



CITY OF MCKINNEY, TEXAS

Agenda Joint Meeting

Monday, December 15, 2014

5:30 PM

Council Chambers
222 N. Tennessee Street
McKinney, Texas 75069

MCKINNEY CITY COUNCIL AND MCKINNEY COMMUNITY DEVELOPMENT CORPORATION

CALL TO ORDER

- 14-1289** [Consider/Discuss Update on the Project Status of the Design of the McKinney Aquatics and Fitness Center \(MAFC\) Project Located at Gabe Nesbitt Community Park](#)
Attachments: [Presentation](#)

ADJOURN MCKINNEY COMMUNITY DEVELOPMENT CORPORATION MEETING

DISCUSS REGULAR MEETING AGENDA ITEMS

WORK SESSION ITEMS

- 14-1290** [Discuss and Provide Recommendations Regarding the Surface Drainage Utility System Fee and Ordinance](#)
Attachments: [PowerPoint Presentation](#)
 [Non-SF Parcels Exceeding \\$500 Fee](#)
 [Summary and Comparison of Rates](#)
 [Draft Ordinance - Redline](#)
 [Draft Ordinance](#)
 [Comparison Large Commercial](#)
 [SDUS Discussions with Businesses](#)
- 14-1291** [Discuss Possible Amendments to Section 146-42 \(Temporary Uses\) of the Zoning Regulations to Address Food Trucks](#)

Attachments: [Proposed 146-42 Changes](#)
[City of Plano Regulations](#)
[City of Frisco Regulations](#)
[City of Durham, NC Regulations](#)

14-1292 [Discuss Possible Amendments to the Architectural and Site Standards Ordinance \(Section 146-139 of the Code of Ordinances\)](#)

Attachments: [Analysis and Recommendations Report](#)
[Exhibit A - Prelimi. Draft Arch Stds](#)
[Exhibit B - 1999 Arch Standards Analysis](#)
[Current McKinney Arch Stds Ordinance](#)
[City of Allen Arch Stds Ordinance](#)
[City of Frisco Arch Stds Ordinance](#)
[City of Plano Arch Stds Ordinance](#)
[PowerPoint Presentation](#)

14-1293 [Discuss October 2014 Monthly Financial Report](#)

Attachments: [October Monthly Financial Report](#)
[Presentation](#)

14-1294 [Provide Information to City Council and Receive Feedback on a Proposed Community Revitalization Plan](#)

Attachments: [Proposed CRP Boundaries](#)
[Presentation](#)

14-1295 [Discuss Board and Commission Governance and Best Practices](#)

Attachments: [Revised Committee Recommendations](#)

COUNCIL LIAISON UPDATES

EXECUTIVE SESSION

In Accordance with the Texas Government Code:

- A. Section 551.071 (2). Consultation with City Attorney on any Work Session, Special or Regular Session agenda item requiring confidential, attorney/client advice necessitated by the deliberation or discussion of said items (as needed).
- B. Section 551.071 (1) (A). Litigation / Anticipated Litigation
 - Hank's Restaurant Group LP vs City of McKinney and City of McKinney vs Hank's Restaurant Group LP
- C. Section 551.072. Deliberations about Real Property
 - Land Acquisition – FM 546 to US 380 and Highway 5 to New Hope Road
- D. Section 551.074 Discuss Personnel Matters
 - City Manager Transition
- E. Section 551.087 – Discuss Economic Development Matters
 - Project A71 – Project Gateway
 - Project A72 – Airport
 - Project A128 – Project Beasley

ADJOURN CITY COUNCIL MEETING

Posted in accordance with the Texas Government Code, Chapter 551, on the 12th day of December, 2014 at or before 5:00 p.m.

Sandy Hart, TRMC, MMC
City Secretary

Accommodations and modifications for people with disabilities are available upon request. Requests should be made as far in advance as possible, but no less than 48 hours prior to the meeting. Call 972-547-2694 or email contact-adacompliance@mckinneytexas.org with questions or for accommodations.



14-1289

TITLE: Consider/Discuss Update on the Project Status of the Design of the McKinney Aquatics and Fitness Center (MAFC) Project Located at Gabe Nesbitt Community Park

MEETING DATE: December 15, 2014

DEPARTMENTS: Parks, Recreation and Open Space
Development Services Department

CONTACTS: Rhoda Savage, Director of Parks, Recreation and Open Space
Patricia L. Jackson, PE, Facilities Construction Manager

RECOMMENDED CITY COUNCIL ACTION:

- N/A

ITEM SUMMARY:

- This item provides an update on the design and associated cost development of the McKinney Aquatics and Fitness Center located at Gabe Nesbitt Community Park along with potential ideas for various design options and the implications of those options. Brinkley Sargent Architects and Manhattan Construction will be making a presentation of the progress status to date.

BACKGROUND INFORMATION:

- Brinkley Sargent Architects was awarded a contract for architectural and engineering services for the McKinney Aquatics and Fitness Center in February 2014.
- Manhattan Construction Company was awarded a contract for preconstruction construction management services in May 2014.
- The Aquatics and Fitness Center steering committee consists of two City Council members, two MCDC Board members and various staff from MCDC, the Parks, Recreation and Open Space department and the Development Services department. The project team includes the steering committee, as well as members of the various design firms and the construction manager firm.

- Schematic Design was finalized in June, followed by the completion of Design Development in October and Construction Documents are in process. It will be on this set of Construction Documents that a Guaranteed Maximum Price (GMP) will be established.
- A detailed opinion of probable cost has been developed based upon the Design Development documents and much work has been accomplished in the last month to align the design documents with the original budget constraints of \$33 million.
- Value management items and detailed reviews have reduced the initial Design Development estimate of \$36.9 million to approximately \$34.5 million. Additional items are currently under review for consideration.
- Change in project conditions from budget assumptions that have affected the current estimated total project cost include:
 - the topography of the actual site selected has significant elevation changes compared to the originally conceived flat site
 - the current market conditions show significant construction cost escalations versus the market changes originally anticipated
 - previous studies and assessments dating back to 2008 are included in the current project budget
- Additional items that the project team would request for consideration include:
 - life-cycle cost analyses of systems and equipment for mechanical, electrical, plumbing and aquatics systems
 - operational items that could provide a higher return on the initial investment particularly in the aquatics systems and amenities

FINANCIAL SUMMARY:

- The McKinney Aquatics and Fitness Center Project (PK7102) is a FY13-14 Capital Improvements Program funded by general obligation funds, MCDC funds and parkland dedication funds.

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[Presentation](#)

McKinney Aquatic and Fitness Center

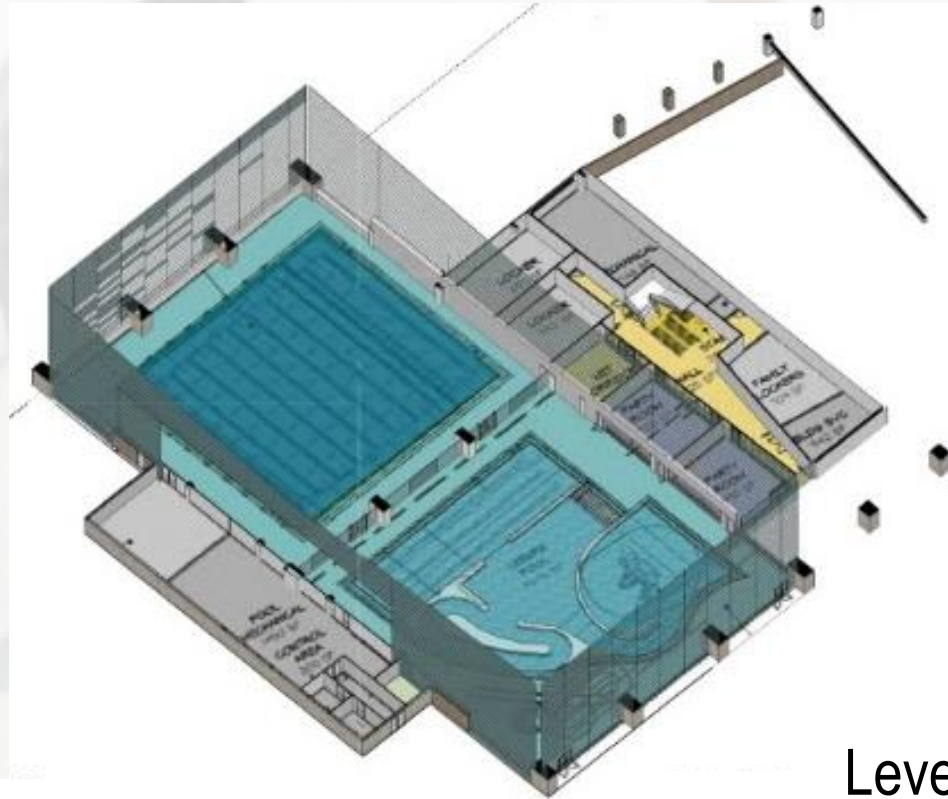
City Council & MCDC Update

December 15, 2014

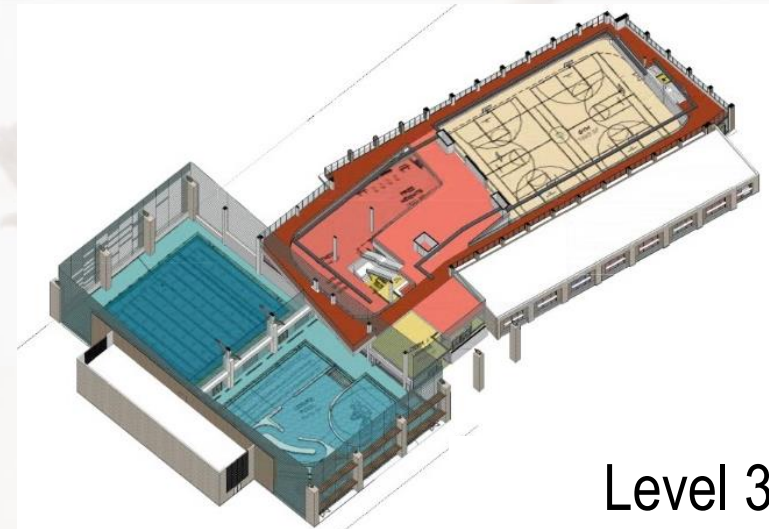
Agenda

- Refresh Project History
- Review Current Budget Status and Items Impacting Costs
- Review Outstanding Value Management Options
- Recap and Finalize Direction for the Project

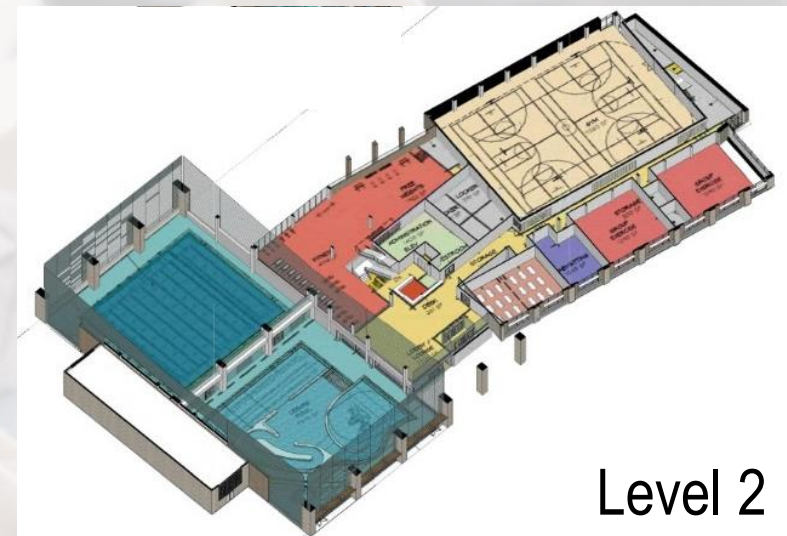
Current Plans



Level 1



Level 3



Level 2



PSA

430,985 Sq. Feet
9.894 Acres

Current Status

- Design Development Phase Completed
- CMAR Completed Detailed Estimate - Construction Estimate is \$32,117,357
- Reconcile necessary adjustments related to scope / budget
 - Value Management on Project has reduced Construction Estimate to \$30,251,359
 - Current VM items do not effect Financial Performance of the Project
- Items Contributing to Overage and Approximate Costs:
 - Cost Associated with Severe Slope of Site vs. Assumed Flat Site - \$630,000
 - More Rapid Cost Escalation than anticipated from August 2013 (Project Update) to May 2015 (Construction Start) - Approx. \$680,000
 - Prior Cost of Services on Project dating back to Bond Passage - \$270,000
- Target for Construction is \$28,700,000
 - Current deficit is \$1,551,359
 - Options for further reductions amounts to \$916,251

Current View from Intersection



Current Building Entrance



View Comparisons



Original



Current



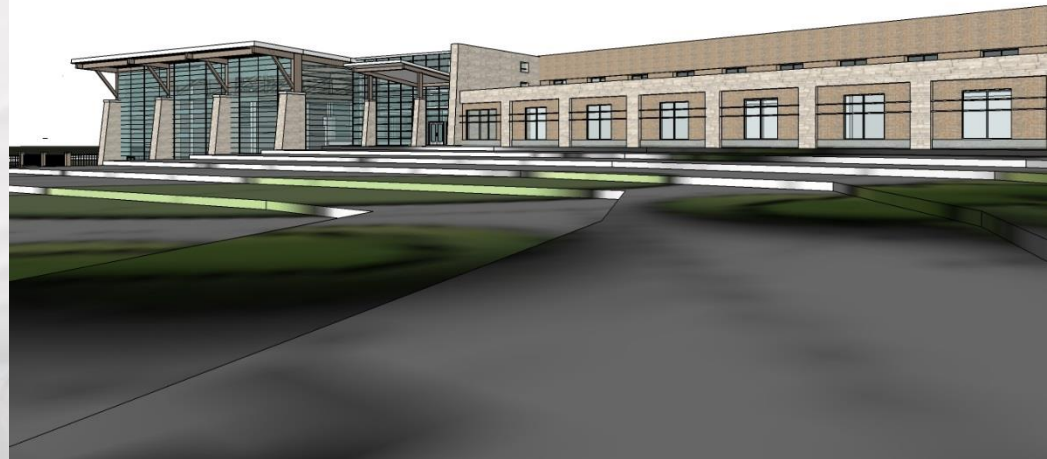
View Comparisons



Original



Current



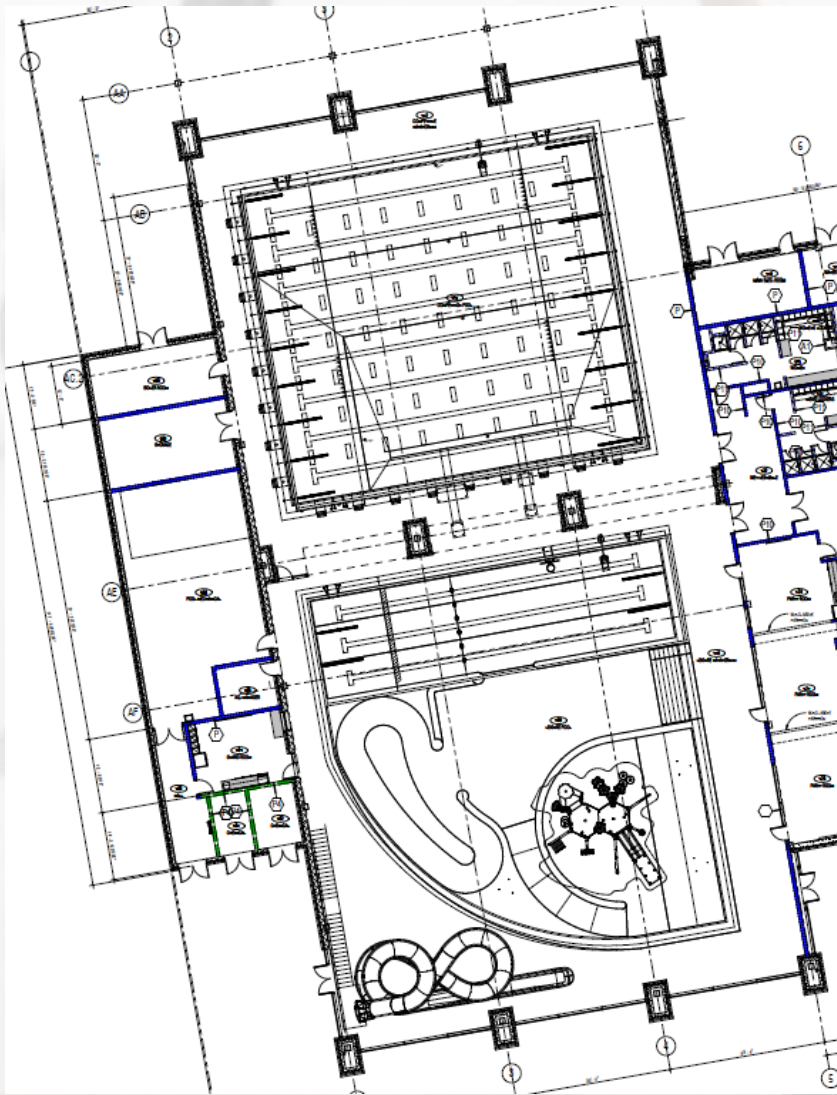
Additional Reduction Options

1. Use High Pressure Sand Filters on Outdoor Pools in lieu of Regenerative Media Filters
2. Indoor Lap Pools reduced to 8 lanes in lieu of 11 lanes
3. Delete Diving Boards and Deeper Diving Well, Additional Benefit of Deck Space Reduction
4. Change HVAC System to Rooftop Units from Fluid Cooled Units including condensers at pool units. Provide screening for units.

1. Sand Filtration Change

- Outdoor pools are currently designed with regenerative media water filtration which saves approximately 80%-90% water usage as compared to use of high pressure sand filtration
- The savings to change to high pressure sand filtration on outdoor pools is \$110,000

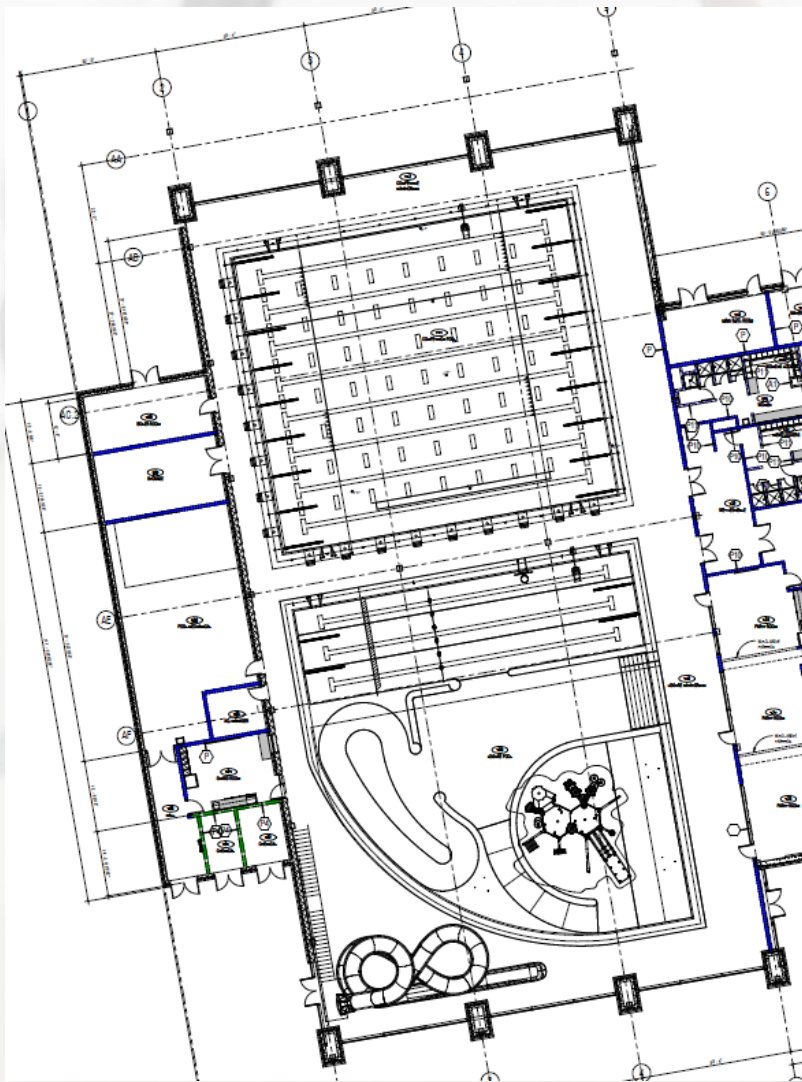
2. Reduction of 3 Lanes



Scope Change Summary:

- Modify from 11 Lap Lanes to 8 Lap Lanes
- Construction Savings of \$330,844

3. Remove Diving Boards



Scope Change Summary:

- Delete Diving Boards and Deeper Diving Well
- No Impact on Financial Operations
- Construction Cost Savings - \$95,288

4. HVAC System Change

New Screen



HVAC Change from Fluid
Cooled HVAC systems to Roof
Top Units

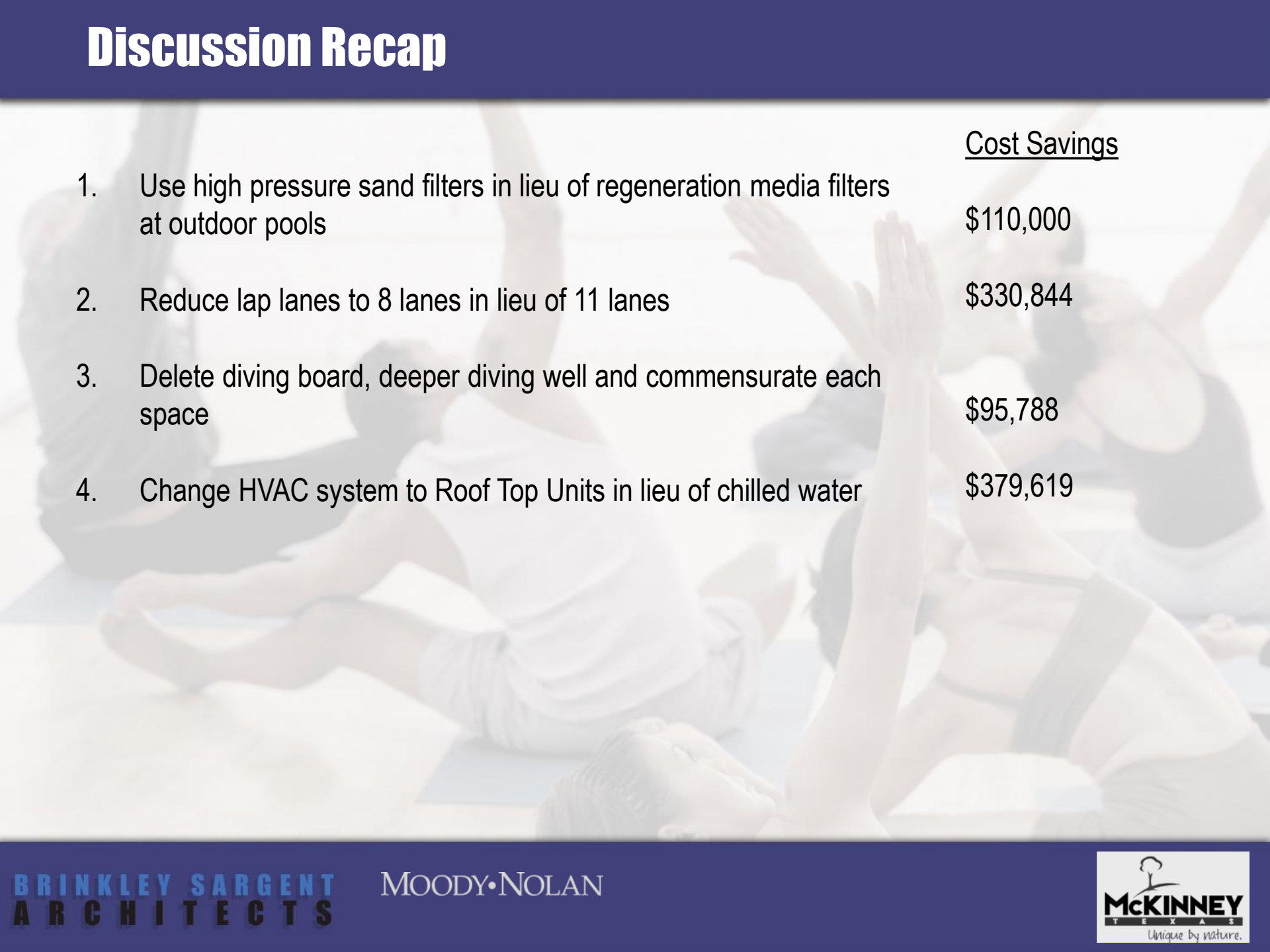
Construction Savings Cost:
\$379,619

New Screen



McKINNEY

Discussion Recap

A faded background image showing several people in a swimming pool, some with their arms raised, suggesting a recreational or exercise activity.

	<u>Cost Savings</u>
1. Use high pressure sand filters in lieu of regeneration media filters at outdoor pools	\$110,000
2. Reduce lap lanes to 8 lanes in lieu of 11 lanes	\$330,844
3. Delete diving board, deeper diving well and commensurate each space	\$95,788
4. Change HVAC system to Roof Top Units in lieu of chilled water	\$379,619



Q&A



14-1290

TITLE: Discuss and Provide Recommendations Regarding the Surface Drainage Utility System Fee and Ordinance

MEETING DATE: December 15, 2014

DEPARTMENT: Development Services / Engineering

CONTACT: Michael Hebert, PE, CFM, CPESC, Assistant Director of Engineering

RECOMMENDED CITY COUNCIL ACTION:

- Authorize staff to begin the 30 day public notice period for the proposed Surface Drainage Utility System (SDUS) Ordinance amendments and fees based on the following:
 - Proposed rate per SFLUE for multi-family, commercial and industrial properties to be \$4.00.
 - Proposed Storm Water Management Credit Policy (to be presented to Council at the January 5, 2015 work session).

ITEM SUMMARY:

- At the December 1, 2014 meeting, City Council agreed to most of the recommendations of the Council Subcommittee on the SDUS fee and recommended proceeding to the 30-day public comment period with the following revisions:
 - Set the fee at \$4.00 per SFLUE (at 3,000 square feet per SFLUE).
 - Maintain a flat rate instead of a tiered rate at \$4.00 per single-family household per month.
 - Calculate multi-family properties similar to commercial and industrial properties based on impervious surface and not number of units.
 - Set an implementation date of February 1, 2015.
- Based on current timing, Staff recommends a delay of implementation of the revised ordinance to March 1, 2015.
- The only unresolved issues were to determine if a cap should be removed or kept in place on multi-family, commercial and industrial properties as

recommended by the Council Subcommittee, and should incentives/reductions be included for properties where storm water management best management practices (BMP's) are in place or added.

- At the December 1, 2014 meeting, City Council requested information on the impacts of the changes to the sites with the largest impact through removing the cap. This information is attached herewith.
- The City Attorney's Office reviewed the facts and State law requirements relative to surface drainage utility system fees and the ability to include incentives when a property owner adds BMP's to a site.
- This review led the City Attorney to concur with the recommendation of the subcommittee that removing the cap creates an equitable and non-discriminatory system, best meeting the requirements of State law.
 - State law requires that any drainage charges be directly related to drainage and be nondiscriminatory, equitable and reasonable.
 - The City Attorney has also added that a modification to the rate charged multi-family, commercial and industrial properties is possible because State law allows governing bodies to consider the land use being made of the property as well as the size, area, and topography of the land. Thus, it is possible to leave the multi-family/commercial/industrial rate at a lower value, say, for example, \$3.00 per SFLUE so long as the drainage charges are directly related to drainage and are nondiscriminatory, equitable and reasonable for every property within such land uses.
- The City Attorney concluded that incentives to property owners to create BMP's in excess of those improvements currently required by the City could be offered in the form of reduced SDUS fees or a credit or offset against such SDUS fees.
 - The City of Frisco is in the process of considering incentives for BMP's such as detention ponds, permanent structural controls and maintaining natural riparian corridors.
 - Staff has reviewed Frisco's proposed policy and is working to prepare a similar policy in keeping with McKinney's needs.

BACKGROUND INFORMATION:

- The City's storm water management ordinance was revised in September 2014 per the recommendations of the Storm Water Management Focus Group.
- These revisions included simplifying requirements in the ordinance to make development in McKinney less complicated and more predictable.
- The focus group also recommended increasing the surface drainage utility system (SDUS) fee, acknowledging that some of the changes will create impacts on McKinney's drainage system.
- The focus group recommended increasing the SDUS fee to an average of approximately \$5.00 per home and creating a tiered system based on lot impervious area.
- City Council created a subcommittee to work with City Staff in order to further review the recommendations of the focus group and provide recommendations on the best method of amending the SDUS fee.

- Three meetings were held, attempting to best determine the cost of service and how to assess the costs.
 - Staff utilized one of the most heavily improved creeks, Jeans Creek, as a basis for determining a high-end scenario for costs.
 - Jeans Creek is a high-end scenario since most of the drainage basin was developed prior to detention and an erosion hazard setback easement being required.
 - Based on the improvements done to Jeans Creek to date, costs are approximately \$1.4 million per stream mile.
 - Making several assumptions, this translates to an SDUS fee of approximately \$13.00 per month per SFLUE with caps in place.
- This scenario is beyond the requirements that will likely be necessary with the current regulations. Recognizing this, the subcommittee, working with Staff, is recommending an initial increase of the SDUS fee to \$4.00 per SFLUE.
- The subcommittee recommended requiring a review of this fee at least every five years to increase/decrease the fee based on actual use of funds.
- The subcommittee recommended that the cap on commercial/industrial properties be lifted, recognizing their impact on the system similar to that for all other types of properties.
- The subcommittee recommended that multi-family properties pay based on their impervious surface instead of the number of units.
- Staff reviewed the average impervious surface per single-family dwelling. The average amount will be approximately 3,000 square feet.

FINANCIAL SUMMARY:

- Previously recommended fees are as follows:
 - Single-family residential properties: \$4.00 per month, generating approximately \$2.1 million per year.
 - Multi-family, commercial and industrial properties: \$4.00 per month for every 3,000 square feet of impervious surface. Commercial/industrial fees would generate approximately \$1.7 million per year, and multi-family fees would generate approximately \$0.3 million per year.
 - No cap is recommended for multi-family, commercial and industrial properties.
- Total estimated revenues per the above recommendations are \$4.1 million per year without credits and if the commercial rates are held at \$4.00 per SFLUE.
- Reductions in revenues will occur due to credits given for the proposed Storm Water Credit Policy and if the commercial/multi-family rate is set less than \$4.00 per SFLUE.

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[PowerPoint Presentation](#)
[Non-SF Parcels Exceeding \\$500 Fee](#)
[Summary and Comparison of Rates](#)
[Draft Ordinance - Redline](#)
[Draft Ordinance](#)
[Comparison Large Commercial](#)
[SDUS Discussions with Businesses](#)

Surface Water
Drainage Utility System
(SDUS) Fee Review
City of McKinney
Engineering



- MONEY MAGAZINE 2014 -

Previously

- The recent amendment to the stormwater management ordinance removed some requirements for developers, such as small-storm detention and downstream stability studies/improvements
- Increasing the SDUS fee is proposed to help recover the costs
- A Council Subcommittee made recommendations that were presented to City Council on December 1, 2014

Previously

- SDUS fee cost recovery recommendations were presented at the Council regular meeting December 1, 2014
 - \$4.00/SFLUE, currently \$2.75/SFLUE
 - 1 SFLUE = 3,000 sf, currently 1 SFLUE = 2,343 sf
 - Remove the cap on commercial property
 - Classify multifamily as commercial property
- Council requested additional information on revenue projections for commercial and multifamily properties at different rates, along with a list of users that would be significantly impacted by the increased fee

Fee Cap or Incentives

- Staff has worked with the City Attorney's Office in proposing revisions to the SDUS fees that comply with State law requirements that the charges be directly related to drainage and be nondiscriminatory, equitable and reasonable
 - Consistent with the recommendation of the Council Subcommittee, removing the cap creates an equitable and non-discriminatory system that meets the requirements of State law

Fee Cap or Incentives (cont'd)

- A different rate per SFLUE could be offered to commercial / industrial / multi-family parcels
 - State law allows consideration of the land use, size, area, number of water meters and topography of the land involved in determining drainage charges
- Incentives to property owners could be offered in the form of reduced SDUS fees or credits or offsets against SDUS fees for best management practices (BMP's) that exceed existing City requirements
 - State law would allow incentives for BMP's because they are necessarily related to the drainage impacts generated by and offset by a particular benefitted property
 - Incentives \neq economic development as charges and credits must be directly related to drainage and applied equally to all

Cost of Services Options

- Option A: \$4.00/3,000 sf
 - 168 commercial, 44 multifamily properties > \$200
 - Total revenue @ \$4.1 million/year
- Option B: \$3.00/3,000 sf
 - 144 commercial, 40 multifamily properties > \$200
 - Difference of \$514,596/year
- Option C: \$2.75/3,000 sf
 - 98 commercial, 39 multifamily properties > \$200
 - Difference of \$643,245/year
- Introduce a stormwater credit program to offset cost
 - A credit program may meet SWMP post construction BMP criteria and offset potential future requirements on commercial and multi-family developers

Stormwater credit program

- A stormwater credit program allows users to offset SDUS fees by maintaining stormwater best management practices (BMPs) on their property
- The City of Frisco is currently proposing a credit program
- The City of Fort Worth has a credit program in place

Stormwater credit program

- Frisco's proposed program includes possible reductions up to 40% for such items as;
 - Detention ponds
 - Multi-stage
 - Extended
 - Riparian preservation (buffers)
 - Other BMPs such as permanent structural controls

Next steps

- Select commercial and multifamily cost per SFLUE from cost of service options A-C
- Develop a credit/incentive program and policy
- Rewrite the SDUS Fee schedule and ordinance
- 30 day public notice/review
- Present ordinance and policy to Council in January/February 2015
- Adopt
- Implement changes in March 2015

List of Commercial and Multifamily properties proposed to pay more than \$500

Address	Owner	Proposed SFLUE	Fee Per SFLUE		
			\$4.00 (Same as Res)	\$2.75 (Current Rate)	\$3.00 (75% of Res)
Commercial/Industrial					
1411 MILLWOOD ST	ENCORE WIRE LIMITED	727	\$2,908.00	\$1,999.25	\$2,181.00
2501 W UNIVERSITY DR	RAYTHEON TI SYSTEMS INC	644	\$2,576.00	\$1,771.00	\$1,932.00
3000 REDBUD BLVD	SASKAWAY TEN LP	575	\$2,300.00	\$1,581.25	\$1,725.00
CENTRAL EXPY	COLLIN COUNTY	565	\$2,260.00	\$1,553.75	\$1,695.00
5252 W UNIVERSITY	BAYLOR MEDICAL CENTERS AT GARLAND AND MCKINNEY	557	\$2,228.00	\$1,531.75	\$1,671.00
1721 N CUSTER RD	WAL- MART REAL ESTATE BUSINESS TRUST	342	\$1,368.00	\$940.50	\$1,026.00
2221 COUNTRY LN	SIMPSON MANUFACTURING CO INC	341	\$1,364.00	\$937.75	\$1,023.00
600 N LAKE FOREST DR	MCKINNEY ISD	334	\$1,336.00	\$918.50	\$1,002.00
1800 N MCDONALD ST	TYG LEASING LP	329	\$1,316.00	\$904.75	\$987.00
1751 N CENTRAL EXPY	COVINGTON CAMERON ACQUISITION LLC	290	\$1,160.00	\$797.50	\$870.00
5001 MCKINNEY RANCH PKWY	WAL-MART REAL ESTATE BUS TRST	287	\$1,148.00	\$789.25	\$861.00
1670 W UNIVERSITY DR	SAM'S REAL ESTATE BUSINESS TR	274	\$1,096.00	\$753.50	\$822.00
2041 REDBUD BLVD	WAL-MART REAL ESTATE BUS TRST	268	\$1,072.00	\$737.00	\$804.00
2300 N CENTRAL EXPY	REED REMINGTON GRAFF TRUST IV	260	\$1,040.00	\$715.00	\$780.00
2000 ROLLINS ST	MCKINNEY ISD	243	\$972.00	\$668.25	\$729.00
1410 MILLWOOD ST	ENCORE WIRE LIMITED	242	\$968.00	\$665.50	\$726.00
3400 COMMUNITY AVE	MCKINNEY ISD	204	\$816.00	\$561.00	\$612.00
8676 STATE HWY 121	INLAND AMERICAN MCKINNEY TOWNE CROSSING LIMITED PARTNERSHIP	195	\$780.00	\$536.25	\$585.00
	MCKINNEY CITY OF	190	\$760.00	\$522.50	\$570.00
8900 STATE HWY 121	TARGET CORPORATION	190	\$760.00	\$522.50	\$570.00
3350 S CENTRAL EXPY	LPL REAL ESTATE HOLDINGS LLC	185	\$740.00	\$508.75	\$555.00
1900 GATEWAY BLVD	MCKINNEY COMMUNITY DEVELOPMENT CORPORATION	185	\$740.00	\$508.75	\$555.00
3700 S STONEBRIDGE DR	TMK PROPERTIES LP	183	\$732.00	\$503.25	\$549.00
3800 S CENTRAL EXPY	COURTESY DEALERSHIP PROPERTY INC	175	\$700.00	\$481.25	\$525.00
2025 N CENTRAL EXPY	TARGET CORPORATION	174	\$696.00	\$478.50	\$522.00
8550 STATE HWY 121	LOWE'S HOME CENTERS INC	169	\$676.00	\$464.75	\$507.00
601 S CENTRAL EXPY	MCKINNEY REAL ESTATE INVESTORS LP	163	\$652.00	\$448.25	\$489.00
252 N CUSTER RD	HD DEVELOPMENT PROPERTIES LP	154	\$616.00	\$423.50	\$462.00
3190 S CENTRAL EXPY	CRAIG CROSSING 1031 LLC & ETAL	147	\$588.00	\$404.25	\$441.00

*Calculated based on information from the Appraisal District database

Shaded cells are <\$500.00

Only properties proposed to pay >\$500.00 individually listed

List of Commercial and Multifamily properties proposed to pay more than \$500

Address	Owner	Proposed SFLUE	Fee Per SFLUE		
			\$4.00 (Same as Res)	\$2.75 (Current Rate)	\$3.00 (75% of Res)
200 S CENTRAL EXPY	WESTGATE CENTER LTD	142	\$568.00	\$390.50	\$426.00
6151 ALMA RD	MID-ALMA LP	139	\$556.00	\$382.25	\$417.00
1515 N CENTRAL EXPY	COVINGTON CAMERON ACQUISITION LLC	138	\$552.00	\$379.50	\$414.00
2101 COUCH DR	WISTRON GREENTECH (TEXAS) CORPORATION	137	\$548.00	\$376.75	\$411.00
6998 ELDORADO PKWY	MCKINNEY ISD ETAL	132	\$528.00	\$363.00	\$396.00
725 E UNIVERSITY DR	HENDRICKSON HOLDINGS LLC	126	\$504.00	\$346.50	\$378.00
500 METRO PARK DR	LESTER KENNETH O CO	126	\$504.00	\$346.50	\$378.00
7951 COLLIN MCKINNEY PKWY	MID-AMERICA APARTMENTS LP	126	\$504.00	\$346.50	\$378.00

*Calculated based on information from the Appraisal District database

Shaded cells are <\$500.00

Only properties proposed to pay >\$500.00 individually listed

List of Commercial and Multifamily properties proposed to pay more than \$500

Address	Owner	Proposed SFLUE	Fee Per SFLUE		
			\$4.00 (Same as Res)	\$2.75 (Current Rate)	\$3.00 (75% of Res)
Multi Family					
4490 ELDORADO PKWY	WEST ELDORADO TX PARTNERS LLC	337	\$1,348.00	\$926.75	\$1,011.00
1920 RETREAT CT	COUNCIL-380 LLC	300	\$1,200.00	\$825.00	\$900.00
2305 S CUSTER RD	AP WP STONEBRIDGE REIT LLC	266	\$1,064.00	\$731.50	\$798.00
4690 W ELDORADO PKWY	GS HAVEN EL DORADO LP	259	\$1,036.00	\$712.25	\$777.00
6653 MCKINNEY RANCH PKWY	SOHO PARKWAYACQUISITION LLC	259	\$1,036.00	\$712.25	\$777.00
2000 SKYLINE DR	SKYWAY VILLAS LTD	231	\$924.00	\$635.25	\$693.00
5500 MCKINNEY PLACE DR	GS MCKINNEY PLACE LP	223	\$892.00	\$613.25	\$669.00
3400 CRAIG DR	EL LAGO PARTNERS LTD	217	\$868.00	\$596.75	\$651.00
7101 VIRGINIA PKWY	SIMPSON FINANCING LP	216	\$864.00	\$594.00	\$648.00
3191 MEDICAL CENTER DR	BRE MCKINNEY PHASE I APARTMENTS LLC	209	\$836.00	\$574.75	\$627.00
4101 S CUSTER RD	ROWLETT APARTMENTS LLC	196	\$784.00	\$539.00	\$588.00
5701 VIRGINIA PKWY	CHATEAU AT MCKINNEY LLC THE	189	\$756.00	\$519.75	\$567.00
6530 VIRGINIA PKWY	MMF II VENUE AT STONEBRIDGE RANCH LLC	189	\$756.00	\$519.75	\$567.00
2700 N BROOK DR	MCKINNEY ORCHID LTD PARTNERSHIP	176	\$704.00	\$484.00	\$528.00
6150 ALMA RD	CRAIG RANCH PT MFA I LP	173	\$692.00	\$475.75	\$519.00
8700 STACY RD	TS CRAIG RANCH LLC	169	\$676.00	\$464.75	\$507.00
451 WILSON CREEK BLVD	MCKINNEY APARTMENTS LP	163	\$652.00	\$448.25	\$489.00
901 WILSON CREEK PKWY	CARLETON MCKINNEY LTD	161	\$644.00	\$442.75	\$483.00
5201 COLLIN MCKINNEY PKWY	WORTHING LAKE FOREST LLC	153	\$612.00	\$420.75	\$459.00
2301 WHITE AVE	WESTCREEK APARTMENTS LLC	152	\$608.00	\$418.00	\$456.00
2580 COLLIN MCKINNEY PKWY	WESTERN RIM INVESTORS 2007-2	138	\$552.00	\$379.50	\$414.00
600 S GRAVES ST	WHITNEY APPLE LTD	138	\$552.00	\$379.50	\$414.00
2401 COUNTRY VIEW LN	TWO COUNTRY LANE LTD	137	\$548.00	\$376.75	\$411.00
MEDICAL CENTER DR	BRE MCKINNEY PHASE II APARTMENTS LLC	136	\$544.00	\$374.00	\$408.00
4700 RIDGE RD	HUDSON AT MCKINNEY RANCH APARTMENTS LP	135	\$540.00	\$371.25	\$405.00
1701 PARK CENTRAL	BES PARKVIEW FUND IV LP & BES PARKVIEW FUND V LP & BES PARKVIEW FUND V	134	\$536.00	\$368.50	\$402.00
4700 RIDGE RD	HUDSON AT MCKINNEY RANCH APARTMENTS LP	133	\$532.00	\$365.75	\$399.00
7951 COLLIN MCKINNEY PKWY	MID-AMERICA APARTMENTS LP	132	\$528.00	\$363.00	\$396.00
3300 N MCDONALD ST	CREEK POINT LP	129	\$516.00	\$354.75	\$387.00

*Calculated based on information from the Appraisal District database

Shaded cells are <\$500.00

Only properties proposed to pay >\$500.00 individually listed

Table 1 Yearly SDUS cost recovery

Parcels		Commercial	Multifamily	Residential	Total	Difference
		1703	65	43,276		
Option C	\$2.75/3,000 sf (current)	\$1,197,435	\$234,888	\$2,077,248	\$3,509,571	(\$643,245)
	% of total	34%	7%	59%		
Option B	\$3.00/3,000 sf (75% of Res)	\$1,304,748	\$256,224	\$2,077,248	\$3,638,220	(\$514,596)
	% of total	36%	7%	57%		
Option A	\$4.00/3,000 sf (Proposed)	\$1,734,000	\$341,568	\$2,077,248	\$4,152,816	
	% of total	42%	8%	50%		

\$4.00 minimum for all parcels

Table 2 Summary of Commercial and Multifamily properties impacted by changes in fee

Fee Options	>\$200		>\$500		>\$1000		>\$1,500	
	Comm.	MF	Comm.	MF	Comm.	MF	Comm.	MF
\$2.75	98	39	24	12	5	0	4	0
\$3.00	144	40	27	18	9	1	5	0
\$4.00	168	44	38	28	15	4	5	0

Table 3 Comparison of Commercial and Multifamily properties with neighboring cities

City (Impervious Surface)	Allen	Plano	Frisco	Richardson	McKinney (Current)	McKinney (\$2.75)	McKinney (\$3.00)	McKinney (\$4.00)
Commercial/Industrial								
TRAXXAS (141,000 sf)	\$70.50	\$95.88	\$80.37	\$148.05	\$165.50	\$129.25	\$141.00	\$187.99
Emerson (296,445 sf)	\$148.22	\$201.58	\$168.97	\$311.27	\$200.00	\$271.74	\$296.45	\$395.26
United American/Torchmark (547,020 sf)	\$273.51	\$371.97	\$311.80	\$574.37	\$200.00	\$501.44	\$547.02	\$729.36
Eldorado Motors (778,331 sf)	\$389.17	\$529.27	\$443.65	\$817.25	\$200.00	\$713.47	\$778.33	\$1,037.77
Wal-Mart @ 2041 Redbud (803,473 sf)	\$401.74	\$546.36	\$457.98	\$843.65	\$200.00	\$736.52	\$803.47	\$1,071.30
Baylor (1,699,170 sf)	\$849.59	\$1155.44	\$968.53	\$1784.13	\$200.00	\$1,557.57	\$1,699.17	\$2265.56
Encore (3,332,500 sf)	\$1666.25	\$2,266.10	\$1,899.53	\$3,499.13	\$800.00	\$3,054.79	\$3,332.50	\$4,443.33
Multifamily (sorted by ascending units)								
Skyway Villa (232 units/648,680 sf)	\$324.34	\$441.10	\$369.75	\$597.38	\$638.00 (\$200.00)	\$594.62	\$648.68	\$864.91
The Villas at Stonebridge Ranch (280 units/607,320 sf)	\$303.66	\$412.98	\$346.17	\$719.78	\$770.00 (\$200.00)	\$556.71	\$607.32	\$809.76
Times Square at Craig Ranch (313 units/144,344 sf)	\$72.17	\$98.15	\$82.28	\$211.70	\$860.75 (\$200.00)	\$132.32	\$144.34	\$192.46
Saxon Woods (510 units/664,162 sf)	\$332.08	\$451.63	\$378.57	\$1,302.84	\$1,402.50 (\$200.00)	\$608.82	\$664.16	\$885.55
Fairways @ Wilson Creek (576 units/ 1,030,490 sf)	\$515.25	\$700.73	\$587.38	\$1,734.80	\$1,584.00 (\$200.00)	\$944.62	\$1,030.49	\$1,373.99

Table 4 Comparison of Commercial and Multifamily fee with neighboring cities

City	Commercial Fee (impervious)	
Allen	\$0.0005/1 sf	\$0.50/1,000 sf
Frisco	\$0.57/1,000 sf	\$0.57/1,000 sf
Plano	\$.068/100 sf	\$0.68/1,000 sf
Frisco (Proposed)	\$0.098/100 sf	\$0.98/1,000 sf
Richardson	\$0.105/100 sf	\$1.05/1,000 sf
McKinney (Current)	\$2.75/2,343 sf	\$1.17/1,000 sf
McKinney (Option C)	\$2.75/3,000 sf	\$0.92/1,000 sf
McKinney (Option B)	\$3.00/3,000 sf	\$1.00/1,000 sf
McKinney (Option A)	\$4.00/3,000 sf	\$1.33/1,000 sf

Table 5 Comparison of Residential fee with neighboring cities

City	Residential Fee (impervious)	
Frisco	\$2.00/3,000 sf (Tier)	\$0.57/1,000 sf
Frisco (Proposed)	\$3.45/3,000 sf (Tier)	\$0.98/1,000 sf
Allen	\$3.00/3,000 sf (Flat)	\$1.00/1,000 sf
Richardson	\$3.75/3,000 sf (Tier)	\$1.25/1,000 sf
Plano	\$5.95/3,000 sf (Tier)	\$1.98/1,000 sf
McKinney (Current)	\$2.75/2,343 sf (Flat)	\$1.17/1,000 sf
McKinney (Proposed)	\$4.00/3,000 sf (Flat)	\$1.33/1,000 sf

Frisco amending rate change to the Municipal Storm Water Utility System Storm Water Utility Fee

Rate change to accommodate SWMP compliance obligations, O&M, and CIP

Current revenue \$1.3 million/year

Proposed revenue \$2.1 million/year

Property Type	Parcel size (sq. ft.)	Current Rate	Proposed Rate	% change
Single-Family Residential				
Tier 1	<5,000	\$1.20	\$2.05	71%
Tier 2	5,000 to <20,000	\$2.00	\$3.45	
Tier 3	≥20,000	\$3.85	\$6.60	
All Other Non-Exempt Property	Per 100 sf impervious area	\$0.057	\$0.098	

Public notice published December 5, 2014

Public hearing scheduled January 6, 2015

Council will vote on the proposed Ordinance immediately following the public hearing

ARTICLE VII. MUNICIPAL SURFACE WATER DRAINAGE UTILITY SYSTEM

Division 1. Generally.

Sec. 110-394. Definitions

The definitions of V.T.C.A., Texas Local Government Code § 402552.044 are hereby adopted, except as modified here:

Drainage charge means:

- (1) The levy imposed to recover the cost of service of the city in furnishing drainage for any benefited property; and
- ~~(4)~~
- (2) An amount made in contribution to funding of future drainage system construction by the city.

Impervious surface means the area of a structure or other improvement upon land that causes an impervious coverage of the soil under the structure or improvement, as shown on the land area data maintained by the county appraisal district or as calculated from site plans submitted for the purpose of obtaining a building permit. When information from both sources is available, the city engineer shall determine which source more accurately establishes the impervious area and shall utilize that source.

Property area means the property area of each lot or tract as shown on the land area data maintained by the county appraisal district.

Service area means the geographic areas within the municipal boundaries of the city.

Single-family living unit equivalent (SFLUE) means a unit of measurement of impervious surface area determined as the average residential house structure or a garage, driveway and other impervious area within the city, to wit: 2,3433,000 square feet. The SFLUE is divided into three (3) tiers of impacts based upon the increased impacts of larger impervious surface areas, to-wit: (a) impervious surface areas less than 2,000 square feet (the "Lower Impact SFLUE"); (b) impervious surface areas of 2,000 square feet but less than 5,000 square feet (the "Intermediate Impact SFLUE"); and (c) impervious surface areas of 5,000 square feet and larger (the "Higher Impact SFLUE"), respectively, and the amount of the fee associated with each classification of SFLUE shall be as determined from time to time by city council.

Structure means any change or improvement upon land that causes an impervious coverage of the soil.

Surface water drainage utility system (SDUS) fee means the total drainage charge for a property, including system-wide and applicable lake drainage basin fee components based on the number of SFLUEs determined for the property.

Division 2. Rates and Charges.

~~(Code 1982, charges and Charges. ertyor a property, includi)~~

Sec. 110-395. Schedule of charges.

Every property owner and city service customer shall be responsible for paying the SDUS fee for the benefited property. Such benefitted properties are charged monthly based on the amount of impervious area on a parcel of property. The SDUS fee has two components: the system-wide component and the lake drainage basin component. The SDUS fee for all properties is computed using the same a formula, which ~~that~~ calculates all properties in relation to a one of three tiers of single-family living unit equivalents (SFLUE) based on the impervious surface area on the improved lot or tract save and except as set forth otherwise herein-below multiplied by the amount of the drainage charges as determined from time to timer by the city council.

(1) Determination of SFLUE.

~~(4)~~

a. For single-family residential and townhome parcels, one SFLUE per month per parcel ~~at the SFLUE tier within which the parcel in question falls.~~

~~a.~~

b. For duplex and multifamily quadplex properties, one SFLUE per month per dwelling unit.

i. The SDUS fee shall be calculated for the entire property ~~at the SFLUE tier of the dwelling unit having the largest impervious surface area~~ and shall be paid by the property owner. The city shall place the SDUS fee on a master meter account billed to the owner or his agent.

ii. At its sole discretion, the city may pro rate the SDUS fee among the separate meters in relation to the number of dwelling units served by the meters; provided the customer provides adequate assurance for payment and documentation of the number of dwelling units served by each meter.

~~b.~~

c. For mobile home parks, one SFLUE per month per each mobile home pad or trailer pad.

i. The SDUS fee for the entire complex shall be ~~calculated at the SFLUE tier of the mobile home pad or trailer pad having the largest impervious surface area. The fee shall be~~ placed on a master meter within the property, or, at the city's sole discretion, may be billed separately to the property owner.

- ii. For individually metered trailer pads, the city may, at its sole discretion, bill the SDUS fee on the individually metered accounts.^[AL1]
- d. For multifamily properties, the number of SFLUE applicable fee to the property will be individually calculated by dividing the impervious surface area of the property by 3,000 square feet and restated as the "Multifamily SFLUE".
- i. In the case of multiple meters on a single parcel, the SDUS fee shall be calculated for the entire property and shall be paid by the property owner. The city shall place the SDUS fee on a master meter account billed to the owner or the owner's his agent.
- ~~e-ii.~~ At its sole discretion, the city may pro rate the SDUS fee among the separate meters in relation to the area served by the meters provided the customer provides adequate assurance for payment, complete documentation of impervious area pro rata calculations, and documentation of concurrence by all owners and/or tenants.
- e. For nonresidential, commercial and/or industrial properties, the number of SFLUE applicable to the property fee will be individually calculated by dividing the impervious surface area of the property by 2,343,000 square feet and restated as the "Commercial SFLUE".
- i. In the case of multiple meters on a single parcel, the SDUS fee shall be calculated for the entire property and shall be paid by the property owner. The city shall place the SDUS fee on a master meter account billed to the owner or his the owner's agent.
- ii. At its sole discretion, the city may pro rate the SDUS fee among the separate meters in relation to the area served by the meters provided the customer provides adequate assurance for payment, complete documentation of impervious area pro rata calculations, and documentation of concurrence by all owners and/tenants.
- ~~d-(2)~~ The minimum SDUS fee for any multi-family, nonresidential, commercial and/or industrial property shall be based on one SFLUE per month. The maximum fee for any nonresidential commercial and industrial property shall be as determined from time to time by city council.
- ~~(2)-(3)~~ The system-wide component. The monthly system-wide fee for all property within the city shall be as determined from time to time by city council.
- ~~(3)-(4)~~ The lake drainage basin component.
- a. The NRCS lake drainage basins are hereby established as shown on exhibit B, attached to Ord. No. 2002-03-017, ^[AL2]which exhibit is not set

out herein, but is on file and available for inspection in the office of the city secretary. The city engineer shall determine whether an improved parcel lot or tract is within a lake drainage basin. In the event of a dispute, the property owner may be requested to provide topographical data to assist in such determination ~~of location~~. If an improved lot or tract parcel is located partially within a lake drainage basin, or within more than one lake drainage basin, the improved lot or tract parcel shall be deemed to be completely located within the basin ~~which that~~ contains the largest percentage of its impervious area.

- b. Every property owner and city service customer within a lake drainage basin shall be responsible for paying the lake drainage basin fee associated with that drainage basin, as shown on exhibit A, attached to Ord. No. 2002-03-017, which exhibit is not set out herein, but is on file and available for inspection in the office of the city secretary.
- c. The monthly lake drainage basin component is determined by multiplying the fee shown on exhibit A, attached to Ord. No. 2002-03-017, which is not set out herein, by the SFLUE calculated for the property.^[AL3]

~~(Code 1982, § 31-212; Ord. No. 2002-03-017, § 2, 3-5-2002; Ord. No. 2007-09-091, § 2, 9-18-2007; Ord. No. 2008-08-078, 8-19-2008)~~

Sec. 110-396. Levy of fees.

~~After the passage of this article and commencing with the June 2002 utility billing cycle, the schedule of drainage charges shall be levied.^[AL4] The drainage charges, SFLUE calculations, and resulting SDUS fees adopted by and through this Ordinance amending Ord. No. 2002-03-017 shall be levied commencing with the _____ utility billing cycle.~~

~~(Code 1982, § 31-213; Ord. No. 2002-03-017, § 2, 3-5-2002)~~

Sec. 110-397. Exemptions.

(a) The city exempts the following governmental entities and all lots or tracts in which it holds a freehold interest and that are being used by the governmental entity exclusively for public purposes from the levy of drainage charge:

- (1) All independent school districts; and
- (2) The city.

(b) The city exempts the following categories of utility customers from the levy of drainage charge:

- (1) Property with proper construction and maintenance of a wholly sufficient and privately owned drainage system;
- (2) Property held and maintained in its natural state, until such time that the property is developed and all of the public infrastructure constructed has been accepted by the city; and

(3) A subdivided lot, until a structure has been built on the lot and a certificate of occupancy has been issued by the city.

(Code 1982, § 31-214; Ord. No. 2002-03-017, § 2, 3-5-2002)

-Sec. 110-398. Billing, deposits and expenditures.

- (a) The city will bill for drainage services on the monthly utility bill along with water, sewer and solid waste services, as may be applicable. In the event the property has no associated utility bill, the city may place the charge on an adjacent property under the same ownership, or may establish a separate utility account.
- (b) There will be no separate deposit required for initial service. A deposit will be required following any discontinuance for delinquent payment.
- (c) In the case of a delinquent payment of the monthly utility bill, which includes the drainage charge, pursuant to V.T.C.A., Texas Local Government Code § 40552.050, the city manager is hereby authorized to discontinue service of all city utilities for nonpayment, even if the amount in dispute is the drainage charge component of the monthly utility bill. The city manager is also authorized to employ other remedies at law to recover any charge not paid when due.
- (d) The income of the SDUS fee shall be segregated and completely identifiable in the city accounts. The moneys received from utility drainage charges shall be used only for purposes that are directly or indirectly related to the surface water drainage utility system. These uses may include, by way of example and not limitation, any of the following items that are necessary or incident to the provision and operation of draining the benefitted property:
 - (1) study of entire watersheds, subwatersheds or individual projects;
 - (2) design, engineering, construction and maintenance of watershed improvements in existing or potentially high or rapid growth areas including NRCS dams;
 - (3) design, engineering, construction and maintenance of watershed improvements in areas where the costs of such improvements deprive an area of economic benefit;
 - (4) study and resolution of erosion issues now existing, anticipated or appearing in the future;
 - (5) design, engineering, construction and maintenance of watershed improvements in areas that will open up new drainage basins for development;
 - (6) acquisition of staff, equipment, software and hardware, etc., necessary to implement the above; and
 - (7) payment of any expenditure attributable to unfunded or partially funded state or federal mandates related to storm water.

(e) Moneys received from the lake drainage basin component of the charge shall be used only for purposes that are directly related to the surface water drainage utility system of the applicable drainage basin.

~~(d)(f)~~ All billings, credits, exemptions and other procedures relating to these fees shall be subject to the provisions of the Act and other applicable law.

~~(Code 1982, §ode 1982, rd. No. 2002-03-017, § 2, 3-5-2002)~~

~~Secs. 110-399—110-424. Reserved.~~

APPENDIX A - SCHEDULE OF FEES

Chapter 110. Utilities.

Sec. 110-395. Schedule of charges.

[Surface water drainage utility system (SDUS) fee]

(1) (1) Determination of SFLUE.

- a. Single-family residential and townhomes: One (1) SFLUE per parcel;
 - b. Duplexes and quadplexes: One (1) SFLUE per dwelling unit.
 - c. Mobile home parks: One (1) SFLUE per each mobile home pad or trailer pad.
 - d. Multifamily properties: Number of SFLUE for property = $\frac{\text{Square footage of impervious surface on property}}{3,000 \text{ square feet}}$, rounded up to the nearest whole SFLUE, with a minimum of One (1) SFLUE;
 - e. Nonresidential, commercial and/or industrial properties: Number of SFLUE for property = $\frac{\text{Square footage of impervious surface on property}}{3,000 \text{ square feet}}$, rounded up to the nearest whole SFLUE, with a minimum of One (1) SFLUE;
- ~~a. For single family residential and townhome parcels, one SFLUE per month per parcel.~~
- ~~b. For duplex and multifamily quadplex properties, one SFLUE per month per dwelling unit. The fee shall be calculated for the entire property and shall be paid by the property owner. The city shall place the fee on a master meter account billed to the owner or his agent. At its sole discretion, the city may pro rate the fee among the separate meters in relation to the number of dwelling units served by the meters; provided the customer provides adequate assurance for payment and documentation of the number of dwelling units served by each meter.~~
- ~~c. For mobile home parks, one SFLUE per month per each mobile home pad or trailer pad. The fee for the entire complex shall be placed on a master meter within the property, or, at the city's sole discretion, may be billed separately to the property owner. For individually metered trailer pads, the city may, at its sole discretion, bill the fee on the individually metered accounts.~~
- ~~d. For multifamily properties, the fee will be individually calculated by dividing the impervious surface area of the property by 3,000 feet and restated as SFLUE. In the case of multiple meters on a single parcel, the fee shall be calculated for the entire property and shall be paid by the property owner. The city shall place the fee on a master meter account billed to the owner or his agent. At its sole discretion, the city may pro rate the fee among the separate meters in relation to the area served by the meters provided the customer provides adequate assurance for payment, complete documentation of impervious area pro rata calculations, and documentation of concurrence by all tenants. The minimum fee for any multifamily property shall be based on one SFLUE per month.~~
- ~~ed. For commercial and industrial, the fee will be individually calculated by dividing the impervious surface area of the property by 2,343,000 feet and restated as SFLUE. In the case of multiple meters on a single parcel, the fee shall be calculated for the~~

~~entire property and shall be paid by the property owner. The city shall place the fee on a master meter account billed to the owner or his agent. At its sole discretion, the city may pro rate the fee among the separate meters in relation to the area served by the meters provided the customer provides adequate assurance for payment, complete documentation of impervious area pro rata calculations, and documentation of concurrence by all tenants. The minimum fee for any nonresidential commercial and industrial property shall be based on one SFLUE per month. The maximum fee for any nonresidential commercial and industrial property, per month200.00~~

(2) ~~(2)~~ The system-wide component. The monthly system-wide fee, per SFLUE for all property within the city2.754.00

(3) The lake drainage basin component. The monthly system-wide fee, per SFLUE for all property within the city0.00

ARTICLE VII. MUNICIPAL SURFACE WATER DRAINAGE UTILITY SYSTEM

Division 1. Generally.

Sec. 110-394. Definitions

The definitions of Texas Local Government Code § 552.044 are hereby adopted, except as modified here:

Drainage charge means:

- (1) The levy imposed to recover the cost of service of the city in furnishing drainage for any benefited property; and
- (2) An amount made in contribution to funding of future drainage system construction by the city.

Impervious surface means the area of a structure or other improvement upon land that causes an impervious coverage of the soil under the structure or improvement, as shown on the land area data maintained by the county appraisal district or as calculated from site plans submitted for the purpose of obtaining a building permit. When information from both sources is available, the city engineer shall determine which source more accurately establishes the impervious area and shall utilize that source.

Property area means the property area of each lot or tract as shown on the land area data maintained by the county appraisal district.

Service area means the geographic areas within the municipal boundaries of the city.

Single-family living unit equivalent (SFLUE) means a unit of measurement of impervious surface area determined as the average residential house structure or a garage, driveway and other impervious area within the city, to wit: 3,000 square feet. .

Structure means any change or improvement upon land that causes an impervious coverage of the soil.

Surface water drainage utility system (SDUS) fee means the total drainage charge for a property, including system-wide and applicable lake drainage basin fee components based on the number of SFLUEs determined for the property.

Division 2. Rates and Charges.

Sec. 110-395. Schedule of charges.

Every property owner and city service customer shall be responsible for paying the SDUS fee for the benefited property. Such benefitted properties are charged monthly based on the amount

of impervious area on a parcel of property. The SDUS fee has two components: the system-wide component and the lake drainage basin component. The SDUS fee for all properties is computed using the same formula, which calculates all properties in relation to a single-family living unit equivalent (SFLUE) based on the impervious surface area on the improved lot or tract save and except as set forth otherwise herein-below multiplied by the amount of the drainage charges as determined from time to time by the city council.

(1) Determination of SFLUE.

- a. For single-family residential and townhome parcels, one SFLUE per month per parcel.
- b. For duplex and quadplex properties, one SFLUE per month per dwelling unit.
 - i. The SDUS fee shall be calculated for the entire property and shall be paid by the property owner. The city shall place the SDUS fee on a master meter account billed to the owner or his agent.
 - ii. At its sole discretion, the city may pro rate the SDUS fee among the separate meters in relation to the number of dwelling units served by the meters; provided the customer provides adequate assurance for payment and documentation of the number of dwelling units served by each meter.
- c. For mobile home parks, one SFLUE per month per each mobile home pad or trailer pad.
 - i. The SDUS fee for the entire complex shall be placed on a master meter within the property, or, at the city's sole discretion, may be billed separately to the property owner.
 - ii. For individually metered trailer pads, the city may, at its sole discretion, bill the SDUS fee on the individually metered accounts.
- d. For multifamily properties, the number of SFLUE applicable to the property will be individually calculated by dividing the impervious surface area of the property by 3,000 square feet.
 - i. In the case of multiple meters on a single parcel, the SDUS fee shall be calculated for the entire property and shall be paid by the property owner. The city shall place the SDUS fee on a master meter account billed to the owner or the owner's agent.
 - ii. At its sole discretion, the city may pro rate the SDUS fee among the separate meters in relation to the area served by the meters provided the customer provides adequate assurance for payment, complete documentation of impervious area pro rata calculations, and documentation of concurrence by all owners and/or tenants.

- e. For nonresidential, commercial and/or industrial properties, the number of SFLUE applicable to the property will be individually calculated by dividing the impervious surface area of the property by 3,000 square feet.
 - i. In the case of multiple meters on a single parcel, the SDUS fee shall be calculated for the entire property and shall be paid by the property owner. The city shall place the SDUS fee on a master meter account billed to the owner or the owner's agent.
 - ii. At its sole discretion, the city may pro rate the SDUS fee among the separate meters in relation to the area served by the meters provided the customer provides adequate assurance for payment, complete documentation of impervious area pro rata calculations, and documentation of concurrence by all owners and/tenants.
- (2) The minimum SDUS fee for any multi-family, nonresidential, commercial and/or industrial property shall be based on one SFLUE per month.
- (3) The system-wide component. The monthly system-wide fee for all property within the city shall be as determined from time to time by city council.
- (4) The lake drainage basin component.
 - a. The NRCS lake drainage basins are hereby established as shown on exhibit B, attached to Ord. No. 2002-03-017, which exhibit is not set out herein, but is on file and available for inspection in the office of the city secretary. The city engineer shall determine whether an improved lot or tract is within a lake drainage basin. In the event of a dispute, the property owner may be requested to provide topographical data to assist in such determination. If an improved lot or tract is located partially within a lake drainage basin, or within more than one lake drainage basin, the improved lot or tract shall be deemed to be completely located within the basin that contains the largest percentage of its impervious area.
 - b. Every property owner and city service customer within a lake drainage basin shall be responsible for paying the lake drainage basin fee associated with that drainage basin, as shown on exhibit A, attached to Ord. No. 2002-03-017, which exhibit is not set out herein, but is on file and available for inspection in the office of the city secretary.
 - c. The monthly lake drainage basin component is determined by multiplying the fee shown on exhibit A, attached to Ord. No. 2002-03-017, which is not set out herein, by the SFLUE calculated for the property.

Sec. 110-396. Levy of fees.

The drainage charges, SFLUE calculations, and resulting SDUS fees adopted by and through this Ordinance amending Ord. No. 2002-03-017 shall be levied commencing with the _____ utility billing cycle.

Sec. 110-397. Exemptions.

(a) The city exempts the following governmental entities and all lots or tracts in which it holds a freehold interest and that are being used by the governmental entity exclusively for public purposes from the levy of drainage charge:

- (1) All independent school districts; and
- (2) The city.

(b) The city exempts the following categories of utility customers from the levy of drainage charge:

- (1) Property with proper construction and maintenance of a wholly sufficient and privately owned drainage system;
- (2) Property held and maintained in its natural state, until such time that the property is developed and all of the public infrastructure constructed has been accepted by the city; and
- (3) A subdivided lot, until a structure has been built on the lot and a certificate of occupancy has been issued by the city.

Sec. 110-398. Billing, deposits and expenditures.

- (a) The city will bill for drainage services on the monthly utility bill along with water, sewer and solid waste services, as may be applicable. In the event the property has no associated utility bill, the city may place the charge on an adjacent property under the same ownership, or may establish a separate utility account.
- (b) There will be no separate deposit required for initial service. A deposit will be required following any discontinuance for delinquent payment.
- (c) In the case of a delinquent payment of the monthly utility bill, which includes the drainage charge, pursuant to Texas Local Government Code § 552.050, the city manager is hereby authorized to discontinue service of all city utilities for nonpayment, even if the amount in dispute is the drainage charge component of the monthly utility bill. The city manager is also authorized to employ other remedies at law to recover any charge not paid when due.
- (d) The income of the SDUS fee shall be segregated and completely identifiable in the city accounts. The moneys received from utility drainage charges shall be used only for purposes that are directly or indirectly related to the surface water drainage utility system. These uses may include, by way of example and not limitation, any of the following items that are necessary or incident to the provision and operation of draining the benefitted property:
 - (1) study of entire watersheds, subwatersheds or individual projects;

- (2) design, engineering, construction and maintenance of watershed improvements in existing or potentially high or rapid growth areas including NRCS dams;
 - (3) design, engineering, construction and maintenance of watershed improvements in areas where the costs of such improvements deprive an area of economic benefit;
 - (4) study and resolution of erosion issues now existing, anticipated or appearing in the future;
 - (5) design, engineering, construction and maintenance of watershed improvements in areas that will open up new drainage basins for development;
 - (6) acquisition of staff, equipment, software and hardware, etc., necessary to implement the above; and
 - (7) payment of any expenditure attributable to unfunded or partially funded state or federal mandates related to storm water.
- (e) Moneys received from the lake drainage basin component of the charge shall be used only for purposes that are directly related to the surface water drainage utility system of the applicable drainage basin.
- (f) All billings, credits, exemptions and other procedures relating to these fees shall be subject to the provisions of the Act and other applicable law.

110-399—110-424. Reserved.

APPENDIX A - SCHEDULE OF FEES

Chapter 110. Utilities.

Sec. 110-395. Schedule of charges.

[Surface water drainage utility system (SDUS) fee]

(1) *Determination of SFLUE.*

- a. Single-family residential and townhomes: One (1) SFLUE per parcel;
- b. Duplexes and quadplexes: One (1) SFLUE per dwelling unit.
- c. Mobile home parks: One (1) SFLUE per each mobile home pad or trailer pad.
- d. Multifamily properties: Number of SFLUE for property = $\frac{\text{Square footage of impervious surface on property}}{3,000 \text{ square feet}}$, rounded up to the nearest whole SFLUE, with a minimum of One (1) SFLUE;
- e. Nonresidential, commercial and/or industrial properties: Number of SFLUE for property = $\frac{\text{Square footage of impervious surface on property}}{3,000 \text{ square feet}}$, rounded up to the nearest whole SFLUE, with a minimum of One (1) SFLUE;

(2) *The system-wide component.* The monthly system-wide fee, per SFLUE for all property within the city4.00

(3) *The lake drainage basin component.* The monthly system-wide fee, per SFLUE for all property within the city0.00

Table 1 Large Commercial Monthly Stormwater Utility Charge for Selected Cities (Ex. Baylor Medical: 56.8426 acres/1,699,170 ft. impervious surface/469,170 sq. ft. building)

City*	Fee
Rowlett	\$13.50
Duncanville	\$35.00
Flower Mound	\$54.10
Keller	\$66.24
Coppell	\$75.00
Cleburne	\$90.00
Glenn Heights	\$175.00
Prosper	\$200.00
McKinney (Current)	\$200.00
Allen	\$849.59
Frisco (Current)	\$968.53
Plano	\$1155.44
Garland	\$1223.41
The Colony	\$1247.19
Colleyville	\$1386.96
Little Elm	\$1543.86
Frisco (Proposed)	\$1665.19
Richardson	\$1784.13
Mansfield	\$1974.15
Grand Prairie	\$1962.54
Highland Village	\$2039.00
Southlake	\$2123.97
Highland Park	\$2208.92
McKinney (Proposed)	\$2265.56
Arlington	\$2579.10
Corinth	\$2614.11
Dallas	\$2699.98
Denton	\$3160.46
Benbrook	\$3466.31
Addison	\$4400.85

Proposed Surface Drainage Utility System Fee Increases

Discussion Points with Businesses

Staff met with representatives of several of McKinney's customers with a significant amount of impervious surface. These larger customers will be among the most impacted by the proposed changes to the Surface Drainage Utility System fees. A summary of their comments is as follows:

Raytheon:

- Understood the need for funding
- They felt there is a difference between large commercial and residential properties with regard to the need for services. In other words, it is less likely that improvements would be required on their property as opposed to a residential property
- Recommended phasing in the fee over a few years, and possibly delay implementation of the fee increases to be able to accommodate the cost during their budgeting process

Baylor Hospital:

- This is a significant increase at one time
- Can their taxes, which are higher than others, offset the fee?
- This is not fair since Baylor has already installed improvements per the previous ordinance, and then they still have the increased fee
- Requested a postponement of the fee increase until their new budget year on July 1 and also recommended phasing in the fee increase

Encore Wire:

- Why should Encore fund the clean-up of other's property when they take care of the creeks on their property?
- The cap may make the ordinance reasonable and equitable
- They understand the need for more funding
- Recommend phasing in the fee
- \$400 to \$4,100 is too much
- Can't make it reasonable if it's unreasonable
- Encore would like to be on the next storm water committee

- Would rather get together with a group of the larger business owners and pay up front for items instead of the increased monthly fee
- Want a clear understanding of what surface drainage fee credits for which they may qualify



14-1291

TITLE: Discuss Possible Amendments to Section 146-42 (Temporary Uses) of the Zoning Regulations to Address Food Trucks

MEETING DATE: December 15, 2014

DEPARTMENT: Planning

CONTACT: Michael Quint, Director of Planning
Lori Dees, Environment Health Manager
Barry Shelton, AICP, Interim Assistant City Manager

RECOMMENDED CITY COUNCIL ACTION:

- Consider and discuss regulations pertaining to food trucks.

ITEM SUMMARY:

- Food trucks are a growing trend both nationally and locally. City Staff members field requests for food truck permits on a recurring basis but must turn applicants away as no regulations currently exist allowing such uses within the City of McKinney. Staff has drafted some regulations that would address this issue and are requesting the City Council's feedback and direction.
- The draft regulations define what food trucks are and specify the numbers of food trucks to be allowed on a piece of property and further identifies places where food trucks would be allowed. The draft regulations are attached for the City Council's review.

BACKGROUND INFORMATION:

- On November 13, 2014, City Staff met with McKinney Economic Development Corporation's Development Advocacy Group to solicit feedback on the draft regulations. A number of minor questions were raised which led to minor amendments but overall, the feedback was overwhelmingly positive. Modifications which address all feedback received to date are incorporated within the proposed draft regulations.

FINANCIAL SUMMARY: N/A

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Proposed 146-42 Changes](#)

[City of Plano Regulations](#)

[City of Frisco Regulations](#)

[City of Durham, NC Regulations](#)

Sec. 146-42. Temporary uses.

The following temporary uses may be allowed under the conditions and for the time specified upon proper application and review by the chief building official:

- (1) A temporary building may be used as an office incidental to construction work if such building is located upon the same property as the site under construction, does not contain living quarters, and provides only for uses incidental to construction on the premises. Such buildings shall be removed within 30 days following final acceptance of the construction by the city.
- (2) A temporary facility or a permanent residential structure located on any platted lot in an approved residential subdivision may be used as a construction office, or as a sales office, or for display purposes. No more than one office and no more than four display facilities shall be allowed for any purposes for any subdivision. Such temporary use shall be allowed for a period of one year, with extensions upon application and approval of six months possible, provided construction remains continuous and no more than ten lots remain unsold in the subdivision. However, in no case shall more than four such extensions be granted.
- (3) Temporary uses of a religious or philanthropic nature by those organizations not normally conducting business for profit may be allowed for the period of their actual duration up to a maximum of 30 days, except that two extensions of up to 30 days may be possible upon application and approval.
- (4) Temporary sales of seasonal products such as shaved ice or snow cones, firewood, cut trees, plants, fruits and vegetables, and the like may be allowed during their normal and generally accepted season for a period of up to 30 days, except that two extensions of up to 30 days may be possible upon application and approval. Temporary sales of seasonal products may be allowed no more than 120 days, whether consecutive or cumulative, per site.

(5) Food Trucks. Food trucks shall be subject to the following criteria:

a. Definitions.

- i. Food Truck means an operational motor vehicle from which food and associated non-alcoholic beverages that are not typically tied to a single season of the year are prepared, served and sold on private property for a period of time which exceeds 60 minutes or two instances of 30 minutes each day. This definition shall also apply to any seating, garbage and/or recycling containers, gear or equipment that is associated with the food truck's operation.
- ii. Operation site means the geographic area within which the food truck will park, prepare, and sell food. This also includes areas

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where the food truck's customers go to consume food and/or non-alcoholic beverages sold from the food truck. The sale of merchandise shall not be permitted.

b. *Permits and inspections required.*

i. Food Truck Temporary Site Permit. The owner or the authorized owner's representative who includes, but is not limited to the general manager or president of a property containing a site where a food truck will be located must apply for a temporary site permit from the Building Inspections Department prior to allowing a food truck to operate on their property. The permit application shall include information which details where the food truck will be located on the property along with any refuse receptacle(s), restroom(s), vehicle parking, dining area(s), or any other pertinent information. As part of the permit application, any necessary authorization letters from adjacent property owners and businesses shall also be provided. Authorization letters which limit the allowance of food trucks to a type or style of food shall not be accepted. Additional information as deemed necessary by the Chief Building Official to thoroughly review the request shall also be submitted as part of the permit application. A temporary site permit which is issued by the Building Inspections Department shall only remain valid for a maximum of six months and shall expire on June 30 or December 31 of every calendar year, whichever occurs first. A temporary site permit may accommodate any licensed food truck vendor that the property owner/temporary site permit holder deems acceptable.

ii. Food Truck Vendor Permit. All food trucks shall be required to register and obtain all applicable permits from the Environmental Health Department prior to operation.

iii. Other Permits. Food trucks shall be responsible for identifying and obtaining all applicable permits and shall be responsible for conforming to all applicable regulations. Property owners shall be responsible for ensuring that any food truck which operates on their property obtains all necessary permits prior to operation and conforms to all applicable regulations.

iv. Inspections. Food trucks and their operation sites may be inspected from time to time by appropriate City personnel. Food trucks and operation sites shall immediately be made available for inspections upon request.

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c. *Property owner authorization.* Owners of a property on which a food truck will operate shall be required to provide written assurance to the Building Inspections Department ensuring that:

- i. Restrooms for each sex, or a gender neutral restroom(s), located within a permanent building with a valid certificate of occupancy shall be provided for the food truck's use. This restroom(s) must remain open and available for use during the same hours of operation as the food truck they're serving. No portable or temporary restrooms will be allowed; and
- ii. Refuse and/or recycling receptacles with an appropriate size to accept refuse from the food truck operation shall be provided for the food truck operation.

d. *Acceptable locations for food trucks (operation sites).*

- i. Subsequent to all permits being issued, food trucks may operate within all non-residential zoning districts assuming all other locational criteria contained herein are also satisfied.
- ii. Food trucks and their customers shall be prohibited from utilizing the public right-of-way for food sales and/or consumption.
- iii. Food trucks shall only be permitted to sell food on private property. Said property must feature an area of sufficient size which is finished with a concrete or asphaltic material on which the food truck may temporarily park (referred to as the operation site). No food truck shall be permitted on property which does not have a valid temporary site permit.
- iv. All portions of a food truck and its associated operation site shall be located within 150 feet, as determined by the Fire Marshal, of a dedicated fire lane easement or a public street.
- v. Food trucks must be parked, situated and operate in a manner that does not restrict orderly and/or safe vehicular and/or pedestrian movements.
- vi. Food trucks may not occupy off-street parking or loading spaces that are otherwise required to satisfy another land use's minimum off-street parking or loading requirements.
- vii. Minimum distances.

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1. No food truck operations including, but not limited to food preparation, sales or consumption shall be permitted within 500 feet of any door, window or outdoor dining area of any existing restaurant(s) or food service establishment(s). Food trucks shall be exempted from this requirement with the express, written permission of the restaurants' or food service establishments' owner or authorized representative.
2. Only one food truck shall be permitted on each lot or property and food trucks shall not be allowed to engage in sales operations within 1,000 feet of one another. This requirement shall not be applicable to food trucks located on lots or properties that are larger than five acres in area. In this case, no more than two food trucks shall be allowed for each five acres of land area. The maximum allowable number of food trucks on a particular property shall be six.
3. Food trucks shall not be allowed to engage in sales operations within 500 feet of any residential zoning district and/or use.
4. Food trucks shall not engage in sales within 20 feet of a public right-of-way.
- e. *Hours of operation.* Food trucks shall only be allowed to engage in sales operations between the hours of 8:00 am and 10 pm. Food trucks shall not be located or stored at the operation site between the hours of 11 pm and 7 am.
- f. *Off-street vehicle parking.* One off-street vehicle parking space shall be required for each table that is provided for use by food truck customers. If no tables are provided, no off-street vehicle parking shall be required.
- g. *Signage.* All signage pertaining to or advertising a food truck and/or its menu shall be attached to the food truck. No detached signage shall be allowed. There shall be no limit to the amount of signage that is allowed on a food truck. Signage containing profanity or lewd or obscene images shall be prohibited.
- h. *Refuse, recycling, litter and food preparation byproducts.*
 - i. Food truck operators shall provide, on or within 20 feet of the food truck, containers of sufficient size and number for the disposal of refuse and recyclables resulting from the sales. They shall be identified as being for the disposal of refuse and/or recyclables. City-provided refuse and recycling containers shall not be used for

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the food truck's refuse and/or recycling needs unless written authorization has been provided by the City. Any refuse, recycling and/or litter on the ground at the operation site shall be immediately picked up and discarded appropriately by the food truck operator. Refuse and/or recycling must be removed from the operation site daily or on as needed basis to remove excess refuse and/or recycling from the operation site, which ever spans less time.

- ii. Greases, oils, vapors and other similar food preparation byproducts shall be kept inside the food truck at all times. Dumping of or the improper disposal of food preparation byproducts into a storm water collection system or other system not designed for that specific use is strictly prohibited and may result in the immediate revocation of all permits and licenses.

- i. Safety. The Chief Building Official, Fire Marshal and/or the Environmental Heath Manager shall have the authority to require that additional safety measures be provided at an operational site to ensure the health, safety, and welfare of the general public. These additional safety measures may include, but not be limited to limitations governing the provision of utilities (water, wastewater, electricity, gas, etc.) to the food truck, providing fire extinguisher(s), and adding limitations to the use of deep fat fryers or flat top grills in specific instances.

- i. Exceptions. These regulations shall not apply to food trucks that operate:

- i. Under a special event permit issued by the City;

- ii. At a permitted farmers' market; and

- iii. At a public facility including, but not limited to a City park, public library, recreation or aquatics center, or performing art center at which food trucks shall be permitted by right.

~~(5)~~(6) The chief building official, in approving or denying such application shall consider the nature of the use; existing uses in surrounding areas; noise, dust, light, and traffic generated; health and sanitary conditions; and compliance with other regulations of this chapter. The chief building official shall have the right, upon finding that a hazard or nuisance shall exist by continuing such use, to revoke any temporary use at any time or to deny any extension. After which, such temporary use shall immediately cease and all temporary structures shall be removed within ten days of notification of such finding.

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City of Plano Environmental Health Department
1520 K Avenue, Suite # 210
Plano, TX 75074
Phone: (972) 941-7143 Fax: (972) 941-7142

MOBILE FOOD VENDOR GUIDELINES

The Plano Environmental Health Department currently performs inspections and permitting of mobile food vendors each Wednesday by appointment. Mobile food vendors include hot trucks, prepackaged/catering trucks and ice cream trucks/push carts.

All permits are valid for one year, are not transferable and must meet and maintain all requirements of the Mobile Food Vending Permit. At this time, we do not permit trucks with trailer attachments, mobile carriers that do not have commercial equipment installed and vehicles that have been altered to serve as hot trucks.

Once permitted, Mobile Food Vendors are not allowed in City Parks, Recreational Centers or on school property (Plano Code of Ordinances, Sec. 11-143) and must comply with all other applicable City ordinances (no sales from City streets or Rights of Way (ROW)). If you wish to operate on private properties or at a private business you must contact that business for permission and be in compliance with the City's Itinerant Vendor requirements (Plano Code of Ordinances, Sec. 11-156), refer them to Building Inspections Department for that permit. Mobile Food Vendors are subject to inspection any time the vehicle is stopped and serving the public. Violations of the permit requirements are subject to corrective action up to and/or including, discarding of food products, revocation of the permit and fines. Those persons found operating in the City of Plano without a valid permit are subject to fines up to \$2,000.00.

Following are the rules and regulations specific to the type of vending you are interested. If there are any questions or to schedule an appointment please contact the Environmental Health Department at 972.941.7143.

FULL SERVICE/HOT /"GOURMET" TRUCKS

Units must present the following documentation at the time of inspection:

1. Valid Certified Food Manager certification for at least one individual operating on the truck.
2. Food Handler cards for all other persons handling food.
3. Proof of insurance for the vehicle.
4. Current registration and inspection.
5. Signed and notarized commissary letter.
6. Valid driver's license.
7. Completed application.
8. Cash, check, money order, or credit card for permit fees.

Units must meet the following minimal requirements to be considered for permit:

1. Name displayed on at least two sides of the vehicle. (Lettering must be at least three (3) inches.)
2. Internal thermometers for all hot hold and cold hold units.
3. Long stem thermometers to check internal temperatures of food products.
4. Hand washing facility with hot and cold running water.
5. Properly installed and properly operating retention tanks (plugs must be in place).
6. Proper storage of chemicals, away from food products and equipment.
7. Clean vehicle with proper overhead covering.
8. All raw food products must be stored below all cooked or ready to eat products.
9. All raw chicken products, including eggs, must be stored on the lowest shelf.
10. All leftover food products must be stored at the commissary with proper date marking and under proper temperature control or must be discarded.
11. All hot hold items must be held at 140 degrees Fahrenheit or above at all times.
12. All cold hold items must be held at 40 degrees Fahrenheit or below at all times.
13. Full Service/Hot/Gourmet trucks are not allowed in parks, recreational centers or on/near school property

The items mentioned are only minimal requirements, a thorough inspection of the vehicle, food products, cleanliness, hot and cold storage, and documentation including vehicle schematics (plans) will be performed before being considered for permitting.

PREPACKAGED/CATERING TRUCKS

Prepackaged/Catering Trucks must present the following documentation at the time of inspection:

1. Proof of insurance for the vehicle.
2. Current registration and inspection.
3. Signed and notarized commissary letter.
4. Valid driver's license.
5. Copy of manufacturing license from vendor supplying food products.
6. Complete application.
7. Cash, check, money order, credit card for permit fee.

Prepackaged/Catering Trucks must meet the following minimal requirements to be considered for a permit:

1. Name on at least two sides of the vehicle in at least three (3) inch lettering.
2. Internal thermometers provided for hot hold and cold hold units.
3. All food products must be properly packaged & labeled.
4. Restaurant food is not allowed unless the restaurant has the proper food manufacturer's permit and is properly packaged & labeled.
5. All chemicals must be stored and labeled properly and away from food products.
6. Food storage area must be clean.
7. Prepackage/Catering trucks are not allowed in parks, recreational centers or on/near school property

ICE CREAM TRUCKS

Ice Cream Trucks must present the following documents at the time of inspection:

1. Proof of insurance for the vehicle.
2. Current registration and inspection.
3. Valid driver's license.
4. Complete application.
5. Cash, check, money order, or credit card for permit fee.

Ice Cream Trucks must meet the following minimal requirements to be considered for a permit:

1. Name on at least two sides of the vehicle in at least three (3) inch lettering
2. Internal thermometers must be present in all freezer units and must measure zero (0) degrees Fahrenheit.
3. Freezer units must be commercial and NSF, ANSI or equivalent approved.
4. All items sold must be prepackaged and properly labeled.
5. All items sold must be purchased from a permitted facility.
6. Vehicle must be clean inside and out.
7. Music can only be played between the hours of 8:00 A.M. and 8:00 P.M.
8. Dry ice may be used to help maintain proper freezing temperatures.
9. Ice cream trucks are not allowed in parks, recreational centers or on/near school property.

SNOW CONE TRUCKS

Snow Cone Trucks must present the following documents at the time of inspection:

1. Food handler cards for all persons handling food.
2. Proof of insurance for the vehicle.
3. Current registration and inspection.
4. Valid driver's license.
5. Complete application.
6. Cash, check, money order or credit card for permit fee.

Snow Cone Trucks must meet the following minimal requirements to be considered for a permit:

1. Name on at least two sides of the vehicle in at least three (3) inch lettering.
2. Internal thermometers must be present in all freezer units and must measure zero (0) degrees Fahrenheit.
3. Freezer units must be commercial and NSF, ANSI or equivalent approved.
4. Hand washing facility with hot and cold running water.
5. Properly installed and properly operating retention tanks (plugs must be in place).
6. All items must be properly labeled.
7. All food items must be purchased from a permitted facility.
8. Vehicle must be clean inside and out.
9. Music can only be played between the hours of 8:00 A.M. and 8:00 P.M.
10. Snow cone trucks are not allowed in parks, recreation centers or on/near school property.

PUSH CARTS

Push carts must meet the following requirements:

1. All items on push cart must be prepackaged and properly labeled.
2. Name must appear on at least two sides of the cart in at least three (3) inch lettering.
3. Thermometers must be placed inside cart to verify cold hold of zero (0) degrees Fahrenheit or below.
4. Provide a copy of valid identification for cart operator.
5. Push carts are not allowed in parks, recreational centers or on/near school property.
6. Complete application.
7. Cash, check, money order, or credit card for permit fee.

AN ORDINANCE OF THE CITY OF FRISCO, TEXAS, AMENDING FRISCO'S COMPREHENSIVE ZONING ORDINANCE NO. 00-11-01, ARTICLE II, SECTION 3.03(B) (SCHEDULE OF USES), ARTICLE II, SECTION 3.04 (CONDITIONAL DEVELOPMENT STANDARDS) AND ARTICLE II, SECTION 4.02 (DEFINITIONS); PROVIDING FOR A PENALTY FOR THE VIOLATION OF THIS ORDINANCE; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Frisco, Texas ("City Council") has investigated and determined that Article II, Section 3.03(B), Article II, Section 3.04 and Article II, Section 4.02 (Definitions) of the City of Frisco, Texas ("Frisco") Comprehensive Zoning Ordinance No. 00-11-01 should be amended; and

WHEREAS, Frisco has complied with all notices and public hearings as required by law; and

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Frisco to amend Frisco's Comprehensive Zoning Ordinance No. 00-11-01 as set forth below.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS:

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Amendment to Article II, Section 3.03(B) (Permitted Uses and Definitions) of Frisco's Comprehensive Zoning Ordinance No. 00-11-01. Article II, Section 3.03(B) (Permitted Uses and Definitions) of Frisco's Comprehensive Zoning Ordinance No. 00-11-01 is hereby amended to add the following use:

Article II, Section 3.03 – Permitted Uses and Definitions

A	RE	SF-1	SF-2	SF-3	SF-4	SF-5	OT-R	PH	TH	2F	MF-1	MF-2	MH	Section 3.03(B) Accessory and Incidental Uses	O-1	O-2	NS	R	OT-C	H	C-1	C-2	CO	IT	I	Preston Road Overlay District			
Agricultural	Residential Estate	Single-Family 1	Single-Family 2	Single-Family 3	Single-Family 4	Single-Family 5	Original Town Residential	Patio Home	Town Home	Two Family	Multi-Family 1	Multi-Family 2	Mobil Home		Office 1	Office 2	Neighborhood	Retail	Original Town Commercial	Highway	Commercial 1	Commercial 2	Corporate Office Information &	Industrial	US 380 Gateway	Rural Corridor	Main Street	Retail Corridor	SH 121 Gateway
														Mobile Food Vendor				33		33	33	33							

SECTION 3: Amendment to Article II, Section 3.04 (Conditional Development Standards) of Frisco's Comprehensive Zoning Ordinance No. 00-11-01. Article II, Section 3.04 (Conditional Development Standards) of Frisco's Comprehensive Zoning Ordinance No. 00-11-01 is hereby amended to add the following development condition:

Article II – Permitted Uses and Definitions, Section 3.04 Conditional Development Standards

33. Mobile Food Vendor

Mobile food vendors are subject to the following regulations:

- a) Mobile food vendors are permitted in Retail, Commercial-1, Commercial-2, or Highway zoning districts or Planned Development with Business Center as the base zoning only;
- b) Mobile food vendors shall be located on private property where an existing, permanent business operates in a building with a certificate of occupancy;
- c) Mobile food vendors shall provide the City with a copy of written permission from the property owner on an annual basis to allow the operation of a mobile vendor and to allow the mobile vendor and their customers access to a commercially plumbed public restroom on-site;
- d) A mobile food vendor shall submit a site plan depicting the location of the mobile food vendor on the property, shall secure a health permit from the Health and Food Safety Division, and a permit from Building Inspections prior to the operation of such use;
- e) Temporary connections to potable water are prohibited. Water shall be from an internal tank, and electricity shall be from a generator or an electrical outlet via a portable cord that is in conformance with the Electrical Code as adopted by the City of Frisco;

- f) Mobile food vendors shall be located within 50 feet of an entrance of a primary building that holds the Certificate of Occupancy;
- g) Mobile food vendors shall be setback a minimum of 100 feet from major thoroughfares, as designated on the City's Thoroughfare Plan;
- h) Mobile food vendors may operate only during the business hours of the primary business on the property;
- i) The operator shall possess a City tax certificate showed as paid;
- j) A drive through is not permitted in conjunction with the mobile food vendor;
- k) Mobile food vendors shall not operate in parking spaces, driveways, fire lanes or public roads;
- l) Sales of food from a stationary vehicle excludes catering trucks; and
- m) Mobile food vendors are prohibited in a temporary building.

SECTION 4: Amendment to Article II, Section 4.02 (Definitions) of Frisco Comprehensive Zoning Ordinance No. 00-11-01. Article II, Section 4.02 (Definitions) of Frisco's Comprehensive Zoning Ordinance No. 00-11-01 is hereby amended to add the following definition to be inserted alphabetically:

Mobile Food Vendor - Any person or persons who operates or sells food from a stationary cart, or trailer mounted on chassis, but without an engine for period of 15 days or greater per year. Mobile food vendors who operate for 14 days or less shall be considered temporary food establishments, as defined by the City of Frisco Health Ordinance as it exists or may be amended.

SECTION 5: Penalty Provision: Any person, firm, corporation or business entity violating this Ordinance or any provision of Frisco's Comprehensive Zoning Ordinance No. 00-11-01, or as amended, shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined a sum not exceeding Two Thousand Dollars (\$2,000.00). Each continuing day's violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude Frisco from filing suit to enjoin the violation. Frisco retains all legal rights and remedies available to it pursuant to local, state and federal law.

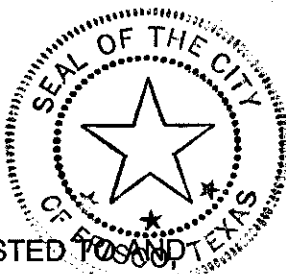
SECTION 6: Savings / Repealing Clause: Frisco's Comprehensive Zoning Ordinance No. 00-11-01 shall remain in full force and effect, save and except as amended by this or any other Ordinance. All provisions of any ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a

prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinance shall remain in full force and effect.

SECTION 7: Severability: Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 8: Effective Date: This Ordinance shall become effective from and after its adoption and publication as required by law the City Charter and by law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS on this 17 day of December, 2002.



ATTESTED TO AND
CORRECTLY RECORDED BY:

Nan Parker/dg

NAN PARKER
City Secretary

E. Michael Simpson
E. MICHAEL SIMPSON, Mayor

APPROVED AS TO FORM:

Julie Y. Fort
ABERNATHY, ROEDER, BOYD & JOPLIN, P.C.
City Attorneys

DATE OF PUBLICATION: 12/22/02 12/26/02, Frisco Enterprise



AGENDA # 11 J

TO: Applicant

FROM: Douglas C. Mousel, Zoning and Subdivision Administrator



SUBJECT: Results of the City Council meeting, November 5, 2002

Public Hearing: Zoning Case ZA2002-0019
Applicant(s): City of Frisco

DESCRIPTION:

A request to amend the Comprehensive Zoning Ordinance to establish regulations for mobile vendors.

APPROVED: 6-0 DENIED: _____ TABLED: _____

ACTION:

The City Council directed staff to prepare an ordinance to amend the Comprehensive Zoning Ordinance to establish regulations for mobile vendors as follows.

Article II

A	RE	SF-1	SF-2	SF-3	SF-4	SF-5	OT-R	PH	TH	2F	MF-1	MF-2	MH	Section 3.03(B) Accessory and Incidental Uses
Agricultural	Residential Estate	Single-Family 1	Single-Family 2	Single-Family 3	Single-Family 4	Single-Family 5	Original Town Residential	Patio Home	Town Home	Two Family	Multi-Family 1	Multi-Family 2	Mobil Home	
														Mobile Food Vendor

O-1	O-2	NS	R	OT-C	H	C-1	C-2	CO	IT	I	Preston Road Overlay District				
Office 1	Office 2	Neighborhood Services Retail		Original Town Commercial	Highway	Commercial 1	Commercial 2	Corporate Office	Information & Technology	Industrial	US 380 Gateway	Rural Corridor	Main Street	Retail Corridor	SH 121 Gateway
			33		33	33	33								

Section 3.04

33. Mobile Food Vendor

Any person or persons who operates or sells food from a stationary cart, or trailer mounted on chassis, but without an engine for period of 15 days or greater per year. Mobile food vendors who operate for 14 days or less shall be considered temporary food establishments, as defined by the City of Frisco Health Ordinance as it exists or may be amended. Mobile food vendors are subject to the following regulations:

- a.) Mobile food vendors are permitted in Retail, Commercial-1, Commercial-2, or Highway zoning districts or Planned Development with Business Center as the base zoning only;
- b.) Mobile food vendors shall be located on private property where an existing, permanent business operates in a building with a certificate of occupancy;
- c.) Mobile food vendors shall provide written permission from the property owner on an annual basis to allow the operation of a mobile vendor and to allow the mobile vendor and their customers access to a commercially plumbed public restroom on-site;
- d.) A mobile food vendor shall submit a site plan depicting the location of the mobile food vendor on the property, shall secure a health permit from the Health and Food Safety Division, and a permit from Building Inspections prior to the operation of such use;
- e.) Temporary connections to potable water are prohibited. Water shall be from an internal tank, and electricity shall be from a generator or an electrical outlet via a portable cord that is in conformance with the Electrical Code as adopted by the City of Frisco;
- f.) Mobile food vendors shall be located within 50 feet of an entrance of a primary building that holds the Certificate of Occupancy;
- g.) Mobile food vendors shall be setback a minimum of 100 feet from major thoroughfares, as designated on the City's Thoroughfare Plan;
- h.) Mobile food vendors may operate only during the business hours of the primary business on the property;
- i.) The operator shall possess a City tax certificate showed as paid;
- j.) A drive through is not permitted in conjunction with the mobile food vendor;

- k.) Mobile food vendors shall not operate in parking spaces, driveways, or fire lanes or public roads;
- l.) Sales of food from a stationary vehicle excludes catering trucks; and
- m.) Mobile food vendors are prohibited in a temporary building.

LS/bj

cc: Frank Jaromin
Mack Borchardt
Nancy Jenkins

Donnie Mayfield
Umberto Allori
Julie Stallcup

Sec. 54-91. Right-of-way sales activities.

- (a) *Exemption from subsection 54-88(a).* Right-of-way sales activities done in compliance with this section are exempt from subsection 54-88(a), provided, however, that to qualify for this exemption, the only goods that may be offered for sale or sold are (i) food and (ii) newspapers and other material the sale of which is protected by the First Amendment to the U.S. Constitution through the application of the 14th Amendment to the U.S. Constitution. The provisions of this section apply to only persons claiming an exemption from subsection 54-88(a).
- (b) *Location on street right-of-way; use of parking and loading spaces.* No person shall allow sales gear to be placed on any street right-of-way other than paved sidewalk, core downtown park, or paved on-street parking space. No sales gear other than a motor vehicle shall be placed on an on-street parking space. Such vehicles shall comply with ordinances that apply to occupying such spaces, including parking ordinances limiting the time that a parking space may be occupied. The sales gear for one sales vehicle shall not be placed in more than one on-street parking space. No sales gear shall be placed in loading zones.
- (c) *Use of property of others.* No sales gear in the street right-of-way shall rest on or be attached directly or indirectly to public or private property unless the seller or salesperson has permission of the property's owner or other person who has authority to grant permission. This subsection does not prohibit resting sales gear on curbs that are less than eight inches high and on surfaces on which driving motor vehicles or walking (other than steps) is allowed.
- (d) *Seating, tables, etc.* Sales gear shall not include seating for customers. Tables are allowed as sales gear only when a wheeled cart or motor vehicle is also part of the sales gear. Sales gear shall not include tables or other surfaces that are used by customers to consume or use purchases from sellers. Sales gear may include a maximum of one seat for each salesperson. Sellers and salespersons shall not allow customers to use those seats, and customers shall not use those seats. No sales gear may be placed in a manner that prohibits a motor vehicle from safely using a public or private driveway to gain access to and from a street.
- (e) *Minimum distances.* No sales gear may be placed in a manner that prohibits a motor vehicle from safely using a public or private driveway to gain access to and from a street. All sales gear must be placed so as to allow at least four feet of unobstructed space for pedestrians on sidewalks, on pedestrian paths, and on other locations intended primarily for pedestrian travel. If applicable law, including Americans with Disability Act regulations, requires a greater distance, the greater distance applies. Without limiting the preceding two sentences, if within 200 feet of sales gear, there is no passing space for pedestrians that is at least five feet by five feet, sales gear must be placed so as to allow at least five feet of unobstructed space for pedestrians. All sales gear must be at least ten feet from street intersections, crosswalks, bus shelters, taxi stands, building entrances and exits, fire stations, police stations, and fire hydrants. All sales gear of one seller must be at least ten feet from all sales gear of all other sellers operating under this division, except that this sentence does not require a minimum distance between one motor vehicle parked in an on-street parking space and another motor vehicle parked in an on-space parking space. A street intersection is the point at which the edge of one street's roadway meets the edge of another street's roadway. All sales gear must be at least 20 feet from any automated teller machine and from all

entrance doors and exit doors of banks, credit unions, and savings and loan associations. All sales gear must be outside of each area that is described as follows:

Beginning at the post on which a bus stop sign is attached, and running against the direction of traffic, along the edge of pavement a distance of 40 feet to a point; from that point, on the line that is perpendicular to the roadway, a distance of ten feet from the roadway; from that point, running with the direction of traffic parallel with the edge of pavement a distance of 40 feet; from that point, on the line that is perpendicular to the roadway, a distance of ten feet to the post on which the bus stop sign is attached, the point of beginning.

(f) *Distance from restaurants.*

- (1) This subsection (1) applies to restaurants neither holding a permit issued pursuant to [section 54-110](#) nor lawfully providing one or more tables at which its customers may eat while seated outside on private property. Sellers that sell food must not, within 50 feet of the principal entrance for customers of a restaurant, without permission of the operator of the restaurant, (i) stop, stand, or park a sales vehicle, or (ii) engage in any right-of-way sales activity with a customer of the seller, such as selling goods or accepting payment. If there can be disagreement as to the location of the principal entrance of a restaurant, the city manager will determine which restaurant entrance is its principal one, and that determination is binding.
- (2) This subsection (2) applies to a restaurant that (i) holds a permit issued pursuant to section 54-110, and pursuant to and in compliance with the permit the restaurant has placed one or more tables in an outdoor dining area, at which tables the restaurant's customers may be seated in order to dine; or (ii) lawfully provides one or more tables at which its customers may eat while seated outside on private property. Sellers that sell or offer to sell food must not, within the greater of 50 feet from any edge of any such table or 50 feet from the principal entrance for customers of the restaurant, without permission of the operator of the restaurant, (i) stop, stand, or park a sales vehicle, or (ii) engage in any right-of-way sales activity with a customer of the seller, such as selling goods or accepting payment. If there can be disagreement as to the location of the principal entrance of a restaurant, the city manager will determine which restaurant entrance is its principal one, and that determination is binding.
- (3) For restaurants to which subsection (1) applies, this subsection (f) applies to the restaurant only while (i) the restaurant is allowing additional customers to enter its principal entrance for the purpose of ordering food prepared by the restaurant to eat while seated inside the restaurant, and (ii) the restaurant's kitchen is open and staffed for the purpose of preparing food for customers to eat while seated inside the restaurant. For restaurants to which subsection (2) applies, this subsection (f) applies to the restaurant only while (i) the restaurant is allowing additional customers to enter its principal entrance for the purpose of ordering food prepared by the restaurant to eat while seated inside the restaurant, while seated at a table in an outdoor dining area permitted pursuant to section 54-110, or while seated at a table outdoors on private property, and (ii) the restaurant's kitchen is open and staffed for the purpose of preparing food for customers to eat while seated inside the restaurant, while seated in an outdoor dining area permitted pursuant to section 54-110, or while seated at a table outdoors on private property.
- (4) For purposes of this subsection (f) but not for other portions of this article:
A building is a structure with walls and a roof. When it was erected, the building must have been designed and constructed to be usable for at least ten years, although it need not have been designed and constructed as a restaurant.

Inside and *outside* refer to locations inside or outside a building.

Outdoor dining area is defined in section 54-26, if a definition is provided there. If no definition is provided there, the expression means an area on a public sidewalk, public alley or pedestrian way whereon tables, chairs, benches, and other furnishings are placed for dining purposes.

Pedestrian way is defined in section 54-26, if a definition is provided there. If no definition is provided there, the expression means an improved walk or passageway on public property or right-of-way intended for use by pedestrians, but not adjacent to any city street.

Private property is land that is not a public sidewalk, public alley, or a pedestrian way.

A *restaurant* is an establishment engaged in the business of preparing and serving meals at retail for pay. It must have a kitchen and inside seating for at least ten individuals to eat food provided by the restaurant. The following are not included in determining seating capacity: (1) seats in a bar or lounge area; (2) seats in a separate room or section used exclusively for private functions; and (3) outside seats. This definition of restaurant applies to this subsection instead of any other definition of the word elsewhere in the City Code.

- (g) *Garbage and recycling; litter.* Sellers and salespersons shall provide, on or within 15 feet of all sales vehicles, containers of sufficient size and number for the disposal of garbage and recyclables resulting from the sales. They shall be conspicuously identified as being available for the disposal of garbage or recyclables. At least once per hour of operation, and between ten and 30 minutes after the last sale, excluding mere offers to sell, of the day, sellers and salespersons shall remove all litter (that is not in an appropriate container) resulting from the sales that has accumulated on, or within 15 feet of, sales vehicles. In complying with the preceding sentences of this subsection, city-provided containers shall not be used. Nothing herein is intended to limit the effect of City Code chapter 10 (garbage, other solid waste).
- (h) *Fire extinguishers.* No deep fat fryer, flat top grill, or any other equipment that can produce grease vapors shall be used unless it is on a wheeled cart or motor vehicle. When sellers and salespersons use a deep fat fryer, a flat top grill, or any other equipment that can produce grease vapors, they must have on the wheeled cart or motor vehicle a minimum of ten pounds-ABC type fire extinguisher. Sellers and salespersons shall immediately prove compliance with this subsection upon the request of the city manager or any sworn law enforcement officer.
- (i) *Reserved.*
- (j) *Signs.* The only signs used as sales gear are signs allowed by this subsection. Two types of signs are allowed as sales gear, moveable and non-moveable signs. Both types of signs shall promote, advertise, or facilitate the sale of goods sold by direct use of that sales vehicle. Both types of signs shall have no other content. In this subsection, "sign" is defined as in [article 11](#) of the Unified Development Ordinance (UDO). Nothing in the UDO, including [article 11](#) (sign standards), shall reduce the requirements established by this article.
 - (1) A moveable sign is a freestanding sign placed on a paved sidewalk and not attached directly or indirectly to any public or private property. It shall not exceed two and one-half feet in width or four feet in height. As a further limitation, no dimension of a moveable sign as placed in use on a sidewalk shall exceed four feet. The entire moveable sign must be placed within 30 feet of the sales vehicle to which it is associated. A seller is allowed to place one moveable sign per sales vehicle, but if one salesperson uses more than one sales vehicle, no more than one moveable sign

is allowed for all the sales vehicles used by that salesperson. Moveable signs shall comply with the requirements of sales gear. Moveable signs must be kept in good condition.

- (2) All non-moveable signs must be securely attached to a sales vehicle.
- (k) *Location of customer.* When a customer is within 50 feet of a salesperson, the salesperson shall not engage in any right-of-way sales activity with the customer, such as selling goods or accepting payment, while the customer is in an on-street parking space, on a roadway, or in a motor vehicle regardless of the motor vehicle's location.
- (l) *Reserved.*
- (m) *Unattended sales gear.* Sellers and salespersons shall remove all sales gear from street right-of-way when the sales gear is not attended by a responsible individual for longer than ten minutes.
- (n) *Registration.* Each seller selling food shall register and pay the registration fee in an amount set by the city council. Registration expires at the end of each June 30. Each seller shall promptly notify the city manager of changes to the seller's mailing address. While engaged in selling food pursuant to this section, all sellers and salespersons shall immediately show the registration receipt issued by the city upon request of any city employee or any sworn law enforcement officer.

(Ord. No. 14355, § 6, 11-5-2012)



14-1292

TITLE: Discuss Possible Amendments to the Architectural and Site Standards Ordinance (Section 146-139 of the Code of Ordinances)

MEETING DATE: December 15, 2014

DEPARTMENT: Planning

CONTACT: Michael Quint, Director of Planning

RECOMMENDED CITY COUNCIL ACTION:

- Discuss possible amendments to the architectural and site standards section of the Zoning Ordinance.

ITEM SUMMARY:

- Staff is requesting feedback from the Council as to the basic framework of an architectural standards ordinance and feedback on a preliminary set of draft regulations.
- At the July 28, 2014 work session, the City Council directed Staff to re-evaluate and draft amendments to the architectural and site standards section of the Zoning Ordinance. These amendments were to focus on the following stated topics:
 - *The standards should mandate quality but should be flexible enough to remain competitive with sister cities;*
 - *The standards should allow more material types; and*
 - *The standards should focus more on architectural design including, but not limited to façade offsets.*
- Additional focus points that have been provided by the development community and the Planning and Zoning Commission include:
 - *The existing standards are too restrictive;*
 - *The current point system is too confusing; and*
 - *The current architectural and site design standards create delays in the overall development timeline.*

- Prior to drafting any ordinance amendments, Staff first set out to thoroughly evaluate the City of McKinney's existing architectural standards, the stated issues with these standards, and possible ordinance frameworks. The result of this evaluation is a document titled "Architectural and Site Design Standards: Analysis and Recommendations." This document, which was written by Staff, includes a preliminary set of draft regulations (*due to the significant number of changes, a "tracked changes" version could not be produced*) and the original analysis from 1999. It also identifies a number of issues with the existing regulations and recommends a significant overhaul to the existing ordinance which will introduce more flexibility and subjectivity. It's Staff's opinion that the objectivity of the existing ordinance adds to its confusing nature, restrictiveness, and inability to address a wide variety of architectural design without needing approval of a meritorious exception application. This overly objective approach to architectural design standards may put the City of McKinney at a disadvantage when comparing our regulations to those of our sister cities; Plano, Frisco and Allen. These municipalities rely on flexible and more subjective regulations to govern architectural design.
- NEXT STEPS:
 - Staff will incorporate any feedback the City Council wishes to provide regarding Staff's preliminary draft version of an updated architectural standards ordinance.
 - Staff will meet with the Planning and Zoning Commission to discuss these draft amendments (January 13, 2015).
 - Staff will then post the draft regulations on our website and solicit any feedback from the public and or development community at large (post on December 16, remove on January 30).
 - Staff will also meet with McKinney Economic Development Corporation's Development Advocacy Group to solicit feedback (January 7, 2015).
 - Staff will then bring the draft ordinance amendments back to a joint meeting between the City Council and Planning and Zoning Commission for any last minute feedback before starting the adoption proceedings (January 26, 2015).
 - It is anticipated that approval could come as early as March or April of 2015.

BACKGROUND INFORMATION:

- The Architectural and Site Standards section of the Zoning Ordinance, Section 146-139 of the Code of Ordinances, was originally adopted in May of 2000 and has not been significantly updated since that time, with the exception of design requirements for multi-family residential uses which were updated in 2013.
- In August of 2009, Council Member Day expressed concerns about the existing

Architectural and Site Standards and requested amendments. Staff worked with the Development Community, City Council, Planning and Zoning Commission and McKinney Economic Development Corporation's Development Advocacy Group between 2010 and 2012 to draft significant amendments to this section but the City Council ultimately decided to abandon these efforts due to a lack of consensus.

FINANCIAL SUMMARY:

- N/A

BOARD OR COMMISSION RECOMMENDATION:

- The Planning and Zoning Commission has expressed broad concerns regarding the requirements of the existing regulations and have recommended amendments specifically as it pertains to the existing "per wall" evaluation of building designs.

SUPPORTING MATERIALS:

[Analysis and Recommendations Report](#)
[Exhibit A - Prelimi. Draft Arch Stds](#)
[Exhibit B - 1999 Arch Standards Analysis](#)
[Current McKinney Arch Stds Ordinance](#)
[City of Allen Arch Stds Ordinance](#)
[City of Frisco Arch Stds Ordinance](#)
[City of Plano Arch Stds Ordinance](#)
[PowerPoint Presentation](#)

ARCHITECTURAL AND SITE DESIGN STANDARDS: ANALYSIS AND RECOMMENDATIONS

November 17, 2014



PLANNING DEPARTMENT

**CITY OF MCKINNEY, TX
221 N. TENNESSEE ST.
MCKINNEY, TX 75069**

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Appendices:

- Appendix A – Draft Architectural Design Standards which Illustrate Staff's Recommended Model
- Appendix B – 1999 Architectural Design Standards Analysis

Introduction

The City of McKinney's current architectural and site standards have been in place for almost 15 years; adopted on May 2, 2000. McKinney has seen a lot of changes since then. Most notably, McKinney has grown from a population of approximately 55,000 in 2000 to a population of over 150,000 in 2015. McKinney currently finds itself in a period of transition; evolving from the quaint charm, typical of a smaller bedroom community to the hustle and bustle likely found in many larger first-ring suburban cities. McKinney is currently faced with, as was the case in 2000, the need to encourage non-residential development to support its ever growing residential population while carefully balancing the need to preserve its historical and small town character. It is generally understood and acknowledged that the encouragement of non-residential development should not come at the expense of quality.

In 1999, McKinney's City Council and Staff knew that commercial development and change would eventually come. To ensure that McKinney would stay unique and to ensure that the coming commercial development was with the character appropriate to McKinney's values and history, the City Council and Staff set out to adopt architectural and site development standards. McKinney's Staff went through the arduous task of seeking out various types of architectural standards ordinances. They compiled examples of subjective ordinances, objective ordinances, ordinances administered by Staff, ordinances administered by boards, ordinances with minimum point requirements, ordinances with formula requirements and ordinances that were not weighted by points.

In 2000, a weighted, objective point system that was administered by Staff with an optional, subjective administrative process by a board, best reflected the values of the City of McKinney and its City Council. These standards have not been significantly modified since that time even though the City of McKinney and the development climate of North Texas have changed considerably. It's fair to say that the current regulations should be re-evaluated to ensure that they still adequately reflect the desires of the City Council and the citizens of McKinney.

The Problem

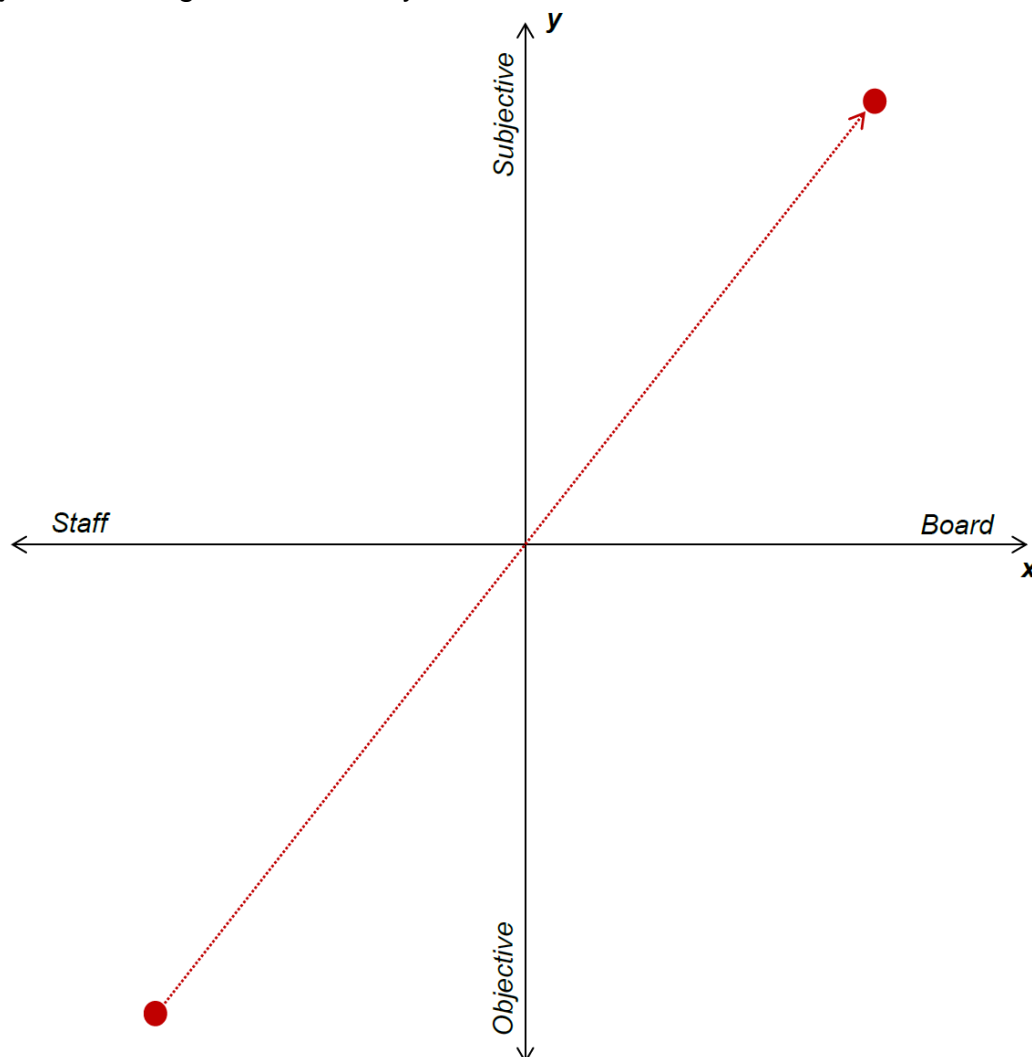
Because of McKinney's exponential growth over the last approximately 15 years, it's important to revisit our existing ordinances and the standards they contain to ensure the values they uphold are still the values held by McKinney's citizens and their elected representatives on the City Council. The existing architectural standards ordinance must also be revisited because, over the past few years, Staff has received specific feedback from several City Council members and from the development community that the current architectural and site standards ordinance is **too restrictive and stifles creativity, results in too many delays** and is **too confusing**. Staff has also heard comments that **additional building materials should be allowed by right**.

Before drafting an amendment to the architectural and site standards section of the Zoning Ordinance, Staff needed to gauge how the values and opinions of the City Council and the citizens of McKinney may have changed over the past 15 years. Staff

must also ascertain if McKinney's ordinances are actually too restrictive and too confusing or if this is merely a common misperception.

Architectural Design Standards Ordinance Models

McKinney's approach to architectural and site standards can be easily illustrated by the model pictured below. In this model, there are two axis'; the "y" axis represents a continuum ranging from an ordinance that is completely objective to an ordinance that is completely subjective with variations of the two lying in between the two extremes and the "x" axis represents a continuum ranging from an ordinance completely administered by Staff to an ordinance that is completely administered by a board or commission with variations of the two lying in between the two extremes. The benefit of viewing architectural standards regulations in a graphical manner is that it's easy to recognize that there are an infinite number of possible regulation types that will fall within the parameters of this graph. The model that works best ultimately depends on the goals and objectives of a given community.



McKinney's Existing Architectural and Site Standards Ordinance Model

As one can see from the graphic above, McKinney currently utilizes an ordinance that is primarily objective in nature and is administered by Staff. However, McKinney's ordinance does allow for a limited discretionary approval by the Planning and Zoning Commission if a project does not fall perfectly within the confines of McKinney's ordinance.

As was previously stated, when drafting McKinney's model ordinance, Staff reviewed many other types of architectural standards ordinance models and formats. A few of these models are listed below for comparison along with the pros and cons of those models.

Subjective Review Model: Subjective reviews are usually accomplished through project evaluation by a board or by Staff. Staff and the board are typically given general direction from the City Council as to what constitutes acceptable or unacceptable design for a community. Generally, it is important for individuals participating in subjective reviews to have knowledge or a background in architectural history or style, general development principles, landscape architecture, and/or historic preservation.

Strengths

- Subjective reviews are flexible and allow for varying expression.
- Allows the reviewer(s) various amounts of discretion to ensure that community values are captured by a proposed building's design.

Weaknesses

- This type of review is not standardized and is highly subjective.
- As the composition of a board changes, so do their preferences.
- Less predictability for applicants and City over time.

Formulaic Model: Formulaic approaches to architectural standards attempt to standardize design evaluation by adhering to a methodology of point accumulation. This approach tries to reduce the subjective nature of aesthetic evaluation by identifying and quantifying the merits of positive elements such as roof slope, windows, and façade designs. These models typically use a weighted formula to place importance on specific architectural elements. The final score determines whether a structure is deemed acceptable or unacceptable.

Strengths

- Formulaic approaches typically avoid arbitrary and subjective decision making by minimizing the subjectivity in architectural review.
- Formulaic approaches ensure consistent architectural character throughout a municipality by placing high importance on specific architectural features and finishes.

Weaknesses

- Formulaic designs do not ensure architecturally pleasing designs.

- Conversely, buildings that may be architecturally pleasing may not receive enough points for approval.
- Formulaic approaches are often complex and difficult to understand and administer.

McKinney's current architectural standards ordinance assigns specific amounts of points for each architectural or site element reflected in most proposed non-residential designs. The points awarded for each element were determined by the City Council, in 2000, based on their importance. More points are awarded for architectural or site elements that are deemed more important than other less important elements resulting in a weighted point scale. If enough points are earned, the design is approved by Staff. If enough points are not earned, the design is modified or denied often resulting in the submittal of meritorious exception applications. Meritorious exceptions are intended to serve as a way for innovative designs to obtain approval without satisfying the required minimum point score. Meritorious exceptions were not intended to serve as a variance or appeal procedure or a cost saving measure for developers.

It should be noted that large portions of the non-residential properties in McKinney are also subject to the additional, typically more restrictive, architectural design standards of a property owner's association. While, these standards are not enforced by the City of McKinney, these standards assist in maintaining a consistent architectural theme or quality throughout developments including, but not limited to Stonebridge Ranch (including Adriatica), the Villages of Eldorado, and/or Craig Ranch. In areas without these additional design controls, more architectural flexibility within the framework of McKinney's architectural and site design standards are often evident.

It's worth noting that the Cities of Plano, Frisco and Allen implement various types of regulations that fall more on the flexible, subjective Staff review side of the objective-subjective spectrum. It's also important to acknowledge that a strict, overly rigid series of architectural design requirements, in addition to other development regulations, may serve as a deterrent to desirable residential and non-residential developments.

Stated Concerns with McKinney's Current Regulations

There are three main concerns that Staff has heard in regard to McKinney's current architectural design regulations:

1. *The current regulations are too restrictive;*
2. *The current point system is too confusing; and*
3. *The current architectural and design standards create delays in the development timeline.*

In order to properly address these concerns, Staff has examined each stated concern greater depth below to establish if the stated concern is valid or if it is merely a case of misperception.

Concern 1: *The current regulations are too restrictive.*

Before evaluating how restrictive the City of McKinney's current regulations are, it's important to recognize the common complaints which lead to this perception.

- The current regulations evaluate design on a “per wall” basis rather than a “per elevation” basis. Because the City's regulations place a significant level of importance on masonry content (brick, stone or synthetic stone) combined with the “per wall” evaluation approach, buildings can feel very heavy and monotonous. This may have a negative impact on the visual interest of a building.
- Additionally, McKinney's current regulations only allow exterior finishing materials including, but not limited to brick, stone, synthetic stone, stucco, EIFS, architectural concrete masonry units, or concrete tilt wall construction. Architectural metal and glass-curtain walls were added as approved finishing materials in limited instances in 2010. Architectural wood accents are not currently allowed, but may be permitted with the Planning and Zoning Commission's approval of a meritorious exception. While the majority of buildings will be finished with brick, stone, or a synthetic stone material, other materials are allowed but meritorious exceptions are needed in order to approve the use of new or innovative products which may delay the approval and development process.
- Additionally, the meritorious exception process has begun to lose its purpose over the last approximately five years. Originally, the meritorious exception process was designed to allow for exceptional quality or innovative architectural designs that were not allowed by the existing ordinance provisions. More recently, the meritorious exception process has served more as a de facto variance procedure which offers relief from the rigidity and lack of architectural variation offered by the existing regulations. Simply stated, an innovative or exceptional architectural design is no longer the basis for which approval is granted. In current practice, a meritorious exception application need only show that the building's design has been stifled by the current regulations. That said, there are still instances where innovative or exceptional designs are approved through the meritorious exception process, but these cases have become the exception rather than the rule.

It is not difficult to see why regular users of the City of McKinney's architectural standards find it to be too restrictive as it offers a fairly limited finishing materials palette and requires buildings to be evaluated on a “per wall” basis which may stifle architectural design and creativity. ***Staff recommends amendments to eliminate or significantly reduce the rigidity of the existing regulations which should address these stated concerns.*** Doing so will allow for more flexibility in design and material placement and will offer opportunities for more interesting façade compositions.

Concern 2: The current point system is too confusing.

As previously stated, the City of McKinney's current architectural and site design standards utilizes a weighted point system to approve or disapprove an architectural design proposal. This point system assigns specific values for architectural features deemed important by the community and allows the design professional to pick and choose from a list of architectural design elements that will be implemented to satisfy the architectural design requirements of McKinney's regulations. While to a layman this point system may seem confusing, design professionals are adept at following and adhering to McKinney's architectural standards without much difficulty. In fact, McKinney's weighted point system is similar to the approval system utilized by the U.S. Green Building Council for LEED certification.

With that stated, there are several aspects of McKinney's architectural and site standards that may rightly be perceived as being confusing.

- While the point system, in theory, is not confusing, the ordinance provisions that feed the point system are often verbose and at-times poorly worded. These overly wordy ordinance provisions are necessary due to the objectivity of the ordinance. Without the specific verbiage tying down every aspect of a given design principle or requirement, subjectivity, room for interpretation and disagreement, and confusion may be introduced. Inevitably, attempting to eliminate confusion by creating very specifically worded ordinance provisions, introduces confusion into the overall point system.
 - For example, ordinance provisions like "...the combined width of offsets shall be at least 20 percent but no greater than 50 percent of the total length of that elevation; and the height of such offsets shall be equal to or greater than 75 percent of each elevation..." exist throughout the ordinance. This provision is clearly confusing to read and is equally confusing to apply and enforce. In this aspect, McKinney's regulations are very confusing and are extremely problematic.

Staff agrees that there are ordinance provisions in the current regulations that are confusing and also agrees that the overly wordy style of the ordinance provisions leads to confusion. ***Staff recommends amending the ordinance to eliminate the current point system and its verbose ordinance provisions in favor of a clearly worded ordinance which is easy to understand, interpret, apply, and enforce.***

Concern 3: The current architectural and design standards create delays in the development timeline.

When the current regulations were created, the meritorious exception was intended to serve as a subjective approval process for innovative or exceptional quality designs. Unfortunately, many developers don't realize a meritorious exception submittal will be necessary until they have submitted their building construction documents for review

and approval which is typically after the Planning Department's portion of the development process is complete. This results in untimely delays to the project's schedule as a new submittal must be made to the Planning Department, possibly delaying the project by up to a month. If a developer knows in advance that a meritorious exception will be sought because of a proposed building's design not being able to meet the City's regulations, no additional time is added to the design schedule.

Recognizing that portions of the existing architectural standards ordinance are confusing and possibly too restrictive which may lead to unexpected, redundant case submittals being necessary, ***Staff recommends modifying the submittal and approval process to eliminate unnecessary delays and additional case submittals.***

Summary

It's important to reiterate that the current regulations have served the City of McKinney and its residents fairly well over the past approximately 15 years; with a few obvious and notable areas for improvement. McKinney has seen a number of visually appealing buildings built within those 15 years through the Staff approval and meritorious exception processes. However, the City has also seen some buildings constructed that leave a lot to be desired but met the minimum requirements of our ordinances. It's important to remember that no architectural standards regulations exist which will prevent "bad" designs 100% of the time.

Currently, Staff exercises objective approval authority over designs while a-typical designs require the Planning and Zoning Commission's approval via the meritorious exception process. In this aspect, the current ordinance works exactly as it was designed in 2000.

The current architectural standards and site standards section of the Zoning Ordinance ensures that a high level of masonry will be provided on each building that is to be built in McKinney unless the Planning and Zoning Commission exercises their discretionary approval of a proposed design via the meritorious exception process. In this aspect, the current ordinance works exactly as it was designed in 2000.

That said, it's obvious to see that the City of McKinney, the development climate, and architectural standards regulations locally and nationwide have changed significantly over the last 15 years thereby mandating amendments to our existing regulations. The existing regulations place more importance on a building's masonry content than its architectural design and subjective appeal. While this approach may be appropriate for a prototypical building, this approach can stifle creativity and architectural variety across multiple sites and developments.

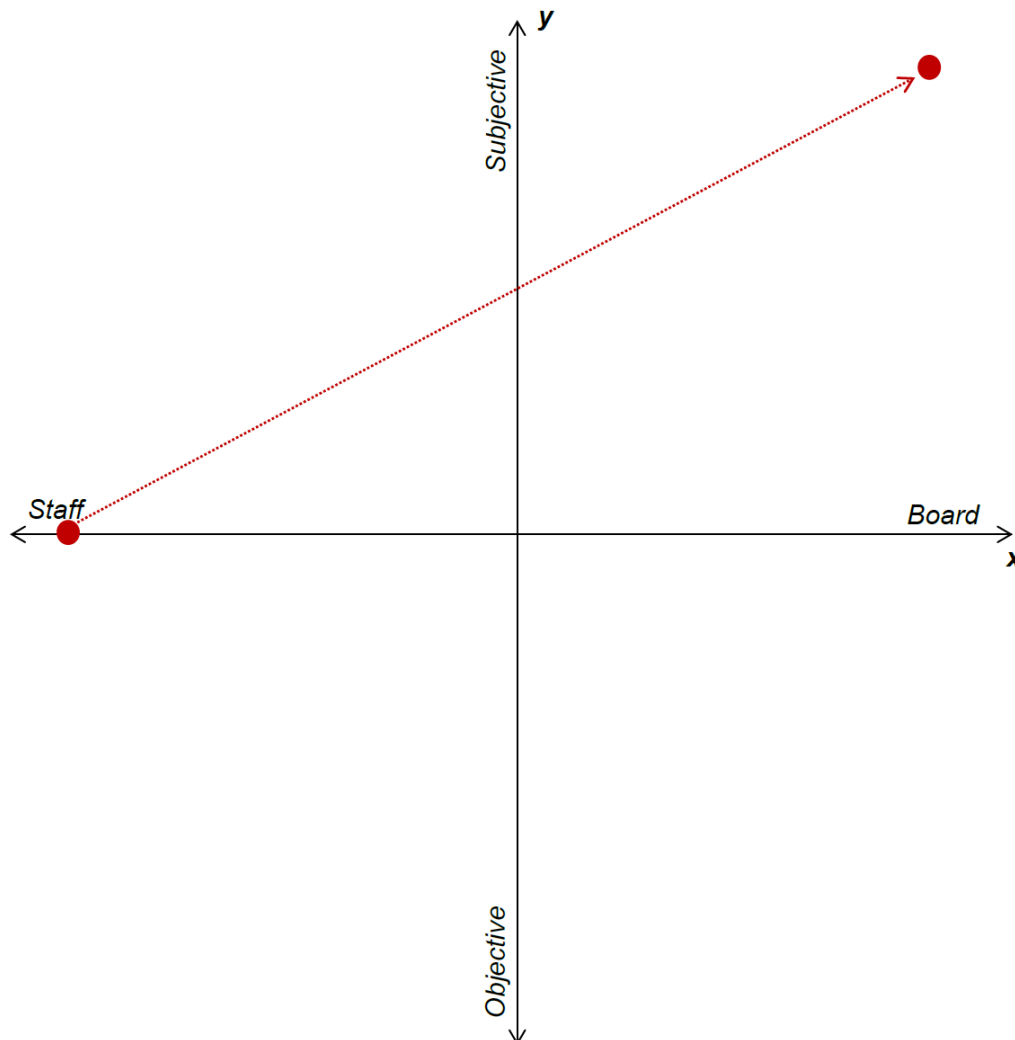
Questions to Consider Before Revising the Current Ordinance

Question 1: Does the ordinance need to allow architectural flexibility and variety? If so, to what degree?

Question 2: Does the City Council want to allow a more subjective Staff review with an appeal process to the Planning and Zoning Commission (and ultimately to the City Council if need be)?

Staff Recommendation

In light of all of the comments and input that Staff has received regarding the existing architectural standards and site standards section of the Zoning Ordinance, Staff recommends overhauling the City's architectural and site design standards. The proposed amendments should create regulations which offer a more subjective review that allows for architectural variety in terms of design and finishing materials while offering up an appeal process to a higher approval authority. A graphic representation of this recommended model is provided below and a preliminary draft version of architectural and site standards regulations implementing this model is attached for reference purposes (Appendix A).



Recommended Architectural and Site Standards Ordinance Model

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 (townhome), and multi-family residential buildings and corresponding site elements, which are recognized as enhancing property values and are in the interest of the general welfare of the City. The standards contained herein are intended to serve as a baseline for the minimum design expectations of the City. These standards are not intended to prohibit architectural innovation nor are they intended to mandate specific architectural styles and concepts. The illustrations contained herein are intended to serve as a visual representation of how the associated standards could be satisfied and not how they must be satisfied. The development community is encouraged to seek out new and innovative ways to implement the standards contained herein which result in a significant contribution to the visual character of the area and the City of McKinney as a whole.
- B. Applicability. The standards contained herein shall be applicable to all multi-family residential, townhome residential, and non-residential buildings constructed after the effective date of this section, except the provisions of this section shall not apply to the following:
1. Buildings constructed within the “MTC” – McKinney Town Center District which are subject to the design requirements contained in Appendix G of the Zoning Ordinance;
 2. Buildings constructed within the “CHD” – Commercial Historic District or “H” – Historic Preservation Overlay Districts whose design conflicts with any applicable historic preservation design criteria because of the minimum requirements contained herein;
 3. Portable or temporary buildings for non-profit places of worship or private schools, which are screened from the view of adjacent properties and public rights-of-way via a building and/or a minimum six foot tall opaque screening device and canopy trees planted every 30 linear feet of visible exposure;
 4. Portable buildings or temporary buildings for public schools;
 5. Temporary uses defined under section 146-42 of this chapter;
 6. Buildings for which a site plan for the project was approved prior to the effective date 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;

7. Any expansion of an existing building which was constructed and occupied prior to the effective date of this section; and/or
 8. 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.
- C. Conflicts with other ordinances. All applicable provisions of the zoning ordinance, subdivision ordinance, building codes, planned development districts, and other ordinances shall apply. Where provisions of the zoning ordinance or other ordinances conflict with this section, the more restrictive provision shall control.
- D. Administration and interpretation. The provisions of this section shall be administered by the Director of Planning who shall also make interpretations regarding any subjectivity contained herein. Interpretations of the Director of Planning may be appealed to the Executive Director of Development Services. If the Director of Planning's interpretation is upheld by the Executive Director of Development Services, the applicant may request that the architectural and site design review application be forwarded to the Planning and Zoning Commission via the process contained in subsection 146-139(E).
- E. Architectural and site design review application approval. The Director of Planning shall have the authority to approve or approve with conditions any architectural and site design review application which is deemed to satisfy the minimum requirements of this section. Applications shall include all information deemed necessary by the Director of Planning to thoroughly evaluate a proposed building's design for conformance with the provisions of this section. Any architectural and site design review application which the Director of Planning cannot approve due to nonconformance shall be forwarded to the Planning and Zoning Commission for consideration and action. Architectural and site design review applications that are considered by the Planning and Zoning Commission shall provide property owner notifications and post signs on the subject property in accordance with the zoning change requirements outlined in Section 146-164 of this chapter prior to holding a public hearing at a Planning and Zoning Commission meeting. The decision of the Planning and Zoning Commission may be appealed to the City Council within 30 days of the Commission's action. The City Council shall be the final approval authority for architectural and site design applications.
1. When considering an architectural and site design review application which the Director of Planning cannot approve due to nonconformance with the provisions of this section, the Planning and Zoning Commission and/or the City Council shall consider the following:

- a. The extent to which the application meets other specific standards of this chapter;
 - b. 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;
 - c. 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
 - d. The extent to which the proposed project accomplishes City goals as stated in the comprehensive plan or other approved document.
 - e. Convenience to the applicant and/or reasons related to economic hardship shall not be grounds for approval of an application.
- F. Standards for approval. Projects that conform to the minimum standards specified herein shall be approved.
- 1. Multi-family residential (including senior multi-family).
 - a. 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 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.
 - b. Exterior finishing materials.
 - i. Each elevation of each building shall be finished with at least 85 percent masonry, unless the elevation is located within an

interior courtyard and/or the elevation is not visible from adjacent rights-of-way or properties zoned or used for residential purposes. Elevations located within interior courtyards and/or elevations that are not visible from adjacent rights-of-way or properties zoned or used for residential purposes shall be a minimum of 50 percent masonry. 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 masonry, stucco, EIFS, architecturally finished concrete masonry units (CMU), lap siding (excluding vinyl siding), and/or glass curtain wall systems. Sheet siding fabricated to look like wood lap siding is prohibited. Architecturally finished metal materials, which does not include corrugated metal, shall be allowed on no more than 20 percent of each elevation. Architectural wood accents shall be allowed on no more than 10 percent of each elevation.

c. 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.

d. 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.

- e. 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.
 - ii. Developments with less than 20 dwelling units shall provide at least one amenity.
 - iii. Developments with 20 or more dwelling units but less than 100 dwelling units shall provide at least two amenities.
 - iv. Developments with 100 or more dwelling units but less than 180 dwelling units shall provide at least three amenities.
 - v. Developments with 180 or more dwelling units but less than 260 dwelling units shall provide at least four amenities.
 - vi. Developments with 260 or more dwelling units but less than 520 dwelling units shall provide at least five amenities;
 - vii. Developments with 520 or more dwelling units but less than 1000 dwelling units shall provide at least seven amenities;
 - viii. Developments with 1000 or more dwelling units shall provide ten amenities.
 - ix. 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:
 - 1. Swimming pool (minimum 1,000 square foot surface area) with cooling deck (minimum ten feet wide in all areas);
 - 2. 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;
 - 3. 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;

4. Jacuzzi or hot tub area (minimum eight person);
5. At least four barbeque grills with shaded seating areas for at least 16 people;
6. Ramada(s), arbor(s), and/or trellis(es) covering at least 2,000 square feet of recreation space;
7. Tot play lot (minimum 4,000 square foot area);
8. A splash pad (water play amenity for children) which is a minimum of 1,000 square feet in area;
9. A dog park which is at least 5,000 square feet in area which satisfies the following requirements:
 - a. The dog park is enclosed by a minimum five-foot tall vinyl coated chain link fence;
 - b. No side of the enclosure shall be shorter than 50 feet in length;
 - c. 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
 - d. One 25 square foot animal washing bay (with associated plumbing) is provided in conjunction with the dog park.
10. 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;
11. Fitness center and/or weight room (minimum 500 square feet);
12. Library and/or business center (minimum 500 square feet);
13. Movie theater room including seating for a minimum of 50 people;

14. Outdoor amphitheater with seating for at least 50 people (if individual seats are not provided, then 150 linear feet of seating shall be provided);

15. Golf putting green (minimum 1,000 square feet);

16. A centralized internal open space meeting or exceeding the following minimum specifications. This amenity shall qualify as five required amenities:

- a. 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.
- b. A five-foot wide handicap accessible concrete sidewalk shall be provided adjacent to the entire perimeter of the open space.
- c. One seating area which is a minimum of six feet long shall be provided along each side of the open space.
- d. One canopy tree shall be planted every 30 linear feet adjacent to the perimeter of the open space.
- e. 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.
- f. Other amenities as required herein shall not be located within the centralized internal open space.
- g. The centralized open space shall be free of any drainage facilities and/or related easements, floodplain, erosion hazard setbacks, or other related facilities.

17. Other amenity as approved by the planning and zoning commission as part of the site plan approval process.

- f. 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:
 - 1. 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;
 - 2. At least one canopy tree for every 50 linear feet that the median extends (in length);
 - 3. At least two ornamental trees for every 50 linear feet that the median extends (in length); and
 - 4. 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.

5. 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.
- g. Minor architectural and site enhancements. All buildings or developments shall be required to provide at least four of the following elements:
- i. Each exterior elevation of each building shall be finished with 100 percent masonry. Elevations within internal courtyards and/or elevations 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 elevation of each building which is visible from the right-of-way or property zoned or used for residential purposes contains two types of complementary masonry finishing materials and each of the materials is used on at least 25 percent of the elevation;
 - iii. A minimum of 15 percent of each elevation of each building which is visible from the right-of-way or property zoned or used for residential purposes features patterned brick work (not including running bond or stacked pattern);
 - 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.
- h. 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:

1. A combination of low masonry walls and earthen berms reaching a minimum of six feet tall;
 2. Earthen berms reaching a minimum of six feet tall;
 3. A six-foot tall brick masonry, stone masonry, or other architectural masonry finish; or
 4. 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;
 5. A multi-family residential building(s) that the off-street parking is serving; or
 6. 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.

2. Attached single family residential (townhome).

- a. The exterior finish on each elevation of every townhome unit shall be a minimum of 85 percent brick, stone, or synthetic stone materials. The balance of any exterior finishing materials shall be masonry, stucco, EIFS, architecturally finished concrete masonry units (CMU), lap siding (excluding vinyl siding), and/or glass curtain wall systems. Sheet siding fabricated to look like wood lap siding is prohibited. Architecturally finished metal materials, which does not include corrugated metal, shall be allowed on no more than 20 percent of each elevation. Architectural wood accents shall be allowed on no more than 10 percent of each elevation. Area of exterior finish shall be calculated exclusive of doors and windows.

3. Industrial uses in industrial districts.

- a. One hundred percent of each building elevations facing a public right-of-way shall be finished with brick, stone, synthetic stone, stucco, EIFS, architecturally finished CMU, or architecturally finished concrete tilt-wall construction.
- b. Other exterior walls may be finished with metal or any other building material which is allowed by the International Building Code.
- c. Exterior wall area shall be calculated exclusive of doors and windows.
- d. 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.

4. Other uses in industrial districts.

- a. Building and site design shall conform to the “other uses in non-industrial districts” regulations contained herein.

5. Aircraft hangars.

- a. When more than 50 percent of a structure’s total floor area is intended for use as an aircraft hangar, all exterior walls may be metal.
- b. 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.

- c. Colors shall be neutrals, creams, pastels, or deep, rich, non-reflective natural or earthtone colors.
- d. 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.

6. Structured parking facilities.

- a. Structured parking facilities shall be designed to be architecturally consistent on all sides with the building for which it serves. Architecturally consistent shall generally mean utilizing the same or similar architectural design elements and building materials and/or wrapping the parking facility with the building it's serving. Where possible, the narrow portion of the facility shall be oriented to the public right-of-way.

7. Other uses in non-industrial districts.

a. Exterior finishing materials.

- i. All building elevations shall be finished with at least 50 percent masonry finishing materials.
- ii. Acceptable exterior finishing materials include:
 - 1. Masonry (brick, stone, synthetic stone which includes but is not limited to limestone, granite, and slate);
 - 2. Stucco;
 - 3. EIFS;
 - 4. Architecturally finished CMU;
 - 5. Glass curtain wall systems;
 - 6. Architecturally finished metal panels (does not include corrugated metal) which is not to include more than 20 percent of any elevation;
 - 7. Lap siding which is not to include more than 20 percent of any elevation (lap siding may include but

not be limited to wood or cementitious fiber lap siding but does not include vinyl lap siding or sheet siding fabricated to look like wood lap siding which is prohibited);

8. Architectural wood accents which are not to exceed more than 20 percent of any elevation; and

9. Another material which is visually and physically indistinguishable from one of the aforementioned exterior finishing materials, subject to review and approval by the Director of Planning.

iii. Percentages shall be calculated exclusive of doors, windows and trim.

b. Exterior colors.

i. A minimum of 80 percent of all building elevations shall be finished with complimentary neutral, cream, pastel, or deep, rich, non-reflective or earthtone colors.

ii. No more than 20 percent of any building elevation may be finished with bright, pure tone primary or secondary colors. These colors shall be limited to use on accent features including, but not limited to window and door frames, moldings, cornices, canopies, and awnings.

iii. These percentages may be modified by up to 10 percent by the Director of Planning in special cases if the building's elevations maintain sufficient visual continuity.

c. Building massing.

i. All buildings shall utilize façade offsets and appropriate fenestration to add architectural variation and visual interest to an elevation and to break up long uninterrupted walls or elevations.

ii. At a minimum, elevations that are 50 feet or longer in horizontal length shall be interrupted by at least two offsets (projection or recess) from the primary façade plane of at least 18 inches.



d. Fenestration.

- i. Windows shall appear as holes that are punched through walls rather than an appendage to the wall. This shall be accomplished through the use of recessed windows, awnings, sills, drip caps, trim casings or surrounds and/or other elements which cause the formation of shadows on the window and the adjacent façade.



e. Roof treatment.

- i. Long uninterrupted roof lines and planes that are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes shall be broken into smaller

segments through the use of appropriately scaled gables, changes in height, changes in roof form, type or planes which typically correspond to offsets in the building's façade, or other appropriate architectural elements.



f. Additional requirements.

- i. Buildings constructed on a pad site within a larger shopping center or non-residential development shall be designed to be architecturally consistent with the other buildings within the development. Architecturally consistent shall generally mean utilizing the same or similar architectural design elements, colors, roof type, and/or building materials.
- ii. Additions to existing buildings shall be designed to match the architectural design features and finishing materials of the existing building to the extent possible.
- iii. The primary entrance for all buildings shall feature a protected entry through the use of a recessed entry, porte-cochere, awning, canopy or similar architectural feature which serves the same purpose. Fabric awnings shall be properly maintained by the building owner over time and shall be replaced if they became faded, tattered or otherwise visibly worn.



- iv. Buildings shall utilize glass with a low reflectivity level.

- v. Buildings shall be designed with a strong base, distinctive middle section and a well-defined cornice feature (tripartite building composition) in order to create a visual sense of organization. This requirement may be suspended in limited cases by the Director of Planning if a proposed building features sufficient architectural interest and composition to make this requirement unnecessary.



- vi. All elevations of each building which are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes shall share the same architectural features and design as the front building elevation.
- vii. All buildings and/or their corresponding sites shall provide at least one of the following:
 - 1. The building achieves a LEED certification.
 - 2. All building elevations feature 100 percent masonry finishing materials.
 - 3. All building elevations which are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes feature at least three types of complimentary masonry finishing materials.
 - 4. All building elevations that are visible from a public right-of-way or are oriented to properties zoned or used for residential purposes shall feature at least two façade offsets (recess or projection) of at least 10 feet in depth for every 50 feet of horizontal length.
 - 5. All mechanical and heating, ventilating and air conditioning equipment is roof-mounted and screened by a parapet wall or faux pitched roof which is one foot taller than the equipment.
 - 6. All building elevations which are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes feature at least three district roof lines.
 - 7. All primary and secondary building entrances, excluding emergency exits and service doors, feature a recessed entry, canopy, awning, or similar sheltering feature of at least 50 square feet. Fabric awnings shall be properly maintained by the building owner over time and shall be replaced if they became faded, tattered or otherwise visibly worn.
 - 8. At least 75 percent of the building's required off-street parking is provided within a structured parking facility.

9. The building's required off-street parking is screened from the view of a public right-of-way or properties zoned or used for residential purposes by a four foot tall masonry wall, planter box, berm or other evergreen landscaping.
10. The building features at least two distinctly different significant architectural design concepts that are not already mandated by these requirements which add to the visual interest of the building, subject to review and approval by the Director of Planning.

DRAFT

December 6, 1999

ARCHITECTURAL DESIGN STANDARDS

ANALYSIS AND RECOMMENDATIONS



PLANNING DEPARTMENT

City Of McKinney
308 N. Tennessee
P. O. Box 517
McKinney, Texas 75069

12/6/99

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RECOMMENDATION

- Establish minimum standards and enhanced standards for non-residential structures and multi-family structures.
- Each standard achieved will earn a specified number of points. A minimum total score, varying by project category, must be achieved for project approval.
- Variances for architectural merit may be granted by the City Council after recommendation by the Planning and Zoning Commission.
- Elevations must be submitted along with site plans, and reviewed for conformance to minimum standards during the normal site plan review process.
- Established design processes and standards in the Historic District would take precedence over these requirements.
- In conjunction with the Regional Employment Center study, develop overlay district standards for that area.

Complete recommendations on Page 16.

As proposed, the standards would require that:

- Certain minimum standards must be met for all buildings
 - Masonry exterior
 - Additional setbacks where adjacent to residential areas
- In addition, a specific score must be achieved by selecting from a list of enhancement options, including:
 - Pitched roof
 - Enhanced landscaping, lighting, sidewalks, awnings, or paving
 - Enhanced signage plan
 - Façade offsets
 - Glass treatment
 - Approved color scheme
- Variances for projects of exceptional architectural merit may be approved by the Planning and Zoning Commission and the City Council.
- Buildings in Industrial Districts have lesser requirements than buildings in other business districts
- Standards apply to multi-family projects
- Single family and two family residential construction is exempted.
- Established design processes and standards in the Historic District would take precedence over these requirements.

Advantages of the proposed plan include:

- Standards are clearly defined, quantifiable measures that reduce subjective decision-making

- Once established, standards can be modified as needed with relatively simple amendments to the Zoning Ordinance
- Clear standards promote simplicity of administration
 - Developer can determine acceptability prior to submittal
 - Approval can be done by staff, eliminating time and effort required for board meetings
- This plan recognizes the positive contribution of enhanced site features as well as building design
- Selection of enhanced options by the designer allows flexibility and creativity in designs
- A variance mechanism would allow exceptions for buildings of particular architectural merit

Problem Statement

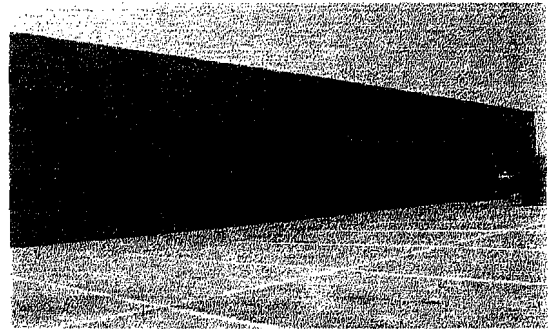
In developing recommendations for building design standards for McKinney, staff identified several recently constructed buildings that are frequently cited by Council, the Planning and Zoning Commission, and citizens as detracting from the appearance of the community. These buildings were analyzed to determine which elements engender negative reactions. These elements are indicative of negative visual elements on many buildings throughout the community, and should not be construed as inherent only to these projects.

It should be noted that the developers for the following projects complied with existing ordinances, and in many cases worked with citizens, staff, the Planning and Zoning Commission and City Council to exceed minimum standards.

Skating Rink (US 75)

Design Issues:

- **Materials**
 - Non-architectural finishing material
 - Minimum contrasting materials/colors
- **Design Elements**
 - Entryway has a "tacked on" appearance
 - "Boxy" and without character
 - Large plain façade facing US 75
 - Uninteresting flat roofline
- **Site Elements**
 - Limited landscaping



Retail Strip (Virginia, west of US 75)

Design Issues:

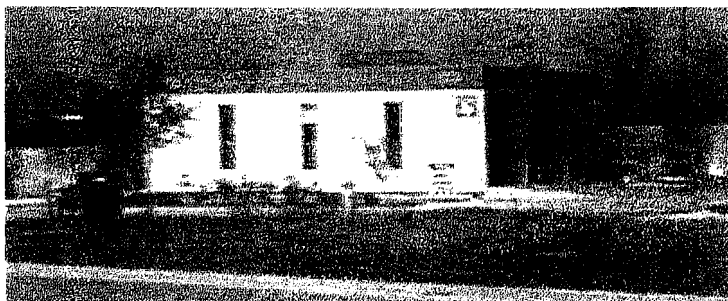
- **Materials**
 - Overuse of EFIS
- **Design Elements**
 - No architectural elements on sides and rear
 - Non-complementary contrasting façade and awnings
 - No continuity between visual elements
 - Awning placement does not relate to roofline
 - Awning signs create visual clutter
- **Site Elements**
 - Repetitive curbside landscaping emphasizes linear strip appearance
 - Inadequate screening and buffering for residential uses at rear



McKinney Oil Exchange (Eldorado Pkwy)

Design Issues

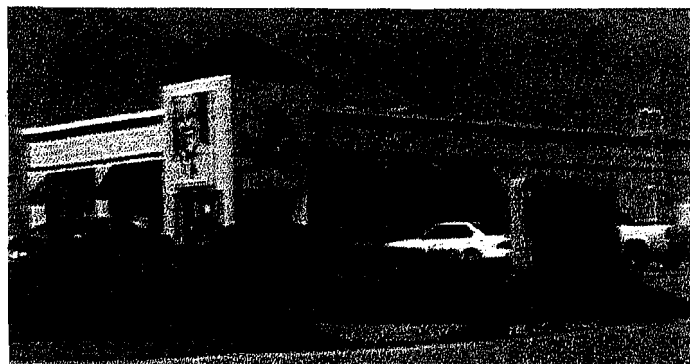
- **Materials**
 - Non-architectural, unfinished cinder block
- **Design Elements**
 - Non-complementary façade and trim contrast
 - Bays visible from street
 - No architectural articulation
 - Uninteresting flat roof adjacent to residential area
- **Site Elements**
 - Minimal Landscaping
 - Inadequate screening and buffering for residential
 - Uses at rear



Kentucky Fried Chicken (Eldorado Pkwy)

Design Issues:

- **Materials**
 - Overuse of EFIS
- **Design Elements**
 - Non-complementary contrasting façade and trim
 - Limited building articulation
 - Obtrusive signage on building
- **Site Elements**
 - Minimal Landscaping



Summary

The design issues identified in the examples above can be summarized as follows:

- **Materials**
 - Lack of appropriate materials/colors
 - Lack of complementary contrasting materials/colors
- **Design Elements**
 - Limited building articulation (rooflines, four-sided architecture, etc.)
- **Site Elements**
 - Inadequate landscaping
 - Poor relationship to adjacent residential areas

- Inadequate screening and buffering
- Lack of four-sided architecture
- Inappropriate roof design
- Poor appearance on major corridors/entryways
- Obtrusive signage

Effective design standards should be developed to improve community appearance by eliminating or lessening the impact of these design issues in future new construction in McKinney.

Typical Approaches

There are several basic approaches to architectural standards. The general discussion below summarizes the strengths and challenges of four approaches that can be used to address community appearance.

1. SUBJECTIVE REVIEW

Subjective review is usually accomplished through project evaluation by a citizen board or commission. These boards are given a general direction as to what constitutes acceptable or unacceptable design for a community. Generally, it is desirable for board members to have some knowledge or background in the following:

- Architectural history or style
- General development principles
- Landscape architecture
- Historic Preservation

Strengths

- Subjective review is flexible and allows for varying expression.
- Since a group of individuals usually conducts this review, a number of views and preferences must be satisfied in order for a building to be considered acceptable.

Weaknesses

- This type of review is not standardized and can be highly subjective.
- As new committee members are appointed, the general view of what is acceptable or unacceptable may change drastically. Furthermore, what might be acceptable to one board member may not be acceptable to another.
- Since the review group is relatively small, it may or may not reflect community consensus.
- Time required to prepare agendas, meet with boards, etc., can be a burdensome addition to the development process.
- Except for historic preservation districts, the legal authority is often challenged for this type of approach.

Example:

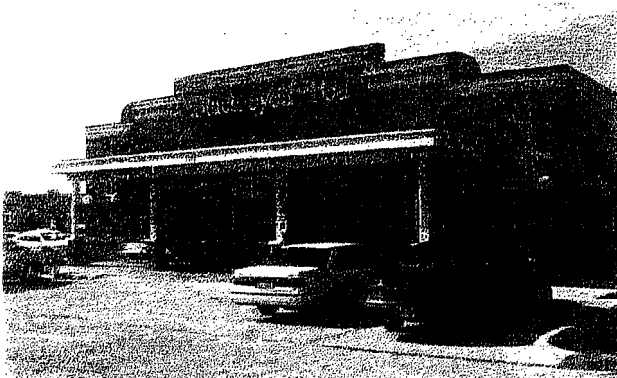
- The Woodlands near Houston utilizes a subjective review committee to evaluate proposed construction for compatibility with the surrounding area. The committee is composed of architects, landscape architects, interior designers and other construction professionals. Certain standards are identified which must be met. The Woodlands has

included this process in its restrictive covenants. (The Woodlands is not a city and has the legal authority to do this.)

- The City of McKinney's Historic Preservation Board serves as a design review committee for construction in the Historic District.
- Several area homeowners associations have architectural review boards that must approve designs for buildings in the development.

- Site elements:
 - No points are awarded for the use of additional mitigating site elements, such as walls, berms, extra landscaping, coordinated signage, etc.
 - No minimum standards for residential adjacency or major corridor frontage

The Black-eyed Pea is a good example of a building with a pleasing appearance. The following positive features in the building would not be awarded any points under the Colleyville model:



- Use of architecturally finished materials
- Appropriately contrasting materials
- Complementary color scheme
- Four sided architecture
- Decorative light fixtures and brick patterns
- Façade designs with

- framed windows
- Coordinated signage plan



The proposed recommendations (see p. 16) include many of the positive aspects of the Colleyville ordinance, including:

- Quantification of standards and avoidance of subjective terminology
- Recognition of positive architectural features, such as façade articulation, pitched roofs, shade features.
- Flexibility of choice for certain options (though specific minimum requirements must be met)

- Inadequate screening and buffering
- Lack of four-sided architecture
- Inappropriate roof design
- Poor appearance on major corridors/entryways
- Obtrusive signage

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2. FORMULA APPROACH

Formula approaches attempt to standardize design evaluation by adhering to a methodology of points accumulation. This approach tries to reduce the subjective nature of aesthetic evaluation by identifying and quantifying the merits of positive elements such as:

- Roof slope
- Windows
- Façade designs

A weighted point system is used to rank the variables. The final score determines whether a structure is acceptable or unacceptable.

Strengths

- Formula approaches are intended to avoid arbitrary and capricious decision making by minimizing subjectivity of architectural review.
- Formulas attempt to translate aesthetic values into quantifiable measures.

Weaknesses

- Formula approaches do not guarantee aesthetically pleasing design. A building that meets the formula and has an acceptable score could still be visually unattractive.
- Conversely, buildings that may be aesthetically pleasing could fail to amass enough points for approval.
- Formula approaches can be complex and difficult to administer.

Example

The City of Colleyville developed an architectural standards model that was reviewed both by a McKinney citizens committee (approximately two years ago) and by City staff during the development of this report. The citizens committee favored the Colleyville model, largely due to its quantifiable approach. Staff agrees that clear, quantifiable standards are critical to successfully implementing architectural standards.

Positive Aspects of the Colleyville Model

- The model identifies a limited set of positive design elements. Value is given to each of the elements through a quantifiable formula.
- The Colleyville model awards points for several important building features:
 - Façade articulation
 - Vertical departure

- Building feature shade
- Roof planes
- Windows

Limitations of the Colleyville Model

- The Colleyville model is based on the following equation:

$$\text{Total Score or } K(t) = K(a) + K(v) + K(c) + K(h) + K(n)$$

Where,

$K(a) = 2(L/F)$ (L= length of building perimeter from street, F= length of longest horizontal section)

$K(v) = 10(R/P)$ (P= area of cube face which would enclose building, R= area of all slopes departing from cube face which enclose building)

$K(c) = 100(S/G)$ (S= square feet of covered but unenclosed area, G= total area of interior ground floor)

$K(h) < 10 = E/Q$ (E= total horizontal and diagonal planes, Q= number of test cube faces visible from street, Z= 5%F (where F is defined above))

$K(n) < 10 = W/Q$ (W= total number of light penetrating details, Q= number of test cube faces visible from street)

Though the system is intended to be objective, interpretation of the requirements leads to varying scores. Several staff members evaluated various buildings, including the Virginia Parkway retail center used as an example by the committee. Staff's scores were widely inconsistent, ranging from 9.68 to 23.91. The committee scored the building at 14.35.

- Because of the differences in interpretation, careful staff review of all points awarded would be required, even if an architect provided the preliminary calculations. This would add a significant number of staff hours to each building plan review. The amount of time required would vary depending on the complexity of the building design.
- The Colleyville model does not address some important visual elements, such as:
 - Materials:
 - No requirements for architecturally finished materials are included
 - No points are awarded for positive effects of multiple materials in a design
 - No points are awarded for limiting highly reflective glass
 - No points are awarded for complementary color schemes
 - Design Elements
 - No requirement for four sided design

3. VISUAL ELEMENTS

Many communities succeed in implementing architectural design standards through a "visual elements approach". This approach identifies positive design features and sets minimum standards for their use by ordinance. These features could include items such as:

- Architectural finish (masonry, complementary colors, etc.)
- Enhanced landscaping
- Enhanced screening of visually undesirable elements
- Building elements (façade offsets, roof pitch, etc.)
- Residential adjacency standards

This type of approach can be implemented citywide or for certain districts through the zoning ordinance.

Strengths

- Regulating the visual elements of a development ensures minimum standards are met.
- The standards can be tailored to a specific community.
- This approach is relatively easy to administer, as standards are clearly defined and can be relatively non-subjective in nature.
- This approach is developer friendly, in that developers can readily understand it, and standards for approval are known up-front.

Weaknesses

- Implementation of a strict set of standards can create a lack of flexibility.
- If standards do not reflect full range of expectations, final design result may still not be acceptable to the community

Examples

- The Woodlands mixes this approach to defining standards with a subjective review committee approval process.
- Cities that use a visual elements approach, in full or in part, include Plano, Richardson (US 75, President George Bush Tollroad), Grapevine, Round Rock, and Southlake.
- Many responsible developers include restrictive covenants to enforce visual elements standards as a means of ensuring quality development and maintaining their selected market profile.
- Minimum standards for visual elements are used to set design guidelines in planned development district provisions.

4. OVERLAY ZONING DISTRICTS

Overlay districts are distinct zoning categories that modify, but do not eliminate, the existing zoning districts. Historic District zoning in McKinney is an example of an overlay district. For corridors, the overlays are intended to provide uniformity across multiple zoning districts that may exist within the boundaries of the overlay district. Subjective, Formula, and Visual Elements approaches are usually zone specific and can cause discontinuity if zoning districts are not complementary in an area. Overlay districts avoid "hodge-podge" development patterns by providing a unified, often more restrictive set of regulations.

Overlay districts can also be used as a means of controlling visual elements along major thoroughfares. A thoroughfare overlay district could extend, for example, for 1000' on either side of the right of way. Enhanced standards can be developed which would be applicable only to those non-residential developments within the overlay district. These standards may be designed to improve the appearance of a major corridor, and may include:

- Increased setbacks
- Additional landscaping
- Screening and buffering
- Requirements for specific building materials
- Additional signage controls
- Building massing
- Parking controls

Major corridors are gateways that create a first impression to the City and should therefore have enhanced standards. In addition to major corridors (US 75, US 380 and SH 121), McKinney has a historically significant corridor in Highway 5 – Old US 75.

Strengths

- Overlay district standards provide continuity to corridors
- Overlay district standards can be relatively easy to administer

Weaknesses

- Since overlay districts only apply to a limited portion of a community, other means must be used to enhance appearance for remaining sections of the City.

Examples:

- Richardson and Plano co-developed overlay standards for the George Bush Tollway corridor.

- The City of Plano has adopted corridor design concepts, rather than specific standards, for the North Dallas Tollway corridor
- The Cities of Richardson, Plano and Allen have jointly developed and adopted similar overlay districts for US 75.
- Allen's "Vision 2000" US 75 Development Standards set minimum standards along that corridor. Many of these standards are similar to or exceeded by existing City of McKinney Zoning and Subdivision Ordinance requirements, such as requirements for:
 - Driveway location
 - Loading zone
 - Prohibition against parking in landscape buffers
 - Sight triangle visibility
 - Prohibition against outdoor storage in front of building
 - Screening for outdoor storage, mechanical equipment and loading areas
 - Location of loading docks and service bays
 - Landscaping

Other standards from "Vision 2000", including those listed below, would be required of or optional for all commercial buildings in McKinney under the recommendations proposed herein (beginning on p. 16):

- Minimum 80% masonry finish
- Finished quality side and rear facades
- Minimum offsets
- Prohibition on highly reflective glass

Standards from "Vision 2000" which could be considered for incorporation in an overlay district to be developed later include:

- Parking garage finishes must complement nearby buildings
- Street front openings in parking garages limited to 55% of façade
- Enhanced queuing standards
- Limitations on parking in front of primary building
- Increased landscape standards for office buildings
- Increased landscape buffer along certain streets

Recommendations

Staff recommends that architectural standards be adopted that combine positive aspects of both a Formula Methodology and a Visual Elements Approach:

- **Establish minimum standards and enhanced standards for non-residential structures and multi-family structures. (Specific recommendations are outlined on the following pages.)**
- **Each standard achieved will earn a specified number of points. A minimum total score, varying by project category, must be achieved for project approval.**
- **Variances for architectural merit may be granted by the City Council after recommendation by the Planning and Zoning Commission.**
- **Elevations must be submitted along with site plans, and reviewed for conformance to minimum standards during the normal site plan review process.**
- **Established design processes and standards in the Historic District would take precedence over these requirements.**
- **In conjunction with the Regional Employment Center study, develop overlay district standards for that area.**

Advantages of this recommendation are:

- **Standards are clearly defined, quantifiable measures that reduce subjective decision-making**
- **Once established, standards can be modified as needed with relatively simple amendments to the Zoning Ordinance**
- **Clear standards promote simplicity of administration**
 - **Developer can determine acceptability prior to submittal**
 - **Approval can be done by staff, eliminating time and effort required for board meetings**
- **This plan recognizes the positive contribution of enhanced site features as well as building design**
- **Selection of enhanced options by the designer allows flexibility and creativity in designs**
- **A variance mechanism would be allowed for buildings of particular architectural merit**

DESIGN STANDARDS SCORING SHEET

Non-Residential Projects

(Does not apply to non-residential projects in ML, MH, or BC districts)

Mandatory Requirements (see Enhanced Standards 4b, below)

1. Exterior finish:

a) Architectural finishing on all sides of the building 10 pts.

b) 100% Category I Masonry* 25 pts.

-or-

Up to 50% Category II Masonry**, balance Category I Masonry* 15 pts.

2. Height slope standards:

a) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height) 10 pts.

-or-

b) 1:1 (1 foot of setback from SF, duplex, or MF residential property for every 1 foot of height) 5 pts.

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run) 15 pts.

2. Façade offsets:

a) Major: 20% of front building face offset a minimum of 10' (minimum width 10') 10 pts.

b) Major: 20% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points) 5 pts. each side

c) Minor: 3" x 12" minimum full-height offset for every 20' of wall length 5 pts.

3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure) 10 pts.

4. Additional landscaping:

a) Trees planted on 30' centers along right-of-way 5 pts.

b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380) 5 pts.

c) Trees planted on 30' centers along residential property boundary 5 pts.

d) Increase landscape buffer along residential property boundary to 20' 5 pts.

e) Trees planted on 30' centers along major interior circulation drives 5 pts.

5. Glass treatment:

a) No floor to ceiling glass (2' of wall above and below windows) 5 pts.

b) Glass 27% maximum reflectivity (no highly mirrored glass) 5 pts.

6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building) 5 pts.

7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings) 5 pts.

8. Approved decorative lighting (including coordinated decorative poles and building lights) 5 pts.

9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings) 5 pts.

10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length) 5 pts.

Total Points (Minimum Score Required: 85)

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors.

DESIGN STANDARDS SCORING SHEET

ML, MH and BC Districts

Mandatory Requirements (see Enhanced Standards 4b, below)

1. Exterior finish:		
a) 100% Category I Masonry* (front face of building only)	25 pts.	<div>Score</div> <div><input type="checkbox"/></div>
-or-	-or-	
b) Up to 50% Category II Masonry**, balance Category I Masonry* (front face of building only)	15 pts.	<input type="checkbox"/>
2. Height slope standards:		
a) 1:3 (3 feet of setback from SF, duplex, or MF residential property for every 1 foot of height).	10 pts.	<div><input type="checkbox"/></div>
-or-	-or-	
b) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	5 pts.	<input type="checkbox"/>

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run)	15 pts.	<input type="checkbox"/>
2. Façade offsets:		
a) Major: 20% of front building face offset a minimum of 10' (minimum width 10')	10 pts.	<input type="checkbox"/>
b) Minor: 3" x 12" minimum full-height offset for every 20' of wall length (front face of building)	5 pts.	<input type="checkbox"/>
3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure)	10 pts.	<input type="checkbox"/>
4. Additional landscaping:		
a) Trees planted on 30' centers along right-of-way	5 pts.	<input type="checkbox"/>
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.	<input type="checkbox"/>
c) Trees planted on 30' centers along residential property boundary	5 pts.	<input type="checkbox"/>
d) Increase landscape buffer along residential property boundary to 35'	5 pts.	<input type="checkbox"/>
e) Trees planted on 30' centers along major interior circulation drives	5 pts.	<input type="checkbox"/>
5. Glass treatment:		
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.	<input type="checkbox"/>
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	<input type="checkbox"/>
6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	<input type="checkbox"/>
7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.	<input type="checkbox"/>
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.	<input type="checkbox"/>
9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.	<input type="checkbox"/>
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.	<input type="checkbox"/>

Total Points (Minimum Score Required: 50)

☐

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors.

DESIGN STANDARDS SCORING SHEET

Multi-Family Residential Districts

Mandatory Requirements (see Enhanced Standards 4b, below)

1. Exterior finish:			Score
a) Architectural finishing on all sides of the building	10 pts.		<input type="checkbox"/>
b) 100% Category I Masonry*	25 pts.		<input type="checkbox"/>
-or-	-or-		<input type="checkbox"/>
Up to 50% Category II Masonry**, balance Category I Masonry*	15 pts.		
2. Height slope standards:			
a) 1:3 (3 feet of setback from SF and duplex residential property for every 1 foot of height)	10 pts.		<input type="checkbox"/>
-or-	-or-		<input type="checkbox"/>
b) 1:2 (2 feet of setback from SF and duplex residential property for every 1 foot of height)	5 pts.		

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run)	15 pts.	<input type="checkbox"/>
2. Façade offsets:		<input type="checkbox"/>
a) Major: 20% of front building face offset a minimum of 10' (minimum width 10')	10 pts.	<input type="checkbox"/>
b) Major: 20% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points)	5 pts. each side	<input type="checkbox"/>
c) Minor: 3" x 12" minimum full-height offset for every 20' of wall length	5 pts.	<input type="checkbox"/>
3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure)	10 pts.	<input type="checkbox"/>
4. Additional landscaping:		<input type="checkbox"/>
a) Trees planted on 30' centers along right-of-way	5 pts.	<input type="checkbox"/>
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.	<input type="checkbox"/>
c) Trees planted on 30' centers along residential property boundary	5 pts.	<input type="checkbox"/>
d) Increase landscape buffer along residential property boundary to 25'	5 pts.	<input type="checkbox"/>
e) Trees planted on 30' centers along major interior circulation drives	5 pts.	<input type="checkbox"/>
5. Glass treatment:		<input type="checkbox"/>
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.	<input type="checkbox"/>
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	<input type="checkbox"/>
6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	<input type="checkbox"/>
7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.	<input type="checkbox"/>
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.	<input type="checkbox"/>
9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.	<input type="checkbox"/>
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.	<input type="checkbox"/>

Total Points (Minimum Score Required: 85)

☐

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors. All chimneys must be finished with Category 1 masonry.

APPENDIX

OTHER ARCHITECTURAL STANDARDS REVIEWED

Cities within the Metroplex:

Arlington
Allen
Colleyville
Grand Prairie
Irving (including Las Colinas)
Legacy Development
Plano
Richardson
Southlake

Cities within Texas:

Fredricksburgh
Galveston
Georgetown
The Woodlands
Round Rock

Cities outside Texas:

Albuquerque, New Mexico
Flagstaff, Arizona
Kansas City, Missouri
Portland, Oregon
Santa Barbara, California
Sarasota, Florida
Seattle, Washington
Yuba City, California



ARCHITECTURAL GUIDELINES
for the
CITY OF COLLEYVILLE
COMMERCIAL DESIGN OVERLAY DISTRICT
as adopted by
ORDINANCE O-95-1013

Community Development Department

February 19, 1996

COMMERCIAL BUILDING DESIGN DISTRICT ORDINANCE

PURPOSE of THIS BOOKLET:

This booklet is designed to give the reader an idea of how the commercial building design regulations in the Colleyville Zoning Ordinance work in practice. Included are the following:

- **Goals and Objectives** of the ordinance.
- **Summary of the Rules** and a general description of how the factors are calculated.
- **Illustrations and Photos** of typical buildings in Colleyville (the last illustration is a building in Colleyville contrasted with one in the same chain from outside Colleyville.)
- **Section 24.17 of the Zoning Ordinance** which is formatted in "worksheet" fashion. (Exhibit I - Ordinance O95-1013), along with some helpful instructional illustrations.

GOALS & OBJECTIVES:

The goal of Section 24.17 of the Colleyville Zoning Ordinance is to provide a method to create better design for commercial buildings in Colleyville. The **Colleyville Boulevard Corridor Plan**, approved in 1994, recommended several ways that the built environment along the Boulevard might be improved. The ultimate design of anything is an artistic expression, and is therefore subjective in nature. Subjective factors such as color, the "look" of a building, etc. cannot be quantified or easily regulated. However, some design features with general community acceptance can be defined and this ordinance will go a long way towards discouraging a featureless redundancy. With the realization that total aesthetic agreement within the community is not likely, the practical objective of the ordinance is to encourage visual interest in a building's appearance from the street. At the same time, these guidelines should be encouraging more thoughtful, aesthetically pleasing solutions. The regulatory concept is to calculate design points for five different aspects of a building's design. The five design rules or factors summarized below are fashioned to give a developer / architect some flexibility in achieving the minimum number of total points for a particular building. There is no minimum for any of the five factors.

SUMMARY of RULES:

The Design District Worksheet for Section 24.17 is a part of the site plan application package presented to the Community Development staff along with landscaping, parking and civil engineering drawings for review prior to building permit review. The scoring system is designed to achieve a simple minimum number as low as 15 in the ML (Manufacturing) District to a high of 30 in the CC-1 (Village Retail) District. This score will be calculated during the normal site plan review process. The rules are divided into five categories designed to prevent long, uninteresting facades. Points are given for changing the plane of a building facade, for providing contrast with shade, or providing interesting design features, roof slopes or wall openings. Since most designs would not score enough points from one category, the objective for the building designer is to gain sufficient points in several categories to achieve the minimum number for the particular zoning district. The categories are:

A. FACADE ARTICULATION VARIABLES:

This rule gives points for breaking long facades by a variation in the buildings surface.

B. VERTICAL DEPARTURE VARIABLES:

This rule gives points for breaking walls in the vertical such as providing roof slopes.

C. SHADE COVERAGE VARIABLES:

Points are awarded in this category for building facades that have projections or other features that provide building shadows that visually break up long flat building facades.

D. HORIZONTAL & DIAGONAL ROOF PLANES VARIABLES:

Decorative features, roof or wall designs like parapets, ridges, eaves, etc. that provide visual interest will gain a small number of points, but can be useful to the designer as a tool to get the points needed.

E. FENESTRATION VARIABLES:

Doors, windows and other framed building openings help to break up the "bleak" look of a long blank wall. Points are given for the amount of openings in a building surface.

City of Colleyville Commercial Design District

The Commercial Design District is just one product of a strategic planning process, which itself is the product of a citizen driven master planning process. Colleyville is primarily a residential community, developed in heavily landscaped subdivisions with homes ranging from \$300,000 to \$1,000,000 and more. Because of high residential values, Colleyville's tax payers currently enjoy one of the lowest tax rates in the Dallas-Fort Worth area. There is good reason to worry about the future, though. A study of typical urban growth patterns indicates that future maintenance of the still maturing city is going to require a stable tax base, resulting from the preservation of high property values in every commercial and residential neighborhood.

Since Colleyville is completely surrounded by other cities, the finite space that is left must be thoughtfully planned, particularly the commercial areas, which will cover only about 10 percent of city's land area at full buildout. That means there is little room for trial and error development, or a blind dependency on the commercial real estate market to build asset value into development sites.

The first step in taking control of the community's economic future was to study the capital improvement and growth management needs of the State Highway 26 (Colleyville Boulevard) corridor where most of Colleyville's commercial properties are found. The 1994 Colleyville Boulevard Corridor Plan identified the need for architectural control in the commercial corridor as one method of building community asset value. Soon after that the staff began researching the two sides of the ongoing debate regarding the legislation of aesthetics.

Colleyville ignored ordinance models using words like *appropriate*, *harmonious*, *compatible* and *attractive*. Though effective in older communities with cultural identities to protect, such vague ordinances are difficult to defend in most cities.

Front yards, lot sizes, floor area ratios, and a wide variety of "normal" measurable zoning standards have been in place in American cities for most of this century. Many cities also regulate the percentage of masonry construction, clearly a measurable form of architectural control. Measurable tree preservation, site planning and landscaping ordinances have been working in Colleyville for several years. Since these kinds of ordinances rarely face court challenges it is logical to assume that an architectural standards ordinance written in concrete algebraic terms should be viable.

The Design District Worksheet adopted by Ordinance O-95-1013 is a part of the site plan application package submitted along with landscaping, parking and civil engineering drawings for review prior to building permits. The design model is detailed but short, and architects are happy because of the creative freedom it provides. Commercial builders are happy because there is no architectural review board to slow down the process. This success has also begun to attract the attention of other cities in the region where development professionals wonder why such ordinances are so uncommon.

**Section 24.17 of the Zoning Ordinance
City of Colleyville
Regulating Buildings within the Commercial Design District
as adopted by Ordinance O-95-1013**

It shall be the duty of the Community Development Director to calculate the design score for all buildings in the Commercial Design District as part of the building permit and site planning process using Subsections A through G below as a design calculation work sheet.

Commercial Building Design Factors Work Sheet

A. Facade Articulation Variables

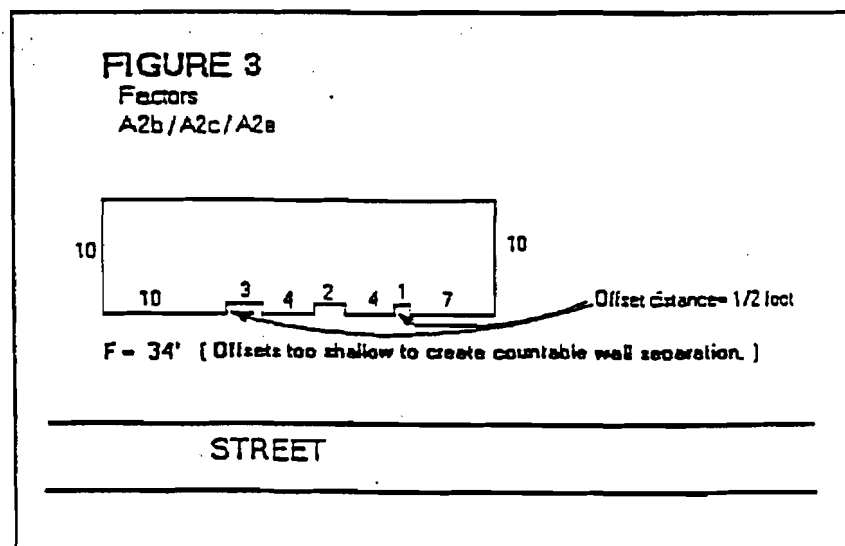
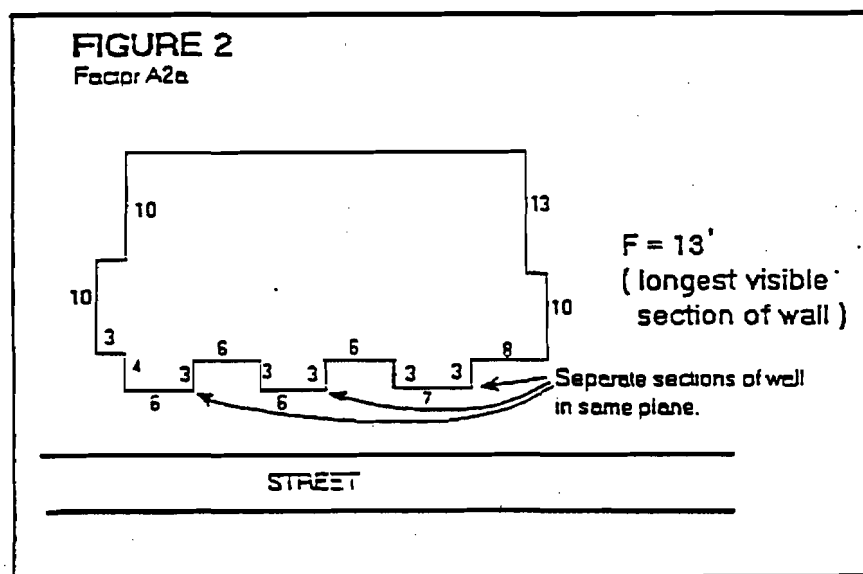
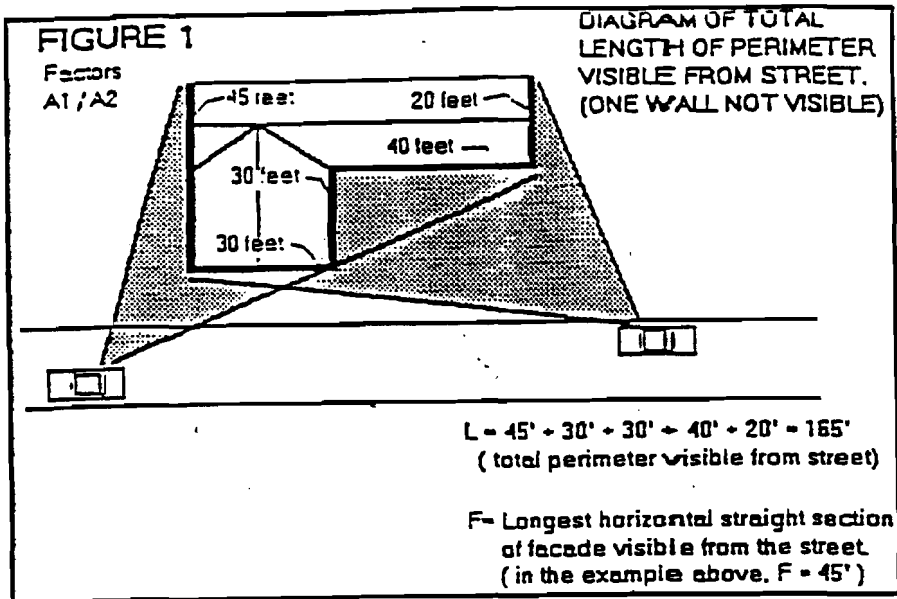
1. $L =$ Length in feet of building perimeter visible from the street.
_____ ft.
2. $F =$ Length of the longest horizontal straight section of the exterior facade visible from the street. _____ ft.

In order to determine that any two horizontal straight sections of wall in the same plane are separate walls;

- a. There shall be an intervening physical separation of space or other wall sections which separate the two subject walls by not less than three feet.
- b. The average off-set distance of the intervening space and/or wall section shall be not less than one foot from the subject plane.
- c. The total perimeter beam length of the intervening space and/or wall section shall be not less than five feet.
- d. Materials used within the intervening separation may not be identical to materials used in more than one of the two same plane test sections.
- e. Any two or more same-plane wall sections which do not meet all of the requirements of Paragraphs a, b and c above shall be determined to be part of one complete wall section.

3. $A =$ Articulation ratio or $\frac{L}{F} =$ _____

4. $Ka =$ Articulation Score = $A \times 2 =$ _____

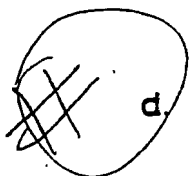


B. Vertical Departure Variables

1. $P =$ Total surface area of a projection of all surfaces visible from the street and which are relative to the four vertical planes of an imaginary cube which would enclose the building. _____ s.f.
2. $R =$ Total surface area of a projection of all sloping or vertical departure surfaces of the building relative to the four vertical planes of an imaginary cube which would enclose the building. _____ s.f.

For the purpose of the calculation of "R";

- a. Buildings with principal wall sections which are generally rectangular must be aligned so that principal wall sections are parallel to a face of the test cube.
- b. Only those surfaces which slope at an angle of not less than 15 degrees nor more than 75 degrees from the vertical plane may be included in this area calculation.
- c. Circular, convex or concave regular surfaces which are offset at the central point of the curve by not less than one foot from the vertical surface and have a central angle of not less than 60 degrees may also be included.



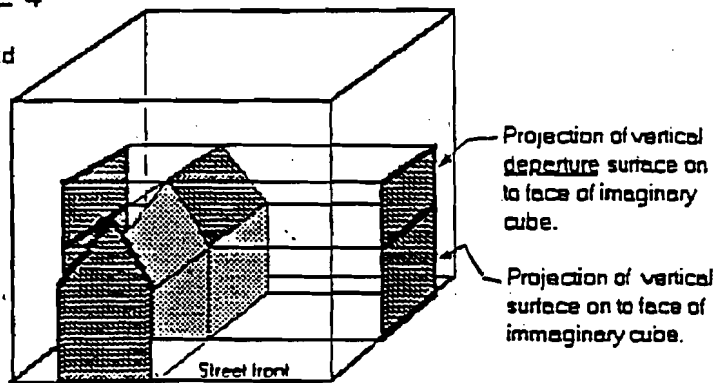
$Q =$ Number of test cube vertical surface projections (1, 2, 3 or 4) visible from the street. _____

3. $V =$ Vertical departure ratio or $\frac{R}{P} =$ _____

4. $Kv =$ Vertical Departure Score $= 10 \times V =$ _____

FIGURE 4

Factors
B1 / B2 / B2d

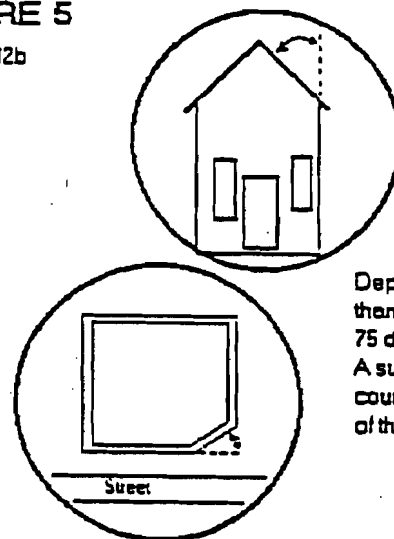


P = Total area of all projections visible from the street.

Q = Number of cube faces visible from the street.
(In the example above, $Q = 3$)

FIGURE 5

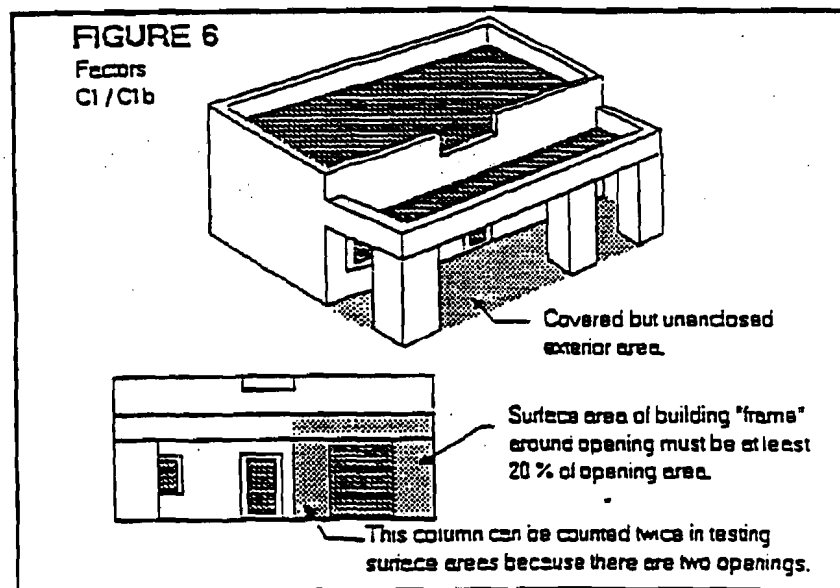
Factor B2b



Departure angle must be more than 15 degrees and less than 75 degrees from the vertical wall. A surface outside this range is counted only toward calculation of the vertical surface projection

C. Shade Coverage Variables

1. $S =$ Total covered but unenclosed structural exterior area attached to the building as measured in square feet on a horizontal plane. _____ s.f.
 - a. The floor area of covered exterior balconies may be included. Attached canopies, porches, verandas, and other shade oriented structural design features may also be included.
 - b. Each vertical opening into the shaded area must be framed on the top and sides by structural building materials with a cross sectional area parallel to the face of the opening which is equal in the aggregate to not less than 20 percent of the surface area of the opening.
 - c. The area under detached canopies shall be excluded.
2. $G =$ Total area of the interior ground floor of the building. _____ s.f.
3. $C =$ Shade coverage ratio or $\frac{S}{G} =$ _____
4. $Kc =$ Shade Score = $100 \times C =$ _____



D. Horizontal and Diagonal Roof Planes Variables

1. $F =$ "F" as previously calculated in subsection A(2) above. _____ 5% of F = _____

2. $E =$ Total visible horizontal and diagonal eave planes, ridge planes and/or parapet top planes on the building.

For the purpose of this paragraph;

- a. Two eaves in the same horizontal plane but which are separated by not less than 5 percent of "F" shall be considered separate planes.
- b. Two parapets in the same horizontal plane but which are separated by not less than 5 percent of "F" shall be considered separate planes.
- c. A parapet with a wall length of less than 5 percent of "F" shall be considered a crenelation and shall not be counted as a parapet.
- d. For every five crenellations, regardless of elevation, one equivalent plane may be added to the calculation of total planes. In like manner, one crenelation shall equal 0.2 horizontal / diagonal planes.
- e. For an eave, canopy or mansard which overhangs the vertical surface of the building by not less than 18 inches, one plane shall be counted for the outer edge of the eave and one plane shall be counted at the intersection of the eave and the wall.
- f. One plane shall be counted for each diagonal ridge or edge of a sloped roof and, if the edge is also an eave which overhangs the wall by not less than 18 inches it shall be counted as two planes.
- g. For mansards which wrap around a building corner, planes shall not be counted as separate unless there are actual changes in elevation.
- h. Two parapet tops which intersect at 90 degrees in the same horizontal plane shall be counted as separate planes.

3. $Q =$ Total # of test cube surfaces visible from the street as identified in subsection B(2)(d) above. _____

4. $H =$ Horizontal / Diagonal Planes Ratio or $\frac{E}{Q} =$ _____

5. $Kh =$ Hor./Diag. Planes Score = H if total floor area is less than 50,000 sf. For floor area greater than or equal to 50,000 sf., "Kh" shall be not more than 10 points. _____

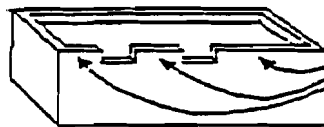
FIGURE 7

Factors

D2a/D2b



Three eaves in same plane
counted as three separate planes.



Three parapets in same plane
counted as three separate planes.

E. Fenestration Variables

1. W = Total number of windows, doors, and other openings into the structure through which light may pass. _____

For the purpose of this paragraph each opening must be framed on the sides, top and/or bottom by structural building materials with a surface area equal in the aggregate to not less than 50 percent of the surface area of the opening.

2. Q = As previously calculated in subsection B(2)(d) above. _____

3. N = Fenestration Ratio = $\frac{W}{Q}$ = _____

4. Kn = Fenestration Score = N if total floor area is less than 50,000 sf.
For floor area greater than or equal to 50,000 s.f., " Kn " shall be not more than 10 points. _____

-
- F. Total Design Score: $Kt = Ka + Kv + Kc + Kh + Kn$
= _____

- G. Minimum Design Scores (Kt) by Zoning District

Zone-	CN	CPO	CC1	CC2	CC3	ML
Score-	25	25	30	25	20	15

- H. An applicant for a permit to construct a building which does not meet the minimum design score in Subsection G above may present an appeal of the building design to the Planning and Zoning Commission. The Community Development Director may also present an appeal of a proposed design to the Commission or request an interpretation of a particular design guideline. Following a review of an alternate design the Planning and Zoning Commission shall have the authority to find that the facade, horizontal / diagonal planes, fenestration, vertical departures and shade oriented design features of the alternate design meet the intent of Commercial Design District guidelines. The decision of the Planning and Zoning Commission shall be final.

PROJECT NAME: _____

VI. BUILDING DESIGN CHECKLIST: (this is a summary only, refer to Ord. no. #O-95-1013)

The Colleyville zoning ordinance requires building facades of new construction to contain design complexity features that achieve a certain minimum score for each type of zoning district (see Section G below for required scores). This checklist is in the format of a worksheet, since the ordinance requires computations of the building facades. Please show all calculations and the final result at the bottom of this page at Section F. If not familiar with this ordinance, applicant is encouraged to utilize the "Colleyville Building Design Booklet" available at the Community Development Department.

A. Facade Articulation Variables:

1. L = Length in feet of building perimeter visible from the street _____ ft.
2. F = Length of longest horizontal straight section of the exterior facade visible from the street. _____ ft.
3. A = Articulation ratio = L / F = _____.
4. Ka = Articulation Score = $A \times 2$ = (_____).

B. Vertical Departure Variables:

1. P = Total surface area of a projection of all surfaces visible from the street and which are relative to the four vertical planes of an imaginary cube which would enclose the building _____ s.f.
2. R = Total surface area of a projection of all sloping or vertical departure surfaces of the building relative to the four vertical planes of an imaginary cube which would enclose the building _____ s.f.
3. V = Vertical departure ratio = R / P = _____.
4. Kv = Vertical Departure Score = $10 \times V$ = (_____).

C. Shade Coverage Variables

1. S = Total covered but unenclosed structural exterior area attached to the building as measured in square feet on a horizontal plane. _____ s.f.
2. G = Total area of the interior ground floor of the building. _____ s.f.
3. C = Shade coverage ratio or S / G = _____.
4. Kc = Shade Coverage Score = $100 \times C$ = (_____).

D. Horizontal and Diagonal Roof Planes Variables:

1. Z = Crenelation spacing factor = "F" as previously calculated in subsec. A(2) above $\times 5\%$ = _____.
2. E = Total visible horiz. & diag. eave planes, ridge planes and/or parapet top planes on the building = _____.
3. Q = Total number of test cube vertical surface projections (1,2,3 or 4) visible from the street as identified in subsection B(2)(d) of Ordinance O-95-1013. (see design booklet). No. of test faces = _____.
4. H = Horizontal / Diagonal Planes Ratio of E / Q = E = _____ / Q = _____ = _____.
5. Kh = Horizontal / Diagonal Planes Score = H if total floor area is less than 50,000 sf. For floor area greater than or equal to 50,000 sf., "Kh" shall be not more than 10 points (_____).

E. Fenestration Variables:

1. W = Total windows, doors, and other openings into the structure through which light may pass = _____.
2. Q = As previously calculated in subsection D(3) above _____.
3. N = Fenestration Ratio = W / Q = _____.
4. Kn = Fenestration Score = N if total floor area is less than 50,000 sf. For floor area greater than or equal to 50,000 s.f., "Kn" shall be not more than 10 points (_____).

F. Total Design Score:

$$Kt = (\quad) + (\quad) + (\quad) + (\quad) + (\quad) = \underline{\hspace{2cm}}$$

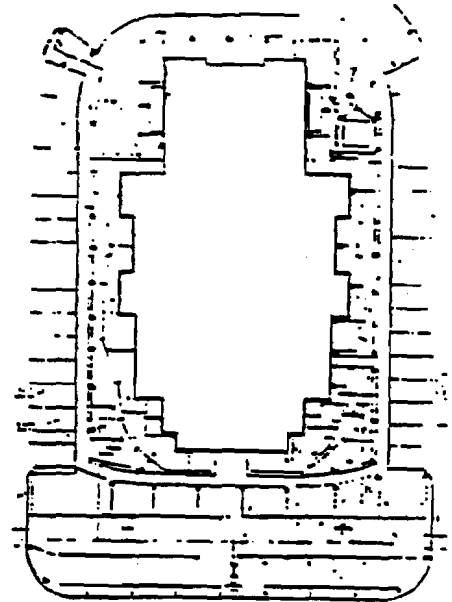
$$Kt = Ka + Kv + Kc + Kh + Kn = \text{Total score}$$

G. Minimum Design Scores (Kt) by Zoning District:	Zone-	CN	CPO	CC1	CC2	CC3	ML
	Score-	25	25	30	25	20	15

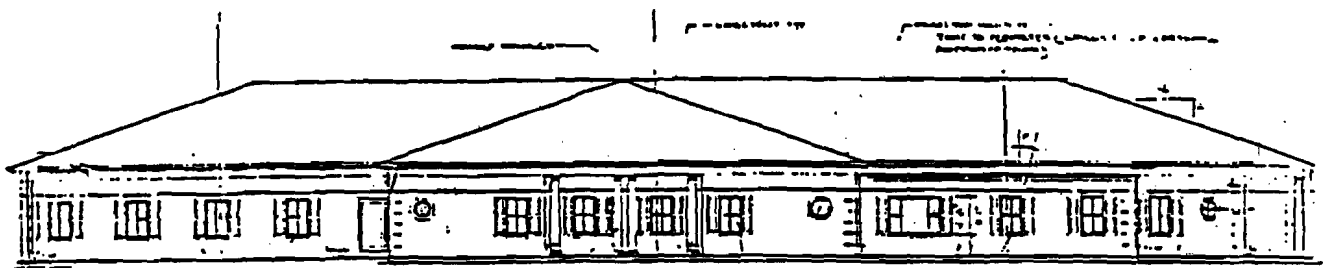
STAFF COMMENT: _____



FRONT ELEVATION



BUILDING FOOTPRINT



LEFT SIDE (NORTHWEST) & RIGHT SIDE (SOUTHEAST - NOT SHOWN) ELEVATIONS

PROJECT: Columbia HCA Medical Office Building // 4301 Brown Trail

SCORING:

ZONING DIST. = CC-1 - Village Retail

A. Facade Articulation:	25.88 pts.
B. Vertical Departure:	6.20 pts.
C. Shade Coverage:	4.00 pts.
D. Horizontal Planes:	17.30 pts.
E. Fenestration:	16.60 pts.

NOTES:

- * score required = 30 points
- * multiple corner breaks on all sides
- * residential style sloped roof
- * several porticos on all visible sides
- * multiple roof planes
- * multiple window and door openings

TOTAL POINTS: 69.98 points

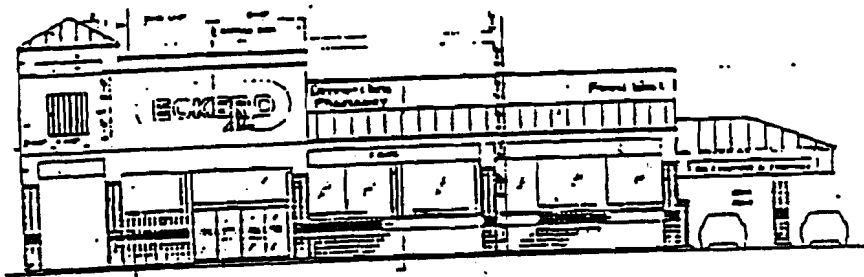
APPROVED

DISAPPROVED

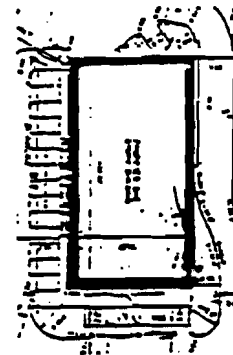
COMMENTS: This building scored very high and is approved because of the sloped roof and the many porticos and window and door openings. These features break up the building's planes providing for much visual relief. Even though the building is long and design features are somewhat repetitive, the end result is an attractive, visually appealing facade that is very compatible with Colleville architecture.

(g3:cornelius.hca)

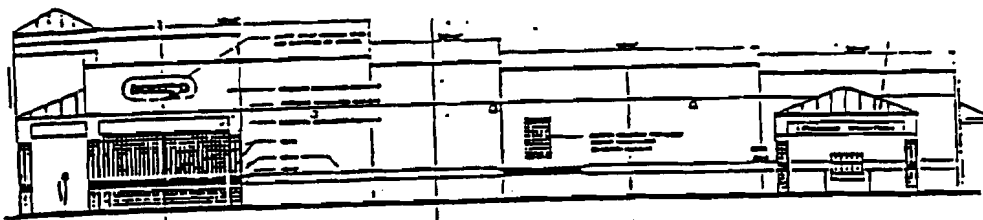
COMMERCIAL BUILDING DESIGN ILLUSTRATION - C



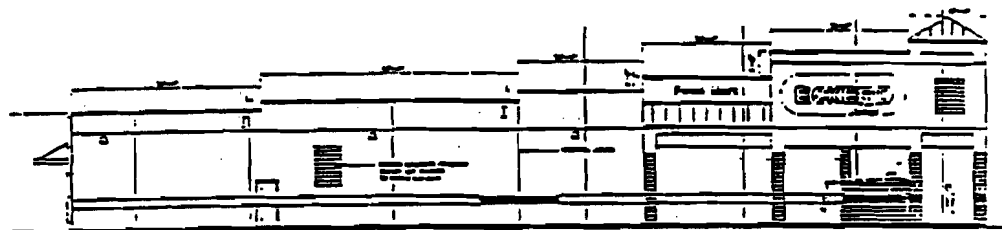
FRONT ELEVATION



BUILDING FOOTPRINT



RIGHT SIDE (NORTHEAST) ELEVATION



LEFT SIDE (SOUTHWEST) ELEVATION

PROJECT: Eckerd's Drug Store // Glade Road at Colleyville Blvd.

SCORING:

ZONING DIST. = CC-1 - Village Retail

A. Facade Articulation:	6.20 pts.
B. Vertical Departure:	0.40 pts.
C. Shade Coverage:	14.83 pts.
D. Horizontal Planes:	6.00 pts.
E. Fenestration:	4.00 pts.

NOTES:

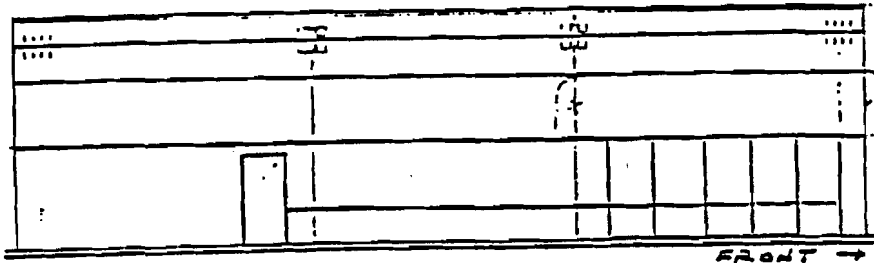
- * score required = 30 points
- * some credit for 100% visibility (4 sides)
- * lack of sloped or rounded rooflines or edges
- * strong front portico with wide column framing
- * wall-roof parapets and roofline changes
- * good window openings and few side openings

TOTAL POINTS: 31.43 points

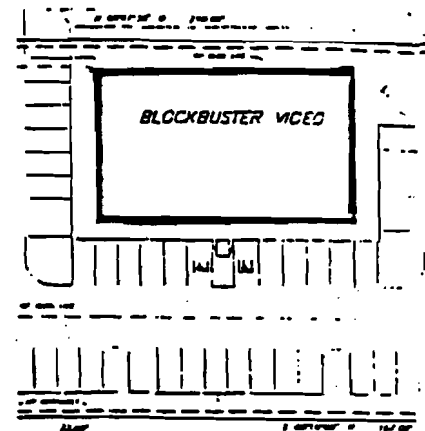
APPROVED ☒ DISAPPROVED

COMMENTS: This building achieved a more than adequate score and is approved. The strongest feature of the facade is the front portico with large columns that frame the openings at the front. Most of the other scores were mid-range. While the sides were relatively flat, material changes and the porte cochere at the side for prescription pick-up helped to alleviate this aspect. Since all four sides of this building are visible from the street, it took a concerted effort to provide sufficient interesting facades to gain a passing score.

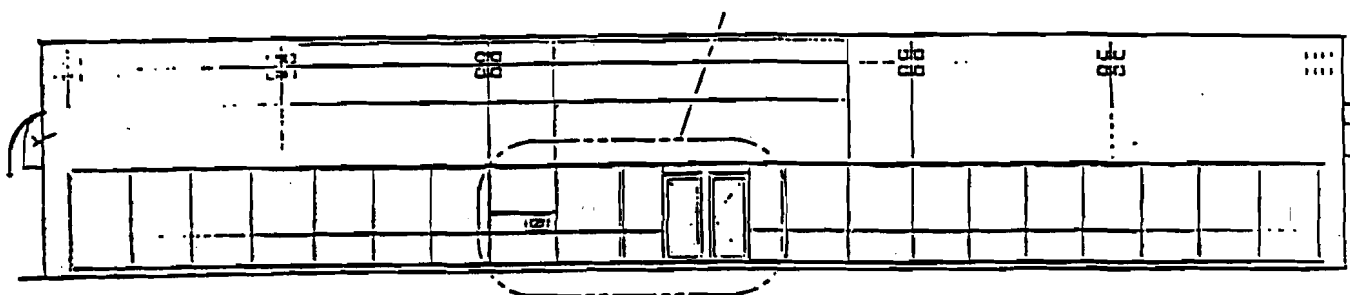
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LEFT SIDE (SCUTH) & RIGHT SIDE
(NORTH - NOT SHOWN) ELEVATIONS



BUILDING FOOTPRINT



FRONT ELEVATION

PROJECT: Blockbuster Video // SH 121 north of Glade Road

SCORING:

ZONING DIST. = CC2 - Shopping Center

- A. Facade Articulation: 6.40 pts.
- B. Vertical Departure: 0.24 pts.
- C. Shade Coverage: 0.00 pts.
- D. Horizontal Planes: 2.00 pts.
- E. Fenestration: 1.30 pts.

NOTES:

- * score required = 25 points
- * long building sections bring points down
- * some credit for rounded edge of canopy
- * no credit is given for unframed shaded areas
- * credit for canopies that create roof planes
- * large glass expanses without framing

TOTAL POINTS: 9.94 points

APPROVED ☒ DISAPPROVED

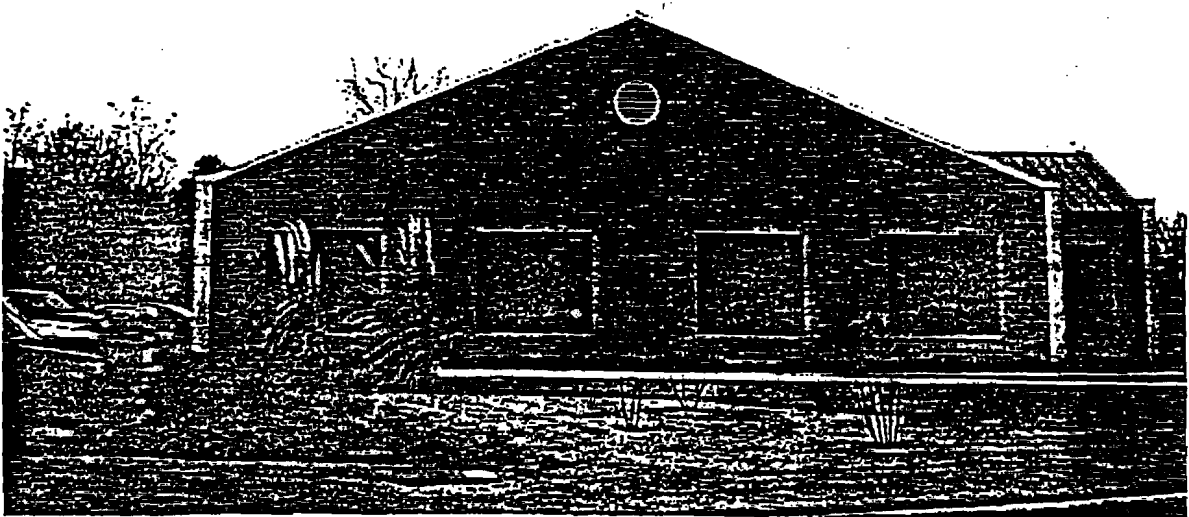
COMMENTS: This building scored very low and is not approved because of the long wall expanses without visual relief. The windows are flush with the wall surface and there are few door openings to break the wall planes. The roofline is straight and unbroken continuing the stark look of the wall planes. The canopies are the only design feature that do provide a visual break in the building, but that feature is not sufficient to bring the points up to a passing grade. The end result of this design is a commercial "box look" with little visual appeal.

(g3:comilus.blk)

COMMERCIAL BUILDING DESIGN ILLUSTRATION - D (CP-O District)



FRONT ELEVATION



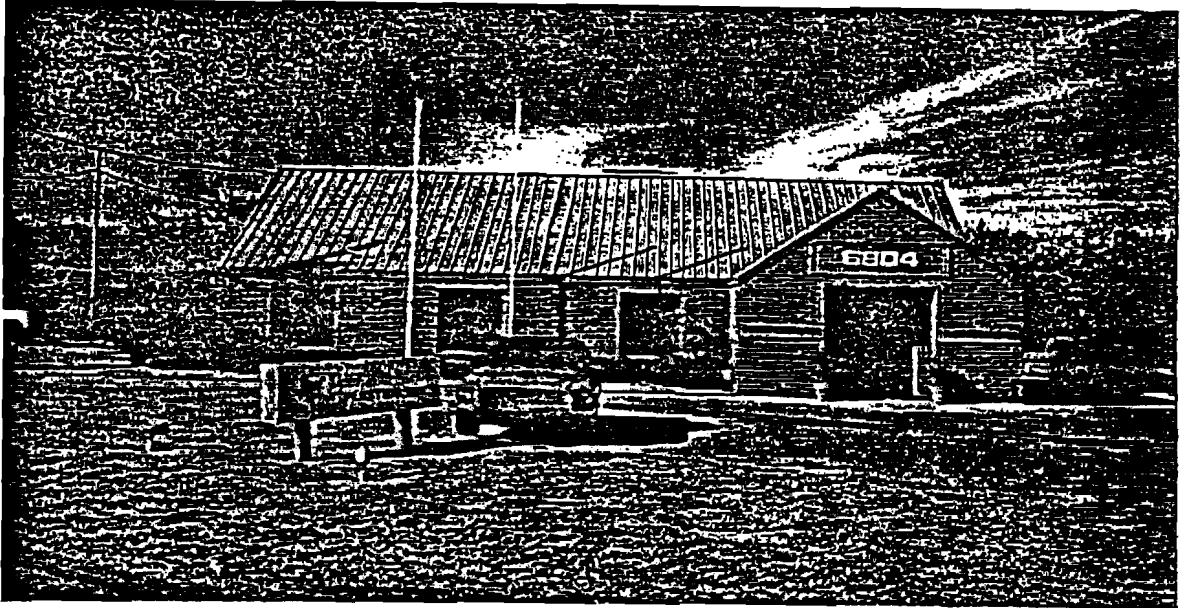
TYPICAL SIDE ELEVATION (SAME BOTH SIDES)

PROJECT: Ratikin Title Company Building // 5301 Colleyville Blvd.

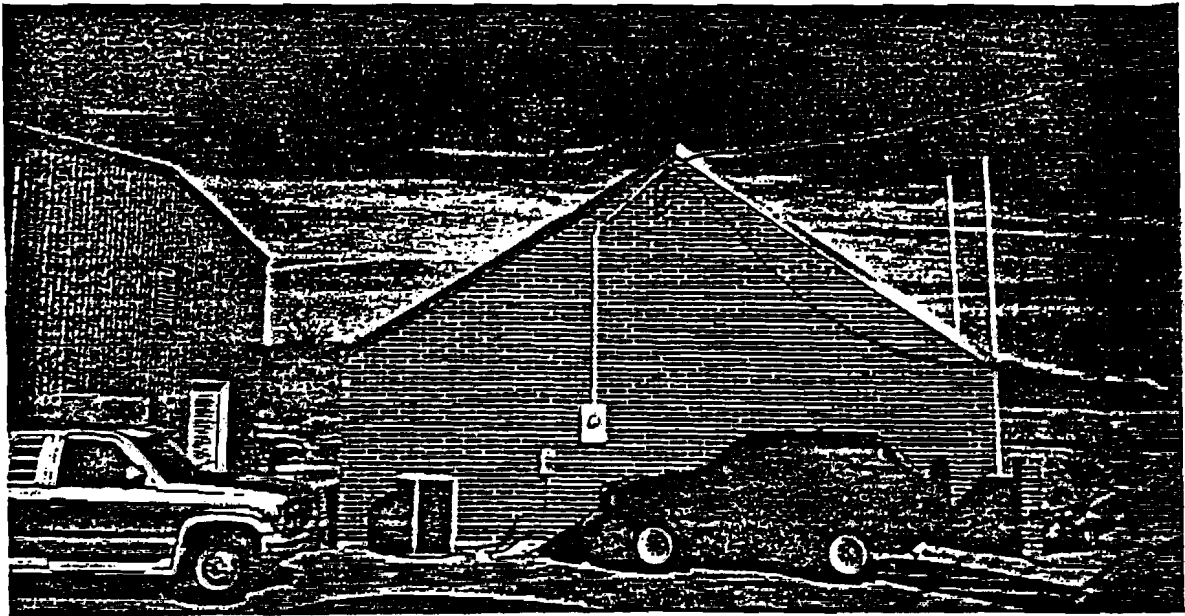
REQUIRED SCORE: 20

PROJECT SCORE: 32.47

COMMERCIAL BUILDING DESIGN ILLUSTRATION - H (ML District)



FRONT ELEVATION



TYPICAL SIDE ELEVATION (SAME BOTH SIDES)

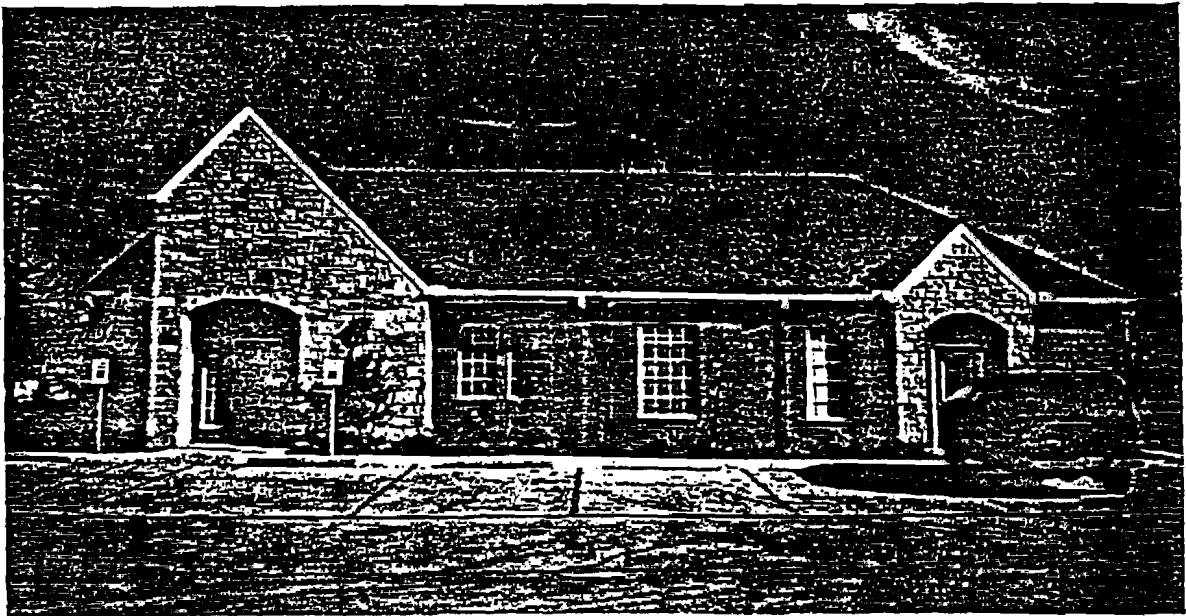
PROJECT: D-FW Plastics, Inc. Building // 6804 Colleyville Blvd.

REQUIRED SCORE: 10

PROJECT SCORE: 27.94



FRONT ELEVATION



RIGHT SIDE ELEVATION

PROJECT: Boulevard Animal Hospital Building // 6413 Colleyville Blvd.

REQUIRED SCORE: 10

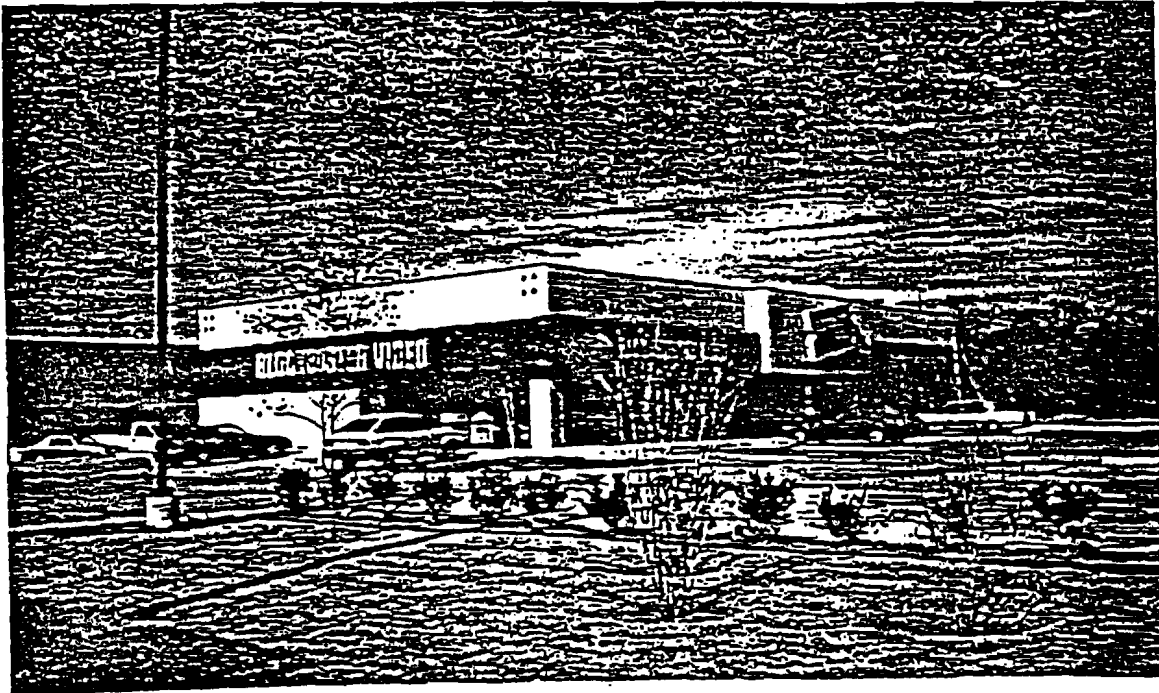
PROJECT SCORE: 34.69



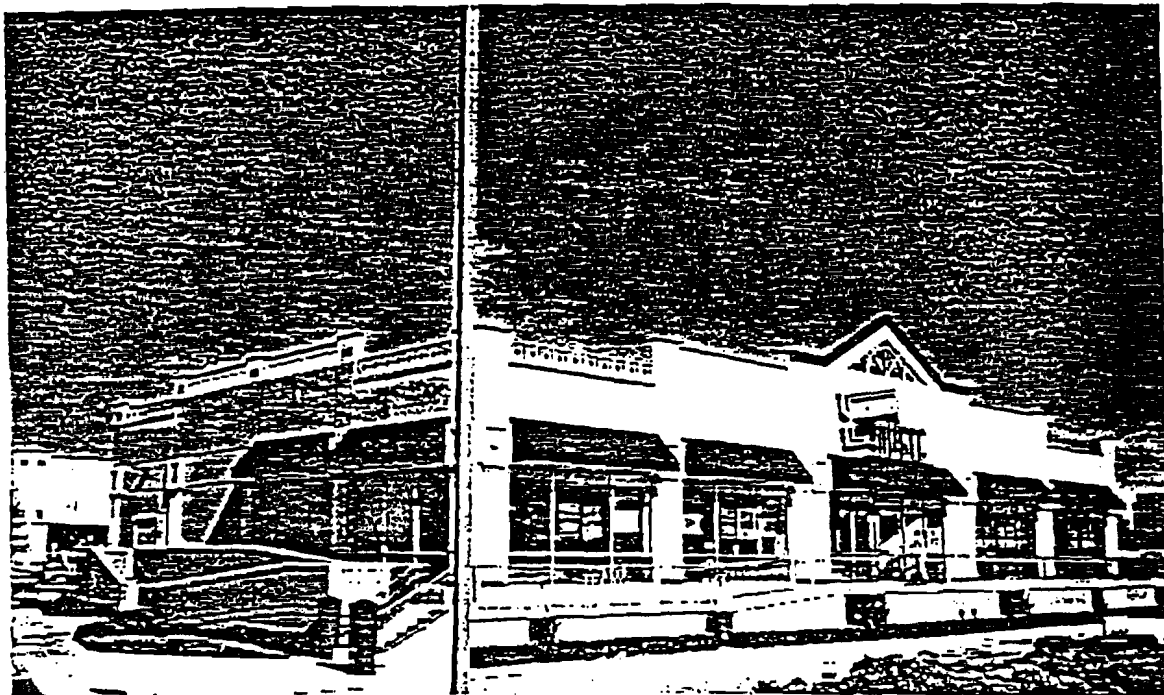
COLLEYVILLE BLVD. FRONT ELEVATION



COMPARISON OF TWO BLOCKBUSTER VIDEO STORES



COLLEYVILLE STORE / SH 121 / DESIGN SCORE = 11.21



NORTH RICHLAND HILLS STORE / HWY. 183 / SCORE = 28.64

Architectural Design Standards

Analysis & Recommendations

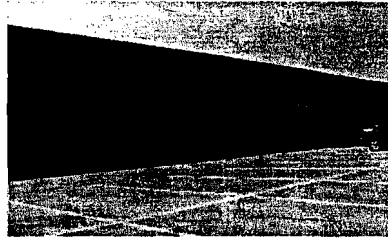
Dec. 6, 1999

Goals

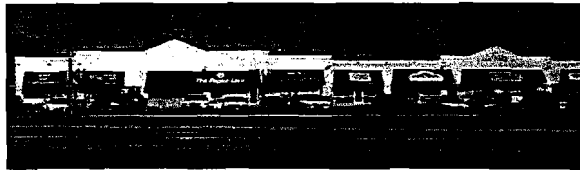
- Flexible enough for variety
- Quantifiable standards
- Readily understandable
- Avoid arbitrary decisions

Design Issues

- Non-architectural finishing materials; minimum contrast
- "Tacked on" appearance of entry
- Boxy appearance
- Large plain façade
- Flat roof
- Limited landscaping



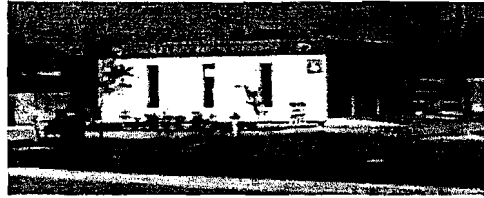
Design Issues



- | | |
|--|---|
| ■ Overuse of EFIS | ■ Repetitive landscaping |
| ■ No architectural elements side/rear | ■ Inadequate screening at rear |
| ■ Non-complementary contrast-façade & awning | ■ No continuity between elements: <ul style="list-style-type: none">– Awning placement– Awning signs |

Design Issues

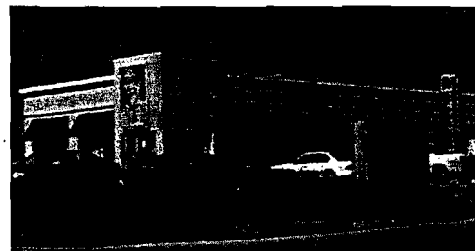
- Cinder block finish
- Non-complementary façade/trim contrast
- Bays visible from street
- Little architectural variation
- Flat roof adjacent to residential



- Minimal landscaping
- Inadequate screening/buffering for residential uses at rear

Design Issues

- Overuse of EFIS
- Non-complementary contrasting façade and trim
- Limited building articulation
- Obtrusive signage
- Limited landscaping



Problem Summary

■ Materials

- Lack of appropriate types of materials and colors
- Lack of complementary contrasting materials and colors

■ Design Elements

- Limited building articulation: rooflines, four sided architecture, wall offsets, etc.

Problem Summary (cont.)

■ Site Elements

- Inadequate landscaping
- Obtrusive signage
- Poor appearance on major corridors/entryways
- Poor relationship to adjacent residential areas
 - Inadequate screening & buffering
 - Lack of 4-sided design
 - Inappropriate roof design

Typical Approaches: Subjective Review

- Design review by committee or expert
- Strengths
 - Flexible
 - Varying viewpoints can be discussed
- Weaknesses
 - Highly subjective
 - Standards vary with personal viewpoints

Typical Approaches: Subjective Review (cont.)

- Weaknesses
 - Highly subjective
 - Evaluations vary with personal viewpoints
 - Board's values may not reflect community
 - Adds time to development process
 - Legal authority sometimes challenged

Typical Approaches: Formula Approach

- Points accumulation methodology
- Identifies/quantifies merits of design elements
- Strengths
 - Intended to avoid arbitrary decisions by minimizing subjectivity
 - Formulas translate aesthetic values into quantifiable measures

Typical Approaches: Formula Approach (cont.)

- Weaknesses
 - Does not guarantee attractive design
 - Possible for good designs to fail
 - Can be complex / difficult to administer

Formula Approach Example: Colleyville

- Based on formula:

- $K(t) = K(a) + K(v) + K(c) + K(h) + (K)n$

- Evaluates

- Façade articulation
 - Vertical departure
 - Building feature shade
 - Roof planes
 - Windows

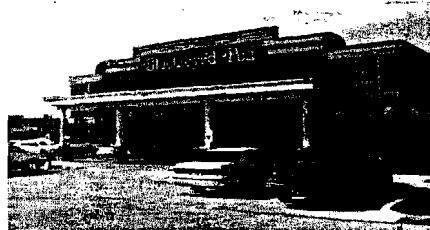
Formula Approach Example: Colleyville (cont.)

- Does not consider:

- Finish materials
 - Multiple materials (contrast)
 - Glass
 - Color schemes
 - Four sided design
 - Site elements (extra landscaping, signage, etc.)
 - Residential adjacency

Formula Approach Example: Colleyville (cont.)

- No points for:
 - Brick
 - Stone trim
 - Attractive color scheme
 - 4-side design
 - Decorative lighting
 - Brick patterns
 - Coordinated signage



Typical Approaches: Visual Elements

- Identifies positive design elements
- Sets minimum standards to implement them
- Strengths
 - Ensures minimum appearance standards
 - Standards can be tailored to community
 - Relatively easy to administer
 - Developer knows approval standards up-front

Typical Approaches: Visual Elements (cont.)

■ Weaknesses

- Implementation of strict standards can limit flexibility
- If standards do not reflect community expectations, final design result may still be unacceptable

Typical Approaches: Overlay Districts

- Sets additional standards for a specific area
- Historic district is an example
- Strengths
 - Corridor overlay districts can enhance visual continuity
 - Relatively easy to administer

Typical Approaches: Overlay Districts (cont.)

■ Weaknesses

- Applies to a limited portion of community-- other mechanisms must be created to influence design in remainder

Recommendations

- Establish minimum standards and enhanced standards for non-residential structures and multi-family structures.
- Each standard achieved will earn a specified number of points. A minimum total score, varying by project category, must be achieved for project approval.

Recommendations (cont.)

- **Variances for architectural merit may be granted by the City Council after recommendation by the Planning and Zoning Commission.**
- **Elevations must be submitted along with site plans, and reviewed for conformance to minimum standards during the normal site plan review process.**

Recommendations (cont.)

- **Established design processes and standards in the Historic District would take precedence over these requirements.**
- **In conjunction with the Regional Employment Center study, develop overlay district standards for that area.**

Recommendations (cont.)

- Certain minimum standards must be met for all buildings
 - Masonry exterior
 - Additional setbacks where adjacent to residential areas

Recommendations (cont.)

- In addition, a specific score must be achieved by selecting from a list of enhancement options, including:
 - Pitched roof
 - Enhanced landscaping, lighting, sidewalks, awnings, or paving
 - Enhanced signage plan
 - Façade offsets
 - Glass treatment
 - Approved color scheme

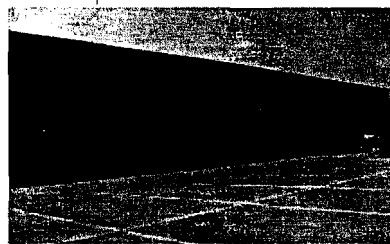
DESIGN STANDARDS SCORING SHEET Non-Residential Projects (Does not apply to non-residential projects in AL, NH, or SC districts)		
Mandatory Requirements (see Enhanced Standards also, below)		
1. Exterior finish:		Score
a) Architectural finishing on all sides of the building	10 pts.	<input type="checkbox"/>
to 100% Category I Masonry*	25 pts.	<input type="checkbox"/>
or	10 pts.	<input type="checkbox"/>
Up to 50% Category II Masonry**, balance Category I Masonry*		
2. Height slope standards:		
a) 1:3 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	10 pts.	<input type="checkbox"/>
or	5 pts.	<input type="checkbox"/>
b) 1:1 (1 foot of setback from SF, duplex, or MF residential property for every 1 foot of height)		
Enhanced Standards - Selection Permitted		
1. Enhanced roof treatment (0.12 minimum roof pitch—6" of rise for every 12" of run)	10 pts.	<input type="checkbox"/>
2. Facade offset:		
a) Major: 30% of front building face offset a minimum of 10' (minimum width 10')	10 pts.	<input type="checkbox"/>
b) Major: 20% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points)	5 pts. each side	<input type="checkbox"/>
c) Minor: 3' x 12' minimum full-height offset for every 20' of wall length	5 pts.	<input type="checkbox"/>
3. Enhanced sign plan (no pole signs, limited building signs, no backlit signs, monument signs framed to match masonry on primary structure)	10 pts.	<input type="checkbox"/>
4. Additional landscaping:		
a) Trees planted on 30' centers along right-of-way	5 pts.	<input type="checkbox"/>
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.	<input type="checkbox"/>
c) Trees planted on 30' centers along residential property boundary	5 pts.	<input type="checkbox"/>
d) Increase landscape buffer along residential property boundary to 20'	5 pts.	<input type="checkbox"/>
e) Trees planted on 30' centers along major interior circulation drives	5 pts.	<input type="checkbox"/>
5. Glass treatment:		
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.	<input type="checkbox"/>
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	<input type="checkbox"/>
6. Decorative paving plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	<input type="checkbox"/>
7. Approved color scheme (85% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.	<input type="checkbox"/>
8. Approved decorative lighting (including coordinated decorative poles and building signs)	5 pts.	<input type="checkbox"/>
9. Decorative Pavers in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.	<input type="checkbox"/>
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.	<input type="checkbox"/>
Total Points (Minimum Score Required: 80)		
CATEGORY 1 MASONRY: Brick, brick veneer, and/or stone (including synthetic stone). CATEGORY 2 MASONRY: Stucco, EPS, or textured concrete (permeable CMU, textured concrete in wall, and cast concrete siding). Note: Requirements for masonry are calculated exclusive of windows and doors.		

DESIGN STANDARDS SCORING SHEET ML, NH and SC Districts		
Mandatory Requirements (see Enhanced Standards also, below)		
1. Exterior finish:		Score
a) 100% Category I Masonry* (front face of building only)	25 pts.	<input type="checkbox"/>
or	10 pts.	<input type="checkbox"/>
Up to 50% Category II Masonry**, balance Category I Masonry* (front face of building only)		
2. Height slope standards:		
a) 1:3 (3 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	10 pts.	<input type="checkbox"/>
or	5 pts.	<input type="checkbox"/>
b) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)		
Enhanced Standards - Selection Permitted		
1. Enhanced roof treatment (0.12 minimum roof pitch—6" of rise for every 12" of run)	10 pts.	<input type="checkbox"/>
2. Facade offset:		
a) Major: 25% of front building face offset a minimum of 10' (minimum width 10')	10 pts.	<input type="checkbox"/>
b) Minor: 3' x 12' minimum full-height offset for every 20' of wall length (front face of building)	5 pts.	<input type="checkbox"/>
3. Enhanced sign plan (no pole signs, limited building signs, no backlit signs, monument signs framed to match masonry on primary structure)	10 pts.	<input type="checkbox"/>
4. Additional landscaping:		
a) Trees planted on 30' centers along right-of-way	5 pts.	<input type="checkbox"/>
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121 and U.S. 380)	5 pts.	<input type="checkbox"/>
c) Trees planted on 30' centers along residential property boundary	5 pts.	<input type="checkbox"/>
d) Increase landscape buffer along residential property boundary to 35'	5 pts.	<input type="checkbox"/>
e) Trees planted on 30' centers along major interior circulation drives	5 pts.	<input type="checkbox"/>
5. Glass treatment:		
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.	<input type="checkbox"/>
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	<input type="checkbox"/>
6. Decorative paving plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	<input type="checkbox"/>
7. Approved color scheme (85% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.	<input type="checkbox"/>
8. Approved decorative lighting (including coordinated decorative poles and building signs)	5 pts.	<input type="checkbox"/>
9. Decorative Pavers in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.	<input type="checkbox"/>
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.	<input type="checkbox"/>
Total Points (Minimum Score Required: 80)		
CATEGORY 1 MASONRY: Brick, brick veneer, and/or stone (including synthetic stone). CATEGORY 2 MASONRY: Stucco, EPS, or textured concrete (permeable CMU, textured concrete in wall, and cast concrete siding). Note: Requirements for masonry are calculated exclusive of windows and doors.		

DESIGN STANDARDS SCORING SHEET Multi-Family Residential Districts		
Mandatory Requirements (see Enhanced Standards 4b, below)		
1. Exterior Finish:		
a) Architectural finishing on all sides of the building	50 pts.	<input type="checkbox"/>
b) 100% Category I Masonry*	25 pts.	<input type="checkbox"/>
Up to 50% Category II Masonry**, below Category I Masonry*	75 pts.	<input type="checkbox"/>
2. Height slope standards:		
a) 1:3 (2 feet of setback from SF and duplex residential property for every 1 foot of height)	75 pts.	<input type="checkbox"/>
b) 1:2 (2 feet of setback from SF and duplex residential property for every 1 foot of height)	5 pts.	<input type="checkbox"/>
Enhanced Standards – Selection Permitted		
1. Enhanced roof treatment (R-12 minimum roof pitch—8" of rise for every 12" of run)	10 pts.	<input type="checkbox"/>
2. Parade effects:		
a) Major: 25% of front building face offset a minimum of 10' (minimum width 10')	50 pts.	<input type="checkbox"/>
b) Major: 25% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points)	5 pts. each side	<input type="checkbox"/>
c) Minor: 2' x 12' minimum full-height offset for every 20' of wall length	5 pts.	<input type="checkbox"/>
3. Enhanced edge plant (no pole signs, freestanding signs, no backlit signs, monument signs limited to finish masonry on primary structure)	75 pts.	<input type="checkbox"/>
4. Additional landscaping:		
a) Trees planted on 20' centers along right-of-way	5 pts.	<input type="checkbox"/>
b) Increase landscape buffer along right-of-way to 25' (mandatory for all properties with frontage along U.S. 70, S.H. 121, and U.S. 380)	5 pts.	<input type="checkbox"/>
c) Trees planted on 20' centers along residential property boundary	5 pts.	<input type="checkbox"/>
d) Increase landscape buffer along residential property boundary to 25'	5 pts.	<input type="checkbox"/>
e) Trees planted on 20' centers along major interior circulation drives	5 pts.	<input type="checkbox"/>
5. Glass treatment:		
a) No four to eight glass (2" of wall above and below windows)	5 pts.	<input type="checkbox"/>
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	<input type="checkbox"/>
6. Decorative window plan (approved color, material, size signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	<input type="checkbox"/>
7. Approved color schemes (50% saturated earth tones, including visible roof area, trim, and awnings)	5 pts.	<input type="checkbox"/>
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.	<input type="checkbox"/>
9. Decorative Pavers (in-lane of concrete at intersections and/or pedestrian crossings)	5 pts.	<input type="checkbox"/>
10. Curbside sidewalks (3-4' deflection from curbside for every 20-40' of length)	5 pts.	<input type="checkbox"/>
Total Points (Minimum Score Required: 85)		
		<input type="checkbox"/>
Category I Masonry: Brick, brick veneer, and/or stone (including synthetic stone). Category II Masonry: Stucco, GPM, or textured concrete (architectural CMU), textured concrete in unit, and other concrete siding. Note: Requirements for masonry are substituted evaluation of minimum and doors.		

Non-Residential Scoring

- Required Score: 85
- Actual Score: 35
- Add to bring to required score:
 - 4-sided architecture
 - 100% masonry
 - Extra Trees
 - Enhanced Sign Plan



Non-Residential Scoring

- Required Score: 85
- Actual Score: 10
- Add to bring to required score:
 - 4-sided architecture
 - 100% masonry
 - Increase set-back
 - Extra Trees / Buffer
 - Enhanced Sign Plan
 - Awning Plan
 - Pavers
 - Curvilinear sidewalks



Non-Residential Scoring

- Required Score: 85
- Actual Score: 10
- Add to bring to required score:
 - Masonry Combination / 4 sided
 - Pitched Roof
 - Extra Trees / Landscape buffer
 - Trees for residential buffer
 - Enhanced Sign Plan
 - Awning Plan



Non-Residential Scoring

- Required Score: 85
- Actual Score: 20
- Add to bring to required score:
 - 100% Masonry
 - Enhanced Sign Plan
 - Awning Plan
 - Approved Color Scheme
 - Pavers
 - Curvilinear sidewalks



Non-Residential Scoring

- Required Score: 85
- Actual Score: 95



ML, MH, CB Scoring

- Required Score: 50
- Actual Score: 10
- Add to bring to required score:
 - **Masonry**
 - **Extra Landscaping**



DESIGN STANDARDS SCORING SHEET

Non-Residential Projects

(Does not apply to non-residential projects in ML, MH, or BC districts)

Mandatory Requirements (see Enhanced Standards 4b, below)

1. Exterior finish:			Score
a) Architectural finishing on all sides of the building	10 pts.		0
b) 100% Category I Masonry*	25 pts.		0
-or-	-or-		
Up to 50% Category II Masonry**, balance Category I Masonry*	15 pts.		
2. Height slope standards:			
a) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	10 pts.		
-or-	-or-		
b) 1:1 (1 foot of setback from SF, duplex, or MF residential property for every 1 foot of height)	5 pts.		10

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run)	15 pts.		0
2. Façade offsets:			
a) Major: 20% of front building face offset a minimum of 10' (minimum width 10')	10 pts.		10
b) Major: 20% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points)	5 pts. each side		0
c) Minor: 3" x 12" minimum full-height offset for every 20' of wall length	5 pts.		0
3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure)	10 pts.		0
4. Additional landscaping:			
a) Trees planted on 30' centers along right-of-way	5 pts.		0
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.		0
c) Trees planted on 30' centers along residential property boundary	5 pts.		0
d) Increase landscape buffer along residential property boundary to 20'	5 pts.		0
e) Trees planted on 30' centers along major interior circulation drives	5 pts.		0
5. Glass treatment:			
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.		5
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.		5
6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.		0
7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.		5
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.		0
9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.		0
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.		0

Total Points (Minimum Score Required: 85)

35

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors.

DESIGN STANDARDS SCORING SHEET

Non-Residential Projects

(Does not apply to non-residential projects in ML, MH, or BC districts)

Mandatory Requirements (see Enhanced Standards 4b, below)

1. Exterior finish:			Score
a) Architectural finishing on all sides of the building	10 pts.		0
b) 100% Category I Masonry*	25 pts.		0
-or-	-or-		0
Up to 50% Category II Masonry**, balance Category I Masonry*	15 pts.		
2. Height slope standards:			
a) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	10 pts.		0
-or-	-or-		0
b) 1:1 (1 foot of setback from SF, duplex, or MF residential property for every 1 foot of height)	5 pts.		0

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run)	15 pts.		0
2. Façade offsets:			
a) Major: 20% of front building face offset a minimum of 10' (minimum width 10')	10 pts.		0
b) Major: 20% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points)	5 pts. each side		0
c) Minor: 3" x 12" minimum full-height offset for every 20' of wall length	5 pts.		0
3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure)	10 pts.		0
4. Additional landscaping:			
a) Trees planted on 30' centers along right-of-way	5 pts.		0
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.		0
c) Trees planted on 30' centers along residential property boundary	5 pts.		0
d) Increase landscape buffer along residential property boundary to 20'	5 pts.		0
e) Trees planted on 30' centers along major interior circulation drives	5 pts.		0
5. Glass treatment:			
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.		5
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.		5
6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.		0
7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.		0
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.		0
9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.		0
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.		0

Total Points (Minimum Score Required: 85)

10

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors.

DESIGN STANDARDS SCORING SHEET

Non-Residential Projects

(Does not apply to non-residential projects in ML, MH, or BC districts)

Mandatory Requirements (see Enhanced Standards 4b, below)

1. Exterior finish:			Score
a) Architectural finishing on all sides of the building	10 pts.		<input type="text"/>
b) 100% Category I Masonry*	25 pts.		<input type="text"/>
-or-	-or-		<input type="text"/>
Up to 50% Category II Masonry**, balance Category I Masonry*	15 pts.		
2. Height slope standards:			
a) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	10 pts.		<input type="text"/>
-or-	-or-		<input type="text"/>
b) 1:1 (1 foot of setback from SF, duplex, or MF residential property for every 1 foot of height)	5 pts.		<input type="text"/>

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run).	15 pts.	<input type="text"/>
2. Façade offsets:		
a) Major: 20% of front building face offset a minimum of 10' (minimum width 10')	10 pts.	<input type="text"/>
b) Major: 20% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points)	5 pts. each side	<input type="text"/>
c) Minor: 3" x 12" minimum full-height offset for every 20' of wall length	5 pts.	<input type="text"/>
3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure)	10 pts.	<input type="text"/>
4. Additional landscaping:		
a) Trees planted on 30' centers along right-of-way	5 pts.	<input type="text"/>
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.	<input type="text"/>
c) Trees planted on 30' centers along residential property boundary	5 pts.	<input type="text"/>
d) Increase landscape buffer along residential property boundary to 20'	5 pts.	<input type="text"/>
e) Trees planted on 30' centers along major interior circulation drives	5 pts.	<input type="text"/>
5. Glass treatment:		
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.	<input type="text"/>
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	<input type="text"/>
6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	<input type="text"/>
7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.	<input type="text"/>
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.	<input type="text"/>
9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.	<input type="text"/>
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.	<input type="text"/>

Total Points (Minimum Score Required: 85)

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors.

DESIGN STANDARDS SCORING SHEET

Non-Residential Projects

(Does not apply to non-residential projects in ML, MH, or BC districts)

Mandatory Requirements (see Enhanced Standards 4b, below)

1. Exterior finish:		Score
a) Architectural finishing on all sides of the building	10 pts.	10
b) 100% Category I Masonry*	25 pts.	
-or-	-or-	15
Up to 50% Category II Masonry**, balance Category I Masonry*	15 pts.	
2. Height slope standards:		
a) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	10 pts.	
-or-	-or-	10
b) 1:1 (1 foot of setback from SF, duplex, or MF residential property for every 1 foot of height)	5 pts.	

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run).	15 pts.	0
2. Façade offsets:		
a) Major: 20% of front building face offset a minimum of 10' (minimum width 10')	10 pts.	10
b) Major: 20% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points)	5 pts. each side	10
c) Minor: 3" x 12" minimum full-height offset for every 20' of wall length	5 pts.	0
3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure)	10 pts.	10
4. Additional landscaping:		
a) Trees planted on 30' centers along right-of-way	5 pts.	5
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.	0
c) Trees planted on 30' centers along residential property boundary	5 pts.	0
d) Increase landscape buffer along residential property boundary to 20'	5 pts.	0
e) Trees planted on 30' centers along major interior circulation drives	5 pts.	0
5. Glass treatment:		
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.	5
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	5
6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	5
7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.	5
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.	5
9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.	0
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.	0

Total Points (Minimum Score Required: 85)

95

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors.

DESIGN STANDARDS SCORING SHEET

Non-Residential Projects

(Does not apply to non-residential projects in ML, MH, or BC districts)

Mandatory Requirements (see Enhanced Standards 4b, below)

		Score
1. Exterior finish:		
a) Architectural finishing on all sides of the building	10 pts.	0
b) 100% Category I Masonry*	25 pts.	0
-or-	-or-	
Up to 50% Category II Masonry**, balance Category I Masonry*	15 pts.	
2. Height slope standards:		
a) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	10 pts.	
-or-	-or-	
b) 1:1 (1 foot of setback from SF, duplex, or MF residential property for every 1 foot of height)	5 pts.	10

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run).	15 pts.	0
2. Façade offsets:		
a) Major: 20% of front building face offset a minimum of 10' (minimum width 10')	10 pts.	0
b) Major: 20% of side building face offset a minimum of 10' (minimum width 10' & up to two sides may receive points)	5 pts. each side	0
c) Minor: 3" x 12" minimum full-height offset for every 20' of wall length	5 pts.	0
3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure)	10 pts.	0
4. Additional landscaping:		
a) Trees planted on 30' centers along right-of-way	5 pts.	0
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.	0
c) Trees planted on 30' centers along residential property boundary	5 pts.	0
d) Increase landscape buffer along residential property boundary to 20'	5 pts.	0
e) Trees planted on 30' centers along major interior circulation drives	5 pts.	0
5. Glass treatment:		
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.	5
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	5
6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	0
7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.	0
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.	0
9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.	0
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.	0

Total Points (Minimum Score Required: 85)

20

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors.

DESIGN STANDARDS SCORING SHEET

ML, MH and BC Districts

Mandatory Requirements (see Enhanced Standards 4b, below)

1. Exterior finish:			Score
a) 100% Category I Masonry* (front face of building only)	25 pts.		
-or-			
b) Up to 50% Category II Masonry**, balance Category I Masonry* (front face of building only)	15 pts.		0
2. Height slope standards:			
a) 1:3 (3 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	10 pts.		
-or-			
b) 1:2 (2 feet of setback from SF, duplex, or MF residential property for every 1 foot of height)	5 pts.		0

Enhanced Standards – Selection Permitted

1. Enhanced roof treatment (6:12 minimum roof pitch—6" of rise for every 12" of run)	15 pts.	0
2. Façade offsets:		
a) Major: 20% of front building face offset a minimum of 10' (minimum width 10')	10 pts.	0
b) Minor: 3" x 12" minimum full-height offset for every 20' of wall length (front face of building)	5 pts.	0
3. Enhanced sign plan (no pole signs, limited building signs, no back-lit signs, monument signs framed to match masonry on primary structure)	10 pts.	0
4. Additional landscaping:		
a) Trees planted on 30' centers along right-of-way	5 pts.	0
b) Increase landscape buffer along right-of-way to 20' (mandatory for all properties with frontage along U.S. 75, S.H. 121, and U.S. 380)	5 pts.	0
c) Trees planted on 30' centers along residential property boundary	5 pts.	0
d) Increase landscape buffer along residential property boundary to 35'	5 pts.	0
e) Trees planted on 30' centers along major interior circulation drives	5 pts.	0
5. Glass treatment:		
a) No floor to ceiling glass (2' of wall above and below windows)	5 pts.	5
b) Glass 27% maximum reflectivity (no highly mirrored glass)	5 pts.	5
6. Decorative awning plan (approved color, material, no signs on awnings, and length between 5% and 25% of front face of building)	5 pts.	0
7. Approved color scheme (95% subdued earth tones, including visible roof area, trim, and awnings)	5 pts.	0
8. Approved decorative lighting (including coordinated decorative poles and building lights)	5 pts.	0
9. Decorative Pavers (in-lieu-of concrete at intersections and/or pedestrian crossings)	5 pts.	0
10. Curvilinear sidewalks (3-4' deflection from centerline for every 20-40' of length)	5 pts.	0

Total Points (Minimum Score Required: 50)

10

* **Category 1 Masonry:** Brick, brick veneer, and/or stone (including synthetic stone).

** **Category 2 Masonry:** Stucco, EFIS, or textured concrete (architectural CMU, textured concrete tilt wall, and cast concrete siding).

Note: Requirements for masonry are calculated exclusive of windows and doors.

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 (l)(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 (l)(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 in the MTC - McKinney Town Center zoning district shall take precedence over the standards and criteria contained in this section;
- c. Applicable design standards related to historic preservation in the CHD - commercial historic overlay district and the H - Historic Preservation Overlay District shall take precedence over the standards and criteria contained in this section;
- d. Portable buildings for religious institutions or private schools, which may be allowed for a period not to exceed 30 months;
- e. Portable buildings for public schools, which may be allowed indefinitely;
- f. Temporary uses as defined under section 146-42;
- g. 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
- h. 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 (l)(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 (l)(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 (l)(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.
3. 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.

- b. 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.

Sec. 7.09.11.1. - Table 7.22, Temporary signs.
(/library/tx/allen/codes/land_development_code/?
nodeId=LADECO_ARTVIIIZODEST_S7.09.11.1TA7.22TESI)

Sec. 7.09.11.2. - Table 7.23, Permanent signs.
(/library/tx/allen/codes/land_development_code/?
nodeId=LADECO_ARTVIIIZODEST_S7.09.11.2TA7.23PESI)

Sec. 7.09.11.3. - Table 7.24, Permanent signs [deleted].
(/library/tx/allen/codes/land_development_code/?
nodeId=LADECO_ARTVIIIZODEST_S7.09.11.3TA7.24PESID)

Article VII - ZONING DEVELOPMENT STANDARDS

Sec. 7.01. - Purpose.

The standards in this article are intended to establish minimum design criteria for all nonresidential construction.

Sec. 7.02. - Applicability.

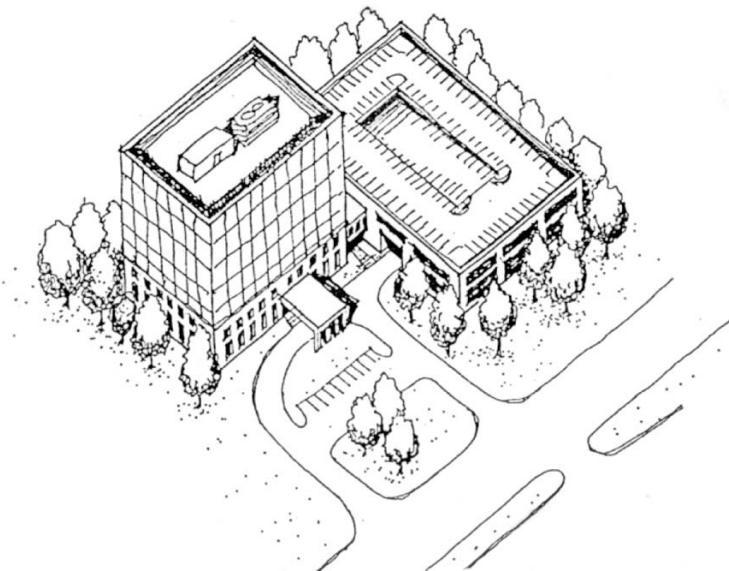
The standards for design apply to all nonresidential structures and multifamily structures except as otherwise provided, and to all parking structures and lots within the city.

Sec. 7.03. - Nonresidential design standards.

Sec. 7.03.1. - Parking garages.

Parking garages shall have architecturally finished facades, complementary to the surrounding buildings. Street front openings in parking structures shall not exceed 55 percent of the facade area.

Where possible, the narrow facade of the parking garage should be oriented to the street to minimize its visual impact.



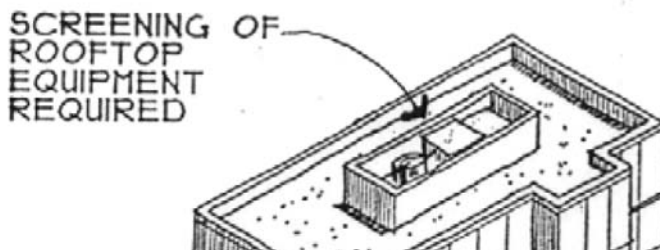
Sec. 7.03.2. - Exterior facade materials.

1. All main building exterior wall construction materials that are exposed shall be constructed of 100 percent masonry, including but not limited to stone, brick, tiles, concrete masonry units, cast concrete, concrete stucco, etc. Glazing and framed glazing are considered acceptable alternatives. Synthetic stucco (such as exterior finish and insulation system (EFIS)) may be utilized as an architectural accent material, not to exceed ten percent of the exterior surface of any building facade.
2. Glazing, doors, windows and door frames, roof system trim, mansards, and similar visible exterior architectural treatments shall be made of materials which complement construction materials.
3. Accessory buildings shall be constructed of materials that complement the main structure.
4. When rear facades are visible from adjoining properties and/or a public right-of-way, they shall be of a finished quality and consist of colors and materials that blend with the remainder of the building's primary facade(s).

(Ord. No. 2222-9-03, § 1, 9-23-2003)

Sec. 7.03.3. - Screening mechanical equipment.

1. All roof-mounted equipment including, but not limited to, fans, vents, air conditioning units and cooling towers shall be screened so as not to be visible at ground level from adjacent properties and/or public rights-of-way, including elevated thoroughfare sections.
 - a. Overall screening height shall be the height of the highest element of roof-mounted equipment.
 - b. The outside of the screening device, if independent of the building facade, shall be painted or otherwise finished in a similar color to the color of the building facade, trim, or roof surface, whichever color is more effective in minimizing the visibility of the equipment and screen from ground level.
2. All wall-mounted and ground-mounted equipment and appliances including, but not limited to, fans, vents, air conditioning units and cooling towers, shall be adequately screened from view from public streets and adjoining properties.



Subsection 4.09. Nonresidential Design Standards

4.09.01. Purpose

Frisco recognizes that building design is a major component of making a place unique. The purpose of these requirements is to avoid the creation of inappropriate or inharmonious façades which do not distinguish the City's nonresidential areas from those in other cities. The standards are intended to foster the continuity of retail stores and display windows, provide weather protection and shade for pedestrians and maintain a healthy retail environment. It is also the intent to encourage proposals that will contribute to the established or planned architectural character of a specific area.

4.09.02. Applicability of Other Regulations

The façade design standards are not intended to supersede requirements established in the PRO – Preston Road Overlay District, the TO – Tollway Overlay District and existing Planned Development Districts. Where there is a conflict between the façade design standards and those listed in the above noted districts, the more restrictive of the two shall apply. Some PDs may have design standards unique to the project. This subsection shall apply to all nonresidential zoned districts except IT and I districts.

4.09.03. Design Standards

(A) Façade composition shall include the following elements

- (1) Tripartite composition (base, middle and top).
- (2) Pedestrian areas adjacent to the buildings shall incorporate features to promote a walkable environment such as seats, benches, shade trees, awnings and arcades. Where awnings are used, they should be metal or an equivalent durable material.
- (3) Retail centers shall use materials similar to those in the block and surrounding development, including similar color. The first building to apply for a building permit establishes the building material palette for the retail center. The primary exterior building material established shall be used on at least ten (10) percent of the exterior façades of other buildings in the block and surrounding development. Where non-masonry materials are permitted, the use of Exterior Insulation and Finish Systems (EIFS) shall be limited to a maximum of ten (10) percent of the total façade and in no instances shall EIFS be permitted within nine feet of the grade of the first floor.
- (4) Fenestration (window) patterns and percent of façade devoted to fenestration shall be consistent with the retail center. Fenestrations shall cover 50-75 percent of the storefront and 15-35 percent of the upper façade. Storefront fenestrations shall be vertically oriented.
- (5) The fenestrations shall be placed a minimum of six (6) inches back from the exterior wall surface creating a reveal. Wall surfaces shall predominate; fenestration openings shall appear to be cut into the wall surface.
- (6) An eighteen (18) inch minimum water course shall be provided under fenestrations.
- (7) Mirrored or opaque façades shall be avoided.
- (8) A well-defined cornice or fascia shall be located at the top of the storefront and at the roofline.
- (9) Side and rear elevations of buildings visible to the public roadway shall incorporate architectural features consistent with the front façade.
- (10) Buildings on pad sites shall share similar design characteristics of the main structure(s). The intent should not be the precise replication of the design of the main structure(s) but rather the use of similar colors, materials and textures including the repeating patterns, rhythms and proportions of the architecture of the other buildings.

- (11) When a new use or an addition will be adjacent to an existing development, the newly constructed portion of the building shall appear as part of the original design to the greatest extent possible. Where new construction must consist of a different height or bulk than that of the original structure, the change should not occur abruptly.
- (12) The following design principle are suggested as resources.
- The Golden Mean (1 to 1.618 ratio) and the Fibonacci Sequence (0,1,1,2,3,5,8,13,21, etc.).
 - <http://www.vashti.net/mceinc/golden.htm>
 - Pattern as a method of locating structural components, including windows and doors etc.; ref: “The Old Way of Seeing” by Jonathan Hale.
 - <http://www.zloty-design.com/gd107/08OldWySeeing.pdf>
 - Recessed entryways to provide a sense of arrival and shelter.



Figure 4.09.03.1: Example of Windows and Entrances Designed with Concepts from the Golden Mean and Fibonacci Sequence



Figure 4.09.03.2: Example of Windows and Entrances Designed with Concepts from the Golden Mean and Fibonacci Sequence

(B) Façade Design Standards for Big Box Retail Structures

- (1) Façade plans will be evaluated for their architectural concept, proportions, composition, details, decorative features, artfulness and quality.
- (2) Buildings shall incorporate a tripartite building composition (base, middle and top). The tripartite shall be proportioned to the other elements of the tripartite and the overall structure.



Figure 4.09.03.3: Big Box Development with Quality Design Elements

- (3) Buildings shall provide a sheltered entry.
- (4) Areas adjacent to the buildings shall incorporate features to promote a walkable environment such as seats, benches, shade trees, awnings and arcades. Where awnings are used, they shall be metal or an equivalent durable material.
- (5) The City encourages creative freedom to enrich façade design; the architectural decision may include the following.

- a. Placement of windows or transparency subtracted or “punched”



Figure 4.09.03.4: Building with Sheltered Entry

- b. Variations in roof form
- c. Enhancement of long unadorned walls with:
 - 1. Light and shade design elements,
 - 2. Recesses and projections,
 - 3. Vertical accents or focal points,
 - 4. Murals,
 - 5. Sculptures,
 - 6. Masonry texture feature, or
 - 7. Landscaping.



Figure 4.09.03.5: Quality Facade Designs Elements

Plano Zoning Ordinance

3.302 Nonresidential Uses

ZC 2011-02; Ordinance No. 2011-2-14

1. Except as otherwise regulated by this ordinance, exterior wall construction in districts permitting nonresidential uses shall be of such material that conforms to the International Building Code unless an alternative has been approved by the Building Official.
2. Metal exterior wall construction within nonresidential zoning districts shall be permitted provided that a maximum of 25% of any exposed exterior wall may consist of metal. This percentage may be exceeded in accordance with the following:
 - a. For high-rise buildings only, a maximum of 50% of any exposed exterior wall may consist of metal. High-rise buildings shall be defined by the International Building Code and as amended by the city.
 - b. Within the LI-1 and LI-2 districts only, up to 100% of any exposed exterior wall may consist of metal with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:
 - i. The metal exterior wall is not visible from a public thoroughfare or residential zoning district.
 - ii. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.
3. Membrane exterior wall construction is permitted within the LI-1 and LI-2 districts only, with approval of a facade plan as part of the site plan review process by the Planning & Zoning Commission only under the following conditions:
 - a. The membrane exterior wall is not visible from a public thoroughfare or residential zoning district.
 - b. The lot containing the building is located at least 1,000 feet from any residential zoning district boundary line unless separated by a Type C or larger thoroughfare.
4. **Special Requirements for Parking Structures**

Except in BG and CB-1 zoning districts, all exterior walls of parking structures shall be architecturally designed to be integrated with the primary building on the site, including consistent architectural design elements and building materials between structures.

Architectural and Site Standards Discussion

December 15, 2014



- MONEY MAGAZINE 2014 -

Background

- **May 2000 – Architectural and Site Standards Established**
- **August 2009 – Council Member Day expresses concerns with existing standards**
- **2010 – 2012 – Staff works with City Council, P&Z, Development Community and Development Advocacy Group to draft a new ordinance but this effort is ultimately abandoned**
- **July 28, 2014 – City Council directs Staff to re-evaluate the architectural standards ordinance focusing on:**
 - Mandating quality but ensuring flexibility which allows competitiveness with sister cities;
 - Allowing more material types; and
 - Focus more on architectural design elements (façade offsets).
- **P&Z and the development community also asked Staff to address:**
 - The existing standards are too restrictive;
 - The current point system is too confusing; and
 - The current standards create delays in the overall development process.

Types of Architectural Standards Ordinances

- **Subjective Review Model**

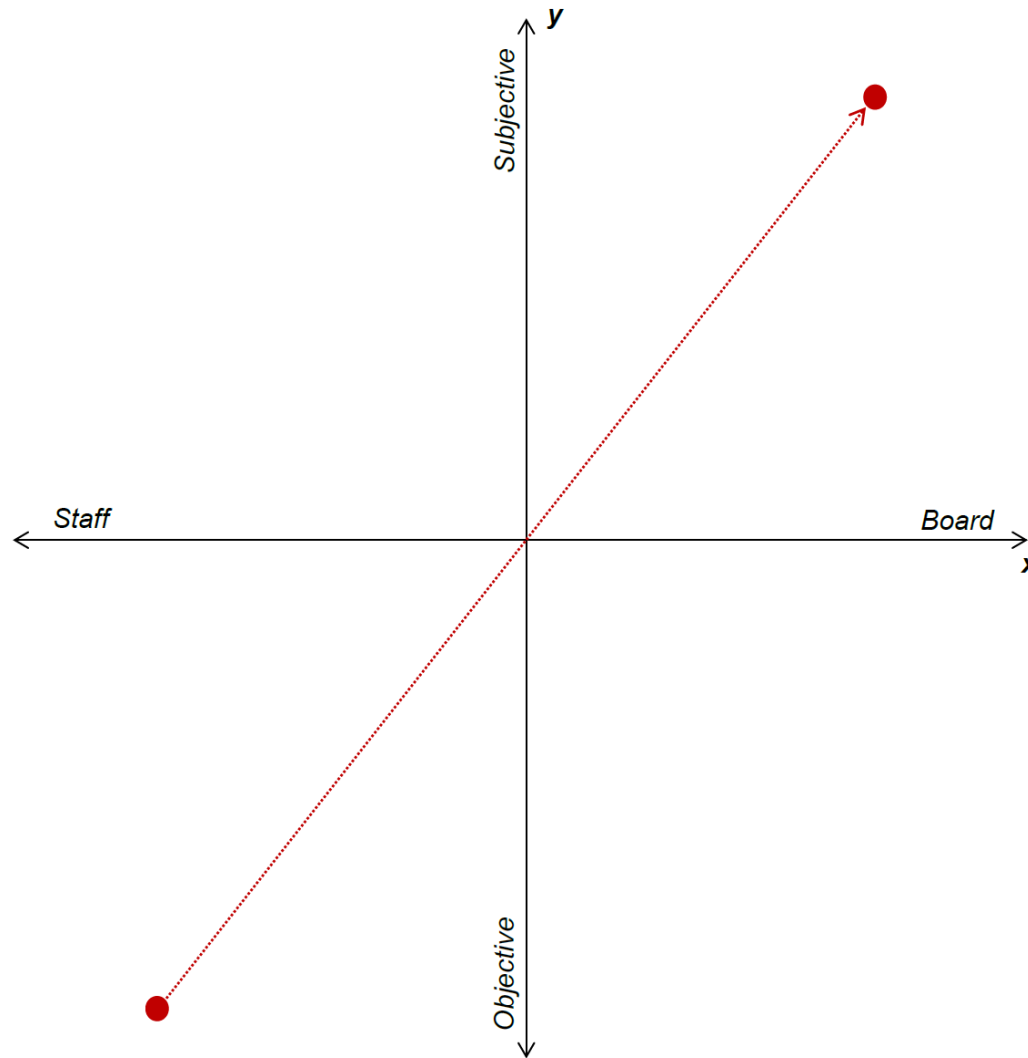
- Strengths:
 - Allows flexibility and varying architectural expression
 - Allows discretion to ensure that community values are captured
- Weaknesses:
 - Not standardized
 - Changes in board and staff = change in architecture
 - Less predictability

- **Formulaic Model**

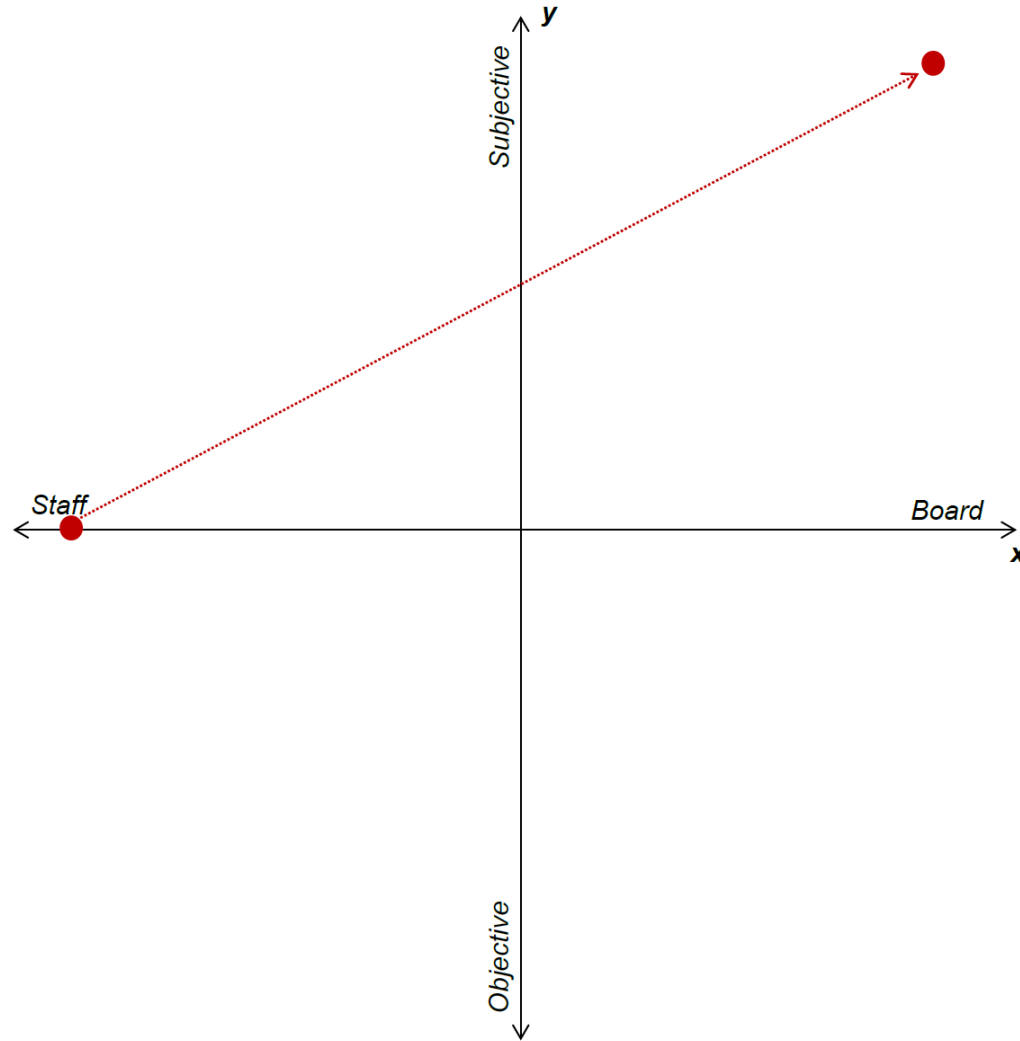
- Strengths:
 - Eliminates arbitrary decision making
 - Ensures consistent character
- Weaknesses:
 - Don't ensure pleasing designs
 - Pleasing buildings may not meet standards
 - Complex and difficult to understand and administer

**Plano, Frisco and Allen utilize more flexible, subjective standards.*

Existing Architectural Standards Model



Recommended Architectural Standards Model



Recommended Ordinance's High Points

- Non-residential point system is eliminated.
- More materials are permitted and the ability for new materials to be utilized is introduced.
- Façade offsets, fenestration and roof treatment become more important to the building's design.
- All building designs are evaluated on a “per elevation” basis rather than a “per wall” basis.
- “Tripartite design” is introduced to create architectural organization in façade design.
- Added visual representations of subjective design features.
- Meritorious exception process is eliminated; instead, the original submittal may be processed for board approval rather than requiring a new submittal.
- Regulations are clear, concise and easy to implement.

Tripartite Design

- This means designing buildings with three distinct parts- a bottom section, middle section and top section.
- Examples:



Non-Tripartite Design

- Examples:



Next Steps

- Staff will incorporate any City Council feedback
- Staff will meet with the Planning and Zoning Commission to discuss these draft amendments.
- Staff will post the draft regulations on our website and solicit any feedback from the public and or development community at large.
- Staff will meet with McKinney Economic Development Corporation's Development Advocacy Group to solicit feedback.
- Staff will bring the draft ordinance amendments back to a joint meeting between the City Council and Planning and Zoning Commission for any last minute feedback before starting the adoption proceedings.
- It is anticipated that approval could come as early as March or April of 2015.

Questions or Discussion?



14-1293

TITLE: Discuss October 2014 Monthly Financial Report

MEETING DATE: December 16, 2014

DEPARTMENT: Financial Services

CONTACT: Rodney Rhoades

RECOMMENDED CITY COUNCIL ACTION:

- This item is for informational purposes only.

ITEM SUMMARY:

- Utilizing historical data and current budgets, Staff has developed a method of projecting revenues and expenditures for each month of the fiscal year.
- These projections will be compared to the monthly actuals for revenues and expenditures and provided to the City Council each month.
- Presentations are expected to only be quarterly at this time.
- As the fiscal year progresses, this report is expected to improve in the way that it is compiled, shared, and presented.

BACKGROUND INFORMATION:

- The City Council adopted the current operating budget on September 16, 2014.

FINANCIAL SUMMARY:

- N/A

BOARD OR COMMISSION RECOMMENDATION:


- N/A

SUPPORTING MATERIALS:

[October Monthly Financial Report Presentation](#)



TO: Mayor and City Council

FROM: Tom Muehlenbeck, Interim City Manager 

RE: Monthly Financial Report – October 2014

DATE: December 1, 2014

The City Staff and I are pleased to provide you with the Monthly Financial Report for October 2014.

This report is intended to be the first of several monthly financial reports that will provide you with regular updates on the City's financial health and progress as we move through Fiscal Year 2014 – 2015. For McKinney, this report is in some ways the first of its kind. As such, we expect to see improvements to the report design and information as the year progresses.

We are striving toward several goals with the development of this report. It will provide increased transparency and support a culture of open government. Internally, it will serve as a management tool that improves each department's ability to manage to their budgets. Externally, it will help to facilitate the conversation about how and where we are using our valuable resources.

Overall this is an important step forward for the City of McKinney, and we value your input as the tool continues to develop. Please let me know if you have any questions or comments about this Monthly Financial Report.

October Monthly Financial Report

December 1, 2014

On September 16, 2014, the McKinney City Council adopted an operating budget totaling nearly \$300 million. These funds will be used for the operations of the City of McKinney in Fiscal Year 2015, which began on October 1, 2014 and will end on September 30, 2015.

In an effort to continuously provide better management tools to our staff and increased transparency to the public, we are pleased to publish the monthly financial report for October 2014.

Planned Revenues and Expenditures

In addition to the adopted and revised FY 2015 Budget, the report includes a column called **Plan**. For revenues, the numbers in this column are calculated based on historical and proportional revenues for each month of the fiscal year. Historical data in this report generally encompasses the previous seven (FY2008 – FY2014) years of revenue collections and expenditures. The formula for this calculation is as follows:

*(Total Historical Spending for October / Total Annual Historical Spending) * Current Budget = October Plan*

In cases where no historical revenues are available, the plan is based on 1/12th of the overall budget for that line item each month. All expenditures are based on 1/12th of the overall budget for each line item.

Actual Revenues and Expenditures

The report also includes the **Actual** revenues and expenditures as recorded in the City's financial system for each department in the month of October. All actuals are unaudited, and therefore may vary from the Comprehensive Annual Financial Report to be published in Fiscal Year 2016.

Variance Explanations

When the Planned revenues and expenditures do not match the Actual revenues and expenditures, a **Variance** is created. This is the case in nearly every line item that the City records and explanations have been provided when the variance exceeds \$10,000 *and* the actual revenues and expenditures are more than 10% above or below planned revenues and expenditures.

The information included in this report is intended to provide a status update on the operations of the City of McKinney as they relate to the adopted budget for FY 2015. City Staff is available to answer any additional questions you may have.

Sincerely,

Tom Muehlenbeck
Interim City Manager

October Monthly Financial Report - Ending Fund Balances

Notes	Description	Beginning Fund Balance*	Revenues	Expenditures	Ending Fund Balance
	General Fund	\$ 40,461,488	\$ 4,855,844	\$ 11,844,125	\$ 33,473,207
	Water/Wastewater	\$ 27,192,975	\$ 5,208,049	\$ 7,463,354	\$ 24,937,670
	Golf Course	\$ 184,842	\$ 12	\$ 16,063	\$ 168,792
	Airport	\$ 783,347	\$ 565,173	\$ 944,362	\$ 404,158
	Surface Water Drainage Utility	\$ 1,905,796	\$ 170,657	\$ 130,822	\$ 1,945,631
	Solid Waste	\$ 6,549,973	\$ 331,574	\$ 1,040,627	\$ 5,840,920
	Hotel/Motel	\$ 648,888	\$ (8,907)	\$ 63,663	\$ 576,318
	Law Enforcement	\$ 699,218	\$ 58,180	\$ 423,750	\$ 333,648
	Community Housing	\$ 42,256	\$ 11	\$ 11,918	\$ 30,349
	Risk/Insurance	\$ 2,435,925	\$ 3,395,047	\$ 1,570,583	\$ 4,260,389
	Community Dev. Block Grant	\$ 24	\$ -	\$ 26,617	\$ (26,593)
	Library Gift	\$ 187,401	\$ 936	\$ 4,000	\$ 184,337
	Law Enforcement Donations	\$ 50,885	\$ 8	\$ -	\$ 50,893
	Fire Department Donations	\$ 9,712	\$ 4	\$ -	\$ 9,716
	G.O. Debt Service	\$ 3,133,276	\$ 648,304	\$ -	\$ 3,781,580
	Technology Improvement	\$ 637,771	\$ 128,104	\$ 352,302	\$ 413,574
	Capital Equipment Replacement	\$ 2,785,233	\$ 6,792,692	\$ 18,374	\$ 9,559,550
	Grants Fund	\$ 335,943	\$ 6,747	\$ 1,500	\$ 341,190
	Revenue Debt Service	\$ 7,464,989	\$ 245	\$ -	\$ 7,465,234
	Revenue Bond Reserve	\$ 5,633,674	\$ 4,301	\$ 55,251	\$ 5,582,725
	MPAC/Main Street	\$ 260,812	\$ 78,078	\$ -	\$ 338,890
	Veterans Memorial	\$ 14,626	\$ 2	\$ -	\$ 14,628
	Public Art	\$ 13,283	\$ 2	\$ -	\$ 13,285
	Disaster Relief	\$ 516,552	\$ -	\$ -	\$ 516,552
	TIRZ 1 - Town Center	\$ 1,409,710	\$ 33,121	\$ -	\$ 1,442,831
	TIRZ 2 - Airport	\$ 1,332,144	\$ 25,119	\$ -	\$ 1,357,263
Component Groups					
	MCVB	\$ 341,117	\$ 29,621	\$ 63,114	\$ 307,623
	MEDC Debt Service	\$ 1,929	\$ 199,750	\$ -	\$ 201,679
	MEDC Bond Reserve	\$ 1,588,953	\$ 129	\$ -	\$ 1,589,082
	MCDC Debt Service	\$ -	\$ -	\$ -	\$ -
	MEDC	\$ 9,283,838	\$ 810,743	\$ 391,760	\$ 9,702,821
	MCDC	\$ 17,805,498	\$ 812,590	\$ 487,200	\$ 18,130,888
	McKinney Housing Finance Corp.	\$ 73,928	\$ 5,018	\$ -	\$ 78,946

*Estimated Fund Balance projected for 9/30/2014 in the FY 2015 Proposed Budget

October Monthly Financial Report - Revenue Summary

Notes	Description	Adopted Budget	Revised Budget	Plan	Actual	Variance	
	General Fund	\$ 108,226,822	\$ 108,226,822	\$ 4,902,382	\$ 4,855,844	\$ (46,538)	99%
1	Water/Wastewater	\$ 62,041,807	\$ 62,041,807	\$ 3,595,005	\$ 5,208,049	\$ 1,613,044	145%
	Golf Course*	\$ 137,122	\$ 137,122	\$ 229	\$ 12	\$ (216)	5%
2	Airport**	\$ 5,828,454	\$ 5,828,454	\$ 485,705	\$ 565,173	\$ 79,468	116%
3	Surface Water Drainage Utility	\$ 2,118,821	\$ 2,118,821	\$ 109,884	\$ 170,657	\$ 60,773	155%
	Solid Waste*	\$ 7,059,617	\$ 7,059,617	\$ 343,735	\$ 331,574	\$ (12,161)	96%
4	Hotel/Motel	\$ 700,913	\$ 700,913	\$ 40,328	\$ (8,907)	\$ (49,235)	-22%
5	Law Enforcement	\$ 330,000	\$ 330,000	\$ 7,799	\$ 58,180	\$ 50,381	746%
6	Community Housing	\$ 566,746	\$ 566,746	\$ 5,159	\$ 11	\$ (5,148)	0%
7	Risk/Insurance	\$ 16,853,914	\$ 16,853,914	\$ 754,776	\$ 3,395,047	\$ 2,640,271	450%
	Community Dev. Block Grant	\$ 830,747	\$ 830,747	\$ -	\$ -	\$ -	0%
	Library Gift	\$ 40,790	\$ 40,790	\$ 1,219	\$ 936	\$ (283)	77%
	Law Enforcement Donations	\$ 16,080	\$ 16,080	\$ 1,329	\$ 8	\$ (1,321)	1%
	Fire Department Donations	\$ 7,550	\$ 7,550	\$ 1,020	\$ 4	\$ (1,015)	0%
8	G.O. Debt Service	\$ 23,101,958	\$ 23,101,958	\$ 316,795	\$ 648,304	\$ 331,508	205%
	Technology Improvement**	\$ 1,541,075	\$ 1,541,075	\$ 128,423	\$ 128,104	\$ (319)	100%
9	Capital Equipment Replacement**	\$ 6,791,974	\$ 6,791,974	\$ 565,998	\$ 6,792,692	\$ 6,226,694	1200%
	Grants Fund	\$ 797,275	\$ 797,275	\$ 16,093	\$ 6,747	\$ (9,346)	42%
10	Revenue Debt Service	\$ 4,631,881	\$ 4,631,881	\$ 492,917	\$ 245	\$ (492,672)	0%
	Revenue Bond Reserve	\$ 52,591	\$ 52,591	\$ 4,513	\$ 4,301	\$ (212)	95%
	MPAC/Main Street	\$ 890,177	\$ 890,177	\$ 77,449	\$ 78,078	\$ 629	101%
	Veterans Memorial	\$ 5,016	\$ 5,016	\$ 2	\$ 2	\$ 0	100%
	Public Art	\$ 23	\$ 23	\$ 3	\$ 2	\$ (1)	65%
	Disaster Relief	\$ 50,000	\$ 50,000	\$ -	\$ -	\$ -	0%
	TIRZ 1 - Town Center	\$ 822,495	\$ 822,495	\$ 29,096	\$ 33,121	\$ 4,025	114%
	TIRZ 2 - Airport	\$ 439,185	\$ 439,185	\$ 20,650	\$ 25,119	\$ 4,469	122%
Component Groups							
	MCVB	\$ 355,420	\$ 355,420	\$ 29,633	\$ 29,621	\$ (12)	100%
11	MEDC Debt Service	\$ 2,398,434	\$ 2,398,434	\$ 167,918	\$ 199,750	\$ 31,832	119%
	MEDC Bond Reserve	\$ 1,493	\$ 1,493	\$ 196	\$ 129	\$ (68)	65%
	MCDC Debt Service	\$ 840,000	\$ 840,000	\$ -	\$ -	\$ -	0%
	MEDC	\$ 10,258,014	\$ 10,258,014	\$ 768,735	\$ 810,743	\$ 42,008	105%
	MCDC	\$ 33,782,680	\$ 33,782,680	\$ 767,440	\$ 812,590	\$ 45,150	106%
	McKinney Housing Finance Corp.	\$ 8,794	\$ 8,794	\$ 927	\$ 5,018	\$ 4,091	542%

* Budget does not reflect loan principle payments included the Adopted Budget Documents

**Plan estimated at 1/12th of budget due to lack of monthly historical data

October Monthly Financial Report - Revenue Summary

Notes

- 1 **Water/Wastewater:** Revenue from Water System and Sewer System charges were higher due to an increased number of customers, and accounting adjustments for the previous fiscal year have not yet been made to the Actuals.
- 2 **Airport:** Jet-A Fuel sales were higher than anticipated.
- 3 **Surface Water Drainage Utility:** Accounting adjustments for the previous fiscal year have not yet been made to the Actuals.
- 4 **Hotel/Motel:** Negative actuals are shown because revenue collected in FY 2015, which was designated for FY 2014 was moved to the correct fiscal year.
- 5 **Law Enforcement:** Revenues from federal forfeitures and seizures was higher than normal for this time period.
- 6 **Community Housing:** There were no applications for the Federal Homebuyers Assistance Program, and, as a result, no federal dollars were pulled down for this program.
- 7 **Risk/Insurance:** The quarterly contribution to City employee health plans was completed earlier than some previous years.
- 8 **G.O. Debt Service:** Revenue from Property Taxes was higher than normal for this time period.
- 9 **Capital Equipment Replacement Fund:** Transfers from the General Fund and the Water/Wastewater Fund were done early in the year, but the Plan for this fund is set at 1/12th because the fund has no historical data.
- 10 **Revenue Debt Service:** No funds were transferred from the Water/Wastewater Fund this month.
- 11 **MEDC Debt Service:** Revenues from the MEDC Operating Fund were higher than normal for this time period due to higher than anticipated sales tax revenues.

October Monthly Financial Report - Expenditure Summary

Notes	Description	Adopted Budget	Revised Budget	Plan	Actual	Variance	
1	General Fund	\$ 108,226,829	\$ 108,226,829	\$ 9,018,902	\$ 11,844,125	\$ (2,825,222)	131%
2	Water/Wastewater	\$ 61,412,602	\$ 61,412,602	\$ 5,117,717	\$ 7,463,354	\$ (2,345,637)	146%
3	Golf Course*	\$ 20,353	\$ 20,353	\$ 1,696	\$ 16,063	\$ (14,366)	947%
4	Airport**	\$ 5,611,070	\$ 5,611,070	\$ 467,589	\$ 944,362	\$ (476,773)	202%
5	Surface Water Drainage Utility	\$ 2,205,655	\$ 2,205,655	\$ 183,805	\$ 130,822	\$ 52,983	71%
6	Solid Waste*	\$ 7,545,482	\$ 7,545,482	\$ 628,790	\$ 1,040,627	\$ (411,837)	165%
7	Hotel/Motel	\$ 490,000	\$ 490,000	\$ 40,833	\$ 63,663	\$ (22,830)	156%
8	Law Enforcement	\$ 744,117	\$ 744,117	\$ 62,010	\$ 423,750	\$ (361,740)	683%
9	Community Housing	\$ 566,746	\$ 566,746	\$ 47,229	\$ 11,918	\$ 35,311	25%
10	Risk/Insurance	\$ 15,907,949	\$ 15,907,949	\$ 1,325,662	\$ 1,570,583	\$ (244,920)	118%
11	Community Dev. Block Grant	\$ 830,747	\$ 830,747	\$ 69,229	\$ 26,617	\$ 42,612	38%
	Library Gift	\$ 96,000	\$ 96,000	\$ 8,000	\$ 4,000	\$ 4,000	50%
	Law Enforcement Donations	\$ 16,400	\$ 16,400	\$ 1,367	\$ -	\$ 1,367	0%
	Fire Department Donations	\$ 14,500	\$ 14,500	\$ 1,208	\$ -	\$ 1,208	0%
12	G.O. Debt Service	\$ 22,512,020	\$ 22,512,020	\$ 1,876,002	\$ -	\$ 1,876,002	0%
13	Technology Improvement**	\$ 1,523,925	\$ 1,523,925	\$ 126,994	\$ 352,302	\$ (225,308)	277%
14	Capital Equipment Replacement**	\$ 5,134,571	\$ 5,134,571	\$ 427,881	\$ 18,374	\$ 409,506	4%
15	Grants Fund	\$ 872,490	\$ 872,490	\$ 72,708	\$ 1,500	\$ 71,208	2%
16	Revenue Debt Service	\$ 7,240,162	\$ 7,240,162	\$ 603,347	\$ -	\$ 603,347	0%
17	MPAC/Main Street	\$ 868,469	\$ 868,469	\$ 72,372	\$ 55,251	\$ 17,122	76%
	Veterans Memorial	\$ 5,000	\$ 5,000	\$ 417	\$ -	\$ 417	0%
	Public Art	\$ 1,500	\$ 1,500	\$ 125	\$ -	\$ 125	0%
	Disaster Relief	\$ 50,000	\$ 50,000	\$ 4,167	\$ -	\$ 4,167	0%
	TIRZ 1 - Town Center	\$ 10,500	\$ 10,500	\$ 875	\$ -	\$ 875	0%
	TIRZ 2 - Airport	\$ 4,500	\$ 4,500	\$ 375	\$ -	\$ 375	0%
Component Groups							
18	MCVB	\$ 606,335	\$ 606,335	\$ 50,528	\$ 63,114	\$ (12,586)	125%
19	MEDC Debt Service	\$ 2,397,837	\$ 2,397,837	\$ 199,820	\$ -	\$ 199,820	0%
20	MCDC Debt Service	\$ 840,000	\$ 840,000	\$ 70,000	\$ -	\$ 70,000	0%
21	MEDC	\$ 8,615,692	\$ 8,615,692	\$ 717,974	\$ 391,760	\$ 326,214	55%
22	MCDC	\$ 33,782,680	\$ 33,782,680	\$ 2,815,223	\$ 487,200	\$ 2,328,023	17%
	McKinney Housing Finance Corp.	\$ 8,600	\$ 8,600	\$ 717	\$ -	\$ 717	0%

* Budget does not reflect loan principle payments included the Adopted Budget Documents

**Plan estimated at 1/12th of budget due to lack of monthly historical data

October Monthly Financial Report - Expenditure Summary

Notes

- 1 **General Fund:** See note on Capital Equipment Replacement Fund below.
- 2 **Water/Wastewater:** See note on Capital Equipment Replacement Fund below.
- 3 **Golf Course:** During October, the Golf Fund made an annual loan payment to the Solid Waste Fund. This payment only occurs once each year.
- 4 **Airport:** See note on Capital Equipment Replacement Fund below.
- 5 **Surface Water Drainage Utility:** See note on employee medical benefits.
- 6 **Solid Waste:** To compensate for differences in fiscal year with the North Texas Municipal Water Supply, the first bill of each fiscal year covers a two-month span.
- 7 **Hotel/Motel:** A community grant was made to Chestnut Square for a Bed and Breakfast, thereby resulting in higher than normal spending for this time period.
- 8 **Law Enforcement:** See note on Capital Equipment Replacement Fund below.
- 9 **Community Housing:** There were no new applications for the Federal Homebuyer Assistance program in October.
- 10 **Risk/Insurance:** Medical and prescription claims during this time period were less expensive than normal for this time period.
- 11 **Community Development Block Grant:** No community grants were made in October.
- 12 **G.O. Debt Service:** No loan payments were necessary in October.
- 13 **Technology Improvement:** Weathered and outdated security cameras were replaced, which necessitated additional cabling and storage.
- 14 **Capital Equipment Replacement:** This fund is planned at 1/12th due to a lack of historical data, but very few expenses were necessary in October.
- 15 **Grants Fund:** Expenditures in this fund vary with the grants that are available for application and award. In October, the only required expenditures were for a Police Grant.
- 16 **Revenue Debt Service:** Historically, debt service payments occur at the end of the fiscal year.
- 17 **MPAC/Main Street:** The first pay period of the fiscal year included one week from this fiscal year and one week from the previous fiscal year. As a result, some savings in departmental salaries will be reflected in the Actuals for this fiscal year.
- 18 **MCVB:** The first pay period of the fiscal year included one week from this fiscal year and one week from the previous fiscal year. As a result, some savings in departmental salaries will be reflected in the Actuals for this fiscal year.
- 19 **MEDC Debt Service:** Historically, debt service payments occur at the end of the fiscal year.
- 20 **MCDC Debt Service:** Historically, debt service payments occur at the end of the fiscal year.
- 21 **MEDC:** Incentives to be paid were low for this month. These incentives are paid as performance measures are satisfied by companies.
- 22 **MCDC:** Historically no transfer to the Park Construction Fund is scheduled for the month of October.

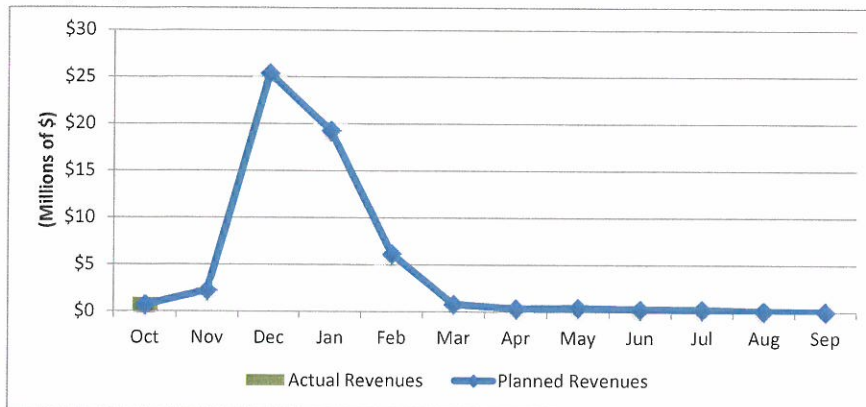
* Transfers to the Capital Equipment Replacement Fund were completed at the beginning of the year. This is a new fund with no historical basis to be used in the monthly budget. However, this variance is expected to level out as the year progresses.

**The quarterly contribution to City employee health plans was completed earlier than in some previous years

October Monthly Financial Report

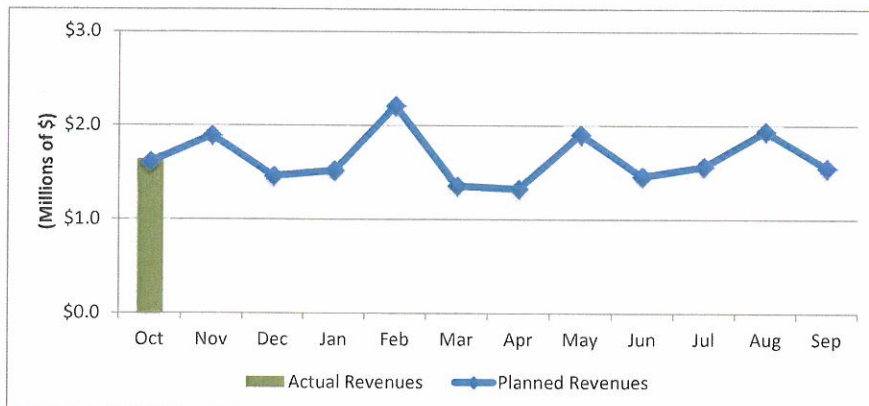
General Fund Revenues

Property Tax Revenues



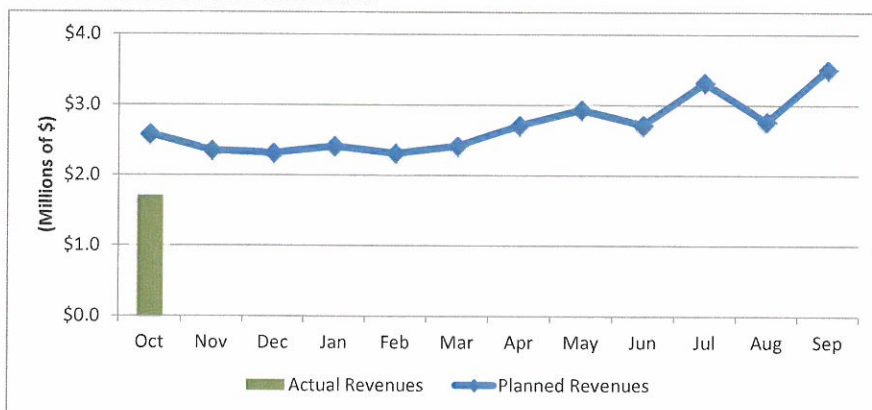
(in Millions)				
	Planned	Actual	Variance	
Oct \$	0.71	\$ 1.49	\$	0.78
Nov \$	2.23			
Dec \$	25.38			
Jan \$	19.31			
Feb \$	6.17			
Mar \$	0.79			
Apr \$	0.36			
May \$	0.44			
Jun \$	0.28			
Jul \$	0.25			
Aug \$	0.09			
Sep \$	0.05			
Total \$	55.93	\$ 1.49	\$	0.78

Sales and Use Tax Revenues



(in Millions)				
	Planned	Actual	Variance	
Oct \$	1.61	\$ 1.65	\$	0.04
Nov \$	1.90			
Dec \$	1.46			
Jan \$	1.52			
Feb \$	2.21			
Mar \$	1.36			
Apr \$	1.33			
May \$	1.91			
Jun \$	1.46			
Jul \$	1.56			
Aug \$	1.94			
Sep \$	1.55			
Total \$	16.31	\$ 1.65	\$	0.04

Other General Fund Revenues



(in Millions)				
	Planned	Actual	Variance	
Oct \$	2.58	\$ 1.71	\$	(0.87)
Nov \$	2.35			
Dec \$	2.32			
Jan \$	2.41			
Feb \$	2.31			
Mar \$	2.42			
Apr \$	2.71			
May \$	2.93			
Jun \$	2.72			
Jul \$	3.32			
Aug \$	2.77			
Sep \$	3.51			
Total \$	26.07	\$ 1.71	\$	(0.87)

Plan: Calculated based on a five-year average for each budgeted line item; When no historical data is available for a particular line item, the plan is estimated at 1/12th each month.

Actual: Actual dollars collected for each line item. All Actuals are unaudited

October Monthly Financial Report - General Fund Revenues

Notes	Description	Adopted Budget	Revised Budget	Plan	Actual	Variance	
	Taxes	\$ 75,879,359	\$ 75,879,359	\$ 2,319,535	\$ 3,142,571	\$ 823,036	135.5%
1	Property Taxes	\$ 56,079,359	\$ 56,079,359	\$ 709,850	\$ 1,494,562	\$ 784,712	210.5%
	Sales & Use Taxes	\$ 19,800,000	\$ 19,800,000	\$ 1,609,685	\$ 1,648,009	\$ 38,324	102.4%
							0.0%
	Franchise Fees	\$ 13,686,149	\$ 13,686,149	\$ 1,184,055	\$ 267,711	\$ (916,345)	22.6%
2	Franchise Fees	\$ 13,686,149	\$ 13,686,149	\$ 1,184,055	\$ 267,711	\$ (916,345)	22.6%
	Licenses & Permits	\$ 7,584,500	\$ 7,584,500	\$ 609,398	\$ 617,810	\$ 8,412	101.4%
	Business Licenses & Permits	\$ 342,800	\$ 342,800	\$ 24,794	\$ 25,655	\$ 861	103.5%
	Non-Business Licenses	\$ 6,561,700	\$ 6,561,700	\$ 565,044	\$ 577,485	\$ 12,441	102.2%
	Public Safety Permit/Inspection	\$ 680,000	\$ 680,000	\$ 19,560	\$ 14,670	\$ (4,890)	75.0%
	Charges and Fines	\$ 6,568,800	\$ 6,568,800	\$ 491,400	\$ 536,081	\$ 44,681	109.1%
	General Government	\$ 1,405,800	\$ 1,405,800	\$ 107,827	\$ 113,349	\$ 5,522	105.1%
3	Public Safety	\$ 2,350,500	\$ 2,350,500	\$ 168,033	\$ 203,771	\$ 35,738	121.3%
4	Recreation	\$ 798,800	\$ 798,800	\$ 50,070	\$ 67,746	\$ 17,677	135.3%
	Fines	\$ 2,013,700	\$ 2,013,700	\$ 165,470	\$ 151,215	\$ (14,256)	91.4%
	Other Revenues	\$ 1,259,795	\$ 1,259,795	\$ 25,421	\$ 22,236	\$ (3,185)	87.5%
	Intergovernmental	\$ 620,000	\$ 620,000	\$ -	\$ -	\$ -	0.0%
	Interest Income	\$ 276,795	\$ 276,795	\$ 23,225	\$ 21,242	\$ (1,984)	91.5%
	Contributions & Donations	\$ 12,500	\$ 12,500	\$ 50	\$ 200	\$ 150	402.5%
	Sale of Property & Miscellaneous	\$ 350,500	\$ 350,500	\$ 2,146	\$ 795	\$ (1,351)	37.0%
	Total General Fund Revenues	\$ 104,978,603	\$ 104,978,603	\$ 4,629,810	\$ 4,586,409	\$ (43,401)	99.1%
	Transfers	\$ 3,248,219	\$ 3,248,219	\$ 272,572	\$ 269,435	\$ (3,137)	98.8%
	Transfers	\$ 3,248,219	\$ 3,248,219	\$ 272,572	\$ 269,435	\$ (3,137)	98.8%
	Total General Fund Revenues with Transfers	\$ 108,226,822	\$ 108,226,822	\$ 4,902,382	\$ 4,855,844	\$ (46,538)	99.1%

* Variance Explanations are provided for all items with a variance of \$10,000 or more **AND** 10% or more.

Plan: Calculated based on a five-year average for each budgeted line item; When no historical data is available for a particular line item, the plan is estimated at 1/12th each month.

Actual: Actual dollars collected for each line item. All Actuals are unaudited

October Monthly Financial Report - General Fund Revenues

Notes

- 1 **Property Taxes:** Revenue collections were higher than normal for this time period, and this is likely due to the above average increase in appraisals.
- 2 **Franchise Fees:** Revenue from Co-Serv and Grayson-Collin Electric Franchise Fee Payments were lower than normal for this time period.
- 3 **Public Safety:** Increased revenue is due to higher than normal collections for ambulance services in October.
- 4 **Recreation:** Revenue from Charges for Field Maintenance were higher than normal for this time period.

October Monthly Financial Report - General Fund Expenditures

Notes	Description	Adopted Budget	Revised Budget	Plan	Actual	Variance	
	General Government	\$ 20,675,987	\$ 20,675,987	\$ 1,722,999	\$ 2,035,293	\$ (312,294)	118.1%
1	City Council	\$ 123,267	\$ 123,267	\$ 10,272	\$ 27,834	\$ (17,562)	271.0%
	City Manager	\$ 1,464,861	\$ 1,464,861	\$ 122,072	\$ 121,191	\$ 881	99.3%
2	City Secretary	\$ 528,309	\$ 528,309	\$ 44,026	\$ 25,665	\$ 18,361	58.3%
3	Communications & Marketing	\$ 1,271,283	\$ 1,271,283	\$ 105,940	\$ 136,781	\$ (30,841)	129.1%
4	Financial Services	\$ 2,305,824	\$ 2,305,824	\$ 192,152	\$ 128,476	\$ 63,676	66.9%
	Housing & Community Development	\$ 269,291	\$ 269,291	\$ 22,441	\$ 21,595	\$ 846	96.2%
5	Human Resources	\$ 1,462,082	\$ 1,462,082	\$ 121,840	\$ 98,730	\$ 23,110	81.0%
6	Information Technology/GIS	\$ 7,408,448	\$ 7,408,448	\$ 617,371	\$ 1,156,209	\$ (538,838)	187.3%
7	Legal	\$ 1,422,370	\$ 1,422,370	\$ 118,531	\$ 9,630	\$ 108,901	8.1%
	Municipal Court	\$ 1,175,672	\$ 1,175,672	\$ 97,973	\$ 90,881	\$ 7,092	92.8%
	Purchasing	\$ 652,070	\$ 652,070	\$ 54,339	\$ 49,151	\$ 5,188	90.5%
8	Non-Departmental	\$ 2,592,510	\$ 2,592,510	\$ 216,043	\$ 169,150	\$ 46,892	78.3%
	Public Safety	\$ 49,160,143	\$ 49,160,143	\$ 4,096,679	\$ 3,574,434	\$ 522,245	87.3%
9	Fire	\$ 23,171,015	\$ 23,171,015	\$ 1,930,918	\$ 1,642,326	\$ 288,592	85.1%
10	Police	\$ 25,989,128	\$ 25,989,128	\$ 2,165,761	\$ 1,932,107	\$ 233,653	89.2%
	Development Services	\$ 9,682,478	\$ 9,682,478	\$ 806,873	\$ 644,037	\$ 162,836	79.8%
	Building Inspections	\$ 2,303,191	\$ 2,303,191	\$ 191,933	\$ 182,122	\$ 9,811	94.9%
11	Code Compliance	\$ 1,908,388	\$ 1,908,388	\$ 159,032	\$ 107,363	\$ 51,670	67.5%
12	Development Services	\$ 810,902	\$ 810,902	\$ 67,575	\$ 50,994	\$ 16,581	75.5%
13	Engineering	\$ 3,144,702	\$ 3,144,702	\$ 262,059	\$ 200,529	\$ 61,530	76.5%
14	Planning	\$ 1,515,295	\$ 1,515,295	\$ 126,275	\$ 103,030	\$ 23,245	81.6%
	Public Works	\$ 11,735,827	\$ 11,735,827	\$ 977,986	\$ 611,272	\$ 366,713	62.5%
15	Public Works Administration	\$ 557,431	\$ 557,431	\$ 46,453	\$ 36,412	\$ 10,041	78.4%
16	Building Operations	\$ 2,027,834	\$ 2,027,834	\$ 168,986	\$ 110,038	\$ 58,948	65.1%
	Fleet Services	\$ 719,297	\$ 719,297	\$ 59,941	\$ 56,302	\$ 3,639	93.9%
17	Street & Traffic Control	\$ 8,431,265	\$ 8,431,265	\$ 702,605	\$ 408,521	\$ 294,085	58.1%
	Parks and Library	\$ 10,823,743	\$ 10,823,743	\$ 901,979	\$ 775,176	\$ 126,803	85.9%
	Library	\$ 3,363,685	\$ 3,363,685	\$ 280,307	\$ 283,617	\$ (3,310)	101.2%
18	Parks, Recreation, & Open Space	\$ 7,460,058	\$ 7,460,058	\$ 621,672	\$ 491,559	\$ 130,113	79.1%
19	Transfers	\$ 6,148,651	\$ 6,148,651	\$ 512,388	\$ 4,203,912	\$ (3,691,525)	820.5%
	Total General Fund Expenditures & Transfers	\$ 108,226,829	\$ 108,226,829	\$ 9,018,902	\$ 11,844,125	\$ (2,825,222)	131.3%

* Variance Explanations are provided for all items with a variance of \$10,000 or more **AND** 10% or more.

**Non-Departmental represents those items that are utilized by multiple departments and are not restricted to a single service area

Plan: Calculated based on a five-year average for each budgeted line item; When no historical data is available for a particular line item, the plan is estimated at 1/12th each month.

Actual: Actual dollars expended for each line item. All Actuals are unaudited

October Monthly Financial Report - General Fund Expenditures

Notes

- 1 **City Council:** The quarterly invoice for Granicus Software was paid in October. This software is used for Boards and Commission management, voting during meetings, and other council-related functions.
- 2 **City Secretary:** The need for outside professional services was relatively low during October. Also, see the note on salaries below.
- 3 **Communications & Marketing:** The annual invoice for Civic Plus was paid in October. This service provides support for the development and maintenance of the City's websites.
- 4 **Financial Services:** Quarterly payment to the Collin County Appraisal District to be made in November. Also see note about salaries below.
- 5 **Human Resources:** See note on salaries below.
- 6 **Information Technology/GIS:** In October, the annual invoice for maintenance and support for Sunguard (ERP for citywide technology services and public safety systems) and SHI Government Solutions (Enterprise Agreement for Microsoft Products)
- 7 **Legal:** In October, the need for in-house and external legal services was relatively low.
- 8 **Non-Departmental:** There were no economic incentive payments needed in October and no need for the use of operating contingency funds.
- 9 **Fire:** See note on salaries below.
- 10 **Police:** See note on salaries below.
- 11 **Code Compliance:** See note on salaries below.
- 12 **Development Services:** See note on salaries below.
- 13 **Engineering:** See note on salaries below.
- 14 **Planning:** See note on salaries below.
- 15 **Public Works Administration:** See note on salaries below.
- 16 **Building Operations:** See note on salaries below.
- 17 **Street & Traffic Control:** See note on salaries below.
- 18 **Parks, Recreation, & Open Space:** Seasonal expenditures were low in October, including part-time aquatic salaries, water utilities, and contract mowing.
- 19 **Transfers:** The variance is primarily due to higher than anticipated transfers to the Capital Equipment Replacement Fund, which is a new fund and would not be reflected in historical data used to create the plan.

*The first pay period of the fiscal year included one week from this fiscal year and one week from the previous fiscal year. As a result, some savings in departmental salaries will be reflected in the Actuals for this fiscal year.



Monthly Financial Report

October 2014
Fiscal Year 2015

Purpose



**To provide
regular updates
on the City's
Financial Health**

Increase Transparency

Support Culture of Open
Government

Provide Management Tools to City
Staff

Facilitate Conversations about the Use
of Valuable Resources

Structure



Ending Fund Balance

Provide a high level description of the condition of each fund

Includes prior year fund balances



Revenue and Expenditure Summaries

Provide high level comparison of each fund against an expected plan for collections and spending



General Fund Summaries

Provides similar comparison for General Fund Departments

“Plan”



- The Plan column is an estimate for revenue and expenditures by which the actuals are compared
 - Expenditures: Plan = 1/12th of budget
 - Revenues: Plan = Monthly Historical Proportion of Current Budget



October – All Funds



Description	Plan	Actual	Variance	% of Plan
Revenues	\$13,635,356	\$24,151,153	\$10,515,797	177%
Expenditures	\$24,013,561	\$24,909,384	(\$895,823)	104%

Revenues:

- Able to transfer more than 1/12th of budget to Capital Equipment Replacement Fund
- Employee contributions were made to the Risk/Insurance Fund earlier this year than in some previous years
- Accounting adjustments still to be made in Water/Wastewater Fund

Expenditures:

- Able to transfer more than 1/12th of budget to Capital Equipment Replacement Fund

October – General Fund



Description	Plan	Actual	Variance	% of Plan
Revenues	\$4,902,382	\$4,855,844	(\$46,538)	99%
Expenditures	\$9,018,902	\$11,844,125	(\$2,855,222)	131%

Revenues:

- Franchise Fee Payments from Co-Serv and Grayson-Collin Electric were slightly lower than normal. This payment is based on consumption.

Expenditures:

- Able to transfer more than 1/12th of budget to Capital Equipment Replacement Fund
- Additionally, Information Technology/GIS paid two annual invoices in October rather than spreading it across the fiscal year.

Moving Forward



- “A work in progress”
- Provided **monthly** - Presented **quarterly**
- “Plan” method evaluation
 - Evaluate various estimates throughout the year
- Development of a web-based tool for public use



14-1294

TITLE: Provide Information to City Council and Receive Feedback on a Proposed Community Revitalization Plan

MEETING DATE: December 15, 2014

DEPARTMENT: Housing and Community Development

CONTACT: Janay Tieken, Housing and Community Development

RECOMMENDED CITY COUNCIL ACTION:

- Provide guidance to staff on whether or not to proceed with the development of a Community Revitalization Plan (CRP).
- If yes, provide feedback to staff on the proposed boundaries of the CRP.
- If yes, provide feedback to staff on five factors identified as issues within the CRP.

ITEM SUMMARY:

- The Texas Department of Housing and Community Affairs (TDHCA) allows cities to designate revitalization areas, outside of “high opportunity areas”, in which developments may be eligible to receive additional points on the competitive 9% Low-Income Housing Tax Credit (LIHTC) application.
- Staff has proposed boundaries for the Community Revitalization Plan (CRP) area based loosely on the Town Center Plan and encompassing target redevelopment areas.
- TDHCA funding and tax credits may be used for the development of single family and multi-family housing, a mix of market rate and affordable, as well as a funding source for mixed use property development.
- 9% competitive LIHTC funds provide for greater investor equity into an affordable housing development (thus decreasing the need for outside funding) versus the 4% non-competitive, tax exempt bonds.
- The proposed boundaries of the CRP include McKinney Housing Authority properties to be redeveloped.
- The Community Revitalization Plan (CRP) will be brought back to City Council

for final approval before the TDHCA LIHTC 9% tax credit application due date of February 27, 2015 so that it may be utilized for developments applying for tax credits in this funding cycle.

- City Council does not have to support developments simply because they are within the boundaries of the CRP.

BACKGROUND INFORMATION:

- The LIHTC program's structure as part of the tax code ensures that private investors have an interest in the success of the development.
- The Community Revitalization Plan must address five of eight factors. Issues identified within the target area include: adverse environmental conditions, presence of blight (including obsolete land use or conditions that impede growth), presence of inadequate transportation or infrastructure, lack of local business providing employment, and the lack of diversity (economic, racial or multigenerational diversity).

FINANCIAL SUMMARY:

- There will be no cost, outside of staff time, for the creation of the Community Revitalization Plan.
- Plans must have funding committed to them. Any city money spent in the previous four years, within the designated boundary, on one of the factors being addressed, counts toward this requirement.

BOARD OR COMMISSION RECOMMENDATION:

- N/A

SUPPORTING MATERIALS:

[Proposed CRP Boundaries Presentation](#)

Revitalization Plan Project

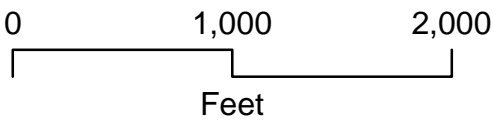
Proposed Revitalization Area
(Draft 1)

- Revitalization Area
- P.R.I.D.E. Communities
- MHA Properties

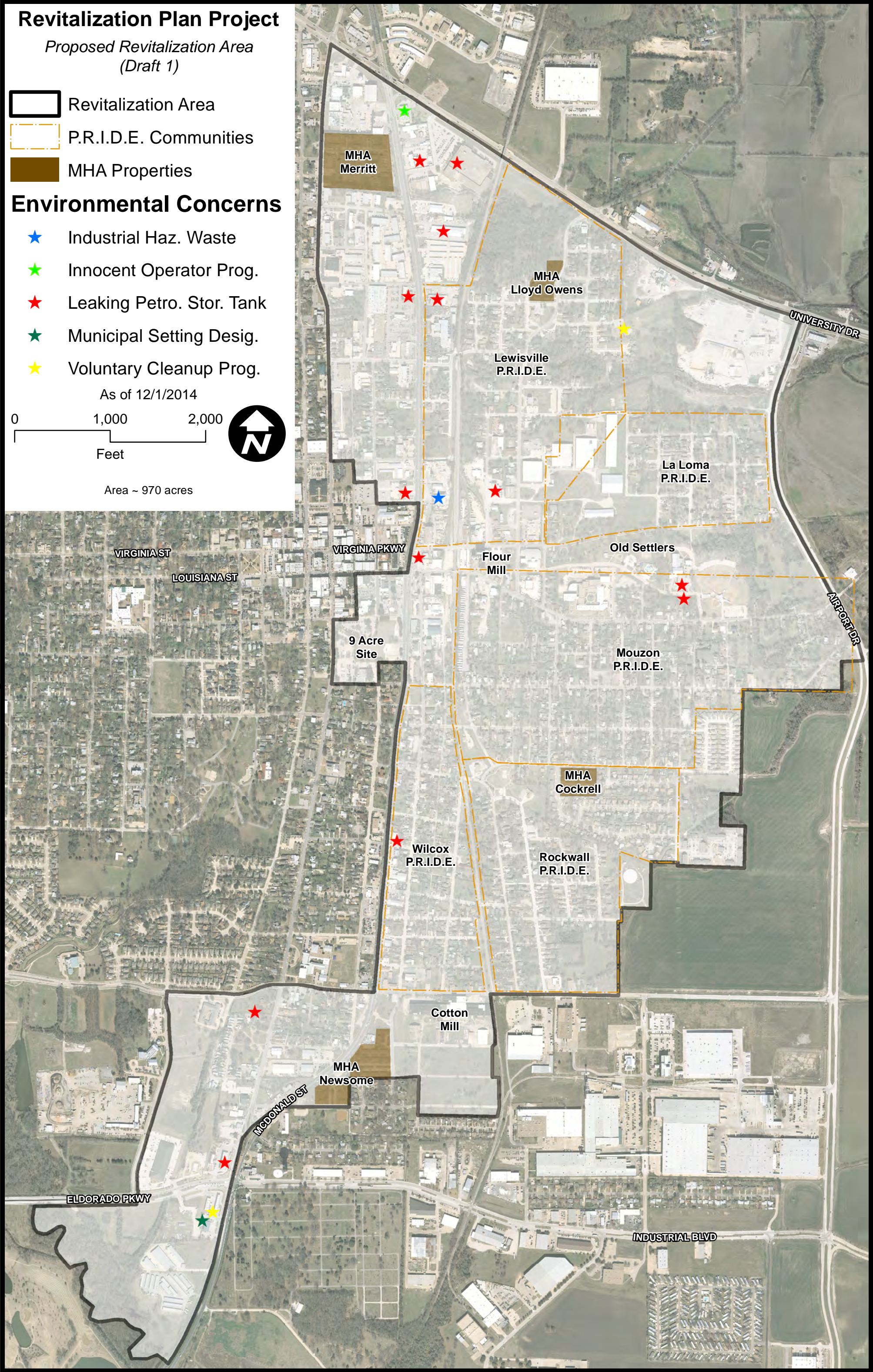
Environmental Concerns

- Industrial Haz. Waste
- Innocent Operator Prog.
- Leaking Petro. Stor. Tank
- Municipal Setting Desig.
- Voluntary Cleanup Prog.

As of 12/1/2014



Area ~ 970 acres



Community Revitalization Plan Briefing



- Housing and Community Development Department
 - 12/15/14

- MONEY MAGAZINE 2014 -



PURPOSE

The purpose of this briefing is to provide an overview of the Community Revitalization Plan (CRP) process through TDHCA and the possible benefits for the City of McKinney



WHAT IS IT?



The Texas Department of Housing and Community Affairs (TDHCA) allows cities to designate revitalization areas, outside of “high opportunity areas”, in which developments may be eligible to receive additional points on the competitive 9% Low-Income Housing Tax Credit (LIHTC) application

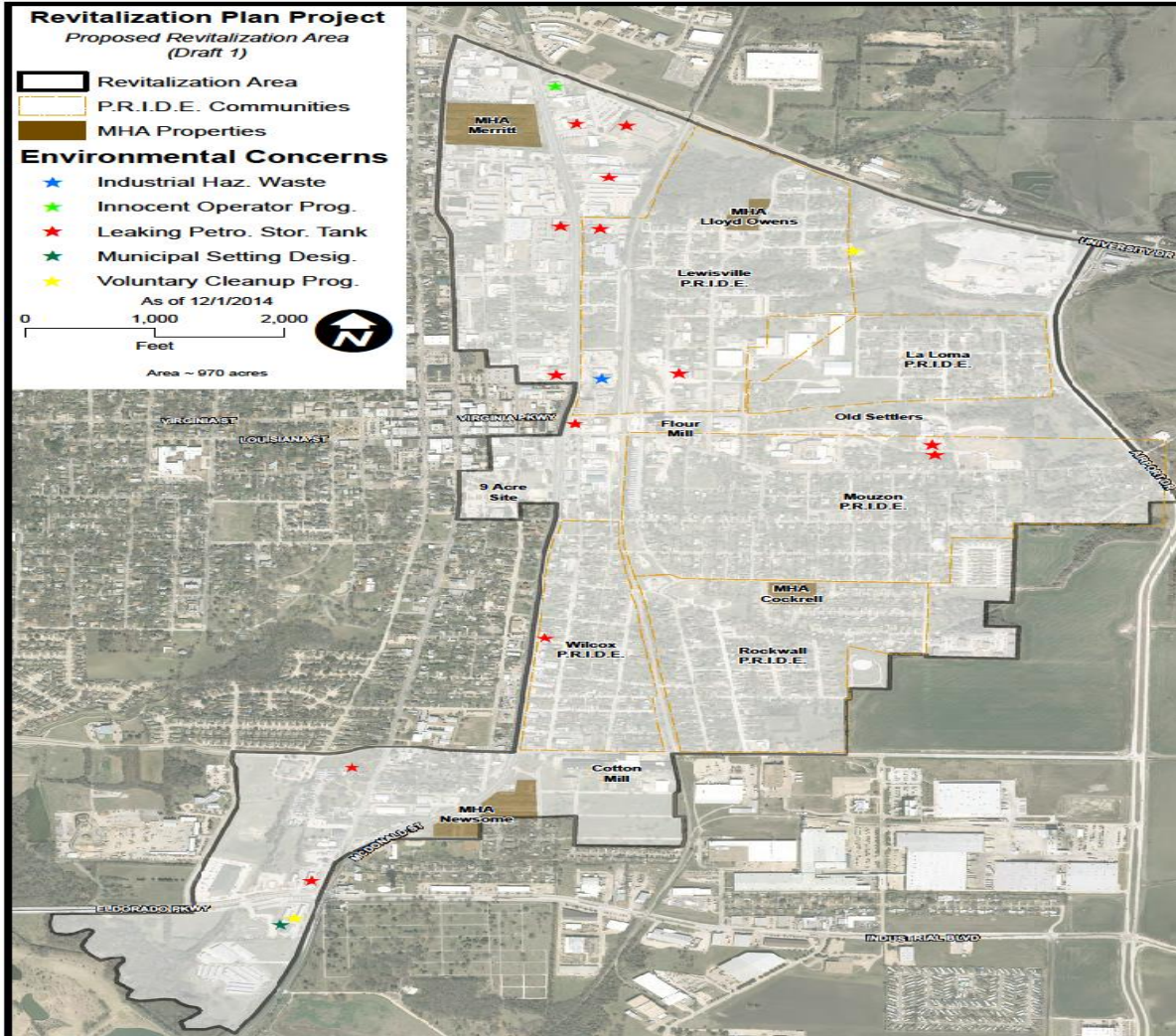


WHERE IS IT?



Staff has proposed boundaries for the Community Revitalization Plan (CRP) area based loosely on the Town Center Plan and encompassing target redevelopment areas







The Community Revitalization Plan (CRP) must address 5 of 8 factors:

- Adverse environmental conditions – natural or man-made
- Presence of blight which may include obsolete land use
- Presence of inadequate transportation or infrastructure
- Lack of accessibility and/or presence of inadequate health care facilities
- The presence of significant crime
- The poor condition or low performance of public education
- Lack of local businesses providing employment opportunities
- Efforts to promote diversity including intergenerational or economic diversity



The Community Revitalization Plan (CRP) must have local funding committed to it:



Any City money spent in the previous four years, within the designated boundary, on one of the factors being addressed, counts toward this . Points will be awarded based on:

- Applications will receive four (4) points if the applicable target area of the community revitalization plan has a total budget or projected economic value of \$6,000,000 or greater; or
- Applications will receive two (2) points if the applicable target area of the community revitalization plan has a total budget or projected economic value of at least \$4,000,000; and
- Applications may receive an additional (2) points in addition to this clause if the Development is explicitly identified by the City (by Resolution) as contributing most significantly to the concerted revitalization efforts of the city. A City may only identify one single Development during each Application Round for the additional points under this sub-clause.



Benefits to the City of McKinney



- City has the ability to designate targeted development areas
- City Council does not have to support developments simply because they are within the boundaries of the CRP
- TDHCA funding and tax credits may be used for the development of single family and multifamily housing, a mix of market rate and affordable, as well as a funding source for mixed use property development
- 9% competitive LIHTC funds provide for greater investor equity into an affordable housing development (thus decreasing the need for outside funding) vs the 4% non-competitive, tax exempt bonds
- The proposed boundaries of the CRP include future McKinney Housing Authority properties to be redeveloped



Next Steps



- The Community Revitalization Plan (CRP) will be brought back to City Council for final approval before the TDHCA LIHTC 9% tax credit application due date of February 27, 2015 so that it may be utilized for developments applying for tax credits in this funding cycle
- If more than one development within the CRP area applies for tax credits in any given year, Council may be asked to decide which development will be designated as “most significantly contributing to the economic revitalization of the area” for the additional 2 points on the tax credit application





14-1295

TITLE: Discuss Board and Commission Governance and Best Practices

MEETING DATE: December 15, 2014

DEPARTMENT: City Manager

CONTACT: Tom Muehlenbeck, Interim City Manager

RECOMMENDED CITY COUNCIL ACTION: Discuss Committee Recommendations

ITEM SUMMARY:

- On October 6, 2014, the Mayor appointed Council members Kever, Harris, and Day to serve on a Committee to discuss guidelines and expectations for board and commission members.
- The Committee met on October 10, 2014, October 29, 2014, and November 6, 2014 with Interim City Manager Tom Muehlenbeck and City Secretary Sandy Hart.
- The Council discussed the Committee's recommendations at a Work Session held on November 17, 2014. At that time, there were areas that have been highlighted in red that needed the full Council's input.
- The Committee is submitting the revised attached recommendations for Council's discussion and consideration.
- In addition to the Board and Commission Governance and Best Practices Committee recommendation, the Committee would like the Council to discuss and provide direction regarding the appointment of Alternates to the MEDC, MCDL, MADC, MCVB, Planning and Zoning, and the Parks, Recreation, and Open Space Boards.

BACKGROUND INFORMATION: N/A

FINANCIAL SUMMARY: N/A

BOARD OR COMMISSION RECOMMENDATION: N/A

SUPPORTING MATERIALS:

[Revised Committee Recommendations](#)

BOARD AND COMMISSION GOVERNANCE AND BEST PRACTICES

Board and Commission General Operating Expectations:

- Board and Commission members are an extension of the Council and their conduct should reflect positively on the City and provide an appearance of good stewardship, honest dealings, and fairness.
- Participation on a McKinney Board or Commission is based on the goals and priorities of the City Council. Projects should be viewed as City of McKinney or community projects and not a project of a particular board.
- The role of the Boards and Commissions is to provide recommendations to the City Council regarding those items that fall under the purview of the respective Board or Commission.
- The Chairman serves as the President/Officer of the Board.
- Boards and Commissions should focus efforts on review and discussion of policy, budgets, strategic plans, and information necessary to make recommendations on projects that further the mission of the Board and advance the City's Goals and Priorities.
- The Executive Director/President is accountable to the Board or Commission (where Bylaws dictate) and holds responsibility to effectively utilize available staff to accomplish Board and Commission strategies/directives and oversee "operation" aspects of the projects.
- Board and Commission members should refrain from directing City and/or Board and Commission staff and refrain from engaging in the administrative function of the Board or Commission.
- A Board or Commission has official capacity to act and provide direction act in a decision making only when meeting as a "body" and not individually. **Note changes to be discussed with full Council regarding adding "in the decision making process."**
- To maintain the operation of responsible democratic government and the public's trust in open and transparent governance, Board and Commission members should avoid individual communication outside of posted meetings with any applicant or applicant's representative(s) unless charged to do so as an official subcommittee or upon specific directive of the Board or Commission. **Needs further discussion of the full Council. Post Work Session Discussion – Council member Day suggested wording to replace entire bullet to read: "Boards and Commission members shall operate in a responsible and transparent manner."**

Board and Commission member expectations:

- All Board members are to be familiar with the Texas Open Meetings Act. Anyone desiring additional Open Meetings Act information should contact the City Secretary.
- Each Board member should receive and familiarize themselves with any applicable State Statutes, current Board Bylaws and any organizational documents relevant to their Board service.

- Board and Commission members should be respectful of any consensus decision made by the Board and avoid undermining the process.
- Board and Commission members should be project or strategically focused.
- Any confidential information received by any Board or Commission member during the course of negotiations or during Executive Session should be respected and not shared outside of the meeting.
- Any Board or Commission member desiring to seek a legal opinion on any matter before the Board shall notify the Board Chair and City Council liaison (if assigned) prior to seeking a legal opinion.
- Board or Commission members wanting to place an item on a future agenda are to submit written support for placement from a second Board or Commission member and present the requested item to the Chair and Council Liaison (if assigned).
- By August 1 of each year, provide the City Council a report on the progress, challenges, and impact of the City's Goals and Priorities on their respective Board or Commission.

City Council's Annual Expectations:

- Establish Goals and Priorities for the Year.
- Communicate the established Goals and Priorities with the Boards and Commissions. Provide on-going communication between the City Council and the Boards and Commissions.
- Annually review the City of McKinney's Policy on Board Member Appointment and Eligibility.
- After October 1, hold an individual Joint Work Session with MEDC, MCDC, MADC, MCVB, and the Planning and Zoning Commission to discuss City's Goals and Priorities to aid in the budget process.
- City Council will continually work to identify qualified applicants for future service on the City's Boards and Commissions.
- Each year during the annual Board and Commission appointment process, the City Council will review all Board and Commission members. ***Needs further discussion of the full Council. Attendance should also be specifically stated within this bullet or a separate bullet.***
- Each year, the Mayor will provide an updated video that will include the current Council Goals and Priorities that will be circulated and presented to each Board or Commission.