

# COMMERCIAL (C)

## Notes:

1. A site plan is required prior to the issuance of a building permit.
2. No side or rear yard required when adjacent to a body of water or right-of-way.
3. No projection closer than 12 inches to a common property line. Projections include: roof eaves (up to 36 inches) window sills, belt courses, and other architectural features.
4. Sign, fence, and wall regulations apply.
5. Boat slips, boat docks, shade covers, or decking constructed over water do not require a setback provided the improvement built over water is part of the platted lot.
6. One-family attached dwelling units require a 0-foot rear yard setback when abutting another one-family attached dwelling.
7. Accessory structures shall be limited to the provisions in Sec. 3.305.
8. Unlimited height from the east property line of Stewart Beach and eastward.
9. Zoning setbacks may be inconsistent with Building Code. Refer to Building Division to determine final building and fire code setbacks.
10. Any outdoor storage areas accessory to the main use shall be enclosed by a solid masonry or concrete wall, or a wood fence and shall not be less than 6 feet nor more than 8 feet in height.



## Minimum Lot Standards

Area:	0 square feet
Width:	40 feet
Depth:	100 feet

## Setbacks

Front:	0 feet; On Broadway (between eastside of 23 <sup>rd</sup> St. and west side of 19 <sup>th</sup> St., and the 2300 to 2600 blocks) a 25-foot to 45 foot build-to-line is required
Side:	5 feet
Rear:	0 feet; 10 feet if development abuts a residential zone

## Building Height

Maximum:	50 feet, measured from base flood elevation
----------	---

## Parking\*

Residential:	Minimum 1.5 per unit
Multi-Family:	Minimum 1.5 per unit
Non-Residential:	Minimum 1 per 300 square feet of floor area
Lodging:	Minimum 1 per unit
Parking Location:	Rear of building - the Director may approve alternate design when parking in the rear not feasible (Sec. 8.302)

*\* See note #14 for properties located 2600-2700 Block of Market/Avenue D and 2600 block of Mechanic/Ave C*

## Landscaping

Refer to Article 9, Landscaping of the City's Land Development Regulations.

# COMMERCIAL (C)

## Notes (cont.):

11. Commercial District Fence Regulations. Maximum height of a fence is 8 feet. Fence must be constructed in a workmanship manner. Horizontal and vertical support posts are inside of the fence area or otherwise hidden from both the neighbor's and public's view. Fences with a shadow-box design shall be considered to hide support posts. No more than two different types of fencing material are permitted. Property owners shall be responsible for the maintenance of the fencing on their property and for removal of any fence if it becomes unsightly or a menace to public safety, health, or welfare. Fences shall be maintained in an upright condition. It shall be the responsibility of the property owner to ensure that a fence does not block or obstruct the flow of storm water. Corrosive resistant material required.
12. **BROADWAY BOULEVARD DESIGN STANDARDS (19<sup>th</sup> Street to 61<sup>st</sup> Street and 61<sup>st</sup> Street to Causeway).** (ORD. 19-043)
  - a. **Cross access easement required.** If access provided from Broadway Boulevard, maximum of two curb cuts, maximum curb cut width is 25 feet.
  - b. **Vending machines and vending kiosks** visible from Broadway Boulevard right-of-way are prohibited.
  - c. **Vehicle Access:** Where alternative access available, access prohibited from Broadway.
  - d. **Fencing Prohibited:** Fronting on Broadway Boulevard.
  - e. **Residential Fencing Maximum Height:** 42 inches solid fence; 80 inches open fence design. Barbed wire and chain link prohibited.
  - f. **Exceptions to fence regulations:** A protective barrier of 30 inches height and located behind a solid landscaped screen. Fences existing on the date this ordinance passed. Parking lots associated with hotel/motel resort developments. Barbed wire and cyclone fences installed prior to the adoption of this ordinance.
  - g. **Building Massing and Scale**
    1. Integrate new developments with the relevant character, massing, scale and form of buildings on Broadway Boulevard. Building Facades shall be designed with a distinct base, middle, and top. The maximum building height shall not to exceed three stories or 45 feet, whichever is more restrictive.
    2. Corner buildings may exceed the maximum building height by 25% for 20% of the building's frontage along each corresponding street facade.
    3. Featured corner or vista terminating tower elements, tower time clocks and varied height parapet walls at the building facade are permitted and shall be exempt from the height limit so long as they are no taller than 25% of the height of the building.
  - h. **Building Orientation**
    1. Buildings shall be oriented towards Broadway Boulevard. Primary entrances to buildings shall be located on Broadway Boulevard.

# COMMERCIAL (C)

## Notes (cont.):

2. Build-to-line – seventy percent (70%) of commercial buildings shall be located at Broadway Boulevard property line.
  3. Build-to-zone – Single Family Residential Structures shall be located within the Build-to Zone, the build-to-zone shall be the area between the property line abutting the Broadway Ave. right-of-way and a parallel line fifteen feet into the lot from the property line abutting the Broadway Ave. right-of-way.
  4. Side yard setback(s) shall be zero (0) with fire rated walls.
- i. **Encroachment(s)**
1. Canopies, signs, awnings, balconies and similar overhangs may encroach over any required setbacks or the sidewalk as long as the vertical clearance is a minimum of 8 feet. In no case shall an encroachment be located over an on-street parking or travel lane.
- j. **Exterior Ramps and Stairs**
2. When required, ramps shall be oriented perpendicular to the primary facade in order to minimize the visual impact and pedestrian accessibility of the primary facade.
  3. Exterior stairs steps shall be located towards the primary entrance along the primary facade and connect with the public sidewalk for ease of pedestrian access.
- k. **Grade Changes**
1. Maximum grade changes from Broadway to 30-foot setback from property line shall not exceed 30 inches based upon a 6 inch plus 1 in 20 slope up to a maximum rise of 24 feet (Please see diagram A).
  2. Maximum grade change from side street (north-south streets) to 10-foot setback from property line shall not exceed 18 inches based upon a 6 inch curb height plus 1 in 20 slope up to a maximum rise of 12 inches (refer to diagram b).
  3. Additional elevation height changes to comply with minimum flood elevation shall occur with an accessible ramp, stairs, or Texas Accessibility Standards (TAS) code approved methods. Refer to facade design guidelines section of Broadway Design Guidelines for further requirements for exterior stairs and ramps.
  4. Additional/steeper grade height changes may occur within the property lines outside the stipulated setback areas. Grade changes must comply with TAS.
- l. **FEMA Flood Elevation (Dry Floodproofing)**
1. Dry Floodproofing – In accordance with 44CFR 60.3 Floodplain Management Criteria for flood prone areas. § (C)(3)(4) non-residential structures will have the lowest floor below the Base Flood Elevation (BFE) dry floodproofed and certified by a registered professional engineer the structure is watertight below the base flood elevation.
  2. Elevated – Stairs or ramps (internal or external) may be used to mitigate higher differentials between grade level and the active first floor of an elevated structure. To prevent structures from eliminating the connection to a sidewalk, fenestrations and/or entrances shall be brought down to the pedestrian level. Use of human scaled architectural elements including landscaped berms, stoops, porches, and articulated facades can be incorporated into the structure’s design to preserve Broadway’s familiar streetscape.

# COMMERCIAL (C)

## Notes (cont.):

### m. **Parking**

1. Parking on Broadway Blvd shall not exceed 1 space per 150 sq. ft. of gross floor area.

### n. **Pedestrian Zone**

1. Along all street frontages, sidewalks shall be installed. Broadway – six foot landscape strip/street furniture zone at back of curb with an eight foot wide sidewalk; or a twelve foot sidewalk at back of curb.
2. Along all street frontages – an eight foot wide sidewalk shall be installed at back of curb.
3. Seventy percent (70 %) of the building frontage on shall provide a shaded structure.

### o. **Service Elements**

1. Service elements such as trash dumpsters, utility meters, backflow preventers, electrical, plumbing, mechanical, and communications equipment shall be located away from a street front. All service elements shall be situated and screened from view to the street and adjacent properties.

### p. **Windows and Spacing**

1. At the first story, facades along a frontage line shall have frequent windows glazed with clear glass no less than seventy percent (70%) of the corresponding street level facade.
2. There shall be corresponding street frontage facade.
3. There shall be no blank walls greater than 10 feet in width along any street frontage facade.
4. Subdivide large areas of glazing with 8 inch wide walls or frames to complement and express the architecture of the building.
5. Mirror, tinted, and reflective windows are prohibited.

### q. **Auto-Related Businesses (*Between 19<sup>th</sup> Street and 65<sup>th</sup> Street*)**

1. All auto-oriented businesses, including low speed vehicles, (golf carts, recreational vehicles) shall operate (including display) within an enclosed structure.

## 13. **SEAWALL BOULEVARD DESIGN STANDARDS (South Jetty east to Condo Road; Condo Road west to 39<sup>th</sup> Street; 39<sup>th</sup> Street west to 61<sup>st</sup> Street; 61<sup>st</sup> Street west to Cove View Boulevard).**

- a. **Fencing:** Prohibited within area between the north right-of-way line of Seawall Boulevard and south façade of building.
- b. **Residential Fencing Maximum Height:** 42 inches solid fence; 60 inches open fence design.
- c. **Vending Machines:** attached to permanent structure, meet setbacks, proper ventilation (i.e. phones, ice machines, water, soft drinks, etc.)
- d. **Buffering/Screening** between commercial/lodging uses and residential zones and uses: A 4 foot wide landscaped strip and a 5 foot solid all or fence along all common property lines including rear property lines separated by right-of-way.
- e. **Maximum Driveway Width:** A maximum driveway width of 30-feet is permitted for all properties. A minimum of 30-feet must be maintained between each drive of the same use and/or property.

## 14. Properties located on the 2700 block of Market/Avenue D, lots north on Market/Avenue D between 27<sup>th</sup> Street and 26<sup>th</sup> Street and lots on the 2600 block of Mechanic/Avenue C – No Parking Requirement. (Ord. 16-037)