



## Section 4.11. DD, Downtown Duncanville District Requirements

### A. Downtown Duncanville Master Plan

The Downtown Duncanville Master Plan establishes the community vision for the redevelopment of City's downtown into a vibrant center of community life. The Master Plan builds on "Our Visions", Main Street Duncanville established 2003. The Master Plan is illustrative but provides guidance for the character and standards for the redevelopment of the Downtown Duncanville District.

### B. Applicability and Location

The DD, Downtown Duncanville District shall be mandatory for all properties along with frontage along Main Street from I-20 frontage road to Wheatland Road and other properties as depicted in the Regulating Plan as outlined in **Figure 4.11.1**.

### C. DD District Major Elements

The DD, Downtown Duncanville District is composed of following major elements:

#### 1. Regulating Plan

The regulating plan (**Figure 4.11.1**) identifies the frontage types and associated standards for all lots within the district.

#### 2. Frontage Types

The frontage type establishes the building standards including height, bulk, building and parking location, and functional design for all lots within the DD, Downtown Duncanville District. All lots within the Downtown Duncanville Master Plan area are classified into one of the following frontage types:

- a. Core Main Street (CMS)
- b. Urban Living (UL)
- c. General Main Street (GMS)

#### 3. Building Height

The building height requirements establish the vertical form of all buildings within the DD, Downtown Duncanville District, including the following elements:

- a. Height of principal buildings,
- b. Height of any structured parking,

- c. Height of a principal building's ground floor from the sidewalk, and
- d. Height of buildings adjacent to single-family neighborhoods.

### 4. Site Design

The site design requirements establish the layout of all sites within the DD, Downtown Duncanville District, including the following elements:

- a. Build-To Zone to define the location of the front façade,
- b. Maximum lot coverage,
- c. Required side and rear setbacks, and
- d. Amount and placement of parking.

### 5. Building Design

The building design requirements establish the architectural design of all buildings within the DD, Downtown Duncanville District, including the following elements:

- a. Placement of doors and windows,
- b. Building projections,
- c. Arcade and colonnades located in the Build-To Zone, and
- d. Height and projections of stoops and porches.

### D. Architectural Standards

See **K. Architectural Standards** for standards for commercial, mixed use, live/work, and residential buildings.

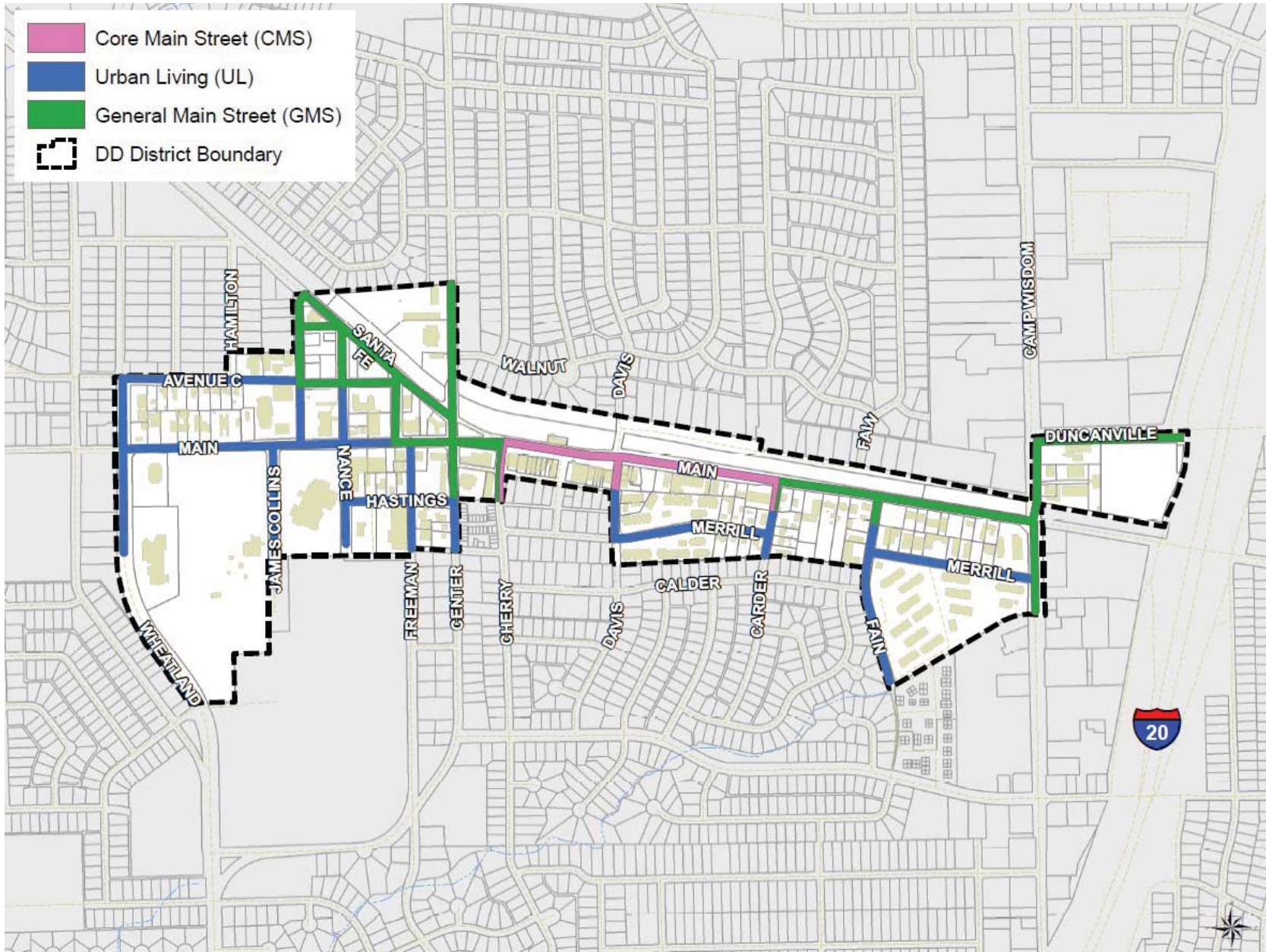
### E. Development Standards

Development standards not addressed this **Section 4.11** shall be governed by **Article 4. Development Standards** to the extent they are not in conflict with the intent of the DD, Downtown Duncanville District.

### F. Land Uses

See **Section 3.03. Permitted Use Chart** for permitted land uses by frontage type.

Figure 4.11.1. DD District Regulating Plan





G. Standards by Street Frontage Type

1. Core Main Street (CMS)

Building Height			
Principal Building Height	Structured Parking Height	Ground Floor Height	Neighborhood Transition Zone
<p>1 to 3 stories</p> <p>Mezzanines and attics are excluded from the height calculations as long as they do not exceed 50% of the floor area of a typical floor in the same building</p>	<p>Not to exceed principal building height if principal structure is 2 floors or less</p> <p>May be a maximum of 4 stories if principal building is at least 3 stories</p>	<p>Ground floor from sidewalk: 18" max</p> <p>First story height: 15' min</p> <p>Upper story height: 10' min</p>	<p>Within 25' of any single-family residence, no structures shall exceed 3 stories</p>
Site Design			
Build-To Zone	Lot Coverage	Side and Rear Setbacks	Parking
<p>Location: 10' to 15' zone measured from the future edge of pavement</p> <p>Frontage: At least 75% of the building front façade shall be located within the Build-To Zone</p> <p>Corner Lots: The front 35' of the side façade shall be located within the Build-To Zone</p>	<p>100% maximum</p>	<p>None, unless abutting a single-family residential lot in which case, the side and/or rear setback shall be a minimum of 10' from the shared lot line.</p>	<p>No off-street parking required.</p> <p>Surface parking: 40' setback from the nearest edge of the Build-To Zone</p> <p>Access to surface parking shall generally be from alleys unless no alley access is available in which case driveways shall be consolidated between adjoining lots to the extent possible</p> <p>Parking garages shall be lined along Main Street with active uses at least on the ground floor</p>
Building Design			
Doors and Windows	Building Projections	Arcades and Colonnades	Stoops and Porches
<p>For buildings adjacent to Main Street, the primary entrance shall front Main Street.</p> <p>There shall be no blank walls more than 25' in width along any public street façade (except alleys) of any building.</p> <p>Ground floor shall be 60% to 90% doors and/or windows.</p> <p>Upper floors shall be 40% to 70% doors and/or windows (measured between 3' to 9' above each finished floor).</p> <p>Windows on facades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.</p>	<p>Building projections and appurtenances may project a maximum of 6' over any sidewalk or public right-of-way along Main Street provided they meet the standards established in this section.</p> <p>Building projections on all other facades shall not be closer than 5' to any adjacent property line.</p>	<p>Arcades and colonnades are permitted within the build-to zone and shall not encroach into any sidewalk area.</p> <p>The arcade/colonnade area shall be designated with a public access easement.</p> <p>They shall be no deeper than 15' from the edge of the required sidewalk.</p> <p>Columns or piers shall be spaced between 12' and 15'.</p> <p>The minimum interior clearance height within an arcade or colonnade shall be 14' and the height of the arcade/colonnade opening shall be between 11' and 13'.</p>	<p>N/A</p>

Figure 4.11.2. CMS Height Standards

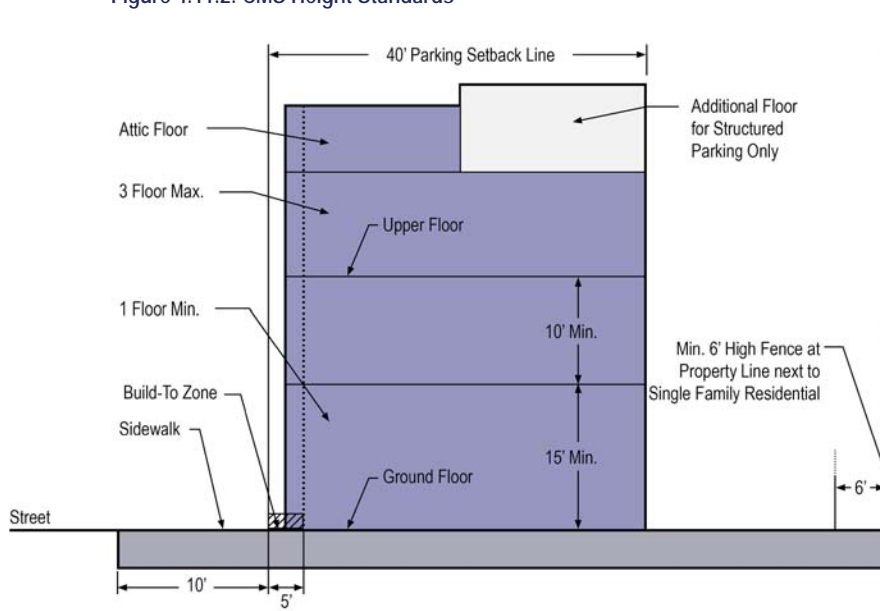


Figure 4.11.3. CMS Building Disposition

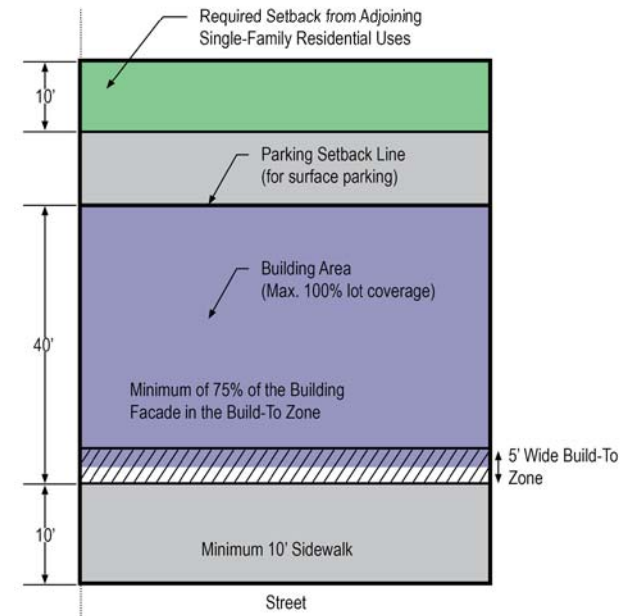
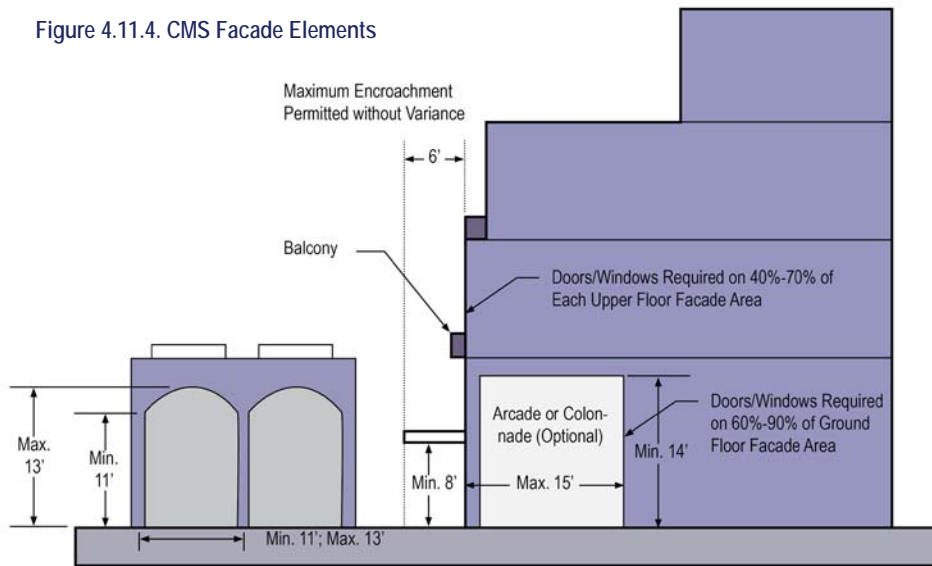


Figure 4.11.4. CMS Facade Elements





2. Urban Living (UL)

Building Height			
Principal Building Height	Structured Parking Height	Ground Floor Height	Neighborhood Transition Zone
1 to 4 stories	Not to exceed principal building height if principal structure is 2 floors or less  May be a maximum of 6 stories if principal building is at least 3 stories	Ground floor from sidewalk for commercial and live/work buildings: 18" max  Ground floor from sidewalk for residential buildings: 18" min First story height for commercial and live/work buildings: 15' min First story height for residential buildings: 10' min Upper story height for residential buildings: 9'	Within 25' of any single-family residence, no structures shall exceed 3 stories
Site Design			
Build-To Zone	Lot Coverage	Side and Rear Setbacks	Parking
Location for interior lots: 22' to 32' zone to allow for a sidewalk width of 6', a tree planting zone of 6', and a minimum front setback of 5'  Location for corner lots: 15' to 25' zone to allow for a sidewalk width of 9' and a tree planting zone of 6'  Frontage: At least 60% of the building façade shall be located within the Build-To Zone  Corner Lots: The front 25' of the side façade shall be located within the Build-To Zone	90% maximum	None, unless abutting a single-family residential lot in which case, the side and/or rear setback shall be a minimum of 10' from the shared lot line.	The minimum off-street parking requirement shall be fifty (50) percent of the ratio required by Section 3.03. Permitted Use Chart.  Surface parking for interior lots: 15' setback from the nearest edge of the Build-To Zone  Surface parking for corner lots: 40' setback from the nearest edge of the Build-To Zone  Access to surface parking shall generally be from alleys unless no Alley access is available in which case driveways shall be consolidated between adjoining lots to the extent possible  Parking garages shall be lined along public streets (except alleys) with active uses at least on the ground floor
Building Design			
Doors and Windows	Building Projections	Arcades and Colonnades	Stoops and Porches
Primary entrance shall front a public street.  There shall be no continuous blank walls exceeding 20 linear feet along any public street façade (except alleys) of any building.  Ground floor shall be 30% to 70% doors and/or windows.  Upper floors shall be 30% to 70% doors and/or windows (measured between 3' to 9' above each finished floor).  Windows on facades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.	Building projections and appurtenances may project a maximum of 6' for commercial buildings provided they meet the standards provided in this section.  Building projections and appurtenances may project a maximum of 18' for residential buildings provided they meet the standards provided in this section.  Building projections on all other facades shall not be closer than 5' to any adjacent property line.	N/A	Stoops and porches are encouraged in the build-to zone and are permitted to encroach a maximum of 5' into the required front setback.  Stoops and porches providing access to residential uses on the ground floor shall be a minimum of 18" higher than the finished elevation of the sidewalk.

Figure 4.11.5. UL Height Standards

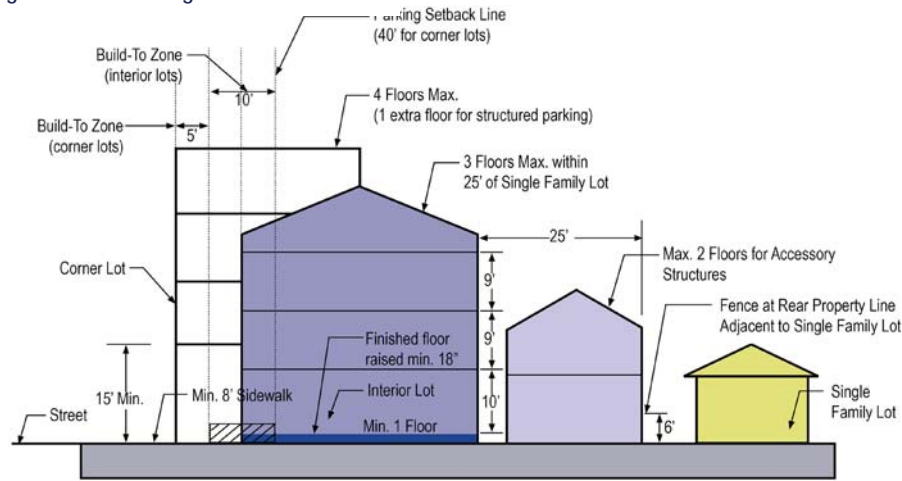


Figure 4.11.6. UL Building Disposition

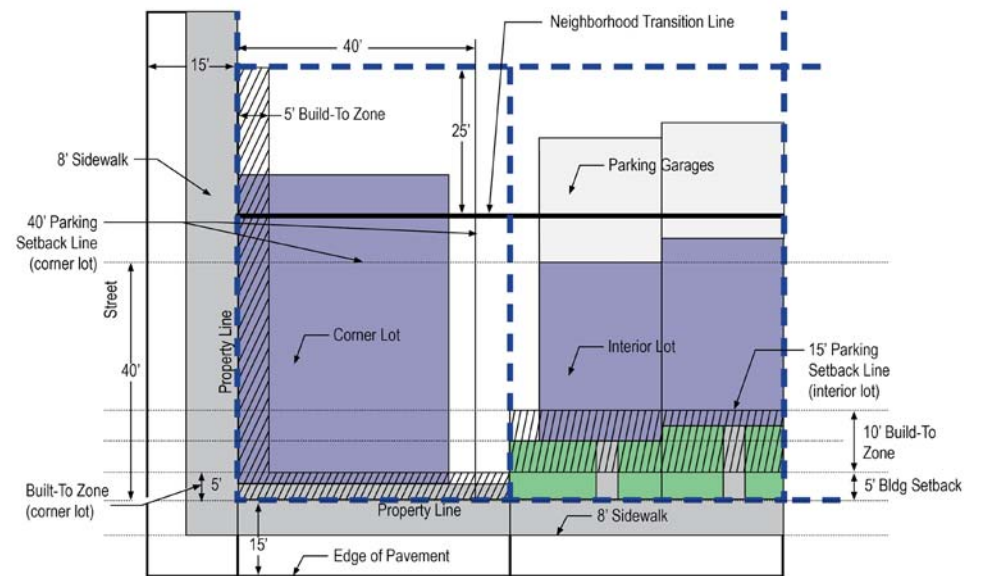
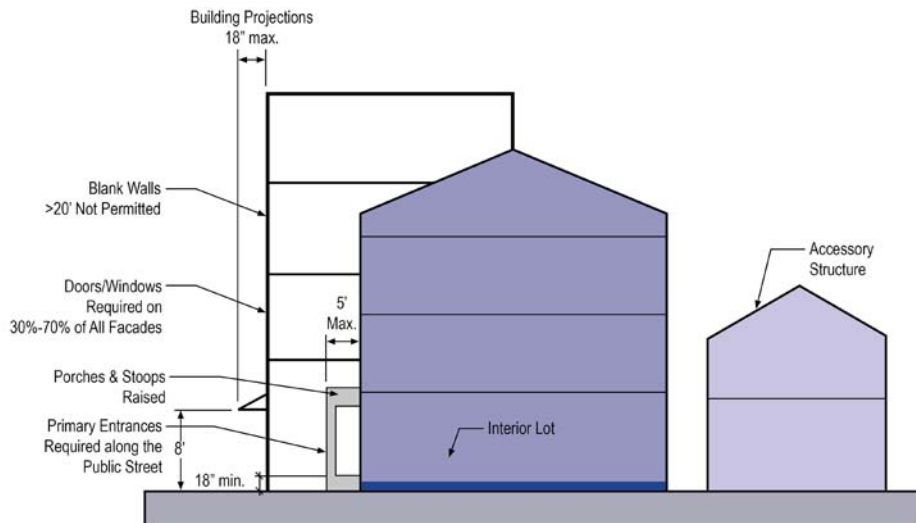


Figure 4.11.7. UL Facade Elements





3. General Main Street (GMS)

Building Height			
Principal Building Height	Structured Parking Height	Ground Floor Height	Neighborhood Transition Zone
1 to 6 stories	Not to exceed principal building height if principal structure is 2 floors or less  May be a maximum of 7 stories if principal building is at least 3 stories	Ground floor from sidewalk: 18" max  First story height: 15' min  Upper story height: 10' min	N/A
Site Design			
Build-To Zone	Lot Coverage	Side and Rear Setbacks	Parking
Location: 15' min to allow for a sidewalk width of 6' and a tree planting zone of 6'  Frontage: At least 40% of the building façade shall be located within the Build-To Zone  The front 60' of the side façade shall be located within the Build-To Zone	90% maximum	None, unless abutting a single-family residential lot in which case, the side and/or rear setback shall be a minimum of 10' from the shared lot line.	The minimum off-street parking requirement shall be fifty (50) percent of the ratio required by Section 3.03. <b>Permitted Use Chart.</b>  Surface parking: 15' minimum setback from the nearest edge of the Build-To Zone  Surface parking may be located between the major roadway and the building but shall be limited to one double loaded parking aisle along each roadway frontage
Building Design			
Doors and Windows	Building Projections	Arcades and Colonnades	Stoops and Porches
Primary entrance shall be on the Major Roadway façade unless the building has another roadway frontage.  There shall be no continuous blank walls exceeding 50 feet in width along any Major Roadway street façade (except alleys) of any building.  Ground floor shall be 25% to 40% doors and/or windows.  Upper floors shall be 25% to 50% doors and/or windows (measured between 3' to 9' above each finished floor).  Windows on facades directly facing towards a lot line shared by any single family residential lot and less than 10 feet from the lot line shall have sills higher than 6' on the ground floor unless a privacy fence or wall of at least 6' in height is constructed to obscure any direct views into adjacent properties.	Building projections and appurtenances may project a maximum of 18" over any sidewalk or public right-of-way. A clear distance of 8' shall be maintained between the projection and the finished elevation of the sidewalk.  Building projections on all other facades shall not be closer than 5' to any adjacent property line.	Arcades and colonnades are permitted within the Build-To Zone and shall not encroach into any sidewalk area.  The arcade/colonnade area shall be designated with a public access easement.  They shall be no deeper than 15' from the edge of the required sidewalk.  Columns or piers shall be spaced between 12' and 15'.  The minimum interior clearance height within an arcade or colonnade shall be 14' and the height of the arcade/colonnade opening shall be between 11' and 13'.	Stoops and porches are encouraged in the Build-To Zone and are permitted to encroach a maximum of 5' into the required front setback.  Stoops and porches providing access to residential uses on the ground floor shall be a minimum of 18" higher than the finished elevation of the sidewalk.

Figure 4.11.8. GMS Height Standards

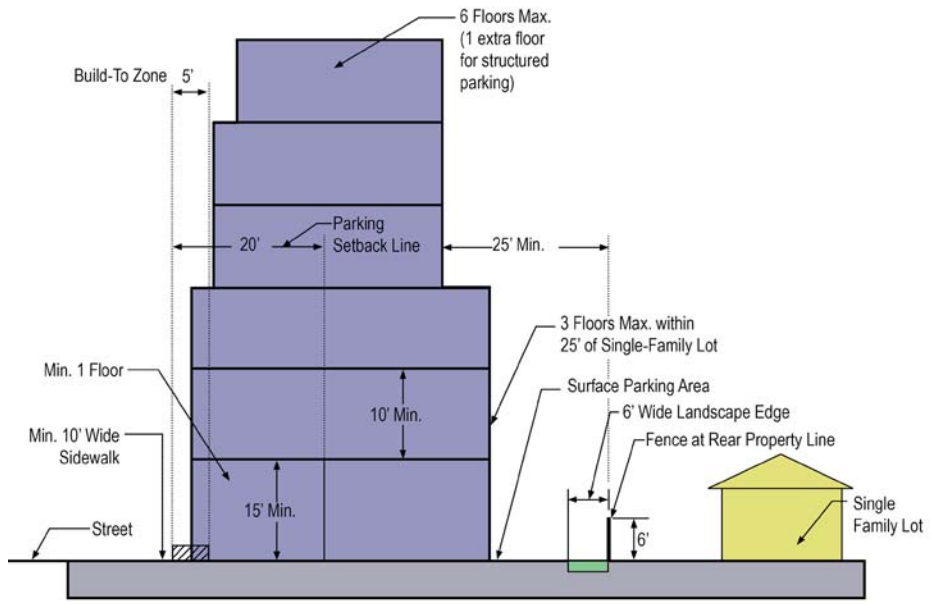


Figure 4.11.9. GMS Building Disposition

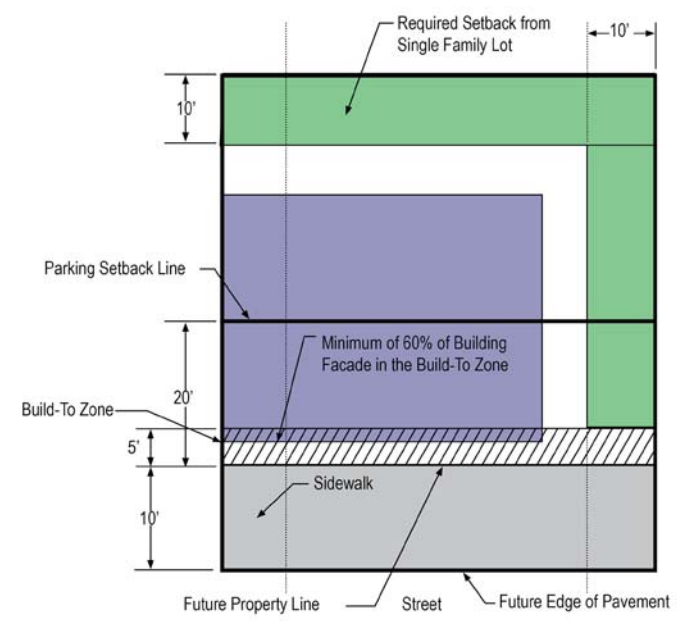
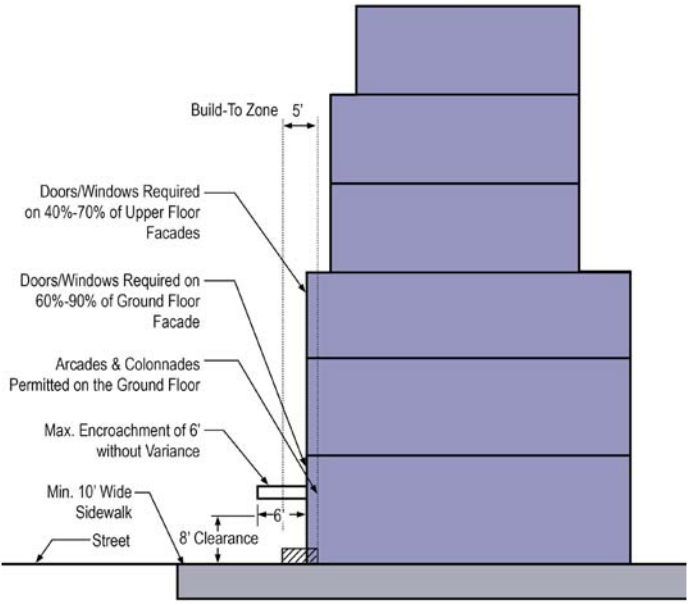


Figure 4.11.10. GMS Facade Elements







## H. Boundary Determination

Due to the public improvements planned for Main Street including the realignment of travel lanes, addition of the slip-street and on-street parking, the future Right-of-Way lines and corresponding property lines are subject to change based on the approved streetscape plan. The future edge of pavement as shown the adopted Downtown Master Plan shall be the basis for establishing the build-to zones, lines and parking setback lines along Main Street and any other street in the DD, Downtown Duncanville District that requires public street improvements. If the existing street does not require any public improvements, the build-to zone, line and parking setback lines shall all be measured from the property/Right-of-Way line along that street frontage. The City Manager may revise the build-to zones and parking setbacks to accommodate required streetscape improvements based upon a City Council approved Streetscape Plan and survey.

## I. Pedestrian Orientation

In order to facilitate walkability and livability, Main Street and intersecting streets within the DD, Downtown Duncanville District shall provide accessible sidewalks with street trees. Cross-sections as delineated on the Main Street Regulating Plan, incorporated herein by reference, are established to facilitate guidance for an integrated set of transportation choices—driving, walking and cycling, as well as to form public places bounded by building facades creating a sense of "outdoor rooms" or enclosure along the street or within building courtyards opening to the street.

## J. Public Improvements

Public improvements within the Right-of-Way necessary to facilitate walkability, as delineated on the Downtown Duncanville Master Plan and Regulating Plan, shall be designed and constructed by the City or other public entities when funding becomes available; accordingly, new design and construction of private buildings and improvements within the district shall conform to and be complementary with those public improvements.

## K. Architectural Standards

### 1. Commercial and Mixed-Use Buildings

- a. An expression line shall delineate divisions between floors of all buildings, and a cornice shall delineate the tops of facades that do not utilize a pitched roof. For retail storefronts, a transom, display window area and bulkhead at the base shall be utilized.
- b. The visual and acoustic impacts of all mechanical, electrical, and communications equipment (ground and roof-mounted) shall not be visible from

adjacent properties and public streets, and screening materials and landscape screens shall be architecturally compatible with and similar in design and color to the building materials of the principal structures on the lot.

- c. Mansard roofs are prohibited. Flat roofs without parapets on all sides are prohibited.
- d. Roofs shall be constructed of a process and of materials that shall have a minimum installation and manufacturer's warranty of at least twenty (20) years.
- e. Ground floor retail building plate heights shall be at least fifteen (15) feet in height.
- f. Windows shall be oriented vertically.
- g. Columns and piers shall be spaced no farther apart than the height of the column or pier.
- h. Transparency

Each floor of any building facade facing a park, plaza or street shall contain transparent windows. The specific standards for transparency are established under the Frontage standards for all sites within the DD, Downtown Duncanville District.

### i. Permitted Finishes for Commercial or Mixed-Use Buildings

At least eighty (80) percent of the exterior facades of all new buildings (excluding area included in doors and windows) fronting on any public street (with the exception of alleys) and fifty (50) percent of all non-public street fronting (including alleys) facades shall be finished in one or more of the following materials:

- (1) Brick, stone, cast stone, rock, marble, granite, non-synthetic stucco applied using a three-step process, glass block and/or tile.
- (2) Fiber cement siding with at least a thirty (30) year warranty.
- (3) Split face concrete block, poured-in-place concrete, and tilt-wall concrete. Any use of concrete products shall have an integrated color and be textured or patterned. Tilt-wall concrete structures shall include reveals, punch-outs, or other similar surface characteristics to enhance the facade on at least twenty-five (25) percent of each facade.

- (4) Fascia and soffit shall be constructed with a fiber cement material with a thirty (30) year warranty. Hardboard and pressboard shall not be permitted.
- j. EIFS (Exterior Insulating Finishing System) or synthetic stucco shall only be permitted as an accent material and shall be less than twenty (20) percent of any given facade and shall be permitted only on the portions of the building facades higher than eight (8) feet from the finished ground level.
- k. The exterior walls of buildings may be lit with wall washer type lights, natural gas lamps, or low wattage decorative electric lamps.
- l. Building Encroachments:

Table 4.11.1 shall establish the standards for encroachments into the public Right-of-Way.

Figure 4.11.11. Architectural Elements

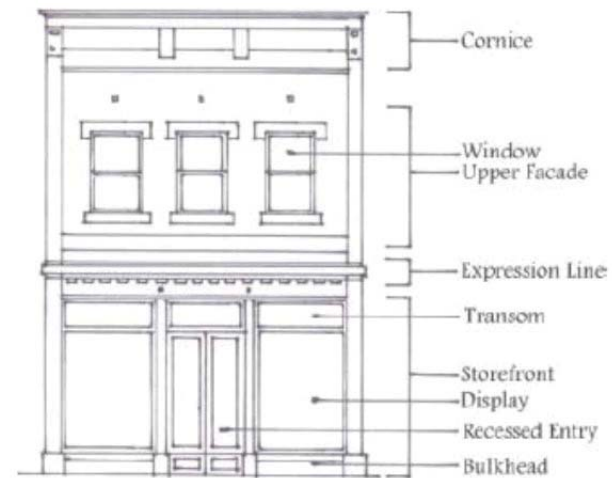


Table 4.11.1. Building Encroachment Standards

Item	Maximum Encroachment Allowed	Criteria to be Met
Awnings, stoops, first floor roof overhangs and canopies	6' from the front property line	<ul style="list-style-type: none"> <li>• Minimum 10-foot wide sidewalk required (including planting well or strip)</li> <li>• Minimum of 8' of vertical clearance from the finished sidewalk</li> <li>• Shall all be cantilevered with no support structure on the sidewalk</li> </ul>
Balconies and upper floor roof overhangs	6' from the front property line	<ul style="list-style-type: none"> <li>• Minimum 10-foot wide sidewalk required (including planting well or strip)</li> <li>• Minimum of 23' of vertical clearance from the finished sidewalk</li> <li>• Shall not interfere with any existing or future mature street tree canopy</li> <li>• Shall not interfere with any overhead utility lines</li> <li>• Shall not overhang on to any travel lanes</li> </ul>
Awnings, stoops, roof overhangs, canopies, and balconies	Greater than permitted by right	<ul style="list-style-type: none"> <li>• Shall require a Special Exception by the Board of Adjustments and shall meet the following standards</li> <li>• Minimum 10-foot wide sidewalk required (including planting well or strip)</li> <li>• Minimum of 8' of vertical clearance from the finished sidewalk</li> <li>• Shall not interfere with any existing or proposed street tree planting scheme</li> <li>• Shall not interfere with any overhead utility lines</li> <li>• Shall not overhang on to any travel lanes</li> </ul>



Table 4.11.2. Permitted Sign Types

Sign Type	CMS	UL	MR	
Wall Signs	P	P	P	<ul style="list-style-type: none"> <li>For all commercial uses fronting on I-20 access road: One sign per tenant space; area to be calculated at 0.75 sq. ft. per linear foot of highway frontage with a maximum of 200 sq. ft.</li> <li>For all other commercial uses (retail, office, and restaurant): One sign per tenant space; area to be calculated at 1 sq. ft. per linear foot of public street frontage with a maximum of 50 sq. ft.</li> <li>Second floor commercial uses may also be permitted one second floor wall sign per tenant space per public street frontage; area to be calculated at 0.75 sq. ft. per linear foot of second floor frontage along that public street.</li> <li>Live-Work and Home occupations: One sign limited to an area of 12 sq. ft. max.</li> <li>May encroach a maximum of 12" on to a sidewalk while maintaining a vertical clearance of 7' from the finished sidewalk.</li> <li>Wall signs may be internally or externally lit.</li> </ul>
Monument Signs	NP	NP	P	<ul style="list-style-type: none"> <li>One monument sign per lot per street frontage (no more than 2 per lot separated by at least 300 feet) limited to a maximum of 50 sq. ft. per sign face and 6' in height.</li> </ul>
Window Signs	P	P	P	<ul style="list-style-type: none"> <li>Limited to 10% of the window area</li> <li>The following shall be exempt from this limitation:                             <ul style="list-style-type: none"> <li>Addresses, closed/open signs, hours of operation, credit card logos, real estate signs, and now hiring signs.</li> <li>Mannequins and storefront displays of merchandise sold.</li> <li>Interior directory signage identifying shopping aisles and merchandise display areas</li> </ul> </li> </ul>
Blade Signs	P	P	NP	<ul style="list-style-type: none"> <li>Shall be permitted for all commercial uses only (retail, restaurant, and office)</li> <li>10 sq. ft. maximum per sign face.</li> <li>May encroach a maximum of 2' on to a sidewalk.</li> <li>Blade signs may be attached to the building or hung under the soffit of an arcade or under a canopy/awning while maintaining a vertical clearance of 7' from the finished sidewalk.</li> </ul>
For Sale/For Lease Signs	P	P	P	<ul style="list-style-type: none"> <li>Same as Sign Ordinance</li> </ul>
Address Signs	P	P	P	<ul style="list-style-type: none"> <li>Same as Sign Ordinance</li> </ul>
Temporary Construction Signs	P	P	P	<ul style="list-style-type: none"> <li>1 free standing sign per lot during construction only; limited to 32 sq. ft.</li> </ul>
Banners	P	P	P	<ul style="list-style-type: none"> <li>Same as Sign Ordinance</li> </ul>
Sandwich Board Signs	P	P	NP	<ul style="list-style-type: none"> <li>Permitted only for retail, service, or restaurant uses</li> <li>Limited to 8 sq. ft. per storefront;</li> <li>Sign may not exceed 2 feet in width or 4 feet in height.</li> <li>A minimum of 4 feet of sidewalk shall remain clear.</li> <li>Chalkboards may be used for daily changing of messages. Readerboards (electronic and non-electronic) shall be prohibited.</li> <li>Sign shall be removed every day after the business is closed.</li> </ul>
Light Pole Banners	P	P	P	<ul style="list-style-type: none"> <li>10 sq. ft. per sign face.</li> <li>Limited to one per light pole</li> <li>All light pole banners shall be approved by the appropriate utility company prior to consideration by Sign Control Board.</li> <li>Light pole banners shall be limited to publicize community-wide events, holiday celebrations, public art, and other city sponsored events.</li> </ul>
Directory Signs	P	P	P	<ul style="list-style-type: none"> <li>Shall be allowed for all multi-tenant buildings only</li> <li>One directory sign per multi-tenant building limited to 10 sq. ft. in area</li> <li>Design of the sign shall be integral to the façade on which the sign is to be affixed.</li> </ul>
Any sign with LED lights or electronic reader boards	NP	NP	NP	<ul style="list-style-type: none"> <li>New signs with LED lights and electronic reader boards shall be prohibited in the Downtown Duncanville District.</li> </ul>

M. Application and Review Requirements

1. The Development Review Committee shall be responsible for the following:
  - a. Reviewing applications for concept plans, site plans, and any other development related applications within the DD, Downtown Duncanville District.
  - b. Make determinations on the applications and interpretations of guidelines, standards, and requirements of this ordinance.
  - c. Approval of site plans within the DD, Downtown Duncanville District that comply with all applicable city ordinances.
2. Site Plan  
All nonresidential, mixed-use, multi-family, and townhome development within the DD, Downtown Duncanville District shall comply with the requirements under **Section 6.04. Site Plans.**
3. Special Uses, Special Events, and Specific Use Permits Special Uses, Special Events, and Specific Use Permits in the DD, Downtown Duncanville District shall meet the requirements under **Article 6. Zoning Procedures.**

N. Alternative Compliance for DD, Downtown Duncanville District

Alternative Compliance is a method for Planning and Zoning Commission to approve alternative methods of compliance for nonconforming structures in the DD, Downtown Duncanville District based on predetermined standards that may be suitable for this District in select scenarios of land development, reconstruction or modifications. The purpose of Alternative Compliance is to provide a method to allow for nonconforming structures to remain nonconforming after reconstruction or substantial modification if it is in agreement with the Downtown Duncanville District Main Street Master Plan, the Main Street Vision, this District and other policies/regulations that may be adopted by the City Council.

1. Applicability

Requests for Alternative Compliance for DD, Downtown Duncanville District are only suitable for nonconforming buildings (not nonconforming uses) zoned DD, Downtown Duncanville District and the applicant seeks approval for reconstruction or substantial modifications to the building exterior or building façade of a nonconforming building where the collective reconstructions or modifications within any five (5) year period are valued at more than either \$50,000 or a total of fifty (50) percent of the assessed value of the structure in the most recently certified tax rolls, whichever is greater.

2. Review and Approval Criteria

- a. The Alternative Compliance requested shall be in agreement with and promote the concepts from the Downtown Duncanville District Main Street Master Plan.
- b. The Alternative Compliance requested shall promote the concepts of the form-based zoning within the DD, Downtown Duncanville District.
- c. The Alternative Compliance requested shall be in agreement with and promote the concept of orienting buildings in a manner that enhances the pedestrian environment.
- d. Consideration shall be given to the impact of the Alternative Compliance requested on parking areas, vehicle circulation, building layout, connectivity to surrounding streets and sidewalks.
- e. Consideration shall be given to whether the Alternative Compliance requested adversely affects or potentially adversely affects nearby property.
- f. The applicant shall demonstrate the structural and engineering obstacles and difficulties with making the building conforming.

3. Approval Process

- a. Applications for approval of Alternative Compliance shall be submitted to the City and shall specify in detail:
  - (1) The Alternative Compliance sought from the requirements that would otherwise make the building conforming.
  - (2) Describe in detail the structural and engineering obstacles and difficulties with making the building conforming.
  - (3) All other information determined by staff to be needed to properly consider the request.
- b. Alternative Compliance applications shall be considered by the Planning and Zoning Commission after review by the Development Review Committee. To hear and take action on an application for Alternative Compliance the Planning and Zoning Commission shall hold a public hearing at least ten (10) days after publishing notice one time in the official publication of the city, stating the time and place of such hearing, and after providing written notice at least ten (10) days before the hearing date to each owner, as indicated on the most recently approved municipal tax roll, of real property within 200 feet of the property on which the Alternative Compliance is requested to be considered.



### 4. Appeal Process

The applicant may appeal a decision of the Planning and Zoning Commission denying the application to the City Council by submitting written notice of appeal through the Director of Public Works as follows:

- a. The applicant must submit said written notice of appeal no later than twenty (20) calendar days from the date of such decision by the Planning and Zoning Commission.
- b. Following receipt of a proper written notice of appeal from the applicant, the City Council shall consider the appeal at one of its next two regular meetings for which there is time to post an agenda and publish notice. To hear and take action on a notice of appeal the City Council shall hold a public hearing at least fifteen (15) days after publishing notice one time in the official publication of the city, stating the time and place of such hearing, and after providing written notice at least fifteen (15) days before the hearing date to each owner, as indicated on the most recently approved municipal tax roll, of real property within two hundred (200) feet of the property on which the Alternative Compliance is requested to be considered.
- c. The City Council may affirm, modify or reverse the decision of the Planning and Zoning Commission. If the City Council upholds the decision of the Planning and Zoning Commission, the applicant may not apply for Alternative Compliance for the same building for twelve (12) months from the date of the City Council's decision.