



***SITE FEASIBILITY REPORT***

***NEWSOME HOMES COMMUNITY  
NORTHEAST CORNER OF  
MCKININ & SH 5 (MCDONALD STREET)  
McKinney, Texas***

***Prepared for:***

**Carleton Residential Properties  
5485 Belt Line Road  
Suite 300  
Dallas, TX 75254  
Phone: (972) 980-9810**

***Prepared by:***

**Sanchez and Associates, L.L.C.  
220 E. Virginia Street  
McKinney, Texas 75069  
Phone: (469) 424-5900  
Fax: (214) 544-3200**

**April 2014**

## TABLE OF CONTENTS

<b>EXECUTIVE SUMMARY.....</b>	<b>1</b>
<b>I. SITE CONDITIONS .....</b>	<b>2</b>
<b>II. ZONING / PROCESSING.....</b>	<b>2</b>
<b>III. WATER DISTRIBUTION .....</b>	<b>4</b>
<b>IV. SANITARY SEWER SERVICE.....</b>	<b>4</b>
<b>V. DRAINAGE / FLOODPLAIN.....</b>	<b>4</b>
<b>VI. TRANSPORTATION.....</b>	<b>4</b>
<b>VII. WETLANDS / ENVIRONMENTAL .....</b>	<b>5</b>
<b>VIII. IMPACT FEES / PRO-RATA FEES / ASSESSMENTS .....</b>	<b>5</b>

*NOTE: Sanchez and Associates, LLC has prepared this study based on information readily available and/or provided to us by others and a meeting with City Staff. The scope of our investigation is limited and we have made an effort to investigate the matters which may affect the development of the site. Issues may arise after the preparation of this report due to policy or rule changes by those entities involved. The information provided in this report is to the best of our knowledge as of April 2014.*

---

Master Planning      Civil Engineering      Land Development      Property Management

220 East Virginia Street • McKinney, TX 75069 • Tel 469 424 5900 • Fax 214 544 3200



## APPENDIX

<u>EXHIBIT</u>	<u>DESCRIPTION</u>
1	Aerial Exhibit
2	Approved PD 2014-02-007
3	Development Regulations: RG-18 General Residence District SH 5 Corridor – Transportation Study Architectural and Site Standards McKinney Fire Code Landscape Requirements Fences, Wall, and Screening Requirements Height and Area Exceptions Vehicle Parking Tree Preservation
4	Submittal Fee Schedule Schedule for Planning Applications Site Plan Requirements Checklist Plat Requirements Checklist Civil Engineering Plan Review Checklist
5	Preliminary Utility plans: Water and Sanitary Sewer Exhibit Storm Water Drainage Exhibit
6	FEMA FIRM Panel 290 of 600
7	Proposed Site Plan
8	DRAFT Impact Fee Calculation

## EXECUTIVE SUMMARY

The subject property is approximately 6 acres that is currently a 64 unit Public Housing community called Newsome Homes. The property is located at the northeast corner of McDonald Street (SH 5) and McMakin Street in McKinney, Texas. The sources of the information include consultation with City staff, City reference manuals, and site visits by Sanchez and Associates, L.L.C. (S&A). A summary of our investigation follows:

- ◆ The subject property was rezoned to PD 2014-02-007 for the proposed development in February 2014. This PD contemplates architectural standards, space limits, density, parking requirements and screening requirements that are consistent with the proposed site plan.
- ◆ A site plan has been submitted to the City. It is anticipated that this plan will be approved by the City of McKinney within 30 days.
- ◆ The proposed development will utilize the public improvements that serve the existing Newsome Homes Community. All onsite infrastructure will be abandoned and new infrastructure will be installed to serve the proposed development.
- ◆ The property has no area within the FEMA 100-year Floodplain limits as shown by FIRM (Flood Insurance Rate Map) Panel Map for Collin County, number 48085C0290J.



## I. SITE CONDITIONS

The subject property is approximately 6 acres that is currently a 64 unit Public Housing community called Newsome Homes. The property is located at the northeast corner of McDonald Street (SH 5) and McMakin Street in McKinney, Texas. The subject property is separated into two distinct tracts except for a 22' wide strip of land that connects the northern parcel (North Tract) to the Southern Parcel (South Tract). The South Tract has frontage along McMakin Street along the southern boundary and McDonald Street along the northwestern boundary. The North Tract has frontage along Amscott Street on the eastern boundary and McDonald Street along the northwestern boundary.

The site is currently served by an existing sanitary sewer line in McMakin Street and existing water lines in McMakin Street and Amscott Street. McMakin, Amscott and McDonald Street will provide access the subject property.

See **Exhibit 1** of the **Appendix** for an Aerial Exhibit of the property.

## II. ZONING / PROCESSING

The subject property was rezoned to PD 2014-02-007 for the proposed redevelopment of the site to a more efficient and attractive development in February 2014. This PD contemplates space limits, density, parking requirements, architectural standards and screening requirements that are consistent with the proposed site plan.

See **Exhibit 2** of the **Appendix** for PD 2014-02-007.

Outlined below are some of the major site development standards in the City of McKinney which are considered critical design elements:

- Fire lane and fire protection regulations - McKinney fire lane requirements are as follows:
  - Twenty-four feet (24') with a thirty foot (30') radius; or
  - Thirty feet (30') with a twenty foot (20') radius
- For all structures greater than three (3) stories, the adjacent fire lane must be at least twenty-six feet (26') and must be within a certain distance range from at least one-side of the building. The fire lane must be located at least fifteen feet (15') away from the building but no further than thirty feet (30') from the building. This set of provisions is tied to the fire department's ladder truck requirement.
- Fire hydrants are to be placed within one-hundred feet (100') of the fire department connection of any building or structure and three-hundred feet (300') spacing along fire lanes and public streets, if un-sprinkled, and five hundred feet (500'), if sprinkled.

- Parking: One (1) parking space shall be required for each unit. There is no requirement for these parking spaces to be covered or enclosed, as per the revised standards in the PD.
- Setbacks (per PD 2014-02-007)
  - Front yard: minimum of twenty feet (20')
  - Side yard: minimum of five feet (5'), except where adjacent to single family residential where it shall be no less than forty feet (40')
  - Rear yard: minimum of five feet (5')
  - Height restrictions – maximum of three (3) stories

See **Exhibit 3** of the **Appendix** for sections of the zoning ordinance that describe the development regulations that apply to the proposed development.

- Permit Processing
  - Site Plan – the Site Plan shows proposed fire lanes, streets, access drives, parking, landscaping, and other relevant information to confirm that development of the property is in accordance with the governing zoning ordinance. The Site Plan can be approved by city staff without any public hearings and approval typically takes between 60-90 days from the initial submittal. The Site Plan was submitted on February 24, 2014.
  - Minor Plat – the Minor Plat shows the property boundaries of the overall parent tract and the subdivision of the subject property from the parent tract. The plat also shows the easements on the subject property to be dedicated. The Planning and Zoning Commission approves the Minor Plat. Approval of this document takes approximately 60 days from the initial submittal.
  - Civil Construction Documents – the Civil Construction Documents are processed through the engineering department and include construction/design details for all civil infrastructure necessary for development of the subject property. These documents can be submitted at any time and the review process typically takes 2 weeks. The time necessary for approval of Civil Documents can vary greatly based upon the existing site features (i.e. creeks, significant city infrastructure, etc.), changes to the plans initiated by the Client or the Client's architect, the City's reviewing engineer, the necessity for approval from other agencies, and other similar factors. Preparation of civil documents typically takes about 6 weeks and approval typically takes between 8 and 12 weeks. A development permit is contingent upon approval of Civil Construction Documents and a Record Plat. The City can release a Grading and Erosion Control Permit if the Construction Documents are substantially complete and the Minor Plat is approved.

See **Exhibit 4** for the Submittal Fee Schedule, Schedule for Planning Applications, and checklists for the above references submittals/processes.

### **III. WATER DISTRIBUTION**

Per City of McKinney data, there are existing 6” water mains in Amscott Street and McMakin Street. These mains serve the existing Newsome Homes community. These public lines would be utilized in redevelopment of the subject property. All onsite water infrastructure will be abandoned.

See **Exhibit 5** of the **Appendix** for a Preliminary Utility Plan for the proposed development.

### **IV. SANITARY SEWER SERVICE**

The existing development is served by a 6” sanitary sewer line in McMakin Street. A 6” main extends north south along the eastern property line of the South Tract. These two lines will be utilized in providing sewer service to both proposed buildings.

See **Exhibit 5** of the **Appendix** for a Preliminary Utility Plan for the proposed development.

### **V. DRAINAGE / FLOODPLAIN**

Per FEMA FIRM panel 290 of 600 map number 48085C0290 J, the subject property is located within unshaded Zone X of the FEMA floodplain.

The site slopes from north to south and has several type “Y” inlets on the site that catch stormwater runoff and convey the runoff into a system in McMakin Street. This onsite system will be reconfigured to connect into the existing facilities.

See **Exhibit 6** of the **Appendix** for the applicable area of the above-mentioned FIRM Panel.

### **VI. TRANSPORTATION**

The subject property is separated into two distinct tracts except for a 22’ wide strip of land that connects the northern parcel (North Tract) to the Southern Parcel (South Tract). The South Tract currently only takes access off of McMakin. The North Tract takes access off of McDonald Street and Amscott Street. For the proposed conditions, the North Tract will only take access off of Amscott Street and the South Tract will take access off of McMakin and McDonald Street. McDonald is a TxDOT facility so a driveway permit will be required for the proposed curb cut serving the South Tract.

See **Exhibit 7** of the **Appendix** for a site plan of the Proposed Development that shows proposed access.

## VII. WETLANDS / ENVIRONMENTAL

Wetland conditions were not readily apparent during a site visit. A qualified professional can conduct a jurisdictional determination, under Section 404 of the Clean Water Act, to identify areas that qualify as waters of the U.S. The approximate boundaries of jurisdictional areas should be established and the necessary documentation for regulatory compliance should be provided to the U.S. Army Corps of Engineers (Corps). The Corps administers the Section 404 program and is responsible for final determinations as to the jurisdictional status of a particular area. Jurisdictional areas include water bodies, streams, wetlands, and ephemeral channels. Waters of the US are subject to regulation by the Corps and the Texas Commission on Environmental Quality (TCEQ) and authorization is required prior to the initiation of activity within their boundaries.

During a Phase I environmental assessment a qualified professional will verify that no environmental encumbrances exist on site.

## VIII. IMPACT FEES / PRO-RATA FEES / ASSESSMENTS

The City of McKinney's Roadway Impact Fee is based on the total number of units for multi-family development and how that translates to additional vehicle trips created in the appropriate service area (the subject property is in Service Area "J"). Additionally, the Utility Impact Fee is based on meter sizes for water and sanitary sewer. Parkland Dedication is calculated as one acre of parkland dedicated for every 50 residential units that are developed or the cash equivalency thereof based upon the Collin County Appraisal District valuation of the property in the year that a Minor Plat is filed. In the past, S&A has successfully pursued an agreement to cap this valuation at \$100,000 per acre. It is recommended that the Client request a waiver of impact fees for the proposed development in the interest of advancing redevelopment of the existing public housing community.

See **Exhibit 8** of the **Appendix** for an example calculation of impact fees from the City of McKinney Impact Fee Calculator. *S&A used assumptions for the size and number of meters for the development based upon general experience working on multi-family projects over the past several years. These assumptions are subject to change based upon final design of building plumbing.*





Google earth



**ORDINANCE NO. 2014-02-007**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, AMENDING THE ZONING MAP OF THE CITY OF MCKINNEY, TEXAS; SO THAT AN APPROXIMATELY 5.73 ACRE PROPERTY, LOCATED ON THE EAST SIDE OF MCDONALD STREET AND ON THE NORTH SIDE OF MCMAKIN STREET, IS REZONED FROM "BG" – GENERAL BUSINESS DISTRICT TO "PD" – PLANNED DEVELOPMENT DISTRICT, GENERALLY TO MODIFY THE DEVELOPMENT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INJUNCTIVE RELIEF, PROVIDING FOR NO VESTED INTEREST; PROVIDING FOR THE PUBLICATION OF THE CAPTION OF THIS ORDINANCE; PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF**

**WHEREAS**, the City of McKinney has considered the rezoning of an approximately 5.73 acre property, located on the east side of McDonald Street and on the north side of McMakin Street, which is more fully depicted on Exhibits "A" and "B", attached hereto, is rezoned from "BG" – General Business District to "PD" – Planned Development District, generally to modify the development standards; and,

**WHEREAS**, after due notice of the requested rezoning as required by law, and the required public hearings held before the Planning and Zoning Commission and the City Council of the City of McKinney, Texas, the City Council is of the opinion that the change in zoning district should be made.

**NOW THEREFORE BE IT HEREBY ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS:**

Section 1. The zoning map is hereby amended so that an approximately 5.73 acre property, located on the east side of McDonald Street and on the north side of McMakin Street, which is more fully depicted on Exhibits "A" and "B", attached hereto, is rezoned from "BG" – General Business District to "PD" – Planned Development District, generally to modify the development standards.

Section 2. The subject property shall develop in accordance with the "PD" – Planned Development District, and as amended, except as follows:

1. The subject property shall develop in accordance with the attached Development Standards (Exhibit "C").

Section 3. If any section, subsection, paragraph, sentence, phrase or clause of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are declared to be severable.

Section 4. It shall be unlawful for any person, firm or corporation to develop this property, or any portion thereof, in any manner other than is authorized by this Ordinance, and upon conviction therefore, shall be fined any sum not exceeding \$2,000.00, and each day that such violation shall continue shall be considered a separate offense. These penal provisions shall not prevent an action on behalf of the City of McKinney to enjoin any violation or threatened violation of the terms of this Ordinance, or an action for mandatory injunction to remove any previous violation hereof.

Section 5. That no developer or property owner shall acquire any vested interest in this Ordinance or specific regulations contained herein. The ordinance, and the subsequent site plans (if any) and regulations may be amended or

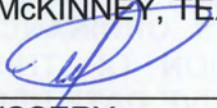


repealed by the City Council of the City of McKinney, Texas, in the manner provided by law.

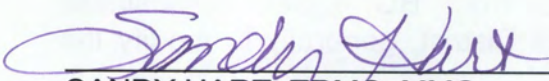
Section 6. The caption of this Ordinance shall be published one time in a newspaper having general circulation in the City of McKinney, and shall become effective upon such publication.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 4<sup>th</sup> DAY OF FEBRUARY, 2014.**

CITY OF MCKINNEY, TEXAS

  
\_\_\_\_\_  
TRAVIS USSERY  
Mayor Pro Tem

CORRECTLY ENROLLED:

  
\_\_\_\_\_  
SANDY HART, TRMC, MMC  
City Secretary

DATE: February 4, 2014

APPROVED AS TO FORM:

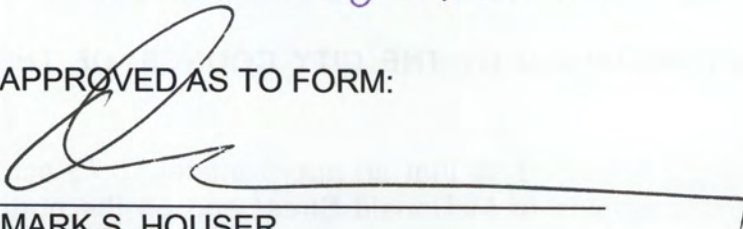
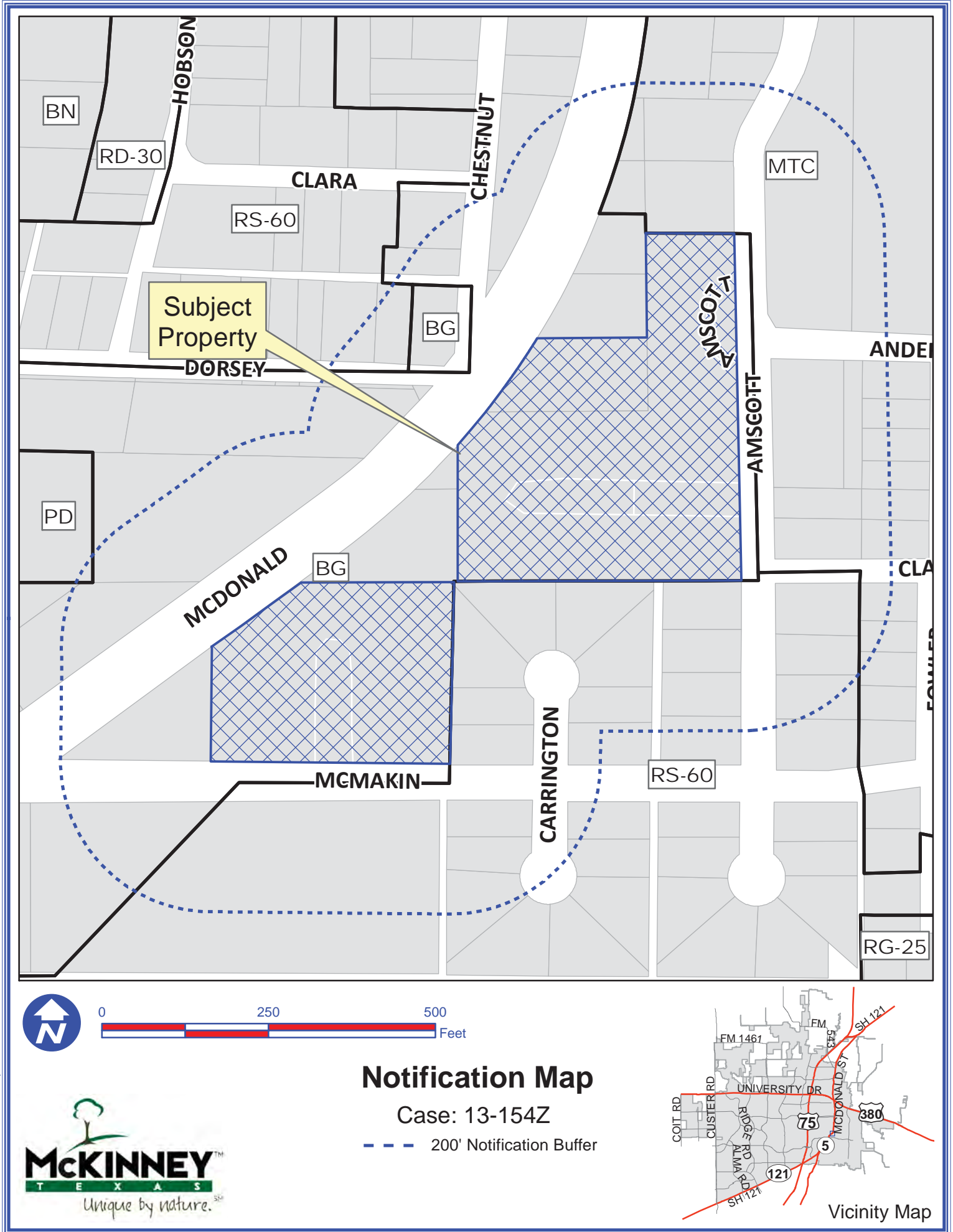
  
\_\_\_\_\_  
MARK S. HOUSER  
City Attorney

Exhibit A



Path: S:\MCKGIS\Notification\Projects\2013\13-154Z.mxd

DISCLAIMER: This map and information contained in it were developed exclusively for use by the City of McKinney. Any use or reliance on this map by anyone else is at that party's risk and without liability to the City of McKinney, its officials or employees for any discrepancies, errors, or variances which may exist.



Metes and Bounds – Newsome Homes

TRACT 1

SITUATED in Collin County, Texas; a part of the Samuel McFarland Survey, Abstract No. 558 and being a re-survey of all of a 1.418 acre tract as described in a deed from Roy McKinney of all to Southwestern Real Estate Corporation dated October 28, 1954, and recorded in Volume 525, Page 11 of Collin County Deed Records, and being a part of a 3.62 acre tract as described in a deed from McKinney Chamber of Commerce to Texas Textile Mills recorded in Volume 396, Page 41 of Collin County Deed Records; the said resurvey being more particularly described by metes and bounds as follows:

BEGINNING at iron stake in the Southwest corner of a tract of land conveyed to H. L. Andrews by G. E. Miller & Co. by deed dated May 31, 1961, and recorded in Volume 582, Page 146 of Collin County Deed Records. Said stake also being in the Northwest corner of the said 3.62 acre tract mentioned above;

THENCE SOUTH 89 degrees 34 minutes 09 seconds East with the South line of the said H. L. Andrews tract and North line of the said 3.62 acre tract a distance of 133.0 feet to an iron stake in the West line of Amscott Street. Said stake being 25 feet from the center from the center line of the 53 feet pavement;

THENCE SOUTH 01 degrees 09 minutes 24 seconds East with the West line of the said Amscott Street a distance of 520.11 feet to an iron stake in the south line of the said 3.62 acre tract;

THENCE SOUTH 89 degrees 51 minutes 55 seconds West with the South line of the said H. L. Arnold. a distance of 425.25 feet to an iron stake. Said stake also being West line of Chestnut Street extended;

THENCE NORTH 00 degrees 04 minutes 12 seconds East with the East line of the Northeast corner of the said H. L. Arnold tract a distance of 204.50 feet. Said stake also being in the East R.O.W line of MacDonald Street and at the beginning of a curve to the west having a radius of 1524.17', a central angle of 2 degrees 24 minutes 50 seconds, and a chord which bears north 40 degrees 15 minutes 45 seconds east, 64.21 feet;

THENCE along last mentioned curve to the left in a northeasterly direction, an arc distance of 64.22 feet to an iron stake;

THENCE NORTH 89 degrees 28 minutes 42 seconds East a distance of 164.76 feet to an iron stake;

THENCE NORTH 00 degrees 48 minutes 22 seconds West a distance of 266.53 feet to the POINT OF BEGINNING AND CONTAINING 3.62 ACRES OF LAND, more or less.

Exhibit B

TRACT 2

SITUATED in the city of McKinney, Collin county, Texas, in the Samuel McFarland Survey, Abstract No. 558, and being a part of that tract parcel of land conveyed by Ariel Lane to T. J. Lane, Jr. by deed recorded in Volume 610, Page 24 of the Collin County Deed Records and being more particularly described as follows:

BEGINNING at a point in the Southeasterly right-of-way line of MacDonald Street, said point being a concrete monument which is 351.38 feet East and 198.99 feet North of the intersection of the center line of said Expressway with the center line of McMakin Street, City of McKinney, Texas at the beginning of a curve to the left having a radius of 4507.37 feet, a central angle of 2 degrees 5 minutes 56 seconds, and a chord which bears North 54 degrees 16 minutes 1 second East, 164.61 feet;

THENCE along last mentioned curve to the left in a northeasterly direction, an arc distance of 165.12 feet to an iron stake;

THENCE NORTH 89 degrees 52 minutes 31 seconds East a total distance of 229.75 feet to an iron stake;

THENCE SOUTH 01 degrees 18 minutes 50 seconds West for a distance of 272.57 feet to an iron stake.

THENCE NORTH 89 degrees 26 minutes 28 seconds West with the North ROW line of McMakin Street a total distance of 358.77 feet to an iron stake;

THENCE NORTH 00 degrees 40 minutes 12 seconds East a distance of 171.01 feet to the POINT OF BEGINNING AND CONTAINING 2.11 ACRES OF LAND, more or less.

## Exhibit C

### Development Standards

1. Permitted Land Use: Public Housing Development (Senior) – This use shall be defined as a quasi-multiple family residential development where the owner is an “authority” as defined by Section 392.002(1) of the Texas Local Government Code, as amended. This use shall also be subject to the requirements of the senior multi-family residential land use as specified in the Definitions section of the Zoning Ordinance.
2. Space Limits:
  - a. The space limits for the subject property shall be consistent with the space limits of Section 146-79 “MF-1” – Multi-Family Residential District of the Zoning Ordinance, and as amended except as follows:
    - i. The maximum number of dwelling units shall be 185.
    - ii. The maximum height shall be 3 stories.
    - iii. The front yard setback shall be no less than 20 feet.
    - iv. The side yard setback shall be no less than 5 feet, except where adjacent to single family residential where it shall be no less than 40 feet.
3. Architectural Standards:
  - a. The multi-family residential architectural standards of the zoning ordinance shall apply to any buildings constructed on the subject property, except as follows:
    - i. The requirements for amenities shall not apply.
    - ii. Buildings on the subject property located within 40 feet of an adjacent single family residential use or zone shall be situated so that no exterior-facing window is oriented towards said adjacent single family residential use or zone.
4. Parking:
  - a. 1 parking space shall be required for each unit.
5. Screening:
  - a. A living plant screen, in accordance with Appendix A-1 “Evergreen Shrubs: Acceptable for six-foot screening” of the Zoning Ordinance, shall serve as the screening device along all property lines adjacent to a single family residential use or zone.
  - b. A 6’ tall screening device per section 146-132(2)(a)(3) of the Zoning Ordinance shall be required along all other property lines, except property lines adjacent to a public ROW.
6. Landscaping:
  - a. Landscape requirements applicable to multi-family residential land uses shall also be subject to a Public Housing Development (Senior), except:
    - i. A 20’ landscape buffer shall be required when adjacent to a property zoned or used for residential purposes.
    - ii. A 20’ landscape buffer shall be required when adjacent to a public ROW; however, this buffer may be reduced to 10’ by the Planning and Zoning Commission as part of the site plan approval process if the Commission finds that site design considerations have been incorporated to mitigate the impact of the reduction, as provided for in Section 146-135 Landscaping requirements (f.) (4) (c.).
    - iii. Canopy trees provided at a ratio of 1 tree for every 30 linear feet shall be required along all property lines.
7. Canopy trees (5” in caliper, measured 6” above the ground, and 12’ tall at the time of planting) shall be provided at a ratio of 1 tree for every 30 linear feet along all rights-of-way.

## Sec. 146-78. RG 18 - General Residence district.

- (a) *Purpose.* The "RG 18" - General Residence zone was originally designed to provide for moderately high density apartment development and other uses, which have characteristics similar to those found in the operation of apartment houses. Densities in this district are higher than presently considered acceptable in the city. Rezoning to this classification will not generally be considered after January 1, 2000.
- (b) *Permitted uses.* Those uses indicated as being permitted in the "RG 18" - General Residence zone in the schedule of uses shall be allowed.
- (c) *Space limits.* The following space limits shall apply to the "RG 18" - General Residence zone:
- (1) Non-residential uses:
    - a. Minimum lot area: 5,000 square feet
    - b. Minimum width of lot: 50 feet.
    - c. Minimum depth of lot: 100 feet.
    - d. Maximum height of building: 50 feet.
    - e. Minimum front yard: 15 feet
    - f. Minimum rear yard: ten feet.
    - g. Minimum side yard: seven feet.
    - h. Minimum side yard at corner: 25 feet.
    - i. Maximum lot coverage: 80 percent.
    - j. Maximum floor area ratio: one to 1.67 (0.6:1.0).
  - (2) Multiple family residential uses:
    - a. Multi-family residential construction in this district shall, except as herein described, shall comply with the space limitations of the "MF-1" - Multi-Family Residential-Low Density District.
    - b. A maximum density of 24 dwelling units per acre shall be allowed.
  - (3) Duplex residential uses:
    - a. Two family residential construction in this district shall comply with the space limitations of the "RD 30" - Duplex Residence District.
  - (4) Single-family residential uses:
    - a. Single family residential construction in this district shall comply with the space limitations of the "RS 60" - Single Family Residence District.
- (d) *Miscellaneous provisions.*
- (1) Off-street parking shall be provided for all uses established in this zone.
  - (2) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

*(Code 1982, § 41-73; Ord. No. 1270, § 3.10, 12-15-1981; Ord. No. 1512, § 1, 1-5-1985; Ord. No. 94-08-26, § 3(C), 8-16-1994; Ord. No. 2000-01-03, § 1W, 1-4-2000; Ord. No. 2002-08-084, § 1.26, 8-20-2002; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2010-05-011, § 2, 5-17-2010; Ord. No. 2010-12-053, § 14, 12-7-2010; Ord. No. 2012-11-056, § 29, 11-5-2012; Ord. No. 2013-04-033, § 3, 4-2-2013)*

## Sec. 146-85. BG - General Business district.

- (a) *Purpose.* The "BG" - General Business zone is designed to provide for a wide range of retail and service establishments.

- (b) *Permitted uses.* The following uses are permitted in the "BG" - General Business zone:
- (1) Any use permitted in the "BN" - Neighborhood Business zone; except single family attached units; and
  - (2) Other uses indicated as being permitted in the "BG" - General Business zone in the Schedule of Uses.
- (c) *Specific use permits.* The following specific uses require a permit in the "BG" - General Business zone:
- (1) All uses indicated as being allowed in the "BG" - General Business zone with a specific use permit in the schedule of uses; and
  - (2) The city may allow residential and mixed business and residential structures to conform with the space limits of the "RG 18" - General Residence zone or any other zone requiring more lot area per dwelling unit, upon a finding that the proposed density of residential use will be in harmony with nearby residential zoning, and when said mixed occupancy building is specifically designed and constructed for such mixed occupancy, but shall not include the construction of a business building in the yard of a residence or within an existing residence.
- (d) *Space limits.* The following space limits shall apply to the "BG" - General Business zone:
- (1) Minimum lot area for business: None. Residential structures shall conform to the provisions of the "RG 18" - General Residence zone, except as may be modified by the city in accordance with the specific use provisions of this zone.
  - (2) Minimum width of lot: None for business.
  - (3) Minimum depth of lot: None for business.
  - (4) Minimum front yard: None for business.
  - (5) Minimum side yard: five feet when abutting any zone requiring a side yard; none abutting business.
  - (6) Maximum lot coverage including accessory buildings, loading docks, incinerators and vending devices: 95 percent.
  - (7) Maximum floor area ratio: two to one (2.0:1.0).
  - (8) All other space limits identified as being applicable to the "RG 18" - General Residence zone in Appendix F of the Zoning Ordinance.
- (e) *Miscellaneous provisions.*
- (1) Only one building for living purposes shall be permitted on one zoning lot except as otherwise provided herein.

(Code 1982, § 41-80; Ord. No. 1270, § 3.13, 12-15-1981; Ord. No. 97-11-61, § 1, 11-18-1997; Ord. No. 2002-08-084, § 1.28, 8-20-2002; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2008-11-104, § 5, 11-4-2008; Ord. No. 2010-05-011, § 4, 5-17-2010; Ord. No. 2010-12-053, § 14, 12-7-2010; Ord. No. 2012-11-056, § 30, 11-5-2012; Ord. No. 2013-04-033, § 3, 4-2-2013)

## State Highway 5 Corridor Context Sensitive Transportation Study

With development dating back over 160 years, McKinney's historic town center area is the heart and soul of the City. In the 1950's, State Highway 5 (SH 5) was constructed through the town center as the City's primary north/south roadway. Since that time, SH 5 has served as an automobile-centric commercial corridor, supporting a significant amount of local and regional traffic. However, since the emergence of US 75 (North Central Expressway) over the last 25 years as the primary north/south highway through McKinney, the role of SH 5 has changed substantially.

Along the entire length of the thoroughfare within the McKinney city limits (approximately 6 miles), the SH 5 corridor includes a diverse array of industrial, retail/service, office, and residential uses. The northern portion of the corridor is more industrial and agricultural in character, including some relatively large and undeveloped tracts of land; whereas, much of the central and southern portions of the corridor are characterized by a significant amount of aging retail/service (primarily auto-oriented), neighborhood office, and residential uses situated on narrow and shallow tracts of land. With much of the physical development along the corridor predating McKinney's first zoning ordinance (late 1960's), many of the development standards (e.g. lot size, landscaping, parking, building form/placement/materials, etc.) typical of contemporary development are absent.

The State Highway 5 Corridor Context Sensitive Transportation Study (the Study) is identified as a priority work plan of the City of McKinney Comprehensive Plan and the Town Center Study Initiative Phase 1 Report, both of which acknowledge the need for a context sensitive redesign of the roadway to not only improve service for existing users but to also effectuate a preferred future.

In 2010, the Regional Transportation Council (RTC) of the North Central Texas Council of Governments (NCTCOG) selected the State Highway 5 Corridor Study for grant funding through the Sustainable Development program with a total project cost of \$156,250 (\$125,000 RTC funds and \$31,250 local match). In 2012, the NCTCOG entered into an interlocal agreement with the City to manage this Study on behalf of the City of McKinney. NCTCOG also managed a competitive procurement process, resulting in the selection of a consultant team led by Kimley-Horn and Associates, Inc.

The purpose of this Study is to formulate a corridor master plan (including the "public realm" within the right-of-way as well as the "private realm" fronting the right-of-way) in order to transform the entire length of the corridor into a revitalized and multi-modal thoroughfare that:

- (1) provides a strong economic basis for development and redevelopment,
- (2) fits its physical setting,
- (3) preserves aesthetic, historic, cultural, and environmental resources, and
- (4) enhances mobility and safety for all users.

The cornerstone of this Study is to create a meaningful and complementary relationship between the geometric design characteristics of SH 5, its functional cross-section, and the character of land development along the corridor.

This Study will serve as the necessary stepping stone towards implementation. Within the public right-of-way, this Study is expected to lead directly into formal preliminary engineering for the highest priority segment(s). Outside of the right-of-way, this Study is expected to lead into formal amendment of the City's land development regulations along the corridor. The end goal is to maximize private investment along the corridor through the synchronization and leveraging of public investment in the redesign/reconstruction of the roadway.

Through public workshops, a public open house, interviews, work session meetings, and public hearings, various stakeholders such as City leaders, residents, business owners, property owners, and land developers will have opportunities to share their thoughts and provide feedback so that the Study results in a well-rounded product that is ready for implementation.

The Study kicked off in February 2013 and is expected to be completed in approximately 12 months.

## Sec. 146-139. Architectural and site standards.

- (a) *Purpose.* The purpose of this section is to set minimum standards for the appearance of non-residential, attached single family residential, and multi-family buildings and corresponding site elements, which are recognized as enhancing property values and are in the interest of the general welfare of the City.
- (b) *Definitions.*
- (1) *Wall* means an upright structure of masonry, wood, plaster, or other building material that connects a floor to a ceiling or a foundation to a roof to enclose, divide, or protect an area. A wall may also mean a vertical plane that typically extends horizontally and is installed perpendicular to the finished grade of a property forming an inner partition or exterior siding of a building.
  - (2) *Window* means any transparent or translucent panel in an otherwise opaque wall surface, except as otherwise defined herein. Glass curtain wall systems and glass store fronts that extend from a building's foundation to its roofline are not windows.
- (c) *Scope and enforcement.*
- (1) The standards and criteria contained within this section are deemed to be minimum standards and shall apply to buildings constructed after the effective date of the ordinance from which this section is derived. Buildings constructed after the effective date of the ordinance from which this section is derived, shall at all times comply with the provisions of this section in force at the time of the building permit application.
  - (2) After the effective date of the ordinance from which this section is derived, when a change is proposed in the uses of a permitted building, the additional architectural and site standards apply as follows:
    - a. If a certificate of occupancy has previously been issued for the building, the additional provisions of this section shall be waived. For example, a previously occupied single family residence may be converted to a multi-family residence without meeting the provisions of subsection (I)(3)a, multi-family projects, of this section. All other sections of this chapter and all other applicable ordinances must be complied with.
    - b. If a certificate of occupancy has never been issued for the building, all provisions of this section must be met prior to issuance of a certificate of occupancy. For example, a metal and masonry warehouse in an industrial district, which has never been issued a certificate of occupancy for that use may not be converted to a retail store unless provisions of subsection (I)(3)e of this section, other uses in industrial districts, of this section have been complied with.
    - c. Upon request by an applicant, the city council may approve a waiver of all or part of the provisions of this section, architectural and site standards. Prior to consideration of the waiver, a public hearing shall be held, with notice given according to the procedure for a change in a zoning district location or boundary.
  - (3) Provisions of this section shall not apply to the following:
    - a. Single family or two-family (duplex) residential construction;
    - b. Applicable design standards related to historic preservation in the downtown commercial historic district and the historic preservation overlay district shall take precedence over the standards and criteria contained in this section;
    - c. Portable buildings for religious institutions or private schools, which may be



allowed for a period not to exceed 30 months;

- d. Portable buildings for public schools, which may be allowed indefinitely;
  - e. Temporary uses as defined under [section 146-42](#)
  - f. Buildings for which a site plan for the project was approved prior to the adoption and publication of this section, provided the site plan has not expired, and a building permit has been issued and construction is underway within two years of the effective date of the ordinance from which this section is derived; or
  - g. Buildings constructed prior to the effective date of the ordinance from which this section is derived, which meet any of the following criteria:
    - 1. Portions of a building proposed to be added to any existing non-residential or multi-family structure, which will not increase the originally approved floor area by 50 percent or more, either by a single expansion or by the cumulative effect of a series of expansions; or
    - 2. Reconstruction of a non-residential or multi-family building due to damage of any kind, that necessitates improving, rehabilitating, or reconstructing not more than 50 percent of the original structure or by the cumulative effect of a series of reconstructive activities.
- (d) *Limited waivers for expansion or reconstruction.* If compliance with these standards is required by the provisions of subsections (c)(2) or (c)(3)f of this section, the director of planning may, upon request by the applicant, authorize a waiver from specific requirements for exterior materials or design, if strict compliance with these standards would result in significantly inconsistent appearance between existing and proposed sections of the building, or if the total number of points required cannot be achieved due to existing site limitations.
- (1) The applicant shall submit detailed information to the director of planning as required in subsection (l)(2)a.1 of this section regarding meritorious exceptions.
  - (2) The director of planning may, for any reason, refer the request for a waiver to the planning and zoning commission for a decision according to procedures outlined in subsection (l)(2)a.2 of this section.
  - (3) The applicant may appeal the decision of the director of planning to the planning and zoning commission according to the procedures outlined in subsection (l)(2)a.2 of this section regarding meritorious exceptions.
  - (4) The applicant may appeal the decision of the planning and zoning commission to the city council according to the procedures outlined in subsection (l)(2)a.2 of this section regarding meritorious exceptions.
- (e) *Conflicts with planned development district ordinances.* Where provisions of a planned development district ordinance specify architectural or site elements requirements for a project, provisions of both the planned development district and this section shall be complied with. Where a direct conflict between the provisions of the ordinances exists, specific provisions of the planned development district ordinance shall control, and full points shall be awarded for the associated category. For example, if a planned development district requires 100 percent stucco finishing and the proposed structure complies with this requirement, 40 points would be awarded for exterior finish.
- (f) *Conflicts with other ordinances.* All applicable provisions of the zoning ordinance, subdivision ordinance, building codes, and other ordinances shall apply. Where provisions of the zoning ordinance or other ordinances conflict with this section, the more restrictive provision shall control.
- (g) *Meritorious exception.* It is not the intent of this section to discourage innovation. An architectural and site design that does not conform with the specific requirements of this

section, but which has merit by making a positive contribution to the visual environment and which is appropriate to the site and use, may be submitted for consideration as a meritorious exception. Such proposals shall be fairly and seriously considered by the planning and zoning commission through the approval process outlined in subsection (I)(2)a.2 of this section.

- (h) *Variances.* When a property owner can show that a strict application of the terms of this section relating to architectural or site standards will impose upon him unusual and practical difficulties or particular hardship, including instances where an applicant has previously built in strict conformance with approved architectural and site standards plans and such approval was erroneously granted by the chief building official or designee, a variance from the strict application of this section may be granted by the board of adjustment; provided that:
- (1) The variance requested is in harmony with the general purpose and intent of this section;
  - (2) The board is satisfied that a granting of such variance will not merely serve as a convenience to the applicant, but will alleviate a demonstrable and unusual hardship or difficulty; and
  - (3) The board is satisfied that there will be no adverse impact on surrounding property.
- (i) *Administrative official.* The provisions of this section shall be administered by the chief building official or designee.
- (j) *Permitting and occupancy.*
- (1) No development permit of any kind shall be issued for any development subject to the provisions of this section until an architectural and site standards plan, which meets or exceeds the standards set forth herein has been approved by the chief building official or designee according to the procedure in subsection (I)(2) of this section.
  - (2) A certificate of occupancy shall not be issued for any development, which is required to meet the provisions of this section unless it is constructed in accordance with the approved architectural and site standards plan.
- (k) *Noncompliance.* If at any time after the issuance of a certificate of occupancy the building exterior or site is altered in such a manner as to modify any element of the approved architectural and site standards plan, the chief building official shall issue a notice of noncompliance to the owner, citing the violation and describing action required to comply with this section.
- (1) The owner, tenant, and/or agent shall, within 30 days of said notice:
    - a. Submit revised plans, which meet standards outlined in this section; or
    - b. Make reasonable progress toward restoring the building and site to its approved form, or, if no progress can be made within 30 days due to weather or other factors, receive a waiver from the chief building official for this requirement.
  - (2) If, within 90 days of the date of notice of noncompliance, full restoration in compliance with original or revised and approved plans has not been made, the owner, tenant, and/or agent shall be held in violation of this section.
- (l) *Architectural and site elements standards application and approval.*
- (1) *Application.*
    - a. Along with submission of application for any building permit necessary for the development or redevelopment of property subject to the provisions of this section, sufficient information shall also be submitted to evaluate the architectural and site standards criteria outlined in subsections (I)(3) and (m) of this section, as applicable. The information shall include:
      1. Calculation of points to be awarded for the project, on a scoring sheet provided by the chief building official, and including an original signature of

- the architect or other designer certifying its accuracy and completeness (calculation of points is not required for multi-family projects or for industrial uses proposed in an industrial zone);
2. A site plan showing the building footprint and all site elements for which points are to be awarded, in sufficient detail to demonstrate compliance with subsections (l)(3) and (m) of this section, as applicable;
  3. Color elevations with finishing materials indicated and the following standard notation provided:  
A minimum 50 percent of each wall, regardless of its size or visibility in the proposed elevation, shall be covered with a masonry finishing material as defined by the zoning ordinance. Additional percentages of masonry finishing materials must be provided on walls longer than 24 inches to receive points as prescribed in [section 146-139](#) of the zoning ordinance.
  4. Color samples for all items for which points are to be awarded based on color;
  5. All other information necessary to demonstrate compliance with the evaluation criteria as indicated on the scoring sheet; and
  6. A certification that the proposed development meets or exceeds the required minimum score.
- b. If the applicant has not submitted sufficient information to demonstrate conformance with the required standards, the application may be found to be administratively incomplete and the application may be reserved for consideration until complete information is submitted.
- (2) *Approval process.* The architectural and site standards elements shall be reviewed and approved by a designee of the chief building official unless otherwise noted below:
- a. *Meritorious exception.*
    1. An applicant for a meritorious exception shall submit:
      - (i) All items required for the architectural and site standards application;
      - (ii) A written description of the nature of the meritorious exception and the compelling reasons that prevent the applicant from meeting the minimum standards set forth herein; and
      - (iii) Color renderings of all elevations.
    2. The application for a meritorious exception shall be reviewed by staff and a report of findings shall be prepared and submitted to the planning and zoning commission. If the applicant is not in agreement with the decision of the planning and zoning commission, the applicant may, within 21 days of the planning and zoning commission action, request in writing to the director of planning that the meritorious exception be appealed to the city council. Prior to consideration of an application for a meritorious exception, the planning and zoning commission shall hold a public hearing, with notice given according to the procedure for a change in a zoning district location or boundary. In considering the request, the planning and zoning commission shall consider the following factors in determining the extent of any exception granted:
      - (i) The extent to which the application meets other specific standards of this chapter;
      - (ii) The extent to which the application meets the spirit and intent of this

- chapter through the use of building materials, colors, and facade design to create a building of exceptional quality and appearance;
- (iii) The positive or negative impact of the proposed project on surrounding property use and property values, in comparison to the expected impact of a project, which could be built in conformance with standards of this section; and
  - (iv) The extent to which the proposed project accomplishes city goals as stated in the comprehensive plan or other approved document.
3. A meritorious exception shall not be granted to serve as a convenience to the applicant, or for reasons related to economic hardship.
- b. *Appeal of interpretation.* The applicant may appeal an interpretation of this chapter in the following manner:
1. The applicant shall submit a written request to the chief building official for an appeal of interpretation.
  2. The chief building official and the director of planning shall review the matter appealed and all related documentation submitted as part of the architectural and site standards application. The applicant may be requested to submit additional information in support of his appeal. The chief building official and the director of planning shall provide the director of development services with a written recommendation.
  3. After reviewing a request for appeal of interpretation, the written recommendations of the chief building official and the director of planning, and related documentation, the director of development services shall issue a final staff approval or denial. If the director of development services denies the appeal, the applicant may appeal the decision to the zoning board of adjustment in accordance with [section 146-165\(2\)](#).
- (3) *Standards for approval.* The designated approval authority or authorities shall evaluate the architectural and site standards plan in accordance with the following criteria:
- a. Multi-family projects, including senior multi-family projects, shall not be required to achieve a minimum point score, and shall be approved if all the following criteria are met:
    1. *Roof treatment.*
      - (i) A pitched roof of any style, including, but not limited to, hipped, gabled or shed roofs shall be acceptable. The roof must cover 100 percent of the total roof area, excluding porches and porte-cocheres. No flat roof line shall be visible.
      - (ii) A parapet wall shall be acceptable if constructed around the entire perimeter of a building so that no flat roof shall be visible.
      - (iii) Standing seam metal roofs, which meet all the criteria of this section shall be acceptable.
      - (iv) No more than one color shall be used for visible roof surfaces, however, if more than one type of roofing material is used, the materials shall be varying hues of the same color.
    2. *Exterior finishing materials.*
      - (i) Each wall of each building shall be finished with at least 85 percent masonry, unless the wall is located within an interior courtyard and/or the wall is not visible from adjacent rights-of-way or properties zoned or used for residential purposes. Walls located

- within interior courtyards and/or walls that are not visible from adjacent rights-of-way or properties zoned or used for residential purposes shall be a minimum of 50 percent brick, stone, or synthetic stone materials, with the remaining 50 percent of each side being wood lap siding, vinyl siding, stucco, cast concrete modular siding, or EIFS. Acceptable masonry finishing materials are brick, stone and/or synthetic stone materials including, but not necessarily limited to slate, flagstone, granite, limestone, and marble. The area of exterior finish shall be calculated exclusive of doors and windows.
- (ii) The balance of any exterior finishing materials shall be stucco, EIFS, architectural concrete masonry units (CMU), wood lap siding, vinyl siding, and/or glass curtain wall systems;
3. *Exterior color.*
- (i) One hundred percent of total exterior building surfaces (exclusive of glass) shall be neutrals, creams, pastels, or deep, rich, non-reflective natural or earth-tone colors (including approved finishing materials). Examples of acceptable colors include, but are not limited to burgundy, forest green, navy blue, eggplant, rust, or ochre. Subtle variations of such colors shall also be permitted.
  - (ii) No more than six colors shall be used; however, natural, unaltered materials such as brick or stone used on the building shall not be counted toward the maximum number of colors allowed.
4. *Building massing.*
- (i) Horizontal wall planes longer than 30 feet in width shall be segmented in to smaller sections by a structural or ornamental minor facade offset (recess or projection) of a minimum five feet deep and 10 feet wide.
  - (ii) The height of such offsets shall be equal to the building's height at the location of the offset.
5. Amenities conforming to the regulations provided herein shall be provided.
- (i) The number of required amenities shall be based on the number of units within the development.
    - A. Developments with less than 20 dwelling units shall provide at least one amenity.
    - B. Developments with 20 or more dwelling units but less than 100 dwelling units shall provide at least two amenities.
    - C. Developments with 100 or more dwelling units but less than 180 dwelling units shall provide at least three amenities.
    - D. Developments with 180 or more dwelling units but less than 260 dwelling units shall provide at least four amenities.
    - E. Developments with 260 or more dwelling units but less than 520 dwelling units shall provide at least five amenities;
    - F. Developments with 520 or more dwelling units but less than 1000 dwelling units shall provide at least seven amenities;
    - G. Developments with 1000 or more dwelling units shall provide ten amenities.
  - (ii) The following items shall be classified as acceptable amenities. Providing two or more of the same amenity shall not count as

multiple required amenities unless specifically stated:

- A. Swimming pool (minimum 1,000 square foot surface area) with cooling deck (minimum ten feet wide in all areas);
- B. Centralized swimming pool (minimum 3,000 square foot surface area) with cooling deck (minimum 20 feet wide in all areas). This amenity shall qualify as 2 required amenities;
- C. Centralized swimming pool (minimum 5,000 square foot surface area) with cooling deck (minimum 20 feet wide in all areas). This amenity shall qualify as 4 required amenities;
- D. Jacuzzi or hot tub area (minimum eight person);
- E. At least four barbeque grills with shaded seating areas for at least 16 people;
- F. Ramada(s), arbor(s), and/or trellis(es) covering at least 2,000 square feet of recreation space;
- G. Tot play lot (minimum 4,000 square foot area);
- H. A splash pad (water play amenity for children) which is a minimum of 1,000 square feet in area;
- I. A dog park which is at least 5,000 square feet in area which satisfies the following requirements:
  - 1. The dog park is enclosed by a minimum five-foot tall vinyl coated chain link fence;
  - 2. No side of the enclosure shall be shorter than 50 feet in length;
  - 3. One dog waste station which shall include a bag dispenser and waste receptacle must be installed along the perimeter of the enclosure for every 2,500 square feet of the associated dog park; and
  - 4. One 25 square foot animal washing bay (with associated plumbing) is provided in conjunction with the dog park.
- J. One regulation size volleyball, basketball, tennis, or other similarly related playing court. Each court shall count as an amenity up to a limit of two;
- K. Fitness center and/or weight room (minimum 500 square feet);
- L. Library and/or business center (minimum 500 square feet);
- M. Movie theater room including seating for a minimum of 50 people;
- N. Outdoor amphitheater with seating for at least 50 people (if individual seats are not provided, then 150 linear feet of seating shall be provided);
- O. Golf putting green (minimum 1,000 square feet);
- P. A centralized internal open space meeting or exceeding the following minimum specifications. This amenity shall qualify as five required amenities:
  - 1. The minimum size of the centralized internal open space shall be one acre with no side being less than

- 50 feet. The shape of the centralized internal open space shall be rectangular insofar as practicable.
2. A five-foot wide handicap accessible concrete sidewalk shall be provided adjacent to the entire perimeter of the open space.
  3. One seating area which is a minimum of six feet long shall be provided along each side of the open space.
  4. One canopy tree shall be planted every 30 linear feet adjacent to the perimeter of the open space.
  5. The centralized internal open space shall be completely covered with grass, unless otherwise specified herein, and shall be provided with an automatic underground irrigation system as specified in [section 146-135\(e\)\(2\)](#) of the zoning ordinance.
  6. Other amenities as required herein shall not be located within the centralized internal open space.
  7. The centralized open space shall be free of any drainage facilities and/or related easements, floodplain, erosion hazard setbacks, or other related facilities.
- Q. Other amenity as approved by the planning and zoning commission as part of the site plan approval process.
6. *Major architectural and site enhancements.* All buildings or developments shall be required to provide at least two of the following elements:
- (i) Each ground-floor residential unit which fronts onto a public right-of-way, a major internal drive aisle designed to function as a public right-of-way or boulevard, an amenity as required herein, a centralized internal open space as provided for herein, or another similar community gathering space (excludes units which front onto parking fields, multi-level structured parking facilities, minor drive aisles, or other similar vehicular use areas) has an exterior oriented entrance that features an articulated front entrance through the use of lintels, pediments, keystones, pilasters, arches, columns, canopies, awnings, or other similar architectural elements;
  - (ii) Each unit is provided a private balcony or porch that is at least 50 square feet in area. Balconies shall be designed so that visual and auditory intrusions on private outdoor space of other units or adjacent developments are minimized;
  - (iii) All entrances into the multi-family residential development shall feature a landscaped median. The median shall be provided as indicated below:
    - A. The landscaped median shall be at least eight feet wide and at least 50 feet long (measured from back of curb to back of curb). The median and its plantings shall not be permitted to interfere with necessary sight visibility lines;
    - B. At least one canopy tree for every 50 linear feet that the median extends (in length);
    - C. At least two ornamental trees for every 50 linear feet that the



median extends (in length); and

- D. The required median shall be completely covered with living plant materials and shall be provided with an automatic underground irrigation system as specified in [section 146-135\(e\)\(2\)](#) of the zoning ordinance. Non-living materials including, but not limited to concrete, pavers, stone, decomposed granite, or similar materials may be utilized for secondary design elements, sidewalks, and/or crosswalks.
- E. The city engineer and/or fire marshal shall be permitted to allow deviations to these standards as needed on a case by case basis to facilitate proper vehicular access, emergency access, sight visibility, and other related engineering design or life safety principles.
- (iv) A structured parking garage (at least two levels) is provided and wrapped with or screened from the view of right-of-way by the multi-family residential building(s) it serves; or
- (v) Another major architectural or site enhancement as approved by the planning and zoning commission as part of the site plan approval process which is comparable to the significance of the other elements listed herein may count as one of the required elements.
7. *Minor architectural and site enhancements.* All buildings or developments shall be required to provide at least four of the following elements:
- (i) Each exterior wall of each building shall be finished with 100 percent masonry. Walls within internal courtyards and/or walls that are not visible from adjacent rights-of-way or properties zoned or used for residential purposes shall not be required to satisfy this requirement;
- (ii) Each building's façade contains two types of complementary masonry finishing materials and each of the materials is used on at least 25 percent of the facade;
- (iii) A minimum of 15 percent of each building's façade(s) which faces a right-of-way or property zoned or used for residential purposes features patterned brick work;
- (iv) At least one dormer is provided for each roof plane over 1,000 square feet in area which faces a public street. The dormer must be appropriately scaled for the roof plane and shall not be wider than the windows on the building elevation below;
- (v) All chimneys are finished on all sides with 100 percent masonry finishing materials;
- (vi) All ground level mechanical, heating, ventilation, and air conditioning equipment is completely screened by a masonry screening wall that is at least six feet tall;
- (vii) All mechanical, heating, ventilation, and air conditioning equipment is roof-mounted and is screened per [section 146-132](#) (fences, walls, and screening) of this chapter;
- (viii) All windows feature shutters. The shutters provided must be operational or appear operational and must be in scale with the



corresponding window;

- (ix) All windows are emphasized through the use of molding around the windows, plant ledges, sills, shaped frames, awnings, or another similarly related architectural element;
  - (x) Downspouts associated with gutters are internally incorporated into the building's construction rather than attached to the building after construction of the façade is complete; and/or
  - (xi) Another minor architectural or site enhancement as approved by the planning and zoning commission as part of the site plan approval process which are comparable to the significance of the other elements listed herein may count as two of the required elements.
8. *Additional requirements.*
- (i) All covered and enclosed parking shall be of similar and conforming architectural design and materials as the main multi-family structures. Exposed steel or timber support columns for covered parking structures shall be prohibited and shall be finished with a masonry finishing material to match the building.
  - (ii) All off-street parking areas shall be screened from view from public thoroughfares by one or more of the following:
    - A. A combination of low masonry walls and earthen berms reaching a minimum of six feet tall;
    - B. Earthen berms reaching a minimum of six feet tall;
    - C. A six-foot tall brick masonry, stone masonry, or other architectural masonry finish; or
    - D. A six-foot tall primed and painted tubular steel or wrought iron fence with masonry columns spaced 20 feet on center with structural supports placed every ten linear feet, and with sufficient evergreen landscaping to create a screening effect;
    - E. A multi-family residential building(s) that the off-street parking is serving; or
    - F. Another alternate screening device as approved by the planning and zoning commission.
  - (iii) All paving for drives, fire lanes, and parking shall be concrete and shall feature curbs.
  - (iv) All multi-family residential buildings (excluding senior multi-family residential buildings) located outside of the Regional Employment Center Overlay District shall be limited to two stories in height.
  - (v) Exterior stairways shall be covered with a roof, roof overhang, or porch and shall be incorporated into the architectural design of the building rather than appearing as an appendage to the building.
  - (vi) Multi-family residential structures located outside of the Regional Employment Center Overlay District and within 150 feet of an adjacent single family residential use or zone shall be situated so that no exterior facing window is oriented towards said adjacent single family residential use or zone. If a right-of-way with an ultimate width of 120 feet or greater is located between said multi-family residential structure and an adjacent single family residential

use or zone, this requirement shall not be applicable. Windows, for the purposes of this subsection, shall be defined as any transparent panel in an otherwise opaque wall surface.

- b. *Townhome projects.* Townhome projects shall not be required to achieve a minimum point score, and shall be approved if all the following criteria are met:
1. Exterior finish on each side of every townhome unit shall be a minimum of 85 percent brick, stone, or synthetic stone materials, with the remaining 15 percent of each side being wood lap siding, vinyl siding, stucco, cast concrete modular siding, or EIFS. Sheet siding fabricated to look like wood lap siding is prohibited. Area of exterior finish shall be calculated exclusive of doors and windows.
- c. *Industrial uses in industrial districts.* When a use (i) is proposed in an "ML" district, an "MH" district, or a planned development district designated for an industrial use, or (ii) is categorized in the schedule of uses under "Industrial and Manufacturing Uses," or (iii) is an accessory office comprising less than 50 percent of such a principal industrial use, such use shall not be required to meet a minimum number of points, and shall be approved if all of the following criteria are met:
1. One hundred percent of each exterior wall surface (excluding doors, windows, and trim) facing a public street shall be finished with brick, stone, synthetic stone, stucco, EIFS, architectural CMU, or architecturally finished concrete tilt-wall construction.
  2. Other walls may have a metal exterior.
  3. Exterior wall area shall be calculated exclusive of doors and windows.
  4. Any building three stories or greater in height must be set back from adjacent residential property at least two feet for every one foot of building height.
- d. *Airplane hangars.* When more than 50 percent of a structure is intended for use as an airplane hangar, all walls may be metal.
1. A uniform color scheme shall be provided for all airplane hangars around each taxiway. The color scheme shall be established by the developer of the first hangar to be constructed around each taxiway as part of the architectural approval for said building at time of application for a building permit.
  2. Colors shall be neutrals, creams, pastels, or deep, rich, nonreflective natural or earthtone colors.
  3. No more than one color shall be used for visible roof surfaces. No more than one color may be used for wall surfaces, exclusive of one accent color.
- e. *Other uses in industrial districts.* Other uses proposed in "ML" or "MH" districts, or portions of planned development districts designated for industrial use, shall not be required to meet a minimum number of points, and shall be approved if the following criteria are met:
1. One hundred percent of each exterior wall facing a public street shall be finished with brick, stone, synthetic stone, stucco, EIFS, architectural CMU, or architecturally finished concrete tilt-wall construction.
  2. No walls shall have a metal exterior.
  3. Area of exterior wall shall be calculated exclusive of doors and windows.

- f. *Other non-residential uses in non-industrial districts.* Non-residential projects, except as noted in subsections (b) and (c) of this section, which meet or exceed 85 points shall be approved. Scores shall be calculated according to the scoring criteria as follows in subsection (m) of this section.
- (m) *Scoring criteria.*
- (1) *Exterior finishing materials.* When determining area herein, windows and doors shall be excluded from the calculation of area. Points towards the required minimum score shall be allocated as indicated below:
- a. For all non-residential uses in non-industrial districts, except as exempted under subsection (m)(1)e of this section, at least 50 percent of each wall, including walls that extend less than 24 inches, shall be covered with a masonry finishing material as defined herein. Additionally, if greater percentages of masonry coverage are provided, points will be calculated as follows:
1. If at least 60 percent but less than 75 percent of each exterior wall that extends 24 inches or greater shall be covered with a masonry finishing material as defined herein, ten points shall be awarded.
  2. If at least 75 percent but less than 85 percent of each exterior wall that extends 24 inches or greater shall be covered with a masonry finishing material as defined herein, 20 points shall be awarded.
  3. If at least 85 percent but less than 100 percent of each exterior wall that extends 24 inches or greater shall be covered with a masonry finishing material as defined herein, 30 points shall be awarded.
  4. If 100 percent of each exterior wall that extends 24 inches or greater shall be covered with a masonry finishing material as defined herein, 40 points shall be awarded.
- b. Acceptable masonry finishing materials are brick, stone, or synthetic stone materials, including, but not limited to, slate, flagstone, granite, limestone and marble.
- c. The balance of any exterior finishing material shall be stucco, EIFS, architectural concrete masonry units (CMU), concrete tilt wall construction, up to 10 percent of approved architectural metal finishing materials including, but not limited to aluminum bonded panels or metal accents (not including corrugated metal), or glass curtain wall systems for multi-story office or retail buildings.
- d. Covered or enclosed parking shall have pitched roofs (4:12 roof pitch or steeper), shall be architecturally similar and conforming to the main structure in design and materials, and have 100 percent brick, stone, or synthetic stone on all exterior surfaces except the roof, fascia, or soffits.
- e. If all criteria listed under either subsection (m)(1)e.1 or (m)(1)e.2. of this section are satisfied, up to 100 percent stucco, EIFS, architectural concrete masonry units, or concrete tilt wall may be used on a maximum of one vertical wall without reducing points awarded for exterior finish.
1. Residential adjacency shall be determined by the following:
    - (i) The elevation of the building is adjacent to residential property;
    - (ii) An approved screening device separates the two properties which effectively screens the wall of the building from view of the adjacent residential property; and
    - (iii) The area between the building and the screening device is no wider than a standard fire lane, landscape buffer, and a maximum of one

single loaded row of head-in parking.

2. **Non-residential adjacency shall be determined by the following:**
    - (i) The elevation of the proposed building is adjacent to an existing commercial building;
    - (ii) Such elevation is not visible from a public right-of-way;
    - (iii) The length of the proposed building is completely screened by the existing building;
    - (iv) The two buildings are separated by no more than the width of a standard fire lane and/or loading area;
    - (v) The area between the buildings is not intended for general site circulation; and
    - (vi) The proposed building is not part of a pad site related to a larger non-residential development.
  - f. Windows and doors shall be excluded from calculation of area.
- (2) **Exterior color.** Twenty (20) points shall be awarded towards the required minimum score if all the following standards are met.
- a. At least 90 percent of total exterior building surfaces (exclusive of glass) shall be neutrals, creams, pastels, or deep, rich, non-reflective natural or earthtone colors (including approved masonry materials). Examples of acceptable colors include, but are not limited to, burgundy, forest green, navy blue, eggplant, rust, or ochre. Subtle variations of such colors shall also be permitted.
  - b. No more than ten percent of the total exterior building surface (exclusive of glass) shall be bright, reflective, pure tone primary or secondary colors used as accent colors on door and window frames, moldings, cornices, canopies, awnings, etc. Examples of acceptable accent colors include, but are not limited to, red, orange, gold, royal blue, violet, or green. Subtle variations of such colors shall also be permitted.
  - c. No high intensity colors, neon colors or fluorescent colors shall be used on exterior surfaces of the building.
  - d. No more than one color shall be used for visible roof surfaces, however, if more than one type of roofing material is used, the materials shall be varying hues of the same color.
  - e. No more than six colors shall be used; however, natural, unaltered materials such as brick or stone used on the building shall not be counted toward the maximum number of colors allowed. Colors on the following surfaces shall be counted towards the total:
    1. All painted, stained, varnished, or shellacked surfaces;
    2. Integrally colored surface materials such as concrete block, stucco, plaster, or EIFS;
    3. Glazed surfaces on materials such as brick, concrete block, or ceramic tile;
    4. Roofing materials;
    5. Canopies and awnings;
    6. Colored glazing other than clear, bronze or gray;
    7. Pre-finished materials such as metal trim or aluminum doors, window or storefront entry systems; and
    8. Any finishing material that has been covered, treated, affected or altered, partially or entirely, with any substance which changes enhances, or alters

the natural state of the material.

- (3) *Building massing.* Fifteen points shall be awarded towards the required minimum score if all of the following standards for the applicable building are met.
- a. All buildings shall have at least one major offset on each elevation fronting on a public right-of-way and the following provisions shall be met:
    1. The offset shall be either a projection from the primary facade or a recess in the primary facade.
    2. The offset shall be the full height of the wall.
    3. The length of the offset shall be a minimum of 20 percent of the length of the elevation.
    4. The depth of the offset shall be a minimum of three feet for buildings up to 10,000 square feet. The depth of the offset shall be a minimum of three percent of the length of the elevation for buildings greater than 10,000 square feet.
  - b. For multiple story buildings, one or more upper story setbacks of at least four feet may be substituted for offset described in subsection (m)(3)a of this section, but such substitution shall be allowed only on a single elevation fronting a public right-of-way.
- (4) *Roof treatment.* Fifteen (15) points shall be awarded towards the required minimum score if the requirements of subsections (m)(4)a, b and c of this section are met.
- a. The entire building shall comply with all color standards in subsection (m)(2) of this section.
  - b. A roof treatment incorporating all of the elements listed in subsections (m)(4)b.1., 2, or 3 of this section shall be utilized:
    1. A pitched roof of any style, including, but not limited to, hipped, gabled or shed roofs shall be acceptable. The roof must cover 100 percent of the total roof area, excluding porches and porte-cocheres. The roof shall have a minimum pitch of three feet of vertical deflection (rise) for every 12 feet of horizontal deflection (run) (3:12 pitch). No flat roof line shall be visible.
    2. A partial pitched roof of any style, including, but not limited to, a false mansard shall be acceptable. The roof shall be constructed around the entire perimeter of a building so that no flat roof shall be visible. The roof shall have a minimum pitch of six feet of vertical deflection (rise) for every 12 feet of horizontal deflection (run) (6:12 pitch).
    3. A parapet wall shall be acceptable if constructed around the entire perimeter of a building so that no flat roof shall be visible.
  - c. All rooftop mechanical equipment shall be completely screened by the roof or a parapet wall.
  - d. Standing seam metal roofs, which meet all the criteria of subsection (m)(4)b.1., 2, and 3 of this section shall be acceptable.
- (5) *Minor facade offsets.* Fifteen (15) points shall be awarded towards the required minimum score if all of the standards of either subsection (m)(5)a or b of this section are met.
- a. Structural or ornamental minor facade offsets of a minimum one (1) foot deep and a minimum of two (2) feet wide shall be constructed and the following provisions shall be met:
    1. The offsets shall be present on at least two elevations;
    - 2.

- The combined width of the offsets shall be at least 20 percent but no greater than 50 percent of the total length of that elevation; and
3. The height of such offsets shall be equal to or greater than 75 percent of each elevation.
- b. Structural or ornamental minor facade offsets of a minimum of three inches (3") deep and a minimum of twelve inches (12") wide shall be constructed and the following provisions shall be met:
    1. The offsets shall be spaced at a maximum of 20-foot centers; and
    2. The height of such offsets shall be equal to or greater than 75 percent of each elevation.
  - c. For multi-story buildings, a minor facade setback of at least three inches deep may be substituted for minor offsets described in subsection (m)(5)a or b of this section, on no more than one elevation fronting on a public right-of-way.
- (6) *Overhang enhancements.* Five points shall be awarded towards the required minimum score if all of the following standards are met.
- a. The entire building shall comply with all color standards in subsection (m)(2) of this section.
  - b. One of the following two criteria must be met:
    1. The overhang of either a pitched roof or partial pitched roof, as defined in subsection (m)(4) of this section shall extend a minimum of four feet beyond primary facade; or
    2. A covered porch shall extend a minimum of six feet (6') deep beyond primary facade. This covered porch shall be an uninterrupted length of at least 12 feet.
- (7) *Height and slope standards.*
- a. For multi-story buildings proposed to be constructed on property adjacent to a residential district the following shall apply:
    1. Five points shall be awarded towards the required minimum score if, for each foot of building height, three feet of setback is provided from all common property lines with residential districts; or
    2. Three points shall be awarded towards the required minimum score if, for each foot of building height, two feet of setback is provided from all common property lines with residential districts.
  - b. For all other properties, five points shall be awarded towards the required minimum score if none of the property lines form common boundaries with residential districts.
  - c. For all buildings three stories or more in height constructed on property adjacent to a residential district, a setback equal to or greater than that described in subsection (m)(8)a.2 of this section shall be required, regardless of whether the points are needed to achieve the minimum score for the project.
- (8) *Doors and windows.* No points shall be awarded for doors and windows unless all elevations visible from a public right-of-way comply with subsection (m)(9)a of this section. The total points awarded for this category shall not exceed three points. Three points shall be awarded if:
- a. Doors and windows comprise at least ten percent but no more than 75 percent of the total surface area of each elevation visible from a public right-of-way; and
  - b. The entire building complies with all color standards in subsection (m)(2) of this

section.

- (9) *Exterior glass.* Three points shall be awarded if:
- a. The maximum reflectivity of all exterior glass is less than or equal to 27 percent; and
  - b. The entire building complies with all color standards in subsection (m)(2) of this section.
- (10) *Porte-cocheres, canopies and awnings.* Three points shall be awarded if all items below are satisfied:
- a. A comprehensive awning plan shall be submitted. The plan shall include color renderings and sufficient canopies and/or awnings to significantly alter the appearance of the structure by creating shadows and changes in planes. The awning plan shall indicate:
    1. A porte-cochere or canopy (column supported or wall and column supported); and/or
    2. Wall-supported awnings of minimum three feet depth for doors and/or windows.
  - b. The entire building shall comply with all color standards in subsection (m)(2) of this section.
- (11) *Decorative ornamentation.* A comprehensive ornamentation plan shall be submitted. The plan shall include color renderings and sufficient ornamental features to make a significant impact on the visual interest and decorative enhancement of the structure. Three points shall be awarded for each of the following categories:
- a. Cast stone, limestone, or other decorative masonry headers and sills at all windows and doors;
  - b. Corbeled brickwork for decorative effect on pilasters, cornices, and other architectural detailing;
  - c. Patterned brickwork of varying types or natural shades;
  - d. Decorative exposed columns, beams or other structural members; and
  - e. Applied ornamentation such as cornices, medallions, or similar detailing.

*(Code 1982, § 41-202; Ord. No. 1270, § 4.02, 12-15-1981; Ord. No. 1346, §§ 1, 2, 4-19-1983; Ord. No. 1510, §§ 1—4, 1-15-1985; Ord. No. 94-09-36, § 1, 9-20-1994; Ord. No. 99-03-35, § 1F, 3-16-1999; Ord. No. 2000-01-03, §§ 1K, 1L, 1-4-2000; Ord. No. 2000-05-028, § 1A, 5-2-2000; Ord. No. 2001-04-045, § 1, 4-3-2001; Ord. No. 2004-09-103, § 1, 9-21-2004; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2008-11-104, § 7, 11-4-2008; Ord. No. 2010-05-011, § 6, 5-17-2010; Ord. No. 2010-12-053, § 30, 12-7-2010; Ord. No. 2013-02-021, § 3, 2-25-2013)*

McKinney, Texas, Code of Ordinances >> **Subpart A - GENERAL ORDINANCES** >> **Chapter 42 - FIRE PREVENTION AND PROTECTION** >> **ARTICLE II. - FIRE PREVENTION CODE** >>

---

**ARTICLE II. FIRE PREVENTION CODE** <sup>[2]</sup>

---

[Sec. 42-23. - Adoption of International Fire Code.](#)

[Sec. 42-24. - Enforcement.](#)

[Sec. 42-25. - Definitions.](#)

[Sec. 42-26. - Fire code amendments.](#)

[Secs. 42-27—42-55. - Reserved.](#)

### **Sec. 42-23. Adoption of International Fire Code.**

There is hereby adopted by the City Council of the City of McKinney, Texas, for the purpose of prescribing regulations governing conditions hazardous to life and property, that certain code known as the 2006 Edition of the International Fire Code, including Appendices B, C, D, E, F and G, as amended herein ("Code"). Copies of the Code, and the amendments thereto, as referenced herein, are on file in the office of the city secretary for permanent record and inspection.

*(Code 1982, § 11-46; Ord. No. 2001-06-072, §§ 2, 3, 6-19-2001; Ord. No. 2005-04-035, §§ 2, 3, 4-5-2005; Ord. No. 2008-03-017, § 3, 3-4-2008)*

### **Sec. 42-24. Enforcement.**

The fire chief, or his authorized representative, is hereby authorized and directed to enforce all provisions of the International Fire Code as adopted herein and as amended.

*(Code 1982, § 11-47; Ord. No. 2001-06-072, §§ 2, 3, 6-19-2001; Ord. No. 2005-04-035, §§ 2, 3, 4-5-2005; Ord. No. 2008-03-017, § 3, 3-4-2008)*

### **Sec. 42-25. Definitions.**

The following words, terms and phrases, when used in the fire code adopted in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) Whenever the word "jurisdiction" is used in the International Fire Code, it shall mean the corporate limits of the City of McKinney, Texas.
- (2) Whenever the words "code official" are used in the International Fire Code, they shall mean the Fire Chief of the McKinney Fire Department.

*(Code 1982, § 11-48; Ord. No. 2001-06-072, §§ 2, 3, 6-19-2001; Ord. No. 2005-04-035, §§ 2, 3, 4-5-2005; Ord. No. 2008-03-017, § 3, 3-4-2008)*

### **Sec. 42-26. Fire code amendments.**

The following amendments repeal and reenact or add sections of the fire code adopted in this article for the purpose of consistency with specific past practices and the recommendations of the North Central Texas Council of Governments:



- (1) *Section 101.1* shall be amended to read as follows:  
*101.1 Title.* These regulations shall be known as the fire code of the City of McKinney, hereinafter referred to as "this code."
- (2) *Section 102.1* shall be amended to include the following:  
*Section 102.1 Applicability*  
 ...  
 5. The provisions of this Code apply to buildings built under the International Residential Code (IRC) and the International Building Code (IBC).
- (3) *Section 102.4* shall be amended to read as follows:  
*102.4 Application of other codes.* The design and construction of new structures shall comply with this Code, and other codes as applicable, and any alterations, additions, changes in use or changes in structures required by this Code, which are within the scope of the International Building Code, shall be made in accordance therewith.
- (4) *Section 102.6* shall be amended to read as follows:  
*102.6 Referenced codes and standards.* The codes and standards referenced in this Code shall be those that are listed in [Chapter 45](#) and such codes, when specifically adopted, and standards shall be considered part of the requirements of this Code to the prescribed extent of each such reference. Where differences occur between the provisions of this Code and the referenced standards, the provisions of this Code shall apply. Whenever amendments have been adopted to the referenced codes and standards, each reference to said code and standard shall be considered to reference the amendments as well. Any reference to NFPA 70 or the ICC Electrical Code shall mean the Electrical Code as adopted.
- (5) *Secs. 103.1, 103.2, and 103.3* shall be amended to read as follows:  
*Sec. 103 Department of Fire Prevention*  
*Sec. 103.1 General.* The fire code shall be enforced by the division of fire prevention. The division of fire prevention is hereby established as a division of the Fire Department of the City of McKinney and shall be operated under the supervision of the chief of the fire department.  
*Sec. 103.2 Appointment.* The fire marshal in charge of the division of fire prevention shall be appointed by the fire chief on the basis of proper qualification.  
*Sec. 103.3 Deputies.* The chief of the fire department may detail such members of the fire department as inspectors as shall from time to time be necessary and each member so assigned shall be authorized to enforce the provisions of the International Fire Code.
- (6) *Section 105.1.4*, as amended on September 18, 2007, by Ordinance No. 2007-09-090 shall remain in effect as follows:  
*105.1.4 Fees.* The fire chief shall administer the following charges:  
 (a) *105.1.4.1 Fire plan and inspection fees:*  
 (1) *Fire Permit*, per square foot building, \$0.05.  
 (2) *Re-inspection fees:* \$47.00 per hour (one-half hour minimum).  
 (3) *Inspection fees for which no fire fee was assessed:* \$47.00 per hour (one-half hour minimum).  
 (4) *Plan review required by changes, additions or revisions to plans:* \$47.00 per hour (one-half hour minimum).

No fees shall be charged for any subsequent plan review of changes, additions, or revisions to plans which plan review was initiated solely by the fire chief, or his designee, for items that the fire chief failed to identify on a previous plan review.

- (5) *For use of outside consultants for plan checking and inspections, or both: Actual costs.*
- (b) *105.1.4.2 Burn permit fees:*
- (1) Contractors or property owners per occurrence (less than one acre): \$20.00.
  - (2) Agricultural/contractor/property owner (over one acre), per occurrence per day: \$50.00.
- (c) *105.1.4.3 Emergency response cost recovery fees:*
- (1) This fee-for-service is the reasonable and documented cost of providing fire services outside the city limits and generally within the McKinney Fire extraterritorial jurisdiction (ETJ) and is not subject to the provisions of intergovernmental agreements, including mutual aid agreements.
  - (2) This fee is similar to but in addition to any ambulance/EMS fees the city currently charges and is not a publication of fees for those incidents where an ambulance fee is currently charged.
  - (3) The following fees will be charged for fire services, other than ambulance service charges:
    - (a) *Fire engine:* \$378.00 per hour (one-half hour minimum).
    - (b) *Ladder truck/aerial:* \$498.00 per hour (one-half hour minimum).
    - (c) *ARFF truck:* \$489.00 per hour (one-half hour minimum).
    - (d) *Med unit (not used for ambulance/EMS service:* \$103.00 per hour (one-half hour minimum).
    - (e) *Battalion chief vehicle:* \$32.00 per hour (one-half hour minimum).
    - (f) *Staff vehicle:* \$25.00 per hour (one-half hour minimum).
    - (g) *Firefighter:* \$19.00 per hour (one-half hour minimum).
    - (h) *Fire captain:* \$27.00 per hour (one-half hour minimum).
    - (i) *Battalion chief:* \$33.00 per hour (one-half hour minimum).
  - (4) Payment of emergency response cost recovery fees will be the responsibility of the owner/occupant of the involved property.
  - (5) If mutual aid from another fire department is received on incidents subject to this fee, the assisting agency will be provided a pro rata share of the total amount of fee payment received based on the reasonable and documented cost of the mutual aid received.
  - (6) The determination of the equipment and personnel needed at a particular incident will be reasonably made by the incident commander of each specific incident.
  - (7) The total fee charged for a specific incident shall be reduced by the amount of cost reimbursement received from Collin County, if received.
- (d) *105.1.4.5 Hazardous materials incident response cost recovery fee:*
- (1) A hazardous materials incident response cost recovery fee, as specified in Appendix A of the Code of Ordinances, which may be amended from time to time, will be charged to the Primary Responsible Party for the causation of an incident involving a hazardous material, as defined by the Fire Code, within the City or the fire response ETJ of the City and responded to by City of McKinney personnel and equipment. This fee-for-service is the reasonable and documented cost of providing accident response services within the city limits.

- (A) This fee is similar to but in addition to any ambulance/EMS fees the city currently charges and is not a publication of fees for those incident services where an ambulance fee is currently charged.
- (2) The following hazardous materials incident response recovery fees will be charged for fire service response, other than ambulance services charges, to:
- (A) Fire engine, per hour (one-half hour minimum) .....378.00
- (B) Ladder truck/aerial, per hour (one-half hour minimum) .....498.00
- (C) ARFF truck, per hour (one-half hour minimum) .....489.00
- (D) Med unit (not used for ambulance/EMS service, per hour (one-half hour minimum) .....103.00
- (E) Battalion chief vehicle, per hour (one-half-hour minimum) .....32.00
- (F) Staff vehicle, per hour (one-half hour minimum) ....25.00
- (G) Firefighter, per hour (one-half-hour minimum) .....19.00
- (H) Fire Captain, per hour (one-half-hour minimum) .....27.00
- (I) Battalion chief, per hour (one-half hour minimum) .....33.00
- (3) Payment of the hazardous materials incident response cost recovery fee will be the responsibility of the Primary Responsible Party for the hazardous materials incident responded to by city personnel and equipment.
- (e) *105.1.4.6 Fireworks display permit and response cost recovery fee:*
- (1) A fireworks display permit cost recovery fee as specified in Appendix A of the Code of Ordinances, which may be amended from time to time, will be charged for fireworks displays as defined by the Fire Code. This fee for service is the reasonable and documented cost of providing fire department services and includes cost recovery for pre-event plan reviews and site safety zone inspections prior to and after the event and standby and/or fire extinguishment during or after the discharge of the fireworks. This fee includes the cost recovery of at least one Fire Systems Technician or Engineer, two Fire Prevention Branch Inspectors, two Firefighters and associated vehicles assigned to the event.
- (2) The following fees will be charged for fireworks display permit and response cost recovery fee:
- (A) Fireworks Display Permit and Response Cost Recovery Fee will be \$ 800 per event.
- (7) *Sec. 106.2.1* shall be amended to include the following:
- 106.2.1* The fire chief or his designated representative shall inspect all buildings, premises, or portions thereof as often as may be necessary. An initial inspection and one reinspection shall be made free of charge. If the fire chief or his designee is required to make follow-up inspections after the initial inspection and reinspection to determine whether a violation or violations observed during the previous inspection have been corrected, a fee shall be charged. The occupant, lessee, or person making use of the building or premises shall pay said fee or fees within 30 days of being billed as a condition to continued lawful occupancy of the building or premises.
- 106.2.2 Inspection requests.* It shall be the duty of the permit holder or his duly authorized agent to notify the code official when work is ready for inspection. It shall be the duty of the permit holder to provide access to and means for inspections of such work that are required by this Code.

*106.2.3 Approval required.* Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code official. The code official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or notify the permit holder or his or her agent wherein the same fails to comply with this Code. Any portions of work that do not comply with this Code shall be corrected and such portion shall not be covered or concealed until authorized by the code official.

- (8) *Section 108.1* shall be amended to read as follows:

*108.1 Appeals.* Whenever the code official shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the fire prevention code do not apply or that the true intent and meaning of this Code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the code official to the city council within 30 days from the date of the decision appealed.

- (9) *Section 109.2.3.1* shall be added to read as follows:

*109.2.3.1 Citations.* It is the intent of this department to achieve compliance by the traditional means of inspection, notification, granting of reasonable time to comply and re-inspection. After all reasonable means to gain compliance have failed, or when a condition exists that causes an immediate and/or extreme threat to life, property or safety from fire or explosion, the fire chief and fire officers who have the discretionary duty to enforce a code or ordinance may issue a notice to appear (citation) for the violation. Citations shall be issued only by qualified personnel as designated by the fire chief.

- (10) *Section 109.3* shall be amended to read as follows:

*109.3 Penalty.* Any person, firm, partnership, corporation or association violating any provision of this article or of any code adopted herein shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined in the sum of not more than \$2,000.00, and each day such violation continues shall constitute a separate and distinct violation.

- (11) *Section 202* shall be amended to include the following definitions:

*Fire watch.* A temporary measure intended to ensure continuous and systematic surveillance of a building or portion thereof by one or more qualified individuals or standby personnel when required by the code official, for the purposes of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire and notifying the fire department.

*High-rise building.* A building having any floors used for human occupancy located more than 55 feet (16,764 mm) above the lowest level of fire department vehicle access.

*Self-service storage facility.* Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

*Standby personnel.* Qualified fire service personnel, approved by the fire chief. When utilized, the number required shall be as directed by the fire chief. Charges for utilization shall be as normally calculated by the jurisdiction.

*Addressable fire detection system.* Any system capable of providing identification of each individual alarm-initiating device. The identification shall be in plain English and as descriptive as possible to specifically identify the location of the device in alarm. The system shall have the capability of alarm verification.

*Analog intelligent addressable fire detection system.* Any system capable of calculating a change in value by directly measurable quantities (voltage, resistance, etc.) at the

sensing point. The physical analog may be conducted at the sensing point or at the main control panel. The system shall be capable of compensating for long-term changes in sensor response while maintaining a constant sensitivity. The compensation shall have a preset point at which a detector maintenance signal shall be transmitted to the control panel. The sensor shall remain capable of detecting and transmitting an alarm while in maintenance alert.

- (12) *Section 307* shall be amended to read as follows:

*Section 307, Open Burning*, shall be deleted and the provisions of Article III of [Chapter 42](#), entitled "Open Burning," Sections 42-56 through [42-66](#) of the City of McKinney Code of Ordinances, as amended, shall be relied upon as the open burning provisions of the City's Fire Code.

- (13) *Section 308.3.1* shall be amended to read as follows:

*Section 308.3.1 Open-flame cooking and heating devices*. Open flame cooking devices, charcoal grills, outdoor fireplaces and other similar devices used for cooking, heating or any other purpose, shall not be located or used on any combustible balcony, deck, or within ten feet (3,048 mm) of any combustible construction.

*Exceptions:*

1. Detached one- and two-family dwellings may have containers with a water capacity not greater than 20 pounds (9.08 kg) [nominal eight pound (3.632 kg) LP-gas capacity], with an aggregate capacity not to exceed 100 lbs. (five containers).
2. Other residential occupancies where buildings, balconies and decks are protected by an approved automatic sprinkler system, may have containers with a water capacity not greater than 20 pounds (9.08 kg) [nominal eight pound (3.632 kg) LP-gas capacity], with an aggregate capacity not to exceed 40 lbs (two containers).

- (14) *Section 401.3.4* shall be added to read as follows:

*401.3.4 False alarms and nuisance alarms*. False alarms and nuisance alarms shall not be given, signaled or transmitted or caused or permitted to be given, signaled or transmitted in any manner.

- (15) *Section 503.1.1* shall be amended to add the following language to the first paragraph:

Except for single- or two-family residences, the 150 feet shall be measured along a minimum of a ten foot wide unobstructed pathway around the external walls of the structure. The grade shall not exceed six percent, with transitions not to exceed five percent. The provisions of this section notwithstanding, fire lanes may be required to be located within 30 feet of a building if deemed to be reasonably necessary by the fire chief to enable proper protection of the building. A five-foot wide level pathway shall be provided unobstructed through all barriers. A continuous row of parking between the fire lane and the structure shall be considered a barrier.

Fire lane and access easements shall be provided to serve all buildings through parking areas, to service entrances of buildings, loading areas and trash collection areas, and other areas deemed necessary to be available to fire and emergency vehicles. The fire chief is authorized to designate additional requirements for fire lanes where the same is reasonably necessary so as to provide access for fire and rescue personnel.

Fire lanes provided during the platting process shall be so indicated on the plat as an easement. Where fire lanes are provided and a plat is not required, the limits of the fire lane shall be shown on a site plan and placed on permanent file with the fire marshal and city planning department.

No owner or person in charge of any premises served by a fire lane or access easement shall abandon, restrict or close any fire lane or easement without first securing from the City of McKinney approval of an amended plat or other acceptable legal instrument showing the removal of the fire lane.

- (16) *Section 503.1.2* shall be amended by the addition of the following language to the first paragraph:

All structures, except as described in the exceptions 1 and 2 below, and subdivisions shall provide two points of access. The two points of access shall be a minimum of 140 feet apart. The maximum cul-de-sac length shall not exceed 600 feet in length as measured from the centerline of the intersection street to the center point of the radius.

- (17) *Section 503.1.2* shall be amended to add Exceptions 1 and 2, to read as follows:

*Exception 1.* Single fire apparatus access roads, buildings and facilities, excluding a single-family residence, a duplex and a townhouse constructed where there is a single fire apparatus access road longer than 600 feet shall be provided with an approved automatic fire suppression system in accordance with chapter 9 of this Code.

*Exception 2.* Individual single-family and two-family (duplex) residences, Type R-3 Occupancies, with single fire apparatus access road less than 600 feet.

- (18) *Section 503.2.1* shall be amended to read as follows:

*503.2.1 Dimensions.* Fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7,315 mm), except for approved security gates in accordance with Section 503.6, and an unobstructed vertical clearance of not less than 14 feet (4,267 mm).

Any such fire lane easement shall either connect both ends to a dedicated street or be provided with a turnaround having a minimum outer radius of 50 feet. If two or more interconnecting lanes are provided, interior radius for that connection shall be required in accordance with the following:

For 90 degree or greater turns only:

24-foot fire lane—Minimum radius 30 feet

26-foot fire lane—Minimum radius 30 feet

30-foot fire lane—Minimum radius 20 feet

*Exception:* Vertical clearance may be reduced provided such reduction does not impair access by fire apparatus and approved signs are installed and maintained indicating the established vertical clearance when approved.

Fire lane dimensions established by Appendix D, or other sections of this Code, shall be superseded by the criteria established by this section.

*Exception:* The requirements of Section D105 shall remain unchanged.

- (19) *Section 503.2.2* shall be amended to read as follows:

*503.2.2 Authority.* The code official shall have the authority to require an increase in the minimum access widths and vertical clearances where they are inadequate for fire or rescue operations.

- (20) *Section 503.2.3* shall be amended to read as follows:

*503.2.3 Surface.* Fire lanes shall be constructed of an asphalt or concrete surface capable of supporting the imposed loads of a two-axle, 75,000-pound fire apparatus. The design shall be based on the geotechnical investigation of the site, but shall meet the stated minimums, as follows. Those portions of the fire lane within 60 feet of the structure to be protected shall be constructed with six-inch thick, 4,000 psi concrete with No. 3 bars spaced 24 inches on centers both ways and with sub-grade to a density not

less than 95 percent as determined by TSDHPT Test Method Tex-113. Portions of the fire lane constructed of asphalt shall be 95 percent compaction with a six-inch asphalt stabilized base and two-inch type D hot mix asphalt concrete, State Highway specification number 292. Whenever 40 percent of existing, non-conforming fire lanes are replaced within a 12-month period, the entire fire lane shall be replaced according to current standards.

All fire lanes shall be maintained and kept in a good state of repair at all times by the owner and the City of McKinney shall not be responsible for the maintenance thereof. It shall further be the responsibility of the owner to insure that all fire lane markings required by Section 503.3 be kept so that they are easily distinguishable by the public.

- (21) *Section 503.2.7* shall be amended to add the following sentence to the first paragraph and to add the exception:

The grade shall not exceed six percent along the fire apparatus access road, with transitions not to exceed five percent.

*Exception.* The code official shall have the authority to adjust the grade along the fire lane when necessary for fire or rescue operations, or based upon the general topography of the lot. In no case shall the grade exceed nine percent.

- (22) *Section 503.3* shall be amended to read as follows:

*503.3 Marking.* Striping, signs, or other markings, when approved by the code official, shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Striping, signs and other markings shall be maintained in a clean and legible condition at all times and shall be replaced or repaired when necessary to provide adequate visibility.

(1) *Striping* - Fire apparatus access roads shall be continuously marked by painted lines of red traffic paint six inches in width to show the boundaries of the lane. The words "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" shall appear in four-inch white letters at 25 feet intervals on the red border markings along both sides of the fire lanes. Where a curb is available, the striping shall be on both the horizontal and vertical faces of the curb.

(2) *Signs* - Signs shall read "NO PARKING FIRE LANE" or "FIRE LANE NO PARKING" and shall be 12 inches wide and 18 inches high. Signs shall be painted on a white background with letters and borders in red, using not less than two-inch lettering. Signs shall be permanently affixed to a stationary post and the bottom of the sign shall be six feet, six inches above finished grade. Signs shall be spaced not more than 50 feet apart. Signs may be installed on permanent buildings or walls or as approved by the fire chief.

- (23) *Section 503.4* shall be amended to read as follows:

*503.4 Obstruction of fire apparatus access roads.* Fire apparatus access roads shall not be obstructed in any manner, including the parking of vehicles. The owners of vehicles, equipment or materials parked in or obstructing a fire lane shall be responsible for such violation. The minimum widths and clearances established in Section 503.2.1 and any area marked as a fire lane as described in Section 503.3 shall be maintained clear at all times.

1. *Fire lane violations.*

- a. Court fines resulting from an unoccupied vehicle in the fire lane shall be the responsibility of the registered owner (citations may be mailed or delivered in person).
- b. Unoccupied vehicles or other obstructions in the fire lane may be removed

or towed at the expense of the registered owner.

- (24) *Section 503.6.1* shall be amended to add the following sentence to the first paragraph: Automatic, radio-controlled traffic control devices, keyed to McKinney Fire Department mobile transmitters, shall be provided on all automatic gates that obstruct a fire apparatus access road.
- (25) *Section 505.1* shall be amended to read as follows:  
*505.1 Premises Identification.* Approved numerals of a minimum six inches height and of a color contrasting with the background designating the address shall be placed on all new and existing buildings or structures in a position as to be plainly visible and legible from the street or road fronting the property and from all rear alleyways / access. Where buildings do not immediately front a street, approved six-inch height building numerals or addresses and three-inch height suite/apartment numerals of a color contrasting with the background of the building shall be placed on all new and existing buildings or structures. Numerals or addresses shall be posted on a minimum 20-inch by 30-inch background on border. Address numbers shall be Arabic numerals or alphabet letters. The minimum stroke width shall be 0.5 inches.  
*Exception.* R-3 Single-family occupancies shall have approved numerals of a minimum three and one-half inches in height and a color contrasting with the background clearly visible and legible from the street fronting the property and rear alleyway where such alleyway exists.
- (26) *Section 505.1.1* shall be added to read as follows:  
*505.1.1 Utility shut-off identification.* Approved numerals of minimum one-inch height and of a color contrasting with the background shall be placed on gas and electrical meters serving all new and existing buildings or structures except R-3 occupancies.
- (27) *Section 508.5.1.1* shall added to read as follows:  
*508.5.1.1 Where Required.*
- (a) And as properties develop, fire hydrants shall be located at all intersecting streets and at the maximum spacing indicated in Table C105.1. Distances between hydrants shall be measured along the route that fire hose is laid by a fire vehicle from hydrant to hydrant, not as the "crow flies."
  - (b) *Protected properties.* Fire hydrants required to provide a supplemental water supply for automatic fire protection systems shall be positioned within 100 feet of the fire department connection for such systems.
  - (c) *Fire hydrant locations.* Fire hydrants shall be located two feet to six feet back from the curb or fire lane and shall not be located in the bulb of a cul-de-sac.
  - (d) *Minimum number of fire hydrants.* There shall be a minimum of two fire hydrants serving each property within the prescribed distances listed above. A minimum of one fire hydrant shall be located on each lot.
- (28) *Section 511* shall be added to read as follows:  
*511. Emergency Radio Communications.* In all new and existing buildings in which the type of construction or distance from an operational emergency services antenna or dispatch site does not provide adequate frequency or signal strength as determined by the code official, the building owner shall be responsible for providing the equipment, installation and maintenance of said equipment in a manner to strengthen the radio signal. The radio signal shall meet the minimum input/output strengths according to the emergency radio system's provider and system manager.
- (29) *Section 704.1* shall be amended to read as follows:



*704.1 Enclosure.* Interior vertical shafts, including but not limited to stairways, elevator hoist ways, service and utility shafts, that connect two or more stories of a building shall be enclosed or protected in accordance with the codes in effect at the time of construction but, regardless of when constructed, not less than as specified in Table 704.1.

- (30) *Section 705* shall be added to read as follows:

*705 Multiple Occupancy Buildings.* Buildings and centers where more than one occupancy is located within a structure shall be in accordance with this article. Each occupancy shall be separated from adjoining occupancies by a one-hour fire rated demising wall or assembly.

- (31) *Section 807.4.3.2* and *Section 807.4.4.2* shall be amended to add the following exception:

*Exception:* Corridors protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 shall be limited to 50 percent of the wall area.

- (32) *Section 901.5* shall be amended by the addition of the following:

*901.5.2 Installation Acceptance Testing.* All required tests shall be conducted by and at the expense of the owner or his representative. The fire department shall not be held responsible for any damages incurred in such test. Where it is required that the fire department witness any such test, such test shall be scheduled with a minimum of 48-hour notice to the fire chief or his representative.

- (33) *Section 901.6.1.1* shall be added to read as follows:

*901.6.1.1 Standpipe Testing.* Building owners/managers must utilize a licensed fire protection contractor to test and certify standpipe systems. In addition to the testing and maintenance requirements of NFPA 25 applying to standpipe systems, the following additional requirements shall be applied to the testing that is required every five years: The piping between the fire department connection (FDC) and the standpipe shall be hydrostatically tested for all FDC's on any type of standpipe system. Hydrostatic testing shall also be conducted in accordance with NFPA 25 requirements for the different types of standpipe systems.

For any manual (dry or wet) standpipe system not having an automatic water supply capable of flowing water through the standpipe, the contractor shall connect hose from a fire hydrant or portable pumping system (as approved by the code official) to each FDC, and flow water through the standpipe system to the roof outlet to verify that each inlet connection functions properly. There is no required pressure criteria at the outlet. Verify that check valves function properly and that there are no closed control valves on the system.

Any pressure relief, reducing, or control valves shall be tested in accordance with the requirements of NFPA 25.

If the FDC is not already provided with approved caps, the contractor shall install such caps for all FDC's. Contact the fire marshal for additional information.

Upon successful completion of standpipe test, the contractor shall place a blue tag (as per "Texas Administrative Code, Title 28. Insurance, Part I. Texas Department of Insurance, [Chapter 34](#). State Fire Marshal, Subchapter G. Fire Sprinkler Rules, 28 TAC § 34.720. Inspection, Test and Maintenance Service (ITM) Tag") at the bottom of each standpipe riser in the building. An example of this tag is available from the code official or on the Texas Secretary of State internet site. The tag shall be check-marked as "Fifth Year" for Type of ITM, and the note on the back of the tag shall read "5-Year Standpipe Test" at a minimum.

The contractor shall follow the procedures as required by "Texas Administrative Code, Title 28. Insurance, Part I. Texas Department of Insurance, [Chapter 34](#). State Fire Marshal, Subchapter G. Fire Sprinkler Rules, [28 TAC](#)" with regard to yellow tags and red tags or any deficiencies noted during the testing, including the required notification of the fire marshal.

Additionally, records of the testing shall be maintained by the owner and contractor, as required by the state rules mentioned above and NFPA 25.

Standpipe system tests where water will be flowed external to the building shall not be conducted during freezing conditions or during the day prior to expected night time freezing conditions.

Contact the fire marshal for requests to remove existing fire hose from Class II and III standpipe systems where employees are not trained in the utilization of this fire fighting equipment. All standpipe hose valves must remain in place and be provided with an approved cap and chain when approval is given to remove hose by the code official.

- (34) *Section 901.7* shall be amended to replace the first paragraph as follows:  
*901.7 Systems out of service.* Where a required fire protection system is out of service or in the event of an excessive number of activations, the fire department and the code official shall be notified immediately and, where required by the code official, the building shall either be evacuated or an approved fire watch shall be provided for all occupants left unprotected by the shut down until the fire protection system has been returned to service.
- (35) *Section 902.1* shall be amended to add a sentence to "Manual Dry" under the "Standpipe, Types Of" definition to read as follows:  
 The system must be supervised as specified in Section 905.2.
- (36) *Section 903.1.2* shall be added to read as follows:  
*903.1.2 Residential systems.* Unless specifically allowed by this Code or the International Building Code, residential sprinkler systems installed in accordance with NFPA 13D or NFPA 13R shall not be recognized for the purposes of exceptions or reductions, commonly referred to as "trade-offs," permitted by other requirements of this Code.  
 In addition, residential sprinkler systems installed in accordance with NFPA 13R must include attic sprinkler protection to be recognized for the purposes of such trade-offs permitted by other requirements of this Code.
- (37) *Section 903.2* shall be amended to delete the exception.
- (38) *Section 903.2.10.3* shall be amended to read as follows:  
*903.2.10.3 Buildings more than 35 feet in height.* An automatic sprinkler system shall be installed throughout buildings with a floor level, other than penthouses in compliance with Section 1509 of the International Building Code, that is located 35 feet (10,668mm) or more above the lowest level of fire department vehicle access.
- (39) *Sections 903.2.10.14, 903.2.10.15, 903.2.10.16* shall be added to read as follows:  
*903.2.10.14 High-Piled Combustible Storage.* For any building with a clear height exceeding 12 feet (4,572 mm), see [Chapter 23](#) to determine if those provisions apply.  
*903.2.10.15 Spray Booths and Rooms.* New and existing spray booths and spraying rooms shall be protected by an approved automatic sprinkler system and/or an approved automatic fire-extinguishing system in accordance with Chapter 9 and Section 1504.  
*903.2.10.16 Buildings Over 6,000 square feet.* An automatic sprinkler system shall be installed throughout all buildings with a building area over 6,000 square feet. For the

purpose of this provision, fire walls shall not define separate buildings. Building area is defined by the reflection of the roof.

*Exceptions:*

1. Open parking garages in compliance with Section 406.3 of the International Building Code, when all of the following conditions apply:
  - a. The structure is freestanding.
  - b. The structure does not contain any mixed uses, accessory uses, storage rooms, electrical rooms or spaces used or occupied for anything other than motor vehicle parking.
  - c. The structure does not exceed three stories.
  - d. An approved fire apparatus access road is provided around the entire perimeter of the structure.
2. Type A-5 Occupancies.
3. Type R-3 Occupancies.

(40) *Section 903.2.10.7 shall be added to read as follows:*

*903.2.10.7 Self-service storage facility.* An automatic sprinkler system shall be installed throughout all self-service storage facilities. A screen shall be installed at 18 inches below the level of the sprinkler heads to restrict storage above that level. This screen shall be a mesh of not less than one inch nor greater than six inches in size. The screen and its supports shall be installed such that all elements are at least 18 inches below any sprinkler heads.

(41) *Section 903.3.1.1.1 shall be amended to read as follows:*

*903.3.1.1.1 Exempt locations.* When approved by the code official, automatic sprinklers shall not be required in the following rooms or areas where such . . . {bulk of section unchanged} . . . because it is damp, of fire-resistance-rated construction or contains electrical equipment.

Any room where the application of water, or flame and water, constitutes a serious life or fire hazard.

Any room or space where sprinklers are considered undesirable because of the nature of the contents, when approved by the code official.

Generator and transformer rooms, under the direct control of a public utility, separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than two hours.

(42) *Section 903.3.1.2 shall be amended to read as follows:*

*903.3.1.2 NFPA 13R sprinkler systems.* Where allowed in buildings of Group R, up to and including four stories in height, automatic sprinkler systems shall be installed throughout in accordance with NFPA 13R. However, for the purposes of exceptions or reductions permitted by other requirements of this Code, see Section 903.1.2.

*Section 903.3.1.2.1 remains unchanged.*

(43) *Section 903.3.5 shall be amended to add a second paragraph to read as follows:*

Water supply as required for such systems shall be provided in conformance with the supply requirements of the respective standards; however, every fire protection system shall be designed with a ten psi safety factor.

(44) *Section 903.6.2 shall be added to read as follows:*

*903.6.2 Spray booths and rooms.* New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system in accordance with Chapter 9.

- (45) *Section 903.3.8* shall be added to read as follows:  
*Section 903.3.8 Automatic Sprinkler System Room Access.* Sprinkler system risers providing protection for buildings with multiple tenant spaces must be located in a ground floor room directly accessible from the exterior. The door must be labeled as the riser room. Buildings with single tenants may access the riser location from the interior of the building.
- (46) *Section 903.4* shall be amended to add a second paragraph after the exceptions to read as follows:  
Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.
- (47) *Section 903.4.2* shall be amended to add a second paragraph to read as follows:  
The alarm device required on the exterior of the building shall be a weatherproof horn/strobe notification appliance with a minimum 75 candela strobe rating, installed as close as practicable to the fire department connection.
- (48) *Section 905.2* shall be amended to read as follows:  
*905.2 Installation standards.* Standpipe systems shall be installed in accordance with this section and NFPA 14. Manual dry standpipe systems shall be supervised with a minimum of ten psig and a maximum of 40 psig air pressure with a high/low alarm.
- (49) *Section 905.3.8* shall be added to read as follows:  
*905.3.8. Building Area.* In buildings exceeding 10,000 square feet in area per story, Class I automatic wet or manual wet standpipes shall be provided where any portion of the building's interior area is more than 200 feet (60,960 mm) of travel, vertically and horizontally, from the nearest point of fire department vehicle access.  
*Exception:* Automatic dry and semi-automatic dry standpipes are allowed as provided for in NFPA 14.
- (50) *Section 905.4, subsection 5,* shall be amended to read as follows:  
5. Where the roof has a slope less than four units vertical in 12 units horizontal (33.3 percent slope), each standpipe shall be provided with a two-way hose connection located either . . . {remainder of paragraph unchanged} . . .
- (51) *Section 905.4* shall be amended to add subsection 7 to read as follows:  
7. Class I standpipes shall also be required on all occupancies in which the distance from accessible points for the fire department ingress to any point in the structure exceeds 250 feet along the route that a fire hose laid as measured from the fire lane as a single route. When required by this chapter, standpipe connections shall be placed adjacent to all required exits to the structure and at 200-foot intervals along major corridors thereafter.
- (52) *Section 905.9* shall be amended to add a second paragraph after the exceptions to read as follows:  
Sprinkler and standpipe system water-flow detectors shall be provided for each floor tap to the sprinkler system and shall cause an alarm upon detection of water flow for more than 45 seconds. All control valves in the sprinkler and standpipe systems except for fire department hose connection valves shall be electrically supervised to initiate a supervisory signal at the central station upon tampering.
- (53) *Section 906.1* shall be amended to read as follows:  
Delete Exception to article 1.

- (54) *Section 907.1* shall be amended to add the following sentence.  
Fire alarm systems are based on occupancy and not area.
- (55) *Section 907.1.1* shall be amended by the addition of the following:  
*907.1.1 Construction documents.* Plans for fire alarm systems shall be in accordance with this section and the McKinney Fire Marshal's Office Fire Alarm Submittal Guidelines and Fire Alarm Operational Guidelines.
- (56) *Section 907.1.3* shall be added to read as follows:  
*907.1.3. Design Standards.* All alarm systems new or replacement shall be addressable fire alarm systems. Alarm systems serving more than 75 smoke detectors or more than 200 total alarm activating devices shall be analog intelligent addressable fire alarm systems.  
*Exception:* Existing systems need not comply unless the total building remodel or expansion initiated after the effective date of this Code, as adopted, exceeds 30 percent of the building. When cumulative building remodel or expansion exceeds 50 percent of the building, must comply within 18 months of permit application.
- (57) *Section 907.2.1* shall be amended to read as follows:  
*907.2.1 Group A.* A manual fire alarm system shall be installed in Group A occupancies having an occupant load of 300 or more persons or more than 100 persons above or below the lowest level of exit discharge. Portions of Group E occupancies occupied for assembly purposes shall be provided with a fire alarm system as required for the Group E occupancy.
- (58) *Section 907.2.3* shall be amended to read as follows:  
*907.2.3 Group E.* A manual fire alarm system shall be installed in Group E educational occupancies. When automatic sprinkler systems or smoke detectors are installed, such systems or detectors shall be connected to the building fire alarm system. An approved smoke detection system shall be installed in Group E day care occupancies. Unless separated by a minimum of 100 feet open space, all buildings whether portable buildings or the main building, will be considered one building for alarm occupant load consideration and interconnection of alarm systems.
- (59) *Section 907.2.3* shall be amended to amend Exception 1 and to add Exception 1.1 to read as follows:  
*Exception 1.* Group E educational and day care occupancies with an occupant load of less than 50 when provided with an approved automatic sprinkler system.  
*Exception 1.1.* Residential In-Home day care with not more than 12 children may use interconnected single station detectors in all habitable rooms. (For care of more than five children two and one-half or less years of age, see Section 907.2.6.)
- (60) *Section 907.2.12* shall be amended to read as follows:  
*907.2.12 High-rise buildings.* Buildings having any floors used for human occupancy located more than 55 feet ( 16,764 mm) above the lowest level of fire department vehicle access shall be provided with an automatic fire alarm system and an emergency voice/alarm communications system in accordance with Section 907.2.12.2.
- (61) *Section 907.2.12, Exception 3* shall be amended to read as follows:  
Buildings with an occupancy in Group A-5 in accordance with Section 303.1 of the International Building Code, when used for open air seating; however, this exception does not apply to accessory uses including but not limited to sky boxes, restaurants and similarly enclosed areas.
- (62) *Section 907.4* shall be amended to add a second paragraph to read as follows:

- Manual alarm actuating devices shall be an approved double action type.
- (63) *Section 907.6.1* shall be added to read as follows:  
*907.6.1 Installation.* All fire alarm systems shall be installed in such a manner that the failure of any single alarm-actuating or alarm-indicating device will not interfere with the normal operation of any other such devices. All systems shall be Class "A" wired with a minimum of six feet separation between supply and return loops. IDC - Class "A" style - D - SLC Class "A" Style 6 - notification Class "B" Style Y.
- (64) *Section 907.9.2* shall be amended to read as follows:  
*907.9.2 High-rise buildings.* In buildings that have any floor located more than 55 feet (16,764 mm) above the . . . {remainder of section unchanged}.
- (65) *907.10.3* shall be added to read as follows:  
*907.10.3 Waterflow Notification.* When required by Section 903.4.2, an exterior audible and visible notification device shall be provided on the exterior of the building and shall be located above the fire department connection. The notification device shall operate on a waterflow alarm only, shall be non-silenceable and shall continue to operate after the panel is silenced on the condition the alarm was a waterflow alarm only. The notification device shall be wired from the fire alarm control panel as a dedicated latching circuit.
- (66) *907.15.1* shall be added to read as follows:  
*907.15.1. Communication Requirements.* All alarms, supervisory and trouble signals shall be transmitted descriptively to the approved central station, remote supervisory station or proprietary supervising station as defined in NFPA 72, with the correct device designation and location or addressable device identification. Alarms shall be not permitted to be transmitted as a general alarm or zone condition.
- (67) *Section 910.1, Exception 2,* shall be amended to read as follows:  
*Exception 2.* Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, only manual smoke and heat vents shall be required within these areas.
- (68) *Section 910.2.4* shall be added to read as follows:  
*910.2.4 Group H.* Buildings and portions thereof used as a Group H occupancy as follows:  
In occupancies classified as Group H-2 or H-3, any of which are more than 15,000 square feet (1,394 m<sup>2</sup>) in single floor area.  
*Exception:* Buildings of noncombustible construction containing only noncombustible materials.
- (69) *Section 910.2.4.1* shall be added to read as follows:  
*910.2.4.1 Group H.* In areas of buildings in Group H used for storing Class 2, 3 and 4 liquid and solid oxidizers, Class 1 and unclassified detonable organic peroxides, Class 3 and 4 unstable (reactive) materials, or Class 2 or 3 water-reactive materials as required for a high-hazard commodity classification.  
*Exception:* Buildings of noncombustible construction containing only noncombustible materials
- (70) *Table 910.3* shall be amended as follows:  
Change the title of the first row of the table from "Group F-1 and S-1" to include "Group H," to now read as follows: Group H, F-1, S-1.
- (71) *Section 910.3.2.2* shall be amended by adding a second paragraph to read as follows:  
The automatic operating mechanism of the smoke and heat vents shall operate at a

temperature rating at least 100 degrees (F) greater than the temperature rating of the sprinklers installed.

- (72) *Section 913.1* shall be amended by adding a second paragraph to read as follows:  
When located on the ground level, the fire pump room shall be provided with an exterior fire department access door that is not less than three feet in width and six feet eight inches in height, regardless of any interior doors that are provided. A key box shall be provided at this door, as required by Section 506.1.
- (73) *Section 1008.1.3.4* shall be amended to read as follows:  
Delete exceptions 1 & 3 and add the following exception:  
Doors shall be equipped with hardware complying with section 1003.3.1.9 controlling a manual switch under the bar that will unlock the door. The circuitry to the switch will be fail-safe.
- (74) *Section 1008.1.3.4.* shall be amended to add the following exception to criteria 6, to read as follows:  
*Exception:* In Group E Occupancies where ingress is available by keys located in a knox box mounted at the main entrance to the building, the fire alarm must unlock the egress portion or capability of all doors while the ingress function may remain locked.
- (75) *Section 1008.1.3.4* shall be amended to add subsection 7 to read as follows:  
7. If a full building smoke detection system is not provided, approved smoke detectors shall be provided on both the access and egress sides of doors and in a location approved by the authority having jurisdiction of NFPA 72. Actuation of a smoke detector shall automatically unlock the door.
- (76) *Section 1017.1* shall be amended to add exception 5 to read as follows:  
5. In Group B office buildings, corridor walls and ceilings need not be of fire-resistive construction within office spaces of a single tenant when the space is equipped with an approved automatic smoke-detection system within the corridor. The actuation of any detector shall activate alarms audible in all areas served by the corridor. The smoke-detection system shall be connected to the building's fire alarm system where such a system is provided.
- (77) *Section 1020.1.7* shall be amended to read as follows:  
*1020.1.7 Smokeproof enclosures.* In buildings required to comply with Section 403 or 405, each of the exits of a building that serves stories where any floor surface is located more than 55 feet (16,764 mm) above the lowest level of fire . . . {remainder of section unchanged}.
- (78) *1028.2 Reliability* shall be amended to read as follows:  
*1028.2 Reliability.* Required exit accesses, exits or exit discharges shall be continuously maintained free from obstructions or impediments to full instant use in the case of fire or other emergency. Security devices affecting means of egress shall be subject to approval of the code official.
- (79) *Section 1504.6* shall be amended to read as follows:  
*1504.6 Fire Protection.* New and existing spray booths and spray rooms shall be protected by an approved automatic fire-extinguishing system ... {remainder of section unchanged} ...
- (80) *Section 2204.1* shall be amended to read as follows:  
*2204.1 Supervision of Dispensing.* The dispensing of fuel at motor fuel-dispensing facility shall be in accordance with the following:  
1. Conducted by a qualified attendant; and/or,

2. Shall be under the supervision of a qualified attendant; and/or
3. Shall be an unattended self-service facility in accordance with Section 2204.3.

At any time the qualified attendant of item 1. or 2. above is not present, such operations shall be considered as an unattended self-service facility and shall also comply with Section 2204.3.

- (81) *Section 2302* shall be amended to add a second paragraph to the definition of "High-Piled Combustible Storage" to read as follows:
- Any building exceeding 6,000 square feet that has a clear height in excess of 12 feet, making it possible to be used for storage in excess of 12 feet, shall be considered to be high-piled storage and shall comply with the provisions of this section. When a specific product cannot be identified, a fire protection system shall be installed as for Class IV commodities, to the maximum pile height.
- (82) *Table 2306.2 footnote J* shall be amended to read as follows:
- Where areas of buildings are equipped with early suppression fast-response (ESFR) sprinklers, only manual smoke and heat vents shall be required within these areas.
- (83) *Section 3301.1.3* shall be amended to read as follows:
- 3301.1.3 Fireworks.* The possession, manufacture, storage, sale, handling and use of fireworks are prohibited.
- Exceptions:*
1. Only when approved for fireworks displays, storage and handling of fireworks as provided in Section 3304 and 3308.
  2. The use of fireworks for approved display as permitted in Section 3308.
- The presence or use of fireworks within the jurisdiction of the City of McKinney in violation of this ordinance is hereby declared to be a common and public nuisance. The restrictions of this section shall be applicable and in force throughout the territory of the City of McKinney, Texas, and extending for a distance outside the city limits for a total of 5,000 feet; provided that this section shall not be in effect within any portion of such 5,000 feet area which is contained within the territory of any other municipal corporation. The owner, lessee or occupant of the property or structure where fireworks are being stored or used shall be deemed responsible for violating this section.
- (84) *Section 3301.7.1* shall be added to read as follows:
- 3301.7.1* The fire chief or his designee may seize and destroy illegal fireworks prior to a court appearance and photographs of such seized and destroyed fireworks will provide sufficient evidence of a violation of Section 3301.1.3 for the municipal court.
- (85) *Section 3302* shall be amended, in part, by amending the definition of "fireworks" to read as follows:
- Fireworks.* Any composition or device for the purpose of producing a visible or an audible effect for entertainment purposes by combustion, deflagration, detonation, and/or activated by ignition with a match or other heat producing device that meets the definition of 1.4G fireworks or 1.3G fireworks as set forth herein.
- (86) *Section 3403.6* shall be amended to add a sentence to read as follows:
- An approved method of secondary containment shall be provided for underground tank and piping systems.
- (87) *Section 3404.2.11.5* shall be amended to add a sentence to read as follows:
- An approved method of secondary containment shall be provided for underground tank and piping systems.
- (88) *Section 3404.2.11.5.2* shall be amended to read as follows:



3404.2.11.5.2 *Leak detection*. Underground storage tank systems ... [bulk of provision unchanged] ... and installed in accordance with NFPA 30 and as specified in Section 3404.2.11.5.3.

(89) Section 3404.2.11.5.3 shall be added to read as follows:

3404.2.11.5.3 *Dry sumps*. Approved sampling tubes of a minimum six inches in diameter shall be installed in the backfill material of each underground flammable or combustible liquid storage tank. The tubes shall extend from a point 12 inches below the average grade of the excavation to ground level and shall be provided with suitable surface access caps. Each tank site shall provide a sampling sump at the corners of the excavation with a minimum of four sumps. Sampling tubes shall be placed in the product line excavation within ten feet of the tank excavation and one every 50 feet routed along product lines towards the dispensers, and a minimum of two are required.

(90) Section 3406.5.4.5 shall be deleted and replaced with the following:

3406.5.4.5 *Commercial, industrial, governmental or manufacturing*. Dispensing of Class II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where permitted, provided such dispensing operations are conducted in accordance with Sections 3406.5.4.5.1 through 3406.5.4.5.3.

3406.5.4.5.1 *Site requirements*.

1. Dispensing may occur at sites that have been permitted to conduct mobile fueling.
2. A detailed site plan shall be submitted with each application for a permit. The site plan must indicate:
  - a. All buildings, structures, and appurtenances on site and their use or function;
  - b. All uses adjacent to the property lines of the site;
  - c. The locations of all storm drain openings, adjacent waterways or wetlands;
  - d. Information regarding slope, natural drainage, curbing, impounding and how a spill will be retained upon the site property; and
  - e. The scale of the site plan.
3. The code official is authorized to impose limits upon: the times and/or days during which mobile fueling operations are allowed to take place and specific locations on a site where fueling is permitted.
4. Mobile fueling operations shall be conducted in areas not generally accessible to the public.
5. Mobile fueling shall not take place within 15 feet (4.572 m) of buildings, property lines, or combustible storage.

3406.5.4.5.2 *Refueling Operator Requirements*.

1. The owner of a mobile fueling operation shall provide to the jurisdiction a written response plan which demonstrates readiness to respond to a fuel spill, carry out appropriate mitigation measures, and to indicate its process to properly dispose of contaminated materials when circumstances require.
2. The tank vehicle shall comply with the requirements of NFPA 385 and Local, State and Federal requirements. The tank vehicle's specific functions shall include that of supplying fuel to motor vehicle fuel tanks. The vehicle and all its equipment shall be maintained in good repair.
3. Signs prohibiting smoking or open flames within 25 feet (7.62 m) of the tank

vehicle or the point of fueling shall be prominently posted on three sides of the vehicle including the back and both sides.

4. A fire extinguisher with a minimum rating of 40:BC shall be provided on the vehicle with signage clearly indicating its location.
5. The dispensing nozzles and hoses shall be of an approved and listed type.
6. The dispensing hose shall not be extended from the reel more than 100 feet (30.48m) in length.
7. Absorbent materials, non-water absorbent pads, a ten-foot (3.048 m) long containment boom, an approved container with lid, and a non-metallic shovel shall be provided to mitigate a minimum five-gallon fuel spill.
8. Tanker vehicles shall be equipped with a fuel limit switch such as a count-back switch, limiting the amount of a single fueling operation to a maximum of 500 gallons (1,893 L) between resettings of the limit switch.  
*Exception:* Tankers utilizing remote emergency shut-off device capability where the operator constantly carries the shut-off device which, when activated, immediately causes flow of fuel from the tanker to cease.
9. Persons responsible for dispensing operations shall be trained in the appropriate mitigating actions in the event of a fire, leak, or spill. Training records shall be maintained by the dispensing company and shall be made available to the code official upon request.
10. Operators of tank vehicles used for mobile fueling operations shall have in their possession at all times an emergency communications device to notify the proper authorities in the event of an emergency.

#### 3406.5.4.5.3 Operational Requirements.

1. The tank vehicle dispensing equipment shall be constantly attended and operated only by designated personnel who are trained to handle and dispense motor fuels.
2. Prior to beginning dispensing operations, precautions shall be taken to assure ignition sources are not present.
3. The engines of vehicles being fueled shall be shut off during dispensing operations.
4. Night time fueling operations shall only take place in adequately lighted areas.
5. The tank vehicle shall be positioned with respect to vehicles being fueled so as to preclude traffic from driving over the delivery hose and between the tank vehicle and the motor vehicle being fueled.
6. During fueling operations, tank vehicle brakes shall be set, chock blocks shall be in place and warning lights shall be in operation.
7. Motor vehicle fuel tanks shall not be topped off.
8. The dispensing hose shall be properly placed on an approved reel or in an approved compartment prior to moving the tank vehicle.
9. The code official and other appropriate authorities shall be notified when a reportable spill or unauthorized discharge occurs.

(91) Section 3803.2.1.8 shall be added to read as follows:

*3803.2.1.8 Jewelry Repair, Dental Labs and Similar Occupancies.* Where natural gas service is not available, portable LP-Gas containers are allowed to be used to supply approved torch assemblies or similar appliances. Such containers shall not exceed 20-pound (9.0 kg) water capacity. Aggregate capacity shall not exceed 60-pound (27.2 kg)

water capacity. Each device shall be separated from other containers by a distance of not less than 20 feet.

- (92) *Section 3804.2* shall be amended to add Exception 2 to read as follows:

*Exceptions:*

2. Except as permitted in 308.3 and 3804.3.2, LP-gas containers are not permitted in residential areas.

- (93) *Section 3804.3.2* shall be added to read as follows:

*3804.3.2 Spas, Pool Heaters and other listed devices.* Where natural gas service is not available, LP-Gas containers are allowed to be used to supply spa and pool heaters or other listed devices. Such containers shall not exceed 250-gallon water capacity. See Table 3804.3 for location of containers.

- (94) *Section B105.1, Exception*, shall be amended to read as follows:

*Exception:* A reduction in required fire flow of up to 50 percent, as approved, is ... {remainder of section unchanged} ...

- (95) *Section B105.2 Exception*, shall be amended to read as follows:

*Exception:* A reduction in required fire-flow of up to 50 percent, as ... {remainder of section unchanged} ...

- (96) *Section D104.2* shall be amended to read as follows:

Delete Exception.

(Code 1982, § 11-49; Ord. No. 2001-06-072, §§ 2, 3, 6-19-2001; Ord. No. 2005-04-035, §§ 2, 3, 4-5-2005; Ord. No. 2007-09-090, § 3, 9-18-2007; Ord. No. 2008-03-017, § 3, 3-4-2008; Ord. No. 2011-04-019, § 2, 4-5-2011; 2011-04-020, § 2, 4-5-2011; 2011-04-021, § 2, 4-5-2011)

## Secs. 42-27—42-55. Reserved.

---

### FOOTNOTE(S):

---

--- (2) ---

**Editor's note**— Ord. No. 2008-03-017, § 2, adopted March 4, 2008, repealed Art. III, §§ 42-23—42-26. Section 3 of said ordinance enacted provisions designated as a new Art. III, §§ 42-23—42-26, to read as herein set out. See also the Code Comparative Table. ([Back](#))

## Sec. 146-135. Landscape requirements.

- (a) *Purpose.* Landscaping is accepted as adding value to property and is in the interest of the general welfare of the city. Therefore, landscaping is hereafter required of new development.
- (b) *Scope and enforcement.*
- (1) The provisions of this section shall be administered by the director of planning or his designee. The standards and criteria contained within this section are deemed to be minimum standards and shall apply to all new construction or any existing development, which is altered by increasing the floor area by 30 percent or more of the originally approved floor area, either by a single expansion or by the cumulative effect of a series of expansions.
  - (2) All existing structures, which are a conversion or change in use requiring the expansion of or significant improvements to meet parking standards shall upgrade landscaping on the site and meet these requirements to the extent practical. The director of planning or his designee shall have the ability to waive landscape requirements on a case-by-case basis if unique circumstances exist on the property that make application of these regulations unduly burdensome on the applicant. These regulations may be waived only if there will be no adverse impact on current or future development and will have no adverse impact on the public health, safety, and general welfare.
  - (3) Uses within the downtown commercial historic district CHD shall be exempt from the landscape requirements set forth herein, unless it is determined by the historic preservation officer that these standards are achievable and would contribute to the historic appearance and/or qualities that are inherent to the district.
  - (4) Airport uses shall comply with the requirements of this section, but the standards may be modified if it is in keeping with the intent of a bird mitigation program for the city airport, in order to reduce conflicts between birds and aircraft.
  - (5) If at any time after the issuance of a certificate of occupancy, the approved landscaping is found to be in nonconformance to the standards and criteria as approved on the landscape plan, the chief building official shall issue notice to the owner, citing the violation and describing what action is required to comply with this section. The owner, tenant, and/or agent shall make reasonable progress within 30 days from date of said notice and shall have 90 days to completely restore the landscaping as required. A 30-day extension may be granted by the chief building official if a hardship due to extreme seasonal conditions can be demonstrated by the owner, tenant, and/or agent. If the landscaping is not restored within the allotted time, such person shall be held in violation of this chapter.
- (c) *Permits.*
- (1) No permits shall be issued for building, paving, grading, or construction until a detailed landscape plan is submitted and approved by the director of planning or his designee. Prior to the issuance of a certificate of occupancy for any building or structure, all screening and landscaping shall be in place in accordance with the landscape plan and a digital copy of the landscaping as installed shall be provided to the planning department for permanent record.
  - (2) In any case in which a certificate of occupancy is sought at a season of the year in which the director of planning determines that it would be impractical to plant trees, shrubs, grass, or to lay turf, a temporary certificate of occupancy may be issued, if a letter of agreement from the property owner is provided stating when the installation

shall occur. All landscaping required by the landscape plan shall be installed within six months of the date of issuance of the temporary certificate of occupancy or the site shall be deemed to be in violation of this chapter and the temporary certificate of occupancy shall be revoked.

- (3) Where a certificate of occupancy is sought during a stage 3 or stage 4 drought situation as determined by the city subject to approval by the director of planning, the property owner may provide the city, with a letter of credit or some financial assurance determined by the director of planning equal to the cost of installing the landscaping which will remain in effect until the landscape plan is installed and accepted by the city. Once stage 3 restrictions are lifted, the landscaping required by the landscape plan must be installed within six months or the site shall be deemed to be in violation of this chapter and the certificate of occupancy shall be revoked. The director of planning shall have the right to determine the landscaping required at the time the certificate of occupancy is issued.

(d) *Landscape plan.*

- (1) A landscape plan shall be shown as part of the site plan as required in [section 146-45](#). Prior to the issuance of a building permit, paving, grading, or construction permit for any new use, a landscape plan satisfying the criteria of these regulations any conditions of approval shall be approved by the director of planning. The director of planning or designee shall review such plans and shall approve the same plans if they are in accordance with the criteria of these regulations and any conditions of approval. If the plans are not in accordance, they shall be disapproved and shall be accompanied by a written statement setting forth the changes necessary for compliance.
- (2) Landscape plans shall be prepared by a person knowledgeable in plant material usage and landscape design (e.g. landscape architect, landscape contractor, landscape designer, etc.). Landscape plans shall contain the minimum following information:
- a. The minimum scale of one inch equals 40 feet or the same scale as the associated site plan;
  - b. The location, size, and species of all trees to be preserved, do not use tree stamps unless they indicate true size and location of trees;
  - c. The location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), or other landscape features (except that location of plants and landscaping materials may be generalized on a conceptual landscape plan);
  - d. The species, size, spacing, and quantities of all plant material to be used in a tabular form (except that conceptual landscape plans may provide general plant types in-lieu-of species);
  - e. An affidavit on the plan stating that all required landscape areas shall be provided with an automatic underground irrigation system with rain and freeze sensors and evapotranspiration (ET) weather based controllers and said irrigation system shall be designed by a qualified professional and installed by a licensed irrigator.
  - f. The person responsible for the preparation of the landscape plan, including affidavit of their qualifications to prepare said plan;
  - g. The mark indicating north;
  - h. The date of the landscape plan, including any revision dates;
  - i. The planting details percentage of total site in permanent landscaping;
  - j. The percentage of street yard in permanent landscaping;

- k. The dimensions of all landscape areas;
- l. The number of required trees and number of trees provided; and
- m. The location of all existing and planned overhead and underground utilities shall be shown on the landscape plan or on an accompanying utility plan drawn at the same scale, if necessary for clarity.
- n. Additional information as deemed necessary to adequately evaluate the landscape plan.

(e) *General standards.*

- (1) The following criteria and standards shall apply to landscape materials and installation. For the purposes of this section, the term "caliper" shall be defined as the diameter measurement of a tree trunk.
- a. Required landscaped open areas shall be completely covered with living plant material.
  - b. Plant materials shall conform to the standards of the approved plant list for the city (see section A-1 of appendix A to this chapter). Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pest and insects.
  - c. To promote prudent use of the city's water resources and reduce the need for additional water system infrastructure, additional water resources and water purification systems, and to help ensure viability of required plantings during periods of drought, required landscaping shall comply, where feasible, with the following requirements designed to reduce water usage:
    - 1. Required plant materials shall be selected from those identified as xeriscape plants on the approved plant list for the city (see appendix A to this chapter).
    - 2. Where specific conditions reduce the likelihood that any of these plant materials will survive, other plants on the list may be substituted.
    - 3. Other plants not on the list may be substituted at the discretion of the director of planning. The applicant may be required to provide substantiation as to the hardiness, adaptability, and water demands of the plant when used in this area.
    - 4. For maximum reduction in water usage, xeriscape plants should not be interspersed in plant massings with plants requiring higher water usage.
    - 5. Applicants should design irrigation systems and watering schedules which supply the appropriate amount of water without over-watering.
  - d. Ornamental trees shall have a minimum spread of crown of greater than 15 feet at maturity. Ornamental trees having a minimum mature crown of less than 15 feet may be substituted by grouping the same so as to create the equivalent of 15 feet of crown width. Ornamental trees shall be a minimum of two inches in caliper as measured six inches above the ground and eight feet in height at the time of planting.
  - e. Canopy trees shall have a minimum spread of crown of 25 feet at maturity. Canopy trees shall be a minimum of four inches in caliper as measured six inches above the ground and 12 feet in height at the time of planting.
  - f. Shrubs acceptable for six-foot screening shall be a minimum of three feet in height when measured immediately after planting and shall be planted no further apart than three feet on center, unless otherwise approved by the director of planning, and maintained so as to form a continuous, unbroken, solid visual

screen which will be six feet high within two years after time of planting.

- g. Shrubs not of the dwarf variety shall be a minimum of two feet in height when measured immediately after planting.
  - h. Hedges, where installed for buffering purposes required by this section, shall be planted and maintained so as to form a continuous, unbroken, solid visual screen which will be three feet high within two years after time of planting.
  - i. Landscaping, except required grass and low ground cover, shall not be located closer than three feet from the edge of any parking space.
  - j. Evergreen vines not intended as ground cover shall be a minimum of two feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening and/or buffering requirements, as set forth herein and as approved by the director of planning.
  - k. Grass areas shall be sodded, plugged, sprigged, hydro-mulched, or seeded, except that solid sod shall be used in swales, or when necessary to prevent erosion. Grass areas shall be established with 100 percent coverage and 70 percent density with an approved perennial grass prior to the issuance of a certificate of occupancy.
  - l. Ground covers used in-lieu-of grass shall be planted in such a manner as to present a finished appearance and reasonably completed coverage within one year of planting.
- (2) All required landscape areas shall be provided with an automatic underground irrigation system, except for required landscaping in single family or two-family developments. Any new irrigation system installed on or after September 1, 2007, must be equipped with rain and freeze sensors and an evapotranspiration (ET) weather based controller. Said irrigation system shall be designed by a qualified professional and installed by a licensed irrigator after receiving a permit, as may be required under the construction code. Irrigation systems shall comply with the city's water conservation ordinance as it exists or may be amended.
- (3) Earthen berms shall have side slopes not to exceed 3:1 (three feet of horizontal distance for each one foot of height). All berms shall contain necessary drainage provisions, as may be required by the city engineer.
- (4) No tree shall be planted closer than four feet to a right-of-way line nor closer than eight feet to a public utility line (water or sewer), unless no other alternative is available. Further, a landscape area in which trees are to be provided shall not conflict with a utility easement, unless no alternative is available.
- (5) No tree that has a mature height of 25 feet or greater shall be planted beneath an existing or proposed overhead utility line. Where canopy trees are required adjacent to or underneath overhead utility lines, ornamental trees (a minimum of two inches in caliper as measured six inches above the ground) shall be provided instead of the required canopy trees.
- (6) All landscape areas shall be protected by a monolithic curb or wheel stops and remain free of trash, litter, and car bumper overhangs.
- (f) *Minimum landscaping requirements.*
- (1) For all non-residential and multiple family parcels, at least 15 percent of the street yard shall be permanent landscape area. The term "street yard" shall be defined as the area between the front property line and the minimum front set back line.
  - (2) For all non-residential and multiple family parcels located at the intersection of two dedicated public streets (rights-of-way), a 30-foot landscape buffer shall be provided

parallel to the corner clip right-of-way dedication, which can be counted toward the 15 percent requirement. See appendix E, illustration 19, for intersection landscaping.

- (3) For all non-residential and multiple family parcels, a minimum of 10 percent of the entire site shall be devoted to living landscape, which shall include grass, ground cover, plants, shrubs, or trees.
- (4) Landscape setbacks on thoroughfares shall comply with the following provisions:
  - a. *Landscape setbacks on minor thoroughfares.* For all non-residential and multiple family parcels, a minimum ten-foot landscape buffer adjacent to the right-of-way of any minor thoroughfare is required. If the lot is a corner lot, all frontages shall be required to observe the ten-foot buffer.
  - b. *Landscape setbacks on major thoroughfares.* For non-residential and multiple family parcels, a minimum 20-foot landscape buffer adjacent to the right-of-way of any major thoroughfare is required. If the lot is a corner lot, all frontages shall be required to observe the 20-foot buffer.
  - c. *Landscape setback variances.* If unique circumstances exist which prevent strict adherence with this requirement, the planning and zoning commission may consider a granting of a variance during the site plan approval process to reduce the minimum 20-foot landscape buffer to a minimum of ten feet; provided that site design considerations have been incorporated to mitigate the impact of the variance. Unusual circumstances include, but are not limited to: insufficient lot depth or size of the existing lot, existing structures and drives, and floodplain and existing trees to be preserved. A variance may be granted if:
    1. Unique circumstances exist on the property that makes application of this section unduly burdensome on the applicant;
    2. The variance will have no adverse impact on current or future development;
    3. The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses; and
    4. The variance will have no adverse impact on the public health, safety and general welfare.

A financial hardship shall not be considered a basis for the granting of a variance.

- (5) For all non-residential and multiple family parcels, developers shall be required to plant one canopy tree per 40 linear feet, or portion thereof, of street frontage. These required trees must be planted within the associated landscape setback along thoroughfares, unless otherwise approved by the director of planning. Trees may be grouped or clustered to facilitate site design.
- (6) Landscape areas within parking lots must be at least one parking space in size (162 square feet).
- (7) No landscape area counting toward minimum landscaping requirements shall be less than 25 square feet in area or less than five feet in width.
- (8) For all non-residential and multiple family parcels, internal landscape areas shall:
  - a. Have a landscaped area with at least one tree within 65 feet of every parking space; and
  - b. Have a minimum of one tree planted in the parking area for every 10 parking spaces within parking lots with more than 20 spaces.
- (9) Within parking lots, landscape areas with curbs and gutters must be provided to define parking areas and assist in clarifying appropriate circulation patterns.
- (10) A landscape island shall be located at the terminus of each parking row, and should



contain at least one canopy tree.

- (11) All existing trees that are to be considered for credit shall be provided with a permeable surface (a surface that does not impede the absorption of water) within a minimum five-foot radius from the trunk of the tree. All new trees shall be provided with a permeable surface within a minimum 2½-foot radius from the trunk of the tree.
- (12) At least 75 percent of the frontage of parking lots, adjacent to a public right-of-way, within the street yard shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet, an earthen berm of a minimum height of three feet, a low masonry wall of a minimum height of three feet, or a combination of the above with a minimum combined height of three feet. A wall used for parking lot screening should be accompanied with landscape planting in the form of low shrubs and groundcover to soften the appearance of the wall.
- (13) A minimum of 50 percent of the total trees required for the property shall be canopy trees as specified on the approved plant list (see appendix A to this chapter).
- (14) Necessary driveways from the public right-of-way shall be allowed through all required landscaping areas in accordance with city regulations. Shared drives shall be allowed through perimeter landscape areas.
- (15) For all non-residential and multiple family parcels, whenever an off-street parking area or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least five feet shall be maintained between the edge of the parking area and the adjacent property line.
- (16) Whenever a non-residential use, mobile home use, or multiple family use is adjacent to a property used or zoned for single-family or duplex residential uses, the more intensive land use shall provide a landscaped area of at least ten feet in width along the common property line planted with one canopy tree for each 40 linear feet or portion thereof of adjacent exposure. These trees may not be clustered.
- (17) Multiple family residential uses shall provide a landscaped buffer of at least 20 feet in width along all property lines planted with one canopy tree for each 30 linear feet or portion thereof of adjacent exposure. The trees along the street frontage may be clustered, while the trees along all other property lines may not.
- (18) Evergreen shrubs (acceptable for six-foot screening) shall be provided around dumpster screening wall, and the plant materials must be a minimum of three feet in height at the time of planting, unless not visible from public right-of-way or a public use area.
- (19) For all single family and duplex parcels, builders shall be required to plant two canopy trees per lot, prior to obtaining a certificate of occupancy. At least one of the trees shall be located in the front yard. An existing quality tree of at least eight-inch caliper size located on the lot may be counted towards the requirement for a four-inch caliper tree, if appropriate tree protection measures have been followed.
- (20) For all townhome parcels a minimum of 20 square feet of useable open space shall be required per townhome unit. This additional open space shall not include the parkland dedication requirement as outlined in section 142-152 of the subdivision ordinance, any required landscape areas as outlined in [section 146-135](#), or any required spacing between buildings. Open space pockets shall be designed to be located over the entire site in order to break up density and serve the entire development. Open space pockets shall be required to be a minimum of 1,000 square feet and a maximum of 2,000 square feet for townhome developments over 50 units. The applicant may request an increase in the maximum allowed useable open space requirement with site plan approval.

(g) *Tree preservation.*

- (1) Any trees preserved on a site meeting the herein specifications may be credited toward meeting the tree requirement of any landscaping provision of this section for that area within which they are located, according to the following table:

Caliper of existing tree	Credit against tree requirement
6" to 8"	2 trees
9" to 15"	3 trees
16" to 30"	4 trees
31" to 46"	5 trees
47" or more	8 trees

For purposes of this section, caliper measurement shall be taken at a height of 4½ feet above the ground, and shall be rounded to the nearest whole number.

- (2) Existing trees may receive credit if they are not on the city's approved plant material list but approved by the director of planning or designee; however, trees must be located within the landscape area to which credit is applied.
- (3) Any tree preservation proposed shall designate the species, size, and general location of all trees on the conceptual or general landscape plan. The species, size, and exact location shall be shown on the landscape plan.
- (4) During any construction or land development, the developer shall clearly mark all trees to be maintained and may be required to erect and maintain protective barriers around all such trees or groups of trees. The developer shall not allow the movement of heavy equipment or the storage of equipment, materials, debris, or fill to be placed within the drip line of any trees. This is not intended to prohibit the normal construction required within parking lots.
- (5) During the construction stage of development, the developer shall not allow cleaning of equipment or material under the canopy of any tree or group of trees to remain. Neither shall the developer allow the disposal of any waste material such as, but not limited to, paint, oil, solvents, asphalt, concrete, mortar, etc., under the canopy of any tree or groups of trees to remain. No attachment or wires of any kind, other than those of a protective nature, shall be attached to any tree.
- (h) *Sight distance and visibility.*
- (1) Rigid compliance with these landscaping requirements shall not be such as to cause visibility obstructions and/or blind corners at intersections. Whenever an intersection of two or more streets or driveways occur, a triangular visibility area, as described below, shall be created. Landscaping within the triangular visibility area shall be designed to provide unobstructed cross visibility at a level between two feet and seven feet. Trees may be permitted in this area provided they are trimmed in such a manner that no limbs or foliage extend into the cross visibility area. The triangular areas shall comply with the sight triangle illustrations in this chapter (see appendix E, illustration 10).
- (2) In the event other visibility obstructions are apparent in the proposed landscape plan, as determined by the director of planning, the requirements set forth herein may be modified to eliminate the conflict.
- (i) *Maintenance.*
- (1) The owner, tenant, and/or their agent, if any, shall be jointly and severally responsible for the maintenance of all landscaping. All required landscaping shall be maintained in a neat and orderly manner at all times. This shall include, but not be limited to:

- a. Mowing (of grass of six inches or higher);
  - b. Edging;
  - c. Pruning;
  - d. Fertilizing;
  - e. Watering;
  - f. Weeding; and
  - g. Other such activities common to the maintenance of landscaping.
- (2) Landscape areas shall be kept free of trash, litter, weeds, and other such material or plants not a part of the landscaping. All plant material shall be maintained in a healthy and growing condition as is appropriate for the season of the year.
- (3) Plant materials used to meet minimum required landscaping provisions which die or are removed for any reason shall be replaced with plant material of similar variety and size, within 90 days.
- a. Trees with a trunk diameter in excess of six inches measured six inches above the ground may be replaced with trees of similar variety having a minimum trunk diameter of four inches measured six inches above the ground.
  - b. If any tree, which was preserved and used as a credit toward landscaping requirements is later removed for any reason, it shall be replaced by the number of trees for which it was originally credited. Replacement trees shall have a minimum trunk diameter of four inches measured six inches above the ground.
  - c. A time extension may be granted by the director of planning if substantial evidence is presented to indicate abnormal circumstances beyond the control of the owner, tenant, or his agent.

Failure to maintain any landscape area in compliance with this section is considered a violation of this section and may be subject to penalties of [section 146-194](#).

*(Code 1982, § 41-211; Ord. No. 99-03-35, § 1K, 3-16-1999; Ord. No. 2000-01-03, § 1N, 1-4-2000; Ord. No. 2000-05-028, § 1C, 5-2-2000; Ord. No. 2000-05-29, § 1A, 5-2-2000; Ord. No. 2001-02-013, § 1B, 2-6-2001; Ord. No. 2002-08-084, § 1.57, 8-20-2002; Ord. No. 2004-09-098, § III, 9-21-2004; Ord. No. 2006-10-116, § 141.211(3)(c), 10-3-2006; Ord. No. 2006-10-121, § VI, 10-17-2006; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2010-05-011, § 8, 5-17-2010; Ord. No. 2010-12-053, §§ 21—26, 12-7-2010)*

## Sec. 146-132. Fences, walls, and screening requirements.

Where a screening device is required as provided herein, the following standards shall be observed:

- (1) *Fence or wall.* Refer to [chapter 122](#), article IV, which establishes minimum construction, location, and maintenance requirements for all fences in the city.
- (2) *Screening device.* A screening device shall be erected or placed in all locations and in accordance with all provisions specified below:
  - a. A screening device required under this section shall meet the following minimum requirements:
    1. The minimum height of the screening device shall be as follows:
      - (i) Garbage, trash or refuse container screening: seven feet.
      - (ii) Screening of outdoor storage: seven feet.
      - (iii) All other required screening: six feet.
    2. The maximum height of the screening device shall be as follows:
      - (i) "ML", "MH" and Industrial "PD" districts: ten feet.
      - (ii) All other districts: eight feet four inches.
    3. The materials shall consist of:
      - (i) Brick masonry, stone masonry, or other architectural masonry finish;
      - (ii) Tubular steel (primed and painted) or wrought iron fence with masonry columns spaced a maximum of 20 feet on center with structural supports spaced every ten feet, and with sufficient evergreen landscaping to create a screening effect;
      - (iii) Living plant screen, upon approval by the planning and zoning commission and/or city council, depending on which body has the final approval authority as indicated in [section 146-45\(a\)\(2\)](#) through the site plan process; or
      - (iv) Alternate equivalent screening, upon approval by the planning and zoning commission and/or city council, depending on which body has the final approval authority as indicated in [section 146-45\(a\)\(2\)](#) through the site plan process.
  - b. All required screening devices must be equally finished on both sides.
  - c. All openings in the surface for passage shall be equipped with gates equal in height and screening characteristics specified above, but need not be of the same material as the main fence or wall.
  - d. Prior to the issuance of an occupancy permit, all approved screening devices must be in place.
  - e. All screening devices shall be permanently and continually maintained in a neat and orderly manner as a condition of use. The occupancy permit may be revoked by the chief building official for failure to adequately maintain such screening device.
- (3) *Applicability.* Screening devices shall be placed and maintained in the following locations:
  - a. Screening devices shall be placed along any property line or district boundary

between any single family detached or attached or any two-family zoning or use and any mobile home park, or non-residential use, but not across a dividing street between such uses. An alley shall not be considered a dividing street for purposes of this section. The more intensive use shall have the responsibility for providing and maintaining the screening device.

- b. Multiple family residential developments outside of the regional employment center overlay district shall provide and maintain a six-foot tall masonry screening wall along all side and rear property lines.
- c. All allowed open storage of materials, equipment, or commodities shall be screened from view from all streets. Materials, equipment, or commodities shall be stacked no higher than one foot below the top of the screening wall or visual barrier.
- d. Garbage, trash, or refuse containers shall be screened on all sides. Screening materials shall be masonry and the same color as the exterior walls of the main structure. A solid metal gate shall be provided. Garbage, trash, or refuse containers shall not be located in front of the main building unless no other option is available. Gates shall be kept closed except when in use for access. Sanitation containers shall also meet the screening and landscaping requirements as defined in [section 146-135](#)
- e. Sanitation containers shall be subject to the following design specifications.
  1. Single container enclosures shall be a minimum of 12 feet wide by 14 feet deep, as measured from the inside of the enclosure's walls.
  2. Double container enclosures shall be a minimum of 25.5 feet wide by 14 feet deep, as measured from the inside of the enclosure's walls.
  3. Trash compactor enclosures and all other enclosure types shall be constructed to the environmental waste department's specifications.
  4. All enclosure types shall be required a minimum of 40 feet of straight backing, as measured from the front gates of the enclosure, to accommodate a sanitation truck's maneuverability. If special circumstances prevent straight backing from being provided, the environmental waste department shall have the authority to approve angled or alternative backing movements.
  5. All enclosure types shall be required to provide a 24-foot vertical clear zone, unless otherwise approved by the environmental waste department.
- f. All wrecking yards, junkyards, or salvage yards shall be fenced on all sides and shall be screened from view from the public right-of-way and from adjacent residential property.
- g. Loading docks or structures, bays, and bay doors shall be screened from view from the public right-of-way, from adjacent residential property, and from adjacent non-residential property, other than industrial. The required screening device adjacent to a non-residential property, other than industrial, may be waived with site plan approval if it is determined that the location of the proposed loading docks, bays or bay doors in relation to the adjacent development's site layout is not detrimental. Bays in any retail district or retail "PD" district shall be oriented away from the street frontage.
- h. Display of new vehicles, or used vehicles not defined as junked vehicles under [chapter 62](#), article XI, need not be screened if they are, in the opinion of the chief building official, maintained in a neat and orderly manner.
- i.

Landscaping standards for parking lots shall also apply to vehicle display lots, except that minimum screening height for vehicle display lots shall be 1½ feet.

- j. Mechanical and heating and air conditioning equipment in non-residential and multi-family uses shall be screened from view from the public right-of-way and from adjacent residential property. For such equipment located on the roof of a non-residential or multi-family structure, the screening of the equipment shall be a minimum of one foot higher than the height of the equipment.
  - k. At motor vehicle service or repair facilities or automotive paint and body repair shops, vehicles awaiting repair for more than 24 hours or after the close of business shall be screened from view from public right-of-way and from adjacent residential property. Parking spaces used for the overnight storage of vehicles awaiting repair must be screened in accordance with the requirements of this section.
  - l. Parking lots shall meet screening and landscaping requirements as defined in [section 146-135](#)
- (4) *Variances.* In the case of a required site plan approval, a variance to the provisions of this section, save and except subsection 143-132(3)e, may be allowed by the planning and zoning commission and/or the city council, unless otherwise specified herein, depending on which body has the final approval authority as indicated in [section 146-45\(a\)\(2\)](#), or additional provisions required, as a part of such site plan approval. The applicant shall prove that the variance from the zoning regulations is warranted under the circumstances presented. A variance may be granted if the planning and zoning commission and/or city council finds that:
- a. Unique circumstances exist on the property that make application of specific items in this section unduly burdensome on the applicant;
  - b. The variance will have no adverse impact on current or future development;
  - c. The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses;
  - d. The variance will have no adverse impact on the public health, safety and general welfare.

A financial hardship shall not be considered a basis for the granting of a variance.

*(Code 1982, § 41-205; Ord. No. 1270, § 4.05, 12-15-1981; Ord. No. 99-03-35, § 1H, 3-16-1999; Ord. No. 2000-05-028, § 1B, 5-2-2000; Ord. No. 2002-08-084, § 1.51, 8-20-2002; Ord. No. 2006-10-121, § V, 10-17-2006; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2008-11-104, § 9, 11-4-2008; Ord. No. 2010-05-011, § 7, 5-17-2010; Ord. No. 2010-12-053, § 16, 12-7-2010; Ord. No. 2012-11-056, §§ 32—35, 11-5-2012; Ord. No. 2013-04-033, § 3, 4-2-2013)*

## Sec. 146-129. Height and area exceptions, and minimum distances between specific uses.

The following exceptions and special regulations of height and areas of yards, and minimum distances between specific uses, shall apply in all applicable districts:

(1) *Height.*

- a. In the districts where the height of buildings is restricted to two or 2½ or three stories, cooling towers, roof gables, chimneys, and vent stacks may extend for an additional height not to exceed 40 feet above the average grade line of the building. Water standpipes and tanks, church steeples, domes, spires, school buildings, and institutional buildings may be erected to exceed three stories in height; provided that one additional foot shall be added to the width and depth of the front, side, and rear yards for each foot that such structures exceed the required height.
- b. No structure may be erected to a height in excess of that permitted by the regulations of such airfield zoning ordinance as may exist at the time and whose regulations apply to the area in which the structure is being erected.
- c. In any district where churches are allowed, the maximum height of the primary church structure may exceed the standard maximum height of the district; provided that:
  1. The maximum height of the primary church structure shall be 75 feet;
  2. The standard minimum setback for the district for the church property shall be increased by three feet for each additional one foot of building height in excess of the standard maximum height of the district;
  3. The minimum setback shall be 50 feet; and
  4. The first 25 feet from all property lines shall be reserved as a landscape buffer, with evergreen trees planted a minimum of every 40 feet.
- d. The maximum height of light poles shall be as follows:
  1. On tracts or lots over three acres in size, the maximum height for poles with lights is 30 feet.
  2. On tracts or lots less than three acres, the maximum height of poles with lights is 20 feet.
  3. For large retail and office developments that have a mix of lot sizes within them, the maximum height for poles shall be as allowed on the largest of the lots within the development.
  4. Special lighting or lighting higher than 30 feet may be approved as specifically noted on a site plan.

(2) *Front yards.*

- a. Where the frontage on one side of a street between two intersecting streets is divided by two or more zoning districts, the front yard shall comply with the requirements of the most restrictive district for the entire frontage (see appendix E, illustration 9).
- b. Where a building line has been established by plat or ordinance approved by the planning and zoning commission and the city council prior to the effective date of the ordinance from which this chapter is derived and such line requires a greater



or lesser front yard setback than is prescribed by this chapter for the district in which the building line is located, the required front yard shall comply with the building line so established by the ordinance or plat.

- c. Where a building line has been established by plat or ordinance approved by the planning and zoning commission and/or the city council after the effective date of the ordinance from which this chapter is derived and such building line requires a greater front yard setback than is prescribed by this chapter for the district in which the building line is located, the required front yard shall comply with the building line so established by the plat or ordinance.
- d. The front yard shall be measured from the property line to the front face of the building, covered porch, covered terrace, support of a carport, or attached accessory building. Eaves and roof extensions may project into the required front yard for a distance not to exceed four feet and subsurface structures, platforms, or slabs may not project into the front yard to a height greater than 20 inches above the average grade of the yard (see appendix E, illustration 7).
- e. Where lots have doubled frontage, running through from one street to another, a required front yard shall be provided on both streets unless a rear yard building line for accessory buildings has been established along one frontage on the plat or by ordinance, and identified as such, or a rear line screening area has been identified by a common area or easement, along one frontage on the plat, in which event only one required front yard need be observed (see appendix E, illustration 8).
- f. Gasoline pump islands and other surface transfer of fuel points, such as fuel storage tank filling points, must be a minimum of ten feet from public rights-of-way lines, a minimum of 50 feet from residentially zoned property lines, and a minimum of ten feet from any other property line.
- g. Where no front yard is required, all stairs, eaves, roofs, and similar building extensions shall be located behind the front street right-of-way line or property line.
- h. Open and unenclosed terraces or porches and eave and roof extensions may project into the required front yard for a distance not to exceed four feet, provided, however, that no supporting structure for such extensions may be located within the required front yard (see appendix E, illustration 7).
- i. Where a future right-of-way line has been established for future widening or opening of a street upon which a lot abuts, then the width of a front, side, or rear yard shall be measured from the future right-of-way line of the street.
- j. The open space in a required front yard of single family, duplex, or townhome districts shall not be diminished by paving with concrete, asphaltic concrete, or other similar smooth surfacing material, except in compliance with the following conditions:
  1. Paving will be allowed for:
    - (i) Sidewalks not more than six feet in width;
    - (ii) A driveway to the street not more than 20 feet in width or the width of the garage or carport to which it provides access, whichever is greater;
    - (iii) A loop driveway, from the street and returning to the street or alley, of not more than 20 feet in width; and
  2. Total pavement area shall not exceed 75 percent of the required front



yard.

- k. Where any legally existing lot or parcel has no access to a public or private street, and where the lot or parcel fronts on an existing alley, a front yard of not less than one-half the required front yard shall be observed.

(3) *Corner lots.*

- a. On a corner lot used for single family, two-family or mobile home dwellings platted after the effective date of Ordinance No. 1270 (December 15, 1981), both street exposures shall be treated as front yards, except where the corner lot is on a block face with no lots fronting on that street. In such cases, the street exposure shall be treated as a side yard; provided that a side yard of not less than 15 feet shall be observed (see appendix E, illustrations 4 and 5).
- b. Front yards of lots with more than one frontage shall front the same street as the interior lots within the same block. For purposes of this requirement, an interior lot is one, which adjoins a street (public or private) on only one side (see appendix E, illustrations 4 and 5).
- c. Where none of these conditions establish a specific street frontage as the front of the lot, the property owner, in the initial development of the property, may observe the front yard adjacent to the street frontage of his choosing. Henceforth, the front yard so observed shall not be reduced below the requirements of this chapter.

(4) *Side yards.*

- a. Every part of the required side yard shall be open and unobstructed except for accessory buildings as permitted herein, and the ordinary projections of window sills, belt courses, and other architectural features projecting not to exceed 12 inches into the required side yard, and roof eaves projecting not to exceed 24 inches into the required side yard.
- b. Where a future right-of-way line has been established for future widening or opening of a street upon which a lot abuts, then the front, side, or rear yard shall be measured from the future right-of-way line.
- c. Within all multiple family developments, the following minimum distances between buildings shall be observed:

<i>Building orientation</i>	<i>Minimum separation</i>
Front to front	40'
Front to rear	40'
Rear to rear	20'
Side to side	10'
Side to front	20'
Side to rear	10'

- d. No complex of attached one-family dwellings shall exceed 200 feet in length (see appendix E, illustration 12).

(5) *Minimum distances between specific uses.*

- a. No portion of a day care center site may be located within 300 feet of gasoline pumps or any other storage area for explosive materials.
- b. A private club shall be prohibited within 300 feet of the property line of any

church, public or parochial school, hospital, extended care facility, or publicly owned park, except that the prohibition will not apply to property located within 300 feet of publicly owned parks if the city council affirmatively finds that issuance of the specific use permit would not be detrimental or injurious to the public health, safety or general welfare, or otherwise offensive to the neighborhood. The 300-foot distance shall be determined by a measurement on the ground from the front door of the premises to be permitted to the nearest property line of the said church, public or parochial school, hospital, or publicly owned park.

*(Code 1982, § 41-201; Ord. No. 1270, § 4.01, 12-15-1981; Ord. No. 99-03-35, § 1E, 3-16-1999; Ord. No. 2000-01-03, § 1J, 1-4-2000; Ord. No. 2002-08-084, § 1.47, 8-20-2002; Ord. No. 2006-10-114, § 1, 10-3-2006; Ord. No. 2008-07-066, § 1, 7-14-2008)*

## Sec. 146-130. Vehicle parking.

In all zoning districts off-street parking, also known as on-site parking, shall be provided for each of the uses identified herein-below at the ratios specified herein at the time any building or structure is (a) erected or (b) structurally altered, or at such other time when the use of an existing building is changed, except as otherwise specified by this chapter.

### (1) *Parking requirements.*

Assisted living facility, nursing home, or rest home	1 parking space for every 4 beds.
Bank, savings and loan, or similar institution	1 parking space for every 400 square feet plus 5 stacking spaces per drive-through teller or ATM station.
Bed and breakfast facility	1 parking space for every guest room plus the parking requirements for a detached single family dwelling shall apply to the owner/occupant of the facility.
Car wash (full service)	1 parking space for every 250 square feet of floor area plus 7 stacking spaces for each wash, vacuum, or gas pump lane.
Car wash (self-serve)	1 parking space for each bay or stall (in addition to washing areas or stalls) plus 3 stacking spaces for each wash bay if automated drive-through or 2 stacking spaces for each wash bay if wand-type.
Church or other place of worship	1 parking space for each 3 seats in the main auditorium or assembly hall. If no fixed seating is proposed, 1 parking space shall be provided for every 50 square feet of floor area in the main auditorium or assembly hall.
College or university	10 parking spaces per classroom.
Amusement (indoor):	1 parking space for each 100 square feet of gross floor area for uses not listed below.
a. Amusement center	1 parking space for every 50 square feet.
b. Bingo parlors	1 parking space for every 3 seats or one for every 100 square feet, whichever is greater.
c. Bowling alley	6 parking spaces for each alley.
d. Racquetball or handball courts	3 parking spaces for each court.
e. Indoor tennis courts	6 parking spaces for each court.
f. Indoor jogging or running tracks	1 parking space for every 300 linear feet.
g. Swimming pool	1 parking space for every 100 square feet of water surface plus deck area.
h. Theatres and auditoriums, including motion picture theaters	1 parking space for every 4 seats.
i. Areas for subsidiary uses not listed, such as restaurants, offices, etc.	Calculate required parking for each subsidiary use in addition to the minimum standards for other uses.
Amusement (outdoor):	
a. Areas with fixed seating or bleachers	1 parking space for every 4 seats for fixed seating or for every 6 linear feet of benches for bleacher seating.
b. Golf course	5 parking spaces per hole, plus requirements for retail parking, office parking, country club parking, and other uses as applicable.

c. Golf driving range	1.5 parking spaces per driving tee.
d. Soccer, football, baseball, or other play fields with no fixed seating	50 parking spaces per field.
e. Tennis courts, basketball courts, or similar recreation courts with no fixed seating	6 parking spaces per court.
f. Neighborhood pool	1 parking space per 200 square feet of pool surface area (not including wading pools or whirlpool baths) and 1 space per 400 square feet of building area.
g. Swimming pool	1 parking space for every 100 square feet of water surface plus deck area.
Community center, library, museum, or art gallery	10 parking spaces plus one additional space for each 300 square feet of floor area in excess of 2,000 square feet. If an auditorium is included as a part of the building, its floor area shall be deducted from the total and additional parking provided on the basis of one space for each 4 seats that it contains.
Contractor's yard	1 parking space for every 5,000 square feet of lot area, with a minimum of 5 spaces.
Convenience store (with or without gas pumps)	1 parking space for every 250 square feet of floor area, with a minimum of 5 parking spaces. Spaces provided for fueling at the pump stations shall not be considered parking spaces.
Day nursery or day care center	1 parking space for every 8 pupils, based on design capacity plus 6 stacking spaces shall be required per drive-through/pick-up lane.
Dry cleaners (with drive-through)	1 parking space for every 250 square feet of floor area plus 3 stacking spaces shall be required per drive-through lane.
Dwellings, duplex	2 parking spaces for every unit, including 1 covered or enclosed space.
Dwellings, multiple family	<p>For dwelling units not located in the Commercial Historic District: 1 parking space for each dwelling unit plus 0.5 space for each bedroom in all dwelling units. No less than 50 percent of the units shall have an enclosed parking space. The percentage of required enclosed parking may be reduced as provided for in <a href="#">section 146-130(2)(f)(v)</a>. Enclosed parking spaces may include, but not be limited to an open-air, multi-level parking structure (excluding the top floor of said structure), tuck-under parking, and a detached garage(s). If a garage door is associated with the enclosed parking space, a 20-foot long driveway in front of the garage door shall be provided or an additional 0.5 parking space per enclosed space shall be provided elsewhere on-site. The 20-foot driveway in front of a garage door may be counted as a parking space.</p> <p>For dwelling units located in the Commercial Historic District as defined in <a href="#">section 146-97</a>: 1 parking space for each dwelling unit shall be provided.</p>
Dwellings, multiple family (senior)	For dwelling units not located in the Commercial Historic District: 1 parking space for each dwelling unit. No less than 50 percent of the units shall have an enclosed parking space. The percentage of required enclosed parking may be reduced as provided for in <a href="#">section 146-130(2)(f)(v)</a> . Enclosed parking spaces may include, but not be limited to an open-air, multi-level parking structure (excluding the top

	<p>floor of said structure), tuck-under parking, and a detached garage(s). If a garage door is associated with the enclosed parking space, a 20-foot long driveway in front of the garage door shall be provided or an additional 0.5 parking space per enclosed space shall be provided elsewhere on-site. The 20-foot driveway in front of a garage door may be counted as a parking space.</p> <p>For dwelling units located in the Commercial Historic District as defined in <a href="#">section 146-97</a>: 1 parking space for each dwelling unit shall be provided.</p>
Dwellings, Single Family attached	2 parking spaces for each unit including 2 covered or enclosed spaces.
Dwellings, Single Family detached	2 parking spaces for each unit including 2 covered or enclosed spaces, except that if a dwelling is constructed under a program for affordable housing sponsored by the city or sponsored by a non-profit corporation approved by the city 2 parking spaces must be provided for each unit, including a minimum of 1 covered or enclosed space.
Flea and farmers' market	1 parking space for every 250 square feet of market area.
Fraternity, sorority, or dormitory	1 parking space for each 2 beds.
Fueling station or gasoline station (no ancillary services)	1 parking space for every 4 pumping stations. Spaces provided for fueling at the pump stations shall not be considered parking spaces.
Furniture or appliance store, hardware store, wholesale establishments	1 parking space for every 400 square feet.
Fitness club, gymnasium, exercise area or similar use	1 parking space for every 150 square feet.
Hospital	1 parking space for each bed.
Hotel/motel or residence hotel	1 parking space for each sleeping room without a kitchen or 1.5 parking spaces for each sleeping room with a kitchen, plus 1 parking space for every 200 square feet of restaurant, retail, conference, or office area.
Independent living facility	1 parking space for every dwelling unit.
Industrial and manufacturing uses	1 parking space for every 1,000 square feet up to 20,000 square feet plus 1 parking space for every 2,000 square feet in excess of 20,000 square feet.
Junk yard, recycling center, and similar industrial uses	1 parking space for every 10,000 square feet of lot area.
Lodge, fraternal organization, country club or golf club	1 parking space for each 200 square feet of floor area.
Lumber yard	1 parking space for every 400 square feet of floor area, plus 1 parking space for every 1,000 square feet of warehouse.
Machinery or heavy equipment sales	1 parking space for every 400 square feet of gross floor area.
Mini-warehouse (self-storage)	4 parking spaces. A 12-foot wide loading zone shall be constructed in front of all access areas for each unit and shall not conflict with required fire lanes. A single loading zone may accommodate units on both sides of fire lane.
Mobile home or mobile home park	2 parking spaces for each mobile home plus additional spaces as required herein for accessory uses.
Mortuary or funeral home	1 parking space for each 200 square feet of floor space in slumber rooms, parlors, or individual funeral service rooms.
Motor vehicle/automobile sales and new or	1 parking space for each 500 square feet of sales floor for indoor uses

used car lots	plus 1 parking space for each 1,000 square feet of outdoor display area in addition to spaces calculated for office and repair areas at their respective rates.
Motor vehicle/automobile repair and service (with or without gasoline sales)	2 parking spaces for each service bay with a minimum of 5 spaces plus parking requirements for office and overnight storage of vehicle. For quick lube or similar services, three stacking spaces for each service bay shall also be provided. Spaces provided for fueling at the pump stations shall not be considered parking spaces. All types of motor vehicle service or repair facilities must have a designated area on the site plan for the overnight storage of vehicles awaiting repair. If overnight storage is proposed a minimum of 1 overnight storage parking space must be provided for each proposed service bay.
Office, (business, professional or research)	1 parking space for each 400 square feet.
Office, medical, dental, or similar health services	1 parking space for each 300 square feet of floor area.
Race track, horses or dogs	1 parking space for each 4 seats.
Restaurant, private club, nightclub, cafe, or similar recreational or amusement establishment	1 parking space for each 150 square feet of floor area, plus 6 stacking spaces from the point where the order is placed.
Retail store or personal service establishment, except as otherwise specified herein	1 parking space for every 250 square feet of floor area.
Roominghouse or boardinghouse	1 parking space for each sleeping room.
School, elementary	2.5 parking spaces for each classroom, plus 1 pick-up/drop-off lane consisting of at least 10 stacking spaces.
School, high	8 parking spaces for each classroom plus 1 parking space for each 4 seats in the main auditorium. Additional parking need not be provided for ancillary uses such as swimming pools or practice fields used solely by students and staff. The number of parking spaces required for stadiums or facilities used jointly by the public outside of regular school hours may be reduced by the number of spaces provided for use during regular school hours.
School, junior high or middle	2.5 parking spaces for each classroom plus 1 parking space for each 4 seats in the auditorium plus 1 pick-up/drop-off lane consisting of at least 10 stacking spaces. Additional parking need not be provided for ancillary uses such as swimming pools or practice fields used solely by students and staff. The number of parking spaces required for stadiums or facilities used jointly by the public outside of regular school hours may be reduced by the number of spaces provided for use during regular school hours.
Truck stops	1 parking space for each 10,000 square feet of site area plus 1 vehicle space for each 250 square feet of building area.
Veterinarian clinic	1 parking space for each 300 square feet of floor space.
Warehouse type uses	1 parking space for each 4,000 square feet.

- (2) *Rules for computing number of parking spaces.* In computing the number of parking spaces required for each of the above uses the following rules shall govern:
- a. The term "floor area" means the gross floor area of the specific use.
  - b. Where fractional spaces result, the parking spaces required shall be constructed

to be the next higher whole number.

- c. The parking space requirement for a use not specifically mentioned herein shall be the same as required for a use of similar nature.
- d. Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise, to create a need for an increase in the number of existing parking spaces, such spaces shall be provided on the basis of the enlargement or change. Whenever any building is enlarged to the extent of 50 percent or more in floor area or in the area used, said building or use shall then and thereafter comply with the parking requirements set forth herein.
- e. In the case of mixed uses, the parking spaces required shall equal the sum of the requirements of the various uses computed separately.
- f. Parking reductions.
  - 1. For multi-tenant retail shopping centers or office developments greater than 25,000 square feet in floor area, the sum of the total required parking may be reduced with site plan approval. Determination shall be based on the frequency of the anticipated peak parking demands, and location of parking spaces in relation to the building(s).
  - 2. For developments greater than 50,000 square feet in floor area, the sum of the total required parking may be reduced with site plan approval. Determination shall be based on the frequency of the anticipated peak parking demands, and location of parking spaces in relation to the building(s).
  - 3. The sum of the total required parking for a development may be reduced as indicated by the table below if a quality tree(s) is preserved.

Size (DBH) of the Preserved Tree	Reduction in Parking Requirement
6" to 8"	2 parking spaces
9" to 15"	3 parking spaces
16" to 30"	4 parking spaces
31" to 41"	5 parking spaces

- 4. If one, two, or all of the parking reductions specified above are utilized, the overall parking reduction shall not exceed ten percent of the sum of the total required parking for the development.
- 5. The enclosed parking space requirement for multi-family residential and senior multi-family residential uses may be reduced from no less than 50 percent of the units having an enclosed parking space to no less than 30 percent of the units having an enclosed parking space as part of the site plan approval process. The project is subject to the city Council's discretionary approval after consideration by the Planning and Zoning Commission and may be approved if the proposed project satisfies the following:
  - i. The project represents an innovative or exceptional quality design; and
  - ii. The project represents a significant contribution to the existing and

- future built environment in the area.
- iii. Reductions in the enclosed parking requirement may not be granted for pecuniary reasons or to serve as a convenience for the development.
- (3) *Shared parking spaces.* Under specific circumstances listed below, a limited number of parking spaces may be applied toward parking space requirements for two different uses. Proposed shared parking arrangements shall be considered during the site planning process. Not more than 50 percent of the parking spaces shall be required for:
- a. Theaters, bowling alleys, nightclubs, church or school auditoriums, or similar uses may be provided and used jointly by;
  - b. Uses not normally open, used or operated during the same hours as those listed in subsection (3)a of this section.
- (4) *Location of parking spaces.* All parking spaces required herein shall be located on the same lot with the building or use served, except as follows:
- a. Required parking spaces for non-residential uses not located on the same lot with the building or use served may be located on another lot located no more than 500 feet from such building or use. Where no parking lot or building is being constructed, staff may approve such off-site parking arrangements. If the proposed off-site parking proposal is related to or includes construction of a building or parking lot, proposed off-site parking arrangements shall be considered during the site plan process.
  - b. Parking requirements for uses in the Commercial Historic District shall be determined according to provisions of [section 146-96](#)
- (5) *Parking agreements required.* For any shared parking arrangement or off-site parking arrangement described above, written agreements ensuring retention of such parking spaces for such purposes, shall be properly drawn and executed by the parties concerned, approved as to form by the city attorney and shall be filed with the application for a building permit.
- a. A permanent easement for shared or off-site parking facilities shall be dedicated and recorded as a condition of such use.
  - b. A long-term remote parking agreement shall be provided.
- (6) *Parking design, pavement, and maintenance.* All off-street parking facilities, whether provided as required by this chapter, or provided in excess of these requirements, or otherwise provided, shall comply with the minimum requirements for parking and maneuvering space herein specified.
- a. *Minimum dimensions for off-street parking.* The minimum dimensions for off-street parking shall be as follows:
    1. Standard space: Nine feet by 18 feet.
    2. Parallel space: Eight feet by 22 feet.
    3. Stacking space: Ten feet by 20 feet.
    4. Drive aisles: Two-way drive aisles shall be at least 24 feet wide; one-way drive aisles shall be at least 20 feet wide when provided in conjunction with angled parking spaces; one-way drive aisles shall be at least 12 feet wide when not provided in conjunction with parking spaces.
    5. Handicap spaces: Handicap parking spaces shall be provided according to State of Texas Program for the Elimination of Architectural Barriers and shall conform to the Americans Disability Act (ADA) of 1991, as may be amended, accessibility guidelines (ANSI Standards).



- 6. The director of planning may administratively approve the re-striping of existing ten-foot wide spaces to nine feet without requiring approval of a new site plan. This provision would not allow alteration of parking lot layouts, landscaping, or additional paving.
  - 7. See the following appendix E, illustrations 13, 14, 15, 16, and 17, for maneuvering areas and overhang allowances for 90-degree, 60-degree, and 45-degree angle parking.
- b. *Maneuvering.*
- 1. All maneuvering of vehicles shall take place on site or within a mutual access easement. No public right-of-way shall be used for backing or maneuvering into or from a parking space, or for circulation within the parking lot.
  - 2. When off-street parking facilities are located adjacent to a public alley, the width of said alley may be assumed to be a portion of the maneuvering space requirement.
- c. *Residential uses (except multiple family).*
- 1. Required parking spaces for new construction of single family, duplex, townhome, and mobile home dwelling units shall be provided on a paved concrete surface if the adjacent street is concrete. All driveways to the required spaces shall be paved with concrete, except in "AG" - Agricultural District and "RED" - Residential Estate Districts.
  - 2. Required parking spaces for new construction of single family, duplex, townhome, and mobile home dwelling units shall be provided on a paved asphalt or concrete surface if located on a street other than one constructed of concrete. On such streets, all driveways to the required spaces shall be paved with asphalt or concrete, except in "AG" - Agricultural District and "RED" - Residential Estate Districts.
  - 3. If a dwelling unit is reconstructed or rehabilitated and construction of a new driveway would otherwise be required, lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981), shall not be required to construct a new driveway.
  - 4. At any time a residential driveway is reconstructed or replaced, the pavement surface shall be as follows:

Existing surface	New surface
Dirt or gravel	Gravel, asphalt, or concrete
Asphalt	Asphalt or concrete
Concrete	Concrete

- 5. If no enclosed parking spaces are provided, a minimum 48 square foot enclosed storage space with outdoor access shall be provided per unit.
- d. *Non-residential and multiple family uses.*
- 1. All required off-street parking, maneuvering, and loading areas shall be paved with concrete or asphaltic material in accordance with parking lot requirements in the city's design standards, except where another surface is approved through the site plan process for special loading/unloading

operations such as storage or use of tracked equipment.

2. Parking spaces shall be clearly identified by stripes, buttons, tiles, curbs, barriers, or other approved methods.
3. Barriers shall be installed to prevent overhang of vehicles into required landscape areas, rights-of-way, pedestrian ways, and private property.
4. For safety and firefighting purposes, cross access between parking areas of adjacent non-residential parcels shall be provided.
5. Fire lanes shall be provided as required by the adopted fire code of the city, and shall be adequately reinforced to withstand heavy vehicle loading.
6. Refuse facilities shall be located so as to facilitate pickup by refuse collection agencies. Sanitation containers shall not be located in a designated parking space or loading area. Reinforced concrete pavement shall be provided for refuse facilities and their approaches for loading and unloading.
7. No parking area shall be used for repair, storage, dismantling, or servicing of vehicles or equipment.
8. No parking or loading area shall be used for storage of inventory, materials, display, sanitation containers, supplies, or for any other use, except as approved through the site plan process or through the issuance of a temporary use permit. Under no circumstances shall a required parking space be used for any purpose other than parking.
9. All off-street parking areas shall be kept free of litter, trash, debris, vehicle repair operations, display, and advertising uses.
10. The property owner shall be responsible for adequately maintaining all parking facilities, including paving, striping, elimination of debris, and correction of use violations.
11. At no time after initial approval of the parking area layout, can changes be made to the location or number of provided spaces, unless approved by the director of planning or through the site plan process.

(7) *Parking prohibitions.*

- a. No parking space, garage, carport, or other vehicle storage space or structure located on private property in a residential zone shall be used for the storage of any truck, truck trailer, or van with a manufacturer's rated capacity exceeding one ton, or any tractor, tractor trailer, farm trailer, or other agricultural equipment.
- b. It shall be unlawful for any person to park or permit to remain parked on a public street within the city any truck, truck trailer, or van with a manufacturer's rated capacity exceeding one ton, or any tractor, tractor trailer, farm trailer, or other agricultural equipment, between the hours of 6:00 p.m. and 7:00 a.m., except when said motor vehicles, trailers, or equipment are engaged in loading or unloading.
- c. No boat, trailer, camper trailer, motor home or other such recreational vehicle shall be parked or stored within the required front yard, except as may be permitted in the "ML" or "MH" districts. In single family residential districts, two family residential districts, and multiple family residential districts, the parking or storage of such vehicles is limited to the rear yard only, and is limited to a maximum of one pleasure boat and one unoccupied trailer or motor home designed for recreational use not to exceed 24 feet in length. This restriction shall not apply to the storage of a boat or other vehicle in a fully enclosed

building.

- d. Parking prohibitions on unsurfaced areas shall be as follows:
1. No car, truck, or other vehicle shall be parked on an unsurfaced area of the front yard. This provision shall not apply to those lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981).
  2. For lots platted prior to the effective date of Ordinance No. 1270 (December 15, 1981), no car truck, or other vehicle shall be parked on an unsurfaced area of the front yard if the lot has a concrete, asphalt, or gravel driveway.
  3. If a concrete, asphalt, or gravel driveway does exist for a lot platted prior to the effective date of Ordinance No. 1270 (December 15, 1981) and unique circumstances prevent strict adherence with subsection (7)d.2 of this section, the chief building official may consider an exception to the provisions of subsection (7)d.2 of this section. The applicant shall prove that the exception from the zoning regulations is warranted under the circumstances presented. The chief building official may approve the exception with conditions to limit the number of vehicles to be parked on an unsurfaced area, the area to be parked on, etc. The decision of the chief building official may be appealed to the board of adjustment. The exception may be granted if the chief building official or his designee finds that:
    - (i) Unique circumstances exist on the property, such as substandard lot size, size or location of existing structures, trees or topographical features, which make the application of subsection (7)d.2 of this section unduly burdensome;
    - (ii) The exception will have no adverse impact on current or future development;
    - (iii) The exception will have no adverse impact on the public health, safety, and general welfare; and
    - (iv) A financial hardship shall not be considered a hardship for granting an exception.

*(Code 1982, § 41-202; Ord. No. 1270, § 4.02, 12-15-1981; Ord. No. 1346, §§ 1, 2, 4-19-1983; Ord. No. 1510, §§ 1—4, 1-15-1985; Ord. No. 94-09-36, § 1, 9-20-1994; Ord. No. 99-03-35, § 1F, 3-16-1999; Ord. No. 2000-01-03, §§ 1K, 1L, 1-4-2000; Ord. No. 2000-05-028, § 1A, 5-2-2000; Ord. No. 2001-04-045, § 1, 4-3-2001; Ord. No. 2004-09-103, § 1, 9-21-2004; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2008-11-104, § 7, 11-4-2008; Ord. No. 2010-05-011, § 6, 5-17-2010; Ord. No. 2010-12-053, § 15, 12-7-2010; Ord. No. 2013-02-021, § 2, 2-25-2013)*

## Sec. 146-136. Tree preservation.

- (a) *Purpose.* The purpose of this section is to promote tree preservation through site design and by controlling indiscriminate removal of trees; and to contribute to the long-term viability of existing trees through their protection during construction or land disturbing activities; while balancing rights of property owners with the interests of the community. This section is specifically intended to:
- (1) Prohibit indiscriminate clear-cutting;
  - (2) Protect and increase the value of residential and commercial properties within the city;
  - (3) Maintain and enhance a positive image to attract new residences and business enterprises to the city; and
  - (4) Protect healthy quality trees and promote the natural ecological, environmental and aesthetic qualities of the city.
- (b) *Definitions.* For purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning. Words and terms used in this section, but not defined in this section, shall have the meanings contained in the zoning ordinance or other ordinances of the city.

*100-year fully developed floodplain* means the area of inundation from a storm event having a one percent chance of being equaled or exceeded in any given year, based upon fully developed watershed conditions.

*Building pad* means the actual base area of a building and an area not to exceed six feet around the foundation necessary for construction and grade transitions.

*Caliper* means the diameter measurement of a tree trunk. The caliper of the trunk shall be measured six inches above the ground for trees.

*Clear-cutting* means the removal of ten or more protected trees from a property within a 90-day period.

*Critically alter, critical alteration* means uprooting or severing the main trunk of a tree, or any act that causes or may reasonably be expected to cause a tree to die. This includes, but is not limited to: damage inflicted upon the root system of a tree by machinery, storage of materials, or the compaction of soil above the root system of a tree; a change in the natural grade above the root system of a tree; an application of herbicidal chemical or the misapplication of beneficial chemicals; excessive pruning; placement of non-permeable pavement over the root system of a tree; or trenching within the primary root zone. Additionally, a tree may be considered critically altered if more than 25 percent of the primary root zone is altered or disturbed at natural grade, or more than 25 percent of the canopy is removed.

*Cut/fill* means areas where the natural ground level has been excavated (cut) or where fill material has been brought in.

*Determination of exemption* means a determination made by the landscape administrator or his designee that no tree permit or tree preservation is required for the site.

*Diameter at breast height (DBH)* means tree trunk diameter measured in inches at a height of 4.5 feet above the ground. If a tree splits into multiple trunks below 4.5 feet, the trunk is measured at its most narrow point beneath the split.

*Drip line* means whichever is greater:

- (1) A vertical line running through the outermost portion of the canopy of a tree and extending to the ground; or
- (2) If the tree is damaged or deformed, a circular area with a radius equal to two feet per inch of caliper.

*Erosion hazard setback* means the area along a drainage channel designated as an erosion setback under the city's stormwater ordinance.

*Exemption area* means an area that is clearly exempt from all tree replacement and tree protection requirements of this section, as approved by the landscape administrator.

*FEMA 100-year flood plain* means the area designated as being within the 100-year flood plain on the Federal Emergency Management Agency flood insurance rate map (FIRM) as of the effective date of the ordinance from which this section is derived. The boundary may be verified and established through field surveys based on elevation. Any changes made by FEMA to the 100-year flood plain boundary after the effective date of the ordinance from which this section is derived due to filling of the flood plain, channelization, or other drainage improvements shall not reduce the area in which tree preservation, replacement or protection requirements apply.

*Grubbing* means excavating or removing a significant part of the root system.

*Landscape administrator* means the person appointed by the city manager to administer city ordinances related to tree preservation, or the person's designated representative.

*Municipal and public domain property* means property in which title is held in the name of a governmental entity. Examples of this include city buildings, county property, public parks, U.S. Army Corps of Engineers property, state rights-of-way, libraries, fire stations, water tower sites or similar properties.

*Nondisturbance area* means an area in which no development activity or vehicular traffic associated with the construction or development of land occurs.

*NRCS lake tree preservation zone* means the area within an elevation two feet above the emergency spillway elevation of any Natural Resources Conservation Service lake.

*Owner* means any person with an interest in land, or a lessee, agent, employee, or other person acting on behalf of the owner.

*Protected tree* means a quality tree with a trunk six inches or greater in caliper at four feet six inches above the ground. The caliper of a multi-trunk protected tree shall be determined by adding the total caliper of the largest trunk to one-half the caliper of each additional trunk.

*Protective fencing* means and includes chain link fencing, orange vinyl construction fencing or other fencing at least four feet high and supported at a maximum of ten-foot intervals by approved methods sufficient to keep the fence upright and in place. The fencing shall be of a highly visible material.

*Pruning* means the removal of dead, injured or diseased limbs or roots to maintain plant health or the removal of limbs or roots to control or direct vegetative growth.

*Quality tree* means a tree species that typically has significant positive characteristics worthy of preservation, as listed in this section (see section A-2 of appendix A to this chapter.)

*Root zone, primary*, means the area of undisturbed natural soil around a tree defined by a concentric circle with a radius equal to the distance from the trunk to the outermost portion of the drip line (see section A-3 of appendix A to this chapter.)

*Tree* means any self-supporting woody plant, which will attain a trunk caliper of two inches or more when measured at a point 4½ feet above ground level and normally an overall height of at least 15 feet with a canopy of at least 15 feet in caliper at maturity. A tree may have one main stem or trunk or several stems or trunks.

*Tree board* means a board appointed by the city council to carry out the duties and responsibilities set forth in this section. The planning and zoning commission shall constitute the tree board unless the city council appoints a separate tree board.

*Tree protection sign* means a sign describing prohibited conduct detrimental to trees and meeting specifications of the city's building official to be posted on the site upon approval of a tree permit.

*Tree survey* means a plan drawing that identifies the location of trees and contains the information set forth in subsection (e)(1) of this section. The tree survey shall be prepared by an arborist, a licensed surveyor, a licensed landscape architect, or other qualified person approved by the landscape administrator. For projects of limited scope, the landscape administrator may approve a tree survey prepared by a non-professional if complete and accurate information is provided.

*Tree topping* means the severe cutting back of limbs to stubs larger than three inches in caliper within the tree's crown to such a degree so as to remove the normal canopy and disfigure the tree.

*Utility company, franchise utility, or public utility* means a company or entity, or agent for a company or entity, that provides a utility service such as the provision of gas, electric, cable, or telephone service within the city.

(c) *Permits.*

- (1) *Required.* A tree permit shall be obtained from the landscape administrator before critically altering any protected tree, except under any of the following circumstances:
- a. The protected tree endangers the public health, welfare or safety and immediate alteration is required;
  - b. The tree has disrupted a public utility service due to a tornado, storm, flood or other act of God. Critical alteration shall be limited to the portion of the tree reasonably necessary to reestablish or maintain reliable utility service;
  - c. The tree was planted to be for sale and is located on the property of a licensed plant or tree nursery, which has trees planted and growing on the premises for the sale or intended sale to the general public in the ordinary course of the nursery's business;
  - d. The tree is located on a lot of record on which a single family or duplex residence legally exists as the primary use, except that areas of such lots within a FEMA 100-year flood plain, NRCS lake tree preservation zone, erosion hazard setback zone, or for protected trees 27-inch caliper or greater in size shall not be exempt; or
  - e. The tree is dead, unless the tree was required under a landscape plan or was a required replacement tree under this section.

(2) *Types.*

- a. *Limited purpose tree permit.* A limited purpose tree permit shall be approved prior to the critical alteration of one or more trees on any site where the removal of trees is not related to a construction project, which requires issuance of a building permit or development permit. This shall include alteration of trees for agricultural purposes. A limited purpose tree permit shall become void 180 days after the issuance date.
- b. *Construction tree permit.*
  1. Prior to any building, paving, grading, or construction of a subdivision or public improvements an application for a construction tree permit shall be submitted concurrent with a preliminary-final plat, and shall be approved prior to issuance of a development permit. A construction tree permit shall not be required prior to construction of a subdivision or public improvements if an application for a preliminary plat or preliminary-final plat has been filed prior to the effective date of the ordinance from which this section is derived.
  2. Prior to any building, paving, grading, or construction of a building an application for a construction tree permit shall be submitted concurrent with a detailed site plan, and shall be approved prior to issuance of a building permit. A construction tree permit shall not be required prior to construction of such a building if an application for a site plan has been filed prior to the effective date of the ordinance from which this section is derived.
  3. Authorization to critically alter trees on the site shall be limited to those trees identified and approved for critical alteration as shown on documentation submitted for the construction tree permit.
  4. A construction tree permit shall be valid for the period of the site plan, development permit, or building permit's validity, or a maximum of two years, whichever is less.

(d) *Scope and administration.*

- (1) *Applicability.* Provisions of this section shall apply to all new and existing development as stated herein. The following shall be exempt from tree preservation and replacement requirements, but not from the tree permit requirements:
  - a. Hike/bike trails, if the alignment has been approved by the parks department;
  - b. City owned, parks and sports fields open for public use, such as soccer, baseball, football and the like;
  - c. Golf courses;
  - d. Critical alteration of any protected tree by a utility company in order to maintain appropriate existing utility service;
  - e. Construction of public utilities;
  - f. Stabilization measures to creeks and streams as required by the City Engineer; and
  - g. Construction of thoroughfares as shown on the City thoroughfare plan.
- (2) *Conflicts with other ordinances.* All applicable provisions of the comprehensive zoning ordinance, subdivision ordinance, stormwater ordinance, building codes and other ordinances, as they exist or as amended, shall apply. Notwithstanding the foregoing, nothing herein shall confer any vested rights on any property subject to this chapter. Where the provisions of other ordinances conflict with this section, this section shall control.

- (3) *Administrative official.* Provisions of this section shall be administered by the landscape administrator or designee.
- (e) *Tree preservation permit submittal and review.*
- (1) *Submittal requirements.* The landscape administrator shall establish administrative procedures necessary to implement and enforce this section.
- a. An application for a tree permit shall include:
1. The completed application form; and
  2. The tree survey at same scale as site plan or preliminary-final plat with building pad, pavement areas, and other construction features which will disturb the land indicated. The tree survey shall include the following information:
    - (i) The applicant's name, address, and phone number;
    - (ii) The name and phone number of arborist, licensed surveyor, or landscape architect that prepared the survey;
    - (iii) The location map;
    - (v) The property lines, with dimensions;
    - (vi) The engineering scale (not larger than one inch equals 200 feet, or the same scale as the site plan);
    - (vi) The location of all rights-of-way, and easements (existing and proposed);
    - (vii) The location of all buildings, structures, pools, parking and vehicular maneuvering area, utilities, sidewalks, and other improvements (existing and proposed);
    - (viii) The adjacent land uses, and zoning of adjacent properties;
    - (ix) The creeks, lakes, and other water features (existing and proposed);
    - (x) The location of FEMA 100-year floodplain, NRCS lake tree preservation zone, or erosion hazard setback easement;
    - (xi) Any proposed non-disturbance area; and
    - (xii) The caliper size of all trees six inches or greater.
- b. In specific situations, tree survey requirements may be reduced as follows:
1. *Non-disturbance areas.* The landscape administrator may approve a non-disturbance area to be designated on the tree survey. The non-disturbance area is an area in which no construction will occur. Trees within the non-disturbance area are not required to be individually identified on the tree survey unless they will be used as credits.
  2. *Aerial photograph.* For property containing large, heavily wooded areas, the landscape administrator may, in lieu of a tree survey, authorize the submittal of an aerial photograph accompanied by a transparent plan of the development at the same scale as the photograph, showing all non-disturbance areas and proposed exemption areas where no trees will be critically altered; provided that a tree survey of all other areas is submitted to the landscape administrator prior to any grading or construction. The landscape administrator may approve the submission of photographs in phases for a multi-phased project.
  3. *Affidavit of no trees.* If a property contains no trees, the applicant may submit an affidavit of no trees in lieu of a tree survey. This affidavit shall



act in lieu of a tree survey upon a determination by the landscape administrator that no trees exist on the site.

- c. A tree preservation plan shall be submitted showing major site construction features, existing trees to remain, trees being removed, and replacement trees with type, location, number and size of replacement trees indicated. The tree preservation plan information may be included on the tree survey if all information can be clearly delineated. The tree preservation plan shall include the following information:
1. The major site construction features;
  2. The proposed and existing contours;
  3. Identification of the caliper, species, and location of trees that are to remain;
  4. Identification of the caliper, species, and location of trees to be removed;
  5. The tree protection measures; and
  6. The letter of intent.

(2) *Review of application.*

- a. *Tree permit applications.* The landscape administrator shall grant a tree permit, provided the requirements of this section are met. Limited purpose tree permits shall be approved within three business days after complete permit information is provided by the applicant.
- b. *Grievances.* An applicant aggrieved by a decision of the landscape administrator may appeal the decision to the board of adjustment for an interpretation as provided for in [section 146-165\(2\)](#).
- c. *Waivers.* An application for a waiver to the terms of the tree preservation section may be made. The application for a waiver shall be reviewed by the tree board, and a recommendation for approval or denial shall be forwarded to the city council. The decision of the city council shall be final. A public hearing shall be required. The tree board and city council shall consider the following factors in determining whether a waiver should be granted:
1. The literal enforcement cannot be accomplished;
  2. The extent to which the application meets other standards of this section;
  3. The positive or negative impact of the proposed project on surrounding properties; and
  4. The extent to which the waiver would be mitigated by other proposed or existing landscaping.
- d. *Non-substantive changes.* The landscape administrator shall be authorized to work with owners, developers, and builders to make non-substantive changes, within the scope of this section, to plans, permits and other requirements after approval by staff, city council or the tree board, as appropriate. These changes are intended to provide the greatest reasonable protection toward achieving the purposes of this section.
- e. *Posting tree protection sign.* After the tree permit is issued, the permit holder shall post a tree protection sign at each entrance to the property upon which one or more trees is situated, and at any other location designated by the landscape administrator.

(f) *Standards.*

- (1) *Clear-cutting.* Clear-cutting is prohibited unless specifically authorized by a limited

purpose tree permit or a construction tree permit.

- (2) *Developments with an existing single family or duplex residential structure.* All protected trees 27 inches in caliper or greater shall be subject to tree preservation requirements regardless of location.
- (3) *All other developments.*
- a. *Perimeter tree zone.* If a quality tree six inches or greater exists within 15 feet of the boundary line between an existing platted single family residential development and a proposed development, a perimeter tree zone shall be provided. The perimeter tree zone shall extend 15 feet out from each quality tree six inches or greater onto the proposed development for a maximum 30-foot wide perimeter tree zone. No tree within the perimeter tree zone may be critically altered.
  - b. *Floodplain.* Within the 100-year fully developed floodplain, 70 percent of quality trees that are six inches DBH or greater may not be critically altered. However, if the floodplain lies within the interior of property that is zoned for commercial uses, and construction of buildings or parking is to occur on both sides of the creek, there is no limitation on the number of trees that may be removed. Additionally, construction of roads that are required by the city to provide cross access to adjacent properties or to provide for a second point of access shall not count against the percentage that can be removed.
  - c. *Specimen trees.* Trees greater than 42 inch DBH may not be removed, nor may the critical root zone be altered. As part of a tree permit application the city arborist with the input of the director of planning and city engineer may approve the removal of specimen trees based on the type of tree, health of the tree, location of the tree on site, elevation of the tree, impact of the tree on the proposed site or development plan. If the city arborist denies the request to remove a specimen tree, the owner/applicant may appeal the decision to the city council.
  - d. *Other trees.* Notwithstanding the above provisions, all other quality trees greater than six inches DBH are subject to tree replacement and protection except where protected trees must be critically altered to:
    1. Install and maintain any utility lines;
    2. Dedicate public rights-of-way;
    3. Construct any public or private streets or alleys at the minimum required width only;
    4. Provide any required easement up to the minimum width needed to accommodate the required service;
    5. Construct any fire lanes at the minimum required width only;
    6. Construct any sidewalks;
    7. Construct any driveways;
    8. Construct fences and screening walls;
    9. Construct patios;
    10. Construct swimming pools and associated deck areas;
    11. Construct required parking;
    12. Install a building pad site;
    13. Construct any hike/bike trails; or
    14. Achieve cut and fill drainage as designed in master drainage construction

plan, including required detention or retention ponds. Transitional slopes to the original grade, which are less steep than the maximum allowed slope shall not be exempt.

- (4) *Demolition.* The landscape administrator may issue a limited purpose tree permit to allow critical alteration of a protected tree if such critical alteration is necessary to allow demolition of a structure. The protected tree covered by the permit shall be exempt from the tree replacement and tree protection requirements of this section.
- (5) *Selective thinning.* The landscape administrator may issue a limited purpose tree permit for selective thinning of certain protected trees from a densely forested area. The landscape administrator will, as part of the tree permit review process, determine whether the selective thinning proposed will be performed in a professionally accepted manner that will enhance the likelihood of survival for the remaining trees. If the landscape administrator issues a permit for selective thinning, the protected trees covered by the permit shall be exempt from the tree replacement and tree protection requirements of this section.
- (6) *Diseased trees.* Upon issuance of a limited purpose tree permit, a diseased protected tree may be critically altered to reduce the chances of spreading the disease to adjacent healthy trees. If the landscape administrator issues a limited purpose tree permit for such purpose, the protected trees covered by the permit shall be exempt from the tree replacement and protection requirements of this section.
- (7) *Ground level cuts.* Tree trunks must be cut at ground level where removal of a tree may damage root systems of an adjacent tree. Stump grinding in such situations is allowed with the approval of the landscape administrator.
- (8) *Removal of underbrush.* Removal of underbrush, not including grubbing under drip lines, shall not require a tree permit.
- (9) *Grubbing under drip lines.* The landscape administrator shall issue a limited purpose tree permit allowing the clearing and grubbing of brush located within or under the drip lines of protected trees.
- (g) *Tree replacement.*
  - (1) Unless specifically exempted, the following tree replacement procedures shall apply to any person who critically alters a protected tree for which a permit is required. Replacement trees shall be in addition to trees required under the landscape section of the zoning ordinance.
    - a. *Generally.* The protected tree shall be replaced with a quality tree or trees as approved on the tree preservation plan.
      - 1. *Size and number.* A sufficient number of trees shall be planted to equal or exceed, in caliper, the caliper of each tree critically altered, measured at four feet six inches above ground level. Each replacement tree shall be a minimum of four-inch caliper at six inches above ground level and 12 feet in height when planted. The following formula shall be used to calculate the number of trees to be replaced:

	Caliper of critically altered tree	Replacement ratio (in inches of caliper)	Minimum caliper of replacement tree
Existing single family and duplex residential development	>27"	1:1	4"
All other development	6" - 16"	1:1	4"

&gt;16"

1:2

6"

2. *Credits.* When any quality tree of four inches (4") or more in caliper is preserved that would otherwise have been exempt, credits toward the total inches of caliper of replacement trees required for the development site will be given as per the following formula. Credits shall not reduce the minimum size of any replacement tree planted.
3. *Location.* Each replacement tree shall be planted on the same property as the tree that was critically altered. However, if the landscape administrator deems that the replacement tree cannot be planted on the same property in accordance with accepted arborists' standards, the landscape administrator may, as part of the city's reforestation plan, allow the following:
  - (i) Replacement on public property;
  - (ii) Replacement on private property if also approved by the chief building official; or
  - (iii) Require payment to the reforestation fund in accordance with subsection (g)(1)c of this section.
4. *Responsibility to replace trees.* The requirement to replace trees shall apply to both the person altering a protected tree and the owner of the property.
5. *Replacement of dead trees.* A replacement tree planted on the same property as the critically altered tree must be replaced if it dies. This requirement applies to the owner of the property.
- b. *Scheduling of replacement trees.* Replacement trees shall normally be planted within 90 days of critical alteration. If replacement trees cannot be planted within 90 days of critical alteration, the landscape administrator may approve a delay in replacement of up to six months after the date of critical alteration. The applicant shall provide the landscape administrator with an affidavit that all replacement trees will be planted within six months. The landscape administrator may require the applicant to furnish the city a cash deposit or surety bond in the approximate amount of the cost to replace the trees.
- c. *Reforestation fund.* If an applicant cannot replace trees on the same property, and if the landscape administrator does not approve replanting on an alternate site, the applicant shall make a payment into the reforestation fund.
  1. The amount of payment required for each replacement tree shall be calculated based on a schedule published and reviewed annually by the landscape administrator which sets forth the average cost of a quality tree added to the average cost of planting a tree.
  2. It shall be the responsibility of the landscape administrator to develop and administer a written plan for the planting, growing, replanting, and appropriate irrigation of trees on all municipal and public domain property. The tree board shall present the plan to the council and, when adopted by the council, the plan shall represent the reforestation plan for the city.
  3. Reforestation funds shall be expended only for purchasing, planting, growing and/or irrigating trees as per the city's reforestation plan. Reforestation funds shall not be used for routine maintenance.

4. Funds paid into the reforestation fund shall be spent within three years of payment or shall be returned to the payer.
5. The landscape administrator shall submit periodic reports to the city council of the deposits and disbursements from the reforestation fund.

(h) *Tree protection.*

- (1) The following procedures shall apply to any protected tree for which a permit is required, unless specifically exempted.
  - a. *Construction plan requirements.* All construction plans shall indicate tree protection measures.
  - b. *Prohibited activities in primary root zone.* The following activities are prohibited within the limits of the primary root zone of any protected tree subject to the requirements of this section.
    1. *Material storage.* No materials intended for use in construction or waste materials shall be placed within the limits of the primary root zone of any protected tree.
    2. *Equipment cleaning/liquid disposal.* No cleaning or other liquids shall be deposited or allowed to flow over land within the limits of the primary root zone of a protected tree. This includes, but is not limited to paint, oil, solvents, asphalt, concrete, mortar or similar materials.
    3. *Tree attachments.* No signs, wires or other attachments, other than those of a protective nature, shall be attached to any protected tree.
    4. *Construction equipment/vehicular traffic.* Unless otherwise approved by the landscape administrator, no vehicular and/or construction equipment traffic or parking shall take place within the limits of the primary root zone of any protected tree other than on existing street pavement. This restriction does not apply to single incident access within the primary root zone for purposes of clearing underbrush, establishing the building pad and associated lot grading, vehicular traffic necessary for routine utility maintenance, emergency restoration of utility service, or routine mowing operations. No heavy equipment, including, but not limited to, trucks, tractors, trailers, bulldozers, and bobcat tractors, shall be allowed inside the drip-line of any protected tree on any construction site without the specific approval of the landscape administrator.
    5. *Grade changes.* Unless specifically allowed by this section, no grade changes shall be allowed within the limits of the primary root zone of any protected tree unless the landscape administrator and/or the city engineer approves adequate construction methods.
    6. *Impervious paving near nonexempt trees.* Unless a health, safety and welfare issue arises due to access and circulation requirements, no paving with asphalt, concrete or other impervious materials may be placed within 75 percent of the limits of the primary root zone of a protected tree except as otherwise allowed in this section.
    7. *Impervious paving near exempt, preserved trees.* For any exempt tree that is being preserved the following shall apply:
      - (i) No paving with asphalt, concrete or other impervious materials may be placed within a five-foot radius of the trunk; and
      - (ii) A total of 400 square feet of area on the primary root zone shall be kept free of impervious materials. This pervious area may be in the

shape of a circle, rectangle, or other shape, and shall include and be contiguous with the area within a five-foot radius of the trunk.

- c. *Protective measures required prior to construction.* Prior to construction, the contractor or subcontractor shall construct and maintain, for each protected tree on a construction site, a protective fence and where necessary, bark protection (see section A-3 of appendix A to this chapter). All protective measures shall be in place prior to commencement of any site work and remain in place until all exterior work has been completed.
- d. *Construction methods.*
1. *Boring.* Boring of utilities under protected trees shall be required in those circumstances where it is not possible to trench around the primary root zone of the protected tree. When required, the length of the bore shall be the width of the primary root zone at a minimum and shall be a minimum depth of 48 inches.
  2. *Grade change.* The landscape administrator may approve a grade change within the primary root zone of a protected tree as per this section and/or the city engineer.
  3. *Trenching.* All trenching shall be designed to avoid trenching across the primary root zone of any protected tree, unless otherwise approved by the landscape administrator. Mechanical trenching within the primary root zone shall not be allowed. Trenching by hand shall not critically alter the root system. The placement of irrigation systems and underground utility lines such as electric, phone, gas, etc., shall be located outside of the primary root zone of protected trees. The minimum required single head supply line for irrigation systems is allowed to extend into the primary root zone perpendicular to the tree trunk and in the manner that has the least possible encroachment into the primary root zone.
  4. *Root pruning.* All roots two inches or larger in caliper, which are exposed as a result of trenching or other excavation, shall be cut off square.

(i) *Tree planting.*

- (1) In addition to the tree preservation and tree replacement provisions of this section, all applicable tree planting requirements of the landscape section of the city zoning ordinance shall apply.
- (2) Selection and planting of all replacement trees shall comply with [section 146-135](#)

(j) *Enforcement.*

- (1) *Development agreement.* The city shall not approve a development agreement unless it provides that all construction activities shall meet the requirements of this section.
- (2) *Building permit or development permit.*
  - a. No building permit or development permit shall be issued unless:
    1. A construction tree permit has been approved;
    2. An affidavit of no trees has been submitted and approved; or
    3. A determination of exemption has been made by the landscape administrator or designee.
  - b. No building permit or development permit shall be issued unless the applicant signs an application or permit request which says that all construction activities shall meet the requirements of this section. The building official shall make available to the applicant:
    1. A copy of the tree preservation ordinance or a condensed summary of the



relevant aspects pertaining to the type of permit requested; and

2. Specifications for tree protection signs.

- (3) *Acceptance of improvements.* The city may refuse to accept any public improvements until the person pays all penalties for violations of this section; provided, however, that acceptance of public improvements shall be authorized before all trees shall be replaced if, with the landscape administrator's approval, the person furnishes the city with a cash deposit or surety bond in the approximate amount of the cost to replace the tree.
- (4) *Certificate of occupancy.* No certificate of occupancy (CO) shall be issued until any and all penalties for violations of this section have been paid to the city. No CO shall be issued until all required replacement trees have been planted or appropriate payments have been made to the reforestation fund; provided, however, that a CO may be granted before all trees have been replaced if, with the landscape administrator's approval, the person furnishes the city with a cash deposit or surety bond in the approximate amount of the cost to replace the tree.

(k) *Violations.*

- (1) A person commits an offense if the person critically alters a protected tree not meeting an exception listed in this section without first obtaining a tree permit from the city.
- (2) A person commits an offense if the person critically alters a tree in violation of a tree permit.
- (3) Any person who violates subsection (k)(1) of this section by critically altering a protected tree without first obtaining a tree permit from the city, or subsection (k)(2) of this section by critically altering a tree in violation of the permit, or subsection (g) of this section by failing to follow the tree replacement procedures, shall be guilty of a misdemeanor and upon conviction shall be fined \$100.00 per caliper inch of the tree critically altered, not to exceed \$500.00 per incident. The unlawful critical alteration of each protected tree shall be considered a separate incident and each incident shall subject the violator to the maximum penalty set forth herein for each tree.
- (4) Any person, firm, corporation, agent or employee thereof who violates any provisions of this section other than those listed in above, shall be guilty of a misdemeanor and upon conviction hereof shall be fined not to exceed \$500.00 for each incident. The unlawful critical alteration of each protected tree shall be considered a separate incident and each incident subjects the violator to the maximum penalty set forth herein for each tree.
- (5) Allegation and evidence of a culpable mental state is not required for the proof of an offense defined by this section.

*(Code 1982, § 41-212; Ord. No. 2001-02-013, § 1A, 2-6-2001; Ord. No. 2002-08-084, § 1.59, 8-20-2002; Ord. No. 2002-08-084, § 1.59, 8-20-2002; Ord. No. 2004-09-103, § IV, 9-21-2004; Ord. No. 2006-10-115, § I, 10-3-2006; Ord. No. 2008-07-066, § 1, 7-14-2008; Ord. No. 2010-12-053, §§ 27—29, 12-7-2010)*



## Planning Department Application Submittal Fees\*

CASE TYPE	BASE FEE	PLUS ADDITIONAL FEE**
Alley or Right-of-Way Vacation	\$100.00	N/A
Annexation	\$325.00	N/A
Amending Plat	\$150.00	\$10.00 per lot
Concept Plan Review	\$200.00	\$18.00 per acre
General Development Plan	\$250.00	N/A
Meritorious Exception	\$250.00	N/A
Minor Plat or Replat	\$325.00	\$15.00 per lot
Preliminary-Final Plat or Replat	\$325.00	\$5.00 per lot
Record Plat	\$325.00	\$10.00 per lot
Conveyance Plat	\$325.00	\$10.00 per lot
Site Plan	\$250.00	N/A
Specific Use Permit	\$250.00	N/A
Zoning/Rezoning	\$500.00	\$15.00 per acre up to 250 acres; \$8.00 per acre over 250 acres

\*\* In determining the fee, please use the exact acreage when multiplying by the per acre fee.

## Miscellaneous Fees\*

Median Landscape Fees	\$25.50 per linear foot of frontage along a divided thoroughfare (per side)
Park Land Dedication	1 acre of land for every 50 residential units or cash in lieu of land (contact Jenny Baker, Senior Parks Planner, at 972-547-2644 for more info)
Plat Filing Fees	Equal to the fee charged by the Collin County Clerk
Zoning Verification Letter	\$50
Roadway and Utility Impact Fees	Visit the online impact fee calculator for a preliminary fee estimate: <a href="http://mckinneytexas.org/DocumentCenter/View/677">http://mckinneytexas.org/DocumentCenter/View/677</a>

\*Effective 10/1/2013



## Schedule for Planning Applications - 2014

Submittal Date (by 12:00)	Revisions from Staff Comments	P&Z Date	Due Date for Revisions Requested by P&Z	City Council Action Date
4 Weeks prior to P&Z	2 WEEKS AFTER SUBMITTAL DATE	2ND & 4TH TUESDAY	2 DAYS AFTER P&Z DATE	1ST & 3RD TUESDAY
10/14/13	10/28/13	11/12/13	11/14/13	12/03/13
10/28/13	11/25/13	Cancelled (11/26/13)	11/28/13	12/17/13
11/11/13	11/25/13	12/10/13	12/12/13	01/07/14
11/25/13	12/30/13	Cancelled (12/24/13)	12/26/13	01/21/14
12/16/13	12/30/13	01/14/14	01/16/14	02/04/14
Cancelled (12/30/13)	01/13/14	01/28/14	01/30/14	02/18/14
01/13/14	01/27/14	02/11/14	02/13/14	03/04/14
01/27/14	02/10/14	02/25/14	02/27/14	03/18/14
02/10/14	02/24/14	03/11/14	03/13/14	04/01/14
02/24/14	03/10/14	03/25/14	03/27/14	04/15/14
03/10/14	03/24/14	04/08/14	04/10/14	05/06/14
03/24/14	04/07/14	04/22/14	04/24/14	05/20/14
04/14/14	04/28/14	05/13/14	05/15/14	06/03/14
04/28/14	05/12/14	05/27/14	05/29/14	06/17/14
05/12/14	05/27/13	06/10/14	06/26/14	Cancelled (07/01/14)
05/27/14	06/09/14	06/24/14	06/26/14	07/15/14
06/09/14	06/23/14	07/08/14	07/10/14	08/04/14
06/23/14	07/07/14	07/22/14	07/24/14	08/19/14
07/14/14	07/28/14	08/12/14	08/14/14	09/02/14
07/28/14	08/11/14	08/26/14	08/28/14	09/16/14
08/11/14	08/25/14	09/09/14	09/11/14	10/07/14
08/25/14	09/08/14	09/23/14	09/25/14	10/21/14
09/15/14	09/29/14	10/14/14	10/16/14	11/04/14
09/29/14	10/13/14	10/28/14	10/30/14	11/18/14
10/13/14	10/27/14	11/11/14	11/13/14	12/02/14
10/27/14	11/24/14	Cancelled (11/25/14)	11/26/14	12/16/14
11/10/14	11/24/14	12/09/14	12/11/14	01/06/15
Cancelled (11/24/14)	12/29/14	Cancelled (12/23/14)	12/23/14	01/20/15
12/15/14	12/29/14	01/13/15	01/15/15	02/03/15
Cancelled (12/29/14)	01/12/15	01/27/15	01/29/15	02/17/15
01/12/15	01/26/15	02/10/15	02/12/15	03/03/15
01/26/15	02/09/15	02/24/15	02/26/15	03/17/15
02/09/15	02/23/15	03/10/15	03/12/15	04/07/15

\*\*The submittal of an application on a specific submittal date does not guarantee consideration at the specified Commission or Council meeting. An application's approval schedule may change as necessary dependent upon sufficient addressing of Staff's comments.\*\*

For additional information, please contact the City of McKinney Planning Department at 972-547-2000.

PLANNING DEPARTMENT  
221 N. Tennessee Street  
McKinney, Texas 75069  
(972) 547-7400  
Fax: (972) 547-2604

Or visit us on the web at [www.mckinneytexas.org](http://www.mckinneytexas.org)

# SITE PLAN REQUIREMENTS CHECKLIST

- Approval Process Flowchart
- Site Plan Checklist
- Letter of Intent Guidelines
- Site Plan Checklist
- Landscape Plan Checklist
- Approved Plant List
- Application



# Site Plan Approval Process

**What are the three ways site plans can be approved?**

- Staff Approval Process — if the site does not require any variances
- Planning and Zoning (P&Z) Commission Approval Process — if variances are requested or the zoning requires P&Z Commission approval
- City Council Approval Process — if the zoning requires City Council approval

**For an outline of the typical steps involved in each of these approval processes see the chart below.**

<i>Start Here</i> ↓	<b>Staff Approval Process</b>	<b>P&amp;Z Commission Approval Process</b>	<b>City Council Approval Process</b>
<i>Step 1</i>	<b>Site Plan Submittal</b> - See page 3 for plan submittal requirements, and see the Planning Schedule for upcoming planning submittal dates and associated timelines.		
<i>Step 2</i>	<b>Development Review Committee (DRC)</b> - Once the plans are distributed, various City departments will meet to discuss the details of the plans, in a DRC meeting.		
<i>Step 3</i>	<b>Staff Comments</b> - The planner assigned to review the plans will consolidate the comments from DRC and send them back to the applicant to be addressed.		
<i>Step 4</i>	<b>Applicant Submitted Revisions</b> — The applicant will then be responsible for revising and resubmitting the plans. Step 3 and Step 4 will repeat until all issues are resolved.		
<i>Step 5</i>	<b>Site Plan Approved by Staff</b>	<b>Public Hearing Notice</b> - Staff will notify property owners within 200 feet of the subject property of the public hearing.	
<i>Step 6</i>		<b>Public Hearing</b> - The P&Z Commission will hold a public hearing to consider approval (or recommendation) of the plan.	
<i>Step 7</i>		<b>Site Plan Approved by P&amp;Z Commission</b>	<b>Legal Notice</b> - Staff will post notice of a public hearing.
<i>Step 8</i>			<b>Public Hearing</b> - Council will hold a public hearing.
<i>Step 9</i>			<b>Site Plan Approved by City Council</b>
<i>Final Step</i>	Once the site plan is approved, civil engineering plans and building construction plans may be submitted to the Project Expeditors. Furthermore, the Planner will need copies of the site plan addressing any conditions of approval, as well as to assess all associated fees (e.g. Impact, Median Landscape, and Parkland Dedication fees.) To contact the Project Expeditors, please call 972-547-7400.		

Contact the Planning Department for more information at (972) 547-2000 or [PlanningInfo@McKinneyTexas.org](mailto:PlanningInfo@McKinneyTexas.org)

## SITE PLAN REQUESTS

**APPLICATION FEE: \$250.00**

**PAYMENT: CASH, CHECK, OR CREDIT CARD**

**A COMPACT DISC (CD) CONTAINING THE FOLLOWING:**

- SITE PLAN** formatted and scaled to a 24" x 36" page size (separate .pdf file).
- LANDSCAPE PLAN** formatted and scaled to a 24" x 36" page size (separate .pdf file).
- PRELIMINARY UTILITY PLANS** formatted and scaled to a 24" x 36" page size (separate .pdf file). ***Full CIVIL PLANS may also be submitted in lieu of preliminary utility plans to the Project Expeditor (hard copies with the associated .pdf) for concurrent review with the Site Plan submittal package.***
- PRELIMINARY DRAINAGE PLANS** formatted and scaled to a 24" x 36" page size (separate .pdf file). Drainage plans include, but are not limited to plans showing the proposed drainage facilities including drainage areas, stormwater detention areas, preliminary estimated runoff, points of concentration, and the location of the proposed lines, inlets, culverts, and bridges. ***Full CIVIL PLANS may also be submitted in lieu of preliminary drainage plans to the Project Expeditor (hard copies with the associated .pdf) for concurrent review with the Site Plan submittal package.***
- LETTER OF INTENT** must be signed and scanned to CD in a separate .pdf file.
- PLANNING APPLICATION** must be completely filled out and signed by both applicant and owner then scanned to a separate .pdf file.
- TREE SURVEY/TREE PRESERVATION PLAN AND APPLICATION INCLUDING TREE PERMIT APPLICATION** (see Tree Survey/Plan Request Checklist); formatted and scaled to a 24" x 36" page size (separate .pdf file).

**\*\*\*\*Please Note\*\*\*\***

- The plans' files sizes should be as small as possible to allow for easy downloading and viewing from the internet.
- Each plan type should be its own file on the CD. For example: a multiple page site plan can be consolidated into a single file but a site plan and landscape plan should not be consolidated into a single file.

**SUBMITTAL DATE: Monday, 12:00 Noon**; (refer to the published Schedule for Planning Applications for specific submittal dates).

## LETTER OF INTENT GUIDELINES

### SITE PLANS:

- Specify proposed uses with specific operations defined (i.e.: Office Building, Warehouse Building, Child Care Center, Church) (Example: Office/Warehouse Building including printing and laminating facilities)
- Square footage of proposed building
- Is the proposed development going to be developed in phases?
- If there is going to be more than one use, then will each use be operated and maintained by one owner (Example: Daycare and Church)
- Define acreage of subject property
- Describe in detail the location of the property [Example: approximately (distance) feet South of (street name), approximately (distance) feet North of (street name), approximately (distance) feet East of (street name), and approximately (distance) feet West of (street name).]
- Requested Planning & Zoning Commission consideration dates, if applicable
- Special considerations (i.e. requested variances, unique characteristics of subject property)
- Specify existing zoning district



# SITE PLAN CHECKLIST

## Section 146-45

Approval of a site plan shall be required for all development proposals except single family residential and duplex residential developments.

Prior to the issuance of any building permit, a site plan drawn to scale shall be submitted to the Planning Department for initiation of the review and approval process through the Planning and Zoning Commission and/or Planning Staff, as appropriate.

### Site plans or development Plans shall include the following information:

#### General.

- Applicant's name, address, and phone number.
- Development location (include subdivision, lot number, and address).
- The proposed use (letter of intent required).
- Zoning district (attach copy of ordinance governing subject property).
- Lot area (net and gross).
- Lot coverage and floor area ratio.
- Location of all existing buildings or structures on the lot that are to remain subsequent to any proposed development.
- The building or structure size, height and total floor area (separated by use). (Sec. 146-45 (3) a.8).
- Adjacent land uses and improvements within 200 feet of the subject property.
- Location of hazardous chemical storage.
- Sign locations.
- Scale with the following dimensions: one inch equals 20 feet, 30 feet or 40 feet, or as determined by the director of planning.
- Location of any on-site items (kiosks, sanitation containers, drop boxes, etc.).
- Any existing or proposed easements.
- Location and type of all existing and proposed screening, including screening of sanitation containers, parking areas, vehicles awaiting repair, open storage, etc.
- Required landscape areas.
- Any additional information as deemed necessary to adequately evaluate the site or development plan.

The following standard notations should be placed on the proposed site plan:

- Sanitation container screening walls will be brick masonry, stone masonry, or other architectural masonry finish, including a metal gate, primed and painted, and the sanitation container screening walls, gate, and pad site will be constructed in accordance with the city's design specifications.
- Mechanical and heating and air conditioning equipment in non-residential uses shall be screened from view from the public right-of-way and from adjacent residential properties.
- Lighting for the subject property will be constructed in conformance with Chapter 58 of the City of McKinney Code of Ordinances.

### **Airport Information.**

- The site elevation above sea level.
- The height of the proposed building or structure above sea level.
- The latitude and longitude coordinates of the location of the maximum building or structure height in NAD 83 format.

### **Site circulation and parking.**

- Drive approach dimensions and radii.
- Delineation and width of internal circulation roadways.
- Distances between driveways and intersecting streets.
- Number of required parking spaces and number of parking spaces provided, including handicapped parking spaces
- Parking dimensions (typical head-in 9' x 18').
- Stacking spaces (10' x 20') and drive-through lane location.
- Location of curb stops relative to front of parking stall. (Note: Wheel stops are not permitted in lieu of curbs).
- Handicapped ramps (required at all intersections).
- Building entrances.
- Sidewalk dimensions.
- Fire lanes meeting fire code standards (typically 24 feet wide), (fire lanes must be shaded).
- Location and dimension of delivery trucks docks.
- Location and dimension of loading spaces.
- Location of bay doors.

- Sanitation container locations.
- Medians, islands, barriers, and channelization.
- Width of adjacent streets, alleys, or other access abutting property.
- Length, width, and taper of turn bays.
- Directional signage and directional arrows for one-way traffic driveways.

**Utility Plans shall be included on a separate drawing from the site plan and shall include the following information:**

- Existing and proposed water mains (include size and valve locations).
- Water and meter size and location.
- Existing and proposed sewer mains (include size, manholes and cleanout).
- Sewer service size (provide cleanout at property line).
- Existing and proposed utility easements including the associated utility line (public or private) and its size.
- Existing and proposed fire hydrants (including any nearby off-site hydrants).
- Existing and proposed fire lines, fire sprinkler connections, and appurtenances.
- Location and size of irrigation meters.
- Location and size of grease and sand traps.
- Location and size of sampling pits.
- Location and type of pretreatment.

**Drainage Plans shall be included on a separate drawing from the site plan, and shall include the following information:**

- Existing and proposed elevation at critical points.
- Drainage area map (if site is over one acres).
- On-site collection system, including stormwater detention areas and detention ponds.
- 100-year flood elevation (if in floodprone area), and erosion hazard setback easement.
- Existing and proposed contours at two-foot intervals.
- Existing and proposed drainage structures (include size and type).
- Existing and proposed culverts (use six-to-one sloped headwall).
- Direction of surface drainage (must be discharged into existing waterway or public right-of-way).

## Landscape Plan (include on a separate drawing)

Landscape plans shall contain the minimum following information:

- Minimum scale of 1" = 40' or the same scale as the associated site plan.
- Location, size, and species of all trees to be preserved, do not use tree stamps unless they indicate true size and location of trees.
- Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), or other landscape features (except that location of plants and landscaping materials may be generalized on a conceptual landscape plan)
- Species, size, spacing, and quantities of all plant material to be used in a tabular form (except that conceptual landscape plans may provide general plant types in-lieu-of species).
- Affidavit on the plan stating that all required landscape areas shall be provided with an automatic underground irrigation system with rain and freeze sensors and evapotranspiration (ET) weather based controllers and said irrigation system shall be designed by a qualified professional and installed by a licensed irrigator.
- Person(s) responsible for the preparation of the landscape plan, including affidavit of their qualifications to prepare said plan.
- Mark indicating north.
- Date of the landscape plan, including any revision dates.
- Planting details percentage of total site in permanent landscaping.
- Percentage of street yard in permanent landscaping.
- Dimensions of all landscape areas.
- Number of required trees and number of trees provided.
- Location of all existing and planned overhead and underground utilities shall be shown on the landscape plan or on an accompanying utility drawn at the same scale, if necessary for clarity.
- Additional information as deemed necessary to adequately evaluate the landscape plan.

## General Landscape Standards.

The following criteria and standards shall apply to landscape materials and installation. For the purposes of this section, the term "caliper" shall be defined as the diameter measurement of a tree trunk.

- Required landscaped open areas shall be completely covered with living plant material.
- Plant materials shall conform to the standards of the approved plant list for the city (see section A-1 of appendix A to this chapter). Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pest and insects.

To promote prudent use of the city's water resources and reduce the need for additional water system infrastructure, additional water resources and water purification systems, and to help ensure viability of required plantings during periods of drought, required landscaping shall comply, where feasible, with the following requirements designed to reduce water usage:

- Required plant materials shall be selected from those identified as xeriscape plants on the approved plant list for the city (see Appendix A of Chapter 146 of the Zoning Ordinance).
- Where specific conditions reduce the likelihood that any of these plant materials will survive, other plants on the list may be substituted.
- Other plants not on the list may be substituted at the discretion of the director of planning. The applicant may be required to provide substantiation as the hardiness, adaptability, and water demands of the plant when used in this area.
- For maximum reduction in water usage, xeriscape plants should not be interspersed in plant massings with plants requiring higher water usage.
- Applicants should design irrigation systems and watering schedules which supply the appropriate amount of water without over-watering.
- Ornamental trees shall be a minimum spread of crown of greater than 15 feet at maturity. Ornamental trees having a minimum mature crown of less than 15 feet may be substituted by grouping the same so as to create the equivalent of 15 feet of crown width. Ornamental trees shall be a minimum of two inches in caliper as measured six inches above the ground and eight feet in height at the time of planting.
- Canopy trees shall have a minimum spread of crown of 25 feet at maturity. Canopy trees shall be a minimum of four inches in caliper as measured six inches above the ground and 12 feet in height at the time of planting.
- Shrubs acceptable for six-foot screening shall be a minimum of three feet in height when measured immediately after planting and shall be planted no further apart than three feet on center, unless otherwise approved by the Director of Planning, and maintained so as to form a continuous, unbroken, solid visual screen which will be six feet high within two years after time of planting.
- Shrubs not of the dwarf variety shall be a minimum of two feet in height when measured immediately after planting.
- Hedges, where installed for buffering purposes required by this section, shall be planted and maintained so as to form a continuous, unbroken, solid visual screen which will be three feet high within two years after time of planting.
- Landscaping, except required grass and low ground cover, shall not be located closer than three feet from the edge of any parking space.
- Evergreen vines not intended as ground cover shall be a minimum of two feet in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening and/or buffering requirements, as set forth herein and as approved by the director of planning.

- Grass areas shall be sodded, plugged, sprigged, hydro-mulched, or seeded, except that solid sod shall be used in swales, or when necessary to prevent erosion. Grass areas shall be established with 100 percent coverage and 70 percent density with an approved perennial grass prior to the issuance of a certificate of occupancy.
- Ground covers used in-lieu-of grass shall be planted in such a manner as to present a finished appearance and reasonably completed coverage within one year of planting.
- All required landscaped open space shall be provided with an automatic underground irrigation system, except for required landscaping in single family or two-family developments. Any new irrigation system installed on or after September 1, 2007, must be equipped with rain and freeze sensors and an evapotranspiration (ET) weather based controller. Said irrigation system shall be designed by a qualified professional and installed by a licensed irrigator after receiving a permit, as may be required under the construction code. Irrigation systems shall comply with the city's water conservation ordinance as it exists or may be amended.
- Earthen berms shall have side slopes not to exceed 3:1 (three feet of horizontal distance for each one foot of height). All berms shall contain necessary drainage provisions, as may be required by the City Engineer.
- No tree shall be planted closer than four feet to a right-of-way line nor closer than eight feet to a public utility line (water or sewer), unless no other alternative is available. Further, a landscaping area in which trees are to be provided shall not conflict with a utility easement, unless no alternative is available.
- No tree which has a mature height of twenty five feet or greater shall be planted beneath an existing or proposed overhead utility line. Where canopy trees are required adjacent to or underneath overhead utility lines, ornamental trees (a minimum of two inches in caliper as measured six inches above the ground) shall be provided instead of the required canopy trees.
- All landscape areas shall be protected by a monolithic curb or wheel stops and remain free of trash, litter, and car bumper overhangs.

### **Minimum Landscaping Requirements.**

- For all non-residential and multiple-family at least 15 percent of the street yard shall be permanent landscape area. The term "street yard" shall be defined as the area between the front property line and the minimum front set back line.
- For all non-residential and multiple-family parcels located at the intersection of two dedicated public streets (rights-of-way), a thirty foot landscape buffer shall be provided parallel to the corner clip right-of-way dedication, which can be counted toward the 15 percent requirement.
- For all non-residential and multiple-family parcels, a minimum of 10 percent of the entire site shall be devoted to living landscape, which shall include grass, ground cover, plants, shrubs, or trees.

Landscape setbacks on thoroughfares shall comply with the following provisions:

- Landscape setbacks on minor thoroughfares for all non-residential and multiple family parcels, a minimum ten-foot landscape buffer adjacent to the right-of-way of any minor thoroughfare is required. If the lot is a corner lot, all frontages shall be required to observe the ten-foot buffer.

- Landscape setbacks on major thoroughfares for non-residential and multiple family parcels, a minimum 20-foot landscape buffer adjacent to the right-of-way of any major thoroughfare is required. If the lot is a corner lot, all frontages shall be required to observe the 20-foot buffer.

Landscape setback variances if unique circumstances exist which prevent strict adherence with this requirement, the planning and zoning commission may consider a granting of a variance during the site plan approval process to reduce the minimum 20-foot landscape buffer to a minimum of ten feet; provided that site design considerations have been incorporated to mitigate the impact of the variance. Unusual circumstances include, but are not limited to: insufficient lot depth or size of the existing lot, existing structures and drives, and floodplain and existing trees to be preserved. A variance may be granted if:

- Unique circumstances exist on the property that makes application of this section unduly burdensome on the applicant.
- The variance will have no adverse impact on current or future development.
- The variance is in keeping with the spirit of the zoning regulations, and will have a minimal impact, if any, on the surrounding land uses.
- The variance will have no adverse impact on the public health, safety and general welfare.

A financial hardship shall not be considered a basis for the granting of a variance.

- For all non-residential and multiple family parcels, developers shall be required to plant one canopy tree per 40 linear feet, or portion thereof, of street frontage. These required trees must be planted within the associated landscape setback along thoroughfares, unless otherwise approved by the director of planning. Trees may be grouped or clustered to facilitate site design.
- Landscape areas within parking lots must be at least one parking space in size (162 square feet).
- No landscape area counting toward minimum landscaping requirements shall be less than 25 square feet in area or less than five feet in width.

For all non-residential and multiple family parcels, internal landscape areas shall:

- Have a landscaped area with at least 1 tree within 65 feet of every parking space.
- Have a minimum of one tree planted in the parking area for every 10 parking spaces within parking lots with more than 20 spaces.
- Within parking lots, landscape areas with curbs and gutters must be provided to define parking areas and assist in clarifying appropriate circulation patterns.
- A landscape island shall be located at the terminus of each parking row, and should contain at least one canopy tree.
- All existing trees, which are to be considered for credit shall be provided with a permeable surface (a surface which does not impede the absorption of water) within a minimum 5-foot radius from the trunk of the tree. All new trees shall be provided with a permeable surface within a minimum 2½-foot radius from the trunk of the tree.



- At least 75 percent of the frontage of parking lots, adjacent to a public right-of-way, within the street yard shall be screened from public streets with evergreen shrubs attaining a minimum height of three feet, an earthen berm of a minimum height of three feet, a low masonry wall of a minimum height of three feet, or a combination of the above with a minimum combined height of three feet'. A wall used for parking lot screening should be accompanied with landscape planting in the form of low shrubs and groundcover to soften the appearance of the wall.
- A minimum of 50 percent of the total trees required for the property shall be canopy trees caliper, as specified on the approved plant list.
- Necessary driveways from the public right-of-way shall be allowed through all required landscaping areas in accordance with city regulations. Shared drives shall be allowed through perimeter landscape areas.
- For all non-residential and multiple family parcels, whenever an off-street parking area or vehicular use area abuts an adjacent property line, a perimeter landscape area of at least five feet shall be maintained between the edge of the parking area and the adjacent property line.
- Whenever a non-residential use, mobile home use, or multiple family use is adjacent to a property used or zoned for single family or duplex residential use, the more intensive land use shall provide a landscaped area of at least ten feet in width along the common property line planted with one canopy tree for each 40 linear feet or portion thereof of adjacent exposure. These trees may not be clustered.
- Multiple family residential uses shall provide landscaped buffer of at least 20 feet in width along all property lines planted with one canopy tree for each 30 linear feet or portion thereof of adjacent exposure. The trees along the street frontage may be clustered, while the trees along all other property lines may not.
- Evergreen shrubs (acceptable for six-foot screening) shall be provided around dumpster screening wall, and the plant materials must be a minimum of three feet in height at the time of planting, unless not visible from public right-of-way or a public use area.
- For all single family and duplex parcels, builders shall be required to plant two canopy trees per lot, prior to obtaining a certificate of occupancy. At least one of the trees shall be located in the front yard. An existing quality tree of at least eight-inch caliper size located on the lot may be counted towards the requirement for a four-inch caliper tree, if appropriate tree protection measures have been followed.
- For all townhome parcels a minimum of 20 square feet of useable open space shall be required per townhome unit. This additional open space shall not include the parkland dedication requirement as outlined in section 142-152 of the subdivision ordinance, any required landscape areas as outlined in section 146-135, or any required spacing between buildings. Open space pockets shall be designed to be located over the entire site in order to break up density and serve the entire development. Open space pockets shall be required to be a minimum of 1,000 square feet and a maximum of 2,000 square feet for townhome developments over 50 units. The applicant may request an increase in the maximum allowed useable open space requirement with site plan approval.

## APPENDIX A: SECTION A-1

### APPROVED PLANT LIST

#### Notes:

- The following lists of plant materials only apply to materials planted or preserved to satisfy the Landscape Requirements (Section 146-135) and Tree Preservation Ordinance (Section 146-136) of this ordinance. It is not intended to limit or prohibit other plant materials planted or preserved in excess of these requirements.
- Xeriscape plants are encouraged and are indicated by an asterisk (\*).
- Additional plant materials may be approved as appropriate. The applicant may be required to submit substantiation of adaptability and water usage for other plants.

#### CANOPY TREES:

Acer grandidentatum  
**Bigtooth Maple**

Pistachia chinensis  
**Chinese Pistachio\***

Acer rubrum 'Trident'  
**Trident Red Maple**

Quercus acutissima  
**Sawtooth Oak**

Acer saccharum 'Caddo'  
**Caddo Maple**

Quercus muhlenbergii  
**Chinquapin Oak**

Carya illinoensis  
**Pecan**

Quercus phellos  
**Willow Oak**

Carya ovata  
**Shagbark Hickory**

Quercus shumardii  
**Shumard Red Oak\***

Cedrus deodara  
**Deodar Cedar**

Quercus sinuata  
**Durand Oak**

Cupressocyparis 'Leylandii'  
**Leylandii Cypress**

Quercus texana  
**Texas Red Oak**

Fraxinus Americana  
**White Ash**

Quercus virginiana  
**Live Oak**

Fraxinus texensis  
**Texas Ash**

Sapindus drummondii  
**Western Soapberry\***

Ginkgo biloba 'Autumn Gold'  
**Autumn Gold Ginkgo**

Taxodium disichum  
**Bald Cypress**

Ulmus carassifolia  
**Cedar Elm**

Ulmus parvifolia  
**Lacebark Elm**

## ORNAMENTAL TREES:

Acer palmatum  
**Japanese Maple**

Acer truncatum  
**Shantung Maple**

Aesculus glabra  
**Texas Buckeye**

Arbutus texana  
**Texas Madrone\***

Betula nigra  
**River Birch**

Cercis spp.  
**Redbud\***

Chilopsis linearis  
**Desert Willow\***

Chionanthus virginica  
**Chinese Fringe Tree**

Cornus spp.  
**Dogwood**

Cotinus Coggyria  
**American Smoketree**

Diospyros texana  
**Texas Persimmon\***

Ilex deciduas  
**Possumhaw Holly**

Ilex opaca 'Foster'  
**Foster Holly**

Prunus mexicana  
**Mexican Plum\***

Quercus laceyi (Q. glaucooides)  
**Lacey Oak**

Rhamnus caroliniana  
**Caroliniana Buckthorn**

Ilex opaca 'Savannah'  
**Savannah Holly**

Ilex vomitoria  
**Yaupon Holly**

Juniperus virginiana  
**Red Cedar\***

Koelreuteria paniculata  
**Golden Raintree**

Lagerstroemia indica  
**Crape Myrtle (Large Tree Form)**

Malis spp.  
**Flowering Crabapple**

Magnolia stellata  
**Star magnolia**

Magnolia soulangiana  
**Saucer Magnolia**

Magnolia grandiflora 'Little Gem'  
**Little Gem Magnolia**

Myrica cerifera  
**Wax Myrtle**

Pinus ularica  
**Eldarica Pine**

Pinus nigra  
**Austrian Black Pine**

Prunus caroliniana  
**Cherry Laurel**

Sophora affinis  
**Eve's Necklace**

Ungnadia speciosa  
**Mexican Buckeye**

**EVERGREEN SHRUBS: Acceptable for low screening (five foot (5') or less)**

Abelia grandiflora  
**Dwarf Abelia**

Ilex cornuta 'Dwarf Burfordii'  
**Dwarf Burford Holly**

Berberis thunbergii spp.  
**Barberry**

Leucophyllum frutescens  
**Texas Sage**

Elaeagnus pungens  
**Dwarf Elaeagnus or Silverberry**

Myrica pusilla  
**Dwarf Wax Myrtle**

Cotoneaster glaucophyllus  
**Grayleaf Cotoneaster\***

**EVERGREEN SHRUBS: Acceptable for six foot (6') screening**

Ilex x attenuate 'Foster'  
**Foster Holly**

Myrica cerifera  
**Wax Myrtle (tree form)**

Ilex x 'Nellie R. Stevens'  
**Nellie R. Stevens Holly**

Podocarpus macrophyllus  
**Podocarpus**

Juniperus virginiana  
**Eastern Red Cedar**

Prunus caroliniana  
**Cherry Laurel**

Ligustrum japonicum  
**Waxleaf Ligustrum**

Ternstroemia japonica  
**Cleyera**

Magnolia 'Little Gem'  
**Little Gem Magnolia**

Viburnum odoratissimum  
**Sweet Viburnum**

**Shrubs**

Abelia grandiflora  
**Dwarf Abelia**

Lagerstroemia indica 'Dwarf'  
**Dwarf Crape Myrtle**

Berberis thunbergii spp.  
**Barberry**

Leucophyllum frutescens  
**Texas Sage\***

Cotoneaster horizontalis  
**Horizontal Cotoneaster**

Loropetalum chinensis  
**Chinese Fringe Flower**

Elaeagnus pungens  
**Dwarf Elaeagnus or Silverberry**

Mahonia bealei  
**Leatherleaf Mahonia**

Fatsia japonica  
**Aralia**

Myrica pusilla  
**Dwarf Wax Myrtle**

**Shrubs****continued**

Hesperaloe parviflora  
**Red Yucca\***

Nandina spp.  
**Nandina**

Hypericum spp.  
**St. John's Wort\***

Raphiolepis indica  
**Indian hawthorn**

Ilex spp.  
**Holly**

Rosa spp.  
**Rose**

Juniper spp.  
**Juniper**

Spirea spp.  
**Spirea**

Myrica pusilla  
**Dwarf Wax Myrtle**

**Groundcover**

Ajuga reptans  
**Ajuga**

Lonicera japonica  
**Honeysuckle\***

Hedra helix  
**English Ivy**

Trachelospermum asiaticum  
**Asian Jasmine**

Vinca spp.  
**Vinca**

**Ornamental Grasses**

Andropogon spp.  
**Bluestem**

Bouteloua spp.  
**Grass**

Cortaderia selloana  
**Pampas Grass**

Muhlenbergia spp.  
**Muhly Grass**

Pennisetum spp.  
**Fountain Grass**

Sorghastrum nutans  
**Indian Grass**

**Grasses**

Buchloe dactyloides  
**Buffalo Grass\***

Cynodon dactylon  
**Bermuda Grass**

Zoysia spp.  
**Zoysia**

Stenotaphrum secundatum  
**St. Augustine**

## **Prohibited Plant Materials**

---

**Aristocrat Pear**

**Lombardy Poplar**

**Bradford Pear**

**Mulberry**

**Bois D' Arc**

**Siberian Elm**

**Catalpa**

**Silver Maple**

**Cottonwood**

**Sycamore**

**Hackberry**

**PLANNING SUBMITTAL APPLICATION**

**for the  
City of McKinney, Texas**

**APPLICANT**

NAME \_\_\_\_\_  
COMPANY \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE(\_\_\_\_\_) \_\_\_\_\_  
FAX(\_\_\_\_\_) \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

**OWNER (If Different From Applicant)**

NAME \_\_\_\_\_  
COMPANY \_\_\_\_\_  
ADDRESS \_\_\_\_\_  
CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
PHONE(\_\_\_\_\_) \_\_\_\_\_  
FAX(\_\_\_\_\_) \_\_\_\_\_  
E-MAIL ADDRESS \_\_\_\_\_

**ACTION REQUESTED\* (CHECK ONE)**

**\*Please complete a new application for each action you request.**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Site Plan Review            | <input type="checkbox"/> Preliminary-Final Plat (Including Replat**) | <input type="checkbox"/> Conveyance Plat          |
| <input type="checkbox"/> Street or Alley Abandonment | <input type="checkbox"/> Record Plat                                 | <input type="checkbox"/> General Development Plan |
| <input type="checkbox"/> Annexation                  | <input type="checkbox"/> Minor Plat (Including Replat**)             | <input type="checkbox"/> Concept Plan             |
| <input type="checkbox"/> Zoning Change               | <input type="checkbox"/> Amending Plat                               | <input type="checkbox"/> Other                    |
| <input type="checkbox"/> Specific Use Permit         |  |   |

\*\*If the action requested above is a replat, is it a RESIDENTIAL REPLAT? \_\_\_Y \_\_\_N

**PROPERTY INFORMATION**

STREET ADDRESS OR LOCATION OF PROPERTY [use directional (N,S,E or W) information when possible]

\_\_\_\_\_

Are there deed restrictions pertaining to intended use of property? If yes, attach a copy of any covenants or restrictions governing this property. YES [ ] NO [ ]

**COLLIN CAD ACCOUNT NUMBER(S):**

**\* Please attach an additional sheet if you have more than 5 account numbers to list in either row.**

**Property(s) Long #**

**Property(s) Short #**

R- \_\_\_\_\_

\_\_\_\_\_

R- \_\_\_\_\_

\_\_\_\_\_

R- \_\_\_\_\_

\_\_\_\_\_

**LEGAL DESCRIPTION**

Survey \_\_\_\_\_ Abstract \_\_\_\_\_ Addition Name\* \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Total Number of Acres \_\_\_\_\_

**\* ATTACH METES AND BOUNDS DESCRIPTION FOR UNPLATTED PROPERTY AND ALL ZONING CASES.**

I CERTIFY THAT I AM THE LEGAL OWNER OF THE ABOVE REFERENCED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE THIS IS A TRUE DESCRIPTION OF THE PROPERTY UPON WHICH I HAVE REQUESTED THE ABOVE CHECKED ACTION. I UNDERSTAND THAT I AM FULLY RESPONSIBLE FOR THE CORRECTNESS OF THE LEGAL DESCRIPTION GIVEN.

APPLICANT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



# PLAT REQUIREMENTS CHECKLIST

- Approval Process Flowchart
- Plat / Replat Checklist
- Types of Plats
- Letter of Intent Guidelines
- Plat Checklists
- Procedures for Filing Plats
- Application

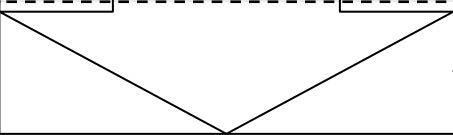


# Plat Approval Process

**What are the three ways plats can be approved?**

- Staff Approval Process - Record Plats, Minor Plats, and Amending Plats
- Planning and Zoning Commission Approval Process - Minor Replat, Preliminary-Final Plat, and Preliminary-Final Replat.
- City Council Approval Process - Plats requiring a variance

For an outline of the typical steps involved in each of these approval processes see the chart below.

<b>Start Here</b> ↓	<b>Staff Approval Process</b>	<b>P&amp;Z Commission Approval Process</b>	<b>City Council Approval Process</b>
<b>Step 1</b>	<b>Plat Submittal</b> - See page 3 for plat submittal requirements, and see the Planning Schedule for upcoming planning submittal dates and associated timelines.		
<b>Step 2</b>	<b>Development Review Committee (DRC)</b> - Once the plans are distributed, various City departments will meet to discuss the details of the plans.		
<b>Step 3</b>	<b>Staff Comments</b> - The planner assigned to review the plans will consolidate the comments from DRC and send them back to the applicant to be addressed.		
<b>Step 4</b>	<b>Applicant Submitted Revisions</b> - The applicant will then be responsible for revising and resubmitting the plans. Step 3 and Step 4 will repeat until all issues are resolved.		
<b>Step 5</b>	<b>Plat Approved by Staff</b>	<b>Public Hearing Notice</b> - Staff will notify property owners within 200 feet of the subject property of the public hearing.	
<b>Step 6</b>		<b>Public Hearing</b> - The P&Z Commission will hold a public hearing to consider approval (or recommendation) of the plat.	
<b>Step 7</b>		<b>Plat Approved by P&amp;Z Commission</b>	<b>Legal Notice</b> - Staff will post notice of a public hearing.
<b>Step 8</b>			<b>Public Hearing</b> - Council will hold a public hearing.
<b>Step 9</b>			<b>Plat Approved by City Council</b>
<b>Final Step</b>	<p>Once the plat is approved the Senior Planning Technician will need copies of the plat addressing any conditions of approval, as well as to assess all associated fees (e.g. Impact, Median Landscape, and Parkland Dedication fees.) Plats will not be filed with the County Clerk's office until all required public improvements are approved or deferred by an approved facilities agreement.</p> <p style="text-align: center;">Contact the Planning Department for more information at (972) 547-2000 or <a href="mailto:PlanningInfo@McKinneyTexas.org">PlanningInfo@McKinneyTexas.org</a></p>		

**PAYMENT: Cash, Check or Credit Card**

**PLAT/REPLAT REQUESTS**

*The table below indicates the items that are required at the time of submittal for each plat type:*

	<b>Preliminary-Final Plat/Replat<sup>7</sup></b>	<b>Record Plat</b>	<b>Minor Plat/Replat<sup>7</sup></b>	<b>Amending Plat</b>	<b>Conveyance Plat</b>
<i>Submittal Date</i>	<b>Monday, by 12:00 Noon; (refer to the published Schedule for Planning Applications for specific submittal dates)</b>				
<i>Application</i>	X	X	X	X	X
<i>Fee</i>	<b>\$325 + \$5 per lot</b>	<b>\$325 + \$10 per lot</b>	<b>\$325 + \$15 per lot</b>	<b>\$150 + \$10 per lot</b>	<b>\$325 + \$10 per lot</b>
<i>Letter of Intent</i>	X	X	X	X	X
<i>Plat</i>	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>	X <sup>1</sup>
<i>Tree Survey with Tree Permit Application</i>	X <sup>6</sup>		X <sup>6</sup>	X <sup>6</sup>	
<i>Screening and Buffering Plan<sup>5</sup></i>		X <sup>5</sup>	X <sup>5</sup>		
<i>Setback Exhibit<sup>4</sup></i>	X <sup>4</sup>		X <sup>4</sup>		
<i>Preliminary Utility Plans</i>	X <sup>2</sup>				
<i>Preliminary Drainage Plans</i>	X <sup>3</sup>				

**A COMPACT DISC (CD) CONTAINING THE FOLLOWING:**

X-Each item is required at the time of submittal as a separate .pdf file. Planning Applications must be completely filled out, signed and scanned to a .pdf file. Letters of Intent must be signed and scanned to .pdf file.

- 1 -Plat Plan(s) formatted and scaled to a 24" x 36" page size (separate .pdf file)
- 2 -Preliminary Utility Plan(s) formatted and scaled to a 24" x 36" in size (separate .pdf file). *Full CIVIL PLANS may also be submitted in lieu of preliminary utility plans to the Project Expeditor (hard copies with the associated .pdf) for concurrent review with the plat submittal package.*
- 3 -Preliminary Drainage Plan(s) formatted and scaled to a 24" x 36" in size (separate .pdf file). *Full CIVIL PLANS may also be submitted in lieu of preliminary drainage plans to the Project Expeditor (hard copies with the associated .pdf) for concurrent review with the plat submittal package.*
- 4-Setback Exhibit formatted and scaled to a 24" x 36" size (separate .pdf file) and only required for proposed single family and duplex residential subdivisions.
- 5-Screening and Buffering Plan(s) formatted and scaled to a 24" x 36" in size (separate .pdf filed) are required for residential subdivisions described in Section 142-106 of the Subdivision Ordinance.
- 6-Tree Survey with Tree Permit Application, Tree Survey formatted and scaled to a 24" x 36" in size (separate .pdf file) and Tree Permit Application scanned separately on CD.
- 7-Additional schematic plans may be required to assist in the complete and thorough review of the proposed plat.

- Please refer to the Chapter 142 Subdivision Regulations of the City of McKinney Code of Ordinance for specific plat requirements and additional information.

# TYPES OF PLATS

Platting within the City of McKinney is governed by the City of McKinney Subdivision Ordinance and the Texas Local Government Code Chapter 212. The following is a general description of the types of plats within the City of McKinney.

The Subdivision Ordinance applies to all property within the corporate limits of the City of McKinney as well as areas outside of the corporate limits of the City, but within the extraterritorial jurisdiction (ETJ) of the City. Any subdivision of land within the ETJ of the City of McKinney shall be processed through the Planning Department through the normal platting processes. Please refer to the Platting Checklists for additional information.

## **PRELIMINARY-FINAL PLATS**

(Section 142-74 of the Subdivision Ordinance)

Preliminary-final plats are submitted for large subdivisions that dedicate right-of-way for new streets and may contain more than four lots. Preliminary-final plats are submitted to the Planning and Zoning Commission for approval, and any plat that requires a variance is submitted to the City Council for final approval. The preliminary-final plat is not filed for record with the County Clerk. An associated record plat, which must generally conform to the approved preliminary-final plat, must be submitted within 6 months of the approval of the preliminary-final plat or the approval is voided.

## **PRELIMINARY-FINAL REPLATS**

(Section 142-75 of the Subdivision Ordinance)

Preliminary-final replats are submitted for property that has been previously platted. All replats require a public hearing at the Planning and Zoning Commission. If the property that is proposed to be platted is zoned for single or two family residential uses, a 15 day property owner's notice and legal notice are required to be sent to property owners and for publication. An associated record plat, which must generally conform to the approved preliminary-final plat, must be submitted within 6 months of the approval of the preliminary-final plat or the approval is voided. Preliminary-final replats are not filed for recordation with the County Clerk. A preliminary-final replat has the same characteristics of a preliminary-final plat with the exception that the subject property includes previously platted property.

## **RECORD PLATS**

(Section 142-76 of the Subdivision Ordinance)

The record plat must conform to the approved preliminary-final plat or preliminary-final replat. Typically, record plats are approved administratively by Staff. Any required public improvements must be constructed and accepted prior to filing the record plat with the County Clerk, unless otherwise specified by ordinance or an approved facilities agreement.

If the plat is designed in such a way that the residential lots create a backing condition onto a public thoroughfare, screening and buffering treatment is required. Screening and buffering

treatments must be installed in accordance with Section 142-106 of the City of McKinney's Subdivision Ordinance.

## **MINOR PLATS**

(Section 142-77 of the Subdivision Ordinance)

Minor Plats are typically reviewed and approved administratively by Staff. Minor Plats may be forwarded to the Planning and Zoning Commission if Staff is unable to provide a positive recommendation. Minor plats are filed for record with the County Clerk. A minor plat typically is characterized by the following:

- No more than four lots are involved in the plat
- All proposed lots front onto an existing street
- Do not require the creation of a new public street or the extension of municipal facilities

If the plat is designed in such a way that the residential lots create a backing condition onto a public thoroughfare, screening and buffering treatment is required. Screening and buffering treatments must be installed in accordance with Section 142-106 of the City of McKinney's Subdivision Ordinance.

## **MINOR REPLATS**

(Section 142-78 of the Subdivision Ordinance)

Minor replats are generally submitted for property that has been previously platted. All replats require a public hearing at the Planning and Zoning Commission. If the property that is proposed to be platted is zoned for single or two family residential uses, a 15 day property owner's notice and legal notice are required to be sent to property owners and for publication. Minor replats are filed for recordation with the County Clerk. A minor replat has the same characteristics of a minor plat with the exception that the subject property includes previously platted property.

If the plat is designed in such a way that the residential lots create a backing condition onto a public thoroughfare, screening and buffering treatment is required. Screening and buffering treatments must be installed in accordance with Section 142-106 of the City of McKinney's Subdivision Ordinance.

## **AMENDING PLATS**

(Section 142-79 of the Subdivision Ordinance)

Amending Plats are typically reviewed and approved by Staff. Amending Plats may be forwarded to the Planning and Zoning Commission if Staff is unable to provide a positive recommendation. Amending plats are filed for record with the County Clerk. An amending plat is typically submitted for the following reasons:

- To correct an error in a course of distance shown on the preceding plat.
- To add a course of distance that was omitted on the preceding plat.
- To correct an error in a real property description shown on the preceding plat.
- To indicate monuments set after the death, disability, or retirement from practice of the engineer or surveyor responsible for setting monuments.

- To show the location or character of a monument that been changed in location or character or that is shown incorrectly as to location or character on the preceding plat.
- To correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats.

## **CONVEYANCE PLATS**

(Section 142-81 of the Subdivision Ordinance)

Conveyance plats allow a property owner to subdivide land that is not intended for immediate development for the purposes of sale. Conveyance plats generally allow a property owner to record the remainder of a parent tract that is larger than five acres, and that is created by the record platting of a portion of a parent tract. A conveyance plat also generally allows for the subdivision of property into parcels that are smaller than five acres, provided that each parcel has direct access to all public infrastructure via a dedicated easement or adjacency to existing infrastructure. Building permits may not be issued for a property that has only been conveyance platted. Conveyance plats are typically approved by the Planning and Zoning Commission.

# LETTER OF INTENT GUIDELINES

## PLATS:

- Provide the acreage of subject property
- Describe, in detail, the location of the property [Example: approximately (distance) feet South of (street name), approximately (distance) feet North of (street name), approximately (distance) feet East of (street name), and approximately (distance) feet West of (street name).]
- Identify phase of development
- Specify name of subdivision at time of preliminary-final plat or preliminary-final replat approval, if applicable
- Submission of preliminary screening and buffering plans, if applicable
- Proposed number of lots and common areas including acreage
- Reason(s) for proposed common areas (i.e.: to accommodate screening & buffering treatment, develop a private recreation facility)
- Is the applicant requesting consideration of a facilities agreement for deferment of public improvements, pro-rata reimbursements, and the like?
- Special considerations (i.e. requested variances and justification for said variances)
- Specify the type of the plat
- Specify if the proposed plat is a single family or duplex residential replat or another type of replat



# PRELIMINARY-FINAL PLAT

## Section 142-74

The following information specifies the features that must be shown on a preliminary-final plat.

- All drawings must be 24" x 36" (an 11" x 17" reduction of each drawing is also required along with a digital copy of the proposed plat).
- Scale of 1 inch = 20 feet to 1 inch = 100 feet.
- A digital copy of the preliminary-final plat shall accompany these drawings.

### Existing features inside the subdivision shall be identified:

- Locations, widths, and names of all existing or platted streets, alleys, easements, railroad rights-of-way, and other important features such as creeks, abstract lines; and
- Existing easements, including sanitary sewer easements, water line easements, and storm sewer easements;
- Additional information as deemed necessary by the Director of Planning to adequately review the proposed plat.

### Existing features outside subdivision

- The existing features that are situated outside the proposed subdivision and within 200 feet of the perimeter thereof shall also be identified. Property lines and the names of adjacent subdivisions and/or the names of record of adjoining parcels of unsubdivided land shall be identified. Features situated outside the subdivision shall be appropriately distinguished from features situated within the subdivision.

### New features inside subdivision

- The boundary line, accurate in scale, of the tract to be subdivided, with accurate distances and bearings indicated.
- The layout, designations, names and widths of any and all proposed streets, alleys and easements.
- The layout, lot numbers, and approximate dimensions of proposed lots and blocks.
- All parcels of land intended to be dedicated or reserved for public use, or reserved in the deeds for the use of all property owners in the proposed subdivision, or reservations for other uses, together with the purpose or conditions and limitations of such reservations, if any.

### Location map

- Location map of the proposed subdivision indicating major roadways or platted streets within 1,000 feet of the proposed subdivision shall be included.

## Title information

- The proposed name of the subdivision with section or sequencing designation, as appropriate.
- North point, scale, date and acreage of the proposed subdivision.
- The names and addresses of the owner, developer and land planner, engineer, and/or surveyor, as appropriate.
- The tract designation, abstract and other description according to the real estate records of the City or County.
- Total number of lots, and designation and amounts of land of the proposed uses within the subdivision.

## Additional notes:

The subdivider shall place the following notation(s) on each page of a preliminary-final plat of land that is situated within the corporate limits of the city:

- "PRELIMINARY-FINAL PLAT FOR REVIEW PURPOSES ONLY"
- All proposed lots situated in whole or in part within the city's corporate limits comply with the minimum size requirements of the governing zoning district.

The subdivider shall place the following notation on each page of a preliminary-final plat containing land that is situated outside the city's corporate limits and within the extraterritorial jurisdiction of the city:

- "PRELIMINARY-FINAL PLAT FOR REVIEW PURPOSES ONLY"
- All proposed lots situated entirely outside the city's corporate limits and within the city's extraterritorial jurisdiction comply with the subdivision ordinance.
- The official monuments shall be tied at two points into the plane coordinates for the Lambert Conformal Conic Projection for Texas, North Central Zone. Reference may be made to Special Publication, No. 252, Plane Coordinate Projection Tables for Texas, published and printed by United States Department of Commerce, Coast and Geodetic Survey. State plane coordinates tied to two points on the plat boundary shall be shown on the plat.

## Schematic Plans Required

- A plan showing existing topography with contour lines of five feet, or less, with the proposed lot layout shown.
- A plan showing the proposed layout, lot numbers, and setback lines for single-family residential subdivisions.

- A plan of the proposed water and sanitary sewer lines and related facilities. ***Full CIVIL PLANS may also be submitted in lieu of preliminary utility plans to the Project Expeditor (hard copies with the associated .pdf) for concurrent review with the plat submittal package.***
- A plan showing the proposed drainage facilities including drainage areas, storm water detention areas, preliminary estimated runoff, points of concentration, and the location of proposed lines, inlets, culverts, and bridges. ***Full CIVIL PLANS may also be submitted in lieu of preliminary drainage plans to the Project Expeditor (hard copies with the associated .pdf) for concurrent review with the plat submittal package.***
- An exhibit showing the entire proposed subdivision layout on a single page is required if a multiple page preliminary-final plat is submitted.

## **PRELIMINARY-FINAL REPLAT**

### Section 142-75

Documentation submitted for approval of preliminary-final replats shall meet the preliminary-final plat requirements of section 142-74, except as follows:

- A purpose statement shall be provided on the proposed preliminary-final replat. This statement shall provide a brief synopsis of the reason for the proposed plat.

The subdivider shall place the following notation on each page of a preliminary-final replat containing land that is situated within the corporate limits of the city:

- "PRELIMINARY-FINAL REPLAT FOR REVIEW PURPOSES ONLY"
- All proposed lots situated in whole or in part within the city's corporate limits comply with the minimum size requirements of the governing zoning district.

The subdivider shall place the following notation on each page of a preliminary-final replat containing land that is situated outside the city's corporate limits and within the extraterritorial jurisdiction of the city:

- "PRELIMINARY-FINAL REPLAT FOR REVIEW PURPOSES ONLY"
- All proposed lots situated entirely outside the city's corporate limits and within the city's extraterritorial jurisdiction comply with the subdivision ordinance.

## **RECORD PLAT**

### Section 142-76

The record plat may constitute all or only a portion of the approved preliminary-final plat or preliminary-final replat. If record plats are submitted for approval by sections of the proposed subdivision, each section shall carry the name of the entire subdivision but shall bear a distinguishing letter, number, or subtitle. Block letters shall run consecutively throughout the entire subdivision, even though such subdivisions may be approved in sections/phases.

The following information details the features that need to be shown on a record plat:

- Drawings should be 24" x 36".
- Scale of 1 inch = 100 feet

**Features to be shown**

- The boundary lines with accurate distances and bearings, a metes and bounds description of the boundary with an error of closure not to exceed one in 5,000, exact acreage, and the exact location and width of all existing or platted streets intersecting the boundary of the tract. One copy of the traverse closure sheet shall accompany the record plat.
- Bearings and distances to the nearest established street lines, official monuments, or subdivision corner, which shall be found and accurately described on the record plat. Abstract lines and municipal and school district boundaries shall be shown.
- An accurate location of the subdivision in reference to the deed records of the county which shall include the volume and page of the deed of the property to be subdivided.
- Immediately adjacent properties, including lot and street layouts, and the county filing information.
- The layout, width, and names of all streets and/or alleys with the bearings and distances between points of curvature.
- The length of all arcs, radii, internal angles, points of curvature, length and bearing of the tangents. This data shall be provided on a table keyed to the curves on the record plat.
- The location, width, and description of all easements for right-of-way provided for public services, utilities or fire lanes and any limitations on use of the easements.
- All lot lines with accurate dimensions in feet and hundredths and with bearings and angles to street and alley lines to the nearest second.
- For all lots located wholly or partially within or immediately adjacent to a floodplain area, as designated on maps provided by the Federal Insurance Administration, a designation of the minimum finish floor elevation allowed, which shall be at least two feet above the 100-year flood elevation at that point.
- A continuous and sequential lettering and/or numbering of blocks and lots within the subdivision.
- An accurate outline description and area to the nearest hundredth of an acre of all parcels of land that are offered for dedication or reserved for public use, or reserved in the deeds for the use of all property owners in the proposed subdivision or reserved for other uses, together with the purpose and conditions or limitations of such reservations and/or dedications, if any.

- The accurate location, material and approximate size of all monuments and benchmarks.
- The official monuments shall be tied at two points into the plane coordinates for the Lambert Conformal Conic Projection for Texas, North Central Zone. Reference may be made to Special Publication, No. 252, Plane Coordinate Projection Tables for Texas, published and printed by United States Department of Commerce, Coast and Geodetic Survey. State plane coordinates tied to two points on the plat boundary shall be shown on the plat.
- A location map of the proposed subdivision indicating major roadways or platted streets within 1,000 feet of the proposed subdivision shall be included.
- Additional information as deemed necessary by the Director of Planning to adequately review the proposed plat.

**Title information**

- The proposed name of the subdivision with section or sequencing designation, as appropriate.
- North point, scale and date.
- The names and addresses of the owner, developer and land planner, engineer, and/or surveyor responsible for actual design of the subdivision.

**Certificates required**

- Certification by a registered public surveyor, registered in the State of Texas, to the effect that the plat represents a survey made by them or under their direct supervision and that all the monuments shown thereon actually exist, and that their location, size and material are correctly shown.
- A certificate of ownership and dedication, of a form approved by the plan administrator, of all streets, alleys, parks, open spaces and public ways to public use forever, signed and acknowledged before a notary public by the owner and any and all lienholders of the land, and a complete and accurate description of the land subdivided and dedications made.
- An original certificate, signed by the city tax assessor-collector, stating that all taxes and assessments then due and payable on the land contained within the subdivision have been paid. **(Tax Certificates are not due upon submittal, and are only required prior to filing the plat for record).**
- The following certificate shall be placed on the record plat in a manner that will allow the filling in of the certificate by the proper party:

“Approved and Accepted”

---

Presiding Officer’s Title (see below)

---

Date

The presiding officer shall be determined as indicated below:

- For plats requiring administrative staff approval, the city manager shall be the presiding officer.
- For plats requiring planning and zoning commission approval, the chairman shall be the presiding officer. However, if the vice-chair presides over a meeting where a plat is approved, the vice-chair shall be authorized to serve as the presiding officer.
- For plats requiring city council approval, the mayor, or mayor pro-tem in the mayor's absence, shall be the presiding officer.
- The subdivider shall place the following notation on each page of a record plat containing land that is situated outside the city's corporate limits and within the extraterritorial jurisdiction comply with the subdivision ordinance.

### **Screening and Buffering**

If screening and buffering improvements are required as specified in Section 142-106 of the Subdivision Ordinance, screening and buffering plans shall be submitted at the time of record plat submittal.

### **Construction Plans**

Construction plans and profile sheets for all public improvements shall be submitted with the record plat. The approval of the record plat shall be contingent upon approval of construction plans and specifications by the City Engineer. Construction plans and profiles shall be drawn on sheets measuring 24 inches by 36 inches, and shall be the same size as the record plat. Each sheet shall include north point, scales, date and benchmark description to sea level datum. Each sheet shall show the seal and signature of the professional engineer who prepared the plans and shall include the following:

- A plan and profile of each street with top of curb grades shown. Scales shall be in one inch equals 40 feet horizontally, and one inch equals 5 or 6 feet vertically or such other scale approved by the City Engineer.
- The cross section of proposed streets, alleys and sidewalks showing the width and type of pavement, base and subgrade and location within the right-of-way, and in accordance with the City Street Design Manual.
- A plan and profile of proposed sanitary sewers with grades and pipe size indicated and showing locations of manholes, cleanouts and other appurtenances, with a section showing embedment.
- A plan of the proposed water distribution system showing pipe sizes and location of valves, fire hydrants, fittings and other appurtenances, with a section showing embedment.

- A plan to scale of all areas contributing stormwater runoff or drainage within and surrounding the proposed subdivision. Such plan shall indicate size of areas, storm frequency and duration data, amounts of runoff, points of concentration, time of concentration and other data necessary to adequately design drainage facilities for the area.
- A plan and profile of proposed storm sewers, showing hydraulic data, pipe grades and sizes, manholes, inlets, pipe connections, culverts, outlet structures, bridges and other structures.

## **MINOR PLAT**

Section 142-77

The information listed for a record plat details the features that need to be shown on a minor plat with the following addition:

### **Schematic Plans:**

- A plan showing existing topography with contour lines of five feet, or less, with the proposed lot layout shown.
- A plan showing the proposed layout, lot numbers, and setback lines for single family and duplex residential subdivisions.
- An exhibit showing the entire proposed subdivision layout on a single page will be required if a multiple page minor plat is submitted.

## **MINOR REPLAT**

Section 142-78

The information listed for a minor plat details the features that need to be shown on a minor replat with the following additions:

### **Additional Information**

- A purpose statement shall be provided on the proposed minor replat. This statement shall provide a brief synopsis of the reason for the proposed plat.

## **AMENDING PLAT**

Section 142-79

The information listed for a record plat details the features that need to be shown on an amending plat with the following additions:

### **Additional Information**

- A purpose statement shall be provided on the proposed amending plat. This statement shall provide a brief synopsis of the reason for the proposed plat.



# CONVEYANCE PLAT

Section 146-81

The information listed for a record plat details the features that need to be shown on an amending plat with the following additions:

## Additional Information

The following standard notation shall be added to each page of the proposed conveyance plat:

- CONVEYANCE PLAT ONLY: NOT FOR DEVELOPMENT
  
- A conveyance plat is a map of property approved by the City for the purpose of sale or conveyance in its entirety or interests thereon defined. No building permit shall be issued nor permanent public utility service provided until a record plat is filed for record. Selling a portion of property by metes and bounds, except as shown on an approved, filed and accepted conveyance plat, record plat, minor plat or minor replat is a violation of the City Ordinances and State Law.

## Plat Filing Procedure

The following items must occur following approval so the plat can be filed with the County.

---

### 1) Staff review

- Please submit a .pdf file of the plat to Karen McCutcheon at [kmccutcheon@mckinneytexas.org](mailto:kmccutcheon@mckinneytexas.org) for final review and approval prior to printing original paper copy. This may avoid the need to correct or reprint plats that need revisions. The conditions of approval noted above must be met before the filing of the plat.
- Once all conditions of the approval have been met on the plat, the applicant submits three (3) original paper copies of each sheet to be filed, with legible seals and signatures. All notaries should write their expiration date with their signature and seal.

### 2) Tax certificates

- The applicant must provide certified, original tax certificates for the property being platted showing that no taxes are due.
- For property inside the city limits, tax certificates are needed for the City, County, and the appropriate school district.
- The certificate for the City, McKinney ISD, and County taxes can be obtained by contacting Kenneth L. Maun, Tax Assessor Collector for Collin County, at 2300 Bloomdale Rd. Suite 2104, McKinney 75071 or by phone at 972-547-5020 or metro 424-1460 ext. 5020.

### 3) City's Approval Certificate

- Once the original paper copies are acceptable for filing, they will be presented to the applicable city official for his signature.

### 4) Filing the plat

- After the Planning Department has the original paper copy and the tax certificates, the Planning Department will file the plat with the Collin County Clerk.
- After the plat is filed, the applicant, or their agent, will be notified to pick up their copy of the filed plat.

Contact the Planning Department at 972-547-2000 for more information.

**PLANNING SUBMITTAL APPLICATION  
for the  
City of McKinney, Texas**

**APPLICANT**

NAME \_\_\_\_\_  
 COMPANY \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 PHONE(\_\_\_\_\_) \_\_\_\_\_  
 FAX(\_\_\_\_\_) \_\_\_\_\_  
 E-MAIL ADDRESS \_\_\_\_\_

**OWNER (If Different From Applicant)**

NAME \_\_\_\_\_  
 COMPANY \_\_\_\_\_  
 ADDRESS \_\_\_\_\_  
 CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_  
 PHONE(\_\_\_\_\_) \_\_\_\_\_  
 FAX(\_\_\_\_\_) \_\_\_\_\_  
 E-MAIL ADDRESS \_\_\_\_\_

**ACTION REQUESTED\* (CHECK ONE)**

**\*Please complete a new application for each action you request.**

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Site Plan Review            | <input type="checkbox"/> Preliminary-Final Plat (Including Replat**) | <input type="checkbox"/> Conveyance Plat          |
| <input type="checkbox"/> Street or Alley Abandonment | <input type="checkbox"/> Record Plat                                 | <input type="checkbox"/> General Development Plan |
| <input type="checkbox"/> Annexation                  | <input type="checkbox"/> Minor Plat (Including Replat**)             | <input type="checkbox"/> Concept Plan             |
| <input type="checkbox"/> Zoning Change               | <input type="checkbox"/> Amending Plat                               | <input type="checkbox"/> Other                    |
| <input type="checkbox"/> Specific Use Permit         |  |   |

\*\*If the action requested above is a replat, is it a RESIDENTIAL REPLAT? \_\_\_Y \_\_\_N

**PROPERTY INFORMATION**

STREET ADDRESS OR LOCATION OF PROPERTY [use directional (N,S,E or W) information when possible] \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Are there deed restrictions pertaining to intended use of property? If yes, attach a copy of any covenants or restrictions governing this property. YES [ ] NO [ ]

**COLLIN CAD ACCOUNT NUMBER(S):**

**\* Please attach an additional sheet if you have more than 5 account numbers to list in either row.**

**Property(s) Long #**

**Property(s) Short #**

R- _____	and/or	_____
R- _____		_____
R- _____		_____
R- _____		_____
R- _____		_____

**LEGAL DESCRIPTION**

Survey \_\_\_\_\_ Abstract \_\_\_\_\_ Addition Name\* \_\_\_\_\_

Lot \_\_\_\_\_ Block \_\_\_\_\_ Total Number of Acres \_\_\_\_\_

**\*ATTACH METES AND BOUNDS DESCRIPTION FOR UNPLATTED PROPERTY AND ALL ZONING CASES.**

I CERTIFY THAT I AM THE LEGAL OWNER OF THE ABOVE REFERENCED PROPERTY AND THAT TO THE BEST OF MY KNOWLEDGE THIS IS A TRUE DESCRIPTION OF THE PROPERTY UPON WHICH I HAVE REQUESTED THE ABOVE CHECKED ACTION. I UNDERSTAND THAT I AM FULLY RESPONSIBLE FOR THE CORRECTNESS OF THE LEGAL DESCRIPTION GIVEN.

APPLICANT'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_



**CITY OF MCKINNEY  
ENGINEERING DEPARTMENT  
CIVIL ENGINEERING PLAN REVIEW  
DEVELOPMENT CHECKLIST**

**Instructions:**

1. Use the attached list to verify the completeness of the engineering plans being submitted
2. Check the box next to each item that has been provided on the plans
3. If an item or section is not applicable to the given project, write "N/A"
4. Add notes next to any items where clarification to City staff is needed
5. Attach the completed checklist with the engineering plans at time of **first** submittal only
6. Verify the items under Section A: First Plan Submittal Requirements are met. The Engineering Department reserves the right to reject any set of plans that does not meet these minimum submittal requirements
7. Sign and complete contact information below

Please note the following information is intended to assist the design engineer in preparation of civil drawings for review by City Staff. The following checklist is not intended to be a definitive list of all information or a list of *design* requirements. Refer to City design manuals for complete design information.

***"I, the undersigned, Engineer of Record for this project, hereby certify that I have reviewed the Civil Engineering Plan Submittal Process packet, and that the information provided herein is correct and complete to the best of my knowledge."***

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Project Name  
Address or Loc: \_\_\_\_\_ Email: \_\_\_\_\_

#### A. First Plan Submittal Requirements

- Submit one plan set for Engineering and one plan set for Fire (2 total)
  - Each set is neatly bound, no loose sheets will be accepted
  - All submitted plan sheets shall be either 22"x34" or 24"x36" in size
  - This signed and completed plan review checklist attached with plans
  - In addition to site specific civil sheets, the following sheets are required in all plan sets:
    - Cover Sheet (per exhibit A)
    - Plat (recorded or proposed version)
    - Current Site Plan (commercial projects only, must have been submitted to Planning Dept.)
    - City General Notes (see website for current notes)
    - Tree Survey & Preservation Plans (otherwise submit an affidavit of no trees)
- ◆ Plans not meeting above requirements may be returned without a review and marked "Incomplete"

#### B. Requirements for all Civil Plan Sheets

- Title block with engineering firm information, registration number, engineer's seal, sheet title, and page numbers clearly shown
- All plans shall be tied to the City of McKinney's GPS monument system. A minimum of two benchmarks are required on all pertinent sheets with at least one being a City GPS monument
- North Arrow and scale clearly shown on each plan sheet
- Legend (relevant to each sheet) showing all special symbols, linetypes and hatch used
- Street names labeled on all existing, proposed, and future streets
- Lot & Block numbers and/or ownership info shown for all lots
- Caution notes shown when working next to any existing utilities (public and franchise)

#### C. Recommended Order of sheets

1. Cover Sheet
2. Plat
3. City General Notes (*printed from website*)
4. Approved Site Plan (*commercial projects*)
5. Dimensional Control Plan (*commercial projects*)
6. Tree Survey and Preservation Plan
7. Erosion Control Plan
8. Grading Plan
9. Drainage Area Map and Drainage Plans
10. Water and Sewer Plans
11. Paving Plans
12. Sidewalk Layout Plan
13. Street Light Plan
14. Construction Details
15. Screening & Buffering Plans (*Residential projects*)

#### D. Dimensional Control Plan (*Non-residential projects*)

- Dimensions for all buildings, pavement and hardscape areas (i.e. parking areas, driveways, fire lanes, turn lanes, sidewalks, radii, throat depths, etc.) measured to the nearest 0.0'
- Control points to structures (i.e. inlets, etc.) based on dimension from property corner or known feature (not from an arbitrary point parallel to property line)
- Verification of public right-of-way widths. Dimension each property corner adjacent to public right-of-way to a perpendicular point on opposite side right-of-way line (do not label "variable width" only)
- Dimension along right-of-way to nearest cross-street and/or driveway measured from throat to throat.

#### E. Tree Survey and Preservation Plan

- Property lines, right-of-way and easements shown and dimensioned
- All buildings, structures, and utilities (existing and proposed) shown
- FEMA floodplain, NRCS lake tree preservation zone, and Erosion Hazard Setback shown
- Delineate areas of disturbance and/or non-disturbance
- Show existing and proposed grading contours around trees (or show trees on grading plan)
- List in table format, the species and size of all trees at least 6" in caliper measured at 4.5' trunk height from ground

- Show surveyed location of trees and note existing trees to remain, trees to be removed and/or replacement tree types
- Show tree preservation fencing, and include standard fencing detail placed at drip line

**F. Erosion Control Plan**

- Existing and/or proposed contours clearly shown/labeled
- Existing and proposed storm lines and inlets shown
- List the total disturbed acreage, and delineate limits of construction
- Sedimentation basin provided for disturbed basins 10 acres or greater
- Erosion Hazard Setback, FEMA 100-yr floodplain, and Fully Developed 100-yr floodplain delineated
- Appropriate BMP's used and identified
- Phasing of BMP's with construction activities listed/described
- BMP details provided, should be per current NCTCOG/iSWM standards dated April 2010
- Stockpile area and batch plant areas shown and labeled
- Areas to be sodded or seeded shown and specified with permanent perennial vegetation
- Areas of permanent erosion control (other than vegetation) clearly shown

**G. Grading Plan**

- Both onsite and offsite existing/proposed contours shown clearly labeled
- Date and name of firm who prepared geotechnical report with corresponding note stating: "Work shall be done in accordance with the Geotechnical Report by \_\_\_\_\_, dated \_\_\_\_\_."
- Drainage clarified by flow arrows, high points, sags, ridges, and valley gutters
- Show driveway locations for all lots adjacent to storm inlets
- Show drop grade beams and elevations as needed
- Positive overflow provided at all low points, easements dedicated as needed
- Finished pad and/or floor elevations shown
- Minimum finished floor elevations shown adjacent to floodplains, ponds, creeks/channels, etc.
- Clearly show all walls and label top/bottom elevations of wall at key locations
- Erosion Hazard Setback, FEMA 100-yr floodplain, and Fully Developed 100-yr floodplain delineated
- Erosion Hazard Setback determination sections provided (in plans or under separate cover)
- Cross-sections and flow data for all swales and open channels provided
- Spot shots shown to ensure proper drainage and adequate ADA/TAS routing where applicable

**H. Drainage Area Map**

- Existing contours clearly shown for *entire* drainage basin, both onsite and offsite. Aerial topography or similar is acceptable for offsite areas.
- Drainage areas and sub areas delineated and labeled
- Flow arrows for surface drainage shown
- Existing and proposed storm lines shown
- Inlet designation labels shown
- Detention pond shown and labeled
- Drainage easements shown and labeled
- Zoning indicated for all offsite areas and/or land use assumptions specified
- Rational Method Peak Runoff Rate Computation Table shown ( $Q=KCIA$ )
- Time of concentration and weighted runoff coefficient calculations shown as needed
- List the *total* site impervious area ( $ft^2$  of all paving, roof areas, etc.) – *Commercial Projects*
- Erosion Hazard Setback, FEMA 100-yr floodplain, and Fully Developed 100-yr floodplain delineated

**I. Hydraulic Calculations**

- Street Flow Computation Table provided for all public streets
- Inlet Interception Computation Table provided for all public inlets
- Pipe Hydraulics Computation Table provided for all public lines

**J. Detention Pond Design & Calculations**

- Detention pond design calculations shown, method used specified
- Provide detention pond volume sizing calculations and/or computation table
- Provide stage-discharge table and/or curve information

- Provide weir and/or orifice sizing calculations for outfall structure
- Existing and proposed contours shown and labeled.
- Cross-section of pond including side slopes, normal pool elevation (if applicable), show 100-yr WSE, 10-yr WSE, and 1-yr, 24 hour WSE as required per the stormwater ordinance
- Detail of pond outfall structure showing all elevations as necessary
- Trash rack (and detail) provided for smaller orifice openings
- Overflow spillway location and design information provided
- Erosion Hazard Setback Easement and 100-yr floodplain(s) shown as applicable
- Show and label all existing/proposed utilities and easements
- Access/maintenance ramp provided (max slope 6:1)

## **K. Storm Drain Plan**

### Plan View

- Show and label all existing and proposed utilities
- Dimension location/spacing of utilities
- Label inlet type, size, paving station, and top of curb elevation at a minimum
- Label type and size of existing/proposed structures (i.e. headwalls, manholes/junction boxes)
- Label type, size and dimensions of all permanent outfall erosion protection.
- Show centerline stationing for pipe with PC & PT stations and curve data
- Label centerline stations for lateral connections, manhole & junction box locations, pipe size changes, headwalls, and future stub out connections
- 100-yr gutter flows and bypass shown at each inlet along public streets and firelanes
- Erosion Hazard Setback, FEMA 100-yr floodplain, and Fully Developed 100-yr floodplain shown
- Provide applicable construction details for all drainage structures

### Profile View

- Existing and proposed ground line at centerline of pipe shown and labeled correctly
- Show all hydraulic data including pipe flow, pipe capacity, hydraulic slope, velocity, velocity head, and partial flow data if under partial flow conditions (velocity and flow depth)
- Label station and flowline elevation information for all structures, crossings, laterals, etc.
- Label flowlines at every 50 foot station
- Indicate length, type/class, slope and size of all storm pipes
- Show and label 100-yr and/or 10-yr HGL, label HGL elevations at all junctions
- All utility crossings and parallel sewer lines shown in profile
- 100-yr WSE shown at outfall for ponds, creeks and channels

## **L. Water Plan**

### Plan View

- Show and label all existing and proposed utilities
- Label size, type and pressure class for all proposed water mains
- Show location for all water services and meters
- Show and label all easements
- Dimension location of all mains, services, meters, and spacing from other utilities
- Curve data and stationing provided as necessary
- Show and label all fire hydrants, valves, fittings, FDC locations, and back-flow prevention

### Profile View

- Profile all water mains 12" and large, or where a potential conflict may arise
- Existing and proposed ground line at centerline of pipe shown and labeled correctly
- Label station and flowline elevations at 100' intervals, and for all fittings, laterals, and crossings
- Indicate length, type/class, slope and size of all lines
- All utility crossings and parallel sewer/storm lines shown in profile
- Indicate length, type and size of encasement as needed

## **M. Sanitary Sewer Plan**

### Plan View

- Show and label all existing and proposed utilities
- Dimension location of all mains from other utilities
- Label line name, size, and type of all proposed sanitary sewer lines
- Stubouts labeled with size, slope, length, and flowline elevations (if not profiled)



- Show and label all easements
- Show centerline stationing for sanitary sewer
- Show and label all manholes with rim elevations, as well as cleanouts
- Indicate type and size of encasement where needed
- Show flow direction arrows for sewer main
- Topographic contours shown to delineate sewer basins

Profile View

- Profile shown for all mains 8" and larger, or where a potential conflict may arise
- Existing and proposed ground line at centerline of pipe shown and labeled
- Label station and flowline elevation information for all manholes, cleanouts, crossings, laterals
- Label flowlines at every 50 foot station
- Manhole inflow and outflow elevations to be designed with a minimum of 0.1' drop
- Indicate the type and diameter for all manholes
- Indicate length, type/class, slope and size of all sanitary sewer pipe between manholes
- All utility crossings and parallel storm lines shown in profile
- Indicate length, type and size of encasement as needed

**N. Paving Plan**

Plan View

- For all new streets, a site specific geotechnical evaluation and pavement design submitted with plans
- Typical Pavement Section details shown (firelane, parking areas, streets, subgrade, etc.)
- For streets, centerline stationing at every 100', PC's, PT's, and curve data labeled
- Intersection, driveway and island curb radii labeled
- All sidewalks and barrier free ramps shown, labeled and dimensioned
- Existing, proposed, future streets and drives shown and labeled
- Right-of-way corner clips and sight visibility easements provided
- Storm inlets identified with paving stations and top of curb elevations at center of inlet.
- Drainage clarified by flow arrows at crests, sags, ridges, intersections, and valley gutters
- Show driveway locations for all lots adjacent to storm inlets

Profile View

- Existing ground line for left, right, and center of right-of-way shown
- Proposed top of curb line shown for all public streets, proposed invert line shown for all alleys
- Show right and left top of curbs at intersections where split grade occurs
- Top of curb/pavement elevations labeled at every 50 foot stations
- Vertical Curve stationing and elevations including PVC, PVI, PVT, crest/sag location, curve length, algebraic grade difference, and "K" values shown at a minimum
- Street grades shown to the nearest 0.01'. Max and min grades per street design manual
- Show "compacted fill" callout/note for all areas of fill

**O. Sidewalk Layout Plan (*Residential Subdivisions*)**

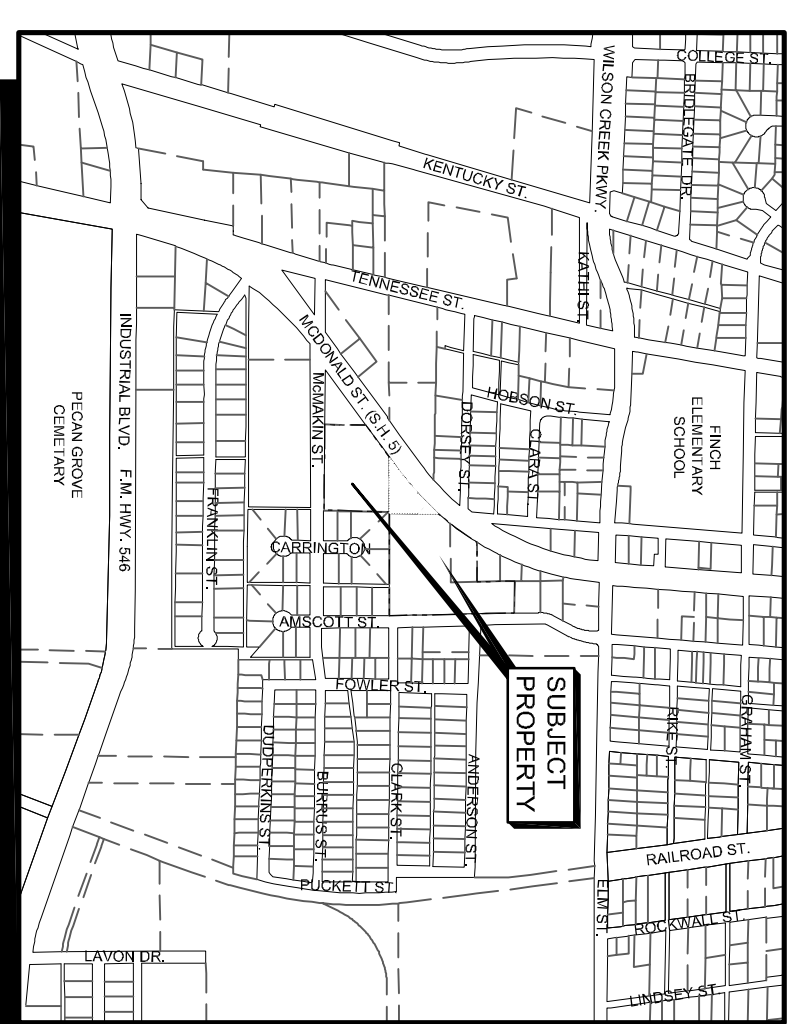
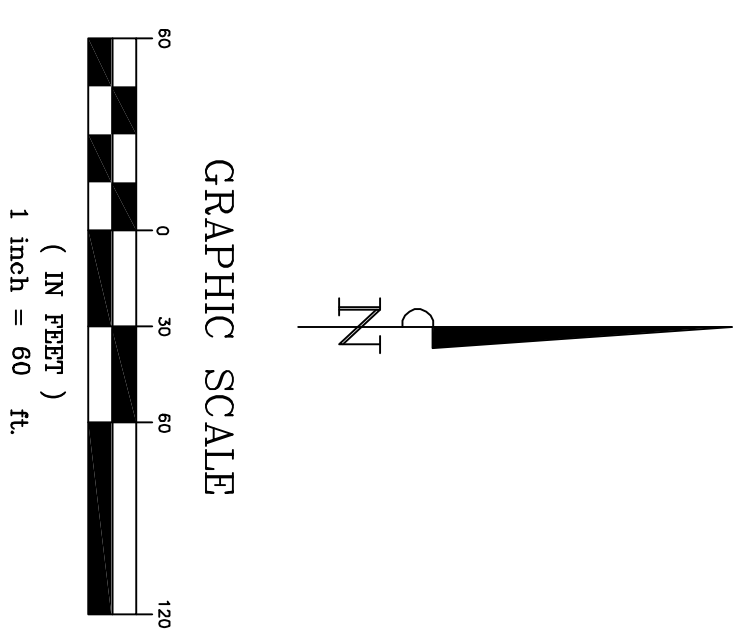
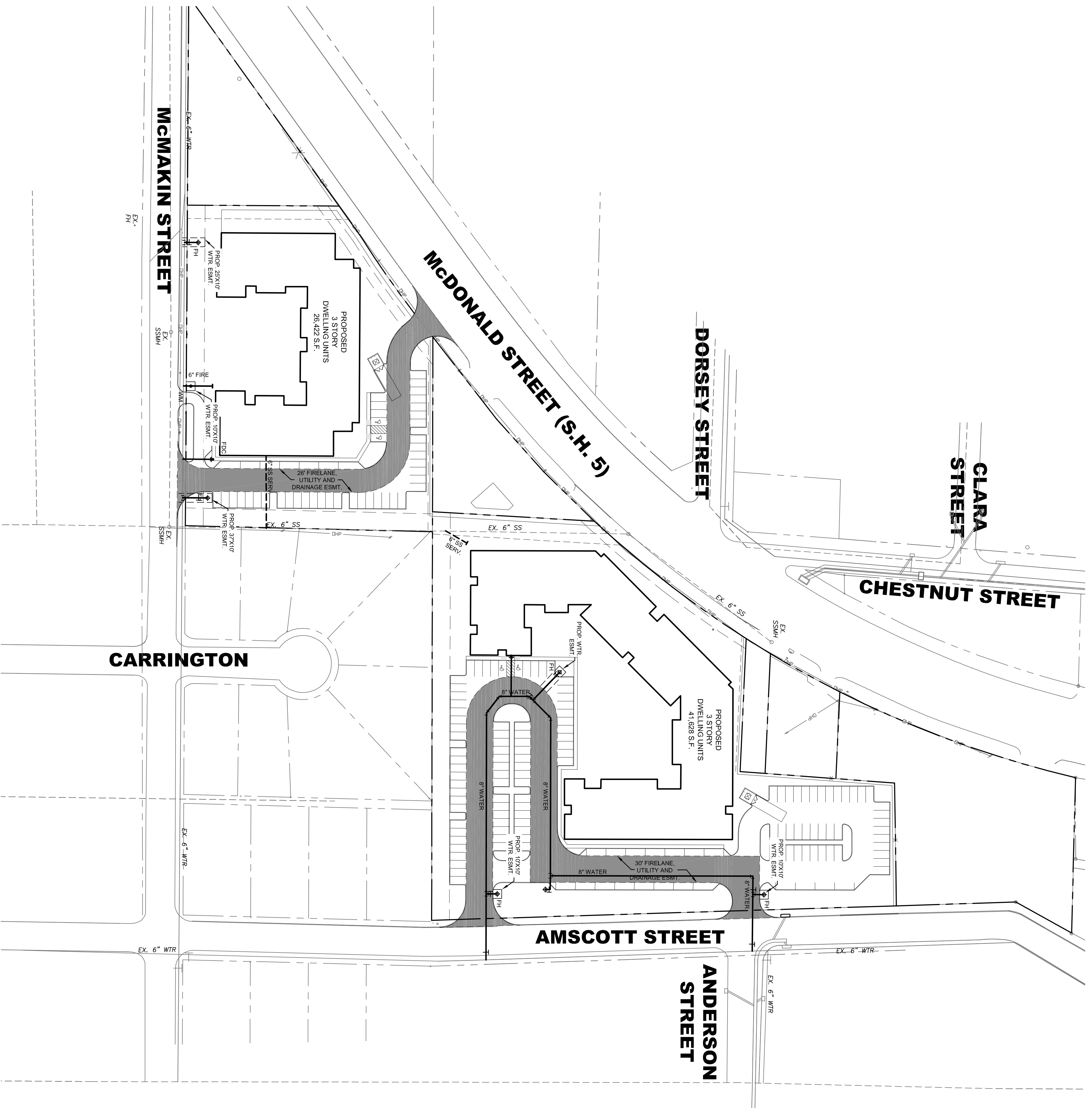
- Provide a single scalable sheet showing all sidewalks to be installed with the development
- Distinguish between developer installed sidewalks and homebuilder installed sidewalks.
- Show actual layout locations and sizes of all proposed sidewalks and barrier free ramps
- Specify the Type (based on TxDOT PED-05) of Barrier Free Ramps used at all locations
- Confirm sidewalk layout and grades meet ADA, and TDLR standards

**P. Street Light and Signage Plan (*Arterial Streets and Residential Subdivisions*)**

- Show all street light locations, consideration should be given to electrical layout from utility co.
- Show all stop signs and traffic related signage locations
- Street lights located on opposite side of street from Stop Sign
- Verification of fire hydrant placement relative to street lights and stop signs (3' clear area)
- If symbols used in plan, appropriate legend included for clarification

**Q. Screening & Buffering Plans (*Residential Subdivisions*)**

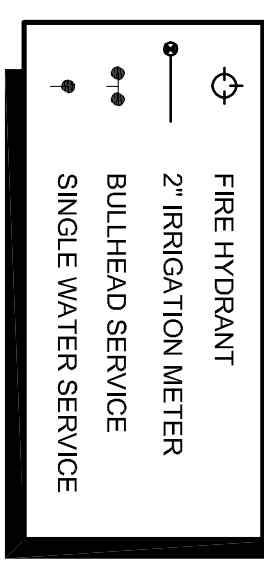
- Included with all residential subdivision projects



**NOTES**

1. ALL DOMESTIC WATER SERVICES METERS ARE TO BE 1/2\"/>
- 2. ALL FIRE SERVICES ARE TO BE 6\"/>
- 3. ALL SANITARY SEWER SERVICES ARE TO BE 8\"/>
- 4. ALL IRRIGATION METERS ARE TO BE 2\"/>
- 5. ALL SANITARY SEWER SERVICES ARE TO BE 8\"/>
- 6. ALL FIRE HYDRANTS ARE TO BE LOCATED WITHIN A 10' X 10' WATER EASEMENT.
- 7. ALL FIRE HYDRANTS ARE TO BE LOCATED WITHIN A 10' X 10' WATER EASEMENT.
- 8. ALL WATER AND SANITARY LINES OUTSIDE THE FREELANE ACCESS AND UTILITY EASEMENT SHALL BE LOCATED WITHIN A 10' X 10' WATER OR SANITARY SEWER EASEMENT.

**LEGEND**



**PRELIMINARY ENGINEERING FOR NEWSOME HOMES**

BEING .483 ACRES OUT OF THE WILLIAM DAVIS SURVEY, ABSTRACT NO. 248, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS PREPARED JULY 22, 2013

**OWNER:**  
MCKINNEY HOUSING AUTHORITY  
200 W. WINDYBROOK STREET  
MCKINNEY, TX 75069  
(972) 542-5641  
ATTN: ROSLYN MILLER

**ENGINEER:**  
SANCHEZ AND ASSOCIATES, L.L.C.  
MCKINNEY, TEXAS 75069  
(469) 424-5900  
ATTN: LEVI WILD, PE

**APPLICANT:**  
SANCHEZ AND ASSOCIATES, L.L.C.  
MCKINNEY, TEXAS 75069  
(469) 424-5900  
ATTN: LEVI WILD, PE

THIS DRAWING IS TO BE USED FOR EXHIBIT PURPOSES ONLY



Master Planning  
Civil Engineering  
Land Development  
402 N. Tennessee Street  
McKinney, TX 75069  
Tel 469 424 5900  
Certificate of Registration No. F-8865

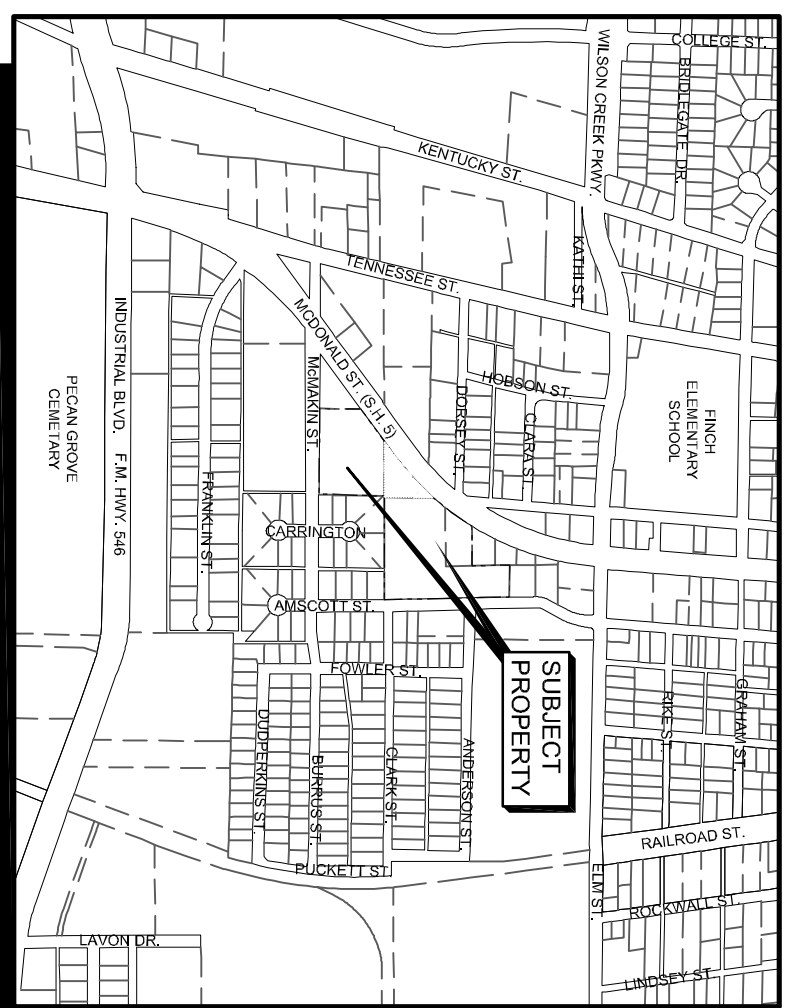
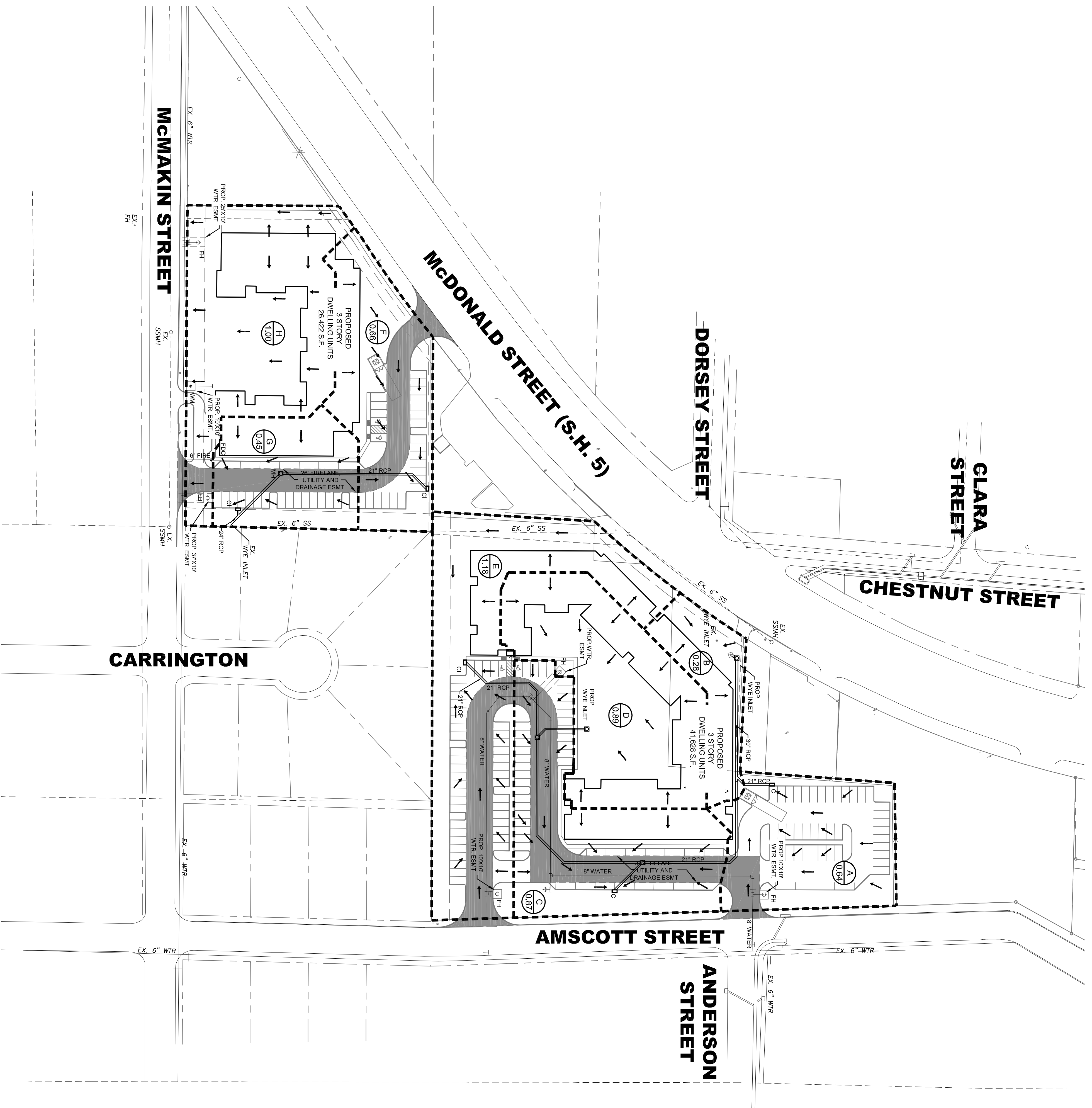
**PRELIMINARY WATER & SANITARY SEWER LAYOUT**

**NEWSOME HOMES**

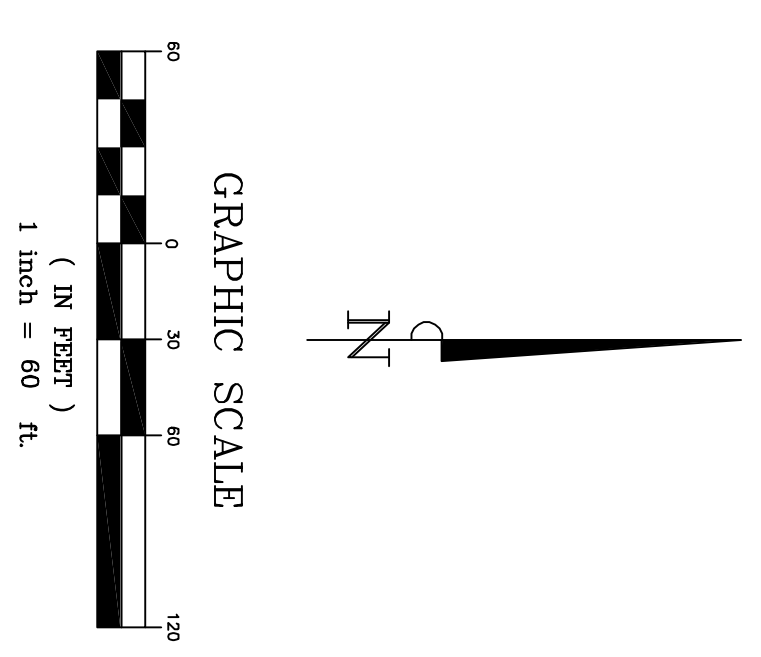
<b>Scale:</b> SEE GRAPHIC SCALE
<b>Designed by:</b> LAW
<b>Drawn by:</b> DDR
<b>Checked by:</b> LAW
<b>Date:</b> FEBRUARY 2014
<b>Project No.:</b> 02105-001

**EXHIBIT**





LOCATION MAP  
SCALE: 1/8\"/>



- NOTES**
1. ALL DOMESTIC WATER SERVICES METERS ARE TO BE 1/2\"/>
  - 2. ALL FINE SERVICES ARE TO BE 8\"/>
  - 3. ALL SANITARY SEWER SERVICES ARE TO BE 8\"/>
  - 4. ALL IRRIGATION METERS ARE TO BE 2\"/>
  - 5. ALL SANITARY SEWER SERVICES ARE TO BE LOCATED WITHIN A 10' X 10' WATER EASEMENT.
  - 6. ALL FIRE HYDRANTS ARE TO BE LOCATED WITHIN A 10' X 10' WATER EASEMENT.
  - 7. WITHIN A 10' X 10' WATER EASEMENT, LOCATED WITHIN A 10' X 10' WATER EASEMENT.
  - 8. ALL WATER AND SANITARY LINES OUTSIDE THE PRELIMINARY UTILITY AND DRAINAGE EASEMENT ARE TO BE LOCATED WITHIN A 10' X 10' WATER OR SANITARY SEWER EASEMENT.

Drainage Area Number	Area	k	c	Tc	I <sub>100</sub>	Q <sub>100</sub>
A	0.64	1.15	0.85	10	9.2	5.78
B	0.28	1.15	0.85	10	9.2	2.82
C	0.87	1.15	0.85	10	9.2	7.82
D	0.89	1.15	0.85	10	9.2	8.00
E	1.18	1.15	0.85	10	9.2	10.61
F	0.66	1.15	0.85	10	9.2	5.94
G	0.45	1.15	0.85	10	9.2	4.05
H	0.54	1.15	0.85	10	9.2	4.86

**PRELIMINARY ENGINEERING FOR NEWSOME HOMES**

BEING 48.3 ACRES OUT OF THE WILLIAM DAVIS SURVEY, ABSTRACT NO. 248, CITY OF MCKINNEY, COLLIN COUNTY, TEXAS PREPARED JULY 22, 2013

**OWNER:**  
MCKINNEY HOUSING AUTHORITY  
200 W. WILSON STREET  
MCKINNEY, TEXAS 75069  
(972) 542-5641  
ATTN: ROSLYN MILLER

**ENGINEER:**  
SANCHEZ AND ASSOCIATES, L.L.C.  
MCKINNEY, TEXAS 75069  
(469) 424-5900  
ATTN: LEVI WILD, PE

**APPLICANT:**  
SANCHEZ AND ASSOCIATES, L.L.C.  
MCKINNEY, TEXAS 75069  
(469) 424-5900  
ATTN: LEVI WILD, PE

THIS DRAWING IS TO BE USED FOR EXHIBIT PURPOSES ONLY

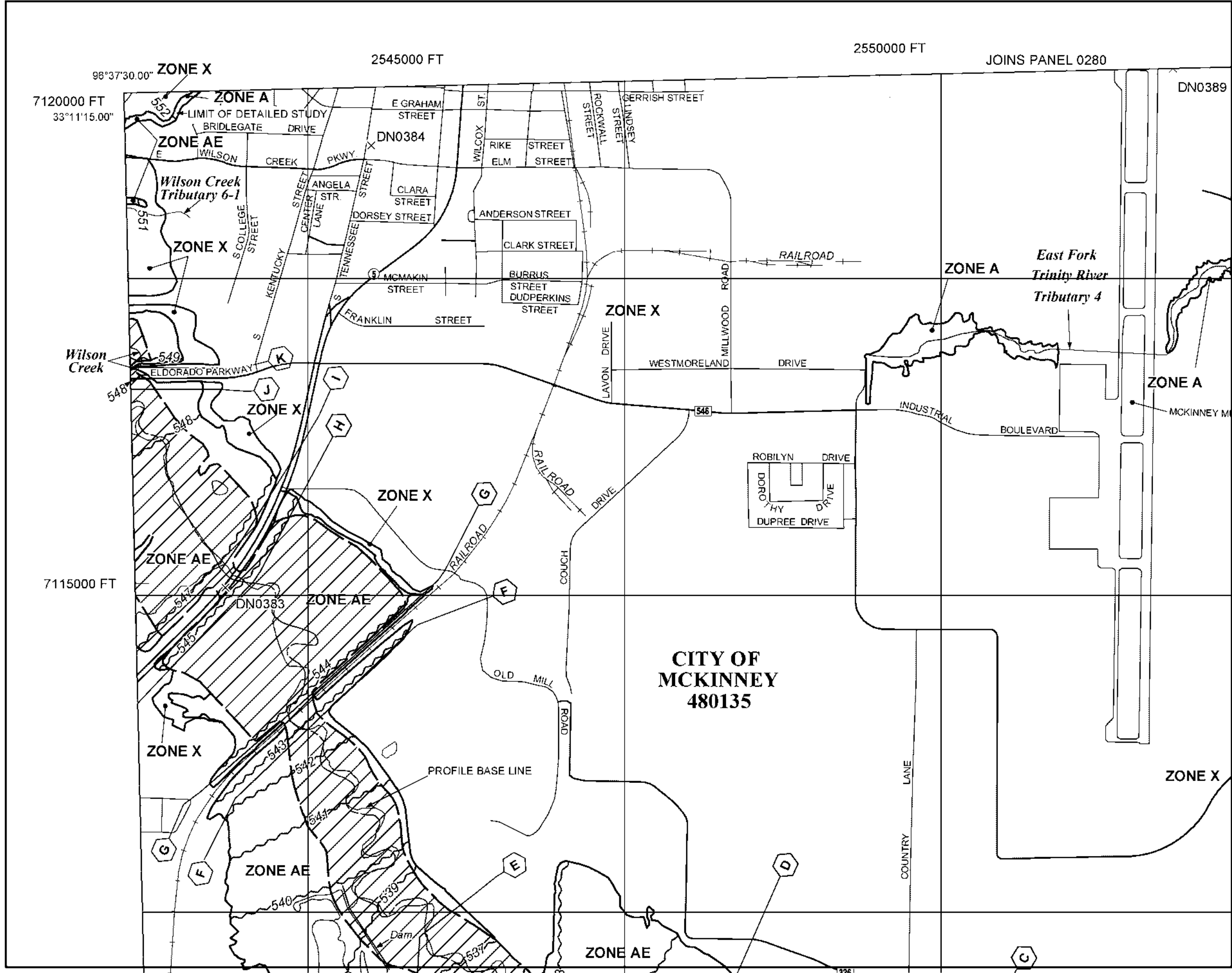
**SANCHEZ & Associates**  
Master Planning  
Civil Engineering  
Land Development  
402 N. Tennessee Street  
McKinney, TX 75069  
Tel 469 424 5900  
Certificate of Registration No. F-8865


**PRELIMINARY DRAINAGE PLANS**

**NEWSOME HOMES**

Scale: SEE GRAPHIC SCALE  
Designed by: LAW  
Drawn by: DDR  
Checked by: LAW  
Date: FEBRUARY 2014  
Project No. 02105-001

**EXHIBIT**





**MAP SCALE 1" = 1000'**

0 1000 2000 FEET  
0 1000 2000 METERS

JOINS PANEL 0280  
DN0389 500

PANEL 0290J


**FIRM**  
FLOOD INSURANCE RATE MAP  
COLLIN COUNTY,  
TEXAS  
AND INCORPORATED AREAS

PANEL 290 OF 600  
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)

**CONTAINS:**

COMMUNITY	NUMBER	PANEL	SUFFIX
COLLIN COUNTY	480130	0290	-
ALLEN, CITY OF	480131	0290	-
FAIRVIEW TOWN OF	48069	0290	-
LOWRY CROSSING, CITY OF	48063	0290	-
LUCAS, CITY OF	48045	0290	-
MCKINNEY, CITY OF	480135	0290	-

Notice to User: The Map Number shown below should be used when placing map orders; the Community Number shown above should be used on insurance applications for the subject community.



**MAP NUMBER**  
48085C0290J

**MAP REVISED**  
JUNE 2, 2009

Federal Emergency Management Agency

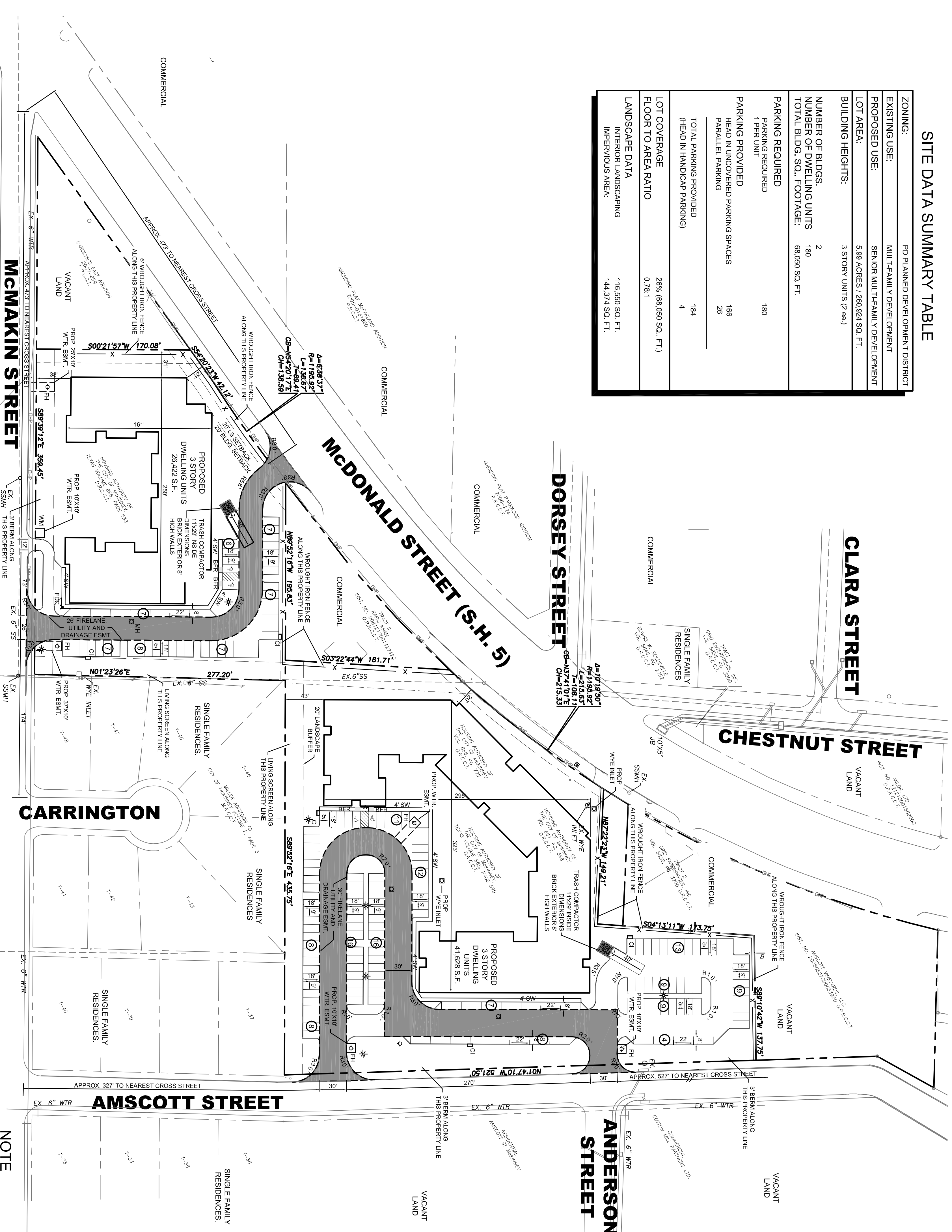
**NATIONAL FLOOD INSURANCE PROGRAM**

This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at [www.msc.fema.gov](http://www.msc.fema.gov)



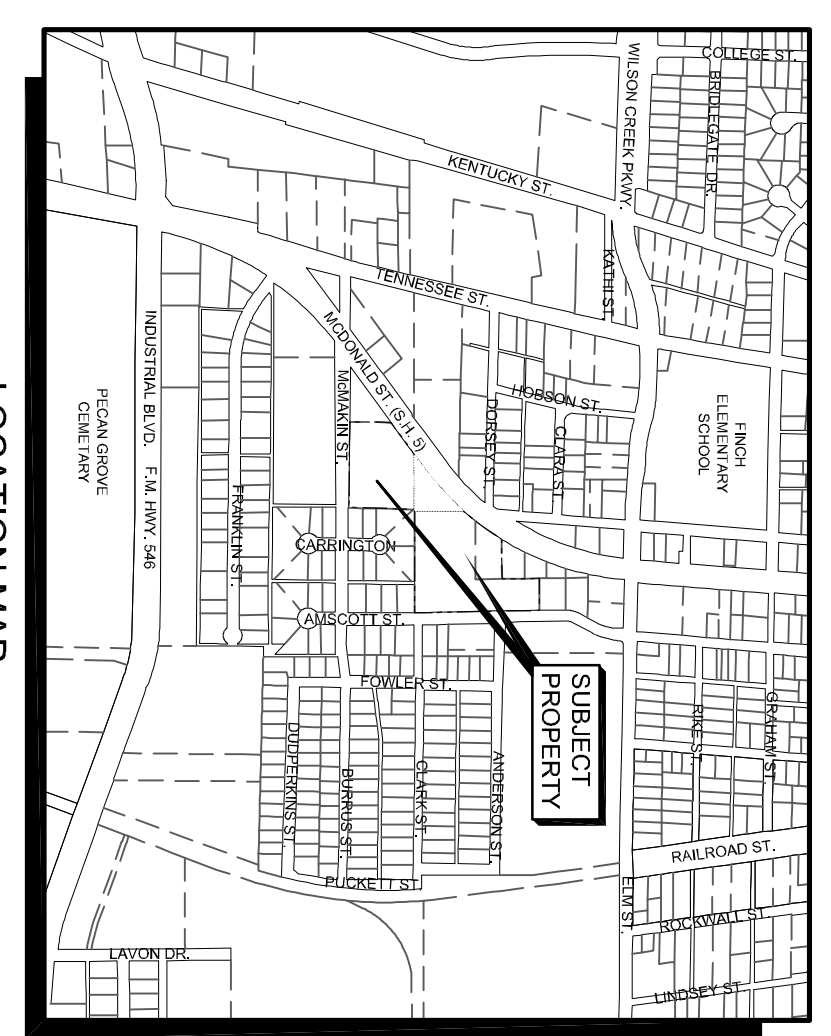
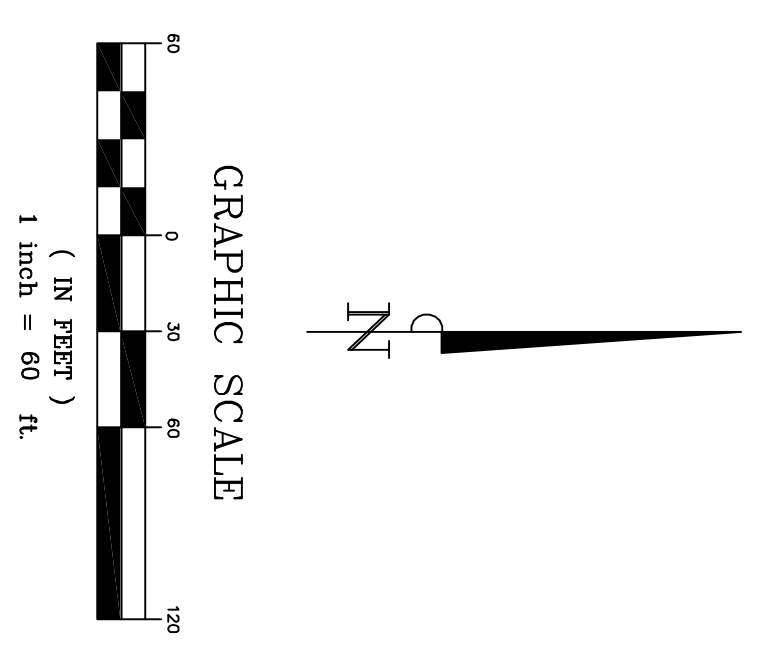
**SITE DATA SUMMARY TABLE**

ZONING:	PD PLANNED DEVELOPMENT DISTRICT
EXISTING USE:	MULTI-FAMILY DEVELOPMENT
PROPOSED USE:	SENIOR MULTI-FAMILY DEVELOPMENT
LOT AREA:	5.99 ACRES / 260,924 SQ. FT.
BUILDING HEIGHTS:	3 STORY UNITS (2 bld)
NUMBER OF BLDGS.	2
NUMBER OF DWELLING UNITS	180
TOTAL BLDG. SQ. FOOTAGE:	68,050 SQ. FT.
PARKING REQUIRED	180
PARKING PROVIDED	180
HEAD IN UNCOVERED PARKING SPACES	166
PARALLEL PARKING	28
TOTAL PARKING PROVIDED (HEAD IN HANDICAP PARKING)	184
LOT COVERAGE	26% (68,050 SQ. FT.)
FLOOR TO AREA RATIO	0.78:1
LANDSCAPE DATA	116,550 SQ. FT. INTERIOR LANDSCAPING 144,374 SQ. FT. INTERIOR AREA



**NOTE**  
 ALL UTILITIES, DRAINAGE SYSTEMS, EDGEMOUNT PIPES AND STACKS, SEPTIC HOUSING, SATELLITE DISHES AND OTHER SUCH DEVICES SHALL BE THOROUGHLY SCREENED FROM THE PUBLIC RIGHT-OF-WAY AND FROM ADJACENT SINGLE-FAMILY RESIDENTIAL PROPERTIES. THIS SCREENING IS REQUIRED PER THE REGIONAL EMPLOYMENT CENTER DESIGN GUIDELINES.

- NOTES**
1. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS NOTED OTHERWISE.
  2. ALL RADII ARE 2' UNLESS NOTED OTHERWISE.



**PAVING LEGEND**

	8' REINFORCED 4000 PSI CONCRETE PAVEMENT (DUMPTON PAD)
	6' 4000 PSI CONCRETE TREATED SUBBASE AND #3 BARS @ 24" O.C.E.W.
	6' 3000 PSI CONCRETE TREATED SUBBASE AND #3 BARS @ 24" O.C.E.W.
	4' REINFORCED 3000 PSI CONCRETE PAVEMENT (DUMPTON PAD)
	TYPICAL RADIUS
	BARRIER FREE RAMP
	SIDE WALK
	FIRE HYDRANT
	FIRE DEPARTMENT CONNECTION
	LIGHT POLE

- CITY OF MCKINNEY SITE PLAN NOTES**
1. THE SANITATION CONTAINER SCREENING WALLS WILL BE BRICK MASONRY, STONE MASONRY, OR OTHER ARCHITECTURAL MASONRY FINISH INCLUDING A METAL GATE. THE GATE SHALL BE 6' HIGH AND 4' WIDE. THE GATE SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE CITY OF MCKINNEY DESIGN SPECIFICATIONS.
  2. MECHANICAL AND HEATING AND AIR CONDITIONING EQUIPMENT IN NON-RESIDENTIAL USES SHALL BE SCREENED FROM VIEW FROM THE PUBLIC RIGHT-OF-WAY AND FROM ADJACENT SINGLE-FAMILY RESIDENTIAL PROPERTIES.
  3. THE LIGHTING FOR THE SUBJECT PROPERTY WILL BE CONSTRUCTED IN CONFORMANCE WITH CHAPTER 88 OF THE CITY OF MCKINNEY CODE OF ORDINANCES.

**SITE PLAN FOR NEWSOME HOMES**

BEING 5.99 ACRES OUT OF THE GEORGE F. LUCAS SURVEY, ABSTRACT 540 AND THE OLIVER HEDGECOCK SURVEY, ABSTRACT 392 CITY OF MCKINNEY, COLLIN COUNTY, TEXAS PREPARED FEBRUARY, 2014

**OWNER:** MCKINNEY HOUSING AUTHORITY  
 2000 W. WALKER STREET  
 MCKINNEY, TEXAS 75069  
 (972) 542-5641  
 ATTN: ROSLYN MILLER

**ENGINEER:** SANCHEZ AND ASSOCIATES, L.L.C.  
 2000 W. WALKER STREET  
 MCKINNEY, TEXAS 75069  
 (469) 424-5900  
 ATTN: LEVI WILD, PE

**APPLICANT:** SANCHEZ AND ASSOCIATES, L.L.C.  
 2000 W. WALKER STREET  
 MCKINNEY, TEXAS 75069  
 (469) 424-5900  
 ATTN: LEVI WILD, PE

Master Planning Civil Engineering Land Development  
 402 N. Tennessee Street  
 McKinney, TX 75069  
 Tel 469 424 5900  
 Certificate of Registration No. F-8865

**SANCHEZ & Associates**

THIS DRAWING IS TO BE USED FOR EXHIBIT PURPOSES ONLY

**NEWSOME HOMES**

**SITE PLAN**

Scale: SEE GRAPHIC SCALE

Designed by:	LAW
Drawn by:	DDR
Checked by:	LAW
Date:	FEBRUARY 2014
Project No.:	02105-001



# Impact Fee Calculator



## TO USE THE ONLINE IMPACT FEE CALCULATOR, FOLLOW THESE SIMPLE STEPS:

**FIRST:** Select the project Service Area

**SECOND:** Select date (or anticipated date) of Final Plat Recordation and Building Permit issuance\*

**THIRD:** Fill in the yellow blanks and identify land use, number of development units, meter size, and number of meters.

*\*note: the calculator will NOT work until the Final Plat Recordation and Date of Building Permit has been selected.*

Worksheet Last Updated: 1/9/2014

Date of Final Plat Recordation: 11/20/2013 and after *Select Appropriate Date Range*

Service Area (select from list): SA K [Click here for a Service Area map.](#)

Date of Building Permit: 5/20/2014 and after *Select Appropriate Date Range*

ROADWAY IMPACT FEE:				
Land Uses (select from list):	Development Unit:	# of Development Units:	Impact Fee Per Development Unit:	Roadway Impact Fee:
Apartment/Multi-family	Dwelling Unit	180	\$3,888.78	\$ 699,980.40
<b>TOTAL ROADWAY IMPACT FEE:</b>				<b>\$ 699,980.40</b>

WATER IMPACT FEE (EXCLUDING IRRIGATION METERS):				
Meter Size / Type (select from list):	# of Meters:	Impact Fee Per Meter:	Water Impact Fee:	
4" Compound	2	\$ 23,636.09	\$	47,272.18
<b>TOTAL WATER IMPACT FEE (EXCLUDING IRRIGATION METERS):</b>				<b>\$ 47,272.18</b>

IRRIGATION METERS (WATER IMPACT FEE):				
Meter Size / Type (select from list):	# of Meters:	Impact Fee Per Meter:	Irrigation Meter Fee:	
2" Simple	1	\$ 7,563.55	\$	7,563.55
<b>TOTAL IRRIGATION METER (WATER IMPACT FEE):</b>				<b>\$ 7,563.55</b>

WASTEWATER IMPACT FEE:				
Meter Size / Type (select from list):	# of Meters:	Impact Fee Per Meter:	Wastewater Impact Fee:	
4" Compound	2	\$ 2,900.44	\$	5,800.88
<b>TOTAL WASTEWATER IMPACT FEE:</b>				<b>\$ 5,800.88</b>

**TOTAL IMPACT FEE: \$ 760,617.01**

For reference purposes only. Fee amounts exclude any credits and/or offsets that may exist. For an official estimate, Planning Department at 972.547.7475

contact the