

Sec. 146-141. Residential Development Design Requirements.

- (a) *Purpose.* The purpose of this section is to set minimum standards for the appearance and design of single family residential developments, which is recognized as enhancing property values and are in the interest of the general welfare of the City.
- (b) *Applicability.* The regulations contained in this section shall apply to all single family residential (attached and detached) developments for which a plat is submitted for review and approval on or after the effective date of the ordinance from which this section is derived (November 12, 2012), unless otherwise stated by this Chapter or a valid “PD” – Planned Development District. The term “plat” as used herein means and includes a preliminary-final plat, preliminary-final replat, minor plat, and a minor replat.
- (c) *Standards for approval.* All single family (attached and detached) residential developments shall satisfy all of the following requirements:
1. Developments outside of the “REC” – Regional Employment Center Overlay District must be segmented into smaller, more distinct neighborhoods and villages through the use of common areas, active and passive open spaces, residential screening and buffering improvements, street layout, and/or lot orientation. These neighborhoods shall be no larger than 50 acres or 175 lots in size, whichever measure is smaller. An increase in the maximum area (50 acres) or maximum number of lots (175) by up to and including 20 percent may be permitted by the Planning and Zoning Commission provided the intent of this section is satisfied and the desired character is preserved.
 2. For neighborhoods outside of the “REC” – Regional Employment Center Overlay District that exceed 50 lots, at least one of the entrances to the neighborhood shall feature a divided entrance containing a landscaped median separating the traffic entering the neighborhood from the traffic exiting the neighborhood. The required median shall be provided within a common area that is owned and maintained by the homeowners’ association and shall feature all of the following:
 - i. The dividing median shall be at least 8 feet wide and at least 50 feet long (measured from back of curb to back of curb). The median and its plantings shall not be permitted to interfere with necessary sight visibility lines;
 - ii. At least one canopy tree for every 50 linear feet that the median extends (in length);

- iii. At least two ornamental trees for every 50 linear feet that the median extends (in length); and
 - iv. The required median shall be completely covered with living plant materials and shall be provided with an automatic underground irrigation system as specified in Section 146-135(e)(2) of the Zoning Ordinance. Non-living materials including, but not limited to concrete, pavers, stone, decomposed granite, or similar materials may be utilized for secondary design elements, sidewalks, and/or crosswalks.
 - v. The City Engineer and/or Fire Marshal shall be permitted to allow deviations to these standards as needed on a case by case basis to facilitate proper vehicular access, emergency access, sight visibility, and other related engineering design or life safety principles.
3. A minimum of 60 percent of a property's frontage on a natural area such as a creek and/or lake that includes public participation of any kind (e.g.: NRCS lakes) shall feature single loaded streets adjacent to them. A single loaded street shall mean a street that only features houses with related driveways on a single side.
 4. Lots that are less than 50 feet in width shall not provide any front-entry off-street parking (including drives, garages, and carports).

(d) Meritorious Exception.

1. If unique circumstances that exist on the property or an innovative design prevents strict adherence with this Section 146-141, the Planning and Zoning Commission shall consider, upon the request of the applicant and following a properly noticed public hearing, the approval or disapproval of a meritorious exception from identified portions of this Section 146-141 in conjunction with the platting of such property in accordance with Chapter 142 (Subdivision Regulations) of the Code of Ordinances.
2. Prior to considering a meritorious exception from the requirements of this section or an appeal of the Planning and Zoning Commission's action regarding a meritorious exception, written notice of a required public hearing shall be sent to all property owners according to the procedures for a change in a zoning district location or boundary. Such notice may be served using the most recently approved municipal tax roll, and

depositing the notice, properly addressed and postage paid, in the United States mail.

3. The applicant for a meritorious exception shall prove that the meritorious exception from these requirements is warranted under the circumstances presented. A meritorious exception may be granted if the Planning and Zoning Commission finds that:
 - i. Unique circumstances exist on the property or an innovative design is proposed that make the application of this section unduly burdensome on the applicant;
 - ii. The meritorious exception will have no adverse impact on current or future development;
 - iii. The meritorious exception is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses;
 - iv. The meritorious exception shall not reduce the quality of the development; and
 - v. The meritorious exception will have no adverse impact on the public health, safety and general welfare.
 - vi. A financial hardship shall not be considered a basis for the granting of a meritorious exception.
4. Action by the Planning and Zoning Commission regarding a requested meritorious exception may be appealed to the City Council. Within 14 calendar days of the action by the Commission, the appellant shall notify the Director of Planning in writing of the desire to appeal the decision of the Commission to the City Council. The Director of Planning shall prepare a report and place the appeal on the agenda for consideration by the Council.