MIXED-USE TRANSIT-ORIENTED
DEVELOPMENT ZONE DISTRICT STANDARDS:

KEY ISSUES AND OPTIONS
Prepared for the North Central Texas Council of Governments
And the City of Cedar Hill, TX
Public Discussion Draft/September 2014
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MIXED-USE TRANSIT-ORIENTED DEVELOPMENT DISTRICT STANDARDS: KEY ISSUES AND OPTIONS

Introduction

Over the past decade, the Dallas-Fort Worth region has been pursuing development of a regional rail transit network that has rail stations in twelve cities in a service area that includes a population of 2.2 million residents and two million jobs. The region’s long-term transportation plan—Mobility 2035-2013 Update—identified a new rail station near the Cedar Hill, Texas, central business district. According to the 2010 Census, the city has approximately 45,000 residents, and the new station will connect the community to the regional transit network.

In anticipation of construction of the new station and access to transit, Cedar Hill has undertaken a comprehensive planning process for its city center. Among other key elements, that plan calls for a major mixed-use transit-oriented development (TOD) district around the future transit station. One of the plan’s key implementation elements calls for a smart growth audit of the city’s zoning ordinance followed by revisions to ensure it supports TOD around the new station.

As part of this implementation effort, the North Central Texas Council of Governments (NCTCOG—the region’s Metropolitan Planning Organization) and the City of Cedar Hill applied for and were awarded a smart growth technical assistance grant from the Environmental Protection Agency (EPA) through Smart Growth America, a national non-profit organization. As the focus of that technical assistance, Smart Growth America, in association with Clarion Associates, a national planning and land use firm based in Denver, have drafted this document for Cedar Hill and NCTCOG. It discusses key issues and options related to TOD development standards. It also sets forth a preliminary audit of the Cedar Hill zoning ordinance to identify potential amendments to implement the City Center plan and encourage TOD. Additionally, NCTCOG plans to share this information with other communities in the region who have or will have transit stations in their jurisdictions.
What Is Transit-Oriented Development

Transit-oriented development, or TOD, is an approach to physical development of a community that leverages the unique opportunities provided by access to high-quality public transportation.\(^1\) TOD is generally defined as development close to transit stations or transit stops—usually within walking distance of ¼ to ½ mile—that is compact, mixed-use, pedestrian-friendly, and well-integrated with transit.\(^2\) TOD zoning districts and associated standards provide a way to promote and guide development around existing or future transit stations so that people from all walks of life can conveniently get to places at which they live, work, shop, and play by transit, walking, and bicycling rather than solely by automobile. The full benefits of a TOD district typically occur over time, as the district develops and evolves to market conditions. Such benefits include:

- Reducing combined housing and transportation costs for households by providing diverse housing options and alternatives to automobile travel;
- Creating cohesive, yet diverse, neighborhoods with increased economic and cultural opportunities, contributing to greater livability and a healthier local economy;
- Encouraging healthier lifestyles by creating a pattern of development in which biking and walking are part of everyday travel behaviors;
- Reducing vehicle miles traveled, dependence on fossil fuels, and associated greenhouse gas emissions;


\(^2\) Transit-oriented development is defined by NCTCOG as a style of land planning and building orientation that encourages pedestrian activity that results from a passenger rail station. The boundary of the TOD can extend as least from a quarter- to half-mile radius around a passenger rail station depending on the walkability of the area. The ideal development is mixed use, and the area is designed to encourage biking/walking from the station and surrounding area to the development. A network of roadways, bike lanes, and sidewalks connect the developments to the station.
- Reducing the costs of delivering public services by encouraging infill and redevelopment in areas with existing infrastructure;
- Providing a more compact development pattern that helps preserve open space and natural resources elsewhere in the community or region;
- Encouraging a more sustainable transportation system over the long term by creating viable options for people to get to destinations by other than the automobile;
- Reducing reliance on building new roadways or widening existing roadways to meet transportation needs as a community and region continues to grow; and
- Taking advantage of and facilitating public investments in transit infrastructure, enabling more efficient servicing of community and regional transportation needs.³

Transit In The Dallas-Fort Worth Region

The region’s long-term transportation plan, Mobility 2035-2013 Update, identified a new rail station in Cedar Hill as depicted on the accompanying map. NCTCOG projects the station to be developed in the next 20 years or as funding is identified.

Transit-Oriented Development Key Issue Overview

This document discusses key smart growth principles and issues involved in the drafting of TOD zoning standards. It also provides options for addressing those issues that include:  

- **Use Mix:** Within walking distance of the transit station, concentrate a mix of complementary land uses that discourage auto-oriented uses and:
  - Are well-integrated;
  - Create active and secure pedestrian-friendly environments;
  - Promote balanced level of transit ridership throughout the day; and
  - Reduce reliance on the automobile.

- **Development densities and intensities:** Accommodate and encourage higher development intensities that:
  - Contribute to higher rates of transit ridership;
  - Support retail shops and services;
  - Provide an enhanced tax base; and
  - Reflect acceptable development investment risks.

- **Transportation Circulation:** Provide for circulation patterns relationships that:
  - Form a safe, convenient, and accessible network for all modes of transportation;
  - Interconnect streets, walkways, and bikeways throughout the district and its surrounding development;
  - Maximize connectivity between adjacent developments; and

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4 Portions of this document are taken from a TOD white paper and model ordinance prepared by Clarion Associates for the Capitol Region Council of Governments in Hartford, CT, as part of that region’s Sustainable Land Use Code Project.
• Provide direct connections to the transit station.

• **Parking:** Apply parking management strategies that:
  
  o Reflect the reduced vehicle parking demand inherent in transit-oriented and mixed-use developments;
  
  o Provide for increased bicycle parking; and
  
  o Make parking a “utility” provided at a district level rather than a requirement of individual development on a parcel-by-parcel basis.

• **Development and Design Standards:** Create an enhanced environment around the transit station that:
  
  o Is attractive, safe, and orderly;
  
  o Organizes public and private spaces to invite pedestrian activity and social interaction in comfort and security; and
  
  o Encourages building facades and orientation that reinforce the human scale of a pedestrian environment and enhance pedestrian routes.

### Types of TOD Zone Districts

TOD zone districts can be categorized in a variety of ways. Like other activity centers, they can be distinguished by the relative scale and character of the area that supports their retail, service, and employment uses—e.g., neighborhood/community/regional/super-regional centers. TOD districts can also be characterized by the type of transit that serves them—e.g., heavy rail transit, light rail transit, bus rapid transit. Transit type often determines the type, spacing, and intensity of station areas, as well as their service area. Furthermore, TOD districts can be distinguished by community context—e.g., urban/transitional/suburban. Most communities with multiple types of TOD districts use a composite approach to categorizing them.

For example, Florida’s TOD guidelines categorize TOD place types and their target intensities and characteristics in terms of a matrix of activity centers types (regional, community, neighborhood) and transit types (heavy rail, commuter/light rail, bus rapid transit/bus).\(^5\) TOD guidelines adopted by the Metropolitan Atlanta Rapid Transit Authority (MARTA) categorize TOD district in terms of six TOD station typologies: Urban Core, Town Center, Commuter Town Center, Neighborhood, Arterial Corridor, Special Regional Destination, and Collector.\(^6\) Some New Urbanists identify the following TOD types: Urban

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Downtown, Urban Neighborhood, Suburban Town Center, Suburban Neighborhood, Neighborhood Transit Zone, and Commuter Town Center.7 The Center for Transit-Oriented Development categorizes TODs and their target intensities and characteristics in terms of eight TOD place types: Regional Center, Urban Center, Suburban Center, Transit Town Center, Urban Neighborhood, Transit Neighborhood, Special-Use/Employment District, and Mixed-Use Corridor.

The characteristics that most commonly distinguish TOD types within these categorization schemes based on physical form is the range of development intensity (usually expressed in terms of residential density or maximum lot coverage or floor area ratio for non-residential) and the mix of land uses allowed or required. Although TOD districts focused on the type of transit can be found in the TOD categorization schemes noted above and in several model and actual TOD district regulations, there were few if any standards other than use mix and intensity/density standards that differentiated such districts. Other key standards related to issues such as parking, circulation, and design were quite similar.

With this in mind, SGA and Clarion Associates project staff reviewed the Cedar Hill City Center Development Plan and its accompanying market study and discussed the planned transit station locale with city and NCTCOG staff. Based on the City Center market study and experience at other rail transit stations in the Dallas-Fort Worth Region, Cedar Hill’s planned station will likely be surrounded by development of low- or moderate-intensity (7-35 dwelling units/acre and floor-area ratios of 0.5 to 4.0) and in a suburban context8 Example stations include Farmers Branch, Carrollton and those pictured below, Downtown Plano, Trinity Mills, Downtown Rowlett, and Downtown Garland (Image source: DART and NCTCOG). Thus the key issues and options presented in this document are designed for this predominant type of TOD district that is most likely to be appropriate in both the town centers of the region’s smaller municipalities such as Cedar Hill or the suburban areas of the region’s larger municipalities such as Plano, Garland, Carrollton, and Richardson.

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8 The City Center market study which encompasses an area substantially larger than the TOD station area, foresees a demand for 1,000+ apartments by 2023 in “urban streetscape-focused building formats.”
Transition to Transit-Supportive Development

The discussion of key issues and options for transit-oriented development zone districts that follows is intended to accommodate and encourage the type of transit supportive development appropriate around existing or planned transit stations. For some municipalities in the region like Cedar Hill, transit service will be a few years down the road. However, that is no reason not to plan for and facilitate the transition of current development into transit-supportive development once transit becomes available. For example, where a transit
station is planned for a particular site, but transit service is not yet available, the higher-intensity development with reduced parking that will be suitable for the future may not be appropriate immediately. This document, therefore, discusses supplementary regulations that incorporate standards limiting limit pre-transit development to reflect existing conditions, but ensure that such projects are located and built in a manner that facilitates future transition to a fully TOD-supportive development.

**Current Transit Station Area Zoning Regulations In Cedar Hill**

The planned transit station in Cedar Hill is currently subject to two sets of zoning district regulations. The base zone district LR-Local Retail is set forth in Section 3.12 of the zoning ordinance. This designation allows a wide range of local and regional retail uses, both small-scale and large, including regional shopping malls and big box retail stores. There is no maximum lot coverage and a maximum height is six stories. The minimum front yard setback is 20 feet. No residential uses except college dormitories are allowed and warehousing and wholesale establishments are prohibited.

The transit station area is also governed by the UT-Uptown Overlay District regulations that are found in Section 3.14 of the zoning ordinance. The purpose of these regulations, which cover an area substantially larger than the transit station environs, is “to create a thriving mixed-use area that builds on, and enhances, Cedar Hill’s unique character as a friendly and family-oriented Texas town.” The regulations seek to extend the character of the historic downtown into the Uptown Area depicted in the Uptown overlay map below by providing an extension of pedestrian and vehicular connections to the historic downtown. Additionally, the regulations are “intended to accommodate contemporary developments needs for retail and commercial uses.”

Site plans that must be reviewed by the planning and zoning commission and city council are required for all new development. Additionally, the regulations require an advisory review by an architectural review board. Only uses permitted in the underlying base zone district are allowed. Most dimensional standards are governed by the base district, although side and rear setbacks are reduced for smaller buildings and there is a ten-foot build-to line on roads with rights-of-way less than 65 feet. The district includes a variety of supplemental development and design standards, particularly addressing building materials, façade articulation, and other aspects of large retail big box stores. Other regulations address parking lot location and landscaping, reduced front yards, and screening of mechanical equipment and outdoor storage.

Reportedly, the overlay district has not been successful in accomplishing the stated goals of promoting mixed-use development for a variety of reasons, including the granting of variances from district standards and lack of consistency in application of such standards. Similarly, it appears that the site planning requirement for all projects may be a disincentive since it involves additional and potentially lengthy city reviews.
Key Issues and Options for Transit-Oriented Development District Standards

PURPOSE STATEMENTS

Purpose statements in zoning ordinances are important to make clear the reasoning behind and basis for standards and regulations that follow. As discussed above, the purpose of a TOD zone district is to promote the establishment of identifiable, vibrant, and transit-supportive activity centers around existing and proposed transit stations—centers that will foster economic growth and development, reduce automobile dependency and the resultant roadway congestion and air pollution, and provide opportunities for alternative modes of travel. The following is a menu of purposes that can be adapted to local conditions and plans:

- Encourage a dynamic live/work/play environment that serves as an economic driver for the community;
- Include a well-integrated mix of complementary high-activity uses—including transit-supportive commercial, residential, civic, and employment uses—within walking distance of each other and the transit station;
- Provide multiple, direct, and safe vehicular, bicycle, and pedestrian connections between the transit station and the surrounding uses;
- Incorporate buildings, open spaces, and other site elements that are arranged and designed to create an inviting, walkable, safe, socially-interactive, and human-scale environment that is compatible with other development in the district;
- Include distinctive, attractive, and engaging public spaces that help create an identity and sense of place for the station area;
- Provide a range of housing options for people of different income levels and at different stages of life;
- Provide sufficient parking to accommodate transit users and district visitors and residents, but not excessive or extensive parking that could unduly detract from the district’s pedestrian-oriented character;
- Incorporate building reuse and infill where appropriate;
- Connect to, complements, and is compatible with surrounding neighborhoods; and
- Is consistent with community plans and policies.

The TOD District consists of two subdistricts. The TOD Core Subdistrict is intended to accommodate compact, high-intensity, and mixed-use development close to the station that features retail, service,
employment, and other high-activity uses. The surrounding TOD Ring Subdistrict is intended to accommodate development that is of a lower intensity than the core and is dominated by residential or employment uses with supporting retail, service, and civic uses, and that provides appropriate connections and transitions to surrounding development.

*Cedar Hill Ordinance Audit*

While there is some language in the purpose statement for the Uptown Overlay District promoting mixed-use development, overall the wording is weak and relates primarily to retail and commercial uses. The purpose statement in the Local Retail District is completely focused on commercial development. An entirely new purpose statement, drawing from the sample above and tailored to Cedar Hill, is warranted for any new TOD zone district.

**TOD SUBDISTRICTS**

We typically recommend the division of a TOD zone district into subdistricts to recognize that although ½ mile is considered a convenient 15-minute walking distance for many people, most are much more willing to forego their automobile and walk if their destination is within ¼ mile. The success of a TOD district, therefore, generally depends on concentrating most of the district’s activities and destination points within ¼ mile of the transit station. We call this the Core Subdistrict. The area outside the core but within ½ mile of the station is called the TOD Ring Subdistrict.

Using subdistricts is an efficient way of both applying general TOD standards throughout the TOD District and applying intensity and development standards that go a step further in promoting and accommodating pedestrian activity in the core area immediately around the transit station.\(^9\)

There are several alternatives to using subdistricts. One would be to have two separate zone districts. Another, suitable for less intense TOD districts, where the difference between what would be appropriate in a core district and a ring district might be less significant, would be to apply a single set of use, density, and design standards throughout a single TOD District. This may be an appropriate option for Cedar Hill.

*Cedar Hill Ordinance Audit:*

Neither of the two zone districts that apply to the Cedar Hill station area appear to be up to the task of promoting mixed-use transit-oriented development. Both focus primarily on commercial development and allow some uses inappropriate in a station area (e.g., large-scale big box stores), restrict other

\(^9\) In some circumstances, additional subdistricts might be warranted. For example, topographic or other special conditions such as presence of a creek or highway may divide the district into multiple areas. Also, if a community has a well-functioning circulator bus system, areas further from the transit station may be suitable for inclusion as subdistricts.
desired uses such as residential, and do not allow the intensity or density of development necessary for a successful TOD. A new district or districts should be considered as discussed above.

**USE STANDARDS**

Zoning ordinances use a variety of ways to identify those uses allowed by right in particular zoning districts, uses that are allowed only with a special or conditional use permit, and uses that are prohibited. Use section of zoning ordinances also set forth the standards or conditions under which certain uses are allowed.

Generally, preferred uses in a TOD zone district include higher density housing, pedestrian-oriented retail uses, and intense office uses. Uses that are less intense and take a good deal of space so that development is spread out rather than compact—such as big-box retail stores, sprawling shopping centers, and large open space parks and recreational areas—are usually discouraged. Similarly, auto-oriented uses like parking lots, car dealers, and drive-through facilities that may inhibit pedestrian activity are often prohibited or tightly controlled.

Experience demonstrates that to encourage transit-oriented development, most uses allowed in a TOD District should be allowed by right rather than require the type of time-consuming planned unit development or rezoning review used in many ordinances. Site planning requirements such as those in the Uptown Overlay District with its multiple review layers might also be reduced or eliminated if development standards are clear enough. In many communities, design review is conducted entirely by staff or by a planning commission.

Set forth below is a sample TOD use table that identifies potential allowable uses, special uses, and prohibited uses.

**PRINCIPAL USES**

**Sample Table of Allowed Principal Uses**

This use table list uses by use classification (rows shaded light blue), use category, and use type to facilitate interpretations of what use type (if any) a particular proposed land use activity falls under, as well as the application of subsequent use-specific and development standards. Recognizing that zoning ordinances vary considerably in how they identify allowable and prohibited uses, the use types listed in the table are relatively general—just specific enough to indicate the range of uses within the various use categories and to address uses that are particularly important in a TOD zone district or call for specific standards to make them appropriate in a TOD zone district. For other purposes, a community using or incorporating such a use table may wish to include a different breakdown of use categories or additional use types, or to break up certain uses by size or capacity thresholds.
### Table 1: Allowed Principal Uses

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Use Type</th>
<th>TOD Core</th>
<th>TOD Ring</th>
<th>Use-Specific Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mixed-Use Development</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mixed-use development</td>
<td>Live-work unit</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other residential over nonresidential</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other mixed-use development</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><strong>Residential Uses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Household Living Uses</td>
<td>Single-family dwelling</td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Two-family dwelling</td>
<td>X</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Three- or four-family dwelling</td>
<td>X</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Multifamily development</td>
<td>S</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Townhouse development</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Group Living Uses</td>
<td>Group living</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><strong>Public and Institutional Uses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Community Service Uses</td>
<td>Adult day care facility</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Child day care facility</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Community center</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Library</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Museum</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Educational Uses</td>
<td>Business/trade/vocational school</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>College/university</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

10 Such dwellings (also called triplexes and quadplexes) are commonly treated as multifamily dwellings. However, a community should consider treating these housing types separately—whether to allow them as appropriate infill development in a lower-intensity TOD Ring Subdistrict (to promote greater variety in housing types and costs), or to prohibit them in a higher-intensity TOD Core Subdistrict (to better ensure pedestrian activity along street frontages).
### Table 1: Allowed Principal Uses

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Use Type</th>
<th>TOD Core</th>
<th>TOD Ring</th>
<th>Use-Specific Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Government Uses</td>
<td>Elementary/ middle/high school</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Courthouse</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fire/EMS station</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Police station</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Government maintenance facility</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Government administration offices</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Post office</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Medical uses</td>
<td>Hospital</td>
<td>S</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other medical facility</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Open Space Uses</td>
<td>Cemetery</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Community garden</td>
<td>P(^{11})</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Park or greenway</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Public square or plaza</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Transportation uses</td>
<td>Transit station</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Park-and-ride facility(^{12})</td>
<td>S</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Utility uses</td>
<td>Major utility facility</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Minor utility facility</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Telecommunication tower</td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Other Public and Club/lodge</td>
<td>Club/lodge</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
</tbody>
</table>

\(^{11}\) Community gardens generally are too land-intensive to be appropriate in a TOD Core, but would be appropriate if located on a building’s rooftop or as a temporary use of a vacant lot pending its development. Provisions limiting community gardens in TOD Core Subdistricts to such circumstances should be incorporated in any use-specific standards for community gardens.

\(^{12}\) Location of off-street parking facilities is a key issue in Cedar Hill to be discussed in greater detail at the workshop.
<table>
<thead>
<tr>
<th>Use Category</th>
<th>Use Type</th>
<th>TOD Core</th>
<th>TOD Ring</th>
<th>Use-Specific Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Institutional Uses</strong></td>
<td>Place of worship</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td><strong>Commercial Uses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Animal Care Services</td>
<td>Kennel</td>
<td>X</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Veterinary clinic</td>
<td>S</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Eating/Drinking Establishments</td>
<td>Bar/lounge</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Restaurant</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Specialty eating/drinking establishment</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Entertainment/Recreation Uses</td>
<td>Cinema</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arena/stadium</td>
<td>S</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Auditorium/stage theater</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Commercial recreation facility</td>
<td>Indoor</td>
<td>P</td>
<td>P</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Outdoor</td>
<td>X</td>
<td>S</td>
</tr>
<tr>
<td></td>
<td>Country club/golf course</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Office Uses</td>
<td>Non-service-oriented offices</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Service-oriented offices</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Retail Sales and Service Uses</td>
<td>Bank or financial institution</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Funeral home</td>
<td>X</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lawn care, pool, or pest control service</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Personal services establishment</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Plant nursery</td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td>Use Category</td>
<td>Use Type</td>
<td>TOD Core</td>
<td>TOD Ring</td>
<td>Use-Specific Standards</td>
</tr>
<tr>
<td>------------------------------------</td>
<td>----------------------</td>
<td>----------</td>
<td>----------</td>
<td>------------------------</td>
</tr>
<tr>
<td><strong>Shopping center</strong></td>
<td><strong>GFA ≤ 150,000 sf</strong></td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>GFA &gt; 150,000 ≤ 400,000 sf</strong></td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>GFA &gt; 400,000 ≤ 800,000 sf</strong></td>
<td>P¹⁴</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>GFA &gt; 800,000 sf</strong></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Other retail sales and service use</strong></td>
<td><strong>GFA ≤ 50,000 sf</strong></td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>GFA &gt; 50,000 ≤ 100,000 sf</strong></td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>GFA &gt; 100,000 sf</strong></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td><strong>Sexually Oriented Businesses</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹³ As a multi-tenant retail sales and service development, shopping centers allow customers to shop at a number of stores without having to drive out onto the streets. Although shopping centers traditionally consist of spread-out, single-story buildings with a large parking lot, they are increasingly multistory with structured parking. Shopping centers commonly are identified as neighborhood, community, regional, or superregional shopping centers, usually distinguished by floor area thresholds such as those shown in the table. Shopping centers might alternatively be distinguished by building footprint thresholds, or by both floor area and footprint thresholds. Doing so recognizes that large multistory shopping centers might be beneficial to establishing the high-intensity activity desired for the core area of an urban TOD district without diminishing its pedestrian-oriented character. Distinguishing of shopping centers may be done in the use table, in the definitions of the various shopping center types, or in the use-specific standards for a shopping center use.

¹⁴ As noted above, a traditional large shopping center would be inappropriate in a TOD Core Subdistrict, but might be appropriate if the floor area were stacked in a multistory building.

¹⁵ This distinguishes general retail sales and service uses in terms of gross floor area based on the observation that large, single-tenant retail sales and service stores (“big box” retailers) tend to be very auto-oriented, with large surface parking lots—and thus inappropriate in pedestrian-oriented TOD districts. As with shopping centers, these might alternatively be distinguished by building footprint thresholds, though big box retail stores (whether a department, wholesale, grocery, or home supply store) are unlikely to be multistory.

¹⁶ Identification and treatment of sexually oriented businesses (or adult uses) varies among communities. Some communities may find it necessary or acceptable to allow these uses in the TOD district, but should consider subjecting them to spacing or other use-specific standards targeted toward addressing safety concerns and preventing the TOD district from becoming a ‘red-light district.”
Table 1: Allowed Principal Uses

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Use Type</th>
<th>TOD Core</th>
<th>TOD Ring</th>
<th>Use-Specific Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Vehicle/ Equipment Sales and Service Uses</td>
<td>Automotive painting or body shop</td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Automotive repair and service</td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Automotive sales or rental</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Car wash</td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gas station</td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parking lot (as a principal use)</td>
<td>S</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Parking structure (as a principal use)</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Self-service storage facility</td>
<td>X</td>
<td>S</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxi or limousine service facility</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tire sales and mounting</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Truck/recreational vehicle sales, rental, or service</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Visitor Accommodation Uses</td>
<td>Bed and breakfast inn</td>
<td>X</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hotel or motel</td>
<td>P</td>
<td>P</td>
<td></td>
</tr>
<tr>
<td>Industrial Uses</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Industrial Service Uses</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Manufacturing and Production Uses</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Warehousing and Freight Movement Uses</td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

17 Most industrial uses have a scale and impacts that make them inappropriate in a pedestrian-oriented TOD district. Thus this table does not identify the many use types that might fall under each of the use categories. Some communities, however, may find it desirable to allow certain small-scale industrial uses in TOD districts—e.g., craft or artisan industry uses, particularly where they have a retail sales component.
**Table 1: Allowed Principal Uses**

<table>
<thead>
<tr>
<th>Use Category</th>
<th>Use Type</th>
<th>TOD Core</th>
<th>TOD Ring</th>
<th>Use-Specific Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td>Waste-Related Uses</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
<tr>
<td>Wholesale trade uses</td>
<td></td>
<td>X</td>
<td>X</td>
<td></td>
</tr>
</tbody>
</table>

**Cedar Hill Ordinance Audit:**

As noted above, the two current zone districts applicable in the station area are primarily oriented to commercial development. Although the Uptown Overlay purpose statement promotes mixed-use development, its regulations restrict uses to those allowed in the underlying base zone district—which in this case is LR-Retail that does not allow residential uses.

Moreover, both zone districts allow practically any retail use, both small and large, as well as many auto-oriented uses. Such a broad commercial use list would likely make compact, pedestrian-oriented development very difficult to achieve.

**Mixing of Uses**

Most TOD zone districts include standards intended to ensure that the TOD District includes at least some mix of nonresidential and residential uses as it is built out. Some are quite specific in dictating a minimum use mix (e.g., a minimum of 10% of each of three different use types such as commercial, residential, and civic are required in each development) or not allowing any nonresidential development unless residential development is proposed in conjunction with it. Others are more flexible, focusing on the mix of uses allowed over time (e.g., “by the time 50 percent of the land area within the TOD District is developed or approved for development, residential uses shall make up at least 30 percent of the total gross floor area existing or approved within the district and nonresidential uses shall make up at least 20 percent of such floor area. No new nonresidential use shall be approved in the district until the 30 percent threshold for residential uses has been met, and no new nonresidential use shall be approved until the 20 percent threshold has been met.”).

Another use mix issue that should be considered is that of vertical use mixing. Many zoning ordinances and local building codes erect hurdles to vertical use mixing which is highly desirable in promoting compact, higher density mixed-use development around transit stations. While vertical mixing is preferred, in most smaller cities and suburban areas, mixed-use projects will just as likely be horizontal based on market demand. This should be allowed, provided the developments are well-integrated in terms of complementary uses, access and circulation, and compatible design.
Cedar Hill Ordinance Audit:

Neither of the current zoning ordinance sections applicable to the station area require any specific mixing of uses. However, Cedar Hill needs to proceed cautiously in this arena. Mixed-use developments, particularly preferred vertical mixed-use projects, are not common developments in the most suburban communities such as Cedar Hill in the Dallas region. Moreover, the market study prepared for the City Center Development Plan foresees only modest demand over the next ten years for the entire City Center area for commercial space and residential units. This area includes—and is many times larger than—the station area TOD zone district being considered here. A mandatory mix of uses in the TOD district may be a disincentive and drive development to other sites in the City Center area or outside the city altogether. An option to promote mixed use without requiring such may be to offer incentives such as increased densities, a broader range of permitted uses, and streamlined development review (e.g., site plan review by staff or planning and zoning commission only, not also by city council as is now required by the Uptown Overlay District regulations).

High-Activity Nonresidential Uses at Street Level

Most TOD zone districts encourage incorporation of high-activity nonresidential uses such as retail shops and restaurants at street level—particularly in the TOD Core subdistrict. Such activity is also encouraged along pedestrian street frontages, and especially along those building facades that face the transit station, streets or pedestrian walkways connecting to the station, or public spaces near the station.

However, in some cities where there is substantial market demand, regulations require new mixed use or nonresidential development in the Core Subdistrict to incorporate high-activity nonresidential uses such as retail shops and restaurants at the street level of building facades that abut pedestrian street frontages, streets of pedestrian walkways connecting to the transit station, or public spaces adjacent to the transit station.

An in-between alternative would be to offer incentives to developments that incorporate high-activity nonresidential development at street level. Such incentives might include an expanded list of permitted uses, density bonuses, and expedited project reviews.

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18 Pedestrian street frontages are those street frontages along which a high level of pedestrian activity and interaction with adjoining development is particularly necessary or desired to define and enhance the character of the TOD district. Examples of street frontages that may be designated as a pedestrian street frontage include, but are not limited to, street frontages close to or extending from the transit station, street frontages that have or are intended to have a “Main Street” character, street frontages with a high level of retail sales and service-oriented office uses, and frontages opposite commons, outdoor gathering spaces, or other public open space.
**Cedar Hill Ordinance Audit:**

See discussion in the section above on mixing of uses which raises similar issues.

**ACCESSORY USES/STRUCTURES**

It is also important to consider carefully accessory uses and structures that will be allowed in the TOD zoning district. Noted below are important accessory uses that are often be encouraged subject to special conditions or others that are discouraged, but allowed subject to protective standards. Low-intensity accessory uses and those that are auto-oriented are often prohibited in the TOD Core Subdistrict. These include uses like drive-through facilities, large parks and recreation areas, large surface parking lots, and outdoor storage.

- **Accessory Dwelling Unit (ADU)**
  Usually allowed in both the Core and Ring Subdistricts as they promote higher residential density and compact development, but subject to standards relating to size limitations.

- **Automatic Teller Machine (ATM)**
  Walk-up ATMs often allowed in both subdistricts but subject to standards designed to avoid obstructions to pedestrian movement along sidewalks, through public use areas, or between parking areas and building entrances.

- **Drive-Through Service**
  Often prohibited in the Core Subdistrict as being at cross-purposes with the important goal of pedestrianization. If allowed in either subdistrict, vehicular access to and from the drive-through facility usually restricted to a street other than a pedestrian frontage street. A minimum number of on-site stacking spaces often required to avoid blocking sidewalks and bicycle/street traffic.

- **Electric Vehicle (EV) Charging Station**
  EV charging stations are sometimes required in TOD parking lots and structures. These spaces are typically reserved for the charging of electric vehicles only. Such reserved spaces are required to be posted with signage identifying the spaces as reserved only for the charging of electric vehicles, amperage and voltage levels, any enforceable time limits or tow-away provisions, and contact information for reporting non-operating equipment or other problems.

  EV charging station equipment must be located so as not to interfere with vehicle, bicycle, or pedestrian access and circulation, or with required landscaping/screening.
• **Home-Based Business**

Standards for home-based businesses (or home occupations) commonly limit the area devoted to the business, require the person conducting the business to be an occupant of the home, limit the number of nonresident business employees, restrict on-site sales, restrict customer and delivery traffic, and regulate signage, outdoor storage and noise. In keeping with the mixed-use character of TOD districts and to minimize trip generation, communities should consider encouraging home-based businesses by relaxing some of these standards—particularly typical zoning ordinance standards that limit the business to less than 20-25 percent of the dwelling unit’s total floor area and prohibit nonresident business employees.

• **Outdoor Display and Sale of Merchandise**

A pedestrian-friendly TOD district depends on substantial interaction between sidewalk pedestrians and fronting retail sales and service uses. Outdoor display and sale of merchandise contributes to that interaction and should be allowed, but controlled to address potential adverse visual impacts, safety concerns, and impediments to pedestrian traffic. Standards typically address how much of a front façade may be occupied by outdoor display (e.g., 50%), a minimum clearance area to allow passage of pedestrians (e.g., five feet), limits on attaching goods to a building wall, and display height limits (e.g., eight feet).

• **Outdoor Seating (as accessory to Eating/Drinking Establishments)**

Outdoor seating for restaurants and other eating/drinking establishments can contribute to the pedestrian activity and interaction desired in TOD districts—particularly outdoor seating on or next to the sidewalk. However, experience shows that standards are often needed to address impacts and concerns associated with such an accessory use. These standards often address hours of operation (to avoid impacts on nearby residential units), controls on sound/noise, obstruction of pedestrian movement, use of the public sidewalk for seating, and quality of outdoor furniture.

• **Outdoor Storage**

Although generally prohibited in TOD districts as a principal use, many principal uses allowed in the district may need some degree of accessory outdoor storage. Standards should be considered to ensure outdoor storage areas do not adversely impact the visual character of the district. Such standards might address location of the outdoor storage (e.g., rear of building only) and screening.

• **Parking Structures**

Parking structures are a preferable alternative to surface parking lots, particularly in the TOD Core Subdistrict. However, to ensure that they do not disrupt the pedestrian-friendly
environment along a designated pedestrian street or adversely affect the visual attractiveness of the district, communities often adopt standards that require a certain percentage (e.g., 50%) of the street-level frontage contain commercial uses and impose design standards on the remainder. These design standards often require incorporation of features such as masonry columns, windows, decorative wall inserts, and awnings.

- **Small solar and wind energy collection systems**

  In keeping with their sustainability goals advanced by transit-oriented development, many communities have adopted standards that remove barriers to accessory use small-scale solar and wind energy collection systems. These standards typically clearly define where such systems can be located (e.g., roofs and on accessory structures in rear yards) and maximum height. So cities also provide solar access protection so that later development cannot entirely shade an existing solar collection system. Some communities have gone farther by requiring that a certain percentage of homes in a development be solar-ready, that is, have wiring and plumbing installed to accommodate small solar collection systems. Such standards might be appropriate in a TOD Ring Subdistrict where lower density housing might be appropriate.

  Small wind collection systems tend to be more problematic in TOD zone districts since to be efficient they must be permitted at a height substantially above existing trees and structures. If allowed, key issues include minimum setbacks (in case a tower should collapse), noise, location, color, lighting, and signage.

  **Cedar Hill Code Audit:**

  **Accessory Dwelling Units (ADUs):** Section 4.1.3 lays out standards for accessory uses and buildings. Accessory dwelling units (ADUs) are allowed only in residential zone districts and occupants are severely limited (e.g., to family, guests, and caretakers). An ADU cannot be used for commercial purposes or rented and must be separated from the main dwelling. There are no size limits, although the regulations state that the ADU must be “subordinate” to the main building. While these standards might be appropriate for traditional single-family zone districts, the city should consider a separate set of ADU standards for the mixed-use TOD zone district to encourage their provision which can help increase compact density near the transit stop and provide affordable workforce housing while helping homeowners to more easily finance their purchases since the ADUs can provide additional income.

  **Home-Based Businesses:** Section 4.15 allows home-based businesses in all single-family zone districts but with significant restrictions. No employees are allowed unless household members, and size is limited to 500 square feet (20’ X 25’) or 20% of the house size, whichever is less. Moreover, the allowed

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19 Small solar collection systems are usually defined as those with a rated capacity less than 10 kilowatts. Small scale wind collection systems are usually those with a capacity less than 100 kilowatts.
use list is very dated (e.g., it references uses such as dressmakers and millinery). As with ADUs, the city should consider tailored home-based business standards for the TOD zone district that recognizes live/work unit type dwellings and permits some limited number of non-household employees.

Small Solar and Wind Energy Collection Systems (WECS): The zoning ordinance does not contain any standards related to small-scale solar systems. There are many models and examples from communities across the United States that cities can draw upon in considering applicable regulations to promote solar.

With regard to WECS, Section 4.1.8 contains standards for “wind-powered generators for personal use.” The restrictions on height (limited to that allowed in the zone district unless setback from all property lines three times the height of the system) are very severe. Although it is unlikely that many WECS would be erected in a TOD zone district, the current standards would make them nearly impossible to construct and would prohibit them for commercial uses and to generate power for multi-family buildings, the most likely candidates (For example, conical systems might be erected on top of mid-rise office buildings). The city should assess the wind-generation potential in the City Center area. If there is potential, the city should consider tailoring WECS regulations that would permit them on commercial and multi-family buildings.

TEMPORARY USES/STRUCTURES

As with principal and accessory uses, use-specific standards should be considered for temporary uses that are particularly important to achieving the purposes of the TOD District. Important uses to consider and potential issues are discussed below:

- **Farmers’ Market**
  
  At first blush, a farmers’ market might be thought of as taking up land area that might be better used for the higher-intensity buildings that are so important to establishing a TOD district as a pedestrian-oriented activity center. But such markets can contribute substantially to generating the social interaction that is equally important to establishing the identity and character of a TOD district, as well as to local food production that is important to the sustainability of the community and its residents. If a farmers’ market occurs in parking areas or public open space at times when such areas are not otherwise used, it can add to the vibrancy of a TOD zone district.

  Key issues to consider include location, maximum size, hours of operation, type of agricultural products and goods that can be sold, and appropriate signage.

- **Food Truck**
  
  Food trucks are becoming increasingly popular in urban and suburban communities and can significantly contribute to a TOD district’s character as pedestrian-friendly and a center of activity. However, without appropriate standards, food trucks can become a nuisance.
Standards commonly applied to food trucks include permissible locations, hours of operation, signage, outdoor seating, and waste disposal.

- **Street Vendor**
  Street vendors have long been deemed the epitome of an active urban pedestrian sidewalk. However, like food trucks, they can become an annoyance if not carefully controlled. Common standards include limits on the size of carts, signage, and location/obstruction of pedestrian ways.

*Cedar Hill Ordinance Audit:*

The terms *Farmers Market, Food Truck, Street Vendor* do not appear in the Cedar Hill Zoning Ordinance. Article 2 of the Cedar Hill Municipal Code provides regulations and licensing for “peddlers” which would appear to apply to food trucks and street vendors. However, there do not appear to be any regulations in Article 2 addressing key issues such as permissible locations, hours of operation, outdoor seating, and waste disposal, all of which need to be addressed if food trucks and street vendors are allowed in the TOD zone district. Regulations are also needed to address farmers markets, uses which can add a lively element to a TOD zone district if done in a compatible fashion. Again, issues such as location and hours of operation need to be addressed.

**INTENSITY AND DIMENSIONAL STANDARDS**

This important issue addresses features of development such as residential densities, block and lot standards, setbacks, and height.

A hallmark of TOD zone districts is increased density of residential development and intensity of commercial projects to support the transit and create a lively living atmosphere. In some communities, minimum residential densities are imposed to preserve key locations near transit stops for projects that benefit transit and help promote an urban environment. Permissible lot coverages are usually high to foster compact growth and open space requirements are typically reduced, with space-saving alternatives such as rooftop gardens and plazas encouraged. To promote denser, more compact development minimum height standards are often featured and maximum heights of up to six stories and more are allowed in suburban locations.

Block standards usually promote shorter blocks that encourage walking, while minimum lot areas are usually reduced to promote smaller residential units and businesses. Front setbacks are in many cases entirely eliminated to encourage buildings to be brought up to the street which helps create a more pedestrian-oriented environment. Deeper setbacks may be allowed in the TOD Ring Subdistrict, particularly for residential developments.
The sample table below sets forth intensity and dimensional standards that are most appropriate for moderate-intensity suburban town center TOD districts. The standards in this table should be considered a starting point for consideration of the intensity and dimensional standards appropriate to various TOD districts in the host community, based on the character of the community, existing development in the TOD District, and existing and planned development in areas surrounding the TOD District.

It might be appropriate to add provisions offering an intensity or density bonus to developments that incorporate features important to TOD District character to an extent beyond that required by these standards. Such bonuses could allow new development to exceed the maximum density, maximum floor area ratio, maximum structure height standards set forth in Table 2 if, for example, the development provides affordable or workforce housing units, provides public amenities beyond that required by development standards, is designed to qualify for LEED certification, is a vertically mixed development with residential uses on upper floors above street-level retail sales and service and service-oriented office uses, or any other development feature important to establishing and maintaining the character of the TOD District.

There are many ways to draft intensity/density bonus provisions. Such provisions need to specify the particular type and level or extent of development features that qualify for a bonus and quantitatively relate them to a particular type and level of bonus. If multiple types or levels of features are to qualify for multiple types or levels of bonuses, it is probably best to use a point system. Each type and level of a qualifying feature is assigned a certain number of points, and each type and level of bonus requires a minimum point total.

<table>
<thead>
<tr>
<th>Table 2: Sample Intensity and Dimensional Standards</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Subdistrict:</strong> TOD Core TOD Ring <strong>Use:</strong> All Uses Nonresidential &amp; Mixed-Use Residential</td>
</tr>
<tr>
<td><strong>Block and Lot Standards</strong></td>
</tr>
<tr>
<td>Block length (min</td>
</tr>
<tr>
<td>Lot area (min)</td>
</tr>
<tr>
<td>Lot width (min)</td>
</tr>
</tbody>
</table>
### Table 2: Sample Intensity and Dimensional Standards

<table>
<thead>
<tr>
<th>Subdistrict:</th>
<th>TOD Core</th>
<th>TOD Ring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use: All Uses</td>
<td>Nonresidential &amp; Mixed-Use</td>
<td>Residential</td>
</tr>
<tr>
<td><strong>Intensity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential density (min</td>
<td>max)</td>
<td>15du/ac</td>
</tr>
<tr>
<td>Floor area ratio (FAR) (min</td>
<td>max)</td>
<td>0.75</td>
</tr>
<tr>
<td>Lot coverage (min</td>
<td>max)</td>
<td>60%</td>
</tr>
<tr>
<td>Open space (min, as % of lot area)</td>
<td>5%</td>
<td>15%</td>
</tr>
<tr>
<td><strong>Building Placement</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Build-to line (min</td>
<td>max)</td>
<td>0 ft/12 ft</td>
</tr>
<tr>
<td>Building width in build-to zone (min, as % of lot width)</td>
<td>80%</td>
<td>70%</td>
</tr>
<tr>
<td>Front setback (min)</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
<tr>
<td>Side setback (min)</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
<tr>
<td>Corner side setback (min)</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
<tr>
<td>Rear setback (min)</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
<tr>
<td><strong>Height</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Structure height (min</td>
<td>max)</td>
<td>2 stories</td>
</tr>
<tr>
<td></td>
<td>25 ft</td>
<td>75 ft</td>
</tr>
</tbody>
</table>

**NOTES:** sf = square feet; ft = feet; du = dwelling unit; ac = acre; % = percent; n/a = not applicable

1. 1,500 square feet for townhouse lots.
2. 20 feet for townhouse lots.
3. Applicable to residential-only development.
4. Applicable to nonresidential developments and mixed-use developments (including their residential components).
Table 2: Sample Intensity and Dimensional Standards

<table>
<thead>
<tr>
<th>Subdistrict:</th>
<th>TOD Core</th>
<th>TOD Ring</th>
</tr>
</thead>
<tbody>
<tr>
<td>Use:</td>
<td>All Uses</td>
<td>Nonresidential &amp; Mixed-Use</td>
</tr>
</tbody>
</table>

5. Open space may be located on rooftops and on decks or porches as well as in ground-level plazas, courtyards, lawns, and gardens.

6. Applicable only along pedestrian street frontages.

7. The remaining build-to zone street frontage may be occupied by outdoor gathering spaces, driveways, pedestrian walkways, or surface parking located to the sides of buildings.

8. Applicable only along street frontages other than pedestrian street frontages.

9. Not applicable to townhouse lots except where abutting a lot containing or designed for a single- or two-family dwelling.

10. Both story and feet standards apply.

*Cedar Hill Ordinance Audit:*

The LR-Local Retail District contains fairly liberal height standards (6 stories) that would allow a mid-rise building in the TOD area. Also, several of the dimensional standards are appropriate for a TOD (e.g., no minimum lot area or maximum lot coverage). However, no residential uses are allowed and there is a minimum 20-foot side yard standard that would make compact, “main street” type pedestrian-friendly development difficult.

Some of the existing UT-Uptown Overlay District development standards in Section 3.14.5 are a step in the right direction and could be further tailored for a TOD zone district. To illustrate, there are no side or rear yard setbacks required for buildings less than 10,000 square feet along a public street unless adjacent to a residential development. For a TOD zone district, these regulations might be extended to all buildings and the yard restrictions linked to residential adjacency removed within the district. Similarly, the requirement of a ten foot “build-to” line on streets less than 65-feet in width might be applied to all pedestrian-oriented streets and reduced to zero in some cases to create a “main street” feel.
DEVELOPMENT AND DESIGN STANDARDS

Most TOD zone districts contain development and design standards to promote and ensure high-quality development that promotes an active, safe pedestrian environment. Key issues include access and circulation, off-street parking, and building design among others.

ACCESS AND CIRCULATION

Access and circulation standards in TOD zone districts usually address pedestrian and bicycle as well vehicular circulation.

- **Connectivity**
  
  A well-connected system of streets, bikeways, and walkways is essential to a TOD district—both to ensure convenient access between the transit station and all major origin and destination points within and surrounding the district as well as to promote the level of access and circulation needed to establish the district as a vibrant mixed-use activity center. To this end, standards are often included to require that internal vehicular, bicycle, and pedestrian circulation systems of new development be designed to allow cross-access with development on adjoining lots. One approach to ensure such cross access is to require easements allowing vehicular, bicycle, or pedestrian cross-access between adjoining lots, along with agreements defining maintenance responsibilities of the property owners, to be recorded in the appropriate municipal land records.

  Because there may be practical site constraints or other reasons such as traffic safety to require connections among adjoining lots, provisions might be included allowing the city to waive or modify the above requirement.

- **Vehicular Access and Circulation**

  Some TOD districts include standards intended to limit sidewalk-disrupting curb cut(s). Such standards sometimes encourage or require a network of rear alleys for access, especially for smaller lots. Curb cuts may also be prohibited along any pedestrian street frontage and allowed along other street frontages only if vehicular access cannot be provided from an alley or cross-access easement. Driveway curb cuts may also be limited in width (e.g., 24 feet) with a minimum required distance from a street intersection (e.g., 50 feet) or another curb cut (e.g., 100 feet).

- **Pedestrian Access and Circulation**

  TOD zone district regulations often incorporate standards to ensure a leading mobility role for sidewalks and other pedestrian walkways in the TOD District. Along pedestrian frontage
streets, where the highest level of pedestrian activity is expected and/or encouraged, wider sidewalks are usually needed to accommodate higher volumes of pedestrian traffic and the outdoor dining, street furniture, and other pedestrian amenities that serve the pedestrians. Minimum standards often require sidewalks of from six to ten feet wide with an appropriate pedestrian “clear zone” that is unobstructed by any permanent or nonpermanent object for a minimum width of five feet and a minimum height of eight feet. At least one walkway from an adjacent sidewalk is typically required for each pedestrian entrance to a building.

To further encourage pedestrian activity, some TOD districts require that where maximum block lengths exceed those in Table 2 that pedestrian cut-through walkways be provided to adjacent blocks or to adjacent transit stations, schools, recreational facilities, community facilities, or commercial developments.

Designating streets in a TOD zone district as “pedestrian street frontages” can be an important way to apply special building placement, form, and design standards discussed below along certain streetscapes where promoting and accommodating pedestrian activity is of greatest importance to the success of the TOD district. Most pedestrian street frontages are likely to be located within the TOD Core Subdistrict. The TOD Ring Subdistrict is likely to contain some strongly pedestrian-oriented streetscapes (especially along streets forming a gateway into the TOD District’s core), but not all streetscapes in that subdistrict typically need be pedestrian-oriented.

*Cedar Hill Ordinance Audit:*

There do not appear to be any specific standards related to fostering pedestrian access and walkability in the zoning ordinance

**OFF-STREET PARKING**

Excessive surface parking undermines the pedestrian-oriented character of a TOD district. Thus it is important to make sure minimum off-street parking requirements are indeed “minimum” and reflect the reduced vehicular trips and parking demand inherent with mixed-use development and with the availability of transit as an alternative means of transportation.

How minimum parking requirements for a TOD District relate to generally applicable parking standards elsewhere in a zoning code depends on several factors. These include the type, intensity, and character

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20 As noted earlier, pedestrian street frontages are those street frontages along which a high level of pedestrian activity and interaction with adjoining development is particularly necessary or desired to define and enhance the character of the TOD district.
of the TOD district as well as how well the generally applicable parking requirements themselves reflect current-day parking demands in the particular community. A 2008 Transportation Research Board report found that multifamily housing near transit stations produce an average of 44 percent fewer daily vehicle trips that ITE trip generation rates predict for the same land uses not located near transit and that ITE trip generation rates “over-park” TODs by as much as 50 percent. Subsequent studies indicate that actual vehicle trip counts in mixed-use smart-growth sites in California average about 56 percent lower than those estimated by ITE trip generation rates. A 2011 parking policy study for Montgomery County, MD, recommended baseline parking space requirements for residential (1.2 per unit), office (2.25 per 1,000 sf), general commercial (1.25 per 1,000 sf), restaurants and bars (1.75 per 1,000 sf), hotels (1 per guest room), and events-based uses (1 per 1,000 sf). Transit-oriented development guidelines for Atlanta propose minimum/maximum parking space requirements for multifamily residential near transit stations (0.75/1.25 per unit, other residential (1.0/2.0 per unit), office (1.5/2.5 per 1,000 sf), retail and restaurant near transit stations (0/3.3 per 1,000 sf), and other retail and restaurants (1.75/3.3 per 1,000 sf).

Given that most of these studies focused on more urban communities than Cedar Hill, we suggest percentages that represent less of a reduction for a suburban TOD district.

- **Vehicle Parking**
  
  a. **Minimum:** Consider an automatic reduction in minimum off-street parking requirements (e.g., 25% in Core and 15% in Ring). Allow city to approve a proposal to further reduce number of off-street vehicle parking spaces required for a development, provided the development application includes a study demonstrating that because of the development’s specific location, nature, or mix of uses, there is a reasonable probability the number of parking spaces actually needed to serve the development is less than the minimum require
  
  b. **Maximum:** To promote compact development and reduce impervious surfaces that increase stormwater runoff, communities are increasingly adding maximum limits on parking to their zoning ordinances. Such maximums are particularly important in TOD districts to where large surface parking lots make such areas much less pedestrian friendly. A common maximum is 125% of the minimum requirement. As an incentive to build parking garages rather than surface parking lots, some jurisdictions exempt any structured parking spaces from this limitation.

*Cedar Hill Ordinance Audit:*

Article 5.1 of the zoning ordinance sets forth generally applicable parking standards. Section 5.16 contains a schedule for off-street parking requirements by use group. Most of these requirements are very suburban and excessive for a TOD zone district. For example, two spaces are required for each multi-family unit, and most retail uses must provide 1 space per 200 square feet. Both of these
requirements are double those found in many TOD zone district regulations. They would likely result in large areas of surface parking. Moreover, there are no maximum parking limitations.

- **Off-Street Parking Arrangement and Design**

  These standards are intended to ensure that off-street parking does not undermine a TOD district’s pedestrian-friendly environment—especially in the district’s core and along its most pedestrian-oriented street frontages. Relevant topics include:

  1. **Location**: To promote compact, pedestrian-oriented development, TOD districts often restrict parking to the rear or side of buildings. Others require that parking structures be wrapped with commercial uses at the ground level. More flexibility might be allowed in the TOD Ring Subdistrict by, for example, allowing one bay of parking in front of buildings except on designated pedestrian street frontages.

  2. **Break-Up of Large Parking Lots**: Large expanses of pavement can seriously detract from the goals of a TOD district. One approach to soften their visual impact is to require that large surface parking lots be broken up in to smaller “modules” that contain 50 or fewer spaces each and are visually divided by landscaped islands, fences, and buildings.

  3. **Pedestrian Walkways Through Parking Areas**: A standard that often goes hand-in-hand with breaking up large parking lots noted above is one that calls for a clearly identified pedestrian route between parking areas and the primary pedestrian entrance(s) to the building(s) served by the parking areas, or to a pedestrian walkway providing direct access to the primary building entrance(s).

*Cedar Hill Ordinance Audit:*

Section 3.14.6 does prohibit front yard parking for residential units, an appropriate restriction in a TOD zone district. However, Section 5.1.8 requires all parking to be on the same lot as the development, a requirement that will make use of nearby off-site parking garages and other alternative parking arrangements problematic (although waivers can be granted).

Section 3.14.5.C.3 already requires that large parking lots in the Uptown Overlay District be broken up into smaller modules. However, it also contains a requirement for a 30-foot landscaped buffer screen around all parking lots, a suburban standard that will make compact development difficult. The city should consider tailored screening standards for the TOD zone district that would allow use of ornamental metal fencing and masonry walls with greatly reduced setbacks as an alternative. Similarly, Section 5.2 of the zoning ordinance, which addresses landscaping generally, contains a number of standards that should be reexamined. For example, Section 5.2.2.M requires a significant amount of the interior of any parking lot to be devoted to landscaped islands and medians. These numbers appear to be excessive for a more urban context envisioned for the TOD district. Alternative approaches focusing
more on perimeter screening noted above may be desirable because they require less space so that parking lots can be reduced in size.

With regard to the last issue highlighted above, the zoning ordinance does not appear to require pedestrian walkways through parking areas.

• **Bicycle Parking**

  Bicycles can be an important alternative transportation mode in TOD districts. Many communities require bicycle parking facilities such as racks or lockers for larger developments. Some require larger office buildings to provide showers for use by bicyclists and multi-story residential structures to have covered parking in an underground garage. As an incentive, credit might be given towards vehicle off-street parking requirements (e.g., one space for every 5 bicycle parking spaces to a maximum of 5).

  **Cedar Hill Ordinance Audit:**

  The OT-Old Town District mentions bicycle trails, but zoning ordinance does not contain any bicycle parking standards.

• **Alternative Parking Arrangements**

  Most modern zoning ordinances incorporate standards that provide flexibility in how a developer can comply with off-street parking standards. They are generally applicable throughout a community, but are mentioned here to emphasize the greater need for such flexibility in TOD districts, where higher development intensities and the focus on pedestrian friendliness make such flexibility even more important. Types of alternative parking arrangements that might be considered for a TOD district include:

  1. **Shared Parking**—allowing adjacent uses to share parking, particularly uses where maximum demand is at different times of the day or week (e.g., a church and movie theatre).

  2. **Off-Site Parking**—counting off-street parking spaces located on a lot separate from the lot containing a proposed development but within walking distance.

  3. **Deferred Parking**—permitting deferral of construction of some percentage of the off-street parking required upon submittal of a study demonstrating the need will be less than the minimum required, and land is reserved if additional future parking is required.

  4. **Valet and Tandem Parking**—allows use of valet and tandem vehicle parking to meet the minimum number of parking spaces requirement but only in accordance with a valet agreement that is approved by the city and includes provisions.
ensuring that a valet parking attendant will be on duty during hours of operation of the uses served by the valet parking.

5. **On-Street Parking**—counts on-street parking spaces adjacent to a development towards off-street requirements where the on-street parking spaces are located along the development site’s street frontage or within a specified distance (e.g., 150 linear feet of walking distance) from the primary entrance of the proposed use.

6. **In-Lieu Payment to Municipal Parking Fund**—A community may decide to promote transit-oriented development by taking more control over the provision of parking in the TOD district. One approach is to allow the developer to make an in-lieu payment into a municipal parking fund. The local government then uses such funding to building a parking structure or well-situated surface parking lot. This option provides a way whereby a development contributes to meeting the parking demand it creates, but the municipality determines where and how the needed parking will be provided. It is important that the community make sure the parking for which in-lieu payments are made is in place by the time the paying development is occupied.

*Cedar Hill Ordinance Audit:*

Section 5.1.7.G allows shared parking between uses such as churches and places of entertainment with offices. They may not be open at the same time. The city should consider a much broader menu of alternative parking options in the TOD zone district.

**BUILDING DESIGN STANDARDS**

TOD zone districts often contain building design standards intended to promote those streetscape characteristics that are conducive to the active pedestrian environment so important to the success such districts. They need to be tailored to reflect the TOD district’s context relative to the community as a whole, the existing neighborhoods and development that surround the district, and the existing and desired character of development within the district. These standards commonly address the following aspects of building design.

- **Building Massing and Form**

  Larger mid-rise mixed-use buildings may be desirable in the TOD Core Subdistrict, but they will need to be designed carefully to ensure they maintain a pedestrian scale at street level and contribute to the desired character of the area. Standards might be considered that reduce the perceived mass and scale of the building by
incorporating some of the following design elements that are consistent with the development’s architectural character:

1. Variations in roof form and parapet heights;
2. Pronounced (as least one foot deep) recesses and/or projections in the wall plane;
3. Distinct changes in texture and/or color of wall surfaces;
4. Pilasters that are at least eight inches deep and at least eight inches wide, and have a height equal to at least 80 percent of the facade’s height;
5. Ground level arcades, awnings, or similar overhangs;
6. Second floor galleries/balconies;
7. Cornices;
8. Projected and recessed entries;
9. Vertical accents or focal points; or
10. Enhanced window treatments.

• Building Entrances

Communities often adopt standards to ensure easy, safe access by pedestrians to buildings and support a pedestrian-oriented character. Examples include requirements to have clearly identified building entrances that face the street, at least one street-level entrance for tenants in multiple-tenant commercial spaces, and a maximum spacing between building entrances on larger buildings (e.g., 75 feet).

• Windows/Doors/Transparency

Transparent facades along pedestrian-oriented street frontage are highly advisable to create an interesting pedestrian experience and encourage window shopping. Standards to accomplish this goal typically require a minimum percentage of the facade area be comprised of transparent window or door openings to allow views of interior spaces and merchandise. Minimum percentages might vary by location, as follows:
### Table 3: Minimum Building Façade Transparency Requirements

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Transparency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abutting or facing a pedestrian street frontage</td>
<td>50%</td>
</tr>
<tr>
<td>Facing a transit station</td>
<td>35%</td>
</tr>
<tr>
<td>Facing a public gathering space</td>
<td>35%</td>
</tr>
</tbody>
</table>

Some cities also prohibit high reflective glass on front façade window and door openings counting toward meeting this transparency requirement.

- **Parking Structures**
  
  See discussion of design standards for parking structures in the Accessory Use section of this document. These standards would apply to parking structures as both primary and accessory uses. They are intended to accommodate parking structures as a preferable alternative to surface parking lots, but ensure that that they do not disrupt the pedestrian-friendly environment along a pedestrian street frontage or adversely affect the visual attractiveness of the district.

*Cedar Hill Ordinance Audit:*

Section 3.14.5.B of the UT-Uptown Overlay District contains architectural style requirements for non-residential uses including standards for building orientation, articulation, exterior building materials, architectural features, roofs, and color that are a good starting point for similar regulations in the TOD zone district. However, they will need to be tailored because, according to staff, they were adopted to apply primarily to large big-box retail establishments, not smaller structures and multi-story buildings likely to be developed in the TOD district. Section 3.14.6 sets forth standards for residential buildings including a 50% masonry requirement and specifications for windows along primary facades. These residential building requirements may not be suitable in the TOD zone district (e.g., requiring bay windows or turrets on multi-story residential buildings). At the same time, some of the standards regarding building location, articulation, and the like that apply to non-residential uses would seem appropriate for residential buildings.

### OUTDOOR GATHERING SPACES AND COMMUNITY AMENITIES

To be a vibrant activity center, a TOD district must foster social interaction among the people who live, work, and visit the district. The provision of outdoor gathering spaces and other community amenities are thus as essential an element of transit-oriented development as landscaping and parking. However, large expanses of park-like open space typically required of suburban developments may be undesirable in the TOD-Core because they separate uses and make compact development more challenging. Moreover, given the typical high cost of land near a transit station, requiring a developer to provide
large tracts of open space may be financially infeasible. As an alternative, communities should consider encouraging or requiring alternatives forms such as plazas, squares, courtyards, and rooftop or community gardens that are accessible to the public and furnishes with benches/seating areas, shade structures, raised landscaped planters, public art, decorative shelters for transit riders, and similar features.

*Cedar Hill Ordinance Audit*

While there are numerous references to open space in the zoning ordinance, almost uniformly they are oriented towards open space for recreational and natural area preservation purposes in a suburban context. The city should consider alternative open space standards outlined above for the TOD zone district.

**STREET TREES**

Street trees have an important role in making a street frontage pedestrian-friendly in terms of moderating the immediate climate, providing separation from vehicular traffic, and defining the streetscape as one of a “complete street.” Many communities require new developments to plant street trees at a specified interval (e.g., every 50 feet) along a development’s frontage that may be used by pedestrians.

*Cedar Hill Ordinance Audit*

Section 5 contains comprehensive landscaping regulations that address provision of street trees, preservation of existing trees, parking lot landscaping, and similar elements. Some of these appear to be appropriate, while others such as the interior parking lot planting requirements may be excessive for a more urban setting.

**RELATIONSHIP TO SURROUNDING DEVELOPMENT**

Where a TOD district with mixed-use and higher intensity development is located next to or across the street from established low-intensity neighborhoods of single- or two-family homes, residents and owners of those homes may see TOD development as a threat. Cities should consider standards designed to help ensure new TOD development is compatible with the adjacent single family neighborhoods and reduce potential opposition by neighborhood residents and property owners.

Techniques to enhance compatibility include requiring the perimeter of a mixed-use development to have the least intense uses or development density, incorporate height step-backs so that portions of buildings adjacent to or facing an established neighborhood are similar in height, face porches, balconies, and outdoor activity areas away from existing homes, provide additional screening for parking and mechanical equipment, and place additional controls on lighting such as full cutoff shielding.
Cedar Hill Ordinance Audit

Both the LR-Local Retail and UT-Uptown Overlay Districts contain provisions to require greater setbacks when non-residential uses are adjacent to residential. While such an approach may be useful in some circumstances, in a more compact, densely developed environment such as the TOD district, the city should consider a range of compatibility tools as noted above.

Transitional TOD Zone District Standards

In some communities such as Cedar Hill, a transit station may be planned at a particular location, but is not expected to be constructed and operational for a number of years. If the community establishes a TOD District around the future station site and authorizes the higher development intensities necessary to create a transit-supportive activity center around it, such intensities may overburden the current road network, which is designed to accommodate automobile traffic. But if the community’s development regulations limit development intensities around the station site to those can be accommodated by the current road network, by the time the station is built, it may be surrounded by development that is not insensitive enough to support transit and that is designed in a way that makes redevelopment difficult.

One way to address this problem is have a TOD District with “before transit” and “after transit” standards. A TOD District would be established as soon as the station site is determined, but until the station becomes operational, the district is allowed to develop as a mixed-use activity center with intensities generating traffic levels that can be accommodated by the current road network. TOD District development would be subject to the same somewhat reduced parking standards applicable in other mixed-use districts (which are based on reduced demand due to the mixing of uses), and to lot coverage and build-to occupancy standards that allow sufficient lot area to accommodate such parking.

When transit becomes available to the station, however, the demand for parking is reduced further and lot area devoted to surface parking becomes available for additional building space (to accommodate residential and commercial market growth brought the availability of transit). Thus density, FAR, and lot coverage thresholds rise and the minimum build-to zone occupancy requirement rises. Because adding floors to an existing building is often impractical, structure height standards are set at their ultimate intended level. To facilitate this transition to higher-intensity development, these regulations require applications for district development to include a transition plan showing how proposed surface parking lots will be replaced by buildings after transit becomes available.
### Table 4: Transitional Intensity and Dimensional Standards

<table>
<thead>
<tr>
<th></th>
<th>TOD Core Subdistrict</th>
<th>TOD Ring Subdistrict</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Before Transit</td>
<td>After Transit</td>
</tr>
<tr>
<td><strong>Block and Lot Standards</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Block length (min</td>
<td>max)</td>
<td>200 ft</td>
</tr>
<tr>
<td>Lot area (min)</td>
<td>1,500 sf</td>
<td>1,500 sf</td>
</tr>
<tr>
<td>Lot width (min)</td>
<td>20 ft</td>
<td>20 ft</td>
</tr>
<tr>
<td><strong>Intensity</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Residential density (min</td>
<td>max)</td>
<td>5du/ac</td>
</tr>
<tr>
<td>Floor area ratio (min</td>
<td>max)</td>
<td>0.5</td>
</tr>
<tr>
<td>Lot coverage (min</td>
<td>max)</td>
<td>n/a</td>
</tr>
<tr>
<td>Open space (min, as % of lot area)</td>
<td>5%</td>
<td>5%</td>
</tr>
<tr>
<td><strong>Building Placement</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Build-to line (min</td>
<td>max)</td>
<td>0 ft</td>
</tr>
<tr>
<td>Building width in build-to zone (min, as % of lot width)</td>
<td>60%</td>
<td>80%</td>
</tr>
<tr>
<td>Front setback (min)</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
<tr>
<td>Side setback (min)</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
<tr>
<td>Corner side setback (min)</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
<tr>
<td>Rear setback (min)</td>
<td>0 ft</td>
<td>0 ft</td>
</tr>
</tbody>
</table>
### Table 4: Transitional Intensity and Dimensional Standards

<table>
<thead>
<tr>
<th></th>
<th>TOD Core Subdistrict</th>
<th>TOD Ring Subdistrict</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Before Transit ¹</td>
<td>After Transit ¹</td>
</tr>
<tr>
<td><strong>Height</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Structure height (min</td>
<td>2 stories</td>
<td>6 stories</td>
</tr>
<tr>
<td>max) ¹¹</td>
<td>25 ft</td>
<td>75 ft</td>
</tr>
</tbody>
</table>

**NOTES:** sf = square feet; ft = feet; du = dwelling unit; ac = acre; % = percent; n/a = not applicable

1. “Before Transit” standards apply before rail transit is fully operational at the rail station; “After Transit” standards apply thereafter (see Section 1.2.6).

2. 1,500 square feet for townhouse lots.

3. 20 feet for townhouse lots.

4. Applicable to residential-only development.

5. Applicable to nonresidential developments and mixed-use developments (including their residential components).

6. Open space may be located on rooftops and on decks or porches as well as in ground-level plazas, courtyards, lawns, and gardens.

7. Applicable only along pedestrian street frontages.

8. The remaining build-to zone street frontage may be occupied by outdoor gathering spaces, driveways, pedestrian walkways, or surface parking located to the sides of buildings.

9. Applicable only along street frontages other than pedestrian street frontages.

10. Not applicable to townhouse lots except where abutting a lot containing or designed for a single-family detached or duplex dwelling.

11. Both story and feet standards apply.
“BEFORE TRANSIT” AND “AFTER TRANSIT” STANDARDS

A. **Intensity and Dimensional Standards:** Table 4, Intensity and Dimensional Standards, establishes separate intensity and dimensional standards for “Before Transit” and “After Transit.” The “Before Transit” standards shall apply to proposed development that the (Insert title of appropriate administrative official) determines will be completed and occupied before the transit station associated with the district is constructed and providing transit service. The “After Transit” standards shall apply to proposed development that the (Insert title of appropriate administrative official) determines will be completed and occupied after the transit station is constructed and providing transit service.

B. **Transition Plans:** If an application proposes new development that is subject to the “Before Transit” standards and includes surface parking areas to the side of the development’s principal building(s), the application shall include a transition plan showing how such parking might be replaced in the future by additional building space allowed under the “After Transit” standards.

C. **OFF-STREET PARKING**

1. **Reduced Minimum Vehicle Parking Space Standards**

   The minimum number of off-street vehicle parking spaces required after the associated transit station has been constructed and is providing transit service (“After Transit”) shall be ___ percent of the minimum requirements in (Insert cross-reference to generally applicable parking space requirements) for development in the TOD Core Subdistrict, and ___ percent of such minimum requirements for development in the TOD Ring Subdistrict. Until then, the general requirements in (Insert cross-reference to generally applicable parking space requirements) shall govern.

   **Commentary:** The last sentence is added to the base provision to indicate that the full reduced parking requirements for TOD development will not kick in until transit service is available. However, some reduction may be warranted for a mixed-use development as discussed earlier even if transit is not immediately available.

2. **Location**

   In the TOD Core Subdistrict and along any pedestrian street frontage in the TOD Ring Subdistrict, all proposed new or additional surface vehicle parking shall be located to the rear of the development’s principal building(s) or in a parking structure “wrapped” with retail, office, or residential uses in accordance with (Insert cross reference to design standards for parking structures)—except that
surface parking may be located to the side of the development’s principal building(s) if the district’s “Before Transit” standards apply. An application proposing new development with surface parking to the side of the development’s principal building(s) may be required to include a transition plan showing how such parking might be replaced in the future by additional building space allowed by the district’s “After Transit” standards.

Commentary: This modifies the base provision to allow surface parking to the side of a building before transit service is available to the TOD district provided the development is planned to replace the parking lot with a sidewalk-fronting building once transit service becomes available.

Definitions

These are definitions relating to these mixed-use, transit-oriented development districts, which should be located with the ordinance’s other definitions.

Block Face

Properties abutting one side of a street or public right-of-way and lying between the two nearest intersecting streets or rights-of-way, or intersecting right-of-way and railroad right-of-way, unsubdivided land, water course or municipal boundary.

Build-To Line

The minimum and maximum allowable setback of a building from the abutting street.

Build-To Zone

The area between the minimum and maximum build-to lines.

Community Garden

A private or public facility for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person, household, or family.

Cross-Access

Vehicular access provided between the vehicular use areas of two or more adjacent development sites or parcels that is intended to allow travel between the sites without the use of a street. Cross-access may also refer to bicycle and pedestrian access.
Density

The total number of dwelling units (excluding accessory dwelling units) located or proposed on a lot divided by the lot area as expressed in acres.

Drive-Through Service Facility

A facility used to provide products or services to customers who remain in their vehicles, whether through a window or door in a building, a machine in a building or detached structure (e.g., ATM), or via a mechanical device (e.g., a pneumatic tube system). In addition to the pick-up window or door, drive-through service facilities also may include remote menu boards and ordering stations. Use types that commonly have drive-through service include banks, restaurants, specialty eating or drinking establishments, and drug stores.

Electric Vehicle Charging Station

A vehicle parking space that is served by an electrical component assembly or cluster of component assemblies (battery charging station) designed and intended to transfer electric energy, by conductive or inductive means, from the electric grid or other off-board electrical source to a battery or other energy storage device within an electric vehicle. A Level 1 charging station is a slow charging station that typically operates on a 15- or 20-amp breaker on a 120-volt Alternating Current (AC) circuit. A Level 2 charging station is a medium charging station that typically operates on a 40- to 100-amp breaker on a 208- or 240-volt Alternating Current (AC) circuit. A Level 3 charging station is an industrial grade charging station that operates on a high-voltage circuit to allow for fast or rapid charging.

Farmers’ Market

A public market held in a structure or open area, where farmers sell produce and other farm products they have grown, gathered, or raised directly to consumers. A farmers’ market may be a principal use, occurring regularly for all or most of the year, or a temporary use, occurring only occasionally or periodically for only a limited time period during the year.

Floor Area Ratio (FAR)

The gross floor area devoted to nonresidential and non-dwelling uses on all floors of all buildings located or proposed on a lot by the lot area.

Food Truck

A licensed, motorized vehicle or mobile food unit in which food or a beverage is cooked, prepared, and served for individual portion service to the general public.
Height

The vertical distance between the average elevation of the existing or proposed finished grade at the front of a structure to the highest point of a flat roof, to the deck line of a mansard roof, or to the mean height between eaves and ridge of a gable, hip, cone, gambrel, or shed roof.

Home-Based Business

A business, profession, occupation, or trade that is conducted within a residential dwelling unit for the economic gain or support of a resident of the dwelling, and is incidental and secondary to the residential use of the lot.

Live-Work Unit

A structure or portion of a structure combining a residential dwelling unit for one or more persons with an integrated work space principally used by one or more of the dwelling unit residents.

Mixed-Use Development

Development containing two or more principal uses from different use classifications (Residential, Public and Institutional, Commercial, or Industrial) or from two or more significantly different use categories within the same use classification (e.g., offices and retail sales and services), where the uses are functionally integrated and share vehicular use areas, ingress/egress, and pedestrian access. An example of a vertically integrated mixed-use development might be a building with retail sales and serve uses at ground level, offices (including institutional offices) on second and third floors, and multifamily residential dwelling units on upper floors. An example of a horizontally integrated mixed-use development might be an office/industrial park containing office buildings side-by side with buildings housing light industrial or industrial support uses.

Parking Structure

A structure, or a portion of a structure, composed of one or more levels or floors used exclusively for the temporary storage of motor vehicles. A parking structure may be totally below grade or partially or totally above grade, with levels either being open to the sides (deck) or enclosed (garage). A parking structure may be a principal use of a lot or accessory to the principal use of the lot.
Setback
The shortest horizontal distance from a lot line of a lot to the nearest point of a structure on the lot. Front, side, corner side, and rear setbacks are measured from the front, side, corner side, and rear lot lines, respectively.

Shopping Center
A building or a group of connected or freestanding buildings under single or multiple ownership that contains retail goods and service uses serving the needs of a neighborhood, community, or regional customer base. A shopping center is designed, constructed, and operated on an integral and coordinated basis, with common parking, pedestrian movement, and ingress and egress.

Street Vendor
Any person or persons selling or offering for sale products on a street, sidewalk, or alley.

Walkway
Any improved pedestrian accessway that is separate from vehicular accessways and traffic. Walkways include sidewalks alongside streets and off-street paved walkways and graded trails with durable surfacing.