

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO'S ZONING ORDINANCE, ORDINANCE NO. 11-04-09, AS AMENDED, SUBSECTION 2.05.04 (PRO – PRESTON ROAD OVERLAY DISTRICT) AND SUBSECTION 2.05.05 (TO – TOLLWAY OVERLAY DISTRICT) OF SECTION 2 (ZONING DISTRICTS), BY MODIFYING CERTAIN STANDARDS APPLICABLE TO THE PRESTON ROAD OVERLAY DISTRICT AND THE TOLLWAY OVERLAY DISTRICT, INCLUDING ENHANCED LIGHTING STANDARDS, AND DESIGNATING SUCH DISTRICTS AS DESIGN DISTRICTS PURSUANT TO CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING A PENALTY CLAUSE, SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that Subsection 2.05.04 (PRO – Preston Road Overlay District) and Subsection 2.05.05 (TO – Tollway Overlay District) of Section 2 (Zoning Districts) of the Zoning Ordinance, Ordinance No. 11-04-09, as amended ("Zoning Ordinance"), of the City of Frisco, Texas ("Frisco") should be amended to modify certain standards applicable to the Preston Road Overlay District and the Tollway Overlay District, including enhanced lighting standards, and designating such districts as "design districts" pursuant to Chapter 284 of the Texas Local Government Code; and

WHEREAS, Frisco has complied with all legal notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Frisco to amend the Zoning Ordinance as set forth below.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Subsection 2.05.04 (PRO – Preston Road Overlay District) and Subsection 2.05.05 (TO – Tollway Overlay District) of Section 2 (Zoning Districts) of the Zoning Ordinance. Subsection 2.05.04 (PRO – Preston Road Overlay District) and Subsection 2.05.05 (TO – Tollway Overlay District) of Section 2 (Zoning Districts) of the Zoning Ordinance are hereby amended as set forth in Exhibit A, attached hereto and incorporated herein by reference for all purposes.

SECTION 3: Savings/Repealing. The Zoning Ordinance shall remain in full force and


effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

SECTION 4: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City Council hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof, regardless of whether any one or more sections, subsections, sentences, clauses or phrases is declared unconstitutional and/or invalid.

SECTION 5: Penalty. Any person, firm, corporation or entity violating any provision of this Ordinance or the Zoning Ordinance, as they exist or may be amended, shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined in a sum not exceeding TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00). Each continuing day's violation shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.


SECTION 6: Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 15th day of August, 2017.



Jeff Cheney, Mayor


**ATTESTED TO AND
CORRECTLY RECORDED BY**



Jenny Page, City Secretary



APPROVED AS TO FORM:



Abernathy Roeder Boyd & Hullett, P.C.
Ryan D. Pittman, City Attorneys

Dates of Publication: August 18 & 25, 2017, *Frisco Enterprise*

Exhibit A

Subsection 2.05.04 (PRO – Preston Road Overlay District) and Subsection 2.05.05 (TO – Tollway Overlay District) of Section 2 (Zoning Districts) of the Zoning Ordinance are hereby amended as follows¹:

2.05.04. PRO – Preston Road Overlay *Design* District

(A) General Purpose and Description

Preston Road is a primary thoroughfare within the City. The PRO – Preston Road Overlay *Design* District establishes development standards for properties within the Preston Road corridor regarding land uses, site and architectural design, building materials, landscaping, lighting, and signage.

The PRO – Preston Road Overlay *Design* District is intended to substantially advance a legitimate governmental interest that includes enhancing the quality of life in Frisco, to regulate the character of growth along the Preston Road corridor, and to ensure the careful and orderly growth of a historical trail and entryway to the City.

(B) Boundary

The PRO – Preston Road Overlay *Design* District includes all property within seven hundred fifty (750) feet of the centerline of Preston Road ([Figure 2.05.04.1: Preston Road Overlay *Design* District Map](#)).

The District excludes all single family subdivisions platted prior to August 15, 2000. Some lots or tracts may be fully or partially located in the District.

It is the intent of the Preston Road Overlay *Design* District to transition from those lots or tracts located fully in the District to those lots or tracts not located in the District by extending building materials and landscape standards to those lots or tracts partially located in the District.

Transitioning concepts will be developed on a project by project basis through the, Preliminary Site Plan, and/or Site Plan review process.

(C) Preston Road Overlay Sub-districts

The PRO – Preston Road Overlay *Design* District is divided into five sub-districts, as shown in [Figure 2.05.04.1: Preston Road Overlay *Design* District Map](#). The sub-districts and their boundaries are:

(1) U.S. 380 Gateway

The boundary of the U.S. 380 Gateway sub-district extends from U.S. 380 to C.R. 26.

(2) Rural Corridor

The boundary of the Rural Corridor sub-district extends from C.R. 26 to Panther Creek.

(3) Main Street

The boundary of the Main Street Gateway sub-district extends from Camfield Way to Hickory Street.

(4) Retail Corridor

Two Retail Corridor sub-districts are established. The northern Retail Corridor sub-district extends from Panther Creek to Camfield Way. The southern Retail Corridor sub-district extends from Hickory Street to Gaylord Parkway.

(5) S.H. 121 Gateway

The boundary for the S.H. 121 Gateway sub-district extends from Gaylord Parkway to S.H. 121.

Each sub-district shall comply with the general requirements listed in [2.05.04. \(D\) General Requirements of the PRO - Preston Road Overlay *Design* District](#) and the sub-district requirements listed in [2.05.04. \(E\) Preston Road Overlay Sub-District Requirements](#). Where Preston Road Overlay *Design* District requirements conflict with base zoning requirements, the Preston Road Overlay *Design* District shall apply. Otherwise, the base zoning of a property shall not be affected by the Preston Road Overlay *Design* District.

¹ Additions are shown in red and underlined.

(D) General Requirements of the PRO - Preston Road Overlay Design District

(1) PRO Permitted Uses

Uses permitted in the PRO – Preston Road Overlay Design District are outlined in [Subsection 3.01. Use of Land and Buildings](#).

(2) PRO Development Standards

a. Dismantled or Wrecked Vehicle Screening and Storage within the PRO

1. Dismantled or wrecked vehicles must be parked and/or stored in the building or screened from adjacent streets and properties with a landscape island around the perimeter of the storage area.

- (i) The landscape island shall include a combination of minimum three (3) inch caliper evergreen and deciduous trees, ornamental trees and/or minimum five (5) gallon shrubs to form a solid, living screen.

- (ii) If the landscape island is located on the perimeter of the property, perimeter landscaping requirements may be applied towards this requirement.

(3) PRO Landscaping

a. Maintenance

Property owners are responsible for installing, maintaining, and replacing required landscaping with the exception of landscaping within Punctuation Points (see [2.05.04. \(D\)\(11\)d PRO Punctuation Points](#)).

b. Side and Rear Yards

1. In order to meet the planting requirements for landscape buffers or slip roads, planting requirements for side and rear yards (excluding required landscaping adjacent to residential uses) may be reduced by fifty (50) percent.
2. If additional landscaping is needed, tree requirements for landscaped parking islands may be reduced by fifty (50) percent.

c. Escrow Fund

Due to street construction, adverse weather, or other constraints as approved by the City, escrow funds may be paid to the City for the required landscaping for street medians and associated labor.

d. Irrigation

All landscaping shall be mechanically irrigated.

e. Tree Grates

Tree grates shall be used in high pedestrian traffic areas.

f. Tree Guards

1. Tree guards are to be installed in urban streetscape areas where tree grates are not required, as well as other areas deemed necessary through review by City staff.
2. Tree guards shall take the form of a low fence of twelve (12) to fourteen (14) inches in height of ornamental metal defining the edge of the tree wells.
3. Gauge of metal utilized should not be less than three-eighths (3/8) of an inch diameter.

g. Bollards

1. Bollards shall be used to protect trees and pedestrians in any curb-less condition.
2. Bollards shall have a nominal height of twenty four (24) inches and a nominal diameter of eighteen (18) inches.
3. Bollards shall be native or cast stone, granite, or cast iron.

- h. Additional landscaping specifications are listed in [Subsection 4.02 Landscape Requirements](#).
- (4) PRO Site Development
 - a. Building Presence
 - 1. Development shall be sited as to maximize presence.
 - 2. The primary façade of all buildings shall face a public or quasi-public street.
 - b. Building Location and Placement

The location and placement of buildings on individual sites shall reflect consideration for roadway access, the preservation of major existing natural vegetation, visual impact, and the relationship to surrounding developments.
- (5) PRO Exterior Appearance of Buildings and Structures
 - a. A Façade Plan shall be submitted for the following requirements according to [Subsection 6.16 Façade Plan Review](#).
 - b. Architectural Finish

All buildings shall be architecturally finished on all four sides with a higher level of finish on the front façades.

 - 1. A front façade shall be those façades directly visible from an adjacent street and the façade used as the primary entrance.
 - c. All buildings shall comply with [Subsection 4.09 Nonresidential Design Standards](#).
- (6) PRO Building Materials and Colors
 - a. A Façade Plan shall be submitted for the following requirements according to [Subsection 6.16 Façade Plan Review](#).
 - b. Limited Number of Material Types

A variety of exterior materials may be selected for use as the primary material on the façade of a building, but the number of materials on a single building shall be limited to no more than three (3) materials in order to achieve a "clean" design style.
 - c. Maximum Material Building Coverage

With the exception of the Main Street sub-district, no single building material shall cover more than eighty (80) percent of the front of any building, with the exception of on-site utility or service structures.
 - d. Windows

Windows shall not be glazed or re-glazed with mirrored or reflective glass.
- (7) PRO Parking
 - a. Structured Parking Exterior Materials and Colors

Exterior materials and colors for structured parking shall match or be compatible with the buildings within the same development.
 - b. Subterranean parking is permitted.
 - c. Slip Roads
 - 1. For an illustration and standards see [Figure 2.05.04.7: Slip Road Dimensions](#).
 - 2. Slip roads introduce opportunities for variety in the streetscape.
 - 3. Slip roads extend the street zone into the parking area, making parking lots more plaza-like and integrated.
 - 4. Slip roads combine parking, uniform tree plantings, enhanced paving, seating areas and access to retail stores, making these spaces lively and pedestrian-friendly.

5. Where required, slip roads shall be designed in accordance with [Figure 2.05.04.7: Slip Road Dimensions](#) and as follows.
- (i) The first row of parking shall be located eight (8) feet from the property line. The minimum depth of each parking space within the first row of parking is eighteen (18) feet. The width of the adjacent driveway and/or fire lane shall be twenty-four (24) feet. A second row of parking shall be provided on the opposite side of the driveway and/or fire lane. These parking spaces shall be twenty (20) feet deep, or eighteen (18) feet deep when adjacent to landscaping or a sidewalk with a minimum width of six (6) feet to accommodate a two (2) foot parking overhang. The second row of parking is optional, but the trees required for this area shall be planted regardless of the existence or non-existence of parking.
 - (ii) Within each row of parking, a landscape island with dimensions equal to the adjacent parking spaces shall be constructed after every third parking space. A minimum three (3) inch caliper large tree shall be planted on each landscape island.
 - (iii) A row of minimum three (3) inch caliper large trees shall be planted on the property two (2) feet from the front property line nominally thirty six (36) feet on-center. These trees shall align with minimum three (3) inch caliper trees planted on each landscape island located within the slip road. These trees will be centered on each landscape island and located seventeen (17) feet and sixty (60) feet from the front property line.
 - (iv) The trees planted sixteen (16) feet from the back of the street curb shall align with the trees planted both thirty (30) feet and seventy-two (72) feet from the back of the street curb.
 - (v) The drive lane and parking areas of the slip road shall be defined with enhanced paving such as brick, stone or scored concrete.
 - (vi) Slip road parking shall be screened from Preston Road with a low row of shrubs. Shrubs shall be minimum five (5) gallon shrubs planted three (3) feet on center.
 - (vii) With the exception of the Rural Corridor sub-district, the area between the slip road and the property line may be improved with enhanced paving, rather than landscaping.
 - (viii) Slip roads shall be interrupted by building placement or other means prior to intersection with a street that intersects with Preston Road.
- (8) PRO Commercial and Utility Vehicles
- a. Commercial and utility vehicles in conjunction with the business or being utilized for delivery or transport that are stored or parked on a property overnight shall be located inside an enclosed building or screened from the view of adjacent streets and properties.
 - b. These vehicles shall not be located between the building and an adjacent street.
 - c. Screening shall be a solid masonry wall to match the building, earthen berms, or landscaping.
 - d. Screening shall be a minimum of six (6) feet in height.
 - e. A landscape screen shall be solid and reach the minimum height of six (6) feet within two (2) years of the issue date of the Certificate of Occupancy for the building.
- (9) PRO Building Entry Areas
- a. Landscaping shall be used to emphasize building entries. (See [Figure 2.05.04.4](#))
 - b. Special paving such as brick, exposed aggregate or patterned concrete shall be used to define building entries.
 - c. Sidewalk connections shall be provided from building entries to parking areas and public sidewalks.

(10) PRO Lighting

- a. On-site lighting for vehicular and pedestrian purposes shall be installed by the property owner in accordance with City design standards for the [PRO – Preston Road Overlay Design District](#).
- b. The City shall coordinate the installation of the street lights in and along major thoroughfares in accordance with City design standards for the [PRO – Preston Road Overlay Design District](#).

(11) PRO Streetscape Elements

In addition to the form-giving rows of street trees, a framework of streetscape elements will tie together the sub-districts. These elements include gateway bridges; a series of monuments, pedestals, and light standards; street furniture; and landscape punctuation points.

a. PRO Gateway Monuments

1. Gateway monuments shall occur at sub-district boundaries.
2. The monument materials should be native or cast stone ([Figure 2.05.04.8](#)).
3. Wherever possible, bridges shall feature split roadways ([Figure 2.05.04.9](#)).
4. The Main Street gateway should feature an intersection of enhanced paving of stone, brick or patterned concrete. In addition, an intensified amount of shrubs and/or trees should be planted to provide a sense of enclosure ([Figure 2.05.04.11](#)).

b. PRO Entrance Monuments

1. Entrance monuments shall occur at major intersections and landscape punctuation points ([Figure 2.05.04.8](#)).
2. The entrance monument materials should be native or cast stone.
3. Entrance monuments at major intersections shall be nominally twelve (12) feet in height.
4. Pedestals with a height of three (3) feet to five (5) feet may be used at punctuation points.

c. PRO Enhanced Light Standards

1. Light standards shall be manufactured by Bega, or an equivalent (see [Figure 2.05.04.10](#)), and be a dark color as approved by the City Council.
2. The light standard monument in the street median and parkways are nominally thirty (30) feet in height and may support seasonal banners.
3. The vehicular-scale light standard monuments in parking areas shall not exceed thirty (30) feet in height. The vehicular-scale light standard may be placed on a stone pedestal.
4. The pedestrian-scale light standard is nominally ten (10) feet in height, may feature a hanging basket, and should be placed in pairs flanking the sidewalk.

5. All vehicular-scale and pedestrian-scale light standards within the Preston Road Overlay Design District requiring a pole shall use a decorative pole as approved by the City. The Preston Road Overlay Design District is designated as a "design district" pursuant to Section 284.002(5) and Section 284.105 of the Texas Local Government Code, as it exists or may be amended.

d. PRO Punctuation Points

1. The City shall coordinate the implementation of punctuation points with property owners through the provision of landscape buffers prior to or during the development process.
2. Location of the punctuation points shall be generally consistent with [Figure 2.05.04.12](#).
3. The punctuation points in the Rural Corridor sub-district shall have a rural character and feature native plant materials arranged in informal patterns.
4. The punctuation points in the Retail Corridor sub-district shall have a commercial character and feature formal, upright trees arranged in bold, graphic patterns.

5. Punctuation points (see [Figure 2.05.04.13](#), [Figure 2.05.04.14](#), and [Figure 2.05.04.15](#)) shall, if possible
 - (i) Be approximately two hundred (200) feet in length along Preston Road and one hundred (100) feet deep.
 - (ii) Span the width of Preston Road incorporating the parkways and the median.
 - (iii) Utilize raised planting areas to lift and separate these areas from the adjacent streetscape.

(E) Preston Road Overlay Sub-District Requirements

(1) "U.S. 380 Gateway" Sub-District

a. Setbacks

1. The minimum front yard is fifty (50) feet and shall include a fifty (50) foot landscape buffer.
 - (i) No parking or drive aisles may occur in the landscape buffer.
2. Buildings containing a nonresidential use may be located five (5) feet from the right-of-way of street, other than major thoroughfare, intersecting with Preston Road.
 - (i) Seventy five (75) percent of the building shall be constructed on the five (5) foot building line, with the additional twenty five (25) percent setback a maximum of ten (10) feet. (See [Figure 2.05.04.17](#))
 - (ii) Buildings not utilizing the five (5) foot reduced setback shall be setback as stated in [2.05.04. \(E\)\(1\)a.1.](#)
3. Alternative setbacks may be approved by [Subsection 6.18 Alternative Compliance Standards](#).

b. Landscaping

1. Slip Roads

- (i) Landscaping shall be planted in accordance with the slip road detail shown in [Figure 2.05.04.7](#).

2. Landscape Buffer

- (i) Two (2) rows of minimum three (3) inch caliper large trees shall be planted nominally thirty (30) feet on center in the landscape buffer.
- (ii) The first row of trees shall be located ten (10) feet from the front property line.
- (iii) The second row of trees shall be located forty (40) feet from the property line.

c. Building Materials

1. Primary exterior construction materials (see [Figure 2.05.04.16](#)) shall be:
 - (i) Natural Dimensional Stone (minimum of twenty (20) percent per wall with the exception of walls containing a loading dock or service area);
 - (ii) Brick; or
 - (iii) Tinted, split-face concrete masonry units (maximum fifteen (15) percent per wall).
2. Secondary exterior construction materials (see [Figure 2.05.04.16](#)) shall be used to accent primary exterior construction materials, but shall not exceed ten (10) percent of the façade area. Secondary exterior construction materials shall include:
 - (i) Aluminum;

- (ii) Other metals;
 - (iii) EIFS; or
 - (iv) Stucco.
 - 3. The use of natural texture and colors shall be used to the greatest extent possible. Lighter tones and colors are recommended. Required dominant colors include light-to-medium earth tones illustrated in pages 46 through 155 of the Pittsburgh Paint Voice of Color Sampler.
 - (i) City staff will maintain this referenced color sampler.
 - (ii) Light colors include colors 1-2 of each sample page.
 - (iii) Medium colors include values 3-4.
 - (iv) Prohibited colors are black and stark white.
- (2) "Rural Corridor" Sub-District
- a. Setbacks
 - 1. The minimum front yard is fifty (50) feet and shall include a fifty (50) foot landscape buffer.
 - 2. No parking or drive aisles may occur in the landscape buffer.
 - 3. The landscape buffer is also required for future single family developments along Preston Road, but shall be provided a right-of-way for landscaping purposes.
 - b. Landscaping
 - 1. Slip Roads
 - (i) Landscaping shall be planted in accordance with the slip road detail shown in [Figure 2.05.04.7](#).
 - 2. Landscape Buffer
 - (i) Two (2) rows of minimum three (3) inch caliper large trees shall be planted nominally thirty (30) feet on center in the landscape buffer.
 - (ii) The first row of trees shall be located ten (10) feet from the front property line.
 - (iii) The second row of trees shall be located forty (40) feet from the front property line.
 - c. Building Materials
 - 1. Primary exterior construction materials (see [Figure 2.05.04.16](#)) shall be:
 - (i) Natural Dimensional Stone (minimum of twenty-five (25) percent per wall with the exception of walls containing a loading dock or service area);
 - (ii) Brick; or
 - (iii) Tinted, split-face concrete masonry units (maximum fifteen (15) percent per wall).
 - 2. Secondary exterior construction materials (see [Figure 2.05.04.16](#)) shall be used to accent primary exterior construction materials, but shall not exceed ten (10) percent the of façade area. Secondary exterior construction materials shall include:
 - (i) Fiber cement siding;
 - (ii) Stucco; or
 - (iii) EIFS.

3. Medium tones and colors are recommended to darker ones. Required dominant colors are medium earth tones illustrated in pages 46 through 155 of the Pittsburgh Paint Voice of Color Sampler.
 - (i) City staff will maintain this referenced color sampler.
 - (ii) Medium colors include values 3-4.
 - (iii) Prohibited colors are black and stark white.
- (3) "Main Street" Sub-District
- a. Setbacks
 1. Slip roads are required adjacent to Preston Road with buildings placed accordingly (See [2.05.04. \(D\)\(7\)c Slip Roads](#) and [Figure 2.05.04.7](#)).
 2. Where development constraints prevent the use of slip road, the minimum front yard is thirty (30) feet and shall include a thirty (30) foot landscape buffer.
 - (i) No parking or drive aisles may occur in the landscape buffer.
 3. Buildings containing a nonresidential use may be located five (5) feet from the right-of-way of street, other than a major thoroughfare, intersecting with Preston Road.
 - (i) Seventy-five (75) percent of the building shall be constructed on the five (5) foot building line, with the additional twenty-five (25) percent setback a maximum of ten (10) feet. (See [Figure 2.05.04.17](#))
 - (ii) Buildings not utilizing the five (5) foot reduced setback shall setback as stated in [2.05.04. \(E\)\(3\)a.2.](#)
 - b. Landscaping
 1. Slip Roads
 - (i) Landscaping shall be planted in accordance with the slip road detail shown in [Figure 2.05.04.7](#).
 2. Landscape Buffer
 - (i) Where development constraints prevent the use of a slip road, a single row of minimum three (3) inch caliper large trees shall be planted nominally thirty (30) feet on center in the landscape buffer.
 - (ii) The trees shall be planted ten (10) feet from the back of the property line.
 - c. Building Materials
 1. Brick is the required primary exterior construction material (see [Figure 2.05.04.16](#)).
 2. Secondary exterior construction materials (see [Figure 2.05.04.16](#)) shall be used to accent primary exterior construction materials, but shall not exceed ten (10) percent of the façade area of each elevation. Secondary exterior construction materials shall include:
 - (i) Natural Dimensional Stone;
 - (ii) Tinted, split-face concrete masonry units;
 - (iii) Aluminum;
 - (iv) Metals;
 - (v) EIFS; or
 - (vi) Stucco.

3. Lighter tones and colors are recommended to darker ones. Required dominant colors are light-to-medium earth tones illustrated in pages 46 through 155 of the Pittsburgh Paint Voice of Color Sampler.
 - (i) City staff will maintain this referenced color sampler.
 - (ii) Light colors include colors 1-3 of each sample page.
 - (iii) Medium colors include values 4-5.
 - (iv) Prohibited colors are black and stark white.
- (4) **“Retail Corridor” Sub-District**
- a. **Setbacks**
 1. Slip roads are required adjacent to Preston Road with buildings placed accordingly (See [2.05.04. \(D\)\(7\)c Slip Roads](#) and [Figure 2.05.04.7](#)).
 2. Where development constraints prevent the use of slip road, the minimum front yard is fifty (50) feet and shall include a thirty (30) foot landscape buffer.
 - (i) No parking or drive aisles may occur in the landscape buffer.
 3. The minimum front yard may be reduced to thirty (30) feet, but the building must be constructed on the thirty (30) foot building line and no parking or drive aisles may occur between the building and adjacent street.
 4. Buildings containing a nonresidential use may be located five (5) feet from the right-of-way of street, other than a major thoroughfare, intersecting with Preston Road.
 - (i) Seventy five (75) percent of the building shall be constructed on the five (5) foot building line, with the additional twenty-five (25) percent setback a maximum of ten (10) feet. (See [Figure 2.05.04.17](#))
 5. Buildings not utilizing the reduced thirty (30) foot or five (5) foot setback shall setback as stated in [2.05.04. \(E\)\(4\)a.2](#).
 - b. **Landscaping**
 1. Slip Roads
 - (i) Landscaping shall be planted in accordance with the slip road detail shown in [Figure 2.05.04.7](#).
 2. Landscape Buffer
 - (i) Where development constraints prevent the use of a slip road, two (2) rows of minimum three (3) inch caliper large trees shall be planted nominally thirty (30) feet on center in the landscape buffer.
 - (ii) The first row of trees shall be located four (4) feet from the front property line.
 - (iii) The second row of trees shall be located twenty-six (26) feet from the front property line.
 - c. **Building Materials**
 1. Primary exterior construction materials (see [Figure 2.05.04.16](#)) shall be:
 - (i) Natural Dimensional Stone (minimum of twenty (20) percent per wall with the exception of walls containing a loading dock or service area);
 - (ii) Brick;
 - (iii) Tinted, split-faced concrete masonry units (maximum fifteen [15] percent per wall); or

- (iv) Stucco.
 - 2. Secondary exterior construction materials (see [Figure 2.05.04.16](#)) shall be used to accent primary exterior construction materials, but shall not exceed ten (10) percent the of façade area. Secondary exterior construction materials shall include:
 - (i) Natural Dimensional Stone;
 - (ii) Tinted, split-face, concrete masonry units;
 - (iii) Aluminum;
 - (iv) Metals;
 - (v) EIFS; or
 - (vi) Stucco.
 - 3. In general, medium tones and colors are recommended to darker ones. Required dominant colors are medium earth tones illustrated in pages 46 through 155 of the Pittsburgh Paint Voice of Color Sampler.
 - (i) City staff will maintain this referenced color sampler.
 - (ii) Medium colors include values 4-5.
 - (iii) Prohibited colors are black and stark white.
- (5) "S.H. 121 Gateway" Sub-District
- a. Setbacks
 - 1. The minimum front yard is fifty (50) feet and shall include a thirty (30) foot landscape buffer.
 - (i) No parking or drive aisles may occur in the landscape buffer.
 - 2. The minimum front yard may be reduced to thirty (30) feet, but the building must be constructed on the thirty (30) foot building line and no parking or drive aisles may occur between the building and adjacent street.
 - 3. Buildings containing a nonresidential use may be located five (5) feet from the right-of-way of street, other than a major thoroughfare, intersecting with Preston Road.
 - (i) Seventy-five (75) percent of the building shall be constructed on the five (5) foot building line, with the additional twenty-five (25) percent setback a maximum of ten (10) feet. (See [Figure 2.05.04.17](#))
 - 4. Buildings not utilizing the reduced thirty (30) foot or five (5) foot setback shall setback as stated in [2.05.04. \(F\)\(5\)a.1.](#)
 - b. Landscaping
 - 1. Landscape Buffer
 - (i) Two (2) rows of minimum three (3) inch caliper large trees shall be planted nominally thirty (30) feet on center in the landscape buffer.
 - (ii) The first row of trees shall be located four (4) feet from the front property line.
 - (iii) The second row of trees shall be located twenty-six (26) feet from the front property line.
 - c. Building Materials
 - 1. Primary exterior construction materials (see [Figure 2.05.04.16](#)) shall be:
 - (i) Natural Dimensional Stone (minimum of twenty (20) percent per wall with the

exception of walls containing a loading dock or service area);

- (ii) Brick;
- (iii) Tinted, split-face concrete masonry units (maximum fifteen (15) percent per wall); or
- (iv) Stucco.

2. Secondary exterior construction materials (see [Figure 2.05.04.16](#)) shall be used to accent primary exterior construction materials, but shall not exceed ten (10) percent the of façade area. Secondary exterior construction materials shall include:

- (i) Aluminum;
- (ii) Other metals;
- (iii) EIFS; or
- (iv) Stucco.

3. The use of natural texture and colors shall be used to the greatest extent possible. Lighter tones and colors are recommended. Required dominant colors include light-to-medium earth tones illustrated in pages 46 through 155 of the Pittsburgh Paint Voice of Color Sampler.

- (i) City staff will maintain this referenced color sampler.
- (ii) Light colors include colors 1-2 of each sample page.
- (iii) Medium colors include values 3-4.
- (iv) Prohibited colors are black and stark white.

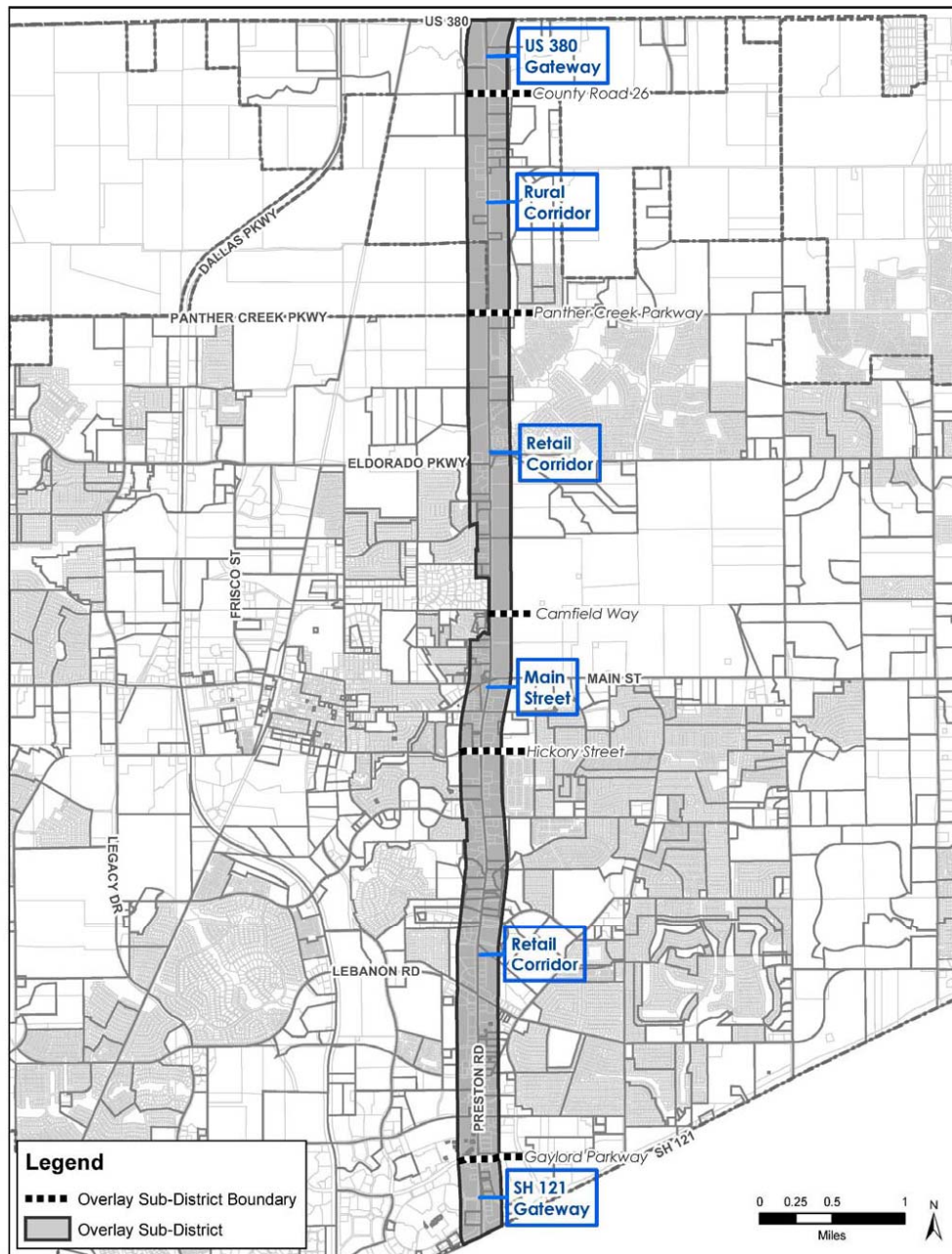


Figure 2.05.04.1: Preston Road Overlay Design District Map

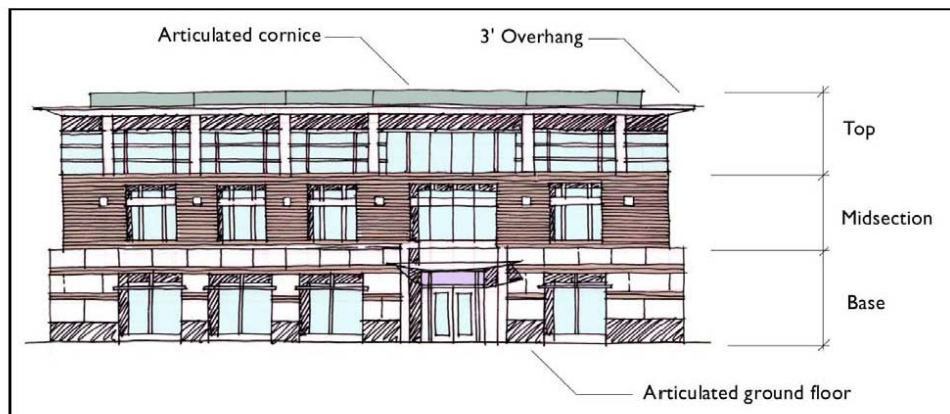


Figure 2.05.04.2: Expression of Building Form



Figure 2.05.04.3: Façades Facing Preston Road



Figure 2.05.04.4: Special Planting at Building Entry

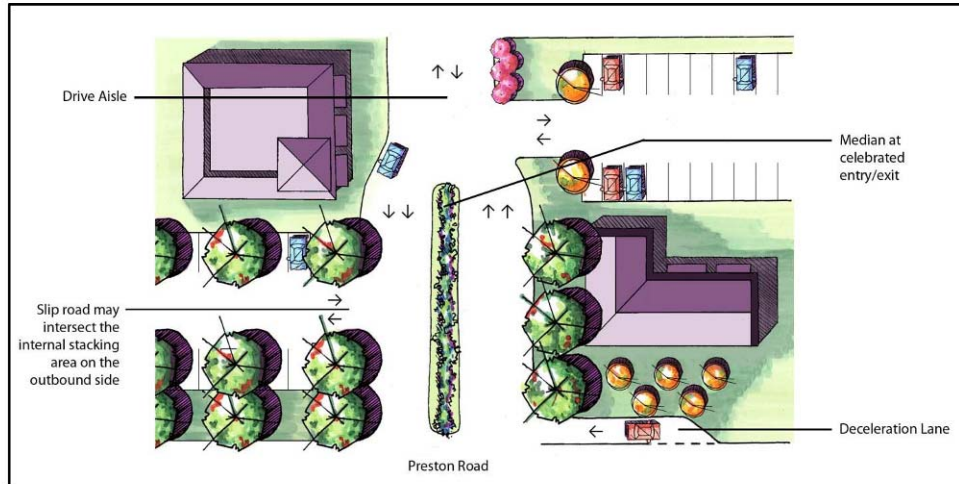


Figure 2.05.04.5: Entry Median and Stacking Area

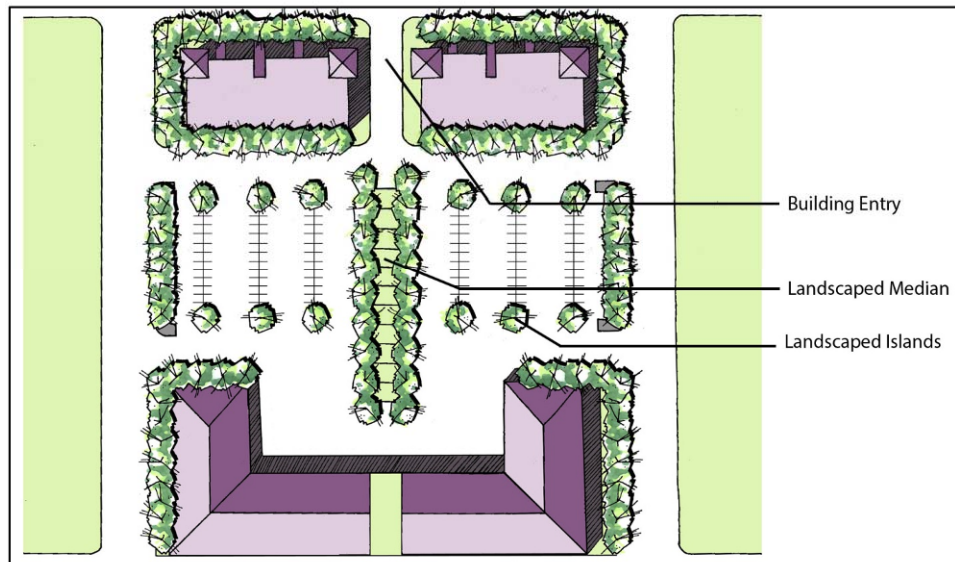


Figure 2.05.04.6: Drive Lanes Defining Streetscape Experience

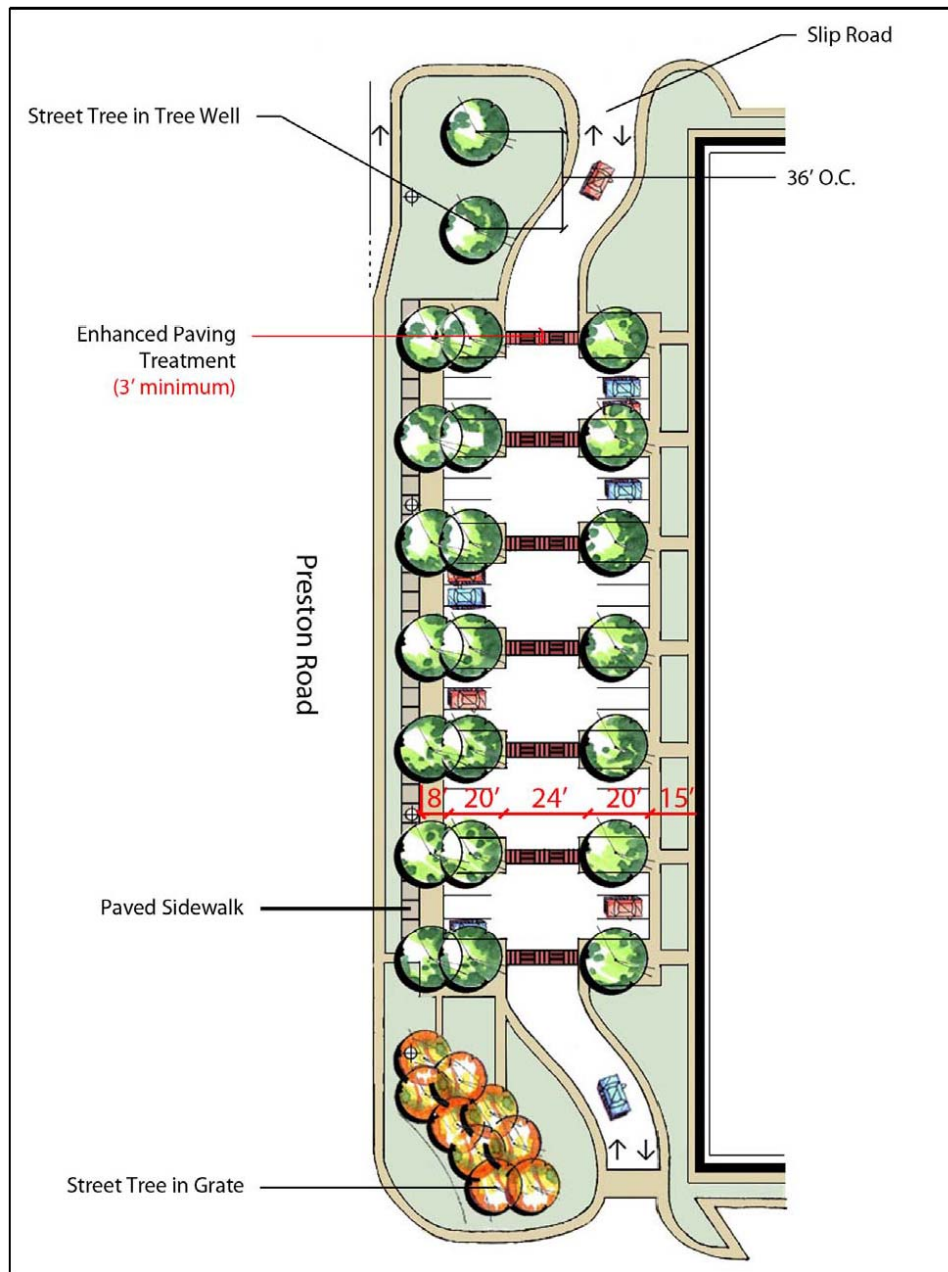


Figure 2.05.04.7: Slip Road Dimensions

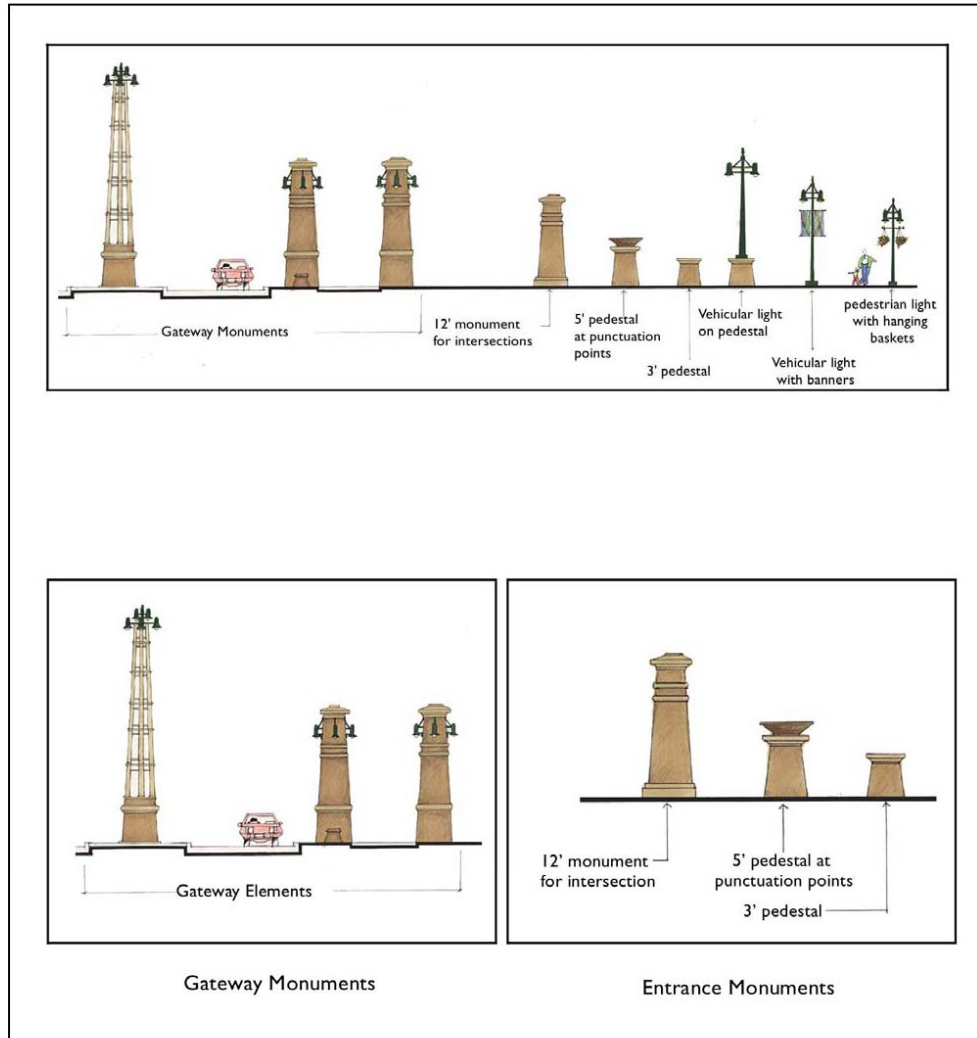


Figure 2.05.04.8: Monuments

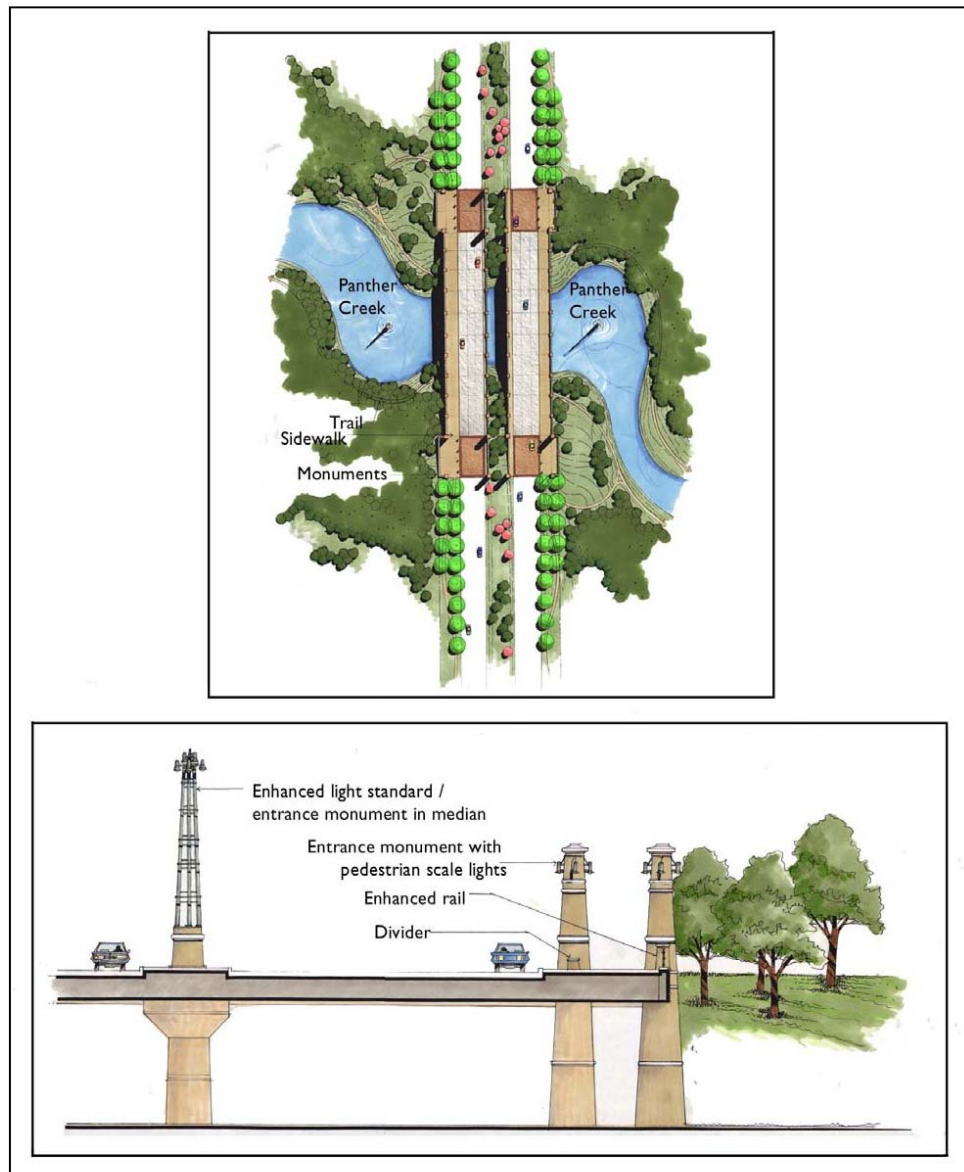


Figure 2.05.04.9: Prototypical Overpass / Bridge Plan and Section

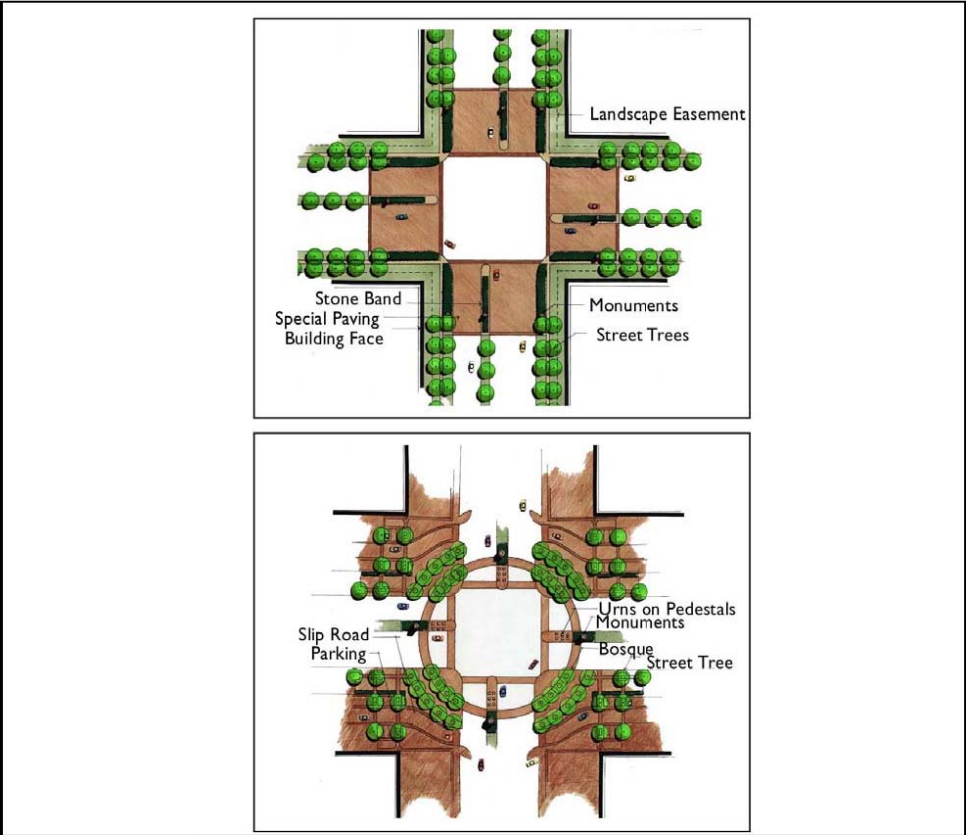


Figure 2.05.04.11: Design Standards – Urbanized Intersections

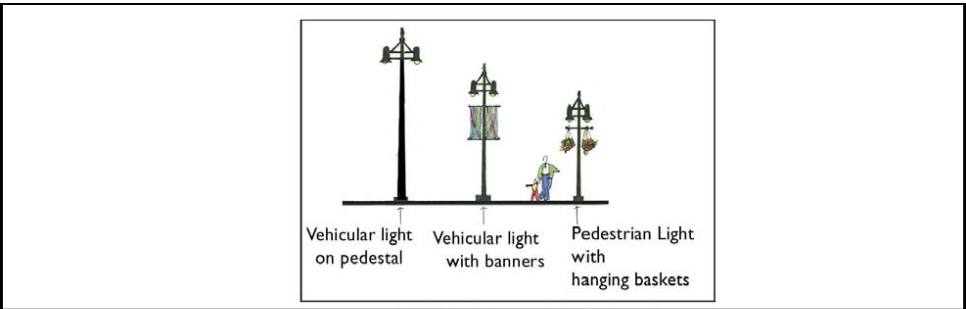


Figure 2.05.04.10: Enhanced Lighting Standards

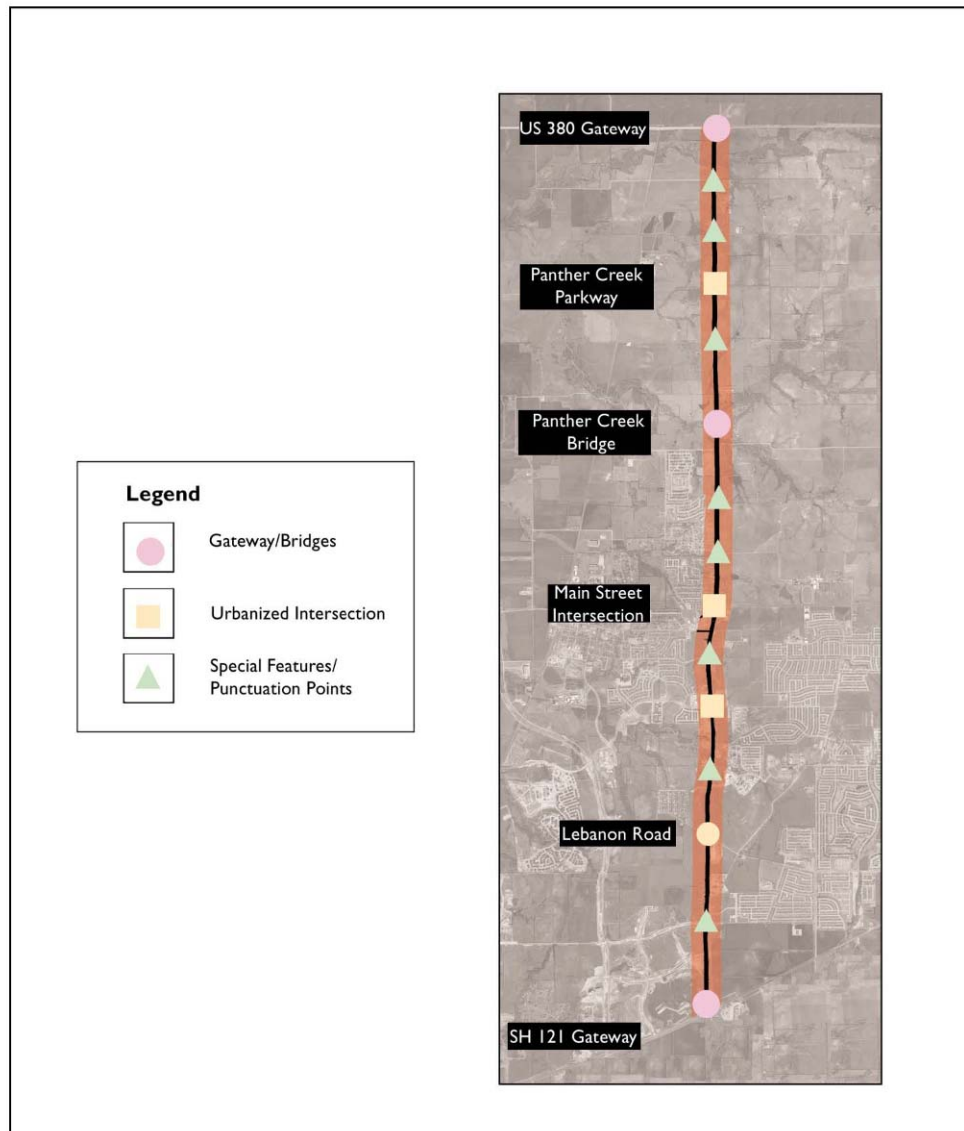


Figure 2.05.04.12: Gateway and Punctuation Points

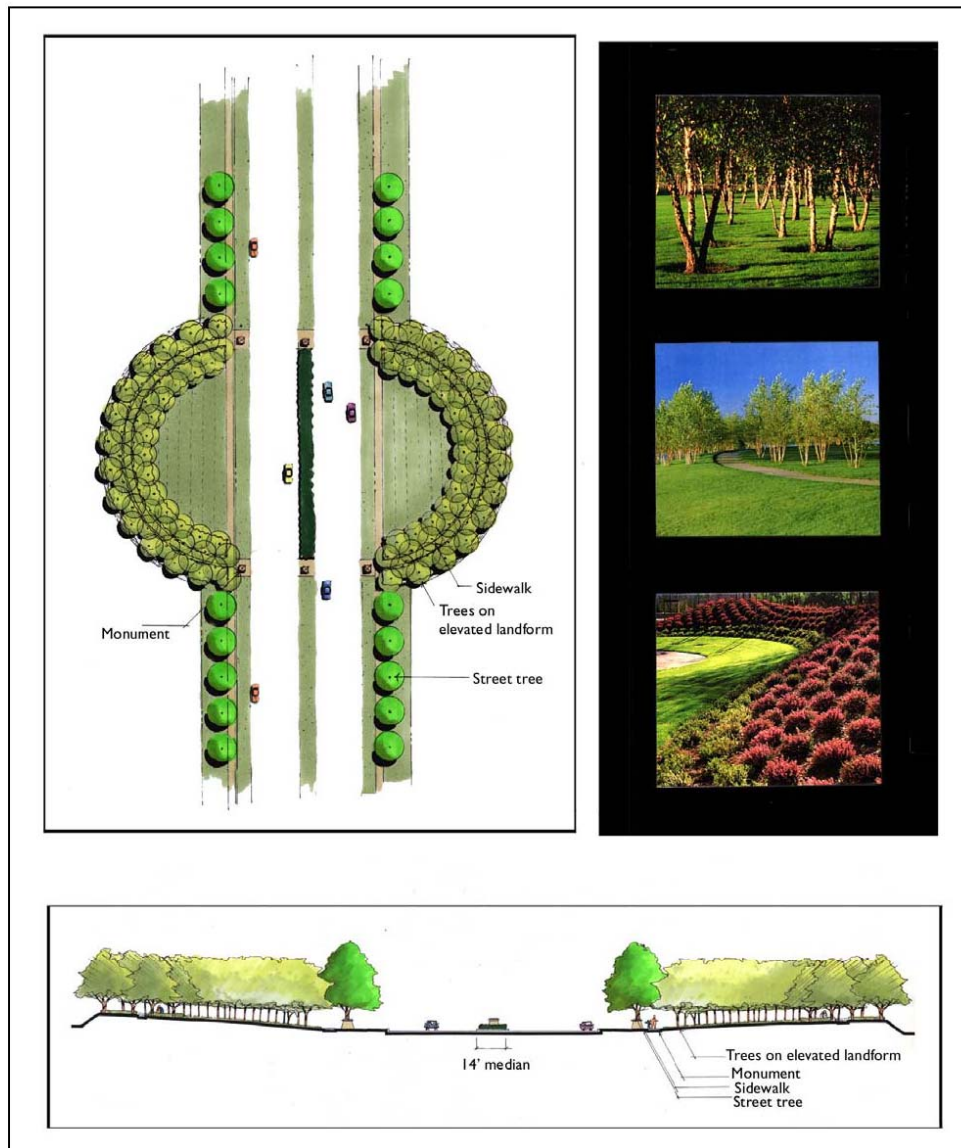


Figure 2.05.04.13: Punctuation Points – Circle Grove

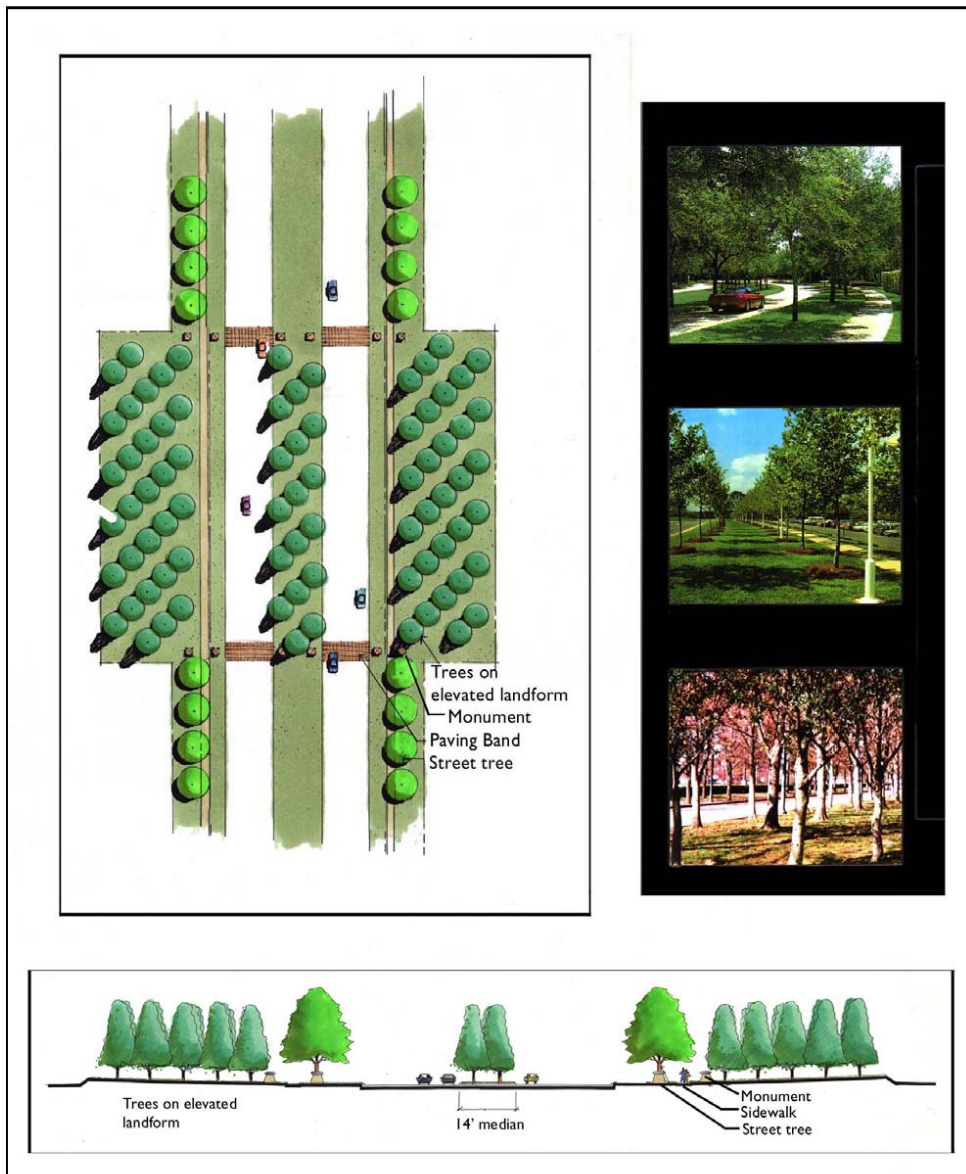


Figure 2.05.04.14: Punctuation Points – Tree Field

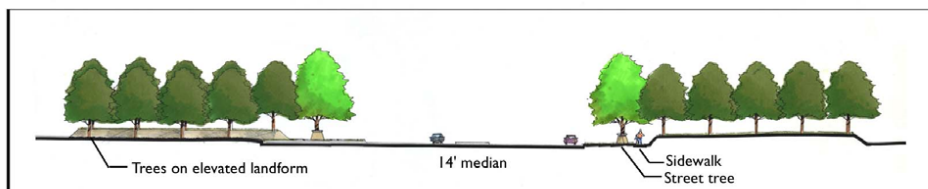
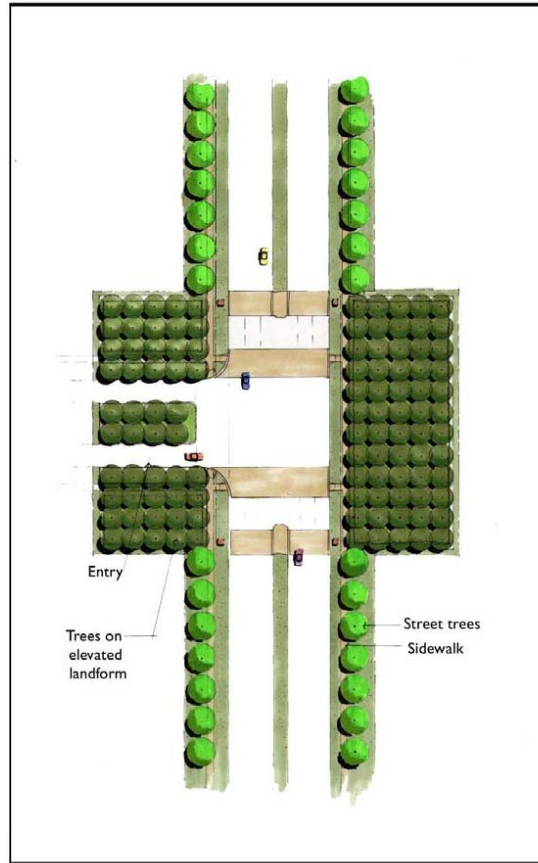


Figure 2.05.04.15: Punctuation Points – Pecan Grove

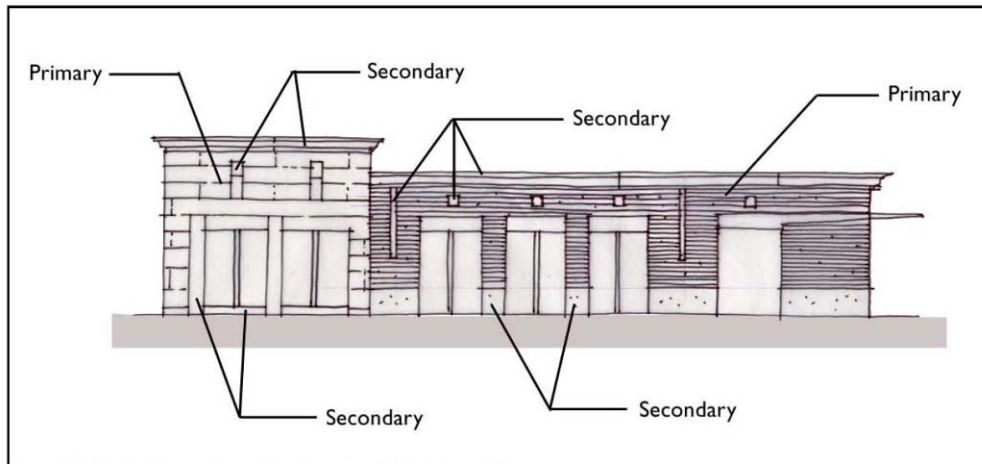


Figure 2.05.04.16: Primary/Secondary Exterior Cladding Materials

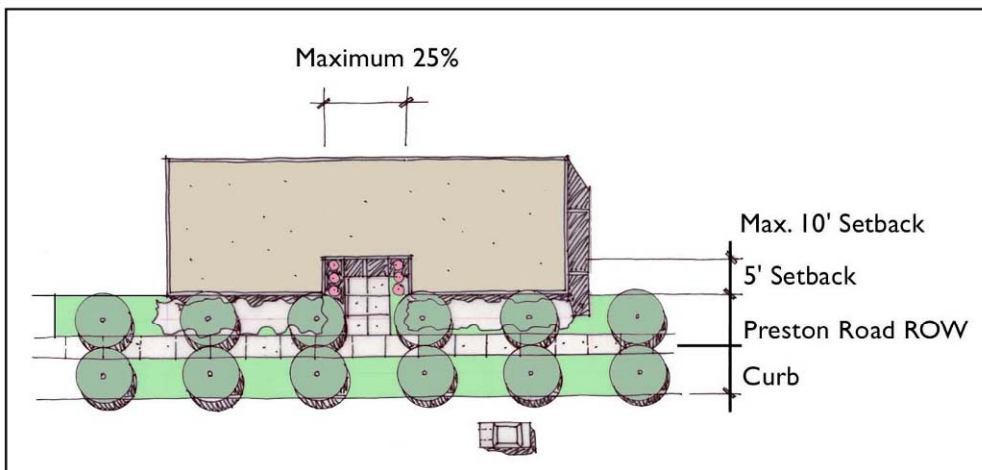


Figure 2.05.04.17: Setback for Nonresidential Uses to Streets that Connect with Preston Road

2.05.05. TO – Tollway Overlay *Design* District

(A) General Purpose and Description

The Dallas North Tollway is a primary thoroughfare within the City. The TO – Tollway Overlay *Design* District establishes design and development standards for properties within the Tollway corridor regarding land uses, building orientation, site amenities, access, site and building architectural design, building materials, landscaping, lighting, and signage. The TO – Tollway Overlay *Design* District is intended to substantially advance a legitimate governmental interest that includes enhancing the quality of life in Frisco, to regulate the character of growth along the Tollway corridor, and to create a unique Tollway corridor.

(B) Boundary and Applicability

(1) Geographic Boundary

The TO – Tollway Overlay *Design* District is defined as the land included within seven hundred fifty (750) feet of the Right-of-Way Line on either side of the Tollway. See [Figure 2.05.05.1](#) for a comprehensive view of the District.

(2) Certain Standards Apply Beyond Geographic Boundary

For properties extending beyond the seven hundred fifty (750) foot boundary, the overlay architectural elements, building materials, and landscaping requirements shall be incorporated unless otherwise approved by the Director.

(3) Land Uses Regulations Apply Only within Geographic Boundary

Land use requirements shall not apply to that portion of the properties beyond the seven hundred fifty (750) foot boundary.

(C) Tollway Overlay Sub-Districts Established

The TO – Tollway Overlay *Design* District is divided into four sub-districts. The sub-districts and their boundaries are the following.

(1) "U.S. 380 Gateway"

The boundary of the U.S. 380 Gateway sub-district extends from U.S. Highway 380 to C.R. 26 (future Virginia Parkway).

(2) "Typical"

The boundaries of the Typical Corridor sub-districts extend from C.R. 26 to Cottonwood Creek and from Stewart Creek to Gaylord Parkway.

(3) "Historic"

The boundary of the Historic Gateway sub-district extends from Cottonwood Creek to Stewart Creek.

(4) "S.H. 121 Gateway"

The boundary for the S.H. 121 Gateway sub-district extends from Gaylord Parkway to S.H. 121.

(D) Tollway Overlay *Design* District Boundary Map

(1) See boundary map on next page.

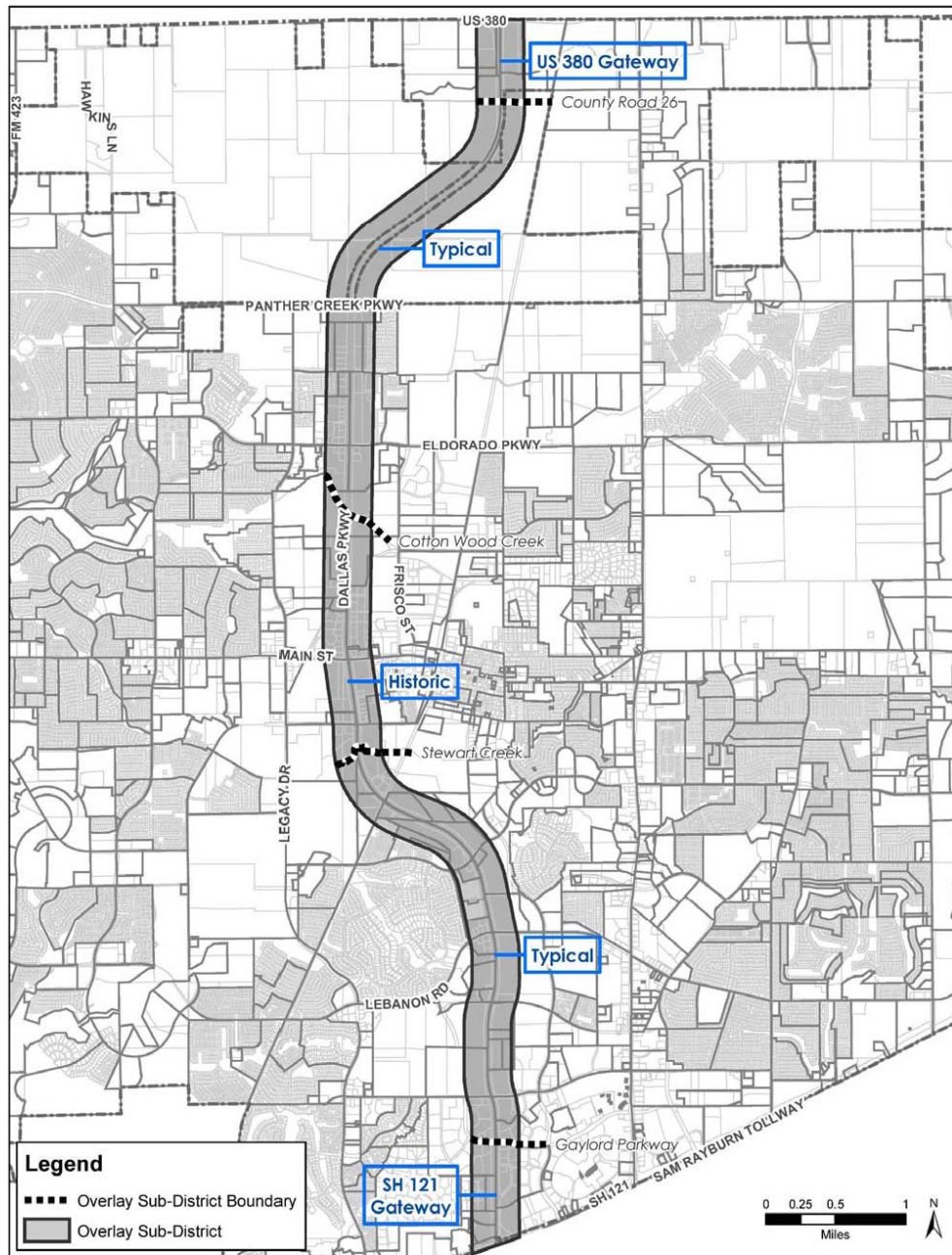


Figure 2.05.05.1: Tollway Overlay Zoning District Map

(E) Tollway Overlay Sub-district Compliance

(1) Compliance Sections

Each sub-district shall comply with the general requirements listed in [2.05.05. \(F\) General Requirements of the Tollway Overlay Design District](#) and the sub-district requirements listed in [2.05.05. \(G\) Tollway Overlay Sub-District Requirements](#).

(2) Conflicts between Zoning Districts

Where TO – Tollway Overlay [Design](#) District requirements conflict with base zoning requirements, excluding requirements contained within a [PD – Planned Development District](#), the TO – Tollway Overlay [Design](#) District shall apply. Otherwise, the TO – Tollway Overlay [Design](#) District shall not affect the base zoning of a property.

(F) General Requirements of the Tollway Overlay [Design](#) District

(1) Permitted Uses

- a. The base zoning district of a property determines the permitted land uses in the TO – Tollway Overlay [Design](#) District.
- b. Permitted land uses are outlined in [Subsection 3.02 Use Chart](#).

(2) Tollway Overlay Exterior Appearance of Buildings/Structures

- a. A Façade Plan shall be submitted for the following requirements according to [Subsection 6.16 Façade Plan Review](#).
- b. Windows shall conform to the following criteria
 1. Pink or gold glass is not permitted.
- c. Primary exterior materials shall conform to the requirements found in [4.07.09. Exterior Construction of Main Buildings](#). In addition to these requirements, the following criteria shall apply.
 1. The use of Exterior Insulated Finishing System (EIFS) is not permitted below nine (9) feet above finished grade. The use of EIFS above nine (9) feet is limited to high impact EIFS.
 2. In the Historic Sub-District, one hundred (100) percent of the first floor façade shall consist of clay-fired brick.
 3. Secondary materials used on the façade of a building are those that comprise less than ten (10) of an elevation area. Permitted secondary materials are all primary materials, aluminum or other metal, or other materials as approved by the Director.
 4. Structured parking garages must be finished on all four sides in the same materials as the main building, or another material as approved by the Director.
- d. All retail/commercial buildings shall comply with [Subsection 4.09 Nonresidential Design Standards](#).
- e. Corporate identities that conflict with the building design criteria shall be reviewed on a case by case basis and approved by the Director.

[\(3\) Tollway Overlay Enhanced Light Standards](#)

- a. [All vehicular-scale and pedestrian-scale light standards within the Tollway Overlay Design District requiring a pole shall use a decorative pole as approved by the City. The Tollway Overlay Design District is designated as a "design district" pursuant to Section 284.002\(5\) and Section 284.105 of the Texas Local Government Code, as it exists or may be amended.](#)

(G) Tollway Overlay Sub-District Requirements

(1) U.S. 380 Gateway

a. Setbacks

1. The minimum front yard is fifty (50) feet and shall include a thirty (30) foot landscape buffer.
2. No parking or drive aisles may occur in the landscape buffer.
3. The minimum front yard for buildings of six (6) or more stories may be reduced to twenty-five (25) feet with a twenty-five (25) foot landscape buffer.

(2) S.H. 121 Gateway

a. Setbacks

1. The minimum front yard is fifty (50) feet and shall include a thirty (30) foot landscape buffer.
2. No parking or drive aisles may occur in the landscape buffer.
3. The minimum front yard for buildings of six (6) or more stories may be reduced to twenty-five (25) feet with a twenty-five (25) foot landscape buffer.

(3) Historic Sub-District

a. Setbacks

Setbacks in the Historic sub-district shall meet the requirements of the OTC – Original Town Commercial District (see [2.04.04. \(C\) Regulations](#)).

(4) Typical Sub-District

a. Setbacks

The minimum front yard is fifty (50) feet and shall include a thirty (30) foot landscape buffer. No parking or drive aisles may occur in the landscape buffer.



Development Services Department
City of Frisco, Texas

Memorandum

To: Honorable Mayor Cheney and Members of the Frisco City Council

Cc: George A. Purefoy, City Manager
John Lettelleir, FAICP, Director of Development Services

From: Jonathan Hubbard, Planner

Date: 8/15/2017

Agenda Caption: Consider and act upon adoption of an Ordinance to amend the Comprehensive Zoning Ordinance, Section 2, Zoning Districts regarding amendments to the Preston Road Overlay District and Tollway Overlay District. Zoning Case No. ZA17-0006.

Action Requested: City Council adoption of an Ordinance to amend the Comprehensive Zoning Ordinance, Section 2, Zoning Districts regarding amendments to the Preston Road Overlay District and Tollway Overlay District.

Background Information: In order to meet the September 1st deadline, the effective date of Chapter 284, the Planning & Zoning Commission is holding a special meeting on August 15th prior to the regular meeting of the City Council.

Board Review/Citizen Input: The Planning & Zoning Commission will be conducting their public hearing on this request August 15, 2017. Staff will provide the City Council the Planning & Zoning Commission results during the case presentation.

Alternatives: The City Council may:

- Approve the Ordinance;
- Approve the Ordinance with modifications; or
- Deny the Ordinance.

Financial Considerations: None.

Legal Review: The City Attorney's office prepared the Ordinance.

Supporting Documents:

- Ordinance.

Recommendation: Recommended for adoption.