

BEL AIR VILLAGE

PLANNED DEVELOPMENT

CITY OF SHERMAN, TEXAS

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I. Components of Bel Air Village Planned Development

A. Introduction

Bel Air Village is a mixed-use community encompassing approximately 288.3 acres east of Highway 75 and immediately south of FM 1417. The Village offers a mix of commercial, residential, and recreational opportunities complemented by almost 14 percent of the land area set aside as parks, open space, trails, buffers, or other village amenities. The use and development regulations set forth in the Development Plan provide for and encourage development that contains a compatible mix of RESIDENTIAL and VILLAGE URBAN CENTER uses in proximity to one another.

Note: Words shown in all CAPITAL LETTERS are defined in VI. Definitions.

B. Village Development Objectives

The Bel Air Village addresses the physical relationship between development and adjacent properties, public streets, neighborhoods, and the natural environment through the following set of development objectives:

- Ensuring buildings relate appropriately to surrounding developments and streets to create cohesive visual identity and attractive street scenes;
- Offering a variety of housing types responsive to current and future residents' desire for a mix of product types based on their demographic and income needs;
- Siting land uses, streets, and pedestrian circulation in a cohesive and complementary layout supportive of the mix of uses and oriented towards the pedestrian realm to enhance and activate streetscapes;
- Applying residential and non-residential architectural FAÇADE elements and finishes;
- Ensuring creation of high quality street and sidewalk environments that are supportive of pedestrian mobility and appropriate to roadway context;
- Creating an enhanced pedestrian realm by the inclusion of wide sidewalks, vegetative avenues and a trail system interconnecting the respective development areas of the village; and,
- Preserving the natural resources of the site to the greatest extent practicable recognizing the value of the floodplain and stream channels as amenities to the development.

C. Key Village Elements

The following enumerates the key elements of the Bel Air Planned Development:

I. Components

A summary of key components covered in the Planned Development, acreages, and overall objectives.

II. Use and Building Envelope Standards

The USE and BUILDING ENVELOPE STANDARDS section establishes basic parameters for permitted and prohibited uses, building siting, lot widths, height, stories, and overall densities.

III. Architectural Standards

The ARCHITECTURAL STANDARDS section governs the VILLAGE URBAN CENTER and VILLAGE RESIDENTIAL DISTRICTS architectural elements and FAÇADE materials, windows, roofs, service areas and other standards.

IV. Lighting, Parking and Signage Standards

The LIGHTING, PARKING and SIGNAGE STANDARDS section establishes the standards for public/private space lighting, provision of adequate parking, and compatible signage.

V. Landscaping and Park/Open Space and Other Recreation Standards

The LANDSCAPING and PARK/OPEN SPACE and OTHER RECREATION STANDARDS section addresses required landscaping and other recreation amenities.

VI. Definitions

The DEFINITIONS section defines terms used within the Bel Air Village Planned Development.

VII. Appendices

The Appendices contain: Appendix A – CONCEPTUAL PLAN MAP; Appendix B – DEVELOPMENT DISTRICT MAP; and Appendix C – STREET CROSS SECTIONS.

D. Conceptual Plan and Development Districts Maps

The Bel Air Village Planned Development includes the CONCEPTUAL PLAN MAP depicting the respective land uses and the DEVELOPMENT DISTRICTS MAP identifying the two regulating districts.

1. Conceptual Plan Map

- The CONCEPTUAL PLAN MAP is a depiction of large land use categories that include residential, commercial, open space and major rights-of-way to be developed within the Bel Air Village Planned Development. (See Appendix A – CONCEPTUAL PLAN MAP)
- The allocation of land uses and proposed road network may be modified as specific development plans come forward at DETAILED SITE PLAN.
- The table below summarizes generalized land use acreages depicted on the CONCEPTUAL PLAN MAP:

Summary Table of Bel Air Village Acreages and Uses

	Acres	%	Units
RESIDENTIAL			
Single-Family Detached & Attached Residential	167.3	58.0	1,900
Mid-Rise Residential & Lagoon Area	51.2	17.8	3,000
COMMERCIAL			
Village Center	14.5	5.0	N/A
OPEN SPACE			
Parks, Open Space, Buffers & Flood Plain Areas	38.6	13.4	N/A
MAJOR RIGHTS-OF-WAY			
Collector Streets (does not include local residential streets)	16.7	5.8	N/A
Total Acres	288.3	100.0%	
<i>Note: Above acreages, units count and percentages are approximate and will be finalized at Site Plan Approval</i>			

2. Development Districts Map

The DEVELOPMENT DISTRICTS MAP consists of two districts, the VILLAGE URBAN CENTER DISTRICT and the VILLAGE RESIDENTIAL DISTRICT. (See Appendix B – DEVELOPMENT DISTRICTS MAP).

- VILLAGE URBAN CENTER DISTRICT – land designated for development of COMMERCIAL and MID-RISE RESIDENTIAL uses.
- VILLAGE RESIDENTIAL DISTRICT – land designated for development of a mix of DETACHED and ATTACHED SINGLE-FAMILY RESIDENTIAL uses.

II. Use and Building Envelope Standards

A. Village Urban Center District

1. Permitted and Prohibited Uses

- a. Permitted uses
 - (1) VILLAGE URBAN CENTER uses including BUSINESS SERVICE, OFFICE, PERSONAL SERVICE, RETAIL SERVICE, RETAIL SPECIALTY, RETAIL TRADE, STUDIO USES, restaurants, coffee shops, except where requiring a SPECIFIC USE PERMIT or prohibited by this Ordinance or the City of Sherman's Zoning Ordinance.
 - (2) COMMERCIAL INDOOR AMUSEMENT
 - (3) HOTEL, FULL-SERVICE or LIMITED-SERVICE
 - (4) MID-RISE RESIDENTIAL
 - (5) SENIOR/ASSISTED LIVING FACILITY
 - (6) SCHOOL, PRIMARY OR SECONDARY
 - (7) SKILLED NURSING HOME FACILITY
 - (8) RECREATIONAL LAGOON
- b. Permitted ACCESSORY USES
 - (1) AFFILIATED RESIDENTIAL USES
 - (2) AMENITY CENTER
 - (3) Home Occupations
 - (4) PARK/OPEN SPACE
 - (5) Special events
 - (6) STRUCTURED PARKING
- c. Uses permitted upon review and approval of a SPECIFIC USE PERMIT
 - (1) Alcoholic beverage sales and for any qualified restaurants serving alcoholic beverages on site
 - (2) CIVIC BUILDING
 - (3) Telephonic, radio, television or microwave, communication antennas and tower
- d. Prohibited uses
 - (1) Check cashing businesses, payday advance/loan businesses, car or motor vehicle title loan businesses, or credit access businesses as defined by applicable provisions of Texas Finance Code.
 - (2) Gas wells
 - (3) Industrial, manufacturing, and warehousing uses
 - (4) Outside storage, unscreened
 - (5) Sexually oriented business
 - (6) Tattoo parlors
 - (7) Vape businesses
 - (8) Vehicle-related sales or repair

2. Building Lot Dimensional Standards

a. Dimensional Table

	Min. Lot Width (ft)	Min. Lot Depth (ft)	Min. Front Yard Setback (ft)	Min. Rear Yard Setback (ft)	Min. Side Yard Setback (ft)	Maximum Units /Ac.	Max. Stories	Max. Building Height (ft)	Max. Lot Coverage (%)
Village Urban Center	N/A	N/A	0	0	0	85	5	75'	80

b. Additional Dimensional Standards

- (1) Permitted lot coverage for uses not listed in the Dimensional Table shall be determined upon approval of a SPECIFIC USE PERMIT or DETAILED SITE PLAN.
- (2) Architectural embellishments not intended for human occupancy that are integral to the architectural style of the buildings, including spires, belfries, towers, cupolas, domes, and roof forms whose area in plain view is no greater than twenty-five percent (25%) of the first floor footprint may exceed the height limits by up to twenty (20) feet.
- (3) Mechanical equipment, including mechanical/elevator equipment enclosures, ventilation equipment, chimneys, exhaust stacks and flues, fire sprinkler tanks, and other similar constructions may extend up to twelve (12) feet above the actual building height, provided that:
 - (a) The equipment is set back from all exterior walls a distance at least equal to the vertical dimension that such item(s) extend(s) above the actual building height; or
 - (b) The exterior wall and roof surfaces of such items that are set back less than the vertical dimension above the actual building shall be constructed as architecturally integral parts of the building FAÇADE(S).

B. Village Residential District

1. Permitted and Prohibited Uses

a. Permitted uses

- (1) SINGLE-FAMILY DETACHED RESIDENTIAL (SFD)
- (2) SINGLE-FAMILY ATTACHED RESIDENTIAL (SFA)

b. Permitted ACCESSORY USES

- (1) ACCESSORY BUILDING or STRUCTURE
- (2) AFFILIATED RESIDENTIAL USES
- (3) AMENITY CENTER
- (4) Home Occupations
- (5) PARK/OPEN SPACE

c. Uses permitted upon review and approval of a SPECIFIC USE PERMIT

- (1) CIVIC BUILDING
- (2) SCHOOL, PRIMARY OR SECONDARY
- (3) SENIOR/ASSISTED LIVING FACILITY and/or SKILLED NURSING HOME FACILITY and any STRUCTURED PARKING
- (4) Special events

d. Prohibited uses

Any use that is not expressly set forth as a permitted use in this Subsection "VILLAGE RESIDENTIAL DISTRICT" or not considered incidental to the primary permitted use.

2. Building Lot Dimensional Standards

a. Dimensional Table

Description	Single-Family Residential Detached	Single-Family Residential Attached
Building Type	Detached	Attached
Minimum Lot Area	4000 square feet	1200 square feet
Maximum Density	12 units per acre	24 units per acre
Minimum Lot Width	40 feet	20 feet
Minimum Lot Depth	90 feet	50 feet
Front Yard Setback (Alley-Loaded)	10 feet	6 feet
Front Yard Setback (Front-Loaded)	10 feet (building); 20 feet (garage door)	N/A
Side Yard Setback		
Interior Lot	5 feet	0 feet (side abutting another unit); 5 feet (side not abutting another unit)
Interior Lot (Zero Lot Line)	1 foot one side, 9 feet other side	N/A
Corner Lot	10 feet	10 feet
Minimum Rear Yard Setback	10 feet	5 feet
Maximum Building Height	2.5 story, 40 feet	3 story, 50 feet

b. Additional Dimensional Standards

- (1) Zero lot line development shall have a five (5) foot maintenance easement within the lot that abuts the 1-foot side of adjacent lot for maintenance.
- (2) SINGLE-FAMILY ATTACHED RESIDENTIAL shall be alley-loaded with overall building length not to exceed two hundred (200) feet and a required building separation of not less than ten (10) feet between buildings.

III. Architectural Standards

A. Architectural Standards – Village Urban Center District

1. Building FAÇADE Materials

- a. Permitted primary building materials (which must cover not less than 85% of the area of the FAÇADE) shall be:
 - (1) MASONRY/STONE
 - (2) STUCCO/PLASTER
 - (3) Hardie-Plank™ equivalent or better siding
 - (4) Other primary building materials shall be required to obtain a SPECIAL EXCEPTION as a part of DETAILED SITE PLAN approval
- b. Accent building materials (no greater than 15% of the area of the FAÇADE) may be:
 - (1) Pre-cast masonry (for trim and cornice elements only)
 - (2) Gypsum reinforced fiber concrete (for trim elements only)
 - (3) Metal (for beams, lintels, trim elements and ornamentation only)
 - (4) Split-faced CMU block (only for piers, foundation walls and chimneys)
 - (5) EIFS

2. Building AWNINGS and CANOPIES

- a. Materials, Illumination and Location
 - (1) AWNINGS and CANOPIES shall be architectural and constructed with fully opaque materials that complement the building to which they are attached; provided, however, no shiny or reflective materials are permitted.
 - (2) AWNINGS and CANOPIES shall not be internally illuminated in a manner that illuminates the AWNINGS or CANOPY material; provided, however, downward lighting limited to lighting the building FAÇADE, sidewalk areas, and seating areas, is permitted to be installed beneath AWNINGS and CANOPIES.

3. Building Roofs

- a. Permitted Roof Materials
 - (1) Architectural asphalt shingles
 - (2) Tile, clay or concrete (faux clay)
 - (3) Slate (equivalent synthetic or better)
 - (4) Metal (standing seam, equivalent or better)
 - (5) Roofing material for flat roofs shall be monolithic Thermoplastic Polydefin (TPO) membrane or equivalent determined by BUILDING OFFICIAL
- b. Flat Roofs – roof material interior to the PARAPET shall not be visible from any adjacent ground-level areas.

4. Building Mechanical, Underground Utilities, and Solid Waste Facilities

- a. Mechanical Equipment
 - (1) Ground level transformers, HVAC equipment, lift stations, utility meters, and other machinery shall be located at the rear of the lot where practical
 - (2) Roof mounted equipment shall be screened from view from the PUBLIC SPACE where practical.
- b. All electrical, phone, cable and other similar types of facilities shall be underground except for service boxes which shall be approved at the time of DETAILED SITE PLAN.

- c. Solid Waste Collection and Disposal
 - (1) Location of solid waste facilities shall be approved at time of DETAILED SITE PLAN.
 - (2) Solid waste facilities including trash compactors shall be screened by a MASONRY wall of a height that is at least one (1) foot above the height of the solid waste facility or trash compactor. Such screening wall shall be built with the same materials as used for the principal building, or an otherwise CITY approved material
 - (3) Access to Solid waste facilities shall be provided by a metal gate or door equal in height of the wall and shall remain closed at all times when not being accessed for purpose of disposing solid waste into, or collecting for off-site disposal from, the facility.

B. Architectural Standards – Village Residential District

1. Architectural Diversity

- a. Floor plans and front FAÇADES of the same PRIMARY BUILDING MATERIAL color for SINGLE-FAMILY DETACHED RESIDENTIAL shall be separated from one another by no fewer than two (2) lots for same floor plans and no fewer than three (3) lots for the same front FAÇADE.
- b. No combination of the same masonry color, mortar color, and sand color shall be repeated for SINGLE FAMILY DETACHED RESIDENTIAL buildings located on adjacent lots.
- c. The following list of architectural elements shall be incorporated into FAÇADES of SINGLE-FAMILY DETACHED RESIDENTIAL buildings with a choice of at least two (2) different elements and be included in the DETAILED SITE PLAN:
 - (1) BALCONY (limited to rear balconies directly overlooking PARK/OPEN space)
 - (2) Front Porch (4:12 or greater roof pitch)
 - (3) Chimney
 - (4) Patio courtyard
 - (5) MASONRY, stone, or cast stone accents
 - (6) Double entry doors
 - (7) Covered entry
 - (8) DORMERS
 - (9) Cedar shutters
 - (10) Natural stone (30% front FAÇADE)
 - (11) 10:12 or greater roof pitch (pitch may be reduced for Front Porch – see above)
 - (12) Gables with architecture feature
 - (13) Arch top windows
 - (14) Circle top windows
 - (15) Stained wood columns

2. Building FAÇADES

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

- a. RESIDENTIAL buildings shall have a finished floor elevation of not less than 0.8 feet above the top of the front curb elevation.
- b. Wall openings shall not span vertically more than one story.

3. Building FAÇADE Materials

- a. Permitted primary building materials (which must cover not less than 85% of each area of the area of the FAÇADE) shall be:
 - (1) MASONRY/STONE
 - (2) STUCCO/PLASTER
 - (3) Hardie-Plank™ equivalent or better siding
 - (4) Other primary building materials shall be required to obtain a SPECIAL EXCEPTION as a part of SITE PLAN approval
- b. Accent building materials (which may cover no more than 15% of the area of the FAÇADE) may be:
 - (1) Pre-cast masonry (limited trim and cornice elements only)
 - (2) Gypsum reinforced fiber concrete (limited to trim elements only)
 - (3) Metal (limited to roofing, beams, lintels, trim elements and ornamentation only)
 - (4) Split-faced CMU block (but used only for piers, foundation walls and chimneys)
 - (5) EIFS
- c. Calculation of the percentage of the area of permitted building materials on a FAÇADE shall not include:
 - (1) The area occupied by windows and doors (including garage doors); and
 - (2) Other architectural features above the roofline, or areas not in plane with first-floor wall.

4. Building Windows

Windows shall conform to the following:

- a. Window Materials
 - (1) Specialty windows such as stained, opalescent, or glass block shall be permitted in limited amounts but in no case greater than fifteen (15) percent of the total window area of the FAÇADE.
 - (2) Solar screens are permitted only on FAÇADES not visible from the PUBLIC SPACE.
- b. Window Configurations
 - (1) The horizontal dimension of the window opening shall not exceed the vertical dimension except as provided below in subparagraphs 4. B. (2) and 4. B. (3).
 - (2) A maximum of five (5) windows may be mulled horizontally together to form a compound window which may be wider than it is tall if each grouping is separated by a mullion, column, pier or wall section that is not less than three (3) inches wide.
 - (3) An individual window may be wider than it is tall – if not mulled together as described herein subparagraph 4. B. (2) – but shall not exceed five (5) feet in width and four (4) feet in height. No combination of width and height dimensions for an individual window shall result in width exceeding height by more than three (3) feet.
- c. Alterations to these standards may be granted as part of a DETAILED SITE PLAN.

5. Building Roofs and PARAPETS

- a. Permitted Roof Materials
 - (1) 30-year dimensional shingles.
 - (2) Tile, clay or concrete (faux clay).
 - (3) Slate (equivalent synthetic or better).
 - (4) Metal on porches and accent roofs.
 - (5) Roofing material for flat roofs shall be monolithic Thermoplastic Polydefin (TPO) membrane or equivalent determined by BUILDING OFFICIAL.

- (6) Roofing materials shall have a minimum 30-year rated warranty.
- b. Authorized Roof Configurations
 - (1) Pitched Roofs

Hip and gable roofs shall be symmetrically pitched 8:12 or greater – with the exception of front porch roofs, which can be pitched 4:12 or greater.
 - (2) Flat Roofs

Roof material interior to the PARAPET shall not be visible from any adjacent ground-level areas.
- c. Roofs, Dormers and Chimneys
 - (1) DORMERS shall be finished with permitted primary building materials; chimney chases above the roof structure shall be finished with MASONRY/STONE only.
 - (2) Fireplace flues shall be enclosed and finished to be complimentary of the building's exterior.

Finished construction that provides for an exposed pre-fabricated metal flue piping (other than gas appliance vent stacks required by applicable construction codes) is permissible, only if (i) finished to be complimentary of the building's exterior, (ii) vented through the roof structure (not a wall), (iii) designed, built, and located according to applicable construction codes, (iv) designed, built, and located to the rear of the building with limited visible appearance from the front of the building. Should said requirements not be satisfied in full, exposed pre-fabricated metal flue piping (other than gas appliance vent stacks required by applicable construction codes) is prohibited.

6. Underground Utilities

- a. All electrical, phone, cable and other similar types of facilities shall be underground except for service boxes which shall be approved at the time of DETAILED SITE PLAN.

IV. Lighting, Parking and Signage Standards

A. Lighting

1. STREET Lights

- a. STREET LIGHTS shall be install in accordance with the following:
 - (1) MAJOR STREETS – spaced a maximum of one hundred and fifty feet (150) feet including one (1) at each intersection.
 - (2) MINOR STREETS – spaced a maximum of one hundred feet (100) feet including one (1) at each intersection.
 - (3) LOCAL STREETS – lighting shall be at each intersection.
- b. STREET LIGHTS shall not cast a perceptively unnatural spectrum of light (such as low-pressure sodium) or project light skyward (dark sky friendly lighting).

2. VILLAGE URBAN CENTER Lighting

- a. An exterior Lighting Plan shall be approved as part of the DETAILED SITE PLAN for the VILLAGE URBAN CENTER.
- b. Lighting Standards
 - (1) Site lighting shall be of a design, height, and location to illuminate only the lot on which the light fixture is located unless illumination across lot lines is by a lighting fixture is authorized by the approved lighting plan included in the approved DETAILED SITE PLAN.
 - (2) Lighting elements shall not cast a clearly/perceptively unnatural spectrum of light (such as low pressure sodium). Lighting elements shall be limited to incandescent, metal halide, or halogen type fixtures.
 - (3) No flashing, traveling, animated, or intermittent lighting shall be visible from the exterior of any building whether such lighting is of temporary or long-term duration.

B. Parking

1. Parking Standards

- a. SINGLE-FAMILY RESIDENTIAL
 - (1) SINGLE-FAMILY RESIDENTIAL DETACHED and ATTACHED shall provide a minimum of two (2) garage parking spaces that shall remain usable for parking of two (2) passenger vehicles.
 - (2) Additional visitor parking (on or off street) shall be provided for SINGLE-FAMILY RESIDENTIAL uses at a rate of one (1) space per four (4) dwellings located within five hundred (500) feet for any SINGLE-FAMILY RESIDENTIAL lot providing parking for less than four (4) vehicles.
- b. MID-RISE RESIDENTIAL
 - (1) A minimum of 1.5 parking spaces shall be provided for each MID-RISE RESIDENTIAL unit.
 - (2) Additional onsite visitor parking shall be provided for MID-RISE RESIDENTIAL at a rate of one (1) space per six (6) units.
- c. VILLAGE URBAN CENTER
 - (1) For uses other than MID-RISE RESIDENTIAL, a Parking Plan prepared by a Texas professional engineer shall be submitted to the CITY that sets forth how the uses in the VILLAGE URBAN CENTER will accommodate parking demand. The Parking Plan shall be based on the parking standards set forth herein, or in the absence of a standard for a proposed use, shall be established as part of the approved DETAILED SITE PLAN.
 - (2) Required parking ratios for VILLAGE URBAN CENTER uses shall be:
 - (a) Office – 1 space per 300 square foot

- (b) Retail – 1 space per 250 square foot
- (c) Restaurant – 1 space per 150 square foot

2. On-Street Parking

- a. On-street parallel parking shall be eight (8) feet in depth and twenty-two (22) feet length.
- b. On-street parking may be counted towards meeting off-street parking requirements if authorized by the approved DETAILED SITE PLAN.

C. Signage**1. Signage Plan**

- a. A Comprehensive Sign Plan shall be submitted to the CITY as part of the DETAILED SITE PLAN.
- b. Only individual lettering on a VILLAGE URBAN CENTER signage may be internally lit.
- c. Lettering on AWNINGS and CANOPIES shall be limited to six (6) inches tall located only on vertically hanging fabric at curbside.

2. Prohibited or Limited Signs

- a. Billboards, off-premises, pole signs, marquees, animated, flashing or intermittent signs, and roof and painted building FAÇADE signs are prohibited.
- b. Portable or wheeled signs and advertising devices located outside any building shall be prohibited.

V. Landscaping and Park/Open Space Standards

A. Landscaping

1. Landscaping – Trees

a. STREET TREES

- (1) MAJOR STREETS shall have STREET TREES planted along the PARKWAY with a spacing of no greater than one hundred (100) feet on center measured per BLOCK face or on a project by project basis, whichever is the smaller lineal dimension.
- (2) MINOR and LOCAL STREETS shall have STREET TREES planted along the PARKWAY with a spacing of no greater than seventy-five (75) feet on center measured per BLOCK face or on a project by project basis, whichever is the smaller lineal dimension.
- (3) For on-street parking spaces where bump-outs are utilized for parallel parking, one (1) STREET TREE shall be planted in each bump-out.
- (4) STREET TREES shall be at least three (3) caliper inches in diameter measured twelve (12) inches above grade and not less than ten (10) feet in height measured from the base of the main trunk showing at grade at time of planting.

b. VILLAGE URBAN CENTER TREES

- (1) Where the primary structure is located within twenty (20) feet of the front property line, the VILLAGE URBAN CENTER use shall be only responsible for planting STREET TREES in accordance with standards for STREET TREES on MAJOR STREETS.
- (2) Where the primary structure is located greater than twenty (20) feet from the front property line, the following tree planting shall be required:
 - (a) One tree at least three (3) caliper inches in diameter measured twelve (12) inches above grade and not less than ten (10) feet in height measured from the base of the main trunk showing at grade at time of planting for each fifty (50) feet of linear STREET FRONTAGE, which trees shall be planted within fifteen (15) feet of the front property line.
 - (b) Trees may be planted in groups with appropriate spacing for species.
 - (c) The trees required by this Subparagraph b. shall be in addition to the required STREET TREES.

c. SINGLE-FAMILY RESIDENTIAL TREES

(1) General

- (a) Required FRONT YARD TREES shall be in addition to the required STREET TREES
- (b) Required FRONT YARD TREES shall be at least three (3) inches in diameter measured twelve (12) inches above grade and not less than ten (10) feet in height measured from the base of the main trunk showing at grade at time of planting.

(2) Required FRONT YARD TREES

- (a) Lots having building setbacks of ten (10) feet or less no FRONT YARD TREES shall be required.
- (b) Lots having building setbacks of greater than ten (10) feet one (1) FRONT YARD TREES shall be required.

2. Landscaping – Yards

a. VILLAGE URBAN CENTER Yards

- (1) Required Landscaping shall be approved as a part of DETAILED SITE PLAN approval.

b. SINGLE-FAMILY RESIDENTIAL LOTS Yards

- (1) For lots widths of forty (40) feet or greater, no fewer than four (4) five (5) gallon shrubs and twelve (12) one (1) gallon shrubs shall be planted.
- (2) For lots widths twenty-five (25) feet and less than forty (40) feet, no fewer than three (3) five (5) gallon shrubs and eight (8) one (1) gallon shrubs shall be planted.
- (3) For lots widths less than twenty-five (25) feet, no fewer than two (2) five (5) gallon shrubs and six (6) one (1) gallon shrubs shall be planted.
- (4) SINGLE-FAMILY RESIDENTIAL lots shall have full sod installed within any portion of the front yard and side yard abutting a STREET not covered by walkways, driveways, trees, shrubbery, ground cover or planting beds, or other approved landscape materials.
- (5) Decorative rocks shall be permitted in limited amounts and within areas between structures where plant material is difficult to maintain.

3. Landscaping – Parking Lots

- a. Five (5) linear feet of landscaped evergreen screening and/or masonry wall at a height of three (3) feet shall be planted between the STREET right-of-way and the parking area in all parking areas within a parking lot abutting a STREET.
- b. The following interior landscaping shall be planted in off-street, surface parking that contains twenty (20) or more parking spaces:
 - (1) Twenty (20) square feet of landscaping for each parking space shall be installed within the paved boundaries of the parking area.
 - (2) Landscaped islands shall be located at the ends of all parking rows and one (1) landscaped island for each twenty (20) parking spaces in a parking row shall be located on the interior of each parking row. The location the landscape islands within parking areas shall be approved as part of the DETAILED SITE PLAN
 - (3) No fewer than one (1) tree, three-inch (3) caliper inch minimum as measured twelve (12) inches above grade and not less than ten (10) feet in height measured from the base of the main trunk showing at grade at time of planting shall be planted in each parking lot landscaped island.
 - (4) Landscaped islands shall be not less than six (6) feet wide, not less than ninety percent (90%) of the abutting parking space in length, and planted with approved ground cover.
 - (5) Landscaped areas shall be protected by a raised six (6) inch concrete curb with pavement placed no closer than three (3) feet from the trunk of a tree if no CITY-approved root barrier has been installed.

4. Landscaping – Fences/Walls

- a. Fences/Walls – General
 - (1) Metal fencing shall be ornamental metal, tubular steel or similar material with a consistent design and finished in black.
 - (2) MASONRY walls shall be constructed with MASONRY materials compatible with adjacent buildings.
 - (3) Wood fencing adjacent to STREETS shall be board-on-board with capping, pre-stained cedar, with steel posts.
 - (4) Fences and walls exceeding eight (8) feet in height are prohibited except to screen service areas of VILLAGE URBAN CENTER.
 - (5) Fence and wall materials and location shall be approved as part of the DETAILED SITE PLAN.
- b. Fencing/Walls – MAJOR STREETS
 - (1) WOOD fencing along MAJOR and MINOR STREETS is prohibited.
 - (2) MASONRY walls exceeding two (2) feet in height shall be designed with footings approved by a structural engineer or other appropriately licensed professional.
- c. Fences/Walls – RESIDENTIAL

- (1) No fence or wall shall be permitted within front yards except on corner lots, wherein approved ornamental metal fences, not exceeding five (5) feet in height, may be installed within the front yard not serving as the main entry point to the dwelling (i.e. the side yard along the STREET).
- (2) On RESIDENTIAL lots abutting or facing a PARK/OPEN SPACE, only ornamental metal fencing shall be used on the side of the lot facing the PARK/OPEN SPACE unless another material approved as part of the DETAILED SITE PLAN.
- (3) Fences and walls consisting of materials or placed in locations not otherwise authorized by this Subparagraph may be approved as part of the approved DETAILED SITE PLAN.

5. Landscaping – Irrigation

Permanent automatic irrigation systems shall be designed, installed, and operated for all required landscaping.

6. Landscaping – Completion

- a. No certificate of occupancy for any building on any lot may be issued until all required irrigation systems, trees and other plant materials have been installed and/or planted on the lot.
- b. Due to on-going drought conditions, the CITY may authorize delaying planting of new landscape materials, in which case, a certificate of occupancy may be issued.
- c. In the event of such authorized delay, all landscape materials shall be planted not later than the date provided in the authorization. Failure to install all landscaping by the date set forth in the delay authorization shall be a violation of this Ordinance.

B. Park/Open Space**1. PARK/OPEN SPACE**

- a. VILLAGE URBAN CENTER
 - (1) VILLAGE URBAN CENTER uses, other than MID-RISE RESIDENTIAL, shall not be required to set aside a percentage of lot area for PARK/OPEN SPACE.
 - (2) MID-RISE RESIDENTIAL shall allocate not less than ten percent (10%) of the lot area to PARK/OPEN SPACE.
 - (a) Landscaped parking areas, walkways, yards and entries shall be considered PARK/OPEN SPACE.
 - (b) Areas designated as PARK/OPEN SPACE shall be shown on the approved DETAILED SITE PLAN.
- b. VILLAGE RESIDENTIAL
 - (1) Areas designated as PARK/OPEN SPACE shall be shown on all approved DETAILED SITE PLANS.
 - (2) PARK/OPEN SPACE shall be maintained by either a property or homeowners association or by the CITY if designated public PARK/OPEN SPACE.

2. PEDESTRIAN PATHWAYS

- c. PEDESTRIAN PATHWAYS shall be a minimum of six (6) feet in width on MAJOR and MINOR STREETS and five (5) feet on LOCAL STREETS.
- d. PEDESTRIAN PATHWAYS shall be installed at all required locations on a lot prior to issuance of a certificate of occupancy of the first building constructed on the lot or, if the issuance of a certificate of occupancy is required, the commencement of the provision of utilities to any building on the lot.

VI. Definitions

A. Purpose

The words and phrases as used in this ORDINANCE shall have the following meanings unless the context of such use clearly indicates otherwise. Words and phrases not defined within the Definitions, but which are defined in the City of Sherman's Zoning Ordinance shall have the meaning provided such words and phrases in the Zoning Ordinance. Wherever a word or phrases is printed in CAPITAL LETTERS, it is being used as defined herein.

B. Terms Defined

ACCESSORY BUILDING OR STRUCTURE (RESIDENTIAL DISTRICT) – A subordinate building or structure, detached and used for a purpose customarily incidental to the main structure such as a private garage for automobile storage, tool house, lathe or greenhouse as a hobby (no business), home workshop, children's playhouse, storage house, garden shelter or swimming pool, but not involving the conduct of a business.

ACCESSORY USE (see USE).

AFFILIATED RESIDENTIAL USES (see USE).

ALLEY – A public space or drive which affords secondary means of access to abutting property.

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

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

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

BLOCK – An area enclosed by streets and occupied by or intended for buildings; or if said word is used as a term of measurement, it shall mean the full length along the street between the intersection of two streets.

BUILDING HEIGHT – For VILLAGE URBAN CENTER uses, BUILDING HEIGHT is measured in STORIES; for SINGLE-FAMILY RESIDENTIAL uses, BUILDING HEIGHT is measured from the existing grade to the midpoint of a gabled roof line or the top of the PARAPET or mansard roof.

BUILDING OFFICIAL – The official appointed to enforce the ZONING ORDINANCE.

CANOPY – An architectural projection of canvas or similar material that provides weather protection over an area and is supported by the building to which it is attached and at the outer end by not less than two posts.

CITY – City of Sherman, Texas.

CIVIC BUILDING – Publicly- or privately-owned buildings that are open to the public for non-COMMERCIAL purposes.

COMMERCIAL INDOOR AMUSEMENT (see USE).

COMMERCIAL USE (see USE).

CONCEPTUAL PLAN – Proposed land uses as shown on the CONCEPTUAL PLAN.

DETAILED SITE PLAN – A site plan approved by the City of Sherman.

DEVELOPMENT DISTRICTS

VILLAGE URBAN CENTER – Land designated on the DEVELOPMENT DISTRICT MAP as VILLAGE URBAN CENTER intended for more flexible development standards allowing for VILLAGE URBAN CENTER uses ranging from single lot projects such as big-box stores and hotels to larger-scale shopping centers and business centers as well as MID-

RISE RESIDENTIAL uses.

VILLAGE RESIDENTIAL DISTRICT – Land designated on the DEVELOPMENT DISTRICT MAP as RESIDENTIAL intended for a mix of DETACHED and ATTACHED RESIDENTIAL.

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

EXTERIOR INSULATION AND FINISH SYSTEM or “EIFS” - a no-load bearing, exterior wall cladding system that consists of an insulation board attached either adhesively or mechanically, or both, to the substrate; an integrally reinforced base coat; and a textured protective finish coat.

FAÇADE – Exterior building face.

FENESTRATION – Openings in the building wall allowing light and views between interior and exterior measured as glass area.

FRONT SETBACK LINE – The line at which the building FAÇADE shall be located adjacent to or behind.

FRONT YARD TREE (see TREE, FRONT YARD).

HEIGHT (see BUILDING HEIGHT)

HOTEL, FULL SERVICE – An establishment offering temporary lodging facilities consisting of regular rooms or suites suitable for short-term stays with one or more restaurants and lounges, food and beverage catering, conference meeting rooms, recreational amenities, and STRUCTURED PARKING.

HOTEL, LIMITED SERVICE – An establishment offering temporary lodging facilities consisting of regular rooms or suites suitable for short-term stays that may offer a business center, pool/whirlpool, workout room, a meeting room and a lobby marketplace for snacks and beverages; the establishment may offer restaurant services geared to primarily hotel guests.

LOT, CORNER – A lot that is bounded by intersecting STREETS.

LOT COVERAGE – The percentage of the total area of a lot occupied by the base (first story or floor) of buildings located on the lot or the area determined as the maximum cross-sectional area of the building; eaves, drives, uncovered patios/porches, sidewalk, and similar improvements are excluded from LOT COVERAGE computations.

LOT LINE – The lines bounding a lot.

LOT WIDTH – The width of the lot as measured at the FRONT SETBACK LINE.

MAJOR STREET (see STREET, MAJOR).

MASONRY/STONE – Defined as construction material three (3) inches or thicker composed of natural stone, kiln fired clay brick, decorative concrete block or other masonry material approved by the CITY’S BUILDING OFFICIAL.

MINOR STREET (see STREET, MINOR).

OFFICE BUILDING – A building used to house OFFICE USES.

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

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

PARK (see OPEN SPACE).

PARK/OPEN SPACE – Land and water designed for active and/or passive recreational enjoyment, but also including small vegetative spaces, flood plains, AMENITY CENTERS, development entries, PEDESTRIAN PATHWAYS; areas located within a SINGLE-FAMILY RESIDENTIAL LOT or within a public right-of-way shall not be considered PARK/OPEN SPACE.

PARKWAY – An area located immediately between the street curb and sidewalk in which STREET TREES and street lights and other such infrastructure are placed.

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

PLANNING AND ZONING COMMISSION – The Planning and Zoning Commission of the City of Sherman, Texas.

PUBLIC SPACE – The public domain commonly referred to as the public STREETS, ALLEYS and rights-of-way but can include travel lanes, PARKWAYS, PEDESTRIAN PATHWAY, and PARK/OPEN SPACE.

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

RETAIL (see USE).

RESIDENTIAL (see USE)

SCHOOL, PRIMARY OR SECONDARY – A school operated by an independent school district, religious entity or private corporation providing a kindergarten, elementary and/or secondary curriculum.

SCHOOL, COLLEGE OR UNIVERSITY – An academic institution of higher learning, accredited or recognized by the State and offering a program or series of programs of academic study.

SENIOR/ASSISTED LIVING FACILITY – A residential living facility for older adults that may include independent living arrangements designed exclusively for seniors, generally those 55 years or older, to live independently within an apartment-style facility or freestanding home; it may also include, as an ACCESSORY USE, living facilities that offer a larger range of services for residents as their level of care expands, as long as the resident does not need skilled 24-hour nursing care.

SKILLED NURSING HOME FACILITY – State-licensed long-term care residential living facility offering 24-hour medical care provided by registered nurses, licensed practical nurses and/or certified nurse assistants for residents who are totally dependent on nursing care or short-term rehabilitation between hospital and home.

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

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

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

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

STREET, MAJOR – A STREET having four or more travel lanes with rights-of-way greater than seventy (70) feet.

STREET, MINOR – A STREET having three or less travel lanes with rights-of-way exceeding sixty (60) feet but not exceeding seventy (70) feet.

STREET, LOCAL – A STREET having two travel lanes with rights-of-way sixty (60) feet or less.

STREET FRONTAGE – That portion of the lot or building that is coincident with the FRONT SETBACK LINE.

STREET TREE (see TREE, STREET).

STUCCO/PLASTER – Stucco/Plaster material shall only be considered as meeting the masonry requirement when applied using a 3-step process over diamond metal lath mesh to a 7/8-inch thickness or by other processes producing comparable cement stucco finish with equal or greater strength, durability, and fire resistive specifications.

TREE, STREET – A tree planted in the PARKWAY.

TREE, FRONT YARD – A tree planted in a front yard area.

USES

ACCESSORY USE – A use of land or building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use; within a RESIDENTIAL DISTRICT this may include a pool, children's play equipment, gazebo, picnic table, etc.

AFFILIATED RESIDENTIAL USE – A use intended for the residents and their guests of a RESIDENTIAL use that includes a leasing office, fitness center, game room, laundry, pool, amenity center and other residential-related services and uses.

BUSINESS SERVICE USE – Establishments primarily engaged in rendering services to business establishments on a fee or contract basis, including but not limited to advertising and mailing; building maintenance; employment service; management and consulting services; equipment rental and leasing (does not include outside storage or heavy construction equipment); commercial research; development and testing; photo finishing; and supplies services.

CIVIC USE – Community uses including the following: meeting halls; libraries; schools (kindergarten through college); police and fire stations; post offices (retail operations only, no primary distribution facilities); places of worship; museums; cultural, visual and performing art centers; transit centers; government functions open to the public; and, other similar uses.

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

COMMERCIAL USE – Includes BUSINESS SERVICES, OFFICES, PERSONAL SERVICES, RETAIL SERVICES, RETAIL SPECIALTY USES, RETAIL TRADE USES, STUDIO USES, and RECREATIONAL LAGOON.

PERSONAL SERVICE USE – Establishments primarily engaged in providing services involving the care of a person or his or her apparel, including laundry, cleaning and garment services, garment pressing, coin operated laundries, beauty shops, barber shops, shoe repair, reducing salons and health clubs, clothing rental, doctors, dentists, chiropractors, veterinarians, etc.

OFFICE USE – Includes, but are not limited to lawyers, engineers, architects, landscape architects, accountants, insurance agencies, economic consultants, general business offices, or other similar professions.

RECREATIONAL LAGOON – A large, artificially-created recreational water body for swimming and other water-related activities (can be a COMMERCIAL or CIVIC use).

RESIDENTIAL USE – A range of housing uses that encompass SINGLE-FAMILY and MID-RISE uses, and SENIOR/ASSISTED and/or SKILLED NURSING HOME FACILITIES.

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

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

RESIDENTIAL, MID-RISE – A multi-storied residential building containing multiple separate housing units above one another for residential purposes within one building or complex, commonly referred to as “apartments;” this definition does not include a HOTEL or any short-term stay facility (stays of less than six months) but may include ground-floor commercial.

RESIDENTIAL, SINGLE-FAMILY – A residential dwelling occupied by persons living as a single household unit; this definition includes DETACHED and ATTACHED residential uses but does not include MID-RISE RESIDENTIAL.

RETAIL SERVICE USE – Establishments providing services, as opposed to products, to the general public, including restaurants, LIMITED and FULL SERVICE HOTELS, finance, real estate and insurance, travel agencies, health and educational services, and galleries.

RETAIL SPECIALTY USE – Include, but are not limited to the sale of gifts, antiques, flowers, books, jewelry, wearing apparel or craft shops making articles exclusively for sale at retail on the premises. Establishments selling used goods or merchandise and retail store sales consisting primarily of specialty and novelty items as defined by City of Sherman Resolution No. 77-028 are specifically excluded.

RETAIL TRADE USE – Establishments engaged in selling new goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Establishments primarily engaged in the selling of used goods or merchandise are specifically excluded.

STUDIO USE – Includes, but is not limited to dance, art, music, photography, radio or television and specifically excluding any type of sexually oriented business.

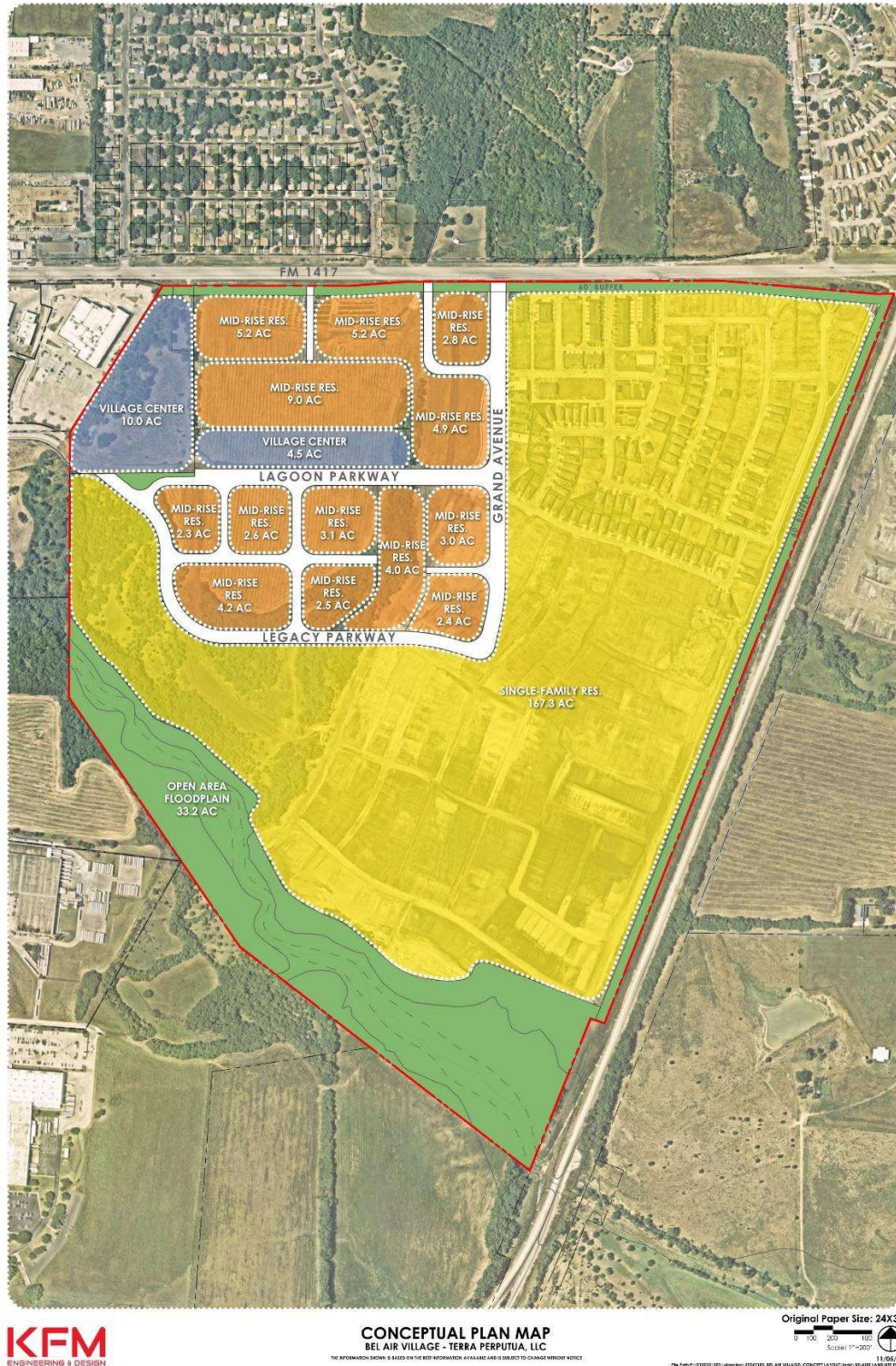
VILLAGE URBAN CENTER USE – Any use that is defined herein as a MID-RISE RESIDENTIAL, BUSINESS SERVICE, OFFICE, PERSONAL SERVICE, RETAIL SERVICE, RETAIL SPECIALTY, RETAIL TRADE, and STUDIO uses but specifically excluding any uses prohibited by this ORDINANCE.

VILLAGE URBAN CENTER USE (see USE).

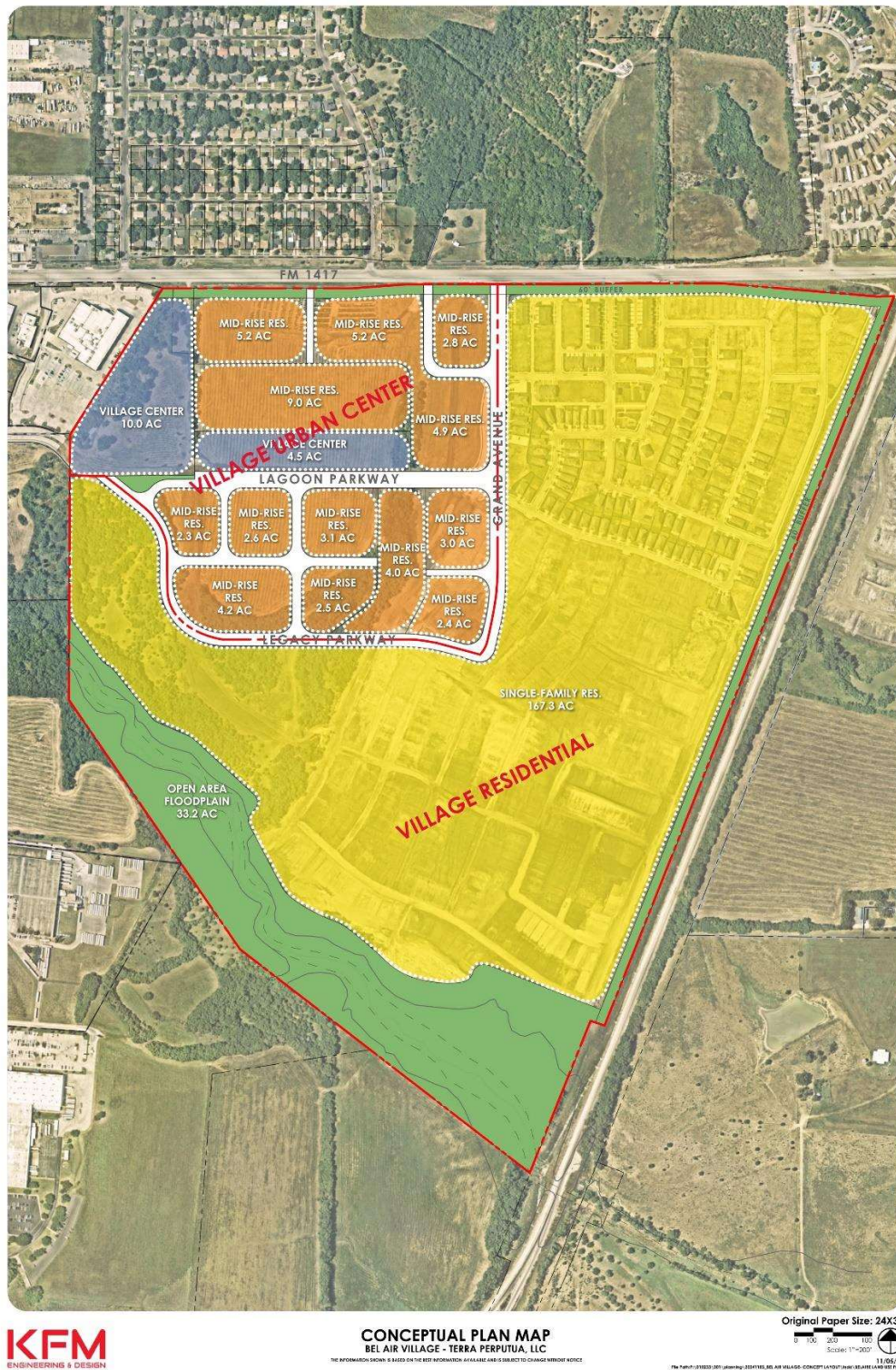
ZONING ORDINANCE – The Zoning Ordinance of the City of Sherman, as amended from time to time, including any future codifications.

VII. Appendices

A. Appendix – Conceptual Plan Map



B. Appendix – Development Districts Map



C. Appendix – Street Cross Sections

