                   | N/A     | P               | P               | P              | NP           |
| THIRD LAYER                    | N/A     | P               | P               | P              | P            |

## DEVELOPMENT PATTERNS.

### DESCRIPTION.

Development patterns are used for projects over 3.6 acres. The physical landscape lends itself to supporting a range of human settlement patterns.

### INTENT.

Development patterns are the manner in which a neighborhood is configured. Different geographies accept different development patterns. To accommodate Bandera's range of landscapes, there are three (3) development patterns that provide adequate facilitation of Development. The development pattern type will be used to guide the creation of the Neighborhood Plan configurations suitable for different geographies and Character Districts.

### DEVELOPMENT PATTERNS BY CHARACTER DISTRICTS.

Development patterns are geographically sensitive and regulated by the Character Districts. These three (3) distinct developments patterns were introduced in the Comprehensive Plan:

|                       | TRADITIONAL NEIGHBORHOOD<br>DEVELOPMENT<br>(TND) | CLUSTER LAND<br>DEVELOPMENT<br>(CLD) | VILLAGE CENTER<br>DEVELOPMENT<br>(VCD) |
|-----------------------|--|--------------------------------------|--|
| BEND DISTRICT         | P  | P                                    | P                                      |
| GATEWAY DISTRICT      | P  | P                                    | P                                      |
| HERITAGE DISTRICT     | P  | P                                    | P                                      |
| OUTPOST DISTRICT      | P  | P                                    | P                                      |
| RIVER DISTRICT        | NP   | NP                                   | NP                                     |
| SETTLER'S DISTRICT    | P  | P                                    | P                                      |
| TRADING POST DISTRICT | P  | P                                    | P                                      |

P = PERMITTED

NP = NOT PERMITTED

## DEVELOPMENT PATTERNS TYPES.

### TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND).

**Intent:** TND may occur in infill areas and involve adaptive reuse of existing buildings or can be created as new construction or a new Neighborhood Plan on previously undeveloped land. TND characteristics include the continuation of the grid as the basic platform of arrangement of the Neighborhood Plans. They contain a range of housing types, a network of well-connected streets and blocks, well defined public spaces, and have amenities such as stores, schools, and places to meet and linger within walking distance of residences. TND is the primary and default development pattern in the City of Bandera.

#### Standards:

- (1) Location: The TND is located within a Character District that allows for the development pattern.
- (2) 1,360' preferred max block perimeter
- (3) 335' x 335' preferred block size.
- (4) If block dimensions exceed the preferred block perimeter and size, a 20' pedestrian walkway shall be included at mid-block.
- (5) Smaller blocks are allowed by right.

### CLUSTER LAND DEVELOPMENT (CLD).

**Intent:** CLD offers a compulsory alternative to conventional neighborhoods for the purpose of:

- Encouraging the use of land in accordance with its character and adaptability;
- Assuring the permanent preservation of open space, agricultural lands, and other natural resources through land reservations or conservation easements;
- Allowing innovation and greater flexibility in the design of residential developments to ensure the same overall amount of development normally permitted with the conventional home lot size;
- Facilitating the construction and maintenance of streets, utilities, and public services in a more economical and efficient manner increasing affordability and reducing the cost of building and maintaining infrastructure;
- Ensuring compatibility of design and use between neighboring properties; and,
- Encouraging a less sprawling form of development, thus preserving open space as undeveloped land.

#### Standards:

- (1) A minimum of 50 % of the Neighborhood Plan shall be permanently allocated to P1 Nature and/or P2 Rural Place Types.
- (2) The dedicated P1 lands shall be deemed civic or open space and will be set aside by the applicant through an irrevocable conservation easement or similarly determined method, as approved by the City Council.
- (3) Areas not considered civic or open space:
  - (a) The area of any street right-of-way proposed to be dedicated to the public.
  - (b) Any submerged land area.

## VILLAGE CENTER DEVELOPMENT (VCD).

**Intent:** A VCD is a series of small streets lined with buildings at the street edge creating a unique village style community.

**Description:** VCD consists of a small dense grouping of predominately P4 and P5 building serving as Residential, live/ work and Commercial and office buildings organized in a vernacular, curvilinear grid, or grid network of blocks and Streets. The streets are small and serve as shared streets. Vehicles are kept on the exterior of the developments. Buildings are located directly to the street edge.

### Standards:

- (1) Vehicles are kept on the exterior of the key areas of developments to create plazas and civic spaces throughout the Development.
- (2) Buildings are located directly to the street edge at the frontage line and occupy 80% to 100% of the lot frontage.
- (3) Parking shall be located in the third layer of the lot.
- (4) Vehicle access shall be kept in the rear of the property served by alleys or the rear lanes.
- (5) P3 shall be limited to 10% of the development.
- (6) P1 and CS shall be more than 40% of the development.
- (7) P4 and P5 shall make up the remaining 50% of the development.

## DEVELOPMENT PROCEDURES AND PLAN APPLICATIONS.

### DEVELOPMENT PROCESS.

The development application submittal and review process consist of submitting a development application to the City and obtaining review of the development proposal by the City Administrator. An overview of the submittal and review process includes:

- 1 A pre-application meeting;
- 2 Application submittal and review, that may include public participation;
- 3 Application approval;
- 4 Administrative decision by the City Administrator; or
- 5 A recommendation and subsequent decision from one or more of the following public hearing bodies:
  - » Zoning Board of Adjustment (ZBA),
  - » City Council, and/or
  - » Planning and Zoning Commission.
- 6 Refer to pg. 14-48 "Development Application Approval Process" for the specific review processes.
- 7 Application for construction document review and permits;
- 8 Inspections; and,
- 9 Certificate of Occupancy.

**STEP 1: PRE-APPLICATION MEETING:**

Development activities begin with a pre-application meeting request to the City. The primary purpose of the pre-application meeting is for staff to help identify scope of the development proposal, so that the City can determine the appropriate submittal requirements and process(es), including whether the development will require administrative or public approval. The specific pre-application meeting submittal requirements vary by application type. Refer to the pre-application checklist.

**REQUIREMENTS:**

All pre-development meetings require the following:

- (1) Completed pre-development checklist; and
- (2) Application narrative.

**OPTIONAL ITEMS:**

- (1) Site map and photos;
- (2) Conceptual plans;
- (3) Aerial photo;
- (4) Existing utilities; and
- (5) Proposed drainage.

**FORMAT:**

The pre-development meeting between City staff and the applicant to discuss a proposed development application typically lasts 30 to 60 minutes. Staff will contact the applicant to schedule the pre-development meeting within 5 days of receipt of the pre-development request. In general, the Pre-Application Meeting is scheduled within 2 to 3 weeks of the receipt of the pre-application request. Information exchanged at the pre-development meeting allows City staff and the applicant to come to a more complete understanding of the size, scope, and feasibility of the proposal.

**OUTCOMES:**

Based on the discussion at the meeting and a site visit, the proposal will be processed by the City:

1. To determine if the application may be processed administratively or require a public hearing to obtain a decision on the application.
2. To provide the applicant with the appropriate development application checklist(s) and any related information; and
3. To determine if additional information may need to be submitted, and a subsequent pre-application meeting to be conducted for further review.

**STEP 2: DEVELOPMENT APPLICATION SUBMITTAL AND REVIEW:**

After the development application submission is deemed complete, the City Administrator will distribute the application to reviewing staff and begin the review process. Review times vary upon whether approval is achieved administratively or through the public hearing process. See the appropriate application checklist to determine if public notification is necessary before submitting a complete development application. Once a development application is deemed completed and accepted, the City Staff manages the application and follows the specific review processes per application type.

After review of a development application that requires only an administrative decision, staff will notify the applicant with the following:

- (1) List of issues to be resolved before a decision will be made on the application; or
- (2) A written decision on the application.

The development of a detached residential building in Place Type Neighborhood “P3” or Neighborhood Mix “P4” on a platted lot or a lot of record, that complies with current Place Type district development standards, may proceed with construction document review and permits. All other development proposals must submit a development application through the Planning and Development Department for approval before obtaining approval of construction document review and permits.

**STEP 3: APPLICATION FOR CONSTRUCTION DOCUMENT REVIEW AND PERMITS:**

Step 3 consists of preparing and submitting construction documents for review and obtaining permits for construction activities. Refer to the Development Application Approval Process for the detailed requirements for applications and submittals. Construction Documents may be submitted with the second review of the Development Application to the City.

**STEP 4: INSPECTIONS:**

All permitted construction activities must be inspected by the City. Inspections forms and checklists will be provided at City Hall. Refer to pg. A3-50 "Permitting" – for Inspection information.

**STEP 5: CERTIFICATE OF OCCUPANCY AND CERTIFICATION OF SHELL BUILDING:**

The Certificate of Occupancy (CO) or Certification of Shell Building is issued in accordance with the City's adopted building and fire codes, once the City has determined that all requirements have been satisfied. See International Fire Code (IFC) and local amendments for requirements.

## DEVELOPMENT APPLICATION APPROVAL PROCESS.

| APPROVAL PROCESS                                     |        | REVIEW AND APPROVAL AUTHORITY |         |            | NOTICE             |                  |                 |               |
|--|--------|-------------------------------|---------|------------|--------------------|------------------|-----------------|---------------|
|  | SOURCE | ZBA                           | P&Z     | CC         | APPLICATION NOTICE | PUBLISHED NOTICE | PERSONAL NOTICE | POSTED NOTICE |
| <b>LEGISLATIVE</b>                                   |        |                               |         |            |                    |                  |                 |               |
| Comprehensive Plan Map Amendment                     |        |                               | R/PH/PM | D/PH/PH/PM | Y                  | Y                | Y               | Y             |
| Place Type Text Amendment                            |        |                               | R/PH    | D/PH/PM    | Y                  | Y                | Y               | N             |
| Place Type Zoning Map Amendments                     |        |                               | R/PH    | D/PH/PM    | Y                  | Y                | Y               | Y             |
| Preliminary Plat                                     |        |                               | D/PM    |            |                    | N                | N               | N             |
| Final Plat   |        |                               | D/PM    |            |                    | N                | N               | N             |
| Residential Replat                                   |        |                               | D/PH    |            |                    | Y                | Y               | Y             |
| Change in status of nonconforming uses or structures |        |                               | D/PH    |            |                    | N                | N               | N             |
| Variance   |        | D/PH                          |         |            |                    | N                | N               | N             |
| <b>ADMINISTRATIVE</b>                                |        |                               |         |            |                    |                  |                 |               |
| Site Plan  |        |                               |         |            |                    | N                | N               | N             |
| Minor or Amending Plat                               |        |                               |         |            |                    | N                | N               | N             |
| Public Improvement Plans                             |        |                               |         |            |                    | N                | N               | N             |
| Drainage Plan  |        |                               |         |            |                    | N                | N               | N             |
| Building Permits                                     |        |                               |         |            |                    | N                | N               | N             |
| Floodplain Permit                                    |        |                               |         |            |                    | N                | N               | N             |
| Neighborhood Permit                                  |        |                               |         |            |                    | N                | N               | N             |
| Warrant  |        |                               |         |            |                    | N                | N               | N             |
| Administrative Adjustment                            |        |                               |         |            |                    | N                | N               | N             |

R - Required

PH - Public Hearing

PM - Public Meeting

D - Decision

A - Approval

N - Not Required

Y - Required



## PUBLIC HEARING AND NOTICE.

|                           | PUBLISHED NOTICE   | PERSONAL NOTICE   | PERSONAL NOTICE  |
|---------------------------|--|---|--|
| NOTIFICATION LOCATION     | Newspaper  | Subject Property  | United States Mail   |
| TIME BEFORE SET HEARING   | 15 days  | 10 days   | 10 days  |
| INCLUDE IN NOTICE         | <ul style="list-style-type: none"> <li>» Date, time, and location of hearing;</li> <li>» Purpose of the hearing; and,</li> <li>» Identification of the subject property if the decision concerns an individual tract or parcel of land.</li> </ul> | <ul style="list-style-type: none"> <li>» Purpose of the request; and</li> <li>» All public hearing dates.</li> </ul>  | <ul style="list-style-type: none"> <li>» Name of the applicant;</li> <li>» Date, time, and location of the hearing;</li> <li>» Purpose of the hearing;</li> <li>» Identification of the subject property; and,</li> <li>» The name of the appellant if an appeal.</li> </ul>   |
| NOTIFICATION INSTRUCTIONS | Planning & Development Department will be responsible for posting the notice in the newspaper of general circulation.  | <ul style="list-style-type: none"> <li>» Minimum 2'x2' sign placed on the street frontage in visible unobstructed location.</li> <li>» Utilize a minimum 6" lettering.</li> <li>» Shall stay in place until final action is taken or request is withdrawn.</li> </ul> | <ul style="list-style-type: none"> <li>» Each owner of real property located within two hundred (200) feet of the exterior boundary of the property in question and any other persons deemed by the Lead Officer or decision-maker to be affected by this application;</li> <li>» The applicant and/or property owner; and</li> <li>» The appellant if an appeal.</li> </ul> |

## PERMITTING.

To ensure compliance with the intent and standards of this Place Type Zoning Ordinance and to safeguard the health, safety, and welfare of the public, the City requires the approval of construction documents for most development and construction activity within the City. In addition to the approval of the construction documents, the City requires the issuance of a building, permission to work in the Right-of-way, or when applicable, a permission to place private improvements in the right-of-way permits for most development and construction activities.

An infill development application, less than 3.4 acres, that complies with the intent and standards of this ordinance with existing utilities, requires the least amount of permits.

Maintenance and minor modifications to existing structures may not require the approval of construction documents or the issuance of permits, as determined by the City Administrator or their designee, consistent with the authority provided in City ordinances, IBC, or IFC.

## INSPECTIONS:

Inspections are made for building, electrical, mechanical, plumbing, and Place Type compliance for residential, commercial and industrial development, and for the remodeling of existing buildings. Water, sewer, paving, concrete, and grading activities also require City inspection.

As part of the development process, all permitted construction activities must be inspected by City staff or designated representatives. The review of plans and issuance of permits do not authorize ordinance violations that may be discovered by City inspectors at the job site.

## TEMPORARY CERTIFICATE OF OCCUPANCY:

Under certain conditions, the issuance of a TCO allows temporary occupancy, with the approval of the City Administrator, until the building is completed, and a Final CO is issued. Should the TCO expire prior to the issuance of the Final CO, the expiration will require the City to take appropriate steps as outlined in the City's Building Code and the associated amendments.

## CERTIFICATE OF OCCUPANCY:

Before any development can be occupied or used, an applicant must apply for a CO. Additionally, all City Administrator stipulations must be complied with before the City will issue a Certification-of-Shell Building or a final CO. Typically, within three staff working days of submitting an application, the CO or Certification-of-Shell Building will be issued, provided the development passes a Final Inspection. The issuance of a CO shall not be construed as an approval of a violation of the provisions of any City Code or ordinance.

The City's adopted building code requires certain information to be included on the CO:

- (1) Project address; and
- (2) Name of the owner of the property at the time the certificate was issued.

The CO stays with the property for in perpetuity, even with changes in ownership. If the property ownership changes during construction, documentation of that fact can be submitted, and a change made to the permit. Refer to the City's Building Code, and amendments for additional information.

## SITE DEVELOPMENT PLANS.

The following standards focus on the relationship of a proposed site plan to the natural terrain of the property, as well as the relationships the proposed development will have with existing or planned development around the site. The goal is to fit development into the natural settings with minimal intrusion to the environment and surrounding properties.

### TERRAIN:

- (1) Incorporate the natural site features, such as natural drainage systems and native vegetation into the site design.
- (2) Orient common recreational, patio, outdoor dining, and other such facilities toward natural features.
- (3) Incorporate major vistas and view corridors that give special emphasis to the river, tree canopy, and other natural features or open space areas into the site and building design.

### BUILDINGS:

- (1) Buildings are to be built according to the Place Type Zoning Ordinance. This ordinance ensures intensity transitions by Place Type and building type. Buildings should represent their function in design.
- (2) Minimum building materials are established by the International Building Code (IBC), as adopted by the City.
- (3) Buildings interacting with the public realm should enhance the public spaces they abut and face.

## SITE PLAN PROCESS:

- (a) The City Administrator, after staff review, shall approve, approve with conditions, or disapprove all Site Plans. If the Site Plan is disapproved, the City Administrator shall provide a written statement to the applicant listing the deficiencies that the plan has as related to specific the Place Type Zoning Ordinance, City ordinances, or state laws.
- (b) If the applicant amends its filed Site Plan application in response to the City's initial disapproval, the applicant may file its amended application at City Hall. City staff will then have up to 15 business days to approve or disapprove the amended application. The City Administrator may either:
  - (1) Approve the plan if the response adequately addresses each reason for the disapproval; or
  - (2) Disapprove the plan if the response does not adequately address each reason for disapproval or creates new reasons for a violation of a City ordinance. Any disapproval shall include a written statement of the reasons for disapproval that clearly articulates the reason for disapproval including citation to the law, including a statute or City ordinance that is the basis of disapproval. Any plan that is disapproved after the City has reviewed the response in the form of an amended application may be refiled at any time as a new Site Plan application.
- (c) If the City Administrator denies the Site Plan, the applicant may appeal that decision to the City Council within five (5) business days of receipt of decision. The City Administrator shall uphold or reject the decision of the City Administrator within 10 business days. If the City Administrator upholds the decision of denial, an applicant may appeal that decision to the City Council. The applicant must request in writing that the site plan be placed on the City Council's agenda within 10 days from the date the appeal was denied by the City Administrator. The City Council shall have final approval or disapproval on all site plans that are appealed.
- (d) Effect of site plan approval. If development of a lot with an approved site plan has not commenced within 2 years of the date of final approval of the site plan, the site plan shall be deemed to have expired. Any development on a lot with an expired site plan shall be required to submit a new site plan as outlined above.
- (e) It is recognized that final architectural and engineering design may necessitate minor changes in the approved site plan. In such cases, the City Administrator shall have the authority to approve minor modifications of an approved site plan, provided that such modifications do not materially change the circulation and building location on the site, or any conditions specifically attached as part of approval.

## **SITE PLAN APPLICATION:**

### **PURPOSE.**

The purpose of a site plan is to ensure efficient and safe land development, a harmonious mixture of Place Types and building types, compliance with appropriate design standards, safe and efficient vehicular and pedestrian circulation, parking and loading, and adequate water supply, drainage and stormwater management, sanitary facilities, and other utilities and services.

### **APPLICABILITY.**

Site plan review and approval shall be required for new construction or the significant enlargement or alteration of any exterior dimension of any building, structure, or improvement involving the items listed below:

- (1) Any non-residential development;
- (2) Any non-residential P4 development, all P5 developments, or manufactured/mobile home park;
- (3) Any property with two (2) or more buildings per platted lot; and
- (4) As used in this section, the term “improvements” shall also include alterations made to land only, such as paving, filling, clearing, or excavating. As used in this section, the term “significant enlargement or alteration” shall mean the construction of structures, or the alteration of land, if such construction or alteration impacts or potentially affects other existing or future land uses, including those on adjacent or nearby land.

### **DETERMINATION.**

The City Administrator shall make the initial determination of whether the proposed development, construction, enlargement, or improvement requires a site plan or not. The initial determination is subject to review by the City Administrator.

- (1) The site plan must be prepared by a licensed and registered professional land surveyor, a professional land planner, architect and/or a licensed professional engineer.
- (2) No building permit shall be issued for any of the above developments unless a site plan is first approved by the City. No Certificate of Occupancy shall be issued unless all construction and development conform to the site plan, as approved by the City.
- (3) The fee for a site plan is set forth in adopted Fee Schedule.

### **INCOMPLETE SUBMISSIONS.**

All required items and information must be received by the City in order for a site plan submission to be considered an application that can be filed. Incomplete submissions will not be reviewed or filed until all deficient items or information has been received.

**OFFICIAL FILING DATE.**

- (1) For the purpose of these regulations, the “official filing date” shall be the date upon which a submission for approval for a site plan, that contains all required elements mandated by City ordinance, is deemed complete by the City.
- (2) To be considered complete, the application must contain all elements and information required, including all related fees. It is only after the official filing date that any statutory period required for approval or disapproval of the Site Plan shall commence to run.
- (3) No application shall be deemed officially filed until after the City Administrator determines that the submission is complete.

**SITE PLAN SUBMITTAL REQUIREMENTS.**

- (1) A Site Plan submittal shall include all items listed on the site plan checklist, provided by the City of Bandera in order to be considered a complete submittal after an administrative completeness review by the City.
- (2) All submittals shall be delivered to City Hall.
- (3) If the City Staff determines that a submittal is incomplete during the administrative completeness review, then the incomplete submittal will not be accepted for filing.
- (4) The applicant shall be required to submit a fee in accordance with the adopted Fee Schedule for the completeness review. If the application is deemed incomplete, the applicant shall be required to submit a new fee for completeness review with the next application submittal.
- (5) Any requested variance or warrant must be submitted for approval and approved prior to submission for a request for a site plan. If the site plan requires a variance or warrant, and one has not been approved, the site plan shall be denied until such time the need for the variance or warrant is removed or the variance or warrant is submitted and approved.

**SITE PLAN DETAIL REQUIREMENTS.**

- (1) Site plans cannot be approved until the final plat is recorded.
- (2) Site plans must be prepared by a licensed and registered professional land surveyor and/or a licensed professional engineer, architect, or planner.
- (3) Building permits will not be issued for any development until the site plan is approved.
- (4) Property taxes must be paid prior to approval of the site plan.
- (5) Signs require separate permits – approval of the site plan does not constitute approval of any included sign plans or sign elements.
- (6) Signature blocks shall be placed on the site plan. Signature blocks shall also be placed for any additional entities responsible in preparing the Site Plan. See the site plan checklist for details.

## PRINCIPLES AND STANDARDS FOR SITE PLAN REVIEW:

- (1) The following criteria have been set forth as a guide for evaluating the adequacy of proposed development in the City of Bandera. The City Staff shall review the Site Plan for compliance with all applicable ordinances and the Comprehensive Plan; as a means to assure harmony with surrounding uses and the overall plan for development of the City of Bandera; as well as for the promotion of the health, safety, order, efficiency, and economy of the City; and for the maintenance of property values and the general welfare.
- (2) Based upon its review, City staff may approve, conditionally approve, or deny the site plan based on evaluation of the site plan details based on the items listed on the site plan checklist with respect to:
  - i. The site plan's compliance with all provisions of this ordinance and other ordinances of the City of Bandera, including but not limited to off-street parking and loading, lighting, civic space, and the generation of objectionable smoke, fumes, noise, odors, dust, glare, vibration, or heat
  - ii. The impact of the development relating to the preservation of existing natural resources on the site and the impact on the natural resources of the surrounding properties and neighborhood.
  - iii. The relationship of the development to adjacent development in terms of harmonious design, setbacks, maintenance of property values, and negative impacts.
  - iv. The provision of a safe and efficient vehicular and pedestrian circulation system.
  - v. The design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
  - vi. The sufficient width and suitable grade and location of streets designed to accommodate prospective traffic and to provide access for firefighting and emergency equipment to buildings.
  - vii. The coordination of streets and sidewalks to arrange a convenient system.
  - viii. The use of landscaping and screening:
    - » to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary, and
    - » to complement the design and location of buildings and be integrated into the overall site design.
  - ix. Exterior lighting to ensure safe movement and for security purposes, that shall be arranged to minimize glare and reflection on adjacent properties and to protect Bandera's dark skies.
  - x. The location, size, and configuration of civic space areas to ensure that such areas are suitable for intended recreation and conservation uses.
  - xi. Protection and conservation of soils from erosion by wind or water or from excavation or grading.
  - xii. Protection and conservation of creeks, tributaries, or other waterways and areas subject to flooding.
  - xiii. The adequacy of water, drainage, sewage facilities, garbage disposal, and other utilities necessary for essential services to residents and occupants.

## LANDSCAPE PLAN.

### LANDSCAPE DESIGN IN THE PRIVATE REALM.

Landscape design in the Private Realm must comply with the standards of this section. The maximum height of any shrubs, ornamental plants, boulders, walls, or other such materials within designated sight distances and traffic safety triangles is 18 inches. For plants, this shall be the natural height of the plant. Any trees that are to be placed in the sight distances and traffic safety triangles shall have a canopy that is kept 8 feet above the street height and a maximum mature trunk diameter of eight (8) inches. If the tree canopy overhangs the roadway, then the canopy shall be a minimum of 14.5 feet above the road.

Utilize a palette of plants in a landscape design that adhere to native plants. Low Water Use/Drought Tolerant plants are encouraged. Plant and tree placement shall consider the natural culture of that type of plant or tree. Trees (or shrubs) shall not be placed in a Public Utility Easement (PUE), emergency vehicle access easement, or their equivalent. Trees shall be placed at least seven (7) feet back from any underground public water or sewer lines, power line conduit, or drainage pipes within a dedicate drainage easement dedicated to the City.



## **ALL PLACE TYPES.**

The introduced landscape shall consist primarily of native species requiring minimal irrigation, fertilization, and maintenance.

## **SPECIFIC TO PLACE TYPES P1, P2, P3 & P4:**

Private frontages may choose of various landscapes; naturalistic, lawn, garden, etc.

## **PLACE TYPES P5:**

- (1) The introduced landscape shall consist primarily of durable species tolerant of soil compaction.
- (2) Landscape plans shall be prepared by a Landscape Architect or professional and submittals shall include the following information:
  - a. Minimum scale of 1-inch equals 40 feet or appropriate scale for legibility.
  - b. Location, size, and species of all existing trees to be preserved indicating true size as measured 4 ½ feet above natural soil level.
  - c. Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site, or other landscape features.
  - d. Identification of all plant material to be used (Common and/or Botanical).
  - e. Size of all plant material to be used at time of planting, appropriate spacing shall be indicated on plan and approved by the City.
  - f. Layout and description of irrigation, sprinkler, or water systems including placement of water sources. A Texas license irrigation seal is necessary on all irrigation plans that require certification.
  - g. All common areas, non-residential, and multi-family landscape areas will be irrigated with a mechanical irrigation system including turf and ground cover areas.
  - h. North indicating mark.
  - i. Date of the Landscape Plan and any revisions.
  - j. Size and location of all existing and proposed utilities, including easements.
  - k. Details and/or cross sections as required for clarification by the City.
  - l. Topography shall include final grade at 1-foot intervals using spot elevations and/or contours to define proposed drainage patterns as required by the City.
  - m. Parkways and medians shall have a minimum of six (6) inches of topsoil.
  - n. A certified Landscape Architect or professional shall be required for the preparation and submission of the landscape plan.

## PUBLIC IMPROVEMENT PLANS.

### PUBLIC IMPROVEMENT PLAN REQUIREMENTS:

This section identifies requirements for preparing construction documents for public improvement plans that are submitted to the City for approval. It includes a cover sheet and all required plan sheet information, specifics for digital submittals, all required approval blocks, and special requirements.

### SUBMITTAL REQUIREMENTS:

- (1) Prepare all public improvement plans for submittal to City for approval to construct any site requiring grading and drainage, landscape, water, wastewater, and streets according to the following standards.
  - (i) Sheet Size: Prepare plans on 24-inch x 36-inch sheets, unless otherwise approved by Building Official, prior to the first submittal of construction documents.
  - (ii) Scale: Requirements for scale depend on the type of submittal. Plan and profile sheets shall use a horizontal scale of 1 inch = 40 feet and a vertical scale of 1 inch = 4 feet, unless otherwise approved by the Building Official prior to the first submittal of construction documents.
  - (iii) Lettering: All lettering, numbering and line work must be uniform and legible. Use a minimum 10-point font for all lettering.
- (2) Plan Review Submittal:
  - (i) The number and types of plans sets to be submitted for review are identified in the construction document requirement checklist provided after the approval of a development review application.
  - (ii) Present plan layout, graphics, and callouts in a clear and an uncluttered manner acceptable to the City Engineer and Planning staff.
  - (iii) Provide cross-referencing between all plan sheets that have details, detail call-outs, notes, cross-sections, etc.
  - (iv) Orient north at the top or right side of each sheet. Provide a north arrow and bar scale.
- (3) Seal/ Signature:

Include appropriate professional State of Texas seal, signature, and date on each sheet. Copies of this information are acceptable on the improvement plans submitted during the review cycles to the City. Original plans are submitted for approval at the end of plan review, the originals shall bear the registrant's seal with a wet signature and date. Except for capital improvement plans, a registered landscape architect is not required to prepare and seal landscape and irrigation plans.
- (4) Plan Approval Submittal:

Upon approval of the public improvement plans, an additional plans set may be required for staff signature.

## COVER SHEET

The following information must be included on the cover sheet:

- (i) Title – Include the development name and the plan set content
- (ii) City Name – Below the title, include the City name “City of Bandera, TX”
- (iii) Vicinity Map – Locate the development relative to a minimum of 2 intersecting arterial streets
- (iv) Legal Description – Provide development property legal description. When a legal description is not feasible, list the township, range, section, and location
- (v) Benchmark
- (vi) Public Improvement Plan Signature Blocks

## RECORD DRAWINGS

- (1) The applicant will provide the City with the original (4-mil) Mylar drawings or photographic (4-mil) Mylars required for the “record drawings” of construction within all public rights-of-way or easements dedicated to the City.
- (2) The Engineer representing the applicant shall present to the City Engineer, reproducible complete record drawing plans for all paving, drainage structures, and water and sewer lines within thirty (30) days after completion of all contracts and as a condition of final acceptance of the subdivision.

## SURVEY REQUIREMENTS

Monuments consisting of one-half ( $\frac{1}{2}$ ) inch iron pipe or one-half ( $\frac{1}{2}$ ) inch reinforced steel or larger, twenty-four (24) inches in length, shall be placed at all corners of the block lines, and at the point of intersection of curves and tangents of the subdivision.

## NEW NEIGHBORHOOD PLANS.

- (1) Neighborhood Plans are for any development project over 13.6 acres or equal to or larger than a four (4) Bandera blocks. Neighborhood Plans are used as the process to create new complete neighborhoods. Each neighborhood will be made of a series of blocks created for a variety of street types, building types, and Place Types. Before preparing a Neighborhood Plan, standards in this ordinance should be reviewed including Chapter 5 - Character Districts in the Comprehensive Plan and pg. A3-42 "Development Patterns" to ensure the neighborhood complies standards set forth in those sections.
- (2) Neighborhoods include a mix of Place Types. Different types of neighborhoods have different allocations of Place Types.
- (3) Neighborhood Plans using the Traditional Neighborhood Design (TND) pattern may use the downtown Bandera grid blocks as helpful new neighborhood examples. Neighborhood Plans in Character Districts that allow for Cluster Land Development (CLD), or Village Center Development (VCD); may create alternative designs to the block that best integrate with the existing site conditions. For more information on Development Patterns, see pg. A3-42 "Development Patterns" in Appendix 3 - Place Type Zoning Ordinance.
- (4) Creating a Neighborhood Plan is a three-step process. Specific requirements, standards, and recommendations are outlined in the Code. Additional requirements and recommendations may be determined at the pre-application meeting. The specific standards for an application will be determined at the pre-application meeting. A response will be issued by City Administrator to the applicant to summarize the pre-application meeting. The three-step process is as follows on the next page:

**STEP ONE****NEIGHBORHOOD PLAN:****SUBMISSION INCLUDES:**

- 1 Legal description & geographic location map;
- 2 Block structure and measurements;
- 3 Place Type designations by lot;
- 4 Street network plan showing existing streets and proposed street types to and through the development.
- 5 Street Types:
  - (a) Each street type is scaled propositional to the associated Place Types and building types.
  - (b) Blocks with street types with wider than 60 feet of right-of-way can chose to create smaller blocks or propose to adjust the grid to accommodate the selected street network of street types.
  - (c) Blocks adjacent to undeveloped land, areas unsuitable for development, or pre-existing incomplete blocks may be exempt from block face length and block perimeter requirements by warrant.

**STEP TWO****SUBDIVISION PLAT SUBMITTAL:****SUBMISSION INCLUDES:**

- 1 Subdivision Plat.
- 2 See Appendix 2: Chapter 10, the Subdivision Ordinance for platting requirements.

**STEP THREE****BUILDING PERMITTING:****SUBMISSION INCLUDES:**

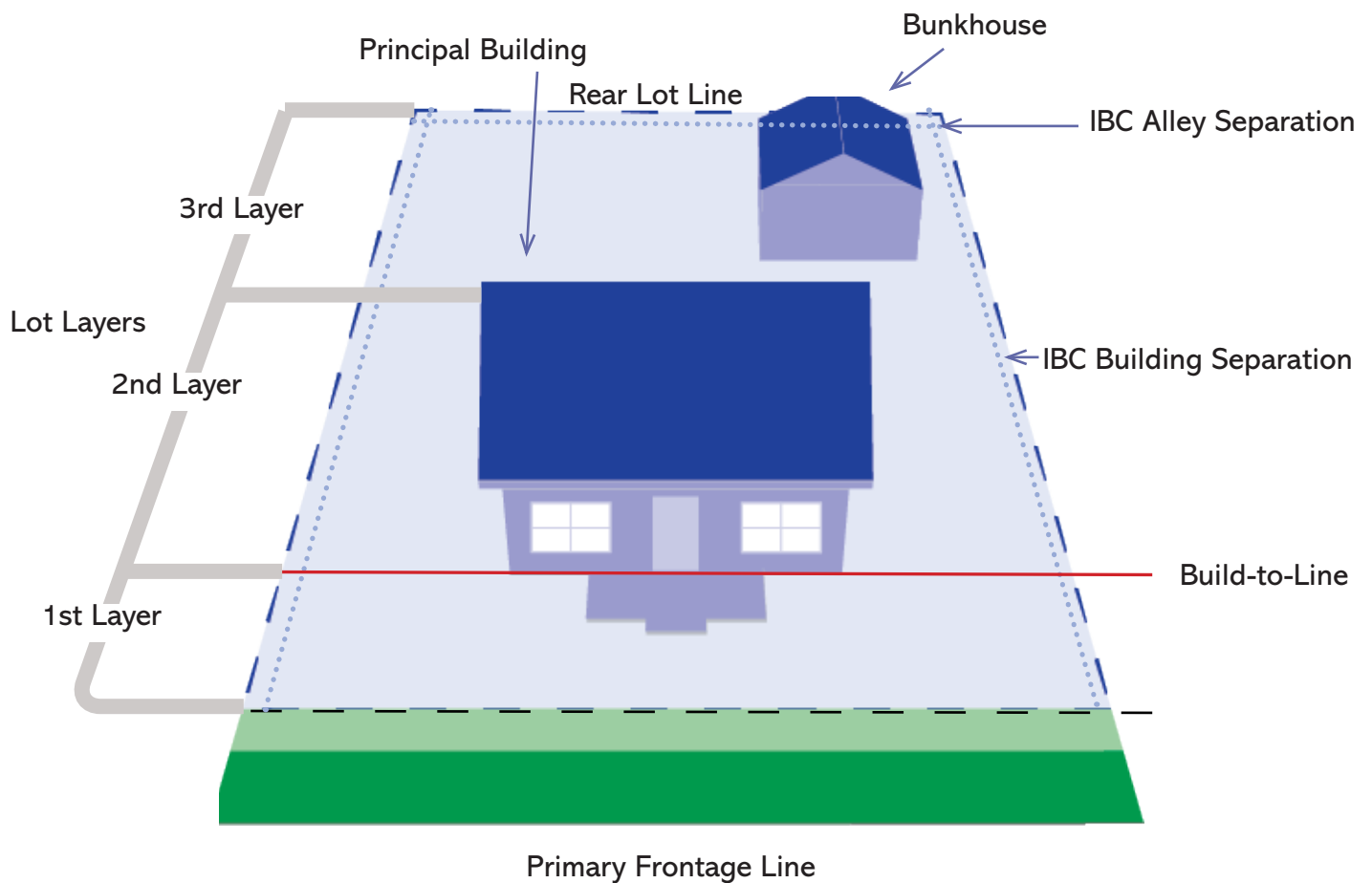
- 1 Public Frontage, pg. A3-72: Illustrate compliance with this ordinance, public improvement, and street requirements.
- 2 Site Plan: See Site Development Plans, pg. A3-55, for requirements.

## PRIVATE REALM.

Lots and Buildings located within the City of Bandera shall be subject to the requirements of this section. Regulatory terminology related to Lots used in this section is diagrammed for illustrative purposes only. Building types diagrammed are provided for illustrative purposes only.

### LOT STANDARDS.

#### LOT DIMENSIONS & STRUCTURE DIAGRAM:



## LOT STRUCTURE DESCRIPTIONS

### BUILDINGS

|                      |   |
|----------------------|---|
| Principal Building   | The main building on a lot.   |
| Accessory Structures | A secondary building located toward the rear of the same lot as a principal building that may include a dwelling unit called a Bunkhouse. |

### LOT LAYERS

Lots shall be divided into regulatory layers as illustrated in the diagram on page 14-66, and frontage lines below. Standards for the second and third layers pertain only to the primary frontage. Standards for the first layer pertain to both frontages.

|              |   |
|--------------|---|
| First Layer  | The first layer is the area of a lot from the frontage line to the facade of the principal building.        |
| Second Layer | The second layer is the area of the lot set behind the first layer to a depth of 20 feet in all Place Types |
| Third Layer  | The third layer is the area of a lot set behind the second layer and extending to the rear lot line.        |

### LOT

|               |   |
|---------------|---|
| Build-to-Line | <p>The minimum percentage of the front building facade that must be located within the first layer.</p> <p>The location of the build-to-line, on infill properties, is established per Place Type, and for new neighborhoods, on the Neighborhood Plan.</p> |
| Lot Width     | The length of the principal frontage line of a lot. Lot width is measured between the side lot lines at the build-to-line.  |
| Frontage Line | <p>Where the property line meets R.O.W.</p> <p>Lots may have multiple frontages.</p> <p>One frontage line is designated the principal frontage line and all remaining frontage lines are designated as secondary frontage lines.</p>                        |
| Rear Lot Line | <p>Where the property line meets alley R.O.W. or an adjoining side / rear property line.</p> <p>All buildings and structures must be located at or behind the side or rear International Building Code (IBC) separation line.</p>                           |

**LOT OCCUPATION:**

- (1) In P2-P4, three (3) buildings may be built on each Lot, one (1) principal building and one (1) accessory unit or bunkhouse.
- (2) The property owner must reside on the property in order for the bunkhouse to be used as short-term rental unit.
- (3) Lot coverage by buildings is specified in the Bandera Development Table.
- (4) For building height, see standards by Place Type and Character District.
- (5) Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor commercial building, which shall be a minimum of 11 feet with a maximum of 25 feet.
- (6) In the 100-year floodplain, a first level residential or lodging shall be raised a minimum of 2 feet from the base flood elevation.

**DEVELOPMENT STANDARDS:**

| PLACE TYPES   | P1  | P2             | P3             | P4           | P5           |
|---|-----|----------------|----------------|--------------|--------------|
| LOT OCCUPATION  | N/A |                |                |              |              |
| LOT COVERAGE  |     | 40% max.       | 60% max.       | 70% max.     | 80% max.     |
| FACADE BUILDOUT AT BUILD-TO LINE  |     | 40% min.       | 40% min.       | 60% min.     | 80% min.     |
| BUILD-TO-LINE   |     | 10 ft - no max | 10 ft - no max | 5 ft - 15 ft | 2 ft - 15 ft |
| Lots exceeding 1/2 acre may extend the 1st layer of the lot up to 80 ft from the frontage line. |     |                |                |              |              |
| BUILDING HEIGHT (STORIES)   |     |                |                |              |              |
| PRINCIPAL BUILDING  |     | 2 max.         | 2 max.         | 3 max.       | 3 max.       |
| BUNKHOUSE   |     | 2 max.         | 2 max.*        | 2 max.       | 2 max.       |

\*Bunkhouses in P3 may be used as short-term rental if the property owner lives on-site.

**BUILDING SEPARATION.**

Fences and screening walls may extend into the International Building Code (IBC) Building separation line and alley setback. Side and rear building separation will be determined by the IBC as adopted by the City.

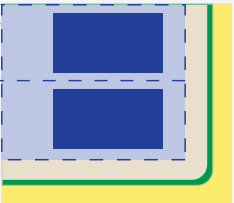


## BUILDING PLACEMENT.

Principal buildings shall be positioned on a lot in accordance with the building standards per Place Type.

The first layer is the area of land between the frontage line and the build-to-line. The first layer is measured from the frontage line. The required build-to-line is the minimum percentage of the front building facade that must be located within the first layer, measured based on the width of the building divided by the width of the lot.

All structures and encroachments customarily allowed on the lot are permitted in the first layer, with the exception of parking.






|  |  | BUILDING TYPES | P1 | P2 | P3 | P4 | P5 |
|--|--|----------------|----|----|----|----|----|
|  <b>EDGEYARD</b><br>A building that occupies the center of its lot with setbacks on all sides from the lot lines. The front yard is intended to be visually continuous with the yards of adjacent buildings.   | <b>VILLA</b><br><b>HOUSE</b><br><b>DUPLEX</b><br><b>TRI/FOURPLEX</b> | VILLA          | NP | P  | P  | NP | NP |
|  |  | HOUSE          | NP | P  | P  | P  | NP |
|  |  | DUPLEX         | NP | P  | P  | P  | NP |
|  |  | TRI/FOURPLEX   | NP | NP | NP | P  | NP |
|  <b>SIDEYARD</b><br>A building that occupies one side of the lot with the setback to the other side.   | <b>SIDEYARD</b>  | SIDEYARD       | NP | NP | NP | P  | P  |
|  |  |                |    |    |    |    |    |
|  <b>REARYARD</b><br>The placement of a building within the boundaries of its lot to create a rearyard, leaving the rear of the lot as private space or available for dedicated parking in its commercial form. The frontage line is a continuous line of frontages that define the public realm.       | <b>COMMERCIAL</b><br><b>APARTMENT</b><br><b>ROWHOUSE</b>             | COMMERCIAL     | NP | NP | NP | NP | P  |
|  |  | APARTMENT      | NP | NP | NP | P  | P  |
|  |  | ROWHOUSE       | NP | NP | NP | P  | P  |
|  <b>COURTYARD</b><br>A building placed within the boundaries of its lot to create a private courtyard, while internally defining one or more private patios. Common walls shared with adjacent buildings create a continuous façade along the frontage line that steadily defines the public frontage. | <b>HOUSE</b><br><b>APARTMENT</b>                                     | HOUSE          | NP | NP | NP | P  | P  |
|  |  | APARTMENT      | NP | NP | NP | P  | P  |

P = PERMITTED

NP = NOT PERMITTED

## PRIVATE FRONTAGE ENCROACHMENTS.

The private frontage is the area between the building facades and the lot lines. Permitted first Layer Encroachments include:

|   |  | P1 | P2 | P3 | P4 | P5 |
|---|--|----|----|----|----|----|
| <b>COMMON YARD</b>  |  |    |    |    |    |    |
|    | Common to Bandera, residential buildings are set back substantially from the frontage line with an unfenced front yard that is visually continuous with neighboring yards supporting a common landscape.   | NP | P  | P  | P  | NP |
| <b>PORCH WITH OPTIONAL FENCE</b>  |  |    |    |    |    |    |
|    | Many residential buildings in Bandera have front porches. The build-to-line is setback from the frontage to create room for a wide porch and a fenced-in yard. The optional fence helps maintain a strong street edge that allows the homeowner extra fenced-in yard space.        | NP | P  | P  | P  | NP |
| <b>SHOPFRONT</b>  |  |    |    |    |    |    |
|  | A popular retail frontage in Bandera, commercial shopfront build-to-lines are aligned close to the lot frontage line with the building entrance at sidewalk grade. Shopfronts have substantial glazing on the sidewalk level and an awning that may overlap the sidewalk.          | NP | NP | NP | P  | P  |
| <b>GALLERY</b>  |  |    |    |    |    |    |
|  | A frontage seen on many of the historic western storefronts in Bandera, the facade is aligned close to the frontage line with an attached cantilevered shed or a lightweight colonnade overlapping the sidewalk. The frontage type provides shade for pedestrians on the sidewalk. | NP | NP | NP | NP | P  |
| <b>ARCADE</b>   |  |    |    |    |    |    |
|  | A colonnade supporting habitable space that overlaps the sidewalk, while the facade at sidewalk level remains at or behind the frontage line. This type is conventional for retail use.  | NP | NP | NP | NP | P  |

P = PERMITTED  
NP = NOT PERMITTED

**ENCROACHMENT DEVELOPMENT STANDARDS:**

- (1) The facade of the principal building shall be built parallel to the frontage line or to the tangent of a curved frontage line of a lot.
- (2) All facades shall be glazed with clear glass not less than 20% of the first story. Glazing shall be calculated as the total combined area of window glazing (lights or panes within each window's casing) divided by the total area of the facade for the target story of a building.
- (3) Buildings with a first floor on Main Street or P5 shall be glazed with clear glass no less than 70% of the first story.
- (4) Openings above the first story shall not exceed 50% of the total building wall area, with each facade being calculated independently.
- (5) All opening, including porches, galleries, arcades, and windows, with the exception of shopfronts, shall be square or vertical in proportion.

**PRIVATE FRONTAGE ENCROACHMENTS TABLE:**

| PLACE TYPES                     | P1  | P2        | P3        | P4                | P5                |
|---------------------------------|-----|-----------|-----------|-------------------|-------------------|
| FIRST LAYER ENCROACHMENTS       | N/A |           |           |                   |                   |
| OPEN PORCH                      | P   | 50% max.  | 50% max.  | 80% max.          | 80% max.          |
| R.O.W. ENCROACHMENTS            |     |           |           |                   |                   |
| GALLERY / ARCADE                | NP  | NP        | NP        | w/in 2 ft of curb | w/in 2 ft of curb |
| FIRST LAYER ENCROACHMENT DEPTHS |     |           |           |                   |                   |
| PORCH                           | NP  | 5 ft min. | 8 ft min. | 8 ft min.         | N/A               |
| GALLERY                         | NP  | NP        | NP        | 10 ft min.        | 10 ft min.        |
| ARCADE                          | NP  | NP        | NP        | NP                | 12 ft min.        |

P = PERMITTED

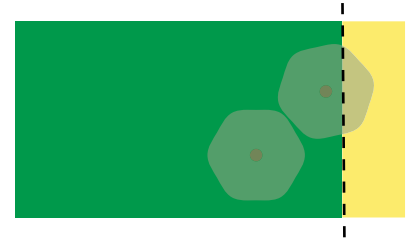
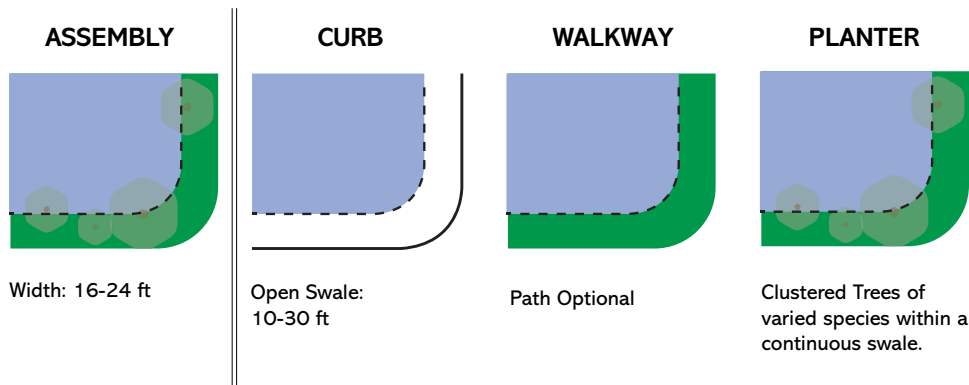
NP = NOT PERMITTED

## PUBLIC FRONTAGE.

The public frontage is the area between the private lot line and the edge of the vehicular lanes.

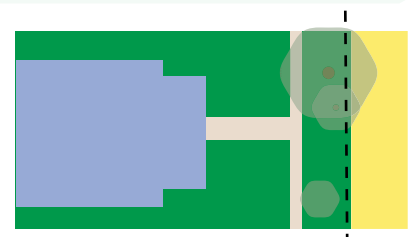
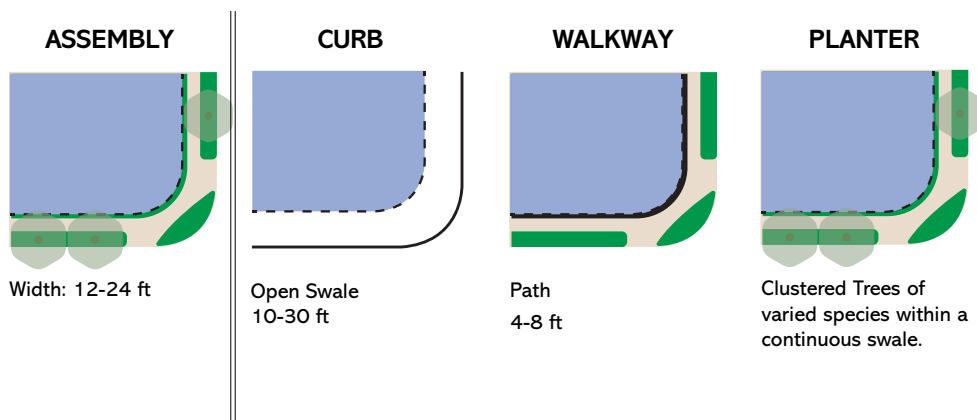
### RURAL FRONTAGE

This frontage has open swales drained by percolation, wide shoulders or bicycle trails, and no parking. The landscaping consists of the natural condition or multiple species arranged in naturalistic clusters. Buildings are buffered by distance or berm.



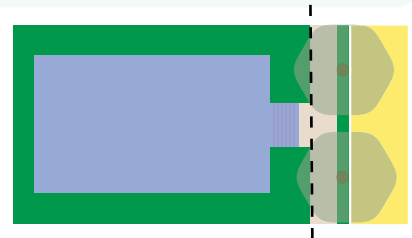
### NEIGHBORHOOD FRONTAGE

This frontage has open swales drained by percolation and a wide shoulder, walking path, or bicycle trail along one or both sides and yield parking. The landscaping consists of multiple species arrayed in naturalistic clusters.

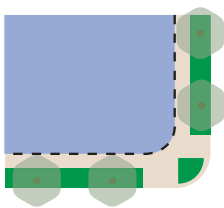


## MIXED FRONTAGE

This frontage has raised curbs drained by inlets and sidewalks separated from the vehicular lanes by individual or continuous planters, with parking on one or both sides. The landscaping consists of street trees of a single or alternating species aligned in a regularly spaced pattern.

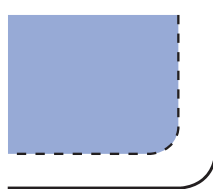


ASSEMBLY

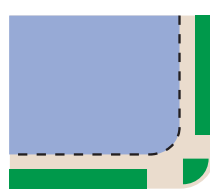


12-18 ft

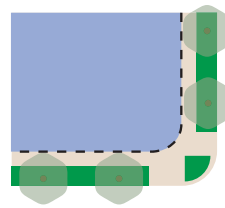
CURB

Raised Curb  
5-20 ft

WALKWAY

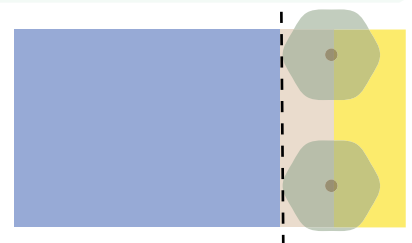
Sidewalk  
4-8 ft

PLANTER

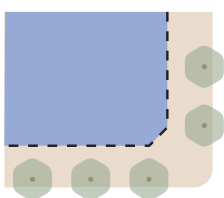
Regular arrangement  
of a single tree  
species with a  
continuous planter.

## MAJOR FRONTAGE

This frontage has raised curbs drained by inlets and very wide sidewalks along both sides separated from the vehicular lanes by separate tree wells with grates and parking on both sides. The landscaping consists of a single tree species aligned with regular spacing where possible, but clears the storefront entrances.

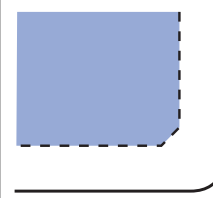


ASSEMBLY

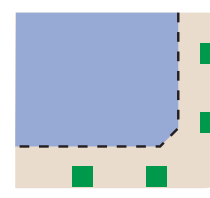


18-30 ft

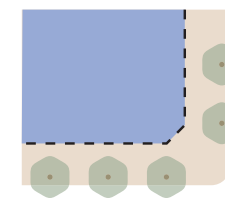
CURB

Raised Curb  
5-20 ft

WALKWAY

Sidewalk  
12-30 ft

PLANTER

Opportunistic  
arrangement of a  
single tree species in  
tree wells.

## PUBLIC FRONTAGE DEVELOPMENT STANDARDS.

### PUBLIC FRONTAGE STANDARDS.

The public frontage of streets contributes to the character of each Place Type and Character District. Building types may be configured in a variety of patterns and layouts along different Street Types. Public frontage designs must include a public frontage plan showing:

- (1) The type of drainage located adjacent to the vehicle lane;
- (2) The furnishing zone area provided to accommodate street trees or landscaping, Public infrastructure, and public furniture; and,
- (3) Walkways provided for pedestrians serving as a block break may be approved by the City Administrator.

The public frontage of streets shall be designed as specified in this Ordinance. Public frontage passing from one Place Type to another shall be adjusted to meet the transitioning standards as required by the City Administrator. For planting within the furnishing zone, the permitted species of street trees are provided in the street tree Section. The furnishing zone diagram must include:

- (1) Public Frontage diagram.
- (2) Street trees shall be planted in P3, P4, and P5. Awnings, arcades, or galleries may be used in lieu of street trees in P4 and P5.
- (3) Street trees shall be planted in a regularly-spaced pattern in P4 and P5 and;
- (4) When planted, street trees shall be a minimum height of 10 feet and/or 2 inches in caliper.
- (5) Public frontage from a terminated vista or civic space may be exempt from street tree requirements by warrant.
- (6) To keep walkways and driveways clear from tree branch obstructions, street tree canopy, at maturity with minor pruning, shall provide a minimum vertical clearance of eight (8) feet for sidewalks and paths, driveways, parking spaces, streets, and loading areas. Vertical clearance measurements shall be taken from the bottom branches of the main canopy to the ground surface below.
- (7) Spacing of trees can be adjusted by warrant to accommodate specific site conditions and for the allowance of encroachments.
- (8) For installation within the frontage zone, the prescribed types of public lighting and spacing shall be shown in Bandera's lighting ordinance. The spacing may be adjusted by warrant to accommodate site specific conditions.
- (9) The paving design of the walkway shall be continuous for the extent of each block face.
- (10) Sidewalks are required on all major streets and neighborhood streets. Existing neighborhood streets are exempt. The width and location of sidewalks shall be in accordance with the Place Type Zoning. The area between curb and sidewalk shall be excavated or filled to provide a uniform grade to match with the longitudinal street grade. The ground elevation at the right-of-way line shall be not more than 2 feet nor less than 3 inches above the elevation of the top of the adjacent curb or street edge. All sidewalks shall be of a continuing common surface, not interrupted by steps or abrupt changes in level. Wherever sidewalks end, at cross streets or parking areas, they shall bend to a common level by constructing ramps in compliance with Americans with Disabilities Act (ADA) dimensions and standards. All the broom-swept smooth and uniform to provide a non-slip surface.

## DRIVEWAYS.

For corner lots, all driveways shall be located at the secondary frontage. Driveways shall be located as far from the adjacent public street intersection as practical to achieve maximum available corner clearance, with consideration of property limits, adjacent curb cuts, topography, and existing drainage facilities.

Non-Alley loaded driveways may intersect a street no closer than twenty (20) feet from the intersection of two (2) street rights-of-way in P1, P2, and P3, and forty (40) feet in P4 and P5.

Mid-block lots greater than 40' in width at the frontage are allowed one (1) driveway with a maximum width of 24' for two-way and 12' for one-way driveways. In P4 and P5, driveways accessing up to 80 feet wide of street right-of-way must be spaced 200 feet apart centerline to centerline, and driveways accessing more than an 80 feet wide street right-of-way must be spaced 300 feet apart centerline to centerline. Nothing in this section shall prevent all site access to any property.

## STREETS.

### INTENTS.

Streets serve as the key public spaces that connect people to places. Bandera's street grid is core to its success and is a pattern that represents the past and will guide its future. The Public Frontage is the space where public investments and land is used to connect people to places.

The Pedestrian comfort shall be the primary consideration for the design of streets. Design conflicts between vehicular and pedestrian movement shall be decided in favor of the Pedestrian.

A diversity of street tree and plant species should be planted throughout the City of Bandera to promote resistance to disease and insect blight. Street Trees and/or landscaping should be planted to create a visually unified streetscape.

### GENERAL.

Development located within the City Limits shall be subject to the requirements of this section. Development in the ETJ shall comply with the rules of Subdivision Chapter, Sign Chapter, and all environmental regulations as allowed by State law and the rules established by the Inter-local Agreement with Bandera County.

Streets are intended for use by vehicular and pedestrian traffic and to provide access to lots and civic spaces. New streets shall be required when block lengths exceed maximum length permitted to create Town Lots.

**STREET ARRANGEMENT:** The original grid pattern within Bandera establishes the foundation for the Street Network. Unless otherwise approved by the City Council, provision shall be made for the extension of Streets through any new neighborhood. Off-center Street intersections with Streets in adjacent neighborhoods shall be avoided. All Streets shall be continuous or in alignment with existing streets unless variations are deemed advisable by the Council due to topography and requirements of traffic circulation.

**STREET DESIGN:** To assure adequate and proper streets, a soils evaluation report by a licensed Engineer shall be required. This report shall be submitted with the plans and specifications for street improvements.

**STREET WIDTHS:** Major Streets serving Place Type P5 shall have a minimum dedicated right-of-way of 80 feet and a minimum paving width Curb to Curb of 32 feet. Neighborhood Streets used to primarily serve neighborhoods and serving Place Types P3, P4, or P5 shall have a minimum dedicated right-of-way of 60 feet and a minimum (paving) width Curb to Curb of 28 feet. Rural Streets in P2 and the ETJ shall generally be constructed with concrete ribbon curbs and the right-of-way may vary.



## INTERSECTIONS.

All streets, major, neighborhood connector or P3 Streets must intersect at a 90-degree angle, unless existing site constraints will not allow for this alignment. Curbs at acute angle intersections, if approved, shall have 25-foot radii at acute corners. Each new street intersection with, or extending to meet, an existing street, shall be tied to the existing street on center line.

### MINIMUM CURB RADIUS INTERSECTIONS:

- (1) Major Streets – 9-12 foot
- (2) Neighborhood Streets - 15 foot
- (3) Rural Streets - 20 foot

## CUL-DE-SACS.

Dead-end streets must be avoided unless approved due to geographically sensitive areas, topography, railroad tracks, or another physical barrier as approved by the City Administrator or City Engineer. Dead-end streets may be platted where the land being divided adjoins property not being divided, in which case the streets shall be carried to the boundaries thereof. Streets designed to be permanently dead-end shall not be longer than 500 feet and shall be provided at the closed end with a paved cul-de-sac at least 80 feet in diameter. Temporary turnarounds are to be used at the end of a Street more than 300 feet long that will be extended in the future.

## PARTIAL OR HALF-STREETS.

Partial or half-streets may be provided where the City Council believes that a street should be located on a property line.

## STREET NAMES.

New streets shall be named to provide continuity of name with existing streets and to prevent conflict with identical or similar names in other parts of the City, as determined by the 911 coordinator for the City and/or County.

## PRIVATE STREETS.

To prevent future conflicts regarding street maintenance, private streets are prohibited, except where justified by special considerations. Private streets may be permitted by approval of the City Council after evaluation of such considerations.

## STREET SIGNS.

Street signs are required at all intersections. Signs will meet current City sign standards or match the existing street signs of the adjacent joining streets.

## NEW STREETS.

### GENERAL.

The new streets section establishes and documents the policies, procedures, and practices for how the City manages physical improvements in the Street right-of-way and on public property. It attempts to provide a comprehensive resource for all procedures, standards, and guidelines affecting physical changes in the street right-of-way.

The streets section summarizes this ordinance requirements for street and alley improvements and presents specific criteria for design and installation.

### INTENT.

The intent of the new street regulations is to provide a palette of street typologies and design elements reflecting the character of different areas within the City. The new street regulations provide adequate travel lanes for vehicles, cyclists, and pedestrians. The City supports the use of context sensitive design solutions and complete streets and will review projects on a case-by-case basis for conformance with these concepts.

The street typical cross-sections displayed in this section provide a guide to balancing the needs of all modes of travel. Modifications to these typical cross sections may be made by the City Engineer. The appropriate street typical cross-section will be selected by the City Engineer based on both engineering and land use context factors, including anticipated vehicle volumes.

Administrative design adjustments approved by the City Administrator may be appropriate when an existing Building would impede roadway expansion; when transitioning from a different street section; or where strict compliance with this ordinance would pose a safety hazard.

### STREET RIGHT-OF-WAY WIDTH.

Alignments may be adjusted as approved by the City Administrator. Applicants must dedicate sufficient right-of-way to the City for streets and sidewalks, in accordance with this Chapter. Typical street right-of way widths are illustrated in this section. The City may require turn lanes and additional right-of-way beyond that shown in the applicable street typical cross-section to accommodate turn lanes when warranted.

### MEASUREMENT OF STREETS & PUBLIC REALM.

**FACE OF CURB:** All measurements of parking spaces and lane widths are taken from the front face of curb and are inclusive of the gutter.

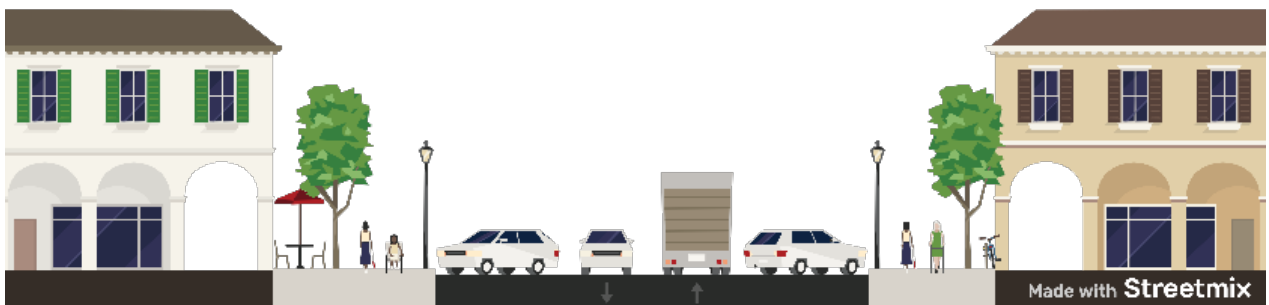
**PAVEMENT MARKINGS:** All measurements of parking spaces and lane widths are made to the center of pavement markings.

## STREET TYPES.

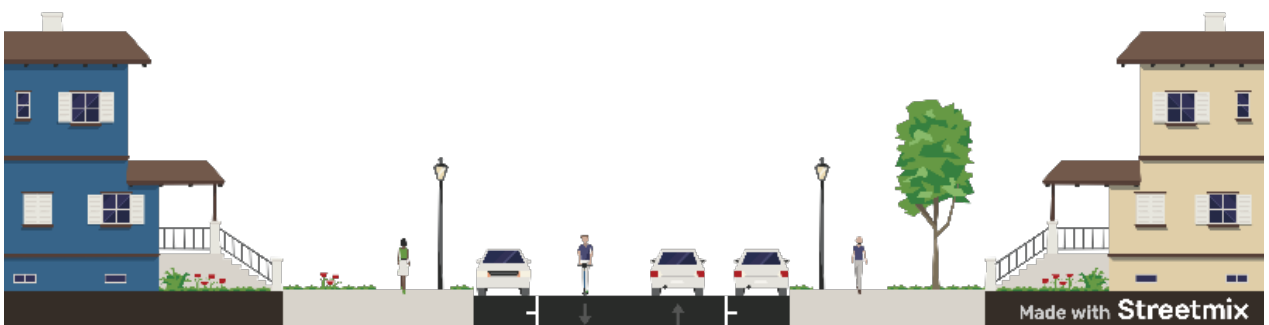
Three (3) streets types have been provided which correspond back to the built environment they serve. Street Types were created in conjunction with other standards within this ordinance to promote a walkable environment and protect the natural setting. Each street type contains characteristics which correspond with the Place Types and building types.

The following street illustrations are to be used as a guide when designing streets for Neighborhood Plans and infill street designs. The street types categories are as follows:

- (1) Major Streets (80' R.O.W.)** - provide a higher degree of mobility than most of the grid network by serving travel between major destinations or activity centers, as well as providing local cross-City route alternatives to the major highway routes. These streets should be designed as walkable, low-to-moderate speed thoroughfares that carry both through and local traffic, pedestrians, and bicyclists. These streets are also important connections for primary goods movement and emergency response routes. These streets will often require additional right-of-way than a typical grid connector, either for additional through travel lanes or for dedicated pedestrian and bicycle facilities.



- (2) Neighborhood Streets (60' R.O.W.)** - provide a higher degree of direct access to abutting property. These streets should be designed as walkable, low-speed streets that connect different development districts and residential neighborhoods with each other. The Local Connector Street network should provide continuous, connected links to distribute local travel patterns. Due to the diversity of content in neighborhoods these streets serve, a variety of street design elements and cross sections may be appropriate to serve adjacent land use contexts. This includes potential accommodations for higher pedestrian, bicyclist, or on-street parking demand.



- (3) **Rural Streets (R.O.W. varies)** - provide local access to rural areas primarily characterized by large lots, Farm Lot scale developments or open space. Due to environmental protections, rolling terrain, and low-density development context, a rural cross section and design elements are recommended.



## COMPLIANCE WITH THOROUGHFARE MASTER PLAN.

### INTENT.

The pattern of streets on the Master Thoroughfare Plan is intended to create a connected street network that provides a variety of routes for pedestrian and vehicular traffic, while respecting the conditions of the natural environment.

Within a New Neighborhood Plan, the location of internal streets may vary from their locations on the Thoroughfare Master Plan, subject to the following conditions:

- (1) The proposed arrangement meets the intent of this Code.
- (2) The proposed street configuration promotes active, safe, and healthy transportation.
- (3) No block perimeter shall exceed the requirements of the Place Types.
- (4) Overall connectivity to adjacent tracts shall not be decreased.

Within a New Neighborhood Plan, Streets that divide Farm Lots into building blocks are required, except in Place Type P1 and P2, subject to the following conditions:

- (1) Civic spaces may be incorporated on streets that are not critical for vehicle traffic.

When a street is associated with certain proposed Place Types, additional right-of-way will be required as follows:

- (1) When the P5 Place Type is proposed on both sides of a street, each side of the street shall provide an additional 7' of right-of-way.
- (2) When necessary for main Civic Space Place Type.

Property where new streets, a new Neighborhood Plan are not required, building and/or site development permits shall not be issued for the development or redevelopment of any street within the City of Bandera prior to the approval of compliance of a Public Frontage Plan consisting of the following items:

- (1) Type of drainage
- (2) Width and design of the furnishing zone
  - (a) Planting technique, tree species, and spacing of street trees;
  - (b) Public Infrastructure, including public lighting; and,
  - (c) Public furniture.

## ALLOCATION & STRUCTURE OF BLOCKS.

### INTENT.

The Bandera Building Block is the foundation of Bandera and the Code. The TND pattern of blocks is the preferred configuration of land Development where the land provides for the acceptance of such pattern. Blocks are encouraged to be different and unique while respecting the patterns defined within the standards.

### BLOCKS.

The internal street network shall be structured to define blocks with the following maximum block lengths and block perimeters (not including exterior R.O.W. dedication):

- (1) P1 unlimited / unlimited
- (2) P2 750 ft. max / 3,000 ft. perimeter
- (3) P3 335 ft. max / 1,340 ft. perimeter
- (4) P4 335 ft max / 1,340 ft. perimeter
- (5) P5 335 ft max / 1,340 ft. perimeter

Block faces, within P3, P4, and P5, exceeding 335 feet shall be equipped with a 20' pedestrian way.

Blocks adjacent to undeveloped land, areas unsuitable for development, or pre-existing incomplete blocks may be exempt from block face length and block perimeter requirements by warrant.

Blocks with more than one Place Type designation shall use the most intense designation to inform the block face length and block perimeter.

## ALLEYS.

### ALLEY CONSTRUCTION.

Alleys serve TND developments to distribute services and vehicles to the rear of the lots. Limiting the interruptions into the public realm adds to the cohesive walkable environment throughout community. Alley developments are preferred, therefore, construction standards provided in the various cross-sections are flexible to encourage the inclusion of alleys.

Alleys surface types will vary by Character District and Place Type.

Streets and alleys shall be designed by a register engineer meeting the specifications of this Ordinance and other City of Bandera construction standards.

**PAVEMENT TYPE:** Alleys shall be paved with reinforced concrete conforming to street paving requirements.

**ALTERNATIVE CONSTRUCTION METHODS:** May be approved by the Director of Engineering.

**WIDTH:** A minimum paved width of 16 feet and a minimum right-of-way of 20 feet shall be required for all alleys.

**DRAINAGE:** Adequate drainage shall be provided with paved sections or by swales to drain all lots to streets without drainage easements through lots, where possible. The depth of swale shall be as required for drainage with a minimum longitudinal slope of 0.5% toward a street or drainage easement.

## EASEMENTS.

The Applicant platting property shall dedicate easements as follows:

- (1) All easements created prior to the subdividing of any tract of land must be shown on the preliminary plat. The applicant shall plat lots and dedicate easements for utilities and drainage ways in the following manner:
  - (a) Easements for utilities, drainage ways, or transmission lines shall be retained on front, side, and/or rear Lot lines as required by the City and utility companies. Easements across parts of a Lot other than as described above shall be required as deemed necessary and most appropriate by the City. The City Administrator shall require access for ease of maintenance of all easements.
- (2) Off-site Easements:
  - (a) Easements in areas adjoining a proposed development necessary to provide adequate drainage thereof or to serve such development with utilities shall be obtained by the applicant prior to final plat approval.
- (3) Privately-owned easements.
- (4) Standards for easements.

## EMERGENCY ACCESS AND FIRE LANES.

Emergency Access Provisions:

- (1) The City Administrator will review all proposed developments for safe and appropriate access, parking lanes, private streets, driveway access points, and other emergency access items.
- (2) Fire Lanes shall meet the standards of the IFC as adopted by the City.

## DRIVE-THROUGH FACILITIES.

Drive-throughs are required to be located in the 2nd or 3rd layer of the lot or located from an alley.

Where allowed, locate and design drive-through facilities shall follow the following criteria:

- (1) Do not locate drive-through facilities to adjacent residential uses.
- (2) Screen vehicular storage areas for drive-through facilities placed on the street side of a building, or any other location that is directly visible from adjacent properties with screen walls, mounding, and/or dense landscaping at least 3 feet in height at the time of planting.
  - (a) Shared parking is available and determined with the Site Plan in P2, P4, and P5. Lot coverage shall not exceed the Place Type standards.
  - (b) Parking requirements in P3 will be market driven. Lot coverage shall not exceed the Place Type standards.



## PARKING.

### INTENT.

Parking shall not be the driver of site planning. The standards in the Code support this notion through limited and eliminating parking. The intent of building a walkable, bikeable, and an easily navigable City means all mode of transportation are available to reduce the reliance on the car.

The location of the parking shall be established and shown on the Neighborhood Plan, and/or site plan:

- (1) Shared parking is available and determined with the Site Plan in P2, P4, and P5. Lot coverage shall not exceed the Place Type Standards.
- (2) Parking requirements in P3 will be market driven. Lot coverage shall not exceed the Place Type Standards.
- (3) P5 shall establish parking maximums based on the market demands per use as determined by the City Administrator at the time of application.
- (4) On-site surface parking must be located in the second layer or third layer of each lot as defined by the Place Types standards.
- (5) Residential garage access is permitted from the public street or from an alley. Access may be taken from the street or corner lots, in which case the garage doors may face the side street.
- (6) Residential garage front facades must begin in the third layer.
- (7) Open parking areas shall be masked from the Frontage by building or street screening and will be regulated in size by lot cover requirements of the Place Type.
- (8) Parking spaces provided internal to a lot shall be located entirely behind the minimum rear setback as specified by building type and Place Type.

### PARKING SPACES.

- (1) Designed parking spaces and drive aisles locations shall be placed in the second or third layer of the lot, in accordance with the Code.
- (2) Accessible (Disabled) Parking Spaces:
  - (a) Adequate designed accessible parking spaces shall be provided as required by the IBC and designed in accordance with the parking area landscaping.

### PARKING LANDSCAPING.

- (1) Incorporate parking lot landscaped areas and medians into parking lots every 12 spaces
- (2) Use landscape plant material that are drought tolerant, have minimal dropping of pods and sap, and have canopies that can have a canopy bottom at least 10 feet above the ground.
- (3) Use single trunk tree in parking lot landscape areas in accordance with the approved tree list by the City of Bandera.

**TRAFFIC CONTROL DEVICES IN ON-SITE PARKING LOTS.**

- (1) When traffic control devices are utilized in on-site parking lots, it is recommended that the general principles and standard traffic control device designs be used to regulate the flow of traffic.

**DEAD-END PARKING AISLES.**

- (1) The maximum dead-end parking aisle for designated emergency access length is 150 feet for fire-sprinklered structures, and 150 feet for non-sprinklered structures, unless a turn-around is provided for emergency access. All parking aisles shall be connected to the next through access point, particularly if there is a public street.

**PARKING SURFACING.**

- (1) Use asphaltic pavement, concrete, or a similar material approved by the City Administrator for all parking areas for in P5.
- (2) At a minimum, use dust palliative or other surfacing materials that minimize the generation of fine dust particulates for P2, P3, and P4.
- (3) At a minimum, use a stable dust-free material on drive aisles of civic spaces and other recreational facilities. The City Administrator may require an alternative surface such as concrete or asphalt in some circumstances.
- (4) The parking stalls may be improved with a soil mix treated with a dust palliative.

**CROSS ACCESS CONNECTIONS.**

- (1) Cross-access easements and connections to adjoining properties shall be required to connect driveways and parking lots where no alley is present.
- (2) Internal vehicular circulation areas shall be designed and installed to allow for cross-access between abutting lots;
- (3) In the event these conditions cannot be met without undue hardship or if such connections would create undesirable traffic flow, the City Administrator may waive the connection requirement.
- (4) Where a parking lot connection is required, an easement for ingress and egress to adjacent lots shall be recorded on the plat or by separate instrument as appropriate.

## BICYCLE PARKING.

### LOCATIONS.

- (1) This section applies to civic buildings and Place Types P4 and P5.
- (2) Short-term bicycle parking must be located within 100 feet of the main public entrance of the Building or facility.
- (3) Long-term bicycle parking must be located within 500 feet of the main public entrance of the Building or facility.
- (4) Bicycle parking facilities shall not interfere with accessible paths of travel or accessible parking as required by the Americans with Disabilities Act, as amended.
- (5) When a rack is placed within a sidewalk or pedestrian right-of-way, a minimum of 4 feet from the required rack dimension shall be provided for pedestrian clearance.
- (6) Bicycle racks shall be located in highly visible and well-lit areas to minimize theft and vandalism.
- (7) When automobile parking spaces are provided in a structured parking garage, all required long-term and short-term bicycle spaces shall be located inside the garage on the ground level. Alternative layout and design of racks to maximize space may be approved by the City Administrator.
- (8) Alternative Locations: In the event that compliance may not be feasible because of demonstrable hardship, the City Administrator may approve an alternative location.

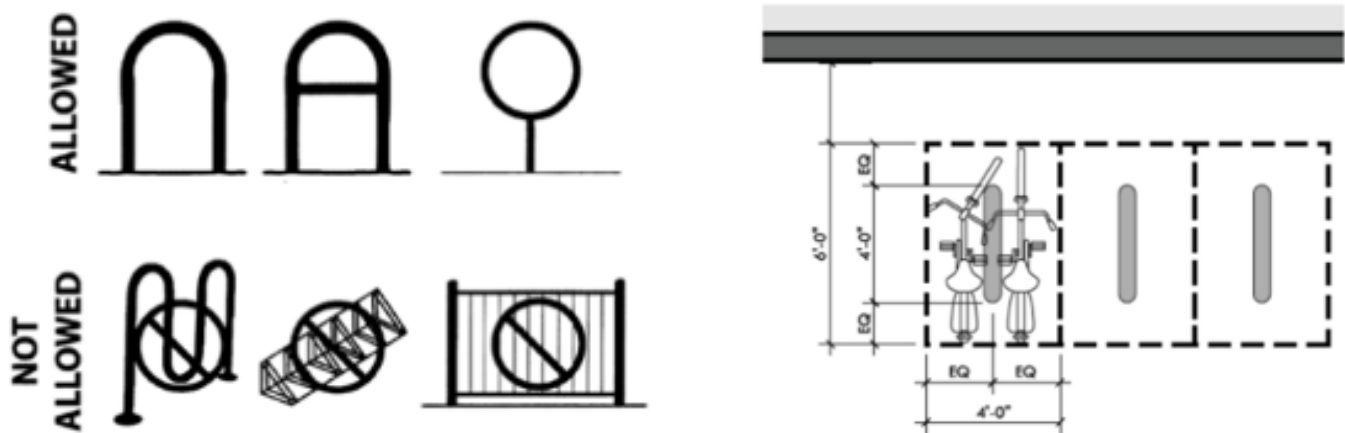


### LAYOUT AND DESIGN.

- (1) Each bicycle rack shall be designed to accommodate two bicycle parking spaces (two bicycle spaces per rack) while using the allowed bike rack designs below:
  - (a) Racks shall be designed to accommodate “U”-shaped locking devices and support the bicycle horizontally in two places.
  - (b) The racks shall be constructed of durable materials to withstand permanent exposure to the elements, such as powder-coated metal or stainless steel.
  - (c) All bicycle parking spaces must be hard-surfaced or at minimum a compact gravel base.
  - (d) All bicycle racks shall be securely anchored to the ground using a concrete footing and tamper-proof anchors.
  - (e) Decorative bicycle racks that enhance the sense of place and contribute to the character of the development are encouraged, but are subject to approval by the City Administrator.

## (2) Bicycle Parking Space Size, Access Aisles and Vertical Clearance

- (a) Bicycle racks shall provide clearance from other objects by using a standard footprint that is at least 4 feet wide by 6 feet long, as depicted below, and shall hold at least two bicycles.
- (b) In cases where bicycle parking spaces are not visible from the primary drive aisle approaching the Building, signage shall be used to direct cyclists safely to bicycle parking areas (Manual for Uniform Traffic Devices Sign D4-3). These Signs shall not be placed in the public right-of-way.



## BICYCLE PARKING REQUIREMENT.

- (1) The number of bicycle parking racks shall be based on the amount of automobile parking spaces and shall be provided in accordance with the following. Where fractional bicycle parking spaces result, the spaces required shall be rounded up to the nearest whole number.

### BICYCLE PARKING STANDARDS

#### (1) P5 & P4 Non-Residential

- » 0-40 required auto spaces = 2 short-term bicycle parking spaces minimum
- » 41-60 required auto spaces = 4 short-term bicycle parking spaces minimum
- » 61-80 required auto spaces = 6 short-term bicycle parking spaces minimum
- » 81-100 required auto spaces = 8 short-term bicycle parking spaces minimum
- » 101+ required auto spaces = minimum 10 short-term bicycle parking spaces or 2.5% of required automobile spaces, whichever is greater, will be provided as short-term bicycle parking spaces

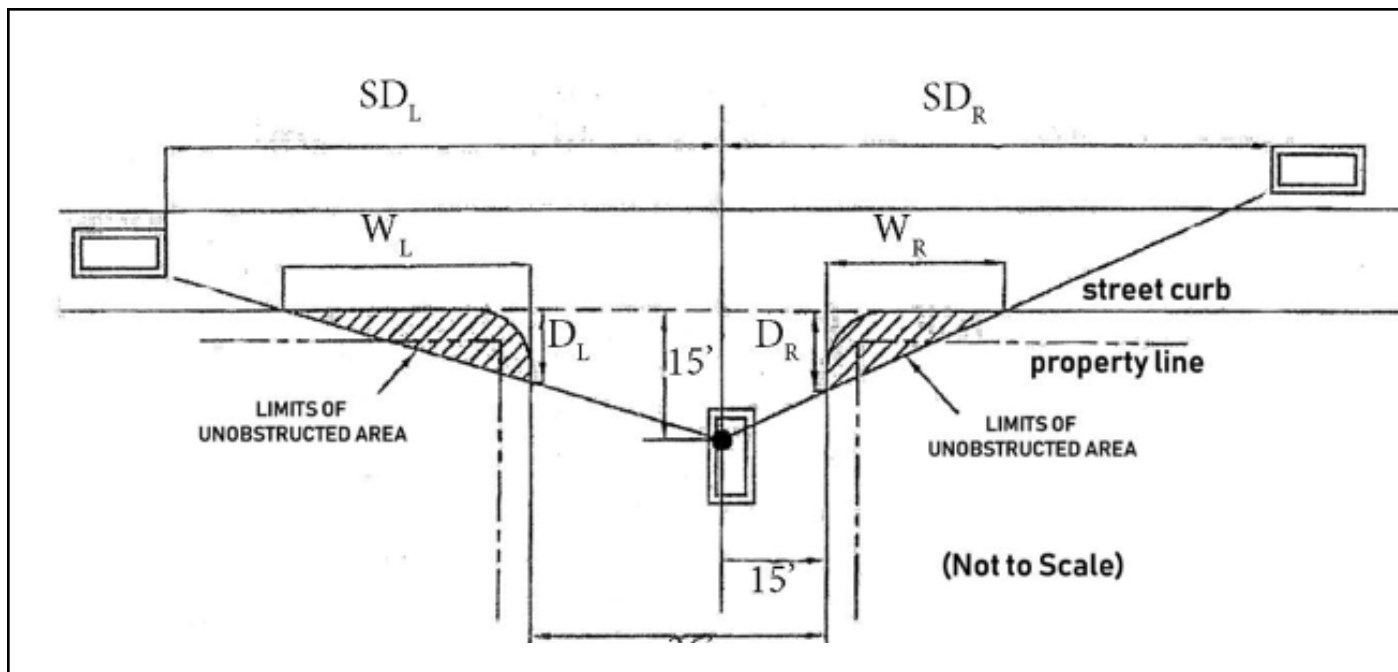
#### (2) Multifamily

- » The minimum number of long-term bicycle parking spaces shall be equal to 10% of the required auto spaces.

- (3) Bicycle parking is required in all P5 and P4 Place Types with non-residential uses.
- (a) Bicycle parking for residential uses is only required with multifamily building types.
  - (b) The number of provided automobile parking spaces and bicycle parking spaces shall be shown in a chart format on the site plan. The location and footprints of bicycle racks corrals shall be shown on the site, as well as the location of any bicycle parking signage.
  - (c) In all cases where bicycle parking is required, no fewer than 2 spaces (one rack) shall be required.
  - (d) Up to half of the required short-term bicycle parking spaces may be substituted with long-term bicycle parking spaces.

## SITE TRIANGLES.

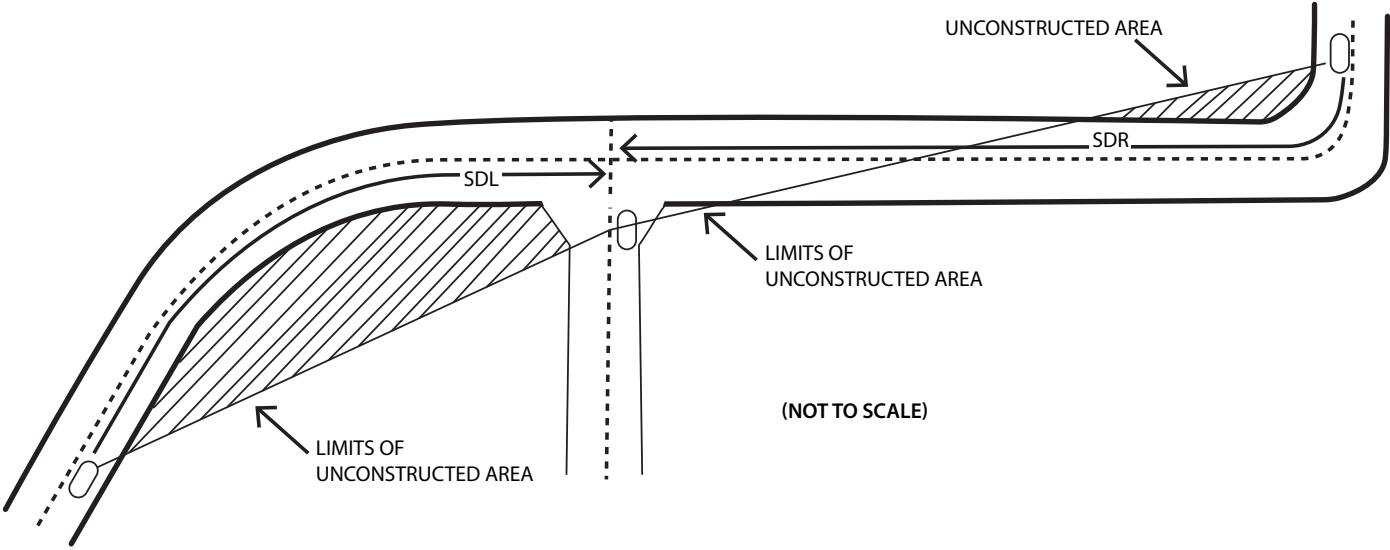
**FIGURE: SITE VISIBILITY REQUIREMENTS**



### ASSUMPTIONS.

- (1) At-grade intersection with approaches of 3.0 or, 3.5-foot driver eye height above pavement; both drivers can see each other.
- (2) SDL and SDR are the required sight distance, in feet, to the left and to the right as measured from the driver's eye on the controlled intersection approach looking towards oncoming cross traffic.
- (3) WL and WR are the distance, in feet, along the curb line of the side of the visibility triangle parallel to the path of traffic on the uncontrolled intersection approach.
- (4) DL and DR are the distance, in feet, along the curb line of the side of the visibility triangle parallel to the path of the driver on the controlled intersection approach.
- (5) The distances given for WL, WR, DL, and DR are applicable to 90-degree intersections only.

| SPEED LIMIT | MINIMUM SITE DISTANCE |     | 90-DEGREE INTERSECTIONS |     |    |    |
|-------------|-----------------------|-----|-------------------------|-----|----|----|
|             | SDL                   | SDR | WL                      | WR  | DL | DR |
| 20          | 180                   | 190 | 89                      | 80  | 13 | 13 |
| 25          | 245                   | 255 | 128                     | 111 | 13 | 14 |
| 30          | 315                   | 325 | 210                     | 120 | 13 | 14 |
| 35          | 390                   | 400 | 270                     | 165 | 14 | 14 |
| 40          | 480                   | 545 | 330                     | 210 | 14 | 14 |
| 45          | 580                   | 650 | 400                     | 260 | 14 | 14 |
| 50          | 585                   | 655 | 400                     | 260 | 14 | 14 |



## STREET TREES.

These standards and guidelines are designed to optimize conditions for street trees in all Place Types categories as defined in the Code.

They address these key items:

- (1) Preferred plant list for approved types of plants and trees.
- (2) Soil volumes based on Place Type, street type, and soil availability.
- (3) 1,000 cubic feet for an individual large deciduous canopy tree. Alternative soil volume standards are defined for urban Place Types where recommended soil volume is not available.
- (4) Design methods to create soil volume where soil is not available. Design methods include soil cells to achieve soil volume, open soil areas, covered soil areas, and utility integration.
- (5) Evaluate based on the Geographic Sensitive Nature of this ordinance, these items shall be reviewed:
  - (a) Height and Spread. Will the tree bump into anything such as power lines, awnings, tall trucks, etc. when mature?
  - (b) Is the tree deciduous or coniferous? Will it lose its leaves in the winter?
- (6) Form or shape. A columnar tree will grow in less space. Round and V-Shaped species provide the most shade.
- (7) Growth rate. How long will it take for your tree to reach its full height? Slow growing species typically live longer than fast growing species.
- (8) Soil, sun, and moisture requirements.
- (9) Hardiness zone indicates the temperature extremes in that a tree can grow.

### PREFERRED PLANT LIST FOR APPROVED TYPES OF PLANTS AND TREES.

| TREES & SHRUBS               |                         |                          | VINES                      |
|------------------------------|-------------------------|--------------------------|----------------------------|
| COMMON NAME                  |                         |                          | COMMON NAME                |
| American Elm                 | Fragrant Pink Mimosa    | Soapberry                | Bracted Passionflower      |
| American Smoketree           | Hawthorne               | Spanish Oak (TX Red Oak) | Carolina Snailseed         |
| Bigtooth Maple               | Kidneywood              | Spicebush                | Coral Honeysuckle          |
| Black Dalea                  | Mexican Plum            | Sycamore-leaf Snowbell   | Lindheimer's Morning Glory |
| Blanco Crabapple             | Mock Orange - Canyon    | Texas Barberry           | Texas White Honeysuckle    |
| Corolina Buckthorn           | Mock Orange - Texas     | Texas Madrone            | Trumpet Creeper            |
| Cedar Elm                    | Possumhaw               | Texas Mulberry           | Virginia Creeper           |
| Creek Plum                   | Redroot                 | Texas Redbud             |                            |
| Dwarf Palmetto/Bush Palmetto | Red Mulberry            | Witch Hazel              |                            |
| Elbowbush (Desert Olive)     | Roughleaf Dogwood       |                          |                            |
| Escarpment Black Cherry      | Rusty Blackhaw Viburnum |                          |                            |
| Eve's Necklace               | Shin Oak                |                          |                            |
| False Indigo                 | Slippery Elm            |                          |                            |



## STREET TREES - SOIL VOLUME.

- (1) A tree's ability to grow and stay healthy is largely dependent on available rooting space. Trees in highly urbanized areas, where trees exist in small planting spaces with little available soil, tend to be short-lived with stunted growth. Trees in typical urban tree boxes rarely reach their full growth potential and cannot provide the wide range of environmental services that mature, healthy trees offer.
- (2) Trees need 2 cubic feet of soil volume for every square foot of crown area spread. A tree in a typical 4-foot by 6-foot street tree space has 72 cubic feet of available soil. This is not adequate space. When the roots cannot grow out of the box, the tree is expected to grow to a canopy spread of 8 feet before declining. Larger soil volumes will yield larger trees.
- (3) These guidelines focus on increased soil volumes as one of the best ways to enable larger and healthier trees to grow in cities.
- (4) Design Methods for Achieving Soil Volume. To achieve the required soil volume in areas where native soil is available, several methods can be used.
  - (a) Continuous Trenches:
    - (i) In areas where several trees are to be planted, the area shall be treated as one continuous trench, that connects several tree pits, to provide extra soil volume for root growth by allowing trees to share soil space, unless there are site constraints, and must be approved by the City Engineer.
  - (b) Shallow Geocellular Sandwich System:
    - (i) For uses with lightweight traffic, the sandwich system creates rootable soil volume for trees, underneath the hardscapes in urban areas. This system, also known as a suspended pavement system, consists of shallow, high-strength modular cells suitable for sub-base replacement that spread weight loads over a large area, preventing compaction of soil in the tree's root zone. At the same time, the open structure of the system prevents roots from causing any damage to the pavement and serves as a distribution and delivery mechanism for air and water for the entire rootable soil volume. This system can be used underneath sidewalks, bike-lanes, light weight traffic, and parking lots without reducing the available above ground urban space.
    - (ii) Soil Cells are plastic structures designed to be filled between the voids with soil and covered with pavement. Tree roots grow in the soil between the structural supports. There are many brands on the market. Install per manufacturer's instructions.
  - (c) Root Paths
    - (i) Native soils under or at back of sidewalk may count towards soil volume if there is an opportunity provided for the tree roots to pass under the paved area where they can grow at a normal rate and connect the tree to the adjacent open soil area. Root paths can make this connection.
    - (ii) Root paths are narrow trenches, roughly 4" wide by 1' deep, installed in a compacted subgrade before the gravel base for pavement is added.
    - (iii) A commercially available aeration mat material and quality topsoil can be added to the trench to support drainage. Root paths will be installed for new plantings during construction, at the time of subgrade preparation and before the paved surface is installed.

- (iv) Root paths extend radially from the tree pit and may connect to adjacent tree pits, and/or other nearby planting areas such as native soil, lawns, or civic space on the opposite side of the sidewalk from the street.
  - (v) Root paths may be most applicable in P4 and P5 areas where tree roots need to be directed around utilities and planting space is limited
- (5) Creating Soil Volume in Place Types P5, and some designs for P4:
  - (a) For areas where little or no native soil is available, current research shows that soil cells are the best method for creating soil volume under pavement.
  - (b) An open soil area is an unpaved area of soil surrounding a tree, that contains existing, new or amended soil. An open soil area may be planted or covered with mulch.
  - (c) Open soil areas and benefit impervious surfaces and stormwater runoff.
- (6) Root Barrier:
  - (a) Root barrier must be used in areas adjacent to sidewalks and buildings. Deflector barriers are acceptable. They must be 30" deep minimum and installed per manufacturer's instructions.
- (7) Tree Well Openings:
  - (a) There must be space between the curb and the tree trunk. The opening around the base of the tree must allow a transition zone at maturity. For a 4' x 6' tree well opening at the mature trunk to flare as the tree matures. The minimum opening allowed is 4' x 6'.
  - (b) A variety of pavements, both solid and permeable, can be used to create a covered tree space. Pavers, such as granite cobbles and permeable paver blocks, placed with gaps between the stones allow water to flow to the soil below. Tree grates are not encouraged. If used, they must have removable center rings so the tree opening can expand as the tree grows. A long-term maintenance plan is required to address issues such as a trunk growing into a grate, watering, mulch and soil that needs replenishing, pavers that must be leveled, etc.

## COORDINATION OF UTILITIES WITH SOIL CELLS.

- (1) Using the Soil Cells in areas with utilities requires good coordination. The respective utility owners need to be involved in the conversation. They may have specific requirements that need to be addressed, such as vertical and/or horizontal separation, minimum depth/cover, or protective measures such as encapsulating their lines in granular bedding or insulating them to prevent freezing.
- (2) In the event that Soil Cells will be installed over utility lines, it is also important to discuss what level of loading or ground pressure the utility line can withstand.
- (3) Soil Cells must have openings on all four sides and because there is a considerable amount of void space in each frame, running utilities through the Cell frames is a simple way to integrate utilities directly in to the system. This approach can be applied to new or existing utilities.
- (4) Each frame is its own separate component and can be maneuvered to leave the utility inside of the frame.
- (5) Note: This method is not applicable to storm, sanitary sewer, or water mains.

## STREET TREE SPECIFICATIONS

These standards are for all Street Trees, in Place Types P5:

- (1) Spacing. One 4" caliper canopy tree shall be planted in the public right-of-way along the length of the lot frontage at a minimum spacing of 30 feet.
- (2) Overhead Conflict. Where there are conflicts with overhead lines, Understory trees shall be planted in the public right-of-way along the length of the lot frontage at a minimum spacing of 15 feet and a maximum spacing of 30 feet.
- (3) Tree Species:
  - (a) Shall be native and drought tolerant. Approval of alternative trees can be approved by the City Administrator
    - (i) Only use nursery-grown material that complies with all required inspection, grading, standards, and plant regulations in accordance with the latest edition of the 'American Standard for Nursery Stock'.
  - (b) Provide sound, healthy, vigorous, freshly dug, nursery-grown stock, free from plant diseases, and insect eggs. Heeled-in stock or stock from cold storage will not be accepted.
- (4) Provide plants:
  - (i) With healthy, normal root systems.
  - (ii) That have been grown for at least 2 years under climatic conditions similar to those where scheduled for planting.
  - (iii) That have been grown in properly spaced blocks.
  - (iv) That have been transplanted or root pruned at least twice, and at least once in the past three years.
  - (v) That have a habit of growth normal for the species.
  - (vi) With symmetrical growth typical for the variety and species. Match plants for symmetry of a grouping where required.

(5) Delivery, Storage, and Handling:

- (a) All plant materials shall be handled and packed in accordance with good nursery practices. Material shall be adequately protected during transit to prevent windburn, drying, or overheating. Upon delivery, plant materials will be adequately protected from the sun, freezing, and/or drying winds.
- (b) When plants cannot be planted immediately after delivery:
  - (i) Place plants on clean surface, in protected area, away from heat-gaining materials such as pavements and masonry.
  - (ii) Cover roots and root crowns with moist sod or approved mulch to protect them from sun and wind.
  - (iii) Water as necessary to keep them in good condition.
  - (iv) Where required, plant materials may be stored in a temporary shed or by heeling- in, using good nursery practice.
  - (v) Plant materials that are not adequately protected, left out of the ground un-protected overnight, left with roots exposed to the sun, improperly protected during transit, unloading, heeling-in, or during the planting operation shall be rejected and removed from the development.

(6) Protection of Plant Materials

- (a) Protect existing trees and other vegetation identified to remain in place against unnecessary cutting, breaking, and skinning of roots, skinning and bruising of bark, smothering of trees by stockpiling construction materials, or excavated materials within the drip line, excess foot or vehicular traffic, or parking of vehicles within the drip line. Provide temporary fences, barricades, or guards as required to protect trees and vegetation to be left standing.
- (b) Provide protection for roots over 1-1/2 inches in diameter that are cut during construction operations.
- (c) Temporarily cover all exposed roots with wet burlap to prevent roots from drying out. Provide earth cover as within 24 hours, making sure that burlap is kept wet until such time.
- (d) Repair or replace trees and vegetation damaged by construction. Damaged trees are to be repaired and restored to full growth status, as determined by a qualified tree expert or arborists.
- (e) No equipment, materials, trash, or other debris will be stored under trees to remain.

(7) Tree Pits:

- (a) Pits shall be circular in outline. Pit depths shall be measured in relation to finished grade.
- (b) Planter boxes and container grown plants:
  - (i) Diameter: 2 times wider than rootball.
  - (ii) Depth: as deep as rootball.
  - (iii) Where pit depth is over-excavated, backfill with prepared topsoil to fill depth so that balls will be at correct height.

(8) Planting Trees:

- (a) In individual pits, set plants so that after settlement they will be one quarter above finished grade.
- (b) Center plants in pits and place them upright.
- (c) Face each plant to give best appearance to closest observation point.
- (d) Cut off broken, frayed, and dead roots.
- (e) Handle plants to prevent damage.
- (f) Set tree in pit. Thoroughly wet burlap. Loosen tie material and carefully roll back burlap so that ball is not broken. Cut the loose burlap and tie material. Pull back one-third of burlap. Do not pull tie material or burlap out from under balls.
- (g) Before planting container grown plants, carefully remove from container and unwind any circulating roots; if bent cut back just behind the bend; or cut the roots back 1 inch on all sides and the bottom.

(9) Backfilling Tree Pits:

- (a) Place prepared soil mixture medium until pit is approximately 3/4 full.
- (b) Compact and settle soil by watering thoroughly. After water has soaked in, complete backfilling to finished grade and again compact and settle soil by thoroughly soaking.
- (c) If further settling occurs, add additional soil so that finished backfilling is even with finished grade. Do not fill above root flare.
- (d) Form ridge of soil around individual trees to form ring to hold water.
- (e) Reinspect trees to ensure they take root over the next 3 weeks.