

**SECTION 20A  
“MU” MIXED USE DISTRICT**

**A. PURPOSE**

The purpose of this district is to provide areas with a combination of residential, commercial, office, and institutional uses commingled in a pedestrian-friendly environment.

**B. USE REGULATIONS**

In the "MU" Mixed Use District, no building or land shall be used and no buildings shall be hereafter erected, reconstructed, altered, or enlarged, unless otherwise provided in this ordinance, except for one or more of the following uses:

**a. PERMITTED USES**

1. Any uses allowed in the BR, C, D, E, or F Districts. Drive-through commercial uses are prohibited, unless specifically approved as part of the Development Site Plan. Outdoor storage, display or sale of merchandise shall be prohibited, unless specifically approved as part of the Development Site Plan.

**b. CONDITIONAL USES**

1. Any uses allowed in the G District
2. Utility facilities
3. Artists studios, if located within a building housing residential uses

**c. SPECIAL EXCEPTION USES**

1. Special exception uses when authorized by the Board of Adjustment under the provision of Section 29.

**C. DEVELOPMENT SITE PLAN**

- a. A development site plan shall be required for each block or group of blocks, shall be submitted to the Planning and Zoning Commission for approval, following a public hearing, and shall contain the following information:

1. Project name.
2. Vicinity map.
3. Scale.
4. North arrow.
5. Date.
6. Street names and locations of all existing and proposed streets within or on the boundary of the proposed development, pavement widths, sidewalks, and bikeways.

7. Lot layout with dimensions for all lot lines.
9. Zoning designations adjacent to the proposed development.
10. Location and use of all proposed and existing buildings, fences and structures within the proposed development. Indicate which buildings are to remain and which are to be removed.
11. Infrastructure:
  - a. Water lines and appurtenances (valves, fire hydrants, etc.).
  - b. Sewers, manholes and cleanouts.
12. The proposed:
  - a. Connection to the Benbrook Water Authority water and sewer system,
  - b. Method of drainage of the site, and
  - c. Method of erosion and sedimentation control.
13. Location of drainage ways, environmental buffer zones, or public utility easements in and adjacent to the proposed development.
14. Locations, sizes and uses of contemplated and existing public areas within the proposed development.
15. A topographic map of the site at a contour interval of two feet (2') or less.
16. Location of all parking areas and all parking spaces, ingress and egress on the site, and onsite circulation.
17. Use designations for all areas not covered by buildings, parking, or landscaping.
18. Locations of all significant landscape features including, but not limited to, any existing healthy trees of a caliper greater than six (6) inches at 4-1/2 feet above the ground, generally forested areas, creeks, wetlands, 100 year floodplains, or existing ponds. Indicate any planned modifications to a natural feature.
19. A landscape plan showing in detail the location, type, and size of the proposed landscaping and plantings, in accordance with Section 27 of this Ordinance.
20. The elevations, surface area in square feet, illumination type, height, construction material and style, and locations of all proposed signs for the development.
21. Architectural elevations for all buildings proposed on the property. Such plans shall indicate the material, color, texture, windows, doors, and other design features of the building, including all visible mechanical equipment, such as for heating and cooling. Elevations shall be submitted drawn to scale of one (1) inch equals ten (10) feet or greater. In the case of subdivisions which contain attached units or lots of less than 10,000 square feet, plans for homes which may be built on lots may be submitted without specifying which lot the unit is to be located on, however, building envelopes on the lot must be sufficient to accommodate the units planned for the lot.

22. A written summary showing the following:
- 1). The total area contained in the area proposed to be developed.
  - 2). The total number of parking spaces.
  - 3). The number of dwelling units in the development (include the units by the number of bedrooms in each unit, e.g., ten (10) one (1) bedroom, 25 two-bedroom, etc).
  - 4). Total area and percentage of lot coverage by:
    - a). Structures.
    - b). Streets, roads, and alleys.
    - c). Sidewalks.
    - d.) Recreation areas.
    - e.) Landscaping.
    - f.) Tree canopy at maturity of the trees.
    - g.) Parking areas (and number of spaces).

b. Traffic Impact Analysis Required.

1. A Traffic Impact Analysis shall be required for any proposed site development that can be reasonably expected to generate more than 1,000 vehicle trip ends during a single day and/or more than 100 vehicle trip ends during a single hour. Determination of the applicability of this requirement shall be made by the City Planner or City Engineer using the latest edition of Trip Generation published by the Institute of Transportation Engineers.
2. The Traffic Impact Analysis shall address at least the following areas:
  - a. All proposed site access points.
  - b. All intersections bordering or adjacent to the site frontage including the closest intersecting collector or arterial street.
  - c. Any road segment or intersection where the proposed development can be expected to generate more than 25 additional vehicle trips during a single hour.
  - d. Any road segment or intersection where the additional traffic volumes created by the proposed development is greater than 10 percent of the current traffic volume (for road segments) or the current entering volume (for intersections).
3. The analysis shall include the following study time frames: existing conditions, full site build-out conditions, and a five-year forecast.
4. The TIA Report shall conform to the requirements of the Subdivision Ordinance.

c. Storm Water Management Impact Analysis.

A Preliminary Drainage Plan shall be prepared in accordance with the requirements in Section 16.20.005 of the Subdivision Ordinance.

**D. HEIGHT, AREA AND PERFORMANCE REGULATIONS**

In the "MU" Mixed Use District, the height of the buildings and the minimum dimension of yards shall be as follows:

- a. Height: No building hereafter erected, reconstructed, altered, or enlarged shall less than two stories. No building shall exceed two and one-half (2 ½) stories, nor shall it exceed thirty-five feet (35') within one hundred feet (100') of a property line of "A" Zoned, "B" Zoned, "BR" Zoned, "CR" Zoned, or "C" Zoned property. Any building in excess of one hundred feet (100') from these property lines shall not exceed the maximum height envelope described in Section 23, paragraph H.
- b. Front Yard: There shall be a front yard of not more than ten feet (10'). Garage doors and gates meant for vehicle use shall be located no closer than 20 feet from the right-of-way.
- c. Rear Yard: There shall be a rear yard of not less than five feet (5'), unless additional emergency access is required by the Fire Marshal.
- d. The City encourages two to three story buildings in the Mixed Use District, with second and third stories used for retail, work space, or living areas. Developments that provide only off-street parking shall have a minimum floor area ratio of 1.5, while developments that utilize approved on-street parking shall have a minimum Floor Area Ratio of 2.0. Plazas and pedestrian areas shall count as floor area for the purpose of meeting the minimum floor area ratio.
- e. Blocks shall strive to have a minimum residential use of 20 percent or more of gross floor area and minimum retail, office, eating uses of 10 percent or more of the building gross floor area.
- f. Normal business activities shall not create a sound level at the adjacent property line that exceeds sixty-five decibels (65 dBA) from 7:00 AM to 10 PM and fifty-five decibels (55 dBA) from 10:00 PM to 7:00 AM.

**E. GENERAL DESIGN STANDARDS**

- a. Parking lot and interior landscaping shall be provided in accordance with Section 27 of this Ordinance. A "D" Bufferyard shall be provided where the MU District abuts an "A", "B", or "BR" residential district. All development fronting on public or private streets shall be required to plant street trees in accordance with the following standards and chosen from the recommended list of canopy trees in Table 27-3.
  - 1. Location for Street Trees. Street trees shall be located behind the sidewalk except in cases where there is a designated planting strip in the right-of-way, or the sidewalk is greater than 8 feet wide and designed to accept trees in tree wells. Street trees shall include irrigation, root barriers, and generally conform to the standard established by the City of Benbrook.
  - 2. Spacing, Placement, and Pruning of Street Trees. All tree spacing may be made subject to special site conditions, which may, for reasons such as safety, affect the decision. Any such proposed special condition shall be subject to the review and approval of the Planning Director. The placement, spacing, and pruning of street trees shall be as follows:
    - a. Street trees shall be placed at the rate of one tree for every 30 feet of street frontage, however they shall not unduly compromise visibility triangles at intersections and non-residential driveways.

- b. Trees shall not be planted closer than 25 feet from the curb line of intersections of streets or alleys, and not closer than 10 feet from private driveways (measured at the back edge of the sidewalk), fire hydrants, or utility poles.
  - c. Street trees shall not be planted closer than 20 feet to light standards. Except for public safety, no new light standard location shall be positioned closer than 10 feet to any existing street tree, and preferably such locations will be at least 20 feet distant.
  - d. Trees shall not be planted closer than six feet from the face of the curb except at intersections where it shall be 5 feet from the curb, in a curb return area.
  - e. Where there are overhead power lines, tree species are to be chosen that will not interfere with those lines.
  - f. Trees shall not be planted within 4 feet of any permanent hard surface paving or walkway. Sidewalk cuts in concrete for trees shall be at least 64 square inches, however, larger cuts are encouraged because they allow additional air and water into the root system and add to the health of the tree. Space between the tree and hard surface may be covered by permeable non-permanent hard surfaces such as grates, bricks on sand, or paver blocks.
  - g. Trees, as they grow, shall be pruned to provide at least 8 feet of clearance above sidewalks and 12 feet above street roadway surfaces. Responsibility for pruning will fall on the person responsible for maintenance of the land on which the tree is planted.
  - h. Existing trees may be used as street trees if there will be no damage from the development which will kill or weaken the tree. Sidewalks of variable width and elevation may be utilized to save existing street trees, subject to approval by the Planning Director.
3. Replacement of Street Trees. Existing street trees removed by development projects shall be replaced by the developer with those from the Recommended Plants in Table 27-3. The placement trees shall be of size and species similar to the trees that are approved by the Planning Director.
- b. Designated Creek Protection and Environmental Buffer Areas.
    - 1. Designated stream protection areas shall be considered positive design elements and incorporated in the overall design of a given project.
    - 2. When a creek area is disturbed or without vegetation, native riparian plant materials shall be planted in and adjacent to the creek to enhance the creek habitat.
    - 3. 100-year floodplains shall be preserved to the extent practical.

- c. Access, Parking and Circulation Standards.
  - 1. Head-in on-street parking may be provided on most streets that are not designated as collectors or thoroughfares on the City's Thoroughfare Plan.
  - 2. Parking shall be provided for proposed uses in accordance with Section 24 of this Ordinance, except that the overall requirement may be reduced by 25 percent for mixed use buildings. Adjacent on-street parking may be counted toward the overall total. Required parking may be located offsite if within 500 feet of the proposed use.
  - 3. Pedestrian access. All non-residential buildings shall provide pedestrian access from the street to the building frontage in at least one (1) location. Such pedestrian access shall minimize conflicts with automobiles by such means as sidewalks.
- d. Drive-up Uses
  - 1. Drive-up uses are prohibited in the Mixed Use Overlay District, unless specifically approved on the Development Site Plan.
- e. Light and Glare Performance Standards
  - 1. Lights shall be fully shielded to minimize light trespass on residential zones. "Fully Shielded" means a technique or method of construction or manufacture which does not allow any light dispersion to shine above the horizontal plane from the lowest light emitting point of the light fixture. Any structural part of the light fixture providing this shielding shall be permanently affixed to the light fixture.
- f. Building and Screening Standards
  - 1. Buildings shall incorporate arcades, roofs, alcoves, porticoes and awnings that protect pedestrians from the rain and sun.
  - 2. At least 60% of the frontage on a Street shall have buildings within 10 feet of the front property line.
    - 3. The first floor of each building should provide retail, restaurant or service uses where practical.
  - 3. Parking lots shall not be located between the structure and street.
  - 4. Buildings shall be setback not more than 20 feet from a public sidewalk unless the area is used for pedestrian activities such as plazas or outside eating areas.
  - 5. Other Screening. Other screening and buffering shall be provided as follows:
    - a. Refuse Container Screen. Refuse containers or disposal areas shall be screened from view from any public right of way by placement of a masonry wall from six to eight feet in height. All refuse materials shall be contained within the refuse area.

- b. Service Corridor and Loading Dock Screen. When adjacent to residential uses, commercial and industrial service corridors and loading docks shall be screened. Location and design of such service areas shall reduce the adverse effects of noise, odor and visual clutter upon adjacent residential uses.

**F. DESIGN STANDARDS APPLICABLE TO SPECIFIC USES WITHIN THE DISTRICT**

- a. Design Standards for single family attached and detached residential areas:
  - 1. Buildings shall utilize at least two of the following design features to provide visual relief along the front of the residence:
    - a. Dormers,
    - b. Gables,
    - c. Recessed entries,
    - d. Cupolas,
    - e. Pillars or posts, or
    - f. Bay window (min. 24" projection)
  - 2. The garage frontage shall not occupy more than 40% of the total building frontage.
  - 3. Garages shall be recessed from the front of the structure by at least 10 feet.
  - 4. No more than five (5) adjacent detached single family homes or contiguous groups of attached single family homes may be of the same design and floor plan.
  - 5. Walls, which face a street other than an alley, must contain at least 20% of the wall space in windows or doors.
  - 6. Primary entries shall be accessed directly from the public street and sidewalk.
  - 7. Windows shall be provided with Trim. Windows shall not be flush with exterior wall treatment. Windows shall be provided with an architectural surround at the jamb.
  - 8. Flat roofs are permitted only when accompanied by a parapet.
  - 9. Exterior finishes shall be primarily masonry, stone, horizontal wood, hardyplank or other high quality wood substitute.
  - 10. Each attached or detached unit must be built on a lot that is 150% of the footprint of the unit constructed on the lot.
- b. Design Standards for Multi Family Residential Areas.
  - 1. Orientation requirements for developments:
    - a. At least 60% of the building face shall be within 20 feet of the front lot line.
    - b. Buildings which are located within 40 feet of a front yard property

line or 20 feet of any yard adjacent to a street shall have at least 25% of the wall facing the street in window or door areas.

- c. Parking areas shall not be located between buildings and the street.
  - d. Buildings shall be directly accessed from the street and the sidewalk.
  - e. Buildings shall provide a porch or balcony at the street entrance.
  - f. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor are permitted between the building and the street, and must be screened in an opaque manner such as masonry or vegetative screening.
2. Block Size. A project may not contain a block of greater than 3 acres. Projects larger than three acres shall develop a public or private street system that creates blocks of three acres or less.
3. Private Streets shall be required to contain sidewalks and street trees, and meet all other public street standards.
4. Streetscape.
- a. Street trees are required for private internal streets as well as public streets.
  - b. Front yard landscaping shall contain a mixture of ground cover, shrubs, and trees. Pine straw, bark chips, granite chips, gravel and other similar ground cover may not be a major component of the mature landscaping.
  - c. Sidewalks shall be placed along all street frontages and in the interior where appropriate for pedestrian circulation.
5. Open Space.
- a. An area equal to at least 8% of the lot area shall be dedicated to open space for recreation for use by the tenants of the development in Multi Family zones for all projects with greater than twenty dwelling units per acre.
  - b. Areas covered by shrubs, pine straw, bark mulch and other ground covers which do not provide a suitable surface for human use may not be counted toward this requirement.
  - c. Decks, patios, rooftop terraces and similar areas are eligible for open space criteria. Play areas for children are required for projects of greater than 20 units that are not designed as age limited or student housing.
6. Exterior finishes shall be primarily masonry, stone, smooth stucco, horizontal wood siding, Hardyplank or other high quality wood substitute.

7. Special Standards for Large Scale Multi Family Developments (greater than 30 units):
  - a. The same exterior design may not be used for more than 30 units in a project. A variety of compatible exterior materials use and type, building styles, massing, composition, and prominent architectural features, such as door and window openings, porches, rooflines, should be used.
- c. Development Standards for Commercial Uses:
  1. Orientation and Scale.
    - a. Buildings shall have their primary orientation toward the street rather than the parking area. Public sidewalks shall be provided adjacent to a public street along the street frontage.
    - b. Trash storage areas, mechanical equipment, and similar areas are not permitted to be visible from the street nor are permitted between the building and the street, and must be screened in an opaque manner such as masonry or vegetative screening. Gasoline pumps must be screened from the street by an "E" Bufferyard (berm or hedge), as specified in Section 27 of this Ordinance. Off-street loading areas shall be located at the rear or side of a building and shall be hidden from the street.
    - c. Buildings that are open to the public and are within 30 feet of the street shall have an entrance for pedestrians from the street to the building interior. This entrance shall be open to the public during all business hours.
    - d. Building frontages greater than 100 feet in length shall have offsets, jogs, or other distinctive changes in the building façade.
    - e. Any wall which is within 30 feet of the street, plaza or other public open space shall contain at least 40% of the wall area facing the street in display areas, windows, or doorways. Windows must allow views into working areas or lobbies, pedestrian entrances or display areas. Blank walls within 30 feet of the street are prohibited. Up to 40% of the length of the building perimeter can be exempted from this standard if oriented toward loading or service area.
    - f. Buildings shall incorporate lighting and changes in mass, surface or finish to give emphasis to entrances.
    - g. At least 60% of the frontage on a designated Main Street or within the Town and Village Centers and 40% of the frontage on a Boulevard shall have buildings within 10 feet of the front property line.
    - h. Prominent horizontal lines at levels similar to surrounding buildings shall be maintained along the street-facing side of the building.
  2. Streetscape.

- a. Hardscape (paving material), such as concrete, unit masonry, scored and colored concrete, grasscrete, or combinations of the above, shall be utilized to designate “people” areas.
3. Parking and On-site Circulation.
    - a. Parking areas shall be located behind buildings or on one or both sides.
    - b. Protected, raised walkways shall be installed through parking areas of 50 or more spaces or more than 100 feet in average width or depth.
    - c. Parking lots with 50 spaces or more shall be divided into separate areas landscaped areas or walkways at least 10 feet in width, or by a building or group of buildings.
    - d. Developments provide a pedestrian circulation plan for each block. Pedestrian walkways shall be directly linked to entrances and the internal circulation of the building.
    - e. Connections shall be made when feasible to any streets adjacent to the property and to any pedestrian facilities that connect with the property unless pedestrian and/or traffic hazards prohibit such connections.
  4. Lighting. Lighting shall include adequate lights so that pedestrian areas are illuminated with at least one half-foot candle of illumination. Light may not directly illuminate property beyond the development, except for the public right of way.
  5. Building Materials
    - a. Buildings in a commercial use area shall have exterior walls constructed of stone, brick, glass block, tile, cast metal, cast stone, smooth stucco or a combination of those materials. Buildings may not be clad in plain concrete block or plain concrete walls if visible from the front or side yard adjacent to a street. Brick Masonry shall occupy at least 50%, allowing portions of a building to be designed in decorative or split face concrete block or stucco, or high quality wood for up to 50% of the portion of the structure visible from a public street.
    - b. Metal siding shall not occupy more than 15% of a building's frontage for “C” zones, and must be finished with enamel or anodizing.
    - c. For every 80 feet of building wall there shall be a change in relief, such as columns, cornices, bases, fenestration, and fluted masonry for at least 15% of the exterior wall area.
    - d. Glass shall not be relied upon for structural integrity, and therefore, buildings may not incorporate glass for more than 50% of the building skin.

6. Signs

Signs shall be regulated in accordance with Section 25 of this Ordinance, with the exception that projecting and/or suspended signs may be allowed if approved as part of the Development Site Plan.

7. Public spaces

One square foot of plaza or public space shall be provided for every 10 square feet of gross floor area used for nonresidential use. Plazas shall incorporate sitting space, sunlight and shade, and trees. Outdoor eating areas, public art and water features are encouraged.