

CITY OF CRANDALL, TEXAS

ORDINANCE NO. 050117

AN ORDINANCE OF THE CITY OF CRANDALL, TEXAS, AMENDING COMPREHENSIVE ZONING ORDINANCE NO. 051911, CRANDALL'S CODE OF ORDINANCES CHAPTER 14, SECTION 5, (ZONING DISTRICTS) "HIGHWAY BUSINESS" OF THE CITY OF CRANDALL UNIFIED DEVELOPMENT CODE , PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Crandall, Texas ("City Council") has investigated and determined that Section 5 (Zoning Districts) Highway Business "HB" of the City of Crandall, Texas ("Crandall") Unified Development Code, Ordinance No. 051911 should be amended; and

WHEREAS, Crandall has complied with all notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Crandall to amend Crandall's Unified Development Code, Ordinance No. 051911 as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CRANDALL, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Section 5 (Zoning Districts) Highway Business "HB" of Crandall's Unified Development Code, Ordinance No. 051911 is hereby amended to add new regulations for Highway Business "HB" Zoning District.

SECTION 3: Penalty Provision: Any person, firm, corporation or business entity violating this Ordinance or any provision of Crandall's Unified Development Code, Ordinance No. 051911, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Crandall from filing suit to enjoin the violation. Crandall retains all legal rights and remedies available to it pursuant to local, state and federal law.

SECTION 4: Savings / Repealing Clause: Crandall's Unified Development Code, Ordinance No. 051911 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance,

nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinance shall remain in full force and effect.

SECTION 5: Severability: Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Crandall hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 6: Effective Date: This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

THE CITY OF CRANDALL, TEXAS

CODY FRAZIE, Mayor

ATTEST:

BOBBIE JO TAYLOR, City Secretary

APPROVED AS TO FORM:

KENT HOFFMIESTER, City Attorney

plan, other than minor amendments approved by the City Manager, the City Manager will submit the amendments to the Commission and City Council for review and approval as a revised PD. Minor amendments shall only be as follows:

- 1) Corrections in spelling, distances and other labeling that do not affect the overall development concept;
- 2) Changes in building position or layout that are less than ten feet (10') or ten percent (10%) of the total building project or area;
- 3) Changes in proposed property lines as long as the original total project acreage is not exceeded, and the area of any base zoning district is not changed by more than five percent (5%); and
- 4) Changes in parking layouts as long as the number of required spaces and general original design are maintained.
- 5) allowed by applying for and obtaining a Specific Use Permit (SUP) in accordance with SECTION 5I.

(22) Highway US 175 Overlay District

(a) General Purpose and Description

State Highway 175 is a primary thoroughfare within Crandall. The State Highway 175 Overlay District establishes design and development standards for properties within the Highway 175 corridor regarding land uses, building orientation, site amenities, access, site and building architectural design, building materials, landscaping, lighting, and signage. The Highway 175 Overlay District is intended to substantially advance a legitimate governmental interest that includes enhancing the quality of life in Crandall, to regulate the character of growth along the Highway 175 corridor, and to create a unique Highway 175 corridor.

(b) Boundary

- 1) The Highway 175 Overlay District is defined as the land included within seven hundred and fifty (750) feet of the Right-of-Way Line on either side of Highway 175. These land use requirements shall not apply to that portion of the properties beyond the 750-foot boundary.
- 2) Compliance Required. All property within the boundaries of the Overlay District shall adhere to the overlay district development standards and shall be subject to site plan approval by the City Council. These requirements become applicable to a property when an application is made for a building permit for new construction or renovation that has a value that is more than 10 percent of the improvement value as established by the Kaufman County Central Appraisal District.
- 3) Action on Application. Upon receipt of a request for building permit, zoning change or subdivision plat within the Overlay District, the

applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The City Council shall review the plans for compliance with the development standards and decide of approval or disapproval as submitted.

(c) General Requirements of the Highway 175 Corridor Overlay District

1) Permitted Uses - The only uses allowed in the Highway 175 Overlay District are the uses allowed in the Highway Business District (HB) referenced in the Crandall Unified Development Code.

2) Uses with Conditional Development Standards - Several land uses within the Highway 175 Overlay District are permitted subject to compliance with conditional development standards. These uses and the standards are:

a) All uses containing a drive-in or drive-thru shall be permitted within the Highway 175 Overlay District subject to the following standards:

i) A minimum ten foot (10') wide landscape island shall be constructed around the outer edge of the drive-thru lane for a minimum distance to equal the length of stacking required for the drive-thru facility.

ii) The landscape island shall contain minimum three-inch (3") caliper evergreen or deciduous trees planted fifteen feet (15') on-center with minimum five (5) gallon shrubs planted three feet (3') on center. Ornamental trees evenly interspersed between the evergreen or deciduous trees may be substituted for the shrubs. If the landscape island is located on the perimeter of the property, perimeter landscaping requirements may be applied towards this requirement.

b) All uses containing a service bay shall be permitted within the Highway 175 Overlay District subject to the following standards:

i) Service bays shall not be oriented towards an adjacent street. Where a lot has frontage on more than one street, a service bay may be oriented towards a street upon provision of a landscape island and landscaping, but in no case, shall a service bay be oriented towards Highway 175.

ii) All service bays shall be screened from adjacent streets and properties with landscaping planted on a landscape island. The landscape island shall have a minimum width of fifteen feet (15'). The landscape island shall not be located more than forty-five feet (45') from the service bay,

iii) The landscape island shall contain minimum three-inch (3") caliper evergreen or deciduous trees planted fifteen feet

(15') on-center with minimum five (5) gallon shrubs planted three feet (3') on-center. Ornamental trees evenly interspersed between the evergreen or deciduous trees may be substituted for the shrubs. If the landscape island is located on the perimeter of the property, perimeter landscaping requirements may be applied towards this requirement.

- c) Gas Pumps and Convenience Stores with Gas Pumps shall be permitted subject to the following standards:
 - i) Limited to two corners of intersecting major thoroughfares where zoning permits.
 - ii) Canopy columns shall be fully encased with masonry that is complimentary to that used on the main building.
 - iii) Roofs of building and pump canopy shall be pitched.
 - iv) The canopy band face shall be a color consistent with the main structure or an accent color and may not be backlit or used as signage.
 - d) Big Box uses are defined as single tenant retail buildings over 70,000 square feet. Big Box uses are permitted by right with appropriate zoning only if the lot has frontage on Highway 175.
- 3) Landscaping and Open Space
- a) Landscaping shall conform to the requirements found in Section 9G of the Unified Development Code. In addition to these requirements, required parking lot trees may be consolidated into groups under the following conditions:
 - i) The number of required trees is one (1) per ten (10) parking spaces.
 - ii) Consolidated tree islands require 180 square feet per tree.
 - iii) The maximum run of parking spaces is thirty (30).
 - iv) This consolidation does not include the tree islands at the end of a row of parking or along perimeter parking rows that face a drive aisle or street.
 - v) A consolidated tree island shall not be located closer than five (5) parking spaces from
- 4) Exterior Appearance of Buildings and Structures
- a) Windows shall conform to the following criteria:
 - i) Glass shall have a maximum exterior visible reflectivity of 27%.
 - ii) Pink or Gold Glass is not permitted.

- b) Primary exterior materials shall conform to the requirements found in Section 9 of the Unified Development Code. In addition to these requirements, the following criteria shall apply:
 - i) The use of Exterior Insulated Finishing System (EIFS) is not permitted below nine (9) feet above finished grade. The use of EIFS above nine (9) feet is limited to high impact EIFS.
 - ii) 100% of the first-floor facade shall consist of clay-fired brick or stone.
 - iii) Secondary materials used on the facade of a building are those that comprise less than 10% of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, or other materials as approved by the City Manager or his/her designee.
- c) All retail/commercial buildings shall be architecturally finished on all four sides with same materials, detailing, and features if only one row of trees is planted on the perimeter behind the building.
- d) All retail/commercial buildings shall be architecturally finished on all four sides with same materials, detailing, and features except the rear if two rows of trees are planted on the perimeter behind the building. In this case, the architectural finish must match the remainder of the building in color only. A double row of trees on offset fifty (50) foot centers in a fifteen (15) foot landscape edge, where 50% of the trees are canopy evergreen trees. This is for facades that are not visible from public streets and apply to anchor buildings and attached in line spaces only. Does not include "out" buildings.
- e) All office buildings shall be architecturally finished on all four sides with the same materials, detailing, and features.
- f) All buildings shall be designed to incorporate no less than four (4) of the architectural elements from the list below. Buildings over fifty thousand (50,000) square feet must include a minimum of six (6) of the referenced architectural elements. Buildings over one hundred thousand (100,000) square feet must include a minimum of seven (7) of the referenced architectural elements.
 - i) Canopies, awnings, or porticos;
 - ii) Overhangs;
 - iii) Recesses/projections;
 - iv) Arcades;
 - v) Peaked roof forms;
 - vi) Arches;
 - vii) Outdoor patios;

- viii) Display windows;
 - ix) Architectural details (such as tile work and moldings) integrated into the building facade;
 - x) Articulated ground floor levels or base;
 - xi) Articulated cornice line;
 - xii) Integrated planters or wing walls that incorporate landscape and sitting areas;
 - xiii) Offsets, reveals or projecting rib used to express architectural or structural bay;
 - xiv) Accent materials (minimum 15% of exterior facade);
 - xv) Varied roof heights;
 - xvi) Or other architectural features approved by the City Manager or his/her designee.
- g) All retail/commercial buildings with facades greater than 200 feet in length shall incorporate wall plane projections or recesses that are at least six (6) feet deep. Projections/recesses must be at least 25% of the length of the facade. No uninterrupted length of facade may exceed 100 feet in length. This requirement does not apply to industrial and office buildings.
 - h) All buildings within a common retail development, as shown on a Concept Plan or Preliminary Site Plan, shall have similar architectural styles, materials, and colors.
 - i) Conceptual facade plans and sample boards shall be submitted with the Preliminary Site Plan application for all non-residential uses. The purpose of the conceptual facade plan is to ensure consistency and compatibility for all buildings within a single development. Facade plans will be used only to ensure minimum standards are met.
 - j) A final facade plan and sample boards shall be submitted with the Final Site Plan application for all non-residential and multifamily uses. Facade plans will be used only to ensure minimum standards are met.
 - k) Corporate identities that conflict with the building design criteria shall be reviewed on a case by case basis and approved by the City Manager or his/her designee. The applicant can appeal the decision to the City Council.
- 5) Parking
- a) Parking aisles shall be designed as to be perpendicular to the front of the primary building in the development.

- b) All parking spaces for a building must be located within 350 feet of walking distance from the building's public entrance. Big Box uses are excluded from this requirement.
 - c) Parking spaces that face and are adjacent to a building shall utilize wheel stops and/or bollards.
 - d) Retail developments containing between 100,000 and 400,000 square feet of retail floor area may reduce their parking ratio from five (5) spaces per 1,000 square feet to four (4) spaces per 1,000 square feet of floor area. For developments that contain over 400,000 square feet of floor area, parking can be reduced to four and a half (4.5) spaces per 1,000 square feet of floor area. The space that would otherwise be used for parking shall be left as open space with plans to convert it to parking if determined necessary by the property owner or the City Manager or his/her designee.
 - e) Main building in-line restaurants may reduce their parking from one (1) space per one hundred (100) square feet of floor area to one (1) space per two hundred (200) square feet of floor area. This reduction is available for up to ten percent (10%) of the main building's total floor area.
- 6) Screening Criteria for Utilities, Mechanical, and Service Facilities
- a) All loading and service areas shall be screened from view from adjacent public streets. Screening shall be by walls with complimentary landscaping that is compatible with the project design.
 - b) Screening walls shall be fourteen (14) feet tall with one row of perimeter evergreen trees adjacent to the loading area.
 - c) A screening wall is not required if a double row of perimeter evergreen trees is provided on offset fifty (50) foot centers within a fifteen (15) foot landscape edge. Fifty percent (50%) of the trees shall be canopy evergreen trees.
- 7) Trash and Recycling Collection Areas:
- a) Trash and recycling collection areas shall be located to minimize visibility.
 - b) Trash and recycling receptacles shall be screened with a six (6) foot clay fired brick or stone wall of a color that is consistent with the color of the primary building. Screening enclosures shall be visually and aesthetically compatible with the overall project.
 - c) Trash compactors shall be screened with an eight (8) foot clay fired brick or stone wall of a color that is consistent with the color of the primary building. Screening enclosures shall be visually and aesthetically compatible with the overall project.

- d) Collection area enclosures shall contain permanent walls on three sides with the service opening not directly facing any public right-of-way or any residentially zoned property. The fourth side will incorporate a metal gate to visually screen the dumpster or compactor.
- 8) Exposed conduit, ladders, utility boxes, and drain spouts shall be painted to match the color of the building or an accent color. Natural metal finishes are an acceptable alternative to paint.
 - 9) All mechanical equipment shall be screened from view at a point six feet (61) above ground level at the property line. If a parapet does not accomplish this screening, a screening wall equal to the height of the equipment shall be provided. Buildings adjacent to single family zoned property shall provide a screening wall equal to the height of the equipment on all sides that face the residential property.
- 10) Placement of Utilities
 - a) Existing utilities shall be relocated underground upon development as specified in the Subdivision Regulation Ordinance.
 - b) All new utilities shall be buried.
- 11) Pad Sites
 - a) A pad site is defined as a retail building of 6,000 square feet or less.
 - b) Pad sites at retail centers along the Highway 175 shall be limited to one for every five acres, or portion thereof, of the overall development.
 - c) Additional pad sites will be permitted if one 210-foot long view corridor is provided per 1,000 feet, or portion thereof, of street frontage for each street adjacent to the property. A view corridor is defined as a separation between buildings along the street frontage. This view corridor is encouraged to be located at or near a median opening.
 - d) City Council can approve a variance to this requirement.
- 12) Retail/Residential Connections
 - a) A drive connection is required between adjacent retail and residential properties unless otherwise approved by the City Manager or his/her designee.
 - b) A drive connection is not required between adjacent office and residential properties.
- 13) Signs
 - a) All freestanding signs shall be monument type. The copy area shall be framed on all four sides by at least six inches of

masonry, rock, or other material if compatible with an associated building's fascia. An additional allowance of up to three feet in height may be permitted for earthen berms, stone mounds, or other landscape features if part of an approved landscape plan. The maximum height of a monument sign in this district is 15 feet, with an effective area of 120 square feet.

- 14) Action on Application. Upon receipt of a request for building permit, zoning change or subdivision plat within the Overlay District, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The City Council shall review the plans for compliance with the development standards and decide of approval or disapproval as submitted.

F. INITIAL ZONING UPON ANNEXATION

- (1) Newly annexed property shall be deemed to be zoned Agricultural ("A") until such a time that the property becomes zoned to another permanent zoning district. However, as soon as practical following annexation, but in no event more than one hundred and eighty (180) calendar days thereafter, the City Council shall, on its own motion or by property owners of the annexed area, initiate proceedings to formally and legislatively establish Agricultural District zoning on the newly annexed territory, whereupon the City Manager shall commence public notification and other standard procedures for zoning amendments as set forth in this UDC. Said proceedings to establish zoning may be undertaken concurrently with annexation procedures (i.e., notified at the same time, public hearings scheduled at the same time as annexation, etc.); however, zoning approval and formal adoption of the ordinance establishing zoning must occur after annexation approval and adoption have occurred, and as a separate and distinct action by the City Council, after due consideration of the zoning request has been considered by the Commission.
- (2) The initial zoning of a land parcel, whether it is interim in nature, by initiation of the landowner or by initiation of the City, must meet the requirements for notification and public hearings as set forth in this UDC and all other applicable State laws.
- (3) The owner of land to be annexed may submit an application for zoning the property simultaneously with submission of the petition for annexation, but no such annexation application may be made conditioned upon the approval of any particular zoning classification. The Commission may consider the request for zoning and make a recommendation to the City Council prior to final adoption of the annexation ordinance. Any recommendation by the Commission shall be conditioned upon approval of the annexation of the property by the City Council. The City Council may act on an ordinance to establish the initial zoning of the property being annexed at the same meeting as the action on the annexation ordinance so long as final approval of the annexation ordinance occurs prior to