

TOWN OF FAIRVIEW

CPDD

Commercial Planned Development District

Adopted: September 11, 2014



TOWN OF FAIRVIEW

Commercial Planned Development District

BACKGROUND

This Planned Development District (“PDD”) governs land use and development within the mostly commercial and retail areas on the west side of the Town of Fairview. The PDD imposes Form Based Standards that are intended to maintain the District’s high design quality by regulating key aspects of building and site design. This will help achieve a more positive and sustainable outcome for development in the PDD. This PDD combines minimum and maximum specifications with standards for site layout, building design and Streetscape. It provides for flexibility among compatible uses to allow developers and the Town to respond to changing market demands. It also encourages parking that increases land use efficiency and minimizes disruption of the Public Realm.

The standards embodied in this PDD reflect the timeless principles upon which great towns and communities are based, and are aimed at creating comfortable and attractive places for people to meet, live, conduct business and enjoy recreation. The standards complement existing neighborhoods and development by building upon major trends in household type, characteristics and preferences as a means to provide a mix of housing types for young professionals, active seniors and assisted living. New residential uses provide a mix of unit types that will appeal to the urban residential market. They are generally integrated into mixed and multi-use areas, rather than residential-only areas. The intensity and land use mix in the PDD area makes Fairview “transit ready” for when rapid transit extends to this corridor.

Another important element of this PDD is the procedure for approval of development proposals. It combines high standards with administrative review and approval of plans and requests for modifications to certain requirements that improves efficiency in the development approval process and can achieve a more appropriate development for the particular site.



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ARTICLE 1 GENERAL PROVISIONS

1.1 AUTHORITY

- 1.1.1** This Planned Development District (“PDD”) is enacted as one of the instruments for guiding development on the west side of Fairview, and is declared to be consistent with Fairview’s Comprehensive Plan. Except as noted herein, this PDD supersedes the application of conflicting provisions in the Fairview Development Code (“FDC”) and other applicable provisions of the Code of Ordinances, Town of Fairview, Texas (“Town Code”).
- 1.1.2** The Town of Fairview, Texas adopts this PDD as authorized under the Charter of the Town, the Texas Constitution, and the general laws of the State of Texas.
- 1.1.3** This PDD may be amended after notice and public hearing in accordance with the FDC and state law.

1.2 INTENT & PURPOSE

1.2.1 General

This PDD is based on the Comprehensive Plan and the following Guiding Principles:

- (1) Future development will maintain the district’s high design quality.
- (2) Focal points of open space, trails and landmark buildings will provide the district with an easily identifiable organization.
- (3) “Human scale” design and non-auto connections will be continued and enhanced, including expansion of pedestrian and bike facilities.
- (4) Effective transitions between the PDD and adjacent low density residential will be ensured.
- (5) The District will provide locations for unique parks and open spaces.
- (6) Centers will be created with a mix of activities at key locations in the PDD.
- (7) Sloan Creek will be a major asset and the backbone of a connected open space network.
- (8) Public and private development will take advantage of evolving best practices for green design.



(9) Increase the Town’s economy through diversification of jobs and business opportunities.

(10) Make Fairview a community that is attractive to people at all stages of their lives.

1.2.2 The Town

It is intended:

- (1) That green corridors and flood plains be used to define and connect neighborhoods both within a Framework Plan and to the surrounding community.
- (2) That the Town includes a framework of pedestrian and bicycle trails and routes locally that connects to a regional system, as well as Transit-Ready Development that will provide viable alternatives to the automobile.

1.2.3 The Community

It is intended:

- (1) That neighborhoods and mixed-use centers governed by this PDD be compact and pedestrian-oriented.
- (2) That ordinary activities of daily living be able to occur within walking distance of most dwellings, providing independence and accessibility to those who do not drive.
- (3) That interconnected networks of thoroughfares be designed to disperse traffic, improve accessibility for emergency services and reduce the length of automobile, bicycle and pedestrian trips.
- (4) That civic, institutional, and commercial activity be integrated into the fabric of the community, neighborhoods and mixed-use centers.
- (5) That a range of open space including parks, squares, and playgrounds be distributed within neighborhoods and mixed use centers.
- (6) That Protected Trees and tree clusters as defined in the FDC are preserved where possible.

1.2.4 Streets, Blocks and Buildings

It is intended:



- (1) That an infrastructure of quality buildings and public spaces be constructed in order to invite reinvestment over time, and to accommodate flexibility of use in response to evolving markets.
- (2) That buildings, Streetscapes and landscaping contribute to the physical definition of thoroughfares as civic places.
- (3) That development adequately accommodates automobiles while respecting the pedestrian and the spatial form of public space.
- (4) That the design of streets and buildings reinforce safe environments and preserve accessibility.
- (5) That multi-family/mixed use residential development addresses the sidewalk area and contribute to activity and safety in the Public Realm.
- (6) That Civic Buildings be distinctive and appropriate to a role more important than other buildings, and that they help provide focus and order to the fabric of the Town.
- (7) That civic buildings and public gathering places be provided at high-image locations to reinforce community identity and encourage their use.
- (8) That landscape design reflects local climate, topography and the preservation of Protected Trees and tree clusters, and that architecture reflects local climate, topography, history, and good building practice.

1.2.5 Unique Sites and Conditions

It is intended:

- (1) That Special Districts be created within this PDD for properties where unique market and site conditions warrant special Standards to enable development.
- (2) That such Special Districts blend and transition to existing and planned development in a manner that helps maintain the intended community character and identity.



1.3 APPLICABILITY

- 1.3.1** The development and use of all land designated and classified as subject to the application of the Sub-District zoning classification will conform to this PDD.
- 1.3.2** The provisions of this PDD, when in conflict, will take precedence over those of other codes, ordinances, regulations and standards of the Town of Fairview to the extent of the conflict.
- 1.3.3** The codes and ordinances of the Town of Fairview will continue to be applicable to matters not covered by this PDD except when they would conflict with the Intent stated in *Article 1.2*, in which case the intent and general purpose of this PDD will govern.
- 1.3.4** The FDC will be and remain in full force and effect to the extent not in conflict with this PDD. Any provision in this PDD that conflicts with the FDC or any other Town regulation will govern to the extent of the conflict. The specifications for and quality of construction and installation of all structures and infrastructure will comply with the rules, regulations, standards and requirements of the Town. Nothing in this PDD is intended to, and no provision of this PDD shall be interpreted to preclude the application and enforcement of other state and federal laws and regulations, and this PDD will not be regarded as preventing or exempting compliance with building and construction codes and accessibility standards.
- 1.3.5** This PDD establishes, and will govern the zoning and permitted uses of land within Sub-Districts as defined in *Subsection 3.2.2*, subject to the requirement that plans in conformance with this PDD be submitted, reviewed and approved for development. If not in conflict with this PDD, the processes and procedures for zoning and approval of plans, site development and construction plans, and building permits will be as provided in the FDC and other applicable ordinances of the Town, as amended.
- 1.3.6** Any property with an approved plan at the time of adoption of this PDD must meet the standards and guidelines in this PDD when or if the approved plan expires.
- 1.3.7** This PDD and its Appendix establish the required standards for development, unless specifically identified as a Guideline or where the words “should” or “could” are used.
- 1.3.8** Capitalized terms used throughout this PDD may be defined in *Article 7 Definitions*. Those terms not defined in *Article 7* will be accorded to commonly accepted meanings. In the event of conflict, the definitions of this PDD will take precedence.



1.4 NON-CONFORMITY

1.4.1 Applicability

- (a) For the purposes of properties governed by this PDD, non-conformity will be determined by the Non-Conformity rules established in Sec. 14.02.006 Nonconforming use and Sec. 1.06.065 Jurisdiction; variances in the Town Code.
- (b) For existing development, as of the date of adoption of this CPDD, the Subdivision Plat will serve as the Development Plan for those developments. It is the intent and general purpose of this PDD to allow for redevelopment and infill development within existing developments that is consistent with the character of the existing development. However, if and when an existing development is re-developed, wholly or in part as determined by the Town Manager, then it is the intent of the Town that the new development conform to this PDD. Any request for garden apartment redevelopment will require a Major Warrant.



ARTICLE 2 ADMINISTRATION

2.1 INTENT

2.1.1 Intent

It is the intent that a developer or builder who wishes to develop under this PDD will be processed in an expeditious manner with administrative approvals where allowed by this PDD. (See *Process Diagram* below.) However, if there is a Major Warrant or a substantial number of Minor Warrants requested, the additional required approvals may delay the development process.

2.2 GENERAL

2.2.1 Development Approval Process

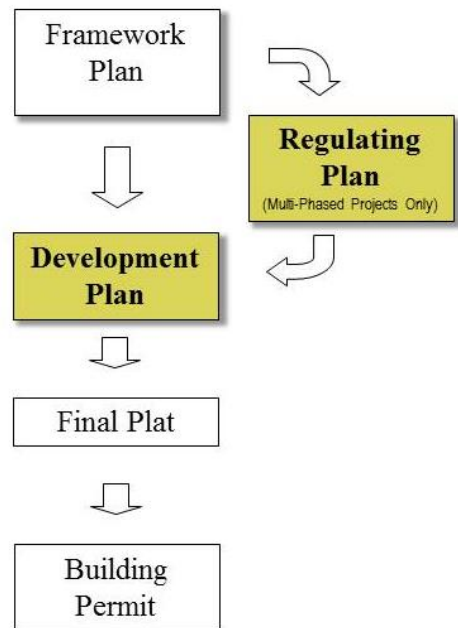
Prior to receiving a Building Permit, a Development Plan must be approved by Staff (or Council with a Major Warrant request), and a Final Plat must be approved by the Town Council. A Regulating Plan must also be approved if the project will be built in two or more phases. Both the Regulating Plan and the Development Plan may be approved administratively if there are no requests for a Major Warrant. (See *Subsection 2.4 Warrants* below.)

Council and the Planning and Zoning Commission will be informally updated on the status of projects by the Town Manager or designee on a regular basis. This will not constitute a separate or parallel review process nor involve a public hearing.

2.2.2 Development Review Committee

A Development Review Committee (“DRC”) will be established to provide guidance for interpretation of this PDD and to make recommendations on issues that may arise. It is not intended to review every administrative or legislative application that comes forward within the Sub-Districts, nor is it intended to arbitrate disagreements between developers, property owners and the Town.

Process Diagram





The DRC will be appointed by the Town Manager, and should include the Planning Manager, the Town Engineer, the Building Inspector, the Economic Development Manager, the Urban Design Officer (“UDO”) and any other representatives with special expertise.

2.2.3 The Town Manager or his/her designee will have staff administrative jurisdiction over any processes authorized under these regulations. The Town Manager or designee will review and advance the permitting process by undertaking any action consistent with this PDD and State Law, to facilitate the permitting process. The Town Manager or designee may refer any decision on Minor Warrants to the Planning and Zoning Commission and Council at his/her sole discretion if they feel that the combination of Warrants may be considered to not be consistent with the intent and general purpose of this District.

2.2.4 A UDO will serve as a technical advisor to the Town Manager and the DRC, and will have demonstrated experience in planning and design of mixed-use, pedestrian-oriented development.

The UDO will be appointed by the Town Manager upon recommendation of the Planning Manager, and the cost of the UDO’s services will be borne by development fees paid to the Town. The UDO will be assigned to advise on the use of this PDD and to aid in the layout of properties and design of buildings based on this PDD.

2.3 PLAN REQUIREMENTS

2.3.1 Site Analysis

All plan submittals shall provide an extensive site analysis. The site analysis should highlight existing conditions of the project area and the surrounding context. Elements portrayed should include, but are not limited to the following:

- (1) Existing utility placement
- (2) Type and location of existing structures
- (3) View corridors
- (4) Sun patterns
- (5) Condition of existing streets
- (6) Drainage - drainage courses, flood plain and floodway
- (7) Roadway hierarchy (existing and planned)
- (8) Vegetation masses



- (9) Trails and open space (existing and planned)
- (10) Topography
- (11) Views (good and bad)
- (12) Identification of High Profile locations
- (13) Publicly owned land
- (14) Identification of Civic, Health and Educational facilities (schools, libraries, fire stations, hospitals, churches, etc.)
- (15) Negative or sensitive land uses
- (16) Other landmark features

2.3.2 Regulating Plan

- (a) A Regulating Plan will be required for any multi-phased development or areas where there are multiple property ownerships, in order to ensure continuity of development.
- (b) Regulating Plans will be consistent with the approved Framework Plan. Regulating Plans may contain one or more Sub-Districts. The boundaries of the Sub-Districts may be shifted within the Regulating Plan by up to 100 feet from those in the Framework Plan provided that the Town Manager or designee determines that there would be no appreciable impact on existing or new development within the property covered by the zoning or on properties adjacent to the zoned area.
- (c) Regulating Plans may be prepared by an Applicant or by the Town.
- (d) Regulating Plans will correlate to adjacent plans and development, and will be incorporated as part of the regulations governing the Sub-District.
- (e) **Content.** Regulating Plans will include:
 - (1) Site Analysis
 - (2) Identification of protected trees and tree clusters as set out in *Article 3.15 (Natural Resources Management and Tree Protection)* of the FDC, as amended;
 - (3) Street Network depicting all major, secondary, collector, local and alley thoroughfares and trail network;
 - (4) Street Types;
 - (5) Sub-Districts being utilized;



- (6) Centralized Public Open Space;
- (7) Quarter mile Pedestrian Shed(s) that correspond to public open space, retail or other gathering places;
- (8) Location and disposition of Building Types;
- (9) Mandatory or recommended Flex Space construction at grade;
- (10) Terminated Vista and Landmark Feature locations;
- (11) Building height, building type or land use overlay(s) (if applicable);
- (12) A Traffic Impact Analysis ("TIA"), if required by the Town Engineer;
- (13) A Phasing Plan of Open Space amenities and Building Type Categories (if applicable);
- (14) Any Warrants being requested (any variation to this PDD's standards must be specifically requested); and
- (15) Any requirements specific to the site, as may be determined by the Planning Manager or Town Manager.

(f) Approval.

- (1) Following a determination of completeness, and unless the application is accompanied by a request for a Major Warrant, the Town Manager or designee will approve, approve with conditions or deny the application for a Regulating Plan and will notify the applicant of the decision.
- (2) If the application includes a request for a Major Warrant, the Major Warrant will be considered by the Town Council, after recommendation from the Planning and Zoning Commission, following public hearings before the commission and council. The Town Council will approve, approve with conditions or deny the application for the Regulating Plan and the Major Warrant request. The notice and hearing procedures required for a Zoning Change in the FDC shall be used to process the Regulating Plan and Major Warrant application.
- (3) Denial or conditional approval of a Regulating Plan by the Town Manager may be appealed to the Planning and Zoning Commission. The appeal must be filed within 30 days of the date of the Town Manager's action on the application for approval of a Regulating Plan.



- (4) The Planning and Zoning Commission will make a recommendation to the Town Council. After considering the Commission's recommendation, the Council will approve, approve with conditions or deny the application for the Regulating Plan. The Council's decision is final and binding.
- (5) The Town Manager, the Planning and Zoning Commission and Town Council in reviewing the application for Regulating Plan approval and Warrants, will determine whether they are consistent with the Comprehensive Plan and the Intent statements in this PDD.
- (6) The Town Manager, at his or her discretion, may refer any Plan application to the Planning and Zoning Commission and Town Council for a decision.

2.3.4 Development Plan

- (a) A Development Plan is required in lieu of the Town's required Site Plan, and will serve as the plan that platting, building and construction permits will be based upon.
- (b) Development Plans must be consistent with the approved Framework Plan and Regulating Plan (if applicable). Sub-District boundaries may be shifted within the Development Plan by up to 100 feet from those in the Framework or Regulating Plan provided that the Town Manager or designee determines that there would be no appreciable impact on existing or new development within the property covered by the zoning or on properties adjacent to the zoned area.
- (c) A Building Permit will not be issued until a Development Plan and Final Plat has been approved. In lieu of submitting a Preliminary Plat for Town approval, the applicant may proceed directly to Final Plat if all the conditions for a Preliminary Plat are met in its approved Development Plan.
- (d) **Content.** A Development Plan application will include the following information and documents that demonstrate compliance with the approved Framework Plan or Regulating Plan and this PDD:
 - (1) Site Analysis;
 - (2) Identification of protected trees and tree clusters as set out in *Article 3.15 (Natural Resources Management and Tree Protection)* of the FDC, as amended;
 - (3) Proposed Building Types corresponding to the permitted Building Types per Sub-District;



- (4) Delineation, by type, of proposed streets, alleys, mews streets, public easements, buildings, parking areas, and landscaped areas;
- (5) Preliminary exterior Building Elevations indicating materials, colors and building Architecture (as may be required), except for single-family residences;
- (6) Landscape and Streetscape areas identified;
- (7) Quarter mile Pedestrian Shed(s) that correspond to public open space, retail or other gathering places;
- (8) Identification of Terminated Vista Locations;
- (9) A Fire Fighting Master Plan for streets that have less than 20 feet of contiguous paving width, if requested;
- (10) A TIA, if required by the Town Engineer;
- (11) Preliminary Utility and Drainage Plans; and
- (12) Any Warrants being requested (any variation to this PDD's standards must be specifically requested).

(e) Approval.

- (1) Following a determination of completeness, and unless the application is accompanied by a request for a Major Warrant, the Town Manager or designee will approve, approve with conditions or deny the application for a Development Plan and will notify the applicant of the decision.
- (2) If the application includes a request for a Major Warrant, the Major Warrant will be considered by the Town Council after recommendation from the Planning and Zoning Commission, following public hearings before the Commission and Council. The Town Council will approve, approve with conditions or deny the application for the Development Plan and the Major Warrant request. The notice and hearing procedures required for a Zoning Change in the FDC shall be used to process the Development Plan and Major Warrant application.
- (3) Denial or conditional approval of a Development Plan by the Town Manager may be appealed to the Planning and Zoning Commission. The appeal must be in writing and filed within 30 days of the date of the Town Manager's action on the application for approval of a Development Plan.
- (4) The Planning and Zoning Commission will make a recommendation to the Town Council. After considering the Commission's recommendation, the Council will



approve, approve with conditions or deny the application for the Development Plan. The Council's decision is final and binding.

- (5) The Town Manager, the Planning and Zoning Commission and Town Council in reviewing the application for Development Plan approval and Warrants, will determine whether they are consistent with the Comprehensive Plan and the Intent statements in this PDD.
- (6) The Town Manager, at his or her discretion, may refer any application to the Planning and Zoning Commission and Town Council for a decision.
- (f) Expiration.** An approved Development Plan will expire within 2 years from the date of approval unless a Building Permit has been approved on the property.

2.4 WARRANTS

2.4.1 Warrants of Design Standards

- (a)** In order to provide flexibility and create high quality projects, Warrants may be issued to deviate from certain standards in this PDD.
- (b)** For the purposes of this PDD, there are two types of Warrants of Design Standards — Minor and Major. Warrants will not be considered based on hardship and the Board of Adjustment has no authority to consider Warrants. A Warrant request may only be made in conjunction with an application for Zoning (a Framework Plan), a Regulating Plan, or a Development Plan.
- (c)** Warrants may be made to a single building or to a broad plan.
- (d)** Minor Warrants and Major Warrants will be considered unique to the particular site conditions and context, and will not set a precedent for others.
- (e)** The Town Manager has the sole authority to determine whether an element of a proposed plan constitutes a Minor or a Major Warrant; provided, however, that this determination must be made in accordance with the various provisions in this PDD that set forth the type of Warrant required for any requested deviation or combination of deviations.
- (f)** The Town Council may place conditions on Warrants in order to respond to unique site and development conditions.



2.4.2 Minor Warrants

- (a) Minor Warrants permit a practice that is not consistent with a specific provision of this PDD, but is justified by its Intent and general purpose. Minor Warrants may be granted administratively as part of an approval of a Regulating Plan or a Development Plan by the Town Manager upon recommendation by the UDO or the DRC. Any Warrants, however, must be specifically identified in the plan application.
- (b) A Minor Warrant may not be issued to deviate from any of the following standards:
 - (1) Maximum dimensions of traffic lanes;
 - (2) Required provision of alleys and rear lanes;
 - (3) Minimum residential densities and Housing Type Category mix; and
 - (4) Unlisted permitted signage types.
- (c) A Minor Warrant is not considered an amendment to this PDD as a Minor Warrant permits a technical deviation that is not contrary to its the general purpose and intent of this PDD. Examples of when a Minor Warrant may be issued include requests for deviations:
 - (1) that do not alter the basic relationship of the proposed development to adjacent property;
 - (2) that retain the character of the development;
 - (3) that do not alter the uses permitted, or significantly increase the density, setbacks, height, or coverage of the site, except as expressly permitted by Minor Warrant in this PDD; and
 - (4) that do not increase the problems of traffic circulation, safety, or utility requirements.

2.4.3 Major Warrants

Major Warrants allow deviations from a standard, intent and general purpose of this PDD. Major Warrants may only be approved by the Town Council, following a recommendation by the Planning and Zoning Commission, in conjunction with a decision on an application for approval of a Framework Plan, Regulating Plan or Development Plan. The Town Council may approve a Major Warrant if it determines that the application:

- (1) Meets the intent and general purpose of this PDD (see *Article 1.2*) and the Sub-District in which the property is located;



- (2) Will result in an improved project which will be an attractive contribution to the Sub-District;
- (3) Will not negatively impact surrounding properties; and
- (4) Will not prevent the realization of the overall intent and general purpose of the Sub-District.

2.5 PLATTING

2.5.1 Consistent with this PDD

- (a) Plats in a Sub-District will ensure public access easements over sidewalk areas and shared drive access, and will be consistent with the Standards in this PDD and all applicable laws and regulations.
- (b) Preliminary and Final Plats will show:
 - (1) Build-To Lines for all single family block faces, and Build-To Zones (minimum and maximum build-to lines) for commercial and multi-family uses;
 - (2) Side yards on single family lots where homes are off-set on the lot to gain a wider side yard on one side such as patio homes and zero-lot line homes, as may be allowed in the standards in this PDD; and
 - (3) Compliance with the platting requirements of the FDC.
- (c) Terminated Vistas will be identified on the Plat which signifies lots and buildings which will be configured to take advantage of that prominence such as centering them in the view corridor and where appropriate, including additional height and special architectural features.
- (d) Lots which are directly adjacent to and facing public Open Space (such as Mews lots, Attached Green lots and Green Street Lots) but which have Mews Alley access, will be considered to have met the requirements for public frontage and are considered adequate for fire protection, addressing and mail box location.

2.5.2 Timing of Platting

- (a) Within the District, Preliminary and Final Plats must be in conformance with an approved Regulating Plan and/or Development Plan. A Preliminary or Final Plat will not be approved without an approved Regulating Plan and/or Development Plan. The Final Plat may be filed by phase to allow for adjustments to building types and market flexibility.



- (b) A Final Plat will be approved prior to issuance of any Building or Grading Permit. In lieu of submitting a Preliminary Plat application following approval of a Development Plan, the applicant may proceed directly to Final Plat if all the conditions for a Preliminary Plat are met in its approved Development Plan.
- (c) An Applicant may file a Final Plat application concurrently with a Building or Construction Permit application. However, a Final Plat must be filed with the County prior to approval of infrastructure or any Certificate of Occupancy.

2.5.3 Maintenance of Public Improvements and Open Space

- (a) Within the form based District areas, either a mandatory Public Improvement District ("PID") or a Municipal Management District ("MMD") shall be created and/or a development agreement will be executed between the developer and the Town to ensure adequate funding for maintenance in perpetuity and replacement of Streetscape, Open Space, Trail System, fencing, irrigation, and other common areas.
- (b) A Homeowners Association ("HOA") or Property Owners Association ("POA") is required to provide for the review, maintenance, and enforcement of design standards, and to provide recommendations to the PID or MMD for adequate resources for the care and, where appropriate, the reconstruction of the common elements and amenities in residential neighborhood developments.
- (c) Where a PID or a MMD is not in place, an HOA will be required and will be responsible for maintenance and/or ownership of open space, common areas, and required maintenance of ROW landscaping and furnishings.



ARTICLE 3 PLANNED DEVELOPMENT DISTRICT STANDARDS (PDD)

3.1 INTENT

3.1.1 Intent

For this PDD District, it is the intent and general purpose of these standards to:

- (1) Regulate only the most important standards that will result in establishing this District in Fairview as a “great place” in the region and enhance its livability with pedestrian-oriented/bicycle-friendly districts and neighborhoods that complement the Town’s existing development.
- (2) Establish Fairview as an inter-generational Town with a broad and strong tax base which is based on a diverse housing base and business economy that complements its existing bucolic character.
- (3) Provide a variety of housing types within the Town of Fairview to balance the large amount of existing low density single-family lots, which will serve to both enhance existing property values and provide housing for the complete life cycle – young professionals, professional couples, families, empty nesters, retirees and seniors.
- (4) Enhance the Town of Fairview’s sense of community by providing opportunities for citizens to meet and visit with each other in a comfortable, friendly, walkable environment.
- (5) Maximize the sense of identity, image and value-creation that can result from the provision of smaller public open spaces and trails that are integrated into new areas which can provide enhanced opportunities for gatherings and recreation.
- (6) Encourage the amenity and value of providing a range of housing types within a walkable distance to retail, restaurant, commercial services, open space, and friends and family.
- (7) To diversify the Town’s existing tax base.



3.2 PLANNED DEVELOPMENT SUB-DISTRICTS AND LAND USE

3.2.1 Intent

It is intended:

- (1) That the Town of Fairview shall diversify its existing tax base with new pedestrian-oriented development that will take advantage of freeway access, future transit opportunities, natural vegetative and drainage features and the presence of the Village at Fairview ;
- (2) That the Town of Fairview shall diversify its building types and sizes, and attract households that correlate to young professionals, retirees and other under-served community populations, in new development; and
- (3) That the type and pattern of new development shall encourage pedestrian-oriented and mixed-use projects that are well integrated with retail, employment, residential and recreational activities.

3.2.2 Planned Development Sub-District (Sub-Districts)

(a) The following are Sub-Districts within areas governed by this PDD.

- (1) **Neighborhood General.** Neighborhood General is intended for single family and townhome development. Building Types and standards are geared to creating pedestrian-friendly communities interspersed with public Open Space.
- (2) **Neighborhood Edge.** Neighborhood Edge is intended to provide a transition between existing low density residential development and the DART rail, State Highway 5 corridor and urban Sub-Districts, by providing for relatively low-density residential development.
- (3) **Urban Transition.** Urban Transition is intended for properties which face State Highway 5, Stacy Road and FM 1378, and to provide a transition to existing low density residential neighborhoods. Urban Transition consists of mixed-use, but shall primarily retain a residential fabric. This designation has a wide range of building types with small shopfront buildings, townhomes, cottage homes and live-work units. Manor homes are allowed and will primarily be used to transition to existing adjacent low-density residential. The Building Types and standards are designed to create a less intense, pedestrian friendly neighborhood, as compared to Urban Village, which is interspersed with public Open Space.



(4) **Urban Village.** Urban Village is a designation for mixed-use, commercial and flex employment Building Types. The residential fabric is more intense and intended to support employment uses in this area. Public Open Space is designed to be more urban (i.e. plazas, pocket plazas, squares, etc.) and integrated with a tight network of streets with wide sidewalks, steady street tree planting and buildings set close to the sidewalks. Urban Village may include townhome units up to high-density commercial buildings

(b) The Standards for each of these Sub-Districts will form the basis of zoning for properties governed by this PDD.

3.2.3 Building Types

(a) **Neighborhood General.** The following Building Types may be permitted in areas designated Neighborhood General under this PDD (see *Appendix 3.1 Building Types*).

- (1) Manor
- (2) Estate
- (3) Village
- (4) Cottage
- (5) Casita
- (6) Townhome I

(b) **Neighborhood Edge.** The following Building Types may be permitted in areas designated as Neighborhood Edge under this PDD (see *Appendix 3.1 Building Types*).

- (1) Rural Residential
- (2) Manor
- (3) Estate
- (4) Village
- (5) Cottage / Casita

(c) **Urban Transition.** The following Building Types may be permitted in areas designated as Urban Transition under this PDD (see *Appendix 3.1 Building Types*).

- (1) Manor
- (2) Cottage / Casita



- (3) Townhome I
- (4) Live-Work
- (5) Shopfront

(d) Urban Village. The following Building Types may be permitted in areas designated as Urban Village under this PDD (see *Appendix 3.1 Building Types*). These Building Types are further refined with Height and Building Type Overlays as designated on an approved Framework Plan, Regulating Plan and/or Development Plan.

- (1) Townhome II
- (2) Live-Work
- (3) Mixed Residential
- (4) Shopfront
- (5) Mixed-Use
- (6) Commercial
- (7) Flex Employment

3.2.4 Land Use

(a) Civic, Education, Retail, Residential, Hotel, Office and other uses will be permitted within Sub-Districts in accordance with *Appendix 2 Land Use*. Uses which are not specifically authorized are prohibited.

(b) Outside storage is specifically not permitted in the CPDD.

3.2.5 Required Flex Space At-Grade

Where “Required Flex Space At-Grade” is designated on the Framework Plan or a Regulating Plan, the ground floor adjacent to the street will be constructed to retail building standards for a depth of at least 30 feet. However, any allowed use may occupy the space. (See *Subsection 3.7.6.c* below for standards.)

3.2.6 Building Addresses

All buildings will prominently display their address on the front of the building and on the alley, if there is one.

3.2.7 Civic Buildings

(a) It is the intent and general purpose of Civic and Landmark Buildings to:



- (1) Generate a “sense of place” and neighborhood/community/regional identity.
- (2) Create an outdoor room with the buildings being brought up and oriented toward the streets and providing street trees.
- (3) Provide Streetscape elements and shade trees for pedestrians along streets and thoroughfares between the roadbed and the sidewalk.
- (4) Avoid parking lots dominating the Streetscape and Public Realm by locating them behind the principal building.
- (5) Ensure the ground floors of buildings are permeable and interesting to engage the pedestrian and avoid dead zones along the street.

(b) Civic and Landmark buildings shall be subject to the intent and general purpose of this Chapter. The particulars of their design will be handled on a case-by-case basis by way of the Major and Minor Warrant process. Through this process, Civic and Landmark buildings will still incorporate certain key elements based on the context and standards of the respective Sub-District from which they are located.

3.2.8 Transition to Existing Single-Family Neighborhoods

It is the intent and general purpose of this PDD, to ensure an orderly transition between Sub-Districts and areas of lower density, single-family residential development through the use of building types and building height which are appropriate to making that transition.

Such standards are only applicable to Sub-District areas immediately adjacent to areas zoned Single Family under the FDC. For standards, please refer to *Appendix 3.2 District Transition Sections*.

3.3 NEIGHBORHOOD GENERAL (NG) STANDARDS

3.3.1 Intent

Great neighborhoods are defined as being intergenerational and containing amenities to make each home within them unique and worthy of reinvesting in. The Neighborhood General Sub-District designation is intended to provide pedestrian-friendly neighborhoods with close proximity to open space, trails, and civic, personal and support services.

It is the intent and general purpose of these standards to:



- (a) Provide a complement of neighborhood choices, identities and amenities to help establish Fairview as an intergenerational community with a broad, durable and valuable tax base.
- (b) Provide a variety of housing types within the Town of Fairview to balance the large amount of existing large lot single-family residential, which will serve to both enhance existing property values and provide housing for the complete life cycle – young professional, professional couples, empty nesters, retirees and seniors.
- (c) Provide the ability for the Town of Fairview’s residents to move to appropriate housing within their neighborhood or community when changes occur in their life without having to move to another community or city to find appropriate housing.
- (d) Enhance the Town of Fairview’s sense of community by providing opportunities for citizens to meet and visit with each other in a safe, comfortable, friendly, walkable environment.
- (e) Maximize the sense of identity, image and value-creation that can result from the provision of smaller public open spaces and trails that are integrated into the Neighborhood General Sub-District, and which can provide for neighborhood gatherings and recreation.
- (f) Encourage the best location, usefulness and improvement of neighborhood open space over the total amount of open space provided.
- (g) Ensure that buildings directly contribute to the attractiveness, safety and activity of the street and public areas.
- (h) Take advantage of local and site conditions to minimize the impact on such environmental issues as the heat island effect, significant topographic features and storm water runoff.
- (i) Encourage the best possible projects for the Town of Fairview through strong standards and facilitating the approval process by working with the development community.

3.3.2 General

(a) Block Size and Configuration

- (1) Blocks will vary in size and configuration, and will be laid out in response to terrain, vegetation and district boundary lines. Blocks will take advantage of opportunities for centralized public Open Space throughout the development.
- (2) The average Block Face Length will not exceed 700 feet.



- (3) Capped Blocks may exceed 700 feet by the depth of the Capped Lots and alley. Blocks which are capped with lots will not exceed 1,000 feet.
- (4) Blocks will not be repetitive.
- (5) Blocks greater than 700 feet will have a pedestrian/bicycle connection mid-block.
- (6) Block ends should be Capped with lots.
- (7) Streets will be fully interconnected.
- (8) Cul de sacs will not be allowed unless no other practical alternative exists due to terrain and property configuration.
- (9) Gated streets are prohibited.
- (10) New developments will connect to adjacent development where possible.

(b) Building Types

- (1) The range of Building Types permitted on each property will be identified by way of Building Type Mix identified on an approved Framework, Regulating or Development Plan for Neighborhood General developments.
- (2) *Appendix 3.1 Building Types* establishes such things as lot width, lot depth, build-to-zones, parking, height and dwelling size.
- (3) **Accessory Buildings.** All single-family residences may have an accessory building up to 500 square feet. Administrative approval of a Minor Warrant may permit an increase in square footage.

(c) Public Open Space and Trails

- (1) **Minimum Open Space.** At least 14 percent of the gross area of a Regulating Plan or Development Plan will be comprised of public Open Space as defined herein. Administrative approval of a Minor Warrant may permit a reduction from 14 percent to 10 percent. Providing less than 10 percent will require a Major Warrant. Reductions of the required Open Space will be based on the presence of flood plain and the quality of Open Space and improvements being provided. Flood plain areas utilized for public Open Space may comprise no more than half of the 14 percent minimum requirement. Landscaped trails through a development may count toward a portion of the Open Space requirement.
- (2) Open Space



- (i) Non-flood plain Open Space and trails will be irrigated and include amenities such as shade, landscaping, availability of electricity and water taps/drinking fountains.
 - (ii) Open Space will not be fenced.
 - (iii) Open Space will be publicly accessible (except for swimming pool areas), and will be privately maintained, except in circumstances where the Town requires open space to be publicly maintained.
 - (iv) Open Space will have perimeter streets on at least two sides (except where bordering a pond or major stream corridors).
 - (v) Open Space will not be located in a parking lot.
- (3) Facing Open Space
- (i) Buildings will face public Open Space and trails both on site and immediately adjacent, such as public parks, creeks or a pond which are owned by the developer or managed by the Town. Backing buildings onto trails, parks, natural areas or ponds will be prohibited unless there is a demonstrated design constraint that is specifically approved as part of the Regulating Plan or Development Plan. Open Space that is not fronted by buildings will not count toward achieving the required percentage of Open Space.
 - (ii) At least eighty (80) percent of all building lots will be located within a walking distance of 800 feet from a public Open Space, including publicly accessible parks, greens, squares, courtyards, plazas, commons and tot lots, with a minimum size as set forth below. A Minor Warrant approval is required for allowing 60-80% of lots, and a Major Warrant for less than 60%.
- (4) **Size of Open Space.** Public Open Space will be at least twice the size of the average adjacent lot, with a minimum side dimension equal to the average adjacent lot width along the street.
- (5) **Shade.** Public Open Space will include at least 20% shade through the planting of trees or construction of structures that provide shade. Usable shade will be calculated based on the diameter of a tree canopy at 10 year maturity and the square footage of the shade structure overhead. (See *Appendix 3.7 Street Trees and Plant Materials.*)



(6) Detention and Retention Areas

Detention and retention areas will be designed as public areas without fencing and in a manner that does not call attention to its stormwater management function.

(d) Parking

- (1) Off street parking requirements will be per *Subsection 4.1 Parking*, and the Neighborhood General Building Type Category as specified in *Appendix 3.1 Building Types*.
- (2) Front-loaded garages will be limited to lots which are at least 60-feet wide and will be located behind the front building corner by 20 feet, or be “drive-through” to the rear yard. “Drive-through” to garages in the rear yard may be allowed for lots as small as 50 feet wide with approval of a Minor Warrant on a Regulating or Development Plan. “J-swing” garages in front yards are discouraged and will require a Minor Warrant. Driveways will not exceed 12 feet in width when they intersect with the sidewalk and their slope will not exceed a 5 percent grade.
- (3) All front entry garages will utilize single 8-foot wide garage doors. Double wide doors will be permitted on any front entry garage located behind the primary building, and any garage that is accessed from an alley.
- (4) Rear entry garages approached from an alley will be located either 9 feet back from the property line or 17 feet or more from the property line to allow for parking in front of the garage door. Alley-oriented j-swing garages will be set back a minimum of 3 feet from the alley property line because the garage door does not open toward the alley. The setback for rear entry garages is 7-9 feet or at least 17 feet.

(e) Maintenance

- (1) Each development will provide for the funding of maintenance of neighborhood common spaces through a PID or MMD and/or a development agreement executed between the developer and the Town in combination with an HOA. Any PID or MMD development agreement and/or HOA agreement will ensure their maintenance of all public and semi-public spaces including trails, roadway medians and parkways, excluding street paving and utilities. The PID or MMD development agreement and/or HOA will also be responsible for maintenance of street trees, parkway and alley landscaping.
- (2) Required landscaping will be maintained in perpetuity. Landscape material such as trees that die, and fences in disrepair, will be replaced; however, a revised



landscape plan may be submitted and approved to allow for changes and upgrades to those landscape elements.

(f) Sight Triangles

- (1) On corner lots, a clear site triangle will be formed by measuring 25 feet along the extension of the curbs of the two intersecting streets. The Visibility Triangle for the intersection of a street and an alley, will be 10 feet.
- (2) Sight Triangles will be free of structures and landscaping between 3 ½ feet and 7 feet above the sidewalk. However, traffic signs, tree trunks and lighting poles will be permitted.

3.3.3 Street Trees and Plant Material

(a) Right-of-way Landscaping Requirements

- (1) Streetscape Parkway.
 - (i) A Streetscape parkway strip, will be provided, landscaped and irrigated along the entire length of the property to be developed.
 - (ii) The Streetscape parkway strip will be located between the back-of-curb and sidewalk that is adjacent to any residential land use.
 - (iii) All Sidewalks will be a minimum of 5 feet in width in the Neighborhood General Sub-District.
- (2) Street Tree Requirement.
 - (i) Large shade trees, as defined in *Appendix 3.7 Street Trees and Plant Materials* for rights-of-way, will be provided in the required Streetscape parkway in numbers equal to at least one tree for each 30 feet of street frontage, and one tree per lot along any alley in Neighborhood General developments.
 - (ii) Street trees will be single-trunk and straight, and all trees will have a minimum tree caliper of 3 inches.
 - (iii) Trees should be planted at a time of year that will help ensure their survival. The Town may approve delaying planting to avoid the summer months with the cost of installation in an escrow account.

- (3) **Street and Pedestrian Lighting.** Street lighting and Pedestrian lighting will be provided in the Streetscape parkway or median to attain the required lighting levels as set out in *Article 5 Lighting, Mechanical and Utilities*.
- (4) Other Landscaping.
 - (i) All street rights-of-way located adjacent to the development will be improved with grass or ground cover material and will be maintained.
 - (ii) There will be a minimum 2-foot landscape zone between the sidewalk and any fence or wall which will be landscaped with grasses (not turf), ground cover or other perennial planting.
 - (iii) It will be the responsibility of the builder/homeowner to design the irrigation system within the lot to ensure that the grass placed in the adjacent right-of-way is watered and maintained and to ensure that minimal water will enter the street itself. The designer of the irrigation system will base the design on the ultimate proposed width of the street when designing the system. The plans for design of the irrigation system for public Open Space will be prepared by a licensed irrigator.

3.4 NEIGHBORHOOD EDGE (NE) STANDARDS

3.4.1 Intent

Great neighborhoods are defined as being intergenerational and containing amenities to make each home within them unique and worthy of reinvesting in. The Neighborhood Edge Sub-District designation is intended to provide pedestrian-friendly neighborhoods with close proximity to open space and trails. It is the intent and general purpose of these standards to:

- (1) Create a sub-District that provides a transition between the overall Planned Development District and adjacent low density residential zoning.
- (2) Contribute to a complement of neighborhood choices, identities and amenities to help establish Fairview as an intergenerational community with a broad, durable and valuable tax base. Provide a variety of housing types within the Town of Fairview to balance the large amount of existing





large lot single-family residential, which will serve to both enhance existing property values and provide housing for the complete life cycle – young professional, professional couples, empty nesters, retirees and seniors.

- (3) Support the ability for the Town of Fairview’s residents to move to appropriate housing within their neighborhood or community when changes occur in their life without having to move to another community or city to find appropriate housing.
- (4) Enhance the Town of Fairview’s sense of community by providing opportunities for citizens to meet and visit with each other in a safe, comfortable, friendly, walkable environment.
- (5) Maximize the sense of identity, image and value-creation that can result from the provision of smaller public open spaces and trails that are integrated into the Neighborhood Edge Districts, and which can provide for neighborhood gatherings and recreation.
- (6) Encourage the best location, usefulness and improvement of neighborhood open space over the total amount of open space provided.
- (7) Ensure that buildings directly contribute to the attractiveness, safety and activity of the street and public areas.
- (8) Take advantage of local and site conditions to minimize the impact on such environmental issues as the heat island effect, significant topographic features and storm water runoff.
- (9) Encourage the best possible projects for the Town of Fairview through strong standards and facilitating the approval process by working with the development community.

3.4.2 General

Standards for the Neighborhood General Sub-District will apply to the Neighborhood Edge Sub-District. Sub-District standards establish the character of the District. Standards specific to the Building Type being employed will be in *Subsection 3.7 Building Type Standards* in this PDD.



3.5 URBAN TRANSITION (UT) STANDARDS

3.5.1 Intent

- (a) The Urban Transition Sub-District designation is intended to provide pedestrian-friendly residential and non-residential development adjacent to State Highway 5, FM 1378, and Stacy Road. The Urban Transition Sub-District is intended for roadway corridor development, while providing appropriate transitions to adjacent low density residential neighborhoods. Development is defined as being mixed-use but primarily residential and shall contain amenities to make each building within them unique and worthy of reinvesting in. The residential fabric is designed to cater to a variety of age groups and income levels. This designation has a wide range of building types with small shopfront buildings and townhomes, cottage homes and live-work units. Manor homes are permitted and will primarily be used to transition to existing adjacent low-density residential.
- (b) It is the intent and general purpose of these standards to:
- (1) Provide a broad complement of neighborhood choices, identities and amenities with scattered commercial activity to establish Fairview as an intergenerational community with a broad, durable and valuable tax base.
 - (2) Offer a wide range of building types to create an active and attractive development; an individual building's type, size, position, use and design plays an important role in achieving that goal, as well as how it's configured with adjacent buildings within the development.
 - (3) Provide the ability for the Town of Fairview's residents to move to appropriate housing within their neighborhood or community when changes occur in their life without having to move to another community, town or city to find appropriate housing.
 - (4) Enhance the Town of Fairview's sense of community by providing opportunities for citizens to meet and visit with each other in a safe, comfortable, friendly, walkable environment.
 - (5) Distribute complementary housing and mixed-use building types throughout comprehensively planned projects.
 - (6) Design and construct small-scale commercial spaces in a manner that allows flexibility to accommodate a range of uses over time in order to avoid the need to demolish and rebuild for successive uses.



- (7) Construct buildings in a manner, and with materials that are highly durable and will continue to endure and be attractive over a long time, especially adjacent to public and pedestrian areas.
- (8) Ensure that buildings directly contribute to the attractiveness, safety and activity of the street and public areas.
- (9) Maximize the sense of identity, image and value-creation that can result from the provision of smaller public open spaces and trails that are integrated into Urban Transition developments, and which can provide for neighborhood gatherings and recreation.
- (10) Provide the ability for the Town of Fairview's residents to walk to neighborhood serving retail and services in close proximity to intergenerational housing.
- (11) Encourage the best location, usefulness and improvement of neighborhood open space over the total amount of open space provided.
- (12) Take advantage of local and site conditions to minimize the impact on such environmental issues as the heat island effect, significant topographic features and storm water runoff.
- (13) Encourage the best possible projects for the Town of Fairview by encouraging a variety of building and design solutions in compliance with strong standards outlined herein.

3.5.2 General

(a) Block Size and Configuration

- (1) Blocks will vary in size and configuration, and will be laid out in response to terrain and vegetation. Blocks will take advantage of opportunities for centralized public Open Space throughout the development.
- (2) The average Block Face Length will not exceed 500 feet.
- (3) Capped Blocks may exceed 500 feet by the depth of the Capped Lots and alley. Blocks which are capped with lots will not exceed 720 feet.
- (4) Blocks will not be repetitive.
- (5) Blocks greater than 500 feet will have a pedestrian/bicycle connection mid-block.
- (6) Block length may be defined by entry access drives along State Highway 5, FM 1378, and Stacy Road.



- (7) Block ends should be Capped with lots.
- (8) Streets will be fully interconnected.
- (9) Cul de sacs will not be allowed unless no other practical alternative exists due to terrain and property configuration.
- (10) Gated streets are prohibited.
- (11) New developments will connect to adjacent development where possible.

(b) Building Types

- (1) The range of Building Types permitted on each property will be identified by way of the Building Type Mix identified on an approved Framework, Regulating or Development Plan for Urban Transition developments.
- (2) *Appendix 3.1 Building Types* establishes such things as lot width, lot depth, build-to-zones, frontage, use on ground floors, use on upper floors, parking, permitted projections and height.
- (3) **Accessory Buildings.** All single-family residences may have an accessory building up to 500 square feet. Administrative approval of a Minor Warrant may permit an increase in square footage.

(c) Public Open Space and Trails

- (1) **Minimum Open Space.** At least 14 percent of the gross area of a Regulating Plan or Development Plan will be comprised of public Open Space as defined herein. Administrative approval of a Minor Warrant may permit a reduction from 14 percent to 10 percent. Providing less than 10 percent will require a Major Warrant. Reductions of the required Open Space will be based on the presence of flood plain and the quality of Open Space being provided. Compliance with this requirement satisfies the requirement for payment of parkland dedication fees. Flood plain areas utilized for public Open Space may apply to no more than half of the 14 percent minimum requirement only if buildings face onto the public Open Space. Landscaped trails through a development may count toward the Open Space requirement, namely the dedication and construction of landscaped trails along State Highway 5 and FM 1378.
- (2) **Achieving Minimum Open Space.** Minimum Open Space may be met on site or by payment of cash-in-lieu of Open Space to the Town of Fairview or its designated authority using the following formula: $((A*B)+(A*C)+(A*D)) = \text{Open Space Fund}$.



Where A represents the area of Open Space, B represents the average market value of land for the area, C represents the cost to install 25% of usable shade (see shade requirements in 3.5.2.c.6. *Shade* below), and where D represents the cost to install hardscape. Cash-in-lieu of Open Space may be permitted due to a restricted lot size or due to the placement of Open Space based on a Regulating Plan or Development Plan. Cost estimates shall be reviewed and approved by the Town Engineer.

(3) Open Space

- (i) Non-flood plain Open Space and trails will be irrigated and include amenities such as shade, landscaping, availability of electricity and water taps/drinking fountains.
- (ii) Open Space will not be fenced.
- (iii) Open Space will be publicly accessible (except for swimming pool areas), and will be privately maintained, except in circumstances where the Town requires open space to be publicly maintained.
- (iv) Open Space will have perimeter streets on at least two sides (except where bordering a pond or major stream corridors).
- (v) Open Space will not be located in a parking lot.

(4) Facing Open Space

- (i) Buildings will face public Open Space and trails both on site and immediately adjacent, such as public parks, creeks and lake which are owned by the developer or managed by the Town. Backing buildings onto trails, parks, natural areas or a pond will be prohibited unless there is a demonstrated design constraint that is specifically approved as part of the Regulating Plan or Development Plan. Open Space that is not fronted by buildings will not count toward achieving the required percentage of Open Space.
- (ii) At least eighty (80) percent of all building lots will be located within a walking distance of 800 feet from a public Open Space, including publicly accessible parks, greens, squares, courtyards, plazas, commons and tot lots, with a minimum size as set forth below.

(5) **Size of Open Space.** Public Open Space will be at least twice the size of the average Manor, Cottage, Casita, Townhome I and/or Live-Work adjacent lot, with a



minimum side dimension equal to the average lot width along the street. If adjacent to Shopfront, then the public Open Space must be at least the size of the adjacent lot and be highly amenitized. The actual location, size and amenities will be subject to approval of a Minor Warrant.

- (6) **Shade.** Public Open Space will include at least 20% shade through the planting of trees or construction of structures that provide shade. Usable shade will be calculated based on the diameter of the mature tree canopy and the square footage of the shade structure overhead. (See *Appendix 3.7 Street Trees and Plant Materials.*)
- (7) **Detention and Retention Areas.** Detention and retention areas will be designed as public areas without fencing and in a manner that does not call attention to its stormwater management function.

(d) Parking

- (1) Parking standards for the following Building Types – Manor, Cottage, Casita and Townhome I.
 - (i) Front-loaded garages will be limited to lots which are at least 60-feet wide and will be located behind the front building corner by 20 feet, or be “drive-through” to the rear yard. “Drive-through” to garages in the rear yard may be allowed for lots as small as 50 feet wide with approval of a Minor Warrant on a Regulating or Development Plan. “J-swing” garages in front yards are discouraged and will require a Minor Warrant. Driveways will not exceed 12 feet in width when they intersect with the sidewalk and they will not provide for grades greater than 5 percent.
 - (ii) All front entry garages will utilize single 8-foot wide garage doors. Double wide doors will be permitted on any front entry garage located behind the primary building, and any garage that is accessed from an alley.
 - (iii) Rear entry garages approached from an alley will be located either 9 feet back from the property line or 17 feet or more from the property line to allow for parking in front of the garage door. Alley-oriented swing-loaded garages will be set back a minimum of 3 feet from the alley property line because the garage door does not open toward the alley.
 - (iv) Refer to *Appendix 3.1 Building Types* and *Article 3 Parking and Accessibility* for additional standards.



- (2) Parking standards for the following Building Types – Live-Work and Shopfront (See *Article 4 Parking and Accessibility*).

(e) Maintenance

- (1) Each development will provide for the funding of maintenance of public Open Space and the Public Realm through a PID, MMD, and or TIRZ; if applicable) and/or a development agreement executed between the developer and the Town in combination with a Home Owners Association (HOA). The PID, MMD, TIRZ, development agreement and/or HOA will ensure maintenance of all public and semi-public spaces including trails, roadway medians, amenity zones, open space and parkways, excluding street paving and utilities. The PID, MMD, TIRZ, development agreement and/or HOA will also be responsible for maintenance of street trees, parkway and alley landscaping.
- (2) Required landscaping will be maintained in perpetuity. Landscape material that dies will be replaced; however, a revised landscape plan may be submitted and approved to allow for changes and upgrades to landscape treatments.

(f) Sight Triangles

- (1) On corner lots, a clear site triangle will be formed by measuring 25 feet along the extension of the curbs of the two intersecting streets. The Visibility Triangle for the intersection of a street and an alley, will be 10 feet.
- (2) Sight Triangles will be free of structures and landscaping between 3 ½ feet and 7 feet above the sidewalk. However, traffic signs, tree trunks and lighting poles will be permitted.

3.5.3 Block Face Configuration for Shopfront and Live-Work Building Types

- (a) Intent.** It is intended that building walls will be continuous along Block Faces to create a strong edge to the street and contribute to creating an attractive and active pedestrian environment with allowance for some limited variation, and opportunities for outside dining, plazas, pocket parks and special building entry features. Buildings will also be constructed close to the street to reinforce the street edge, provide a sense of enclosure and to avoid parking lots dominating the Streetscape and Public Realm by locating them behind the principal building.
- (b) Continuous building frontage.** Continuous building frontage will be considered to be met if 60% or more of the primary building façade is located within the Build-To Zone (this can be based on the lot width/depth or block face depending on the size of the project)



unless set back to create a public plaza, pocket park or patio. Administrative approval of a Minor Warrant may permit as little as 40%, provided that the reduction results in an attractive outdoor dining area, plaza, building entry feature or other amenity which contributes to the Streetscape. A greater reduction will require approval of a Major Warrant. Alleys and mid-block entrance points must be accommodated in remainder percentage that is not occupied by a building façade.

3.5.4 Street Trees and Plant Material

(a) **Intent.** It is the intent and general purpose of this Chapter to:

- (1) Support the development of pedestrian-oriented neighborhoods.
- (2) Contribute to pedestrian safety and comfort.
- (3) Buffer onsite surface parking from the pedestrian realm.
- (4) Reduce the heat island effect caused by solar heat gain in paved and hard surface areas.
- (5) Utilize native and naturalized plant materials, which are hardy for the North Texas region.

(b) **Right-of-way Landscaping Requirements**

- (1) **Streetscape Parkway.** A Streetscape parkway strip will be landscaped and provided along the entire length of the property to be developed. The Streetscape parkway strip will be located between the back-of-curb and sidewalk.
- (2) All Sidewalks will be a minimum of 6 feet in width. This includes sidewalk clear zones adjacent to amenity zones and sidewalks leading up to primary entrances.
- (3) **Street Tree Requirement.** Large shade trees, as defined in *Appendix 3.7 Street Trees and Plant Materials* for rights-of-way, will be provided in the required Streetscape parkway in numbers equal to at least one tree for each 30 feet of street frontage. Street trees will be single-trunk and straight, and all trees will have a minimum tree caliper of 3 inches.
- (4) **Planting.** Trees should be planted at a time of year that will help ensure their survival. The Town may approve delaying planting to avoid the summer months with the cost of installation in an escrow account.
- (5) Street Lighting.



- (i) Adjacent to residential and commercial Building Types pedestrian level street lighting will be provided in the Streetscape parkway to attain, in combination with residential entry lighting, the lighting level set out in *Article 5 Lighting, Mechanical and Utilities*.
 - (ii) Lighting will be located on building fronts at all residential and commercial entries, and will be illuminated from dusk till dawn utilizing an automatic controller.
- (6) Other Landscaping for Townhome I, Cottage, Casita and Manor Building Types.
- (i) All street rights-of-way located adjacent to the development will be improved with grass or ground cover material and will be maintained.
 - (ii) There will be a minimum 2-foot landscape zone between the sidewalk and any fence or wall which will be landscaped with grasses (not turf), ground cover or other perennial planting.
 - (iii) It will be the responsibility of the builder/homeowner to design the irrigation system within the lot to ensure that the grass placed in the adjacent right-of-way is watered and maintained and to ensure that minimal water will enter the street itself. The designer of the irrigation system will base the design on the ultimate proposed width of the street when designing the system. The plans for design of the irrigation system for public Open Space will be prepared by a licensed irrigator.
 - (iv) One tree will be provided per lot along any alley.
- (7) Other Landscaping for Live-Work and Shopfront Building Types. See *3.11.1 Parking Lot Landscape*.

3.6 URBAN VILLAGE (UV) STANDARDS

3.6.1 Intent

- (a) Create attractive and active Urban Village developments. An individual building's type, size, position, use and design plays an important role in achieving that goal, as well as how it is configured with adjacent buildings within the development.
- (b) Provide higher density development in a pedestrian-friendly environment with Open Space and shade for outdoor activity. It may include housing, retail, office and service uses.

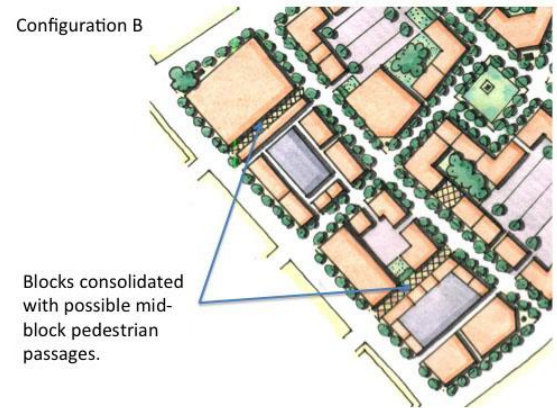
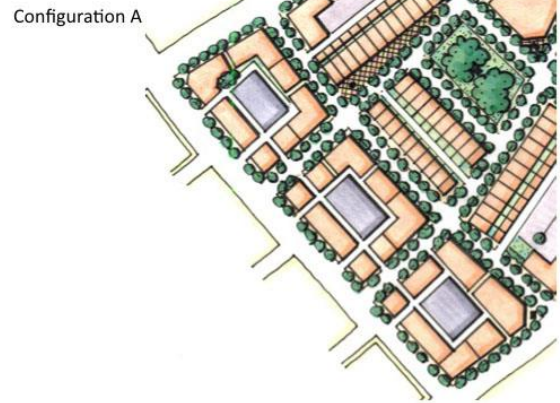


- (c)** Ensure that housing is in support of employment users in order to facilitate a day-time and night-time population.
- (d)** Provide a more intense residential fabric that is intended to support employment users in this area.
- (e)** Size and construct blocks to ensure a variety of building types and accommodate surface and/or structured parking.
- (f)** Provide flexibility in the block face requirements to accommodate larger users.
- (g)** Design and construct commercial spaces in a manner that allows flexibility to accommodate a range of uses over time in order to avoid the need to demolish and rebuild for successive uses.
 - (1)** Buildings will contribute directly to the attractiveness, safety and activity of the street and public areas.
 - (2)** Buildings that include retail at-grade will feature the retail activity prominently.
 - (3)** Buildings will be constructed in a manner, and with materials, that are highly durable and will continue to endure and be attractive over a long time, especially adjacent to public and pedestrian areas.
- (h)** Preserve natural green corridors and water bodies to serve as an amenity for employment users.
- (i)** Maximize the sense of identity, image and value-creation that can result from the provision of smaller public open spaces and trails that are integrated into Commercial Center Developments.
- (j)** Encourage the best location, usefulness and improvement of public open space over the total amount of open space provided.
- (k)** Avoid parking lots dominating the Streetscape and Public Realm by locating them behind the principal building.
- (l)** Take advantage of local and site conditions to minimize the impact on such environmental issues as the heat island effect, significant topographic modification and storm water runoff.
- (m)** Encourage a variety of building and design solutions in compliance with the standards and regulations outlined herein.

3.6.2 General

(a) Block Size and Configuration

- (1) Blocks will vary in size and configuration, and will be laid out in response to terrain and vegetation. (See *Block Configuration graphics* to the right.) Block patterns will take advantage of opportunities for centralized public Open Space throughout the development area.
 - (i) The average Block Face Length will be between 250-450 feet.
 - (ii) Block Faces will not exceed 500 feet in length. A Minor Warrant will be required for Block Faces longer than 500 feet.
- (2) Streets will be fully interconnected. Gated streets are prohibited.
- (3) Cul de sacs will not be permitted unless no other alternative is possible due to terrain and property configuration.
- (4) Blocks exceeding the maximum block face dimensions may be permitted as follows:
 - (i) No more than two adjacent blocks may be combined based on the Block Face Length standards and/or an adopted Framework Plan, Regulating Plan or Development Plan.
 - (ii) An increase in block dimensions shall not eliminate or significantly move a Primary Street or public Open Space as shown on an adopted Framework Plan, Regulating Plan or Development Plan. Primary Streets and public Open Space as shown on an adopted Framework Plan, Regulating plan or Development Plan may move a maximum of 100 feet by Minor Warrant.





- (iii) The block shall maintain a continuous building frontage (*see 2.7.3 Block Face Configuration*) with adjoining blocks.
- (iv) At-grade pedestrian connectivity shall be provided through the block. Connectivity may be provided outside the building by way of pedestrian passage.

(b) Density

- (1) Permitted density is not specifically restricted in this PDD, but rather is the result of achieving the Standards and building height and the provision of parking required herein.
- (2) In Urban Village areas, the minimum height is 3 stories and the maximum height is 12 stories. Where a Height and Building Type Overlay is designated, the minimum building height is either 2 or 3 stories and the maximum building height is 6 stories (*see Framework Plan*). Approval of a Major Warrant is required to exceed the permitted maximum building height. Approval of a Minor Warrant is required to reduce the minimum height, and only where merited as part of a larger development or Regulating Plan.
- (3) The Town may require a minimum height which is greater for certain land parcels based on their location.
- (4) A maximum of 1,999 mixed residential units may be constructed between the northern edge of Sloan Creek, US 75, the northern municipal boundary and SH 5. (*See Appendix 1 Framework Plan.*)
- (5) An area between US 75 and Fairview Parkway, and immediately south of the southern edge of Sloan Creek (*see Appendix 1 Framework Plan*) may be considered for mixed residential buildings as part of a Major Warrant which would include the following limitations:
 - (i) Limit mixed residential building height to 4 stories.
 - (ii) Limit number of units to 285.
 - (iii) Possible Bonus Density if retail use is provided, and enhanced Standards such as LEED are utilized.

(c) Building Types

- (1) The range of Building Types permitted in the Urban Village Sub-District is established in *Subsection 3.2.3* above (also *see Appendix 3.1 Building Types*).



- (2) *Appendix 3.1 Building Types* establishes such things as build-to-zones, frontage, use on ground floors, use on upper floors, finish floor elevation, permitted projections and minimum ground floor-to-ceiling heights.
- (3) The Building Type must be identified on an approved Framework, Regulating or Development Plan for Urban Village developments.
- (4) Where a Height and Building Type Overlay is designated, certain Buildings Types may not be permitted based on the desire to preserve prime land and to respect vested entitlements while achieving the vision for the Town. (See *Appendix 1 Framework Plan*.)
- (5) Flex Employment floor plates may be a maximum of 30,000 square feet. Any floor plate size beyond 30,000 square feet will require approval by Major Warrant.
- (6) Garden apartments which generate an island effect by internalizing building frontages, circulating with internal access drives and employing a perimeter fence around the development are expressly prohibited.

(d) Residential Units – Types and Uses

- (1) Residential units will only be allowed in areas identified for residential uses in the Framework Plan.
- (2) In all buildings which are 25 units or larger, a variety of unit types and sizes will be provided. Since ground floor units have front doors directly on to the sidewalk, they will be considered a different unit type.
- (3) Any residential units at grade will meet the standards below. (See *3.7.6.b. Residential at Grade*.) Amenities such as exercise facilities, laundry, child care, theaters and meeting rooms for residents and their guests will be permitted at grade.
- (4) In Mixed Residential Building Types, up to 10 percent of the ground floor may be developed as Flex Space and used for retail, restaurant, office, coffee shop or similar use.
- (5) The range of Building Types permitted on each property may be modified in the Regulating Plan or Development Plan.

(e) Amenities

Stairwells and corridors that access units above grade will be enclosed and air conditioned unless approved by Minor Warrant.



(f) Public Open Space and Trails

- (1) **Minimum Open Space.** At least ten (10) percent of the gross area of a Regulating Plan or Development Plan will be comprised of public Open Space as defined herein. Flood plain areas utilized for public Open Space may count towards up to half of the ten (10) percent minimum requirement provided that it is improved or enhanced. Landscaped trails through a development may also count toward the Open Space requirement.
- (2) **Achieving Minimum Open Space.** Minimum Open Space may be met on site or by payment of cash-in-lieu of Open Space to the Town of Fairview or its designated authority using the following formula: $((A*B)+(A*C)+(A*D)) = \text{Open Space Fund}$. Where A represents the area of Open Space, B represents the average market value of land for the area, C represents the cost to install 25% of usable shade (see shade requirements in *3.6.2.f.5 Shade* below), and where D represents the cost to install hardscape. Cash-in-lieu of Open Space may be permitted due to a restricted lot size or due to the placement of Open Space based on a Regulating Plan or Development Plan.
- (3) Open space
 - (i) Non-flood plain Open Space will be irrigated, landscaped and un-fenced.
 - (ii) Open Space areas must be publicly accessible and privately maintained, except in circumstances where the Town requires open space to be publicly maintained.
 - (iii) Open Space must also have a perimeter street on at least one side.
 - (iv) Open Space will not be located in parking lots.
- (4) **Facing Open Space.** Open Space and trails will be fronted by buildings in order to count toward the minimum Open Space requirement. Backing buildings onto trails, parks or natural areas will be prohibited unless there is a demonstrated design constraint that is specifically approved as part of the Regulating Plan or Development Plan.
- (5) **Shade.** Public Open Space will include at least 25% useable shade through the planting of trees or construction of structures that provide shade. Usable shade will be calculated based on the diameter of the mature tree canopy and the square footage of the shade structure overhead. (See *Appendix 3.7 Street Trees and Plant Materials*.)



(6) Detention and Retention Areas

Detention and retention areas will be designed as public areas without fencing and in a manner that does not call attention to its stormwater management function.

(g) Parking

See *Article 4 Parking and Accessibility*.

(h) Lighting

(i) Lighting will be located on building fronts at all residential and commercial entries, and will be illuminated from dusk till dawn utilizing an automatic controller.

- (1) Lighting sources should be shielded to focus light downward unless otherwise specifically approved by Minor Warrant.
- (2) Average light levels will be achieved by meeting the standards in *Article 5 Lighting, Mechanical and Utilities*.

3.6.3 Block Face Configuration

(a) Intent. It is intended that building walls will be continuous along Block Faces to create a strong edge to the street and contribute to creating an attractive and active pedestrian environment with allowance for some limited variation, and opportunities for outside dining, plazas, pocket parks and special building entry features. Buildings will also be constructed close to the street to reinforce the street edge, provide a sense of enclosure and to avoid parking lots dominating the Streetscape and Public Realm by locating them behind the principal building.

(b) Continuous building frontage. Due to the service needs of employment users, Primary, Secondary and Perimeter Streets must be designated on a Framework Plan, Regulating Plan and/or Development Plan. Primary, Secondary and Perimeter Streets that are essential to the connectivity goals of the Town are designated on the Framework Plan. Additional Primary Streets that set up a wayfinding hierarchy, connect and bound public Open Spaces will be allocated at the Regulating Plan and/or Development Plan phase.

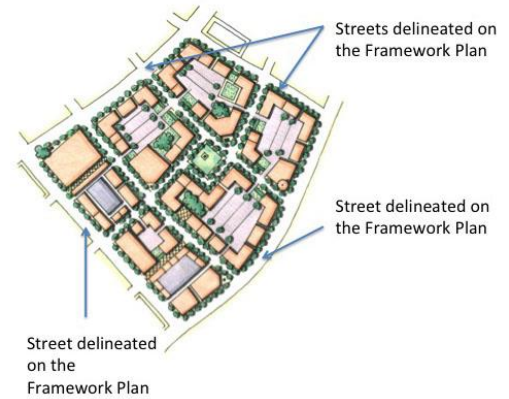
- (1) Continuous building frontage where Primary, Secondary and Perimeter Streets are designated on a Framework Plan, Regulating Plan and/or Development Plan. (See *Building Frontage graphic* below.)
 - (i) Along Primary Streets. Continuous building frontage will be considered to be met if 80% or more of the primary building façade is located within the Build-To Zone (this can be based on the lot width/depth or block face

depending on the size of the project) unless set back to create a public

Configuration A



Configuration B



plaza, pocket park or patio. Administrative approval of a Minor Warrant may permit as little as 60%, provided that the reduction results in an attractive outdoor dining area, plaza, building entry feature or other amenity which contributes to the Streetscape. A greater reduction will require approval of a Major Warrant. Alleys and mid-block entrance points must be accommodated in the remainder percentage that is not occupied by a building façade.

- (ii) Along Secondary and Perimeter Streets. Continuous building frontage will be considered to be met if 60% or more of the primary building façade is located within the Build-To Zone (this can be based on the lot width/depth or block face depending on the size of the project) unless set back to create a public plaza, pocket park or patio. Administrative approval of a Minor Warrant may permit as little as 40%, provided that the reduction results in ample screening and landscaping of mid-block service and parking functions. A greater reduction will require approval of a Major Warrant. Alleys and mid-block entrance points must be accommodated in remainder percentage that is not occupied by a building façade.

- (2) Facades will generally be built parallel to the street frontage, except at street intersections, where a façade containing a primary building entrance may be curved or angled toward an intersection with adequate public right-of-way clearance. (See *Façade Orientation images* below.)



3.6.4 Street Trees and Plant Material

(a) **Intent.** It is the intent and general purpose of this PDD to:

- (1) Support the objective of encouraging pedestrian-oriented development.
- (2) Contribute to pedestrian safety and comfort.
- (3) Buffer onsite surface parking from the pedestrian realm.
- (4) Reduce the heat island effect caused by solar heat gain in paved and hard surface areas.
- (5) Utilize native and naturalized plant materials which are hardy for the North Texas urban condition.

(b) Street Trees

- (1) Street trees may be planted within 3 feet of a curb, sidewalk or other structure provided that they are selected from the allowed street trees listed in *Appendix 3.7 Street Trees and Plant Materials*. (See *Appendix 3.8 Possible Street Tree Planting Techniques*.)
- (2) All required street trees will:
 - (i) Be at least 3-inch caliper and meet American Standard for Nursery Stock (ANSI Z60.1) Standards for height when planted;
 - (ii) Have a single straight trunk; and

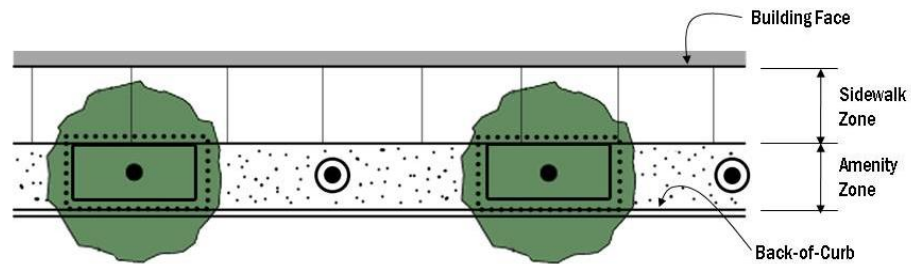
(iii) Be “limbed” up to 6-feet, and pruned to leave a minimum 8-foot clearance over pedestrian areas.

(3) Street trees will be planted at an average of 25 feet on center to ensure maximum shading for pedestrians and paved surfaces.

(c) Plant Material. All visible plant material will consist of large trees, ornamental trees, shrubs, evergreen ground covers, vines, and seasonal-color plants which are native or drought hardy and listed in *Appendix 3.7 Street Trees and Plant Materials*, unless otherwise approved by Minor Warrant.

(d) Amenity Zones

(1) **Tree Wells.** Street tree wells will be a minimum 30 square feet with the minimum dimension no less than 5 feet. (See *Tree Wells graphic* below.) Tree wells will contain tree grates or a ground surface that is covered with a minimum 2” deep layer of landscape industry standard mulch and plantings of drought tolerant ground cover, grasses or seasonal color. Planter strips may be considered as a Minor Warrant, the ground surface requirements stated above will apply.



(2) A structural sidewalk system that allows tree root growth, avoids soil compaction and provides for some storm water retention is encouraged. (See *Appendix 3.8 Possible Street Tree Planting Techniques*.)

(3) **Access to Water.** All plant material will have access to water by drip irrigation unless otherwise approved; and buildings will have an exterior hose bib faucet for the watering of potted plants, cleaning the sidewalk and other outside needs.

(e) Paving material

(1) Paving material in front yards and on private sidewalks should be warm toned and will be constructed with materials such as brick, natural or manufactured stone, concrete, or pervious pavement that is suitable for foot or bike paths, entrance ways and driveways.



- (2) Gravel as a paving material will be prohibited.
- (3) A stamped version of brick, stone or cobbles may be approved in certain locations by Minor Warrant.

3.7 BUILDING TYPE STANDARDS

3.7.1 Intent

It is the intent and general purpose of these standards to establish requirements appropriate for specific building types. These standards are to be applied with the respective Sub-District standards. The Sub-District standards establish the overall character of the district.

3.7.2 Build-to Lines and Zones for the following Building Types – Rural Residential, Manor, Estate, Village, Cottage, Casita and Townhome I:

- (1) *Appendix 3.1 Building Types* establishes such things as lot width, lot depth, build-to-zones, parking, height and dwelling size within each Sub-District.
- (2) There may be multiple Building Types within a Block Face and along a Street. Where the Build-To Zones differ due to the variation of Building Types, the predominant Building Type's Build-To Zone shall be applied to the others to ensure a consistent setback of buildings. Rural Residential should not be integrated with other building types along a block face.
- (3) Porches, bay windows, balconies, footed chimneys, sunrooms and attached pergolas are considered Gifts to the Street and may encroach beyond the Build-to Zone by up to 10 feet, but may not encroach into a public right-of-way. On side streets, they may encroach up to 5 feet.

3.7.3 Architectural Standards for the following Building Types – Rural Residential

(a) Facades and Roofs

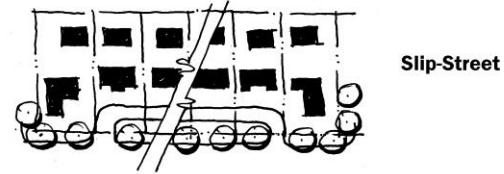
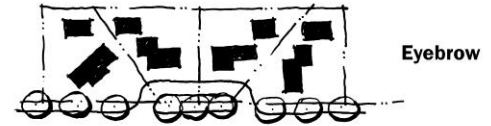
- (1) All buildings will be designed such that no mechanical equipment (HVAC, etc.), except vents and stacks will be visible from the public right-of-way or open space, whether the equipment is located on the ground, exterior walls or roof.
- (2) Generally, windows will be oriented vertically and utilize distinct frames, materials or colors for window surrounds. Highly reflective and dark glass will not be permitted along a public street, trail or open space.



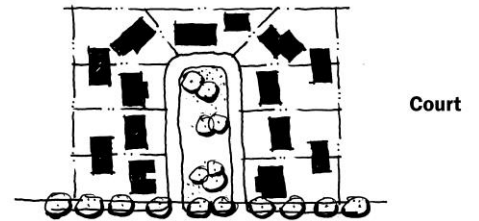
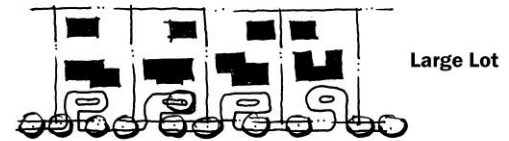
- (3) All windows, except in masonry walls, will have casings. Casings (or trim) will not be narrower than 3 ½-inches. Head casings (the top horizontal casing) will be equal to or wider than jamb (or side) casings.
- (4) The following finishes will be permitted: brick, stone, man-made stone (excluding veneer materials), stucco utilizing a three-step process, and cementitious-fiber board plank with a 30-year manufacturer’s warranty. Sheet material is prohibited.
- (5) The following finishes will not exceed a maximum of 20 percent of the Building Façade as an accent material: metal, glass block, tile, and wood.
- (6) Building walls will show no more than three materials on any exterior wall, not counting the foundation, columns or cornices. Heavier materials will be located toward the base of the building. Vertical joints between different materials (such as masonry versus siding) will only occur at the inside corners or 20-feet back from the front façade. Buildings that provide for only one material type for non-accent façade components shall require a Minor Warrant.
- (7) Painted facades will have at least 3 distinctively different colors/shades for the trim, field (or predominant wall color) and accent.
- (8) Side and rear facades will be of finished quality and of the same color and materials that blend with the front of the building. However, building facades facing a street or Open Space will be considered “A” frontages and will receive the best treatment, whereas “B” frontages such as those facing an alley or side yard should be treated in a compatible manner.
- (9) Roofs will be constructed of a process and of materials that will have a minimum installation and manufacturer’s warranty of 25 years. The following construction materials will be permitted: 3-dimensional 3-tab asphalt, concrete tile, slate, faux slate or metal. Minimum roof pitch will be 6/12, except for the roofs of sheds and porches. A variety of roof types and colors will be offered by the builder. Flat roofs may also be permitted subject to a Major Warrant.
- (10) Homes should be capable of accommodating solar panels.
- (11) Gables will not overlap except when the smaller gable is part of a balcony, porch or entrance.
- (12) Boxed eaves will return around the corner and die into the wall. “Pork chop” returns will not be permitted. Brackets should extend to the fascia or slightly beyond. A frieze board should occur below the eave.

(b) Plate Heights. Plate heights will be no less than nine (9) feet for the first floor and eight (8) feet for the second or higher floors in front elevation zones.

(c) Entry Grade. The grade of the outside entry stoop or porch will be elevated at least three 6-inch steps above the front grade unless demonstrated on a grading plan that this is not feasible due to topography. Steps will be contiguous to the stoop or porch. The intent is to utilize a front dropped beam to simulate traditional elevated floor plate construction and minimize drainage problems over time.



(d) Residential Facing Perimeter or Collector Streets. All homes in residential subdivisions which are proposed after the effective date of this Chapter which do not directly face Open Space, will face or side to streets (including perimeter streets). (See *Perimeter Street Engagement graphic* to the right.) Such subdivisions will not be designed or laid out in a manner that will result in placing the rear of homes next to roadways.



(e) Residential Accessory and Portable Building Setbacks

- (1) Portable and other Accessory Buildings will be located behind the main building, will set back by at least 3 feet from property lines, and will be screened from streets and Open Space.
- (2) Portable and other Accessory Buildings may not be located in areas required for buffering adjacent to low density residentially zoned properties.

(f) Fences

- (1) **General fence provisions.** Fences will be constructed of durable, low maintenance materials, and have a high level of structural integrity.
 - (i) Wood fences greater than 4 feet in height will be constructed using metal posts set in concrete.
 - (ii) Metal picket style fences will be constructed of a minimum 3/4-inch material.
 - (iii) The finished side of all perimeter fencing which is visible from a public area or right-of-way, will face outward.



- (iv) Where wood is permitted, it will be cedar or redwood. Such fence will be either painted or stained on both sides and will have a cap rail.
 - (v) Fences will not exceed 6 feet in height.
- (2) Fences between houses
- (i) Fences between houses may be solid (wood or masonry), but will not extend closer to the street than 10 feet behind the front outside corner of the home if a metal picket or masonry fence, or 20 feet if a wood fence. This includes fences which are parallel to the front property line.
 - (ii) Wood fences will be permitted between houses when located perpendicular to the front property line and not visible from a street or Open Space.
- (3) Fences in a front yard
- (i) Picket fences will be permitted in the front yard and up to within 24 inches of a public sidewalk. The area between such fence and the sidewalk will contain ground cover, grasses or shrubs; not grass that must be mowed and trimmed.
 - (ii) Front yard picket fences will be a minimum of 50% open and include corner posts. They may be a maximum of 42 inches in height with posts up to 48 inches in height.
 - (iii) Front yard picket fences will be stained or painted cedar, stained or painted redwood, or metal picket. Flat topped (non-crimped or capped) plastic/PVC or similar material with integrated color will require approval of a Minor Warrant.
- (4) Fences along a side street
- (i) Fences along a side street will be no closer to the street than the rear corner of the home, and will be constructed of metal picket.
 - (ii) Side street fences along a side street will not overlap the house face.
 - (iii) Notwithstanding (i) and (ii) above, picket fences meeting the standards for front yard fences above, will be permitted to within 24 inches of any sidewalk and must meet all requirements for such fences.



- (5) **HVAC Screening.** No HVAC equipment will be located in a front yard or side yard facing a public street. HVAC must be screened from view of a public street, alley or Open Space.

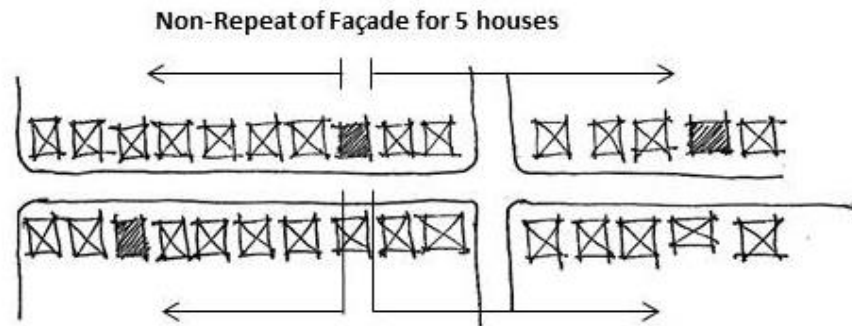
3.7.4. Architectural Standards for the following Building Types – Manor, Estate, Village, Cottage, Casita and Townhome I

(a) Facades and Roofs

- (1) All buildings will be designed such that no mechanical equipment (HVAC, etc.), except vents and stacks will be visible from the public right-of-way or open space, whether the equipment is located on the ground, exterior walls or roof.
- (2) Generally, windows will be oriented vertically and utilize distinct frames, materials or colors for window surrounds. Highly reflective and dark glass will not be permitted along a public street, trail or open space.
- (3) All windows, except in masonry walls, will have casings. Casings (or trim) will not be narrower than 3 ½-inches. Head casings (the top horizontal casing) will be equal to or wider than jamb (or side) casings.
- (4) The following finishes will be permitted: brick, stone, man-made stone (excluding veneer materials), stucco utilizing a three-step process, and cementitious-fiber board plank with a 30-year manufacturer’s warranty. Sheet material is prohibited.
- (5) The following finishes will not exceed a maximum of 20 percent of the Building Façade as an accent material: metal, glass block, tile, and wood.
- (6) Building walls will show no more than three materials on any exterior wall, not counting the foundation, columns or cornices. Heavier materials will be located toward the base of the building. Vertical joints between different materials (such as masonry versus siding) will only occur at the inside corners or 20-feet back from the front façade. Buildings that provide for only one material type for non-accent façade components shall require a Minor Warrant.
- (7) Painted facades will have at least 3 distinctively different colors/shades for the trim, field (or predominant wall color) and accent.
- (8) Side and rear facades will be of finished quality and of the same color and materials that blend with the front of the building. However, building facades facing a street or Open Space will be considered “A” Façade frontages and will receive the best

treatment, whereas “B” Façade frontages such as those facing an alley or side yard should be treated in a compatible manner.

- (9) Roofs will be constructed of a process and of materials that will have a minimum installation and manufacturer’s warranty of 25 years. The following construction materials will be permitted: 3-dimensional 3-tab asphalt, concrete tile, slate, faux slate or metal. Minimum roof pitch will be 6/12, except for the roofs of sheds and porches. A variety of roof types and colors will be offered by the builder. Flat roofs may also be permitted subject to a Major Warrant.
- (10) Gables will not overlap except when the smaller gable is part of a balcony, porch or entrance.
- (11) Boxed eaves will return around the corner and die into the wall. “Pork chop” returns will not be permitted. Brackets should extend to the fascia or slightly beyond. A frieze board should occur below the eave.
- (12) Homes should be built to be capable of accommodating solar panels.
- (13) **Non-Repeat of Facades.** Facades with similar elevations will not repeat within a radius of 5 homes on either side of the street. (See *Non-Repeat of Facades graphic* below.) Changes to façade materials, roof form and windows will constitute non-repeat of facades. This provision does not apply to floor plans.



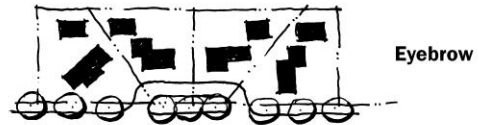
- (b) **Plate Heights.** Plate heights will be no less than nine (9) feet for the first floor and eight (8) feet for the second or higher floors in front elevation zones.
- (c) **Entry Grade.** The grade of the outside entry stoop or porch will be elevated at least three 6-inch steps above the front grade unless demonstrated on a grading plan that this is not feasible due to topography. Steps will be contiguous to the stoop or porch. The intent is

to utilize a front dropped beam to simulate traditional elevated floor plate construction and minimize drainage problems over time.

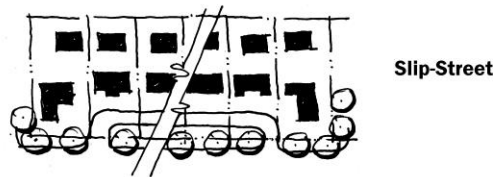
(d) Porches

- (1) Builders will offer porches as an option that have a minimum depth of 7 feet to the face of the porch and are a minimum of 10 feet long, on at least 80% of floor plans. Porches are encouraged to be wrapped on corner lots.

Porches are encouraged to be wrapped on corner lots.

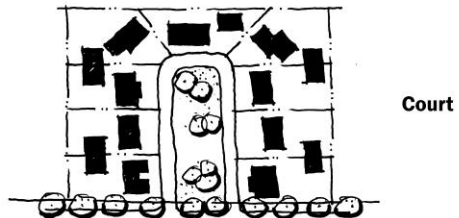
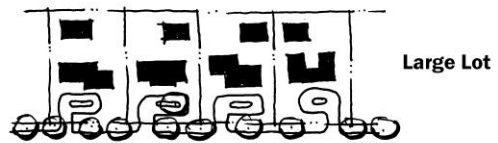


- (2) At least 30 percent of homes in the entire development will be constructed with a front porch.



(e) Residential Facing Perimeter or Collector Streets.

All homes in residential subdivisions which are proposed after the effective date of this Chapter which do not directly face Open Space, will face or side to streets (including perimeter streets) (see graphic to the right). (See *Perimeter Street Engagement graphic* to the right.) Such subdivisions will not be designed or laid out in a manner that will result in placing the rear of homes next to roadways. This may be achieved on major roadways by utilizing such techniques as large lots (capable of including additional parking and on-site maneuvering), eyebrows, slip streets or courts.



(f) Residential Accessory and Portable Building Setbacks

- (1) Portable and other Accessory Buildings will be located behind the main building, will be set back by at least 3 feet from property lines, and will be screened from streets and Open Space.
- (2) Portable and other Accessory Buildings may not be located in areas required for buffering adjacent low density residentially zoned properties.

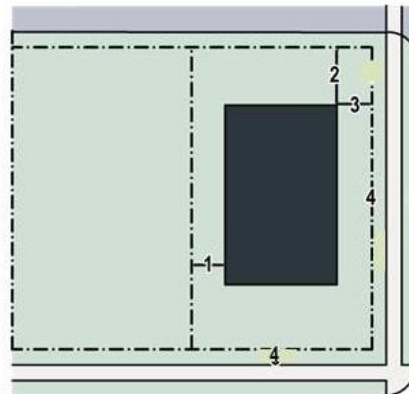
(g) Alley Requirements.

Where alleys are provided, the following standards shall apply:

- (1) Garages that face alleys will be set back 7 to 9 feet from the rear property line, or will be set back 17 feet or more to allow for parking in front of the garage door.
- (2) Fences will be set back at least 3 feet from the rear property line. This area will be landscaped with grasses (not turf), ground cover or low perennial shrubs.
- (3) At least one 3-inch caliper shade tree will be planted within 10 feet of the rear property line.
- (4) Each garage will have one to two decorative light fixtures with a maximum 100 watt lighting source, mounted approximately 7 feet above grade and shielded to focus light downward. Such lighting must be on a timer or photoelectric switch. No flood lights or other high powered lighting will be permitted, except possibly when lighting the alley/street intersection.

(h) Fences, generally. Fences will be constructed of durable, low maintenance materials, and have a high level of structural integrity. (See *Fence Configuration graphic* to the right.)

- (1) Wood fences greater than 4 feet in height will be constructed using metal posts set in concrete.
- (2) Metal picket style fences will be constructed of a minimum 3/4-inch material.
- (3) The finished side of all perimeter fencing which is visible from a public area or right-of-way, will face outward.



- 1, 2 Up to 6 ft. Metal picket, or other approved fence
- 3 Up to 42-Inch picket fence
- 4 Up to 42-Inch picket fence; set back at least 2 ft. behind sidewalk

- (4) Where wood is permitted, it will be cedar or redwood. Such fence will be either painted or stained on both sides and will have a cap rail.
- (5) Fences will not exceed 6 feet in height.

(i) Fences between houses

- (1) Fences between houses may be solid (wood or masonry), but will not extend closer to the street than 10 feet behind the front outside corner of the home if a metal picket or masonry fence, or 20 feet if a wood fence. This includes fences which are parallel to the front property line.



- (2) Wood fences will be permitted between houses when located perpendicular to the front property line and not visible from a street or Open Space.

(j) Fences in a front yard

- (1) Picket fences will be permitted in the front yard and up to within 24 inches of a public sidewalk. The area between such fence and the sidewalk will contain ground cover, grasses or shrubs; not grass that must be mowed and trimmed.
- (2) Front yard picket fences will be a minimum of 50% open and include corner posts. They may be a maximum of 42 inches in height with posts up to 48 inches in height.
- (3) Front yard picket fences will be stained or painted cedar, stained or painted redwood, or metal picket. Flat topped (non-crimped or capped) plastic/PVC or similar material with integrated color will require approval of a Minor Warrant.

(k) Fences along a side street

- (1) Fences along a side street will be no closer to the street than the rear corner of the home, and will be constructed of metal picket.
- (2) Side street fences along a side street will not overlap the house face.
- (3) Notwithstanding (1) and (2) above, picket fences meeting the standards for front yard fences above, will be permitted to within 24 inches of any sidewalk and must meet all requirements for such fences.

(l) Fences along a rear alley

- (1) Rear alley fences will be located at least 3 feet back from the property line.
- (2) Rear alley fences may be solid (wood or masonry) unless facing a trail or Open Space. The area between the fence and alley will be irrigated and planted with grasses, ground cover or shrubbery, and trees.

(m) HVAC Screening. No HVAC equipment will be located in a front yard or side yard facing a public street. HVAC must be screened from view of a public street, alley or Open Space.

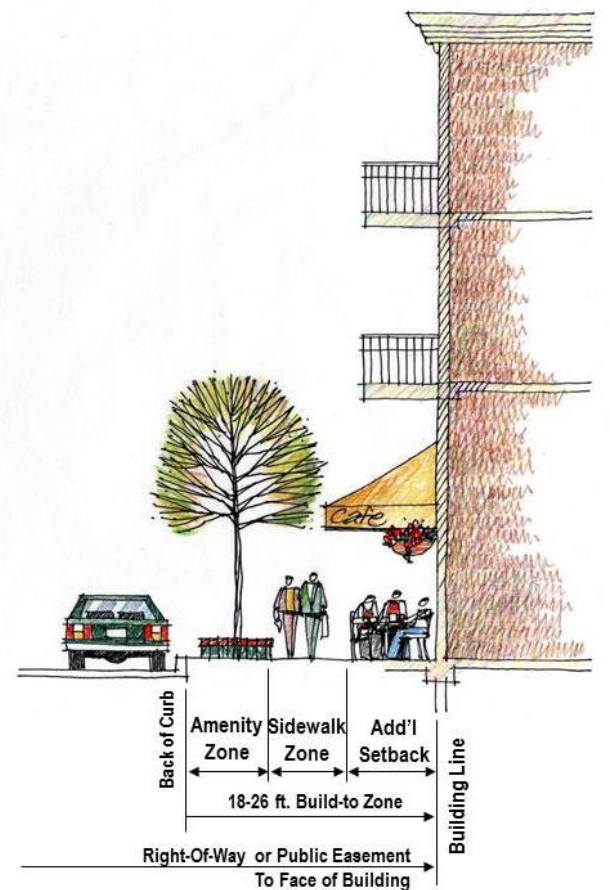
3.7.5 Build to Lines and Zones for the following Building Types – Townhome II, Mixed Residential, Shopfront, Live-Work, Mixed-Use, Flex-Employment and Commercial

(1) The Build-To Zone will be 18-26 feet from the planned back-of-curb, or as established in an approved Regulating Plan or Development Plan. However, along State Highway 5, the Build-To-Zone will be 22-30 feet from the back-of-curb to account for the possible long term expansion of the roadway and the major trail that is planned along the east side. (See *Build-to-Zone graphics* to the right.)

(2) Build-to Lines and Zones will be measured from existing or planned street back-of-curb as established by the Town of Fairview. The entire area between the back-of-curb and the primary building façade will be dedicated as public right-of-way or have a public access easement placed upon it, as determined by the Town.

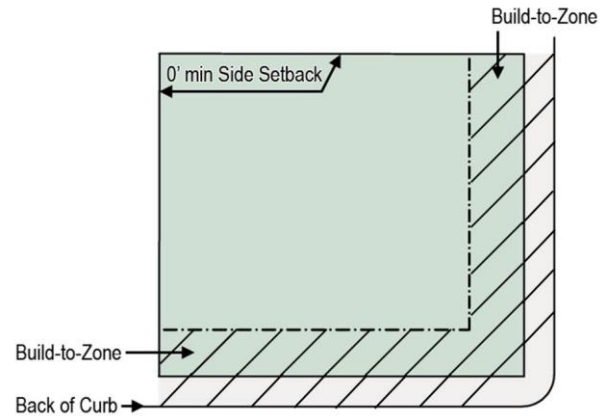
(3) Exterior steps, stoops, chimneys, and bay windows are considered “Gifts to the Street” and may encroach beyond Build-To Lines which are 18 feet or greater, by up to 6 feet by Minor Warrant. “Gifts to the Street” will be carved out of the public right-of-way or public access easement through the platting process.

(4) Awnings and balconies are also considered “Gifts to the Street” and may encroach up to 10 feet over a public sidewalk in the public right-of-



way or public access easement. The design of awnings and balconies encroaching above sidewalks will comply with the Town of Fairview’s applicable building code(s).

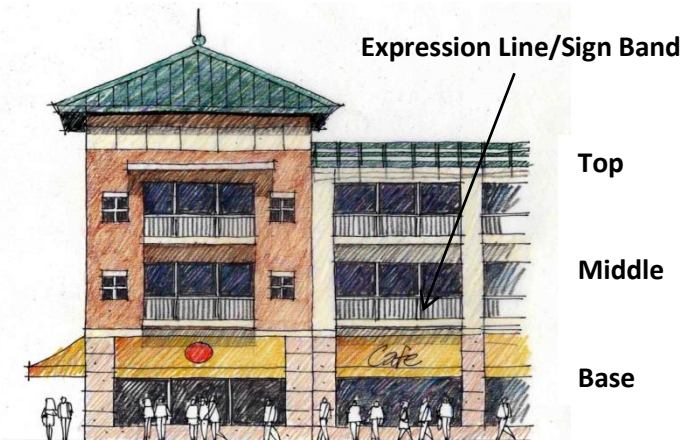
- (5) Any encroachment into a public right-of-way will require the Town of Fairview’s approval. Use of sidewalk area for tables, merchandise and small portable signs may be approved by the Town Manager or designee.



3.7.6 Architectural Standards for the following Building Types – Townhome II, Mixed Residential, Shopfront, Live-Work, Mixed-Use, Flex-Employment and Commercial

(a) Building Form.

- (1) Buildings will generally maintain a façade rhythm of 20 to 30 feet. This rhythm may be expressed by a change in building plane, stepping portions of facades in and out, utilizing balconies, columns or pilasters that are distinctly set out from the façade or changing types or colors of materials in combination with other techniques. A Minor Warrant may be approved for other solutions that are deemed to meet the intent.



- (2) At least 25 percent of above-grade residential units adjacent to a public street or open space will have balconies that extend at least 5 feet beyond the face of the façade. Balconies may extend over the sidewalk area and right-of-way provided



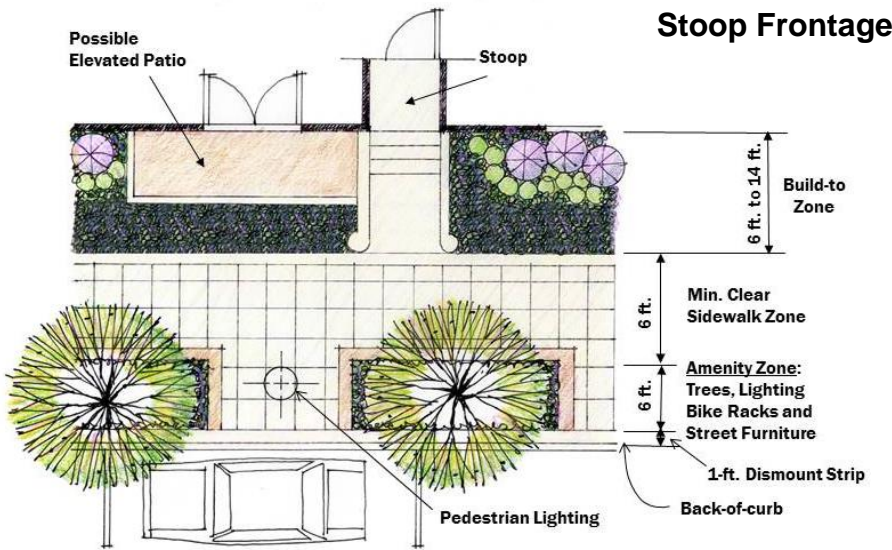
that they maintain at least 10 feet of clearance above the sidewalk and do not substantially interfere with street tree growth. Balconies shall not be used for storage of bicycles that will be visible from the street.

- (3) All buildings will be designed and constructed in tri-partite architecture, with a distinct base, middle and top. (See *Tri-partite Architecture graphics* above.) An expression line, setback or other architectural element will delineate the base and top. In buildings which have more than one material, the “heavier” material will go below the “lighter” material.

(b) Residential At-Grade.

- (1) All residential units within 4 feet of grade will include a primary front door entrance into the unit or outdoor living space which is accessed from the sidewalk. Primary entry doors must be swing doors and will include glass and full operating hardware on the outside of the door. Sliding doors will not be permitted.
- (2) No parking below the building will be visible from the sidewalk or public Open Space.
- (3) Entries for grade-level units will be located a minimum of 2 feet above the sidewalk elevation and will include a minimum 24 square foot stoop (i.e. stoop frontage). However, in buildings with 4 or more residential units, any ground floor units may be located at grade provided that a largely transparent fence a maximum of 48 inches in height encloses a small yard and the front door entry (i.e. dooryard frontage) with approval of a Minor Warrant.
- (4) Units will include windows which provide residents a view of the street, public walkway or Open Space.
- (5) Lobbies to upper stories will have an entry from the front sidewalk.
- (6) Balcony railings, patio railings and fences will be largely transparent and constructed of glass or metal picket. Masonry columns may be used on patios and fences provided that they are used as accents. Wood fences, wood railings, and chain-link fences will be prohibited.
- (7) All residential at-grade building types will have (see *Residential At-Grade graphics* below):
 - (i) A Build-to Zone of 18-26 feet from the back of curb.

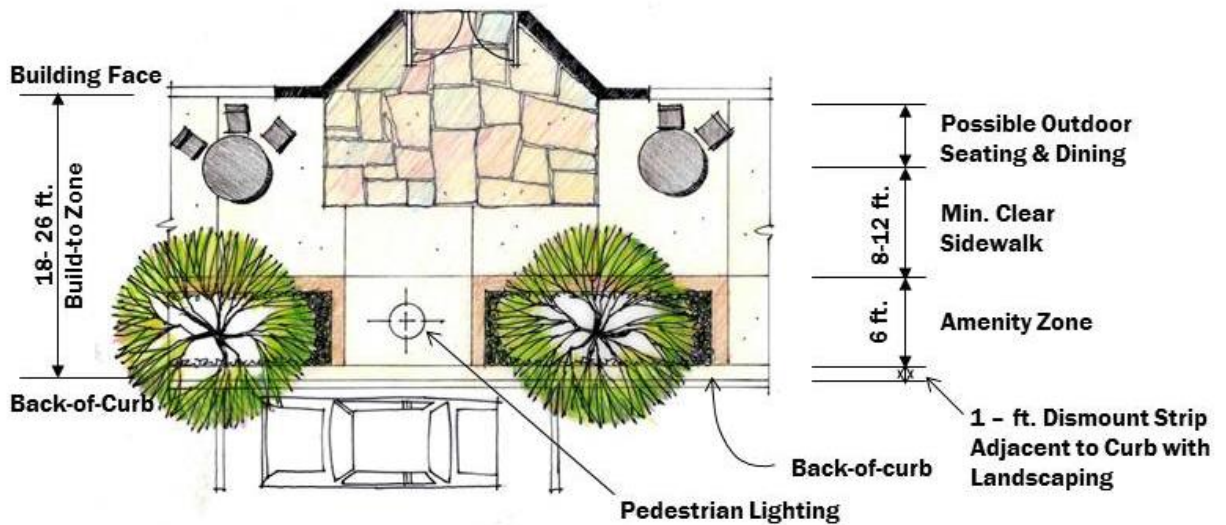
- (ii) A minimum 6-ft. amenity zone with street trees, pedestrian level street lighting, trash containers and other street furniture.
- (iii) A minimum 6-ft. clear sidewalk area; a minimum 8-ft. clear sidewalk area shall be provided adjacent to buildings greater than 3 stories in height.
- (iv) A 1-ft. dismount strip where on-street parking is adjacent to a landscape planter directly adjacent to the curb.





(c) Non-Residential and Flex Space At-Grade

- (1) The ground floor entry will be located at the approximate elevation of the adjacent sidewalk.
- (2) Non-residential uses adjacent to the sidewalk at-grade will:
 - (i) Be constructed to meet fire code separation from other uses as appropriate.
 - (ii) Have a minimum clear height of 12 feet between finished floor and the bottom of the structure above for non-residential space up to 30 feet in depth; and 16 feet for spaces which are greater than 30 feet in depth unless otherwise approved by Minor Warrant.
 - (iii) Have an awning or canopy which extends a maximum of 8 feet over the sidewalk for at least 75% of the frontage of the building. Such awning or canopy will maintain a minimum 8-foot clearance over the sidewalk. Any reduction of this standard will require approval of a Minor Warrant.
 - (iv) Have windows for at least 60%, but no greater than 80%, of the ground floor façade of the commercial frontage. All windows will be highly transparent glass (i.e. .51 - .60 visual transmittance).
 - (v) Have all entries covered with awnings, canopies, or be inset behind the front façade by at least 6 feet. A door will not be permitted to swing into a public right-of-way or minimum sidewalk area.
- (3) All non-residential at-grade building types will have (see *Non-residential At-Grade graphics* below):
 - (i) A Build-to Zone of 18-26 feet from the back of curb.
 - (ii) A minimum 6-foot amenity zone with street trees, pedestrian level street lighting, trash containers and other street furniture.
 - (iii) A minimum 8-ft. clear sidewalk area; a minimum 12-ft. clear sidewalk area will be provided adjacent to buildings greater than 3 stories in height.
 - (iv) A 1-ft. dismount strip where on-street parking is adjacent to a landscape planter directly adjacent to the curb.



(d) Facades and Roofs

- (1) **Mechanical Equipment.** All buildings will be designed such that no mechanical equipment (HVAC, etc.), except vents and stacks, will be visible from the public right-of-way or Open Space, whether the equipment is located on the ground, exterior walls or the roof. All vents and stacks will be painted a color that blends with the roof.
- (2) **Permitted Finishes.** The following finishes will be permitted: brick, stone, man-made stone (excluding veneer) and stucco utilizing a three-step process. Cementitious fiber board plank with a 30-year manufacturer’s warranty may be used for trim.



The following finishes will not exceed a maximum of 30% of a building facade as an accent material: metal, glass block and tile. Wood and cementitious fiber board will require approval of a Minor Warrant.

- (3) **Side and Rear Facades.** Side and rear facades will be of finished quality and of the same color and materials that blend with the front of the building. However, building facades facing a street or Open Space will be considered “A” Façade frontages and will receive the best treatment, whereas “B” Façade frontages such as those facing an alley or side yard should be treated in a compatible manner.
 - (4) **Roofs.** Roofs will be constructed of a process and of materials that will have a minimum installation and manufacturer’s warranty of 25 years. The following construction materials will be permitted: 3-dimensional 3-tab asphalt, concrete tile, slate, faux slate or metal.
 - (5) **Ceiling Heights.**
 - (i) For first floor residential with a stoop frontage at least 24 inches above grade, clear ceiling heights will be no less than 10 feet.
 - (ii) For first floor residential with a dooryard frontage, clear ceiling heights will be no less than 12 feet. Furr downs will be permitted.
 - (iii) For first floor non-residential and flex space, minimum clear height of 12 feet between finished floor and the bottom of the structure above for non-residential space up to 30 feet in depth; and 16 feet for spaces which are greater than 30 feet in depth unless otherwise approved by Minor Warrant.
 - (iv) Floor heights will be at least 9 feet for the second or higher floors.
- (e) Windows.** Windows, except for non-residential and Flex Space at-grade, will be vertical in proportion and have at least a 2 inch reveal (or inset). A series of vertically proportioned windows which are joined together by a mullion will be considered as meeting this standard.
- (1) Each building and separate lease space with non-residential uses at-grade along the street edge will have a functioning Primary Entry from the sidewalk. (See 3.7.6.c *Flex Space At Grade* above.) Functioning entries will be located no greater than 60 feet apart. Corner entries may count as a Primary Entry for both intersecting street frontages. Entries to lease spaces from a courtyard or plaza may be flush with the



building façade provided there is a weather protective cover. Reduction of this standard will require approval of a Minor Warrant.

- (2) Windows and glazing will be a minimum of 30% up to a maximum of 70% of each building façade facing a public street or Open Space ("A" Façade frontage). Administrative approval of a Minor Warrant may permit a reduction of this standard down to no less than 20%. Windows and glazing at grade along "B" Façade frontages may be reduced to no less than 15% with approval of a Minor Warrant. (Also see 3.7.6.c *Flex Space At Grade* above.) Highly reflective glass will not be permitted.

(f) Fences

(1) General:

- (i) Metal picket fences will be constructed of minimum ¾-inch thick material.
- (ii) The finished side of all fencing which is visible from a public area or right-of-way will face outward.

(2) Fences adjacent to the Public Realm:

- (i) Except for handicapped accessible residential units at grade, (see 3.7.6.b above) fences will not exceed 4 feet in height.
- (ii) Fences will not have barbs or sharp finials.
- (iii) Fences will be no closer to the street than the near corner of the building.

(3) Perimeter fences:

- (i) Fences will be a maximum of 6 feet in height and constructed of masonry, metal picket, glass or other approved material.
- (ii) **HVAC Screening.** All HVAC equipment will be located behind a fence or solid landscape screen or on a rooftop and screened. HVAC equipment will not be located in a front yard or side yard facing a street.



(SUBSECTIONS 3.8 THROUGH 3.9 ARE RESERVED)

3.10 STREETS

3.10.1 Intent

It is the intent that public and private streets (with public access easements) provide a framework grid that facilitates the movement of pedestrians, cyclists and automobiles in an attractive environment, and connect to surrounding development located west of State Highway 5. The resulting street framework is intended to provide for incremental long term revitalization and redevelopment of parcels to meet changing market sector needs.

All streets and blocks in a Sub-District will conform to the provisions of this PDD.

3.10.2 Streets

- (a) New streets in areas governed by this PDD will be constructed according to the standards in *Appendix 3.3 Street Typologies*. These standards may be modified and approved as part of a Framework, Regulating or Development Plan.
- (b) The street network within one project area will stub out to allow for an adjacent project to tie into. Along stubbed out streets, the street right-of-way will be dedicated and funds will be escrowed to the Town of Fairview to construct the remainder of the street once an adjacent property develops.

3.10.3 Access Drives

All access drives will require a Minor Warrant in order to minimize the number of access drive intersections along a Block Face.

3.10.4 Street Network

- (a) Streets within the Regulating Plan and/or Development Plan may be shifted in any direction provided that the street network, block size and block face length shall meet the intent and general purpose of this PDD.
- (b) Street grade shall be no greater than 4 percent in order to ensure that units are directly accessible from the sidewalk.

3.11 LANDSCAPE AND ENVIRONMENTAL

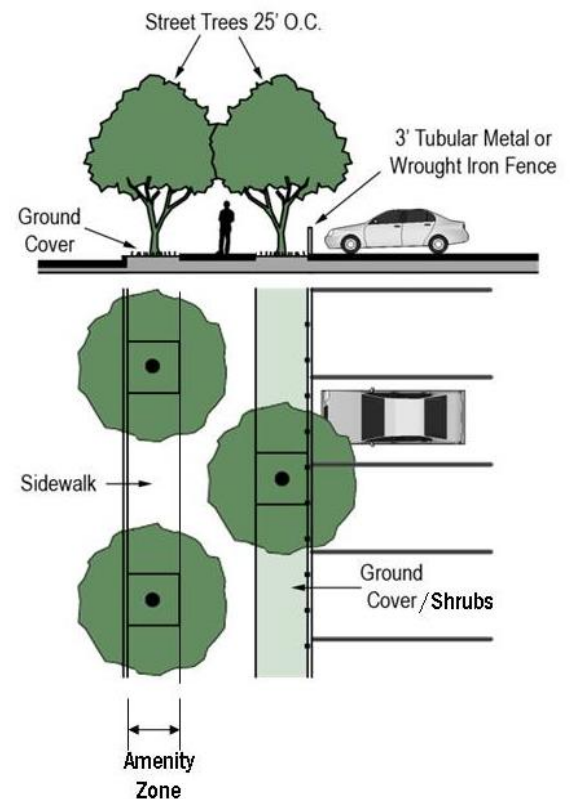
3.11.1 Parking Lot Landscape

(a) Surface Parking Lots Adjacent to Streets and Open Space

- (1) Surface parking lots, where approved, adjacent to streets and plazas will be screened by street trees planted an average of 25 feet on center and a 40-inch masonry wall or a metal picket with low shrubs. (See *Parking Lot Landscape graphic* below.)
- (2) The fence may be constructed of ornamental metal or a combination of ornamental metal with masonry columns or a masonry base. Evergreen plant materials may be used in place of a fence. Planting beds for screen planting will be a minimum of 5 feet in width.
- (3) There will be pedestrian access between the parking lot and the sidewalk at least every 60 feet.

(b) Interior Parking Lot Landscape

- (1) Interior parking lot landscape will include the planting of large trees to reduce heat buildup. Parking lots will not exceed eight spaces in a row without being interrupted by a landscaped island. Islands will be planted with a minimum of one large tree for every 8 cars. However, longitudinal landscape islands which are a minimum 7 feet wide (tire stop to tire stop) and which includes trees, may be used to meet this requirement.
- (2) Parking lot islands will be a minimum surface area of 7 by 17 feet. They will be covered with a minimum 2" deep layer of landscape industry standard mulch and plantings of drought tolerant ground cover or grasses.



(c) Relief of Landscape Screening for Parking Lots



Relief of all or a portion of the landscape and screening requirements may be approved by Minor Warrant in combination with a bond, if the parking is determined to be temporary or short term. For the purpose of this PDD, short term parking must be approved by the Town Manager or designee, and may include parking which has a likelihood of being in place for a period of 1 year or less or used intermittently for special events.

3.11.2 Environmental - Neighborhood General, Neighborhood Edge and Urban Transition

- (a) Neighborhood General, Neighborhood Edge, and Urban Transition Sub-Districts will incorporate water quality, conservation and low impact development (“LID”) principles such as iSWM.
- (b) Drought tolerant trees, plants and grasses will be utilized for meeting the landscape requirements for this PDD. (See *Appendix 3.7 Street Trees and Plant Materials.*)
- (c) Trees, tree groupings and vegetation will generally be preserved in flood plains.

3.11.3 Environmental - Urban Village

- (a) Where possible, the Urban Village Sub-District will incorporate water quality, conservation and LID principles such as iSWM.
- (b) Drought tolerant trees, plants and grasses will be utilized for meeting the landscape requirements for this subsection. (See *Appendix 3.7 Street Trees and Plant Materials.*)
- (c) Trees, tree groupings and vegetation will generally be preserved in flood plains.



ARTICLE 4 PARKING AND ACCESSIBILITY

4.1 PARKING

4.1.1 Intent. It is the intent and general purpose of this article to:

(a) Generally

- (1) Ensure adequacy of available parking, but avoid an over-supply of parking.
- (2) Provide ease of access to parking, but ensure that off-street parking and garages do not dominate the Public Realm.
- (3) Avoid large expanses of concrete or asphalt that can create heat-island micro-climates.

(b) In Commercial and Mixed-Use areas:

- (1) Provide flexibility for changes in land uses which have different parking requirements within the Sub-Districts.
- (2) Support the creation of Shared Parking in order to enable visitors to park once at a convenient location and to access a variety of commercial enterprises in a pedestrian and bicycle-friendly environment.
- (3) Avoid diffused, inefficient single-purpose reserved parking, except for residential use.
- (4) Manage parking so that it is convenient and efficient, and supports an active and vibrant mixed-use retail and residential environment.
- (5) Provide flexibility for changes in land uses which have different parking requirements within the Sub-Districts.
- (6) Avoid adverse parking impacts on existing residential neighborhoods.
- (7) Ensure that parking structures do not dominate the public environment, by lining the edge of structures with residential or commercial uses where visible from public roads and Open Space.

4.1.2 Parking Requirements for the following Building Types – Townhome II, Mixed-Residential, Shopfront, Live-Work, Mixed-Use, Flex Employment and Commercial

(a) On-Site At-Grade Parking



- (1) On-site parking will primarily be located behind buildings, and will not be visible from public streets or Open Space. However, when retail or commercial uses are adjacent to a major arterial, a slip street with parking may be allowed with approval of a Minor Warrant.
- (2) Where parking behind buildings is not possible, a Minor Warrant may be approved to allow parking adjacent to a sidewalk or Open Space. If approved, then all off-street surface parking will be located at least 6 feet behind any façade that faces on a street or public Open Space, and will be accessed by alley or short driveway between buildings. The setback and surface parking lot will be landscaped as set out in *3.11.1 Parking Lot Landscape*.



(b) Parking Requirements

Parking requirements will be established by this PDD, but may be modified as set out below.

Table 4.1 Required Parking

RESIDENTIAL	<p>Single Family: 2 per dwelling unit</p> <p>Townhome: 2 per dwelling unit.</p> <p>Mixed Residential:</p> <p>1.25 per efficiency;</p> <p>1.5 per one-bedroom;</p> <p>1.5 per two-bedroom unit 800 sq. ft. or less;</p> <p>1.75 per two-bedroom unit over 800 sq. ft.;</p> <p>1.75 per three-bedroom unit 900 sq. ft. or less; 2.5 per three-bedroom unit over 900 sq. ft.</p>
HOTEL / MOTEL	1 per guestroom plus 1 per 400 sq. ft. of meeting or lounge area
OFFICE / FLEX SPACE	1 / 300 sq. ft.; or 1/400 with publicly shared parking ¹
RETAIL / RESTAURANT / ENTERTAINMENT	1 / 300 sq. ft. or 1/400 with publicly shared parking ¹
CIVIC	To be determined by Minor Warrant ²
EDUCATION	To be determined by Minor Warrant
OTHER	To be determined by Minor Warrant

Shared Parking Calculation

The calculation of parking required in mixed-use developments shall be calculated by the applicant and may be approved by the Town Manager.

Notes:

1. Required Parking may be reduced to the lower amount if at least 80% of non-residential parking is available as publicly shared parking. Otherwise, the higher standard parking requirement shall apply.
2. Public Open Space shall not require parking unless it serves as a trailhead.
2. Any Alternate Parking request or Mixed Use Shared Parking



(c) Shared Parking. Shared parking may be provided as Publicly or Privately shared:

- (1) The reduced parking standard in a Sub-District applies if at least 80% of the provided parking is available for public use.
- (2) Private shared parking is where two or more businesses or uses have a binding agreement, filed with the Town, to share parking. In these cases, uses may join in establishing shared parking areas if it can be demonstrated that the parking for two or more specific uses occurs at alternating time periods, or where shared parking is massed and configured in a way that increases its efficient use. This must be determined by a parking analysis study approved by the Town Manager or designee.
- (3) Shared parking, whether it is publicly shared or shared between two or more specific businesses, will be clearly designated with signs and markings.

(d) Reduction of Total Parking Requirement

- (1) On-street parking which is immediately adjacent and directly in front of the development site may be counted toward meeting the parking requirement for the development, except in single-family areas.
- (2) Properties which provide at least 80% of on-site parking as publicly shared parking may use the reduced requirement for non-residential uses. (See *Table 4.1 Required Parking.*)
- (3) In mixed-use buildings, the total required parking may be reduced using the "Shared Parking Calculation" referred to in *Table 4.1 Required Parking.*
- (4) Transit-Oriented Development Parking Reduction:
 - (i) Land uses within 1,000 feet of an officially designated rail transit station platform (as measured along a public street or walkway) may be granted up to an additional 20% reduction in the parking requirement, except that standalone office uses may only be granted a 12% reduction.
 - (ii) Land uses between 1,000 and 2,000 feet of an officially designated rail transit station may be granted up to a 10% reduction in the parking requirement.



(e) Achieving Automobile Parking

- (1) Parking requirements may be met on-site, on-street, by lease from the Town of Fairview or its designated authority, or by payment of cash-in-lieu of parking to the Town of Fairview or its designated authority.
- (2) Cash-in-lieu of parking may be considered if there is a parking authority or the ability to create a surface or structure parking facility for the overall area. (See *Cash-in-Lieu formula* to the right.) If these options are not available then adequate parking will still have to be provided on-site.
- (3) On-street parking and loading may not be reserved for private use.

4.1.3 Parking Garages.

- (a) Where approved, parking garages which are adjacent to a street or Public Open Space will be set back a minimum of 30 feet from the front Build-To-Zone, and lined with buildings containing any permitted use but parking. (See *Liner Building graphic* below.) There may be a gap in the liner building of up to 24 feet to provide for garage access from a street as needed.
- (b) Off-street below grade parking will be permitted to the lot lines, but will be designed to allow planting of landscaping as provided for in this PDD. Below grade parking beneath a building must not be visible from the sidewalk

**Table 4.2
Cash-In-Lieu Calculation**

$$\frac{A \times B}{E} = C$$

Where:

A = 350 s.f. (size of space and circulation)

B = Cost of Land (based on assessed value) and Construction in \$/s.f.

C = Cash In Lieu for One Space

E = Efficiency of Shared Use of Space, as established by the Town





4.2 BICYCLE PARKING

4.2.1 Intent

Bicycle parking will be required in order to encourage the use of bicycles by providing safe and convenient places to park bicycles.

4.2.2 Required Bicycle Parking for the following Building Types – Townhome II, Mixed-Residential, Shopfront, Live-Work, Mixed-Use, Flex Employment and Commercial

Bicycle parking will be provided based on each building providing a minimum of 2 spaces or at least one (1) space for each 15 automobile parking spaces required as part of the Base Parking requirement in *Table 4.1 Required Parking* above, whichever is more.

(a) Bicycle Parking Standards

- (1) Location:
 - (i) Required bicycle parking will be located with easy access to building entrances. With approval of a Minor Warrant, some bicycle parking may be located in the public right-of-way.
 - (ii) Any bicycle parking in the public right-of-way will be located within the Amenity Zone (the area between the back-of-curb and the sidewalk that contains street trees and pedestrian lighting); however, it will be placed in a manner that avoids conflicts with pedestrian and vehicular paths.
 - (iii) Bicycle parking may also be provided within a building, but the location must be easily accessible to bicycles.
- (2) If covered spaces for motor vehicles are provided on-site, then 50% of the bicycle parking will also be covered, unless otherwise approved by Minor Warrant.
- (3) If bicycle parking is not visible from the street, then a sign will be posted indicating the location of the bicycle parking facilities.

(b) Standards for Bicycle Rack Types and Dimensions

- (1) Bicycle rack types and dimensions will be approved by the Town.
- (2) Parking Space Dimensions:
 - (i) Bicycle parking spaces will be at least 6 feet long and 2 feet wide, and in covered situations, the overhead clearance will be at least 7 feet.



- (ii) An aisle for bicycle maneuvering will be provided and maintained beside or between each row of bicycle parking. This aisle will be at least 5 feet wide.
- (iii) Each required bicycle parking space will be accessible without moving another bicycle.



ARTICLE 5 LIGHTING, MECHANICAL AND UTILITIES

5.1 INTENT

5.1.1 Intent

It is the intent and general purpose of this article to provide a level and consistency of lighting that supports pedestrian activity and promotes safety, and to reduce the visual impact of mechanical equipment on the Public Realm.

5.2 STANDARDS

5.2.1 Lighting

(a) Average Lighting levels within public rights-of-way and pedestrian areas in the Sub-Districts will meet the following averages:

Table 5.1 Lighting Levels

Land Use	Average Minimum Lighting Level	Average Maximum Lighting Level
a. Residential Sidewalks	2 foot-candles (fc)	3 foot-candles (fc)
b. Retail Sidewalks	3 fc	5 fc
c. Parking Areas	1 fc	2 fc
d. Street Intersection	2 fc	3 fc
e. Street Centerline	1 fc	2 fc
f. Urban Public Open Space or Walkway	1.5 fc	3 fc

(1) Average lighting levels along the sidewalk may be achieved through a combination of both pedestrian-level lights up to 12 feet in height and building-mounted lighting.



- (2) Alley lighting will be located on garage walls facing the alley and will be limited to a maximum of two carriage light fixtures mounted at about 7 feet in elevation, and not exceeding the equivalent of 100 watts each. These lights will be shielded to direct light downward and must be on a timer or photoelectric switch.

(b) Lighting Elements

- (1) The following lighting elements will be permitted: incandescent, color-corrected LED (3,000 – 4,000 Kelvin), metal halide or halogen. The following lighting elements will not be permitted: flood, cobra head (unless LED), HID – mercury vapor and sodium vapor, high pressure sodium and fluorescent lights (except fluorescent bulbs that screw into standard socket fixtures).
- (2) All outdoor lighting will be approved by the Town as part of the Development Plan Application. Street lights must use common style fixtures along the same street types. Full cut-off fixtures will be required along streets and green belts. Alternative decorative fixtures may be approved within interior blocks and pedestrian corridors as Minor Warrants. Downward lighting of buildings, signs and vegetation will be preferred. Upward lighting may be approved as a Minor Warrant as accent lighting with lower wattages.
- (3) Neon, as a lighting source and as a sign, may be permitted with a Minor Warrant in Urban Village Sub-Districts.

(c) Screened Lighting Source. All lighting will be focused downward (except as provided for in b.2 above) or narrowly focused on its intended target such as signs, parking and pedestrian walkways and public open space. Glare from any lighting source will not be directly visible from public view or from a residential unit.

(d) Light levels at adjoining residential property lines. A maximum average of 1 foot candle is allowed at property lines which are shared with residential uses. Up to 2 foot candle may be approved by Minor Warrant. This does not apply to street rights-of-way and trails which are owned by the Town.

5.2.2 Screening of Equipment.

- (a) Mechanical, communications and service equipment including satellite dishes and vent pipes, will be screened from public view by parapets, walls, fences, dense evergreen foliage or other approved means.
- (b) No air conditioning units or meters will be visible from a public street or Open Space.



ARTICLE 6 SIGNS

6.1 INTENT.

6.1.1 Intent

- (a) The intent and general purpose of this article is to limit clutter and regulate commercial and locational signage. It is also intended to help enliven retail and restaurant mixed-use areas.
- (b) Commercial and locational signage within a Sub-District are limited, regulated and controlled as provided for in this article, and all other signage will be subject to the requirements of such Town of Fairview ordinances, rules and regulations that are in effect at the time of application.

6.2 SIGNS GENERAL

6.2.1 General Standards

- (a) Signage may only be externally lit with full-spectrum source, unless otherwise approved. Sources include direct lighting, back lighting and halo lighting.
- (b) One address number, at least 6 inches in height, will be attached to the building in proximity to the principal entrance, and at least 3 inches on the rear entrance of a building.
- (c) Restaurant and retail areas located west of SH 5 may have a neon or special designed exterior sign, if approved by a Minor Warrant. In considering the Warrant, such items as its artistic value to the District will be considered.
- (d) Electronic Display signs may only be located west of SH 5. Any programmed electronic display signs that may be approved, will not change images more frequently than every 8 seconds. Brightness is limited to 0.3 foot-candles above ambient light conditions and signs will be equipped with automatic dimmers to transition from day to night.
- (e) This PDD does not prohibit "For Sale" signs, "For Lease" signs, construction signs, political signs or other freedom of speech signs otherwise allowed in the FDC.
- (f) All signs will meet the Town of Fairview standards for construction and maintenance.
- (g) All signs shall be maintained in good to excellent condition, or they shall be subject to loss of permit, removal and owners will be subject to any applicable costs or fines.

6.3 PROHIBITED SIGNS

6.3.1 Prohibited Signs. The following signs will not be permitted:

- (1) Off-Premise signs (unless approved by Major Warrant for a facility or event of community or regional-wide importance).
- (2) Internally lit sign boxes (Internally lit letters and business logos are acceptable).
(See *Internally Lit Sign images* below.)
- (3) Flashing, animated or running light signs.
- (4) Pole signs (unless approved by Major Warrant for a facility or event of community or regional-wide importance).
- (5) Portable signs, except Sandwich/A-frame or similar signs in retail areas.
- (6) Digital signs that change images more frequently than once every 8 seconds.
- (7) Balloon and Inflatable Signs.
- (8) Signs mounted to landscaping and street furnishings
- (9) Sail or Feather Signs, unless approved for a limited time for special events.
- (10) Hand written signs, except as approved for A-Frame and Menu signs, and for window signs applied in a professional manner to the inside of the window using paints.
- (11) Billboards.



Building on the left has individually internally lit letters. Building on the right has internally lit sign boxes which are prohibited.

6.3.2 Roof Signs

Roof Signs are signs which are erected on a roof or project above the highest point of the roof line, parapet, or fascia of a building. Such signs may only be allowed by a Minor Warrant if the sign is determined to make a positive contribution to the Sub-District as a whole. If more than 40 square feet of sign area is located above the roof eave line, then the sign will require approval by Major Warrant.

6.4 PERMITTED SIGNS

6.4.1. Wall Signs

- (a) A sign mounted flat against and projecting less than 14 inches from, or painted on the wall of, a building or structure with the exposed face of the sign in a plane parallel to the face of the wall. This does not include window signs.
- (b) One Wall Sign will be permitted per occupancy, per street frontage. A Minor Warrant may be approved for a single-occupancy building to allow additional signage.
- (c) The maximum size of a Wall Sign will be 30 square feet if located 12 feet or higher above grade, and 10 square feet if less than 12 feet above grade.
- (d) There will be a minimum 10 foot distance between Wall Signs (excluding Building Identification Sign or Directory Sign).
- (e) In addition, one Wall Sign not exceeding 6 square feet in area, will be permitted on any side or rear entrance that is open to the public.

Wall Sign



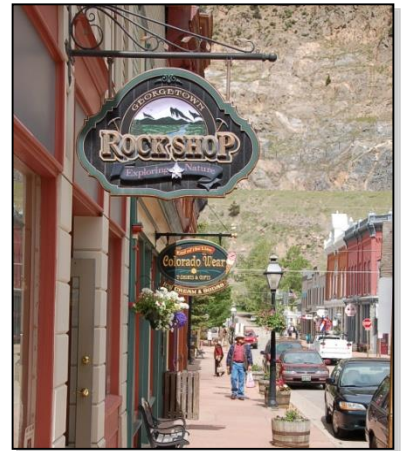
6.4.2 Building Identification Signs

- (a) A sign mounted flat against and projecting less than 14 inches from, or painted on the wall of, a building or structure with the exposed face of the sign in a plane parallel to the face of the wall.
- (b) One Wall Sign will be permitted per building face, but no than a total of 4 signs.
- (c) The maximum size of a Wall Sign will be 5% of the face of the building.

6.4.3 Hanging / Projecting Signs

- (a) Hanging or Projecting Signs are projected from a wall or hanging beneath an awning or canopy just above the ground floor, usually over the sidewalk area.
- (b) Hanging Signs will be a maximum of one per occupancy, per building face.
- (c) Hanging Signs will be a maximum area of 12 square feet per Building Face; and will not exceed 5 feet in width.
- (d) Hanging Signs will be a minimum of 8 feet in distance from the ground to the lower edge of the sign.
- (e) Hanging Signs will have a minimum 15-foot distance between signs.

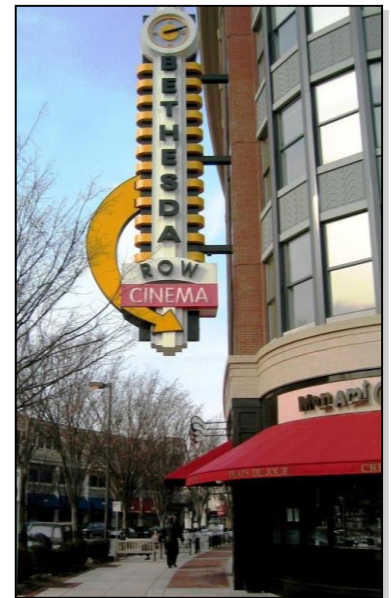
Hanging/Projecting Sign



6.4.4 Blade Signs

- (a) Blade signs are hung from the building wall above the ground floor, and are usually vertical in form.
- (b) Blade Signs will be a maximum of one per Building Face.
- (c) Blade Signs will be a maximum area of 60 square feet per Building Face; and will not exceed 5 feet in width.
- (d) Blade Signs will be a minimum of 12 feet in distance from the ground to the lower edge of the sign.
- (e) Blade Signs will have a maximum height so as not to exceed 2/3 the Building Face height in linear feet.

Blade Sign



6.4.5 Window Signs

- (a) A sign posted, painted, placed, or affixed in or on a window exposed to public view. An interior sign that faces a window exposed to public view and located within 3 feet of the window is considered a window sign for the purpose of calculating the total area of all window signs.
- (b) Window signs will not exceed 15 percent of the window area.

6.4.6 Awning Signs (for ground floor uses only)

- (a) A sign that is either attached to, affixed to, or painted on an awning or canopy
- (b) Awning Signs will be limited to one per occupancy, per Building Face.
- (c) Awning Signs will be a minimum of 8 feet above sidewalk level for pedestrian clearance.
- (d) Awning Signs will not exceed 10 square feet in sign area, and will only be located on the face or surface of the awning.
- (e) If acting as the main business sign, Awning Signs will not be in addition to a wall-mounted sign. If an Awning Sign is acting as an auxiliary business sign, it will be located on the valance only, and the height of the lettering will not exceed 8 inches.

Awning Signs



6.4.7 Restaurants, Cafes and Farmers Markets

In addition to other signage, restaurants, cafes and farmers markets will be permitted the following, and will be limited to one of each type of sign per business:

- (a) **Menu Sign.** A temporary sign used to inform the public of the list of entrees, dishes, foods, and entertainment available in a restaurant.
 - (1) A Menu Sign may be located within a display case attached to the building wall, or it may be affixed to a window.
 - (2) A Menu Sign will not exceed a total area of 6 square feet, and may be lighted.
- (b) **A-Frame/Sandwich Sign.** A movable sign not secured or attached to the ground or surface upon which it is located. An A-Frame/Sandwich sign may display the name of the restaurant, offerings and hours of operation and:
 - (1) will not exceed 4 feet in height.
 - (2) will not exceed 8 square feet in area per Face.

A-Frame/Sandwich Sign



- (3) may be placed in the amenity zone created by street trees and pedestrian lighting provided that a minimum sidewalk width of 6 feet will remain free from intrusion.
- (4) will be limited to one per occupancy.
- (5) will have a temporary duration; they will be permitted during business hours only.

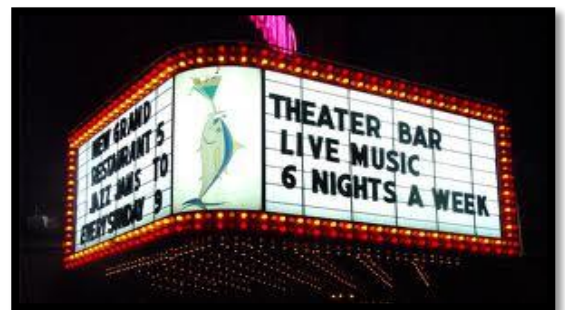
6.4.8 Building Directory Signs

- (a) A sign, other than a Building Identification sign, listing the names, uses, or locations of the various businesses or activities conducted within a building or group of buildings that is centrally located and intended to provide on-site directions.
- (b) Building Directory Signs will be limited to 1 per entrance.
- (c) Building Directory Signs will be located next to the entrance.
- (d) Building Directory Signs will project out from the wall to which it is attached, a maximum of 6 inches.
- (e) Building Directory Signs will not extend above the parapet, eave or building façade.
- (f) Building Directory Signs will not exceed a size of 8 square feet.

6.4.9 Marquee Signs

- (a) A Marquee Sign is a permanent, roofed structure attached to and supported by the building and may project out over public property, and contain signage along its edge. It will only be permitted for movie houses and performance venues.
- (b) Marquee Signs will maintain a vertical clearance over a sidewalk of at least 10 feet; however, a Minor Warrant may reduce the height of 8 feet for small marquee signs.
- (c) Marquee Signs will be no closer than 2 feet from the back of curb of any street.
- (d) The message area may extend the full length of the Marquee Sign.
- (e) The message area will not exceed 8 feet in height.
- (f) The message area will not exceed 200 square feet in area.
- (g) Only 1 Marquee Sign will be permitted per building face.

Marquee Sign

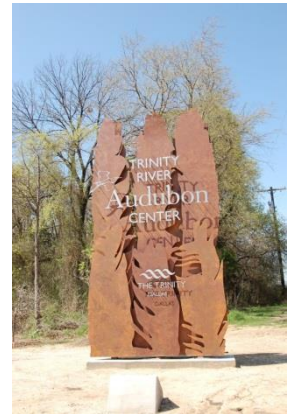




6.4.10 Monument Signs

- (a) A freestanding sign where the base of the sign structure is on the ground or a maximum of 24 inches above the adjacent grade. The width of the top of the sign structure can be no more than 120 percent of the width of the base.
- (b) Monument signs are allowed only on street frontage along US 75, SH 5 and Stacy Road.
- (c) No more than 2 per lot separated by at least 100 feet, or as otherwise approved as part of a comprehensively planned development.
- (d) Monument signs will be limited to a maximum of 50 sq. ft. per sign face and 6 feet in height, except along Stacy Road where signs may be up to 75 sq. ft. and 9 feet in height, and along US 75, where signs may be up to 100 sq. ft. and 12 feet in height.

Monument Sign



6.4.11 Banner Signs

- (a) A Banner Sign is a sign made of flexible materials and supported along one or more sides or at two or more corners by one or more fixed, rigid supports, such as poles or rods. Not including Light Pole Banners.
- (b) A Banner Sign May be approved on a case-by-case basis by Minor Warrant, except that any Banner Sign greater than 30 feet will require a Major Warrant.

Light Pole Banner



6.4.12 Light Pole Banners

- (a) Banners which are affixed to light poles which have the apparatus to hold such banners in place.
- (b) Light pole banners may be approved by a Minor Warrant.
- (c) Light pole banners will be a maximum of 15 sq. ft. per sign face. Light Pole Banners greater than 15 sq. ft. shall require approval of a Major Warrant.
- (d) Light pole banners will be limited to one or two per light pole
- (e) All light pole banners must be approved by the appropriate utility company prior to consideration by the Town of Fairview.

- (f) Light pole banners will be limited to publicize special Districts, community wide events, holiday celebrations, public art, and other Town sponsored events.

6.4.13 Wayfinding Signs

- (a) Signs which provide directions to destination within a development or a community.
- (b) May be approved by Minor Warrant.

Wayfinding Signs



6.4.14 Mural Signs

- (a) Signs which are painted on or affixed a building façade and which is artistic in nature, but may include reference to a product, District or development.
- (b) May be approved by Minor Warrant.

Art/Murals



6.4.15 Curated Signs/Art

- (a) Signs which are purely artistic in nature.
- (b) May be approved by Minor Warrant.

6.4.16 Sales, Leasing and Construction Related Signs

- (a) A temporary sign that relates to the sale, lease, or rental of property or buildings, or to construction activities on a site.
- (b) Must meet the standards in the FDC or be approved as a Minor Warrant.



6.4.17 District or Neighborhood Signs

- (a) Signs which are located primarily at the entrance, but not always, to a neighborhood or District that identifies that neighborhood or District. Such signs may also identify such things as community amenities like trails, parks and community centers.
- (b) May be approved on a case-by-case basis by Minor Warrant. These signs will be uniform in material and color in order to create a sense of place in the District.

6.4.18 Special Event Signs

- (a) Signs which are intended for an entertainment, educational, or cultural special event lasting more than one day and not exceeding two weeks. "Special event" includes, but is not limited to, art shows, sidewalk sales, pumpkin and Christmas tree sales, haunted



houses, carnivals (major and minor), special auto sales, grand openings, festivals, home exhibitions, and church bazaars.

- (b) Special Event signs may be approved on a case-by-case basis by Minor Warrant.

6.5 SIGN PERMITS

6.5.1. Signs Requiring Permits

- (a) Wall Signs
- (b) Projecting Signs
- (c) Hanging Signs
- (d) Building Identification Signs
- (e) Awning Signs
- (f) Marquee Signs
- (g) Wayfinding Signs
- (h) Mural Signs
- (i) Curated/Art Signs
- (j) Home Occupation Signs
- (k) Residential Neighborhood Signs
- (l) Special Event Signs for events lasting greater than 1 day

6.5.2 Signs NOT Requiring Permits

- (a) Window Signs
- (b) Restaurant Menu Signs
- (c) Restaurant Sandwich Signs
- (d) Building Directory Signs
- (e) Sales, Leasing and Construction Related Signs
- (f) Special Event Signs for events lasting 1 day or less



ARTICLE 7 DEFINITIONS

As used in this PDD, the following terms have the meanings ascribed to them, unless the context clearly indicates otherwise.

Accessory Building: a detached subordinate building, the use of which is customarily incidental to that of the main building or to the main use of the land and which is located on the same lot with the main building or use. For example, a residential Accessory Building could be a garage, a garden shed, or greenhouse.

Alley: a vehicular passageway usually located to the rear of lots providing access to service areas and parking, and containing utility easements. Alleys will generally be paved with drainage by inverted crown at the center or with roll curbs at the edges.

Amenity Zone: the band between the back of curb and the sidewalk which contains such things as street trees, pedestrian scale lighting, street furnishings and bicycle parking.

Attached Green: a public open space which is located between a residential property and a street with adjacent homes facing the open space. An attached green is less than a block in length. Onsite residential parking, addressing and mail distribution is generally oriented along a Mews Alley.

Avenue (AV): a thoroughfare of high vehicular capacity and low speed. Avenues are short distance connectors between urban centers. Avenues may be equipped with a landscaped median. Avenues become collectors upon exiting urban areas.

Block Face: the aggregate of all the building facades on one side of a block. The Block Face provides the context for establishing architectural harmony.

Block: the aggregate of private lots, passages, rear lanes and alleys, circumscribed by thoroughfares.

Boulevard (BV): a thoroughfare designed for high vehicular capacity and moderate speed. Boulevards are long-distance thoroughfares traversing urbanized areas. Boulevards are usually equipped with slip streets buffering sidewalks and buildings. Boulevards become arterials upon exiting urban areas.

Building Face: an exterior building wall. For the purposes of this PDD, it is one which is visible from a public street, alley, or public trail or open space and subject to the standards herein.

Building Type: a structure category determined by function, position on the lot, and configuration, including frontage and height. For example, a townhome is a type, not a style.

Building Type Categories: are categories of building types that can represent different market sector demands, and are an important part of creating intergenerational neighborhoods.

Build-to: a line or zone in which a majority of the building façade must be built. It is usually measured from the property line in Neighborhood General and Neighborhood Edge, and the back-of-curb in other Sub-Districts.

Capped Blocks (or End-Capped Blocks): are blocks where along the short side, homes are turned 90 degrees and front on what is usually called a side street. This provides attractive block faces in all directions. (see *Capped Blocks* graphic to the right).

Casing: casing is the trim/molding around a door or window. It may be either flat or molded. It can also be used to cover or encase a structural member, such as a post or beam.

Civic Building: a building designed specifically for a civic function. Civic Buildings include buildings for not-for-profit organizations dedicated to arts, culture, education, recreation, government and transit. These buildings are encouraged to be high image buildings and may exceed the standards set out in the Sub-District.

Commercial: the term collectively defining workplace, office, retail and light manufacturing/industrial functions.

Development Plan: the plan described in *Subsection 2.3.4* of this PDD.

District: see “Planned Development District”.

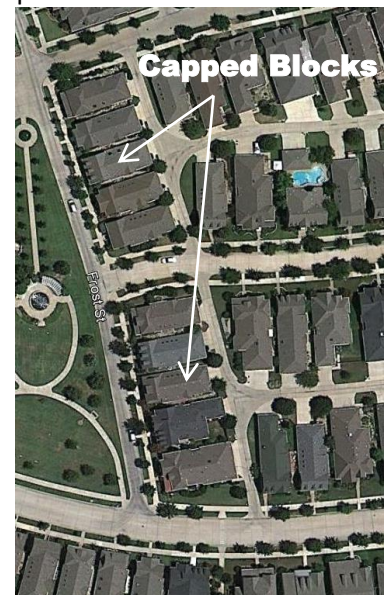
Façade, Building: an exposed exterior wall of a building.

Façade Type “A”: a façade which faces a public street or open space.

Façade Type “B”: a façade which faces internally to a site or an alley.

Fairview Development Code (FDC):, which includes the current provisions, as amended, of the following: *Chapter 14 Zoning, Chapter 10 Subdivision, Chapter 3 Building Regulations, and Article 5.04 (Fire Code) of Chapter 5 (Fire Prevention and Protection)* of the Code of Ordinances, Town of Fairview, Texas, (the “Town Code”) as well as corresponding provisions of the fee schedule set forth in *Appendix A (Fee Schedule)* of the Town Code.

Fire Fighting Master Plan: a plan that demonstrates the ability to fight fires from a front street or alley that has an especially narrow paving cross-section in certain areas. This may





include the use of driveways or areas with a stabilized base where fire trucks can utilize their out-rigger apparatus.

Flex Space: floor area built to provide for flexibility of use over time, and which is constructed in a manner that can accommodate residential, office or retail use. It will conform to applicable commercial building code standards and ADA accessibility, and have at least a 12-foot clear ceiling height.

Floor Area Ratio (FAR): the total square feet of a building divided by the total square feet of the lot the building is located on.

Foot Candle: a unit of measurement referring to lumination incident to a single point. One foot-candle is equal to one lumen uniformly distributed over an area of one square foot.

Form Based Standards: refers to the Standards in this PDD that focus primarily on the Public Realm such as street corridors, open space and civic areas. Such standards utilize timeless principles of “place making.”

Framework Plan: the plan described in *Appendix 1* of this PDD.

Gift to the Street: building enhancements that improve the feel and experience of the street, including porches, stoops, bay windows, balconies, masonry-clad footed chimneys, sun rooms, attached pergolas and colonnades. Gifts to the street may encroach beyond the build-to zone but not into a public right-of-way.

Green Street: a common green or open space along a street for a block or more distance, which is lined by buildings facing the open space. No driveways may penetrate the open space.

Home Occupation: a residential unit providing for a combination of uses in which home occupation activity can occur. The occupation function will be incidental to the primary function of the building as residence. No person outside the residence may be employed unless the residence is a Live-Work unit. There will be no exterior display, no exterior storage of materials and no other variation from the residential character of the principal building, unless the residential unit is a Live-Work Unit or the building has been converted to a non-residential function consistent with applicable building codes and this PDD. When permitted, home occupations must be conducted such that the use is not offensive (due to traffic, noise, smoke or odor) to adjacent or nearby properties or the use of adjacent or nearby public areas.

iSWIM: - Integrated StormWater Management. NCTCOG (North Central Texas Council of Governments) has an iSWM program for construction and development that assists towns,

cities and counties to achieve the goals of water quality protection, stream bank protection, and flood mitigation, while also meeting their construction and post-construction obligations under state stormwater permits.

J-Swing Garage: a garage that faces 90 degrees to a street or alley and requires a 90-degree turning maneuver to enter the garage from the street or alley.

Landmark Feature: an architectural response to a prominent site location. It may include centering a building on the axis view, or expressing an entry, roof or building wall to respond to that location.



Liner Building: a building specifically designed to mask a parking lot or a parking garage from a street or open space. A Liner Building, must be at least 30 feet deep and accommodate any allowed use but parking.

Live-Work: a fee-simple dwelling unit that contains, to a limited extent, a separate commercial component. There will be separate entries to the commercial and residential components. There may also be an internal connection between the uses. At least one resident must be actively involved in the business.

Loft: a flexible residential space which may be partially used for an artist or design studio, or other allowed creative or commercial activity, and which is characterized by higher than normal ceilings, open floor plans and often, exposed duct work.



Mews Alley: an alley that serves residents or businesses which face directly on to public open space or a Green Street and is commonly used for addressing, fire protection, mail delivery and access to parking.

Municipal Management District (MMD): a district governed under Chapter 375 of the Texas Local Government Code or a district having similar characteristics that is created by special legislation.

Open Space: publicly accessible open space which may take several forms in different Sub-Districts.

Parking Structure: a building containing two or more stories of parking. The propensity of Parking Structures to create negative pedestrian experiences along their frontage will be mitigated by the provision of a Liner Building.

Pedestrian Shed: an area defined by the average distance that may be traversed at an easy walking pace from its edge to its center. This distance is applied to determine the size of a Neighborhood or extent of a Community. A standard Pedestrian Shed is one quarter mile radius. Where transit is available or proposed, a Long Pedestrian Shed has an average walking distance of a half mile. Pedestrian Sheds should be conceived as oriented toward a central destination containing one or more important intersections, meeting places, retail center, public park, or civic buildings. Sometimes called a “Walkshed”.

Phasing Plan: a plan that establishes the order of development of a large project. It will address such things as required Building Type Categories, parks and open space, trails, roadway connections and other items as necessary.

Planned Development District (PDD) or Commercial Planned Development District (CPDD): this document, as amended, and the land area it governs.

Planning and Zoning Commission: The Town of Fairview Planning and Zoning Commission.

Principal Building: the main building on a lot, usually located toward the frontage.

Primary Street: a street that is intended to be a main pedestrian street and is identified on the Framework Plan, Regulating Plan and/or Development Plan. Buildings along Primary Streets will be held to the highest standard of pedestrian-oriented design.

Public Realm: the area generally used by the public – streets, sidewalks, trails and open space. The quality of the Public Realm is greatly impacted by the design of elements within it, and by the land uses and architecture adjacent to it. A successful Public Realm creates value for the larger neighborhood and contributes to a positive regional image of the Town.



Public Improvement District (PID): a district governed under Chapter 372 of the Texas Local Government Code or a district having similar characteristics that is created by special legislation.

Regulating Plan: the plan described in *Subsection 2.3.2* of this PDD.

Retail: premises available for the sale of merchandise, food, beverages and services.

Reveal: a. the part of the jamb of a window or door opening between the outer wall surface and the window or door frame; or b. the whole jamb of an opening between the outer and inner surfaces of a wall.

Secondary Street: a street that is intended to balance the need to accommodate parking, service and other auto-related functions in a sensitive manner in order to maintain a high level of pedestrian-oriented design.

Shared Parking Policy: an accounting for parking spaces that are available to more than one use or property. The requirement is reduced by a factor, shown as a calculation. The Shared Parking ratio varies according to multiple functions in close proximity which are unlikely to require the spaces at the same time.

Streetscape: the urban element that establishes a major part of the Public Realm. The Streetscape is composed of thoroughfares (travel lanes for vehicles and bicycles, parking lanes for cars, and sidewalks or paths for pedestrians) as well as the visible private frontages (building facades and elevations, porches, yards, fences, awnings, etc.), and the amenities of the public frontages (street trees and plantings, benches, streetlights, etc.).

Sub-District: the use districts described in *Subsection 3.2.2* of this PDD.

Substantial Modification: alterations to a building that is valued at more than 50% of the replacement cost of the entire building.

Tax Increment Reinvestment Zone (TIRZ): a district governed under Chapter 311 of the Texas Tax Code or a district having similar characteristics that is created by special legislation.

Terminated Vista: a location at the axial conclusion of a thoroughfare. A building located at a Terminated Vista designated on a Regulating Plan is required to be designed in response to the axis.

Texas Constitution: Constitution of the State of Texas 1876

Town: The Town of Fairview, Texas.

Town Code: the Code of Ordinances, Town of Fairview, Texas.



Transit-Oriented Development (TOD): development that is oriented to and in close proximity, generally one quarter to one half mile from a transit station. These developments are characterized by higher density and have a higher level of pedestrian activity and transit use than other forms and location of development.

Transit-Ready Development: development that is generally of a higher density (22 units/acre or more, or 1.5 FAR or more) that is a walkable, bicycle-friendly environment where the introduction of transit service would be immediately accommodated and supported.

Warrant, Major: a development approval that permits a practice that is not consistent with a provision or the Intent and general purpose of this PDD. Major Warrants are granted only by the Town Council after a duly noticed public hearing and upon recommendation by the Planning and Zoning Commission in accordance with the procedures for a zoning change in the FDC. Major Warrants are solely a response to the unique conditions of the particular development, and not considered a change to the PDD

Warrant, Minor: a development approval that permits a practice that is not consistent with a specific provision of this PDD, but is justified by its Intent. Minor Warrants are approved administratively by the Town Manager or designee upon recommendation by the UDO as part of a Framework, Regulating or Development Plan application. Minor Warrants are solely a response to the unique conditions of the particular development, and not considered a change to the PDD