



AGENDA
CITY COUNCIL MEETING
JUNE 5, 2018 @ 7:00 P.M.

Notice is hereby given the City Council for the City of Parker will meet in a Regular Meeting on Tuesday, June 5, 2018 at 7:00 P.M. at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

CALL TO ORDER – Roll Call and Determination of a Quorum

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: I pledge allegiance to the flag of the United States of America; and to the republic for which it stands, one nation under God, indivisible with liberty and justice for all.

TEXAS PLEDGE: Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak to the Council. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

PRESENTATION(S)

- PRESENTATION RECOGNIZING EAGLE SCOUT RICKIE WILLE. [PETTLE]
- DEDICATION OF COLLIN COUNTY HISTORICAL MARKER HONORING THE JOHNSON STORE. [DONNA JENKINS]

CONSENT AGENDA Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. APPROVAL OF MEETING MINUTES FOR MAY 15, 2018. [SCOTT GREY]
2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2018-573 APPOINTING 2018-2020 COURT OFFICIALS. [SHELBY]

INDIVIDUAL CONSIDERATION ITEMS

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2018-574, STATING THE INTENT TO SELL CERTIFICATES OF OBLIGATION FOR THE PUMP STATION PROJECT. [SHELBY]
4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ACCEPTING DONATIONS FROM THE PARKER WOMEN'S CLUB (PWC): [PWC PRESIDENT MARILYN KITTRELL]
 - \$10,000 FOR PARKER VOLUNTEER FIRE DEPARTMENT (PVFD)
 - \$6,000 FOR PARKER POLICE DEPARTMENT
 - \$1,466 FOR TWO (2) CITY & PRESERVE USE PICNIC TABLES
5. CONSIDER APPROPRIATE ACTION ON ORDINANCE NO. 759, AMENDING THE FISCAL YEAR 2017-2018 BUDGET BY TRANSFERRING \$30,000 IN FUNDS APPROPRIATED TO CITY COUNCIL CONTINGENCY IN THE ADMINISTRATIVE DEPARTMENT OF THE

GENERAL FUND TO ARCHITECT COSTS – BUILDING IN THE CAPITAL IMPROVEMENTS DEPARTMENT OF THE GENERAL FUND. [FLANIGAN]

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2018-575 FOR NEWSLETTER COMMITTEE APPOINTMENTS. [PETTLE]
7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RE-EVALUATING RESOLUTION NO. 2017-558 HOME-RULE CHARTER COMMISSION. [PETTLE]
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON VACATING ORIGINAL LDD ESTATES PLAT AND APPLYING FOR A NEW PLAT. [SHELBY]
9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON REFERRING CITY ZONING CODE TO PLANNING AND ZONING (P&Z) COMMISSION FOR REVIEW AND POSSIBLE UPDATES. [PETTLE]

ROUTINE ITEMS

10. FUTURE AGENDA ITEMS

REMINDER(S):

- WATER METER UPGRADE [FLANIGAN]
- DRUG TAKE BACK UPDATE [BROOKS]
- TUESDAY, JUNE 12, 2018, BUDGET WORK SESSION
- PROJECTED 2018 TAX RATE PLANNING CALENDAR

EXECUTIVE SESSION – Pursuant to the provisions of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

11. RECESS TO CLOSED EXECUTIVE SESSION IN ACCORDANCE WITH THE AUTHORITY CONTAINED IN:

- a. Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation
- b. Section 551.074 - (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

12. RECONVENE REGULAR MEETING.

13. ANY APPROPRIATE DELIBERATION AND/OR ACTION ON ANY OF THE EXECUTIVE SESSION SUBJECTS LISTED ABOVE.

14. ADJOURN

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides specific exceptions that require that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on or before June 1, 2018 by 5:00 p.m. at the Parker City Hall, and as a courtesy, this Agenda is also posted to the City of Parker Website at www.parkertexas.us.

Date Notice Removed

Patti Scott Grey
City Secretary

The Parker City Hall is Wheelchair accessible. Sign interpretations or other special assistance for disabled attendees must be requested 48 hours in advance by contacting the City Secretary's Office at 972 442 6811.



Proclamation

**RECOGNIZING EAGLE SCOUT RICKIE WILLE
FOR HIS DEDICATED SERVICE TO THE
BOY SCOUTS OF AMERICA (BSA) AND THE CITY OF PARKER**

WHEREAS, the Boy Scouts of America is a vital force in the development of our youth through its many programs which encourages the ability of its members to do things for themselves and especially for others; and

WHEREAS, one of the major objectives in the Scouting program is to develop citizenship through community involvement, and in addition to working for citizenship merit badges, Scouts are encouraged to participate in community service projects; and

WHEREAS, Eagle Scout Rickie Wille participated in such a project for his Eagle Project. He collected used soccer shoes for missions in Belize and Paraguay, collecting approximately 180 pairs of shoes now being used in those countries; and

WHEREAS, Eagle Scout Rickie Wille is a resident of Parker, Texas; a freshman at McMillen High School this fall; a member of Boy Scout Troop 1776 sponsored by Plano Rotary Club; and has not only proven himself to be an outstanding member of the Boy Scouts of America, but has attained the highest honor bestowed upon a Scout, the Eagle Scout Award; and

WHEREAS, the Eagle Scout Award is a distinction that will follow him throughout life and will be a beacon to others of the leadership quality and commitment this young man has shown;

NOW, THEREFORE the City of Parker recognizes

Eagle Scout Rickie Wille

as worthy of this highest honor and encourages him to continue his commitment to excellence.

PROCLAIMED, this 5th day of June, 2018.


Lee Pettle
Lee Pettle, Mayor

ATTEST:


Patti Scott Grey
Patti Scott Grey, City Secretary



Council Agenda Item

Item 0
C Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: Collin County Historical Society
Fund Balance-before expenditure:	Prepared by: Donna Jenkins
Estimated Cost:	Date Prepared: May 15, 2018
Exhibits:	<ul style="list-style-type: none">• Picture of Marker and Historical Significance Info

AGENDA SUBJECT

DEDICATION OF COLLIN COUNTY HISTORICAL MARKER HONORING THE JOHNSON STORE. [DONNA JENKINS]

SUMMARY

Today, Collin County Historical Society Member Donna Jenkins will present the Collin County Historical Marker for Old T. J. Johnson Store, located on city property just east of Parker City Hall. Ms. Jenkins will be available for questions.

POSSIBLE ACTION

Inter - Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	06/01/2018



T. L. JOHNSON STORE



THOMAS L. JOHNSON OPENED AND OPERATED A STORE LOCATED ON THE NORTH SIDE OF PARKER ROAD IN THE 1880'S WHEN THE POPULATION OF PARKER WAS ABOUT 50. THE STORE SAT EAST OF THE CURRENT CORINTH PRESBYTERIAN CHURCH, SEPARATED BY WHAT IS NOW CALLED CHURCH ROAD. THE STORE WAS TWO STORIES WITH A ROOM ON THE EAST SIDE OF THE BUILDING SERVING AS THE LODGE OF THE MODERN WOODMEN OF AMERICA. NEXT TO THE LODGE WAS A BARBER SHOP THE POST OFFICE WHICH OPENED IN 1888 AND CLOSED IN 1900 WAS LOCATED IN THE BACK OF THE STORE.

MILDRED CORZINE GATLIN LOVED TO VISIT THE STORE WHEN SHE VISITED HER GRANDFATHER W. E. EDENS. SHE SPECIFIED THE STORE HAD EVERYTHING A HOME MIGHT USE IN THOSE DAYS INCLUDING BUGGY WHIPS, WASH TUBS, RUBBING BOARDS, COAL OIL LAMPS, LANTERNS, AND DRY GOODS.

MR. AND MRS. LEWIS GATLIN BOUGHT AND RAN THE STORE IN 1919, THEN IN 1930, THE GATLINS TORE DOWN THE JOHNSON STORE AND ERECTED A NEW STORE IN ITS PLACE. ACCORDING TO JOE CURTIS, J. L. GATLIN RAN THE STORE FOR A NUMBER OF YEARS. IN THE 1960'S THE STORE STOOD ABANDONED AND WAS TORN DOWN WHEN PARKER ROAD WAS EXPANDED.

PROPERTY OF COLLIN COUNTY HISTORICAL COMMISSION

2017

HISTORICAL SIGNIFICANCE

Type here and use additional space as needed. Incomplete applications will be returned.

1. Please share information about the site including citations and references for unique historical facts.

The Parker community began in the 1840s. The community was named after W.C. Parker, son of John C. Parker who was its first known settler. (City of Parker website)

The Old Johnson Store was located along Parker Road in the 1880s. T. L. Johnson ran a grist mill and general store. (City of Parker website)

2. Please share information on what you have heard from neighbors, family, or former property owners about this property.

According to Mildred Corzine Gatlin, Thomas L. Johnson opened and operated a store located on the north side of the Parker Road in 1880s when the population of Parker was about 50. His store faced east; but when the road was rocked in 1918, the store was moved to face south on Parker Road. The store was located on the north side of the rock road. Parker Road or FM 2514 was not built until the 1960s. There was a room beside the east side of the store where the Modern Woodsmen of the America lodge met, and a barber shop sat next to the lodge. The post office which opened in 1888 and closed in 1900, was located in the back of the store. Tom Johnson was related to Bob Hall who owned a store in Hall Town about 2 miles to the east of Johnson's Store. Tom or T. L., as he was sometimes known, married Katie Hall.

Mr. and Mrs. L.G. Gatlin bought the store in 1916. Then in 1930, the Gatlin's torn down the Johnson store and built a new store beside their home. Mrs. Gatlin's parents were Mr. and Mrs. J.R. Corzine. They inherited the farm when W.E. Edens, Mildred's grandfather died in 1923. The new store was located east of the Corinth Church on the north side of Parker Road; the sanctuary was built in 1923. Mrs. Gatlin liked to visit the store when she visited her grandfather. She stated the store had everything a home might use in those days. It had buggy whips, wash tubs, rubbing boards, coal oil lamps, lanterns and dry goods.

Mr. Jo Curtis, longtime resident of Parker, confirmed the Johnson store was on the north side of Parker Road. The Gatlin's purchased the store in 1916, and in 1923, tore the store down and built a new store. Johnson's store even sold buggies and farming tools. The store became known as the Gatlin Store when it was built in 1930.

3. Has this reference to this landmark ever been published, or mentioned in books, magazines, or newspapers. Explain and include a copy of the photo or article, if possible.

Yes, there is a Xeroxed copy of material called *A Brief History of Parker, Texas* written by Betty Briggs Hughston at the Haggard Library in Plano. The material is in the Genealogy Library.

4. Type the bibliography in this space.

“City History.” (<http://www.parkertexas.us/>)

Hughston, Betty Briggs. *A Brief History of Parker, Texas*. Xeroxed material not published. April, 1977.

Interview with Jo Curtis. June 9, 2017. Interviewed by Donna Brumit Jenkins at his residence on Curtis Road, Parker, Texas.

“National Historic Cemetery Info.: (<http://corinthpresbyterian.org/>)

I understand the present cost of the marker is approximately \$1,100.00. Once the application has been approved, then the marker can be ordered.

- I understand I will receive a copy of the marker showing how it will look once it is cast and I am responsible for checking the wording for errors.
- Corrections on the marker must be submitted to the marker chairman immediately before the marker is cast. Once it is cast, changes cannot be made.
- I also understand it is my responsibility to organize a dedication ceremony (within six months of the placement of the marker) and invite the Collin County Commissioners Court, CCHC, and local officials. The Marker Chairman can give you guidance about the ceremony.

Applicant Donna Jenkins _____ Date: _____
June 14, 2017 _____

Person responsible for dedication Ceremony: _____

Donna Jenkins with Collin County Historical Commission

Signature of Applicant: _____ Date submitted: _____



Council Agenda Item

Item 1
C Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: City Secretary
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: June 1, 2018
Exhibits:	Proposed Minutes

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR MAY 15, 2018. [SCOTT GREY]

SUMMARY

Please review the attached minutes. If you have any questions, comments, and/or corrections, please contact the City Secretary at PGrey@parkertexas.us prior to the City Council meeting.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	05/31/2018
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	06/01/2018

MINUTES
CITY COUNCIL MEETING

May 15, 2018

CALL TO ORDER – Roll Call and Determination of a Quorum

The Parker City Council met in a regular meeting on the above date at Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002.

Mayor Z Marshall called the meeting to order at 7:00 p.m. Councilmembers Scott Levine, Cindy Meyer, Lee Pettle (Mayor elect), Cleburne Raney, and Ed Standridge and Council elect members Edwin Smith and Patrick Taylor were present. A quorum was present.

Staff Present: City Administrator Jeff Flanigan, Finance/H.R. Manager Johnna Boyd, City Secretary Patti Scott Grey, City Attorney Brandon Shelby, Fire Chief Mike Sheff, and Police Captain Kenneth Price

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Mayor Pro Tem Scott Levine led the pledge.

TEXAS PLEDGE: Mayor Z Marshall led the pledge.

PUBLIC COMMENTS The City Council invites any person with business before the Council to speak. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

None

CONSENT AGENDA Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. APPROVAL OF MEETING MINUTES FOR APRIL 17, 2018. [SCOTT GREY]
2. REPUBLIC WASTE QUARTERLY REPORT. [BERNAS]
3. DEPARTMENT REPORTS-ANIMAL CONTROL, BUILDING, COURT, FIRE, POLICE AND WEBSITE

MOTION: Councilmember Levine moved to approve consent agenda items 1 – 3, with Councilmember Pettle's revision to the April 17, 2018 City Council meeting minutes, as follows:

CONSENT AGENDA Routine Council business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Councilmember or member of staff.

1. APPROVAL OF MEETING MINUTES FOR APRIL 3, 2018. [SCOTT GREY]

Councilmember Standridge seconded with Councilmembers Levine, Meyer, Pettle, Raney, and Standridge voting for the motion. Motion carried 5-0.

INDIVIDUAL CONSIDERATION ITEMS

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION OF RESOLUTION 2018-569 CANVASSING THE ELECTION RETURNS AND DECLARATION OF RESULTS OF AN ELECTION HELD IN THE CITY OF PARKER, TEXAS ON MAY 5, 2018. [SCOTT GREY]

The election was held on May 5, 2018 to elect a Mayor and two Councilmembers at large. The final certification document and official May 5, 2018 election results from Collin County Elections Administrator Bruce Sherbet are, as follows:

FOR MAYOR:

Joe Cordina	310
Lee Pettle	398

FOR CITY COUNCIL:

Terry Lynch	261
Patrick Taylor	365
Kimberly A. Hinshaw	112
Edwin Smith	326
Paula Johnston-Hutka	85

ON THE PROPOSITION:

For	334
Against	355

Lee Pettle received a majority of the votes for Mayor. Patrick Taylor and Edwin Smith received the highest number of votes of the five candidates for the two contested offices of City Councilmember. Therefore, Lee Pettle is hereby declared as elected Mayor and Patrick Taylor and Edwin Smith are hereby each declared as elected as City Councilmembers. All are to serve immediately after qualifying for the two (2) year term commencing May 15, 2018. The Proposition failed by a majority vote; therefore, the sales and use tax rate of two percent (2%) is not adopted. (See Exhibit 1 - Collin County Elections Administrator Bruce Sherbet's final certification document and official May 5, 2018 election results, dated May 11, 2018.)

MOTION: Councilmember Standridge moved to approve Resolution No. 2018-569. Councilmember Raney seconded with Councilmembers Levine, Meyer, Pettle, Raney, and Standridge voting for the motion. Motion carried 5-0.

5. ADMINISTER OATH OF OFFICE TO NEWLY ELECTED OFFICIALS MAYOR LEE PETTLE, COUNCILMEMBER PATRICK TAYLOR, AND COUNCILMEMBER EDWIN SMITH. [SCOTT GREY]

City Secretary Scott Grey administered the Oath to newly elected Mayor Lee Pettle. Mayor Pettle administered the Oath of Office to the newly elected Councilmembers Patrick Taylor and Edwin Smith. The councilmembers took their seats at the bench.

6. BREAK FOR A BRIEF RECEPTION FOR THE OUTGOING ELECTED OFFICIALS

Mayor Lee Pettle recessed the regular meeting at 7:10 p.m. for a brief reception, thanking outgoing elected officials, former Mayor Z Marshall and Mayor Pro Tem Scott Levine.

Mayor Lee Pettle reconvened the regular meeting at 7:21 p.m.

INDIVIDUAL CONSIDERATION ITEMS (CONTINUED)

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2018-570, APPOINTING THE 2018-2019 MAYOR PRO TEM. [PETTLE]

MOTION: Councilmember Taylor moved to approve Resolution No. 2018-570, appointing Councilmember Cleburne Raney to the position of Mayor Pro Tem. Councilmember Smith seconded with Councilmembers Cindy Meyer, Cleburne Raney, Edwin Smith, Ed Standridge, and Patrick Taylor voting for the motion. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2018-571 APPOINTING A CHIEF INVESTMENT OFFICER AND MEMBERS TO SERVE ON THE INVESTMENT COMMITTEE. [BOYD]

MOTION: Councilmember Standridge moved to appoint Patrick Taylor as Chief Investment Officer (Res. No. 2018-571 Section 1). Councilmember Smith seconded with Councilmembers Cindy Meyer, Cleburne Raney, Edwin Smith, Ed Standridge, and Patrick Taylor voting for the motion. Motion carried 5-0.

MOTION: Councilmember Raney moved to appoint Lee Pettle and Cleburne Raney as the two (2) Investment Officials (Res. No. 2018-571 Section 2). Councilmember Taylor seconded with Councilmembers Cindy Meyer, Cleburne Raney, Edwin Smith, Ed Standridge, and Patrick Taylor voting for the motion. Motion carried 5-0.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2018-572, DENYING ONCOR ELECTRIC DELIVERY COMPANY LLC'S APPLICATION FOR DISTRIBUTION COST RECOVERY FACTOR (DCRF). [SHELBY]

City Attorney Shelby reviewed the item, stating on April 5, 2018, Oncor Electric Delivery Company LLC ("Oncor") filed an Application for Approval of a Distribution Cost Recovery Factor (DCRF). In the filing, the Company is seeking an increase in distribution revenues of \$19,002,177.

Steering Committee of Cities Served by Oncor (OCSC) has engaged the services of a consultant, Mr. Karl Nalepa, to review the Company's filing. Mr. Nalepa will review the filing and identify adjustments that should be made to the Company's request. Thomas Brocato and Geoffrey M. Gay of Lloyd Gosselink Attorneys at Law are recommending that Cities deny the requested relief.

The Public Utility Commission of Texas's rules allow cities 60 days to act on this application. That deadline is June 4, 2018. Accordingly, it has been requested that

each city schedule the draft resolution for consideration. Subsequently, City Staff has provided the resolution for City Council consideration and direction.

MOTION: Councilmember Taylor moved to approve Resolution No. 2018-572, denying Oncor Electric Delivery Company LLC's application for Distribution Cost Recovery Factor (DCRF). Councilmember Raney seconded with Councilmembers Cindy Meyer, Cleburne Raney, Edwin Smith, Ed Standridge, and Patrick Taylor voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

10. FUTURE AGENDA ITEMS

Mayor Lee Pettle asked if there were any items to be added to the future agenda. She noted Councilmember Meyer requested a Sensus water meter update and Councilmember Standridge requested a Drug Take Back Update.

Ms. Pettle noted the next regularly scheduled meeting would be Tuesday, June 5, 2018 and reviewed the following reminders:

REMINDER(S):

- Please send your vacation dates to the City Secretary.
- The May 22, 2018 Democratic & Republican Primary Runoff Election Early Voting/polling location will be [Lovejoy ISD](#). The Early Voting period is from Monday, May 14th – Friday, May 18th – 7 am -7 pm each day. Election Day is Tuesday, May 22nd – 7 am-7 pm and the polls will be open at [Lovejoy ISD](#) and [Parker City Hall](#).
- Tuesday, June 12, 2018, Budget Work Session
- Projected 2018 Tax Rate Planning Calendar

11. ADJOURN

Mayor Lee Pettle adjourned the meeting at 7:29 p.m.

APPROVED:

Mayor Lee Pettle

ATTESTED:

Approved on the 5th day
of June, 2018.

Patti Scott Grey, City Secretary

STATE OF TEXAS

§

CANVASS OF THE
CITY OF PARKER
ELECTION

COUNTY OF COLLIN

§

MAY 5, 2018

I, Bruce Sherbet, the undersigned Elections Administrator of Collin County, do hereby certify that I have made an actual check and comparison of all the ballots tabulated as voted with the Return Sheets, and the unused ballots as recorded on the Register of Official Ballots. I, therefore, make the following report of my findings from the May 5, 2018, City of Parker Election that was held in Collin County, Texas.

I hereby certify the results to be a full, true and correct tabulation, audit and count of the votes cast in the said election.

WITNESS, my hand on this the 11th day of May 2018.



Bruce Sherbet
Bruce Sherbet
Elections Administrator
Collin County

**Election Summary Report
Collin County, Texas
General and Special Elections
May 5, 2018**

Date:05/11/18
Time:08:12:06
Page:1 of 1

**Summary For Jurisdiction Wide, All Counters, Parker City
Early Voting and Election Day Combined Accumulated Totals
17 of 17 Vote Centers Reporting
Final**

Registered Voters 238418 - Cards Cast 723 0.30% Num. Report Precinct 101 - Num. Reporting 101 100.00%

Parker Mayor	(280)
Number of Precincts	Total
Precincts Reporting	5
Vote For	5 100.0 %
Times Counted	1
Total Votes	723/3239 22.3 %
Times Blank Voted	708
Times Over Voted	15
Number Of Under Votes	0
Joe Cordina	310 43.79%
Lee Pettle	398 56.21%

Parker Council at Large	(290)
Number of Precincts	Total
Precincts Reporting	5
Vote For	5 100.0 %
Times Counted	2
Total Votes	723/3239 22.3 %
Times Blank Voted	1149
Times Over Voted	67
Number Of Under Votes	1
Terry Lynch	161 22.72%
Patrick Taylor	365 31.77%
Kimberly A. Hinshaw	112 9.75%
Edwin Smith	326 28.37%
Paula Johnston-Hutka	85 7.40%

Parker Proposition	(300)
Number of Precincts	Total
Precincts Reporting	5
Vote For	5 100.0 %
Times Counted	1
Total Votes	723/3239 22.3 %
Times Blank Voted	690
Times Over Voted	33
Number Of Under Votes	0
For	0 48.41%
Against	356 51.59%



Council Agenda Item

Item 2
C'Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: May 24, 2018
Exhibits:	1) Proposed Resolution 2) Resolution No. 2016-511 (Appointment of Municipal Officials) 3) Resolution No. 2016-532 (Appointment of Municipal Officials), appointing Brandon S. Shelby Alternate prosecuting attorney

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2018-573 APPOINTING 2018-2020 COURT OFFICIALS. [SHELBY]

SUMMARY

§ 31.03 MUNICIPAL COURT JUDGE; ALTERNATE.

- A) The City Council shall appoint a legally qualified person as Municipal Court Judge, who shall serve a term concurrent with the term of the city's Mayor. The Municipal Court Judge shall be compensated at a rate as established by the City Council by resolution from time to time.
- B) The City Council may appoint a legally qualified person as Alternate Municipal Court Judge, who shall serve a term concurrent with the term of the city's Mayor. The Alternate Municipal Court Judge shall be compensated at the same rate as established by the City Council for the Municipal Court Judge.
(Ord. 381-95, passed 3-14-1995)

§ 31.04 MUNICIPAL COURT CLERK.

The City Secretary shall serve as the Municipal Court Clerk unless the City Council appoints a Court Clerk who shall qualify within the term provided by law. The term of the Municipal Court Clerk shall be concurrent with the term of the Mayor.

(Ord. 381-95, passed 3-14-1995)

§ 31.05 PROSECUTING ATTORNEY.

The City Attorney shall serve as the prosecuting attorney in the Municipal Court, unless the City Council shall appoint another qualified attorney to be the prosecuting attorney of the Municipal Court.

(Ord. 381-95, passed 3-14-1995)

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter - Office Use			
Approved by: Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	05/24/2018
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	05/11/2018

RESOLUTION NO. 2018-573
(Appointment of Municipal Court Officials)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS, ESTABLISHING TERMS OF OFFICE FOR
THE MUNICIPAL COURT JUDGE, ALTERNATE COURT JUDGE, AND
PROSECUTING ATTORNEY AND ALTERNATE PROSECUTING
ATTORNEY, AND MUNICIPAL COURT CLERK AND APPOINTING
INDIVIDUALS TO THOSE OFFICES.**

WHEREAS, the City Council of the City of Parker desires to establish uniformity in the appointment of its municipal court officials; and

WHEREAS, the City Council of the City of Parker has determined that two year terms, coinciding with the terms of the mayor of Parker are appropriate;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:**

SECTION 1. The terms of office for municipal court officials, including municipal court judge, municipal court alternate judge, and city prosecutor, are to coincide with the two-year term of the mayor of Parker. The current term is May 2018 through May 2020. Persons appointed to municipal court office shall hold the office for the term appointed, and thereafter until either re-appointed or until a successor has been appointed by the city council, and qualified.

SECTION 2. For the current term ending on the municipal election date in May 2020, the following are appointed:

- a. Municipal court judge: Raymond D. Noah
- b. Municipal court alternate judge: William E. Guyer
- c. City prosecuting attorney: David Hill;
- d. Alternate prosecuting attorney: Brandon S. Shelby;
- e. Municipal Court Clerk: Lori Newton

DULY RESOLVED by the City Council of the City of Parker, Texas on this the 5th day of June, 2018.

APPROVED:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon S. Shelby, City Attorney

Proposed

RESOLUTION NO. 2016-511
(Appointment of Municipal Court Officials)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS, ESTABLISHING TERMS OF OFFICE FOR
THE MUNICIPAL COURT JUDGE, ALTERNATE COURT JUDGE, AND
PROSECUTING ATTORNEY AND ALTERNATE PROSECUTING
ATTORNEY, AND MUNICIPAL COURT CLERK AND APPOINTING
INDIVIDUALS TO THOSE OFFICES.**

WHEREAS, the City Council of the City of Parker desires to establish uniformity in the appointment of its municipal court officials; and

WHEREAS, the City Council of the City of Parker has determined that two year terms, coinciding with the terms of the mayor of Parker are appropriate;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY
OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:**

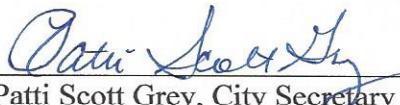
SECTION 1. The terms of office for municipal court officials, including municipal court judge, municipal court alternate judge, and city prosecutor, are to coincide with the two-year term of the mayor of Parker. The current term is May 2016 through May 2018. Persons appointed to municipal court office shall hold the office for the term appointed, and thereafter until either re-appointed or until a successor has been appointed by the city council, and qualified.

SECTION 2. For the current term ending on the municipal election date in May 2018, the following are appointed:

- a. Municipal court judge: Raymond D. Noah
- b. Municipal court alternate judge: William E. Guyer
- c. City prosecuting attorney: David Hill; Alternate prosecuting attorney, James E. Shepherd.
- d. Municipal Court Clerk: Lori Newton

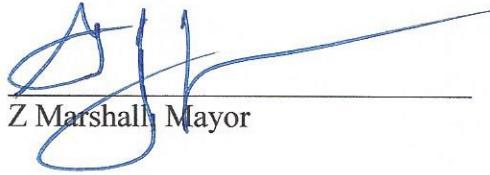
DULY RESOLVED by the City Council of the City of Parker, Texas on this the 28th day of June, 2016.

ATTEST:

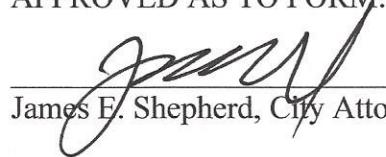

Patti Scott Grey, City Secretary



APPROVED:


Z Marshall Mayor

APPROVED AS TO FORM:



James E. Shepherd, City Attorney

RESOLUTION NO. 2016-532
(Appointment of Municipal Court Officials)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS, ESTABLISHING TERMS OF OFFICE FOR
THE MUNICIPAL COURT JUDGE, ALTERNATE COURT JUDGE, AND
PROSECUTING ATTORNEY AND ALTERNATE PROSECUTING
ATTORNEY, AND MUNICIPAL COURT CLERK AND APPOINTING
INDIVIDUALS TO THOSE OFFICES.**

WHEREAS, the City Council of the City of Parker desires to establish uniformity in the appointment of its municipal court officials; and

WHEREAS, the City Council of the City of Parker has determined that two year terms, coinciding with the terms of the mayor of Parker are appropriate;

WHEREAS, the alternate prosecuting attorney resigned from his position in September of 2016 and a replacement must be appointed;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

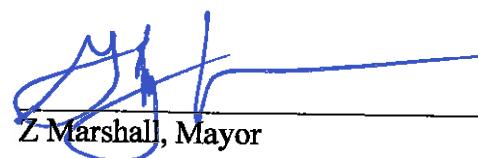
SECTION 1. The terms of office for municipal court officials, including municipal court judge, municipal court alternate judge, and city prosecutor, are to coincide with the two-year term of the mayor of Parker. The current term is May 2016 through May 2018. Persons appointed to municipal court office shall hold the office for the term appointed, and thereafter until either re-appointed or until a successor has been appointed by the city council, and qualified.

SECTION 2. For the current term ending on the municipal election date in May 2018, the following is appointed:

Alternate prosecuting attorney: Brandon S. Shelby

DULY RESOLVED by the City Council of the City of Parker, Texas on this the 6th day of December, 2016.

APPROVED:


Z. Marshall, Mayor

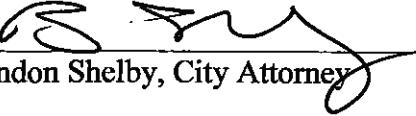


ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO FORM:



Brandon Shelby, City Attorney

Please be advised.

Staff is waiting on the language from Bond Counsel for the proposed resolution, regarding certificates of obligation for the pump station project.

This item will be provided at
the meeting.



Council Agenda Item

Item 4
C'Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: City Administrator
Fund Balance- before expenditure:	Prepared by: City Administrator
Estimated Cost:	Date Prepared: May 16, 2018
Exhibits:	<ul style="list-style-type: none">• Res. No. 2016-520, passed and approved August 30, 2016

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ACCEPTING DONATIONS FROM THE PARKER WOMEN'S CLUB (PWC): [PWC PRESIDENT MARILYN KITTRELL]

- \$10,000 FOR PARKER VOLUNTEER FIRE DEPARTMENT (PVFD)
- \$6,000 FOR PARKER POLICE DEPARTMENT
- \$1,466 FOR TWO (2) CITY & PRESERVE USE PICNIC TABLES

SUMMARY

The Parker Women's Club (PWC) presents its generous donation to City Council for acceptance.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter - Office Use

Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	06/01/2018

RESOLUTION NO. 2016-520
(Acceptance of Gifts to the City by the Mayor)

A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AUTHORIZING THE MAYOR TO ACCEPT, OR REJECT, GIFTS TO THE CITY OF PARKER OF A VALUE OF \$500.00 OR LESS; AND REQUIRING A RECORD TO BE KEPT BY THE CITY OF ALL ACCEPTED OR REJECTED GIFTS.

WHEREAS, the prior policy of the City of Parker has been for the City to take formal action regarding the proposed donation of all gifts to the City of Parker, and

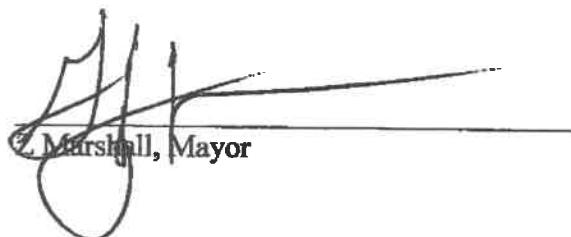
WHEREAS, the City Council has determined that gifts to the City of a value of \$500.00 or less could be accepted, or rejected, by the Mayor at the Mayor's discretion, and

WHEREAS, all other gifts, and all gifts including any form of real estate, shall continue to be placed on the City Council Agenda;

NOW, THEREFORE BE IT RESOLVED by the City Council by the City of Parker, Texas as follows:

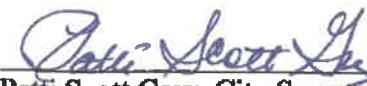
1. The Mayor is authorized to accept or reject in writing all gifts offered to the City of Parker of a monetary value of \$500.00 or less, and excluding all other gifts; including any form of real estate. The Mayor may make such inquiry as to the nature and purpose of the gift as the Mayor requires.
2. All gifts of a value of more than \$500.00, or which include real estate, shall be placed on the City Council Agenda for formal approval, or rejection, by vote of the City Council.
3. A written or electronic record of each and every gift offered to, and either accepted or rejected by the City of Parker shall be maintained as a public record. The minutes of a city council meeting are sufficient.

Resolved this 30th day of August, 2016.



Marshall, Mayor

ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO FORM:



James E. Shepherd, City Attorney



Council Agenda Item

Item 5
C Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: City Administrator
Fund Balance- before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: May 29, 2018
Exhibits:	<ul style="list-style-type: none">Proposed Ordinance

AGENDA SUBJECT

CONSIDER APPROPRIATE ACTION ON ORDINANCE NO. 759, AMENDING THE FISCAL YEAR 2017-2018 BUDGET BY TRANSFERRING \$30,000 IN FUNDS APPROPRIATED TO CITY COUNCIL CONTINGENCY IN THE ADMINISTRATIVE DEPARTMENT OF THE GENERAL FUND TO ARCHITECT COSTS – BUILDING IN THE CAPITAL IMPROVEMENTS DEPARTMENT OF THE GENERAL FUND. [BOYD/SHELBY]

SUMMARY

On September 5, 2017 City Council adopted and approved a budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018 ("FY 2017-2018 Budget"). Said budget gave the Mayor the authority, with the approval of a majority of the City Council, to adjust the budget with the transfer of appropriations from one department or activity to another within the same fund. It is in the public interest to amend the FY 2017-2018 Budget as set forth, transferring \$30,000 of funds appropriated to City Council Contingency in the Administrative Department of the General Fund to Architect Costs – Building in the Capital Improvements Department of the General Fund.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:			
Department Head/ Requestor:	<i>Johanna Boyd</i>	Date:	05/31/2018
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	06/01/2018

ORDINANCE NO. 759
{Amending FY 2017-2018 Budget}

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF PARKER,
TEXAS, AMENDING THE BUDGET PREVIOUSLY APPROVED AND
ADOPTED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2017
AND ENDING SEPTEMBER 30, 2018; PROVIDING FOR A REPEALER;
PROVIDING AN EFFECTIVE DATE; FINDING THAT THE MEETING
AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS
OPEN TO THE PUBLIC AS REQUIRED BY LAW.**

WHEREAS, on September 5, 2017 the City Council of the City of Parker, Texas adopted and approved a budget for the fiscal year beginning October 1, 2017 and ending September 30, 2018 (“FY 2017-2018 Budget”); and

WHEREAS, said budget gave the Mayor the authority to, with the approval of a majority of the City Council, to adjust the budget with the transfer of appropriations from designated appropriation from one department or activity to another department or activity within the same fund; and

WHEREAS, the City Council finds that it is in the public interest to amend the FY 2017-2018 Budget as set forth herein;

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

SECTION 1. The City Council approves and directs the transfer of \$30,000 of funds appropriated to City Council Contingency in the Administrative Department of the General Fund to Architect Costs – Building in the Capital Improvements Department of the General Fund.

SECTION 2. That all ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

SECTION 3. That this Ordinance becomes effective immediately upon its passage.

SECTION 4. That it is hereby officially found and determined that the meetings at which this ordinance was introduced and passed were open to the public and that public notice of the time, place and purpose of said meetings were given all as required by law.

APPROVED AND ADPOTED on this the 5th day of June, 2018.

CITY OF PARKER, TEXAS

BY: LEE PETTLE, MAYOR

ATTEST:

BY: PATTI SCOTT GREY, CITY CLERK

**APPROVED AS TO FORM
AND CONTENT:**

**BY: BRANDON S. SHELBY,
CITY ATTORNEY**

PROPOSED



Council Agenda Item

Item 6
C'Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Secretary Scott Grey
Estimated Cost:	Date Prepared: May 24, 2018
Exhibits:	1) Proposed Resolution 2) Resolution No. 2016-517 (Newsletter Committee Appointments with guidelines)

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2018-575 FOR NEWSLETTER COMMITTEE APPOINTMENTS. [PETTLE]

SUMMARY

On August 10, 2016, City Council approved Resolution No. 2016-517 (Newsletter Committee Appointments with guidelines), repealing Resolution 2014-437. Exhibit A Section 2.0 Committee states the Councilmember appointments shall be reviewed every two years in June.

Please review the Councilmember appointments.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

Approved by:			
Department Head/ Requestor:	<i>Patti Scott Grey</i>	Date:	05/24/2018
City Attorney:		Date:	
City Administrator:	<i>Jeff Flanigan</i>	Date:	05/11/2018

RESOLUTION NO. 2018-575
(Newsletter Committee Appointments)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS APPOINTING MEMBERS TO SERVE ON
THE NEWSLETTER COMMITTEE FOR 2018-2020**

WHEREAS the City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events; and

WHEREAS the committee has been composed of the Mayor, one (1) Councilmember, the City Administrator, and the City Secretary; and

WHEREAS the City Council has previously determined guidelines approved in Resolution No. 2016-517 provided a procedure to be followed for the production and publication of the newsletter, designed to avoid waste and inefficiency which can result from less coordinated efforts;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

The following persons are appointed to the Newsletter committee for the 2018-2020 term:

Mayor Lee Pettle, City Administrator Jeff Flanigan, City Secretary Patti Scott Grey; and Councilmember _____.

DULY PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 5th day of June, 2018.

CITY OF PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Brandon S. Shelby, City Attorney

Exhibit A

1.0 Purpose and Scope

The City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events.

2.0 Committee

There shall be a Committee consisting of the Mayor, 1 (one) Councilmember, the City Administrator, and the City Secretary. Councilmember appointments shall be reviewed every two years in June

3.0 Content

The content is to consist of City business including, but not limited to: Council actions, City finance, police and fire services, community development, elections, City events.

If space allows City organizations/clubs, whose membership consists of 75% Parker residents and which makes donations to the City of Parker in their yearly budget, and human interest stories on Parker residents.

4.0 Schedule

The City newsletter shall be prepared and published in a timely, efficient and professional manner. The newsletter is to be published quarterly: winter, spring, summer and fall.

RESOLUTION NO. 2016-517
(Newsletter Committee Appointments)

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS APPOINTING MEMBERS TO SERVE ON
THE NEWSLETTER COMMITTEE FOR 2016-2018**

WHEREAS the City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events; and

WHEREAS the committee has been composed of the Mayor, one (1) Councilmember, the City Administrator, and the City Secretary; and

WHEREAS the City Council has previously determined guidelines approved in resolution 2014-437 provided a procedure to be followed for the production and publication of the newsletter, designed to avoid waste and inefficiency which can result from less coordinated efforts;

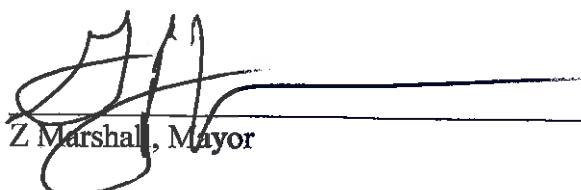
NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AS FOLLOWS:

The following persons are appointed to the Newsletter committee for the 2016-2018 term:

Mayor Z Marshall, City Administrator Jeff Flanigan, City Secretary Patti Scott Grey; and Councilmember Lee Pettle.

DULY PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 10th day of August, 2016.

CITY OF PARKER:



Z Marshall, Mayor

ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO FORM:



James E. Shepherd, City Attorney

Exhibit A

1.0 Purpose and Scope

The City Council of the City of Parker has formed a Newsletter Committee to provide the citizens with a municipal newsletter providing current information regarding City activities and events.

2.0 Committee

There shall be a Committee consisting of the Mayor, 1 (one) Councilmember, the City Administrator, and the City Secretary. Councilmember appointments shall be reviewed every two years in June

3.0 Content

The content is to consist of City business including, but not limited to: Council actions, City finance, police and fire services, community development, elections, City events.

If space allows City organizations/clubs, whose membership consists of 75% Parker residents and which makes donations to the City of Parker in their yearly budget, and human interest stories on Parker residents.

4.0 Schedule

The City newsletter shall be prepared and published in a timely, efficient and professional manner. The newsletter is to be published quarterly: winter, spring, summer and fall.



Council Agenda Item

Item 7
C'Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: May 24, 2018
Exhibits:	Resolution No. 2017-558

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RE-EVALUATING RESOLUTION NO. 2017-558 HOME-RULE CHARTER COMMISSION. [PETTLE/RANEY]

SUMMARY

At the March 20, 2018 City Council meeting, City Council voted to suspend the Home Rule Charter Commission (HRCC) until after the May 5, 2018 General and Special Elections 5-0.

March 20, 2018 City Council Meeting Minutes Excerpt--

10. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON A RECOMMENDATION TO SUSPEND HOME RULE CHARTER COMMISSION (HRCC) UNTIL AFTER THE MAY 5, 2018 GENERAL AND SPECIAL ELECTIONS. [LEVINE]

MOTION: Councilmember Levine moved to approve suspension of the Home Rule Charter Commission until after the May 5, 2018 General and Special Elections. Councilmember Standridge seconded with Councilmembers Levine, Meyer, Pettle, Raney, and Standridge voting for the motion. Motion carried 5-0.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	<i>Brandon S. Shelby</i>	Date:	05/24/2018
Finance/H.R. Manager:	<i>Jeff Flanigan</i>	Date:	06/01/2018



05/24/2018



06/01/2018

RESOLUTION NO. 2017-558
(Home-Rule Charter Commission)

**A RESOLUTION OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS,
APPOINTING MEMBERS TO SERVE ON THE HOME-RULE CHARTER
COMMISSION**

WHEREAS, the City Council of the City of Parker, Texas estimates that the population of the City of Parker will be greater than 5,000 as of May 2018; and,

WHEREAS, the Texas Local Government Code provides that Cities with populations greater than 5,000 may elect to become a Home-Rule City by drafting and approving a Home-Rule Charter; and,

WHEREAS, Section 9.002(d) of the Texas Local Government Code provides that the governing body of a municipality may appoint individuals to serve on a Charter Commission tasked with drafting a Home-Rule Charter.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF PARKER,
COLLIN COUNTY, TEXAS AS FOLLOWS:**

SECTION 1. Appointment of Chairperson

The City Council hereby appoints the office of Mayor Pro-tem as the Chairperson of the Home-Rule Charter Commission. The Chairperson shall preside over all meetings and report to the City Council. The Chairperson shall vote only as a means to break a tie vote among the voting members on any particular issue and shall not be counted for the purpose of determining a quorum.

SECTION 2. Appointment of Voting Members of the Home-Rule Charter Commission:

The following are hereby appointed to serve on the Home-Rule Charter Commission as voting members.

Mayor of the City of Parker;
Diana Abraham;
Billy Barron;
Roxanne Bogdan;
Joe Cordina;
Terry Lynch;
Andy Redmond; and
Edwin Smith

SECTION 3. Staff Support:

The City Administrator shall provide staff support for the Home-Rule Charter Commission as directed.

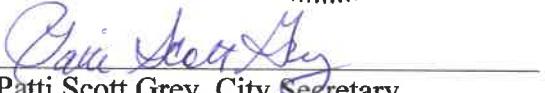
SECTION 4. Effective Date

This resolution shall be effective upon its passage.

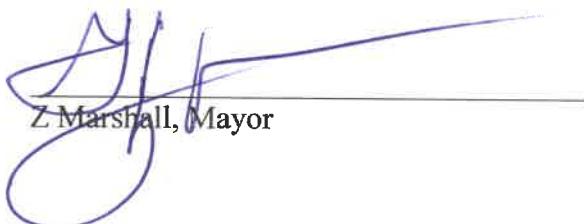
PASSED AND APPROVED by the City Council of the City of Parker, Collin County, Texas on this the 8th day of November, 2017.

ATTEST:

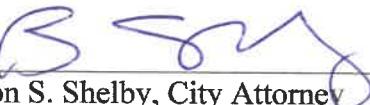



Patti Scott Grey, City Secretary

APPROVED:


Z. Marshall, Mayor

APPROVED AS TO FORM:


Brandon S. Shelby, City Attorney



Council Agenda Item

Item 8
C Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: City Administrator Flanigan
Fund Balance-before expenditure:	Prepared by: City Administrator Flanigan
Estimated Cost:	Date Prepared: May 24, 2018
Exhibits:	<ol style="list-style-type: none">1. May 10, 2018 Proposed P&Z meeting minutes2. Application and Plats

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON VACATING ORIGINAL LDD ESTATES PLAT AND APPLYING FOR A NEW PLAT. [SHELBY]

SUMMARY

On May 10, 2018, the Planning and Zoning (P&Z) Commission recommended the vacating of the original LDD Estates plat and application for a new plat.

The property owner of lot one (1) would like to subdivide his lot into two lots to build a residential home. Lot one (1) currently is a baseball training facility in the city's Extraterritorial Jurisdiction (ETJ). The cities subdivision regulations, under section 155.075 and 155.076, do not allow re-platting and/or amending of plats, without vacating of the original plat (155.077).

The original plat consists of 3 lots, which they would like to revise to 5 lots, Lot 1R (3.26 acres) is currently and will continue to be the baseball training facility, Lot 4 (1.75 acres) residential homestead, Lot 2R (8.0 acres) no change, Lot 5 (2.0 acres) new lot carved out of Lot 3R, and Lot 3R (23.63 acres).

POSSIBLE ACTION

Council may direct staff to take appropriate action.

Inter - Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	Brandon S. Shelby	Date:	05/24/2018 via email
City Administrator:	Jeff Flanigan	Date:	06/01/2018

MINUTES

PLANNING AND ZONING COMMISSION MEETING

May 10, 2018

CALL TO ORDER – Roll Call and Determination of a Quorum

The Planning and Zoning Commission met on the above date. Vice Chairperson Lozano called the meeting to order at 7:00 p.m.

Commissioners Present:

- ✓ Chairperson Russell Wright
(Arrived at 7:04 p.m.)
- ✓ Commissioner Joe Lozano
- ✓ Commissioner Wei Wei Jeang
- Commissioner David Leamy
- ✓ Commissioner Jasmat Sutaria

- ✓ Alternate Marilyn Kittrell
(Arrived at 7:10 p.m.)
- ✓ Alternate Larkin Crutcher
- ✓ Alternate JR Douglas

Staff/Others Present:

- ✓ City Administrator Jeff Flanigan
- ✓ City Secretary Patti Scott Grey
- ✓ City Attorney Brandon S. Shelby

PLEDGE OF ALLEGIANCE

The pledges were recited.

PUBLIC COMMENTS The Commission invites any person with business before the Commission to speak to the Commission. No formal action may be taken on these items at this meeting. Please keep comments to 3 minutes.

No comments.

INDIVIDUAL CONSIDERATION ITEMS

1. CONSIDERATION AND/OR ANY APPROPRIATE ACTION MEETING MINUTES FOR OCTOBER 26, 2017.

MOTION: Commissioner Douglas moved to approve the minutes as presented. Commissioner Jeang seconded with Commissioners Lozano, Jeang, Sutaria, Crutcher, and Douglas voting for the motion. Motion carried 5-0.

2. CONSIDERATION AND/OR ANY APPROPRIATE ACTION MEETING MINUTES FOR NOVEMBER 2, 2017.

MOTION: Commissioner Douglas moved to approve the minutes as presented. Commissioner Jeang seconded with Commissioners Lozano, Jeang, Sutaria, Crutcher, and Douglas voting for the motion. Motion carried 5-0.

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON VACATING ORIGINAL LDD ESTATES PLAT AND APPLYING FOR A NEW PLAT. (**EXHIBIT A – LDD ESTATES PLATS**)

City Administrator Flanigan said LDD Estates was platted about eight (8) to nine (9) years ago. The owner of the baseball training facility would like to subdivide his lot into two (2) lots to build a residential home in front of that facility. City Code Chapter 155: Subdivision Regulations, Replatting; Plat Amendment; Vacation, § 155.075 Replatting of Land. and § 155.076 Amending Plat. does not allow the re-platting and/or amending of plats, replatting because the lot would be smaller than the original plat, and/or amending, because the number of lots would be increased. The only way to accomplish this would be to vacate the original plat and apply for a new plat. There was some concern originally because on the far eastern edge, there is a future FM 2551 right of way dedication, but the owner said he would sign off.

Commissioner Douglas asked if it was a problem with the lot being less than two (2) acres. City Administrator Flanigan said the property was in the city limits and zoned single family residential, which generally called for two (2) acres.

Vice Chairperson Lozano asked City Attorney Shelby if he foresaw any issues. Mr. Shelby said he did not and wished staff could have accomplished the task with a re-plat, but this was the process.

Planning and Zoning Commissioners wanted to emphasize they did not want to minimize the significance of two (2) acres lots within City of Parker and they were not setting a precedence. This was a unique circumstance with an existing building, county line and city limits.

City Attorney Shelby said this would be an exception by plat.

There was no plan by the owner to annex the extraterritorial jurisdiction (ETJ) property into the city limits at this time.

MOTION: Commissioner Douglas moved to recommend for approval the vacating of the original LDD Estates Plat and applying for a new plat. Commissioner Sutaria seconded with Commissioners Lozano, Jeang, Sutaria, Crutcher, and Douglas voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

4. FUTURE AGENDA ITEMS

City Administrator Flanigan said he was not aware of any items at this time.

5. ADJOURN

Vice Chairperson Lozano adjourned the meeting at 7:13 p.m.

Minutes Approved on [REDACTED] day of [REDACTED], 2018.

Chairperson Russell Wright

Attest:

Commission Secretary Wei Wei Jeang

Prepared by City Secretary **Patti Scott Grey**

Exhibit(s):

A - **LDD ESTATES PLATS**



RECEIVED

MAR 21 2018

CITY OF PARKER

DEVELOPMENT APPLICATION
City of Parker, Texas

Proposed Name of Subdivision:

LDD ESTATES

(NO CHANGE TO NAME)

Plat Approval Requested

Filing Fee

Filing Fee

Preliminary Plat \$800.00 + \$30/acre
 Site Plan \$300.00 + \$25/acre
 Replat/Amended \$500.00 plus \$15/lot

Final Plat \$800.00 + \$30/acre
 Minor Plat (5 acres or less) \$500.00 + \$100/lot
 Development Plat \$300.00 + \$30/acre

Physical Location of Property:

5955 Lindsey LANE, PARKER, TX

(Address and General Location – Approximate distance to the nearest existing street corner)

Brief Legal description of Property (must attach accurate metes and bounds description to application):

LOT 1R AND 4 LDD ESTATES 5.010 Acres
(Survey/Abstract No. and Tracts: or platted Subdivision Name with Lot/Block)Martin Hearne Survey
Abstract No. 425

Acreage: 5.010

Existing # of Lots/Tracts: 3

IN LDD

ESTATES

Existing Zoning:

IN County - No city

(If a PD, include the Ordinance with application) ZONING

Property Owner's Name: Southfork Training Complex, LLC Phone Number: 214-384-9801

Applicant/Contact Person: Steve Jennings Title: OWNER

Company Name:

Street/Mailing Address: 6300 Northridge City: Parker State: TX Zip: 75002

Phone: 214-384-9801 Fax:

Email Address: steve@southforksports.com

Engineering Company: Roome LAND Surveying

Contact Person: FRED BEMENDERFER Title: OWNER

Street/Mailing Address: 2000 Ave G, Ste 810 City: Plano State: TX Zip: 75074

Phone: 972-423-4372 Fax: Email Address: fred@roomeinc.com

**** READ BEFORE SIGNING BELOW:** If there is more than one property owner, complete a separate sheet with the same wording as below. The City requires all Original Signatures. If applicant is other than the property owner, a "Power of Attorney" with original, notarized signatures is required.

STATE OF TEXAS)

COUNTY OF COLLIN)

BEFORE ME, a Notary Public, on this day personally appeared Stephen Jennings the undersigned applicant, who, under oath, stated the following "I hereby certify that I am the owner, or duly authorized agent of the owner, (Proof must be attached, e.g. "Power of Attorney") for the purposes of this application; that all information submitted herein is true and correct. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial."

Owner / Agent (circle one)

SUBSCRIBED AND SWORN TO before me, this the 21st day of March, 2018.

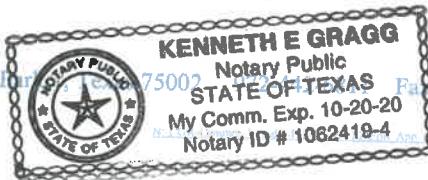
Notary Public in and for the State of Texas:

Kenneth E. Gragg

Over

City of Parker * 5700 E. Parker Road, Suite 100, Parker, TX 75023 Tel: 972-442-2894 www.parkertexas.us

REC'D 1/2006



9418

Filed and Recorded
Official Public Records
Sherry Karp
Collin County, TEXAS
05/03/2007 08:25:19
#31-00-018190
20070503010001596

A circular seal featuring a five-pointed star in the center, surrounded by a ring of smaller stars and the words "THE GREAT SEAL OF THE STATE OF TENNESSEE".

**POINT OF
BEGINNING**

1/2" IR

R=1
Arc=
 $\Delta=1$
Chd.
343.

Murphy Road - F.M. 2222
(also Dillehay Road)
(90' R.O.W.)

Priority Map

<i>Legend</i>	
Rooms	Rooms
CRS	Land Surveying
CM	Copper Inn Rod Set
	Control Monument
1/2" IRR	1/2" Iron Rod Found
O _{pp}	Power/Utility Pole
— OH —	Overhead Line
C.C.L.R.	Coffee County Land Record
MB	Mobile Building
MH	Mobile Home
WB	Wood Building

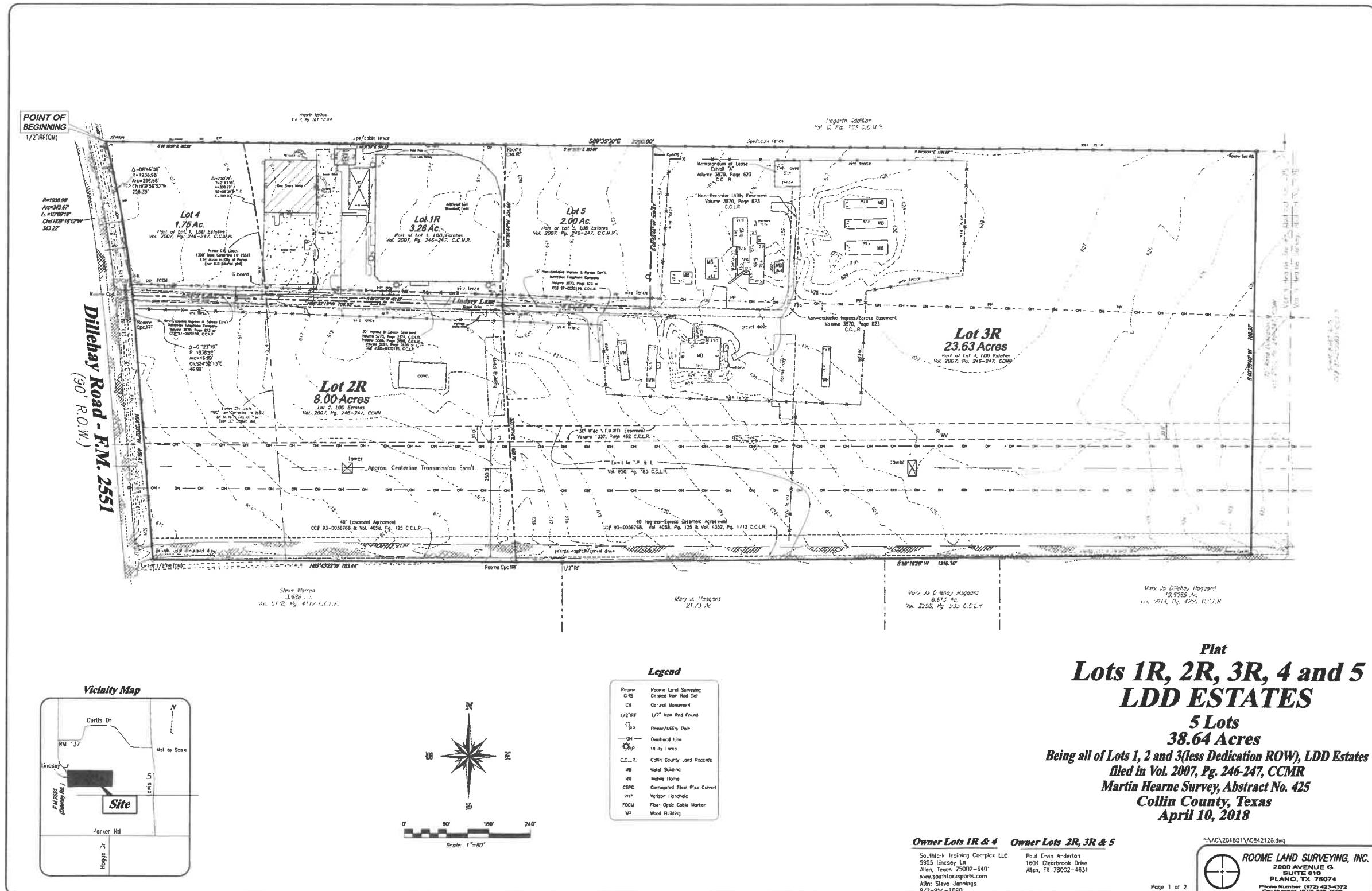
Owner Lot 1
Amjinder & Kuhwant Atwal
6804 E. Parker Road
Porter, Texas 75002

Owner Lot 2

Owner Lot 3

S9418
Preliminary Plat
LDD ESTATES
3 Lots
39.88 Acres
Martin Hearne Survey, Abstract No. 425
Collin County, Texas
November 17, 2005

Page 1 of 2



Owner Lots 1R & 4

OWNER'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Southfork Training Complex LLC, do hereby adopt this plot designating the hereinabove described property as a Plot of Lots 1R, 2R, 3R, 4 and 5, LDD ESTATES, on addition to the City of Parker, Collin County, Texas, and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plot for the mutual use and accommodation of all public utilities and the like, as designated by use of the term "public utility" in this plot. The City shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems or any to these easement strips and any public utility and the City shall at all times have the right of ingress and egress to and from and over these easement strips for the purpose of inspecting, maintaining, reconstructing, inspecting, or patrolling, without the necessity of any time of procuring the permission of anyone. This plot approved subject to all plotting ordinances, rules, regulations and resolutions of the City of Parker, Texas

WITNESS MY HAND AT _____ Texas, this _____ day of 2018.

Steve Jennings

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Steve Jennings, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS WITNESS MY HAND AT _____ Texas, this _____ day of 2018.

Notary Public for the State of Texas



Owner Lots 2R, 3R & 5

OWNER'S CERTIFICATE

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

THAT I, Paul Ervin Anderson, do hereby adopt this plot designating the hereinabove described property as a Plot of Lots 1R, 2R, 3R, 4 and 5, LDD ESTATES, on addition to the City of Parker, Collin County, Texas, and do hereby dedicate to the public use forever the streets and alleys shown thereon and do hereby reserve the easement strips shown on this plot for the mutual use and accommodation of all public utilities and the City shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs, or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems or any to these easement strips and any public utility and the City shall at all times have the right of ingress and egress to and from and over these easement strips for the purpose of inspecting, maintaining, reconstructing, inspecting, or patrolling, without the necessity of any time of procuring the permission of anyone. This plot approved subject to all plotting ordinances, rules, regulations and resolutions of the City of Parker, Texas

WITNESS MY HAND AT _____ Texas, this _____ day of 2018.

Paul Ervin Anderson

STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared Paul Ervin Anderson, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS WITNESS MY HAND AT _____ Texas, this _____ day of 2005.

Notary Public for the State of

SURVEYOR'S CERTIFICATE

THAT I, F. E. Bemenderfer, Jr., do hereby certify that I prepared this plot from an actual and accurate survey of land and that the corner monuments shown thereon were properly placed under my supervision. This plot was prepared in accordance with the subdivision rules and regulations of the City of Parker, Texas.

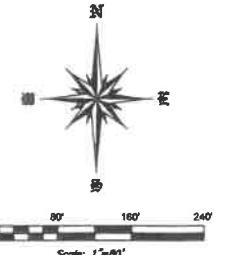


STATE OF TEXAS
COUNTY OF COLLIN

BEFORE ME, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared F. E. Bemenderfer, Jr., known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, THIS WITNESS MY HAND AT _____ Texas, this _____ day of 2018.

Notary Public for the State of Texas



Approved and Accepted

Bill Wade _____ Date _____
Mayor Pro-Tem
City of Parker, Texas

STATE OF TEXAS
COUNTY OF COLLIN

The undersigned, the City Secretary of the City of Parker, Texas hereby certifies that the foregoing preliminary plot of Lots 1R, 2R, 3R, 4 and 5, LDD ESTATES to the City of Parker was submitted to the City Council on the _____ day of April, 2018, and the City Council, after due consideration, then and there accepted the dedication of streets, alleys, easements, public places, and water and sewer lines, as shown and set forth in and upon said plot, and said Council further authorized the Mayor Pro-Tem to note the acceptance thereof by signing his/her name on herein above, subscrbed.

WITNESS MY HAND AT _____ Texas, this _____ day of 2018.

City Secretary
City of Parker, Texas

NOTE: 1) NOTICE: SELLING A PORTION OF THIS ADDITION BY METERS AND BOUNDS IS A VIOLATION OF CITY ORDINANCE AND STATE LAW AND IS SUBJECT TO FINES AND WITHHOLDING OF UTILITIES AND BUILDING PERMITS. 2) This plot has been prepared without a 10% commitment. Surveyor did not obstruct for instruments that may or may not affect the subject property. Subject property is affected by any and all instruments of record that effect the this property. 3) C1 is a controlling monument. 4) Source bearing per LDD ESTATES as recorded in Volume 2007, Page 246-247 of the Collin County Land Records. 5) No part of this property is subject to be within a Special Flood Hazard Area inundated by 100-year flood per Map No. 4508500415 J of the F.E.M.A. Flood Insurance Rate Maps for Collin County, Texas and Incorporated Areas dated June 2, 2009 (Zone X). 6) Datum for topography F.E.M.A. RM 137 located at F.M. 2551 (Dillhey Road).

Plat

**Lots 1R, 2R, 3R, 4 and 5
LDD ESTATES**

5 Lots

38.64 Acres

Being all of Lots 1, 2 and 3 (less Dedicated ROW), LDD Estates

filed in Vol. 2007, Pg. 246-247, CCMR

Martin Hearne Survey, Abstract No. 425

Collin County, Texas

April 10, 2018

Owner Lots 1R & 4

Southfork Training Complex LLC
5955 LBJ
Allen, TX 75002-6401
www.southforksports.com
Alt: Steve Jennings
972-954-1690

Owner Lots 2R, 3R & 5

Paul Ervin Anderson
1604 Creekbrook Drive
Allen, TX 75002-4531
Phone Number: (972) 423-4372
Fax Number: (972) 423-4372

P:\AC\201801\AC842126.dwg
ROOME LAND SURVEYING, INC.
2000 AVENUE G
SUITE 810
PLANO, TX 75074
Phone Number: (972) 423-4372
Fax Number: (972) 423-4372

Page 2 of 2



Council Agenda Item

Item 9
C'Sec Use Only

Budget Account Code:	Meeting Date: June 5, 2018
Budgeted Amount:	Department/ Requestor: City Council
Fund Balance-before expenditure:	Prepared by: Mayor Pettle
Estimated Cost:	Date Prepared: May 24, 2018
Exhibits:	<ul style="list-style-type: none">• Zoning Code Subcommittee Code of Ordinance possible updates

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON REFERRING CITY ZONING CODE TO PLANNING AND ZONING (P&Z) COMMISSION FOR REVIEW AND POSSIBLE UPDATES. [PETTLE]

SUMMARY

On July 11, 2017, City Council discussed and reviewed the City Code of Ordinances. Former Mayor Z Marshall suggested forming a subcommittee consisting of himself, Councilmember Pettle, Councilmember Meyer, City Attorney Shelby and City Administrator Flanigan, to review the City Code of Ordinances to ensure compliance with state and federal laws, revising the Code for clarity, and editing for conflicts, and with recommendations returned to City Council. Council agreed, voting 4-0 (Meyer, Pettle, Raney, and Standridge – with Mayor Pro Tem Levine absent.). On September 19, 2017, Councilmember Pettle updated City Council on the Committee's progress, noting they found inconsistencies and out-of-date information and commenting the objective was to make the Code more consistent and user-friendly. It is now time to refer the suggestions to the P&Z Commission for review and possible updates.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter - Office Use			
Approved by:			
Department Head/ Requestor:		Date:	
City Attorney:	Brandon S. Shelby	Date:	05/24/2018
Finance/H.R. Manager:	Jeff Flanigan	Date:	06/01/2018

TITLE XV: LAND USAGE

CHAPTER 156: ZONING

 **CHAPTER 156: ZONING**

Section

General Provisions

[156.01](#) Definitions

[156.02](#) Minimum requirements

Zoning Map; Districts

[156.15](#) Use districts established

[156.16](#) Official zoning map

[156.17](#) Interpretation of district boundaries

[156.18](#) Newly annexed territory

District Uses and Requirements

[156.30](#) Application of regulations

[156.31](#) Agricultural-open space district

[156.32](#) Single-family residential district

[156.33](#) Single-family transitional district

[156.34](#) Manufactured housing district

[156.35](#) Planned residential development district

[156.36](#) Special activities district

[156.37](#) Supplementary district regulations

Nonconforming, Conditional, and Special Uses

[156.50](#) Nonconforming uses

[156.51](#) Conditional uses

[156.52](#) Special use permits

Administration and Enforcement

[156.65](#) Construction; site plan required

- [156.66](#) Administration authority
- [156.67](#) Board of Adjustment
- [156.68](#) Appeals; Board and Council responsibilities
- [156.69](#) Fees, charges, and expenses; establishment
- [156.70](#) Amendment
- [156.71](#) Planning and Zoning Commission meetings

Development Plats

- [156.80](#) Applicability
- [156.81](#) Exceptions
- [156.82](#) Prohibition on development
- [156.83](#) Standards of approval
- [156.84](#) Conditions on approval
- [156.85](#) Procedure
- [156.86](#) Submittal requirements

- [156.99](#) Penalty

GENERAL PROVISIONS

§ 156.01 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ACCESSORY DWELLING. A separate dwelling for immediate family, servants, or used as guest quarters.

ACCESSORY USE, ACCESSORY STRUCTURE, OR ACCESSORY BUILDING. A ~~use or~~ structure which is ~~clearly incidental and secondary to the primary use not for residential occupancy~~ and which does not change the character ~~thereof, or zoning~~ including, but not limited to¹⁵ stables, barns, swimming pool, detached garages, bathhouses, greenhouses, tool sheds, and portable buildings over 120 square feet floor area.

ADMINISTRATOR. ~~The administrative officer responsible for administration of this chapter;~~
ORDINANCE ADMINISTRATOR. ~~The authority responsible for the supervision of city ordinances.~~

AGRICULTURE. The science and art of farming and ranching; tillage; the cultivation of the ground for purpose of producing vegetables, fruits, and crops; or raising livestock.

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ANIMAL, LARGE. Any animal whose adult body weight is greater than 500 pounds.

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ANIMAL, MEDIUM. Any animal whose adult body weight is between 200 and 500 pounds.

ANIMAL, SMALL. Any animal whose adult body weight is less than 200 pounds.

BARN. A structure used for the shelter of animals or storage of agricultural products or equipment.

BASEMENT. A story partly underground and having at least 1/2 of its height below the average level of the adjoining ground. A BASEMENT shall be counted as a story if subdivided and used for dwelling purposes.

BUFFER YARD. A unit of land and any structures such as fences, walls, or berms that may be required between different land uses to eliminate or minimize conflicts between them. Example: an area of trees or landscaping between larger residential lots in 1 city and smaller residential lots or commercial development in another city.

BUILDABLE AREA. The maximum amount of allowable space upon which a structure or building may be erected, after meeting the coverage, setback, and other requirements of this chapter, city ordinances.

BUILDING. Any structure built which is affixed to the land for the support, shelter, or enclosure of persons, animals, chattel, or movable property of any kind, and which is affixed to the land.

BUILDING AREA. The **BUILDING AREA** of a lot is the gross net area covered by the buildings or structures when placed on the lot.

BUILDING, HEIGHT OF. The vertical distance measured from the average elevation of the finished grade along the front of the building to the highest point of the roof's surface.

CITY. The City of Parker, Collin County, Texas.

CITY COUNCIL. The City Council of this city.

COMMISSION. The Planning and Zoning Commission of the city.

COMPREHENSIVE ZONING ORDINANCE. This chapter, and as hereafter subsequent proper amendments amended.

CONCEPT PLAN. The development plan for 1 or more lots on which are shown shows the existing and proposed conditions of the development, including lot lines; landscaping; open spaces; means of ingress, egress, and circulation; berms, buffers, and screening devices; surrounding roadways; basic drainage information; and any other information that reasonably

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approv
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auth

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~~may be required in order that for an informed decision can be made by the approving authority~~city.

~~Conforming use and non-conforming use is not defined~~

~~**CONDITIONAL USE.** A use ~~which is not in conformity with the zoning ordinance~~ an application to be filed with the city which is processed in the same manner as a zoning application a variance from an existing ordinance as filed through a formal application.~~

- **CONSTRUCTION PLAN.** A plan for new or additional construction or for additions to of any structure submitted in an application for a building permit.

COVERAGE. The percentage of a lot that is covered by buildings.

CURVILINEAR STREET. As defined in the subdivision regulations in Chapter 155, Streets which have at least 75% of the center line length along curves having radii of no more than 500 feet and subtending arcs of at least 45 degrees. See chapter 155.052 (15) (b).

DEVELOPMENT. The construction of any ~~building~~ structure or improvement of any nature (residential or nonresidential), or the enlargement of any external dimension thereof ~~existing land~~.

ETJ. Extra ~~t~~erritorial jurisdiction. Land outside the city's existing boundaries.

HOME OCCUPATION BUSINESS. Business Occupational activity in the home, ~~that does not involve more than 1 other unrelated person, client visitation without appointment, operation of commercial trucks, or signage or outside storage of business related equipment or materials.~~

LAND USE PLANNING MAP. A map showing the existing and land uses proposed land uses ~~(or existing)~~ within the city and its extra territorial jurisdiction (ETJ), ~~also known as the PLANNING MAP.~~

LOT COVERAGE. See COVERAGE. The percentage of a lot that is covered by buildings.

- **LOT, GROSS.** Lot size computed by dividing the total acreage of a ~~tract~~lot ~~(including street right-of- way, open space, and dedicated easements)~~ by the number of lots.

- **LOT, NET.** Lot size determined by the metes and bounds of a given lot. Unless stated otherwise, all lot sizes shall be net, not gross. Total acreage of a lot, less any right of ways, open space and dedicated easements.

NOXIOUS. Conduct which ~~generates noise, odor, fumes, vibration, or any other condition, visible, obnoxious, or~~ detrimental to abutting or adjacent properties.

NURSERY. A place where ~~young~~ trees or other ~~and~~ plants are ~~propagated for experimental purposes, for transplanting, or for sale.~~ grown.

OCCUPANCY. The purpose for which a building or land is used or intended to be used. Inhabited land or building.

OFFENSIVE TRADE ACTIVITY. Any trade activity ~~not customarily carried on in a dwelling unit or accessory building by a member of the occupant's family, being incidental to the primary occupancy of the home as a dwelling and prohibited by federal or state law or city ordinance and~~ not authorized by a special use permit.

OFFICER. A person referred to in this chapter by title means the person employed or appointed by the city to that position, or his or her duly authorized representative. A person who is authorized to act on behalf of or under the auspices of the City of Parker.

OPEN SPACE. An outdoor area ~~designed and accessible~~ for outdoor ~~living, recreation, pedestrian access, activities or landscaping~~, but excluding parking facilities.

PASTURAGE. Land used primarily for the grazing of animal stock.

PERMITTED USE. A use ~~specifically allowed in 1 or more of the various districts without the necessity of obtaining a special use permit allowed by city ordinance.~~

REPAIR. The reconstruction or renewal of any part of an existing ~~building structure~~ for the purpose of its maintenance.

SINGLE-FAMILY RESIDENCE. A ~~1-one~~ family detached dwelling ~~occupied by family members of the first or second degree or affinity or consanguinity.~~

STORY. The portion of a building ~~included~~ between the ~~surface of any~~ floor and the ~~surface of the floor-ceiling next~~ above it, ~~or if there be no floor above it, then the space between that floor and the ceiling above it.~~

STORY, HALF. A story under a gable, hip, or gambrel roof, the wall plates of which on at least ~~2-two~~ opposite exterior walls are not more than ~~2-two~~ feet above the floor of that story.????

STRUCTURE, PERMANENT. Anything constructed ~~or attached to construction, the use of~~ which requires permanent location on the ground ~~or attachment to something having a permanent location on the ground.~~

SUBDIVISION. The division of a ~~lot, tract, or~~ parcel of land situated within the ~~city's~~ corporate limits or ~~within the city's~~ statutory extra territorial jurisdiction into ~~2-two~~ or more parts ~~lots, or sites~~ for the purpose, ~~whether immediate or future,~~ of sale, division of ownership, or building development, including ~~re~~-subdivision. **SUBDIVISION** of land does not include the division of land for agricultural purposes in parcels ~~or tracts~~ of 25 acres or more.?????

TREES, REQUIRED. Pecan, Texas Ash, Eastern Red Cedar, Chinese Pistachio, Austrian Pine, Burr Oak, Live Oak, Red Oak, Sycamore, Lacebark Elm. Examples of trees not to be planted in the ~~bufferyard~~buffer yard are: Arizona Ash, Chinese Tallow, Cottonwood, Siberian Elm, Honeylocust, Hackberry, Mimosa, Fruitless Mulberry, Pin Oak, Poplar, Silver Maple, and Italian Cypress.

VARIANCE. A legal modification of the district provisions such as setbacks, height, or area requirements from city ordinances, granted to relieve hardship conditions existing within a single piece of property other than financial and not of the applicant's making.

ZONING MAP. A map of the city showing current zoning upon the land.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 562, passed 2-8-2005)

 **§ 156.02 MINIMUM REQUIREMENTS.**

In their interpretation and application, the provisions of this chapter shall be held to be minimum requirements, adopted for the promotion of public health, safety, and general welfare. Wherever the requirements of this chapter are at variance with the requirements of any other lawfully adopted rules, regulations, ordinances, deed restrictions, or covenants, the requirement that is most restrictive or that imposes the higher standards, as determined by the Commission, shall govern.

(Ord. 483, passed 6-6-2000)

ZONING MAP; DISTRICTS

 **§ 156.15 USE DISTRICTS ESTABLISHED.**

The several use districts into which the city is divided are hereby designed and described as follows:

- (A) A-O, agricultural-open space;
- (B) MH, manufactured housing;
- (C) SF, single-family residential;
- (D) SFT, single-family transitional;
- (E) PRD, planned residential development; and
- (F) SA, special activities.

(Ord. 483, passed 6-6-2000)

Brandon: Does this classification need to be kept since we no longer use this?

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 **§ 156.16 OFFICIAL ZONING MAP.**

(A) *Official Zoning Map.*

- (1) The city is hereby divided into use districts, as shown on the Zoning Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter. The Zoning Map shall be identified by the signature of the Mayor, attested by the City Secretary and bearing the seal of the city under the following words: "This is to certify that this is the Zoning Map referred to in Section 1B of Ordinance Number 403 of the city

as amended.” If, in accordance with the provisions of this chapter, the city’s Comprehensive Plan, and Tex. Loc. Gov’t Code, Chapter 211, as amended, changes are made in district boundaries or other matter portrayed on the Zoning Map, then the amendment as approved by the City Council shall be reflected on the Zoning Map, which may also be known as the “Zoning Map.”

(2) No changes of any nature shall be made in the Zoning Map ~~or matter shown thereon~~ except in conformity with the procedures set forth in this chapter. Any unauthorized change ~~of~~ whatever kind by any person shall be considered a violation of this chapter and punishable as provided for hereafter. Regardless of the existence of purported copies of the Zoning Map which may from time to time be made or published, the Zoning Map, which shall be located in the office of the City Secretary or City Administrator, shall be the final authority as to the current status of land and water areas, buildings, and other structures in the city.

(B) *Replacement of official Zoning Map.*

(1) In the event that the Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Council may, by ordinance, adopt a new Zoning Map, which shall supersede the prior Zoning Map. The new Zoning Map may correct drafting or other errors or omissions in the prior Zoning Map, but no such correction shall have the effect of amending the original Zoning Map or any subsequent amendment thereof. The new Zoning Map shall be identified by the signature of the Mayor, attested by the City Secretary, and bearing the seal of the city and date under the following words: “This is to certify that this Zoning Map supersedes and replaces the Zoning Map originally adopted by the city on the day of December 2, 1980(current date).”

(2) Unless the prior Zoning Map has been lost or has been totally destroyed, the prior Map or any significant parts thereof remaining shall be preserved, together with all available records pertaining to its adoption or amendment.

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

§ 156.17 INTERPRETATION OF DISTRICT BOUNDARIES.

Where uncertainty exists as to the boundaries of districts as shown on the Zoning Map, the following rules shall apply:

(A) Boundaries indicated as approximately following the center lines of streets or highways shall be construed to follow those center lines;

(B) Boundaries indicated as approximately following plotted lot lines shall be construed as following those lot lines;

(C) Boundaries indicated as approximately following city limits lines shall be construed as following those city limits lines;

(D) Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow those center lines;

(E) Boundaries indicated as parallel to or as extensions of features indicated in divisions (A) through (D) above shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map;

(F) Where physical ~~or cultural~~ features existing on the ground are at variance with those shown on the Zoning Map, or in other circumstances not covered by divisions (A) through (E) above, the Board shall interpret the district boundaries; and

(G) Where a district boundary line divides a lot which was in single ownership at the time of passage of this chapter, the Board may permit the extension of the regulations for either portion of the lot not to exceed 50 feet beyond the district line into the remaining portion of the lot.[?????? Remove all?](#)

(Ord. 483, passed 6-6-2000)

§ 156.18 NEWLY ANNEXED TERRITORY.

Any territory hereafter annexed to the city shall be annexed in accordance with the zoning designation indicated in the current city land use plan. The owner of that territory may apply after annexation for new zoning under the procedures in this chapter.

(Ord. 483, passed 6-6-2000)

DISTRICT USES AND REQUIREMENTS

§ 156.30 APPLICATION OF REGULATIONS.

(A) The regulations set by this chapter within each use district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided.

(B) No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or structurally altered, except in conformity with all the regulations herein specified for the district in which it is located.

(C) No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building or use for the purpose of complying with this chapter, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building or use.[????? Remove?](#)

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

§ 156.31 AGRICULTURAL-OPEN SPACE DISTRICT.

(A) *Purpose; A-O.* The agricultural-open space (A-O) use district includes lands within the corporate limits of the city which are not subdivided and are relatively undeveloped. This use district is designed to promote continued agricultural activities and to provide open space.

(B) *Uses; A-O.*

(1) *Permitted uses.*

- (a) Barn or stable for keeping private animal stock;
- (b) Agriculture;
- (c) Farm;
- (d) Pasturage;
- (e) Single-family residence;
- (f) Home occupation; and [?????](#)
- (g) Accessory buildings.

(2) *Conditional uses; special use permit required.* The following uses [may be applied for by require](#) filing [a request an application](#) for a special use permit, [with subsequent hearing by Planning & Zoning and upon notice of hearing and receiving after which](#) approval [may be granted by City Council](#) [of the Council in its discretion:](#)

- (a) Tower structures exceeding 25 feet in height;
- (b) Golf course;
- (c) Accessory dwelling;
- (d) Rodeo;
- (e) Grain elevator;
- (f) Common stables [?????](#); and 
Define ???? private?
- (g) Riding academy (private).

(C) *Building setbacks; A-O.* No structure shall be constructed within 100 feet of any property line.

(D) *Special requirements; A-O.* Any single building constructed within this A-O district shall conform to all area requirements and building regulations as required by the single-family residential district (SF), unless otherwise specified in this classification.

(1) No mobile homes or HUD-Code manufactured homes shall be permitted.

(2) No property qualifies for A-O district unless it has 5 acres in contiguous tracts under single ownership.

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

§ 156.32 SINGLE-FAMILY RESIDENTIAL DISTRICT.

(A) *Purpose; SF.* The purpose of this classification is to provide for single-family residential development that is most consistent with the general desires of the community.

(B) *Uses; SF.*

(1) *Permitted uses.*

- (a) Single-family residence;
- (b) Accessory buildings; and
- (c) Home ~~occupation~~business.

(2) *Conditional uses; special use permit required.* The following uses may be applied for by filing a request for a special use permit and upon notice of hearing and receiving approval of the Council in its discretion:

- (a) Accessory dwelling;
- (b) Large animal activities; and
- (c) Large animals other than horses, ~~or~~ cattle, or any non-domestic animal on the premises.

(C) *Lot size requirements; SF.*

(1) *Minimum lot size.* The minimum lot size shall be 2.0 acres net (87,120 square feet).

(2) *Maximum lot coverage.* The maximum lot coverage shall be no more than 20%. This is inclusive of all structures. For a 2-acre lot, this is a maximum of 17,424 square feet.

(3) *Nonresidential structures; maximum lot coverage.* No more than 10% of the total lot area may be accessory buildings.

(4) *Minimum lot width at front lot line.* The minimum lot width at the street frontage of any lot shall be 200 feet for straight streets. On curved streets and cul-de-sacs, the minimum lot width at the front lot line is determined by the effective radius of curvature, R, measured in feet, of the right-of-way boundary as follows. The width (W) shall be at least:

$$W = 70 - (400 / R) \text{ feet}$$

In this formula, R shall be no less than 40 feet.

(5) *Minimum lot depth.* The minimum lot depth shall be 300 feet measured from the closest straight line distance between the front property line and the rear property line.

(D) *Buffer_yards; SF.* Buffer_yards are not required for the single-family zoning classification. If a buffer_yard is to be incorporated into the development, the following conditions shall apply:

(1) ~~The bufferyard setback shall contain at least 1 tree per 20 linear feet in order to calculate the total number of trees. If hardy native or adapted trees currently are growing in the area of this bufferyard setback, retention of these trees is preferred over transplanting new trees in the bufferyard. Each planted tree shall be a native or adapted species and of a variety normally considered hardy for the type of soil contained in the bufferyard. Naturally grouped plantings are recommended. New trees shall be from the required tree list. Tree plantings must be completed and established prior to the city's issuance of a certificate of occupancy.~~

(2) The ~~bufferyard~~buffer yard shall be included as a part of the property to be maintained by the homeowners association, or owner of the lot.

(E) *Building setbacks; SF.* The following setbacks are the minimum requirements. Distances indicated are exclusive of public or private motor vehicle easements or rights-of-way.

(1) *Front setback.* The minimum front setback for any structures on the lot shall be 100 feet from the closest point of the front property line. No 2 adjacent houses shall have the same front building line. The front building line of all adjacent houses shall vary by at least 5 feet.

(2) *Side setback.* The minimum side setback shall be 40 feet from the closest point of the side property line.

(3) *Side setback at corner.* The minimum side setback for any structures on a lot located on a corner shall be the same as the front setback on the side closest to the adjacent street. 2-acre lots: ~~100-75~~ feet.

(4) *Rear setback.* The minimum rear setback for any structures on the lot located on a corner lot shall be 50 feet from the closest point of the rear property line.

(F) *Building regulations; SF.*

(1) *Single-family residence.*

(a) *Minimum living space.* There shall be a minimum of ~~2,53,2~~00 square feet of air-conditioned living space.~~??????~~

(b) *Building materials.*

1. *First floor elevation.* Not less than 90% of the exterior materials used on the first floor elevation shall be brick, ~~or~~ stone, or approved alternatives, exclusive of doors and windows.

2. *Total elevation.* Not less than 75% of the exterior materials used on the entire elevation, including the first floor elevation, shall be brick or stone, excluding doors and windows.

3. *Brick or stone; alternatives.* Portland cement or stucco - plaster, or exposed aggregate plaster type finish material for elevations may be permitted in lieu of brick or stone, with the approval of the Building Official that these materials and their application conform to the requirements of the Uniform Building Code, Building Code Handbook, and other pertinent ordinances in the city.

(c) *Maximum height.*

1. The maximum height for the primary residence shall be 2 stories above ground level, not to exceed 35 feet above finished floor elevation, excluding architectural treatment elements.

2. Architectural treatment elements are not to exceed 40 feet above finished floor elevation.

(2) *Accessory buildings.* Refer to § [156.37\(N\)](#).

(3) *Accessory dwellings.* Accessory buildings to be used for living purposes may be constructed only after the issuance of a special use permit. Refer to 156.37(o)

(a) *Minimum living space.* There is no minimum living space requirement.

(b) *Building materials.*

1. *First floor elevation.* Not less than 90% of the exterior materials used on the first floor elevation shall be brick or stone, exclusive of doors and windows.

2. *Total elevation.* Not less than 75% of the exterior materials used on the entire elevation, including the first floor elevation, shall be brick or stone, excluding doors and windows.

3. *Brick or stone; alternatives.* Portland cement, plaster, or exposed aggregate plaster type finish material for elevations may be permitted in lieu of brick or stone, with the approval of the Building Official that these materials and their application conform to the requirements of the Uniform Building Code, Building Code Handbook, and other pertinent ordinances in the city.

(c) *Maximum height.* The maximum height for any accessory buildings shall be 2 stories above ground level, not to exceed the height of the primary residence.

(G) *Garages; SF.* No garage shall open to the front of a lot or to the side street in a corner lot.

(H) *Trees and d/Drainage; SF.*

(1) *Existing trees and d/Drainage.* All existing trees and Ddrainage ways shall be noted on the conceptual site plan submitted with the zoning application. Trees to be added or removed

shall be designated on the site plan. A separate landscaping plan may be submitted with this conceptual plan.

(2) Tree plantings. All streets shall have rows of trees, of approved species, planted along street sides outside of the right of way, at an average of 50 feet on center. Non uniform planting of trees is encouraged.

(I) *Fences; SF.*

(1) *General restrictions.*

(a) (a) All fences require a permit except for an electric fence or barbed wire fence for animal control.

(b) No fences shall be permitted in front yard areas and side yards extending beyond the house facade on developments in the SF areas, except for lots of 2 acres or more.

(bc) Fencing in side yard or back yard areas shall not exceed 6 feet, 0 inches in height. All fences shall be of open construction and not solid or near-solid fabric or surfacing. Open construction shall mean that each fence panel, when viewed from an elevation perspective at a perpendicular to that elevation, shall be constructed of materials that allow at least 50% of the surface area of each panel to provide for an open unobstructed view.

(ed) The 50% open construction requirement for each fence panel is exclusive of columns and posts, which may be constructed of solid material including masonry or metal.

(ee) Fencing columns, if used, shall not be more than 2 feet square on base, and not more than 6 feet in height. The columns shall not be closer together than 6 feet center to center.

(2) *Chain link fencing.* Chain link fences may not be used in the front yard. TheyIt cannot extend beyond the front building line of the primary dwelling on the lot. TheyIt cannot extend into the side setback on the street side of a corner lot. It is preferred that chain link fence be black or green vinyl coated rather than not be galvanized.

(3) *Privacy fencing.* Privacy fences are permitted around swimming pool areas, subject to the following:

(a) The fence must be built with the finished side facing the exterior of the lot; and

(b) The privacy fence must not be built farther than 30 feet from the side of the pool. The side of the pool is defined as where the water's edge meets the side of the pool, not the outside edge of the pool decking, if any.

(4) *Inspection and maintenance.* When any fence is completed, it must be inspected. The Building Inspection Department shall be notified upon completion of the fence. The Chiefthe Building Official who will issue a card of acceptance if the fence complies with the provisions of this section, or it will be rejected. All fences constructed under the provisions of this section

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shall be maintained ~~so as to comply with the requirements of this section at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of the fence when installed and accepted as provided herein, and shall be maintained~~ as follows:

- (a) The fence shall not be out of vertical alignment more than 20%; and
- (b) All damaged, removed, or missing portions of the fence shall be replaced or repaired with comparable materials of a comparable color to the remaining portions of the fence.

(5) *Materials.*

(a) *Permitted materials.* Materials permitted are wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite, barbed wire, or other materials approved by the Building Official for exterior exposure as fence material.

(b) *Prohibited materials.* Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood, or any other similar material manufactured for other uses.

(6) *Certain locations, construction prohibited.*

(a) *Within easements.* No fence shall be located within any easement except by prior written approval of those agencies having interest in that easement.

(b) *Electric fences.* No fence erected shall be electrically charged in a manner to be dangerous to humans.

Why is this in fencing?

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(7) Gates: Gates fall under the same material requirements as allowed for fences.

(78) *Swimming pool enclosure fencing.* A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 697, passed 8-6-2013) Penalty, see § [156.99](#)

§ 156.33 SINGLE-FAMILY TRANSITIONAL DISTRICT.

(A) *Purpose; SFT.* The purpose of this classification is to provide for the gradual transition from the smaller lot sizes in neighboring cities to the larger lot sizes preferred by most city residents. This classification also provides for a landscaped ~~bufferyard~~buffer yard between cities.

(B) *Uses; SFT.*

(1) *Permitted uses.*

- (a) Single-family residence;
- (b) Accessory buildings; and
- (c) Home occupation.

(2) *Conditional uses; special use permit required.* The following uses may be applied for by filing a request for a special use permit and upon notice of hearing and receiving approval of the Council in its discretion.

- (a) Accessory dwelling;
- (b) Large animal ~~activities; and~~
- ~~(e) Large animals other than horses or cattle on the premises.~~

(C) *Lot size requirements; SFT.*

(1) *Average lot size.* The average lot size shall not be less than 1.5 acres net (65,340 square feet).

(2) *Minimum lot size.* The minimum lot size shall be 1 acre net (43,560 square feet).

(3) *Maximum lot coverage.* The maximum lot coverage shall be no more than 20%. This is inclusive of all structures.

- (a) 1-acre lot: 8,712 square feet maximum;
- (b) 1.5-acre lot: 13,068 square feet maximum; and
- (c) 2-acre lot: 17,424 square feet maximum.

(4) *Nonresidential structures maximum lot coverage.* No more than 10% of the total lot area may be accessory buildings.

(5) *Special provisional lot sizes.*

(a) Minimum lot size on land within the city limits on January 1, 1999 shall be 2 acres net. These lots are included in the average lot size calculation in division (C)(1) above. ~~???????~~

(b) Lots adjacent to platted lots within the city limits on or before January 1, 1999 shall be a minimum of 2 acres net or not less than the smallest adjacent platted lot, whichever is less. ~~???????~~

(6) *Minimum lot width at front lot line.*

- (a) 1-acre lot: 100 feet on straight street.
- (b) 1.5-acre lot: 150 feet on straight street.
- (c) 2-acre lot: 200 feet on straight street.

(d) On curved streets and cul-de-sacs, the minimum width at the front lot line is determined by the effective radius of curvature, R, measured in feet, of the right-of-way boundary as follows. The width shall be at least:

$$W = 70 - (400 / R) \text{ feet}$$

In this formula, R shall be no less than 40 feet.

(7) *Minimum lot depth.* The minimum lot depth shall be the following indicated distances in feet measured from the closest straight line distance between the front property line and the rear property line.

- (a) 1-acre lot: 150 feet;
- (b) 1.5-acre lot: 225 feet; and
- (c) 2-acre lot: 300 feet.

(D) BufferyardBuffer yards; *SFT*. For those lots adjacent to another city or its ETJ in which the adjacent lot areas are (or are expected to be) less than 3/4 acre per lot, the setback requirement shall be modified as follows: An additional side or rear setback of 50 feet (in addition to the setbacks required above) shall be required providing a buffer to compensate for the differences in lot sizes. This bufferyardbuffer yard setback shall contain at least 1 tree per 20 linear feet in order to calculate the total number of trees. trees. If hardy native or adapted trees currently are growing in the area of this bufferyardbuffer yard setback, retention of these trees is preferred over transplanting new trees in the bufferyardbuffer yard. Each planted tree shall be a native or adapted species and of a variety normally considered hardy for the type of soil contained in the bufferyardbuffer yard. Drought resistant plantings are recommended. Naturally grouped plantings are recommended. New trees shall be from the required tree list. All bufferyardbuffer yard plantings must be incorporated into the lot or adjacent area prior to a certificate of occupancy.

Septic System – Aerobic systems must be installed in accordance with County regulation. (ADD location of spray)

(E) *Building setbacks*, *SFT*. The following setbacks are the minimum requirements. Distances indicated are exclusive of public or private motor vehicle easements or rights-of-way.

(1) *Front setback.* The minimum front setback for any structures on the lot shall be in accordance with the following listed distances, measured in feet from the closest point of the front property line. No 2 adjacent houses shall have the same front building line. The front building line of all adjacent houses shall vary by at least 5 feet.

- (a) 1-acre lot: 50 feet;
- (b) 1.5-acre lot: 75 feet; and
- (c) 2-acre lot: 100 feet.

(2) *Side setback.* The minimum side setback shall be in accordance with the following listed distances, measured in feet from the closest point of the side property line.

- (a) 1-acre lot: 25 feet;
- (b) 1.5-acre lot: 25 feet; and
- (c) 2-acre lot: 40 feet.

(3) *Side setback at corner.* The minimum side setback for any structures on a lot located on a corner shall be the same as the front setback on the side closest to the adjacent street for the same size lot.

- (a) 1-acre lot: 50 feet;
- (b) 1.5-acre lot: 75 feet; and
- (c) 2-acre lot: 75 feet.

(4) *Rear setback.*

- (a) Minimum 1-acre lot: 30 feet;
- (b) Minimum 1.5-acre lot: 50 feet; and
- (c) Minimum 2-acre lot: 50 feet.

(F) *Building regulations; SFT.*

(1) *Single-family residence.*

(a) *Minimum living space.* There shall be a minimum of 2,5003,200 square feet of air-conditioned space.

(b) *Building materials.*

1. *First floor elevation.* Not less than 90% of the exterior materials used on the first floor elevation shall be brick-stone or approved alternatives, or stone, exclusive of doors and windows-

2. *Total elevation.* Not less than 75% of the exterior materials used on the entire elevation, including the first floor elevation, shall be brick or stone, excluding doors and windows.

3. *Brick or stone; alternatives.* Portland cement, Portland cement or stucco in a neutral or earthtone color, plaster, or exposed aggregate plaster type finish material for elevations may be permitted in lieu of brick or stone, with the approval of the Building Official that these materials and their application conform to the requirements of the Uniform Building Code, Building Code Handbook, and other pertinent ordinances in the city.

(c) *Maximum height.*

1. The maximum height for the primary residence shall be 2 stories above ground level, not to exceed 35 feet above finished floor elevation; ground level excluding architectural treatment elements.

2. Architectural treatment elements are not to exceed 40 feet above finished floor elevation; ground level.

~~(2) *Accessory buildings.* Refer to § [156.37\(N\)](#).~~

~~(3) *Accessory dwellings.* Accessory buildings to be used for living purposes may be constructed only after the issuance of a special use permit.~~

~~(a) *Minimum living space.* There is no minimum living space requirement.~~

~~(b) *Building materials.*~~

~~1. *First floor elevation.* Not less than 90% of the exterior materials used on the first floor elevation shall be brick or stone, exclusive of doors and windows.~~

~~2. *Total elevation.* Not less than 75% of the exterior materials used on the entire elevation, including the first floor elevation, shall be brick or stone, excluding doors and windows.~~

~~3. *Brick or stone; alternatives.* Portland cement, plaster, or exposed aggregate plaster type finish material for elevations may be permitted in lieu of brick or stone, with the approval of the Building Official that these materials and their application conform to the requirements of the Uniform Building Code, Building Code Handbook, and other pertinent ordinances in the city.~~

(c) *Maximum height.* The maximum height for any accessory buildings shall be 2 stories above ground level, not to exceed the height of the primary residence.

(G) *Garages; SFT.* No garage shall open to the front of a lot or to the side street in a corner lot.

(H) *Trees and drainage; SFT.*

(1) *Existing trees and drainage.* All existing trees and drainage ways shall be noted on the conceptual site plan submitted with the zoning application. Trees to be added or removed shall be designated on the site plan. A separate landscaping plan may be submitted with this conceptual plan.

(2) *Tree plantings.* All streets shall have rows of trees, of approved species, planted along street sides outside of the right-of-way, at an average of 50 feet on center. Non-uniform planting of trees is encouraged.

(I) *Fences; SFT.*

~~(1) *General restrictions.*~~

~~(a) No fences shall be permitted in front yard areas and side yards extending beyond the house facade on developments in the SFT areas, except for lots of 2 acres or more.~~

~~(b) Fencing in side yard or back yard areas shall not exceed 6 feet, 0 inches in height. All fences shall be of open construction and not solid or near-solid fabric or surfacing. Open construction shall mean that each fence panel, when viewed from an elevation perspective at a perpendicular to that elevation, shall be constructed of materials that allow at least 50% of the surface area of each panel to provide for an open unobstructed view.~~

~~(c) The 50% open construction requirement for each fence panel is exclusive of columns and posts, which may be constructed of solid material including masonry or metal.~~

~~(d) Fencing columns, if used, shall not be more than 2 feet square on base, and not more than 6 feet in height. The columns shall not be closer together than 6 feet center to center.~~

~~(2) *Chain link fencing.* Chain link fences may not be used in the front yard. They cannot extend beyond the front building line of the primary dwelling on the lot. They cannot extend into the side setback on the street side of a corner lot. It is preferred that chain link fence be black or green vinyl coated rather than galvanized.~~

~~(3) *Privacy fencing.* Privacy fences are permitted around swimming pool areas, subject to the following:~~

~~(a) The fence must be built with the finished side facing the exterior of the lot; and~~

~~(b) The privacy fence must not be built farther than 30 feet from the side of the pool. The side of the pool is defined as where the water's edge meets the side of the pool, not the outside edge of the pool decking, if any.~~

~~(4) *Inspection and maintenance.* When any fence is completed, it must be inspected. The Building Inspection Department shall be notified upon completion of the fence. The Chief Building Official will issue a card of acceptance if the fence complies with the provisions of this section, or it will be rejected. All fences constructed under the provisions of this section shall be maintained so as to comply with the requirements of this section at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of the fence when installed and accepted as provided herein, and shall be maintained as follows:~~

~~(a) The fence shall not be out of vertical alignment more than 20%; and~~

~~(b) All damaged, removed, or missing portions of the fence shall be replaced or repaired with comparable materials of a comparable color to the remaining portions of the fence.~~

~~(5) *Materials.*~~

(a) *Permitted materials.* Materials permitted are wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite, barbed wire, or other materials approved by the Building Official for exterior exposure as fence material.

(b) *Prohibited materials.* Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood, or any other similar material manufactured for other uses.

(6) *Certain locations, construction prohibited.*

(a) *Within easements.* No fence shall be located within any easement except by prior written approval of those agencies having interest in that easement.

(b) *Electric fences.* No fence erected shall be electrically charged in a manner to be dangerous to humans.

(7) *Swimming pool enclosures.* A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 697, passed 8-6-2013) Penalty, see § [156.99](#)

§ 156.34 MANUFACTURED HOUSING DISTRICT.

(A) *Purpose; MH.*

(1) The manufactured housing district is designated in order to provide an adequately controlled area for the placement of manufactured homes, and to ensure an environment suitable for family living. The terms "HUD-Code manufactured home," "mobile home," "manufactured housing," and "recreational vehicle" as used herein are as defined in Tex. Occupation Code, Ch. 1201 and Tex. Trans. Code, § 522.004(b), as amended.

(2) Any violations of the provisions of the manufactured housing district ordinance passed September 19, 1995 which occurred prior to the date of any amendments to this chapter are not waived or released by those amendments. The provisions of this chapter in effect on the date of any violation of this chapter shall be interpreted as still being in effect on the date any violation is prosecuted. Further, no amendments to this chapter shall waive, accept, or approve any nonconforming use which existed immediately prior to September 19, 1995, the date the preceding manufactured housing district ordinance was enacted. Any nonconforming use on the date this manufactured housing district ordinance was originally passed by the city is a nonconforming use solely for the size of the tract, the number of mobile homes, or manufactured homes, located on the manufactured housing tracts, or the mobile home tracts, on the date this chapter was passed. No additional manufactured housing or mobile homes are permitted without strict compliance with this chapter.

(B) *Principal permitted uses; MH.*

- (1) (a) Individually owned manufactured homes and lots in an approved manufactured housing district subdivision; and
- (b) Commercial manufactured home parks providing, either on a rental or as an outright sale, lots for placement of manufactured homes with utilities for those manufactured homes.
- (2) Supporting service facilities for the exclusive use of the residents will be permitted within the manufactured home park.

(C) *General provisions; MH.*

- (1) *Mobile homes constructed prior to June 15, 1976.* No mobile home may be installed for use or occupancy as a residential dwelling unit within the city, effective the date of this chapter. Any mobile home previously legally permitted and used or occupied as residential dwelling unit within the city is deemed a nonconforming use. A permit for that legal nonconforming use and occupancy shall be granted for a lawful nonconforming mobile home within the city, so long as a replacement is a HUD- Code manufactured home.
- (2) *No HUD-Code manufactured homes constructed on or after June 15, 1976.* No HUD- Code manufactured homes (constructed on or after June 15, 1976) shall be permitted in the city as a residential dwelling, or otherwise, unless the installation is within a manufacturing housing district approved by the city. An application to install a new HUD-Code manufactured home for use and occupancy as a residential dwelling is deemed approved and granted unless the city denies the application in writing, within 45 days of the receipt of the application, setting forth the reason for denial.

- (3) *Recreational vehicles.* No recreational vehicle may be installed, used, or occupied as a residential dwelling within the corporate limits of the city.

- (4) *Wastewater requirements.* All wastewater connections, septic systems, plumbing, and drainage shall meet the highest standards of federal, state, and county regulations adopted above.

(5) *Individual manufactured home lots and subdivisions.*

- (a) Any individual desiring to place a manufactured home on a lot within the area designated as a manufactured housing district may do so without meeting the requirements of a commercial manufactured home park except for structural protection, under the conditions that the manufactured home be placed on a lot of no less than 1 acre and that all other applicable provisions of the single-family residential district (SF) regulations are met (such as use, setbacks, building code requirements). The conditions set forth for structural protection of manufactured homes in manufactured home parks will apply to individual manufactured home lots.

- (b) Individual manufactured home lots and subdivisions shall comply with all requirements of the subdivision regulations in [Chapter 155](#) and the city's other ordinances.

(6) *Commercial manufactured home parks.*

(a) *Site plan required.* All applications for development of a manufactured home park or manufactured housing district subdivision shall be accompanied by a site plan and construction plans (12 copies) drawn to scale, acceptable to the City Engineer, complying with the requirements of [Chapter 155](#) of this code. A preliminary and final plat are required on all manufactured home parks. The boundary survey shall be prepared by a registered professional land surveyor and layout and design shall be prepared by a registered professional engineer. The manufactured home park shall comply with the design and construction requirements of [Chapter 155](#) regarding supporting data, drainage, paving, and utility facilities. The site plan and construction plans shall show:

1. The area and dimensions of the tract of land, with identification of location and boundaries;
2. The number, location, and size of all manufactured home spaces;
3. The location and specifications of sewer lines and riser pipes;
4. The location and specifications of water lines and service connections;
5. The location and details of lighting, electrical, and gas systems;
6. The location and specifications of all buildings constructed or to be constructed within the park;
7. Existing and proposed topography;
8. The location of fire mains, including the size, the hydrants, and any other equipment which may be provided;
9. Proposed pavement section;
10. Proposed storm drainage facilities, with calculations; and
11. Proposed wastewater treatment facilities.

(b) *Park and lot size requirements.*

1. *Minimum park size.* A site to be developed as a manufactured home park shall have a minimum area of 10 acres.
2. *Minimum manufactured home lot size.* Each manufactured home space shall have a minimum area of 1 acre exclusive of any floodplain or easements; however, no manufactured home space shall have dimensions less than 80 feet on the narrow dimension nor 100 feet on the long dimension, not including off-street parking required.

(c) *Temporary hookups.* No temporary hookups will be permitted. Power, water, and sewer service must be supplied to every lot.

(d) *Streets, parking, and traffic.*

1. *Streets.*

a. An internal street system (which shall also be drainage, utility, fire, and emergency access easement) shall provide access to each manufactured home space. This internal street system shall comply with requirements of [Chapter 155](#) of this code regarding streets, including construction requirements.

b. Driveways and parking areas are considered private. Maintenance of driveways and parking areas shall be a private responsibility. All other streets shall be dedicated as public.

2. *Tenant parking.* Tenants shall be provided with at least 3 off-street parking spaces for each manufactured home space. Each parking space shall be hard surfaced and located so as to eliminate interference with access to parking areas provided for either manufactured homes or for public parking in the manufactured home park.

3. *Visitor and supplemental parking.* In addition to parking spaces required for each manufactured home unit, there shall be provided for the manufactured home park: 1 visitor space for every 4 manufactured home spaces; and 1 supplemental parking or vehicle storage space for every 2 manufactured home spaces for the parking or storage of boats, recreational vehicles, and similar vehicles or equipment.

a. These visitor and supplemental spaces may be located anywhere within the manufactured home community, provided that no manufactured home space shall be situated farther than 150 feet from a visitor space.

b. All supplemental parking areas shall be screened by fencing or landscaping.

4. *General parking space size.* Each parking space will be not less than 17 feet by 10 feet.

(e) *Signs.* All signage will comply with [Chapter 153](#) of this code. Private streets shall indicate that they are private.

(f) *Access.*

1. Every manufactured home park shall have at least 2 points of direct access to and from a public street, and each manufactured home space shall have direct access to an internal public street. Where an internal street provides access, the same shall be used as an emergency access easement to allow for the rapid and safe movement of vehicles used for purposes of providing emergency health or public safety services.

2. Each emergency access easement shall have a clear, unobstructed width in compliance with city ordinances on street and road design, shall connect to a dedicated public street, or shall have a turnaround radius with a minimum of at least 40 feet in radius of

[Concerns: # of occupants/per #bedroom/bathrooms – health concern](#)

[One-way in/out for emergency vehicles](#)

paving. Corners of intersecting streets shall have sufficient turning area to permit free movement of emergency vehicles.

(g) *Walkways.* Designated, paved walkways will be provided on both sides of roadways or streets.

(h) *Numbering.* Within each manufactured home park, all streets shall be named, and manufactured homes numbered in a logical and orderly fashion according to the city's numbering system. Street signs shall be of a color and size conforming with those on public streets. These signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles.

(i) *Intersections.* Street lighting within the manufactured home park shall be provided along all emergency access easements. Light standards shall have a height not to exceed 20 feet and spacing to ensure an average illumination level of not less than 1.0 foot candles.

(j) *Electric and telephone service.* All distribution and service lines of electrical, telephone, television, and other wire-carrier type utilities shall be underground, except that the system of supply lines for multiple subdivision service by utilities may be overhead. Transformers, amplifiers, or similar devices associated with the underground lines shall be located upon the ground or below the ground level. Where the underground installation of these facilities is not a standard practice of the utilities involved, the subdivider or developer shall make all arrangements for payments associated with the nonstandard installation.

(k) *Drainage and soil protection.*

1. The ground surface in all parts of a manufactured home park shall be graded and equipped to drain all surface water in a safe, efficient manner. Each manufactured home space shall provide adequate drainage for placement of a manufactured home.

2. Exposed ground surfaces in all parts of every manufactured home park shall be paved, covered with stone screening or other solid material, or protected with a vegetative growth that is capable of preventing soil erosion and of eliminating dust.

3. No portion of any lot shall be located below the 100-year floodplain. Drainage facilities shall comply with Chapter 155 of this code.

(l) *Fire safety.* Storage and handling of flammable gases and liquids shall be as follows:

1. Whenever liquefied petroleum gases are stored or dispensed, their handling and storage shall comply with requirements of the city ordinances as applicable; and

2. Wherever gasoline, fuel, oil, or other flammable liquids are stored or dispensed, their handling and storage shall comply with requirements of the city ordinances and state regulations.

(m) *Water supply facilities.* Water supply facilities for fire protection service shall meet the minimum requirements of the key rate schedule for a standard city as last adopted by the State Board of Insurance and the minimum requirements of the city.

(n) *Firefighting.*

1. Approaches to all manufactured homes shall be kept clear for firefighting.
2. The owner or agent of a manufactured home park shall be responsible for the instruction of his or her staff in the use of the park fire protection equipment and in their specific duties in the event of a fire. The owner shall provide standard city fire hydrants located within 300 feet of all manufactured home spaces, measured along the driveways or streets.
3. The owner or agent of a manufactured home park shall be responsible for maintaining the entire area of the park free of dry brush, leaves, and weeds.
4. The owner or agent of a manufactured home park shall provide an adequate system of collection and safe disposal of rubbish, approved by the Fire Marshal.

(o) *Manufactured home spacing standards.* In order to provide adequate separation of manufactured homes and of other buildings and structures for the purposes of safety against the hazards of fire and explosion, and to promote structural safety in the placement of manufactured homes on their respective sites, the following spacing standards shall apply.

1. The minimum front yard setback shall be 75 feet from the nearest corner of the manufactured home to the front line of the manufactured home space.
2. No manufactured home shall be closer than 75 feet to the outer perimeter property line. If the manufactured housing district is adjacent to a non-manufactured housing district, the setback from the outer perimeter property line shall be at least the setback of the adjacent district, if the setback of the adjacent district is greater than 25 feet.
3. Other structures on each manufactured home space must be placed to the back of the manufactured home space and must be a minimum of 75 feet away from any line of the manufactured home space.
4. The minimum distance between manufactured homes at any point shall be 75 feet.
5. The average vertical clearance height of the manufactured home frame above the finished ground elevation shall not exceed 3 feet.

(p) *Landscaping.* The park will provide attractively and esthetically designed and installed screening and landscaping to ensure privacy and suitable environments for manufactured home occupants. The proposed screening and landscape plan shall be submitted for review and approval by the city. Landscaping areas will be not less than 5% of the gross site area.

(q) *Community buildings and service facilities.*

1. *Structural and other requirements for buildings.*

a. Construction of all buildings shall comply with applicable ordinances of the city. All portions of structures shall be properly protected from damage by ordinary uses and by decay, corrosion, termites, and other destructive elements. Exterior portions shall be of such materials and be so constructed and protected as to prevent entrance or penetration of moisture and weather.

b. All rooms containing sanitary or laundry facilities shall:

i. Have sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, lavatories, and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof materials or covered with moisture-resistant materials;

ii. Have at least 1 window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall not be less than 10% of the floor area served by them; and

iii. Have at least 1 window which can be opened easily or have a mechanical device which will adequately ventilate the room.

2. *Sanitary facilities.*

a. Toilets shall be located in separate compartments equipped with self-closing doors. The rooms shall be screened to prevent direct view of the interior when the exterior doors are open.

b. Hot and cold water shall be furnished in every lavatory, sink, and laundry fixture, and cold water shall be furnished in every water closet and urinal.

3. *Lighting.* Illumination level shall be maintained as follows:

- a. General seeing tasks: at least 5 foot candles;
- b. Laundry room work area: at least 40 foot candles;
- c. Toilet room in front of mirrors: at least 40 foot candles;
- d. Pedestrian walkways: at least 5 foot candles;
- e. Visitor and supplemental parking areas: at least 5 foot candles; and
- f. Recreation areas: at least 5 foot candles.

(r) *Storage facilities.* Storage facilities with a minimum size of 200 square feet per manufactured home space shall be provided on the space, or in compounds located within 100

feet of each space. Wherever provided, storage facilities shall be faced with masonry, porcelanized enamel, baked enamel, steel, or other material equal in fire resistance, durability, and appearance. All storage facilities shall be anchored to a concrete slab.

(s) *Incinerators.* Incinerators will be specifically prohibited. Incineration of trash and garbage will be prohibited.

(t) *Recreational areas.* Every manufactured home park shall have at least 1 visibly identifiable recreation area for the benefit and use of its residents. Not less than 5% of the gross site area of the manufactured home park shall be devoted to recreational facilities. Playground space shall be protected from traffic, thoroughfares, and parking areas. This space shall be maintained in a sanitary condition and free of safety hazards. Lighting must be provided for all recreation areas.

(u) *Water system.*

1. *Supply.*

a. An adequate, safe, and potable supply of water shall be provided by the owner or agent. Connection shall be made to the city water system.

b. The manufactured home park shall have a compound commercial water meter from the city, regardless of the distribution of the water within the manufactured home park.

2. *Connections.*

a. The water supply system shall be connected by pipes to all manufactured homes, buildings, and other facilities requiring water. All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with state and city regulations and requirements.

b. All water line mains will be 8 inches or larger.

c. Individual water riser pipes and connections shall be constructed and maintained in accordance with the city ordinances, as applicable.

(v) *Electrical utilities.*

1. The wiring, fixtures, equipment, and appurtenances of every electrical wiring system shall be installed and maintained in accordance with applicable ordinances and regulations for those systems.

2. Power distribution lines shall be located underground. All power distribution lines, individual electrical connections, and grounding of the manufactured homes and equipment, shall comply with the city ordinances, as applicable.

(w) *Sewage or wastewater facilities.*

1. An approved sewage treatment system shall be provided to meet the minimum city, state, and county requirements. A connection to municipal sanitary sewage service shall be required if access to a sanitary sewer line is available to the site, at the landowner's cost. On-site sewage or wastewater treatment and disposal systems will be approved. Spray effluent shall not be used for any treatment facility.

2. All requirements of the county, city, and the state as to sanitation, water quality preservation, and pollution will be met. Where any such statutes or regulations are in conflict, the more restrictive statute or regulation shall apply, as determined by the Building Inspector of the city, subject to the review and approval of the Mayor. Unless otherwise stated in those regulations, each residential unit within a manufactured housing district shall be connected to either:

a. An approved septic system, either for the individual unit or a group of units, which shall be designed and shall operate to treat an average of 250 gallons of wastewater per day from each unit, and shall further be designed to appropriately treat wastewater discharged at peak times of the days and evenings; or

b. In the event a sanitary sewer line is available for use by a manufactured housing district, all residential units located lawfully within the manufactured housing district shall be connected to the sanitary sewer line.

3. An adequate and safe sewage system shall be provided for conveying sewage to the treatment plant. The sewer system shall be constructed in accordance with applicable local and state health regulations. Effluents from sewage treatment facilities shall not be discharged into any waters of the state except with prior approval of the State Natural Resource Conservation Commission.

4. For sewage or wastewater connections, where public sanitary sewer system is available, all materials used for sewer connections shall be in accordance with the city ordinances, as applicable.

a. Each manufactured home stand shall be provided with at least 4-inch diameter sewer riser pipe. The sewer riser pipe shall extend at least 4 inches above the ground and shall be so located on each stand that the sewer connection to the manufactured home drain outlet will approximate a vertical position.

b. The sewer connection to the manufactured home from the sewer riser pipe and any other sewer connections shall be in accordance with the requirements of the city ordinances, as applicable.

c. Provision shall be made for plugging the sewer riser pipe when no manufactured home occupies the space. Surface drainage shall be diverted away from the riser.

(x) *Fuel supply and storage.*

1. Natural gas piping systems shall be installed underground and maintained in accordance with applicable ordinances and regulations governing those systems. Each manufactured home space provided with piped gas shall have a cap on the outlet when not in use to prevent accidental discharge of gas and shall be in accordance with applicable city ordinances.

2. Liquefied petroleum gas systems shall be installed only if an available natural gas system is more than 1,000 feet from the manufactured home park. The liquefied petroleum gas systems shall be maintained in accordance with applicable ordinances of the city and regulations of the State Railroad Commission pertaining thereto.

(y) *Refuse handling and collections.* The storage, collection, and disposal of refuse shall be so conducted as to create no health hazards, rodent harborage, insect breeding areas, accident or fire hazards, or air pollution.

1. *Storage facilities.* One or both of the following systems shall be used:

a. If refuse is gathered at the individual manufactured home spaces, it shall be stored in fly-tight, watertight, rodent-proof containers, which shall be located at each manufactured home site. Containers for this use shall be provided by the park in sufficient number and capacity to properly store all refuse; or

b. In lieu of storage at individual sites, centrally located refuse containers, appropriately screened, and having a capacity of 3 cubic yards or larger, may be provided. These containers shall be so designed as to prevent spillage or container deterioration, and to facilitate cleaning around them.

2. *Removal.* Refuse and garbage shall be removed from the park at least once each week. The licensee or agent shall ensure that containers in the park are emptied regularly and are maintained in a usable, sanitary condition.

(z) *Insect and rodent control.* Grounds, buildings, and structures shall be maintained free of insect and rodent harborage and infestation. Parks shall be maintained free of accumulation of debris which may provide rodent harborage or breeding places for flies, mosquitoes, and other pests. The growth of brush, weeds, and grass shall be controlled to prevent harborage of noxious insects or other pests. Parks shall be maintained so as to prevent the growth of noxious weeds detrimental to health. Open areas shall be maintained free of heavy undergrowth.

(aa) *Structural protection; anchorage.* To ensure against natural hazards such as tornadoes, high winds, and electrical storms, anchorage at each manufactured home shall be provided according to the following schedule.

1. *Ties.* For each manufactured home space designed to accommodate the length of unit shown, frame ties shall be provided in the number indicated. In addition, over-the-unit ties shall be provided as close to each end as possible with straps at stud and rafter locations.

Length	Number of Ties
Up to 30 feet	2 per side
30 to 50 feet	3 per side
50 to 70 feet	4 per side
Over 70 feet	5 per side

2. *Anchors.*

- a. Soil tests shall be made to ensure that the following types of anchorage will withstand 3,750 pounds of pull per 10-foot length of manufactured home.
 - i. Cross-section: auger or dead man, 6 inches in diameter; arrowhead 8 inches.
 - ii. Depth: auger or arrowhead 4 feet; dead man 5 feet.
- b. Anchor rod shall be at least 5/8 inch in diameter with welded eye at tip, and shall be hooked into concrete when used in dead man anchors.
- c. Anchors in slabs shall equal above in pull resistance.

3. *Connectors.* Connectors of the following design minimums shall be used.

- a. Galvanized or stainless steel cable: 3/8 inch of 7 strands of 7 wires each (7 x 7).
- b. Galvanized aircraft cable: 1/4 inch 7 strands of 19 wires each (7 x 19).
- c. Steel strap: 1.25 inch by 0.035 inch galvanized with tensioning device.
- d. Cable ends: Secured by 2 U-bolt clamps.
- e. Steel rods: 5/8 inch with ends welded and closed to form an eye.
- f. Turnbuckles: 5/8 inch drop forged with closed eyes, or other tensioning devices of equivalent strength.

4. *Piers and footings.* The location and design of piers and footings shall satisfy the following standards.

- a. Spaced at 10-foot intervals on both frame rails with end ones no farther than 5 feet from end of manufactured home.

- b. Footings of solid concrete 16 inches by 16 inches by 4 inches (16 x 16 x 4).
- c. Piers of standard 8 inches by 8 inches by 16 inches (8 x 8 x 16) of solid concrete.
- d. Treated trim shingles may be used for leveling.
- e. Pier or footing designs equivalent to the above when approved by the City Engineer.

5. *Permanent structures.* Park buildings, patio awnings, and cabana roofs. All permanent park buildings, patio awnings, and cabana roofs hereafter constructed and all extensions to existing structures shall comply with applicable ordinances of the city.

6. *General application.* These provisions for structural protection shall also apply to individual manufactured home lots.

(bb) *Responsibilities of park management.*

1. *Operation.* The licensee, or his or her agent, of every manufactured home park located within the corporate limits of the city shall operate and maintain the park in compliance with these regulations and with all other applicable ordinances of the city. He or she shall provide adequate supervision to maintain the park, its facilities, and equipment in good repair and in a clean and sanitary condition.

2. *Information; responsibility for violations.* The licensee or agent shall notify park occupants of all applicable provisions of these regulations and inform them of their duties and responsibilities under these regulations. The licensee or agent shall bear final responsibility for any violations of the ordinances set forth for manufactured home parks, except as specifically outlined as the responsibility of park occupants.

3. *Registration; information required.* The licensee or agent shall maintain a register of park occupancy which shall contain the following information:

- a. The names and addresses of park residents;
- b. Manufactured home registration data including make, length, width, year of manufacture, and identification number;
- c. The location of each manufactured home within the park by space or lot number and street address; and
- d. Dates of arrival and departure.

2. *Information to Tax Assessor-Collector.* The licensee or agent shall furnish to the Tax Assessor-Collector for the city, no later than January 10 and July 10 of each year, a list of all manufactured home residents in the park on the last day of the preceding month. The register shall provide information on the make, length, width, year of manufacture, and identification

number of the manufactured home, the address or location description of the manufactured home within the park, and information on manufactured homes which have moved out of the park since the last report including the foregoing data plus the departure dates of each manufactured home and, if known, its destination. These lists shall be prepared using forms provided by the Tax Assessor-Collector for the city.

(cc) *Responsibilities of owner.* The owner or agent shall ensure that every occupant of a space in a manufactured home park located within the corporate limits of the city shall maintain his or her manufactured home space, its facilities and equipment, in good repair and in a clean, sanitary condition. He or she shall be responsible for proper placement of his or her manufactured home in its manufactured home space and proper installation of all utility connections in accordance with the instructions of the park management.

1. *Skirting and additions.* Fire-resistant skirting with the necessary vents, screens, and openings shall be required on all manufactured homes in manufactured home parks and shall be installed within 10 days after emplacement of the manufactured home. Skirting, porches, awnings, and other additions, when installed, shall be maintained in good repair.

2. *Prohibition of storage under homes.* The use of space immediately underneath a manufactured home for storage shall be prohibited.

(dd) *Inspections.*

1. *Inspections by public officials.* The Mayor or his or her designee and the Fire Marshal or his or her designee, are hereby authorized and directed to make inspections as are necessary to determine compliance with these regulations.

2. *Authority to inspect.* The Mayor or the Mayor's designee, the Fire Marshal or his or her designee, the Tax Assessor-Collector, and the Water Superintendent shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting or investigating conditions relating to the enforcement of this section. They shall have the power and authority in discharging their official duties to inspect the register containing a record of all residents of the manufactured home park.

3. *Access to premises.* It shall be the duty of every occupant of a manufactured home park to give the licensee, his or her agent, or authorized employee access to any part of the park at reasonable times for the purpose of making repairs or alterations as are necessary to effect compliance with this section.

(D) *Nonconforming manufactured housing parks; MH.* Any manufactured home park in existence at the time of the addition of the manufactured housing district to the city's zoning regulations (September 19, 1995), which does not meet the regulations as set forth herein, shall not be enlarged in size or number of units in place, extended in land area or number of units, or

improved, unless the enlargement, extension, or improvement complies with all regulations contained herein.

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

§ 156.35 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT.

This zoning classification, PRD or PRD1, is closed and not available for zoning applications.

(Ord. 483, passed 6-6-2000)

§ 156.36 SPECIAL ACTIVITIES DISTRICT.

[Other than acreage, what is the difference between this and a SUP?](#)

(A) *Purpose; SA.* The purpose of the special activities district is to provide for tourist-related commercial uses that are integrated through site planning and architectural design guidelines. A site plan shall be required for all land to be zoned special activities district, and shall be approved at the time the district is approved, and attached to the ordinance establishing a special activities district, in accordance with the provisions in division (B)(3). A site plan shall be required for all new construction for land zoned special activities district and shall conform in all respects to the site plan, in accordance with the provisions in division (B)(4). The acreage of a special activities district shall be not less than 175 acres.

(B) *Concept plan; SA.*

(1) *Procedures.* The City Council may, after receiving the report of the [Planning & Zoning](#) Commission, approve by ordinance the creation of a special activities district based upon a concept plan prepared in accordance with provisions of this section and processed in accordance with the procedures for establishing zoning districts. The approved plan shall be made part of the ordinance establishing the district. Any amendments to a concept plan must be in harmony with the plan for the entire district and must be approved by the City Council by ordinance. An amendment to a Council approved plan will be considered an amendment to the special activities zoning district and be processed in accordance with zoning amendment procedures. The City Council shall have full legislative discretion in its consideration of any type of plan.

(2) *Criteria.* In determining whether a special activities district should be established and the concept plan should be approved, the Commission in making its recommendations and the City Council in making its decision shall consider the following criteria:

(a) The plan of development is consistent with the future land use policies and map in the city's Comprehensive Plan;

(b) The proposed uses and project design are compatible with existing and planned adjoining uses;

(c) Adequate public facilities, including open space, will be provided in a timely manner to support each phase of the development;

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(d) The proposed uses and development standards are consistent with the purposes and standards of these district regulations; and

(e) The proposed timing of the development is consistent with the overall growth and development of the city.

(3) *Designation.* The ordinance establishing a special activities district shall set forth the following provisions. The general site plan shall be incorporated as an exhibit to the ordinance.

(a) A statement as to the purpose and intent of the district;

(b) The general land uses and acreage of each use authorized in the district, by use category, the location of these uses, the residential densities and nonresidential intensities associated with phases of the project, in conformance with the approved site plan;

(c) General conditions and standards applicable to development within the district; and

(d) Required dedications or public improvements, if any.

(4) *Site plan.* A site plan shall be required for all new construction, exterior remodeling, or additions to any structure which exceed 10% of either the structure's size or assessed value for tax purposes, in a special activities district. No building permit shall be issued for a development subject to site plan review until that site plan has been approved in accordance with this section.

(a) *Application.* The property owner or designated representative may initiate site plan review by filing an application with the City Administrator and submitting the required review fee and 5 copies of the site plan and related documents.

(b) *Contents of application.* Applications shall contain drawings to scale to indicate:

1. The location of existing and anticipated new structures on the subject property and adjoining property;

2. Landscaping and fencing, setback areas, uses of landscaping and walls or fences for screening purposes, and landscaping of parking areas, if applicable;

3. The design of ingress and egress to minimize interference with traffic flow on abutting streets;

4. The height of all structures;

5. The proposed uses for all structures;

6. The location and types of all signs including lighting and heights; and

7. The facade elevations of each building, including descriptions of materials and colors for finishes.

(c) *Standards.* The site plan shall conform to the site plan, all district regulations, all additional requirements of the ordinance creating the district, and any supplemental or special regulations applicable to the particular use.

(d) *Decision on site plan and appeal.* The City Council shall designate the official responsible for review and action in the ordinance creating the district. The official so designated may approve, approve with conditions, or deny the site plan. Appeals from denial of administrative site plan shall be to the Zoning Board of Adjustment, and shall be made within 15 days. Procedures governing The-the appeal shall be in accordance with § 156.68.

(C) *Uses; SA.* The following uses shall be permitted of right or by special use permit in the special activities district.

(1) *Permitted uses.*

(a) The following uses shall be allowed in a special activities district; provided, however, that these uses may be restricted by the City Council in the ordinance creating the district:

1. Hotel;
2. Motel;
3. Bed and breakfast establishments;
4. Retail and service uses:
 - a. Arts and crafts galleries;
 - b. Photography studio;
 - c. Retail shops for clothing and souvenirs, gourmet foods, antiques, or florist shops; and
 - d. Cafes, restaurants, and catering facilities, excluding fast food restaurants or drive-throughsthru(s).
5. Dinner playhouse;
6. Farmers' market;
7. Conference or events facilities;
8. Indoor or outdoor special events, such as the following: rodeos, livestock exhibitions, and auctions;
9. Tennis club or golf course;
10. Single-family residence for on-site caretaker or staff;

11. Facilities for the mixing of personal care products from natural and raw agricultural products, such as an aloe vera products mixing facility. This use does not include any animal processing, raw material processing, uses which emit odors, or heavy manufacturing or industrial uses; and

12. Private club for the serving of alcoholic beverages, where properly permitted by the State Alcoholic Beverages Commission, and where the facility is not less than 300 feet from a church, public school, or public hospital. Only 1 private club shall be approved per site plan.

(b) The City Council shall have full legislative discretion in determining whether these uses are appropriate with adjacent land uses, and shall have discretion to impose conditions as may be necessary to protect adjacent land uses and ensure compatibility.

(2) *Conditional uses.* All uses listed as conditional uses in the SF district may be requested in accordance with the provisions of that section.

(3) *Temporary outdoor uses.* The following temporary use may be allowed upon application for and issuance of a special use permit from the City Building Official or other designated official: seasonal fireworks displays. Request for a special use permit for a seasonal fireworks display shall be accompanied by a properly issued permit from the Fire Marshal, and may only be denied in times of drought or when the safety of the public is endangered by the activity. Fireworks displays shall be limited to no more than 4 per year, including 1 each for Independence Day weekend and New Year's Eve.

(4) *Prohibited uses.* The following uses shall be prohibited:

(a) Sexually oriented businesses, including adult bookstores, adult theaters, nude modeling or photography studios, adult dancing or entertainment at private clubs; and

(b) Strip commercial development or shopping centers.

(D) *Area and dimensional requirements; SA.*

(1) *Building setbacks.*

(a) Structures shall be set back from existing residential structures on or adjacent to the property zoned as special activities district a minimum of 300 feet, measured from roof overhang to roof overhang. Structures shall be set back 300 feet from any major roadway, including FM 2551, FM 2514, Park Boulevard, and other roads as the city may from time to time designate.

(b) Enclosures such as outdoor or rodeo arenas, riding areas, or similar outdoor uses which do not require the construction of a building, shall be set back 100 feet from all roadways.

(c) Buildings shall have the following setbacks.

Yard	Setback from Roadway	Setback from Buildings
Front yard	300 feet	100 feet
Rear yard	150 feet	50 feet
Side yard	100 feet	50 feet

(d) Building setbacks may be modified by City Council on the site plan, provided that public safety objectives are preserved.

(2) *Height limitations.*

- (a) Buildings for hotel use only may be 3 stories, not to exceed 35 feet.
- (b) Buildings for all other uses shall not exceed 1 story, or 18 feet.

(c) Where new buildings are constructed on property which has existing buildings on the date the property is zoned special activities district, new construction shall not exceed the height of the existing buildings, or 3 stories, whichever is less. In this instance, the City Council may modify the height limitation in division (D)(2)(b) above, if existing buildings are higher than the buildings existing on the property when the district is created.

(E) *Parking regulations; SA.* Off-street parking shall be required for all new construction, based on the following standards.

- (1) Where necessary for fire safety purposes, specially designated fire or traffic lanes may be required by the Fire Chief or the Building Official. The designated area shall be kept clear of all parking, storage, and other obstructions at all times.
- (2) For parking areas which are hard surfaced, parking areas shall be subdivided into smaller lots. No more than 100 spaces shall be included in a single lot area. Accessible parking shall be provided as required by state and federal standards.
- (3) Overflow parking for special events or recreational activities of a short-term, non-permanent nature may be located on grassy areas.

(F) *Design elements; SA.*

(1) *Facade.* Facade treatments and colors shall conform to the following, subject to any exceptions which may be approved by the City Council on the site plan:

- (a) Wood materials;
- (b) Overhangs and colonnades;

- (c) Canopies are required, projecting from colonnades;
- (d) All buildings must be constructed in uniform rural style, as that term is defined by the city. No modern or post-modern styles will be permitted. New construction shall be consistent with any existing buildings in the district;
- (e) Colors of building materials must be neutrals, earth tones, or as are consistent with adjacent buildings. Any deviation from this standard must be approved by the City Council on the site plan;
- (f) Shingle or tile roofs;
- (g) Painted metal building materials, stucco, stone, or brick may be allowed where they are provided for in the ordinance establishing the district or on an approved site plan; and
- (h) Prohibited building materials, which may not be permitted on a site plan: concrete or concrete block surfaces, or synthetic stucco finishes (such as EIFS).

(2) *Sidewalk.* Sidewalks shall be installed in accordance with state or federal statutes.

(3) *Lighting.* Light fixtures located in parking areas must not exceed 15 feet in height, and may not be directed or placed so that the illumination circle falls outside the district boundary; provided, however, that fixtures for outdoor sporting events may not exceed 30 feet in height.

(4) *Signs.* Signs shall meet the following standards.

- (a) Monument style signs, constructed of the same or similar materials as other improvements on the property, and no more than 5 feet high from the ground, are permitted in this district. Total size of the sign shall not exceed 32 square feet.
- (b) No neon or illumination elements are allowed on sign surfaces; provided, however, that the signs may be backlit illuminated from a light installed on the ground, and designed to shine upwards only on the face of the sign.
- (c) Signs shall be placed only at driveway entrances and shall not be allowed on buildings.
- (d) Temporary signs for directions or events shall be permitted in accordance with the regulations contained in § [153.05](#), or as the same may be amended. Illuminated signs, as they are defined in [Chapter 153](#) of this code, are specifically not allowed in this district.

(5) *Loading zones and storage.* All loading and unloading shall be conducted at the rear of any building or structure. Loading zones shall be placed on the property as required by the city's building code. No outdoor storage is allowed, unless approved by City Council on the site plan, and where, due to the nature of the items being stored, it is necessary to keep them outside.

(G) *Landscaping requirements; SA.*

(1) Open space must constitute 40% of the gross area covered by the site plan.

(2) Parking lots shall be landscaped as follows.

(a) Landscaping requirements may be waived or modified by the City Council at the site plan stage if a finding is made that the site plan provides sufficient permeable surfaces and adequately addresses the drainage and visual impacts of impermeable surfaces.

(b) There shall be a minimum of 1 tree planted in the parking area for each 400 square feet or fraction thereof of hard surfaced area. Trees shall be a minimum of a 4-inch caliper, and shall be conifers or hardwoods.

(c) The perimeter of all parking areas should be effectively screened to a minimum depth of 15 feet from streets, driveways, drop-off areas, buildings, and open spaces.

(d) An area equal to 15% of the total size of the parking lot must be landscaped and permeable, exclusive of perimeter plantings.

(H) *Manufactured housing limitations; SA.* No mobile homes or HUD-Code manufactured homes shall be permitted.

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

§ 156.37 SUPPLEMENTARY [DISTRICT](#) REGULATIONS [FOR ALL DISTRICTS](#).

The following supplementary district regulations are hereby adopted and shall apply in all cases where specified by this section.

[\(A\) Animal Regulations – See Chapter 92](#)

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[\(B\) Offensive trade activity.](#) No offensive trade activity shall be allowed on - any lot.- No lot shall be used or maintained as a dumping ground for rubbish. (A) *Visibility at intersections in all districts.* On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vehicle drivers' vision at intersections.

[\(B\) Fences, walls, and hedges.](#) Notwithstanding other provisions of this chapter, fences, walls, and hedges may be permitted in any ~~required~~ yard, or along the edge of any yard, provided that the fences, walls, or hedges along lot lines at street intersections do not impair visibility at the intersection within an area defined by lines of joining points located 20 feet back from the intersection of all curb lines extended.

[\(C\) Offensive trade activity.](#) No offensive trade activity shall be carried on upon any lot, nor shall anything be done which may be or become an annoyance or nuisance. No lot shall be used or maintained as a dumping ground for rubbish.

(D) *Lot maintenance.* In all districts, lots shall be maintained in such a manner as to be free and clear of debris. The following provisions relate only to the height of grass and weeds:

(1) On tracts of land, whether platted or described by metes and bounds, grass and weeds are not permitted to grow to a height in excess of 12 inches unless the vegetation is for equestrian or agricultural operations and may then exceed 12 inches.

(2) Agricultural operations include the following activities:

- (a) Cultivating the soil (tilling soil in order to better prepare it for planting);
- (b) Producing crops for human food, animal feed, planting seed, or fiber;
- (c) Floriculture (cultivation and management of ornamental and flowering plants);
- (d) Viticulture (the cultivation or culture of grapes especially for wine making);
- (e) Horticulture (growing fruits, vegetables, flowers, or ornamental plants—wildflowers may exceed 12 inches when growing, but shall be mowed to a maximum height of 12 inches after seeding);
- (f) Silviculture (dealing with trees);
- (g) Current wildlife management;
- (h) Current raising or keeping livestock or poultry.

What is a regularly cultivated crop?

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(32) Regularly cultivated crops shall not be allowed to grow within the public road right-of-way of any public street or easement but shall be kept mowed. It shall be the duty of any person owning, claiming, occupying, or having supervision or control of any real property to cut and remove all weeds, brush, or other objectionable or unsightly matter as often as may be necessary; provided that the removing and cutting same at least once in every 30 days shall be deemed a compliance with this chapter; and to use every precaution to prevent the same growing on the premises to become a nuisance.

(E) *Exceptions to height regulations.* The height limitations do not apply to spires, belfries, cupolas, antennas, water tanks ???, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy. Maximum height of these items not to exceed 10 feet above roofline.

(F) *Structures to have access.* Every building erected or moved shall be on a lot with direct access on driveway access to a public street, or with access to a municipally approved street. All structures shall be so-located on lots as to provide safe and convenient access for servicing, fire protection, and required on-site parking.

(G) *Yard definitions.* Yards as required in this chapter are open spaces on the lot on which a building is situated and which are open and unobstructed to the sky; except as herein provided.

(1) *Front yard.* A yard facing and abutting a street and extending across the full width of the front of the lot and having a minimum horizontal depth measured from the front property line

equal to the depth of the minimum front yard located. The required yard line represents the area in which the lot is building or structure may be erected. Balconies, decks, and marquees may project up to 6 feet into the required front yard.

Why are we regulating size of decks, balconies, etc

in which the lot is building or structure may from the ground may

(2) *Rear yard.* A yard extending across the full width of the lot between the side lot lines and having a minimum depth measured from the rear lot line as specified for the district in which the lot is located. There shall be no intrusion into the rear yard by stairways, balconies, or other building extensions to more than 4 feet.

(3) *Side yard.* A yard located on a lot extending from the required rear yard to the required front yard and having a minimum width measured from the side lot line as specified for the district in which the lot is located.

What is This?

I) *Use of major recreational equipment.*
1) For purposes of these regulations, **MAJOR RECREATIONAL EQUIPMENT** is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings/RVs, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No such equipment shall be used for living, sleeping, or housekeeping purposes for more than:

- (a) 14 days per year, or
- (b) 21 days (consecutive or non-consecutive) in any 30 day period year.

(b) In the event of a catastrophe, a variance may be requested for additional time.

(2) The equipment must be parked or stored on a residential lot or in a location approved for behind the back building line of residence, such use.

(I) *Parking and storage of certain vehicles.* Automotive vehicles or trailers bearing license plates or state motor vehicle inspection registration stickers which are more than 3 months out of date shall not be parked or stored on any residentially designated property except in a completely enclosed buildings or covered with protective cloth specifically made for that use.

(J) *Parking of large vehicles.* No vehicle larger than that of a 2-ton capacity shall be parked upon any lot or premises in a residentially zoned district.

(K) *District changes.* Whenever the boundaries of a district shall be changed so as to transfer an area from 1 one district to another district of a different classification; or when boundaries or districts are changed as a result of or annexation of new territory; or changes in the regulations or restrictions of this chapter, the foregoing provisions shall also apply to any nonconforming uses existing therein, which may so become nonconforming.

(L) *Off-street parking.*

(1) *Non-residential.* Off-street parking must be provided for all nonresidential uses in accordance with the following schedule.

(a) Religious facility: 1 space for each 4 fixed seats in the sanctuary or auditorium, or 1 space for each 28 square feet in the sanctuary and seats are not provided.

Is this necessary?

(b) School (public or private):

1. One and one-half spaces for each kindergarten/elementary school classroom;
2. Three and one-half spaces for each junior high/middle school classroom; and
3. Nine and one-half spaces for each senior high school classroom.

(c) All other nonresidential uses: 1 space for each 200 square feet of floor area.

(2) *Residential.*

(a) Passenger vehicles may be parked anywhere behind the front facade of the house, ~~or, if in front of the house,~~ on the driveway, or the entire vehicle shall be within 15 feet of the centerline of the driveway.

(b) Recreational vehicles and equipment (~~including, but not limited to, recreational vehicles, defined as:~~ motor homes, travel trailers, pickup campers, boats and boat trailers, horse or stock trailers, and similar equipment), shall be parked

1. ~~On lots of 2 acres or less, must be parked~~ behind the front line of the house, ~~on either an improved or unimproved surface.~~

2. ~~On lots greater than 2 acres, may be parked or stored within 50 feet of the front building line of the house, so long as the RVs are not parked within 100 feet of the front property line.~~

(c) Industrial/commercial vehicles over a GVWR (gross vehicle weight rating) of 10,000 pounds must be parked behind the ~~front-back~~ line of the house, ~~either on an improved or unimproved surface or in a garage.~~

(d) Farm equipment-must be parked behind the front line of the house for other than AO zoning districts.

1. ~~On lots of 2 acres or less, must be parked behind the front line of the house, on either an improved or unimproved surface.~~

2. ~~On lots greater than 2 acres, may be parked behind the frontline of the house, or up to 50 feet in front of the house, but not closer than 100 feet from the front building line, either on an improved or unimproved surface.~~

(e) Prohibited vehicles. Semi tractors and their trailers.

(M) *Home occupation/business.*

(1) For purposes of these regulations, ***HOME OCCUPATION-BUSINESS*** is defined as ***business-occupational*** activity ***within the residence, or any other building, or on the grounds, on the property*** that does not involve more than 1 other unrelated person, operation of commercial trucks, signage, or visible storage of business related equipment or materials. ***Business activity is broadly construed to include all non-residential activity, for profit or otherwise, including, but not limited to, retail, commercial, industrial, manufacturing, or similar use.***

(2) Home occupation/business.

(a) No residential structure, and/or lot in any Parker zoning district, except SA - Special Activities, may be used for business purposes, unless and except in cases meeting the strict wording of the home occupation regulation ***or an SUP has been granted.***

(b) Use of a residential property for a home occupation is allowed only under the following conditions:

1. There shall be not more than 1 employee who does not reside permanently at the residence. A person who receives a wage, salary, or percentage of profits related to the home ***occupation-business*** and whose place of work is at the residence shall be considered an ***EMPLOYEE***. Staging or gathering of employees at the residence for work assignments away from the residence is not allowed.

2. No signage is permitted for a home ***business-occupation*** (with the exception of state-approved/licensed vineyard.

3. No raw materials, scrap, inventory, equipment, work in progress and/or finished goods may be visible from the street, or adjacent properties.

4. No building alterations shall be allowed that will alter the residential design or use of the residence or the property.

5. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials shall be used or stored on the site for home ***occupation-business*** purposes, unless approved by the city Fire Marshal.

6. All home ***occupations-businesses*** must comply with the city nuisance ordinance.

7. No traffic shall be generated by a home ***occupation-business*** in greater volumes than normally expected for the zoning classification of that neighborhood.

(N) *Accessory buildings. ACCESSORY USE, ACCESSORY STRUCTURE, OR ACCESSORY BUILDING* is a use or structure which is ***clearly incidental and secondary to not the primary use and which does not change the character thereof, including, but not limited to***

Same as SF, SFT accessory dwellings.

Specifications are the same

stables, barns, detached garages, portable buildings over 120 square feet.

buses, greenhouses, tool sheds, shipping containers and floor area.

(1) Accessory buildings shall not exceed 40 feet in height and shall be constructed of materials similar in appearance to the main dwelling or with any of the following:

- (a) Brick, pre-finished metal, vinyl siding or simulated wood, masonry products, Portland cement plaster, stucco or exposed aggregate concrete.
- (b) Corrugated sheet metal siding and roofing are expressly prohibited.

(2) All construction of accessory buildings requires the issuance of a building permit by the city. All construction shall meet the building code requirements of the city.

(3) Accessory buildings shall be located according to the most restrictive of the following:

- (a) In the rear portion of the lot, behind the rear building line of the main dwelling.
- (b) If on a corner, no closer to a street than the main dwelling.
- (c) In compliance with the setbacks requirement required by the zoning classification or final plat of the lot.

(4) Maximum height.

- (a) The maximum height of an accessory building is measured from the peak of the roof of the accessory building to grade level.
- (b) The maximum height shall be 40 feet, or the height of the peak of the roof of the main dwelling, whichever is lower.
- (c) The maximum height of a sidewall of an accessory building shall not exceed 15 feet.

**Above
line to
match
SF etc.**

(5) Additional requirements.

- (a) The building area of an accessory building shall not exceed the lesser of 2,500 square feet or 3% of the lot area.
- (b) The applicant shall submit a fully dimensioned site plan, showing the location and the dimensions of the accessory building, the property lines, easements and all structures within 100 feet of the property line. The sketch shall include a depiction of the size and location of all doors in the accessory building.
- (c) Accessory buildings of any size used to shelter animals shall be at least 100 feet from the primary dwelling of adjacent residents on contiguous lots.
- (d) No accessory building shall be closer to the front of the lot than the dwelling on an adjacent lot. This rule is waived if the residence on the adjacent lot is at least 200 feet from the proposed accessory building.

(e) Lots of less than 2 acres are limited to 1 accessory building less than 1000 sq ft. Lots greater than 2 acres are limited to 1 accessory building per acre. An with a SUP is being required for more than 2 accessory buildings per lot, or 1 accessory building larger than 2,500 square feet.

7 & 7a

Is this necessary

Pick up from SF/SFT

(6) Usage and occupancy. Accessory buildings shall not be used for accessory dwellings less than 1000 sq ft. less converted in accordance with all provisions governing accessory dwellings.

(7) A greenhouse is an accessory building, but because of its function, building options are limited from other accessory buildings. Greenhouses shall be used only for the purpose of growing plants. Greenhouses exceeding 120 square feet shall be constructed in accordance with the following requirements:

(a) The exterior of a greenhouse must be constructed of fiberglass, glass, carbonite, or other rigid material approved by the Building Inspection Department. Such materials will be mounted in frames of steel, aluminum, cedar, or treated wood, suitable for building purposes, in accordance with the applicable building code.

(O) *Accessory dwellings.* **ACCESSORY DWELLING** is a separate dwelling for immediate family, domestic help, farm hands or other permanent help, or used as a guest quarters.

(1) Accessory dwelling regulations. Each single lot may have 1 accessory dwelling (either attached, or detached).

(2) Detached dwellings.

(a) No detached dwelling may be constructed on less than 2 acres.

(b) Detached dwellings must be designed, constructed, and used for by single family use, member(s) of primary residence's family, not multi-family use.

(c) Detached dwellings may not be larger than 1,000 square feet of living space, or 25% of the living space of the primary residence, whichever area is less.

(d) Detached dwellings require a special use permit (SUP), with annual renewal.

1. Architectural design, features, and construction materials must match the primary dwelling.

2. The detached dwelling must meet all setback and side yard requirements.

3. Detached dwellings shall be located according to the most restrictive of the following:

a. In the rear portion of the lot, behind the rear building line of the main dwelling.

b. If on a corner, no closer to the street than the main dwelling.

c. In compliance with the setbacks requirement required by the zoning classification or final plat of the lot.

4. The ingress and egress to the detached dwelling by vehicle must be shown on the site plan, and any driveway must connect with the main residence driveway.

(3) Attached dwellings. Attached dwellings must meet all requirements set forth above for detached dwellings, and an attached dwelling must also comply with the following:

(a) The attached dwelling may be constructed on a lot of 1 acre or larger.

(b) The attached dwelling must be architecturally designed and constructed to be incorporated into the structure of the primary residence, connected by an enclosed walkway, or other means of attachment as approved in the SUP for the dwelling.

(c) The front of the attached dwelling must not be located a distance greater than 20 feet from the rear or side of the primary dwelling.

(4) General conditions for accessory dwellings.

(a) No accessory dwelling, either attached or detached, may be rented or leased to third parties by the owners or residents of the primary residence. The owners of the primary residence may not live in the accessory dwelling, and rent to third parties the primary residence.

(b) No portion of a garage, bonus room, cabana, ~~accessory~~, or any other structure on the property may be used as a dwelling for any person other than the occupants of the primary residence, and their family members of the first or second degree of affinity or consanguinity, other than ~~a guest room for no longer than 1 month, as a short term (no longer than 1 month) guest room.~~

(c) An attached or detached dwelling may be provided, without ~~mental~~ charge, to domestic or agricultural workers providing services to the residents of the primary residence or for farm and livestock care on the property.

(d) There must be a fire hydrant within 450 feet of a detached dwelling, or an 8-inch water line must be ~~had~~installed.

(P) *Storage units and construction containers.*

(1) Temporary storage units and trash containers.

(a) No shipping containers, PODS, or trash containers may be located on residential lots for more than 30 days. A lot owner may apply to the city for a permit for a longer period of use. The City Administrator or his/her designee may issue a permit for an additional time period, not to exceed 60 days.

(b) Temporary storage units and trash containers must not be in the right-of-way or public easement.

(2) Construction storage and trash containers.

(a) Storage and trash containers, or other containers in use for a permitted construction project, must be removed within 10 days of the project completion or issuance of a CO (certificate of occupancy).

(b) Construction storage units and trash containers must not be in the right-of-way or public easement.

(3) Non-temporary storage units.

(a) Shipping containers, PODS, railroad cars, or transportation storage equipment may not be located on a residential lot in a permanent manner, permanently.

(b) Storage sheds of less than 126 square feet of floor area are allowed on residential properties. Not more than 1 per acre will be allowed. The shed must be placed behind the rear building line of the principal dwelling, and, on a corner lot, no closer to the street than the main dwelling. Building setbacks do not apply to storage sheds described in this division (P)(3).

(4) Non-temporary Permanent trash containers. All non temporary permanent trash containers require an SUP, must be screened on all 4 sides, with access on 1 side, and must be out of the right-of-way and/or city easement.

(5) Portable toilets.

(a) Portable toilets are required for permitted construction projects, and must be removed within 10 days of the project completion or CO.

(b) Portable toilets are allowed on a residential lot for special events of up to 3 days without a permit.

(c) Portable toilets are allowed on agricultural zoned lots (non-residential) without a permit, but not be placed within 100 feet of the property lines.

(Ord. 483, passed 6-6-2000; Am. Ord. 508, passed 7-10-2001; Am. Ord. 638, passed 2-17-2009; Am. Ord. 653, passed 3-16-2010; Am. Ord. 696, passed 5-21-2013) Penalty, see § [156.99](#)

NONCONFORMING, CONDITIONAL, AND SPECIAL USES

§ 156.50 NONCONFORMING USES.

[Is this par. Necessary?](#)

(A) *Existing buildings, structures, and uses.* Except as hereinafter specified, any use, building, or structure existing at the time of the enactment of this chapter may be continued, even though that use, building, or structure may not conform with the provisions of this chapter for the district in which it is located; provided, however, that this section shall not apply to any use, building, or structure established in violation of any ordinance previously in effect in the city, unless that use, building, or structure now conforms with this chapter.

What does this actually mean?

(B) *Conditional uses.* Any use existing on the effective date of Ord. 242A which is listed as a conditional use in the use district where it is located shall remain a nonconforming use until a special use permit is obtained as provided in this chapter.

(C) *Alteration of nonconforming uses.* No existing building or premises devoted to a use that is not permitted by this chapter in the use district in which the building or premises is located shall be enlarged or improved, ~~except when required to do so by law or written order, unless the use thereof is changed to a use that is permitted in the district in which the building or premises is located, and~~ Exceptions are as follows.

(1) When authorized by the City Council in accordance with the provisions of this chapter, the substitution for ~~a-one~~ nonconforming use ~~of for~~ another, ~~nonconforming use~~, or an extension ~~thereof~~ of a nonconforming use, may be made.

(2) Whenever a nonconforming use has been changed to a conforming use, that use shall not thereafter be changed to a nonconforming use unless approved.

(3) When authorized by the City Council in accordance with the provisions of this chapter, enlargement or completion of a building devoted to a nonconforming use may be made ~~upon the lot occupied by that building, where that extension is necessary and incidental to the existing use of the building and does not exceed 25% of its area of new~~ by the square footage of the building or land area.

Why are these necessary?

(4) ~~When authorized by the City Council in accordance with the provisions of this chapter, a nonconforming use may be extended throughout those parts of a building which were manifestly designed or arranged for that use prior to the date on which that use of the building became nonconforming, if no structural alterations, except those required by law, are made therein.~~

(D) *Cessation of use of building or land.* ~~For the purposes of the succeeding divisions, a~~A use shall be deemed ~~to have~~ ceased when it has been discontinued for 12 months, whether with the intent to abandon the use or not.

(1) ~~No building or structure which was originally designed for a nonconforming use shall again be put to a nonconforming use, where that use has ceased for 6 months or more.~~

(2) ~~No building or structure which was not originally designed for a nonconforming use shall again be put to a nonconforming use, where that use has ceased for 6 months or more.~~

(E) *Construction approved prior to ordinance.* ~~Nothing herein shall be construed to require any change in the overall plans, construction, or designated use of any development, structure, or part thereof, where If~~ official approval and ~~the~~ required building permits were granted before ~~(insert date)the enactment of this chapter, or any amendment thereto, where construction thereof, conforming with those plans,~~ shall have been started prior to the effective date of this chapter or the amendment, and where that construction shall ~~have been be~~ completed in a normal manner

within the subsequent 6-month period, with no interruption, except for reasons beyond the builder's control.

(F) *Repair of unsafe buildings.* Nothing in this chapter shall be construed to prohibit the strengthening or repair of any part of any building or structure declared unsafe by proper authority.

(G) *Nonconforming signs.* ~~All nonconforming signs, billboards, or commercial advertising structures may be continued only for a period of 1 year from the adoption of this chapter, unless in violation of other ordinances or shorter periods are provided for in other ordinances or code provisions.~~

(H) *Damage or destruction.*

[Why should city regulate this?](#)

(1) Any nonconforming structure except a dwelling, which is damaged as measured by the cost to repair as more than 60% of the then appraised value for tax purposes above its foundation, by fire, flood, explosion, wind, earthquake, war, riot, or other calamity or act of God, shall not be restored or reconstructed and used as it was before that happening. If the structure is damaged less than 60% of its then appraised value for tax purposes, it may be restored, reconstructed, or used as before, provided that the restoration or reconstruction is completed within 12 months of the damaging event.

(2) ~~Dwellings~~ Structure(s) may be repaired, restored or reconstructed provided that the reconstruction or restoration is at least to the same in similar size and quality as the damaged or destroyed dwelling structure.

(I) *Repairs and maintenance.*

(1) ~~A nonconforming structure may be repaired and maintained as necessary to keep it in sound condition, but no structural alterations shall be made unless required by law or ordinance or unless authorized by the Council.~~

(2) ~~Except as otherwise provided in this chapter, the total structural repairs and alterations that may be made to a nonconforming structure shall not exceed 50% of its appraised value for tax purposes. This restriction on rebuilding does not apply to accessory dwellings or single family residences.~~

(J) *Moving of nonconforming structure or building.* No nonconforming building or structure shall be moved in whole or in part to any other location on the lot, or on any other lot, unless every portion of the building or structure is made to conform to all the regulations of the district where relocated.

[Why necessary?](#)

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

§ 156.51 CONDITIONAL USES.

(A) The following uses may be permitted in any district when they meet special regulations and conditions prescribed by the Planning & Zoning Commission and are approved by the City Council through the issuance of a special use permit. Detailed examination of proposed location and use characteristics is necessary to maximize compatibility.

(B) These uses include:

- (1) Community building;meeting or recreational;
- (2) Temporary signs;
- (3) Public library;
- (4) Municipal service facilities and buildings;
- (5) Parks, playfields, and playgrounds;
- (6) Public swimming pool;
- (7) Temporary structure (construction, real estate, and the like);
- (8) Church;
- (9) School;and
- (10) Guest ranches or party pavilions; parking areas.

(Ord. 483, passed 6-6-2000) Penalty, see § 156.99

§ 156.52 SPECIAL USE PERMITS.

(A) *Purpose.* The purpose of the regulations described Proves the opportunity by this section is to allow the compatible and orderly development non-conforming use within the city of uses which may be suitable only in certain locations in a designated district if developed in a specific way or only for a limited period of time.

(B) *Requirement.* A special use permit is required for all conditional uses. A special use permit and may have a specified time limitation attached and/or may impose other conditions other than those which are specifically set forth in this chapter.

(C) *Approval responsibility.*

- (1) The Planning and Zoning Commission shall have the initial responsibility for recommending all special use permits required for the conditional uses.
- (2) The City Council shall have the final authority for approval or denial of all special use permits.
- (3) The following procedures shall be complied with prior to the approval or denial of any special use permit.

(a) Application ~~eoneering for~~ special use permits ~~for those uses which are conditional in any district~~ shall be submitted to the Administrator in writing and ~~be automatically~~ referred to the Commission for a public hearing ~~on same~~. The Administrator shall investigate conditions, arrange hearing notification, and obtain any expert advice needed to ~~achieve agreement between the applicant and the city~~the hearing.

(b) After receiving an application for a special use permit, notification of that request by mail shall be made to all owners of real property located within 200 feet of the property on which application has been made. The names and addresses of the affected parties shall be supplied by the applicant.

(c) After a public hearing, the Commission may recommend ~~an~~the application for a special use permit ~~not be approved~~be denied, if the proposed use fails to meet ~~4~~one of the criteria set forth in division (E) below. In recommending a special use permit be approved, the Commission, on ~~the basis of recommendations~~information from the Administrator, may impose requirements and conditions ~~with respect to locations, construction, maintenance, and operation,~~ in addition to those expressly stipulated in the ordinance, ~~which may include locations, construction, maintenance, and operation, for the particular use,~~ as it deems necessary for the protection of adjacent properties and ~~the~~ public interest.

(d) When application has been denied by the Commission, the applicant may appeal ~~for a hearing~~ before the City Council.

(D) *Appeals from decisions of the Commission.* ~~Any person or persons~~Anyone, jointly or severally, aggrieved by a decision of the Commission, may present ~~the~~to City Council a petition, ~~duly verified~~, setting forth that the decision is unjust, ~~in whole or in part,~~ specifying the grounds of injustice. The petition shall be presented to ~~the body~~the City Secretary within 10 days after the final decision of the Commission ~~for placement on the City Council's agenda, and not thereafter~~.

(E) *Prerequisites for approval by City Council.*

(1) ~~No structure or property in any district shall be used for a use listed as a conditional use without first having obtained a special use permit for that use from the City Council.~~

(2) The City Council, after receipt of report and recommendation of the Commission, may permit a conditional use subject to appropriate conditions and safeguards, when, after public notice and a hearing, the City Council finds:

(a) The proposed use meets all the minimum standards established in this chapter for this type of use;

~~(b) The proposed use is in harmony with the use of the surrounding property and the character of the neighborhood; and~~

Why is this statement necessary?

This section
needs to be
put in proper
order

(c) The proposed use will not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.

(3) ~~For Each each use permitted, by the City Council shall be evidenced by a City Council, duly must adopted an~~ ordinance granting the special use permit and containing those conditions as may be prescribed by the City Council.

(4) The City Council may impose additional reasonable restrictions or conditions to carry out the spirit and intent of this chapter and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, suitable landscaping, and additional improvements such as drainage, trails, and fencing.

(5) Prior to any public hearing before the City Council for a special use permit, notification shall be made by mail to all property owners within 200 feet of the property on which the application was made.

(F) *Application filing procedure.* Application shall be made by the property owner or certified agent thereof to the Administrator on a ~~form prescribed for this purpose by the city~~
~~provided form.~~ The application shall be accompanied by drawings ~~as provided herein~~. Granting a special use permit does not exempt the applicant from complying with requirements of Chapter 151 of this code or other code provisions.

(G) *Development and time limits.* ~~Commencement of construction must begin within one year of permit issuance or the special use permit shall expire without notice. Following the issuance of a special use permit, the Building Official shall ensure that if the development is undertaken, it is commenced in compliance with the permit within 1 year. If the development is not commenced within 1 year of issuance of the applicable special use permit, the special use permit shall expire without notice.~~

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

ADMINISTRATION AND ENFORCEMENT

§ 156.65 CONSTRUCTION; SITE PLAN REQUIRED.

Move this to
appropriate
place (151)

(AB) *Requirement.* A site plan shall be required for all new construction, exterior remodeling, or additions to any structure. ~~No building permit shall be issued for a development subject to A site plan must be submitted, reviewed and approved prior to issuance of a building permit. site plan review until the site plan has been approved in accordance with this section.~~

(BA) *Purpose.* The purpose of the site plan is to ensure compliance with this chapter and to assist in the orderly and harmonious development of the city, to protect and enhance the general welfare, and to help prevent the impairment or depreciation of land values and development by

the erection of structures, additions, or alterations thereto without proper attention to site planning and preserving the intent of this chapter.

(C) *Application.* The property owner or designated representative may initiate site plan review by filing an application with the City Administrator, and submitting the required review fee and 5 copies of the site plan and related documents.

(D) *Contents of application.* Applications shall contain drawings to scale to indicate:

- (1) The location of all structures on the subject property ~~and adjoining property~~;
- (2) Landscaping and fencing, setback areas, uses of landscaping and walls or fences for screening purposes, and landscaping of parking areas;
- (3) Design of ingress and egress to minimize interference with traffic flow on abutting streets;
- (4) The height of all structures;
- (5) The proposed uses for all structures;
- (6) The location and types of all signs including lighting and heights; ~~and~~
- (7) The facade elevations of each building, including descriptions of materials and colors for finishes.

(E) *Standards.* The construction plan shall conform to the concept plan, all district regulations, all additional requirements for the ordinance creating the district, and any supplemental or special regulations applicable to the particular use.

(F) *Decision on site plan and appeal.* The City Council, the Building Official, or other official as may be designated by the City Council, shall review and approve, approve with conditions, or deny the site plan. Appeals from denial of site plan shall be to the Board of Adjustment, made within 15 days. Procedures will be in accordance with § [156.67](#).

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

§ 156.66 ADMINISTRATION AUTHORITY.

(A) The Building Official, ~~City Planner, City Engineer~~, City Administrator, or other administrative official of the city shall ~~be designated Administrator by the City Council to~~ administer the provisions of this chapter.

(B) If the Administrator shall find, or ~~if any person files with him or her receives~~ a complaint in writing alleging that any of the provisions of this chapter are being violated, he or she shall immediately investigate and when necessary give written notice to the person responsible to cease those violations forthwith. [The Administrator is responsible for ensuring the violations are remedied.](#)

-(C) Notice may be delivered in person, by mail, or by certified mail to a violator or to any occupant of property where a violation is occurring.

(Ord. 483, passed 6-6-2000) [Penalty, see § 156.99](#)

 § 156.67 BOARD OF ADJUSTMENT.

[\(F\) \(1\) should go here \(definition\)](#)

(A) *Establishment.* There is hereby created a Board of Adjustment which shall be organized, appointed, and function as follows.

(B) *Organization.*

(1) The Board of Adjustment shall consist of 5 members who are residents of the city, each to be appointed by resolution of the City Council for a term of 2 years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. The City Council may provide for the appointment of 2 alternate members of the Board who shall serve in the absence of 1 or more of the regular members when requested to do so by the [Mayor or City Secretary ZBA Chairperson](#), as the case may be. All cases to be heard by the Board of Adjustment will always be heard by a minimum number of 4 members. The alternate members, when appointed, shall serve for a term of 2 years, and any vacancy shall be filled in the same manner, and they shall be subject to removal the same as the regular members. [The terms of the Zoning Board of Adjustment members and alternates shall commence December 1 of the 2 year term, and shall expire on November 30.](#)

(2) The person acting as [Ordinance City](#) Administrator ~~for the city shall be an ex officio member of the Board of Adjustment without power of vote, and as an ex officio member of the Board~~ shall set up and maintain a separate file for each application for appeal and variance received. [The City Administrator and](#) shall record therein the names and addresses of all persons, firms, and corporations to whom notices are mailed, including the date of mailings and the person by whom the notices were delivered to the mailing clerk, post office, or mail box, and further keep a record of all notices published as required herein. All records and files herein provided for shall be permanent and official files and records of the city.

[Place C 3, C4, C5 from below here](#)

[After C5 and before C7 insert E](#)

[Place C1., C2 and C7 here](#)

[B3 moves](#)

[After D2](#)

(3) The Board shall forthwith notify in writing the City Council, the Commission, and the City Building Inspector of each decision, interpretation, and variance granted under the provisions of this chapter.

(4) ~~The terms of the Zoning Board of Adjustment members and alternates shall commence December 1 of the 2 year term, and shall expire on November 30.~~

(C) *Operational procedure.*

(1) The Board of Adjustment shall adopt rules to govern its proceedings; provided, however, that the rules are not inconsistent with this chapter or state law. Meetings of the Board shall be held at the call of the chairperson and at other times as the Board may determine. The chairperson, or in his or her absence, the acting chairperson, may administer oath and compel the attendance of witnesses.

(2) All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact, and shall keep record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

(3) Appeals to the Board may be made in writing by any person aggrieved or by any municipal officer, department, or board affected by any decision of the Administrator. The appeal shall be filed with the Board by the Administrator within 15 days after the original decision rendered by the Administrator. The appeal shall be accompanied by all papers constituting the record pertaining to that appeal. Formal notice of the appeal shall be issued by the Administrator, this notice to specify the grounds upon which the appeal is made.

(4) Appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certified to the Board, after the notice of appeal shall have been filed with him or her, that by reason of facts stated in the certificate, a stay would, in his ~~or~~ or ~~her~~ opinion, cause imminent peril to life or property. In these cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or a court of record on application, on notice to the officer from whom the appeal is taken, and on due cause shown.

(5) Upon notice of appeal being given to the Administrator and before the appeal shall be construed as having been perfected, the applicant must file with the notice of appeal to the Board an amount of money estimated by Administrator to be sufficient to mail and publish all notices required herein, that amount in no case to be less than \$25.

(6) No appeal to the Board for the same or related variance on the same piece of property shall be allowed prior to the expiration of 6 months from the previous ruling by the Board on any appeal to that body unless other property in the immediate vicinity has, within that 6-month period, been changed or acted on by the Board or City Council so as to alter the facts and conditions on which the previous Board action was based. Such a change of circumstances shall permit the rehearing of an appeal by the Board prior to the expiration of the 6-month period, but those conditions shall in no wise have any force in law to compel the Board, after a hearing, to

[Can ZBA do a
Restraining order?](#)
[Who is authorized
to make
determination](#)

[This moves down
To appeals and
becomes G1 or G2](#)

grant a subsequent appeal. The subsequent appeal shall be considered entirely on its merits and the peculiar and specific conditions related to the property on which the appeal is brought.

(7) At a public hearing relative to any appeal, any interested party may appear in person or by agent or by attorney. The burden of proof shall be on the applicant to establish the necessary facts to warrant favorable action of the Board on any appeal. Any variance granted or authorized by the Board under the provisions of this chapter shall authorize the issuance of a building permit or a certificate of occupancy, as the case may be, for a period of 180 days from the date of the favorable action of the Board, unless the Board shall have in its action approved a longer period of time and has so shown that specific longer period of time in the minutes of its action. If the building permit or certificate of occupancy shall not have been applied for within the 180-day period or extended period as the Board may have specifically granted, then the variance shall be deemed to have been waived and all rights thereunder terminated. This termination and waiver shall be without prejudice to a subsequent appeal, and the subsequent appeal shall be subject to the same regulations and requirements for hearing as herein specified for the original appeal.

(D) Actions of the Board.

(1) In exercising its powers, the Board of Adjustment may, on conformity with the provisions of the statutes of this state as existing or hereafter amended, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and make such an order, requirement, decision, or determination as ought to be made, and shall have all the powers of the officer from whom the appeal is taken. The Board shall have the power to impose reasonable conditions to be complied with by the applicant.

(2) The concurring vote of 4 members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variance in this chapter. [B3 moves here](#)

(3) Any person or persons, jointly or severally aggrieved by any decision of the Board, or any taxpayer or any officer, department, or board of the municipality, may present to a court of record (district court) a petition, duly verified, setting forth that the decision is illegal, in whole or in part, specifying the grounds of illegality. The petition shall be presented to the court within 10 days after the filing of the decision in the office of the Board and not thereafter. [C6 moves here](#)

(E) Notice of hearing before the Board required. The Board of Adjustment shall hold a public hearing on all appeals made to it, and written notice of the public hearing shall be sent to the applicant and all other persons who are owners of real property lying within 200 feet of the property on which the appeal is made. This notice shall be given not less than 10 days nor more than 30 days before the date set for the hearing to all above-mentioned owners who have rendered their property for city taxes as the ownership appears on the last city tax roll. The notice

[Could there be other actions?](#)

may be served by depositing the same, properly addressed and postage paid, in the U.S. post office. Notice shall be given by publishing the same in official publication of the city at least 10 days and not more than 30 days prior to the date set for the hearing, which shall state the time and place of the hearing.

(F) *Authority of the Board.*

(1) A variance is an authorization by the Board of Adjustment granting relief and doing substantial justice in the use of the applicant's property by a property owner where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship.

(2) When, in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following variances to the regulations herein established and take action relative to the continuance or discontinuance of a nonconforming use.

(3) (a) A variance may be granted an applicant when the Board finds:

1. There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to that land or building and do not apply generally to lands or buildings in the same district or neighborhood, and that those circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land or building;

2. The granting of the variance will not be detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located;

3. The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted by the Board is the minimum variance that will accomplish this purpose; and

4. The literal enforcement and strict application of the provisions of this chapter will result in an unnecessary hardship inconsistent with the general provisions and intent of this chapter, and in granting the variance the spirit of the chapter will be preserved and substantial justice done.

(b) The Board may, after public notice and hearing and subject to the conditions and safeguards herein contained, vary or adapt the strict application of any of the terms of this chapter under the power and authority herein granted.

(c) In granting any variance under the provisions of this chapter, the Board may designate conditions in connection therewith which, in its opinion, will secure substantially the purpose and intent of this chapter.

[Move F1 to above](#)

[A](#)

[F2, F3 \(all\).](#)

(4) The Board may:

- (a) Hear and decide appeals where it is alleged there is error on any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this chapter;
- (b) Interpret the intent of the Zoning Map where uncertainty exists because the physical features on the ground vary from those on the Zoning Map and none of the rules set forth herein apply;
- (c) Initiate on its motion, or cause to be presented by interested property owners, action to bring about the discontinuance of a nonconforming structure or use under any plan whereby full value of the structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this chapter;
- (d) Permit the change of occupancy from 1 nonconforming use to another nonconforming use when the extent of the second nonconforming use is found to be less detrimental to the environment than the first;
- (e) Permit the enlargement of a nonconforming use only when the enlargement will not prolong the life of the nonconforming use. A specific period of time for the return to conformity can be required;
- (f) Permit the reconstruction of a nonconforming structure or building on the lot or tract occupied by that building; provided the reconstruction does not, in the judgment of the Board, prevent the return of the property to a conforming use or increase the nonconformity of a nonconforming structure;
- (g) Require the vacation and demolition of a nonconforming structure which is deemed to be obsolete, dilapidated, or substandard; and
- (h) Permit variance of the front yard, side yard, rear yard, lot width, lot depth, coverage, minimum setback standards, off-street parking, or off-street loading regulations where the literal enforcement of the provisions of this chapter would result in an unnecessary hardship, and where the variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same district by being of such a restricted area, shape, or slope that it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standard established by this chapter shall not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor shall a modification be granted to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land in the district.

| (G) *Appeals from the Board.* [Place C6 here](#) Any person or persons, or any board, taxpayer, department, board, or bureau of the city aggrieved by any decision of the Board of Adjustment,

may seek review by a court of record of that decision, in the manner provided by the laws of this state.

(Ord. 483, passed 6-6-2000; Am. Ord. 604, passed 10-10-2006; Am. Ord. 709, passed 2-4-2014) Penalty, see § [156.99](#)

§ 156.68 APPEALS; BOARD AND COUNCIL RESPONSIBILITIES.

(A) It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to the Ordinance Administrator in writing and that these questions shall be presented to the Board only on appeal from the decision of Ordinance Administrator, and that recourse from the decisions of the Board shall be to the courts as provided by law.

(B) It is further the intent of this chapter that the duties of the City Council in connection with this chapter shall not include hearing and deciding questions of interpretation that may arise. The procedure for deciding those questions are stated herein.

(C) Under this chapter, the City Council shall have only the following duties:

- (1) Considering and adopting or rejecting proposed amendments or the repeal of this chapter, as provided by law;
- (2) Establishing a schedule of fees and charges as stated in § [156.69](#) below;
- (3) Appointing members of a Board and designating an Ordinance Administrator; and
- (4) Hearing appeals on and approving or rejecting special use permits.

(Ord. 483, passed 6-6-2000)

§ 156.69 FEES, CHARGES, AND EXPENSES; ESTABLISHMENT.

(A) The City Council shall establish from time to time by resolution or ordinance a schedule of fees, charges, and expenses and a collection procedure for building permits, certificates of compliance, appeals, and other such matters pertaining to this chapter. The schedule of fees shall be posted in the office of the Ordinance Administrator and may be altered or amended only by the City Council.

(B) Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

(Ord. 483, passed 6-6-2000)

§ 156.70 AMENDMENT.

(A) The regulations, restrictions, and boundaries set forth in this chapter may from time to time be amended, supplemented, changed, modified, or repealed upon initiation by the Commission, the City Council, or by a petition of a property owner or owners or their authorized

[What commission?](#)

[P&Z or ZBA???](#)

agents, submitted to the City Administrator; provided however, that no such action may be taken until:

(1) The question has been referred to the Commission for consideration and public hearing on the question and its recommendation received; and

(2) A public hearing has been held in relation thereto, before the City Council, at which parties in interest and citizens shall have an opportunity to be heard.

(B) At least 10 days but not more than 30 days prior to the hearings, notice of the time and place of these hearings and description of the proposed change shall be published in a newspaper of general circulation in the city.

(C) When a proposed amendment affects the zoning classification or redistricting of property, the Commission shall give written notice to property owners within a distance of at least 200 feet from the boundaries of the subject property, at least 10 days prior to the hearing date. In case of a written protest against the change, signed by the owners of 20% or more either of the area of the lots or land included in the proposed change, or of the lots or land immediately adjoining the same and extending 200 feet therefrom, then the amendments shall not become effective except by the favorable vote of at least 3/4 of all members of the City Council.

(D) The same procedure for notifying property owners as provided in division (C) above shall be followed by the City Council for hearings on proposed amendments that affect the zoning classification, redistricting petitions, and for special use permit applications, except that the City Council may notify all property owners of record within the city, as shown on the current tax roll, by letter at least 10 days before the hearing.

(E) If a petition for redistricting is denied either by the Commission or by the City Council, another petition for reclassification of the same property or any portion thereof shall not be filed within a period of 1 year from the date of final denial, except with permission of the Commission or upon initiation by the Commission or City Council.

(Ord. 483, passed 6-6-2000)

§ 156.71 PLANNING AND ZONING COMMISSION MEETINGS.

All meetings of the Commission shall be open to the public. The Commission shall keep the minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Administrator and shall be a public record.

(Ord. 483, passed 6-6-2000)

Cross-reference:

[Clear up](#)

[unclear](#)

Planning and Zoning Commission, see § [150.02](#)

DEVELOPMENT PLATS

[§ 156.80 APPLICABILITY.](#)

This subchapter shall apply to any land lying within the city and/or within its extraterritorial jurisdiction in the following circumstances:

- (A) The development of any tract of land which has not been platted or replatted prior to the effective date of this subchapter, unless expressly exempted herein; or
- (B) The development of any tract of land for which the property owner claims an exemption from the city's Subdivision Regulations (see [Chapter 155](#)), including requirements to replat, which exemption is not expressly provided for in such regulations; or
- (C) The development of any tract of land for which the only access is a private easement or street; or
- (D) The division of any tract of land resulting in parcels or lots, each of which is greater than 5 acres in size, and where no public improvement is proposed to be dedicated or constructed.

(Ord. 562, passed 2-8-2005)

[§ 156.81 EXCEPTIONS.](#)

(A) No development plat shall be required where the land to be developed has received final plat or replat approval prior to the effective date of this subchapter. The City Council may, from time-to-time, exempt other development or land divisions from the requirements of this subchapter by majority vote of the City Council. Existing owner occupied farming operations on land which is held under the agriculture exemption are exempt from providing a development plat on the construction of improvements or structures to be used solely for the storage of agriculture-related products such as wire fences, farm equipment, livestock, feed, and other agriculture commodities.

(B) Development on a single lot which meets all the requirements of Single Family zoning ("SF") classification shall be exempt from the requirements of this subchapter for the preparation and filing of a development plat. Plans and any required statements as to use, parking, access, and other relevant issues, with the required fee(s), if any, shall be presented by the landowner or his agent, to the city. The city staff may approve the plans and/or require such amendments and modifications as necessary. Written affidavits from the landowner may be required regarding use of the structure(s) and their compliance with SF regulations. The staff shall grant a waiver to the preparation and filing of a development plat if all requirements of SF are being met. This process does not zone the property SF. It determines whether or not a development plat is required, or waived.

(C) *Appeal.* Any person owning property subject to this subchapter who wishes to appeal the decision of the staff may, on written notice filed with the City Secretary within 10 days of the decision being appealed, appeal the decision to the City Council. The City Council may review the staff's decision and may affirm, reverse, or modify the staff's decision. The City Council may call a public hearing on the matter at their discretion.

(Ord. 562, passed 2-8-2005)

§ 156.82 PROHIBITION ON DEVELOPMENT.

No development shall commence, nor shall any building permit, utility connection permit, electrical connection permit or similar permit be issued, for any development or land division subject to this subchapter, or the city's Subdivision Regulations (see [Chapter 155](#)), until a subdivision plat or development plat (as required) has been reviewed by the Planning Commission, approved by the City Council, and submitted to the city for filing at the county. Notwithstanding the provisions of this section, the city shall not require building permits or otherwise enforce the city's Building Code in the city's ETJ in relation to any development plat required by this subchapter.

(Ord. 562, passed 2-8-2005) [Penalty, see § 156.99 \(C\)\(4\)](#)

§ 156.83 STANDARDS OF APPROVAL.

The development plat shall not be approved until the following standards have been satisfied:

- (A) The proposed development conforms to all city plans, including but not limited to, the Comprehensive Plan, utility plans and applicable capital improvements plans;
- (B) The proposed development conforms to the requirements of the Zoning Regulations (if located within the city's corporate limits) and the Subdivision Regulations (see [Chapter 155](#));
- (C) The proposed development is adequately served by public facilities and services, parks and open space in conformance with city regulations;
- (D) Appropriate agreements of acceptance and use of public dedications to serve the development have been tendered; and
- (E) The proposed development conforms to the design and improvement standards contained in this subchapter and in the city's standard specifications as required by the city's Subdivision Regulations (see [Chapter 155](#)), and to any other applicable regulations of the city that are related to development of a land parcel.

(Ord. 562, passed 2-8-2005)

§ 156.84 CONDITIONS ON APPROVAL.

[Is this still correct?](#)

[Really? Do we do this?](#)

[What comprehensive plan are we talking about](#)

(A) The City Council may impose such conditions on the approval of the development plat as are necessary to assure compliance with the standards in § [156.83\(E\)](#).

(B) *Restriction on issuance of building and other permits by municipality, county, or official of other governmental entity.* The municipality, a county, or an official of another governmental entity may not issue a building permit or any other type of permit for development on lots or tracts subject to this subchapter until a development plat is filed with and approved by the municipality in accordance with this subchapter.

(C) *Approval of development plat.* The city shall endorse approval on a development plat filed with it if the plat conforms to:

(1) The general plans, rules, and ordinances of the municipality concerning its current and future streets, sidewalks, alleys, parks, playgrounds, and public utility facilities;

(2) The general plans, rules, and ordinances for the extension of the municipality or the extension, improvement, or widening of its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of water mains and the instrumentalities of public utilities (including sewer lines, where expressly authorized in the city); and

(3) Any general plans, rules, or ordinances adopted under Tex. Loc. Gov't Code § 212.044, and § [156.83](#) above.

(D) *Effect of approval on dedication.* The approval of a development plat is not considered an acceptance of any proposed dedication for public use or use by persons other than the owner of the property covered by the plat and does not impose on the municipality any duty regarding the maintenance or improvement of any purportedly dedicated parts until the municipality's governing body makes an actual appropriation of the dedicated parts by formal acceptance, entry, use, or improvement.

(Ord. 562, passed 2-8-2005)

§ 156.85 PROCEDURE.

(A) *Approval procedure.* The application for a development plat shall be submitted to the city in the same manner as a final plat (see Subdivision Regulations, [Chapter 155](#)), and shall be approved, conditionally approved, or denied by the City Council following review and recommendation by the Planning and Zoning Commission in a similar manner as a final plat. Upon approval, the development plat shall be filed at the county by the City Secretary in the same manner as described for a final plat, and approval of a development plat shall expire if all filing materials are not submitted to the City Administrator (or designee) and if the plat is not filed at the county within the time periods specified for a final plat.

(B) *Lapse.* Approval of a development plat shall lapse if the improvements shown thereon are not substantially complete within 1 year of City Council approval of the development plat. The 1 year period may be extended as part of the approval process, or may be renewed by the City Council by majority vote.

(Ord. 562, passed 2-8-2005)

 § 156.86 SUBMITTAL REQUIREMENTS.

(A) In addition to all information that required to be shown on a final plat, a development plat shall:

- (1) Be prepared by a registered professional land surveyor;
- (2) Clearly show the boundary of the development plat;
- (3) Show each existing or proposed building, structure or improvement or proposed modification of the external configuration of the building, structure or improvement involving a change therein;
- (4) Show all easements and rights-of-way within or abutting the boundary of the surveyed property; and
- (5) The dimensions of each street, sidewalk, alley, square, park, or other part of the property intended to be dedicated to public or for the use of purchasers or owners of lots fronting on or adjacent to the street, sidewalk, alley, square, park or other part of the property; and
- (6) Be accompanied by the required number of copies of the plat, a completed application form, the required submission fee, and a certificate or some other form of verification from Collin County Central Appraisal District showing that all taxes have been paid on the subject property and that no delinquent taxes exist against the property.

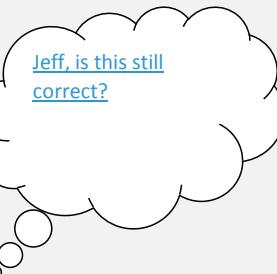
(B) A copy of all application materials for a development plat shall be simultaneously submitted to the City Engineer for review in the same manner as for a final plat, or the application shall be deemed incomplete, and shall automatically be deemed denied.

(C) If a person is required under state law or an ordinance of the municipality to file a subdivision plat, a development plat is not required in addition to the subdivision plat.

(Ord. 562, passed 2-8-2005)

 § 156.99 PENALTY.

(A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction thereof, be subject to penalties as provided in § [10.99](#) of this code.



(B) (1) Any person, firm, or corporation who violates or fails to comply with the requirements of this chapter or who builds or alters any building in violation of any plan or statement submitted and approved hereunder, shall be guilty of a misdemeanor and shall be liable to a fine of not more than \$2,000 for each offense. Each day the violation shall be permitted to exist shall constitute a separate offense.

(2) Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. 483, passed 6-6-2000; Ord. 508, passed 7-10-2001)

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MEETING DATE	ITEM DESCRIPTION	CONTACT	Notes
2018			
TBD	2018 City Fee Schedule		2015-16 Approved 2/29; added 2016-17 to FAI
TBD	Staff Contract Policy	Shelby/Staff	10/18/16 CC Mtg 2016 1018
Jan., Apr., July., Oct,	Republic Waste Report	Bernas	REQUIRED PER ORDINANCE AND AGREEMENT.
Jan., Apr., July, Oct.	Fire Dept. Report	Sheff/Barnaby	
Jan., Apr., July, Oct.	Investment Report	Johnna	10/24/14; 01/17/18;
June 12, 2018	2018-2019 BUDGET WORKSHOP		
June 19, 2018	Possible cancelation of 7/3 CC Mtg - Holiday, if needed	C'Sec	Double Check
June 19, 2018	Special Meeting on June 26, 2018, if needed		
July	CC Discussion Topics - PVFD Fundraiser, Parkerfest, Parker Rd Beautification, 50th Ann.		
July/August	Jail Services Agr - ending 9/30/2018; plus 1 year renewal 9/30/2019 - Termination 90 days written (June)		0815 Res2017-545 Jail Serv. Agr. Renewal
August	Advertise, Bid & Award Annual Mowing Contract - 2018		RESOLUTION NO. 2017-552 - Expires 9/30/18
August 7, 2018	Projected Mtg of GB to Discuss 2018 Tax Rate	C'Sec	
Augst 21, 2018	Projected 2018 Tax Rate 1st P.H.	C'Sec	
August 28, 2018	Projected 2018 Tax Rate 2nd P.H.	C'Sec	

JULY

S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

AUGUST

S	M	T	W	T	F	S
				1	2	3
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

SEPTEMBER

1						
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

2018 PLANNING CALENDAR



NAME OF CITY: City of Parker, Texas

April - May

Mailing of "Notices of Appraised Value" by Chief Appraiser.

April 30

The Chief Appraiser prepares and certifies to the Tax Assessor for each county, municipality, and school district participating in the appraisal district an estimate of the taxable value.

May 15

Deadline for submitting Appraisal Records to ARB.

July 20 (Aug 30)

Deadline for ARB to approve Appraisal Records.

July 25

Deadline for Chief Appraiser to certify Appraisal Rolls to each Taxing Unit.

Aug

Certification of anticipated collection rate by collector.

Calculation of Effective and Rollback Tax Rates.

Submission of Effective and Rollback Tax Rates to governing body.

August 3, 2018

72 Hour Notice for Meeting (Open Meetings Notice).

Aug 7

Meeting of Governing Body to Discuss Tax Rates.

If proposed tax rate will exceed the Rollback Rate or the Effective Tax Rate (whichever is lower), take record vote and schedule two Public Hearings.

Aug 13

Publish the "Notice of 2018 Property Tax Rates" by September 1.

Notice must be published at least seven (7) days before first Public Hearing. Notice must also be posted on the municipality's website.

Aug 17

72 Hour Notice for First Public Hearing (Open Meetings Notice).

Aug 21

First Public Hearing At least 7 days after publication of "Notice of Property Tax Rates."

Aug 24

72 Hour Notice for Second Public Hearing (Open Meetings Notice).

Aug 28

Second Public Hearing May not be earlier than 3 days after first Public Hearing.

Schedule and announce meeting to adopt tax rate three to fourteen (3 - 14) days from this date.

Aug 31

72 Hour Notice for Meeting at which Governing Body will Adopt Tax Rate (Open Meetings Notice).

Sept 4

Meeting to Adopt 2018 Tax Rate. Meeting to adopt must be prior to September 20, 2017.

Schedule meeting three to fourteen (3 to 14) days after second Public Hearing. Taxing Unit must adopt tax rate before September 30 or 60 days after receiving Certified Appraisal Roll, whichever is later.

September 19

Deadline to submit the Tax Rate Ordinance to the Collin County Tax Office.

Tax Code Section 81.06 directs that if a date falls on a weekend, the deadline is extended to the following regular business day.

Advice of taxing unit legal counsel should be sought to determine how to fulfill the requirements of Section 140.010 Local Code (SB 1510).

Please provide a copy of the Ordinance adopting the 2017 Tax Rate to the Tax Office by September 19, 2018.

DRAFT