

Chapter 6

Commercial Design Standards

Amended 9/04/2018

Section 6.1 Purpose of This Chapter

The purpose of this Chapter is to establish rules and regulations for development of commercial and institutional properties and for the exterior design and exterior building materials of commercial and institutional buildings in all zoning districts.

Section 6.2 Authorization for Adoption of This Chapter

The regulations contained in this Chapter have been adopted under the authority of the following:

1. *Chapter 51 – General Powers of Municipalities of the Texas Local Government Code*, which authorizes a municipality to adopt ordinances, rules, or police regulations that are for the good government, peace, or the trade and commerce of the municipality.
2. *Chapter 211 – Municipal Zoning Authority of the Texas Local Government Code*, which authorizes a municipality to divide a municipality into districts and, within each district, regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land.
3. *The Home Rule Charter of the City of Colleyville*, which authorizes the City Council to exercise all powers granted to municipalities by the Constitution or the laws of the State of Texas.

Section 6.3 Definitions

Definitions applicable to this Chapter may be found in *Chapter 2 – Definitions* of this Land Development Code.

Section 6.4 Building Design Standards

1. **Applicability:** For any new commercial and institutional buildings, or additions or alterations exceeding 50% of the building improvement value based on the current certified tax roll, the following standards apply. For institutional buildings, if no relevant appraisal data exists on the certified tax roll, the building improvement value shall be obtained through an independent third party appraiser, paid by the building permit applicant, and provided to the City.
2. *Façade Articulation* - All commercial buildings shall have facades which comply with the following requirements:
 - a. *Horizontal Articulation* – No building façade visible from a public street or parking area shall extend horizontally greater than three (3) times the height of the wall without having an off-set of not less than fifteen (15%) percent of the wall's height as shown on the attached Exhibit "A", and such off-set shall continue for a minimum distance equal to at least twenty-five (25%) percent of the length of the longest adjacent plane.
 - b. *Vertical Articulation* – No building façade visible from a public street or parking area shall extend horizontally for a distance greater than three (3) times the height of the wall unless the wall contains at least one of the following features and every front building façade shall have no less than two of the following features:

- (1) Parapets which change the roof line. The parapet height shall be a minimum of fifteen (15%) percent of the wall's height, and such height change shall continue for a minimum distance equal to at least twenty-five (25%) percent of the length of the longest adjacent plane.
 - (2) Overhanging eaves, extending no less than three (3) feet past the supporting walls.
 - (3) Sloping roofs that do not exceed the average height of the supporting walls, with an average slope greater than or equal to one (1) foot of vertical rise for every three (3) feet of horizontal run and less than or equal to one (1) foot of vertical rise for every one (1) foot of horizontal run.
 - (4) Three or more roof slope planes.
 - (5) A covered walkway along a minimum of fifty (50%) percent of the front façade length.
3. *Side and Rear Façade Features* – Side and rear building façades, which are not visible from a public street or parking area, shall include a minimum of three architectural changes, such as: (1) a changing plane not less than five (5) feet in width and eighteen (18) inches in depth, (2) a surface material change of not more than thirty (30) feet in length, as measured horizontally, or (3) a combination of these elements.

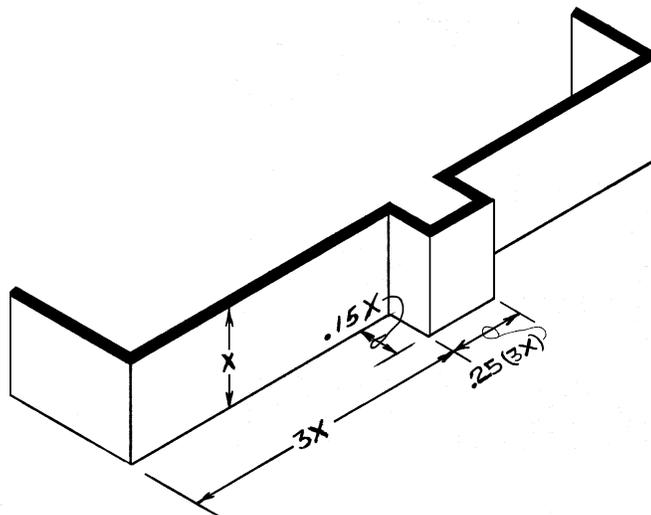


Exhibit "A"
Façade Articulation

Section 6.5 Exterior Building Color and Material Requirements

1. *Exterior Surface Materials* – A minimum of ninety (90%) percent of each exterior wall surfaces, excluding door and window openings, shall be constructed of clay-fired brick, native stone, cast stone, or a combination of these materials. Tilt - up concrete construction is permitted, provided the exterior surface is covered with clay-fired brick, native stone, cast stone, or a combination of these materials. Stucco and EIFS (Exterior Installation Finished System) are permitted for not more than ten (10%) percent of the exterior surface. Concrete block, split-faced block or cinder-block shall not be acceptable. Proposals for surface materials with similar durability and appearance of clay-fired brick, native stone, or cast stone may be considered.
2. *Exterior Surface Colors* – The exterior surfaces shall be of a natural finish, provided the colors are, subtle, or neutral colors. Trim and accent areas may be painted and feature brighter colors, including primary colors, but not more than ten (10%) percent of the wall surface area. High intensity or fluorescent colors are prohibited. Building elevations showing the proposed exterior wall color shall

be submitted with the site plan application at the time of new construction as provided for by this chapter. Any applicant for a building that does not meet the requirement of this section as determined by the Community Development Director may request a variance to the Director's interpretation per Section 6.8 below.

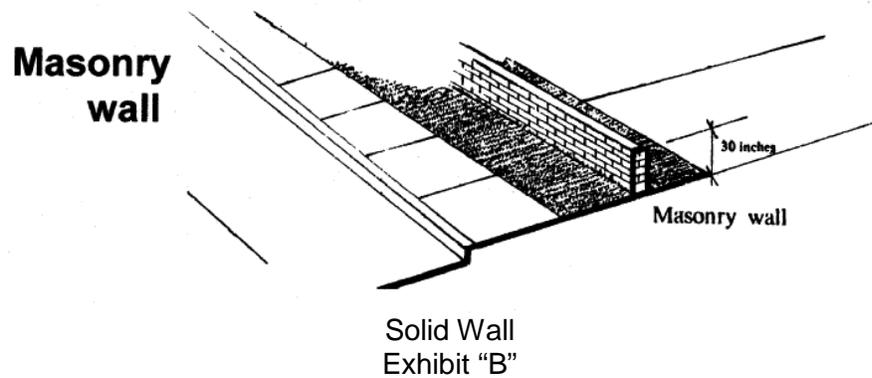
- a. For commercial and institutional buildings that exist as of the passage of this section, upon the repainting and/or alteration of any structure, the paint and material color shall comply with section 2 above.
3. *Exposed Columns* – Exposed structural support columns shall be constructed of, or clad in, the same material as the principal structure. Architecturally significant columns (e.g. fluted, etc.) may be permitted.

Section 6.6 Additional Development Regulations

1. *Low Solid Wall* – A solid wall constructed of clay-fired brick, native stone, cast stone, or a combination of these materials, not less than thirty (30) inches in height as shown on the attached Exhibit "B" shall be provided where parking is provided adjacent to a street right-of-way. Said wall shall be constructed generally parallel to and twenty (20) feet from the street right-of-way.
2. *Delivery / Loading Spaces* – All delivery and loading spaces shall be screened from public view from a street right-of-way or an adjacent residential property by an eight (8) foot to ten (10) foot tall solid screening wall constructed of like material to the building. Additional evergreen planting materials shall be provided so that no more than two-thirds of the surface area of the solid screening wall is visible from the street or residential property. The live (evergreen) plant screening shall consist of shrubs, a minimum of three (3) feet in height when planted, and which can be expected to reach six (6) feet or greater in height within three (3) years of planting. Shrubs shall be spaced so that there shall be no gap greater than four (4) feet between mature plant materials. No delivery or loading area shall be operated between the hours of 11:00 p.m. and 6:00 a.m. Parking of delivery vehicles shall not exceed 48 hours duration.
3. *Outdoor Display Areas* – Outside display of merchandise shall not be allowed unless allowed by a Special Use Permit (SUP) approved by the City Council, provided that it shall be limited to an area within eight (8) feet of the front wall of the primary building and further provided that emergency pedestrian access to the building is not blocked. When allowed by SUP, no merchandise shall be displayed between the hours of 11:00 p. m. and 6:00 a. m.

For purpose of this regulation, the front wall shall be the front containment wall of the structure and not the front of an overhanging walkway cover.

4. *Outside Storage and Sales Areas* – There shall be no outside storage or outside sales areas of landscaping materials, plants or general merchandise, except for an outside display area, as provided in the above paragraph. For purpose of this regulation, nothing shall prohibit the sale or display of landscaping materials, plants or general merchandise located behind an enclosed solid screening wall constructed of like materials to the building, provided merchandise is not visible above the top of the screening wall.
5. *Cart Storage* – All shopping cart storage areas shall be contained within the primary building. Temporary shopping cart parking within parking areas shall be allowed, provided the temporary enclosures shall be ornate and appropriately designed and that the carts are removed to within the primary building on a frequent basis.



Section 6.7 Non-Residential Outdoor Lighting Requirements

A. Purpose

Efficient and effective outdoor night lighting benefits everyone and enhances the City's nighttime character. New lighting technologies have produced lights that are extremely powerful, and these types of lights may be improperly installed so that they create problems of excessive glare and light trespass that reduce residents' privacy. Excessive glare can be annoying or hazardous and may cause safety problems. There is a need for lighting requirements that recognize the benefits of efficient and effective outdoor lighting and provides clear guidelines for its installation so as to help maintain and complement the City's character and which strives to provide linkage between the built and natural environment and acknowledges and sustains the unique nature of the City's corporate-commercial, suburban and rural lifestyles. Appropriately regulated, and properly installed, outdoor lighting will contribute to the safety and welfare of the residents of the City.

B. Objectives

Outdoor lighting for nonresidential uses and multifamily uses has the following objectives:

1. It is intended to reduce the problems created by improperly designed and installed outdoor lighting in those areas zoned for nonresidential uses and multifamily uses;
2. It is intended to eliminate problems of glare and minimize light trespass by establishing regulations which limit the area that certain types of outdoor lighting fixtures can illuminate and by limiting the total allowable illumination of lots located in the city;
3. All lighting installed in nonresidential uses and multifamily uses should be designed with the idea of being a good neighbor, thereby eliminating or reducing unnecessary direct light from shining onto abutting properties or streets;
4. It is the declared purpose of this subdivision that nonconforming luminaries be eliminated and be required to conform to the regulations of this subdivision within a reasonable time.

C. Applicability

1. *New fixtures or additional lighting.* This subdivision shall apply to all installations of new fixtures or additional lighting to any new or existing nonresidential or multifamily use or structure.
2. *Nonconforming Lighting.* Luminaries installed prior to the adoption of the ordinance from which this subdivision is derived shall immediately be re-aimed or shielded such that the fixture no longer creates a nuisance as defined in section 42-27. Shielding may be accomplished by louvers, baffles, visors, or shields placed on the luminaries, or any other method whereby the light therefrom does not constitute a nuisance as defined in section 42-27
3. Exemptions:

- (a) Street lighting installed by a governmental agency for public benefit on public rights-of-way; or
- (b) Public outdoor recreational sport fields and sport courts complex.

D. Enforcement

The enforcement of the rules and the provisions of this subdivision shall be by the Administrative Official, or his duly appointed representative.

E. Measurement

1. *Metering Equipment.* Lighting levels shall be measured in footcandles with a direct-reading, portable light meter.
2. *Method of footcandle measurement.* The meter sensor shall be not more than six inches above ground level in a horizontal position. The reading shall be taken only after the cell has been exposed long enough to provide a constant reading.

F. Prohibited Lighting

The following lighting is prohibited. No owner or occupant of land shall permit any of the following conditions to exist:

1. An unshielded light source, including bare bulbs above 15 watts, except for temporary seasonal lighting;
2. The operation of searchlights, strobes, or pulsating lights;
3. The use of low pressure sodium bulbs as a light source;
4. The use of a partial cutoff light source;
5. The use of a drop lens;
6. Luminaires located within the compatibility buffer between dissimilar uses;
7. Any luminaire that produces a disability glare;
8. Any light or combination of lighting that creates a nuisance as defined in section 42-27;
9. Any lighting installed to illuminate an unimproved surface or private outdoor recreational activities that exceeds requirements set forth in this statute without an approved variance, as set forth in this statute.

G. Height for light pole standards

Maximum height for light pole standards shall be as follows:

1. In parking areas containing zero to 150 parking spaces, maximum height of lighting pole standards shall not exceed 25 feet.
2. In parking areas containing 151 or more parking spaces, maximum height of lighting pole standards shall not exceed 35 feet.

H. Building mounted lighting

All building mounted luminaires exceeding 15 watts shall be directed down with a full cutoff fixture.

I. Floodlighting

1. Luminaires used for floodlighting shall not direct the luminance above the facade of the object being lighted.
2. Spotlights and floodlights mounted overhead on poles or building walls and used for area lighting, including but not limited to residential areas, shall be installed so that the fixture is full cutoff as defined herein, with no light above 90 degree nadir.

J. Building Entry Points

At all building entry points average projected footcandle readings as determined by the point method photometrics shall not exceed a measurement of five footcandles.

K. Canopy lighting

All canopy lighting shall be fully recessed fixtures with full cutoff lens and shall not exceed 45 footcandles at any point under the canopy.

L. Spacing

1. In parking areas containing zero to 150 parking spaces, minimum spacing of lighting pole standards shall be no less than two times the height of the standard.
2. In parking areas containing 151 or more parking spaces, minimum spacing of lighting pole standards shall be no less than four times the height of the light standard, a ratio of 4 to 1.

M. Parking area lighting

Parking area lighting shall not exceed a measurement of 15 footcandles at any point in the parking area. The average projected footcandle reading as determined by the point method photometrics shall not exceed two footcandles.

N. Residential Adjacency

Where properties with a residential use or zoning, other than Agricultural, are adjacent to a commercial site, the maximum lighting intensity shall not exceed 0.5 footcandles.

O. Penalty

1. Any person violating any provision of this section shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine as provided in the Land Development Code. A separate offense shall be deemed committed of each day during or on which a violation or failure to comply occurs or continues to occur.
2. A footcandle reading, as performed in accordance with this section, in excess of those amounts defined as a nuisance in section 72-27, shall be prima facie evidence of a violation of this subdivision.

P. Variance

1. A variance as to the height restriction may be permitted by the City Council for the replacement of luminaires installed prior to the adoption of the ordinance from which this subdivision is derived if such luminaires are damaged, destroyed, or otherwise become inoperable.
2. A variance is permissible for such replacement luminaires only in those situations where more than one luminaire existed prior to the adoption of the ordinance from which this subdivision is derived. The City Council may grant a variance, upon application by the property owner or his designee, if the City Council determines that the replacement of a damaged, destroyed, or otherwise inoperable luminaire with a luminaire conforming to the height requirement set forth in this subdivision would:

(a) Create a nuisance as defined in section 72-27; or

- (b) Be aesthetically inconsistent with the remaining luminaires in determining whether a replacement luminaire would be aesthetically inconsistent, the City Council may consider the following factors:

- The location of the replacement luminaire on the subject property;

- The type of construction material of the replacement luminaire;
 - The location of the subject property; and
 - The outdoor lighting used on adjacent and surrounding property.
3. Notwithstanding these provisions, under no circumstances may the replacement luminaire exceed 35 feet in height.
- Q. Architectural lighting of buildings and structures
For spotlights and floodlights mounted at or near ground level and used to light a building wall, sign, or other structure, the axis of illumination shall be adjusted to minimize the amount of light escaping above, below, and to the side of the illuminated object.
- R. Architectural lighting of landscaping

Landscape lighting installed for nonresidential uses and multifamily uses shall be installed according to the following:

1. Any lighting that is to be placed in the canopy of a tree shall be directed in a downward position to simulate natural light received by the area.
2. The fixture shall be shielded so that all of the light is directed downward and shall not be directed toward the tree, to reduce light intrusion.
3. All proposed lighting that is to be placed in a tree shall be affixed to the trunk or branch through the use of an adjustable bracketing system that will allow for the continued growth of the tree.
 4. The mounting height of landscape lighting shall not exceed 25 feet.
5. No lighting shall be bolted, nailed, or glued to the trunk or any appendages of the tree, and such unauthorized attachment will be treated as a violation of chapter 99, Vegetation, of the city's Code of Ordinances.

Section 6.8 Variances; Architectural Review Commission, City Council

- A. A person may request a variance from a requirement contained in *Chapter 6 – Commercial Design Standards* by filing said request with the administrative official. A request for a variance shall be accompanied by a non-refundable application fee. A request for variance shall be referred for consideration to the Architectural Review Commission (ARC) for a recommendation to the City Council. The variance procedure shall proceed as follows:
1. Submit a variance application and pay applicable fee. No action shall be taken on any application submitted to the ARC until all applicable fees have been paid in full. No refund of any application fee shall be made after the request has been advertised and scheduled for consideration by the Commission and City Council.
 2. Not later than 30 days from date of the application, a quorum of the Architectural Review Commission (ARC) shall convene a meeting to review the variance request;
 3. Public Hearing and Written Notification – No action to approve or deny any application shall be taken until the Commission has held a public hearing and received comment, and only after written notice of the public hearing of the date, time and place where the variance request is to be considered has been sent to the owners of real property lying within five hundred (500) feet of the property and all Home Owner's Associations (HOA's) lying within one thousand (1,000) feet of the property where the application is being considered. Such notice shall be given to each property owner as listed on the last approved tax roll not less than fifteen (15) days before the date set for hearing by depositing letters properly addressed and postage paid in the United States Post Office
 4. Final Action by City Council – The recommendation by the ARC shall be forwarded to the City Council for final decision at the next available agenda for consideration by the City Council.

Section 6.9 Amendments to This Chapter

Reserved for listing of amendments to this Chapter.

Ord. Number	Date	Subject
O-11-1818	12/13/2011	Amendments to design standards; addition of exterior material and color requirements; amendments to variance procedures and addition of architectural review committee
O-18-2057	9/04/2018	Several amendments as part of a total LDC review