

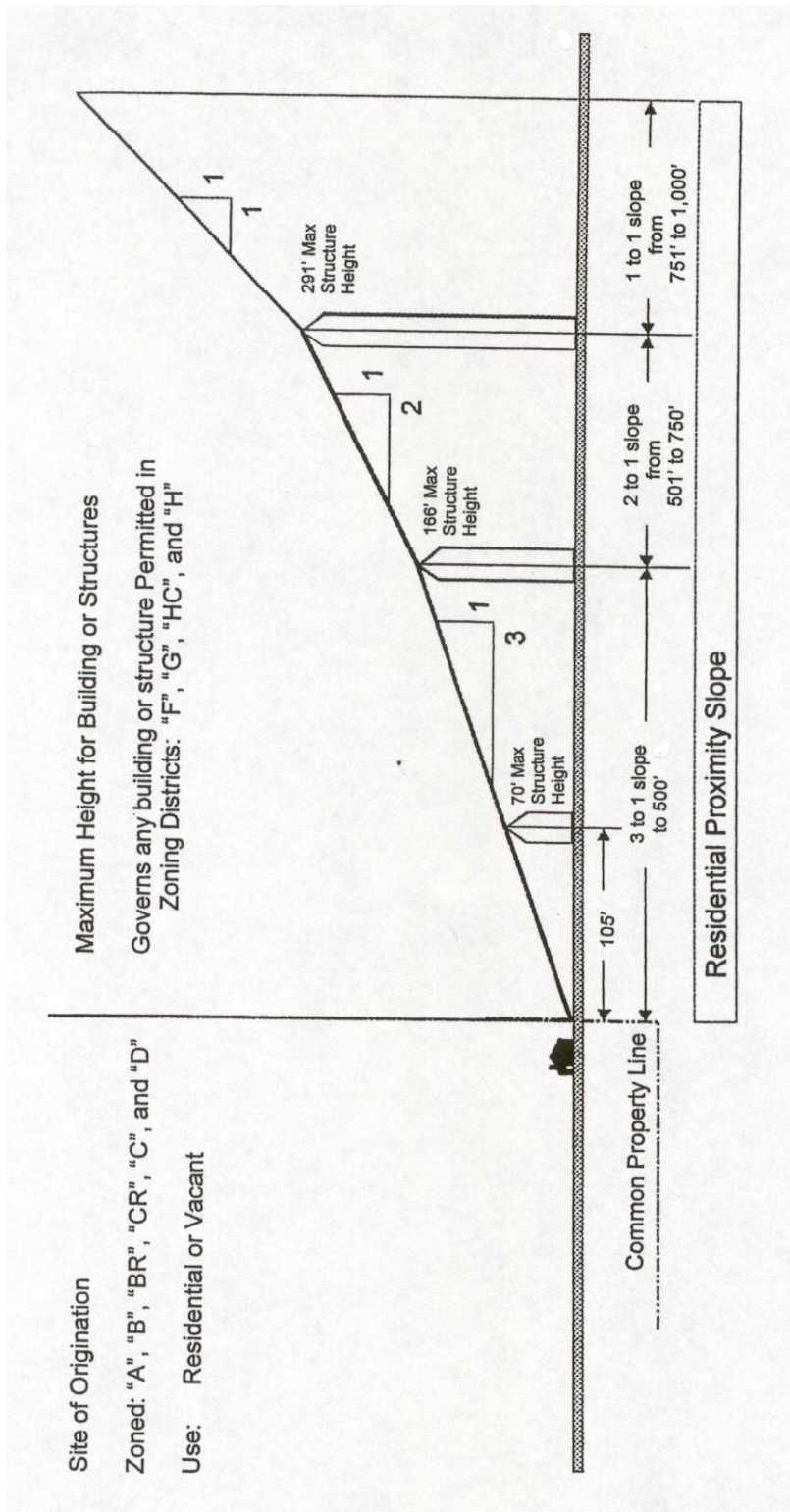
**SECTION 23
SUPPLEMENTARY DISTRICT REGULATIONS**

- A. No building shall hereafter be erected, reconstructed, altered or enlarged, nor shall any building or land be used for any purpose other than is permitted in the district in which such building or land is located.
- B. No building shall hereafter be erected, reconstructed, altered or enlarged to exceed the height or bulk limit herein established for the district in which such building is located, nor shall any building be erected, reconstructed or altered as to provide a floor space smaller than the minimum prescribed by this ordinance.
- C. No lot area shall be so reduced or diminished that the yards or other open spaces shall be smaller than prescribed by this ordinance, nor shall the density of population be increased in any manner except in conformity with the area regulations herein established.
- D. Every building hereafter erected shall be located on a lot as herein defined, and in no case shall there be more than one building on one lot, except as herein provided.
- E. **Visibility at Intersections:** On a corner lot in any district, nothing shall be erected, placed, planted or allowed to grow in such a manner as materially to impede vision between a height of two and one-half feet (2 ½') and ten feet (10') above the center line grades of the intersecting streets in the area bounded by the street lines of such corner lots and a line joining points along said street lines thirty-five feet (35') from the point of intersection.
- F. **Accessory Building:** No accessory building shall be erected in any required yard, and no separate accessory building shall be erected within five feet (5') of any other building.
- G. **Erection of More than One Principal Structure on a Lot:** In any district, more than one structure housing a permitted or permissible principal use may be erected on a single lot, provided that yard and other requirements of this ordinance shall be met for each structure as though it were on an individual lot.
- H. **Height-Setback Envelope:** The height setback envelope is a plane projected upward and outward for 1,000 feet from the property line of property zoned A, B, BR, CR, C, or D residential district. When referring to height setback envelopes, all slopes are stated as horizontal run to vertical rise. The height-setback envelope is shown in Figure 23-1, and provides for a 3 to 1 slope for the first 500 feet, a 2 to 1 slope for structures between 501 and 750 feet, and a 1 to 1 slope between 751 and 1,000 feet. There is no height limitation for structures more than 1,000 feet from a residential boundary line.

The allowable height of a structure shall be based on the elevation of the property zoned A, B, BR, CR, C or D District at the residential district property line, less any increased elevation of the height of the proposed elevation of the foundation of the structure being proposed. The allowable height of a building may be reduced because its elevation is higher than the adjacent property, but may not be increased if it is lower than the adjacent property.

Notwithstanding any other provision in this Ordinance, no structure within the City may exceed an elevation of 1,150 feet above mean sea level, nor shall any structure exceed the allowable height within the Approach/Departure Clearance Surface (Slope), the Conical Surface, or the Transitional Surface, without the express permission of the City of Benbrook and the Commanding Officer of NAS Fort Worth Joint Reserve Base.

Figure 23-1. Height-setback Envelope



- I. **Structure to have Access:** Every building hereafter erected or moved shall be on a lot adjacent to a public street, or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.

- J. Any residentially-zoned lot having less area and/or width than herein required and which was platted of record and in separate ownership at the time of the passage of this ordinance may be occupied by not more than a one-family structure. Nothing in this ordinance shall prevent the residential use of any lot platted of record prior to the effective date of this ordinance provided that all front yard, side yard, rear yard, floor area, parking and all provisions other than lot area and/or lot width are met or exceeded.

- K. In districts "E", "F", "HC", "G", and "H", not intended for residential use and where residential use is not a permitted use, living quarters may be provided for resident managers, resident security and maintenance personnel and the like provided that:
 - 1. The living quarters is clearly subordinate to the permitted use in "E", "F", "HC", "G" or "H" districts.
 - 2. The living quarters are only occupied by a manager, security, maintenance or other individual employed with full time duties on the site on which the living quarters are located. This is not intended to preclude the additional occupancy of the living quarters by family members of the full time individual employed on the site.
 - 3. The living quarters are incorporated into the design of the permitted use in such a manner that the living quarters are not perceptible as such.
 - 4. Two (2) off-street parking spaces are provided per living quarter in addition to the required parking for the permitted use.
 - 5. Not more than one (1) such living quarter shall be authorized per platted lot without prior specific approval of the Planning and Zoning Commission as a conditional use following procedures established in Section 22.

- L. **Location of Sexually Oriented Businesses:**
 - 1. No person shall operate or cause to be operated a sexually oriented business within one thousand feet (1,000') of:
 - a. a church;
 - b. a public or private elementary or secondary school;
 - c. any district zoned "RE" Residential Estates, "A" One Family, "B" One Family, "BR" One Family Reduced, "CR" Multiple Family Restricted, "C" Multiple Family, "D" Multiple Family, or "MH" Mobile Home; inhabited residence; or
 - d. a public park.

For the purposes of this provision, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure used as a part of the premises where a sexually oriented business is conducted, to the nearest property line of the premises of a church,

public or private elementary or secondary school, or to the nearest boundary of a public park or residentially-zoned district.

2. No person shall operate or cause to be operated a sexually oriented business within one thousand feet (1,000') of another sexually oriented business. For the purpose of this provision, the distance between any two sexually oriented businesses shall be measured in a straight line, without regard to intervening structures or objects, from the closest exterior wall of the structure in which each business is located.
3. No person shall cause or permit the operation, establishment, or maintenance of more than one sexually oriented business in the same building, structure, or portion thereof, or the increase of floor area of any sexually oriented business in any building, structure, or portion thereof containing another sexually oriented business.
4. A sexually oriented business lawfully operating as a conforming use after the effective date of this ordinance is not rendered a non-conforming use by the location, subsequent to the operation of the sexually oriented business, of a church, public or private elementary or secondary school, public park or residentially-zoned district within one thousand feet (1,000') of the sexually oriented business.

M. Standards for Animal Lots and Stables

1. The minimum lot area for a private animal lot and/or stable/barn shall be one acre or one acre per animal unit, whichever is greater. In no case shall more than one animal unit be kept for each acre of land available for grazing (excluding property used for structures and other nonagricultural uses.)
2. The minimum lot area for a commercial animal lot and/or stable or barn shall be five acres, or one acre for each animal unit, whichever is greater. If animals are maintained on pasture as their primary source of feed, then in no case shall more than one animal unit be kept for each acre of land available. If horses are kept inside a building at all times (excluding exercise, then the maximum number of horses permitted shall be limited to the building capacity to house, show, and ride said horses.
3. If horses are kept inside a building, then one sheltered stall shall be provided for each horse. A box stall shall be a minimum of ten feet by ten feet (10' by 10').
4. Stables, barns, corrals, areas of natural congregation (as determined by the Animal Control Officer) and piles of manure, feed, bedding shall be located at least 50 feet from any right-of-way or lot line and at least 150 feet from any adjacent existing residence to minimize odor and nuisance problems. Animal lot pasture may not extend within ten feet (10') of the lot line. Runoff containing any animal waste shall be controlled from entering onto an adjacent residential lot.

N. Standards for Telecommunications Towers and Antennae

The City of Benbrook has a goal of minimizing the number of new telecommunications towers and antennae, while balancing the needs of telecommunication providers to establish a reasonable network to provide quality service.

1. Before a conditional use permit is granted for a new telecommunications tower, the applicant must demonstrate a good faith effort to locate on an existing tower or other structure. Such effort shall be demonstrated by providing evidence that

all potential existing structures were contacted and were determined unavailable, or engineering data showing that there were no acceptable existing structures that met the grid requirements.

2. Any new telecommunications tower shall be designed to accommodate at least one additional antennae.
3. Any antenna or tower that is not operated for a continuous period of twelve (12) months shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the City notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the City may remove such antenna or tower at the owner's expense. If there are two or more users of a single tower, this provision shall not become effective until all users cease using the tower.

O. Conditions for Amusement Arcades (Indoor).

An amusement arcade (indoors) requiring an approved conditional use permit shall comply with the following:

1. Permit and certificates of occupancy: If a conditional use permit is approved for an Amusement Arcade (Indoor) prior to the commencement of business, a permit in accordance with Chapter 5.20 of the Benbrook Municipal Code, as amended, may be approved and issued by the City Secretary. Once said permit is issued, the Building Official must approve and issue a Certificate of Occupancy.
2. Location restrictions: No amusement Arcade (Indoors) may be located within 300 feet of a church, school, or hospital, measured from property line to property line.

P. Architectural Standards for Nonresidential Buildings

1. Standards that apply to all nonresidential buildings in the E, F, HC, and G Districts.
 - a. Materials: All building facades that are visible from adjoining properties and/or public streets (excluding facades facing residential property that are screened by an eight-foot masonry wall) shall be of architectural block, face brick, granite, marble, stone, cast stone, face tile, or tinted, textured or split-faced concrete masonry units. Glazing and framed glazing with less than twenty percent (20%) reflectance are considered acceptable alternatives. Tilt-up concrete construction is permitted, provided the exterior surface is textured or covered with brick, stone, or material fabricated to simulate brick or stone. Stucco and EIFS (Exterior Insulation Finished System) are permitted, provided they are located 10 feet above grade and do not exceed twenty percent (20%) of a façade area. Smooth concrete block and prefabricated metal panels are prohibited.

Glazing doors, windows and door frames, roof system trim, mansards, and similar visible exterior treatments shall be made of materials which complement construction materials. Accessory buildings shall be constructed of materials that complement the main structure. When rear facades are visible from adjoining properties and/or a public right-of-way, they shall be of a finished quality and consist of colors and materials that blend with the remainder of the building's primary facades.

A waiver may be granted to the above requirements for non-principal buildings (e.g. accessory buildings) that do not exceed twelve hundred square feet (1200 SF) in floor area. In considering such a waiver, the Planning and Zoning Commission shall consider the character of the area, the reasonableness of the requirement, and may impose conditions on the waiver to protect adjacent properties and promote community appearance.

For any non-façade walls that are not visible from adjacent property or a public right-of-way, the following materials shall be permitted:

- 1) smoothed-faced concrete block that is non-tinted or non-burnished.
 - 2) Tilt-up concrete panels that are unadorned or untextured.
 - 3) Pre-fabricated steel panels.
- b. Colors: All surfaces shall be low-reflectance, subtle, neutral or earth tone colors (such as white, tan, brown and gray.) Metallic or fluorescent colors are prohibited. Trim and accent areas may feature brighter colors, including primary colors. Accent colors on each façade shall be limited to a maximum of twenty-five percent (25%) of the faced area for logo colors and a maximum of ten percent (10%) of the facade area for other accent colors. A logo color is a color commonly used by a large retail store as an identifying characteristic.
- c. Ground-Mounted and Roof Top Mechanical Equipment
- All ground-mounted equipment shall be screened from view with masonry construction similar to the primary structure.
- All roof-mounted equipment including, but not limited to, fans, vents, air conditioning units and cooling towers shall be screened so as not to be visible at ground level from adjacent properties and/or public rights-of-way. The overall screening height shall be the height of the highest element of roof-mounted equipment. The outside of the screening device, if independent of the building façade, shall be painted or otherwise finished in a similar color to the color of the building façade, trim, or roof surface, whichever color is more effective in minimizing the visibility of the equipment and screen from ground level.
- d. Outdoor Storage, Service and Loading Areas:
- i. Areas for outdoor storage, truck parking, trash collection/compaction, loading and unloading, or other such uses shall not be visible from abutting streets, adjacent non-industrial properties and/or public/private streets. Service areas including, but not limited to, loading docks and truck courts shall be oriented away from the view of any freeway or public streets or adjacent residential zoning district or use unless screened by an eight foot (8') masonry wall extending the entire length of the service area. Such service areas shall have additional screening along the exterior side of the masonry wall in the form of evergreen landscaping which must be opaque and eight feet (8') in height within eighteen (18) months of planting.

- ii. Permanent outdoor display, sales and storage: Merchandise may be stored or displayed for sale to customers in areas contiguous to the front or side of the building. This area shall be enclosed by a minimum eight foot (8') wall of like appearance to the building or a base of like appearance to the building topped by wrought iron or tubular steel fencing with the minimum total height being eight feet. (the masonry base enclosing this area shall be at least three feet (3') in height.
- iii. Automotive service bays, overhead doors, or other service areas shall be oriented away from the view of any freeway, public street, or adjacent residential zoning district or use unless screened by a minimum eight foot (8') masonry wall.
- iv. Shopping cart storage: Shopping carts may be stored outside the front of the building provided there are no more than two cart storage areas (one on each side of the entryway). The cart storage area shall be screened with building materials substantially similar to the building facade.

2. Architectural Features that Apply to Single-Tenant Buildings over 5,000 Square Feet in Floor Area or Multi-tenant buildings with a single main entrance

a. Horizontal Façade Articulation

No building façade shall extend for a distance greater than three times the mean elevation of the wall's height without having an offset of fifteen percent (15%) or more of the wall's height. This offset shall extend for a distance equal to at least twenty-five percent (25%) of the maximum length of either adjacent plane.

b. Vertical Façade Articulation

No horizontal wall shall extend for a distance greater than three times the height of the wall without changing height by a minimum of fifteen percent (15%) of the wall's height. This height change shall continue for a minimum distance equal to at least twenty-five percent (25%) of the maximum length of either adjacent plane.

c. Additional Architectural Features

Ground floor façade walls shall incorporate the following features:

- 4) Entryway features (at least three of the five items from the following list):
 - a) Raised cornice parapets over the door, peaked roof forms having an average slope greater than or equal to a minimum 5/12 pitch, arches, or architectural details such as tile work and moldings that are integrated into the building structure and design.
 - b) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;

- c) Enhanced exterior lighting such as wall sconces, light coves with concealed light source, ground-mounted accent lights, or decorative pedestal lights;
 - d) Prominent three-dimensional entryway features projecting from the plane of the main exterior walls by a minimum of eight feet (8') and raised above the adjoining parapet wall/roof by a minimum of three feet, clock towers and other similar architectural design elements; and
 - e) Pilasters projecting from the plane of the wall by a minimum of eight inches (8") and/or architectural or decorative columns to create visual breaks and interest in the façade walls and exterior walls.
- 3) Detail Features: Building Façade Walls shall include a repeating pattern that incorporates no less than two (2) of the five elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty feet (30'), either horizontally or vertically.
- a) Color change
 - b) Texture Change
 - c) Material change
 - d) Architectural or structural bays created through a change in plane no less than twenty-four inches (24") wide such as an offset, reveal, or projecting rib.
 - e) Repetitive ornamentation including decorative applied features such as wall-mounted fixtures or applied materials. Repetitive ornamentation shall be located with a maximum spacing of 50 feet.
3. Architectural Features that Apply to Multiple-Tenant Buildings over 5,000 Square Feet in Floor Area with separate entrances for each tenant

a. Vertical Façade Articulation

No horizontal wall shall extend for a distance greater than three times the height of the wall without changing height by a minimum of fifteen percent (15%) of the wall's height. This height change shall continue for a minimum distance equal to at least twenty-five percent (25%) of the maximum length of either adjacent plane.

b. Additional Architectural Features

Ground floor façade walls shall incorporate the following features:

- 1) Entryway features (at least three items from the four in the following list):

- a) Integral planters or wing walls that incorporate landscaped areas and/or places for sitting;
- b) Enhanced exterior lighting such as wall sconces, light coves with concealed light source, ground-mounted accent lights, or decorative pedestal lights;
- c) Prominent three-dimensional entryway features projecting from the plane of the main exterior walls by a minimum of eight feet (8') and raised above the adjoining parapet wall/roof by a minimum of three feet, clock towers and other similar architectural design elements; and
- d) Pilasters projecting from the plane of the wall by a minimum of eight inches (8") and/or architectural or decorative columns to create visual breaks and interest in the façade walls and exterior walls.

2) Pedestrian Features:

- a) Arcades, covered walkways, architectural awnings, canopies or porticoes are required along one hundred percent (100%) of the primary façade and/or street facing facades.
- b) Display windows, faux windows, decorative windows or regular finestrations are required along one hundred percent (100%) of the primary façade and/or street facing façade.

3) Detail Features: Building Façade Walls shall include a repeating pattern that incorporates no less than two (2) of the elements listed below. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty feet (30'), either horizontally or vertically.

- a) Color change
- b) Texture Change
- c) Material change
- d) Architectural or structural bays created through a change in plane no less than twenty-four inches (24") wide such as an offset, reveal, or projecting rib.
- e) Repetitive ornamentation including decorative applied features such as wall-mounted fixtures or applied materials. Repetitive ornamentation shall be located with a maximum spacing of 50 feet.

4. Meritorius Exceptions

The Planning and Zoning Commission may waive any of the specific requirements of this subsection to approve alternate materials, colors, or

architectural designs that meet the City's goal of attractive, human-scale architectural style in an innovative or unique manner.

Q. Standards for Natural Gas Compression Stations

All natural gas compression stations shall comply with the following requirements:

1. Site Plan required: Prior to construction, a site plan shall be submitted for review and approval by the City Engineer and City Planner.
2. Landscaping and Screening: An F2 bufferyard (as specified in Section 27, including masonry wall) shall be installed on all four sides of the compression station pad, except for a reasonable opening on one side to allow access of maintenance and service vehicles. The bufferyard wall and/or vegetation shall be designed so that the equipment is not visible from an adjacent public roadway or residential area.
3. Noise Abatement: The masonry wall shall be designed to reduce the noise level emanating from any equipment within the compression station at any adjacent property zoned or used for residential, church, hospital or public park uses to no greater than 55 dB(A), such noise level to be measured at the property line of the protected use. The design shall account for transmitted, diffracted and reflected noise. The evaluation shall also consider the additive effects of other noise sources (aircraft, railroad, roadways) such that the addition of the compression station noise does not exceed 55 dB(A), or existing ambient noise levels, whichever is greater.
4. Signage: Signage on the site shall be limited to a single identification sign, either monument or wall mounted, not exceeding thirty-two square feet (32 SF) in area and six (6) feet in height is a freestanding sign.
5. Minimum Separation:

Notwithstanding any other provision in this Ordinance, no natural gas compression station shall be located:

- a. within 300 feet of property zoned or used for residential uses,
- b. within 600 feet of property zoned or used for residential uses unless written consent is obtained from each of the affected property owners, or
- c. within 1000 feet of a hospital, school, day care center, library, or public building.