

# CITY POINT PLANNED DEVELOPMENT DISTRICT

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## CITY OF NORTH RICHLAND HILLS, TX

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# CITY POINT Planned Development District

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## I. Components of CITY POINT

### A. Introduction

CITY POINT is a mixed-use community encompassing approximately 52.85 acres (see APPENDIX A – LEGAL DESCRIPTION EXHIBIT) adjacent to Boulevard 26, immediately south of Northeast Loop 820, and steps away from North Richland Hills City Hall. CITY POINT offers a mix of COMMERCIAL and RESIDENTIAL opportunities complemented by public gathering areas for outdoor entertainment and connections to an urban trail system. The standards set forth in the CITY POINT Planned Development District (“CITY POINT”) provide for and encourage development that contains a compatible mix of COMMERCIAL and RESIDENTIAL USES.

These regulations are further intended to create a mix of land uses, siting and character of improvements and structures that support increased interaction within the community. CITY POINT fosters economic vitality within an urban neighborhood having DETACHED and ATTACHED SINGLE-FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL and vibrant COMMERCIAL activities all in proximity to a CITY CENTER and the North Richland Hills City Hall.

Note: Words as phrase shown in all CAPITAL LETTERS are defined in Section VIII – Definitions.

### B. Development Objectives

CITY POINT addresses the physical relationship within the development, public streets, and neighborhoods through the following set of development objectives:

- Providing a mix of COMMERCIAL and RESIDENTIAL USES serving CITY POINT residents, CITY HALL employees and the general public within the metro area;
- Siting land uses, streets, and pedestrian circulation in a cohesive and complementary layout supportive of the mix of uses and oriented towards the pedestrian realm to enhance and activate streetscapes;
- Offering a variety of housing types responsive to current and future residents’ desire for a mix of product types;
- Establishing high quality architectural FAÇADE elements and finishes for COMMERCIAL and RESIDENTIAL USES; and,
- Ensuring creation of high quality street and sidewalk environments that are supportive of pedestrian mobility and appropriate roadway context.

### C. Key Elements

The following is a review of the key elements of the CITY POINT PD ORDINANCE, including DEVELOPMENT DISTRICTS and CONCEPTUAL LAND USE PLAN EXHIBITS (see APPENDIX B – DEVELOPMENT DISTRICTS EXHIBIT and APPENDIX C – CONCEPTUAL LAND USE PLAN EXHIBIT), and regulation of building envelopes, architecture, streetscape, lighting, parking, landscape, and definitions of words and phrases used within the ORDINANCE.

#### 1. Development Districts and Conceptual Land Use Plan Exhibits

CITY POINT includes two overall exhibits – the DEVELOPMENT DISTRICTS EXHIBIT and the CONCEPTUAL LAND USE PLAN EXHIBIT which are discussed below.

- a. The DEVELOPMENT DISTRICTS EXHIBIT divides CITY POINT into six geographical areas: CITY CENTER – COMMERCIAL; CITY EAST – COMMERCIAL; CITY WEST – COMMERCIAL; CITY EAST – RESIDENTIAL; CITY WEST – RESIDENTIAL; AND CITY SOUTH – RESIDENTIAL.
- b. The CONCEPTUAL LAND USE PLAN EXHIBIT is a depiction of the planned land uses and proposed circulation network within CITY POINT.

The following table summarizes acreages within the respective DEVELOPMENT DISTRICTS and the breakdown of proposed land use acreages and residential units on the CONCEPTUAL LAND USE PLAN:

**Acreages, Land Uses, and Residential Units  
DEVELOPMENT DISTRICTS and CONCEPTUAL LAND USE PLAN**

	Acres	%	Notes/Conditions
<b>DEVELOPMENT DISTRICTS</b>			
<b>Commercial Districts</b>			Min. 60,000 s.f. commercial floor area
City Center A & B)	4.5	8.5%	
City East	3.3	6.2%	
City West	0.6	1.1%	
<b>Subtotal</b>	<b>8.4</b>	<b>15.8%</b>	
<b>Residential Districts</b>			Max. 600 multifamily units; Max. 250 townhomes
City East	17.6	33.3%	
City West	20.1	38.0%	
City South + Open Space	6.8	12.9%	
<b>Subtotal</b>	<b>44.5</b>	<b>84.2%</b>	
<b>Total Acres</b>	<b>52.9</b>	<b>100.0%</b>	
<b>CONCEPTUAL LAND USE PLAN</b>			
Commercial (Retail, Dining, Office, Hotel)	8.4	15.9%	
Multi-Family Residential	6.8	12.9%	
Optional (MF/SF)	1.2	2.3%	N/A
Single-Family Residential	23.5	44.4%	
Detached (Bungalows, Urban Homes)			
Attached (Townhomes)			
HOA Open Space	3.4	6.4%	Min. 5% Open space required per macro-district (see open space appendix)
Rights-Of-Way (Not Including ROW in SF Area)	9.6	18.1%	
<b>Total Acres</b>	<b>52.9</b>	<b>100.0%</b>	
NOTE: The above allocation of acres are estimates and may change based on finalized SITE PLAN approval;			

## 2. Summary of Content

Summarized below are CITY POINT'S key components:

### II. General Development Standards

The GENERAL DEVELOPMENT STANDARDS section addresses standards that apply across DEVELOPMENT

DISTRICTS related to buildings, building setbacks, and permitted setback encroachments, utilities and energy conservation.

### **III. Use and Building Envelope Standards**

The USE and BUILDING ENVELOPE STANDARDS sections establish basic parameters for permitted and prohibited uses, and dimensional standards for lot widths, depths, setbacks, heights, GROUND STORY heights, and lot coverages. These are illustrated in APPENDIX D – TYPICAL SINGLE-FAMILY BUILDING LOT SETBACKS EXHIBIT.

### **IV. Architectural Standards**

The architectural standards section governs architectural elements and appurtenances of COMMERCIAL and RESIDENTIAL USES related to the FAÇADE materials, FENESTRATION, windows, ENTRANCES, roofing, solar, service areas and related standards. Illustrations of respective COMMERCIAL and RESIDENTIAL USES are shown in APPENDIX E – ARCHITECTURAL ILLUSTRATIONS EXHIBIT.

### **V. Streets, Parking, Lighting and Signage Standards**

The STREET, PARKING, LIGHTING and SIGNAGE STANDARDS section establishes STREET standards and provision of adequate parking (APPENDIX F – STREET CLASSIFICATIONS EXHIBIT, APPENDIX G – STREET CROSS-SECTIONS EXHIBIT, and APPENDIX H – ON-STREET PARKING EXHIBIT), treatment of lighting and signage.

### **VI. Landscape and Open Space Standards**

The LANDSCAPE and OPEN SPACE STANDARDS section establishes the standards for public/private space treatment of landscaping and OPEN SPACE within CITY POINT. These are illustrated in Appendix I – OPEN SPACE/TRAILS EXHIBIT AND APPENDIX J – LANDSCAPE DESIGN EXHIBITS.

### **VII. Administration**

The ADMINISTRATION section addresses processes for boundary adjustments, land use modifications and changes to specifications as well as matters related to the PROPERTY OWNERS / HOMEOWNERS ASSOCIATION.

### **VIII. Definitions**

The DEFINITIONS section sets out how words used in CITY POINT are defined. Words not defined within this section are defined in the CITY'S ZONING ORDINANCE, but if not defined within either source words shall have the same meaning as defined within Merriam-Webster Dictionary.

### **IX. Appendices**

The APPENDICES contain CITY POINT referenced exhibits.

## II. General Development Standards

### A. General Development Standards

#### 1. Buildings

- a. All lots must front on a public right-of-way, OPEN SPACE or LANDSCAPED MEWS.
- b. A building must not encroach upon sight visibility triangles of 5' x 5'.
- c. BUILDING HEIGHT is measured vertically in feet from the ground level to the highest point of the roof surface.

#### 2. Building Setbacks

- a. Buildings must not occupy any portion of a required setback area or easement except as permitted herein.
- b. Corner lots must have the same required front building setback on both STREET FRONTAGES.
- c. Buildings abutting an ALLEY must have a minimum side setback from the ALLEY of five feet (5').
- d. A side yard setback is not required when building walls share a common side (abut one another).

#### 3. Setback Encroachments/Building Projections

- a. Where RESIDENTIAL lots are developed as zero lot lines, a maintenance easement must be provided on the non-zero side of the lot for the benefit of the adjoining lot owner to conduct general maintenance and repairs.
- b. Ordinary building projections and building appurtenance, including, but not limited to sills, belt courses, EAVES, gutters, pilasters, and cornices must not project more than twelve inches (12") into any setback area, except as provided below:
  - (1) Front building EAVES on COMMERCIAL USES and MULTI-FAMILY USES may project into the front yard setback not more than five feet (5') if a vertical clear height of at least fifteen feet (15') is maintained.
  - (2) AWNINGS for COMMERCIAL and MULTI-FAMILY USES may project fully into the front yard setback area if a vertical clear height of at least ten feet (10') is maintained.
  - (3) BALCONIES on COMMERCIAL and MULTI-FAMILY USES may project into the front yard setback not more than four feet (4') if a vertical clear height of at least twelve feet (12') is maintained.
  - (4) A sign for a COMMERCIAL USE may project into the front yard setback not more than three feet (3') beyond the FAÇADE of a building if a vertical clear height of at least ten feet (10') is maintained.
  - (5) Stairs and STOOPS may encroach fully into the front yard setback of all uses but must not impede any area within a PEDESTRIAN PATHWAY.
- c. Covered Sidewalks or COLONNADES
  - (1) Covered sidewalks or COLONNADES must have a minimum interior clear height of fifteen feet (15'). Signs, lighting and similar appurtenances must maintain a clear height of at least ten feet (10').
  - (2) Covered sidewalks or COLONNADES must have a minimum ten feet (10') clear width between the FACADE and the outside support columns. Columns must be spaced at least twelve feet (12') on center.
  - (3) Covered sidewalks or COLONNADES must provide a continuous unobstructed PEDESTRIAN PATHWAY at least four feet (4') in width running adjacent and parallel to the outside supporting columns.

### B. Utilities and Energy Efficiency

**1. Underground Utilities**

All utilities constructed or installed within CITY POINT must be located underground.

**2. Energy Efficiency**

It is the intent of CITY POINT to encourage all COMMERCIAL and RESIDENTIAL BUILDINGS to utilize energy efficiency at the standards that are commonly used by the building industry. These standards may include the Home Energy Rating System (HERS) Index, the International Energy Conservation Code (IECC) and International Code Council's (ICC's) International Green Construction Code (IGCC).



## III. Use and Building Envelope Standards

### A. Purpose and Intent

The purpose of this Section is to prescribe use and dimensional standards within CITY POINT'S COMMERCIAL and RESIDENTIAL DEVELOPMENT DISTRICTS. This is in keeping with the overall intent of these DISTRICTS which is:

- Land designated as CITY CENTER - COMMERCIAL is planned for a mix of COMMERCIAL USES such as small RETAIL SHOPS, RETAIL SERVICES, RESTAURANTS, and INDOOR AMUSEMENT to serve CITY POINT residents and visitors;
- Land designated as CITY EAST- COMMERCIAL is planned as a future site for a LIMITED SERVICE HOTEL USE that complements the mix of other COMMERCIAL USES provided within CITY POINT; and,
- Land designated as CITY RESIDENTIAL is planned for a mix of DETACHED and ATTACHED SINGLE-FAMILY RESIDENTIAL, and MULTI-FAMILY RESIDENTIAL.

### B. COMMERCIAL DISTRICTS

#### 1. Permitted Uses - COMMERCIAL

- a. Uses in the City Point planned development district are limited to those permitted in the C-1 Commercial zoning district, as amended, or those uses specifically listed below.

UTILITY, ACCESSORY & INCIDENTAL USES	
Accessory building, temporary (1)	
Swimming Pool, Tennis Court, and other Outdoor Recreation without Elevated Lights	
TV Satellite Dish Receiver (2)	
RECREATIONAL & ENTERTAINMENT USES	
Amusement Arcade (indoor) (3)	
Swim or Tennis Club	
RETAIL & SERVICE USES	
Brewpub, Tap Room, Wine Bar	
Cart based retail (outdoor)	
Dry cleaners (4)	
Bowling Lanes	
COMMERCIAL USES	
Hotel, full service (5)	
Hotel, limited service (5)	

- b. Any land use prohibited in the C-1 Commercial district, as amended, or specifically listed below, is also prohibited.

EDUCATIONAL & INSTITUTIONAL USES	
Family counseling clinic	Social services administrative office
AUTOMOBILE & TRANSPORTATION USES	
Auto parts and accessory sales	
OFFICE USES	

Contractor's office (without shop and garage)	
<b>RETAIL &amp; SERVICE USES</b>	
Carpet and tile sales store	Sports card shop
Hardware store	Tanning salon
Key shop / locksmith	Telephone business / sales office
Mortuary / funeral parlor	Television sales and service store
Office supplies and equipment store	Shoe repair shop
Pet day care	Wedding chapel

- c. For land uses with a number reference in the tables above, the following standards apply.
- (1) Accessory building. See Zoning Ord., Sec. 118-718 (b) for standards regarding accessory buildings and structures.
  - (2) TV satellite dish receivers. See Zoning Ord., Sec. 118-775 a. for standards regarding TV satellite dish receivers. Satellite receiver dishes larger than one meter in diameter are prohibited. Satellites must be affixed to the roof of a building and not visible from the street.
  - (3) Amusement arcade (indoor). The building must be designed so that noise generated by the enterprise is not perceptible at the property boundary.
  - (4) Dry cleaners. The maximum floor area is 2,000 square feet.
  - (5) The hotel must provide a minimum 625 square feet of meeting room space. All room must be accessed from interior corridors.

## 2. Dimensional Standards - COMMERCIAL

### a. Dimensional Table

	Min. Lot Width (ft)	Min. Lot Depth (ft)	MFront Yard Build-To Line Setback (ft) <sup>1</sup>	Maximum Rear Yard Setback (ft)	Maximum Side Yard Setback (ft)	Max. Height (ft)	Min. Ground Story Ht. / Other Stories (ft)	Max. Lot Coverage (%)
<b>COMMERCIAL</b>	0	0	5'	0	0	45'	14'/10'	100 %

<sup>1</sup> The Front Yard Build-To Line requires that seventy-five percent (75%) of the BUILDING FRONT must be within five feet (5') of the property line fronting on the street. If the BUILDING FRONT is oriented toward an OPEN SPACE or PLAZA the BUILD-TO line shall be determined at SITE PLAN review

### b. Additional Dimensional Standards

- (1) Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings may exceed the height limits by up to twenty feet (20'). These features include spires, belfries, towers, cupolas, domes, and similar embellishments.
- (2) Mechanical equipment, including mechanical/elevator equipment penthouse enclosures, ventilation equipment, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twelve feet (12') above the actual building height, provided that:

- (a) The equipment is set back from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height; or
- (b) Such equipment is constructed as architecturally integral parts of the building façade(s).

## C. RESIDENTIAL DISTRICTS

### 1. Permitted Uses – RESIDENTIAL

- a. The following table lists uses permitted by right (P), uses permitted by special use permit (S), ancillary uses (A), and uses not permitted (NP). Additional land use regulations are indicated by a “(#)” and are discussed at the end of the table.

<b>Table of Permitted Uses for Single-Family and Multi-Family Residential</b>	<b>Single-Family</b>	<b>Multi-Family</b>
<b>RESIDENTIAL USES</b>		
Single Family Detached Dwelling Unit (includes Bungalows, Urban Homes)	P	NP
Zero Lot Line Single Family Detached Dwelling Unit (includes Bungalows, Urban Homes)	P	NP
Duplex Dwelling Unit (Attached Dwelling)	P	NP
Triplex or Fourplex Dwelling Unit (Attached Dwelling)	P	P
Townhome (Attached Dwelling)	P	P
Multi-Family Dwelling Unit	NP	P
<b>UTILITY, ACCESSORY &amp; INCIDENTAL USES</b>		
Accessory Building (1) Maximum 200 sq. ft.	P	P
Public and Private Utility Use (Not Office)	P	P
Swimming Pool and other Outdoor Recreation Areas without Elevated Lights	P	P
TV Satellite Disc Receiver (2)	P	S
<b>EDUCATIONAL AND INSTITUTIONAL</b>		
Day Care Center/Kindergarten	NP	P
Solar Panel Systems (3)	P	P
<b>RECREATIONAL &amp; ENTERTAINMENT USES</b>		
Carnival, Circus or Special Fund Raising Event (Temporary) (7)	NP	P
Park or Playground (Public/Private)	P	P
<b>MANUFACTURING AND INDUSTRIAL USES</b>		
Asphalt or Concrete Batching Plant—Temporary (4)	P	P
<b>ANCILLARY USES</b>		
Office, Administrative, Business or Professional	A	A
Home Occupation (1)	P	P
Music Instruction	A	A
Private Tutoring	A	A

- b. For land uses with a number reference in the tables above, the following standards apply.

- (1) Home occupation. See Zoning Ord., Sec. [118-727](#) for Customary Home Occupation.
- (2) TV satellite dish receivers. See Zoning Ord., Sec. [118-775](#) a. for standards regarding TV satellite dish receivers. Satellite receiver dishes larger than one meter in diameter are prohibited.
- (3) Solar panel systems. See Zoning Ord., Subsection [118-718](#)(f) for solar panel system standards.
- (4) Asphalt or concrete batch plant—Temporary. See Zoning Ord., Sec. 118-633 (25).

## 2. Dimensional Standards - RESIDENTIAL

### a. Dimensional Table

Lots	Building Type	Min. Lot Width (ft)	Min. Lot Depth (ft) <sup>1</sup>	Minimum Building Setbacks (ft)				Max. Stories	Max. Height (ft)	Max. Lot Coverage
				Front Yard	Rear Yard	Side Yard Abutting Street	Side Yard Zero Lot Line			
Bungalows	SFD	40	75	5 <sup>2</sup>	10	5	1 / 4	3	45	75%
Urban Homes	SFD	26	55	3	4	5	1 / 3	3	45	80%
Townhomes	SFA	22	55	3	4	5	NA	3	45	90%
Multi-Family (Surface Pkg.)	MF	N/A	N/A	5 <sup>3</sup>	5 <sup>3</sup>	5 <sup>3</sup>	NA	4	60	80%
Multi-Family (Structured Pkg.)	MF	N/A	N/A	5 <sup>3</sup>	5 <sup>3</sup>	5 <sup>3</sup>	NA	6	80	95%

SFD = Single-Family Detached; SFA – Single-Family Attached; MF = Multi-Family; NA = Not Applicable

<sup>1</sup> Minimum lot depth for lots abutting a street corner or an alley corner is measured from the center point of the lot to calculate required lot depth.

<sup>2</sup> The garage face (door) must be set back 20 feet from the front property line of Bungalow Lots.

<sup>3</sup> ON-SITE surface parking must not be located forward of the MULTI-FAMILY RESIDENTIAL STREET FRONTAGE FAÇADE.

### b. Additional Dimensional Standards

- (1) Zero lot line development must provide a four (4) foot maintenance easement within the abutting lot that joins the “zero” lot line side for needed maintenance.
- (2) SINGLE-FAMILY ATTACHED RESIDENTIAL are limited to building groupings that do not exceed two hundred feet (200') in length. Each building grouping must provide ten feet (10') of separation between buildings in the form of a side yard of five feet (5').
- (3) When SINGLE-FAMILY RESIDENTIAL abuts a LANDSCAPED MEWS, the Front Yard Setback is measured from the portion of the lot abutting the LANDSCAPED MEWS, and the Rear Yard Setbacks is measured from the portion of the lot abutting the alley.
- (4) RESIDENTIAL dwellings must meet the following minimum square footage requirements:
  - (a) Bungalows – one story: 1250 square feet; two story: 1600 square feet
  - (b) Urban Homes: 1500 square feet
  - (c) Townhomes: 1500 square feet
  - (d) Multi-Family: 650 square feet per unit

### c. Illustrations

Building setbacks are illustrated in APPENDIX D – TYPICAL SINGLE-FAMILY BUILDING LOT SETBACKS EXHIBIT.

## IV. Architectural Standards

### A. Purpose and Intent

The purpose of this Section is to set forth the ARCHITECTURAL STANDARDS that establish a coherent character and encourage a high caliber, lasting quality development. The intent of these standards is to:

- Establish standards that have an enduring ability to be long lasting in condition and design;
- Create interesting architectural features that create diversity in building FAÇADES;
- Provide standards that define the pedestrian environment and the architectural significance of a building; and,
- Ensure that supporting features effectively serve and complement the primary uses within CITY POINT.
- Compatibility is not meant to be achieved through uniformity, but through the use of variations in building elements to achieve individual building identity.
- Building facades must include appropriate architectural details and ornament to create variety and interest.
- Open space(s) shall be incorporated to provide usable public areas integral to the downtown environment.

### B. Architectural Standards – COMMERCIAL and MULTI-FAMILY USES

#### 1. Building FAÇADES – COMMERCIAL AND MULTI-FAMILY

- a. FAÇADE treatments are all portions of a building's FAÇADE extending from the ground to the roof that consists of a single layer or architectural expression.
- b. The following FAÇADE treatments are required:
  - (1) All building sides must be architecturally finished on all sides with articulation, detailing, features and specified building FAÇADE materials, unless exceptions are authorized by the DIRECTOR as part of the SITE PLAN approval.
  - (2) Side façades and rear façades shall be of finished quality and of the same color and materials that blend with the front of the building. Rear façades shall not be designed as blank walls and while they may not have the same level of detailing as the other façades, they shall be designed to incorporate vertical and horizontal changes in color, materials, and articulation that are in keeping with the other street facing façades.
  - (3) Proportions of walls and windows must be predominately vertical. Areas that are predominately horizontal must be subdivided by pilasters, mullions, columns, trim work, or other architectural elements to achieve a balanced or vertical appearance.
  - (4) The horizontal dimension of a wall opening must not exceed the vertical dimension.;
  - (5) Pilasters should be placed no farther apart than they are tall and should extend to the EAVE or the height of the PARAPET.
  - (6) A COMMERCIAL building FAÇADE must not be longer than one hundred feet (100') without a horizontal and vertical break in the FAÇADE that has a minimum depth of three feet (3') for a minimum length of twenty feet (20').
  - (7) MULTI-FAMILY BUILDINGS must be designed and constructed in tri-partite architecture so the buildings have a distinct base, middle, and top.
  - (8) Architectural design that does not conform with the specific requirements of this Section, but which has merit by making a positive contribution to the visual environment, may be authorized by the DIRECTOR as part of the SITE PLAN approval.

## 2. Building FAÇADE Materials – COMMERCIAL AND MULTI-FAMILY

- a. All COMMERCIAL and MULTI-FAMILY BUILDING FAÇADES must meet the required PRIMARY, SECONDARY and ACCENT BUILDING MATERIALS standards set forth below.
- b. Building FAÇADE means each elevation of the building.
- c. COMMERCIAL and MULTI-FAMILY BUILDING FAÇADES must use the following PRIMARY BUILDING MATERIALS on no less than seventy percent (70%) of the BUILDING FAÇADE:
  - (1) MASONRY/STONE
  - (2) STUCCO/PLASTER
  - (3) Other PRIMARY BUILDING MATERIALS may be approved as a part of SITE PLAN approval.
- d. COMMERCIAL and MULTI-FAMILY BUILDING FAÇADES may use the following SECONDARY BUILDING MATERIAL on no more than thirty percent (30%) of the BUILDING FAÇADE:
  - (1) Hardie-Plank™ equivalent or better siding
  - (2) Architectural metal
- e. COMMERCIAL and MULTI-FAMILY BUILDING FAÇADES may use the following ACCENT BUILDING MATERIALS on no more than five percent (5%) of the BUILDING FAÇADE:
  - (1) Pre-cast masonry (for trim and cornice elements only)
  - (2) Gypsum reinforced fiber concrete (for trim elements only)
  - (3) Metal (for beams, lintels, trim elements and ornamentation only)
  - (4) Split-faced CMU block (only for piers, foundation walls and chimneys)
  - (5) EIFS (for trim and cornice elements only); must be applied using 2 layers of metal mesh
- f. The calculation of the percentage of permitted BUILDING FAÇADE materials does not include the area of the FAÇADE containing doors (including garage doors) and window or exterior wall areas built on top of a roof (DORMERS).
- g. Building Configurations and techniques
  - (1) MASONRY/STONE must be detailed and placed in an appropriate load-bearing configuration.
  - (2) STUCCO/PLASTER must be smooth or sand only,
  - (3) Wood simulation materials (such as Hardie-Plank™) must be configured as horizontal lap siding or vertical board and baton, except where used for trim, soffits, fascia, or similar architectural elements.

## 3. Building ENTRANCES – COMMERCIAL AND MULTI-FAMILY

- a. ENTRANCES to buildings and exterior lease space must be clearly identifiable to pedestrians and motorists as primary points of access to buildings.
- b. ENTRANCES to buildings must be accentuated by AWNINGS or architectural building features such as lintels, pediments, columns, porticos, overhangs, railings, balustrades, and other similar features compatible with the building's architectural style, materials, colors, and details.
- c. ENTRANCES into COMMERCIAL USES must front the STREET or OPEN SPACE; COMMERCIAL USES shall have at least one pedestrian entry into the building for each seventy-five feet (75') of BUILDING FRONT.
- d. PRIMARY ENTRANCE doors must be a minimum of thirty percent (30%) glass.
- e. Trim, panning, or a section of wall is required between the door jamb and the adjacent jamb of the

display window.

- f. Transom or transom-type panel is recommended above entry doors.

#### **4. Building FENESTRATION – COMMERCIAL AND MULTI-FAMILY**

- a. FENESTRATION standards in this Subsection are applicable only on BUILDING FAÇADE where the PRIMARY ENTRANCE is located.
- b. COMMERCIAL USES must provide FENESTRATION comprising a minimum of sixty percent (60%) but not more than eighty-five percent (85%); however, this limitation does not apply when the COMMERCIAL use employs rollup doors as a feature for outdoor use.
- c. MULTI-FAMILY RESIDENTIAL must provide FENESTRATION comprising a minimum of forty percent (40%) but not more than eighty-five percent (85%) of the GROUND FLOOR BUILDING FAÇADE. All upper stories must provide FENESTRATION comprising a minimum of thirty percent (30%) of the BUILDING FAÇADE as measured between STORIES but not more than ninety percent (90%) of the BUILDING FAÇADE.

#### **5. Building Windows – COMMERCIAL AND MULTI-FAMILY**

Placement, type, and size of windows and doors help establish the scale and vitality of the PUBLIC SPACE and for RETAIL SHOPS, SERVICES and RESTAURANTS, and allow interaction between the building's interiors and the PUBLIC SPACE. Windows must be installed and designed in accordance with the following:

- a. Window Materials
  - (1) Window glass must be clear, with light transmission at the GROUND STORY of not less than eighty percent (80%) and upper STORIES of not less than seventy percent (70%).
  - (2) Specialty windows such as stained, opalescent, or glass block may be permitted provided the total area does not exceed fifteen percent (15%) of the total window area of the FAÇADE.
  - (3) WINDOW SCREENING of any type must be black or gray.
  - (4) Exterior solar screens are permitted only on FAÇADES that do not face PUBLIC SPACE.
- b. Window Configurations
  - (1) The horizontal dimension of the window opening must not exceed the vertical dimension, except as noted in (2), below.
  - (2) A maximum of five (5) windows may be mulled horizontally together to form a compound window. The compound window may be wider than it is tall if each grouping is separated by a mullion, column, pier or wall section that is at least seven inches (7") wide.
  - (3) Window sills must be sloped to drain over the window pediment.
  - (4) The minimum return from the primary wall surface to the window jamb must be three inches (3"), with a trim or panning recommended.
- c. Windows Specific to BUILDING FRONTS on GROUND STORY COMMERCIAL USES
  - (1) The structural panel below the display windows on storefronts (i.e. bulkhead) must be a minimum height of twelve inches (12") and a maximum height of thirty-six inches (36").
  - (2) Use of transom windows are encouraged with visible masonry lintel above the glass. Stucco-style walls do not require a visible masonry lintel.

#### **6. Building AWNINGS and CANOPIES – COMMERCIAL AND MULTI-FAMILY**

- a. AWNINGS and CANOPIES may be installed and located subject to Section II. General Development Standards, A.3. Setback Encroachments/Building Projections.
- b. Structural AWNINGS may be used at GROUND STORY level to enhance articulation of building volumes.



c. Materials, Illumination and Location

- (1) AWNINGS and CANOPIES must be architectural and constructed with fully opaque materials that complement the building to which they are attached by avoiding use of primary colors.
- (2) AWNINGS and CANOPIES must not obstruct the PEDESTRIAN PATHWAY or interfere with STREET TREES or STREET lighting.
- (3) AWNINGS and CANOPIES must not be internally illuminated in a manner that illuminates the AWNINGS or CANOPY material. However, downward lighting that illuminates the building FAÇADE, sidewalk areas, and seating areas, is permitted beneath AWNINGS and CANOPIES.
- (4) AWNINGS or CANOPIES located on front building FAÇADES must not exceed forty feet (40') in length.
- (5) An AWNING or CANOPY must be separated at least five feet (5') from the end of another AWNING or CANOPY.
- (6) Structural columns and support systems supporting CANOPIES must be MASONRY, steel, or other materials authorized by the CITY'S construction codes, provided the appearance of such support systems are architecturally compatible with the building FAÇADE.

## 7. Balconies – COMMERCIAL AND MULTI-FAMILY

- a. In MASONRY construction, a visible MASONRY header is required. Stucco does not require a masonry header.
- b. Balcony floors must be a solid, concrete surface. Metal grates are prohibited.
- c. Balcony railings must be ornamental metal railings, masonry or structural glass consistent with the architectural character of the building FAÇADE.

## 8. Building Roofs and Parapets – COMMERCIAL AND MULTI-FAMILY

Regulations for roofs and PARAPETS set forth in this Subsection are designed to encourage developers and builders to demonstrate common sense recognition of the CITY'S climate by utilizing appropriate pitch, drainage, and materials in the design of buildings within CITY POINT in order to provide visual coherence.

a. Permitted Roof Materials

(1) Authorized Materials

- (a) High definition architectural asphalt shingles (4 tab)
- (b) Tile, clay or concrete (faux clay)
- (c) Slate (equivalent synthetic or better)
- (d) Metal (standing seam, equivalent or better)
- (e) Roofing material for flat roofs must be monolithic Thermoplastic Polydefin (TPO) membrane or equivalent determined by the BUILDING OFFICIAL
- (f) Cornices and soffits may be a combination of wood, vinyl, and/or metal

(2) Roofing materials must have a minimum 30-year rated warranty.

(3) Any roofing material not authorized by this Subsection is prohibited.

b. Authorized Roof Configurations

(1) Pitched Roofs

- (a) Hip and gable roofs must be symmetrically pitched at a minimum of 6:12.
- (b) EAVES

- (i) For buildings which are three (3) STORIES or less in height, EAVES must overhang at least six inches (6") beyond the vertical face of the wall over which the EAVES are constructed on the primary structure.
- (ii) For buildings which are greater than three (3) STORIES in height, EAVES must overhang beyond the vertical face of the wall over which the EAVES are constructed on the primary structure at least (i) six inches (6") plus (ii) six inches (6") times the number of building STORIES constructed above the third STORY. However, the EAVES must not project greater than five feet (5') from the wall over which the EAVES extend.
- (iii) EAVES on ACCESSORY BUILDINGS AND STRUCTURES must overhang the wall over which they are constructed at least six inches (6").

(2) Flat Roofs

Roof material interior to the PARAPET must not be visible from any adjacent ground-level areas.

(3) Mansard roofs are prohibited

c. Roofs, Dormers and Chimneys

- (1) DORMERS and chimney chases above the roof structure must be finished with a permitted PRIMARY BUILDING MATERIAL .
- (2) Fireplace flues must be enclosed and finished to be complementary of the building's exterior. Finished construction of exposed pre-fabricated metal flue piping is prohibited.

d. Architectural metal downspouts are required. Open scuppers are prohibited.

## 9. Skylights, Solar Panels, Roof Vents and Wind Driven Devices – COMMERCIAL AND MULTI-FAMILY

- a. Skylights, solar panels and roof vents are permitted only on the roof plane opposite the STREET FRONTAGE and must not be visible from a STREET.
- b. Wind driven devices, such as windmills generating electricity or pumping water, are prohibited, except where otherwise pre-empted by state or federal law.

## 10. Mechanical, Disposal and Loading Facilities and Equipment – COMMERCIAL AND MULTI-FAMILY

a. Mechanical Equipment

- (1) Ground-mounted equipment such as transformers, HVAC equipment, lift stations, utility meters, and other machinery must be located at the rear of the building. If such locational standard cannot be met, alternative locational standards may be approved at SITE PLAN review. Ground-mounted equipment must be screened from view of PUBLIC SPACES.
- (2) Roof mounted equipment must be screened from view from the PUBLIC SPACE.

b. Solid Waste Collection and Disposal

- (1) Trash compaction and solid waste collection and disposal must be incorporated into the overall design of the building and located to the rear of the building, unless an alternate location is approved as part of a SITE PLAN.
- (2) Solid waste facilities including trash compactors must be screened by a MASONRY wall of a height that is at least one (1) foot above the height of the solid waste facility or trash compactor. The screening wall must be consistent in material and color with the exterior finish of the main building.
- (3) Access to solid waste facilities must be equipped with opaque metal gates or doors equal in height of the wall. Gate and door must remain closed at all times unless being accessed for disposal or collection of solid waste from the facility.
- (4) Garbage bins (not including public sidewalk waste bins) must be stored in a location that is not visible

- from the PUBLIC SPACE.
- c. Service and Loading Areas
    - (1) Loading docks for the general delivery of goods and services, truck parking, and other service functions must be incorporated into the overall design of the building and located to the rear of the building unless an alternate location is approved as part of a SITE PLAN.
    - (2) Service equipment and areas must be screened so the visual impacts of these functions are fully contained and not visible from the PUBLIC SPACE.

## C. Architectural Standards – SINGLE-FAMILY RESIDENTIAL USES

All SINGLE FAMILY RESIDENTIAL USES constructed with CITY POINT must conform to the following building design and construction standards where applicable.

An architectural design that does not conform with the specific requirements of this Subsection, but which has merit by making a positive contribution to the visual environment, may be approved as part of a SITE PLAN.

### 1. Architectural Diversity – SINGLE-FAMILY DETACHED RESIDENTIAL

- a. The combination of the same PRIMARY BUILDING MATERIAL color must not be repeated for SINGLE-FAMILY DETACHED RESIDENTIAL buildings located on adjacent lots.
- b. The combination of the same floor plan or same BUILDING FRONT FAÇADE elevation must not be repeated for SINGLE-FAMILY DETACHED RESIDENTIAL buildings unless separated from one another by at least three (3) lots.
- c. The following list of architectural elements must be incorporated into FRONT BUILDING FAÇADES or roofs of SINGLE-FAMILY DETACHED RESIDENTIAL buildings with a choice of at least three (3) different elements:
  - (1) Front Porch of a depth of 4 feet or more (may occur more often than every 3rd lot)
  - (2) Covered entry (may occur more often than every 3rd lot)
  - (3) Double entry doors
  - (4) Patio COURTYARD
  - (5) MASONRY, stone, or cast stone accents
  - (6) BALCONY
  - (7) Masonry chimney
  - (8) DORMERS or attic windows
  - (9) Cedar or painted window shutters
  - (10) Stained cedar or painted columns
  - (11) Parapet roof
  - (12) Gables with architecture feature
  - (13) Arch or circle top windows
  - (14) Decorative window molding or lintels
  - (15) Ornamental roof top feature

### 2. Building FAÇADES – SINGLE-FAMILY RESIDENTIAL

FAÇADE treatments are those portions of a building's FAÇADE elevation extending from the ground to the roof that consists of a single layer or architectural expression.

- a. RESIDENTIAL BUILDING FRONTS shall have a finished floor elevation of not less than 12 inches above the front sidewalk elevation.
- b. Side yard FAÇADES with STREET FRONTAGE must have seventy percent (70%) of the FAÇADE constructed of MASONRY/STONE or STUCCO/PLASTER.

### **3. Building FAÇADE Materials – SINGLE-FAMILY RESIDENTIAL**

- a. All SINGLE-FAMILY RESIDENTIAL BUILDING FAÇADES must comply with the PRIMARY and ACCENT BUILDING MATERIALS standards on each FAÇADE as set forth below.
- b. Building FAÇADE means each elevation of the building.
- c. PRIMARY BUILDING MATERIALS are:
  - (1) MASONRY/STONE
  - (2) STUCCO/PLASTER
  - (3) Hardie-Plank™ equivalent or better siding
  - (4) Other PRIMARY BUILDING MATERIALS may be approved as a part of SITE PLAN approval.
- d. Within RESIDENTIAL DISTRICTS, a minimum of fifty percent (50%) of the SINGLE- FAMILY RESIDENTIAL buildings shall have building FAÇADES constructed of MASONRY/STONE or STUCCO/PLASTER covering seventy percent (80%) or more of their building's FAÇADE.
- e. Permitted ACCENT BUILDING MATERIALS that may cover not more than five percent (5%) of the FAÇADE) are:
  - (1) Pre-cast masonry (for trim and cornice elements only)
  - (2) Gypsum reinforced fiber concrete (for trim elements only)
  - (3) Metal (for beams, lintels, trim elements and ornamentation only)
  - (4) Split-faced CMU block (only for piers, foundation walls and chimneys)
  - (5) EIFS
- f. ACCENT BUILDING MATERIALS may be used on any FAÇADE location but must not exceed five percent (5%) of the wall area on any elevation.
- g. The calculation of the percentage of the area of permitted building materials on a FAÇADE does not include:
  - (1) The area occupied by doors (including garage doors);
  - (2) The area occupied by windows; and
  - (3) The exterior wall areas built on top of a roof (DORMERS).
- h. Building Configurations and Techniques
  - (1) MASONRY/STONE must be detailed and placed in an appropriate load-bearing configuration.
  - (2) STUCCO/PLASTER must be smooth or sand only with no roughly textured finish.
  - (3) Wood simulation materials (such as Hardie-Plank™) must be configured as horizontal lap siding or vertical board and baton, except where used for trim, soffits, fascia, or similar architectural elements.

### **4. Building Windows – SINGLE-FAMILY RESIDENTIAL**

Windows must comply with the following:

- a. Window Materials

- (1) Specialty windows such as stained, opalescent, or glass block may be permitted provided the total area does not exceed fifteen percent (15%) of the total window area of the FAÇADE.
- (2) Window screening of any type must be black or gray.
- (3) Exterior solar screens are permitted only on FAÇADES that do not face PUBLIC SPACE.

b. Window Configurations

- (1) The horizontal dimension of the window opening must not exceed the vertical dimension except as provided in the Subsection (2), below.
- (2) A maximum of five (5) windows may be mulled horizontally together to form a compound window. The compound window may be wider than it is tall if each grouping is separated by a mullion, column, pier or wall section that is at least seven inches (7") wide.
- (3) Window sills must be sloped to drain over the window pediment.
- (4) The minimum return from the primary wall surface to the window jamb must be three inches (3") with a trim or panning recommended.

## 5. Building Roofs and Parapets – SINGLE-FAMILY RESIDENTIAL

Roofs and PARAPETS set forth in this Subsection are designed to encourage developers and builders to demonstrate common sense recognition of the CITY'S climate by utilizing appropriate pitch, drainage, and materials when designing buildings within CITY POINT in order to provide visual coherence.

a. Permitted Roof Materials

(1) Authorized Materials

- (a) High definition architectural asphalt shingles (4 tab)
  - (b) Tile, clay, or concrete (faux clay).
  - (c) Slate (equivalent synthetic or better).
  - (d) Metal on porches and accent roofs.
  - (e) Roofing material for flat roofs shall be monolithic Thermoplastic Polydefin (TPO) membrane or equivalent determined by the BUILDING OFFICIAL.
  - (f) Cornices and soffits may be a combination of wood, metal, and Hardie-Plank™ equivalent or better.
- (2) Roofing materials must have a minimum 30-year rated warranty.
  - (3) Any roofing material not authorized by this Subsection is prohibited.

b. Authorized Roof Configurations

(1) Pitched Roofs

- (a) Hip and gable roofs must be symmetrically pitched 8:12 or greater.
- (b) Accent roofs must be pitched 4:12 or greater.

(2) Flat Roofs

- (a) Roof material interior to the PARAPET must not be visible from any adjacent ground-level areas.

c. Roofs, Dormers and Chimneys

- (1) DORMERS and chimney chases above the roof structure must be finished with a permitted PRIMARY BUILDING MATERIAL or a siding material of Hardie-Plank™ equivalent
- (2) Fireplace flues must be enclosed and finished to be complementary of the building's exterior.

Finished construction of exposed pre-fabricated metal flue piping is prohibited, except for gas appliance vent stacks required by applicable construction codes.

- d. Architectural metal downspouts are required. Open scuppers are prohibited.

#### **6. Skylights, Solar Panels, Roof Vents and Wind Driven Devices – SINGLE-FAMILY RESIDENTIAL**

- a. Skylights, solar panels and roof vents are permitted only on the roof plane opposite the STREET FRONTAGE and must not be visible from a STREET.
- b. Wind driven devices, such as windmills generating electricity or pumping water, are prohibited, except where otherwise pre-empted by state or federal law.

#### **7. Garages – SINGLE-FAMILY RESIDENTIAL**

- a. Rear loaded garage doors must be constructed of decorative metal or fiberglass.
- b. Front-loaded garage doors may be constructed of metal or fiberglass. The door must be faced with cedar, mahogany, or other rot-resistant wood veneer or all-weather wood-like material. South- and west-facing garage doors may be a steel door that has the appearance and color of a wood-grain finish.

#### **8. Mailboxes – SINGLE-FAMILY RESIDENTIAL**

- a. All SINGLE FAMILY RESIDENTIAL must utilize cluster mailboxes approved by the United States Postal Service.
- b. Mailbox materials must be consistent throughout the development. The mailbox design must be equipped with decorative tops and pedestals, and may include masonry that is generally consistent with the materials of the building(s) located on the street.

#### **9. Mechanical Equipment – SINGLE-FAMILY RESIDENTIAL**

- a. Ground-mounted equipment such as transformers, HVAC equipment, lift stations, utility meters, and other machinery, must be located at the rear of the building. If such locational standard cannot be met, alternative locational standards may be approved by the Development Review Committee. Ground-mounted equipment must be screened from view of PUBLIC SPACES.
- b. Roof mounted equipment must be screened from view from the PUBLIC SPACE.

### **D. Architectural Illustrations**

All buildings and amenities constructed within CITY POINT must be designed and constructed in conformity with the architectural standards set forth in this ORDINANCE. APPENDIX E – ARCHITECTURAL ILLUSTRATIONS EXHIBIT, provides illustrations of potential building styles and architectural embellishments for SINGLE-FAMILY RESIDENTIAL and COMMERCIAL buildings.

## V. Streets, Parking, Lighting and Signage Standards

### A. Purpose and Intent

The purpose of this Section is to set forth standards for streets, parking, lighting, and signage to ensure the coherence of the development and to assist with understanding the relationship between PUBLIC SPACE and private property. The intent of these standards is to:

- Balance the needs of vehicular and pedestrian traffic to maximize mobility and convenience while minimizing conflicts between pedestrians and vehicles;
- Provide adequate parking, conveniently located and appropriately designed, as an essential element of a successful and enjoyable community
- Recognize the value of lighting, both within PUBLIC SPACES and private lots, as a strong amenity as well as a safety feature; and,
- Create signage that is appropriately located and tastefully executed as an asset for COMMERCIAL while ensuring compatibility with nearby RESIDENTIAL USES.

### B. Streets and Parking

#### 1. STREET Classifications

APPENDIX F – STREET CLASSIFICATIONS EXHIBIT, illustrates the range of STREET types planned within CITY POINT, including ALLEY locations to serve rear-loaded RESIDENTIAL lots.

#### 2. STREET Cross-Sections

APPENDIX G – STREET CROSS-SECTIONS EXHIBITS, illustrates respective cross-sections for the above mentioned STREET CLASSIFICATION EXHIBIT, including pavement widths, on-street parking, PARKWAY widths and PEDESTRIAN PATHWAYS.

#### 3. Parking Standards

##### a. SINGLE-FAMILY RESIDENTIAL

- (1) A minimum of two (2) on-site garage parking spaces must be provided for each SINGLE-FAMILY RESIDENTIAL dwelling. The garage must remain usable for parking of two (2) PASSENGER VEHICLES.
- (2) A minimum of one (1) visitor parking spaces must be provided per four (4) SINGLE-FAMILY RESIDENTIAL dwellings in addition to the required minimum number of on-site parking spaces. The visitor parking may be satisfied by either ON-STREET PARKING SPACES or ON-SITE parking.

##### b. COMMERCIAL and MULTI-FAMILY RESIDENTIAL

- (1) A minimum of 1.5 parking spaces shall be provided for each MULTI-FAMILY RESIDENTIAL unit.
- (2) ON-STREET PARKING SPACES abutting MULTI-FAMILY RESIDENTIAL may be counted toward meeting the minimum required parking.
- (3) A Parking Plan prepared by a qualified traffic engineer must be submitted to the CITY. The parking plan must establish how parking demand for COMMERCIAL USES will be accommodated. The Parking Plan must be based on the parking provisions within this ORDINANCE and other standards included as a part of the Parking Plan. The Parking Plan is subject to approval by the City Engineer. Issuance of building permits shall be subject to approval of the parking plan.

#### 4. ON-STREET PARKING SPACES

APPENDIX H – ON-STREET PARKING EXHIBIT, illustrates the available ON-STREET PARKING SPACES provided within CITY POINT.

#### 5. Shared Parking

- a. In the case of uses that have different parking demands based on the time of day, the uses may share the same parking spaces during alternating periods of time. A certificate of occupancy will not be issued by the CITY for any building or portion of a building using such shared spaces until the following has occurred:
  - (1) A shared parking agreement granting perpetual access or access to the shared parking for a time period acceptable to the CITY;
  - (2) Such access and shared parking agreement must include provisions that prohibit the reduction or relocation of parking spaces or the partial or complete termination of the agreement without the prior approval of the CITY;
  - (3) Such shared parking agreement has been approved by the CITY as to form;
  - (4) Shared parking agreement has been executed by the owners of properties that will use such shared spaces; and,
  - (5) The shared parking agreement has been recorded with Tarrant County.
- b. Not more than fifty percent (50%) of the parking spaces required for a COMMERCIAL USE whose peak hours of operation are generally after 6:00 P.M. may be shared jointly with a COMMERCIAL USE that is closed after 6:00 P.M.

#### 6. On-Street Parking

- a. ON-STREET PARKING spaces within six hundred (600) feet of a building may be counted towards meeting off-street parking requirements, with the exception of shared parking for COMMERCIAL USES which is not subject to the six hundred (600) foot limitation.
- b. ON-STREET parallel parking spaces must be eight feet (8') in depth and twenty-two feet (22') length.
- c. ON-STREET angle parking spaces must be nine feet (9') in depth and eighteen feet (18') length.
- d. Reverse-angle parking may be used on City Point Drive, subject to approval by the City Engineer.

#### 7. Parking Structures

- a. PARKING STRUCTURES must have an architecturally finished FAÇADE compatible with the surrounding buildings.
- b. PARKING STRUCTURES located within forty feet (40') of a principal building must not exceed the building's EAVE or PARAPET HEIGHT.
- c. PARKING STRUCTURE ENTRANCES must be located at least twenty feet (20') from any BLOCK CORNER or any other GARAGE ENTRANCE on the same BLOCK,
- d. PARKING STRUCTURE ENTRANCES must have a clearance height of at least twenty feet (20') and a maximum width of thirty feet (30').
- e. PARKING STRUCTURE ENTRANCES and exits must be clearly marked for both vehicles and pedestrians by materials, lighting, and signage intended to warn pedestrians of the possible approach of vehicles and to warn drivers of the possible approach of pedestrians.



## C. Lighting

### 1. STREET Lights

- a. STREET LIGHTS must be located within the PARKWAY or CURB BUMP-OUT spaced a maximum of seventy-five feet (75') on center per BLOCK.
- b. Lighting elements must be located at least twelve feet (12') and not higher than sixteen feet (16') above the STREET grade.
- c. Standards
  - (1) Lighting standards for STREETS must comply with CITY standards, with the design criteria giving equal weight to the lighting of pedestrian areas and vehicle areas.
  - (2) STREET LIGHTS must not cast a perceptively unnatural spectrum of light (such as low pressure sodium) or project light skyward (dark sky friendly lighting).

### 2. Building and Site Lighting – COMMERCIAL and MULTI-FAMILY RESIDENTIAL

- a. Exterior Lighting Plans must be approved by the CITY as part of each COMMERCIAL and MULTI-FAMILY SITE PLAN.
- b. Front FAÇADE building lighting must be mounted at least six feet (6') and not higher than fourteen feet (14') above the STREET grade.
- c. Lighting Standards
  - (1) All exterior lighting must comply with the requirements of Section 118-728 of the Zoning Ordinance, except as amended below.
  - (2) Heavy intensity discharge (HID) or fluorescent lights (except compact fluorescent bulbs that screw into standard sockets) are prohibited on the exterior of COMMERCIAL and MULTI-FAMILY buildings.
  - (3) "Cobra head" type lighting fixtures, flashing, traveling, animated, or intermittent lighting are prohibited on the exterior of any COMMERCIAL and MULTI-FAMILY building.
- d. Flood Lights
  - (1) Floodlights or directional lights (maximum 75-watt bulbs) may be used to illuminate ALLEYS, parking garages and maintenance areas, but shall be shielded or aimed in such a way that they do not shine into other lots, STREET FRONTAGES, or direct light up toward the sky.
  - (2) Architectural lighting designed to illuminate non-residential building walls shall be approved as a part of the approved SITE PLAN.

## D. Signage

### 1. Signs - General

- a. Signs within CITY POINT are regulated by the provisions herein except where explicitly excepted.
- b. Definitions for sign types are found with the CITY'S Code of Ordinances, Chapter 106 – Signs.
- c. All signs must be approved by the PROPERTY OWNER ASSOCIATION or HOMEOWNERS ASSOCIATION prior to approval by the CITY.
- d. A Comprehensive Sign Plan must be submitted to the CITY for approval of all proposed signage within CITY POINT, including major entry signage and promotional signage.

## 2. Sign Table

- a. Except as specifically provided below, all other signage and sign standards must comply with the CITY'S Chapter 106 - Signs, as amended.
- b. The following table lists signs permitted (P) and Not Permitted (NP):

Sign Type	Commercial and Multi-Family Districts	Single-Family Districts	Standards
<b>Permanent Signs</b>			
			-
<b>(2) Wall Sign</b>	P	NP	<p>COMMERCIAL uses:</p> <ul style="list-style-type: none"> <li>- One sign per COMMERCIAL tenant space; area to be calculated at 1.25 sq. ft. per linear foot of BUILDING FRONT FAÇADE with a maximum of 64 sq. ft.</li> <li>- Second floor COMMERCIAL tenant space may also be permitted one second floor wall sign per tenant space; area calculated at .75 sq. ft. per linear foot of second floor BUILDING FRONT FAÇADE with a maximum of 32 sq. ft.</li> <li>- Restaurant uses may have one attached menu board at the building entrance not exceeding 6 sq. ft., Illuminated internally</li> </ul> <p>MULTI-FAMILY uses:</p> <ul style="list-style-type: none"> <li>- Multi-family signage is limited to two signs per development with a maximum of 100 sq. ft. per sign.</li> </ul>
<b>(3) Projection Sign</b>	P	NP	<p>In lieu of an allowable Wall Sign, COMMERCIAL or MULTI-FAMILY uses may have Projection Signs limited to:</p> <ul style="list-style-type: none"> <li>- no more than one sign per street frontage; maximum of two signs per tenant</li> <li>- no greater than 32 square feet per sign</li> <li>- projecting no more than 3.5 feet from the building</li> <li>- located above the first floor building façade</li> </ul>
<b>(4) Blade Sign</b>	P	NP	<p>COMMERCIAL uses may have Blade Signs limited to:</p> <ul style="list-style-type: none"> <li>- Maximum 15 sq. ft. per sign face.</li> <li>- May encroach a maximum of 4 ft. into ROW over a public sidewalk</li> <li>- Sign may be attached to building wall or hung under an arcade soffit or awning</li> <li>- vertical clearance of 8 ft. must be maintained above sidewalk</li> </ul>
<b>(5) AWNING Sign</b>	P	NP	<p>In lieu of allowable Wall Sign or Projection Sign a COMMERCIAL use may have an AWNING sign limited to:</p> <ul style="list-style-type: none"> <li>- limited to 32 sq. ft</li> <li>- lettering limited to twelve inches (12") in height</li> </ul>
<b>(6) Entrance Monument Sign</b>	P	P	<p>Entrance signs are permitted at each entrance of CITY POINT limited to:</p> <ul style="list-style-type: none"> <li>- maximum of 100 sq. ft. per sign face and 6 ft. in height</li> <li>- externally illuminated or internally illuminated letters and images</li> </ul>

<b>(7) Kiosk Sign</b>	P	NP	Permitted only in CITY CENTER DISTRICT limited to: <ul style="list-style-type: none"> <li>- 8 feet in height and 4 feet in width</li> <li>- A total of 6 signs within the DISTRICT</li> </ul>
<b>(8) Wayfinding Sign</b>	P	P	A separate Wayfinding Sign Plan must be approved by the PROPERTY OWNER ASSOCIATION or HOMEOWNERS ASSOCIATION and the City Sign Review Board.
<b>(9) Window Sign</b>	P	NP	Limited to COMMERCIAL uses: <ul style="list-style-type: none"> <li>- Limited to 25% of the window area.</li> </ul> Exemptions to window sign area: <ul style="list-style-type: none"> <li>- Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs</li> <li>- Storefront displays placed at least 1 foot behind window</li> </ul>
<b>(10) Address Sign</b>	P	P	Address Signs must be approved by the PROPERTY OWNER ASSOCIATION or HOMEOWNERS ASSOCIATION
<b>(11) Home Occupation Sign</b>	NP	P	Customary Home Occupations Signs permitted within single-family districts are limited to <ul style="list-style-type: none"> <li>- 5 sq. ft. attached to first floor building FAÇADE</li> <li>- Signs shall be in accordance with Zoning Ord., Sec. <a href="#">118-727 Customary Home Occupations</a></li> </ul>

### Temporary Signs

<b>(1) Banner Sign</b>	P	NP	See CITY'S Code of Ordinances, Chapter 106 – Signs, <i>Banner Signs</i>
<b>(2) Banner Sign, Light Pole</b>	P	NP	10 sq. ft. per sign face. Limited to one per light pole Limited to publicize community-wide events, holiday celebrations, public art, and other CITY and PROPERTY OWNER ASSOCIATION sponsored events.
<b>(3) Construction Sign</b>	P	P	See CITY'S Code of Ordinances, Chapter 106 – Signs, <i>Construction Trade Signs</i>
<b>(4) Grand Opening Sign</b>	P	NP	See CITY'S Code of Ordinances, Chapter 106 – Signs, <i>Grand Opening Signage</i>
<b>(5) New Development Sign</b>	P	P	See CITY'S Code of Ordinances, Chapter 106 – Signs, <i>New Development Signs</i>
<b>(6) Outdoor A-Frame Sign</b>	P	NP	Permitted for COMMERCIAL retail, service, or restaurant uses subject to: <ul style="list-style-type: none"> <li>- 6 sq. ft. per sign face per storefront</li> <li>- 2 ft. in width or 3 ft. in height</li> <li>- a minimum of 6 ft. of sidewalk clearance</li> <li>- removal each day after close of business</li> </ul> Electronic signs are prohibited
<b>(7) Real Estate Sign</b>	P	P	See CITY'S Code of Ordinances, Chapter 106 – Signs, <i>Real Estate Signs</i>

### Other Sign Issues

<b>(1) Illumination</b>	NP	NP	Signage for COMMERCIAL and MULTI-FAMILY USES and Entrance Monuments may be internally or externally illuminated; SINGLE-FAMILY USES may be only externally illuminated
<b>(2) Signs Allowed In Rights-of-Way</b>	P	P	See CITY'S Code of Ordinances, Chapter 106 – Signs

## VI. Landscape and Open Space Standards

### A. Purpose and Intent

The purpose of this Section is to prescribe standards for LANDSCAPING and designated OPEN SPACE within CITY POINT. The landscape standards and OPEN SPACE areas are intended to:

- Encourage the use of natives, adaptable and low water demand plants and low maintenance;
- Establish standards for tree and shrubbery planting;
- Encourage use of ground covers to minimize turf areas; and,
- Designate areas for OPEN SPACE.

### B. Landscaping Standards

#### 1. Landscaping – Design

Landscaping design for CITY POINT is illustrated in APPENDIX J – LANDSCAPE DESIGN EXHIBITS.

#### 2. Landscaping – Trees

##### a. STREET TREES

- (1) Unless otherwise specified by street design standards contained herein, STREET TREES planted within the PARKWAY or CURB BUMP-OUT must be planted with an average spacing along a street of fifty feet (50') on center measured per BLOCK face.
- (2) Tree spacing standards may be modified due to distances existing between CURB BUMP-OUTS or other conditions that make maintaining the required spacing impractical. Modification of required tree spacing standards may be approved by the DRC.
- (3) Where on-street parking spaces with CURB BUMP-OUTS are used for parallel parking, one (1) STREET TREE must be planted in each CURB BUMP-OUT.
- (4) STREET TREES must be at least three (3) caliper inches in diameter measured twelve inches (12") above grade per American Standards for nursery stock STREET TREES must be at least ten feet (10') at the time of planting, as measured from the base of the main trunk showing at grade.

##### b. ON-SITE COMMERCIAL and MULTI-FAMILY TREES

- (1) ON-SITE TREES for COMMERCIAL and MULTI-FAMILY primary uses are required in addition to the required STREET TREES.
- (2) ON-SITE trees are not required for COMMERCIAL and MULTI-FAMILY primary uses having building setbacks of five feet (5') or less.
- (3) COMMERCIAL and MULTI-FAMILY primary uses having building setbacks of greater than five feet (5') must comply with the following:

- (a) One ON-SITE tree for each fifty feet (50') of linear STREET FRONTAGE must be planted within ten feet (10') of the front property line.
  - (b) Trees may be planted in groups or clusters with appropriate spacing for species.
- c. ON-SITE SINGLE-FAMILY RESIDENTIAL TREES
  - (1) ON-SITE TREES for RESIDENTIAL USES are required in addition to the required STREET TREES. ON-SITE trees are not required for RESIDENTIAL lots having building setbacks of five feet (5') or less.
  - (2) One (1) ON-SITE TREE is required for RESIDENTIAL lots having building setbacks of greater than five feet (5').

### 3. Landscaping – PARKWAYS

- a. Areas within the PARKWAY measuring less than five feet (5)' between the curb and sidewalk may have a combination of HARDSCAPE elements and GROUND COVER, in concurrence with the recommendations of the LANDSCAPE ARCHITECT and the Development Review Committee.
- b. Areas within the PARKWAY measuring five feet (5)' or more between the curb and sidewalk may have a combination of HARDSCAPE elements, GROUND COVER, and turf in concurrence with the recommendations of the LANDSCAPE ARCHITECT and the Development Review Committee.

### 4. Landscaping – Yards

- a. COMMERCIAL and MULTI-FAMILY Yards
  - (1) A landscaping plan must be approved as part of SITE PLAN approval.
- b. SINGLE-FAMILY RESIDENTIAL Yards Plantings
  - (1) For lots widths of forty feet (40') or greater, at least ten (10) five (5) gallon shrubs and twenty- two (22) one (1) gallon shrubs must be planted.
  - (2) For lots widths twenty-six feet (26') but less than forty feet (40'), at least eight (8) five (5) gallon shrubs and eighteen (18) one (1) gallon shrubs must be planted.
  - (3) For lots widths less than twenty-six feet (26'), at least five (5) five (5) gallon shrubs and twelve (12) one (1) gallon shrubs must be planted.
- c. Lots must have full sod installed within any portion of the front yard and side yard abutting a street that is not covered by walkways, driveways, trees, shrubbery, ground cover, planting beds, or other approved landscape materials.
- d. Decorative rocks may be permitted in within areas between structures where plant material is difficult to maintain.
- e. All turf grass must be solidly sodded at installation. Seeding, sprigging, or plugging of turf grass at time of initial installation is prohibited.

### 5. Landscaping – Parking Lots

- a. Parking lots abutting a STREET must provide a landscaped setback of five feet (5') in depth adjacent to the street. Three-foot (3') tall evergreen shrubs must be planted in the setback to create a living screen between the STREET right-of-way and the parking lot.
- b. For surface parking lots containing twenty (20) or more space, the following interior landscaping is required.
  - (1) Twenty (20) square feet of landscaping for each parking space must be installed within the paved boundaries of the parking lot.
  - (2) Landscaped islands must be installed at the ends of each row of parking. The location the landscape

islands within parking areas shall be determined as part of SITE PLAN approval. Each island must contain one (1) tree and ground cover other than turf grass. The tree must be planted at least two feet from the curb.

- (3) Landscaped islands must be at least six feet (6') wide and not less than ninety percent (90%) of the abutting parking space in length. Islands must be protected by a raised concrete curb at least six (6) inches in height,
- (4) Modification to required parking lot landscaping may be approved as part of SITE PLAN review.

## **6. Landscaping – Fences/Walls and Street Furniture**

### **a. Fences/Walls – General**

- (1) Metal fencing must be ornamental metal, tubular steel or similar material with a consistent design and black powder coat finish.
- (2) MASONRY walls must be constructed with MASONRY materials compatible with adjacent buildings.
- (3) Wood fencing at locations other than the side lot or rear lot lines of interior lots must be a pre-stained board-on-board with top cap and side trim; and metal posts, brackets, and caps.
- (4) Fences and walls must not exceed eight feet (8') in height. Fences taller than eight feet may be approved by the DIRECTOR and BUILDING OFFICIAL to screen service areas of COMMERCIAL and MULTI-FAMILY RESIDENTIAL or portions of CITY HALL as required for security reasons.

### **b. Walls – General**

- (1) MASONRY walls must not exceed eight feet (8') in height.
- (2) MASONRY walls may include ornamental metal fencing of a similar height inserted at intervals not more often than each one hundred and fifty feet (150'). An alternative design may be approved as part of the SITE PLAN.

### **c. Fences/Walls – RESIDENTIAL**

- (1) A fence or wall is prohibited within front yards. On corner lots, an ornamental metal fence may be installed in the side yard along the STREET, provided the fence does not exceed five feet (5') in height.
- (2) All fences and walls installed within five feet (5') of an ALLEY must be ornamental metal.
- (3) On RESIDENTIAL lots abutting or facing an OPEN SPACE, fences installed on the side of the lot facing the OPEN SPACE must be constructed of ornamental metal.
- (4) Fences and walls consisting of materials or placed in locations not otherwise stated may be authorized by the DIRECTOR as a part of SITE PLAN approval.

### **d. Street Furnishings**

- (1) Street furnishings installed within OPEN SPACES and rights-of-way must be consistent in design and materials and be approved as part of the SITE PLAN.
- (2) Street furnishings may include seating, planters, trash receptacles, street lights, street signs, wayfinding signs, public art, and water features.

## **7. Landscaping – Irrigation**

- a. All landscaped areas covered by ORGANIC MATERIAL must be watered by an automatic underground irrigation system equipped with rain and freeze sensors.
- b. All large and ornamental trees must be irrigated with drip or bubbler irrigation on a separate zone from spray-head irrigation.

## 8. Landscaping – Maintenance

- a. The record owner of a lot is responsible for maintaining the portion of the PUBLIC SPACE between the lot line(s) and the back of the curb and any portion of the ALLEY abutting the lot.
- b. The record owner of a lot is responsible for watering, maintaining and preserving in a growing healthy condition all landscaping located on said owner's lot, including, but limited to, trees, shrubs, planting beds, and ground cover located on the lot.
- c. The record owner of a lot must replace dead trees and/or plant materials within sixty (60) days after written notification from the CITY to replace such trees and/or plant materials.
- d. Trees must be maintained to provide a seven-foot (7') clearance over PEDESTRIAN PATHWAYS and a fourteen-foot (14') clearance over travel and parking lanes. The foliage of newly planted trees may intrude into this area until the tree has sufficient growth to allow such a clear trunk height.
- e. Shrubbery must be maintained to keep a clear view between two feet (2') and eight feet (8') above grade and to prevent encroachment into PEDESTRIAN PATHWAYS or the STREET.
- f. Trees and landscape materials must be planted in a manner or in an area that does not create a visibility obstruction at intersections and driveways in violation of any CITY ordinance.
- g. The landscaping located on any lot within CITY POINT must not be reduced to less than the minimum required by this Section or by an approved SITE PLAN, whichever requires a greater amount of landscaping.

## 9. Landscaping – Approved Trees, Shrubs, and Ground Cover Species

- a. Species of trees appropriate in specific locations within City Point will be based on proposed locations. Large canopy trees are appropriate for larger OPEN SPACES; medium canopy trees are appropriate for parking islands; and small canopy trees are appropriate for more confined planting areas.
- b. The following list of trees and shrubs represents preferred plantings, but species of trees and shrubs may be modified based on the CITY'S General Planting List in Chapter 114-Vegetation, Sec. 77 and/or recommendations of the LANDSCAPE ARCHITECT with concurrence of the Development Review Committee.
  - (1) Large Canopy Trees – 50-foot canopy or greater
    - (a) Bur Oak / Quercus Macrocarpa
    - (b) Chinquapin Oak / Quercus Muehlenbergii
    - (c) Live Oak / Quercus Virginiana
    - (d) Shumard Oak / Quercus Shumardii
    - (e) Southern Magnolia / Magnolia Grandiflora
  - (2) Medium Canopy Trees – Up to 40-foot canopy
    - (a) Cedar Elm / Ulmus Crassifolia
    - (b) Ginkgo biloba
    - (c) High Rise Live Oak
    - (d) Lacebark Elm / Ulmus Parvifolia
    - (e) Lacey Oak / Quercus Glaucoides
    - (f) Monterey Oak
    - (g) October Glory Maple / Acer Rubrum 'October Glory'

- (h) Texas Ash / *Fraxinus Texensis*
- (i) Texas Red Oak / *Quercus Buckleyi*
- (3) Small Canopy Trees – Up to 30-foot canopy
  - (a) Bald Cypress / *Taxodium Distichum*
  - (b) Chinese Pistache / *Pistacia Chinensis*
  - (c) Crepe Myrtle
  - (d) Savannah Holly / *Ilex Attenuata*
  - (e) Sweet Gum / *Liquidambar Styraciflua*
  - (f) Trident Maple / *Acer Buergerianum*
- (4) Shrubs
  - (a) Abelia sp.
  - (b) Barberry
  - (c) *Eysenhardtia Texana* (Texas Kidneywood)
  - (d) *Hesperaloe Parviflora* (Red Yucca)
  - (e) *Ilex Cornuta Burfordii Nana* (Burford Holly)
  - (f) *Ilex Nellie R Stevens*
  - (g) *Juniperus Leucophyllum* F. 'Silverado' (Texas Sage. Silverado)
  - (h) *Raphiolepis Indica* (Indian Hawthorn)
  - (i) *Rhus Aromatic* (Aromatic Sumac)
  - (j) *Salvia Gregii*
  - (k) *Yucca Recurvifolia* (Soft-leaf Yucca)
  - (l) *Yucca Rupicola* (Twist-leaf Yucca)
- (5) Groundcover
  - (a) Ajuga
  - (b) Asian Jasmine
  - (c) Liriope
  - (d) Juniper Spp.
  - (e) Little Bunny
  - (f) Mexican Feather Grass
  - (g) Mondo Grass
  - (h) Purple winter creeper
  - (i) Sedum Sp.
  - (j) Weeping Love Grass
- (6) Prohibited Plants
  - (a) Bradford Pears



- (b) Leyland Cypress

## 10. Landscaping – Completion

A certificate of occupancy for any building on any lot will not be issued until all required irrigation systems, trees and other plant materials required by this Section have been installed and/or planted on the lot. The DIRECTOR or BUILDING OFFICIAL may authorize a delay in the planting of new landscape materials, in which case, a certificate of occupancy may be issued. In the event of such authorized delay, all landscape materials must be planted not later than the date provided in the authorization. Failure to install all landscaping by the date set forth in the delay authorization is a violation of this ORDINANCE.

## C. Open Space

OPEN SPACE managed by the PROPERTY OWNERS/HOMEOWNERS ASSOCIATION (POA/HOA) is a critical component in contributing to the livability of CITY POINT. The areas designated as OPEN SPACE are illustrated in APPENDIX I – OPEN SPACE/TRAILS EXHIBIT.

### 1. OPEN SPACE – COMMERCIAL and MULTI-FAMILY RESIDENTIAL

- a. COMMERCIAL uses are not required to set aside a percentage of lot area for OPEN SPACE. Development devoted to COMMERCIAL uses are encouraged to create outdoor areas that enhance the pedestrian experience through conveniently located informal seating areas, PLAZAS and COURTYARDS.
- b. MULTI-FAMILY RESIDENTIAL must allocate at least five percent (5%) of the lot area to OPEN SPACE.
  - (1) Landscaped parking areas, walkways, yards and ENTRANCES are considered OPEN SPACE.
  - (2) Outdoor pool and other recreation areas are considered OPEN SPACE.

### 2. OPEN SPACE – SINGLE-FAMILY RESIDENTIAL

- a. A minimum of five percent (5%) of the land area within CITY POINT must be set aside as OPEN SPACE.
- b. AMENITY CENTERS are considered OPEN SPACE.
- c. OPEN SPACE under the control of the PROPERTY OWNERS / HOMEOWNERS ASSOCIATION qualifies as OPEN SPACE for the purpose of complying with this standard.

### 3. PEDESTRIAN PATHWAYS

- a. PEDESTRIAN PATHWAYS must be consistent with sidewalk widths shown on APPENDIX G – STREET CROSS-SECTIONS EXHIBIT.
- b. PEDESTRIAN PATHWAYS must be installed at required locations on a lot prior to issuance of a Certificate of Occupancy or, if the issuance of a certificate of occupancy is not required, at the commencement of provision of utilities to a building lot.
- c. PEDESTRIAN PATHWAYS must be constructed of concrete in accordance with applicable CITY ordinances and/or specifications with a minimum of fifty percent (50%) of PLAZA areas within the CITY CENTER DISTRICT using enhanced paving such as salt-finish concrete, pavers, stamped and/or stained concrete, etc.

### 4. Designation and Maintenance of OPEN SPACE

- a. Areas designated as OPEN SPACE must be shown on all approved SITE PLANS.
- b. OPEN SPACE must be maintained by the PROPERTY /HOMEOWNERS ASSOCIATION or by a private entity if within a privately-controlled use such as a MULTI-FAMILY RESIDENTIAL or COMMERCIAL USE.

## VII. Administration

### A. Purpose and Intent

The purpose of this Section is to prescribe the process for making adjustments, modifications or changes to the DEVELOPMENT DISTRICTS EXHIBIT, the CONCEPTUAL LAND USE PLAN EXHIBIT and the specifications to the development provisions of this ORDINANCE. The intent is to ensure that the adjustments, modifications or changes occurring in CITY POINT are consistent with the provisions of this ORDINANCE. The intent of this Section is to:

- Make minor boundary adjustments to the DEVELOPMENT DISTRICTS EXHIBIT depicted as CITY CENTER-COMMERCIAL, CITY EAST-COMMERCIAL, CITY WEST-COMMERCIAL, CITY EAST, WEST and SOUTH RESIDENTIAL. (see APPENDIX B - DEVELOPMENT DISTRICTS EXHIBIT)
- Make modifications to the CONCEPTUAL LAND USE PLAN EXHIBIT illustrating the distribution of STREETS and OPEN SPACE. (see APPENDIX C - CONCEPTUAL LAND USE PLAN EXHIBIT)
- Make minor modifications to the specifications related to ARCHITECTURAL, LIGHTING, LANDSCAPING, PARKING, STREET, PEDESTRIAN PATHWAYS, SIGNAGE and OPEN SPACE provisions of this ORDINANCE.

### B. Boundary Adjustments, and Land Use Modifications, and Changes to Specifications

- a. At the request of an APPLICANT, the DEVELOPMENT REVIEW COMMITTEE is authorized to modify the DEVELOPMENT DISTRICT and CONCEPTUAL LAND USE PLAN EXHIBITS as follows:
  - (1) Boundaries of the DEVELOPMENT DISTRICTS EXHIBIT may be adjusted by a maximum of one-hundred feet (100') without requiring an amendment of the DEVELOPMENT DISTRICT EXHIBIT.
  - (2) Adjustment of the DEVELOPMENT DISTRICTS EXHIBIT in excess of one-hundred feet (100') requires an amendment of the DEVELOPMENT DISTRICTS EXHIBIT in the same manner originally prescribed for the Planned Development District Zoning Change.
  - (3) Areas designated as MULTI-FAMILY RESIDENTIAL on the CONCEPTUAL LAND USE PLAN EXHIBIT may be modified a maximum of one-hundred feet (100') without requiring an amendment of CONCEPTUAL LAND USE PLAN EXHIBIT; and,
  - (4) Modification of areas designated as MULTI-FAMILY RESIDENTIAL on the CONCEPTUAL LAND USE PLAN EXHIBIT in excess of one-hundred feet (100') shall require an amendment of the CONCEPTUAL LAND USE PLAN EXHIBIT in the same manner originally prescribed for the Planned Development District Zoning Change.
  - (5)
- b. At the request of an APPLICANT, the DEVELOPMENT REVIEW COMMITTEE is authorized to modify specifications of the ARCHITECTURAL, LIGHTING, LANDSCAPING, PARKING, STREET, PEDESTRIAN PATHWAYS, SIGNAGE and OPEN SPACE provisions of this ORDINANCE upon finding that the request is consistent with the overall intent of the ORDINANCE. This action must be authorized as part of a SITE PLAN approval.

### C. Property Owners/Homeowners Associations

#### 1. Conditions, Covenants, and Restrictions

Prior to approval of a final subdivision plat or issuance of a building permit within CITY POINT, the Conditions, Covenants, and Restrictions (CC&Rs) for the PROPERTY OWNERS / HOMEOWNERS ASSOCIATION (ASSOCIATION) must be filed with Tarrant County. Prior to filing with Tarrant County, the CC&Rs must be approved by the CITY and must be consistent with this ORDINANCE.

- 
- a. The ASSOCIATION shall:
- (1) Be created with mandatory membership for each respective property owner;
  - (2) Have architectural review of proposed development for compliance with the architectural standards prior to issuance of a building permit.
  - (3) Review of proposed signage; and,
  - (4) Provide for the maintenance of the landscaping, lighting, trees and other amenities within the respective areas governed by the ASSOCIATION.
  - (5) Manage on-street parking and designate restricted parking areas by signs or markings, only as needed and as approved by the City through a separate Residential Permitting Parking Agreement authorized by Article XI, Chapter 54 of the North Richland Hills Code of Ordinances.
- b. With regard to the ASSOCIATION, at a minimum, the CC&Rs must contain and/or provide for the following:
- (1) Definitions of terms contained therein;
  - (2) Provisions acceptable to the CITY for the establishment and organization of the ASSOCIATION and the adoption of, including provisions requiring that the owner of any lot within the applicable area shall automatically and mandatorily become a member of the ASSOCIATION;
  - (3) Establish a CITY POINT Parking Authority (VPA) within the ASSOCIATION with responsibilities as outlined in the CC-Rs, including at a minimum the following responsibilities:
    - (a) Establish parking authority operational requirements and support staff;
    - (b) Review proposed COMMERCIAL and MULTI-FAMILY developments to verify required parking capacities prior to application of a building permit;
    - (c) Verify parking requirements for changes in building usage and occupancy;
    - (d) Have power to enter into a shared parking agreements with owners of adjacent property;
    - (e) Work with CITY related to parking requirements for special events that require specialized handling of event parking; and,
    - (f) Monitor available parking needs and develop policy for enforcement and violations of parking regulations.
  - (4) The right and ability of the CITY or its lawful agents, after due notice to the ASSOCIATION, to remove any landscape systems, features, or elements that cease to be maintained by the ASSOCIATION; to perform the responsibilities of the ASSOCIATION if the ASSOCIATION fails to do so in compliance with any provisions of the CC&Rs of the ASSOCIATION or of any applicable CITY code or regulations; to assess the ASSOCIATION for all costs incurred by the CITY in performing said responsibilities if the ASSOCIATION fails to do so; and/or to avail itself of any other enforcement actions available to the CITY pursuant to state law or CITY codes or regulations; and
  - (5) Provisions indemnifying and holding the CITY harmless from any and all costs, expenses, suits, demands, liabilities or damages, including attorney's fees, incurred or resulting from the CITY'S removal of or maintenance of any landscaping, features, or elements that cease to be maintained by the ASSOCIATION due to the ASSOCIATION'S failure to perform said responsibilities.

## VIII. Definitions

The following words and phrases as used in this ORDINANCE have the following meanings unless the context of such use clearly indicates otherwise. Words and phrases not defined in this Section, but which are defined in the ZONING ORDINANCE, have the meaning provided by such words and phrases in the ZONING ORDINANCE. Wherever a word or phrases is printed in CAPITAL LETTERS, it is being used as defined herein.

**ACCENT BUILDING MATERIALS** - Pre-cast masonry (for trim and cornice elements only); gypsum reinforced fiber concrete (for trim elements only); metal (for beams, lintels, trim elements and ornamentation only); split-faced block (only for piers, foundation walls and chimneys), and EIFS.

**ACCESSORY BUILDING OR STRUCTURE (RESIDENTIAL)** – A subordinate building or structure limited to 200 square feet or less in size, detached and used for a purpose customarily incidental to the main structure such as a greenhouse, home workshop, children's playhouse, garden shelter, swimming pool, and similar buildings or structures.

**ACCESSORY USE (see USES).**

**ALLEY** – A public or private way which affords a secondary means of access to abutting property.

**AMENITY CENTER** – An OPEN SPACE area developed as a recreational center for the use by neighborhood residents and their guests, an AMENITY CENTER may include pools, hot tubs, meeting rooms, workout spaces, bathrooms, playgrounds and similar uses.

**APPLICANT** – Person or entity authorized to file an application related to property within CITY POINT.

**AWNING** – A cantilevered, projected or suspended cover over the sidewalk portion of the PUBLIC SPACE. This includes roof-like coverings, usually of canvas or metal and often adjustable, placed over the sidewalk, windows, or doors to provide protection from sun and rain.

**ATTIC STORY** – Space situated immediately below a pitched roof building and not intended as habitable space or considered a regular STORY.

**BALCONY** – An exterior platform attached to the building FAÇADE extending outward from an interior room located above a GROUND STORY.

**BAY WINDOW** – Generally, an interior enclosure with windows extending outward from the building FACADE.

**BLOCK** – An area enclosed by streets and occupied by or intended for buildings; or if said word is used as a term of measurement, it means the distance along a side of a street between the nearest two streets which intersect said street on said side.

**BLOCK CORNER** – The outside corner of a BLOCK at the intersection of any two STREETS.

**BUILDABLE AREA** – The area of the LOT that building(s) may occupy behind the REQUIRED BUILDING SETBACK LINE, excluding any required setbacks or permitted encroachments into the REQUIRED BUILDING SETBACK LINE.

**BUILDING ENVELOPE** – The maximum buildable area remaining on a lot when the front, side and rear yard setbacks are satisfied.

**BUILDING FRONT** – That portion of a building in which the PRIMARY ENTRANCE is located.

**BUILDING HEIGHT** – The vertical distance measured from the ground level to the highest point of the roof surface.

**CANOPY** – A roof-like structure of a permanent nature which projects from the wall of a building or overhangs a public way.

**CITY** – City of North Richland Hills, Texas.

**CITY COUNCIL** – The City Council of the City of North Richland Hills, Texas

**CITY HALL** – The City of North Richland Hills city hall.

**CIVIC USE (see USES)**

**CODE OF ORDINANCES** – The Code of the Ordinances of the City of North Richland Hills, as amended, or recodified from time to time.

**COLONNADE** – A roofed or built structure, extending over the sidewalk open on all sides except for supporting columns, piers, or arches.

**COMMERCIAL (see USES).**

**COMMERCIAL BUILDING** – Any building used for the purpose of a COMMERCIAL USE and includes MIXED USE BUILDINGS.

**COMMERCIAL INDOOR AMUSEMENT (see USES).**

**COMMON LOT LINES** – Lot lines shared by adjacent lots.

**COURTYARD** – An open, unoccupied space, bounded on more than two sides by the walls of a building.

**COVERED SIDEWALK** – A roofed or built structure attached to the FAÇADE and extending beyond the REQUIRED BUILDING SETBACK LINE and over the sidewalk or SQUARE, open to the PUBLIC SPACE except for supporting columns, piers, or arches.

**CURB BUMP-OUT** – A landscape area within the STREET curbing that serves as a separation between parallel parking spaces and that provides an area for planting of trees and other landscaping and streetscaping elements.

**DEVELOPMENT DISTRICTS**

**CITY CENTER-COMMERCIAL DISTRICT** – Land designated on the DEVELOPMENT DISTRICTS EXHIBIT as CITY CENTER-COMMERCIAL is intended for a range of COMMERCIAL USES in the heart of CITY POINT.

**CITY EAST-COMMERCIAL DISTRICT** – Land designated on the DEVELOPMENT DISTRICTS EXHIBIT as CITY EAST-COMMERCIAL is intended for COMMERCIAL USES, specifically planned as a HOTEL USE.

**CITY WEST-COMMERCIAL DISTRICT** – Land designated on the DEVELOPMENT DISTRICTS EXHIBIT as CITY WEST-COMMERCIAL is intended for COMMERCIAL USES, specifically free-standing COMMERCIAL.

**EAST, WEST and SOUTH CITY RESIDENTIAL DISTRICTS** – Land designated on the DEVELOPMENT DISTRICTS EXHIBIT as CITY EAST, WEST, SOUTH RESIDENTIAL intended for a mix of SINGLE-FAMILY DETACHED, SINGLE-FAMILY ATTACHED, and MULTI-FAMILY RESIDENTIAL.

**DEVELOPMENT REVIEW COMMITTEE** – A committee comprised of representatives of the public works department, planning department, parks and recreation department, and other staff as deemed appropriate, to review proposed developments planned within the City of North Richland Hills and make recommendations to the planning and zoning commission.

**DIRECTOR** – The Planning Director of the CITY.

**DORMER** – Small, roofed ancillary structures with windows providing light and air to habitable space within the roof.

**EAVE** – The overhanging edge of a roof.

**ENTRANCE or PRIMARY ENTRANCE** – The point of entry into a building; PRIMARY ENTRANCE is one located at the BUILDING FRONT.

**EXTERIOR INSULATION AND FINISH SYSTEM or “EIFS”** – An exterior finish system that provides exterior walls with an insulated, waterproof, wall surface by integrating foam plastic insulation, adhesives, two layers of reinforcing mesh, and a polymer finish.

**FAÇADE** – Any face of a building that encloses or covers usable space.

**FENESTRATION** – Window treatment in a building or building façade. Also, a general term used to denote the pattern or arrangement of openings, i.e., windows and doors, in a façade.

**GARAGE ENTRY** – A vehicle entrance into a STRUCTURED PARKING facility.

**GROUND STORY** – The first level of a building at or above grade.

**GROUND COVER** – Plants that normally reach a height of eighteen inches at maturity, installed in such a manner to form a continuous cover over the ground.

**HARDSCAPE** – Non-plant materials incorporated into a landscape that include materials such as decomposed granite, stone, concrete stones, enhanced concrete, pavers, and similar materials.

**HEIGHT (see BUILDING HEIGHT)**

**HOTEL, FULL SERVICE (see USES)**

**HOTEL, LIMITED SERVICE (see USES)**

**HOME OCCUPATION** – see Sec. 118-727, North Richland Hill Zoning Ordinance.

**KIOSK SIGN** – A freestanding pedestrian-scaled sign often used within COMMERCIAL area and having one or more open sides with advertising messages.

**LANDSCAPE ARCHITECT** – The PROPERTY OWNERS ASSOCIATION'S or HOMEOWNERS ASSOCIATION'S landscape architect responsible for the landscape design within CITY POINT.

**LANDSCAPED MEWS** – A greenway area providing common OPEN SPACE upon which residential buildings may front.

**LOT COVERAGE** – The amount or percentage of the total area of a lot occupied by the footprint of buildings located on the lot.

**LOT LINE** – The property boundary of a lot.

**LOT WIDTH** – The width of the lot as measured at the front building line or chord length if the lot is curved.

**MASONRY/STONE** – Brick, ceramic block, stone, or decorative concrete block, installed in a craftsman-like manner that is a minimum of one inch (1") thick and imbedded in a cementitious reinforced substrate or other material determined by the CITY'S BUILDING OFFICIAL to meet this definition. MASONRY materials do not include non-decorative concrete block or concrete tilt wall.

**MIXED USE BUILDING** – Multi-storied building having a different use on the GROUND STORY than on upper stories (e.g. GROUND STORY COMMERCIAL USES and upper floor RESIDENTIAL USES).

**OFF-STREET PARKING SPACE** – A parking space located outside the public right-of-way typically within a parking lot.

**ON-SITE** – The lot area of a site excluding any public rights-of-way.

**ON-STREET** – An area located within the rights-of-way of a STREET.

**ON-STREET PARKING SPACES** – Areas located ON-STREET and designated for PASSENGER VEHICLE parking.

**ORDINANCE** – The CITY POINT Planned Development District Ordinance.

**PARAPET** – A low wall projecting from the edge of a platform, terrace, or roof.

**PARAPET HEIGHT** – Where used to limit building height, PARAPET HEIGHT is the distance measured at the top of the parapet, including any coping.

**ORGANIC MATERIAL** – A substance of plant or animal origin.

**OPEN SPACE** – Privately- or publicly-owned land, leased land, or easement designed for active and/or passive leisure enjoyment, including small vegetative spaces, AMENITY CENTERS, COURTYARDS, PLAZAS, PEDESTRIAN PATHWAYS, trails and development entryways. Areas located within a SINGLE-FAMILY RESIDENTIAL LOT or within a public right-of-way are not considered OPEN SPACE.

**PARKWAY** – An area located immediately between the street curb and sidewalk in which STREET TREES, GROUND

COVER, HARDSCAPE, STREET LIGHT and other infrastructure may be located.

**PASSENGER VEHICLE** – A car or truck used for transporting passengers.

**PEDESTRIAN PATHWAY** – A paved walkway/sidewalk that provides pedestrian access throughout a community to COMMERCIAL and RESIDENTIAL uses. PEDESTRIAN PATHWAYS are not considered appropriate for bicycle use.

**PLANNING AND ZONING COMMISSION** – The Planning and Zoning Commission of the City of North Richland Hills, Texas.

**PLAZA** – An OPEN SPACE area, including a COURTYARD, typically featuring a combinations of enhanced paving, seating, hardscaping, landscaping, water features and other pedestrian-scale public space enhancements surrounded in whole or in part by buildings.

**PODIUM BUILDING** – A multi-story building where the GROUND STORY (and sometimes above STORIES) serves as the building's foundation and may provide areas for parking and other uses.

**PRIMARY BUILDING MATERIALS** – Building materials that are required to be used on a minimum of seventy percent of the BUILDING FAÇADE.

**PROPERTY** – Property within CITY POINT.

**PROPERTY OWNER** – An owner of property within CITY POINT.

**PROPERTY OWNERS / HOMEOWNERS ASSOCIATION** – An association to oversee the management of commonly held property and to ensure property owner compliance with the covenants, restrictions and conditions governing the use of COMMERCIAL, RESIDENTIAL, and OPEN SPACE areas within CITY POINT.

**PUBLIC SPACE** – The public domain commonly which includes STREETS, PLAZAS, PEDESTRIAN PATHWAYS, and OPEN SPACE.

**REAR LOT LINES** – Lot lines located at the rear of the property and often abutting ALLEYS.

**REQUIRED BUILDING SETBACK LINE** – A line/plane which extends vertically and generally parallel to a street, past which the building FAÇADE may not extend.

**RESTAURANT (see USES)**

**RETAIL SHOP or SERVICE (see USES).**

**RESIDENTIAL (see also USE).**

**MULTI-FAMILY RESIDENTIAL** – A multi-storied residential building containing multiple separate housing units above one another for residential purposes within one building or complex, commonly referred to as apartments. This definition does not include a HOTEL or any short-term stay facility (stays of less than six months).

**SINGLE-FAMILY ATTACHED RESIDENTIAL (TOWNHOME)** – A SINGLE-FAMILY RESIDENTIAL use constructed in a group of two (2) or more attached units separated by property lines, in which each unit extends from foundation to roof.

**SINGLE-FAMILY DETACHED RESIDENTIAL** – A free-standing, SINGLE-FAMILY RESIDENTIAL use occupying a single lot and not sharing any walls in common with adjacent SINGLE-FAMILY RESIDENTIAL use.

**SINGLE-FAMILY RESIDENTIAL** – A residential dwelling occupied by persons living as a single household unit (does not include MULTI-FAMILY RESIDENTIAL).

**SECONDARY BUILDING MATERIALS** – Building materials that may not cover more than thirty percent (30%) of the BUILDING FAÇADE.

**SITE LIGHTING** – Light fixtures and light standards located on a lot or parcel outside the public right-of-way.

**SITE PLAN** – Detailed line drawing submitted to the CITY clearly describing a project and showing sufficient information to determine the nature of the proposed development and providing adequate information to

determine compliance with applicable codes and ordinances.

**STOOP** – An unenclosed, roofed or unroofed entry platform at the front entry of a building.

**STORY** – That portion of a building included between the upper surface of a floor and the upper surface of the floor or roof next above, including a PODIUM BUILDING STORY when designed for parking or other uses. It is measured as the vertical distance from top to top of two successive tiers of beams or finished floor surfaces and, for the topmost story, from the top of the floor finish to the top of the ceiling joists or, where there is not a ceiling, to the top of the roof rafters.

**STREET** – A public thoroughfare used for vehicular traffic usually within dedicated right-of-way. This definition does not include ALLEYS, fire lanes, driveways, or access aisles or easements.

**STREET CLASSIFICATION** – Classification of STREET as shown on APPENDIX G- STREET CLASSIFICATIONS EXHIBIT.

**STREET LIGHT** – A luminaire installed on both sides of a STREET within the public right-of-way.

**STREET FRONTAGE** – That portion of the lot or building that abuts a STREET.

**STREET TREE** – A tree planted in the PARKWAY or median.

**STRUCTURED PARKING** – A structure for parking of vehicles typically more than one STORY but can include parking within a PODIUM BUILDING and tuck-under parking.

**STUCCO/PLASTER** – An exterior finish system containing a mixture of Portland cement, sand, and lime, which is applied in a plastic state to form a hard, weatherproof exterior wall finish.

## USES

**ACCESSORY USE** – A use of land or building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.

**CIVIC USE** – A community use that includes the following: meeting halls; libraries; schools; government functions open to the public; places of worship; cultural, visual and performing art centers; transit centers; and, other similar uses.

**COMMERCIAL USE** – Any use defined herein as COMMERCIAL INDOOR AMUSEMENT, OFFICE, RETAIL SERVICE, and RETAIL SHOP USES, but excluding any uses prohibited by this ORDINANCE.

**COMMERCIAL INDOOR AMUSEMENT USE** – A COMMERCIAL USE wholly contained within a building that provides amusement, entertainment or games of skill for a fee or admission charge including, but not limited to, billiards, bowling, video or game arcades, and movie theaters.

**HOTEL, FULL SERVICE** – A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their average daily rate as “Upscale,” “Upper Upscale,” or “Luxury” by STR, Inc., in its most recently published chain scale ratings in North America. A full service hotel typically provides a wide variety of onsite amenities such as restaurants, meeting spaces, exercise rooms, or spas.

**HOTEL, LIMITED SERVICE** – A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their average daily rate as “Economy,” “Midscale,” or “Upper Midscale” by STR, Inc., in its most recently published chain scale ratings in North America. A limited service hotel typically offers limited services and amenities, typically without a full-service restaurant.

**OFFICE USE** – A COMMERCIAL USE that provides executive, management, administrative, or professional services. Typical examples include real estate, insurance, property management, investment, employment, travel, advertising, law, architecture, design, engineering, accounting, and similar offices.

**RESIDENTIAL USE** – A range of housing uses that encompass SINGLE-FAMILY DETACHED AND ATTACHED USES and MULTI-FAMILY USES (see RESIDENTIAL USES for full description of use types).



**RESTAURANT** – A COMMERCIAL USE open to the public, where food and beverages are prepared, served and consumed primarily within the principal building. Typical examples include full service restaurants and fast casual restaurants. The definition does not include quick service restaurant.

**RETAIL SERVICE USE** – A COMMERCIAL USE providing services, as opposed to products, to the general public, including RESTAURANTS, LIMITED SERVICE HOTELS, finance, real estate, travel agencies, etc. Typical examples include dry cleaning and laundry drop-off, beauty salons, barber shops, spas, tailor, photography studio, florists, and similar uses.

**RETAIL SHOP USE** – A COMMERCIAL USE engaged in selling general merchandise or food to the public for direct consumption and not for wholesale. Typical general merchandise includes clothing and other apparel; gifts; flowers and household plants; dry goods; groceries, convenience, and specialty foods; toys; furniture; books and stationery; drugs; hardware; and similar consumer goods. The definition does not include establishments primarily engaged in the selling of used goods or merchandise.

**WINDOW SCREENING** – A screen usually of wire mesh designed to fit into a window frame to keep out insects when the window is open.

**ZONING ORDINANCE** – The Zoning Ordinance of the City of North Richland Hills, as amended from time to time, including any future codifications.

## IX. Appendices

### A. APPENDIX – LEGAL DESCRIPTION EXHIBIT

#### TRACT 1

BEING all of Lot 1, Block 3, CITY POINT ADDITION, an addition to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in County Clerk's File No. D214125258, of the Official Public Records of Tarrant County, Texas.

#### TRACT 2

BEING 16.881 acres of land situated in the WILLIAM W. WALLACE SURVEY, Abstract No. 1606, North Richland Hills, Tarrant County, Texas, and being a portion of Lot 1, Block 2, CITY POINT ADDITION, an addition to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in County Clerk's File No. D214125258, of the Official Public Records of Tarrant County, Texas, and being a portion of the tracts of land identified as Tract I, and Parcels ONE and TWO, in the deed to La Verne Butterfield, L.P., recorded in County Clerk's File No. D213022633, of the Official Public Records of Tarrant County, Texas, and also being a portion of the tract of land conveyed to La Verne Butterfield, L.P., by the deed recorded in County Clerk's File No. D214005869, of the Official Public Records of Tarrant County, Texas. Said 16.881 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a concrete Texas Electric Service Company monument found at the most Westerly Northwest corner of said Lot 1, Block 2, said point being the Northeast corner of Lot 16, Block 1, Edgley Addition, to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in Volume 388-140, Page 11, of the Plat Records of Tarrant County, Texas, and said POINT OF BEGINNING lying in the Southeast right-of-way line of State Highway No. 26 (a variable width public right-of-way);

THENCE along the Northwest boundary line of said Lot 1, Block 2, and the Southeast right-of-way line of said State Highway No. 26, as follows:

1. N 47° 39' 42" E 413.12 feet, to a ½" iron rod marked "Brittain & Crawford" set at the beginning of a curve to the right;
2. NORTHEASTERLY 33.48 feet, along said curve to the right, having a radius of 250.00 feet, a central angle of 07° 40' 29", and a chord bearing N 51° 29' 56" E 33.46 feet, to a ½" iron rod marked "Brittain & Crawford" set at the end of said curve;

THENCE along the North boundary line of said Lot 1, Block 2, and the South boundary lines of Lot 1, Block E, Calloway Farm Addition, to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in Cabinet "A", Slide 21590, of the Plat Records of Tarrant County, Texas, and Lot 2, Block 2, Calloway Farm Addition, to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in County Clerk's File No. D214125258, of the Official Public Records of Tarrant County, Texas, as follows:

1. S 42° 51' 35" E 41.46 feet, to an "X" cut in concrete set at the most Westerly Southwest corner of said Lot 1, Block E, and said point lying in the curve to the right;
2. NORTHEASTERLY 11.22 feet, along said curve to the right, having a radius of 200.50 feet, a central angle of 03° 12' 25", and a chord bearing N 74° 41' 28" E 11.22 feet, to an "X" cut in concrete set at the end of said curve;
3. N 76° 15' 24" E 261.04 feet, to an "X" cut in concrete set at the beginning of a curve to the left;
1. NORTHEASTERLY 99.70 feet, along said curve to the left, having a radius of 199.50 feet, a central angle of 28° 37' 59", and a chord bearing N 61° 57' 18" E 98.66 feet, to an "X" cut in concrete set at the end of said curve;
2. N 48° 20' 24" E 53.72 feet, to a "MAG" nail set at the beginning of a curve to the left;

3. NORTHEASTERLY 8.23 feet, along said curve to the left, having a radius of 20.00 feet, a central angle of 23° 34' 41", and a chord bearing N 35° 48' 53" E 8.17 feet, to an "X" cut in concrete set at the North corner of said Lot 1, Block 2, and said point lying in the Southwest right-of-way line of City Point Drive (a 110 foot wide public right-of-way);

THENCE along the Northeast boundary line of said Lot 1, Block 2, and the Southwest right-of-way line of said City Point Drive, as follows:

1. S 42° 23' 46" E 573.15 feet, to an "X" cut in concrete found;
2. S 06° 53' 30" E 105.89 feet, to a ½" iron rod marked "TOPOGRAPHIC" found lying at the intersection of the Southwest right-of-way line of said City Point Drive with the West right-of-way line of City Point West (a 40 foot wide public right-of-way);

THENCE continuing along the Northeast boundary line of said Lot 1, Block 2, and the West right-of-way line of City Point West, as follows:

1. S 12° 35' 44" W 47.65 feet, to an "X" cut in concrete set at the beginning of a curve to the left;
2. SOUTHEASTERLY 125.38 feet, along said curve to the left, having a radius of 271.00 feet, a central angle of 26° 30' 30", and a chord bearing S 00° 39' 31" E 124.27 feet, to a point lying at the end of said curve;
3. S 13° 54' 47" E 36.64 feet, to an "X" cut in concrete set at the beginning of a curve to the right;
4. SOUTHEASTERLY 29.57 feet, along said curve to the right, having a radius of 281.00 feet, a central angle of 06° 01' 47", and a chord bearing S 10° 53' 53" E 29.56 feet, to an "X" cut in concrete set at the Northeast corner of a proposed 10.00 acres tract of land;

THENCE severing said Lot 1, Block 2, as follows:

1. S 89° 37' 12" W 628.11 feet, to a ½" iron rod marked "Brittain & Crawford" set;
2. S 00° 27' 51" E 246.59 feet, to a ½" iron rod found at the Northeast corner of Ruth Road (a 50 foot wide public right-of-way);

THENCE S 89° 35' 09" W 49.95 feet, along the North right-of-way line of said Ruth Road, to a ½" iron rod found at the Northwest corner of said Ruth Road;

THENCE again severing said Lot 1, Block 2, as follows:

1. N 00° 27' 51" W 122.78 feet, to a ½" iron rod marked "Brittain & Crawford" set;
2. S 89° 35' 50" W 480.59 feet, to a ½" iron rod marked "Brittain & Crawford" set in the West boundary line of said Lot 1, Block 2, and the East boundary line of a tract of land conveyed to ONCOR Electric Delivery Company, LLC, by the deed recorded in Volume 1947, Page 169, of the Deed Records of Tarrant County, Texas;

THENCE N 00° 22' 36" W 473.10 feet, along the West boundary line of said Lot 1, Block 2, and the East boundary line of said ONCOR Electric Delivery Company Tract and the aforesaid Lot 16, Block 1, Edgley Addition, to the POINT OF BEGINNING containing 16.881 acres (735,331 square feet) of land.

### TRACT 3

BEING all of Lot 2, Block 1, CITY POINT ADDITION, an addition to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in County Clerk's File No. D214125258, of the Official Public Records of Tarrant County, Texas.

### TRACT 4

BEING 0.759 acre of land situated in the WILLIAM W. WALLACE SURVEY, Abstract No. 1606, North Richland Hills, Tarrant County, Texas, and being a portion of the tract of land identified as Tract VII, in the deed to La Verne Butterfield, L.P., by the deed recorded in County Clerk's File No. D205028589, of the Official Public Records of

Tarrant County, Texas. Said 0.759 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod found at the Southwest corner of said La Verne Butterfield Tract, and the Northwest corner of Lot 9, Block A, Calloway Farm Addition, to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in Cabinet "A", Slide 299, of the Plat Records of Tarrant County, Texas, said point also being the Southeast corner of a tract of land identified as Tract I, and the Southerly portion of Tract II, in the aforesaid deed to La Verne Butterfield, L.P.;

THENCE N 00° 08' 55" W 50.08 feet, along the West boundary line of said Tract VII and the East boundary line of the aforesaid Tract of land identified as Tract I and the Southerly portion of the Tract II, to a ½" iron rod found at the Northwest corner of said Tract VII, and the Southwest corner of a tract of land identified as Tract II, in the deed to Columbia North Hills Hospital Subsidiary, L.P., recorded in Volume 14448, Page 33, of the Deed Records of Tarrant County, Texas;

THENCE N 89° 40' 25" E 660.60 feet, along the North boundary line of said Tract VII and the South boundary line of said Columbia North Hills Hospital Subsidiary Tract, to a ½" iron rod found at the Northeast corner of said Tract VII and the Southeast corner of said Columbia North Hills Hospital Subsidiary Tract, and said point lying in the West right-of-way line of Booth Calloway Road (a 60 foot wide public right-of-way);

THENCE S 00° 32' 11" E 49.98 feet, along the East boundary line of said Tract VII and the West right-of-way line of Booth Calloway Road, to a ½" iron rod found at the Southeast corner of said Tract VII and the Northeast corner of a tract of land identified as Tract I, in the aforesaid deed to Columbia North Hills Hospital Subsidiary, L.P.;

THENCE S 89° 39' 54" W 660.93 feet, along the South boundary line of said Tract VII and the North boundary line of said Tract I, and the aforesaid Lot 9, Block A, to the POINT OF BEGINNING containing 0.759 acre (33,059 square feet) of land.

#### **TRACT 5**

BEING 0.169 acre of land situated in the WILLIAM W. WALLACE SURVEY, Abstract No. 1606, North Richland Hills, Tarrant County, Texas, and being a portion of the tract of land identified as "Tract I and the Southerly portion of Tract II", in the deed to La Verne Butterfield, L.P., by the deed recorded in County Clerk's File No. D205028590, of the Official Public Records of Tarrant County, Texas. Said 0.169 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod found with aluminum cap marked "4873" at the Southwest corner of Lot 1, Block M, Calloway Farm Addition, to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in Cabinet "A", Slide 11807, of the Plat Records of Tarrant County, Texas, said point lying in the Northeast right-of-way line of City Point Drive (a variable width public right-of-way);

THENCE S 89° 59' 16" E 51.30 feet, along the South boundary line of said Lot 1, Block M, and severing said La Verne Butterfield Tract, to a ½" iron rod marked "Brittain & Crawford" set at the Southeast corner of said Lot 1, Block M, and said point lying in the West boundary line of a tract of land identified as Tract II, in the deed to Columbia North Hills Hospital Subsidiary, L.P., recorded in Volume 14448, Page 33, of the Deed Records of Tarrant County, Texas;

THENCE S 00° 26' 57" E 305.54 feet, along the West boundary line of said Columbia North Hills Hospital Subsidiary Tract and the East boundary line of said La Verne Butterfield Tract, to a ½" iron rod found at the Southwest corner of said Columbia North Hills Hospital Subsidiary Tract, and the Northwest corner of a tract of land identified as Tract VII, in the aforesaid deed to La Verne Butterfield;

THENCE S 00° 08' 55" E 50.08 feet, along the West boundary line of said Tract VII, to a 5/8" iron rod found at the Southwest corner of said Tract VII and the Northwest corner of Lot 9, Block A, Calloway Farm Addition, to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in Cabinet "A", Slide 299, of the Plat Records of Tarrant County, Texas, and said point lying in the East right-of-way line of the aforesaid City Point Drive;

THENCE along the Northeast right-of-way line of said City Point Drive and the West boundary line of the aforesaid Tract of land identified as Tract I and the Southerly portion of Tract II, as follows:

1. N 88° 42' 11" W 10.05 feet, to an "X" cut in concrete found;
2. N 00° 24' 47" W 80.00 feet, to an "X" cut in concrete found at the beginning of a curve to the left;
3. NORTHWESTERLY 279.79 feet, along said curve to the left, having a radius of 942.77 feet, a central angle of 17° 00' 15", and a chord bearing N 08° 54' 54" W 278.77 feet, to the POINT OF BEGINNING containing 0.169 acre (7,366 square feet) of land.

## TRACT 6

BEING 0.681 acre of land situated in the WILLIAM W. WALLACE SURVEY, Abstract No. 1606, North Richland Hills, Tarrant County, Texas, and being the same tract of land identified as the "Northerly portion of Tract II", in the deed to La Verne Butterfield, L.P., by the deed recorded in County Clerk's File No. D205028590, of the Official Public Records of Tarrant County, Texas. Said 0.681 acre of land being more particularly described by metes and bounds as follows:

BEGINNING at a ½" iron rod marked "SPOONER" found at the South corner of Lot 1, Block H, Calloway Farm Addition, to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in County Clerk's File No. D194246388, of the Official Public Records of Tarrant County, Texas, and the West corner of the aforesaid La Verne Butterfield Tract, and said point lying in the Northeast right-of-way line of Rodger Line Drive (a 70 foot wide public right-of-way);

THENCE along the Southeast boundary line of said Lot 1, Block H, and the Northwest boundary line of said La Verne Butterfield Tract, as follows:

1. N 35° 00' 51" E 100.00 feet, to a ½" iron rod with aluminum cap stamped "RPLS 4873" found;
2. N 53° 58' 52" E 143.09 feet, to a ½" iron rod with aluminum cap stamped "RPLS 4873" found at the East corner of said Lot 1, Block H, and the North corner of the aforesaid La Verne Butterfield Tract, and said point lying in the West boundary line of a tract of land conveyed to the City of North Richland Hills, by the deed recorded in Volume 10616, Page 1491, of the Deed Records of Tarrant County, Texas;

THENCE along the East boundary line of said La Verne Butterfield Tract and the West boundary line of said City of North Richland Hills Tract, as follows:

1. SOUTHEASTERLY 125.40 feet, along a curve to the right, having a radius of 429.00 feet, a central angle of 16° 44' 51", and a chord bearing S 05° 36' 30" E 124.95 feet, to a ½" iron rod found at the end of said curve;
2. S 02° 41' 47" W 161.71 feet, to a ½" iron rod with aluminum cap stamped "RPLS 4873" found at the South corner of said La Verne Butterfield Tract, and said point lying in the Northeast right-of-way line of the aforesaid Rodger Line Drive;

THENCE along the Southwest boundary line of said La Verne Butterfield Tract and the Northeast right-of-way line of said Rodger Line Drive, as follows:

1. NORTHWESTERLY 45.05 feet, along a curve to the right, having a radius of 265.00 feet, a central angle of 09° 44' 24", and a chord bearing N 59° 51' 29" W 44.99 feet, to a ½" iron rod marked "Brittain & Crawford" set at the end of said curve;
2. N 54° 59' 09" W 169.48 feet, to the POINT OF BEGINNING containing 0.681 acre (29,645 square feet) of land.

**TRACT 7:**

Being 5.951 acres of land situated in the William W. Wallace Survey, Abstract No. 1606, North Richland Hills, Tarrant County, Texas, and being a portion of Lot 1, Block 2, CITY POINT ADDITION, an addition to the City of North Richland Hills, Tarrant County, Texas, according to the plat recorded in County Clerk's File No. D214125258, of the Official Public Records of Tarrant County, Texas, and being all of the tract of land identified as Tract V in the deed to La Verne Butterfield, L.P. by the deed recorded in County Clerk's File No. D205028589, of the Official Public Records of Tarrant County, Texas, and a portion of the tracts of land identified as Parcels One and Two, in the deed to LaVerne Butterfield, L.P., recorded in County Clerk's File No. D213022633, of the Official Public Records of Tarrant County, Texas. Said 5.951 acres of land being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2" iron rod found at the most Westerly Southwest corner of said Lot 1, Block 2, and the Northwest corner of a tract of land conveyed to Richland Hills Methodist Church, by the deed recorded in Volume 2650, Page 247, of the Deed Records of Tarrant County, Texas, and said point lying in the East boundary line of a tract of land conveyed to ONCOR Electric Delivery Company, LLC, by deed recorded in Volume 1947, Page 169 of the Deed Records of Tarrant County, Texas;

THENCE along the West boundary line of said Lot 1, Block 2,, and the East boundary line of said ONCOR Electric Delivery Company Tract, as follows:

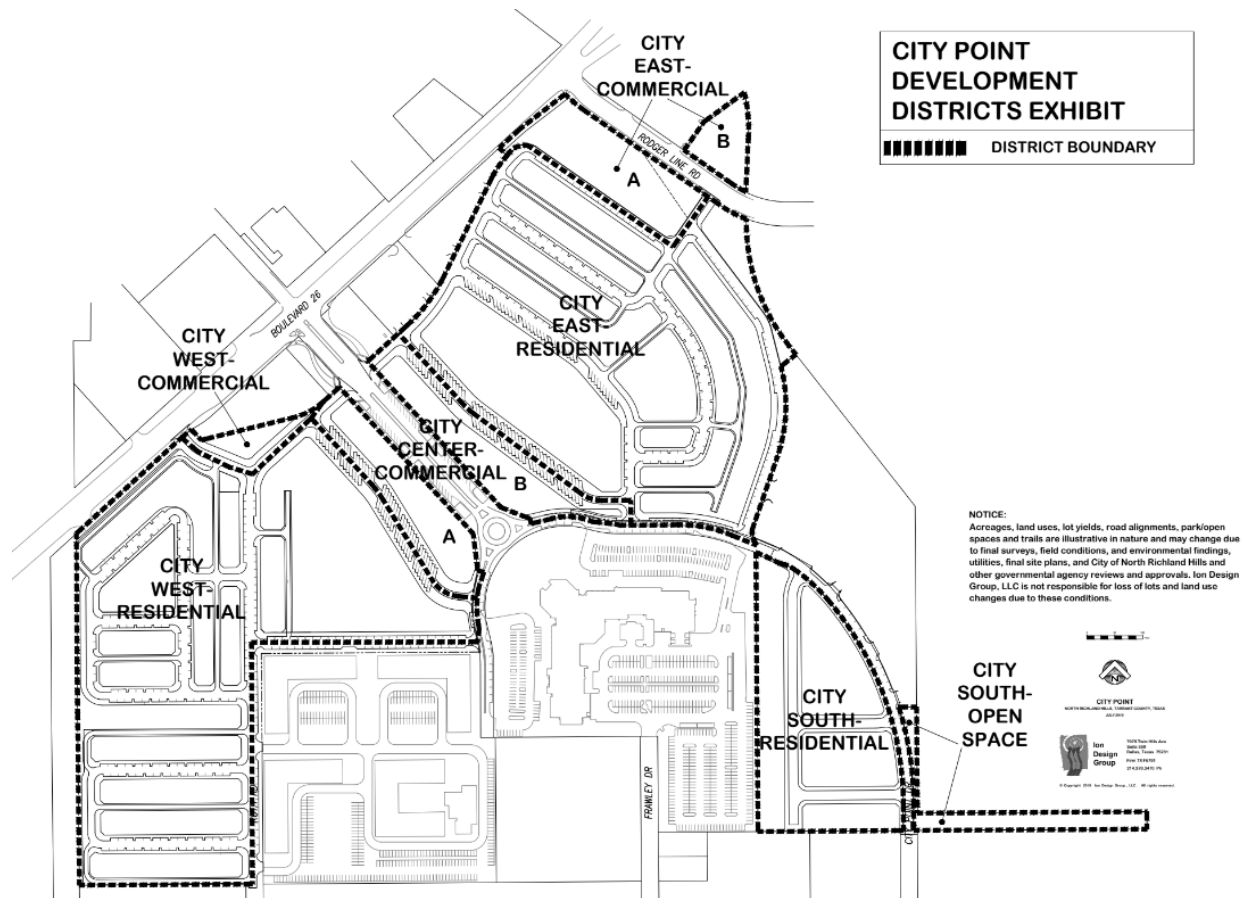
1. N 00°37'34" W, 482.31 feet to a 1/2" iron rod found;
2. N 00°22'36" W 57.70 feet, to a 1/2" iron rod marked "Brittain & Crawford" set;

THENCE severing said Lot 1, Block 2, as follows:

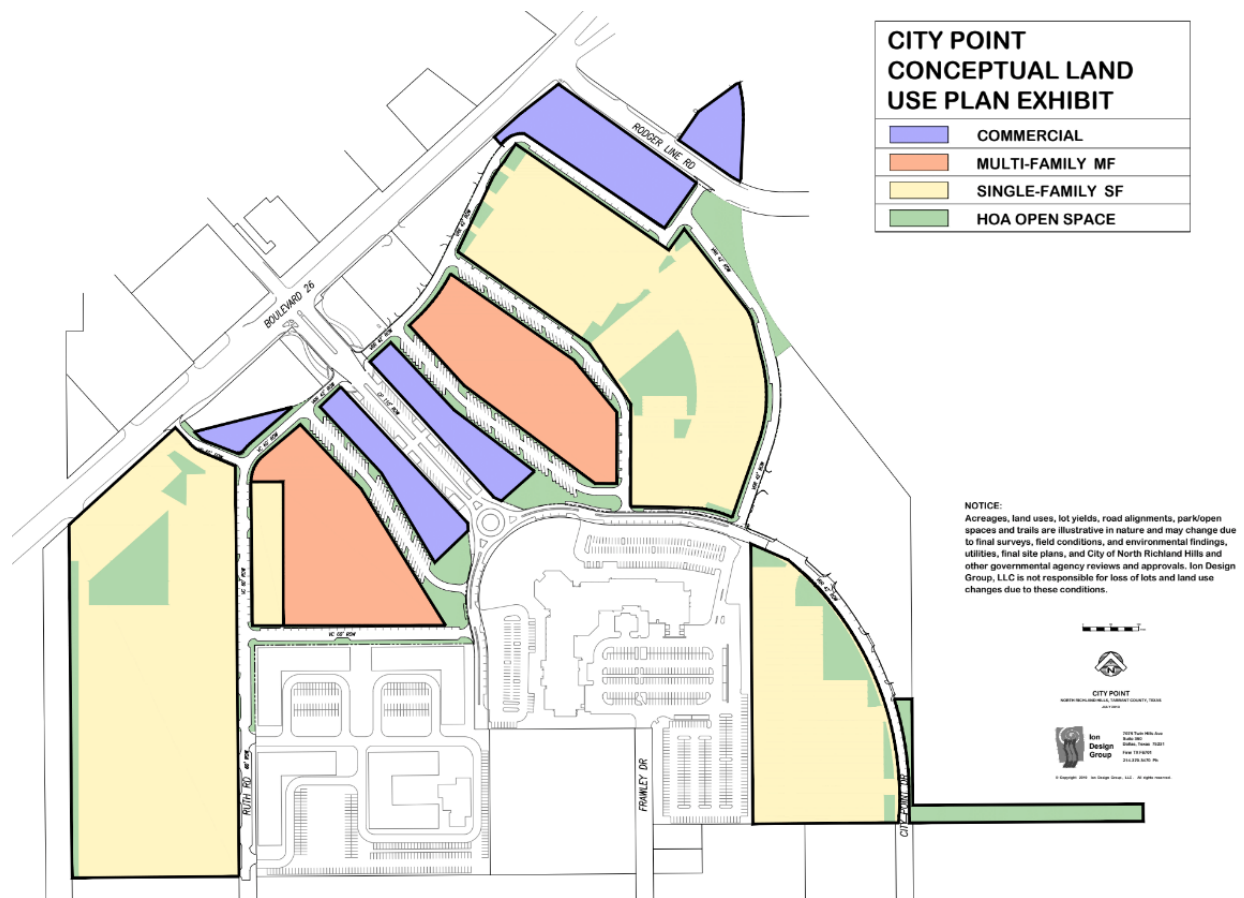
1. N 89°35'50" E 480.59 feet, to a 1/2" iron rod marked "Brittain & Crawford" set;
2. S 00°27'51" E at 122.78 feet, passing a 1/2" iron rod found at the Northwest corner of Ruth Road (a 50 foot wide public right-of-way) and continuing in all 540.00 feet, to a point lying at the most Westerly Southeast corner of said Lot 1, Block 2, and the Northeast corner of said aforesaid tract of land conveyed to Richland Hills Methodist Church;

THENCE S 89°35'50" W 479.32 feet along the South boundary line of said Lot 1, Block 2, and the North boundary line of said Richland Hills Methodist Church Tract, to the Point of Beginning containing 5.951 acres (2569,235 square feet) of land.

## B. APPENDIX – DEVELOPMENT DISTRICTS EXHIBIT



## C. APPENDIX – CONCEPTUAL LAND USE PLAN EXHIBIT





## **D. APPENDIX – TYPICAL SINGLE-FAMILY BUILDING LOT SETBACKS EXHIBIT**

**Exhibit Pending**

E. APPENDIX – ARCHITECTURAL ILLUSTRATIONS EXHIBIT



Bungalow Home 2-Story



Bungalow Home 2-Story



Urban Home 2-Story



Urban Home 3-Story



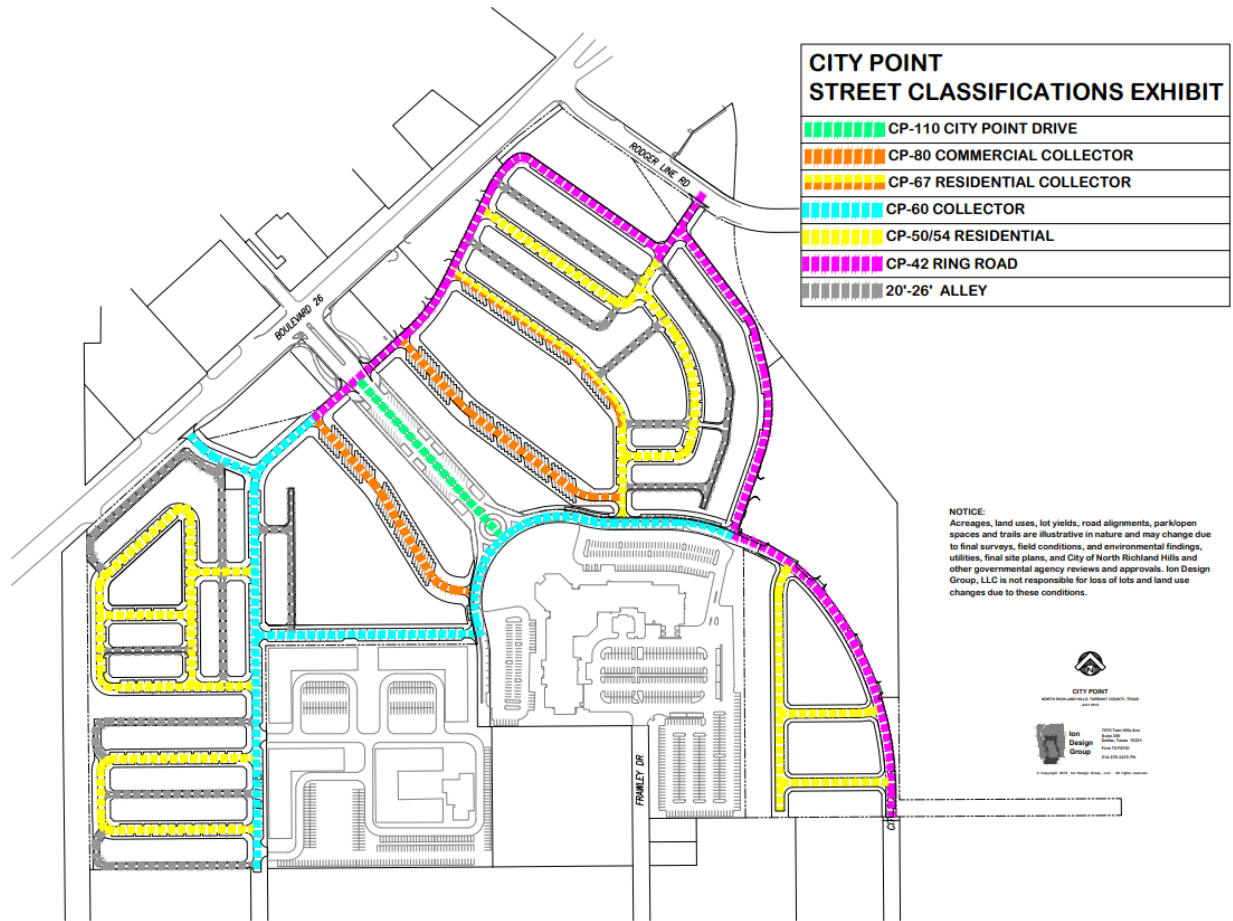
Townhomes 2-Story



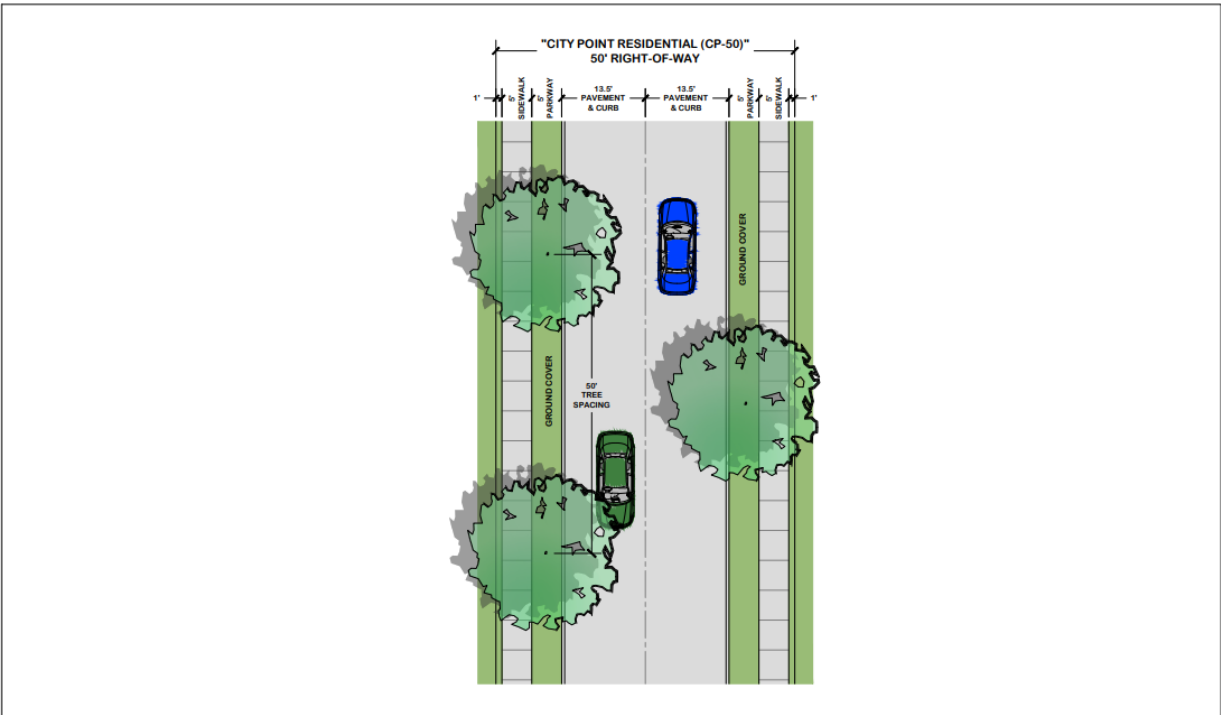
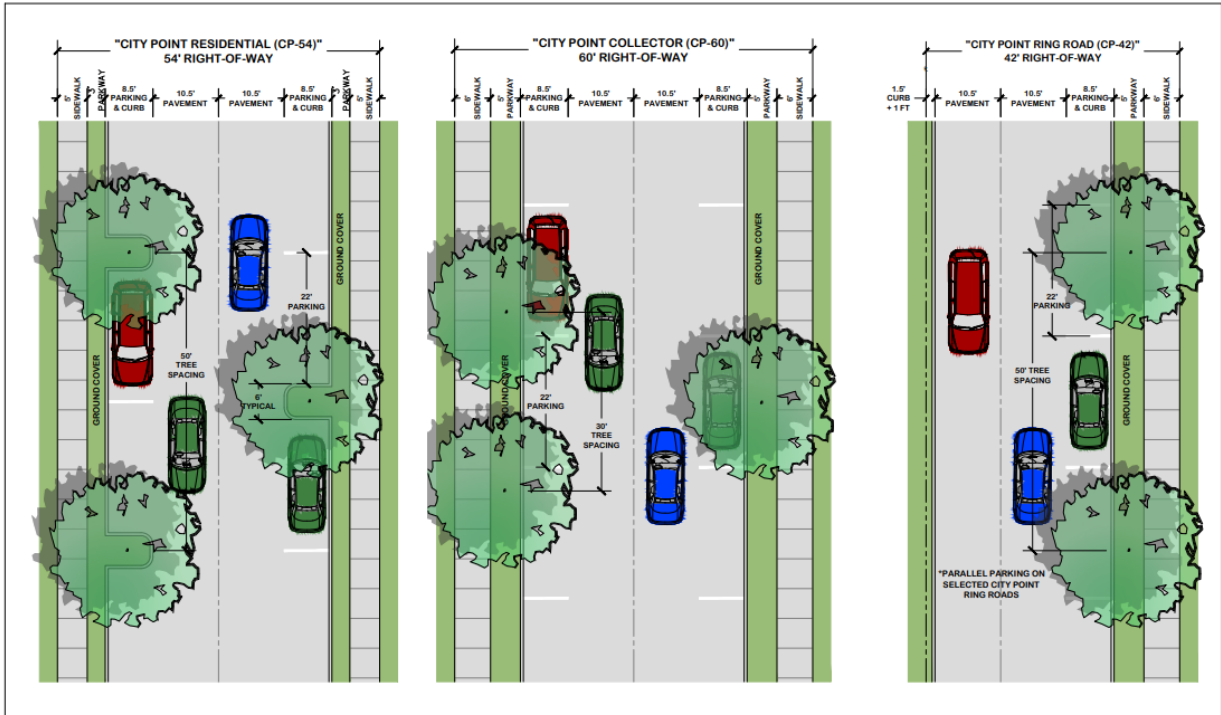
Townhomes 3-Story

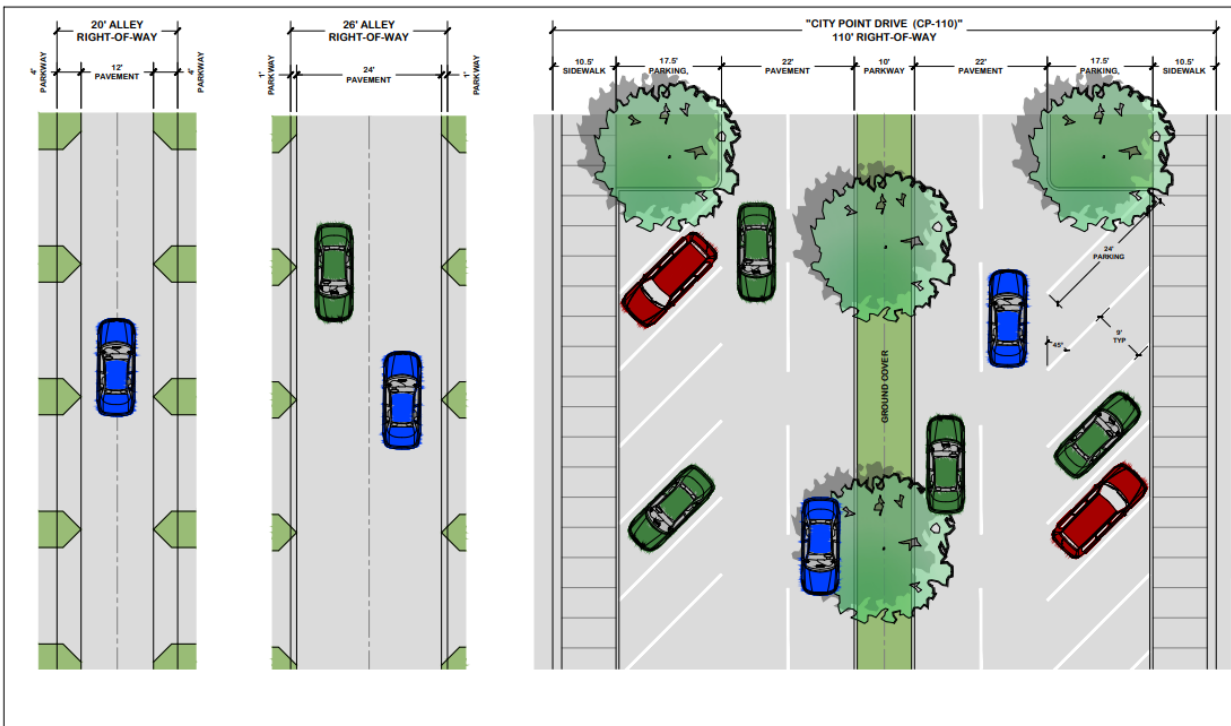
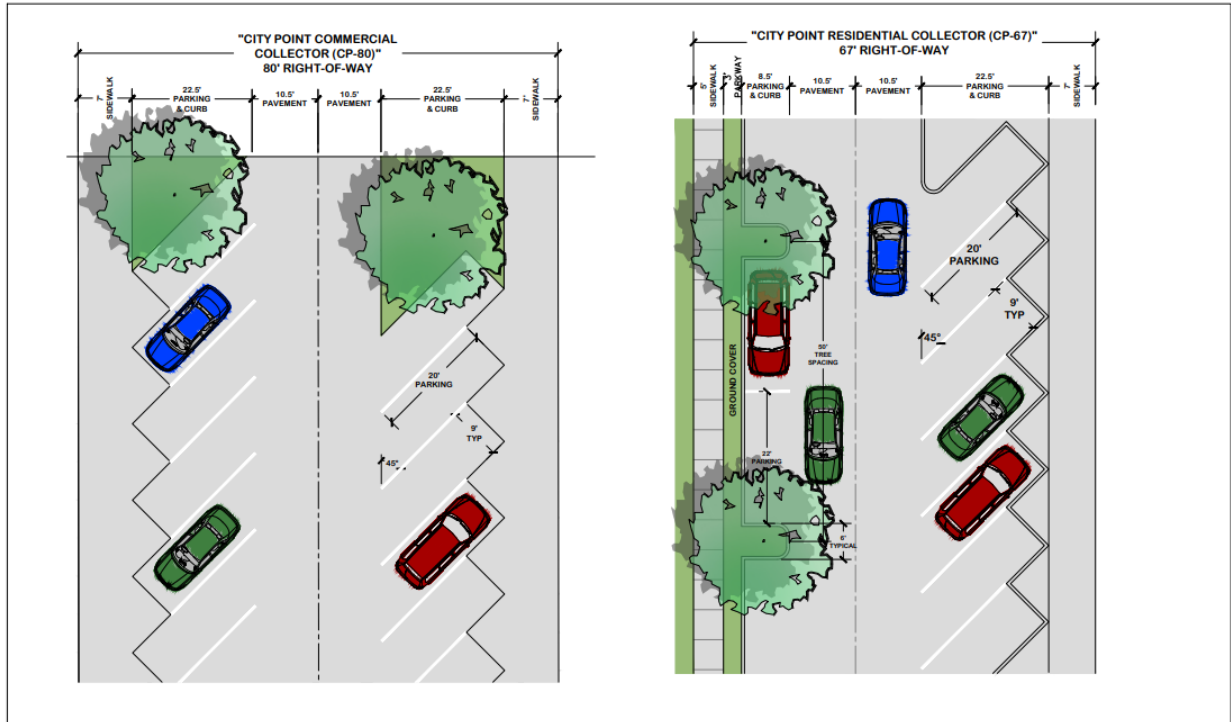


## F. APPENDIX – STREET CLASSIFICATIONS EXHIBIT

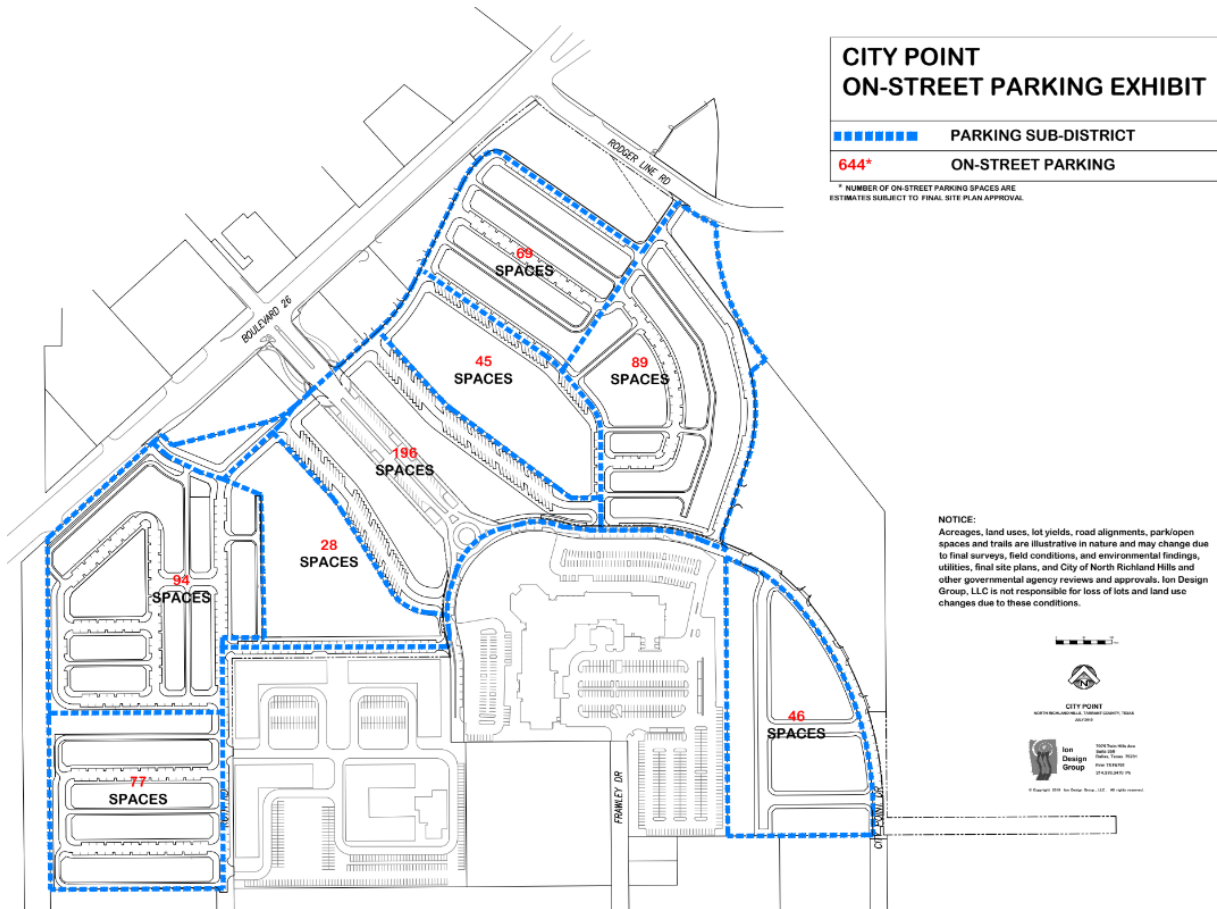


## G. APPENDIX – STREET CROSS-SECTIONS EXHIBIT





## H. APPENDIX – ON-STREET PARKING EXHIBIT



## I. APPENDIX – OPEN SPACE/TRAILS EXHIBIT

