

**Exhibit A
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Section 1. Interpretations and definitions.

- a) Unless otherwise stated, all references to articles, divisions, or sections in this division are to articles, divisions, or sections in Chapter 51A.
- b) Unless otherwise stated, the definitions in Chapter 51A apply to this ordinance. In this ordinance:
 - 1) **ACCESSORY STRUCTURE** means a structure located on the same lot as the main building that is subordinate in floor area, location, and purpose to the main building, and is used for a permitted purpose, including but not limited to garages, pergolas, arbors, workshops, storage buildings, pool houses, carports, and habitable structures.
 - 2) **ADDITIONAL DWELLING UNIT (ADU)** means a non-rentable additional dwelling unit, accessory to the main unit, located on a building site with single family use.
 - 3) **ADJACENT LOT** means a lot that is contiguous to another lot that fronts on the same street.
 - 4) **ARCHITECTURAL DESIGN FEATURES** and **BUILDING ELEMENTS** include chimneys; roof style, slope, and overhang; materials; window style; vent style; balconies; towers; wing walls; eave overhangs; window sashes; front porches; crowns; pilasters; and other exterior architectural features.
 - 5) **ATTIC STORY** means the space between the existing ceiling framing of the topmost story and the underside of the roof framing.
 - 6) **CIRCULAR DRIVEWAY** means an impervious surface located in a front yard or cornerside yard, used to access off-street parking or for off-street parking, and that has two curb cuts onto the same street or intersecting streets.
 - 7) **COMPATIBLE** means consistent with the architectural design features found within the district, including architectural style, scale, massing, setbacks, colors, and materials.
 - 8) **CONTRIBUTING** means a structure listed as Spanish Revival, French Eclectic, Neoclassical, Tudor, or Colonial Revival. See Exhibit B for property list by address.
 - 9) **CORNER LOT** means a lot that has frontage on two intersecting streets.
 - 10) **CORNERSIDE FACADE** means a main building facade facing a side street.
 - 11) **CORNERSIDE YARD** means a side yard that abuts a street.
 - 12) **CORNICE** means any molded projection which crowns or finishes the part to which it is affixed.

- 13) DOCUMENTED ASSURANCE means an architectural drawing, survey, or photograph delineating the original or existing appearance, height, or footprint of the structure.
- 14) DORMER is a structure projecting above a sloping roof, usually housing a vertical window or vent. Dormers are not part of the main roof structure, but are framed separately, with no shared roof ridge or eave.
- 15) ELL is a secondary wing or extension of a building at right angles to its principal dimension.
- 16) ENTABLATURE means an elaborate horizontal band and molding supported by columns, or any similar construction that crowns a wall, window, or doorway.
- 17) FRONT FACADE means a building elevation facing the street on which the property is legally addressed.
- 18) FRONT YARD means the portion of a lot which abuts a street and extends across the width of the lot between the street and a main building and lines parallel to and extending outward from the front facade of a main building. REQUIRED FRONT YARD means the portion of the front yard between the street and the setback line.
- 19) HALF TIMBERING a treatment to mimic historic exposed heavy timber framing. See Exhibit B for examples.
- 20) HARDSCAPE means any non-plant landscape materials such as boulders, cobbles, decorative concrete, gravel, pavers, or stones.
- 21) HEIGHT, for any structure with a roof, means the vertical distance measured from average grade (highest and lowest exterior corners of a structure) to the peak of any roof structure, regardless of its style or form.
- 22) IMPERVIOUS SURFACE means any paved surface, such as asphalt, bricks, concrete, gravel, stone, or tile, or any structure, such as accessory buildings, driveways, or walkways.
- 23) INTERIOR LOT means a lot bounded by a street on one side only.
- 24) MAIN BLOCK means the largest massing of the street facade of a main building.
- 25) MAIN BUILDING means the building on a lot intended for occupancy by the main use.
- 26) MAJOR MODIFICATION means any remodeling that impacts 25 percent of the surface area (using wall and window/door area affected) of front facade by altering or obscuring existing materials.

- 27) **MATURE TREE** is any species of tree identified as being a minimum of 15 caliper inches or more when measured at 4.5 feet above grade on the uphill slope of the lot.
- 28) **NONCONTRIBUTING** means a structure not listed as one of the five contributing style in Exhibit B classified as Spanish Revival, French Eclectic, Neoclassical, Tudor, or Colonial Revival.
- 29) **ONE-AND-ONE-HALF STORIES** means a building where any habitable space immediately above the first story is entirely contained within the main sloping roof structure, except for dormers utilized for natural light. A half-story may not extend above the ridgeline of the roof.
- 30) **ORIGINAL HOUSE** means a structure existing within the district before January 1, 1961.
- 31) **PARKWAY** means that area between the sidewalk and the curb, or that area between the sidewalk and the street pavement if there is no curb.
- 32) **PEDIMENT** means a triangular gable, usually having a horizontal cornice, with raked cornices on each side, surmounting or crowning a portico or another major division of a facade, end wall, or colonnade.
- 33) **REAR YARD** means:
- A. on an interior lot, the portion of the lot between the side lot lines that extends across the width of the lot between a main building and lines parallel to and extending outward from the rear facade of a main building and the rear lot line; and
 - B. on a corner lot, the portion of the lot that extends between the interior side lot line and a line parallel to and extending outward from the rear corner of the cornerside facade, and between the rear lot line and a main building and a line parallel to and extending outward from the interior side corner of the rear facade.
- 34) **RECONSTRUCTION** means the act of rebuilding a structure or architectural feature in the same form and detailing as it had been previously.
- 35) **REMODEL** means improvements or repairs that change the appearance of the main building or replace materials of the main building with another material.
- 36) **RETAINING WALL** means a wall used to prevent the erosion of land.
- 37) **ROOF RIDGE** means the apex of any roof structure, regardless of its style or form.

- 38) SIDE YARD means any portion of a lot not occupied by a main building that is not a front yard or rear yard. “Side yard” includes “cornerside yard.”
- 39) SIGNIFICANT HOUSE means a structure that is associated with a noted architect or builder as listed in Exhibit B.
- 40) STREET FACADE means any part of a building that faces a public street.
- 41) STRUCTURE means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.
- 42) VERGEBOARD means a board which hangs from the projecting end of a roof, covering the gables.
- 43) WALL DORMER a dormer whose face is integral with the face of the wall below, breaking the line at the cornice of a building.
- 44) WRAP-AROUND means the area to the midpoint of the structure measured from the furthest front wall or omitted wall line (porch) of the structure to the furthest rear wall or omitted wall line of the structure. The result shall be a straight line through the structure.
- 45) YARD, LOT, AND SPACE REGULATIONS means regulations related to front, side, and rear yard setbacks, density, height, lot coverage, lot size, lot width, and number of stories.

Section 2. Illustrations. The TRACT IV Illustrations are attached to and made part of this ordinance as Exhibit B. If there is a conflict between the district regulations and Exhibit B (Illustrations), the district regulations control.

Section 3. Nonconforming structures. Except as provided in this section, Section 51A-4.704(c), “Nonconforming Structures,” applies.

- a) Except as provided in these regulations, a person may renovate, remodel, repair, rebuild, or enlarge a nonconforming structure if the work does not cause the structure to become more nonconforming as to the yard, lot, space, and architectural standard regulations.
- b) Except as provided in this subsection, the right to rebuild a nonconforming structure ceases if the structure is destroyed by the intentional act of the owner or the owner's agent.

- c) Except as provided in this subsection, if the degree of nonconformity as to yard, lot, and space regulations or architectural standards is voluntarily reduced, all rights to the previous degree of nonconformity are lost:
 - 1) If the property owner provides the director with documented assurance, the portion of the structure may be renovated, remodeled, repaired, or rebuilt within the original or previously nonconforming building footprint and height:
 - A) with materials and features shown in the documented assurance;
 - B) in compliance with the development standards and architectural standards in this district; or
 - C) any combination of (a) or (b); and
 - D) must not increase the degree of nonconformity of the structure.
 - 2) For portions of the structure without documented assurance regarding materials and features, the architectural standards apply.

Section 4. Development Standards.

- a) Single Family. Except as provided in this Exhibit B, the development standards of the R-7.5(A) Single Family District apply.
- b) Applicability. Except as provided in the architectural standards for specific styles, the following development standards apply to the entire lot.
- c) Yard, Lot, Space. The yard, lot, and space regulations in this exhibit B must be read together with the yard, lot, and space regulations in Division 51A-4.400 of the Dallas Development Code. If there is a conflict between this Exhibit B and Division 51A-4.400 of the Dallas Development Code, this Exhibit B controls.
- d) Uses. The following main uses are the only main uses permitted:
 - Church.
 - Handicapped group dwelling units. *[SUP required if the spacing component of Section 51A-4.209(b)(3.1) is met.]*
 - Single family.
- (e) Parking. A minimum of two parking spaces is required for each dwelling unit per lot. Tandem parking spaces do not count towards the required parking requirements.

f) Accessory uses. As a general rule, an accessory use is permitted in any district in which the main use is permitted. Some specific types of accessory uses, however, due to their unique nature, are subject to additional regulations in Section 51A-4.217. For more information regarding accessory uses, consult Section 51A-4.217.

g) Density.

- 1) Except as provided in this subsection, the maximum dwelling unit density is one unit per lot.
- 2) The Board of Adjustment may grant special exception to authorize an additional dwelling unit on a lot when, in opinion of the board, the additional dwelling unit will not:
 - A) Be used as rental accommodations; or
 - B) Adversely affect neighboring properties.
- 3) In granting a special exception under Paragraph (X), the board shall require the applicant to deed restrict the subject property to prevent use of the additional dwelling unit as rental accommodations.
- 4) Except for the foundation, a dwelling unit must be physically separable from contiguous dwelling units in the event of removal of a dwelling unit. Each party wall must be governed by a set of deed restrictions stipulating that if a dwelling unit is removed, the party wall stays with the remaining dwelling unit.
- 5) One additional parking space is required for each Additional Dwelling Unit.

h) Slope & Drainage.

- 1) No lot-to-lot drainage is allowed.
- 2) The existing slope of a lot must be maintained. This provision does not prevent minor grading as necessary to allow construction, prevent lot-to-lot drainage, or match the slope of contiguous lots.
- 3) For purposes of this subsection, “slope” means any change in elevation from the front lot line to the rear lot line or from a side lot line to the other side lot line.

i) Lot Size. Minimum lot size is 7,500 square feet.

j) Lot Coverage.

- 1) Maximum lot coverage for original structures is 45 percent.
- 2) Maximum lot coverage for new construction is 40 percent.

k) Floor Area Ratio (FAR). No maximum floor area ratio for main building.

l) Height.

- 1) In general. Except as provided in this subsection, maximum structure height is 30 feet.
- 2) If any portion of an existing structure's roof ridge exceeds the applicable maximum height in paragraph (1), the lower portion of that structure's roof ridge may be raised to the height of the taller portion of the roof ridge.
- 3) New structures may be built to within minus five percent of the maximum height of an existing Contributing or Significant House on an adjacent lot with the same number of stories as the new structure, even if that height exceeds the maximum height allowed in paragraph (1). This is to allow for compatible height in areas of the Tract. See table in Exhibit B.

m) Height Looming.

- 1) This subsection is not to be interpreted as an overall setback for the structure, but that the highest point of a building element (wall, parapet, dormer, etc.) shall not be taller than three times its distance from a side property line.
- 2) This subsection only applies to main buildings and does not apply to a structure that is 24-feet in height or lower.
- 3) The maximum height of that portion of the structure may not be greater than three times its distance from the ground level of the side property line, with the height looming being measured from the ground level at the side property line. See Exhibit B for illustrations.
- 4) No portion of a building or structure greater than 24 feet in height may be located above the *height looming slope* (as illustrated in Exhibit B) which extends vertically and is calculated by multiplying the distance from a side property line by three. This creates a diagonal line that slopes back proportionately from the side yard property line by one foot in horizontal distance for every three feet in vertical distance. For example, a 27-foot tall structure set back six feet from the side yard line may not exceed 18 feet in height at that distance above the ground level at the side property line, and the highest point of the roof ridge must be set back at least nine feet. Chimneys are not subject to this height looming provision.

- n) Stories. The maximum number of stories above grade is two. Attic stories (illustrated) are allowed for Tudor, French Eclectic, Colonial Revival, Neoclassical style structures.

o) Setbacks.

1) Front Yard.

- A) Except as provided in this paragraph , all original or contributing homes are deemed to be conforming as to front yard setbacks. If an original or contributing home is demolished, new construction must meet the minimum front yard setbacks in Paragraph (B).
- B) For new construction, the minimum front yard is equal to the average of the adjacent lot as determined by a state licensed architect, land surveyor, or engineer. The maximum setback may not be more than ten feet further back than the average.

2) Side Yard.

- A) Except as provided in this paragraph, for lots smaller than 10,000 square feet, the minimum side yard setback is 10 feet on the driveway side and five feet on the other side.
- B) Except as provided in this paragraph, for lots 10,000 square feet or greater, the minimum side yard is 11 feet on the driveway side and six feet on the other side.
- C) The minimum cornerside yard setback is 15 feet.

3) Rear Yard.

- A) Except as provided in this paragraph, the minimum rear yard is 20 feet.
- B) The minimum rear yard is 10 feet the following addresses: 6844 Avalon, 6850 Avalon, and 6858 Avalon

- 4) Setbacks must be open and unobstructed and shall be measured to the first portion of any structure that exceeds six inches above the grade except those architectural features called out in Sec. 51A-4.401, 4.402, and 4.403, as amended.

p) Materials.

- 1) Except as provided in this subsection, the first story of main buildings must be brick or stone, or a combination of the two.
- 2) Wood, materials that look like wood, cast stone, wrought iron, or stucco with half-timbering may be applied in a manner and location typical of original houses in the district.
- 3) Vinyl and aluminum siding are prohibited.

- 4) On a front facade and within the wrap-around, all materials and their application must be typical of the period and architectural style, or be compatible with original main buildings designated the same architectural style in the district.

q) Garages, Carports, and Accessory Structures.

- 1) Style and Materials. The color, style, design, and materials of structures that are visible from a street must be compatible with the color, architectural style, design, materials, of the main building.
- 2) Roof slope. If a structure is visible from the street, the slope of the roof must either match the roof slope of the main building, be compatible with the architectural style of the main building, or compatible with the roof slope of original garages.

3) Setbacks.

A) For structures 24-feet in height and under:

- i) the minimum side yard setback is one foot.
- ii) there is no minimum rear yard setback,
- iii) all eaves and overhangs must be located within the confines of the lot.
- iv) Walls built within three feet of an interior side property line require a 1-hour fire-rated wall as described by the Dallas Building Code, as amended.

B) For structures over 24-feet in height:

- i) the minimum required side yard is five feet.
- ii) the minimum required rear yard is five feet.

C) For structures on corner lots, the accessory structure may not be closer to the cornerside yard lot line than the main building.

D) Location. Structures must be located behind the rearmost facade of a main building.

- i) Swimming pools may be located in a required side yard in front of the rearmost facade as long as no portion of the pool exceeds six inches above grade within the required side yard.

4) Attached Garages.

A) Garages are prohibited within the wrap-around.

B) Garage doors may not face the front street.

r) Foundation. Finished floor level for main buildings must be at least 12 inches above average grade to mimic raised pier and beam foundations.

s) Front Porches and Enclosures.

1) Porch enclosures must have a minimum of 75 percent glass or screen and be transparent. The use of solar screen is prohibited.

2) Porch infill must be inset a minimum of 2 inches within the existing openings to maintain the appearance of a porch.

3) Infill materials must match the existing materials in color, texture, dimension, and coursing.

4) Porte-cocheres may not be enclosed.

t) Fences and Walls.

1) Fences and walls, excluding retaining walls, are not allowed in a front yard. For purposes of this subsection, “front yard” means that area between the front facade and street, excluding porches, as illustrated in Exhibit B.

2) Courtyard walls may not project into the required front yard.

3) Solid fences must be set back a minimum of five feet from the corner of the front facade of a main building nearest the side property line, excluding porches.

4) Fences that are at least 70% open may be located flush to the corner of the front facade, excluding porches.

5) Fences and walls in a side yard may not exceed six feet in height.

6) Fences and walls in a rear yard may not exceed eight feet in height.

7) Fences and walls in a cornerside yard may not exceed eight feet in height.

8) Retaining walls may not exceed six inches above any soil being retained.

9) Fences may be made of brick that matches the main structure, stone, wood, wrought iron or materials that look like wrought iron, or a combination of these materials. Chain link is prohibited.

u) Driveways, Curbing, and Parking.

- 1) A driveway from the front street must be between eight and 12 feet wide.
- 2) An interior lot may have driveway access from the front street and rear alley.
- 3) Except as provided in paragraph (4), lots with new construction must have driveway access from the front street, and the driveway must extend at least 20 feet beyond the required front yard setback.
- 4) A corner lot may have driveway access from either the front street or a side street, but not both.
 - A) Side street access driveways may not exceed 20 feet in width within the cornerside yard setback.
- 5) Driveways must be constructed of brick, brush finished concrete, stone, permeable pavers, or similar materials.
 - A) Gravel is an allowable material only when used between ribbons in ribbon driveways.
 - B) Tinted or colored concrete is prohibited except to match an existing drive.
 - C) Brick, stone, or paver color must be compatible with materials found on an Original house within the district.
 - D) Asphalt is prohibited.
- 6) Ribbon driveways are allowed.
- 7) Except as provided in paragraph (8) circular driveways are not allowed.
- 8) Any nonconforming driveway to paragraphs (1), (2), and (3) existing at the creation of this Tract IV may be repaired or replaced within its existing footprint but must not be expanded. Documented Assurance in the form of a survey or site plan stamped by a licensed surveyor, architect, or engineer is required. Once a new conforming driveway is constructed all rights to the previous degree of nonconformity are lost.

v) Walkways.

- 1) Walkways must be constructed of brush finished concrete, brick, stone, or a similar material. Gravel and asphalt are prohibited.
- 2) Tinted or colored concrete is prohibited except to match an existing walkway.
- 3) Brick, stone, or paver color must be compatible with materials found on an Original house within the district.

- 4) Walkways must be continuous with no separation. (Illustration XX)
 - 5) A walkway must be separated by a minimum of two feet from the driveway if running parallel to one another.
- w) Waterfall steps. Original rolling or waterfall steps leading from the sidewalk to the main building should be retained. Where original rolling or waterfall steps are damaged and must be replaced, the replacement must match the original rolling or waterfall steps design.
- x) Landscaping.
- 1) Artificial or synthetic grasses or artificial ground cover is prohibited in a required front yard and parkway.
 - 2) Impervious Materials. No more than 35 percent of the front yard may be paved or hardscaped.
 - 3) Tree Mitigation. This section applies only to trees located in the front yard or parkway.
 - A) Except as provided in this subsection, the Article X Tree Conservation regulations, Division 51A-10.130 of the Dallas City Code, for the protection and replacement of trees apply to the front yard of lots with single-family uses.
 - B) A mature tree in the front yard of a lot with a single family use is deemed to be protected.
 - C) The tree mitigation regulations in this Exhibit B must be read together with the Article X tree conservation regulation. If there is a conflict between this Exhibit B and Article X of the Dallas City Code, Exhibit B controls.
 - D) A tree removal application must be approved by the building official before removal or serious injury to a Mature tree.
 - E) Tree replacement for a Mature tree removed in the front yard of a lot with a single family use must be replaced according to Division 51A-10.130 requirements.
 - F) The exception for unrestricted zones with building permits for construction of a single family or duplex dwelling does not apply for the front yard of the lot to the front property line.
 - G) Defenses to prosecution in Division 51A-10.130 apply to Mature trees in front yards on lots with single family uses. In addition, the provision of professionally-assessed direct evidence identifying substantial damage to an existing structure originating from a Mature tree shall be a

consideration by the director for the removal of a Mature tree under Section 51A-10.140(b)(6).

y) Demolitions.

1) Original Houses identified as Tudor, Spanish Revival, French Eclectic, Colonial Revival, and Neoclassical, or identified as Significant in Exhibit B may be demolished only if the cost of bringing the house into compliance with Section 27-11, “Minimum Property Standards; Responsibility of Owner,” of the Dallas City Code using materials similar to the original materials is greater than 80 percent of the value of Improvements according to the Dallas Central Appraisal District(DCAD).

A) Applicant shall demonstrate the need for demolition by providing:

- i) Building Inspection report
- ii) Engineer’s report
- iii) Itemized list of required repairs, broken down into labor and material costs

2) All structures not covered under paragraph 1 of this section may be demolished. New construction on those lots must be in either the style of the main building to be demolished or one of the five contributing styles.

z) Solar panels.

- 1) Except as provided in this section, solar panels may only be located on the rear 50 percent of the roof of a main building.
- 2) Solar panels are allowed on 100 percent of accessory structure roof.
- 3) Solar panels that are compatible in appearance to a traditional shingle or tile within the District may be approved for use on 100 percent of a main building. The intent of this paragraph is to allow for advancements in technology that mimic the appearance of typical roofing material (i.e. must not be glossy, shiny, shimmering) in appearance.

aa) Paint/Color.

- 1) A building facade may not be painted with more than one body color and can only have a maximum of three trim colors.
- 2) Brick and stone surfaces not painted on (day approved by City Council) may not be painted unless the applicant establishes that:
 - A) The color and texture of replacement brick cannot be matched with that of the existing brick surface;

- B) The brick is not original or compatible with the style and period of the main building and the district; and
 - C) Painting is the only method by which the brick may be restored or preserved.
- 3) Certain colors prohibited. Fluorescent and metallic colors, and the use of black as a main body color are not permitted on the exterior of any structure in this district.
- bb) Windows and Doors. This subsection applies to windows and doors on the front facade and the wrap-around:
- 1) Only transparent, stained, or leaded glass is allowed in windows and doors, except that bathroom windows located on side facades may be frosted, translucent, or opaque.
 - 2) All windows must fit the wall opening. Infill surrounding the window is not allowed.
 - 3) Metal window frames must be painted or factory finished. Bare metal is prohibited.
 - 4) Window sash, muntins, and mullions must project a minimum of one-quarter inch above the exterior glass surface. Window assemblies must have a profile depth of at least three inches.
 - 5) Window screens, storm windows, screen doors, and storm doors are permitted.
 - 6) Stained and leaded glass must be constructed of individual pieces of glass joined together by lead, zinc or other metal caming.
- cc) Dormers.
- 1) Dormers on a street- facing facade may not exceed six feet in width.
 - 2) Dormers must be typical in form, size, and proportions for the architectural style of the structure.
- (dd) Signs. Signs must comply with the provisions for non-business zoning districts in Article VII.

Section 5. Architectural Standards.

- a) Statement of intent. The purpose of the architectural standards is to allow the application of architectural elements and materials in such a way that allows the continuation of flexibility of design by referencing those elements as outlined in this section through documentation. Any use of a referenced architectural element must be in a manner similar to the example provided for consideration. This is in recognition of the unique/varied design of a many of the original homes within Tract IV.
- b) Accepted Sources for Regulation of Architectural Standards. Except as provided in this subsection, architectural standards are established utilizing original, contributing architectural styles and housing stock within this district, in conjunction with images and descriptions derived from “A Field Guide to American Houses” by Virginia Savage McAlester, (et. al.), or in another publication approved by the director.
- c) Purpose statement: Inclusion of “A Field Guide to American Houses” is to provide descriptions and pictorial examples of architectural forms, styles, and features that may be utilized during construction and remodeling.
- d) New construction. All NEW CONSTRUCTION must be built in compliance with architectural standards of one of the five CONTRIBUTING styles: Tudor, Spanish Revival/Eclectic, French Eclectic, Colonial Revival, Neoclassical. The architectural standards will apply to the front and wrap around. See Exhibit B for the architectural standards for each style.
- e) Remodeling.
 - 1) The architectural standards for remodeling apply only to the front facade and wrap around.
 - 2) If a structure of a contributing style is remodeled, the remodeling must be compatible with the standards for its architectural style for that element of the structure being remodeled.
 - 3) The following architectural design features must be maintained or replicated. These architectural design features may be relocated within the front facade or wrap-around.
 - A) Balustrades
 - B) Chimneys
 - C) Dormers
 - D) Exterior stained and leaded glass
 - E) Front porches or porticos with columns
 - F) Porte cocheres

- G) Roof eaves
 - H) Turrets and towers
 - I) Window and door openings
- 4) If a noncontributing structure is remodeled, the remodeling must be compatible with the standards for its existing architectural style or one of the 5 contributing styles (Tudor, Spanish Revival/Eclectic, French Eclectic, Colonial Revival, Neoclassical) for that element of the structure being remodeled. All subsequent remodeling must be in the same architectural style as the first remodeling in the contributing style.
- 5) Materials. Any remodeling must match the original materials in type, size, profile, color, coursing, texture, mortaring, and joint detailing.
- 6) Documented Assurance. As an alternative to compliance with a contributing or significant structure's designated style, the property owner may provide the director with documented assurance that the proposed work will reconstruct the original or existing architectural style and materials of the structure.
- f) Reconstruction. Structures completely or partially destroyed by means other than by the intentional act of the owner or the owner's agent may be reconstructed in the original architectural style or a contributing architectural style.
- g) Architectural Standards for Tudor. The architectural standards for remodeling apply only to the front facade and wrap around.
- 1) Roof.
 - A) Tudor structures must have a side-gabled, cross-gabled, or front facing gable with intersecting hip, with a roof pitch between 12/12 and 20/12. Flat or low pitch (under 2/12 pitch) roofs are allowed if not visible from a street, for example, behind a crenelated portico parapet, a roof ridge, or the highest point of a main roof.
 - B) The maximum roof eave overhang allowed is 12 inches.
 - C) Tudor structures must have at least one front facing gable (not including gabled or wall dormers), or cross gable, but not more than four front facing gables.
 - D) Only the following roofing materials are allowed: wood shingles, material that looks like wood shingles, tile, slate, materials that look like slate, composition shingles. Material colors must be compatible with original houses in the district.
 - E) Copper roofing accents are allowed.

F) Any flat or low pitch (under 2/12 pitch) roof not visible from a street because it is behind a pitched roof may use modified bitumen, TPO membrane, or EPDM membrane.

2) Windows and Doors.

A) Windows may be casement, single or double hung.

B) Windows must be clear, stained glass, or leaded glass.

C) Windows must have multiple lights.

D) Windows and doors must be typical of the Tudor style of the structure. See Exhibit B.

3) Chimneys. A minimum of one external brick chimney that is at least six feet wide at its base is required within the wrap-around.

4) Architectural Features in general. Plans for new construction or a major modification or remodel of a structure must earn at least 70 points for a two-story structure, and 50 points for a one-story or one-and one-half story and comply with all mandatory requirements of this section. The points awarded for providing a feature, as well as the maximum number of points allowed in any category, are provided below.

A) 20 points.

i) Crenellation or battlements on portico or subordinate wing

ii) Dominant (largest) asymmetrical front facing gable

iii) Oriel window on front facade

iv) Patterned (decorative) brick or stone utilized between half-timbering on front facade (basket weave, herringbone, etc.)

v) Decorative chimney on front facade (pattern brick panels, statue ledge, stone accents, stepped levels, multiple flues)

B) 10 points.

i) Bay window on front facade

ii) Uncovered front raised patio, at least 25 percent of the front facade width, with balustrade or railing

iii) Groupings of three or more stained or leaded glass windows on first-story of front facade

iv) Porch with heavy timber posts and brackets completely within wrap-around

- v) Nested gables
- vi) Multiple arched openings on first story of front facade. This may include Tudor style, round, or segmental arches.
- vii) Open air front porch supported by multiple arches

C) 5 points.

- i) Half-timbering in gable or on second story
 - ii) Decorative vergeboard
 - iii) Stone or cast stone accents on multiple window and door openings on the front facade
 - iv) Decorative chimney pots
 - v) Decorative cast stone (turned or twisted) columns
 - vi) Copper accent on projecting bay roof
 - vii) Jerkinhead or clipped gable
 - viii) Multi-flue chimney
 - ix) Arched front doorway
 - x) Wrought iron accents (railings, Juliet balcony, strap hinges)
 - xi) Asymmetrical street facing gable
 - xii) Stained or leaded glass window typical of the style on the front facade
 - xiii) Curved, meandering front walkway leading to the front door
- h) Architectural Standards for Spanish Revival/Eclectic. The architectural standards for remodeling apply only to the front facade and wrap around.
- 1) Front Arches. A minimum of one opening on a street facing facade must have an arch.
 - 2) Porches and Courtyards.
 - A) Entry courtyard walls must be no lower than three feet and no higher than six feet in height measured from grade outside courtyard.
 - B) Courtyard walls must not project into the required front yard.

3) Roof.

A) Spanish Revival structures must have a cross-gabled, side-gabled, or combination hipped and gabled roof with a roof pitch less than 7/12 or match existing. Flat or low pitch (under 2/12 pitch) roofs are allowed if not visible from a street, for example, behind a parapet, a roof ridge, or the highest point of a main roof.

B) The maximum roof eave overhang allowed is 18 inches.

C) Only the following roofing materials are allowed:

i) Terra cotta tile in Spanish, mission, or barrel style; or

ii) Materials that look like Spanish, mission, or barrel style tile in:

a) Metal

b) Concrete

c) Plastic composite

d) Composition shingles in a color palette of original Spanish tile roofs with terra cotta hips, ridge caps, and rake tiles applied to mimic original tile roofs. See Exhibit B.

iii.) Any flat or low pitch (under 2/12 pitch) roof not visible from a street because it is behind a pitched roof may use modified bitumen, TPO membrane, or EPDM membrane.

D) Material colors must be compatible with original houses in the district.

4) Windows and Doors.

A) Windows must be focal, casement, single-hung or double-hung.

B) Fixed windows are only permitted for stained or leaded glass windows.

C) Decorative iron window grilles are permitted.

D) Windows and doors must be typical of the Spanish Revival style of the structure. See Exhibit B.

5) Architectural Features in general. Plans for new construction or a major modification or remodel of a structure must earn at least 70 points for a two-story structure, and 50 points for a one-story or one-and one-half story and comply with all mandatory requirements of this section. The points awarded

for providing a feature, as well as the maximum number of points allowed in any category, are provided below.

A) 20 points.

- i) Tower, partial turret, or bell tower
- ii) Spanish, barrel, or mission style terra cotta roofing
- iii) Entry courtyard with low walls (no lower than three feet and no higher than six feet in height measured from grade outside courtyard)
- iv) Arcaded front porch utilizing three or more arches

B) 10 points.

- i) Cantilevered upper-level balcony with railing
- ii) Open air exterior staircase leading to second story
- iii) Large focal window or parabolic arch on front facade
- iv) Two or more stained or leaded glass windows on front facade
- v) Elaborate chimney tops with small tile roof within 15 feet of a street facade.
- vi) Two or more arched openings (includes porch openings, windows, and doors) on street facades

C) 5 points.

- i) Brick or tile gable vents
- ii) Spiral cast stone columns
- iii) Multicolored tile roofing
- iv) Arched wood front door
- v) Wrought iron accents
- vi) Multicolor tile accents on front facade (excluding porch floor or porch stair riser)
- vii) Front projecting ell or wing
- viii) Balconette or Juliet balcony
- ix) Turned or carved wood posts on porch or balcony within wrap-around

x) Cloth awnings with spiked wrought iron finials

(i) Architectural Standards for French Eclectic. The architectural standards for remodeling apply only to the front facade and wrap around.

1) Roof.

A) French Eclectic structures must have a steeply pitched (between 10/12 and 20/12 pitch) hipped roof with a ridgeline that parallels the front of the house. Flat or low pitch (under 2/12 pitch) roofs are allowed if not visible from a street, for example, behind a parapet, a roof ridge, or the highest point of a main roof.

B) The maximum roof eave overhang allowed is 12 inches.

C) Dominant front facing gables that are part of the main roof are prohibited.

D) Front and street facing gabled roof forms are allowed on dormers, over one-story porches, entryways, or porticos, and must be subordinate to the main roof structure.

E) Only the following roofing materials are allowed: wood shingles, material that looks like wood shingles, tile, slate, materials that look like slate, composition shingles. Material colors must be compatible with original houses in the district.

2) Windows and Doors.

A) Windows must be casement, single-hung, or double-hung.

B) Fixed windows are only allowed for transom and stained or leaded glass windows.

C) Windows must have multiple lights.

D) Windows and doors must be typical of the French Eclectic style of the structure. See Exhibit B.

3) Chimneys. One external chimney located within the front facade or wrap-around.

4) Architectural Features in general. Plans for new construction or a major modification or remodel of a structure must earn at least 70 points for a two-story structure, and 50 points for a one-story or one-and one-half story and comply with all mandatory requirements of this section. The points awarded for providing a feature, as well as the maximum number of points allowed in any category, are provided below.

A) 20 points

- i) Wall dormers on front facade
- ii) Tower/turret or crenelated portico on front facade
- iii) Open terraces or balconies with stone or cast stone balustrades
- iv) Two symmetrical external brick chimneys (one on each side of the house)
- v) Tile, slate, or wood shingle roof

B) 10 points

- i) Massive (minimum six feet wide) chimney on the front facade
- ii) Quoins at wall corners
- iii) Stone/cast stone accents
- iv) Leaded or stained glass window on the front facade
- v) Pedimented, crowned, or arched windows
- vi) Round or oval window on front facade

C) 5 points

- i) Flared eaves
- ii) Symmetrically balanced fenestration
- iii) Dentils at cornice
- iv) Half-timbering
- v) Balconette or Juliet balcony
- vi) Decorative pediment over the main entry door
- vii) Solid wood door with speakeasy opening and strap hinges
- viii) Arched wood front door

(j) Architectural Standards for Colonial Revival. The architectural standards for remodeling apply only to the front facade and wrap around.

1) Porches. A front porch or portico must be raised a minimum of 12 inches above grade.

2) Roof.

A) Colonial Revival structures must have a side-gabled, cross-gable, hipped, or gambrel roof with a low to moderate roof pitch between 5/12 and 12/12. Flat or low pitch (under 2/12 pitch) roofs are allowed if not visible from a street, for example, a flat portico roof, or behind a roof ridge, or the highest point of a main roof.

B) The maximum roof eave overhang allowed is 18 inches.

C) Only the following roofing materials are allowed: wood shingles, material that looks like wood shingles, tile, slate, materials that look like slate, composition shingles. Material colors must be compatible with original houses in the district.

D) Any flat or low pitch (under 2/12 pitch) may use modified bitumen, TPO membrane, or EPDM membrane.

3) Windows and Doors.

A) Windows must have multiple light upper sashes.

B) Muntins and mullions must be expressed.

C) Windows and doors must be typical of the Colonial Revival style of the structure. See Exhibit B.

4) Chimneys. All chimneys must be constructed of masonry.

5) Architectural Features in general. Plans for new construction or a major modification or remodel of a structure must earn at least 70 points for a two-story structure, and 50 points for a one-story or one-and one-half story and comply with all mandatory requirements of this section. The points awarded for providing a feature, as well as the maximum number of points allowed in any category, are provided below.

A) 20 Points

i) 1-story wing

ii) Gabled center bay

iii) Symmetrical fenestration pattern on main block of house

B) 10 Points

- i) Quoins at wall corners
- ii) 1-story, centered portico
- iii) Symmetrical dormers
- iv) Sidelights on both sides of front door
- v) Fan light or transom over front entrance
- vi) Bay window on front facade
- vii) External chimney centered on side gable

C) 5 Points

- i) Dentil cornice
- ii) Rooftop balustrade on portico
- iii) Straight walkway leading to main entrance
- iv) Soldier course or cast stone lintels
- v) Round shaft classical columns
- vi) Dentil cornice on portico
- vii) Cast stone accents
- viii) Copper accent roof on bay window
- ix) Decorative round or bullseye windows on front facade

(k) Architectural Standards for Neoclassical. The architectural standards for remodeling apply only to the front facade and wrap around.

- 1) Form. Main block of structure must be symmetrical.
- 2) Porch. A full height (2-story) entry portico or full width porch is required.
- 3) Roofs.

A) Roofs must be hipped or side gabled with a roof pitch between 5/12 and 12/12. Flat or low pitch (under 2/12 pitch) roofs are allowed if not visible from a street, for example, a flat porch roof, or behind a roof ridge, or the highest point of a main roof.

B) The maximum roof eave overhang allowed is 24 inches.

C) Portico and porch roofs may be nearly flat.

- D) Any flat or low pitch (under 2/12 pitch) may use modified bitumen, TPO membrane, or EPDM membrane.
- E) Only the following roofing materials are allowed: wood shingles, material that looks like wood shingles, tile, slate, materials that look like slate, composition shingles. Material colors must be compatible with original houses in the district.

4) Windows and Doors.

- A) Windows must have multiple lights and equally divided sash.
- B) Windows must be rectangular with single- or double-hung sashes.
- C) Fixed windows are only permitted for stained or leaded glass sidelight and transom windows.
- D) Windows must be symmetrically balanced on front facade.
- E) Front door must have either a leaded glass transom or leaded glass sidelights.
- F) Windows and doors must be typical of the Neoclassical style of the structure. See Exhibit B.

5) Chimney.

- A) A chimney is required.
- B) Chimneys are prohibited on a front facade.

6) Architectural Features in general. Plans for new construction or a major modification or remodel of a structure must earn at least 70 points for a two-story structure, and 50 points for a one-story or one-and one-half story and comply with all mandatory requirements of this section. The points awarded for providing a feature, as well as the maximum number of points allowed in any category, are provided below.

- A) 20 points
 - i) Large symmetrical brick chimneys on main block of house
 - ii) Recessed subordinate wing
 - iii) Ionic or Corinthian columns on front porch or portico
 - iv) Front door surround with full width transom window and/or decorative pediment above

B) 10 points

- i) Small gabled dormers with windows or decorative vents on main block
- ii) Sidelights on either side of front door
- iii) Dentils and/or modillions under eaves
- iv) Roofline balustrade on portico or full width front porch
- v) Pedimented front gable with entablature

C) 5 points

- i) Greek key detail
- ii) Quoins at wall corners
- iii) Symmetrical main block
- iv) Full height (two-story) entry porch or portico on front facade
- v) Cast stone lintels
- vi) Leaded glass on front facade
- vii) Fluted columns
- viii) Round or oval window in front gable

(I) Architectural Standards for Ranch. The architectural standards for remodeling apply only to the front facade and wrap around.

- 1) Stories. Structures must be one story on the front facade.
- 2) Additions. Two-story additions are only allowed on the rear 50 percent of the main building.
- 3) Porch supports or columns must be typical of the Ranch style.
- 4) Roof.
 - A) Roof form may be hipped, cross-hipped, side-gabled, or cross-gabled.
 - B) Roof pitch must be between 4/12 and 7/12, or may match existing roof pitch.
 - C) Roof must have minimum overhang of 24 inches.

D) Structures must have wood shingles, materials that look like wood shingles, tile, materials that look like tile, standing seam metal, or composition shingle roofs.

5) Windows.

A) Window openings on a front facade must be maintained.

B) Windows must look typical of the style of Ranch.

C) No fixed plate glass window may be wider than it is tall on a front facade. This is to encourage division of wide horizontal openings in a manner typical of the Ranch style.

(m) Architectural Standards for Monterrey. The architectural standards for remodeling apply only to the front facade and wrap around.

1) Stories. Main building must be two stories.

2) Porch.

A) A dominant second story balcony is required.

B) Balcony must remain open-air.

3) Roof.

A) Roof must be gable or hipped.

B) Roof pitch must be between 4/12 and 10/12, or may match existing roof pitch.

C) The maximum roof overhang is 12 inches.

D) Structures must have Spanish tile, materials that look like Spanish tile, wood shingles, materials that look like wood shingles, or composition shingle roofs.

4) Windows.

A) Window openings on a front facade must be maintained.

B) Windows must look typical of the style of Monterrey.

C) Structures must have casement, single- or double-hung sashes with divide lights (panes)

(n) Architectural Standards for Minimal Traditional. The architectural standards for remodeling apply only to the front facade and wrap around.

1) Stories. Structures must be either one story or one- and one-half stories on the front facade.

2) Additions. Two-story additions are only allowed on the rear 50 percent of the main building.

3) Porch. Columns or posts must be typical of the Minimal Traditional style.

4) Roof.

A) Minimal Traditional structures must have a cross-gabled or side-gabled roof with low to moderate roof slope between 4/12 and 10/12 or may match existing roof pitch.

B) The maximum roof overhang is 12 inches.

C) Structures must have composition shingle roofs.

5) Windows.

A) Window openings on a front facade must be maintained.

B) Windows must have multiple light sashes in either 6-over-6, 9-over-9, 12-over-12 light configurations, or be divided light casement windows.

C) Windows must be typical of the Minimal Traditional style of the structure. See Exhibit B.

(o) Architectural Standards for Mid-Century Modern/Contemporary. The architectural standards for remodeling apply only to the front facade and wrap around.

1) Stories. A second story may not exceed one-third the width of the structure on the front 50 percent of the structure.

2) Roof.

A) Structures must have a flat, low-pitched, or shed roof, with roof slope between 0/12 and 5/12 or match the existing structure.

B) Structures must have wood shingles, materials that look like wood shingles, tile, materials that look like tile, standing seam metal, or composition shingle roofs.

C) Any flat or low pitch (under 2/12 pitch) may use modified bitumen, TPO membrane, or EPDM membrane.

3) Windows. Window openings on a front facade must be maintained.

(p) Architectural Standards for American Vernacular. The architectural standards for remodeling apply only to the front facade and wrap around. Structures identified as American Vernacular may remodel in the existing style of architecture or be compatible with the main building.

1) Materials. Metal cladding of any type is prohibited on a front facade.

2) Roof.

A) Structures must have a gable or hipped roof, with roof pitch between 4/12 and 12/12 or match the existing structure.

B) Roof eaves must not exceed two feet.

C) Flat and shed style roofs are allowed for entry porch roofs only.

3) Windows. Window units must be taller than they are wide on the front facade.

(q) Architectural Standards for New Traditional. The architectural standards for remodeling apply only to the front facade and wrap around.

1) Structures identified as New Traditional may remodel in the existing style of architecture to include windows, materials, roof material and roof pitch to be compatible to the main building.

2) Structures identified as New Traditional Tudor/Spanish Revival/French Eclectic/Colonial Revival/Neoclassical may remodel using the standards for the Contributing architectural style it models after.

3) Any remodeling of architectural features listed under the designated Contributing classification must be retained, but additional features from that style can be added without having to meet the required point total. For example, a New Traditional Tudor with half-timbering in the gables, the remodel cannot remove that feature from the front facade or wrap around, but elements like brick pattern or iron details may be added.

Section 6. Procedures.

(a) Work Reviews.

1) Work review applications. A work review application must be submitted to the director for any work regulated by the standards contained in this ordinance.

2) It is the responsibility of the applicant to provide examples from the district for justification of any element called into question during review.

3) Work requiring a building permit.

A) Upon receipt of a review form application for work requiring a building permit, the building official shall refer the review form

application to the director to determine whether the new construction or remodeling meets the standards of this ordinance. The review of the review form application by the director must be completed within 30 days after submission of a complete review form application.

- B) If the director determines that the new construction or remodeling complies with the standards of this ordinance, the director shall approve the review form application, and forward it to the building official, who shall issue the building permit if all requirements of the construction codes and other applicable ordinances have been met.
- C) If the director determines that the new construction or remodeling does not comply with the standards of this ordinance, the director shall state in writing the specific requirements to be met before issuance of a building permit, deny the review form application, and forward it to the building official, who shall deny the building permit. The director shall give written notice to the applicant stating the reasons for denial of the review form application. Notice is given by depositing the notice properly addressed and postage paid in the United States mail. The notice to the applicant must be sent to the address shown on the review form application.

4) Work not requiring a building permit.

- A) For work not requiring a building permit, the applicant must submit a review form application. The director shall determine whether the proposed new construction or remodeling meets the standards of this ordinance. The review of the review form application by the director must be completed within 10 days after submission of the review form application.
- B) If the director determines that the new construction or remodeling complies with the standards of this ordinance, the director shall approve the review form application and give written notice to the applicant.
- C) If the director determines that the new construction or remodeling does not comply with the standards of this ordinance, the director shall state in writing the specific requirements to be met before an approval can be granted. The director shall give written notice to the applicant stating the reasons for denial. Notice is given by depositing the notice properly addressed and postage paid in the United States

mail. Notice to the applicant must be sent to the address shown on the review form application.

(b) Appeals.

- 1) An applicant may appeal any decision made by the director to the board of adjustment by filing written appeal with the director within 20 days after notice is given to the applicant of the director's decision. See Section 51A-4.703, "Board of Adjustment Hearing Procedures."
- 2) The board of adjustment shall hold a public hearing on all appeals.
 - A) The Director shall send written notice of the public hearing on the appeal to the applicant and all owners of real property located within 200 feet, including streets and alleys, of the boundary of the area for which the application was made. The notice must be given not less than 10 days before the day set for the hearing. Notice is given by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.
 - B) In considering the appeal, the sole issue before the board of adjustment is whether the director erred in the decision. The board of adjustment shall consider the same standards that were required to be considered by the chief planning officer.
 - C) Appeal to the board of adjustment is the final administrative remedy.

(c) Defense to Prosecution.

- (d) Enforcement (Fines). A person convicted of violating this division shall be subject to a fine of not less than \$2,000.00 per protected tree removed or seriously injured without authorization, and not less than \$2,000.00 per day for any other violation of this division