

ORDINANCE 559-K-2021

AN ORDINANCE AMENDING A CERTAIN SECTION OF ORDINANCE 559, CHAPTER 4-5 – ZONING RELATED TO ARCHITECTURAL DESIGN STANDARDS, PROVIDING SEVERABILITY, AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City of Universal City is a home rule City acting under its home rule Charter and the law of the State of Texas; and,

WHEREAS, Tex. Loc. Gov't Code Chapter 211 authorizes the City of Universal City to adopt rules and regulations regarding land use within the City limits of the City of Universal City for the purpose of promoting the safe, orderly, and healthful development of the City; and

WHEREAS, Tex. Gov't Code Section 3000.002 provides that a governmental entity may not adopt or enforce an ordinance that establishes a standard for a building product, material, or aesthetic method in construction, renovation, maintenance, or other alteration of a residential or commercial building if the standard is more stringent than a standard for the product, material, or aesthetic method under a national model code published within the last three code cycles that applies to the construction, renovation, maintenance, or other alteration of the building; and

WHEREAS, on June 7, 2021, the Planning and Zoning Commission of the City of Universal City conducted a public hearing on the matter at which parties in interest and citizens had an opportunity to be heard; and

WHEREAS, on June 7, 2021, the Planning and Zoning Commission of the City of Universal City submitted a final report to the City Council; and

WHEREAS, on June 15, 2021, the City Council of the City of Universal City conducted a public hearing on the matter at which parties in interest and citizens had an opportunity to be heard before the adoption of the rules established herein; and

WHEREAS, the City Council finds it necessary to establish the provisions of this ordinance regarding the regulation of architectural design standards; and

WHEREAS, the City Council finds that it would be advantageous and beneficial to the citizens of the City of Universal City, Texas, to adopt this ordinance establishing architectural design standards within the City of Universal City; and

WHEREAS, the City Council finds that the regulations herein are not intended to establish a more stringent standard for the product, material, or aesthetic method under a national model code, but rather are in the best interest of the public for the purpose of promoting the public health, safety, morals, and general welfare and to protect and preserve places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, the City Council finds that the Zoning Code regulations relative to architectural design standards shall be established as hereinafter stated; and

WHEREAS, the City has complied with all conditions precedent necessary to take this action, has properly noticed and conducted all public hearings and public meetings pursuant to the Texas Local Government Code and Texas Government Code, as applicable.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF UNIVERSAL CITY, TEXAS:

Section 1. Amendments. That Chapter 4-5 – Zoning of the Universal City Code of Ordinances be amended to create Article XI – Architectural Design Standards to read:

I. Article XI. – Architectural Design Requirements.

Sec. 4-5-105. Intent

Intent. In order to ensure an interest in design and provide building articulation to the façade of a building, a variety of building techniques are required. It is the intent of these design criteria to ensure that the front and sides, and in certain instances the rear, of non-residential and multi-family structures have a variety of offsets, relief, and insets to provide a more aesthetic façade appearance.

Sec. 4-5-106. Applicability

(1) *Applicability.* The provisions of this section are deemed to be minimum standards and shall be applicable to the following:

- (a) All new buildings within the corporate limits of the City, except public schools and public water and wastewater facilities; and
- (b) Building expansions that cumulatively increase the gross floor area more than 25% of the original building area, except public schools.

Sec. 4-5-107. Building Design Requirements

- (1) *Applicability.* This section shall apply to the exterior of buildings with an industrial, commercial, office, public and multi-family use.
- (2) *Exterior Building Materials.* All buildings must comply with the regulations established via the most current International Code, as adopted by the City.
- (3) *Glazing.* All buildings must comply with the regulations established via the most current International Code, as adopted by the City.
- (4) *Articulation and Architectural Features.* All buildings must comply with the regulations established via the most current International Code, as adopted by the City.
 - (a) Horizontal articulations or offsets are required on any façade that is adjacent to or facing a public/private street, public park or residentially-zoned district in accordance with the following:
 - a. No building façade shall extend for a distance greater than three times its average height without a perpendicular offset.
 - b. The depth of the articulation or offset shall be a minimum of 15% of the average building height, not including parapets. Articulations or offsets can be of varying depth as long as the minimum depth is met.
 - c. The length of the new plane created by the articulation or offset shall be a minimum of 10% of the total length of the entire facade.

DIAGRAM 1
Building Articulation
Horizontal or Depth Articulation

Building Specifications:

Length - 250'
Height - 25'

Articulation Requirement*:

* Based on building size

- (A) Minimum offset spacing: 75'
(25 x 3 = 75)
- (B) Minimum depth of offsets: 3.75'
(25 x 15% = 3.75)
- (C) Minimum offset length: 25'
(250 x 10% = 25)

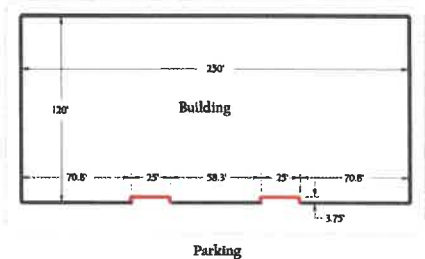


PHOTO EXAMPLE 1

- (b) Vertical articulations or elevation changes are required on any façade that is adjacent to or facing a public/private street, public park or residentially-zoned district in accordance with the following:
 - a. No façade shall extend horizontally for a distance greater than three times its average height without a change in horizontal elevation.
 - b. The height of the articulation or elevation change shall be a minimum of 15% of the average building height. Articulations or elevation changes can be of varying heights as long as the minimum standard is met and the maximum allowable building height is not exceeded.
 - c. The length of the new plane created by the articulation or elevation change shall continue to extend laterally for a distance equal to at least 10% of the total length of the entire facade.

- d. Vertical articulations or elevation changes should be designed to screen rooftop equipment. Note parapets shall not be included in calculating the average building height.

DIAGRAM 2
Building Articulation
Vertical or Height Articulation

Building Specifications:

Length - 250'
Height - 25'

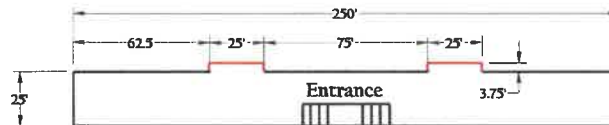
PHOTO EXAMPLE 2



Articulation Requirement*:

* Based on building size

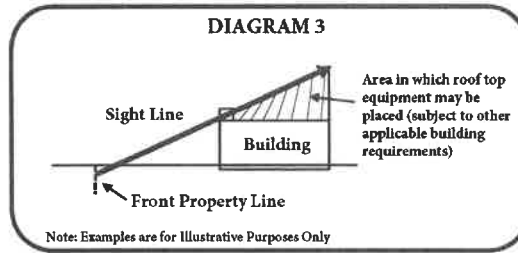
- (A) Minimum distance between elevation changes: 75'
(25 X 3 = 75)
- (B) Minimum height of elevation change: 3.75'
(25 X 15% = 3.75)
- (C) Minimum length of elevation change: 25'
(250 X 10% = 25)



- (c) For calculation purposes, the façade shall be considered the total distance/width of that side of the building.
- (d) Building Height: see Appendix B-Definitions.

Sec. 4-5-108. Additional Design Requirements

- (1) *Building Elements.* Any building façade adjacent to or facing a public/private street, public park or residentially-zoned district shall incorporate at least four of the following external building elements:
- a. Decorative lighting features
 - b. Awnings
 - c. Alcoves
 - d. Decorative windows
 - e. Recessed entries
 - f. Ornamental cornices
 - g. Pillar posts
 - h. Other architectural elements that contribute to the human scale of a building
- (2) *Facades.* All facades or sides of a building shall be designed with architectural style consistent with the front façade. Rear façade articulation requirements shall be determined by the Director of Development Services or designee.
- (3) *Roof Types*
- (a) Any roof using shingles shall use dimensional shingles (shingles that have a shadow at the top exposure to give added depth and definition).
 - (b) Red tile roofs are not considered shingles for the purpose of this section.
- (4) *Roof Treatments*
- (a) Façade articulations, including parapets, shall provide for vertical and horizontal screening of air conditioning units and all mechanical equipment located on rooftops. The minimum height of the screening shall be equal to the height of the tallest rooftop equipment.
 - (b) If a sight line drawing is provided with the site plan showing that all roof top equipment will not be visible from the public right-of-way or adjacent property, then a parapet wall or other façade articulation shall not be required. See Diagram 3.



(5) *Entryways and Pedestrian Routes*

- (a) Single-use or multi-tenant buildings over 60,000 square feet in size must provide clearly defined, highly visible customer entrances that include an outdoor patio area, at least 200 square feet in area, that incorporates the following:
 - a. Benches or other seating components
 - b. Decorative landscape planters or wing walls that incorporate landscaped areas
 - c. Structural or vegetative shading
 - d. Clearly defined pedestrian routes between parking areas and buildings

Sec. 4-5-109. Application Procedures

The design requirements of this section shall be shown on a site plan that is part of a building permit application. Façade elevation drawings shall also be required and submitted as part of the building permit application.

Sec. 4-5-110. Appeal Procedures

- (a) Enforcement of this section may be appealed to the City Council.
- (b) *Appeal Procedures.* All buildings must comply with the regulations established via the most current International Code, as adopted by the City.
 - a. All appeal actions for a site plan and/or façade elevation drawings denied by the Director of Development Services or designee shall be submitted to and reviewed by the City Council upon written request of the applicant to the Director of Development Services.
 - b. A written appeal shall include a site plan, façade elevation drawings, and landscape plan, as applicable.
 - c. The appeal shall be scheduled for consideration on the regular agenda of the City Council within 30 days after a complete appeal application is received.
 - d. The Council shall consider the application and shall either approve with or without conditions or disapprove the application.

Section 4. **Conflict with City Ordinances.** All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Council of Universal City.

Section 6. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 7. **Unamended.** That the remainder of Chapter 4-5 – Zoning of the Universal City Code of Ordinances not amended hereby remain in full force and effect.

Section 8. **Severability.** If any provision, clause, sentence or paragraph of this Chapter or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the other provisions of this Chapter which can be given effect

without the invalid provision or application, and to this end the provisions of this Chapter are declared to be severable.

Section 9. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

Section 10. Effective Date: This ordinance shall become effective on 6 July 2021.

PASSED on first reading 15 June 2021.


PASSED AND ADOPTED 6th day of July 2021.




John Williams, Mayor

Attest:

Approved for legal sufficiency:


Kristin Mueller, City Clerk


Matthew J. Longoria, City Attorney