

WEST FORT BEND MANAGEMENT DISTRICT

***Recodified
Rules and Regulations
for Implementation
of
Architectural and Landscaping
Standards and Guidelines
for
New Construction, Development
and Redevelopment for
U.S. 59
Portions of Highway 36
Portions of Highway 90A
FM 359
Portions of FM 762
FM 2218 and
Spur 10
Corridors***

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CHAPTER 1. GENERAL PURPOSE AND DESCRIPTION

These Regulations have been created to provide guidance in the implementation of the West Fort Bend Management District's Standards. The Regulations apply to new Commercial and Industrial Development and Redevelopment within portions of the **U.S. 59, Highway 36, Highway 90A, FM 359, FM 762, FM 2218 and Spur 10** Corridors, as described in the definition of Corridors below. These Regulations apply to Tracts that have been developed for Commercial and Industrial purposes, and include Multi-Family housing complexes. Tracts that have previously been developed for these purposes are exempted from the requirements of the Regulations defined herein, unless and until such tracts are Redeveloped. With the exception of residential entry monuments and signage and perimeter fencing around residential communities, these Regulations do not apply to any single family, duplex, triplex or quadraplex use or structure.

The District is developing additional architectural and landscaping standards and guidelines for other areas within the District's boundaries. When additional standards and guidelines are officially adopted for additional areas within the District, these Regulations will simultaneously extend to those areas.

Rapid commercial growth expanding into Fort Bend County creates the opportunity for positive economic expansion in the County but also presents a challenge to maintain, protect, and expand infrastructure and quality of life. Announced and ongoing expansion of U.S. 59 and other state roadways within the region is required to maintain acceptable mobility standards. With the highway expansion comes the rather pressing need to develop, impose, monitor, and enforce streetscape, landscape, lighting, signage, and other minimum Development and Redevelopment standards.

With the support of the Cities of Rosenberg and Richmond, the 79th Texas Legislature created the District to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the District, in order to establish an economic climate that encourages sustainable growth and improves the quality of life of citizens. The District's work is intended to supplement and not to supplant services of Fort Bend County or the Cities of Richmond and Rosenberg.

The District's scope extends along the Cities' entry Corridors including **U.S. 59, Highway 36, Highway 90A, FM 359, FM 762, FM 2218, and Spur 10**. There is a multiplicity of land ownerships within and along the Corridors, and no common planning mechanism available to promote consistent quality. The diversity of interests along the Corridors and lack of unified standards suggest that a coordinated effort involving all affected entities is the best approach to developing an action plan to foster standards of improvement within the identified areas directed at enhancing their long term quality of life and economic growth.

The aesthetic presentation of the Corridors is critical in creating a positive image for communities served by the District. A positive image will add value to all property within the District. A team effort by all property owners within the corridors will ensure success in creating a gateway that all residents and property owners will be proud of.

Time is of the essence. Design is progressing on several of the state roadways and decisions are being made that will have a long-term impact on Fort Bend County and the neighboring communities of Richmond and Rosenberg.

The intent of the District is to improve the aesthetic and functional characteristics of Development and Redevelopment along major entry Corridors within the Cities of Richmond and Rosenberg and their extraterritorial jurisdictions where higher Development and Redevelopment standards can effectively enhance the region's image as a desirable place to live, work, and shop, and further benefit not only the landowners within the District's boundaries, but also the employees, employers, consumers, and general public.

The title of these Regulations shall be known and may be cited as the "West Fort Bend Management District Rules and Regulations for Implementation of Architectural and Landscaping Standards and Guidelines," the purpose of which is to overlay the entry Corridors of the Cities of Richmond and Rosenberg and their respective extraterritorial jurisdictions into a single district. These Regulations have been established with reasonable consideration of the character of the District and its suitability for the particular uses, and with the view of conserving the value of buildings and the environment by encouraging high quality Development and Redevelopment standards along and through the Corridors, pursuant to Texas Local Government Code Section 375.096(c). Review and enforcement of these Regulations will be carried out by the District or its designees.

A rule or regulation established hereunder is in addition to applicable ordinances of the Cities of Richmond and Rosenberg. To the extent of any conflict between a rule or regulation herein and an ordinance of the City of Richmond or Rosenberg, the more restrictive rule, regulation, or ordinance controls.

CHAPTER 2. DEFINITIONS

For the purpose of these Regulations, certain words as used herein are defined as follows. Definitions not expressly prescribed herein are to be construed in accordance with customary usage in municipal planning and engineering practices.

APPLICANT: A person or entity who submits an application to the District requesting approval of a Development/Redevelopment Application, Variance, or other Development or Redevelopment related matter pursuant to the Standards and/or the Regulations. An applicant may include a property owner, real estate agent, engineer, surveyor, architect, planning professional, or other agent of the property owner.

BOARD: The Board of Directors of the District.

BUILDING: Any structure built for the support, shelter, or enclosure of persons, chattels or movable property of any kind and which is affixed to the land. The word "building" shall include the word "structure." This does not include fences unless they are structurally a part of the building.

BUILDING SIGN: Any sign affixed to a building.

CITY: The City of Richmond and/or the City of Rosenberg, as applicable.

COMMERCIAL: Any Development, Redevelopment or building which is not single-family detached residential, a duplex, triplex or quadraplex dwelling, but including Multi-Family housing complexes and entry or monument signage and perimeter fencing for residential communities.

CORRIDOR: The boundaries of the District, encompassing U.S. 59, Highway 36, Highway 90A, FM 359, FM 762, FM 2218 and Spur 10, as shown in the map and metes and bounds description in Exhibit A to the Standards. Each Corridor extends out from the centerline of U.S. 59, Highway 36, Highway 90A, FM 359, FM 762, FM 2218 and Spur 10, as shown on Exhibit A to the Standards, and includes both Primary Roads and Secondary Roads.

The portions of the Corridors which have Standards are listed below:

The U.S. 59 Corridor includes property on both sides of U.S. 59 and extends from the Grand Parkway on the east to just short of the City of Beasley on the west.

The Highway 36 Corridor includes property on both sides of Highway 36 and extends from the Rosenberg city limit line on the northwest to the northern right-of-way line of the Union Pacific Railroad on the southeast.

The Highway 90A Corridor includes property on both sides of Highway 90A and extends

from the Richmond ETJ line on the east to the Brazos River on the west.

The FM 359 Corridor includes property on both sides of FM 359 and extends from Highway 90A on the south to Farmer Road on the north then west to Jones Creek.

The FM 762 Corridor includes property on both sides of FM 762 and extends from FM 2218 on the northwest to FM 2759 on the southeast.

The FM 2218 Corridor includes property on both sides of FM 2218 and extends from U.S. 59 on the southwest to FM 762 on the northeast.

The Spur 10 Corridor includes property on both sides of Spur 10 and extends from Highway 36 on the north to U.S. 59 on the south.

DEVELOPMENT: The process of placing improvements on or to a tract of land; projects where such improvements are being made. Such improvements may include buildings, parking lots, fencing, landscaping, signage, and/or lighting.

DIRECTIONAL SIGN: Any sign that provides information, to reduce confusion and enhance traffic or pedestrian movement within a Commercial or Industrial Development or Redevelopment that has multiple entrances and/or structures. The purpose of a Directional Sign is not to advertise a business or service but to direct the public to the appropriate location within a Commercial or Industrial Development or Redevelopment.

DISTRICT: The West Fort Bend Management District. A map and metes and bounds description of the District boundaries are attached as Exhibit A to the Standards.

DUMPSTER: A large, metal refuse receptacle specifically designed to be emptied by heavy machinery and which is otherwise stationary.

ENFORCING OFFICER: The designated Enforcing Officer of the District.

FENCE: Any structure or hedge greater than thirty (30) inches in height and of any material, the purpose of which is to provide protection from intrusion (both physical and visual), prevent escape, mark a boundary, or provide decoration. All walls except for dikes and retaining walls for the purpose of diverting water and retaining soil are classified as fences. Includes perimeter fencing for residential communities.

FREESTANDING SIGN: Any non-movable sign which is supported by one or more uprights, poles, braces or a base that is affixed in or upon the ground. This does not include signs affixed to a building.

HERITAGE TREE: Any tree greater than thirty inches (30") in diameter, measured at a level of twenty-four inches (24") above natural ground.

INDUSTRIAL: Establishments engaged in the storage, assembly, manufacturing, fabrication, or transformation of materials into new products. These establishments can

also be described as warehouses, plants, factories, and bulk storage facilities. Industrial products are generally carried on the wholesale market rather than direct sale to a consumer.

LANDSCAPE OR LANDSCAPING: Adorn or improve by contouring land and placing thereon live flowers, shrubs, trees, grass or other vegetation.

MASONRY: Brick, stone brick veneer, custom treated tilt wall, decorative or textured concrete block, split face block, stucco, or EIFS (exterior insulation and finish systems).

MULTI-FAMILY: A residential building designed with more than four units, that is, greater than a quadraplex.

PARKING AREA: An off-street area for the temporary storage of motor vehicles, whether free, for compensation or as an accommodation for clients or customers.

PARKING LOT: An area, enclosed or unenclosed, sufficient in size to store automobiles, pickups and/or trucks and permitting ingress and egress of vehicles to a street or alley.

PERMIT: An instrument in writing signed by the Enforcing Officer authorizing the activity described in the writing.

PRIMARY ROAD: Those portions of U.S. 59, Highway 36, Highway 90A, FM 359, FM 762, FM 2218 and Spur 10 within the District's boundaries.

REDEVELOPMENT: Exterior restoration, renovation, or expansion of an existing Commercial or Industrial Structure, including Multi-Family, that improves its appearance or changes its architectural character; or new building construction on a site that had pre-existing uses. Structures in existence as of the date of these Standards' adoption are not subject to the Standards unless or until they undergo Redevelopment. Please note that: (1) Redevelopment under one category of the Standards (such as fencing or lighting) does not trigger a requirement that the Structure or Tract meet all Standards; and (2) depending on its scope, a proposed improvement may not necessarily constitute Redevelopment. For example, if a Fence is renovated, the Applicant may be required to meet the Standards for Fences but the Applicant will not be required to meet any other Standards.

The District or its designee(s) will assist Applicants in determining whether a proposed restoration, renovation, or expansion constitutes Redevelopment within the meaning of these Standards.

REGULATIONS: The West Fort Bend Management District Rules and Regulations for Implementation of Architectural and Landscaping Standards and Guidelines, as they may be amended from time to time by the Board.

SECONDARY ROAD: Any public roadway within the Corridors that is not a Primary Road.

SETBACK LINE: A line which marks distance from the property line that establishes the minimum required front, side or rear yard space of a building plot.

SHALL: Mandatory and not discretionary.

SITE PLAN: A scaled drawing showing the use of a parcel of land and the locations of buildings, drives, sidewalks, parking areas, drainage facilities and other structures to be constructed in relation to surveyed boundaries.

STANDARDS: The West Fort Bend Management District Architectural and Landscaping Standards and Guidelines adopted in accordance with Chapter 3835, Texas Special District Local Laws Code, and Chapter 375, Texas Local Government Code, as such Standards may be amended from time to time by the Board.

STRUCTURE: Anything constructed, the use of which requires permanent location on the ground or attachment to something having a permanent location on the ground. See "Building."

TRACT: Each physical and undivided tract or parcel of land as shown on a duly recorded plat.

TRACT MEASUREMENT:

- a. Area of a tract shall be the net area of the tract, expressed in square feet or acreage, and shall not include portions of any public street or alley.
- b. Depth of a tract shall be considered to be the distance between the midpoints of straight lines connecting the foremost points of the side tract lines in front and the rearmost points of the side tract lines in the rear (the mean horizontal distance between the front and rear tract line).
- c. Width of a tract shall be considered to be the distance between straight lines connecting front and rear tract lines at each side of the tract, measured across the rear of the required front yard; provided, however, that width between side tract lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) percent of the required tract width except in the case of tracts on the turning circle of cul-de-sacs, where the eighty (80) percent requirement shall not apply.

VARIANCE: Authorization to deviate or vary a Standard applicable to Development or Redevelopment—including but not limited to landscaping, signs, Setback Lines, off-street parking and loading regulations, height, access, screening, building materials, fencing, lighting, and tree preservation—granted due to the unique conditions existing within a Tract, and for which a Variance Application has been made and such variance has been

authorized pursuant to the District's Resolution Regarding Variance Requests as such Resolution may be amended from time to time.

CHAPTER 3. PLAT APPROVAL

Section 3.1. Plat Approval Required.

All Commercial and Industrial Development and Redevelopment, including Multi-Family, within the Corridors shall be required to have a certificate of plat approval prior to any Development or Redevelopment. Failure to do so will put the Development or Redevelopment in violation of these Regulations and subject to enforcement, including penalties and procedures as described in Exhibit E.

Section 3.2. Application for Plat Approval.

The application for plat approval and the accompanying plan review checklist for Tracts in the City of Rosenberg or the City of Rosenberg's extraterritorial jurisdiction are attached as Exhibits A and B. The application for plat approval and the accompanying plan review checklist for Tracts in the City of Richmond or the City of Richmond's extraterritorial jurisdiction are attached as Exhibits A-1 and B-1. Applicants are encouraged to contact the District if necessary to determine which form is applicable.

Section 3.3. Issuance.

Upon the filing of a complete application for plat approval, the plat will be reviewed by the District or its designee within 15 days of receipt. Review shall commence only when the District determines the application is complete. If the plat is in compliance with the requirements in this chapter and the Standards, the District shall issue the applicant a certificate of plat approval. If the plat fails to meet the Standards, a letter of plat rejection will be delivered to the applicant with details on unmet Standards.

CHAPTER 4. BUILDING PERMIT

Section 4.1. Building Permit Required.

All Commercial and Industrial Development and Redevelopment, including Multi-Family, within the Corridors shall be required to have a building permit prior to any Development or Redevelopment. Failure to do so will put the Development or Redevelopment in violation of these Regulations and subject to enforcement, including penalties and procedures as described in Exhibit E.

Section 4.2. Application for Building Permit.

The application for building permit and the accompanying plan review checklist for Tracts in the City of Rosenberg or the City of Rosenberg's extraterritorial jurisdiction are attached as Exhibits A and B. The application for building permit and the accompanying plan review checklist for Tracts in the City of Richmond or the City of Richmond's extraterritorial jurisdiction are attached as Exhibits A-1 and B-1. Applicants are encouraged to contact the District if necessary to determine which form is applicable.

Section 4.3. Issuance.

Upon the filing of a complete application for a building permit, the site plan, sample boards, line of sight study, and other data will be reviewed by the District or its designee within 15 days of receipt. Review shall commence only when the District determines that the application is complete. If the site is in compliance with the requirements in this chapter and the Standards, the District shall issue the applicant a building permit. If the site fails to meet the Standards, a letter of building permit rejection will be delivered to the applicant with details on unmet Standards. No construction shall commence unless or until the District has approved the site plan and issued a building permit.

CHAPTER 5. LANDSCAPE PERMIT

Section 5.1. Landscape Permit Required.

All Commercial and Industrial Development and Redevelopment, including Multi-Family, within the Corridors shall be required to have a landscape permit prior to any Development or Redevelopment. Failure to do so will put the Development or Redevelopment in violation of these Regulations and subject to enforcement, including penalties and procedures as described in Exhibit E.

Section 5.2. Application for Landscape Permit.

The application for landscape permit and the accompanying plan review checklist for Tracts in the City of Rosenberg or the City of Rosenberg's extraterritorial jurisdiction are attached as Exhibits A and B. The application for landscape permit and the accompanying plan review checklist for Tracts in the City of Richmond or the City of Richmond's extraterritorial jurisdiction are attached as Exhibits A-1 and B-1. Applicants are encouraged to contact the District if necessary to determine which form is applicable.

Section 5.3. Issuance.

Upon the filing of a complete application for a landscape permit, the landscape plan will be reviewed by the District or its designee within 15 days of receipt. Review shall commence only when the District determines that the application is complete. If the site is in compliance with the requirements in this chapter and the Standards, the District shall issue the applicant a landscape permit. If the site fails to meet the Standards, a letter of landscape permit rejection will be delivered to the applicant with details on unmet Standards.

CHAPTER 6. SITE CLEARING AND HERITAGE TREE REMOVAL PERMITS

Section 6.1. Permit Required.

- (1) No person shall remove, destroy, or disfigure any trees growing within Commercial and Industrial Developments and Redevelopments, including Multi-Family, in the Corridors without a site clearing permit from the District.
- (2) Normal maintenance pruning of trees within the Corridors shall not require a site clearing permit but shall in all cases be in conformance with the guidelines of the International Society of Arboriculture, Tree Pruning Guidelines, current edition. Pruning which, in the opinion of the Enforcing Officer, varies from these guidelines shall be considered in violation of this chapter and the Standards, and subject to enforcement, including penalties and procedures as described in Exhibit E.
- (3) The site clearing permit does not authorize the removal of Heritage Trees. Heritage Trees shall not be removed from any site within the Corridors without a Heritage Tree removal permit.
- (4) Failure to obtain a site clearing permit or Heritage Tree removal permit, as set forth in this chapter, will put the Development or Redevelopment in violation of these Regulations and subject to enforcement, including penalties and procedures as described in Exhibit E.

Section 6.2. Application for Site Clearing Permit.

The application for site clearing permit and the accompanying plan review checklist for Tracts in the City of Rosenberg or the City of Rosenberg's extraterritorial jurisdiction are attached as Exhibits A and B. The application for site clearing permit and the accompanying plan review checklist for Tracts in the City of Richmond or the City of Richmond's extraterritorial jurisdiction are attached as Exhibits A-1 and B-1. Applicants are encouraged to contact the District if necessary to determine which form is applicable.

Section 6.3. Application for Heritage Tree Removal Permit.

- (1) The application for Heritage Tree removal permit and the accompanying plan review checklist for Tracts in the City of Rosenberg or the City of Rosenberg's extraterritorial jurisdiction are attached as Exhibits A and B. The application for Heritage Tree removal permit and the accompanying plan review checklist for Tracts in the City of Richmond or the City of Richmond's extraterritorial jurisdiction are attached as Exhibits A-1 and B-1. Applicants are encouraged to contact the District if necessary to determine which form is applicable.

- (2) The District through its designee and/or its Enforcing Officer shall visit and inspect the property, the Heritage Tree in question, and the surrounding area and shall ascertain the following:
 - (a) The condition of the Heritage Tree with respect to disease, general health, damage, public nuisance, danger of falling, proximity to existing or proposed structures, interference with utility service and whether or not the Heritage Tree acts as host for a plant which is parasitic to another species of tree which is in danger of being exterminated by the parasite;
 - (b) Whether the Heritage Tree has a significant impact on the property;
 - (c) The necessity of removing any Heritage Tree in order to construct any proposed improvements to allow for the economic enjoyment of the property;
 - (d) The number of existing trees in the area on improved property and the effect removal would have upon the public health, safety, and general welfare of residents and upon the property value and beauty of the area; and
 - (e) Good forestry practices, i.e., the number of healthy trees that a given parcel of land will support.
- (3) The permit, if granted, shall entitle the applicant to remove only those Heritage Trees designated by the permit.

Section 6.4. Issuance.

Upon the filing of a complete application for a site clearing permit and/or Heritage Tree removal permit, the tree survey, long-term tree preservation plan, and other data will be reviewed by the District or its designee within 15 days of receipt. Review shall commence only when the District determines that the application is complete. If it appears that the documents meet the requirements of this chapter and the Standards, the District shall issue the applicant the appropriate permit. If the documents fail to meet the Standards, a letter of rejection will be delivered to the applicant with details on unmet Standards.

CHAPTER 7. SIGN PERMIT

Section 7.1. Applicability of Regulations.

- (1) This chapter applies to all signs within the Corridors erected in any Commercial and Industrial Development or Redevelopment, including Multi-Family.
- (2) A sign permit is also required for (i) any Building Sign within the Corridors, pursuant to Section 7.4 of the Standards; and (ii) any residential entry monument or sign within the Corridors, pursuant to Section 7.5 of the Standards.
- (3) Section 7.6 of the Standards applies to any sign in any Commercial and Industrial Development and Redevelopment (including Multi-Family), and any single family, duplex, triplex and quadraplex uses and structures within the Corridors.
- (4) Any sign existing as of the adoption of the Standards is not subject to the provisions of this chapter until replacement or repair (see Section 7.3 below). However, such pre-existing signs may be subject to District requirements in effect prior to the adoption of these Standards.

Section 7.2. Permit Required.

A sign permit from the District is required to erect, reinstall, alter, repair or relocate a sign within the District. Failure to obtain a sign permit will put the Development or Redevelopment in violation of these Regulations and subject to enforcement, including penalties and procedures as described in Exhibit E.

Section 7.3. Replacement or Repair of Signs.

- (1) When any sign erected prior to the adoption of the Standards, or a substantial part of it, is blown down, destroyed, or taken down or removed for any purpose other than changing the letters, symbols or other matter on the sign, it may not be replaced, re-erected, reconstructed, or rebuilt except in full conformance with the provisions and requirements of this chapter.
- (2) For purposes of subsection (1) of this section, a sign or substantial part of it is considered to have been destroyed only if the cost of repairing the sign is more than sixty (60) percent of the cost of erecting a new sign of the same type at the same location. It is the responsibility of an applicant to demonstrate, to the satisfaction of the District or its designee, that the cost of repairing a sign erected prior to the adoption of the Standards is less than sixty (60) percent of the cost of erecting a new sign of the same type at the same location and that the sign should therefore be exempted from the requirements of subsection (1).

Section 7.4. Application for Sign Permit.

The application for sign permit and the accompanying sign criteria checklist for Tracts in the City of Rosenberg or the City of Rosenberg's extraterritorial jurisdiction are attached as Exhibits A and C. The application for sign permit and the accompanying sign criteria checklist for Tracts in the City of Richmond or the City of Richmond's extraterritorial jurisdiction are attached as Exhibits A-1 and C-1. Applicants are encouraged to contact the District if necessary to determine which form is applicable.

Section 7.5. Issuance.

Upon the filing of a complete application for a sign permit, the sign plan and other data will be reviewed by the District or its designee within 15 days of receipt. Review shall commence only when the District determines that the application is complete. If it appears that the site is in compliance with the requirements in this chapter and the Standards, the District shall issue the applicant a sign permit. If the site fails to meet the Standards, a letter of sign permit rejection will be delivered to the applicant with details on unmet Standards.

CHAPTER 8. LIGHTING PERMIT

Section 8.1. Applicability of Regulations.

- (1) This chapter applies to outdoor lighting fixtures installed on Commercial and Industrial Development and Redevelopment, including Multi-Family. This chapter generally does not apply to interior lighting. However, overly bright inside light emitted outdoors from any Commercial and Industrial Structure will be subject to control by this chapter if it is determined by the Enforcing Officer that the light creates a nuisance glare or a disabling glare.
- (2) All Commercial and Industrial outdoor lighting fixtures existing and legally installed and operative prior to the adoption of the Standards are exempt from the requirements of this chapter. However, such pre-existing signs may be subject to District requirements in effect prior to the adoption of the Standards.
- (3) When an existing fixture is replaced, the replacement fixture shall meet the requirements of this chapter.
- (4) In the event the provisions of this chapter conflict with the Fort Bend County Lighting Ordinance, the County requirements shall apply.

Section 8.2. Permit Required.

A lighting permit from the District is required to install and/or operate any outdoor lighting fixtures installed on or in Commercial and Industrial Development and Redevelopment within the District. Failure to obtain a lighting permit will put the Development or Redevelopment in violation of these Regulations and subject to enforcement, including penalties and procedures as described in Exhibit E.

Section 8.3. Application for Lighting Permit.

The application for lighting permit and the accompanying plan review checklist for Tracts in the City of Rosenberg or the City of Rosenberg's extraterritorial jurisdiction are attached as Exhibits A and B. The application for lighting permit and the accompanying plan review checklist for Tracts in the City of Richmond or the City of Richmond's extraterritorial jurisdiction are attached as Exhibits A-1 and B-1. Applicants are encouraged to contact the District if necessary to determine which form is applicable.

Section 8.4. Issuance.

Upon the filing of a complete application for a lighting permit, the photometric drawing, fixture detail schedule, and other data will be reviewed by the District or its designee within 15 days of receipt. Review shall commence only when the District determines that the application is complete. If it appears that the site is in compliance with the

requirements in this chapter and the Standards, the District shall issue the applicant a lighting permit. If the site fails to meet the Standards, a letter of lighting permit rejection will be delivered to the applicant with details on unmet Standards.

CHAPTER 9. MAINTENANCE

Section 9.1. Purpose.

The intent of this chapter is to establish minimum Regulations for maintenance of landscaping and signs.

Section 9.2. Applicability of Regulations.

These Regulations apply to the maintenance of landscaping and signs on Commercial and Industrial Development and Redevelopment within the Corridors regardless of when such landscaping and signs were installed.

Section 9.3. Maintenance of Landscaping.

All landscaping shall be maintained in a healthy condition.

- (1) Trees shall be pruned at least every two (2) years as needed, adequately irrigated with a drip system, and fertilized on a regular schedule as required to maintain their health.
- (2) All grass turf shall be mowed at regular intervals and all shrubs shall be regularly pruned.
- (3) All grass turf shall be irrigated with an automatic sprinkler system and fertilized on a regular basis in order to maintain a good stand of grass.
- (4) Fertilization shall be scheduled on a regular basis to maintain turf in good condition.
- (5) Wax Leaf Ligustrums or Wax Myrtles alongside property lines and among the outside borders of all parking lots shall be maintained at a four foot (4') height.
- (6) Wax Leaf Ligustrums or Wax Myrtles used to screen drive-thru lanes pursuant to Section 5.3(7) of the Standards shall be maintained:
 - (a) at a six foot (6') height for the row of landscaping closest to the drive through lane.
 - (b) at a three foot (3') height for the second row.
- (7) Each hedge shall be maintained at a height of four feet (4').
- (8) Detention areas shall be mowed on a regular basis and kept trash free.
- (9) All dead or dying plants or trees must be removed and replaced immediately, and must be removed and replaced within 60 days of notice from the District.

Failure to adhere to these maintenance requirements will put the Development or Redevelopment in violation of these Regulations and subject to enforcement, including penalties and procedures as described in Exhibit E.

Section 9.4. Maintenance of Signs.

All signs shall be kept in good repair by the owner of the sign or the person in charge of the premises. Failure to keep a sign in good repair shall be deemed a violation of these Regulations and will subject the violator to enforcement, including penalties and procedures as described in Exhibit E.

CHAPTER 10. REQUESTS FOR VARIANCE

Section 10.1. Application for Variance.

The application for variance for Tracts in the City of Rosenberg or the City of Rosenberg's extraterritorial jurisdiction is attached as Exhibit D. The application for variance for Tracts in the City of Richmond or the City of Richmond's extraterritorial jurisdiction is attached as Exhibit D-1. Applicants are encouraged to contact the District if necessary to determine which form is applicable.

Section 10.2. Issuance.

The District will follow the Resolution Regarding Variance Requests, or any amendment thereto, in its consideration of an application for variance.

Copies of the Resolution Regarding Variance Requests are available at the District's Office (P.O. Box 1688, Richmond, TX 77406, 281-344-1701), via the City of Rosenberg, (2110 Fourth Street, P.O. Box 32, Rosenberg, TX 77471), and on the District's website (www.wfbmd.org).

CHAPTER 11. ADMINISTRATION, ENFORCEMENT AND FEES

Section 11.1. Administrative Official.

The Enforcing Officer as designated and appointed by the Board shall administer these Regulations to implement and enforce the Standards.

Section 11.2. Duties of the Enforcing Officer.

- (1) The Enforcing Officer shall act as the lead point of contact for applicants during the permitting, plat approval, inspection and monitoring process.
- (2) The Enforcing Officer shall review every application for a permit or plat approval to ascertain whether the proposed work or use is in compliance with the provisions of these Regulations and the Standards. If the proposed construction, moving, alteration, or use of the land as set forth in the application is in conformity with the provisions of these Regulations and the Standards, the Enforcing Officer may issue a permit or plat approval.
- (3) Issuance of a permit or plat approval does not waive any provisions of these Regulations or the Standards, and a permit issued in error shall be void.
- (4) The Enforcing Officer is not empowered to grant any exception to the actual meaning of any clause, order or regulation contained in these Regulations or the Standards.
- (5) The Enforcing Officer is not empowered to make changes in these Regulations or the Standards or vary the terms of these Regulations or the Standards in carrying out his or her duties as Enforcing Officer.
- (6) If any application for a permit or plat approval is rejected, the Enforcing Officer shall state in writing the causes for such disapproval.
- (7) The Enforcing Officer shall carry out inspections to insure continued compliance with the provisions in these Regulations and the Standards.

Section 11.3. Violations.

- (1) If the Enforcing Officer finds that any of the provisions of these Regulations or the Standards are being violated, the Enforcing Officer shall, when necessary, give notice to the person responsible to cease such violations forthwith.
- (2) Written notice shall be delivered in person or by mail to a violator or to any person in charge of property where a violation is occurring. Verbal notice may be

given to a violator in person by the Enforcing Officer or his deputy. Either notice shall be effective.

- (3) Whenever the requirements of these Regulations or the Standards are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the requirements that are most restrictive or that impose higher standards as determined by the Enforcing Officer shall govern.

Section 11.4. Enforcement and Penalties.

Any person, firm or corporation violating any of the provisions of these Regulations or the Standards shall be subject to a monetary fine of up to \$25,000.00 for each violation, pursuant to Texas Local Government Code Sections 375.092(o) and 375.096(c). Each day such violation continues to exist shall constitute a separate offense. For each violation, the Board shall determine whether the fine should be a per day or one time fine. If any person, firm or corporation violates any of the provisions of these Regulations or the Standards or fails to comply therewith, the District, in addition to imposing the penalties provided for above and set forth in Exhibit E, may institute any appropriate action or proceedings in court to prevent, restrain, correct or abate or to prevent any unlawful act, conduct, business or use in or about any land. Nothing in these Regulations or the Standards shall preclude the District from invoking the civil remedies given it by law in such cases; but the same shall be cumulative of and in addition to the penalties prescribed for such violation. The District may determine that in some cases, monetary fines may not adequately remedy a violation of or failure to comply with the Regulations or the Standards, or adequately compensate the District for such violation or non-compliance, and in such cases the District may seek legal action for enforcement of specific performance.

The District may engage legal counsel to commence legal action to remedy any violation of or failure to comply with the Standards or these Regulations, or to collect any penalties owed to the District, and such attorney's fees and court costs, if any, shall be added to the penalty. The Board finds that these enforcement and penalties provisions are reasonable to carry out the District's programs and purposes in accordance with Texas Local Government Code Section 375.096(c).

Section 11.5. Fees.

Every application for a permit or plat approval shall be accompanied by a fee in an amount sufficient to defray the actual cost of processing the application, as set forth in Exhibits A and A-1. Every application for variance shall be accompanied by a fee in an amount sufficient to defray the actual cost of processing the application, as set forth in Exhibits D and D-1, or as determined in accordance with the District's Resolution Regarding Variance Requests, or any amendment thereto. Such fees may be amended from time to time by amendment to the applicable exhibit.

Section 11.6. Severability Clause.

Should any word, clause, phrase, sentence, section or provision of these Regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Regulations as a whole or any part thereof other than the part so declared to be unconstitutional or invalid, and the remainder hereof shall remain in full force and effect.

**EXHIBIT A: DEVELOPMENT/REDEVELOPMENT APPLICATION
FOR PROPERTIES LOCATED IN
CITY OF ROSENBERG
OR ITS EXTRATERRITORIAL JURISDICTION**



West Fort Bend Management District
Development/Redevelopment Application

Page 1 of 2



Submit this application and the appropriate items listed on the Checklist on Page 2 to the City of Rosenberg, Permits Department, 2220 Fourth Street, PO Box 32, Rosenberg, Texas, 77471, phone (832) 595-3500.

Please check all that apply:

- Building Permit
Landscape Permit
Lighting Permit
Site Clearing Permit
Heritage Tree Removal Permit
Plat
Sign Permit

Project Name: _____

Address (or general location of property): _____

Legal Description or Lot and Block Number and Subdivision Name: _____

Property Owner Information

Contact Name: _____

Entity: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

Phone: _____ Fax: _____

Applicant/Project Manager/Planner/Engineer Information

Contact Name: _____

Entity: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

Phone: _____ Fax: _____

This is to certify that the information on this form is complete, true, and correct, and the undersigned is authorized to make this application.

Owner Signature: _____ Date: _____

Applicant Signature: _____ Date: _____

For Office Use Only:

Table with 4 columns: Application Type, Fees Inside City, Fees Outside City, Fees Paid. Rows include Building Permit, Landscape Permit, Lighting Permit, Site Clearing Permit, Heritage Tree Removal Permit, Plat, Sign Permit.

Total Paid: _____

Notes:

**West Fort Bend Management District
Development/Redevelopment Application**

Page 2 of 2

Submittal Checklists

In addition to the completed application and fee, the following items are also required to be submitted with the application. Any required drawings must be folded and attached to the application. Fees shall be made payable to the City of Rosenberg.

Building Permit Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Site Plan clearly showing all details as described on the Plan Review Checklist (such copies shall be separate from those submitted in the City of Rosenberg Building Permit Application package).
- Two (2) building material sample boards.

Landscape Permit Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Landscape Plan clearly showing all details as described on the Plan Review Checklist (such copies shall be separate from those submitted in the City of Rosenberg Building Permit Application package).

Lighting Permit Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Lighting Plan clearly showing all details as described on the Plan Review Checklist (such copies shall be separate from those submitted in the City of Rosenberg Building Permit Application package).

Plat Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") printed copies of the plat clearly showing the property boundaries and the following details:
 - Building Setback Lines
 - Parking Setback Lines
 - Right-of-way lines for all Corridors, including Primary Roads and Secondary Roads, adjacent to the property
 - Note: "Subject to the West Fort Bend Management District Standards."
 - Note: "West Fort Bend Management District requires a Tree Survey and Tree Preservation Plan and the issuance of a Site Clearing Permit and/or Heritage Tree Removal Permit, as applicable, prior to removal of any trees from property."
 - Note: "The City of Rosenberg, agent for West Fort Bend Management District, shall be notified prior to any site clearing or construction."
 - Note: "Site Plans shall be submitted to the City of Rosenberg, agent for West Fort Bend Management District, for staff review and approval prior to Construction."
 - Note: "This plat was prepared to meet West Fort Bend Management District Requirements."

Site Clearing Permit Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Tree Survey Plan and Long Term Tree Preservation Plan clearly showing all details as described on the Plan Review Checklist (such copies shall be separate from those submitted in the City of Rosenberg Building Permit Application package).

Heritage Tree Removal Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Tree Survey Plan (such copies shall be separate from those submitted in the City of Rosenberg Building Permit Application package), clearly showing the following details:
 - All trees that are greater than 30 inches in diameter, measured at a level 24 inches above natural ground
 - Photos of the trees to be removed
 - Statement explaining why the trees must be removed from the site

Sign Permit Application

- Two (2) 11" x 17" or letter size copies of the proposed signs, clearly showing all details as described on the Sign Criteria Checklist (such copies shall be separate from those submitted in the City of Rosenberg Sign Permit Application package).

**EXHIBIT A-1: DEVELOPMENT/REDEVELOPMENT APPLICATION
FOR PROPERTIES LOCATED IN
CITY OF RICHMOND
OR ITS EXTRATERRITORIAL JURISDICTION**



**West Fort Bend Management District
Development/Redevelopment Application
Richmond Corridors**

CITY OF RICHMOND
DATE STAMP

Submit this application and the appropriate items listed on the Checklist on Page 2 to the City of Richmond, Building Department, 112 Jackson Street, Richmond, Texas, 77469; phone 281-232-6871.

Please check all that apply:

- Building Permit
- Landscape Permit
- Lighting Permit
- Site Clearing Permit
- Heritage Tree Removal Permit
- Plat
- Sign Permit

Project Name: _____

Address (or general location of property): _____

Legal Description or Lot and Block Number and Subdivision Name: _____

Property Owner Information

Contact Name: _____

Entity: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

Phone: _____ Fax: _____

Applicant/Project Manager/Planner/Engineer Information

Contact Name: _____

Entity: _____

Address: _____

City: _____ State: _____ Zip: _____

E-mail: _____

Phone: _____ Fax: _____

This is to certify that the information on this form is complete, true, and correct, and the undersigned is authorized to make this application.

Owner Signature: _____ Date: _____

Applicant Signature: _____ Date: _____

For Office Use Only:

Application Type:	Fees Inside City	Fees Outside City	Fees Paid
Building Permit	\$ 250.00	\$ 500.00	
Landscape Permit	\$ 250.00	\$ 500.00	
Lighting Permit	\$ 100.00	\$ 250.00	
Site Clearing Permit	\$ 100.00	\$ 250.00	
Heritage Tree Removal Permit	\$ 500.00	\$ 500.00	
Plat	\$ 250.00	\$ 250.00	
Sign Permit	\$ 25.00	\$ 25.00	

Total Paid: _____

Notes:

**West Fort Bend Management District
Development/Redevelopment Application
Richmond Corridors
Page 2 of 2
Submittal Checklists**

In addition to the completed application and fee, the following items are also required to be submitted with the application. Any required drawings should be folded and attached to the application.

- Fees shall be made payable to the **City of Richmond**.

Building Permit Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Site Plan clearly showing all details as described on the Plan Review Checklist (such copies shall be separate from those submitted in the City of Richmond Building Permit Application package(Inside city limits only)).
- Two (2) building material sample boards.

Landscape Permit Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Landscape Plan clearly showing all details as described on the Plan Review Checklist.

Lighting Permit Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Lighting Plan clearly showing all details as described on the Plan Review Checklist.

Plat Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") printed copies of the plat clearly showing the property boundaries and the following details:
- Building Setback Lines
 - Parking Setback Lines
 - Right-of-way lines for all Corridors, including Primary Roads and Secondary Roads, adjacent to the property
 - Note: "Subject to the West Fort Bend Management District Standards."
 - Note: "West Fort Bend Management District requires a Tree Survey and Tree Preservation Plan and the issuance of a Site Clearing Permit and/or Heritage Tree Removal Permit, as applicable, prior to removal of any trees from property."
 - Note: "The City of Richmond, agent for West Fort Bend Management District, shall be notified prior to any site clearing or construction."
 - Note: "Site Plans shall be submitted to the City of Richmond, agent for West Fort Bend Management District, for staff review and approval prior to Construction."
 - Note: "This plat was prepared to meet West Fort Bend Management District Requirements."

Site Clearing Permit Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Tree Survey Plan and Long Term Tree Preservation Plan clearly showing all details as described on the Plan Review Checklist.

Heritage Tree Removal Application

- Two (2) full-sized (24" x 36") and two (2) reduced (11" x 17") copies of the Tree Survey Plan, clearly showing the following details:
- All trees that are greater than 30 inches in diameter, measured at a level 24 inches above natural ground
 - Photos of the trees to be removed
 - Statement explaining why the trees must be removed from the site

Sign Permit Application

- Two (2) 11" x 17" or letter size copies of the proposed signs, clearly showing all details as described on the Sign Criteria Checklist (such copies shall be separate from those submitted in the City of Richmond Sign Permit Application package (inside the city limits only)).

**EXHIBIT B: PLAN REVIEW CHECKLIST
FOR PROPERTIES LOCATED IN
CITY OF ROSENBERG
OR ITS EXTRATERRITORIAL JURISDICTION**



City of Rosenberg, Texas
PO Box 32 2220 Fourth St.
Rosenberg, Texas 77471
832-595-3500
www.ci.rosenberg.tx.us

Effective January 1, 2009, the City of Rosenberg is the administrative agent for plan review, permitting, inspection, and enforcement of the Standards of the West Fort Bend Management District within the City or its ETJ.

PLAN REVIEW CHECKLIST

FOR COMMERCIAL AND INDUSTRIAL PROPERTIES WITHIN THE WEST FORT BEND MANAGEMENT DISTRICT

This document is a shortened version of the requirements of the West Fort Bend Management District in the form of a checklist. This checklist summarizes the requirements of the District that need to be shown on the plans submitted for a permit. We advise you to obtain a copy of the entire set of Standards and Regulations (including photo exhibits), from the Planning Department, or download the Standards and Regulations at the District's website, www.wfbmd.org.

Check Applicable Roadway ("Corridor")

These Corridor descriptions are stated in general terms. Please refer to Exhibit A (located in the Standards or available at the Planning Department) to determine if a property is within the District boundaries.

- U.S. 59 Corridor – includes property on both sides of U.S. 59 and extends from the Grand Parkway on the east to just short of the City of Beasley on the west
- Highway 36 Corridor – includes property on both sides of Highway 36 and extends from Rosenberg city limit line on the northwest to the northern right of way of the Union Pacific Railroad on the southeast
- FM 762 Corridor – includes property on both sides of FM 762 and extends from FM 2218 on the northwest to FM 2759 on the southeast
- FM 2218 Corridor – includes property on both sides of FM 2218 and extends from U.S. 59 on the southwest to FM 762 on the northeast
- Spur 10 Corridor – includes property on both sides of Spur 10 and extends from Highway 36 on the north to U.S. 59 on the south

The property does not necessarily have to be addressed on these roads to be in the District. The District boundaries extend out from the centerlines of the above mentioned roadways as shown on Exhibit A to the Standards. Many of the Standards also apply to Secondary Roads. A Secondary Road is any public roadway within a Corridor. If a property appears to be "half in and half out" of the District, then Staff will have to make a determination as to whether the Standards apply.

Check Applicable Applications and Associated Fees

Application Type:	Fees Inside City	Fees Outside City	Amount Enclosed
Building Permit	\$ 250.00	\$ 500.00	
Landscape Permit	\$ 250.00	\$ 500.00	
Lighting Permit	\$ 100.00	\$ 250.00	
Site Clearing Permit	\$ 100.00	\$ 250.00	
Heritage Tree Removal Permit	\$ 500.00	\$ 500.00	
Plat	\$ 250.00	\$ 250.00	
Sign Permit	\$ 25.00	\$ 25.00	

STANDARDS

Please show all specific requirements and all numerical requirements on the plans. For items that do not need to be shown, please include in the form of a notation on the plans.

Buildings in the US 59, Spur 10, and Highway 36 Corridors

Setback lines from US 59, Spur 10, Highway 36

- All buildings shall be setback a minimum of 40 feet from the right-of-way of these roadways.
- All surface parking shall setback a minimum of 35 feet from the right-of-way of these roadways.

Setback lines from Secondary Roads within US 59, Spur 10 and Highway 36 Corridors

- All buildings shall have a minimum building setback of 35 feet from any Secondary Road right-of-way.
- All surface parking shall have a minimum setback of 25 feet from any Secondary Road right-of-way.

Setback lines from Side and Rear Property Lines (applies to all Corridors, including all Primary Roads and Secondary Roads)

- A minimum 6 foot surface parking setback line shall be maintained from all side and rear property lines and a minimum 10 foot building setback line shall be required for all side and rear property lines.

Buildings in the FM 762 and FM 2218 Corridors

Setback lines from Corridors, including all Primary Roads and Secondary Roads in those Corridors

- All buildings shall be setback a minimum of 35 feet from the right-of-ways of the Corridors.
- All surface parking shall be setback a minimum of 25 feet from the right-of-way of the Corridors.

Setback lines from Side and Rear Property Lines (applies to all Corridors, including all Primary Roads and Secondary Roads)

- A minimum 6 foot surface parking setback shall be maintained from all side and rear property lines and a minimum 10 foot building setback shall be required for all side and rear property lines.

Building Materials (applies to all Commercial and Industrial Structures in the District)

- The exterior building materials for buildings within the Corridor shall be comprised of 80% Masonry, glass, or combination thereof.
- All parking lots shall be constructed of reinforced concrete and shall be properly drained. Construction plans with structural details shall be reviewed and approved by the District or its designee.

Additional Building Material Requirements for Industrial Buildings

- All Building Material requirements listed above.
- May not include highly reflective surfaces at the ground story, exposed and untreated precision block walls, false fronts, "stuck on" mansard roofs on small portions of the roofline, and unarticulated facades.
- Loading areas shall not be located at the front of buildings nor visible from the Corridors.

- These design elements shall be incorporated in the design: (i) employ a variety in structure forms to create visual character and interest; (ii) avoid long unarticulated facades; (iii) employ facades with varied front setback lines; (iv) employ architectural treatment of all structure elevations; (v) relate windows and doors to the scale of the elevation and provide recessed openings for depth and contrast; and (vi) alteration of colors and materials.
- Use of metal as a building facade must be reviewed and approved by the District or its designee prior to construction.

Landscape Standards

Tree Preservation

- Trees that are greater than 30 inches in diameter, measured at a level of 24 inches above natural ground, shall not be removed from any site within the District without a Heritage Tree Removal Permit.
- A tree survey of all trees greater than 18 inches and a long term tree preservation plan drawn by a registered urban forester or surveyor shall be submitted to the District or its designee.
- A site clearing permit is required in order to remove, destroy or disfigure any trees in the Corridors, including all Primary Roads and Secondary Roads. Normal maintenance and pruning of trees does not require a site clearing permit.
- Trees planted under power lines shall comply with any applicable height requirements of CenterPoint Energy.

Landscape Requirements for Parking Setbacks

- The following are approved trees for parking setbacks for commercial and industrial developments and parking lots along the Corridors: pecan, sweetgum, sycamore, willow oak, live oak, shumard red oak, lacebark elm, bald cypress, Montezuma cypress, Mexican sycamore, loblolly pine, magnolia, swamp red maple, Texas hickory, and cedar elm.
- Trees, shrubs and grass shall be the primary landscape materials that provide a landscape buffer in the parking setback areas between the Primary Road or Secondary Road right-of-ways and Commercial or Industrial properties. The grass ground cover shall be sodded or hydro-mulched on a graded surface that provides adequate drainage. Weeds and underbrush shall be removed and topsoil provided to allow for a healthy stand of grass. If winter rye is planted during the winter months, Bermuda seed shall be added to provide for growth during warmer temperatures.
- All grass turf and other landscaping shall be irrigated with an automatic sprinkler system. Fertilization shall be scheduled on a regular basis to maintain the turf in a healthy condition.
- Single trunk, 3.5 inch caliper, 65 gallon, 12 foot to 14 foot high trees shall be planted with trees spaced on 30 foot to 40 foot centers. Trees shall be randomly spaced along the entire frontage of the Primary Roads and Secondary Roads. The total minimum number of trees required shall be determined by a formula that takes the linear front footage along the frontage and divides it by 30. (If, for example, a property owner had 600 linear feet of frontage they would be required to install a minimum of 20 trees ($600/30 = 20$.)
- All trees shall be adequately irrigated with an automatic drip system. Trees shall be pruned at least every two years and fertilized on a regular schedule as required to maintain their health. All dead or dying plants or trees shall be removed or replaced within 90 days of notice.

Landscape Requirements for Side Property Lines

- All side property lines shall have shrub hedges and trees installed the greater of the back of the building or 200 feet.
- A double row of 5 gallon or larger Wax Leaf Ligustrums or Wax Myrtles shall be installed in triangular spacing of 18 inches along all side property lines.
- Single trunk, 3.5 inch caliper, 65 gallon, 12 foot to 14 foot high trees shall also be installed along all side property lines, spaced at 40 feet on center. If there is an adjoining site to the side property line, the first owner to develop the property will provide the trees and the other property owner will provide the shrubs.

- All landscaping shall be irrigated with an automatic system.

Landscape Requirements for Parking Lots

- Planting islands shall be required at the end of all parking bays.
 - Two trees shall be planted within each end of the parking bays, 10 feet from the edge of the bay planter (see Exhibit B photo in Standards).
 - Trees shall be 65 gallon, 3.5 inch caliper, single trunk, 12 feet to 14 feet in height.
- For parking lots with two or more rows of cars, in every other row every fourth space shall contain a 6 foot curbed planter diamond.
 - Live Oak trees shall be planted in each diamond planter (see Exhibit C photo in Standards).
 - Live Oak trees shall be 65 gallon, 3.5 inch caliper, single trunked, 12 to 14 feet in height.
- All trees shall be irrigated with automatic systems.
- Five gallon or larger Wax Leaf Ligustrum or Wax Myrtle hedges shall be required along the outside border of all parking lots.
 - The plants shall be planted in a double row, triangularly spaced on 18 inch centers.
 - Hedges shall be maintained at a height of 4 feet.
 - Hedges shall be irrigated with an automatic system.

Additional Landscape Requirements for Industrial Property Only

- All Landscape Standards and Requirements listed above.
- Landscaping should define areas by helping to focus on entrances to buildings, parking lots, and loading areas; by defining edges of various land use; by providing transition between neighboring properties (buffering); and providing screening for outdoor storage, loading and equipment areas.
- Landscaping should be in scale with adjacent buildings and of appropriate size at maturity to accomplish its intended goals. Use of native, disease-resistant, drought-resistant varieties of plant materials is strongly encouraged. See Exhibit D in Standards for list of recommended plants, shrubs and trees.
- Landscaping around the base of buildings is recommended and should be accented at entrances.
- Trees should be located throughout the parking lot and not simply at the end of parking aisles.
- Landscaping should be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed walks, or the use of curbs.
- Berming in conjunction with landscaping can be used at the building edge to reduce structure mass and height along facades.

Lighting Standards

- A photometric drawing shall be submitted to the District or its designee.
- The photometric drawing shall depict the design layout with a point-by-point footcandle lighting level for the entire site, including parking areas and the exterior of the buildings.
- All retail lighting shall achieve a minimum average level of 10 foot candles with a maximum/minimum uniformity ratio of 14 to 1.

- All other Commercial (excluding retail) office building lighting shall achieve a minimum average lighting level of 3 foot candles with a maximum/minimum uniformity ratio of 12 to 1. The size and style of the lighting fixtures shall also appear in the form of a schedule.
- No flood lights shall be mounted on buildings except for wall packs on the rear of buildings.
- Lighting shall be low-key and the placement of fixtures shall coincide with major walkway areas.
- The choice of fixtures shall reflect the theme and architecture of the building. Site structure lighting shall be illuminated with a concealed, stationary shielded light source.
- In the City's ETJ, when these Standards conflict with the Fort Bend County Lighting ordinance, the more restrictive requirement takes precedence.

Additional Lighting Standards for Industrial Development in the Corridors

- All Lighting Standards listed above.
- Lighting shall improve safety and security and enhance the evening driving experience for residents and visitors, and provide an appropriate level of light without glare or overflow onto the Corridors. Lighting should be shielded to confine light spread within the site boundaries.
- Design of light fixtures and their structural support shall be architecturally compatible with the main buildings on-site. Illuminators should be integrated within the architectural design of the buildings.
- All building entrances should be well lighted. As a security device, lighting should be adequate but not overly bright.

Screening

Service and Utility Areas

- All service and utility areas shall be screened from public view by screens, Masonry fences, and other devices approved by the District or its designee.
- Trash areas and dumpster locations shall be permanently fenced or screened with Masonry enclosures that closely resemble the associated building's exterior color, with solid metal gates at the enclosure opening.
- Trash areas and dumpster locations shall be located so that they are not visible from a public street. The gated side of the dumpster shall face the back of the associated building when located in close proximity to the building.
- Trash areas and dumpster locations shall be landscaped on all visible sides.
- All air-conditioning or ventilating equipment mechanical equipment such as water towers, storage tanks, cooling towers, heating equipment, or electrical equipment shall be screened from public view by fencing or landscaping.

Additional Screening for Industrial Property

- Screening should be designed to blend with the site's architecture.
- Plant materials may be used in combination with appropriate fencing materials.
- Any equipment, whether on the roof, side of building or ground, shall be screened by methods that integrate architecturally with the building.
- Screening shall be used to screen automobiles, loading and storage areas and utility structures.

Rooftop Equipment

- Rooftop-mounted equipment must also be screened with materials that match the building components or screened by a parapet wall that surrounds the entire building.
- If a parapet wall is used for screening and any rooftop equipment is higher than the parapet that surrounds the building, a site line study shall be submitted that illustrates that the rooftop equipment is not visible from a distance of less than 2000 feet from any direction at ground level.

Driveways for Drive-Thru Lanes

- Drive-thru lanes for fast food restaurants, financial institutions, pharmacies, or any other use requiring a drive-thru lane shall require a minimum of 2 double rows of landscaping to completely screen vehicles from public view.
- The row of landscaping closest to the traffic lane shall be 5 gallon or larger Wax Myrtles or Wax Leaf Ligustrums planted 18 inches on center in a triangular pattern in a double row to create a hedge that will be maintained at 6 feet in height.
- The second row shall be 5 gallon or larger Dwarf Wax Myrtles or Ligustrums planted 18 inches on center in a double row and maintained at a 3 foot height.

Dry-bottom Detention Areas

- Dry-bottom detention areas shall be screened by hedges or an earth berm.

Fence Requirements

- Fences shall be constructed for security or screening purposes (including perimeter fencing for residential communities) and shall be constructed of Masonry, concrete, wrought iron or tubular metal.
- Chicken-wire, hog-wire, razor wire, barbed wire or wood fencing is prohibited.
- Fences for Commercial and Industrial property, including Multi-Family, shall be set back a minimum of 6 feet from front property lines.
- Fences shall be at least 6 feet but no more than 8 feet high.
- Any residential development adjacent to a Commercial property shall be screened with a Masonry fence and the second project to develop shall be required to construct the Masonry fence.

Additional Fencing Requirements for Industrial Property

- Fence Requirements listed above.
- Barbed wire as an accessory to another type of fence is permitted when the barbed wire material is located along the top of the fence and is at least 6 feet above ground level.
- Screened chain link fencing may be allowed but is subject to review and approval by the District or its designee prior to construction.

**EXHIBIT B-1: PLAN REVIEW CHECKLIST
FOR PROPERTIES LOCATED IN
CITY OF RICHMOND
OR ITS EXTRATERRITORIAL JURISDICTION**



City of Richmond, Texas
 112 Jackson Street.
 Richmond, Texas 77469
 281-232-6871 –
 281-238-1215 fax
www.richmondfd.com/permit.htm

Effective April 1, 2009, the City of Richmond is the administrative agent for plan review, permitting, inspection, and enforcement of the Standards of the West Fort Bend Management District within the City or its ETJ.

PLAN REVIEW CHECKLIST

FOR COMMERCIAL AND INDUSTRIAL PROPERTIES WITHIN THE WEST FORT BEND MANAGEMENT DISTRICT

This document is a shortened version of the requirements of the West Fort Bend Management District in the form of a checklist. This checklist summarizes the requirements of the District that need to be shown on the plans submitted for a permit. We advise you to obtain a copy of the entire set of Standards and Regulations (including photo exhibits), from the Building Department, or download the Standards and Regulations at the District’s website, www.wfbmd.org.

Check Applicable Roadway (“Corridor”)

These Corridor descriptions are stated in general terms. Please refer to Exhibit A (located in the Standards or available at the Planning Department) to determine if a property is within the District boundaries.

- U.S. 59 Corridor – includes property on both sides of U.S. 59 and extends from the Grand Parkway on the east to the City Limits of Rosenberg on the west
- Highway 90A Corridor – includes property on both sides of Highway 90A and extends from Richmond ETJ line on the east to the Brazos River on the west
- FM 359 Corridor – includes property on both sides of FM 359 and extends from Highway 90A on the south to Farmer Road on the north then west to Jones Creek
- FM 762 Corridor – includes property on both sides of FM 762 and extends from FM 2218 on the northwest to FM 2759 on the southeast
- FM 2218 Corridor – includes property on both sides of FM 2218 and extends from the City Limits of Rosenberg on the southwest to FM 762 on the northeast

The property does not necessarily have to be addressed on these roads to be in the District. The District boundaries extend out from the centerlines of the above mentioned roadways as shown on Exhibit A to the Standards. Many of the Standards also apply to Secondary Roads. A Secondary Road is any public roadway within a Corridor. If a property appears to be “half in and half out” of the District, then Staff will have to make a determination as to whether the Standards apply.

Check Applicable Applications and Associated Fees:

Application Type:	Fees Inside City	Fees Outside City	Amount Enclosed
Building Permit	\$ 250.00	\$ 500.00	
Landscape Permit	\$ 250.00	\$ 500.00	
Lighting Permit	\$ 100.00	\$ 250.00	
Site Clearing Permit	\$ 100.00	\$ 250.00	
Heritage Tree Removal Permit	\$ 500.00	\$ 500.00	
Plat	\$ 250.00	\$ 250.00	
Sign Permit	\$ 25.00	\$ 25.00	

STANDARDS

Please show all specific requirements and all numerical requirements on the plans. For items that do not need to be shown, please include in the form of a notation on the plans.

Buildings in the US 59 Corridor

Setback lines from US 59

- All buildings shall be setback a minimum of 40 feet from the right-of-way.
- All surface parking shall setback a minimum of 35 feet from the right-of-way.

Setback lines from Secondary Roads within US 59 Corridor

- All buildings shall have a minimum building setback lines of 35 feet from any Secondary Road right-of-way.
- All surface parking shall have a minimum setback lines of 25 feet from any Secondary Road right-of-way.

Setback lines from Side and Rear Property Lines (applies to all Corridors, including all Primary Roads and Secondary Roads)

- A minimum 6 foot surface parking setback line shall be maintained from all side and rear property lines and a minimum 10 foot building setback line shall be required for all side and rear property lines.

Buildings in the Hwy 90A, FM 359, FM 762, and FM 2218 Corridors

Setback lines from Corridors, including all Primary Roads and Secondary Roads in those Corridors

- All buildings shall be setback a minimum of 35 feet from the right-of-ways of the Corridors.
- All surface parking shall be setback a minimum of 25 feet from the right-of-way of the Corridors.

Setback lines from Side and Rear Property Lines (applies to all Corridors, including all Primary Roads and Secondary Roads)

- A minimum 6 foot surface parking setback shall be maintained from all side and rear property lines and a minimum 10 foot building setback shall be required for all side and rear property lines.

Building Materials (applies to all Commercial and Industrial Structures in the District)

- The exterior building materials for buildings within the Corridor shall be comprised of 80% Masonry, glass, or combination thereof.
- All parking lots shall be constructed of reinforced concrete and shall be properly drained. Construction plans with structural details shall be reviewed and approved by the District or its designee.

Additional Building Material Requirements for Industrial Buildings

- All Building Material requirements listed above.
- May not include highly reflective surfaces at the ground story, exposed and untreated precision block walls, false fronts, "stuck on" mansard roofs on small portions of the roofline, and unarticulated facades.
- Loading areas shall not be located at the front of buildings nor visible from the Corridors.
- These design elements shall be incorporated in the design: (i) employ a variety in structure forms to create visual

character and interest; (ii) avoid long unarticulated facades; (iii) employ facades with varied front setback lines; (iv) employ architectural treatment of all structure elevations; (v) relate windows and doors to the scale of the elevation and provide recessed openings for depth and contrast; and (vi) alteration of colors and materials.

- Use of metal as a building facade must be reviewed and approved by the District or its designee prior to construction.

Landscape Standards

Tree Preservation

- Trees that are greater than 30 inches in diameter, measured at a level of 24 inches above natural ground, shall not be removed from any site within the District without a Heritage Tree Removal Permit.
- A tree survey of all trees greater than 18 inches and a long term tree preservation plan drawn by a registered urban forester or surveyor shall be submitted to the District or its designee.
- A site clearing permit is required in order to remove, destroy or disfigure any trees in the Corridors, including all Primary Roads and Secondary Roads. Normal maintenance and pruning of trees does not require a site clearing permit.
- Trees planted under power lines shall comply with any applicable height requirements of CenterPoint Energy.

Landscape Requirements for Parking Setbacks

- The following are approved trees for parking setbacks for commercial and industrial developments and parking lots along the Corridors: pecan, sweetgum, sycamore, willow oak, live oak, shumard red oak, lacebark elm, bald cypress, Montezuma cypress, Mexican sycamore, loblolly pine, magnolia, swamp red maple, Texas hickory, and cedar elm.
- Trees, shrubs and grass shall be the primary landscape materials that provide a landscape buffer in the parking setback areas between the Primary Road or Secondary Road right-of-ways and Commercial or Industrial properties. The grass ground cover shall be sodded or hydro-mulched on a graded surface that provides adequate drainage. Weeds and underbrush shall be removed and topsoil provided to allow for a healthy stand of grass. If winter rye is planted during winter months, Bermuda seed shall be added to provide for growth during warmer temperatures.
- All grass turf and other landscaping shall be irrigated with an automatic sprinkler system. Fertilization shall be scheduled on a regular basis to maintain the turf in a healthy condition.
- Single trunk, 3.5 inch caliper, 65 gallon, 12 foot to 14 foot high trees shall be planted with trees spaced on 30 foot to 40 foot centers. Trees shall be randomly spaced along the entire frontage of the Primary Roads and Secondary Roads. The total minimum number of trees required shall be determined by a formula that takes the linear front footage along the frontage and divides it by 30. (If, for example, a property owner had 600 linear feet of frontage they would be required to install a minimum of 20 trees (600/30 = 20).)
- All trees shall be adequately irrigated with an automatic drip system. Trees shall be pruned at least every two years and fertilized on a regular schedule as required to maintain their health. All dead or dying plants or trees shall be removed or replaced within 90 days of notice.

Landscape Requirements for Side Property Lines

- All side property lines shall have shrub hedges and trees installed the greater of the back of the building or 200 feet.
- A double row of 5 gallon or larger Wax Leaf Ligustrums or Wax Myrtles shall be installed in triangular spacing of 18 inches along all side property lines.
- Single trunk, 3.5 inch caliper, 65 gallon, 12 foot to 14 foot high trees shall also be installed along all side property lines, spaced at 40 feet on center. If there is an adjoining site to the side property line, the first owner to develop the property will provide the trees and the other property owner will provide the shrubs.

- All landscaping shall be irrigated with an automatic system.

Landscape Requirements for Parking Lots

- Planting islands shall be required at the end of all parking bays.
 - Two trees shall be planted within each end of the parking bays, 10 feet from the edge of the bay planter (see Exhibit B photo in Standards).
 - Trees shall be 65 gallon, 3.5 inch caliper, single trunk, 12 feet to 14 feet in height.
- For parking lots with two or more rows of cars, in every other row every fourth space shall contain a 6 foot curbed planter diamond.
 - Live Oak trees shall be planted in each diamond planter (see Exhibit C photo in Standards).
 - Live Oak trees shall be 65 gallon, 3.5 inch caliper, single trunked, 12 to 14 feet in height.
- All trees shall be irrigated with automatic systems.
- Five gallon or larger Wax Leaf Ligustrum or Wax Myrtle hedges shall be required along the outside border of all parking lots.
 - The plants shall be planted in a double row, triangularly spaced on 18 inch centers.
 - Hedges shall be maintained at a height of 4 feet.
 - Hedges shall be irrigated with an automatic system.

Additional Landscape Requirements for Industrial Property Only

- All Landscape Standards and Requirements listed above.
- Landscaping should define areas by helping to focus on entrances to buildings, parking lots, and loading areas; by defining edges of various land use; by providing transition between neighboring properties (buffering); and providing screening for outdoor storage, loading and equipment areas.
- Landscaping should be in scale with adjacent buildings and of appropriate size at maturity to accomplish its intended goals. Use of native, disease-resistant, drought-resistant varieties of plant materials is strongly encouraged. See Exhibit D in Standards for list of recommended plants, shrubs and trees.
- Landscaping around the base of buildings is recommended and should be accented at entrances.
- Trees should be located throughout the parking lot and not simply at the end of parking aisles.
- Landscaping should be protected from vehicular and pedestrian encroachment by raised planting surfaces, depressed walks, or the use of curbs.
- Berming in conjunction with landscaping can be used at the building edge to reduce structure mass and height along facades.

Lighting Standards

- A photometric drawing shall be submitted to the District or its designee.
- The photometric drawing shall depict the design layout with a point-by-point footcandle lighting level for the entire site, including parking areas and the exterior of the buildings.

- All retail lighting shall achieve a minimum average level of 10 foot candles with a maximum/minimum uniformity ratio of 14 to 1.
- All other Commercial (excluding retail) office building lighting shall achieve a minimum average lighting level of 3 foot candles with a maximum/minimum uniformity ratio of 12 to 1. The size and style of the lighting fixtures shall also appear in the form of a schedule.
- No flood lights shall be mounted on buildings except for wall packs on the rear of buildings.
- Lighting shall be low-key and the placement of fixtures shall coincide with major walkway areas.
- The choice of fixtures shall reflect the theme and architecture of the building. Site structure lighting shall be illuminated with a concealed, stationary shielded light source.
- In the City's ETJ, when these Standards conflict with the Fort Bend County Lighting ordinance, the more restrictive requirement takes precedence.

Additional Lighting Standards for Industrial Development in the Corridors

- All Lighting Standards listed above.
- Lighting shall improve safety and security and enhance the evening driving experience for residents and visitors, and provide an appropriate level of light without glare or overflow on to the Corridors. Lighting should be shielded to confine light spread within the site boundaries.
- Design of light fixtures and their structural support shall be architecturally compatible with the main buildings on-site. Illuminators shall be integrated within the architectural design of the buildings.
- All building entrances should be well lighted. As a security device, lighting should be adequate but not overly bright.

Screening

Service and Utility Areas

- All service and utility areas shall be screened from public view by screens, Masonry fences, and other devices approved by the District or its designee.
- Trash areas and dumpster locations shall be permanently fenced or screened with Masonry enclosures that closely resemble the associated building's exterior color, with solid metal gates at the enclosure opening.
- Trash areas and dumpster locations shall be located so that they are not visible from a public street. The gated side of the dumpster shall face the back of the associated building when located in close proximity to the building.
- Trash areas and dumpster locations shall be landscaped on all visible sides.
- All air-conditioning or ventilating equipment mechanical equipment such as water towers, storage tanks, cooling towers, heating equipment, or electrical equipment shall be screened from public view by fencing or landscaping.

Additional Screening for Industrial Property

- Screening should be designed to blend with the site's architecture.
- Plant materials may be used in combination with appropriate fencing materials.
- Any equipment, whether on the roof, side of building or ground, shall be screened by methods that integrate architecturally with the building.
- Screening shall be used to screen automobiles, loading and storage areas and utility structures.

Rooftop Equipment

- Rooftop-mounted equipment must also be screened with materials that match the building components or screened by a parapet wall that surrounds the entire building.
- If a parapet wall is used for screening and any rooftop equipment is higher than the parapet that surrounds the building, a site line study shall be submitted that illustrates that the rooftop equipment is not visible from a distance of less than 2000 feet from any direction at ground level.

Driveways for Drive-Thru Lanes

- Drive-thru lanes for fast food restaurants, financial institutions, pharmacies, or any other use requiring a drive-thru lane shall require a minimum of 2 double rows of landscaping to completely screen vehicles from public view.
- The row of landscaping closest to the traffic lane shall be 5 gallon or larger Wax Myrtles or Wax Leaf Ligustrums planted 18 inches on center in a triangular pattern in a double row to create a hedge that will be maintained at 6 feet in height.
- The second row shall be 5 gallon or larger Dwarf Wax Myrtles or Ligustrums planted 18 inches on center in a double row and maintained at a 3 foot height.

Dry-bottom Detention Areas

- Dry-bottom detention areas shall be screened by hedges or an earth berm.

Fence Requirements

- Fences shall be constructed for security or screening purposes (including perimeter fencing for residential communities) and shall be constructed of Masonry, concrete, wrought iron or tubular metal.
- Chicken-wire, hog-wire, razor wire, barbed wire or wood fencing is prohibited.
- Fences for Commercial and Industrial property, including Multi-Family, shall be set back a minimum of 6 feet from front property lines.
- Fences shall be at least 6 feet but no more than 8 feet high.
- Any residential development adjacent to a Commercial property shall be screened with a Masonry fence and the second project to develop shall be required to construct the Masonry fence.

Additional Fencing Requirements for Industrial Property

- Fence Requirements listed above.
- Barbed wire as an accessory to another type of fence is permitted when the barbed wire material is located along the top of the fence and is at least 6 feet above ground level.
- Screened chain link fencing may be allowed but is subject to review and approval by the District or its designee prior to construction.

**EXHIBIT C: SIGN CRITERIA CHECKLIST
FOR PROPERTIES LOCATED IN
CITY OF ROSENBERG
OR ITS EXTRATERRITORIAL JURISDICTION**



City of Rosenberg, Texas
PO Box 32 2220 Fourth St.
Rosenberg, Texas 77471
832-595-3500
www.ci.rosenberg.tx.us

Effective January 1, 2009, the City of Rosenberg is the administrative agent for plan review, permitting, inspection, and enforcement of the Standards of the West Fort Bend Management District within the City or its ETJ.

SIGN CRITERIA CHECKLIST

FOR PROPERTIES WITHIN THE WEST FORT BEND MANAGEMENT DISTRICT

This document is a shortened version of the sign requirements of the West Fort Bend Management District in the form of a checklist. This summary contains all of the requirements of the District that need to be shown on the plans submitted for a sign permit. We advise you to obtain a copy of the entire set of Standards and Regulations (including photo exhibits), from the Planning Department, or download the Standards and Regulations at the District's website, www.wfbmd.org.

Check Applicable Roadway ("Corridor")

These Corridor descriptions are stated in general terms. Please refer to Exhibit A of the Standards to determine if a property is within the District boundaries.

- U.S. 59 Corridor – includes property on both sides of U.S. 59 and extends from the Grand Parkway on the east to just short of the City of Beasley on the west
- Highway 36 Corridor – includes property on both sides of Highway 36 and extends from Rosenberg city limit line on the northwest to the northern right of way of the Union Pacific Railroad on the southeast
- FM 762 Corridor – includes property on both sides of FM 762 and extends from FM 2218 on the northwest to FM 2759 on the southeast
- FM 2218 Corridor – includes property on both sides of FM 2218 and extends from U.S. 59 on the southwest to F.M. 762 on the northeast
- Spur 10 Corridor – includes property on both sides of Spur 10 and extends from Highway 36 on the north to U.S. 59 on the south

The property does not necessarily have to be addressed on these roads to be in the District. The District boundaries extend out from the centerlines of the above mentioned roadways as shown on Exhibit A to the Standards. Many of the Standards also apply to Secondary Roads. A Secondary Road is any public roadway within a Corridor. If a property appears to be "half in and half out" of the District, then Staff will have to make a determination as to whether the Standards apply.

Application and Associated Fee

Required of every submittal:

- Sign Permit Application and \$25 fee

SIGN CRITERIA

Please show all specific requirements and all numerical requirements on the plans. For items that do not need to be shown, please include in the form of a notation on the plans.

All Freestanding Signs

- Shall be located only within the area between the front property line and the applicable parking Setback Lines (as set forth in Section 3.3 of the Standards).
- Shall be ground-mounted with concrete bases.
- Shall be constructed of Masonry or other Board-approved materials which match the facade of the related establishment.
- For single tenant signs, the maximum dimensions are 4 feet by 9 feet.
- For two tenants, two such signs shall be allowed in tandem providing a single base of 18 feet (see Exhibit E photo in Standards).
- For a single sign containing multiple tenants, an additional 1 foot of vertical height may be added for each additional tenant to a maximum sign height of 10 feet. Width remains a constant 9 feet.

Additional Criteria for Freestanding Signs (excluding Directional Signs) located in the U.S. 59 Corridor

- The maximum dimension of any sign shall be 4 feet high by 9 feet wide.
- Two such signs shall be allowed in tandem providing a single base of no more than 18 feet (see Exhibit E photo in Standards).
- Sign bases shall be no higher than 18 inches and constructed of concrete.
- Signs shall be constructed of materials similar to the materials used in the building elevation.
- The minimum distance between signs shall be 125 feet. Each separate property owner will be allowed at least one sign.
- Signs shall contain only the legal name (including d/b/a) and logo of the business.
- Signs may include the District's logo.

Additional Criteria for Freestanding Signs (excluding Directional Signs) located in the Highway 36, FM 762, FM 2218, and Spur 10 Corridors

- The maximum size of any sign shall be 36 square feet.
- Signs shall be constructed of materials similar to the materials used in the building elevation or other materials approved by the Board.
- Signs shall contain only the legal name (including d/b/a) and logo of the business.
- Signs may include the District's logo.
- Signs shall be anchored in concrete.

Directional Signs

- Directional Signs shall be a maximum of 2 feet high by 3 feet wide.
- Directional Signs shall be erected near the ground.
- Directional Signs shall have a concrete base no higher than 18 inches.
- Site plans shall include notations concerning any Directional Signs.

Building Signs

- The area of Building Signs shall not exceed in the aggregate 25% of the area of the wall on which they are mounted or painted, or 1,000 square feet, whichever is smaller. Letters of a Building Sign may not be greater than 48 inches in height.
- Building Signs may be attached only to buildings devoted exclusively to business purposes. Building Signs on parking garages located on the premises of the business are allowed.
- Building Signs may not extend above the supporting exterior wall unless mounted on a mansard or facade and no Building Sign may extend more than 10 feet above the roof line of the supporting wall.

Residential Entry Monuments and Signs

- For projects other than Commercial properties, there shall be a percentage-based hierarchy of project entries. This system establishes size scale in reverse increments of:
 - 100%: Main monumentation
 - 75%: Secondary monumentation
 - 50%: Tertiary monumentation
 - 25%: Minor/Community facilitiesThese monuments will be evaluated on a case-by-case basis.

Temporary signs are allowed for the following uses:

- Construction signs: Only one such sign is permitted to face on each street adjacent to the property. Signs shall not exceed 4 feet by 8 feet.
- No Trespassing signs: Trespassing warnings that are posted in compliance with requirements of Federal, State, or local laws.
- Traffic Safety signs: Signs warning of construction, excavation or similar hazards.
- Real Estate signs: Temporary signs indicating that the property on which the sign is located is for sale, rent or lease. Only one such sign is permitted to face on each street adjacent to the property. Signs shall not exceed 4 feet by 8 feet.
- Utility signs: Signs placed by utility companies as a part of normal operation and marking of facilities such as telephone or underground services.
- Special Event signs: Signs advertising special or temporary functions or events (such as grand openings). Such signs shall not be erected for more than 10 days before and must be removed no later than 2 days after the event or function.
- Political Election signs: Signs relating to the election of a person to a public office, or relating to a political party, or relating to a matter to be voted upon at an election called by a public body.
- Signage shall be maintained for appearance and shall be removed when the activity for which the sign was erected has been completed.

Prohibited Signs Within The Corridors

- All signage within the Corridors must be approved by the District or its designee.
- Signs, including but not limited to trailer signs, vehicles used as signage, animated, moving or flashing signs, iridescent painted signs, exposed neon signs, fluorescent or incandescent illumination signs, dayglo colored signs, and signs that create noise are strictly prohibited within the Corridors.
- No pole mounted or pylon signs or billboards shall be permitted.
- No advertising signs of any kind, nature, or description shall be permitted, including but not limited to: “Garage Sale” or “Estate Sale” signs, signs promoting concerts or events, and bandit signs.
- No roof top or paper signs shall be permitted.
- All banners and streamers are prohibited.
- No off-site or off-premise signs, excluding City-authorized directional signs, shall be permitted.
- All signs shall be placed on the owner's or tenant's property.

**EXHIBIT C-1: SIGN CRITERIA CHECKLIST
FOR PROPERTIES LOCATED IN
CITY OF RICHMOND
OR ITS EXTRATERRITORIAL JURISDICTION**



City of Richmond, Texas
112 Jackson Street.
Richmond, Texas 77469
281-232-6871 – 281-238-1215 fax
www.richmondfd.com/permit.htm

Effective April 1, 2009, the City of Richmond is the administrative agent for plan review, permitting, inspection, and enforcement of the Standards of the West Fort Bend Management

SIGN CRITERIA CHECKLIST

FOR PROPERTIES WITHIN THE WEST FORT BEND MANAGEMENT DISTRICT

This document is a shortened version of the sign requirements of the West Fort Bend Management District in the form of a checklist. This summary contains all of the requirements of the District that need to be shown on the plans submitted for a sign permit. We advise you to obtain a copy of the entire set of Standards and Regulations (including photo exhibits), from the Building Department, or download the Standards and Regulations at the District's website, www.wfbmd.org.

Check Applicable Roadway ("Corridor")

These Corridor descriptions are stated in general terms. Please refer to Exhibit A of the Standards to determine if a property is within the District boundaries.

- U.S. 59 Corridor – includes property on both sides of U.S. 59 and extends from the Grand Parkway on the east to the City Limits of Rosenberg on the west
- Highway 90A Corridor – includes property on both sides of Highway 90A and extends from Richmond ETJ line on the east to the Brazos River on the west
- FM 359 Corridor – includes property on both sides of FM 359 and extends from Highway 90A on the south to Farmer Road on the north then west to Jones Creek
- FM 762 Corridor – includes property on both sides of FM 762 and extends from FM 2218 on the northwest to FM 2759 on the southeast
- FM 2218 Corridor – includes property on both sides of FM 2218 and extends from the City Limits of Rosenberg on the southwest to F.M. 762 on the northeast

The property does not necessarily have to be addressed on these roads to be in the District. The District boundaries extend out from the centerlines of the above mentioned roadways as shown on Exhibit A to the Standards. Many of the Standards also apply to Secondary Roads. A Secondary Road is any public roadway within a Corridor. If a property appears to be "half in and half out" of the District, then Staff will have to make a determination as to whether the Standards apply.

Application and Associated Fee

Required of every submittal: Checks Payable to : "City of Richmond"

- Sign Permit Application and \$25 fee

SIGN CRITERIA

Please show all specific requirements and all numerical requirements on the plans. For items that do not need to be shown, please include in the form of a notation on the plans.

All Freestanding Signs

- Shall be located only within the area between the front property line and the applicable parking Setback Lines (as set forth in Section 3.3 of the Standards).
- Shall be ground-mounted with concrete bases.
- Shall be constructed of Masonry or other Board-approved materials which match the facade of the related establishment.
- For single tenant signs, the maximum dimensions are 4 feet by 9 feet.
- For two tenants, two such signs shall be allowed in tandem providing a single base of 18 feet (see Exhibit E photo in Standards).
- For a single sign containing multiple tenants, an additional 1 foot of vertical height may be added for each additional tenant to a maximum sign height of 10 feet. Width remains a constant 9 feet.

Additional Criteria for Freestanding Signs (excluding Directional Signs) located in the U.S. 59 Corridor

- The maximum dimension of any sign shall be 4 feet high by 9 feet wide.
- Two such signs shall be allowed in tandem providing a single base of no more than 18 feet (see Exhibit E photo in Standards).
- Sign bases shall be no higher than 18 inches and constructed of concrete.
- Signs shall be constructed of materials similar to the materials used in the building elevation.
- The minimum distance between signs shall be 125 feet. Each separate property owner will be allowed at least one sign.
- Signs shall contain only the legal name (including d/b/a) and logo of the business.
- Signs may include the District's logo.

Additional Criteria for Freestanding Signs (excluding Directional Signs) located in the Highway 90A, FM 359, FM 762, and FM 2218 Corridors

- The maximum size of any sign shall be 36 square feet.
- Signs shall be constructed of materials similar to the materials used in the building elevation or materials approved by the Board.
- Signs shall contain only the legal name (including d/b/a) and logo of the business.
- Signs may include the District's logo.
- Signs shall be anchored in concrete.

Directional Signs

- Directional Signs shall be a maximum of 2 feet high by 3 feet wide.
- Directional Signs shall be erected near the ground.
- Directional Signs shall have a concrete base no higher than 18 inches.
- Site plans shall include notations concerning any Directional Signs.

Building Signs

- The area of Building Signs shall not exceed in the aggregate 25% of the area of the wall on which they are mounted or painted, or 1,000 square feet, whichever is smaller. Letters of a Building Sign may not be greater than 48 inches in height.
- Building Signs may be attached only to buildings devoted exclusively to business purposes. Building Signs on parking garages located on the premises of the business are allowed.
- Building Signs may not extend above the supporting exterior wall unless mounted on a mansard or facade and no Building Sign may extend more than 10 feet above the roof line of the supporting wall.

Residential Entry Monuments and Signs

- For projects other than Commercial properties, there shall be a percentage-based hierarchy of project entries. This system establishes size scale in reverse increments of:
 - 100%: Main monumentation
 - 75%: Secondary monumentation
 - 50%: Tertiary monumentation
 - 25%: Minor/Community facilitiesThese monuments will be evaluated on a case-by-case basis.

Temporary signs are allowed for the following uses:

- Construction signs: Only one such sign is permitted to face on each street adjacent to the property. Signs shall not exceed 4 feet by 8 feet.
- No Trespassing signs: Trespassing warnings that are posted in compliance with requirements of Federal, State, or local laws.
- Traffic Safety signs: Signs warning of construction, excavation or similar hazards.
- Real Estate signs: Temporary signs indicating that the property on which the sign is located is for sale, rent or lease. Only one such sign is permitted to face on each street adjacent to the property. Signs shall not exceed 4 feet by 8 feet.
- Utility signs: Signs placed by utility companies as a part of normal operation and marking of facilities such as telephone or underground services.
- Special Event signs: Signs advertising special or temporary functions or events (such as grand openings). Such signs shall not be erected for more than 10 days before and must be removed no later than 2 days after the event or function.
- Political Election signs: Signs relating to the election of a person to a public office, or relating to a political party, or relating to a matter to be voted upon at an election called by a public body.
- Signage shall be maintained for appearance and shall be removed when activity for which the sign was erected has been completed.

Prohibited Signs Within The Corridors

- All signage within the Corridors must be approved by the District or its designee.
- Signs, including but not limited to trailer signs, vehicles used as signage, animated, moving or flashing signs, iridescent painted signs, exposed neon signs, fluorescent or incandescent illumination signs, dayglo colored signs, and signs that create noise are strictly prohibited within the Corridors.
- No pole mounted or pylon signs or billboards shall be permitted.
- No advertising signs of any kind, nature, or description shall be permitted, including but not limited to: “Garage Sale” or “Estate Sale” signs, signs promoting concerts or events, and bandit signs.
- No roof top or paper signs shall be permitted.
- All banners and streamers are prohibited.
- No off-site or off-premise signs, excluding City-authorized directional signs, shall be permitted.
- All signs shall be placed on the owner's or tenant's property.

**EXHIBIT D: VARIANCE APPLICATION
FOR PROPERTIES LOCATED IN
CITY OF ROSENBERG
OR ITS EXTRATERRITORIAL JURISDICTION**



**West Fort Bend Management District
Variance Application**

Submit this application and the appropriate (completed) checklist with required documents to the City of Rosenberg, Planning Department, 2220 Fourth Street, PO Box 32, Rosenberg, Texas, 77471, phone (832) 595-3500.

Project Name: _____

Type of Project:

- Business/Office
- Planned Development
- Multi-Family Residential
- Commercial/Industrial

Applicant/Project Manager's Information (Primary Contact for the Project)

Contact Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail: _____

Phone: _____ Fax: _____

Property Owner's Information

Contact Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail: _____

Phone: _____ Fax: _____

Planner or Engineer's Information

Contact Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail: _____

Phone: _____ Fax: _____

Property Location

Legal Description: _____

Fort Bend CAD Property ID: _____

Fort Bend CAD Account No.: _____

Geographic Location (List major streets, bayous, creeks, and adjacent developments:

Property Information

Total Acreage: _____ Number of Lots: _____

Number of Streets: _____ Number of Blocks: _____

Adjacent Roads: _____

Current Use and Improvements:

Description of any prior petition for appeal, variance, or conditional use:

Describe the effects on the property if the variance is not granted:

Mitigation:

(Describe your proposed mitigation for each requested variance)

Alternatives:

(Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you considered in each category below)

Required Documents:

Applications for Variance shall contain or have attached thereto the following information:

- Variance Application Form completed in its entirety.
- Three (3) full-sized (24" x 36") and three (3) reduced (11" x 17") printed, full color copies of the plat and/or site plan clearly showing the following details:
 - Building Setback Lines
 - Parking Setback Lines
 - Building Facade Materials *
 - Screening Detail *
 - Fencing Detail *
 - Landscaping Detail *
 - Lighting Detail *
 - Right-of-way boundaries for all major thoroughfares adjacent to property
 - Property Boundaries
 - Proposed Mitigation

* when applicable to nature of variance request.

Submittal Fee: \$500.00
Check Number:

This is to certify that the information on this form is complete, true, and correct and the undersigned is authorized to make this application.

X _____
Signature of Applicant **Date**

TO BE COMPLETED BY WFBMD STAFF

File Number: _____ Date: _____
Property Location: _____ Amount: _____
DB REF # _____ Rcvd by: _____

**EXHIBIT D-1: VARIANCE APPLICATION
FOR PROPERTIES LOCATED IN
CITY OF RICHMOND
OR ITS EXTRATERRITORIAL JURISDICTION**



CITY OF RICHMOND
DATE STAMP

**West Fort Bend Management District
Richmond Corridor
Variance Application**

Submit this application and the appropriate (completed) checklist with required documents to the City of Richmond, Permits Department, 112 Jackson Street, Richmond, Texas, 77469, phone 281-232-6871.

Project Name: _____

Type of Project:

- Business/Office Planned Development
 Multi-Family Residential Commercial/Industrial

Applicant/Project Manager's Information (Primary Contact for the Project)

Contact Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail: _____

Phone: _____ Fax: _____

Property Owner's Information

Contact Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail: _____

Phone: _____ Fax: _____

Planner or Engineer's Information

Contact Name: _____

Address: _____

City: _____ State: _____ Zip: _____

E-Mail: _____

Phone: _____ Fax: _____

Property Location

Legal Description: _____

Fort Bend CAD Property ID: _____

Fort Bend CAD Account No.: _____

Geographic Location (List major streets, bayous, creeks, and adjacent developments:

Property Information

Total Acreage: _____ Number of Lots: _____

Number of Streets: _____ Number of Blocks: _____

Adjacent Roads: _____

Current Use and Improvements:

Description of any prior petition for appeal, variance, or conditional use:

Describe the effects on the property if the variance is not granted:

Mitigation:

(Describe your proposed mitigation for each requested variance)

Alternatives:

(Describe alternatives to your proposal such as other locations, designs and construction techniques. Attach a site map showing alternatives you considered in each category below)

Required Documents:

Applications for Variance shall contain or have attached thereto the following information:

- Variance Application Form completed in its entirety.
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 - Building Facade Materials *
 - Screening Detail *
 - Fencing Detail *
 - Landscaping Detail *
 - Lighting Detail *
 - Right-of-way boundaries for all major thoroughfares adjacent to property
 - Property Boundaries
 - Proposed Mitigation

* when applicable to nature of variance request.

Submittal Fee: \$500.00
Check Number:

This is to certify that the information on this form is complete, true, and correct and the undersigned is authorized to make this application.

X _____
Signature of Applicant **Date**

TO BE COMPLETED BY WFBMD STAFF

File Number: _____ Date: _____
Property Location: _____ Amount: _____
DB REF # _____ Rcvd by: _____

EXHIBIT E: PENALTY SCHEDULE

The following table details the penalties associated with violations of the Regulations. Each day upon which such violation occurs shall constitute a separate violation. Any person who violates any of the provisions of, or who fails to perform any duty imposed by, these Regulations shall be guilty of a Class 1 misdemeanor, and in addition thereto may be enjoined in a civil action by a court of competent jurisdiction from continuing such violation.

OFFENSE	PENALTY PER DAY
Failure to Obtain Plat Approval	\$5,000
Beginning Construction without Building Permit	Double the Permit Fee for each required permit (See Exhibit A and Exhibit A-1)
Failure to Adhere to Setback Standards	\$2,000
Failure to Adhere to Building Materials, Screening, and Fencing Standards	\$500
Failure to Adhere to Landscaping Standards	\$500
Unpermitted Site Clearing	\$2,000
Unauthorized Removal of Heritage Trees	\$750 per tree
Failure to Adhere to Signage Standards	\$500
Failure to Adhere to Lighting Standards	\$500
Failure to Maintain Landscaping and/or Signs	\$500 per incident
Violation of Regulations or Standards	up to \$25,000