Development Services
Planning and Zoning
Building Inspection
Telephone: (903)892-7229
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AGENDA

The Planning and Zoning Commission and Board of Adjustment of the City of Sherman will hold a regular meeting Tuesday, November 15, 2022 at 5:00P.M. in the Council Chambers at 220 W. Mulberry to consider the following:

All requests are under Ordinance No. 2280, unless otherwise stated.

1. **CALL TO ORDER**

2. **APPROVE MINUTES OF THE REGULAR OCTOBER, 2022 PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT MEETING.**

3. **ANNOUNCEMENTS**

4. **APPOINT BOARD OF ADJUSTMENTS**

5. **CITIZEN COMMENTS**
During this meeting, the Planning and Zoning Commission and Board of Adjustment welcomes public comment **only** on agenda items listed under the Open Meeting portion of the agenda, in accordance with Texas Government Code Section 551.007. For items not listed on the agenda, those matters may be discussed with City staff during regular business hours by contacting them at times other than at Planning and Zoning Commission meetings. There will also be an opportunity to speak regarding any of the public hearing items on the agenda when that item is presented.

6. **CONSENT AGENDA (ITEMS7, 8, 9, 10, 11, 12, 13 AND 14)**
Asterisked (*) items are considered to be routine and non-controversial items. These items will be enacted in one motion without discussion unless a Commission Member or a member of the audience requests a specific item be discussed and voted on separately prior to a motion and vote.

7. * **1228 SOUTH RUSK STREET**
The request of Moran Developments, LLC (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1228 South Rusk Street, being 0.200 Acres in part of the Samuel Blagg Survey, Abstract No. 56, and being the South 100 ft. of Lot 8, Block 16 of the B.H. Moore Heirs Addition, as follows:
Planning and Zoning Commission
Replat approval of B.H. Moore Heirs Addition, Lot 8R, Block 16.

8. * **5211 OB GRONER ROAD**

The request of John and Mary Raleigh (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 5211 OB Groner Road, being 9.991 acres in the Jason Stamps Survey, Abstract No. 1115, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Raleigh Acres, Lots 1 and 2, Block A.

9. * **310 NORTH CARL STREET**

The request of Dhesi Investment, LLC (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 310 North Carl Street, being 0.217 acres in the J.B. McAnair Survey, Abstract No. 763, and also being part of Lots 2, 3, and 4, Block E, Greenmount 2nd Addition, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Dhesi Addition, Lot 2R, Block E.

10. * **709 EAST LAMBERTH ROAD**

The request of Luke Scheibmeir (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 709 East Lamberth Road, being 0.512 acres in the J.B. McAnair Survey, Abstract No. 763, and being part of Lot 1, Block 2, J.H. Carraway's Subdivision, as follows:

Planning and Zoning Commission

Replat approval of 709 East Lamberth Addition, Block A, Lot 1.

11. * **4305 TEXOMA PARKWAY**

The request of Mark Temple, M.A. Temple Investments (Owner), R.D. Simpson (Representative) and Burns Surveying (Surveyor) concerning the property located at 4305 Texoma Parkway, being Lot 1, Block 1, API Addition, as follows:

Planning and Zoning Commission

Site Plan approval of Johnstone Supply.

12. * **500 BLOCK HOG SKIN ROAD**

The request of Diana Raulston and Amy Fields (Owners), Len McManus (Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 500 Block Hog Skin Road in Sherman's Extra Territorial Jurisdiction (ETJ), being 9.441 acres in The Bailey Winfred Survey, Abstract No. 66, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Ladd Estates III.

13. * **514 SOUTH DEWEY AVENUE**

The request of Naveed Owais, Emaar TX LLC (Owners) and Underwood Drafting & Surveying concerning the property located at 514 South Dewey Avenue, being 0.317 acres in the George B. Pilant Survey, Abstract No. 963, and also being all of Lot 4 and part of Lot 5, Block 2, J.C. Linnstead Addition, as follows:

Planning and Zoning Commission

Replat approval of Emaar Addition.

14. * **2708 EAST LAMAR STREET**

The request of Frontera MHC, LLC (Owner), Marley Phillips (Developer/Representative), Bowman (Consulting Firm) and Spooner and Associates Land Surveyors (Surveyor) concerning the property at 2708 East Lamar Street, being 113.414 acres in the Aaron Burleson Survey, Abstract No. 61, as follows:

Planning and Zoning Commission

Final Plat approval of Lot 1 and Lot 2, Block 1 Frontera.

15. **2100-2300 BLOCKS WEST LAMBERTH ROAD**

The request of Lamberth Hickery Hill, LLC (Owner), Kiesha Kay (Representative), KW Landscape Architects (Landscape Architects), Meeks Partners (Architects) and Bohler Engineering (Engineer) concerning the property located in the 2100-2300 Blocks West Lamberth Road, being 22.330 acres in the Ralston W. Adams Survey, Abstract Number 18, as follows:

Planning and Zoning Commission

Site Plan approval of Hickory Hill Apartments, Lots 1 & 2.

16. **3601 NORTH TRAVIS STREET**

The request of PAAGE LTD (Owner), Joe Johnson (Representative), National Sign Corporation (Sign Contractor) and Preston Trail Land Surveying (Surveyor) concerning the property located at 3601 North Travis Street, being Lot 1, Block 1 of Covey addition consisting of 6.624 acres, as follows:

Board of Adjustment

Variance under Ordinance No. 2280, Section 7, Subsection (6)(a) to allow a 10' front setback for a Freestanding Sign in lieu of the required 25' in a C-2 (General Commercial) District.

17. **3038 PRESTON CLUB DRIVE**

The request of Sue Kimble (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 3038 Preston Club Drive, being part of Lots Three and Four, Block One, of Preston Club, as follows:

Board of Adjustment

Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 20' rear yard setback for a patio addition in lieu of the required 25' in an R-1 (One-Family Residential) District.

18. **2300-2700 BLOCKS EAST HIGHWAY 82**

The request of Frostfire Hwy 82 LLC (Owners), Mathias Haubert, Bohler Engineering (Engineer), Lee Engineering (Traffic Engineer) and Copley Land Surveying (Surveyor) concerning the property located in the 2300-2700 Blocks East Highway 82, being 74.424 acres in part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504, as follows:

Planning and Zoning Commission

A. Zone Change approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District and M-1 (Light Manufacturing) District to a C-2 (General Commercial) District, being 22.705 acres in part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504.
B. Zone Change approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District and M-1 (Light Manufacturing) District to an R-2 (Multi-Family Residential) District, being 51.718 acres in part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504.

C. Specific Use Permit approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Mini-Warehouse in a C-2 (General Commercial) District, being 14.819 acres in part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504.

D. Site Plan approval of Sherman Highway 82 Mixed Use.

19. **601 NORTH FM 1417 (HERITAGE PARKWAY)**

Heritage Nazarene Church (Owners), Mike Hastings (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 601 North FM 1417 (Heritage Parkway), being 14.597 Acres, Nazarene 1 st Addition, being a Re-Plat of Lots 1 and 2, Block 5 of Laurel Creek Addition in the J.B. McAnair Survey, Abstract No. 763 and the G.W. McGlothlin Survey, Abstract No. 828, as follows:

Planning and Zoning Commission

Adopt an ordinance granting a Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Church, Wood Accessory Building and Pavilion in an R-1 (One-Family Residential) District/R-2 (Multi-Family Residential) District/O-1.1 (FM Highway 1417) Overlay District and repeal Ordinance No. 4286.

20. **3400 TEXOMA PARKWAY**

The request of TADLA (Owner), Dax Powell (Tenant) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 3400 Texoma Parkway, being 3.61 acres in part of the Hillard Jennings Survey, Abstract No. 639, being part of Lots 10, 12, 13, and 14, and all of Lot 11, Block 1, of Redick Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Batting Cages in a C-2 (General Commercial) District.

21. **115-231, 220, 301 & 303 SUNSET BOULEVARD**

The request of Kyle Booth, Bluestone Partners LLC (Owner), Diann Neasbitt (Representative) and Blue Sky Surveying & Mapping (Surveyor) concerning the properties located at 115-231, 220, 301 and 303 Sunset Boulevard, being Tract One: being 4.6414 acres, Lot 1, Block 1 of the second Replat of part of Block 2 of the Replat of Westwood Village Subdivision; Tract Two: being 2.1983 acres, Lot 2, Block 1 of the Second Replat of part of Block 2 of the Replat of Westwood Village Subdivision; Tract Three: being 1.5777 acres in Lot 1, Block 1 of the Replat of Block 1 of the Replat of Westwood Village Subdivision; and Tract Four and Five: being 0.247 acres in the J.B. McAnair Survey, Abstract No. 763, as follow:

Board of Adjustment

A. Variance under Ordinance No. 2280, Section 6.6, Subsection (4) to allow the following parking variances in a C-1 (Retail Business) District:
   - Tract One and Two: 318 parking spaces in lieu of the required 360.
   - Tract Three: 72 parking spaces in lieu of the required 107.
   - Tract Four and Five: 10 parking spaces in lieu of the required 18.

Planning and Zoning Commission

B. Site Plan approval for exterior improvements of Westwood Village.

22. **1104 CHAFFIN STREET**

The request of LaCima Contracting, LLC (Owner), Paul Terrell (Representative) and Copley Land Surveying (Surveyor) concerning the property located at 1104 Chaffin Street, being 0.492 acres in the J.B McAnair survey, Abstract No. 763, and being a part of Block 29, Chaffins Second Addition, as follows:

Board of Adjustment

A. Variance under Ordinance No. 2280, Section 7, Subsection (1)(C)(1) to allow a 5' setback from the home in lieu of the required 6' for the existing detached garage in an R-1 (One-Family Residential) District.
B. Variance under Ordinance No. 2280, Section 7, Subsection (1)(C)(2) to allow a 1' rear yard setback in lieu of the required 5', and a 1' side yard setback in lieu of the required 5' for the existing detached garage in an R-1 (One-Family Residential) District.
C. Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 15' front yard setback in lieu of the required 25' for an existing home in an R-1 (One-Family Residential) District.

Planning and Zoning Commission

D. Final Plat approval of Fielder Addition, a Replat of a Part of Block 29, Chaffins's Second Addition.

23. **3801 AND 4001 NORTH HIGHWAY 75**

The request of Sherman Commons LP (Owner), Michelle Forrester (Representative) and 3D Signs & Graphics (Sign Contractor) concerning the properties located at 3801 and 4001 North Highway 75, being Lot 3, Block A, Sherman Common Addition consisting of 3.586, as follows:

Board of Adjustment

Variances under Ordinance No. 2280, Section 7, Subsection (14)(i) to allow 480.58 square feet signs at both locations in lieu of the allowed 300 square feet sign in a C-1 (Retail Business) District/C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.

24. **2700-5100 BLOCKS SOUTH HIGHWAY 75, 100 BLOCK EAST FM 1417 AND 100-1300 BLOCKS WEST FM 1417**

The request of the City of Sherman concerning the property located in the 2700-5100 Blocks South Highway 75, 100 Block East FM 1417 and 100-1300 Blocks West FM 1417, being approximately 1587.892 acres in part of the Preston Kitchens Survey, Abstract No. 667, Sherrod Dunman Survey, Abstract No. 329, Elizabeth Jones Survey, Abstract No. 625 and William Martin Survey, Abstract 765, as follows:

Planning and Zoning Commission

Public Hearing and consideration of Zone Change for Blalock Industrial Park (BIP) Planned Development through amendment to the Zoning Ordinance to rezone Blalock Industrial Park (BIP) to a PD (Planned Development) District with Light Manufacturing (M-1) as the base zoning district.

25. **CONSIDERATION OF ZONING ORDINANCE UPDATE**

Public Hearing and Consideration of an Ordinance of the City Council of the City of Sherman, Texas, repealing Exhibit A (General Zoning Ordinance), Exhibit A-1 (Matrix Of Permitted Uses) and Exhibit B (Zoning – Blalock Industrial Park) of Chapter 14 (Zoning Ordinance) of the Code Of Ordinances of the City of Sherman, Texas; adopting a New Comprehensive Zoning Ordinance to be codified at Article 14.01 (General Provisions) through Article 14.11 (Sherman Municipal Airport Hazard Zoning) of the Code of Ordinances; establishing new zoning

regulations within the City of Sherman, Texas in accordance with Chapter 211 of the Texas Local Government Code, the Home Rule Charter of the City of Sherman, Texas and other law; regulating and restricting the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of the yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence or other purpose; and, in the case of designated places and areas of historic and cultural importance, to regulate and restrict the construction, alteration, reconstruction or razing of buildings and other structures; defining terms; providing for variances and appeals; Amending Chapter 14 (Zoning Ordinance), Article 14.01 (General Provisions), Article 14.02 (Sherman Municipal Airport Hazard Zoning Ordinance), Article 14.03 (Planning And Zoning Board), Article 14.04 (General Zoning Ordinance) and Article 14.05 (Zoning – Blalock Industrial Park); providing for inclusion in the Code of Ordinances; providing repealing and severability clauses; providing a penalty not to exceed $2,000; finding and determining that the meeting at which this ordinance is passed was noticed and is open to the public as required by law.

26. **ADJOURNMENT**

By direction of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman.

Clay Mahone, Chairman ATTEST: Rob Rae, Secretary

Meetings of this advisory board are open to the public.

Note: The above agenda schedule represents an estimate of the order for the indicated items and is subject to change at any time.

An unscheduled closed executive session may be held if the discussion of any of the above agenda items concems the purchase, exchange, lease or value of real property; or requires consultations with City Attorney.

In accordance with the Texas Open Meetings Act, Chapter 551 of the Texas Government Code, the Planning and Zoning Commission and Board of Adjustments may hold an executive session if the discussion of any of the items identified in this agenda, or any of the items identified below, concern one or more of the following:

Tex. Gov't Code § 551.071	Seeking the advice of its attorney about pending or contemplated litigation, settlement offers or any matter in which the duty of the attorney to the Planning and Zoning Commission and Board of Adjustments under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act.

Certification

I, the undersigned authority, do hereby certify that the above Agenda of the Regular Meeting of the Board of Adjustments and Planning and Zoning Commission of the City of Sherman is a true and correct copy of said Notice and that I posted a true and correct copy of said Notice on the bulletin board, at City Hall, of said City of Sherman, Texas, a place convenient to the public and said notice was posted on November 10, 2022 at 4:00 p.m.. and said time of posting was 72 hours before said meeting was convened or called to order.

Dated this 10th day of November

City of Sherman, Texas

_____

Kerri Turner,
Development Services Coordinator

Sherman
CLASSIC TOWN. BROAD HORIZON.

Planning & Zoning Commission and Board of Adjustments **2.**

Meeting Date: 11/15/2022

Prepared By: Kerri Turner, Development Services Coordinator

Issue:

APPROVE MINUTES OF THE REGULAR OCTOBER, 2022 PLANNING AND ZONING COMMISSION AND BOARD OF ADJUSTMENT MEETING.

List of Agenda Items:

Attachments

Draft Minutes

STATE OF TEXAS §

October 18, 2022

COUNTY OF GRAYSON §

BE IT REMEMBERED THAT A Regular Meeting of the Planning and Zoning Commission and Board of Adjustment of the City of Sherman, was begun and held on October 18, 2022.

MEMBERS PRESENT:	CHAIRMAN MAHONE VICE CHAIRMAN DOWNTAIN COMMISSION MEMBERS: DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG
ALTERNATE:	NONE
MEMBERS ABSENT:	NONE
STAFF PRESENT:	ROB RAE, DIRECTOR OF DEVELOPMENT SERVICES, KERRI TURNER, DEVELOPMENT SERVICES COORDINATOR, WAYNE LEE, DIRECTOR OF ENGINEERING AND LAUREN MARLOW, DEVELOPMENT SERVICES ADMINISTRATIVE ASSISTANT
CITY ATTORNEY:	ALICESON COTTON

CALL TO ORDER

CALL TO ORDER
Chairman Mahone called the meeting to order at 5:00 p.m.

APPROVE MINUTES

APPROVE MINUTES
The Planning and Zoning Commission reviewed the minutes of the August 16, 2022 and the September 20, 2022 regular meetings. Motion by Commission Member Davis to approve the Minutes as written. Second by Commission Member Manley. All present voted AYE.

MOTION CARRIED.

ANNOUNCEMENTS

ANNOUNCEMENTS
Chairman Mahone announced, "The Comprehensive Plan was approved by City Council on October 17, 2022."

APPOINT BOARD OF ADJUSTMENT

BOARD OF ADJUSTMENT
Chairman Mahone appointed the members of the Board of Adjustment: MAHONE, DAVIS, DOWNTAIN, SIMS AND MANLEY.

CITIZEN COMMENTS

CITIZEN COMMENTS
There were no citizen comments.

CONSENT AGENDA (ITEMS 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 AND 20)

CONSENT AGENDA
Consent Agenda items are considered routine and non-controversial items.

ITEMS 12 & 16 REMOVED FROM CONSENT

Item 12 and Item 16 were removed from the Consent Agenda per Citizen request.

The Commission reviewed the Consent Agenda. Commission Member Sims moved to approve Items 7, 8, 9, 10, 11, 13, 14, 15, 17, 18, 19 and 20 on the Consent Agenda as presented subject to the Staff Review Letter. Second by Commission Member Manley. All present voted AYE.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

FINAL PLAT - SHERDEN MALL LOT 1, BLOCK B 3209 TEXOMA PARKWAY (CHARLIE NICHOLAS, SHERMAN NEC TEXOMA & 82 LP)

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF CHARLIE NICHOLAS, SHERMAN NEC TEXOMA & 82 LP (OWNER), NE DEVELOPMENT (DEVELOPER) AND SPIARS ENGINEERING, INC. (ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 3209 TEXOMA PARKWAY, BEING 31.317 ACRES IN THE REUBEN HENDRIX SURVEY, ABSTRACT NUMBER 504 AND IN THE SAM M MCGLOTHLIN SURVEY, ABSTRACT NO. 811, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF SHERDEN MALL LOT 1, BLOCK B.

The property is located at 3209 Texoma Parkway, the northeast corner of Highway 82 and Texoma Parkway and is zoned R-2 (Multi-family Residential) District. The owner would like to plat the property into one lot for a multi-family development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

PRELIMINARY PLAT – HICKORY HILL ADDITION, LOTS 1 AND 2, BLOCK 1 2100-2300 BLOCKS WEST LAMBERTH ROAD (LAMBERTH HICKERY HILL, LLC)

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF LAMBERTH HICKERY HILL, LLC (OWNER), BOHLER ENGINEERING (ENGINEER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 2100-2300 BLOCKS WEST LAMBERTH ROAD, BEING 22.330 ACRES IN THE RALSTON W. ADAMS SURVEY, ABSTRACT NUMBER 18 , AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF HICKORY HILL ADDITION, LOTS 1 AND 2, BLOCK 1.

The property is located in the 2100-2300 Blocks West Lamberth Road between Salvage Drive and Carriage Estates Road and is zoned PD (Planned Development) District. The owner would like to plat the property into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

REPLAT – CONSENT AGENDA ITEM

REPLAT – HERNANDEZ EAST SIDE ADDITION, BLOCK 1, LOT 1 1319 EAST JONES STREET (LUIS HERNANDEZ)

THE REQUEST OF LUIS HERNANDEZ (OWNER) AND PRESTON TRAIL LAND SURVEYING LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1319 EAST JONES STREET, BEING 0.152 ACRES IN THE GEORGE B. PILANT SURVEY, ABSTRACT NUMBER 963, AND ALSO BEING PART OF LOT 3, BLOCK 1, EAST SIDE ADDITION, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

REPLAT APPROVAL OF HERNANDEZ EAST SIDE ADDITION, BLOCK 1, LOT 1.

The property is located at 1319 East Jones Street between South Gribble and South Grand Avenues and is zoned R-1 (One-family Residential) District. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

FINAL PLAT – CONSENT AGENDA ITEM

FINAL PLAT - SWINDELL ADDITION, LOTS 1 & 2 112 BARBARA LANE (AMY SWINDELL)

THE REQUEST OF AMY SWINDELL (OWNER) AND PRESTON TRAIL LAND SURVEYING LLC (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 112 BARBARA LANE IN SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 5.000 ACRES IN THE JOHN MCCLENIHAN SURVEY, ABSTRACT NUMBER 798, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF SWINDELL ADDITION, LOTS 1 & 2.

The property is located at 112 Barbara Lane between Brown and Baker Ridge Roads in Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to plat the property into two lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

FINAL PLAT – CONSENT AGENDA ITEM

FINAL PLAT – HICKORY HILL MULTI FAMILY, LOT 1, BLOCK A 3400-4000 BLOCKS WEST LAMBERTH ROAD (SHERMAN HICKORY HILL, LLC)

THE REQUEST OF SHERMAN HICKORY HILL, LLC (OWNER), DOBIE DEVELOPMENT GROUP (DEVELOPER), SEVAN MULTI-SITE SOLUTIONS AND SPIARS ENGINEERING, INC. (ENGINEER/SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3400-4000 BLOCKS WEST LAMBERTH ROAD, BEING 24.680 ACRES IN THE W. THOMPSON SURVEY, ABSTRACT NO. 1209, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF HICKORY HILL MULTI FAMILY, LOT 1, BLOCK A.

The property is located in the 3400-4000 Blocks West Lamberth Road between Salvage Drive and Carriage Estates Road and is zoned PD (Planned Development) District. The owner would like to plat the property into two lots for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

REPLAT – CONSENT AGENDA ITEM

REPLAT – HIGHLAND MEADOWS ESTATES 1109 RIDGEVIEW DRIVE (ALETA OPPERMANN)

THE REQUEST OF ALETA OPPERMANN (OWNER), MARK KERR (REPRESENTATIVE) AND HELVEY-WAGNER SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 1109 RIDGEVIEW DRIVE IN SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 3.560 ACRES IN THE WINFORD BAILEY SURVEY, ABSTRACT NO. 64, AND BEING ALL OF LOTS 59 AND 60 OF HIGHLAND MEADOWS ESTATES, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF HIGHLAND MEADOWS ESTATES, LOTS 59 AND 60.

The property is located at 1109 Ridgeview Drive between Luella Road and Highway 11 in Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to plat the property into two lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN – CONSENT AGENDA ITEM

SITE PLAN – SHOPS OF GRAYSON ADDITION 2415 AND 2429 SWAMY DRIVE (KANS HOLDINGS LLC)

THE REQUEST OF KANS HOLDINGS LLC (OWNER), UMAIR SOLAIJA (REPRESENTATIVE), DOMINIC GBENOBA (ENGINEER) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2415 AND 2429 SWAMY DRIVE, BEING 2.433 ACRES IN THE WILLIAM MILLIGAN SURVEY, ABSTRACT NUMBER 875, AND BEING LOT 4, DR. SWAMY ADDITION, LOTS 1-7, BLOCK A, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SITE PLAN APPROVAL OF SHOPS OF GRAYSON ADDITION.

The property is located at 2415 and 2429 Swamy Drive, the southwest corner of Sam Rayburn Freeway and FM 691and is zoned C-2 (General Commercial) District. The owner would like Site Plan approval for the Shops of Grayson Addition. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN – HIDDEN MEADOWS PHASE TWO
3800 BLOCK WEST HOUSTON STREET
(LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD)

SITE PLAN – CONSENT AGENDA ITEM
THE REQUEST OF LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD (OWNERS) AND KIMLEY-HORN AND ASSOCIATES (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 3800 BLOCK WEST HOUSTON STREET, BEING 44.484 ACRES IN THE W.M. THOMPSON SURVEY, ABSTRACT NUMBER 1210 AND THE FIELDING BACON SURVEY, ABSTRACT NO. 119, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF HIDDEN MEADOWS PHASE TWO.

The property is located in the 3800 block of West Houston Street between Ridgeview and North Friendship Roads and is zoned an R-1 (One-Family Residential) District. The owner would like to plat the property into 138 lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

PRELIMINARY PLAT – BEL-AIR VILLAGE WEST INFRASTRUCTURE
300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY)
(RONNY GUERRERO)

PRELIMINARY PLAT – CONSENT AGENDA ITEM
THE REQUEST OF RONNY GUERRERO (OWNER) AND MICHAEL CARLISLE, KIMLEY-HORN AND ASSOCIATES (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 300-1000 BLOCKS EAST FM 1417 (VIETNAM VETERANS PARKWAY), BEING 105.109 ACRES IN THE SHARROD DUNMAN SURVEY, ABSTRACT NO. 329, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
PRELIMINARY PLAT APPROVAL OF BEL-AIR VILLAGE WEST INFRASTRUCTURE.

The property is located in the 300-1000 Blocks East FM 1417 (Vietnam Veterans Parkway) near the southwest corner of FM 1417 (Vietnam Veterans Parkway) and Highway 75 and is zoned PD (Planned Development) District/C-2 (General Commercial) District/C-1 (Retail Business) District/R-1 (One-Family Residential) District. The owner would like to plat the property into three lots for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

FINAL PLAT – SUTHERLAND HOUSE ADDITION, LOT 1, BLOCK 1
2315 SOUTH FRIENDSHIP ROAD
(RUSTY SUTHERLAND)

FINAL PLAT – CONSENT AGENDA ITEM
THE REQUEST OF RUSTY SUTHERLAND (OWNER) AND HELVEY-WAGNER SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2315 SOUTH FRIENDSHIP ROAD, BEING 0.555 ACRES IN THE JASON STAMPS SURVEY, ABSTRACT NO. 1115, AS FOLLOWS:
PLANNING AND ZONING COMMISSION

FINAL PLAT APPROVAL OF SUTHERLAND HOUSE ADDITION, LOT 1, BLOCK 1.

The property is located at 2315 South Friendship Road, the northeast corner of South Friendship Road and West Rolling Hills Drive and is zoned R-1 (One- Family Residential) District. The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

FINAL PLAT - ANDY PLACE ADDITION, LOT 1, BLOCK 1 5000 BLOCK FARMINGTON ROAD (CINDY GRIFFIN AND DRAKE HANTIA)

FINAL PLAT– CONSENT AGENDA ITEM
THE REQUEST OF CINDY GRIFFIN AND DRAKE HANTIA (OWNERS) AND HELVEY-WAGNER SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 5000 BLOCK FARMINGTON ROAD IN SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 2.193 ACRES IN THE WILLIAM MARTIN SURVEY, ABSTRACT NO. 765, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF ANDY PLACE ADDITION, LOT 1, BLOCK 1.

The property is located in the 5000 Block Farmington Road between Old Dorchester Road and West Shepherd Drive in Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to plat the property into one lot for residential development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

FINAL PLAT - TITAN HERITAGE ADDITION 475 OLD DORCHESTER ROAD (TITAN HERITAGE LLC)

FINAL PLAT– CONSENT AGENDA ITEM
THE REQUEST OF TITAN HERITAGE LLC (OWNER), PRABHAKARAN THANGABEL (REPRESENTATIVE) AND UNDERWOOD DRAFTING AND SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 475 OLD DORCHESTER ROAD IN SHERMAN'S EXTRA TERRITORIAL JURISDICTION (ETJ), BEING 4.500 ACRES IN THE ELIZABETH JONES SURVEY, ABSTRACT NO. 625, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
FINAL PLAT APPROVAL OF TITAN HERITAGE ADDITION.

The property is located at 475 Old Dorchester Road between Farmington and Bradley Roads in Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to plat the property into one lot for commercial development. They had seen the Staff Review Letter and would abide by the Recommendations.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

REPLAT – TIMBER CREEK ADDITION, PHASE 2
4 TIMBER CREEK ROAD
(WILLIAM MAGERS)

REPLAT – CONSENT AGENDA ITEM
THE REQUEST OF WILLIAM MAGERS (OWNER) AND HELVEY-WAGNER SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4 TIMBER CREEK ROAD, BEING 4.055 ACRES IN THE WILLIAM THOMPSON SURVEY, ABSTRACT NUMBER 1210 AND THE GEORGE W. MCGLOTHLIN SURVEY, ABSTRACT NO. 828, AND BEING ALL OF LOT 2 OF THE REPLAT OF PART OF LOT 9, TIMBER CREEK ADDITION, ALL OF LOT 4, CORRECTED PLAT OF LISA ADDITION, AND A PORTION OF THE FORMER TEXAS AND PACIFIC RAILROAD, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF TIMBER CREEK ADDITION, PHASE 2.

William Magers, 4 Timber Creek Road, Sherman, TX
Mr. Magers appeared to represent the request and answer any questions. The property is located at 4 Timber Creek Road between West Washington Street and FM 1417 and is zoned R-1 (One-Family Residential) District.

Mr. Magers explained, "We would like to plat the property into two lots for residential development."

Roy Franks, 24 Timber Creek Rd., Sherman, TX
Mr. Franks stated, "I am representing other members in the audience from Timber Creek Addition. Our property has had a covenant on it since 1977, before it was part of the City of Sherman, written by the Timber Creek Addition. The covenant states that you must have 2.5 acres per lot. Any building site must have 2.5 acres and a minimum of a 2500 square feet house. This has been challenged over the years. People have had to buy additional land to build, including Mr. Magers in 2014. He was forced to buy additional land and sold a lot and now he is trying to do this again.

The covenant does not run out until 2027. At that point in time, we can extend the covenant for 10 more years according to the property code. When we received this notification in the mail, we got the Texas Local Government Code 212.015 attachment. We did not get the Texas Local Government Code 212.014 attachment which states, 'Replatting without vacating preceding plat. A replat of a subdivision or part of a subdivision may be recorded and is controlling over the preceding plat without vacation of that plat if the replat does not attempt to amend or remove any covenants or restrictions.' It is clear that is what Mr. Magers is trying to do.

I have talked to Mr. Magers on the phone, and he told me that it is his land, and he can do what he wants with it and that covenants do not mean anything, and he can sell the

land and build whatever small lot he can there. I do not agree with that, and I don't think anyone in Timber Creek Addition agrees with that.

Mr. Magers could have gone to everyone in our neighborhood and asked for modification per Texas Local Government Code 212.014 and he did not do that. Mr. Magers could have sued us to modify the covenant, he did not do that. This is his step to get around the covenant."

Chairman Mahone asked Ms. Cotton, "Can you look into the Texas Local Government code 212.014?"

Ms. Cotton replied, "yes."

Harry Hudgins, 10 Timber Creek Rd., Sherman, TX
Mr. Hudgins stated, "In 2006 Mr. Magers tried to do this before. I have a letter from Mr. Magers and his attorney stating that Mr. Magers understands our bylaws and he will not try this until 2027. We have about eight to ten Timber Creek residents that object to this going through."

Mr. Hudgins submitted two letters:

The first letter presented by Mr. Hudgins stated:
"November 4, 2006

Harry and Tonya Hudgins
10 Timbercreek
Sherman, TX 75092

Dear Harry and Tonya,
You will receive a letter in a few days from the City of Sherman regarding the Replat of our lot. There has been some confusion regarding our intent regarding this Replat. I want to apologize for the poor communication and personally assure you that this Replat conforms to both the City of Sherman regulations and, more importantly, all of Timbercreek's deed restrictions.

We are adding approximately 3 acres from a pecan orchard we purchased contiguous to our Timbercreek property. The Replat will result in two lots. One 4-acre lot includes the original 2.5 acres that surrounds our home and out buildings plus 1.5 acres of trees. The other 3-acre lot consists of our north pasture and the pecan trees.

As you can see from the attached letter, we have been advised that the second lot cannot be developed until the restrictions expire in 2027.

Angela and I hope this clears up any questions or concerns you have regarding our plans. Since moving to Timberceek, we have updated our home, improved our property, and are committed to being good neighbors. If you have any questions, or would like to see the plat, please call us.

Best regards,
Bill Magers"

The second letter presented by Mr. Hudgins stated: "October 20, 2006
T. Scott Smith, Esq.
120 S. Crockett Street
Sherman, Texas 75090

Via Hand-Delivery

Re: Your letter of September 29, 2006
Regarding Covenants and Restrictions on Timbercreek

Dear T. Scott:
After careful consideration of the issues raised in your above-referenced letter, and consultation with a number of their friends and neighbors in Timbercreek, Bill and Angela Magers wish to give you every assurance that no additional residence will be erected on their Timbercreek acreage so long as the extant restrictions of record are in force. They ask that you please disseminate copies of this letter of assurance to all of their friends and neighbors on whose behalf you wrote the September 29 letter.

Please further assure them that the Magers will go forward with their Replat plans strictly so that when their sons reach college age, and the restrictions will have expired under their own terms, further development may then be pursued.

Meanwhile, for the next couple of decades, the Magers join your group in trusting that all Timbercreek owners will do everything possible to maintain property values out there.

Thank you and those for whom you speak for a very polite, well-reasoned letter, and again assure them of Bill and Angela's continued esteem and good will towards them. With warmest personal regards, I remain

Sincerely your friend and colleague,
Robert E. Richardson, Jr."

Chairman Mahone stated, "If you are here and agree with Mr. Franks and Mr. Hudgins, please raise your hand."

Six people raised their hands.

Mr. Magers replied, "In 2004, we purchased 3.97 acres in the Timber Creek Addition. I purchased an additional 2.87 acres. What we are talking about is a Replat of the original Timber Creek Subdivision. It was 3.947 acres in Timber Creek, 2.87 acres in Lisa Addition and 0.49 acres in Texas and Pacific Railroad which runs through Sherman. Lot 1 was sold, and a home was built on it. It has 1.492 acres in Timber Creek Addition, so to be clear, that house is not on 2 acres.

I am going to read the code restriction, 'Residential building sites can contain no less than 2.5 acres.' I am fine with this. My current home that we are putting on the market has 2.7 acres. We have no intention of building on the second lot that we are platting off. This lot conforms to the City of Sherman regulations. The home that we have is 2.7 acres, of which 1.4 acres is in Timber Creek Addition, just like my next-door neighbor."

Commission Member Blagg asked, what is the purpose of the Replat?"

Mr. Magers replied, "It is to hold onto. In five years, the Covenant, Conditions and Restrictions (CC&R) will expire and at that point, we will make a decision as to what we want to do."

Chairman Mahone requested an Executive Session and stated, "The Planning & Zoning Commission will now hold a closed executive session pursuant to the Texas open meetings act at section 551.001 to consult with the city attorney."

ADJOURNMENT

ADJOURNMENT
On Motion duly made and carried, the meeting adjourned for an Executive Session at 5:16 p.m.

RECONVENE

RECONVENE
The Executive Session closed, and the meeting reconvened at 5:22 p.m.

Chairman Mahone asked if they had seen the Staff Review Letter."

Mr. Magers replied, "Yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Replat.

ACTION TAKEN.
Motion by Commission Member Davis to approve the Replat of Timber Creek Addition, Phase 2 in an R-1 (One Family Residential) District at 4 Timber Creek Road subject to the Staff Review Letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.
VOTING NAY: NONE.
MOTION CARRIED.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SITE PLAN - WOODMEN'S CIRCLE HOME MULTIFAMILY 2817 WEST HOUSTON STREET (DEBID PROPERTIES LLC)

SITE PLAN – CONSENT AGENDA ITEM

THE REQUEST OF DEBID PROPERTIES LLC (OWNER), DAVID BROWN, BLOCK 20, LLC (REPRESENTATIVE/PROSPECTIVE BUYER), PACHECO KOCH (LANDSCAPE DESIGNER) AND JHP ARCHITECTURE/URBAN DESIGN (ARCHITECT) CONCERNING THE PROPERTY LOCATED AT 2817 WEST HOUSTON STREET, BEING 13.535 ACRES IN THE G. MCGLOTHLIN SURVEY, ABSTRACT NUMBER 828, AS FOLLOWS:

PLANNING AND ZONING COMMISSION

SITE PLAN APPROVAL OF WOODMEN'S CIRCLE HOME MULTIFAMILY.

David Brown, 14881 Quorum Dr., Dallas, TX

Mr. Brown appeared to represent the request and answer any questions. The property is located at 2817 West Houston Street, the northeast corner of North FM 1417 (Heritage Parkway) and West Houston Street and is zoned R-2 (Multi-Family Residential) District/O-1.1 (F.M. Highway 1417) Overlay District.

Mr. Brown explained, "I am requesting site plan approval for the Woodmen's Circle Home Multi-family residential complex that consists of 295 one and two-bedroom units with 590 parking spaces."

Pete Kloppers, 2609 Shenandoah Cir., Sherman, TX

Mr. Kloppers stated, "I am going to touch on the water and drainage run-off. Currently the rain is absorbed by the land. As that land is going to be filled up with houses, parking lots and driveways, all that water is going to run off. The Woodmen's Circle land is 50' to 60' higher than the Laurel Creek Addition, and specifically our lake. That water is going to be running down Shenandoah Circle and down Highway 56 to a little retention pond that may or may not hold the water. It is going to fill our lake up. Our lake right now is filled with water coming from the Hidden Valley area, the Laurel Creek area and from Park Haven, which runs under the highway. The lake was originally developed in the 1930's to provide water for cattle. It is now a flood control lake. The dam was not taken care of, and we had to spend $250,000.00 to redo the dam, all approved by the State of Texas and the City of Sherman. We ask that a Hydrology Analysis be done to ensure that dam can handle the water coming from Woodmen's Circle."

Peter Crouse, 104 Laurel Creek Dr., Sherman, TX

Mr. Crouse submitted and read the following letter, "I want to thank Mr. Brown on behalf of Block 20 LLC for the insight to bring to the City of Sherman this apartment complex which will help address our fast-growing needs.

From what I have seen our Planning and Zoning staff has done an excellent job preparing for this meeting.

The purpose of my speaking today as a citizen is to bring attention to and solutions for possible oversights that were missed and could cost Block 20 expenses not planned or budgeted for. I would like to address three items this evening.

1. **Traffic flow - There is a short span from the property exit to the traffic light at 1417 and a difficult-to-maneuver left turn. For this reason, I am recommending a Traffic Flow Analysis.**

2. **Water runoff - This 13-acre plot of porous earth will be transformed into 9 acres of non-porous materials (buildings and concrete). I assume the buildings will include gutters leading to the city sewer system. That leaves about 6 acres of concrete with surface runoff. I am recommending a Hydrology Study to determine the impact on neighboring properties, all single family residents.**

3. **Staff review letter - There are 24 items of concern listed which could be cumbersome for Block 20 to address. This could result in multiple revisions and post construction adjustments.**

For these reasons I ask Planning and Zoning and Board of Adjustment to please table this item until such time as a traffic analysis and Hydrology Study is completed and Block 20 has time to review the Staff Review Letter for compliance. This is good business for the City of Sherman, Block 20 LLC, and the citizens of Sherman."

Shannon Cornelison-Brown, 117 Laurel Creek Dr., Sherman, TX

Ms. Cornelison-Brown stated, "Everything has been covered with the waterflow and traffic, but I want to encourage you to think about a deceleration lane going into the Laurel Creek Addition. It can be a bit dangerous turning into our neighborhood."

Gail Utter, 2610 Shenandoah Cir., Sherman, TX

Ms. Utter stated, "We understand this complies with all the City of Sherman regulations. A concern in addition to the ones addressed so far is that this does abut up to my property. As Mr. Kloppers stated, it does drop about 40' to 50' from the building site down to my driveway. I have a 6' fence and there will be a 15' retaining wall built. That's 15' from the bottom of my fence, so there will be an additional 9' above my fence. I am concerned about what the retaining wall looks like. Will it be concrete or a pebble look? At the top of that wall will be a parking lot. I am concerned about patios and lighting facing the direction of my home. The developer has been very courteous and reached out to me in August 2022 and did agree to move the dog park to the other side of the development, but I would still like to have those concerns voiced and addressed in some way."

Joseph Lipscomb, 121 Laurel Creek Dr., Sherman, TX
Mr. Lipscomb stated, "The water runoff is a major issue. 20 to 30 homes spent $250,000.00 to move the dam and a Hydrology Study really should be done on this. Regarding traffic flow, we have multiple homes that you all have approved down Highway 56, which is a state highway. We have not seen anything from the City of Sherman or State of Texas to address Highway 56. There are 900 homes in development, and this is 295 apartments with no deceleration lane at an old intersection that was zoned multi-family 25 to 30 years ago when there was a four-way stop at FM 1417 and Highway 56 with two-lane roads. I am not seeing the City of Sherman put in the infrastructure or emphasis behind it. Smart cities do not grow without adequate infrastructure. I want to know what the City of Sherman is going to do to invest in the infrastructure of this project."

Mr. Brown replied, "I will commit to keeping open communication and transparency with the community.

We are here for Site Plan approval, and it is in compliance with the City of Sherman's ordinances and no Variances are being requested. Traffic will be addressed. A Traffic Impact Analysis is not a Site Plan requirement. Drainage will be addressed. This development will be permitted in conformance with all drainage ordinances. A Hydrology Study is not required at this time per City of Sherman ordinance."

Chairman Mahone asked Mr. Lee, "Do you have any comments on the infrastructure as it connects to this project? Are there updates being done that we are not aware of?"

Mr. Lee replied, "At this time there are improvements on FM 1417 and there is another phase of FM 1417 that is coming."

Chairman Mahone asked Mr. Lee, "Have you reviewed this Site Plan regarding the retaining wall and water runoff?"

Mr. Lee replied, "I do not have the details on the retaining wall and there are not any calculations yet done on the runoff."

Chairman Mahone asked, "Will they be required to comply with your office on that?

Mr. Lee replied, "yes, and the driveway location has been moved from their original Site Plan for safety reasons. It now complies with TxDOT regulations. The need for the deceleration lane will be determined by the Traffic Impact Analysis."

Ms. Utter asked, "Will there be a Traffic Impact Analysis and Hydrology study done?"

Mr. Lee replied, "yes."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Brown replied, "yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss Site Plan.

ACTION TAKEN.
Motion by Commission Member Davis to approve the Site Plan of Woodmen's Circle Home Multifamily in an R-2 (Multi-Family Residential) District at 2817 West Houston Street subject to the Staff Review letter. Second by Commission Member Blagg.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.
VOTING NAY: NONE.
MOTION CARRIED.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

FINAL PLAT – OF CEDAR PARK VILLAGE, LOT 24, BLOCK 1 4015 COX STREET (KENNETH AND ALICE BAKER)

(WITHDRAWN)

FINAL PLAT
THE REQUEST OF KENNETH AND ALICE BAKER (OWNERS) AND UNDERWOOD DRAFTING AND SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 4015 COX STREET, BEING 0.993 ACRES IN THE S. MCGLOTHLIN SURVEY, ABSTRACT NUMBER 811, AND BEING LOT 24, BLOCK 1, CEDAR PARK VILLAGE, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
REPLAT APPROVAL OF CEDAR PARK VILLAGE, LOT 24, BLOCK 1.

The property is located at 4015 Cox Street, the southwest corner of Cox Street and Dripping Springs Road and is zoned R-1 (One-Family Residential) District. The owner would like to plat the property into two lots for residential development.

An email was received from Kim Poort Underwood Drafting, September 30, 2022 at 1:09 PM requesting to withdraw this item.

THIS ITEM WAS WITHDRAWN.

SUP & SITE PLAN – CHURCH, DAYCARE & FOOD BANK 2111

SPECIFIC USE PERMIT AND SITE PLAN
THE REQUEST OF HARMONY BAPTIST CHURCH (OWNER), TERRENCE STEELE (REPRESENTATIVE) AND HELVEY-

WAGNER SURVEYING INC. (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2111 EAST TUCK STREET, BEING LOT 1, BLOCK 1, HARMONY BAPTIST CHURCH ADDITION, AS FOLLOWS:

EAST TUCK STREET (HARMONY BAPTIST CHURCH)

PLANNING AND ZONING COMMISSION
ADOPT AN ORDINANCE GRANTING A SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A CHURCH, DAYCARE AND FOOD BANK IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT AND REPEAL ORDINANCE NO. 3820 AND ORDINANCE NO. 5647.

Terrence Steele, 5200 Ambergate Ln., Sherman, TX
Mr. Steele appeared to represent the request and answer any questions. The property is located at 2111 East Tuck Street, the northwest corner of East Tuck Street and North Ellington Avenue and is zoned R-1 (One-Family Residential) District.

Mr. Steele explained, "The owner is requesting approval for a church, daycare and food bank. They provide food for an average of 300 families per month and because of that, they want to construct a 40' by 112', 4,480 square foot building for the food bank and daycare expansion."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Steele replied, "yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss Specific Use Permit or Site Plan.

ACTION TAKEN.
Motion by Commission Member Manley to approve the Adoption of an ordinance granting a Specific Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Church, Daycare and Food Bank in an R-1 (One-Family Residential) District and repeal Ordinance No. 3820 and Ordinance No. 5647 at 2111 East Tuck Street subject to the Staff Review letter. Second by Vice Chairman Downtain.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.
VOTING NAY: NONE.
MOTION CARRIED.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT AND SITE PLAN
THE REQUEST OF MARIO TOBAR (OWNER), SIAS DRAFTING AND DESIGN (DESIGNER) AND PRESTON TRAIL LAND SURVEYING (SURVEYOR) CONCERNING THE

SUP & SITE PLAN – DUPLEX IN R-1 REPLAT - TOBAR FAIRVIEW ADDN

PROPERTY LOCATED AT 210 WEST FAIRVIEW STREET, BEING 0.385 ACRES IN THE J.B. MCANAIR SURVEY, ABSTRACT NO. 763, BLOCK 1, ALSO BEING PART OF LOT 5, BLOCK 2, OF W.M. SHANNON SUPPLEMENTAL ADDITION, AS FOLLOWS:

210 WEST FAIRVIEW STREET (MARIO TOBAR)

PLANNING AND ZONING COMMISSION

A. SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A TWO-FAMILY (DUPLEX) IN AN R-1 (ONE-FAMILY RESIDENTIAL) DISTRICT.
B. REPLAT APPROVAL OF TOBAR FAIRVIEW ADDITION.

Chris Noah, Preston Trails Land Surveying, 787 W. FM 996, Pottsboro, TX and Mario Tobar, 635 Preston Meadows Rd., Sherman, TX

Mr. Noah and Mr. Tobar appeared to represent the request and answer any questions. The property is located at 210 West Fairview Street between Shannon and North Travis Streets and is zoned R-1 (One-Family Residential) District.

Mr. Tobar explained, "I would like to Plat the property into one lot to build a three-bedroom, two-bathroom duplex. There are a lot of duplexes in the area."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Tobar and Mr. Noah replied, "yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Specific Use Permit, Site Plan or Replat.

ACTION TAKEN.
Motion by Commission Member Davis to approve the Specific Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Two-Family (Duplex) in an R-1 (One-Family Residential) District and the Replat of Tobar Fairview Addition at 210 West Fairview Street subject to the Staff Review letter. Second by Commission Member Whitaker.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.
VOTING NAY: NONE.
MOTION CARRIED.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

SPECIFIC USE PERMIT AND SITE PLAN

SUP & SITE PLAN - SCHOOL, NURSERY,

THE REQUEST OF DAVID AND DEBBIE MCNEES (OWNERS), SRC LAND BUILDING AND REAL ESTATE

KINDERGARTEN OR DAYCARE
2100 POST OAK CROSSING
(DAVID AND DEBBIE MCNEES)

(REPRESENTATIVE/PROSPECTIVE BUYER), OMEGA DESIGN LLC (DESIGNER) AND UNDERWOOD DRAFTING & SURVEYING (SURVEYOR) CONCERNING THE PROPERTY LOCATED AT 2100 POST OAK CROSSING, BEING LOT 2, POST OAK CROSSING REPLAT, AS FOLLOWS:
PLANNING AND ZONING COMMISSION
SPECIFIC USE PERMIT AND SITE PLAN APPROVAL UNDER ORDINANCE NO. 2280, SECTION 8, SUBSECTION (5)(A) TO ALLOW A SCHOOL, NURSERY, KINDERGARTEN OR DAYCARE IN AN C-1 (RETAIL BUSINESS) DISTRICT/O-1.1 (F.M. HIGHWAY 1417) OVERLAY DISTRICT.

<u>William Reed, SRC Land Development, 811 S Central Expwy. #306, Richardson, TX and Alex Freeman, 18740 Wainsborough Ln., Dallas, TX</u>
Mr. Reed appeared to represent the request and answer any questions. The property is located at 2100 Post Oak Crossing between North FM 1417 (Heritage Parkway) and Mimosa Drive and is zoned C-1 (Retail Business) District/ O-1.1 (F.M. Highway 1417) Overlay District.

Mr. Reed explained, "The owner would like approval for a Montessori School/Daycare.

The fire lane will be two-way traffic. There will be a single drop off lane. All parents will enter from Mimosa Drive to drop off or pick up kids. This allows the longest lane for waiting to drop off and pick up. There is also a digital keypad outside the front entry for parent access.

They will be placing a Montessori Day Care in the existing building, replacing all three tenants. The existing building is 8,317 square feet. They will be adding 972 square feet of conditioned space to the building by enclosing two existing covered walkways. They have removed the existing dumpster enclosure facing Mimosa Drive. The dumpster enclosure is relocated on the west side of the site and is accessible from the fire lane.

They have added two exterior play areas. One is the infant play area located at southwest corner of building. The primary play area is located near the Mimosa Drive entry. A 6' tall wrought iron security fence is located around the exterior play areas with exit gates as required. Fire access Knox boxes are also provided at these fence gates.

All existing landscape areas will remain."

Mr. Freeman stated, "We will have infants all the way up to first grade students."

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Reed replied, "yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Specific Use Permit or Site Plan.

ACTION TAKEN.
Motion by Commission Member Manley to approve the Specific Use Permit and Site Plan under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a School, Nursery, Kindergarten or Daycare in a C-1 (Retail Business) District/O-1.1 (F.M. Highway 1417) Overlay District at 2100 Post Oak Crossing subject to the Staff Review letter. Second by Commission Member Sims.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.
VOTING NAY: NONE.
MOTION CARRIED.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

VARIANCE, ZONE CHANGE, AND SITE PLAN

VARIANCES – PARKING & BUILDING HEIGHT
ZONE CHANGE C-1 TO R-2
SITE PLAN – SHERMAN TOWN CENTER MULTIFAMILY
600-700 BLOCKS GRAHAM DRIVE
(PANINA INC. AND A-S 71 SHERMAN-PHASE III LP)

THE REQUEST OF PANINA INC. AND A-S 71 SHERMAN-PHASE III LP (OWNERS), MICHAEL CARLISLE, KIMLEY-HORN AND ASSOCIATES (REPRESENTATIVE/ENGINEER), MEEKS PARTNERS (ARCHITECT) AND ADAMS SURVEYING COMPANY (SURVEYOR) CONCERNING THE PROPERTY LOCATED IN THE 600-700 BLOCKS GRAHAM DRIVE, BEING 14.336 ACRES, LOT 1A, BLOCK 1, SHERMAN TOWN CENTER, AND ALSO BEING 5.8608 ACRES, LOT 2, BLOCK 1, SHERMAN TOWN CENTER SECTION TWO, AS FOLLOWS:

BOARD OF ADJUSTMENT

A. VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (4) TO ALLOW 549 PARKING SPACES IN LIEU OF THE REQUIRED 696 IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.
B. VARIANCE UNDER ORDINANCE NO. 2280, SECTION 6.4, SUBSECTION (5) TO ALLOW A 49' BUILDING HEIGHT IN LIEU OF THE ALLOWED 45' IN AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.

PLANNING AND ZONING COMMISSION

C. ZONE CHANGE APPROVAL UNDER ORDINANCE NO. 2280, SECTION 12, FROM A C-1 (RETAIL BUSINESS) DISTRICT TO AN R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT.
D. SITE PLAN APPROVAL OF SHERMAN TOWN CENTER MULTIFAMILY.

Michael Carlisle, Kimley-Horn Associates, 260 E. Davis, McKinney, TX

Mr. Carlisle appeared to represent the request and answer any questions. The property is located in the 600-700 Blocks Graham Drive between Bluffview Drive and North Loy Lake

Road and is zoned R-2 (Multi-Family Residential) District and C-1 (General Commercial) District.

An email was received from Michael Carlisle, Kimley-Horn and Associates on 10/4/2022 at 7:16 p.m., requesting to change the parking Variance request to allow 580 parking spaces in lieu of the required 696.

Mr. Carlisle explained, "The subject site is located behind an existing retail shopping center at the furthest northwest corner of the City of Sherman City Limits, just north of Graham Drive. Graham drive terminates at a cul-de-sac at the subject site. The subject site is bordered by non-incorporated tracts to the north and west and commercial tracts to the south and east. Sherman Town Center Multifamily is anticipated to include 340 residential units and a clubhouse with additional tenant amenities. Lot 1A is currently zoned R-2 (Multi-family Residential) District, while Lot 2 is zoned C-1 (General Commercial) District. We are requesting the following:

- **Zoning Change of Lot 2 from C-1 (General Commercial) District to R-2 (Multi-family Residential) District to conform with the zoning of Lot 1A and allow for the requested multi-family development.**
- **Variance from the zoning required 2.04 parking ratio to minimum 1.7. The developer (Greystar Development) is the largest multifamily developer in the world. Through their extensive history of similar product types, a 1.7 parking ratio while maintaining localized parking per building, as shown on the site plan, is proven to be adequate for this use.**
- **Variance from the allowed height of 45' to 49'. There are architectural elements they would like to incorporate which increases the building height to 49'."**

Chairman Mahone asked if they had seen the Staff Review Letter.

Mr. Carlisle replied, "yes, they had seen the Staff Review Letter and would abide by the Recommendations."

No other citizens appeared before the Planning and Zoning Commission to discuss the Variances, Zone Change or Site Plan.

ACTION TAKEN.

Board of Adjustment
Motion by Commission Member Davis to approve the Variance under Ordinance No. 2280, Section 6.4, Subsection (4) to allow 580 parking spaces in lieu of the required 696 in an R-2 (Multi-Family Residential) District and the Variance under Ordinance No. 2280, Section 6.4, Subsection (5) to

allow a 49' building height in lieu of the allowed 45' in an R-2 (Multi-Family Residential) District in the 600-700 Blocks Graham Drive subject to the Staff Review letter. Second by Vice Chairman Downtain.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, AND MANLEY.
VOTING NAY: NONE.
MOTION CARRIED.

Planning and Zoning
Motion by Commission Member Davis to approve the Zone Change under Ordinance No. 2280, Section 12, from a C-1 (Retail Business) District to an R-2 (Multi-Family Residential) District and the Site Plan of Sherman Town Center Multifamily in the 600-700 Blocks Graham Drive subject to the Staff Review letter. Second by Commission Member Manley.

VOTING AYE: MAHONE, DOWNTAIN, DAVIS, SIMS, MANLEY, WHITAKER AND BLAGG.
VOTING NAY: NONE.
MOTION CARRIED.

THE COMMISSION FOUND THE REQUEST CONFORMS TO THE INTENT OF THE ORDINANCE.

ADJOURNMENT
On Motion duly made and carried, the meeting adjourned at 6:00 p.m.

_____
CHAIRMAN

_____
ACTING SECRETARY

Planning & Zoning Commission and Board of Adjustments **6.**

Meeting Date: 11/15/2022

Prepared By: Kerri Turner, Development Services Coordinator

Issue:

CONSENT AGENDA (ITEMS7, 8, 9, 10, 11, 12, 13 AND 14)

Asterisked (*) items are considered to be routine and non-controversial items. These items will be enacted in one motion without discussion unless a Commission Member or a member of the audience requests a specific item be discussed and voted on separately prior to a motion and vote.

List of Agenda Items:

7. * **1228 SOUTH RUSK STREET**

The request of Moran Developments, LLC (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1228 South Rusk Street, being 0.200 Acres in part of the Samuel Blagg Survey, Abstract No. 56, and being the South 100 ft. of Lot 8, Block 16 of the B.H. Moore Heirs Addition, as follows:

Planning and Zoning Commission

Replat approval of B.H. Moore Heirs Addition, Lot 8R, Block 16.

8. * **5211 OB GRONER ROAD**

The request of John and Mary Raleigh (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 5211 OB Groner Road, being 9.991 acres in the Jason Stamps Survey, Abstract No. 1115, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Raleigh Acres, Lots 1 and 2, Block A.

9. * **310 NORTH CARL STREET**

The request of Dhesi Investment, LLC (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 310 North Carl Street, being 0.217 acres in the J.B. McAnair Survey, Abstract No. 763, and also being part of Lots 2, 3, and 4, Block E, Greenmount 2nd Addition, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Dhesi Addition, Lot 2R, Block E.

10. * **709 EAST LAMBERTH ROAD**

The request of Luke Scheibmeir (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 709 East Lamar, being 0.512 acres in the J.B. McAnair Survey, Abstract No. 763, and being part of Lot 1, Block 2, J.H. Carraway's Subdivision, as follows:

Planning and Zoning Commission

Replat approval of 709 East Lamberth Addition, Block A, Lot 1.

11. * **4305 TEXOMA PARKWAY**

The request of Mark Temple, M.A. Temple Investments (Owner), R.D. Simpson (Representative) and Burns Surveying (Surveyor) concerning the property located at 4305 Texoma Parkway, being Lot 1, Block 1, API Addition, as follows:

Planning and Zoning Commission

Site Plan approval of Johnstone Supply.

12. * **500 BLOCK HOG SKIN ROAD**

The request of Diana Raulston and Amy Fields (Owners), Len McManus (Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 500 Block Hog Skin Road in Sherman's Extra Territorial Jurisdiction (ETJ), being 9.441 acres in The Bailey Winfred Survey, Abstract No. 66, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Ladd Estates III.

13. * **514 SOUTH DEWEY AVENUE**

The request of Naveed Owais, Emaar TX LLC (Owners) and Underwood Drafting & Surveying concerning the property located at 514 South Dewey Avenue, being 0.317 acres in the George B. Pilant Survey, Abstract No. 963, and also being all of Lot 4 and part of Lot 5, Block 2, J.C. Linnstead Addition, as follows:

Planning and Zoning Commission

Replat approval of Emaar Addition.

14. * **2708 EAST LAMAR STREET**

The request of Frontera MHC, LLC (Owner), Marley Phillips (Developer/Representative), Bowman (Consulting Firm) and Spooner and Associates Land Surveyors (Surveyor) concerning the property at 2708 East Lamar Street, being 113.414 acres in the Aaron Burleson Survey, Abstract No. 61, as follows:

Planning and Zoning Commission

Final Plat approval of Lot 1 and Lot 2, Block 1 Frontera.

Planning & Zoning Commission and Board of Adjustments **7.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

* **1228 SOUTH RUSK STREET**

The request of Moran Developments, LLC (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 1228 South Rusk Street, being 0.200 Acres in part of the Samuel Blagg Survey, Abstract No. 56, and being the South 100 ft. of Lot 8, Block 16 of the B.H. Moore Heirs Addition, as follows:

Planning and Zoning Commission

Replat approval of B.H. Moore Heirs Addition, Lot 8R, Block 16.

Background:

The property is located at 1228 South Rusk Street, the northwest corner of South Rusk and West Dulin Streets and is zoned R-1 (One-Family Residential) District. The owner would like to plat the property into one lot for residential development.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

Moran Developments, LLC (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

196

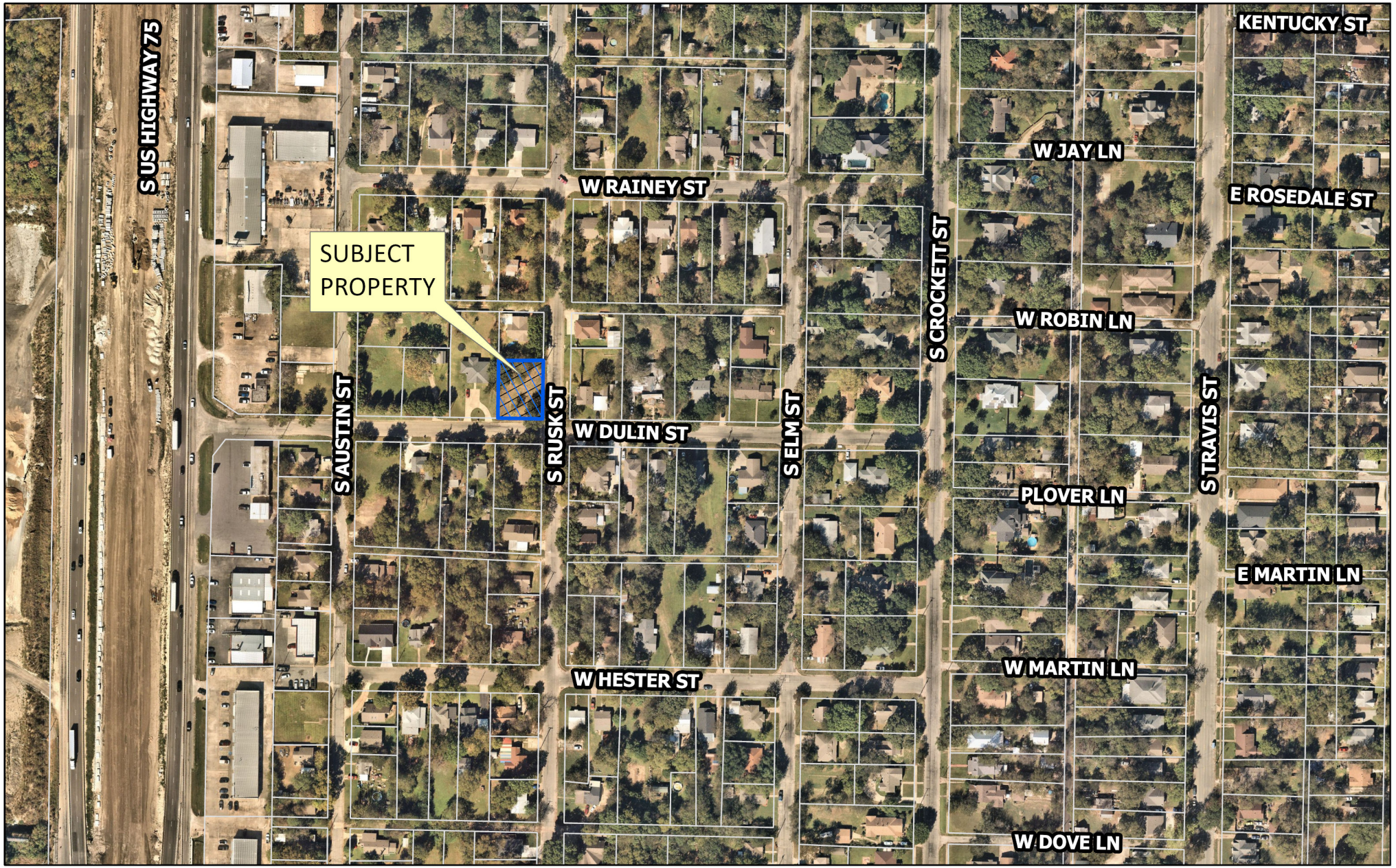
Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat
Site Plan
Staff Review Letter



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

1228 S Rusk

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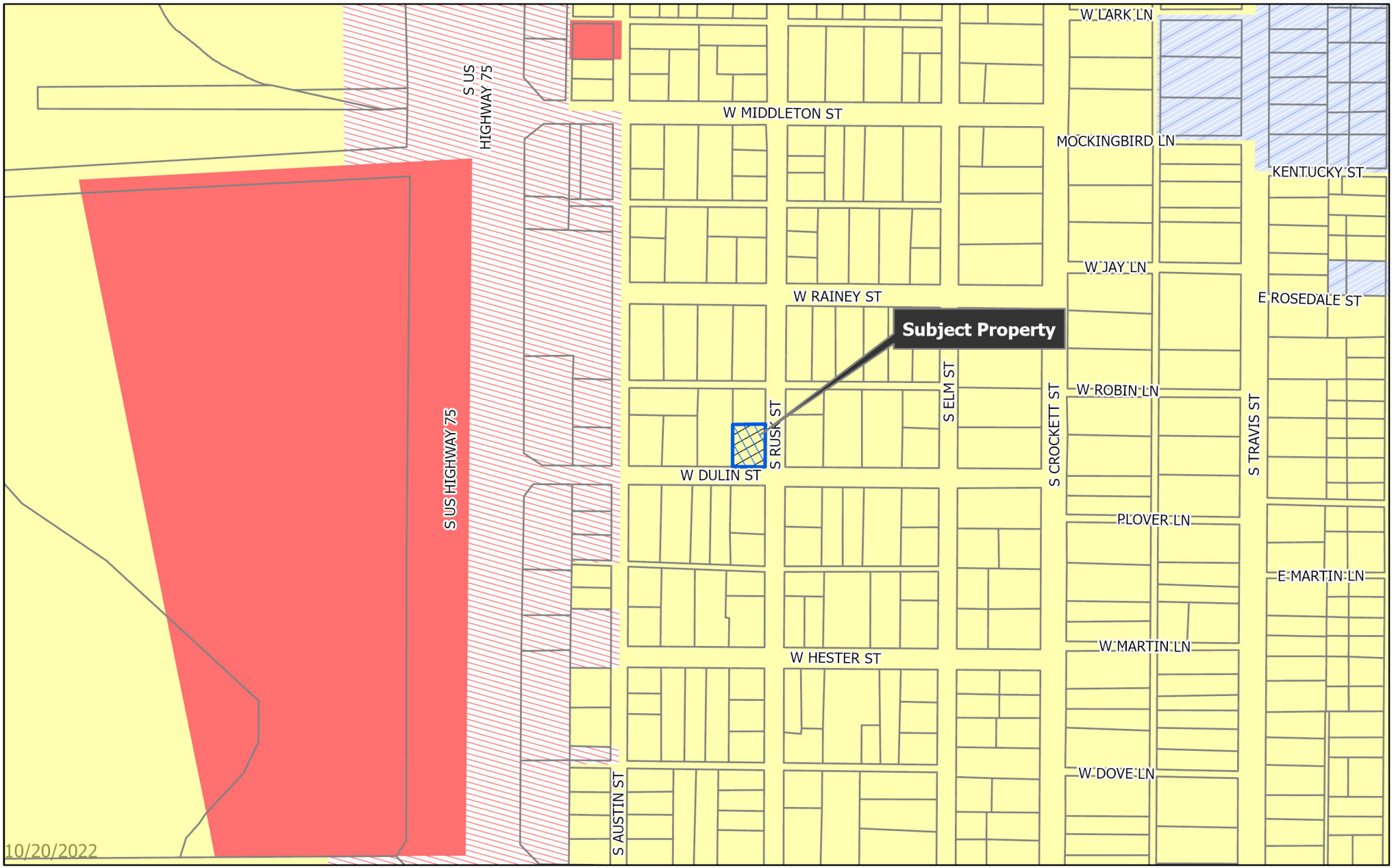
Date: 10/20/2022 8:25 AM

Scale: 1:2,943



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

1228 S Rusk

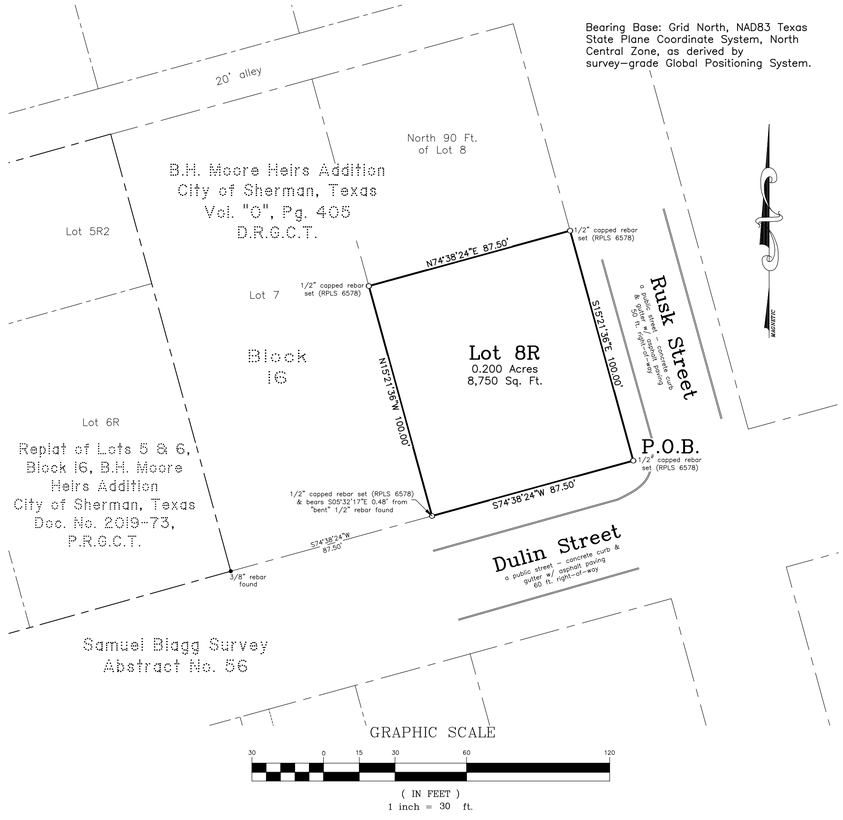
N W E S

Scale: 1:4,006

Date: 10/20/2022 8:25 AM

1228 s Rusk

ZONING
REQUESTED
AT THIS LOCATION
ADDITIONAL
INFORMATION
903-892-7229
Oct 27, 2022 at 9:20 AM



Lot 8R, Block 16
Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition
to the
City of Sherman, Texas
0.200 Acres
in the
Samuel Blagg Survey
Abstract No. 56

General Notes:

1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be outside 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0405 G, Revised Date: September 29, 2010.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Job No. CGS501022

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owner:
Moran Developments, LLC
910 S. Travis Street
Sherman, Texas 75090

Vicinity Map
(not to scale)

X:\Shared Projects\1228-S-Rusk-Street-Sherman\Civil 3D\Plat.dwg 10/7/2022 3:21 PM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, being a part of the Samuel Blagg Survey, Abstract No. 56, being the South 100 ft. of Lot 8, Block 16 of the B.H. Moore Heirs Addition to the City of Sherman, Texas, as per plat of record in Volume "O", Page 405, Deed Records, Grayson County, Texas, being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1/2 inch capped rebar set (RPLS 6578) lying at the intersection of the West line of Rusk Street, with the North line of Dulin Street, being the Southeast corner of both said Lot 8 and the herein described tract;

THENCE South 74 deg. 38 min. 24 sec. West, with the North line of said Dulin Street and the South line of said Lot 8, a distance of 87.50 ft. to a 1/2 inch capped rebar set (RPLS 6578) at the Southeast corner of Lot 7, Block 16 of said B.H. Moore Heirs Addition and being the Southwest corner of both said Lot 8 and the herein described tract, said rebar bears South 05 deg. 32 min. 17 sec. East, 0.48 ft. from a "bent" 1/2 inch rebar found;

THENCE North 15 deg. 21 min. 36 sec. West, with the East line of said Lot 7 and the West line of said Lot 8, a distance of 100.00 ft. to a 1/2 inch capped rebar set (RPLS 6578) at the Northwest corner of the herein described tract;

THENCE North 74 deg. 38 min. 24 sec. East, over and across said Lot 8, a distance of 87.50 ft. to a 1/2 inch capped rebar set (RPLS 6578) in the West line of said Rusk Street and the East line of said Lot 8, at the Northeast corner of the herein described tract;

THENCE South 15 deg. 21 min. 36 sec. East, with the West line of said Rusk Street and the East line of said Lot 8, a distance of 100.00 ft. to the **PLACE OF BEGINNING** and containing **0.200 ACRES** of land.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

STATE OF TEXAS · SURVEYOR · KATE A. WAGER · 6578 · REGISTERED PROFESSIONAL LAND SURVEYOR

I, Luis Moran, Member of Moran Developments, LLC, sole owner of Lot 8R, Block 16, Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition to the City of Sherman, Texas, do hereby dedicate the streets, easements, alleys, rights-of-way, parks, school sites and other public places shown hereon to the public use forever.

_____
Authorized Representative for Moran Developments, LLC

AVIGATION RELEASE

WHEREAS, Moran Developments, LLC, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as Lot 8R, Block 16, Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER's described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at Lot 8R, Block 16, Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this _____ day of _____, 2022.

By: _____

By: Luis Moran, Authorized Representative for Moran Developments, LLC, Owner

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Luis Moran, 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 purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2022.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the final plat of Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2022, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the final plat of Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2022, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition to the City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2022, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

WITNESS MY HAND THIS _____ DAY OF _____, 2022, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Lot 8R, Block 16
Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition
to the
City of Sherman, Texas
0.200 Acres
in the
Samuel Blagg Survey
Abstract No. 56

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

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Address: 1228 S RUSK SHERMAN, TX 75090

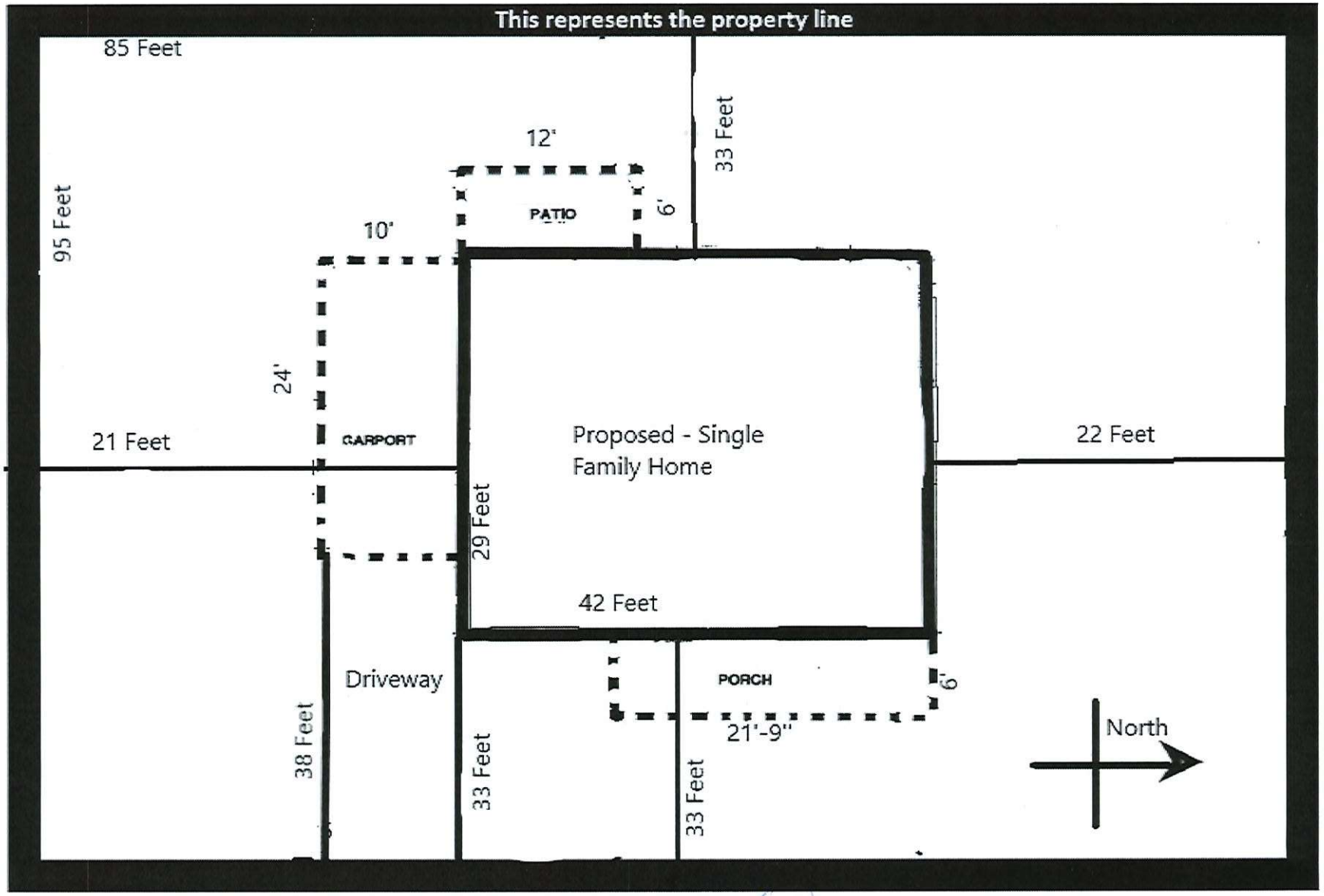
Construction Type: Single Family Home

Legal Description: MOORE B H HEIRS, BLOCK 16, LOT S 100' 8

SITE PLAN

Corner lot? (Yes) or No

- Must include address and legal description of property.
- The front building line is measured from the property line,
- not the street or curb.
- Show all property lines.
- Show all proposed structures and dimensions.
- Show driveway and driveway approach with dimensions.
- Include lot dimensions width and length



Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 7, 2022

Moran Developments, LLC
910 S. Travis
Sherman, TX 75090

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Replat of Lot 8R, Block 16, Replat of the South 100 ft. of Lot 8, Block 16, B.H. Moore Heirs Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, November 15, 2022 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Simplify Plat Name. Plat name must not exceed 20 characters in length. Sub-labels, i.e. "being a replat of…" do not count in the total character limit.
2. Dedicate a 5' Right of Way Dedication along Rusk Street in regards to Grayson County/City of Sherman Thoroughfare Plan. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
3. Dedicate a 15'x15' Right of Way corner clip on Southeast corner of proposed Lot 8R. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
4. Dedicate a 10' Utility Easement along Rusk Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
5. Dedicate a 10' Utility Easement along Dulin Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
6. Modify 10' Utility Easement on Southeast corner of proposed Lot 8R to parallel new right of way created by corner clip.
7. Wastewater main must be extended in accordance with City criteria to serve proposed Lot prior to Building Permit being issued. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)* permitted.
8. Show Ownership block on both pages of plat.
9. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*

10. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
11. Three Party Agreement required for Public Infrastructure.
12. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
13. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
14. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **8.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

* **5211 OB GRONER ROAD**

The request of John and Mary Raleigh (Owners) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 5211 OB Groner Road, being 9.991 acres in the Jason Stamps Survey, Abstract No. 1115, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Raleigh Acres, Lots 1 and 2, Block A.

Background:

The property is located at 5211 OB Groner Road between South Friendship Road and Rolling Hills Drive and is zoned R-1 (One-Family Residential) District. The owner would like to plat the property into 2 lots for residential development.

Adjacent Zoning:

R-1 (One-Family Residential) District

Origination:

John and Mary Raleigh (Owners)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Not applicable.

Number of notices mailed:

Not required.

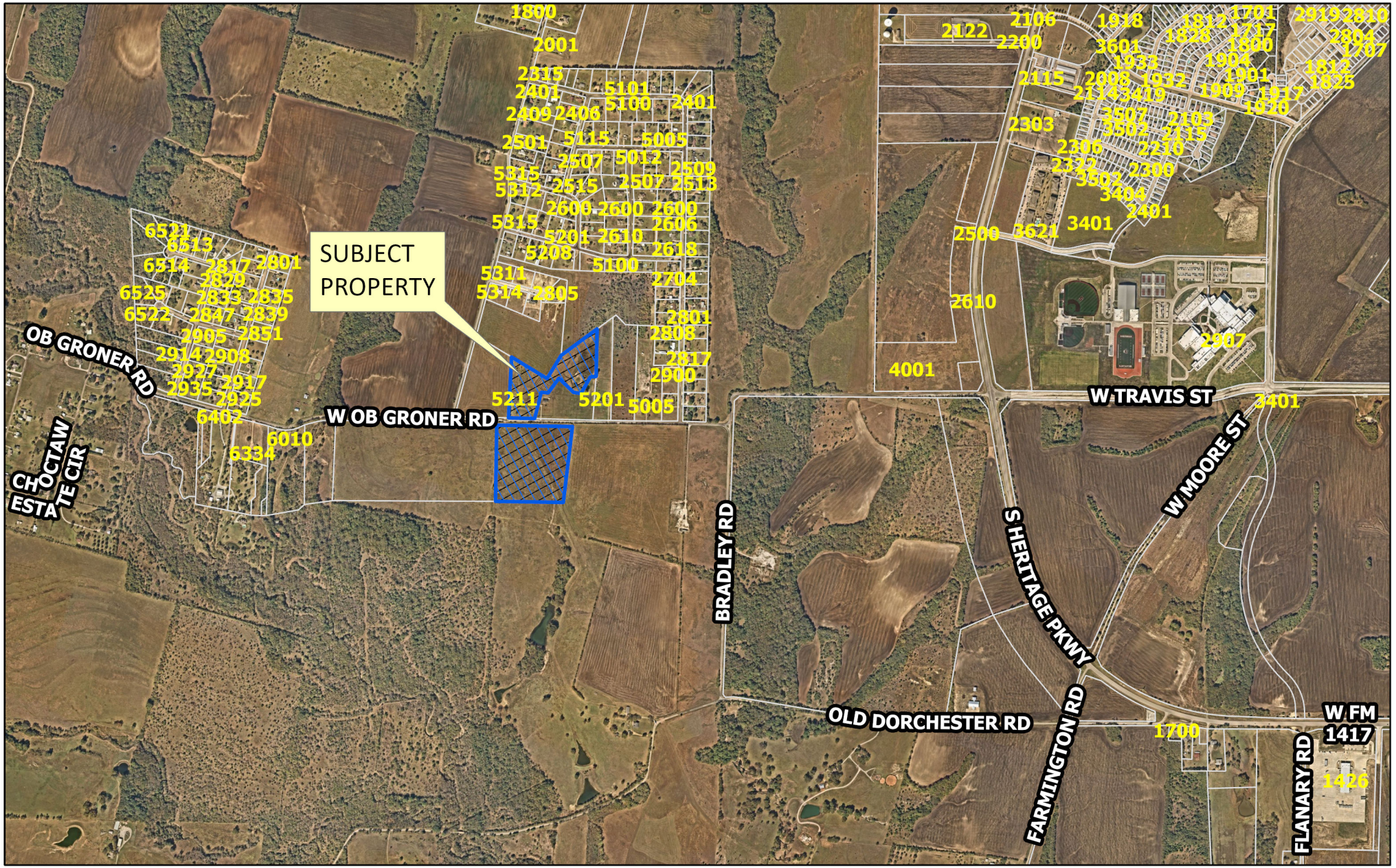
Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Preliminary Plat
Staff Review Letter



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

5211 OB Groner Rd

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W E
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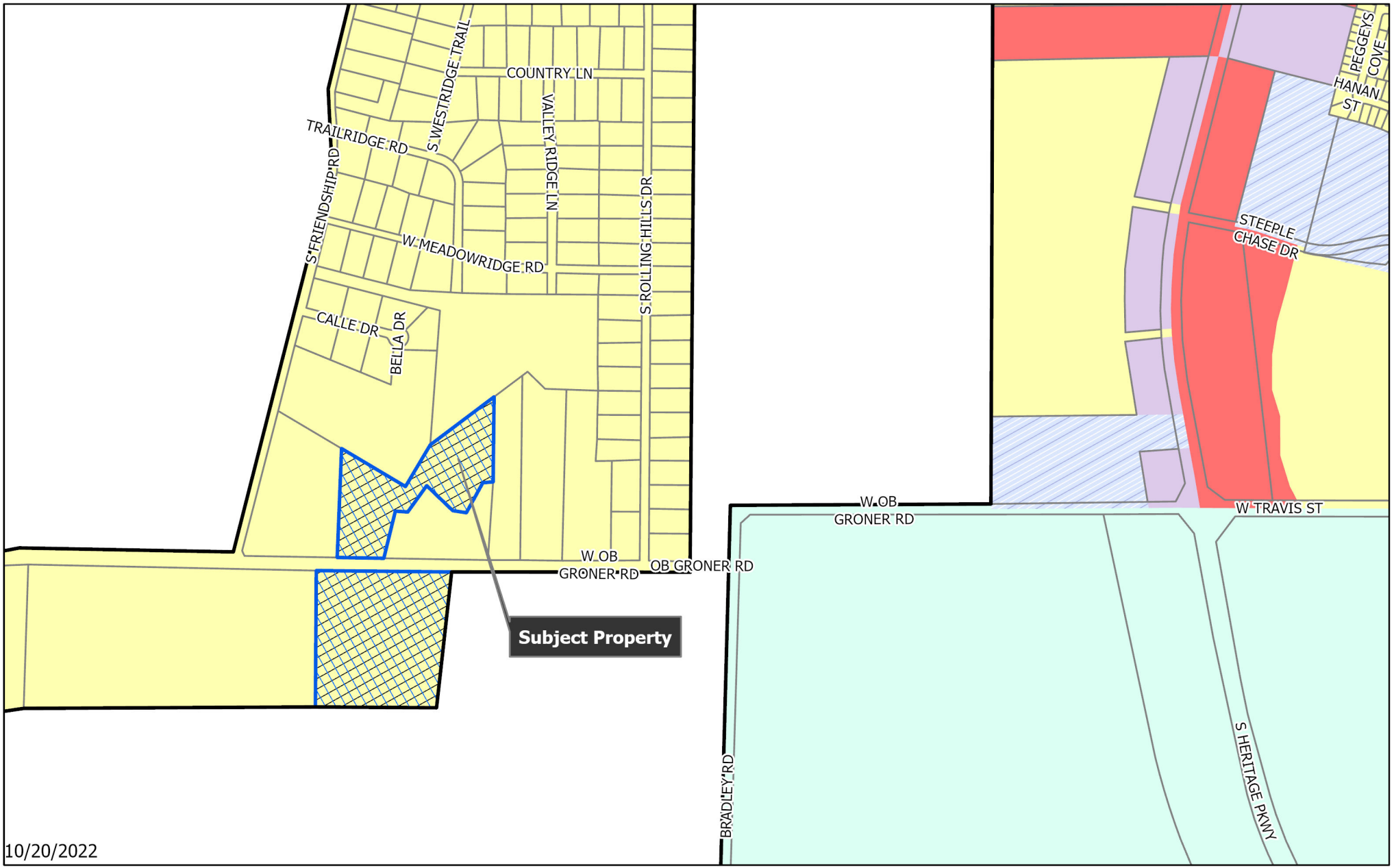
Date: 10/20/2022 8:25 AM

Scale: 1:17,540



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

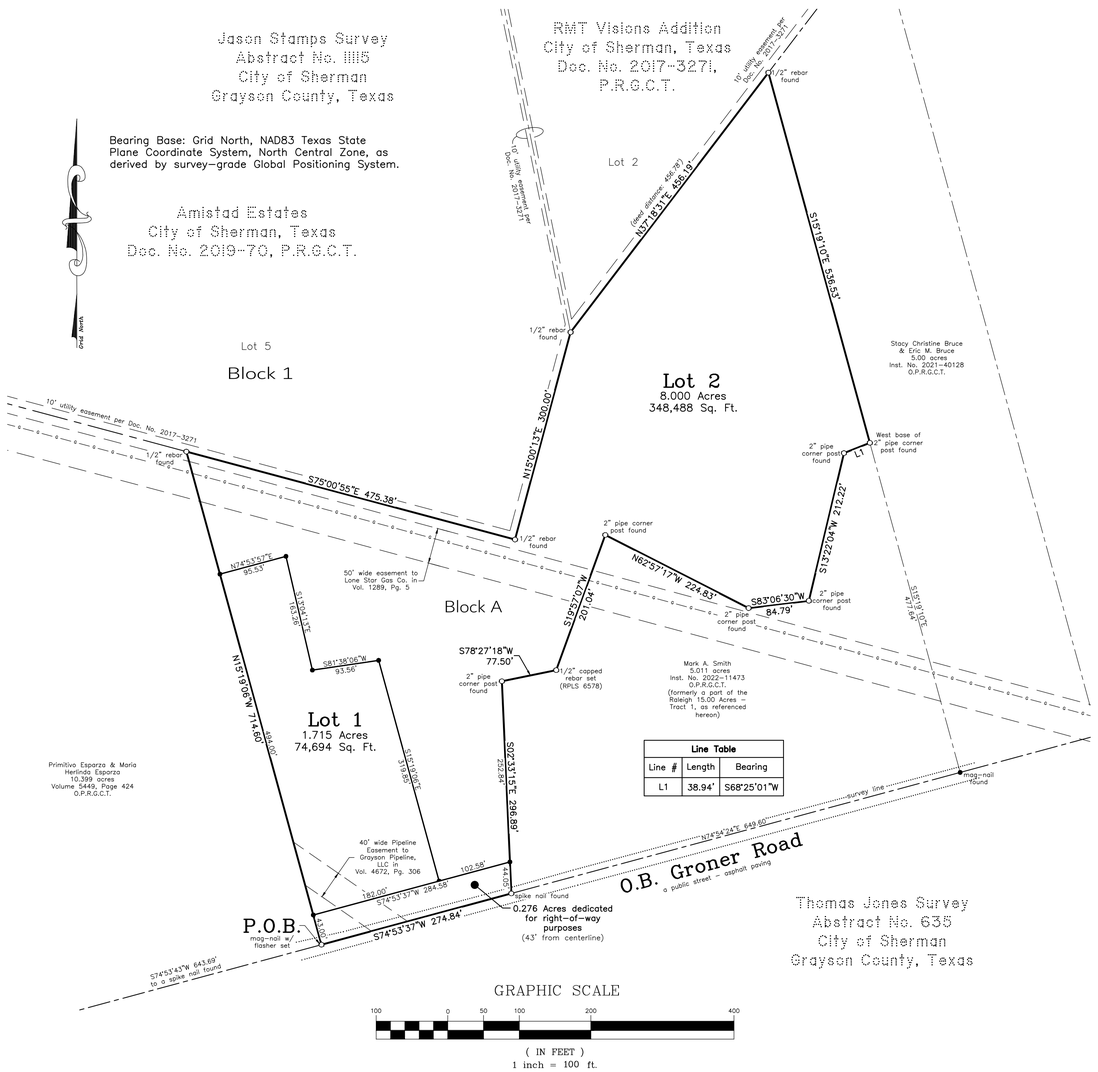
CITY OF SHERMAN
Zoning Location Map

5211 OB Groner Rd

N W E S

Scale: 1:9,781

Date: 10/20/2022 8:25 AM



Preliminary Plat
Lots 1 & 2, Block A
Raleigh Acres
to the
City of Sherman, Texas
9.991 Acres
in the
Jason Stamps Survey
Abstract No. 1115

General Notes:

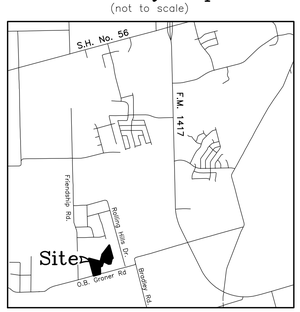
1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by on-site sewage facility.
3. Electrical service is provided by Grayson-Collin Electric Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be within a 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0400 G, Revised Date: September 1, 2022.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Job No. CGS521022

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owners:
John M. Raleigh & Mary L. Raleigh
5211 O.B. Groner Road
Sherman, Texas 75092

Vicinity Map
(not to scale)



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FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the Jason Stamps Survey, Abstract No. 1115, being a part of the 15.00 Acres – Tract 1 conveyed by Warranty Deed from Richard E. Rowland, individually; Pinchback Irrevocable Trust No. 1, by and through its Trustee; Richard E. Rowland and Robert B. Rowland, by and through his Attorney-in-Fact, Richard E. Rowland to John M. Raleigh and Mary L. Raleigh on April 5, 2002, as recorded in Volume 3230, Page 494, Official Public Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a mag-nail with flasher set, lying in or near the centerline of O.B. Groner Road, a public street, in the South line of said Jason Stamps Survey and the North line of Thomas Jones Survey, Abstract No. 635, being the Southeast corner of a 10.399 acre tract conveyed to Primitivo Esparza & Maria Herlinda Esparza, as recorded in Volume 5449, Page 424, said Official Public Records, and the Southwest corner of said Raleigh 15.00 ac. and the most Southerly Southwest corner of the herein described tract;

THENCE North 15 deg. 19 min. 06 sec. West with the East line of said Esparza 10.399 ac. the West line of said Raleigh 15.00 ac., a distance of 714.60 ft. to a 1/2 inch rebar found lying in the South line of Lot 5, Block 1 of Amistad Estates to the City of Sherman, Texas, as per plat of record in Doc. No. 2019-70, Plat Records, Grayson County, Texas, at the Northeast corner of said Esparza 10.399 acre tract and the Northwest corner of both said Raleigh 15.00 ac. and the herein described tract;

THENCE in an Easterly direction, with the South and Southeasterly lines of Lot 5, Block 1 of said Amistad Estates and the North lines of said Raleigh 15.00 ac., the following calls and distances:
1. South 75 deg. 00 min. 55 sec. East, a distance of 475.38 ft. to a 1/2 inch rebar found at the most Southerly corner of said Lot 5 and an angle point of both said Raleigh 15.00 ac. and the herein described tract;
2. North 15 deg. 00 min. 13 sec. East, a distance of 300.00 ft. to a 1/2 inch rebar found at the Southeast corner of said Lot 5 and the Southwest corner of Lot 2, RMT Visions Addition to the City of Sherman, Grayson County, Texas as per plat of record in Doc. No. 2017-3271, said Plat Records and an angle point of both said Raleigh 15.00 ac. and the herein described tract;

THENCE North 37 deg. 18 min. 31 sec. with the South line of said Lot 2 and continuing with the North line of said Raleigh 15.00 ac., a distance of 456.19 ft. to a 1/2 inch rebar found at the Northwest corner of 5.00 acre tract conveyed to Stacy Christine Bruce and Eric M. Bruce, as recorded in Inst. No. 2021-40128, said Official Public Records, and being the Northeast corner of both said Raleigh 15.00 ac. and the herein described tract;

THENCE South 15 deg. 19 min. 10 sec. East, with the West line of said Bruce 5.00 ac. and the East line of said Raleigh 15.00 ac., a distance of 536.53 ft. to the West base of a 2-inch pipe corner post found at the Northeast corner of 5.011 acre tract conveyed to Mark A. Smith, as recorded in Inst. No. 2022-11473, said Official Public Records, (formerly a part of the Raleigh 15.00 ac. as referenced hereon), and being the most Easterly Southeast corner of the herein described tract;

THENCE in a generally Westerly and Southerly direction, with the Northerly and Westerly lines of said Smith 5.00 ac., the following calls and distances:
1. South 68 deg. 25 min. 01 sec. West, a distance of 38.94 ft. to a 2-inch pipe corner post found at an angle point of the herein described tract;
2. South 13 deg. 22 min. 04 sec. West, a distance of 212.22 ft. to a 2-inch pipe corner post found at a Southeast corner of the herein described tract;
3. South 83 deg. 06 min. 30 sec. West, a distance of 84.79 ft. to a 2-inch pipe corner post found at a Southwest corner of the herein described tract;
4. North 62 deg. 57 min. 17 sec. West, a distance of 224.83 ft. to a 2-inch pipe corner post found at an angle point of the herein described tract;
5. South 19 deg. 57 min. 07 sec. West, a distance of 201.04 ft. to a 1/2 inch capped rebar set (RPLS 6578) at a Southeast corner of the herein described tract;
6. South 78 deg. 27 min. 18 sec. West, a distance of 77.50 ft. to a 2-inch pipe corner post found at an Ell corner of the herein described tract;
7. South 02 deg. 33 min. 15 sec. East, a distance of 296.89 ft. to a spike nail found, lying in or near the centerline of O.B. Groner Road, in the South line of said Jason Stamps Survey and the North line of said Thomas Jones Survey, at the Southwest corner of said Smith 5.011 ac. and the most Southerly Southeast corner of the herein described tract;

THENCE South 74 deg. 53 min. 37 sec. West, with the centerline of O.B. Groner Road, the South line of both said Jason Stamps Survey and Raleigh 15.00 ac. and the North line of said Thomas Jones Survey, a distance of 274.84 ft. to the **PLACE OF BEGINNING** and containing **9.991 ACRES** of land.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

STATE OF TEXAS
KATE A. WAGNER
6578
REGISTERED PROFESSIONAL LAND SURVEYOR

We, John M. Raleigh and Mary L. Raleigh, sole owners of Raleigh Acres to City of Sherman, Texas, do hereby dedicate the streets, easements, alleys, rights-of-way, parks, school sites and other public places shown hereon to the public use forever.

_____ _____
John M. Raleigh Mary L. Raleigh

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared John M. Raleigh, 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 purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2022.

_____
Notary Public, Grayson County, Texas

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Mary L. Raleigh, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that she executed the same for the purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2022.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the preliminary plat of Raleigh Acres to City of Sherman, Texas, is hereby approved this _____ day of _____, 2022, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the preliminary plat of Raleigh Acres to City of Sherman, Texas, is hereby approved this _____ day of _____, 2022, by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing preliminary plat of Raleigh Acres to City of Sherman, Texas, was submitted to the City Council of Sherman, Texas, on the _____ day of _____, 2022, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

WITNESS MY HAND THIS _____ DAY OF _____, 2022, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Preliminary Plat
Lots 1 & 2, Block A
Raleigh Acres
to the
City of Sherman, Texas
9.991 Acres
in the
Jason Stamps Survey
Abstract No. 1115

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owners:
John M. Raleigh & Mary L. Raleigh
5211 O.B. Groner Road
Sherman, Texas 75092

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Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 7, 2022

John M. Raleigh & Mary L. Raleigh
5211 O.B. Groner Road
Sherman, TX 75092

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Preliminary Plat of Raleigh Acres has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, November 15, 2022 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Call for property line adjacent to Lot 2, RMT Visions Addition is incomplete in metes and bounds description. Correct appropriately. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
2. Dedicate a 45' Right of Way Dedication from centerline along O.B. Groner Road in regards to Grayson County/City of Sherman Thoroughfare Plan. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
3. Dedicate a 15' Utility Easement along O.B. Groner Road. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
4. Show Ownership block on both pages of plat.
5. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
6. City wastewater does not serve subject property. On-site sewage facility or extension of wastewater main by developer is required. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
7. All Staff Review Letter items on Preliminary Plat shall be addressed prior to submitting Final Plat to Planning & Zoning Commission. *Code of Ordinances Chapter 10.05, Section 6(A)(1)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **9.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

* **310 NORTH CARL STREET**

The request of Dhesi Investment, LLC (Owner) and Helvey-Wagner Surveying, Inc. (Surveyor) concerning the property located at 310 North Carl Street, being 0.217 acres in the J.B. McAnair Survey, Abstract No. 763, and also being part of Lots 2, 3, and 4, Block E, Greenmount 2nd Addition, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Dhesi Addition, Lot 2R, Block E.

Background:

The property is located at 310 North Carl Street between West Mulberry and West Pecan Streets and is zoned R-1 (One-Family Residential) District. The owner would like to plat the property into 1 lot for residential development.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-1 (Retail Business) District

Origination:

Dhesi Investment, LLC (Owner)
Helvey-Wagner Surveying, Inc. (Surveyor)

Master Plan Designation:

Not applicable.

Number of notices mailed:

Not required.

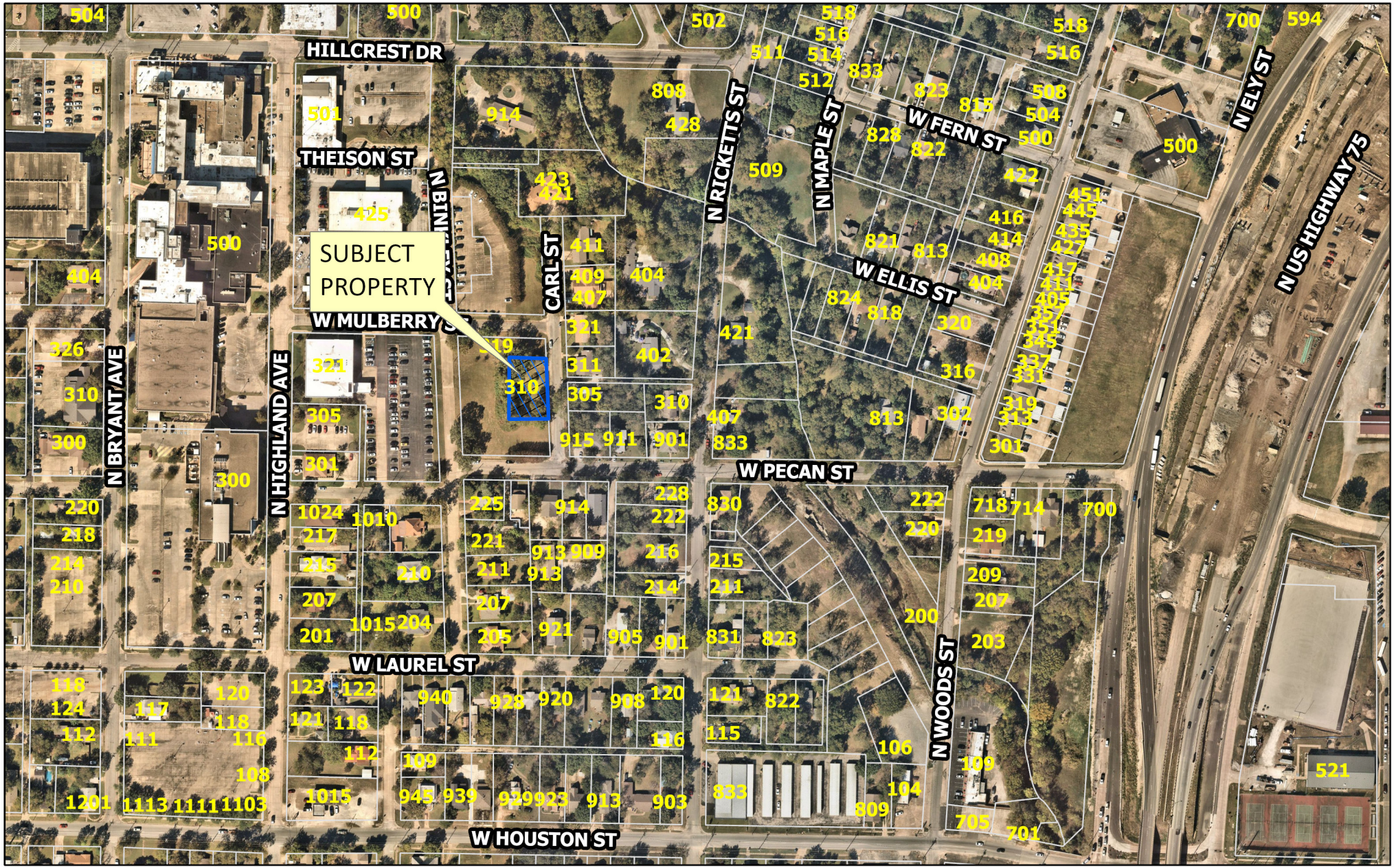
Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Preliminary Plat
Staff Review Letter



dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Planning\Public Notification.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

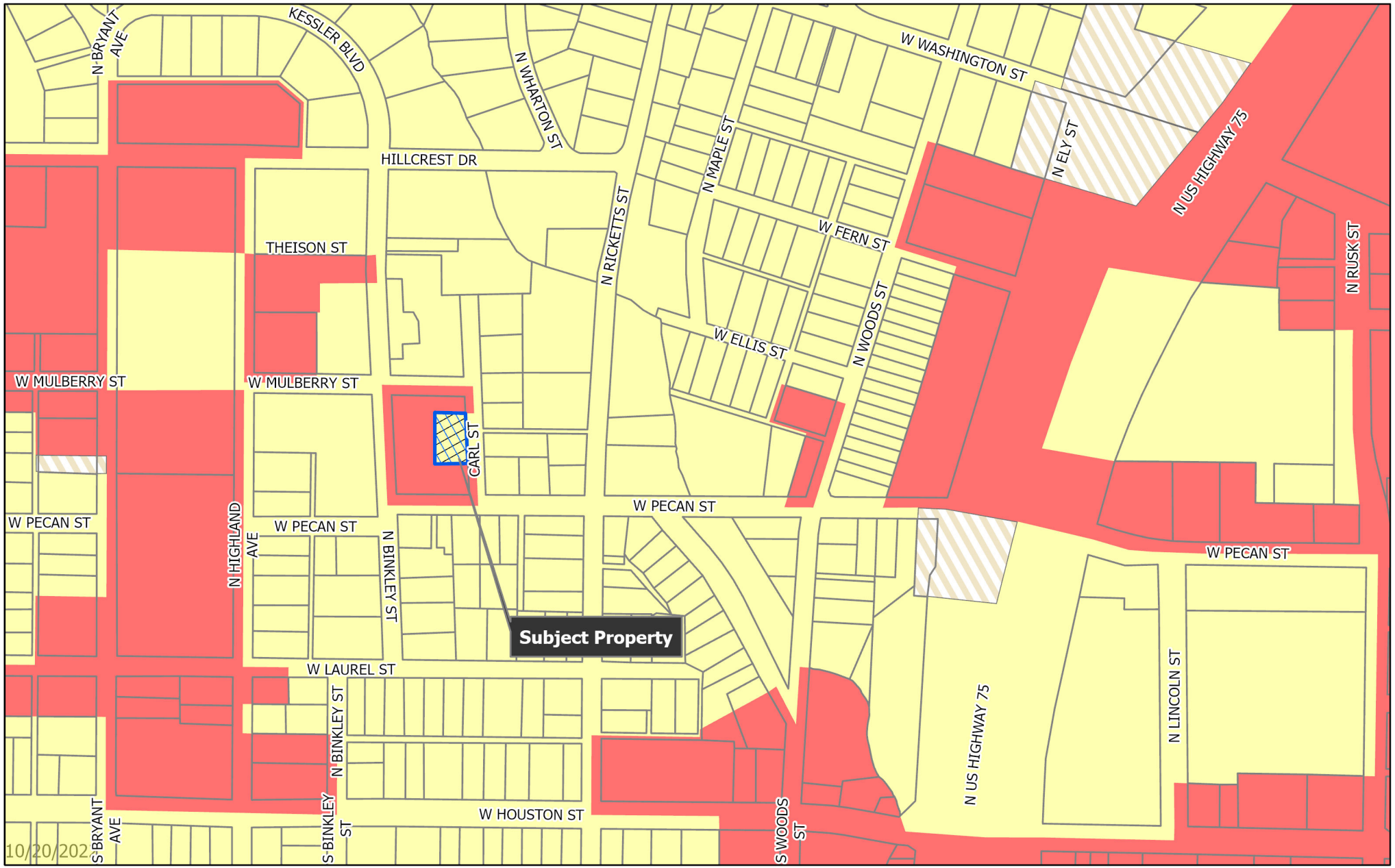
CITY OF SHERMAN

310 N Carl St

N
W E
S

Date: 10/20/2022 8:25 AM

Scale: 1:3,348



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
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- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
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- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

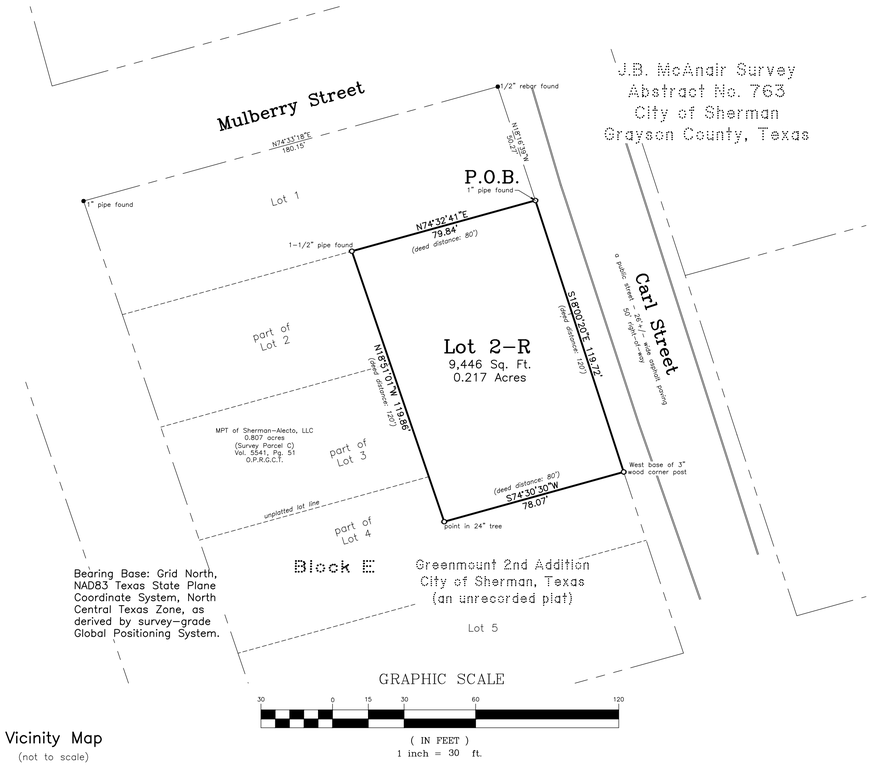
CITY OF SHERMAN
Zoning Location Map

310 N Carl St

N
W E
S

Scale: 1:4,006

Date: 10/20/2022 8:25 AM



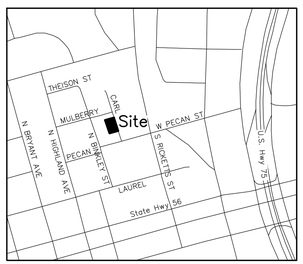
Bearing Base: Grid North, NAD83 Texas State Plane Coordinate System, North Central Texas Zone, as derived by survey-grade Global Positioning System.

GRAPHIC SCALE

30 0 15 30 60 120

(IN FEET)
1 inch = 30 ft.

Vicinity Map
(not to scale)



General Notes:

1. Water Supply to be provided by City of Sherman.
2. Sewer service to be provided by City of Sherman.
3. Electrical service is provided by Oncor Electric Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. The property shown on the plat hereon lies within a Zone "X" (areas determined to be within a 500-year floodplain) Designation, as shown on the Flood Insurance Rate Map for Grayson County, Texas and Incorporated Areas, Map No. 48181C0290 G, Revised Date: September 1, 2022.
8. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
9. The owners and builders must comply with all other state and federal regulations regarding developments of this type.

Job No. CGS551022

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owner:
Dhesi Investments, LLC
525 S. Walnut Street
Sherman, Texas 75090

Preliminary Plat
Lot 2R, Block E
Dhesi Addition
to
City of Sherman
Grayson County, Texas
0.217 Acres
in the
J.B. McAnair Survey
Abstract No. 763

X:\Shared Projects\310 N Carl Sherman\DWG\Replat.dwg Layout: Plat Plot Date Oct 31 22 Time: 10:04 AM

FIELD NOTES

SITUATED in the City of Sherman, County of Grayson, State of Texas, and being a part of the J.B. McAnair Survey, Abstract No. 763 and being a part of Lots 2, 3 and 4, of Block "E", Greenmount 2nd Addition to the City of Sherman, Texas, an unrecorded plat, and being the same "called" 0.22 acre tract of land conveyed by General Warranty Deed from Harold Gene Word and Mary Word to Dhesi Investments, LLC on March 17, 2022 and recorded in Instrument No. 2022-8997, Official Public Records, and being more particularly described by metes and bounds as follows, to-wit:

BEGINNING at a 1 inch pipe found in the West right-of-way line of Carl Street, a public street, at the most Northern Southeast corner of the MPT of Sherman-Alecto, LLC 0.807 acre tract of land (Survey Parcel C) as conveyed in Volume 5541, Page 51, said Official Public Records and the Northeast corner of said Dhesi Investments, LLC 0.22 ac., FROM which a ½ inch rebar found at the most Northern Northeast corner of said MPT of Sherman-Alecto, LLC 0.807 ac. and the Northeast corner of said Block E bears North 18 deg. 15 min. 39 sec. West, 50.27 ft.;

THENCE South 18 deg. 00 min. 20 sec. East, with the West line of said Carl Street, a distance of 119.72 ft. to the West base of a 3 inch wood corner post at the most Eastern Northeast corner of said MPT of Sherman-Alecto, LLC 0.807 ac. and the recognized Southeast corner of said Dhesi Investments, LLC 0.22 ac.;

THENCE South 74 deg. 30 min. 30 sec. West, with a North line of said MPT of Sherman-Alecto, LLC 0.807 ac., a distance of 78.07 ft. to a point in a 24 inch tree, being the recognized Southwest corner of said Dhesi Investments, LLC 0.22 ac. and an Ell corner of said MPT of Sherman-Alecto, LLC 0.807 ac.;

THENCE North 18 deg. 51 min. 01 sec. West, with an East line of said MPT of Sherman-Alecto, LLC 0.807 ac., a distance of 119.86 ft. to a 1-1/2 inch pipe found at an Ell corner of said MPT of Sherman-Alecto, LLC 0.807 ac. and the Northwest corner of said Dhesi Investments, LLC 0.22 ac.;

THENCE North 74 deg. 32 min. 41 sec. East, with a South line of said MPT of Sherman-Alecto, LLC 0.807 ac. and the North line of said Dhesi Investments, LLC 0.22 ac., a distance of 79.84 ft. to the **PLACE OF BEGINNING** and containing **.0217 ACRES** of land.

KNOW ALL MEN BY THESE PRESENTS:

THAT I, Kate A. Wagner, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property shown hereon under my personal and direct supervision, and that the corner monumentation meets the standards set according to the Subdivision Regulations of the City of Sherman, Texas.

_____
Kate A. Wagner, R. P. L. S. No. 6578 Date:

STATE OF TEXAS
REGISTERED
KATE A. WAGNER
6578
PROFESSIONAL
LAND SURVEYOR

I, Dhesi Investments, LLC, owner of the Preliminary Plat of Dhesi Addition to the City of Sherman, Texas, do hereby dedicate the streets and easements shown hereon to the public use forever.

_____
Gurmail Dhesi
Authorized Representative for Dhesi Investments, LLC

Before me the undersigned, a notary public in and for said County and State, on this day personally appeared Gurmail Dhesi, 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 purposes and consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office this _____ day of _____, 2022.

_____
Notary Public, Grayson County, Texas

Sherman
CLASSIC TOWN. BROAD HORIZON.

This, the Preliminary plat of the Final Plat of Dhesi Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2022, by the Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____
Chairman Secretary

This, the final plat of the Preliminary Plat of Dhesi Addition to the City of Sherman, Texas, is hereby approved this _____ day of _____, 2022 by the City Council of the City of Sherman, Texas.

ACCEPTED BY THE CITY COUNCIL OF SHERMAN, TEXAS: _____
MAYOR, CITY OF SHERMAN, TEXAS DATE

The undersigned, the City Clerk of the City of Sherman, Texas, does hereby certify that the foregoing final plat of the Preliminary Plat of Dhesi Addition to the City of Sherman, Texas, was submitted to the city council of Sherman, Texas, on the _____ day of _____, 2022, and that the City Council, by formal action, then and there accepted the dedication of all easements, and other public areas, as shown and set forth in and upon said plat; and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as here above subscribed.

CERTIFIED THIS _____ DAY OF _____, 2022, BY _____
CITY CLERK, CITY OF SHERMAN, TEXAS

Job No. CGS551022

Helvey-Wagner Surveying, Inc.
222 W. Main St., Denison, Texas 75020
Phone (903) 463-6191
Email: kate@helveywagnersurvey.net
TBPELS Firm Registration No. 10088100

Owner:
Dhesi Investments, LLC
525 S. Walnut Street
Sherman, Texas 75090

Preliminary Plat
Lot 2R, Block E
Dhesi Addition
to
City of Sherman
Grayson County, Texas
0.217 Acres
in the
J.B. McAnair Survey
Abstract No. 763

X:\Shared Projects\310 N Carl Sherman\DWG\Replat.dwg Layout: Plat Plot Date Oct 31 22 Time: 10:04 AM

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 7, 2022

Dhesi Investments, LLC
525 S. Walnut St.
Sherman, TX

Helvey-Wagner Surveying, Inc.
222 W. Main St.
Denison, TX 75020

Dear Applicants,

The request for approval of the Preliminary Plat of Dhesi Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, November 15, 2022 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Add Avigation Release to plat. Coordinate with Engineering Department for language. *Code of Ordinances Chapter 14, Article 14.02*
2. Dedicate a 10' Utility Easement along Carl Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. Plat subtitle needs to read as "also being a replat of part of Lots 2, 3, and 4, Block E, Greenmount 2nd Addition" to include the previously platted properties.
4. Water main must be extended in accordance with City criteria to serve proposed Lot prior to Building Permit being issued. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
5. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
6. Three Party Agreement required for Public Infrastructure.
7. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
8. All Staff Review Letter items on Preliminary Plat shall be addressed prior to submitting Final Plat to Planning & Zoning Commission. *Code of Ordinances Chapter 10.05, Section 6(A)(1)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **10.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

* **709 EAST LAMBERTH ROAD**

The request of Luke Scheibmeir (Owner) and Preston Trail Land Surveying (Surveyor) concerning the property located at 709 East Lamberth Road, being 0.512 acres in the J.B. McAnair Survey, Abstract No. 763, and being part of Lot 1, Block 2, J.H. Carraway's Subdivision, as follows:

Planning and Zoning Commission

Replat approval of 709 East Lamberth Addition, Block A, Lot 1.

Background:

The property is located at 709 East Lamberth Road between Masters Street and North Loy Lake Road and is zoned R-1 (One-Family Residential) District. The owner would like to plat the property into two lots for commercial development.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-1 (Retail Business) District

Origination:

Luke Scheibmeir (Owner)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

28

Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Replat
Staff Review Letter

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dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Planning\Public Notification.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

709 E Lamberth

N
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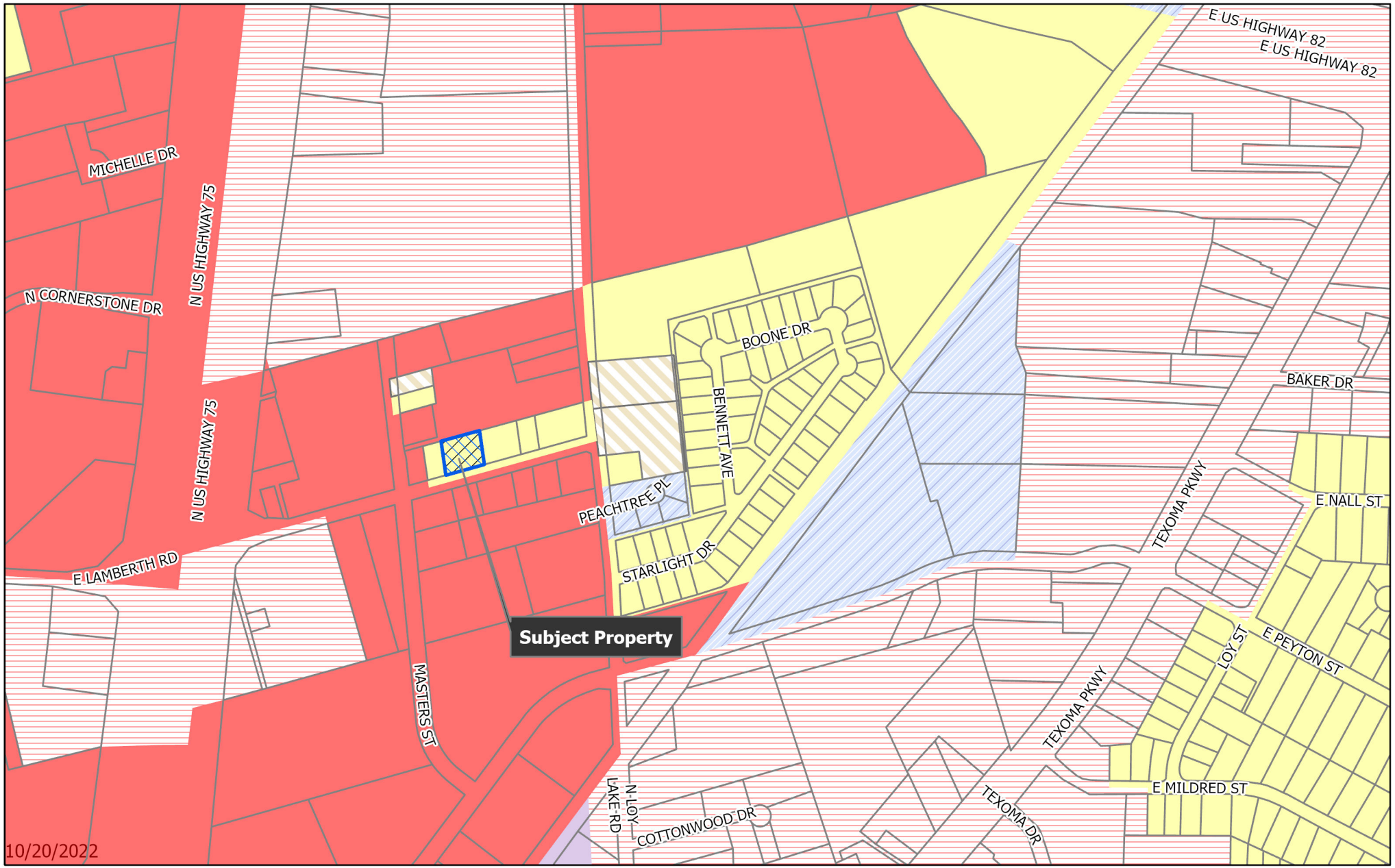
Date: 10/20/2022 8:25 AM

Scale: 1:3,348



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

709 E Lamberth

N
W E
S

Scale: 1:6,260

Date: 10/20/2022 8:25 AM

709 E Lamberth

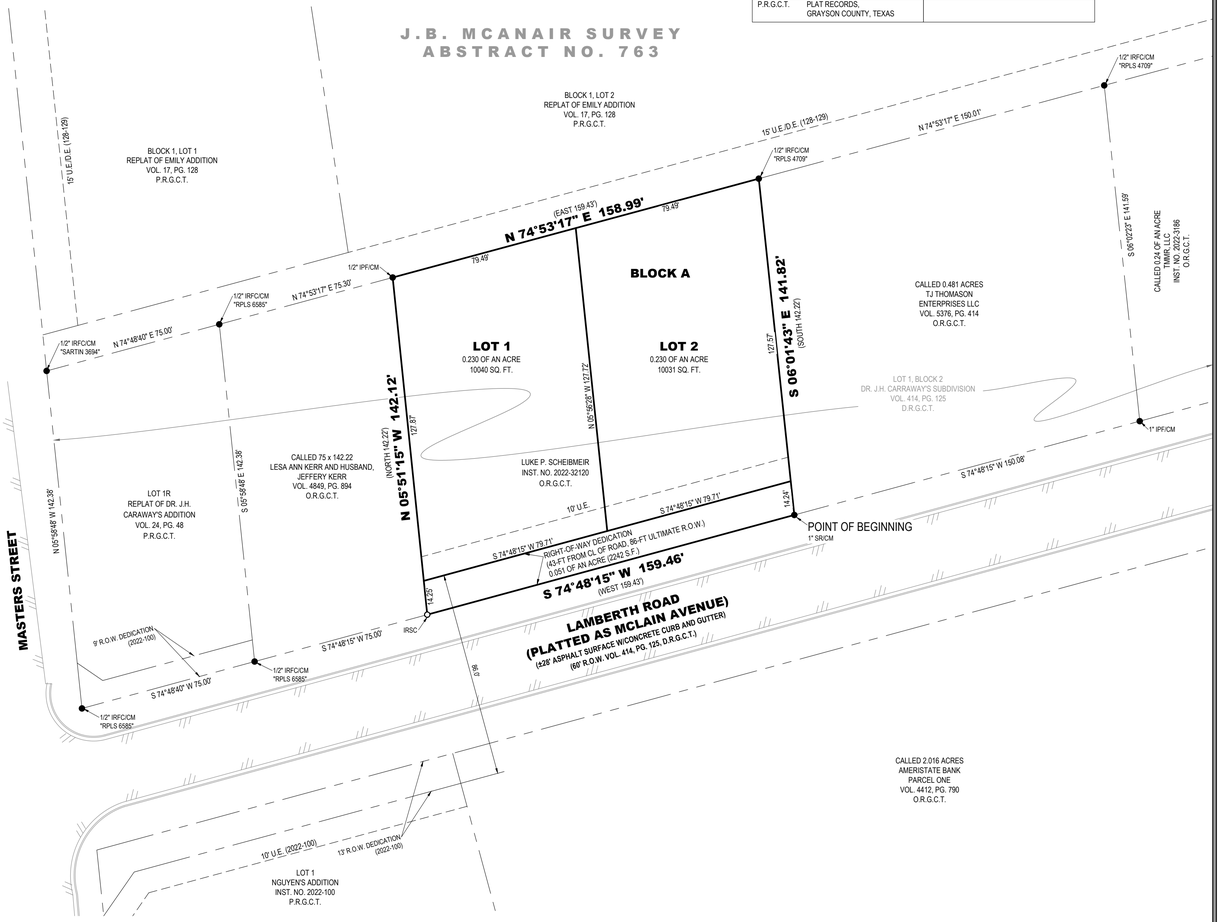
LEGEND

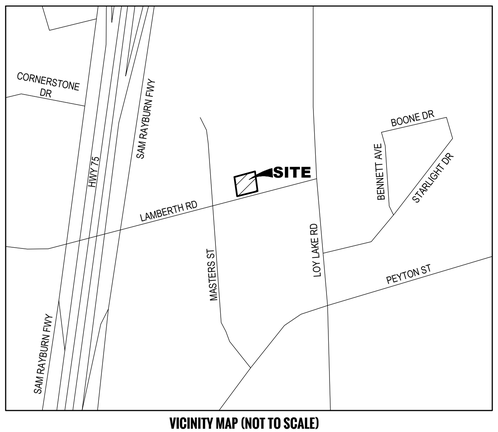
●	FOUND MONUMENT	D.R.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
○	SET MONUMENT		
IRSC	1/2" IRON ROD W/ "PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET	O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
IRF	IRON ROD FOUND	VOL., PG.	VOLUME, PAGE
IRFC	IRON ROD FOUND W/PLASTIC CAP	INST. NO.	INSTRUMENT NO.
IRF/SQ	SQUARE IRON ROD FOUND	———	BOUNDARY LINE
IPF	IRON PIPE FOUND	——— - - ———	ADJOINER LINE
SR	SUCKER ROD	- - - - - - -	EASEMENT
CM	CONTROLLING MONUMENT	//////////	ASPHALT
( )	DEED OR PLAT CALL	U.E.	UTILITY EASEMENT
R.O.W.	RIGHT-OF-WAY	D.E.	DRAINAGE EASEMENT
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS		

GRAPHIC SCALE IN FEET (0, 15, 30)

All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.

FLOOD STATEMENT:
I have examined the F.E.M.A. Flood Insurance Rate Map for City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/01/2022 and that map indicates that this property is within "Non-shaded Zone X" defined as "Areas determined to be outside the 0.2% annual chance flood" as shown on Panel 0290 G of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.





VICINITY MAP (NOT TO SCALE)

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER/DEVELOPER:
Luke P. Scheibmeir
709 East Lamberth Road
Sherman, TX 75090

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
787 W FM 996
Pottsboro, TX 75076
Ph: 903-786-6029

709 EAST LAMBERTH ADDITION
BLOCK A, LOT 1
BEING A REPLAT OF DR. J.H. CARRAWAY'S ADDITION
BLOCK 2, PART OF LOT 1
0.512 OF AN ACRE
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
City of Sherman, Grayson County, Texas

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: MNO Checked by: CRN	Scale: 1"=30' Date: 10/14/2022	Project No. 22-0506 Sheet No. 1 of 2

STATE OF TEXAS §
COUNTY OF GRAYSON §

OWNER'S CERTIFICATE

WHEREAS LUKE P. SCHEIBMEIR is the owner of all of that certain tract or parcel of land situated in the J.B. McNair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being part of Lot 1, in Block 2, of Dr. J.H. Carraway's Subdivision, a Subdivision to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 414, Page 125, Deed Records, Grayson County, Texas, and being a re-tracement survey of a tract of land described in the deed to Luke P. Scheibmeir, recorded in Instrument No. 2022-32120, Official Records, Grayson County, Texas and being more particularly described as follows:

BEING all of that certain tract or parcel of land situated in the J.B. McNair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being part of Lot 1, in Block 2, of Dr. J.H. Carraway's Subdivision, a Subdivision to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 414, Page 125, Deed Records, Grayson County, Texas, and being a re-tracement survey of a tract of land described in the deed to Luke P. Scheibmeir, recorded in Instrument No. 2022-32120, Official Records, Grayson County, Texas and being more particularly described as follows:

BEGINNING at a Sucker Rod found for the southeast corner of said Scheibmeir Tract, common to the southwest corner of a called 0.481 of an acre tract of land described in the deed to TJ Thomason Enterprises LLC, recorded in Volume 5376, Page 414, said Official Records, on the southerly line of said Lot 1, and on the northerly right-of-way line of Lamberth Road (Platted as Mclain Avenue), from which a 1-inch iron pipe found for the southeast corner of said 0.481 acre tract bears North 74°48'15" East, a distance of 150.08 feet;

THENCE South 74°48'15" West, with the southerly line of said Scheibmeir Tract, and with the southerly line of said Lot 1, and with the northerly right-of-way line of said Lamberth Road, a distance of 159.46 feet to a 1/2-inch inch iron rod with a plastic cap stamped "PRESTON TRAIL LAND SURVEYING RPLS 6585" set for the southwest corner of said Scheibmeir Tract, common to the southeast corner of a called 75-foot by 142.22-foot tract of land described in the deed to Lisa Ann Kerr and Husband, Jeffery Kerr, recorded in Volume 4849, Page 894, said Official Records, from which a 1/2-inch iron rod with a plastic cap stamped "RPLS 6585" found for the southwest corner of said Kerr tract bears South 74°48'15" West, a distance of 75.00 feet;

THENCE North 05°51'15" West, with the westerly line of said Scheibmeir Tract, and with the easterly line of said Kerr Tract, and crossing said Lot 1, a distance of 142.12 feet to a 1/2-inch iron pipe found for the northwest corner of said Scheibmeir Tract, common to the northeast corner of said Kerr Tract, on the southerly line of Lot 2, in Block 1, of the Replat of Emily Addition, an addition to the City of Sherman, Grayson County, Texas, according to the plat thereof recorded in Volume 17, Page 128, Plat Records, Grayson County, Texas, and on the northerly line of said Lot 1, from which a 1/2-inch iron rod with a plastic cap stamped "RPLS 6585" found for the northwest corner of said Kerr Tract bears South 74°53'17" West, a distance of 75.30 feet;

THENCE North 74°53'17" East, with the northerly line of said Scheibmeir Tract, and with the northerly line of said Lot 1, and with the southerly line of said Lot 2, a distance of 158.99 feet to a 1/2-inch iron rod with a plastic cap stamped "RPLS 4709" found for the northeast corner of said Scheibmeir Tract, common to the northwest corner of aforesaid 0.481 acre tract, from which a 1/2-inch iron rod with a plastic cap stamped "RPLS 4709" found for the northeast corner of said 0.481 acre tract bears North 74°53'17" East, a distance of 150.01 feet;

THENCE South 06°01'43" East, with the easterly line of said Scheibmeir Tract, and with the westerly line of said 0.481 acre tract, and crossing said Lot 1, a distance of 141.82 feet to the POINT OF BEGINNING and enclosing 0.512 of an acre (22,314 square feet) of land, more or less.

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS

That **LUKE P. SCHEIBMEIR**, does hereby adopt this plat designating the hereinbefore described property as **709 EAST LAMBERTH ADDITION, BLOCK A, LOT 1, BEING A REPLAT OF BLOCK 2, PART OF LOT 1, OF DR. J.H. CARAWAY'S ADDITION** , an Addition to the City of Sherman, Grayson County, Texas, and does hereby dedicate to the public use forever all streets, rights-of-way, alleys and easements shown thereon. The City or any public utility shall have the right to remove and keep removed all or part of any buildings, fences, trees, shrubs or other improvements or growths in which any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easements, and the City or any public utility shall at all times have the right of ingress and egress to and from and upon the said easement for the purpose of constructing, reconstructing, inspecting, and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinances, rules, regulations, and resolutions of the City of Sherman, Texas.

BY: _____
Luke P. Scheibmeir

STATE OF TEXAS §
COUNTY OF GRAYSON §

BEFORE ME, the undersigned, a Notary Public in and for said County and State, on this day personally appeared **Luke P. Scheibmeir,** 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 purposes and considerations therein.

WITNESS MY HAND AND SEAL OF OFFICE THIS THE ____ DAY OF _____, 20_____.

_____
Notary Public in and for the State of Texas

CITY COUNCIL CERTIFICATE OF ACCEPTANCE

Accepted by the City Council of the City of Sherman, Texas:

_____ _____ _____
Mayor, City of Sherman, Texas Date

The undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing plat of **709 EAST LAMBERTH ADDITION, BLOCK A, LOT 1, BEING A REPLAT OF BLOCK 2, PART OF LOT 1, OF DR. J.H. CARAWAY'S ADDITION** to the City of Sherman was submitted to the City Council on the _____ day of _____, 20_____, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places as shown and set forth in and upon said map or plat and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as hereinabove subscribed.

Witness my hand this _____ day of _____, A.D. 20____.

_____
Clerk, City of Sherman, Texas

PLANNING AND ZONING COMMISSION CERTIFICATE OF ACCEPTANCE

Accepted this _____ day of _____, 20____, by the City Planning and Zoning Commission of the City of Sherman, Texas.

_____ _____ _____
Chairman Secretary

SURVEYORS CERTIFICATE

I, the undersigned, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this plat is true and correct and was prepared from an actual survey of the property made under my supervision on the ground and that all monuments shown hereon actually actually exist and that their location, size, and material are correctly shown.

_____
Chris R. Noah Date
Registered Professional Land Surveyor No. 6585

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

AVIGATION RELEASE

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, **LUKE P. SCHEIBMEIR**, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as **709 EAST LAMBERTH ADDITION, BLOCK A, LOT 1 BEING A REPLAT OF BLOCK 2, PART OF LOT 1, OF DR. J.H. CARAWAY'S ADDITION**, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER's described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at **709 EAST LAMBERTH ADDITION, BLOCK A, LOT 1 BEING A REPLAT OF BLOCK 2, PART OF LOT 1, OF DR J.H. CARAWAY'S ADDITION**, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this ____ day of _____, 20___.

BY: _____
Luke P. Scheibmeir

OWNER/DEVELOPER:
Luke P. Scheibmeir
709 East Lamberth Road
Sherman, TX 75090

SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
787 W FM 996
Pottsboro, TX 75076
Ph: 903-786-6029

709 EAST LAMBERTH ADDITION
BLOCK A, LOT 1
BEING A REPLAT OF DR. J.H. CARRAWAY'S ADDITION
BLOCK 2, PART OF LOT 1
0.512 OF AN ACRE
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
City of Sherman, Grayson County, Texas

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: MNO Checked by: CRN	Scale: 1"=30' Date: 10/14/2022	Project No. 22-0506 Sheet No. 2 of 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 7, 2022

Luke P. Scheibmeir
709 E. Lamberth
Sherman, TX 75090

Preston Trail Land Surveying
787 W. FM 996
Pottsboro, TX 75076

Dear Applicants,

The request for approval of the Replat of 709 East Lamberth Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, November 15, 2022 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Dedicate a 15' Utility Easement along Lamberth Road. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
2. Reference call from Northwest corner point of proposed Lot 1 on drawing does not match metes and bounds description. Correct appropriately. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
3. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
4. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
5. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
6. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. <u>CAD file must be submitted digitally at time of final approval</u>. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **11.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

* **4305 TEXOMA PARKWAY**

The request of Mark Temple, M.A. Temple Investments (Owner), R.D. Simpson (Representative) and Burns Surveying (Surveyor) concerning the property located at 4305 Texoma Parkway, being Lot 1, Block 1, API Addition, as follows:

Planning and Zoning Commission

Site Plan approval of Johnstone Supply.

Background:

The property is located at 4305 Texoma Parkway between Frisco Road and Lindley Drive and is zoned C-2 (General Commercial) District. The owner is requesting Site Plan approval of Johnstone Supply.

The following has been approved for this location:

- April 17, 2012- Specific Use Permit to allow an auto dealership, body shop and service department in a C-2 (General Commercial) District.
- April 17, 2012 - Variance to allow adobe texture insulated wall panels for the exterior facade in lieu of the required masonry, brick, stone, EFIS (Exterior Finish Insulation System) or concrete lap siding in a C-2 (General Commercial) District.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

Mark Temple, M.A. Temple Investments (Owner)
R.D. Simpson (Representative)
Burns Surveying (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:
Not Required.

Objections Received:
0

Development Review Meeting:
Yes

Attachments

Location Map
Zoning Map
Survey
Site Plan
Photos/Elevation
Staff Review Letter

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dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Planning\Public Notification.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

4305 Texoma Parkway

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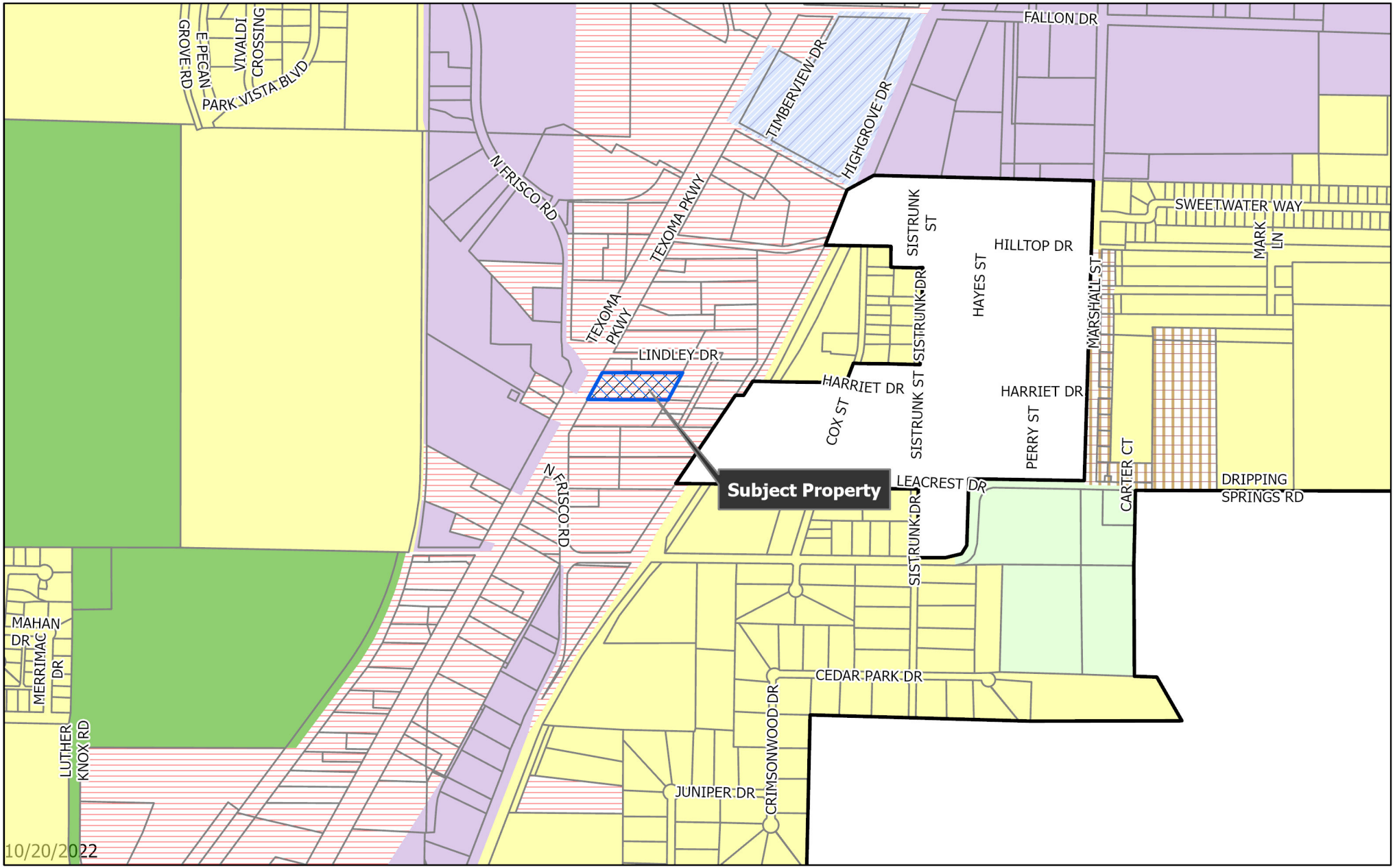
Date: 10/20/2022 8:25 AM

Scale: 1:5,232



dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Planning\Public Notification.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
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- Lakes
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- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

4305 Texoma Parkway

N
W E
S

Scale: 1:9,781

Date: 10/20/2022 8:25 AM

1529 E I–30, STE. 103
GARLAND, TEXAS 75043

FIRM REGISTRATION NO. 10194366

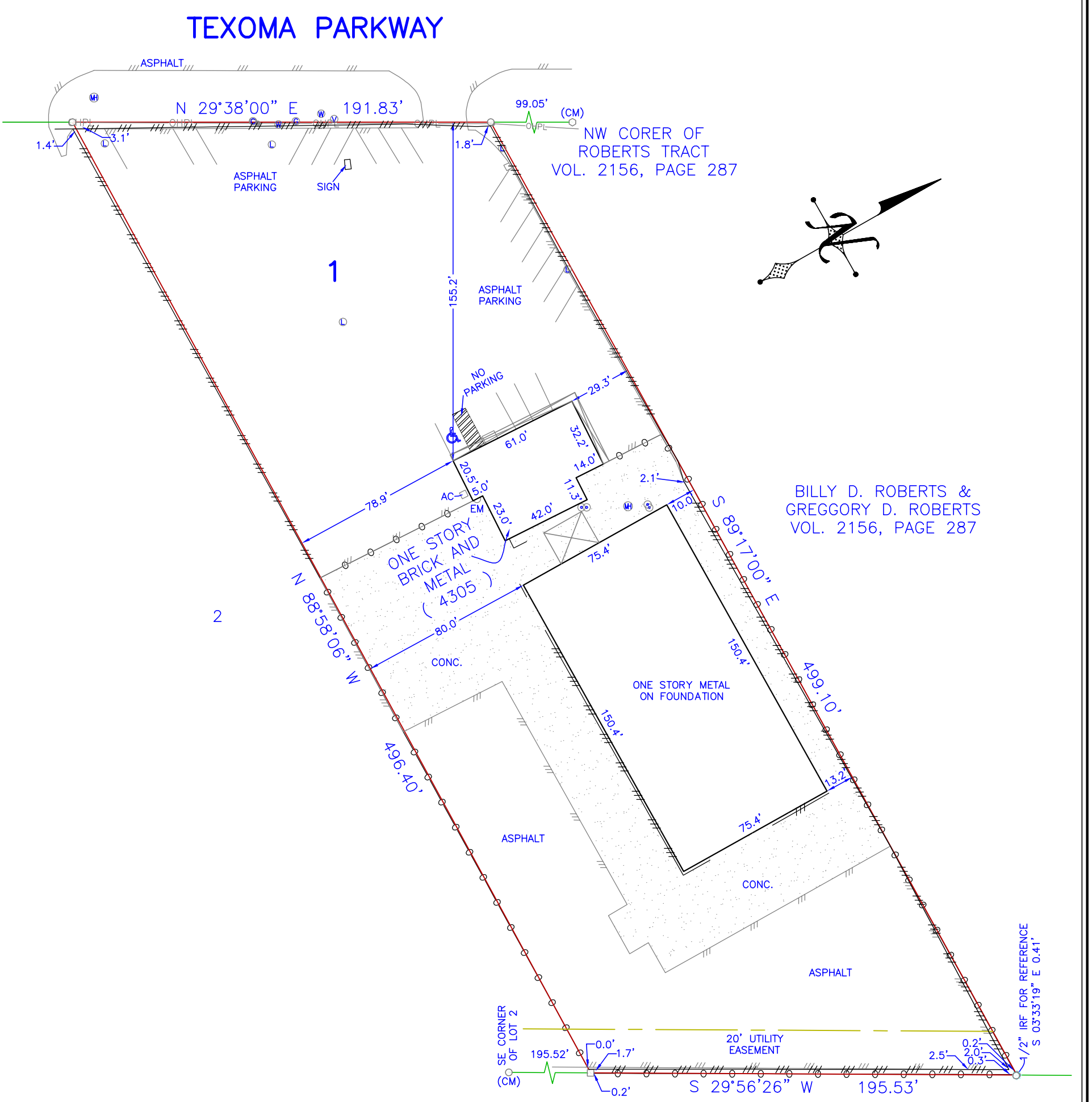
TLTA SURVEY

BURNS SURVEYING

BARRY S. RHODES Registered Professional Land Surveyor (214) 326–1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 4305 Texoma Parkway, in the City of Sherman, Texas.

Being Lot 1, Block 1, of API ADDITION, an Addition to the City of Sherman, Grayson County, Texas, according to the Plat thereof recorded in Volume 21, Page 151, Plat Records, Grayson County, Texas.



J.W. LINDSEY SUBDIVISION
VOL. 580, PAGE 57

ACCEPTED BY: _____

CM'S SHOWN HEREON ARE BASIS
FOR DIRECTIONAL CONTROL

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.
TITLE AND ABSTRACTING WORK FURNISHED BY CAPITAL TITLE.
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

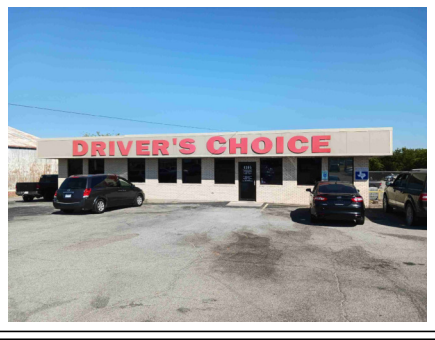
Scale: 1" = 50'
Date: 09/30/2022
G.F. No.: 22–702270–LS
Job No.: 202210930
Drawn by: ADV

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR CAPITAL TITLE.

LEGEND

WOOD FENCE		TEXT	
CHAIN LINK		IMPROVEMENTS	
VINYL FENCE		BOUNDARY LINE	
WIRE FENCE		EASEMENT SETBACK	
		RESIDENCE	

CM – CONTROLLING MONUMENT
MRD – MONUMENTS OF RECORD DIGNITY
○ – 1/2" IRON ROD FOUND
Ⓢ – 1/2" YELLOW–CAPPED IRON ROD SET
☒ – SET 'X'
□ – 2" MONUMENT FOUND
⬡ – 5/8" IRON ROD FOUND
Ⓟ – POINT FOR CORNER
Ⓒ – CABLE
Ⓔ – ELECTRIC
Ⓒ – CLEAN OUT
PE – POOL EQUIP
Ⓖ – GAS METER
● – POWER POLE
– FIRE HYDRANT
Ⓣ – SIGN
Ⓛ – LIGHT POLE
Ⓦ – WATER METER
Ⓜ – MANHOLE
Ⓥ – GAS MARKER
(UNLESS OTHERWISE NOTED)



CapitalTitle
A Shaddock Company

STATE OF TEXAS
REGISTERED
BARRY S. RHODES
3691
PROFESSIONAL
LAND SURVEYOR

1529 E I–30, STE. 103
GARLAND, TEXAS 75043

FIRM REGISTRATION NO. 10194366

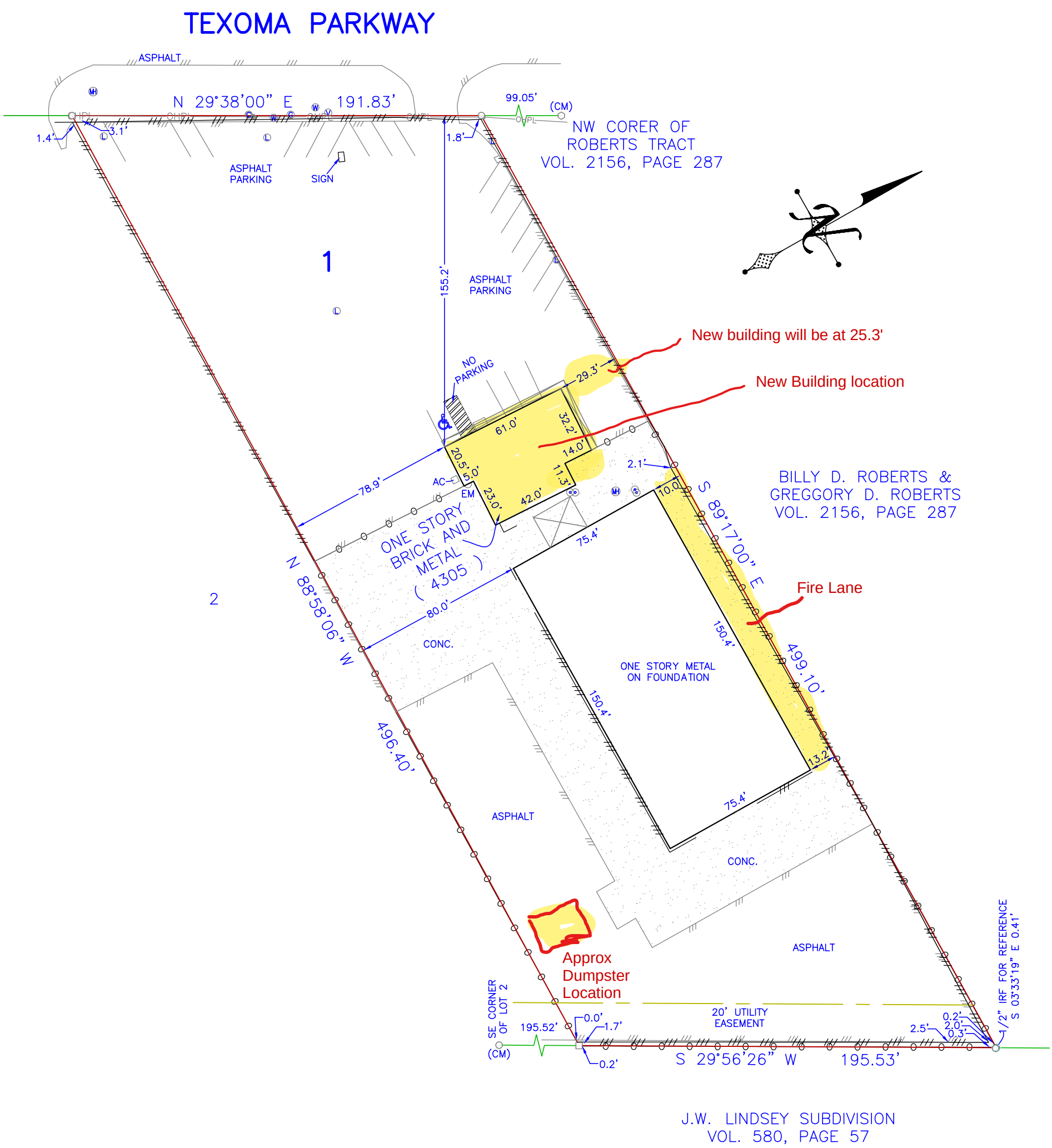
TLTA SURVEY

BURNS SURVEYING

BARRY S. RHODES Registered Professional Land Surveyor (214) 326–1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at 4305 Texoma Parkway, in the City of Sherman, Texas.

Being Lot 1, Block 1, of API ADDITION, an Addition to the City of Sherman, Grayson County, Texas, according to the Plat thereof recorded in Volume 21, Page 151, Plat Records, Grayson County, Texas.



J.W. LINDSEY SUBDIVISION
VOL. 580, PAGE 57

ACCEPTED BY: _____

CM'S SHOWN HEREON ARE BASIS FOR DIRECTIONAL CONTROL

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat: the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements.
TITLE AND ABSTRACTING WORK FURNISHED BY CAPITAL TITLE.
THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

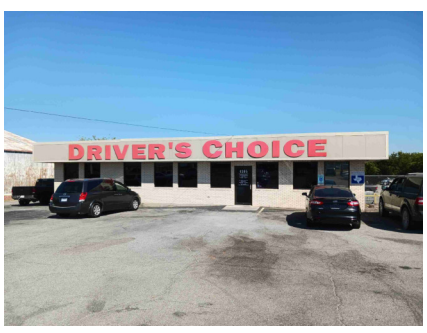
Scale: 1" = 50'
Date: 09/30/2022
G.F. No.: 22–702270–LS
Job No.: 202210930
Drawn by: ADV

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.
THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR CAPITAL TITLE.

LEGEND

WOOD FENCE	TEXT		
CHAIN LINK	IMPROVEMENTS		
VINYL FENCE	BOUNDARY LINE		
WIRE FENCE	EASEMENT SETBACK		
	RESIDENCE		

CM – CONTROLLING MONUMENT
MRD – MONUMENTS OF RECORD DIGNITY
○ – 1/2" IRON ROD FOUND
⊙ – 1/2" YELLOW–CAPPED IRON ROD SET
⊠ – SET 'X'
□ – 2" MONUMENT FOUND
⬡ – 5/8" IRON ROD FOUND
⊕ – POINT FOR CORNER
(C) – CABLE
(E) – ELECTRIC
(O) – CLEAN OUT
PE – POOL EQUIP
(G) – GAS METER
– POWER POLE
– FIRE HYDRANT
(T) – SIGN
(L) – LIGHT POLE
(W) – WATER METER
(MH) – MANHOLE
(V) – GAS MARKER
(UNLESS OTHERWISE NOTED)



CapitalTitle
A Shaddock Company

STATE OF TEXAS
REGISTERED
BARRY S. RHODES
3691
PROFESSIONAL
LAND SURVEYOR

JOHNSTONE
SUPPLY

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

Mark Temple
11241 S Quebec Ave
Tulsa, OK 74137

M.A. Temple Investments
11241 S Quebec Ave
Tulsa, OK 74137

R.D. Simpson Construction
2421 W Main
Cushing, OK 74023

Burns Surveying
1529 E I-30, Ste 103
Garland, TX 75043

Dear Applicants,

The request for Site Plan approval of Johnstone Supply in a C-2 (General Commercial) District located at 4305 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Commission and the Board of Adjustment on Tuesday, November 15, 2022 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General commercial) District, the Sign Ordinance, the Fence Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.7; Sec. 7(14), Sec. 7(13) and Sec. 17).*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267). *Code of Ordinances Chapter 3.02(c)*
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Parking shall be provided for one space per 400 square foot, a parking space is considered to be 9' x 20'. (*Chapter 14, Exhibit A, Sec.6.6 (4); Sec 6.7 (4); Sec.7(10)(b)).*
5. The trash dumpster will need to be located inside the main building area.
6. The use of the property must comply with all Federal and State Laws and regulations and with all ordinances, rules and regulations of the City of Sherman.
7. The property must be properly maintained in a state of good repair and neat appearance.
8. The approval of the site plan shall be effective for a period of (2) years from the date of approval and shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Specific Use Permit was approved.
9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.
10. All non-conforming signs must be removed or made to conform with all ordinances of the City of Sherman. *(Chapter 14, Exhibit A, Sec. 7(6) and Sec. 7(14))*

Engineering

11. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
12. Verify fire requirements and code compliance with Fire Marshal. *Code of Ordinances Chapter 3.02(c)*

It is the policy of this Planning and Zoning Commission and the Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Commission and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **12.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

* **500 BLOCK HOG SKIN ROAD**

The request of Diana Raulston and Amy Fields (Owners), Len McManus (Engineer) and Underwood Drafting and Surveying (Surveyor) concerning the property located in the 500 Block Hog Skin Road in Sherman's Extra Territorial Jurisdiction (ETJ), being 9.441 acres in The Bailey Winfred Survey, Abstract No. 66, as follows:

Planning and Zoning Commission

Preliminary Plat approval of Ladd Estates III.

Background:

The property is located at 500 Block Hog Skin Road between Ladd Road and Merriman Parkway in Sherman's Extra Territorial Jurisdiction (ETJ). The owner would like to plat the property into seven lots for residential development.

Adjacent Zoning:

Extra Territorial Jurisdiction (ETJ)

Origination:

Diana Raulston and Amy Fields (Owners)
Len McManus (Engineer)
Underwood Drafting and Surveying (Surveyor)

Master Plan Designation:

Not applicable.

Number of notices mailed:

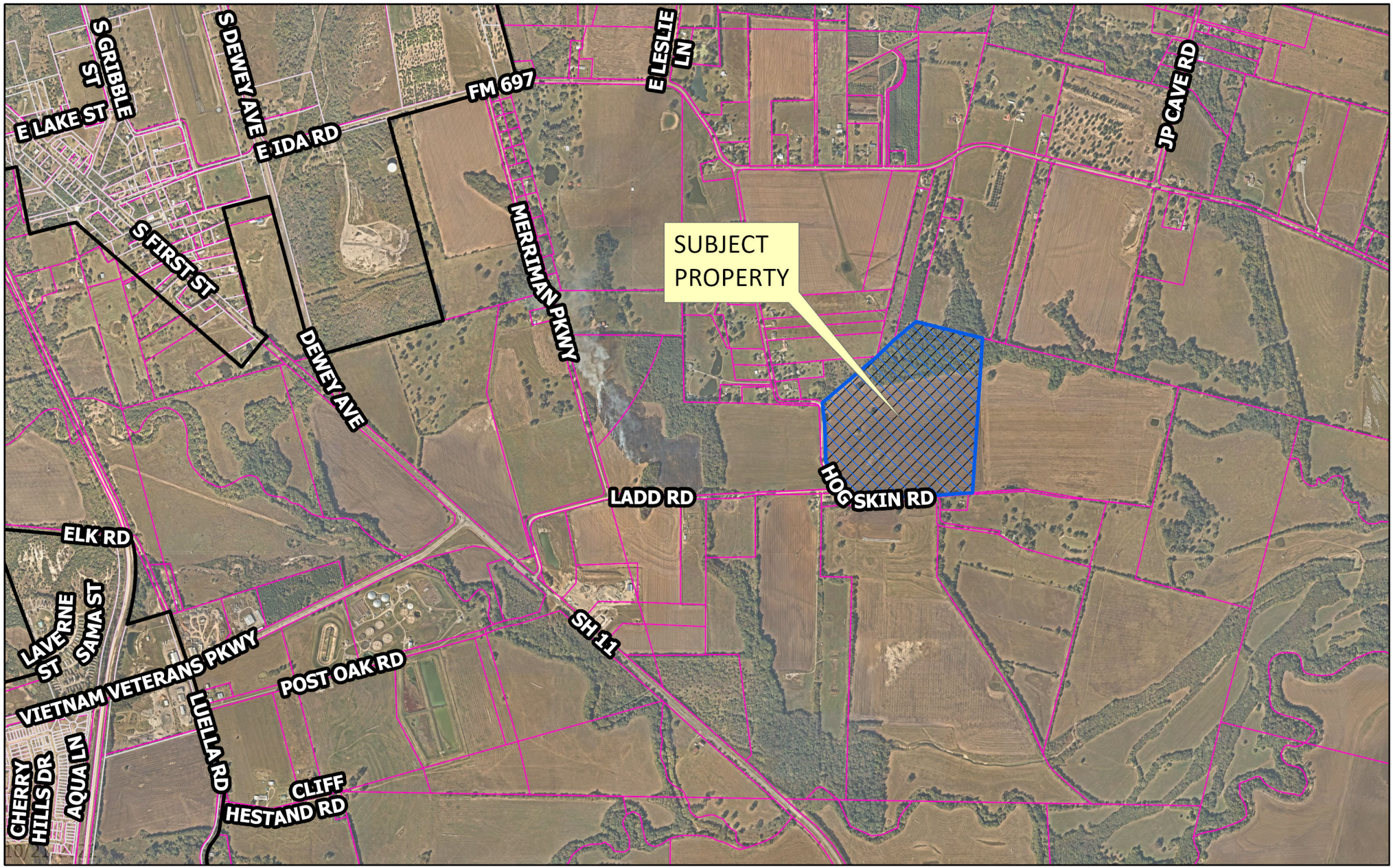
Not required.

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Preliminary Plat
Staff Review Letter



dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Planning\Public Notification.aprx

10/2...

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

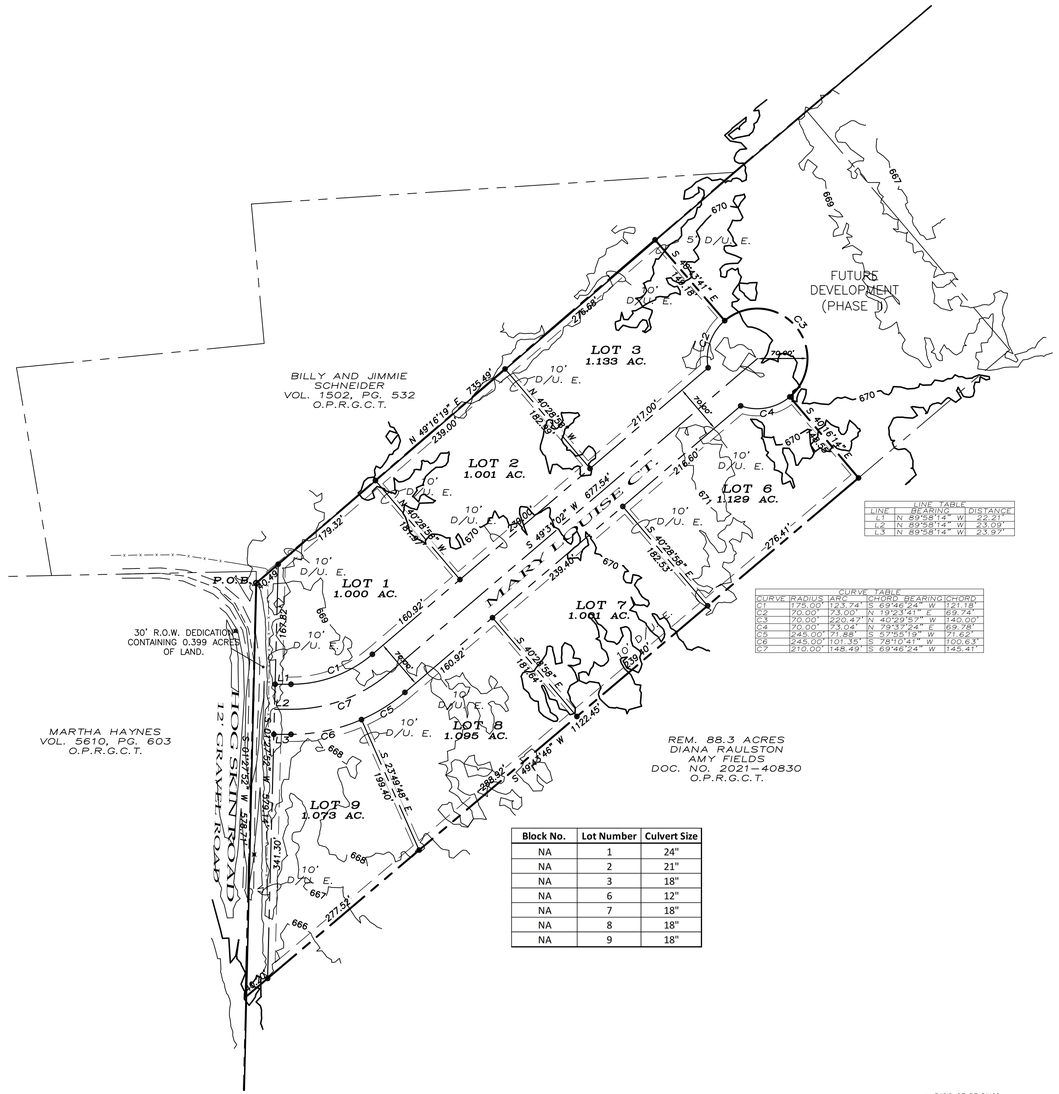
Prop ID 226549 Hog Skin Rd

N
W E
S

Date: 10/20/2022 4:56 PM

Scale: 1:19,957

JOB NO. 21121127



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 89°58'14" W	22.21'
L2	N 89°58'14" W	23.09'
L3	N 89°58'14" W	23.97'

CURVE TABLE				
CURVE	RADIUS	ARC	CHORD BEARING	CHORD
C1	175.00'	123.74'	S 69°46'24" W	121.18'
C2	70.00'	73.00'	N 19°23'41" E	69.74'
C3	70.00'	220.47'	N 40°29'57" W	140.00'
C4	70.00'	73.04'	N 79°37'24" E	69.78'
C5	245.00'	71.88'	S 57°55'19" W	71.62'
C6	245.00'	101.35'	S 78°10'41" W	100.63'
C7	210.00'	148.49'	S 69°46'24" W	145.41'

Block No.	Lot Number	Culvert Size
NA	1	24"
NA	2	21"
NA	3	18"
NA	6	12"
NA	7	18"
NA	8	18"
NA	9	18"

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

GRAPHIC SCALE

100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

PRELIMINARY PLAT
LADD ESTATES III
AN ADDITION TO THE CITY OF SHERMAN, TEXAS
BEING A PART OF THAT 88.32 ACRE TRACT CONVEYED TO
DIANA RAULSTON AND AMY FIELDS, IN THE WINIFRED BAILEY SURVEY,
ABSTRACT NO. 66 RECORDED IN DOC. NO. 2021-40830.
O.P.R.G.C.T
10-14-2022

OWNERS/DEVELOPER
DIANA RAULSTON/ AMY FIELDS
6300 RIDGLEA PLACE
SUITE 912
FORT WORTH, TEXAS, 76116

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS 75021

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

JOB NO. 21121127

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of The Bailey Winifred Survey, Abstract No. 66 and being a part of a 88.32 acres in Tract 2 being conveyed to Diana Raulston and Amy Fields as recorded in Document Number 2021-40830, Official Public Records, Grayson County, Texas and being described by metes and bounds as follows:

Beginning at a Found ½" Steel Rod at the Most Westerly Northwest Corner of said 88.32 acre tract of land;

ThenceNorth 49°16'19" East with the South Line of a tract of land conveyed to Billy and Jimmie Schneider a distance of 735.49 feet to a set ½" steel rod;

Thence over and across said 88.32 acre tract of and the following calls and distances:

South 40°43'41" East a distance of 149.18 feet to a set ½" steel rod;

Thence with a curve to the right having a radius of 70.00 feet, (chord bears South 40°29'57" East, with a chord length of140.00 feet) an arc length of 220.47 feet to a set ½" steel rod;

South 40°16'14" East a distance of 148.55 feet to a set ½" Steel rod;
South 49°43'46" West a distance of 1122.45 feet to a point;

Thence North 01°27'52" East with the center of Hog Skin Road a distance of 578.71 feet to the Point of Beginning and containing 9.441 acres of land.

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, LADD ESTATES III, an addition to the City of Sherman, Texas, was submitted to the City Council on the_____day of _____, 2022, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this_____day of _____ ,2022.

Clerk, City of Sherman, Texas

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

Douglas W. Underwood *Date*
Registered Professional
Land Surveyor, No. 4709

AVIGATION RELEASE

THE STATE OF TEXAS
COUNTY OF GRAYSON

WHEREAS, DIANA LEIGH RAULSTON AND AMY SUSAN FIELDS, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as LADD ESTATES III, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER's described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or a persons damages to or taking off of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at LADD ESTATES III, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

EXECUTED THIS_____ DAY OF_____ , 2022

BY: DIANA LEIGH RAULSTON
AMY FIELDS

BY: _____

BY: _____

~ GENERAL NOTES ~

1. Water Supply to be provided by the Pink Hill WSC.
2. Sewer Service to be provided by an on-site sewage facility approved by Grayson County.
3. Electrical service is provided by GCEC.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. Grayson County will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither Grayson County nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. Grayson County reserves the right to require submission of Development Plat based on proposed use of each lot.

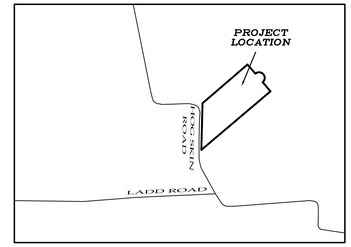
OWNERS/DEVELOPER
DIANA RAULSTON/ AMY FIELDS
6300 RIDGLEA PLACE
SUITE 912
FORT WORTH, TEXAS, 76116

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS 75021

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

JOB NO. 21121127

LOCATION MAP



(NOT TO SCALE)

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT WE, DIANA LEIGH RAULSTON AND AMY SUSAN FIELDS, do hereby adopt this plat designating the hereinabove property as the LADD ESTATES III, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this _____ day of_____,2022.

DIANA LEIGH RAULSTON

SUSAN FIELDS

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared, Diana Leigh Raulston 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___day of_____, 2022.

Notary Public in and for
the State of Texas
Commission Expires:_____

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared, Amy Susan Fields 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 ___ day of_____, 2022.

Notary Public in and for
the State of Texas
Commission Expires:

ACCEPTANCE

Approved this _____ day of _____,2022, by the City Planning Commission to the City of Sherman, Texas.

Chairman *Secretary*

CERTIFICATE OF ACCEPTANCE OF DEDICATION

Accepted by the City Council of the City of Sherman

Mayor, City of Sherman, Texas *Date*

PRELIMINARY PLAT
LADD ESTATES III
AN ADDITION TO THE CITY OF SHERMAN, TEXAS
BEING A PART OF THAT 88.32 ACRE TRACT CONVEYED TO
DIANA RAULSTON AND AMY FIELDS, IN THE WINIFRED BAILEY SURVEY,
ABSTRACT NO. 66 RECORDED IN DOC. NO. 2021-40830.
O.P.R.G.C.T
10-14-2022

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 7, 2022

Diana Raulston
Amy Fields
6300 Ridglea Place, Ste. 912
Fort Worth, TX 76116

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Preliminary Plat of Ladd Estates III has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, November 15, 2022 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Calls on drawing do not match metes and bounds description. Correct appropriately. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
2. All calls to be clearly shown on final plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
3. No City of Sherman water available to site. Property lies within Pink Hill Water Supply Corporation Water CCN.
4. City wastewater does not serve subject property. On-site sewage facility or extension of wastewater main by developer is required. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
5. Civil Engineering plans for paving and storm sewer shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
6. Verify fire requirements and code compliance with Fire Marshal. *Code of Ordinances Chapter 3.02(c)*
7. All Staff Review Letter items on Preliminary Plat shall be addressed prior to submitting Final Plat to Planning & Zoning Commission. *Code of Ordinances Chapter 10.05, Section 6(A)(1)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **13.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

* **514 SOUTH DEWEY AVENUE**

The request of Naveed Owais, Emaar TX LLC (Owners) and Underwood Drafting & Surveying concerning the property located at 514 South Dewey Avenue, being 0.317 acres in the George B. Pilant Survey, Abstract No. 963, and also being all of Lot 4 and part of Lot 5, Block 2, J.C. Linnstead Addition, as follows:

Planning and Zoning Commission

Replat approval of Emaar Addition.

Background:

The property is located at 514 South Dewey Avenue, the northwest corner of East King Street and South Dewey Avenue and is zoned C-1 (Retail Business) District. The owner would like to plat the property into one lot for commercial development.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-1 (Retail Business) District

Origination:

Naveed Owais, Emaar TX LLC (Owners)
Underwood Drafting & Surveying

Master Plan Designation:

Not Applicable.

Number of notices mailed:

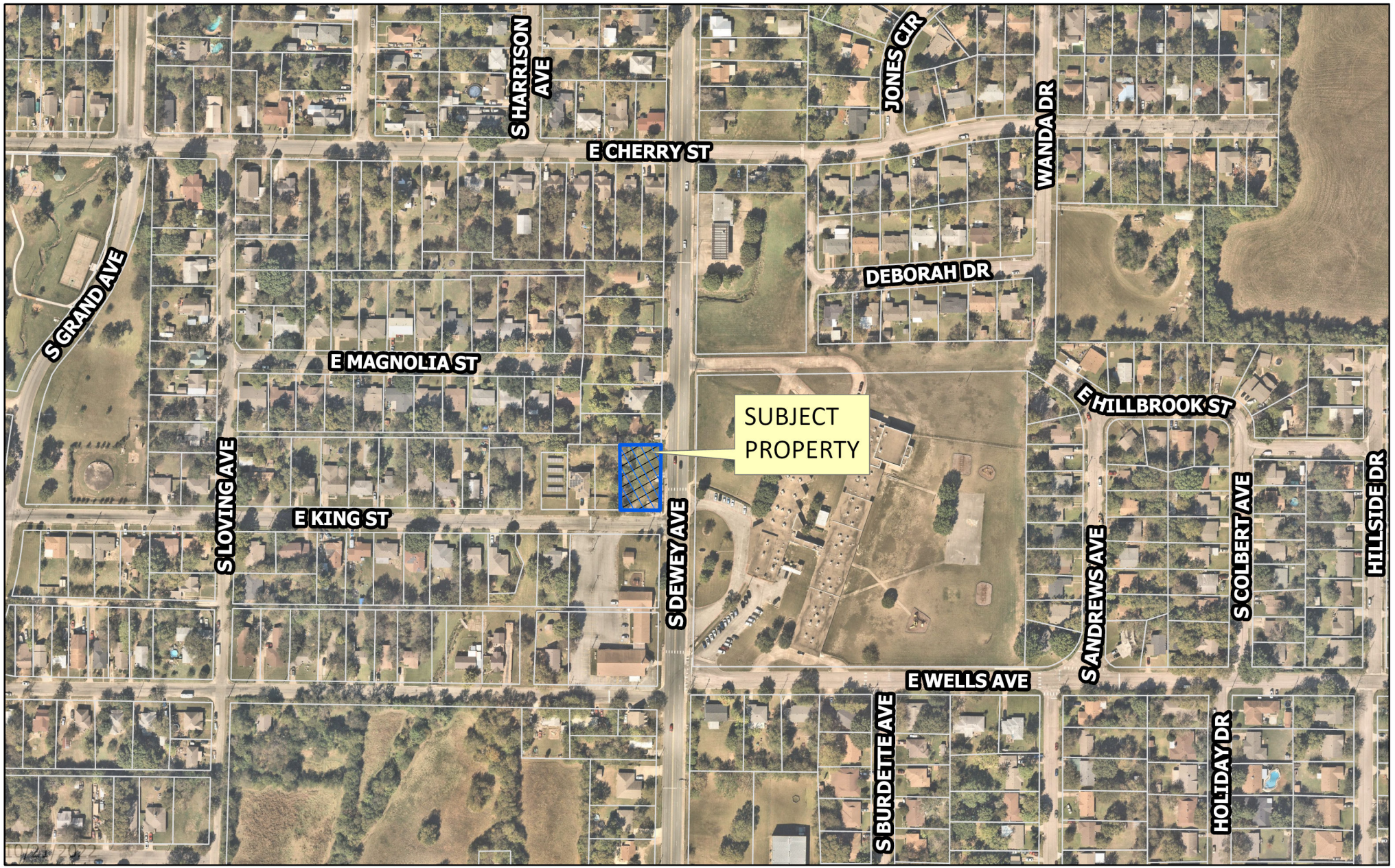
0

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Replat
Staff Review Letter



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10/21/2022

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

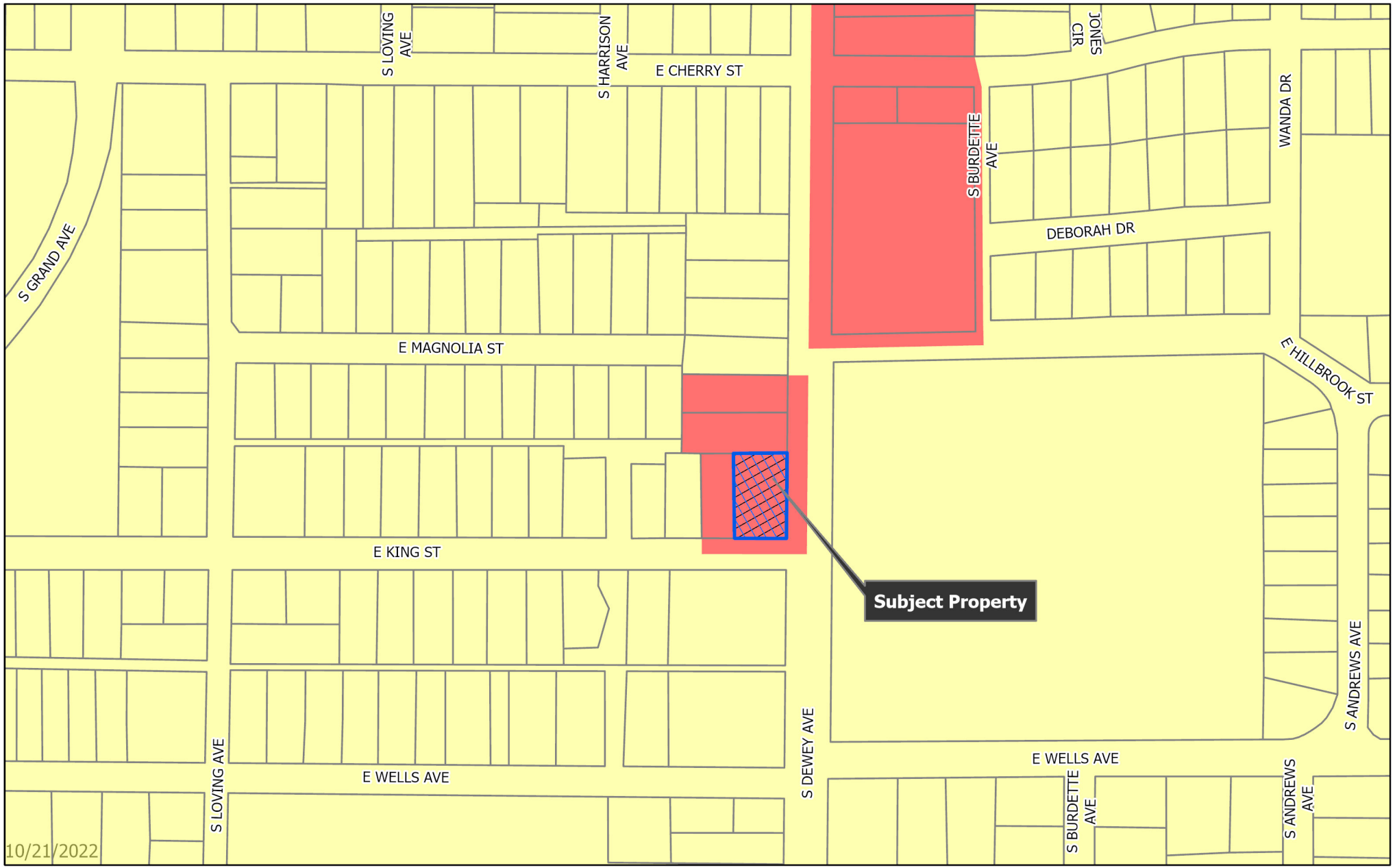
CITY OF SHERMAN

514 S Dewey

N
W E
S

Date: 10/20/2022 4:56 PM

Scale: 1:3,348



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

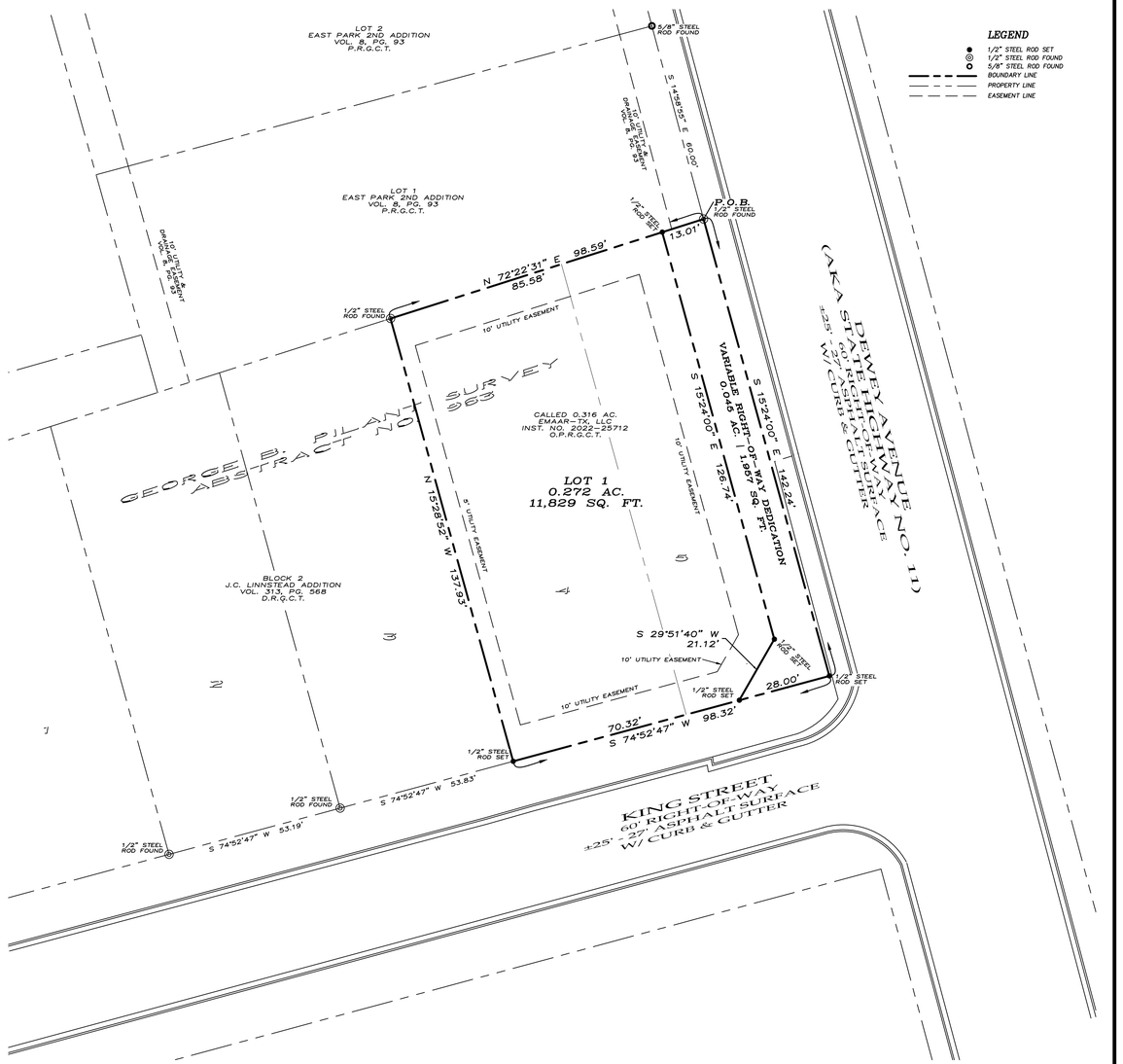
514 S Dewey

N W E S

Scale: 1:2,564

Date: 10/20/2022 4:56 PM

JOB NO. 22101065



~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE

EMAAR ADDITION

REPLAT OF J. C. LINNSTEAD ADDITION
ALL OF LOT 4 AND PART OF LOT 5, BLOCK 2
Being a part of the George B. Pilant Survey, Abstract Number 963.
Being in the City of Sherman, Grayson County, Texas.
Containing 0.317 acres of land

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

10-20-22

OWNERS/DEVELOPER	SURVEYOR
EMAAR-TX LLC	DOUGLAS W. UNDERWOOD
2829 GULF BREEZE CT.	R.P.L.S. NO. 4709
PLANO, TX 75074	3404 INTERURBAN ROAD
CONTACT: NAVEED OWAIS	DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 1 OF 2

JOB NO. 22101065

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of George B. Pilant Survey, Abstract No. 963, and being all of Lot 4 and part of Lot 5 in Block 2 of J.C. Linnstead Addition, according to the plat thereof recorded in Volume 313, Page 568, Deed Records, Grayson County, Texas, and being the same tract of land of a called 0.316 acre tract of land described in the deed to Emaar-TX, LLC, recorded in Instrument No. 2022-25712, Official Public Records, Grayson County, Texas, and being described by metes and bounds as follows:

Beginning at a 1/2" steel rod found for the northeast corner of said 0.316 acre tract, common to the southeast corner of Lot 1 of East Park 2nd Addition, according to the plat thereof recorded in Volume 8, Page 93, Plat Records, Grayson County, Texas, and on the westerly right-of-way line of Dewey Avenue (AKA State Highway No. 11);

Thence South 15°24'00" East, with the easterly line of said 0.316 acre tract, and with the westerly right-of-way line of said Dewey Avenue, a distance of 142.24 feet to a 1/2" steel rod set for the southeast corner of said 0.316 acre tract, and at the interestion of the westerly right-of-way line of said Dewey Avenue and the northerly right-of-way line of King Street;

Thence South 74°52'47" West, with the southerly line of said 0.316 acre tract, and with the northerly right-of-way line of said King Street, a distance of 98.32 feet to a 1/2" steel rod set for the southwest corner of said 0.316 acre tract, common to the southeast corner of Lot 3 of aforesaid Block 2;

Thence North 15°28'52" West, with the westerly line of said 0.316 acre tract, and with the easterly line of said Lot 3, a distance of 137.93 feet to a 1/2" steel rod found for the northwest corner of said 0.316 acre tract, common to the northeast corner of said Lot 3, and on the southerly line of aforesaid Lot 1, East Park 2nd Addition;

Thence North 72°22'31" East, with the northerly line of said 0.316 acre tract, and with the southerly line of said Lot 1, a distance of 98.59 feet to the Point-of-Beginning and containing 0.317 acres (13,787 square feet) of land, more or less.

CERTIFICATE OF COMPLIANCE

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, EMAAR ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the ____day of _____, 2022, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this____day of _____, 2022.

_____
Clerk, City of Sherman, Texas

PRELIMINARY
THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED, VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

SURVEYOR'S CERTIFICATION

KNOWN ALL MEN BY THESE PRESENTS:

That I, Douglas W. Underwood, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

_____ _____
Douglas W. Underwood Date
Registered Professional
Land Surveyor, No. 4709

ACCEPTANCE

Approved this _____ day of _____, 2022, by the City Planning Commission to the City of Sherman, Texas.

_____ _____
Chairman Secretary

CERTIFICATE OF ACCEPTANCE OF DEDICATION

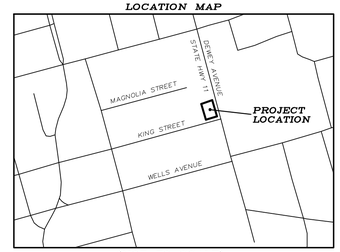
Accepted by the City Council of the City of Sherman

_____ _____
Mayor, City of Sherman, Texas Date

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer Service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or drainage easements for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.
11. The subject property does not lie within a Federal Emergency Management Agency (FEMA) designated flood plain as shown by Firm Map No. 48181C0290G, effective date September 1, 2022.

LOCATION MAP



(NOT TO SCALE)

OWNERS DEDICATION

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

THAT I, EMAAR-TX, LLC, do hereby adopt this plat designating the hereinabove property as the EMAAR ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construtsion, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this_____day of _____, 2022.

_____
NAVEED OWAIS
EMAAR-TX, LLC

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared, NAVEED OWAIS 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___day of_____, 2022.

_____
Notary Public in and for
the State of Texas
Commission Expires: _____

AVIGATION RELEASE

THE STATE OF TEXAS
COUNTY OF GRAYSON

WHEREAS, EMAAR-TX, LLC, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as EMAAR ADDITION, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER'S described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property and OWNER does hereby fully remise and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at EMAAR ADDITION, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

EXECUTED THIS_____DAY OF_____, 2022

BY: EMAAR-TX, LLC

BY: _____
NAVEED OWAIS

EMAAR ADDITION

REPLAT OF J. C. LINNSTEAD ADDITION
ALL OF LOT 4 AND PART OF LOT 5, BLOCK 2
Being a part of the George B. Pilant Survey, Abstract Number 963.
Being in the City of Sherman, Grayson County, Texas.
Containing 0.317 acres of land

10-20-22

OWNERS/DEVELOPER
EMAAR-TX LLC
2829 GULF BREEZE CT.
PLANO, TX 75074
CONTACT: NAVEED OWAIS

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS

UNDERWOOD
DRAFTING & SURVEYING
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465-2151

SHEET 2 OF 2

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 7, 2022

Emaar-TX, LLC
Attn: Naveed Owais
2829 Gulf Breeze Ct.
Plano, TX 75074

Underwood Drafting & Surveying
3404 Interurban Road
Denison, TX 75021

Dear Applicants,

The request for approval of the Replat of Emaar Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, November 15, 2022 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Dedicate a 5' Right of Way Dedication along Dewey Avenue aka SH 11 in regards to Grayson County/City of Sherman Thoroughfare Plan. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
2. Dedicate a 15' Utility Easement along Dewey Avenue aka SH 11. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. Remove 5' Utility Easement from western boundary line.
4. Remove 10' Utility Easement from northern boundary line.
5. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
6. Drive approaches will not be permitted off of Dewey Avenue.
7. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
8. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*

9. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. CAD file must be submitted digitally at time of final approval. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **14.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

* **2708 EAST LAMAR STREET**

The request of Frontera MHC, LLC (Owner), Marley Phillips (Developer/Representative), Bowman (Consulting Firm) and Spooner and Associates Land Surveyors (Surveyor) concerning the property at 2708 East Lamar Street, being 113.414 acres in the Aaron Burleson Survey, Abstract No. 61, as follows:

Planning and Zoning Commission

Final Plat approval of Lot 1 and Lot 2, Block 1 Frontera.

Background:

The property is located at 2708 East Lamar Street, the southeast corner of Wells Street and Highway 56 and is zoned MH (Manufacturing Housing) District. The owner would like to plat the property into one lot for a manufactured housing development.

The following has been approved for this location:

- October 19, 2021 Planning and Zoning - Zone change from R-A (Single Family Agricultural) District to M-H (Manufacturing Housing District). This item was approved by City Council on 4/18/2022.
- October 19, 2021 - Variance to allow 40' wide lots in lieu of the required 60' for a Manufactured Home Community in an M-H (Manufactured Housing) District.
- April 18, 2022 City Council - Annexation of subject property being 113.414 acres.

Adjacent Zoning:

R-1 (One-Family Residential) District
ETJ (Extra Territorial Jurisdiction)

Origination:

Frontera MHC, LLC (Owner)
Marley Phillips (Developer/Representative)
Bowman (Consulting Firm)
Spooner and Associates Land Surveyors (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

0

Objections Received:

0

Development Review Meeting:

Yes

Attachments

Location Map
Final Plat
Metes / Bounds
Staff Review Letter

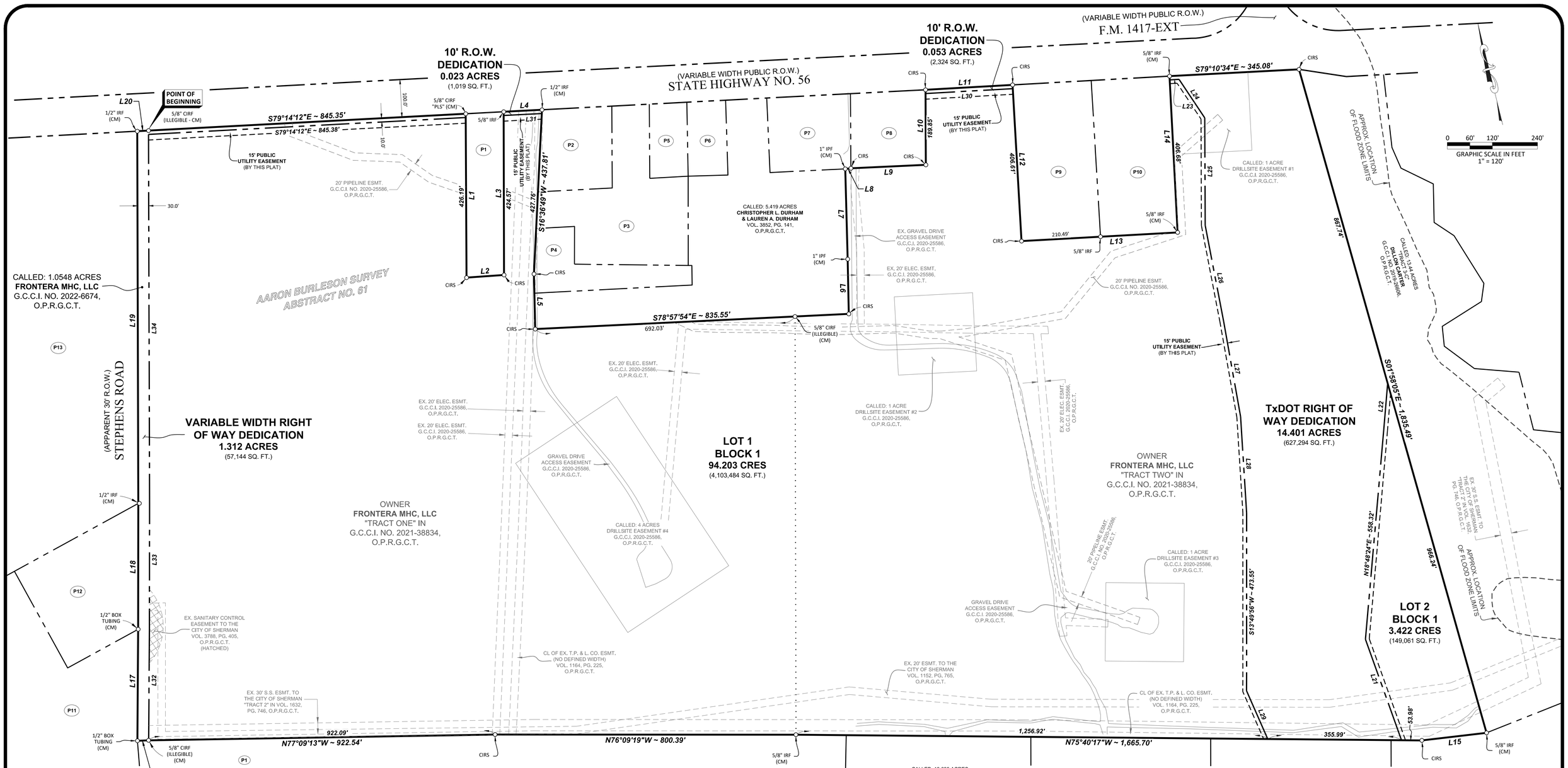
Sherman
CLASSIC TOWN. BROAD HORIZON.

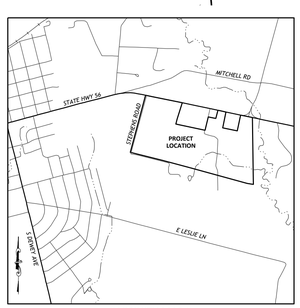
City of Sherman, Texas
Development Services Department

2708 East Lamar Street

NOT TO SCALE

1 in = 717 ft





* VICINITY MAP *
(NOT TO SCALE)

P1 OWNER **TAMMIE SUE DONAHUE** VOL. 4597, PG. 393, O.P.R.G.C.T.

P2 CALLED: 0.9611 ACRES **STEVEN R. MULLINS** VOL. 5719, PG. 303, O.P.R.G.C.T.

P3 CALLED: 2.221 ACRES **EDUARDO LIEVANO & ROSA PORTILLO LIEVANO** VOL. 5988, PG. 538, O.P.R.G.C.T.

P4 CALLED: 0.792 ACRES **DONALD L. BERRY** VOL. 4755, PG. 549, O.P.R.G.C.T.

P5 OWNER **MARY J. STEVENS** VOL. 5444, PG. 897 DESCRIBED IN VOL. 3542, PG. 612, O.P.R.G.C.T.

P6 CALLED: 0.46 ACRES **PATRICIA A. WITHERSPOON** G.C.C.I. NO. 2015-18542, O.P.R.G.C.T.

P7 CALLED: 1.01 ACRES **DENNIS M. SCRIVEN & DIANA SCRIVEN** VOL. 2698, PG. 391, O.P.R.G.C.T.

P8 OWNER **CARLOS LLANAS & MARIA YATES** G.C.C.I. NO. 2018-12782, O.P.R.G.C.T.

P9 CALLED: 2.00 ACRES **CHRISTOPHER A. GRIPP** VOL. 4307, PG. 348, O.P.R.G.C.T.

P10 CALLED: 2.00 ACRES **SHERMAN CONGREGATION OF JEHOVAH'S WITNESS** VOL. 1351, PG. 442, O.P.R.G.C.T.

P11 CALLED: 23.839 ACRES **MD SHAHIDUL RANA, SENJIN I. RANA & SHAJAN I. RANA** G.C.C.I. NO. 2020-27764, O.P.R.G.C.T.

P12 CALLED: 2.00 ACRES **CITY OF SHERMAN** VOL. 1038, PG. 124, O.P.R.G.C.T.

P13 CALLED: 13.936 ACRES **OSCAR MARTINEZ** VOL. 5418, PG. 169, O.P.R.G.C.T.

LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	S13°30'57"W	436.20'	*L18*	N13°53'41"E	335.22'
L2	S80°10'45"E	100.00'	*L19*	N13°38'23"E	990.91'
L3	N13°39'51"E	434.58'	*L20*	N79°14'12"W	30.04'
L4	S79°10'19"E	102.19'	*L21*	N05°50'58"W	285.43'
L5	S12°29'09"W	146.66'	*L22*	N18°33'50"E	126.41'
L6	N12°36'08"E	145.74'	*L23*	S79°10'34"E	24.87'
L7	N12°17'15"E	240.51'	*L24*	S19°55'44"E	123.26'
L8	N82°11'29"W	15.03'	*L25*	S13°35'10"W	286.04'
L9	N78°49'02"W	199.56'	*L26*	S02°56'16"W	262.00'
L10	S13°34'43"W	199.86'	*L27*	S03°44'17"W	256.02'
L11	N79°24'26"W	232.08'	*L28*	S10°11'55"W	256.75'
L12	N10°31'38"E	416.61'	*L29*	S09°53'50"E	140.26'
L13	N79°22'54"W	416.02'	*L30*	N79°24'26"W	232.61'
L14	S10°50'33"W	416.68'	*L31*	N79°10'19"W	101.67'
L15	N82°52'10"W	173.42'	*L32*	N14°10'56"E	295.41'
L16	N78°20'17"W	29.57'	*L33*	N13°53'41"E	335.36'
L17	N14°10'56"E	296.65'	*L34*	N13°38'23"E	982.47'

* LEGEND *

CIRS	5/8" IRON ROD WITH CAP SET STAMPED "SPOONER 5922"
CIRF	IRON ROD WITH CAP FOUND
IRF	IRON ROD FOUND
IPF	IRON PIPE FOUND
(CM)	CONTROLLING MONUMENT
VOL.	VOLUME
PG.	PAGE
G.C.C.I. NO.	GRAYSON COUNTY CLERK'S INSTRUMENT NUMBER
O.P.R.G.C.T.	OFFICIAL PUBLIC RECORDS GRAYSON COUNTY, TEXAS
CL	CENTERLINE
OHE	OVERHEAD ELECTRIC
GMK	GAS MARKER
	POWER POLE
SS	SANITARY SEWER MANHOLE

NOTE: SEE SHEET 2 OF 2 FOR OWNER'S DEDICATION, OWNER'S CERTIFICATE, GENERAL NOTES, SURVEYOR'S STATEMENT & CITY APPROVAL.

THIS DOCUMENT IS
PRELIMINARY
FOR REVIEW PURPOSES ONLY
ERIC S. SPOONER, R.P.L.S.
October 20, 2022

OWNER/APPLICANT

FRONTERA MHC, LLC
3705 LAKEVIEW PARKWAY, STE 209
ROWLETT, TEXAS 75088
PH: (972) 365-0307
ATTN: DAVID ZULEJKIC

ENGINEER:

Bowman CONSULTING

1120 S. CAPITAL OF TEXAS HIGHWAY
BUILDING #3, SUITE 220
AUSTIN, TEXAS 78746
PH: (512) 327-1180
ATTN: MIA HERNANDEZ, E.I.T.

SURVEYOR:

SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE
309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-9448 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900 – S&A 211321p

CITY PROJECT NO. _____
FINAL PLAT OF
LOTS 1 & 2, BLOCK 1
FRONTERA

BEING A FINAL PLAT OF A 113.414 ACRE TRACT OF LAND LOCATED IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61, GRAYSON COUNTY, TEXAS, SAID 113.414 ACRE TRACT OF LAND BEING ALL OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO FRONTERA MHC, LLC, BY THE DEEDS THEREOF FILED FOR RECORD IN GRAYSON COUNTY CLERK'S INSTRUMENT NO. 2021-38834 AND 2022-6674, OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS.

2 LOTS & 4 R.O.W. DEDICATIONS
113.414 ACRES
OCTOBER 2022

* OWNER'S CERTIFICATION *

STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, FRONTERA MHC, LLC, is the sole owner of a 113.414 acre tract of land located in the Aaron Burleson Survey, Abstract No. 61, Grayson County, Texas, said 113.414 acre tract of land being all of a called 55.272 acre tract of land described as "Tract One", and all of a called 57.070 acre tract of land described as "Tract Two", conveyed to **FRONTERA MHC, LLC**, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2021-38834, Official Public Records, Grayson County, Texas (O.P.R.G.C.T.), said 113.414 acre tract of land also being all of a called 1.0548 acre tract of land conveyed to **FRONTERA MHC, LLC**, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2022-6674, O.P.R.G.C.T., said 113.414 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with an illegible cap found (Controlling Monument) at the northwest property corner of said Tract One, same being at the northeast property corner of the said 1.0548 acre tract, and being on the south right-of-way line of State Highway No. 56 (being a variable width public right-of-way also known as East Lamar Street;

THENCE South 79°14'12" East, along a north property line of said Tract One and along the said south right-of-way line, a distance of 845.35 feet to a 5/8 inch iron rod with a cap stamped "PLS" found (Controlling Monument) at a northeast property corner of said Tract One, same being the northwest property corner of that certain tract of land conveyed to Tammie Sue Donahue, by deed thereof filed for record in Volume 4597, Page 393, O.P.R.G.C.T.;

THENCE departing the said right-of-way line, and along the common property line of said Tract One and the said Donahue tract the following courses and distances:

South 13°30'57" West, a distance of 436.20 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5922" set (hereinafter referred to as an iron rod set);

South 80°10'45" East, a distance of 100.00 feet to an iron rod set;

North 13°39'51" East, a distance of 434.58 feet to a 5/8 inch iron rod found at a northwest property corner of said Tract One, same being the northeast property corner of the said Donahue tract, and being on the said south right-of-way line);

THENCE South 79°10'19" East, along a north property line of said Tract One and along the said south right-of-way line, a distance of 102.19 feet to a 1/2 inch iron rod found (Controlling Monument) at the most northerly northeast property corner of said Tract One, same being the northwest property corner of a called 0.9611 acre tract of land conveyed to Steven R. Mullins, by deed thereof filed for record in Volume 5719, Page 303, O.P.R.G.C.T.;

THENCE South 16°36'49" West, departing the said right-of-way line, along a northeast property line of said Tract One, in part along the west property line of the said 0.9611 acre tract, in part along the most westerly property line of a called 2.221 acre tract of land conveyed to Eduardo Lievano & Rosa Portillo Lievano, by deed thereof filed for record in Volume 5988, Page 538, O.P.R.G.C.T., and in part along the west property line of a called 0.792 acre tract of land conveyed to Donald L. Berry, by deed thereof filed for record in Volume 4755, Page 549, O.P.R.G.C.T., a distance of 437.81 feet to an iron rod set;

THENCE South 12°29'09" West, continuing along the said northeast property line of Tract One, in part along the said west property line of the 0.792 acre tract, and in part along the most westerly southwest property line of a called 5.419 acre tract of land conveyed to Christopher L. Durham and Lauren A. Durham, by deed thereof filed for record in Volume 3852, Page 141, O.P.R.G.C.T., a distance of 146.66 feet to an iron rod set at an interior ell property corner of said Tract One, same being the most southerly southwest property corner of the said 5.419 acre tract;

THENCE South 78°57'54" East, along a northeast property line of said Tract One and along the south property line of the said 5.419 acre tract, at a distance of 692.03 feet passing a 5/8 inch iron rod with an illegible cap found (Controlling Monument) at the most easterly northeast property corner of said Tract One, same being the most westerly northwest property corner of the aforementioned Tract Two, and continuing along a northwest property line of said Tract Two and along the said south property line of the 5.419 acre tract, in all a total distance of 835.55 feet to an iron rod set at an interior ell property corner of said Tract Two, same being the southeast property corner of the said 5.419 acre tract;

THENCE North 12°36'08" East, along a northwest property line of said Tract Two and along an east property line of the said 5.419 acre tract, a distance of 145.74 feet to a 1 inch iron pipe found (Controlling Monument) at a west property corner of said Tract Two, same being the east property corner of the said 5.419 acre tract;

THENCE North 12°17'15" East, continuing along the said northwest property line of Tract Two and along the said east property line of the 5.419 acre tract, a distance of 240.51 feet to a 1 inch iron pipe found (Controlling Monument) at a northwest property corner of said Tract Two, same being the most easterly northeast property corner of the said 5.419 acre tract, same being on a south property line of a called 1.01 acre tract of land conveyed to Dennis M. Scriven and Diana Scriven, by deed thereof filed for record in Volume 2436, Page 126, O.P.R.G.C.T.;

THENCE South 82°11'29" East, along a north property line of said Tract Two and along the southeast property line of the said 1.01 acre tract, a distance of 15.03 feet to an iron rod set at the southeast property corner of the said 1.01 acre tract, same being the southwest property corner of that certain tract of land conveyed to Carlos Llana and Maria Yates, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2018-12782, O.P.R.G.C.T.;

THENCE South 78°49'02" East, along a north property line of said Tract Two and along the south property line of the said Llanas and Yates tract, a distance of 199.56 feet to an iron rod set at an interior ell property corner of said Tract 2, same being the southeast property corner of the said Llanas and Yates tract;

THENCE North 13°34'43" East, along a northwest property line of said Tract Two, same being the east property line of the said Llanas and Yates tract, a distance of 199.86 feet to an iron rod set at a northwest property corner of said Tract Two, same being the northeast property corner of the said Llanas and Yates tract, said iron rod set also being on the aforementioned south right-of-way line of State Highway No. 56;

THENCE South 79°24'26" East, along a northerly property line of said Tract Two and along the said south right-of-way line, a distance of 232.08 feet to an iron rod set at a northeast property corner of said Tract Two, same being the northwest property corner of a called 2.00 acre tract of land conveyed to Christopher A. Grip, by deed thereof filed for record in Volume 4307, Page 348, O.P.R.G.C.T.;

THENCE South 10°31'38" West, departing the said right-of-way line, along a northeast property line of said Tract Two, same being the west property line of the said 2.00 acre tract, a distance of 416.61 feet to an iron rod set at a interior ell property corner of said Tract 2, same being the southwest property corner of the said 2.00 acre tract;

THENCE South 79°22'54" East, along a northeast property line of said Tract Two and along the south property line of the said 2.00 acre tract, at a distance of 210.49 feet passing a 5/8 inch iron rod found at the southeast property corner of the said 2.0 acre tract, same being the southwest property corner of a called 2.00 acre tract of land conveyed to the Sherman Congregation of Jehovah's Witness, by deed thereof filed for record in Volume 1351, Page 442, O.P.R.G.C.T., and continuing along the said northeast property line and along the south property line of the said 2.00 acre tract (Sherman Congregation of Jehovah's Witness), in all a total distance of 416.02 feet to a 5/8 inch iron rod found (Controlling Monument) at an interior ell property corner of said Tract Two, same being the southeast property corner of the said 2.00 acre tract (Sherman Congregation of Jehovah's Witness - hereinafter referred to as the "2.00 acre tract");

THENCE North 10°50'33" East, along a northwest property line of said Tract Two and along the east property line of the said 2.00 acre tract, a distance of 416.68 feet to a 5/8 inch iron rod found (Controlling Monument) at a northwest property corner of said Tract Two, same being the northeast property corner of the said 2.00 acre tract, and being on the aforesaid south right-of-way line of State Highway No. 56;

THENCE South 79°10'34" East, along the a north property line of said Tract Two and along the said south right-of-way line, a distance of 345.08 feet to an iron rod set at the most easterly northeast property corner of said Tract Two, same being the northwest property corner of a called 13.44 acre tract of land described as "Tract 3-C", conveyed to Dillon Carter, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2019-26606, O.P.R.G.C.T.;

THENCE South 01°58'05" East, departing the said right-of-way line, along the east property line of said Tract Two and along the west property line of the said 13.44 acre tract, a distance of 1,835.49 feet to a 5/8 inch iron rod found (Controlling Monument) at the most easterly southeast property corner of said Tract Two, same being the southwest property corner of the said 13.44 acre tract, and being a north property corner of a called 21.000 acre tract of land conveyed to David Ray Sullivan, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2020-19176, O.P.R.G.C.T.;

THENCE North 82°52'10" West, along a southeast property line of said Tract Two and along a north property line of the said 21.000 acre tract, a distance of 173.42 feet to an iron rod set at a south property corner of said Tract Two, same being a north property corner of the said 21.000 acre tract;

THENCE North 75°40'17" West, along the south property line of said Tract Two, in part along the said north property line of the 21.000 acre tract, in part along the north property line of a called 20.60 acre tract of land conveyed to Brandon Greg, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2020-18714, O.P.R.G.C.T., in part along the north property lines of a called 20.600 acre tract of land described as "Tract 1", and a called 19.699 acre tract of land described as "Tract 2", conveyed to Senjin Rana and Shajan Rana, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2020-24679, O.P.R.G.C.T., and in part along a northeast property line of the remainder of a called 81.626 acre tract of land conveyed to Whitmire Forward, LC, by deed thereof filed for record in Volume 5568, Page 523, O.P.R.G.C.T., a distance of 1,665.70 feet to a 5/8 inch iron rod found (Controlling Monument) at the southwest property corner of said Tract Two, same being the southeast property corner of the aforesaid Tract One;

THENCE North 76°09'19" West, along the south property line of said Tract One and continuing along the said northeast property line of the 81.626 acre tract, a distance of 800.39 feet to an iron rod set;

THENCE North 77°09'13" West, continuing along the said property lines, a distance of 922.54 feet to a 5/8 inch iron rod with an illegible cap found (Controlling Monument) at the southwest property corner of said Tract One, same being the southeast property corner of the aforementioned 1.0548 acre tract;

THENCE North 78°20'17" West, along the south property line of the said 1.0548 acre tract, a distance of 29.57 feet to a a 1/2 inch metal box tubing found (Controlling Monument) at the southwest property corner of the said 1.0548 acre tract, same being the east property line of a called 23.839 acre tract of land conveyed to MD Shahidul Rana, Senjin I. Rana & Shajan I. Rana, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2020-27764, O.P.R.G.C.T.;

THENCE North 14°10'56" East, along a west property line of the said 1.0548 acre tract and along the said east property line of the 23.89 acre tract, a distance of 296.65 feet to a 1/2 inch metal box tubing found (Controlling Monument) at the most easterly northeast property corner of the said 23.839 acre tract, same being the southeast property corner of a called 2.00 acre tract of land conveyed to the City of Sherman, by deed thereof filed for record in Volume 1038, Page 124, O.P.R.G.C.T.;

THENCE North 13°53'41" East, continuing along the said west property line of the 1.0548 acre tract and along the east property line of the said 2.00 acre tract, a distance of 335.22 feet to a 1/2 inch iron rod found (Controlling Monument) at the northeast property corner of the said 2.00 acre tract, same being the most southerly southeast property corner of a called 13.936 acre tract of land conveyed to Oscar Martinez, by deed thereof filed for record in Volume 5418, Page 169, O.P.R.G.C.T.;

THENCE North 13°38'23" East, continuing along the said west property line and along the east property line of the said 13.936 acre tract, a distance of 990.91 feet to a 1/2 inch iron rod found (Controlling Monument) at the northwest property corner of the said 1.0548 acre tract, same being the northeast property corner of the said 13.936 acre tract, and being on the aforementioned south right-of-way line of State Highway No. 56;

THENCE South 79°14'12" East, along the north property line of the said 1.0548 acre tract and along the said south right-of-way line, a distance of 30.04 feet to the **POINT OF BEGINNING**.

The hereinabove described tract of land contains a computed area of **113.414 acres (4,940,325 square feet)** of land, more or less.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

THAT, FRONTERA MHC, LLC, does hereby adopt this plat designating the hereinabove described property as FRONTERA, an Addition to the City of Sherman, Grayson County, Texas, and dedicated to the public use forever the roads, streets, and easements shown hereon, for the use and accommodation of any public utility desiring use or using same for the purpose of constructing, maintaining, adding to or removing any or all of their respective systems located therein.

Witness my hand, this the _____ day of _____, 2022.

_____
David Zulejkic, Managing Principal

STATE OF TEXAS §

COUNTY OF DALLAS §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared DAVID ZULEJKIC, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this the _____ day of _____, 2022.

_____
Notary Public, State of Texas

STATE OF TEXAS §
COUNTY OF GRAYSON §

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, FRONTERA MHC, LLC, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described in this plat.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a home-rule municipality, hereinafter called CITY, and the Sherman Municipal Airport, hereinafter called AIRPORT, and their respective successors and assigns, of and from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of any and all aircraft ("aircraft" being defined for the purpose of this instrument as any contrivance now known or hereinafter invented, including but not limited to jet, propeller-driven, civil, military, experimental or commercial aircraft and helicopters, regardless of existing or future noise levels, designed or used for the purpose of transporting persons or property through the air, by whoever owned or operated), in the airspace over OWNER's property. Such release shall include, but not be limited to, any damages to OWNER'S property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at, taking off from, operating at or on, or being maintained at the Sherman Municipal Airport, whether such claim be for injury or death to person or persons or damages to or taking of property.

This Release shall be binding upon OWNER and OWNER's successors, heirs, executors, administrators and assigns, and shall be a covenant running with the land.

Executed this _____ day of _____, AD, 2022.

_____
David Zulejkic, Managing Principal for
Frontera MHC, LLC

Drainage Maintenance Instructions:

It is important to ensure that the detention pond and all drainage infrastructure are periodically maintained to ensure that the system is conveying properly. Any areas where the berm scours, the area is to be restored per plan. The weir opening is to be periodically checked to ensure no sediments are interrupting the drainage flow. The detention pond and drainage infrastructure shall be inspected annually to ensure that it is working properly.

All inspections must be recorded and must contain the following information:

An assessment of the condition and functionality of the stormwater or water quality control. Maintenance and repair actions performed on the control facility during the past year. The professional opinion of the inspector regarding the current functionality of the control and its ability to operate per the original design specifications. Recommendations regarding the need for maintenance or modifications that will allow for the control to operate per the original design specifications. Inspection and maintenance records must be retained and provided to the city for review upon request.

General Plat Note:

Internal water and sewer lines will be privately owned and maintained.

STATE OF TEXAS §
COUNTY OF TARRANT §

THAT, I, Eric S. Spooner, do hereby certify that I prepared this final plat and the field notes made a part thereof from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the Subdivision Regulations of the City fo Sherman, Texas.

Surveyed on the ground during the month of October 2021.

_____
Eric S. Spooner, R.P.L.S. Date
Texas Registration No. 5922

THIS DOCUMENT IS
PRELIMINARY
FOR REVIEW PURPOSES ONLY
ERIC S. SPOONER, R.P.L.S.
October 20, 2022

STATE OF TEXAS §
COUNTY OF TARRANT §

BEFORE ME, the undersigned, a Notary Public in and for the said County and State, on this day personally appeared Eric Spooner, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he/she executed the same for the purpose and consideration therein expressed, and in the capacity therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, on this _____ day of_____, 2022.

_____
Notary Public, State of Texas

* GENERAL NOTES *

- The bearings, distances and coordinates shown hereon are referenced to the Texas Coordinate System of 1983, Texas North Central Zone 4202, and are based on the North American Datum of 1983, 2011 Adjustment. Coordinates shown are scaled to surface distances at 0,0 using a combined scale factor of 1.000105801. All areas shown hereon are calculated based on surface measurements.
- According to the Flood Insurance Rate Map published by the Federal Emergency Management Agency, Department of Homeland Security and by graphic plotting only, the subject property appears to be located in Zone "X" (areas determined to be outside the 0.2 % annual chance floodplain) as shown on Map No. 48181C0290F; map revised September 29, 2010, for Grayson County and incorporated areas. This flood statement does not imply that the property and/or structures located in Zone "X" will be free from flooding or flood damage. This flood statement shall not create liability on the part of the Surveyor.
- This Survey was prepared with the benefit of a copy of a Commitment for Title Insurance prepared by Chicago Title Insurance Company, G.F. No. 2001478T, having an effective date of January 30, 2022 and issued February 9, 2022; and only reflects those easments, covenants, restrictions, and other matters of record listed in Schedule B of said commitment. No other research for matters of record, not listed in said Commitment, was preformed by Spooner & Associates.
- Unless shown otherwise hereon, all property corners are monument with a 5/8 inch iron rod with a cap stamped "SPOONER 5922".
- All easements not dimensioned hereon are parallel-perpendicular to the adjoining line.
- Notice: Selling a portion of this addition by metes and bounds is a violation of City Ordinance and State Law, and is subject to fines and withholding of utilities and building permits.

OWNER/APPLICANT

FRONTERA MHC, LLC
3705 LAKEVIEW PARKWAY, STE 209
ROWLETT, TEXAS 75088
PH: (972) 365-0307
ATTN: DAVID ZULEJKIC

ENGINEER:

Bowman CONSULTING

1120 S. CAPITAL OF TEXAS HIGHWAY
BUILDING #3, SUITE 220
AUSTIN, TEXAS 78746
PH: (512) 327-1180
ATTN: MIA HERNANDEZ, E.I.T.

SURVEYOR:

SPOONER & ASSOCIATES
REGISTERED PROFESSIONAL LAND SURVEYORS
OVER 30 YEARS OF SERVICE
309 BYERS STREET, SUITE 100, EULESS, TEXAS 76039
(817) 685-8446 WWW.SPOONERSURVEYORS.COM
TBPLS FIRM NO. 10054900 ~ S&A 21132.fp

CITY PROJECT NO. _____

FINAL PLAT OF

LOTS 1 & 2, BLOCK 1
FRONTERA

BEING A FINAL PLAT OF A 113.414 ACRE TRACT OF LAND LOCATED IN THE AARON BURLESON SURVEY, ABSTRACT NO. 61, GRAYSON COUNTY, TEXAS, SAID 113.414 ACRE TRACT OF LAND BEING ALL OF THOSE CERTAIN TRACTS OF LAND CONVEYED TO FRONTERA MHC, LLC, BY THE DEEDS THEREOF FILED FOR RECORD IN GRAYSON COUNTY CLERK'S INSTRUMENT NO. 2021-38834 AND 2022-6674, OFFICIAL PUBLIC RECORDS, GRAYSON COUNTY, TEXAS.

2 LOTS & 2 R.O.W. DEDICATIONS
113.414 ACRES
OCTOBER 2022

*** METES AND BOUNDS DESCRIPTION ***

BEING a 113.414 acre tract of land located in the Aaron Burleson Survey, Abstract No. 61, Grayson County, Texas, said 113.414 acre tract of land being all of a called 55.272 acre tract of land described as "Tract One", and all of a called 57.070 acre tract of land described as "Tract Two", conveyed to **FRONTERA MHC**, LLC, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2021-38834, Official Public Records, Grayson County, Texas (O.P.R.G.C.T.), said 113.414 acre tract of land also being all of a called 1.0548 acre tract of land conveyed to **FRONTERA MHC, LLC,** by deed thereof filed for record in Grayson County Clerk's Instrument No. 2022-6674, O.P.R.G.C.T., said 113.414 acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a 5/8 inch iron rod with an illegible cap found (Controlling Monument) at the northwest property corner of said Tract One, same being at the northeast property corner of the said 1.0548 acre tract, and being on the south right-of-way line of State Highway No. 56 (being a variable width public right-of-way also known as East Lamar Street;

THENCE South 79°14'12" East, along a north property line of said Tract One and along the said south right-of-way line, a distance of 845.35 feet to a 5/8 inch iron rod with a cap stamped "PLS" found (Controlling Monument) at a northeast property corner of said Tract One, same being the northwest property corner of that certain tract of land conveyed to Tammie Sue Donahue, by deed thereof filed for record in Volume 4597, Page 393, O.P.R.G.C.T.;

THENCE departing the said right-of-way line, and along the common property line of said Tract One and the said Donahue tract the following courses and distances:

South 13°30'57" West, a distance of 436.20 feet to a 5/8 inch iron rod with a cap stamped "SPOONER 5922" set (hereinafter referred to as an iron rod set);

South 80°10'45" East, a distance of 100.00 feet to an iron rod set;

North 13°39'51" East, a distance of 434.58 feet to a 5/8 inch iron rod found at a northwest property corner of said Tract One, same being the northeast property corner of the said Donahue tract, and being on the said south right-of-way line);

THENCE South 79°10'19" East, along a north property line of said Tract One and along the said south right-of-way line, a distance of 102.19 feet to a 1/2 inch iron rod found (Controlling Monument) at the most northerly northeast property corner of said Tract One, same being the northwest property corner of a called 0.9611 acre tract of land conveyed to Steven R. Mullins, by deed thereof filed for record in Volume 5719, Page 303, O.P.R.G.C.T.;

THENCE South 16°36'49" West, departing the said right-of-way line, along a northeast property line of said Tract One, in part along the west property line of the said 0.9611 acre tract, in part along the most westerly property line of a called 2.221 acre tract of land conveyed to Eduardo Lievano & Rosa Portillo Lievano, by deed thereof filed for record in Volume 5988, Page 538, O.P.R.G.C.T., and in part along the west property line of a called 0.792 acre tract of land conveyed to Donald L. Berry, by deed thereof filed for record in Volume 4755, Page 549, O.P.R.G.C.T., a distance of 437.81 feet to an iron rod set;

THENCE South 12°29'09" West, continuing along the said northeast property line of Tract One, in part along the said west property line of the 0.792 acre tract, and in part along the most westerly southwest property line of a called 5.419 acre tract of land conveyed to Christopher L. Durham and Lauren A. Durham, by deed thereof filed for record in Volume 3852, Page 141, O.P.R.G.C.T., a distance of 146.66 feet to an iron rod set at an interior ell property corner of said Tract One, same being the most southerly southwest property corner of the said 5.419 acre tract;

THENCE South 78°57'54" East, along a northeast property line of said Tract One and along the south property line of the said 5.419 acre tract, at a distance of 692.03 feet passing a 5/8 inch iron rod with an illegible cap found (Controlling Monument) at the most easterly northeast property corner of said Tract One, same being the most westerly northwest property corner of the aforementioned Tract Two, and continuing along a northwest property line of said Tract Two and along the said south property line of the 5.419 acre tract, in all a total distance of 835.55 feet to an iron rod set at an interior ell property corner of said Tract Two, same being the southeast property corner of the said 5.419 acre tract;

THENCE North 12°36'08" East, along a northwest property line of said Tract Two and along an east property line of the said 5.419 acre tract, a distance of 145.74 feet to a 1 inch iron pipe found (Controlling Monument) at a west property corner of said Tract Two, same being the east property corner of the said 5.419 acre tract;

THENCE North 12°17'15" East, continuing along the said northwest property line of Tract Two and along the said east property line of the 5.419 acre tract, a distance of 240.51 feet to a 1 inch iron pipe found (Controlling Monument) at a northwest property corner of said Tract Two, same being the most easterly northeast property corner of the said 5.419 acre tract, same being on a south property line of a called 1.01 acre tract of land conveyed to Dennis M. Scriven and Diana Scriven, by deed thereof filed for record in Volume 2436, Page 126, O.P.R.G.C.T.;

THENCE South 82°11'29" East, along a north property line of said Tract Two and along the southeast property line of the said 1.01 acre tract, a distance of 15.03 feet to an iron rod set at the southeast property corner of the said 1.01 acre tract, same being the southwest property corner of that certain tract of land conveyed to Carlos Llana and Maria Yates, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2018-12782, O.P.R.G.C.T.;

THENCE South 78°49'02" East, along a north property line of said Tract Two and along the south property line of the said Llanas and Yates tract, a distance of 199.56 feet to an iron rod set at an interior ell property corner of said Tract 2, same being the southeast property corner of the said Llanas and Yates tract;

THENCE North 13°34'43" East, along a northwest property line of said Tract Two, same being the east property line of the said Llanas and Yates tract, a distance of 199.86 feet to an iron rod set at a northwest property corner of said Tract Two, same being the northeast property corner of the said Llanas and Yates tract, said iron rod set also being on the aforementioned south right-of-way line of State Highway No. 56;

THENCE South 79°24'26" East, along a northerly property line of said Tract Two and along the said south right-of-way line, a distance of 232.08 feet to an iron rod set at a northeast property corner of said Tract Two, same being the northwest property corner of a called 2.00 acre tract of land conveyed to Christopher A. Grip, by deed thereof filed for record in Volume 4307, Page 348, O.P.R.G.C.T.;

THENCE South 10°31'38" West, departing the said right-of-way line, along a northeast property line of said Tract Two, same being the west property line of the said 2.00 acre tract, a distance of 416.61 feet to an iron rod set at an interior ell property corner of said Tract 2, same being the southwest property corner of the said 2.00 acre tract;

THENCE South 79°22'54" East, along a northeast property line of said Tract Two and along the south property line of the said 2.00 acre tract, at a distance of 210.49 feet passing a 5/8 inch iron rod found at the southeast property corner of the said 2.0 acre tract, same being the southwest property corner of a called 2.00 acre tract of land conveyed to the Sherman Congregation of Jehovah's Witness, by deed thereof filed for record in Volume 1351, Page 442, O.P.R.G.C.T., and continuing along the said northeast property line and along the south property line of the said 2.00 acre tract (Sherman Congregation of Jehovah's Witness), in all a total distance of 416.02 feet to a 5/8 inch iron rod found (Controlling Monument) at an interior ell property corner of said Tract Two, same being the southeast property corner of the said 2.00 acre tract (Sherman Congregation of Jehovah's Witness - hereinafter referred to as the "2.00 acre tract");

THENCE North 10°50'33" East, along a northwest property line of said Tract Two and along the east property line of the said 2.00 acre tract, a distance of 416.68 feet to a 5/8 inch iron rod found (Controlling Monument) at a northwest property corner of said Tract Two, same being the northeast property corner of the said 2.00 acre tract, and being on the aforesaid south right-of-way line of State Highway No. 56;

THENCE South 79°10'34" East, along the a north property line of said Tract Two and along the said south right-of-way line, a distance of 345.08 feet to an iron rod set at the most easterly northeast property corner of said Tract Two, same being the northwest property corner of a called 13.44 acre tract of land described as "Tract 3-C", conveyed to Dillon Carter, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2019-26606, O.P.R.G.C.T.;

THENCE South 01°58'05" East, departing the said right-of-way line, along the east property line of said Tract Two and along the west property line of the said 13.44 acre tract, a distance of 1,835.49 feet to a 5/8 inch iron rod found (Controlling Monument) at the most easterly southeast property corner of said Tract Two, same being the southwest property corner of the said 13.44 acre tract, and being a north property corner of a called 21.000 acre tract of land conveyed to David Ray Sullivan, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2020-19176, O.P.R.G.C.T.;

THENCE North 82°52'10" West, along a southeast property line of said Tract Two and along a north property line of the said 21.000 acre tract, a distance of 173.42 feet to an iron rod set at a south property corner of said Tract Two, same being a north property corner of the said 21.000 acre tract;

THENCE North 75°40'17" West, along the south property line of said Tract Two, in part along the said north property line of the 21.000 acre tract, in part along the north property line of a called 20.60 acre tract of land conveyed to Brandon Greg, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2020-18714, O.P.R.G.C.T., in part along the north property lines of a called 20.600 acre tract of land described as "Tract 1", and a called 19.699 acre tract of land described as "Tract 2", conveyed to Senjin Rana and Shajan Rana, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2020-24679, O.P.R.G.C.T., and in part along a northeast property line of the remainder of a called 81.626 acre tract of land conveyed to Whitmire Forward, LC, by deed thereof filed for record in Volume 5568, Page 523, O.P.R.G.C.T., a distance of 1,665.70 feet to a 5/8 inch iron rod found (Controlling Monument)

at the southwest property corner of said Tract Two, same being the southeast property corner of the aforesaid Tract One;

THENCE North 76°09'19" West, along the south property line of said Tract One and continuing along the said northeast property line of the 81.626 acre tract, a distance of 800.39 feet to an iron rod set;

THENCE North 77°09'13" West, continuing along the said property lines, a distance of 922.54 feet to a 5/8 inch iron rod with an illegible cap found (Controlling Monument) at the southwest property corner of said Tract One, same being the southeast property corner of the aforementioned 1.0548 acre tract;

THENCE North 78°20'17" West, along the south property line of the said 1.0548 acre tract, a distance of 29.57 feet to a a 1/2 inch metal box tubing found (Controlling Monument) at the southwest property corner of the said 1.0548 acre tract, same being the east property line of a called 23.839 acre tract of land conveyed to MD Shahidul Rana, Senjin I. Rana & Shajan I. Rana, by deed thereof filed for record in Grayson County Clerk's Instrument No. 2020-27764, O.P.R.G.C.T.;

THENCE North 14°10'56" East, along a west property line of the said 1.0548 acre tract and along the said east property line of the 23.89 acre tract, a distance of 296.65 feet to a 1/2 inch metal box tubing found (Controlling Monument) at the most easterly northeast property corner of the said 23.839 acre tract, same being the southeast property corner of a called 2.00 acre tract of land conveyed to the City of Sherman, by deed thereof filed for record in Volume 1038, Page 124, D.R.G.C.T.;

THENCE North 13°53'41" East, continuing along the said west property line of the 1.0548 acre tract and along the east property line of the said 2.00 acre tract, a distance of 335.22 feet to a 1/2 inch iron rod found (Controlling Monument) at the northeast property corner of the said 2.00 acre tract, same being the most southerly southeast property corner of a called 13.936 acre tract of land conveyed to Oscar Martinez, by deed thereof filed for record in Volume 5418, Page 169, O.P.R.G.C.T.;

THENCE North 13°38'23" East, continuing along the said west property line and along the east property line of the said 13.936 acre tract, a distance of 990.91 feet to a 1/2 inch iron rod found (Controlling Monument) at the northwest property corner of the said 1.0548 acre tract, same being the northeast property corner of the said 13.936 acre tract, and being on the aforementioned south right-of-way line of State Highway No. 56;

THENCE South 79°14'12" East, along the north property line of the said 1.0548 acre tract and along the said south right-of-way line, a distance of 30.04 feet to the **POINT OF BEGINNING.**

The hereinabove described tract of land contains a computed area of **113.414 acres (4,940,325 square feet)** of land, more or less.

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 7, 2022

Frontera MHC, LLC
Attn: David Zulejkic
3705 Lakeview Pkwy., Ste. 209
Rowlett, TX 75088

Bowman Consulting
Attn: Mia Hernandez, E.I.T.
1120 S. Capital of Texas Highway
Building #3, Suite 220
Austin, TX 78746

Spooner & Associates
309 Byers Street, Ste. 100
Euless, TX 76039

Dear Applicants,

The request for approval of the Final Plat of Lots 1 & 2, Block 1 Frontera has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, November 15, 2022 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Dedicate a 20'x20' Right of Way corner clip on Northwest corner of proposed Lot 1, Block 1. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
2. Dedicate a 10' Utility Easement along Stephens Road. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
3. Modify 10' Utility Easement on Northwest corner of proposed Lot 1, Block 1 to parallel new right of way created by corner clip.
4. Dedicate Mutual Access Easement to allow access to oil well site south of subject property.
5. Show "Variable Width Right of Way Dedication" for Stephens Road as "30' Right of Way Dedication."
6. The width of the right-of-way and pavement for State Highway No. 56 shall be shown on the plat. If no ROW is documented, existing ROW shall be determined by found monuments and shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
7. Width of CL of Ex. T.P.&L. Co. Easement, Vol. 1164, Pg. 225, DRGCT, to be verified and shown accordingly, both graphically and in the call out.
8. Plat layout does not meet City standard. Coordinate with Engineering Department for example of required plat layout. *Code of Ordinances Chapter 10.05, Section 6*

9. Plat layout does not meet City standard. Coordinate with Engineering Department for example of required plat layout. *Code of Ordinances Chapter 10.05, Section 6*
10. City standard P&Z Commission and City Council signature blocks shall be added to plat. *Chapter 10.05, Section 6*
11. Avigation Release language to be titled on plat. *Code of Ordinances Chapter 14, Article 14.02*
12. Metes and bounds do not match. Correct appropriately. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
13. City of Sherman Engineering Department to be provided with a letter from Pink Hill Water Supply Corporation releasing CCN rights of subject property to City of Sherman.
14. Internal water and wastewater lines will be privately owned and maintained.
15. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
16. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
17. Check with United States Postal Service (972-393-6326) for establishing the method or mode of mail delivery, the type of mailbox and location of the mailbox for each street delivery address. Centralized delivery is the preferred method of mail delivery.
18. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
19. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
20. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
21. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. <u>CAD file must be submitted digitally at time of final approval</u>. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **15.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

2100-2300 BLOCKS WEST LAMBERTH ROAD

The request of Lamberth Hickery Hill, LLC (Owner), Kiesha Kay (Representative), KW Landscape Architects (Landscape Architects), Meeks Partners (Architects) and Bohler Engineering (Engineer) concerning the property located in the 2100-2300 Blocks West Lamberth Road, being 22.330 acres in the Ralston W. Adams Survey, Abstract Number 18, as follows:

Planning and Zoning Commission

Site Plan approval of Hickory Hill Apartments, Lots 1 & 2.

Background:

The property is located in the 2100-2300 Blocks West Lamberth Road between Salvage Drive and Carriage Estates Road and is zoned PD (Planned Development) District. The owner is requesting a Site Plan approval of Hickory Hill Apartments.

The following has been approved for this location:

- May 17, 2022 - Planned Development approval under Ordinance No. 2280, Section 6.12, for Hickory Hill Planned Development in Sherman's Extra Territorial Jurisdiction (ETJ).
- May 17, 2022 - Zone change approval for Hickory Hill Planned Development under Ordinance No. 2280, Section 6.12, Subsection (5)(A), and Section 12, from an R-A (Single-Family Agricultural) District to a PD (Planned Development) District.

Adjacent Zoning:

PD (Planned Development) District
ETJ (Extra Territorial Jurisdiction)

Origination:

Lamberth Hickery Hill, LLC (Owner)
Kiesha Kay (Representative)
KW Landscape Architects (Landscape Architects)
Meeks Partners (Architects)
Bohler Engineering (Engineer)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

Not Required.

Objections Received:

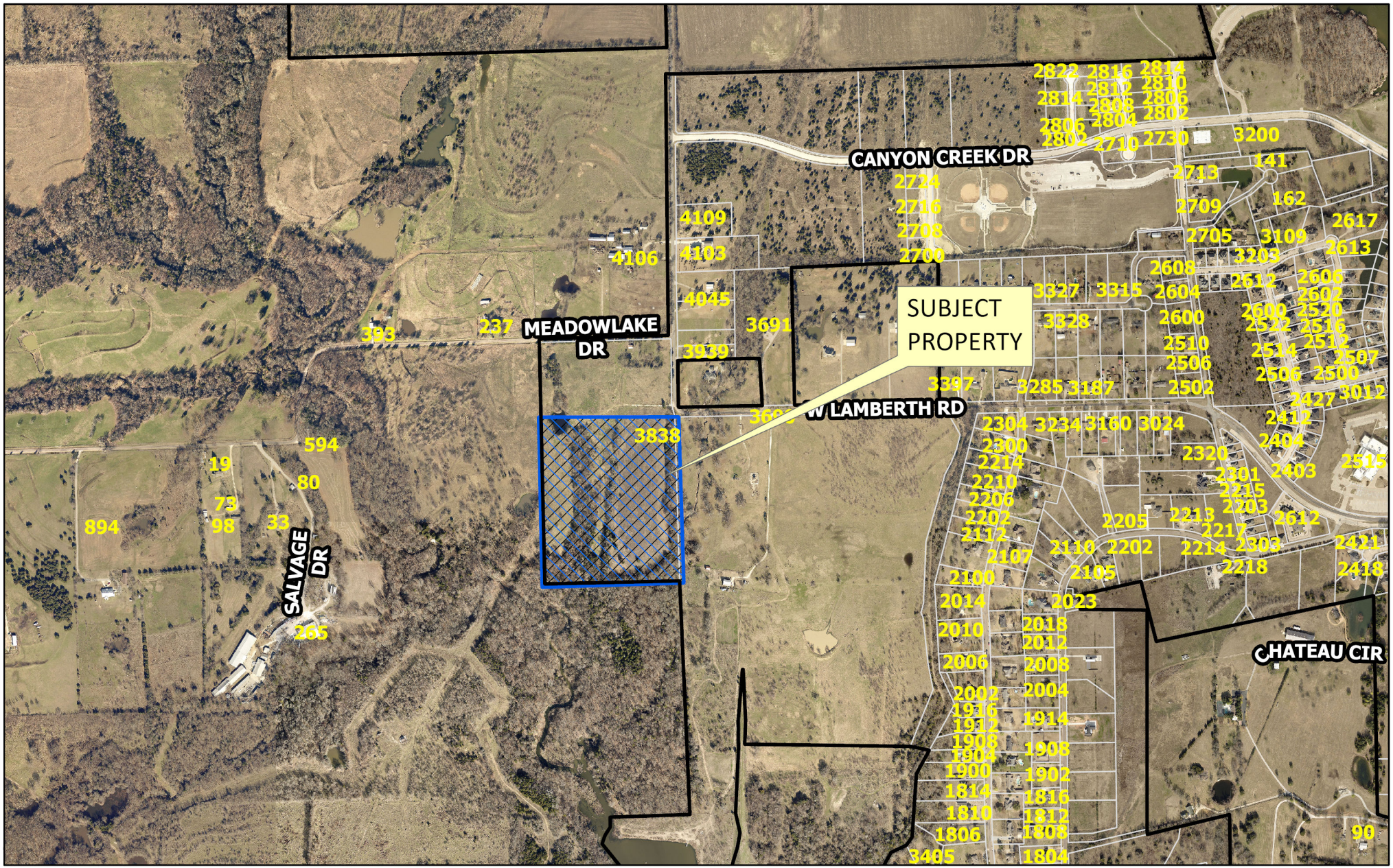
0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Site Plan - Overall
Site Plan - 1 of 2
Site Plan - 2 of 2
Elevations
Halff Concurrence Letter
Staff Review Letter



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

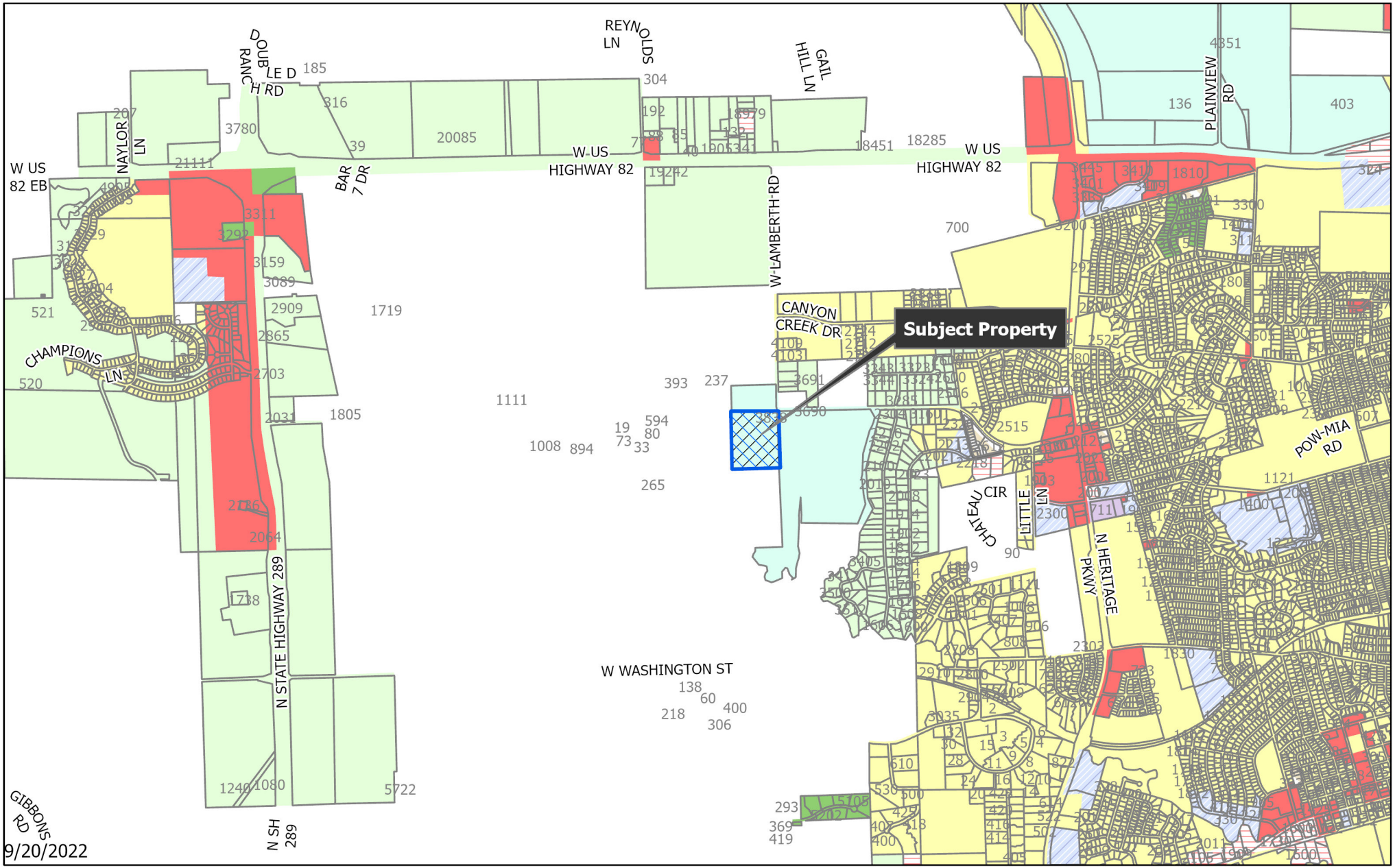
CITY OF SHERMAN

Property ID 394184

N
W E
S

Date: 9/20/2022 9:39 AM

Scale: 1:11,208



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels

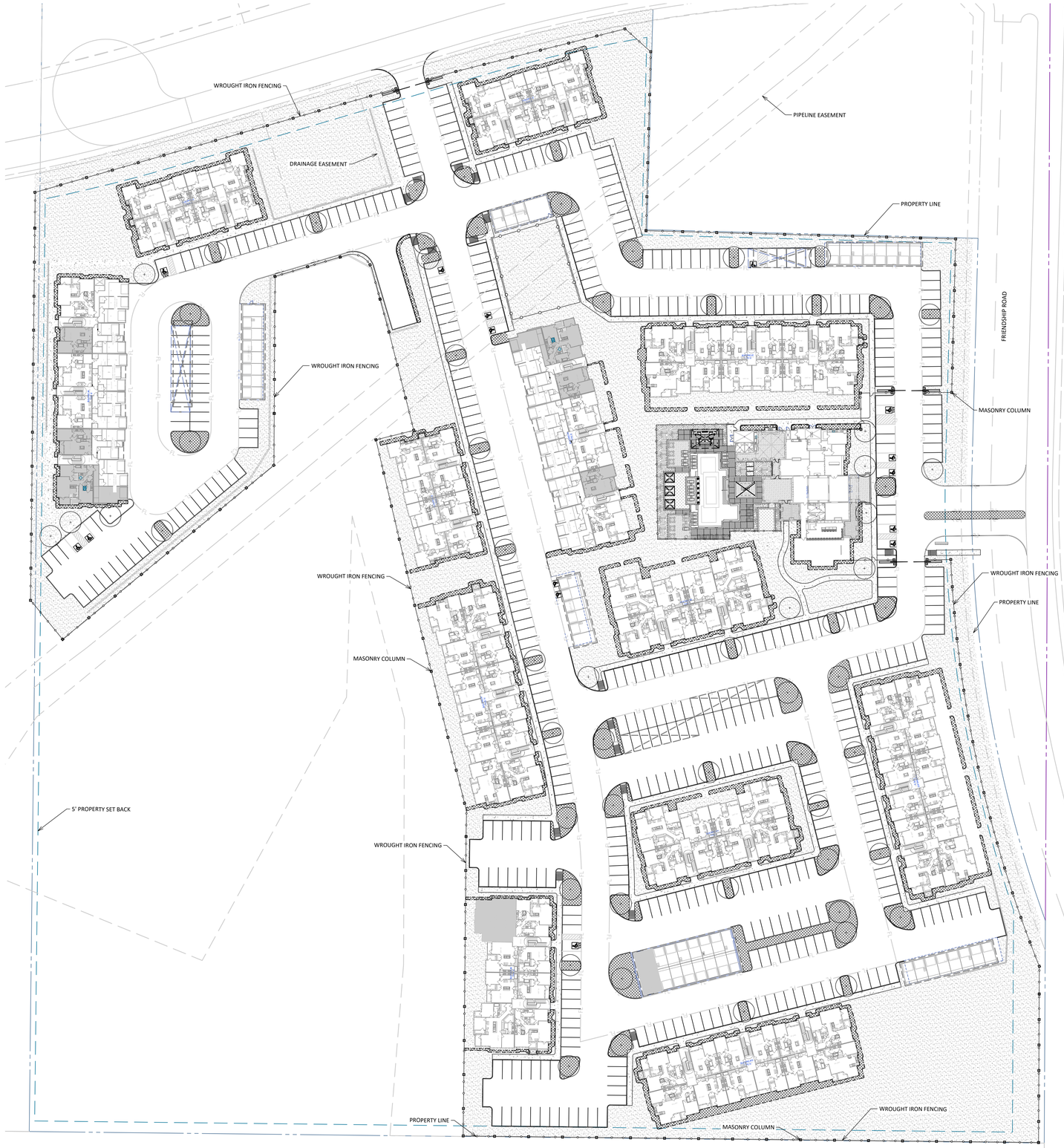
CITY OF SHERMAN
Zoning Location Map

Property ID 394184

N
W E
S

Scale: 1:32,794

Date: 9/20/2022 9:39 AM



SYMBOLS LEGEND

	NURSERY GROWN CONTAINERIZED TREES ; TO BE SELECTED FROM CITY OF SHERMAN APPROVED TREE LIST; CODE OF ORDINANCES Chapter 14, Exhibit A,Section 17.
	SHRUB/GROUND COVER ; TO BE SELECTED FROM CITY OF SHERMAN APPROVED SHRUB LIST; CODE OF ORDINANCES Chapter 14, Exhibit A,Section 17
	SOLID SOD
	3/16" (IN) STEEL EDGE, COLOR TO BE BLACK
	6 FOOT WROUGHT IRON FENCING
	MASONRY COLUMNS

OVERALL SITE DATA TABLE

	Proposed
Landscaped Area	197,912 Sq. Ft.

SCALE 1" = 50' - 0"
25 0 50 100

N

KW LANDSCAPE ARCHITECTS
4910 West 16th St., Suite 268
Indianapolis, Indiana 46224
317-961-8933
BUILDING THE EXCEPTIONAL, *TOGETHER.*
www.kwtexas.com

REGISTERED LANDSCAPE ARCHITECT
DEREK A. WEINHEIMER
1848
STATE OF TEXAS
10/14/2022

ALLEN HARRISON COMPANY

DATE / ISSUE
14 OCT 2022
ISSUE FOR SDP

HICKORY HILL APARTMENTS LOST1&2
SHERMAN, TEXAS 75092

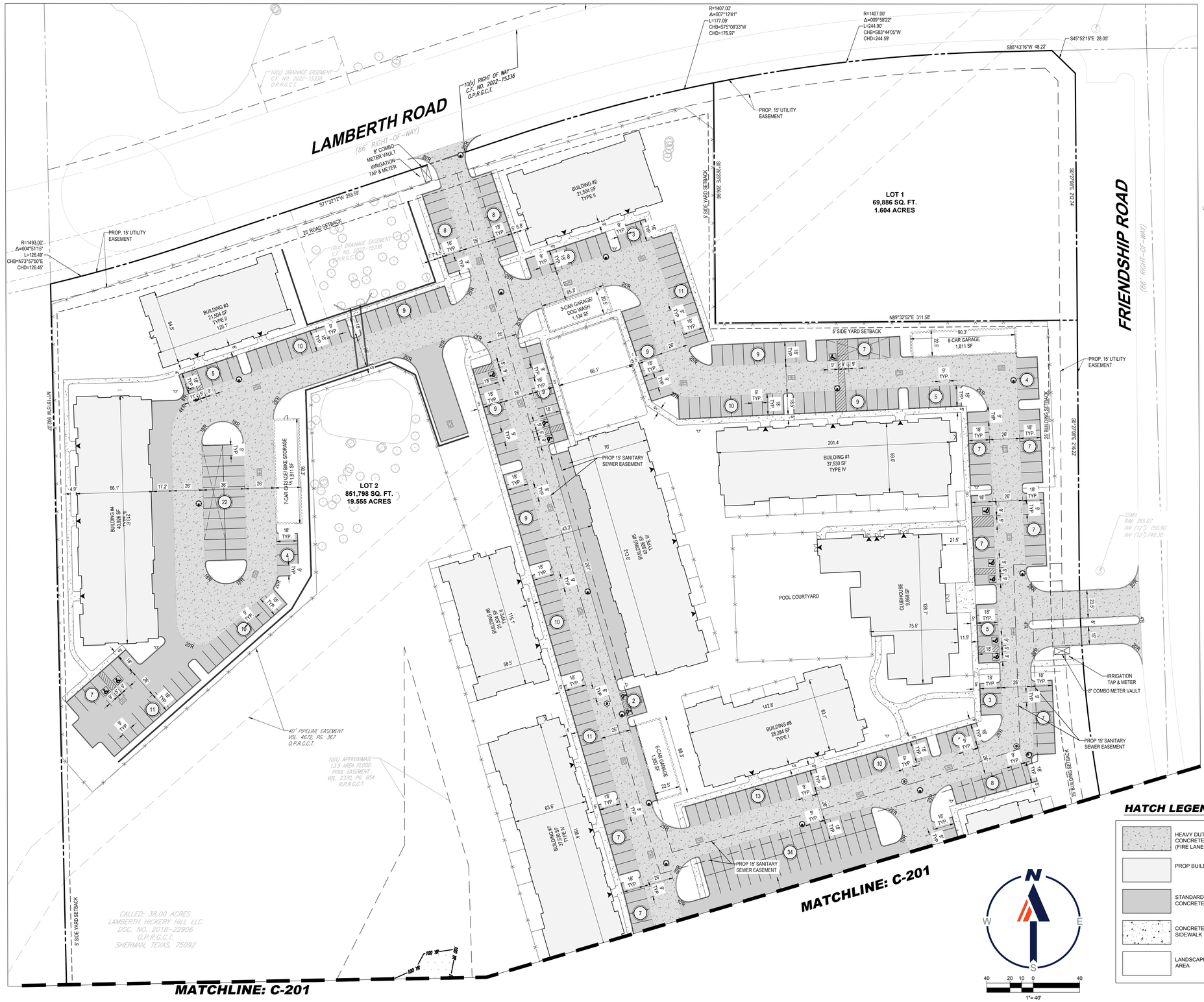
SCALE
1" = 50'-0"

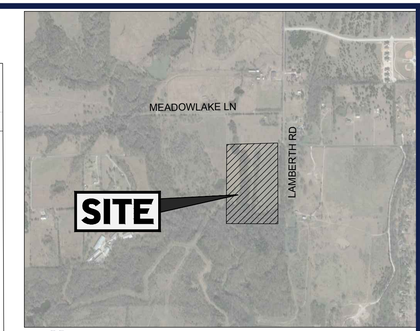
PROJECT NUMBER
AHC-202

DRAWN	10/14/2022	AC, JO
CHECKED	10/14/2022	TT, AL

SITE PLAN

L0.00





LOCATION MAP
SCALE: N.T.S.

SITE LEGEND:

	PROPERTY BOUNDARY
	ADJACENT PROPERTY BOUNDARY
	BUILDING SETBACK
	EASEMENT
100 YR 100 YR 100 YR	100-YR FLOODPLAIN
	EXST. TREE
	PROP. WALL
	PROP. FIRE HYDRANT
	PROP. WATER METER
	PROP. WATER COMBO VAULT
	PROP. 4' SANITARY SEWER MANHOLE

SITE DATA TABLE

MULTI-FAMILY		
LOT 2		
LAMBERTH HICKERY HILL LLC. DOC. NO. 2018-22906 O.P.R.G.C.T. SHERMAN TEXAS, 75092		
ACREAGE	851,798 SF	
FLOOR-TO-AREA RATIO	16.12%	
ZONING		
EXISTING ZONING	R2	
PROPOSED ZONING	R2	
PROPOSED USE	MULTI-FAMILY	
BUILDING		
BUILDING AREA	TOTAL	137,300 SF
	BUILDING #1	37,530 SQ FT
	BUILDING #2	21,504 SQ FT
	BUILDING #3	21,504 SQ FT
	BUILDING #4	40,926 SQ FT
	BUILDING #5	40,926 SQ FT
	BUILDING #6	21,504 SQ FT
	BUILDING #7	37,530 SQ FT
	BUILDING #8	28,284 SQ FT
	BUILDING #9	28,284 SQ FT
	BUILDING #10	37,530 SQ FT
	BUILDING #11	28,284 SQ FT
	BUILDING # 12	37,530 SQ FT
MAX. BUILDING HEIGHT	45'/3 STORIES	
MIN. BUILDING SPACING	6'	
MAX. LOT COVERAGE	30%	
PROP. LOT COVERAGE	13%	
PROP. DEVELOPABLE AREA	578,091 SF	
PROP. IMPERVIOUS AREA	427,118 SF	
PROP. LANDSCAPE AREA	150,973 SF	
PARKING		
REQUIRED SPACES 1.5 SPACES/ ONE-BEDROOM 2.0 SPACES/ TWO-BEDROOM 2.25 SPACES/ THREE-BEDROOM	TOTAL	583 SPACES
	236 UNITS	354 SPACES
	94 UNITS	188 SPACES
	18 UNITS	41 SPACES
PROPOSED NON-ADA COMPLIANT PARKING SPACES	583 SPACES	
REQUIRED ADA-COMPLIANT PARKING SPACES	12 SPACES	
PROPOSED ADA-COMPLIANT PARKING SPACES	17 SPACES	
TOTAL PROPOSED PARKING	600 SPACES	
SETBACKS		
FRONT YARD	25'	
SIDE YARD	6'	
REAR YARD	25'	
LOT WIDTH	85'	
FIRE REQUIREMENTS		
FIRE LANE WIDTH	26'	
HOSE LAY	200'	
HYDRANT SPACING	200'	
MAX. HYDRANT SPACING FROM FIRE ROOM	100'	

HATCH LEGEND

- HEAVY DUTY CONCRETE (FIRE LANE)
- PROP BUILDING
- STANDARD DUTY CONCRETE
- CONCRETE SIDEWALK
- LANDSCAPE AREA

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
CITY PLANNING SERVICES
PERMITTING SERVICES
TRANSPORTATION SERVICES

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REV	DATE	COMMENT	DRAWN BY / CHECKED BY

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PROJECT No.:	TXA220081.00
DRAWN BY:	JB
CHECKED BY:	RDW
DATE:	10/17/2022
CAD I.D.:	TXA220081.00

PROJECT:

CONSTRUCTION DOCUMENTS

FOR

ALLEN HARRISON HOMES

PROPOSED MULTI-FAMILY SITE
38.000 ACRES
LAMBERTH HICKERY HILL LLC.
DOC. NO. 2018-22906
O.P.R.G.C.T.
SHERMAN, TEXAS, 75092

BOHLER
2600 NETWORK BLVD, SUITE 310
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE No. 18065 | TBPLS No. 10194413

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RIKKI DEE WEAVER
P.E.# 133574
DATE: 10/17/2022

SHEET TITLE:

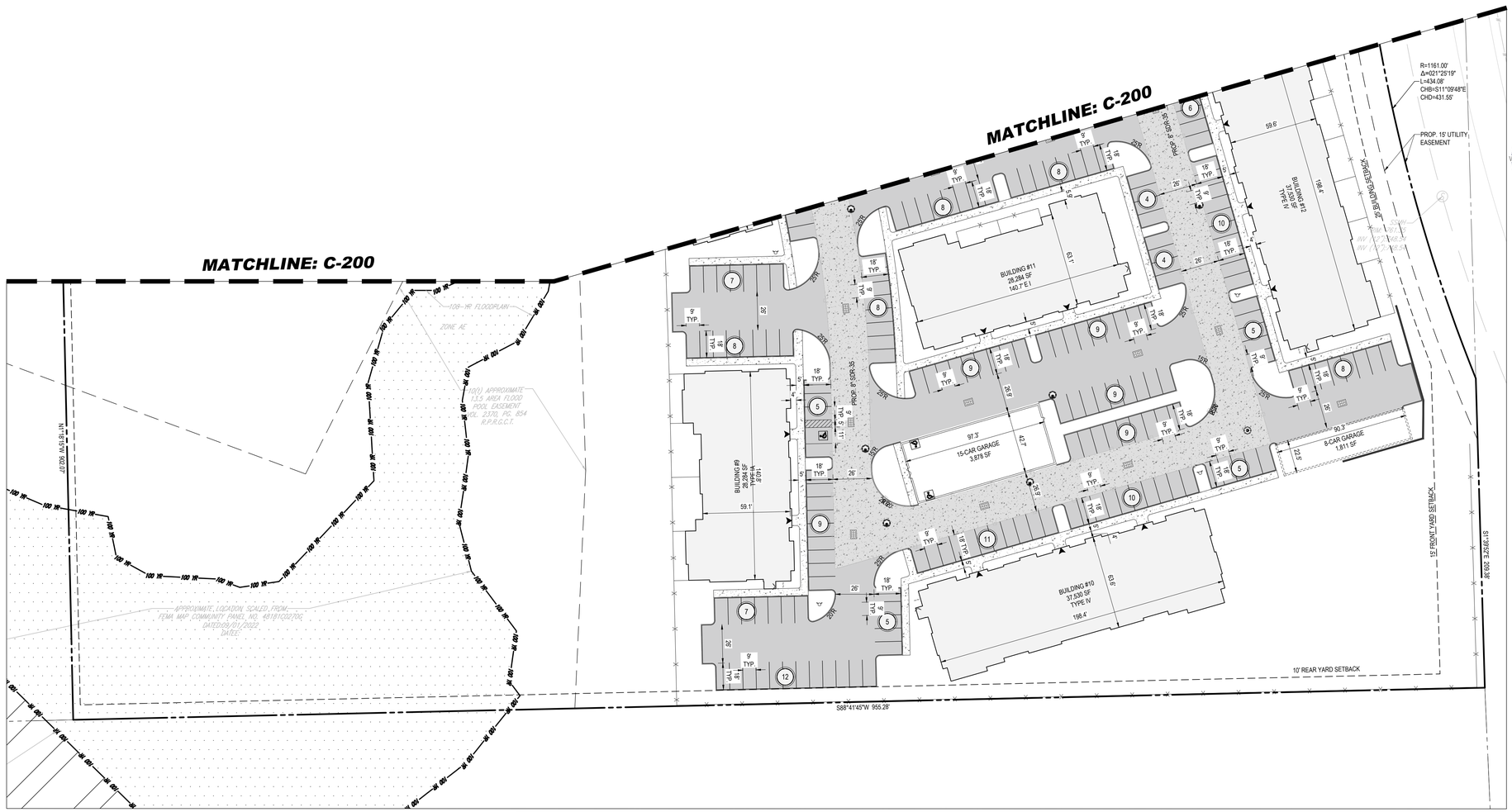
SITE PLAN (1 OF 2)

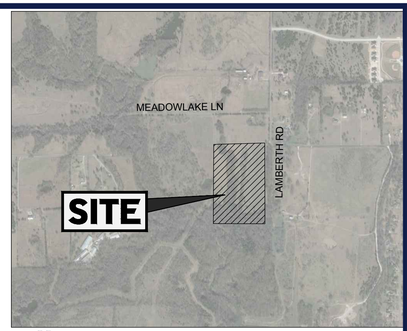
SHEET NUMBER:

C-200

ORG. DATE - 10/17/2022

Oct 17, 2022
H:\2022\TXA220081.00\ENGINEERING\DRAWINGS\CONSTRUCTION PLANS\PLAN SETS\TXA220081.00 - SITE - X---LAYOUT C-200 SITE PLAN
JB





LOCATION MAP
SCALE: N.T.S.

SITE LEGEND:

	PROPERTY BOUNDARY
	ADJACENT PROPERTY BOUNDARY
	BUILDING SETBACK
	EASEMENT
100 YR 100 YR 100 YR	100-YR FLOODPLAIN
	EXST. TREE
	PROP. WALL
	PROP. FIRE HYDRANT
	PROP. WATER METER
	PROP. WATER COMBO VAULT
	PROP. 4' SANITARY SEWER MANHOLE

SITE DATA TABLE

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FIRE LANE WIDTH	26'	
HOSE LAY	200'	
HYDRANT SPACING	200'	
MAX. HYDRANT SPACING FROM FIRE ROOM	100'	

HATCH LEGEND

- HEAVY DUTY CONCRETE (FIRE LANE)
- PROP BUILDING
- STANDARD DUTY CONCRETE
- CONCRETE SIDEWALK
- LANDSCAPE AREA

N W E S

40 20 10 0 40

1"= 40'

BOHLER
SITE CIVIL AND CONSULTING ENGINEERING
LAND SURVEYING
PROGRAM MANAGEMENT
LANDSCAPE ARCHITECTURE
CULTURAL RESOURCES
PERMITTING SERVICES
TRANSPORTATION SERVICES

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PROJECT:

CONSTRUCTION DOCUMENTS

FOR

ALLEN HARRISON HOMES

PROPOSED
MULTI-FAMILY SITE
38.000 ACRES
LAMBERTH HICKERY HILL LLC.
DOC. NO. 2018-22906
O.P.R.G.C.T.
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RIKKI DEE WEAVER
P.E.# 135574
DATE: 10/17/2022

SHEET TITLE:

SITE PLAN (2 OF 2)

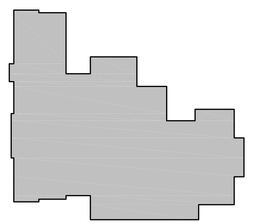
SHEET NUMBER:

C-201

ORG. DATE - 10/17/2022

Oct 17, 2022
H:\2022\TXA220081.00\02\ENGINEERING\DRAWINGS\CONSTRUCTION PLANS\PLAN SETS\TXA220081.00 - SITE - X---\LAYOUT - C-201 SITE PLAN
JB

1 CLUBHOUSE - COLOR ELEVATION
N.T.S.



KEY MAP

Date: 10/14/2022 @ 10:43 A.M. By: fsarmiento
NOT FOR CONSTRUCTION

NO.	DATE	REVISION
	07/22/22	ISSUED FOR PERMIT

NO.	DATE	REVISION

07/22/22

MEEKS PARTNERS
16000 Memorial Drive
Suite 100
Houston, Texas 77079
281.558.8787

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HICKORY HILL APTS. - LOT 1 & 2

SHERMAN, TX
A Development of
ALLEN HARRISON CO.

JOB NO.: 22084

X	NOT FOR CONSTRUCTION
	ISSUED FOR PRICING
	ISSUED FOR PERMIT
	ISSUED FOR CONSTRUCTION

SHEET TITLE
CLUBHOUSE ELEVATIONS

DRAWING NO.
CH.01

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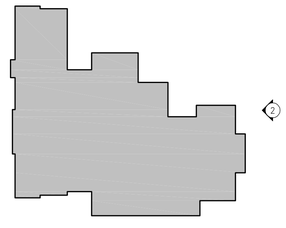
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

2 CLUBHOUSE - REAR ELEVATION
1/8"=1'-0"

1 CLUBHOUSE - FRONT ELEVATION
1/8"=1'-0"



KEY MAP

Date: 10/14/2022 @ 10:47 A.M. By: fsarmiento
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A Development of
ALLEN HARRISON CO.

JOB NO.:	22084
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SHEET TITLE
CLUBHOUSE ELEVATIONS

DRAWING NO.
CH.02

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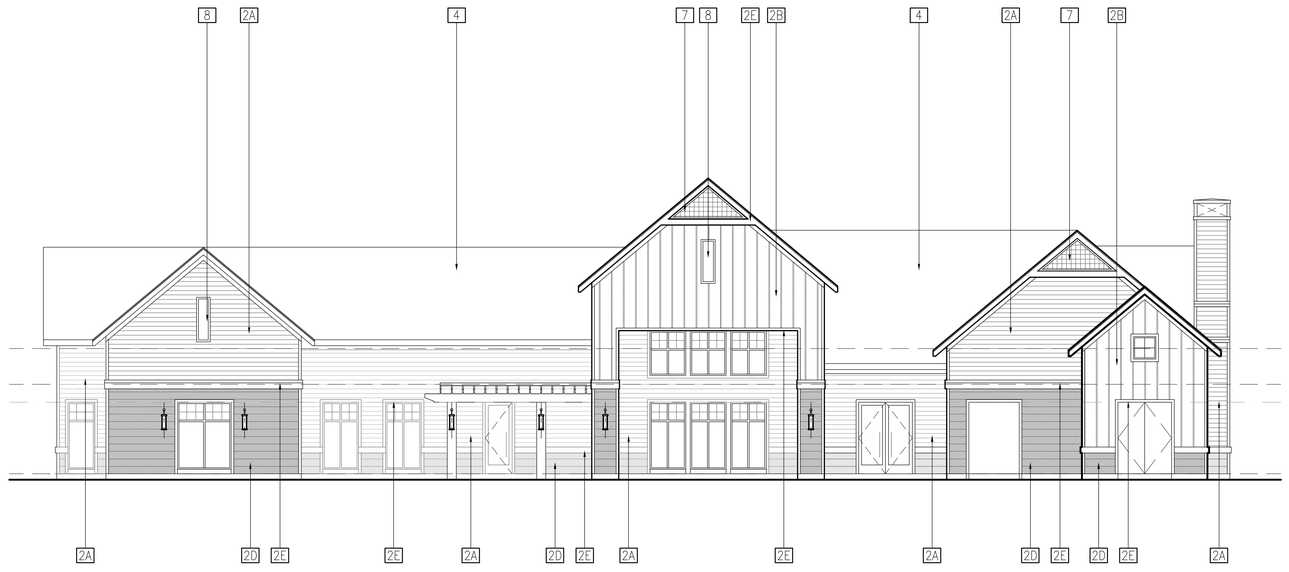
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

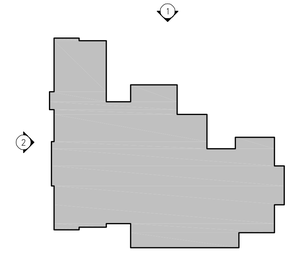
2 CLUBHOUSE - LEFT ELEVATION

1/8"=1'-0"



1 CLUBHOUSE - REAR ELEVATION

1/8"=1'-0"



KEY MAP

NO.	DATE	REVISION

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SHEET TITLE
CLUBHOUSE ELEVATIONS

DRAWING NO.
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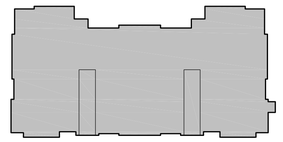
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

2 BUILDING TYPE 1 - RIGHT ELEVATION

1/8"=1'-0"

1 BUILDING TYPE 1 - FRONT ELEVATION

1/8"=1'-0"



1

KEY MAP

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SHEET TITLE
BLDG. TYPE I ELEVATIONS

DRAWING NO.
A4.00

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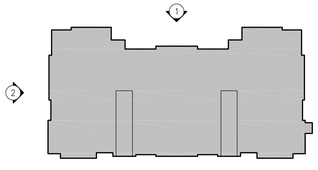
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

2 BUILDING TYPE 1 - LEFT ELEVATION

1/8"=1'-0"

1 BUILDING TYPE 1 - REAR ELEVATION

1/8"=1'-0"



KEY MAP

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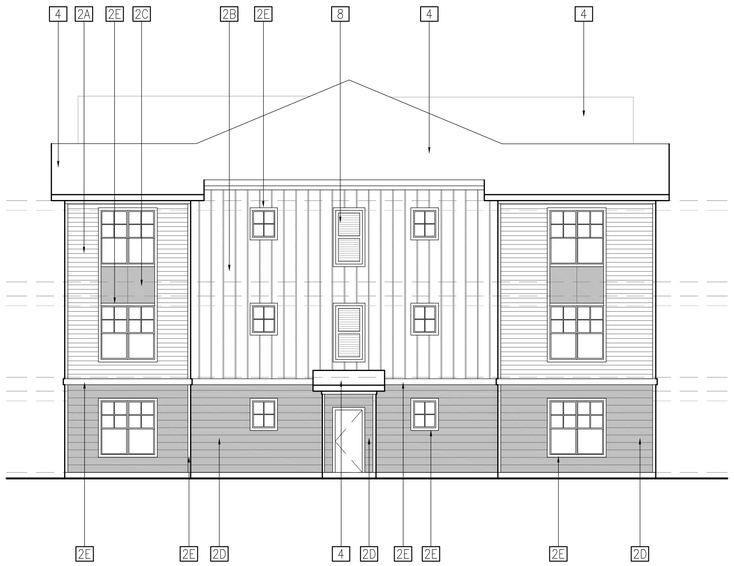
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

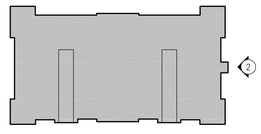


2 BUILDING TYPE II - RIGHT ELEVATION

1/8"=1'-0"

1 BUILDING TYPE II - FRONT ELEVATION

1/8"=1'-0"



KEY MAP

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SHEET TITLE
BLDG. TYPE II ELEVATIONS

DRAWING NO.
A4.02

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ELEVATION KEYNOTE LEGEND	
1	NOT USED
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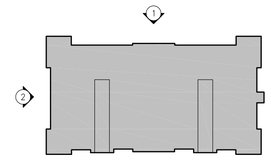
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

2 BUILDING TYPE II - LEFT ELEVATION
1/8"=1'-0"

1 BUILDING TYPE II - REAR ELEVATION
1/8"=1'-0"



KEY MAP

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SHEET TITLE
BLDG. TYPE II ELEVATIONS

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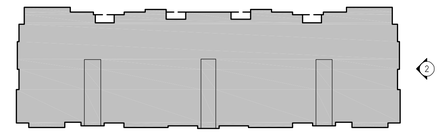
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

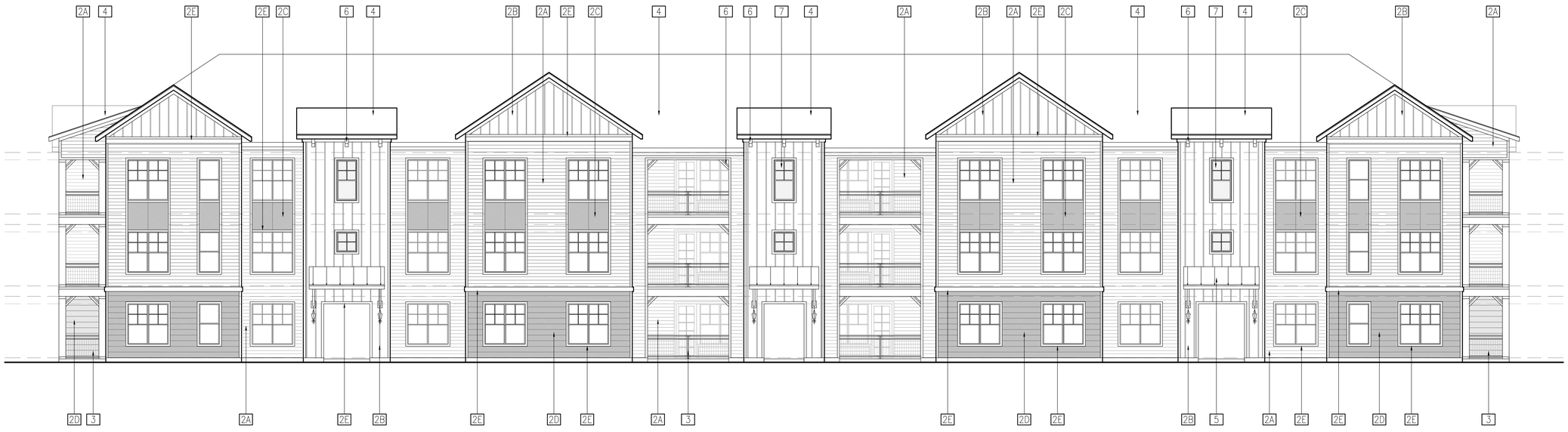
2 BUILDING TYPE III - RIGHT ELEVATION

1/8"=1'-0"



1

KEY MAP



1 BUILDING TYPE III - FRONT ELEVATION

1/8"=1'-0"

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SHEET TITLE

BLDG. TYPE III ELEVATIONS

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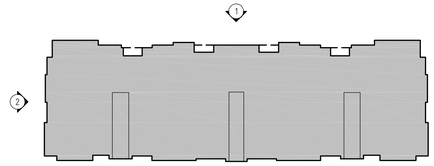
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

2 BUILDING TYPE III - LEFT ELEVATION

1/8"=1'-0"



KEY MAP

1 BUILDING TYPE III - REAR ELEVATION

1/8"=1'-0"

Date: 10/14/2022 @ 10:57 A.M. By: fsarmiento
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SHEET TITLE
BLDG. TYPE III ELEVATIONS

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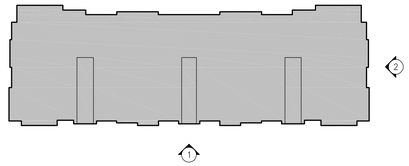
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

2 BUILDING TYPE IV - RIGHT ELEVATION

1/8"=1'-0"



KEY MAP

1 BUILDING TYPE IV - FRONT ELEVATION

1/8"=1'-0"

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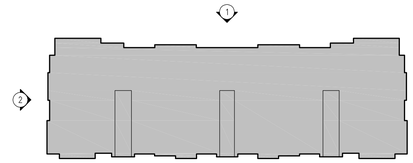
ELEVATION KEYNOTE LEGEND	
1	NOT USED
2A	FIBER CEMENT HORIZ. LAP SIDING (6" REVEAL)
2B	FIBER CEMENT BOARD & BATTEN SIDING
2C	FIBER CEMENT PANEL SIDING
2D	FIBER CEMENT HORIZ. LAP SIDING (8" REVEAL)
2E	FIBER CEMENT TRIM
3	METAL GUARDRAIL SYSTEM
4	COMPOSITION SHINGLE ROOF
5	METAL AWNING WITH STANDING SEAM METAL ROOF
6	DECORATIVE WOOD BRACKET
7	METAL GRILL MESH PANEL
8	DECORATIVE SHUTTER

2 BUILDING TYPE IV - LEFT ELEVATION

1/8"=1'-0"



KEY MAP

1 BUILDING TYPE IV - REAR ELEVATION

1/8"=1'-0"

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SHEET TITLE
BLDG. TYPE IV ELEVATIONS

DRAWING NO.
A4.07

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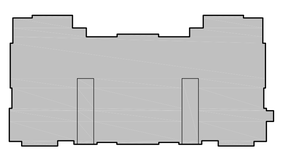
1 BUILDING TYPE I - COLOR ELEVATION
N.T.S.



1
KEY MAP

Date: 10/14/2022 @ 11:05 A.M. By: fsarmiento
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SHEET TITLE
BLDG. TYPE I ELEVATION

DRAWING NO.
A4.08

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Memo to: City of Sherman November 8, 2022

Hickory Hill Multifamily Lots 1 and 2 Site Plan Review

C/O: Rob Rae, AICP, Director of Development Services

Rob,

Per the requested review of the submitted Site Plan for Hickory Hill's Multifamily Lots 1 and 2, Halff has reviewed the proposed plan for compliance with the approved PD. Our review finds that the Site Plan is in conformance with the approved PD. We provided some comments as part of our review that are included below for the applicant to address with staff as part of the approval process.

Reviewed by:

Jordan Maddox, AICP

Director of Planning, Halff Associates, Inc.

Site Plan Comments from Halff:

1) Legend – Label the zoning district as PD instead of R2
2) Legend – Says minimum building spacing 6' but PD and Fire Code are 15'
3) Legend – Says 1.5 spaces required for one-bedroom units. PD is 1 space
4) Legend – Says 30% max. lot coverage. PD is 80%
5) Sheet 1 – It appears Buildings #4 and #5 have first floor garage entry but that isn't clear on the plan nor does it specify how many parking spaces are under there.
6) Sheet 1 – Is the pull-in driveway by the pond (lot 2) there to provide maintenance to the pond or is it a fire truck turnaround? If for Fire, review surface material. Based on curb returns it doesn't look like it is for Fire.
7) Sheet 2 shows front yard setback of 15' on same line as a 25' building setback. I think the 15' is correct since that part of it is not a road setback. May just want to make consistent and spatially accurate.
8) General – I was unable to locate the cluster mailbox location mentioned in the PD

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

Lamberth Hickery Hill
9805 Katy Freeway, Suite 550
Houston, TX 77024

Kiesha Kay
2201 Main Street, Suite 1280
Dallas, TX 75201

KW Landscape Architects
4910 West 16th St., Suite 268
Indianapolis, IN 46224

Bohler Engineering
2600 Network Blvd, Suite 310
Frisco, TX 75034

Meeks Partners
16000 Memorial Drive, Suite 100
Houston, TX 77079

Dear Applicants,

The request for Site Plan approval of Hickory Hill Apartments, Lots 1 & 2 in the in the 2100-2300 Blocks West Lamberth Road has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, November 15, 2022, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280 and the Hickory Hill Planned Development, Ordinance No. 6492.
2. Driveways and parking are permitted on paved surfaces only (concrete or asphalt*). (Chapter 14, Exhibit A, Section 7, Subsection 10(h)*
3. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903-892-7267). *Code of Ordinances Chapter 3.02(c)*
4. All required off-street parking shall be on private property and shall not encroach into the right-of-way. (Chapter 14, Exhibit A, Section 7, Subsection 10(b)
5. The approval of the site plan shall be effective for a period of (2) years from the date of approval and shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Specific Use Permit was approved.
6. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

7. Platting of the property is required. *Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004*
8. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review

and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*

9. Water main must be extended in accordance with City criteria to serve proposed Development. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
10. Wastewater main must be extended in accordance with City criteria to serve proposed Lot. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
11. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
12. Three Party Agreement required for Public Infrastructure.
13. Internal water and wastewater lines will be privately owned and maintained.
14. Verify fire requirements and code compliance with Fire Marshal. *Code of Ordinances Chapter 3.02(c)*
15. The location of the trash receptors must be approved by the Public Works Department.
16. All requirements of the Floodplain Ordinance shall be followed. *Code of Ordinances Chapter 3, Article 3.12*

It is the policy of the Planning and Zoning Commission and the Board of Adjustments not to consider a request unless it has representation. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer City Attorney
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **16.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

3601 NORTH TRAVIS STREET

The request of PAAGE LTD (Owner), Joe Johnson (Representative), National Sign Corporation (Sign Contractor) and Preston Trail Land Surveying (Surveyor) concerning the property located at 3601 North Travis Street, being Lot 1, Block 1 of Covey addition consisting of 6.624 acres, as follows:

Board of Adjustment

Variance under Ordinance No. 2280, Section 7, Subsection (6)(a) to allow a 10' front setback for a Freestanding Sign in lieu of the required 25' in a C-2 (General Commercial) District.

Background:

The property is located at 3601 North Travis Street between Highway 82 and Atkinson Drive and is zoned C-2 (General Commercial) District.

The owner is requesting a setback variance for the replacement / relocation of a new monument sign for Beacon Roofing Products. The existing monument sign was removed due to non-conformance per City of Sherman comments. The new tenant would like to have a new monument sign along North Travis Street but is having a hard time meeting the 25' setback.

The required setback would:
- Place the sign too close to the new landscape screening recently planted.
- Place the sign too low, making it less visible.
- Block visibility of the sign from the north as one travels south on North Travis Street.
- Block visibility of the sign as one travels north on North Travis Street.
- Place the monument sign a great distance from the road, inhibiting its visibility.

The following has been approved for this location:

- March 14, 1995 - Zone Change from R-1 (One-Family Residential) District to C-2 (General Commercial) District
- March 14, 1995 - Variance to not require a screening device adjacent to a residential district.

- July 16, 2013 - Specific Use Permit to allow a lumber yard in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District. P&Z CONDITION: NO OUTSIDE STORAGE
- July 16, 2013 - Variance to allow existing building finishes of metal in lieu of the required masonry in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.
- August 16, 2022 - Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow wholesale construction and building material sales and outdoor storage in a C-2 (General Commercial) District. Subject to the Staff Review Letter and subject to the fence line indicated on the Site Plan be a wood fence with landscaping.

Adjacent Zoning:

R-1 (One-Family Residential) District
C-2 (General Commercial) District

Origination:

PAAGE LTD (Owner)
Joe Johnson (Representative)
National Sign Corporation (Sign Contractor)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

8

Objections Received:

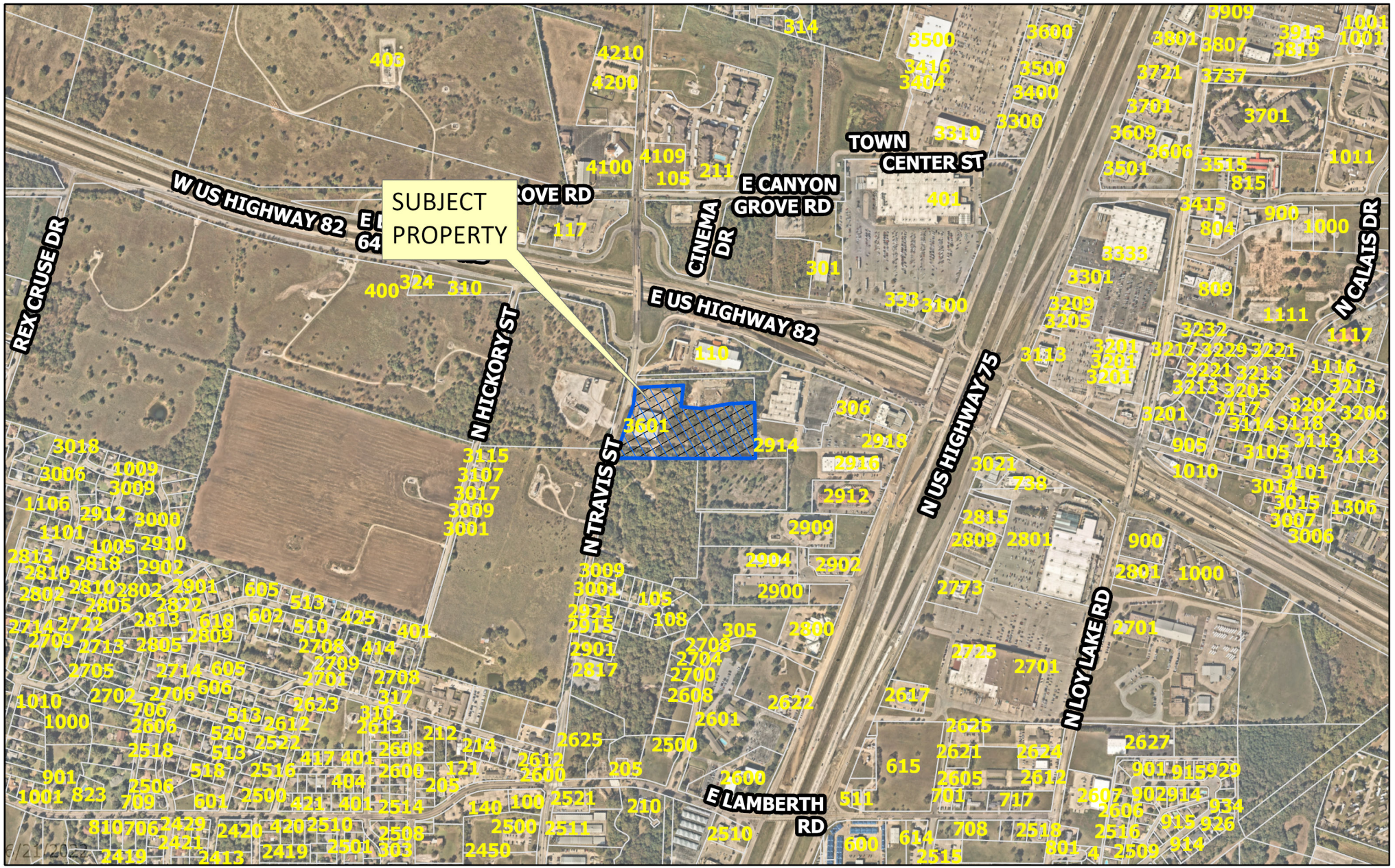
0

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Site Plan
Site Plan with Screening
Elevations
Staff Review Letter


SUBJECT PROPERTY
W US HIGHWAY 82
E US HIGHWAY 82
E CANYON GROVE RD
TOWN CENTER ST
CINEMA DR
REX CRUSE DR
N HICKORY ST
N TRAVIS ST
N US HIGHWAY 75
N LOY LAKE RD
N CALAIS DR
E LAMBERTH RD
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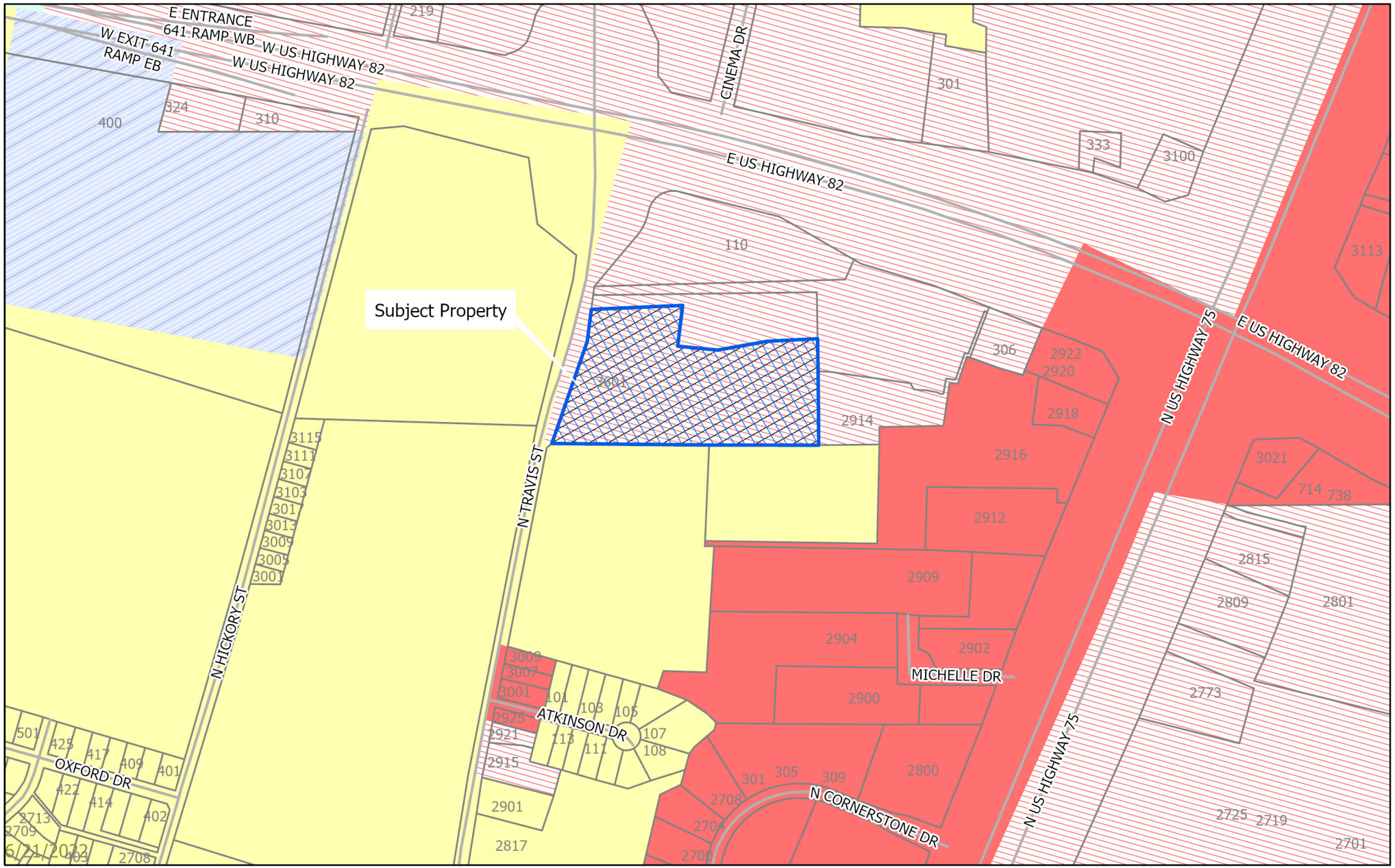

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6/21/2022

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels

CITY OF SHERMAN
Zoning Location Map
(3601 N Travis)

N
W E
S

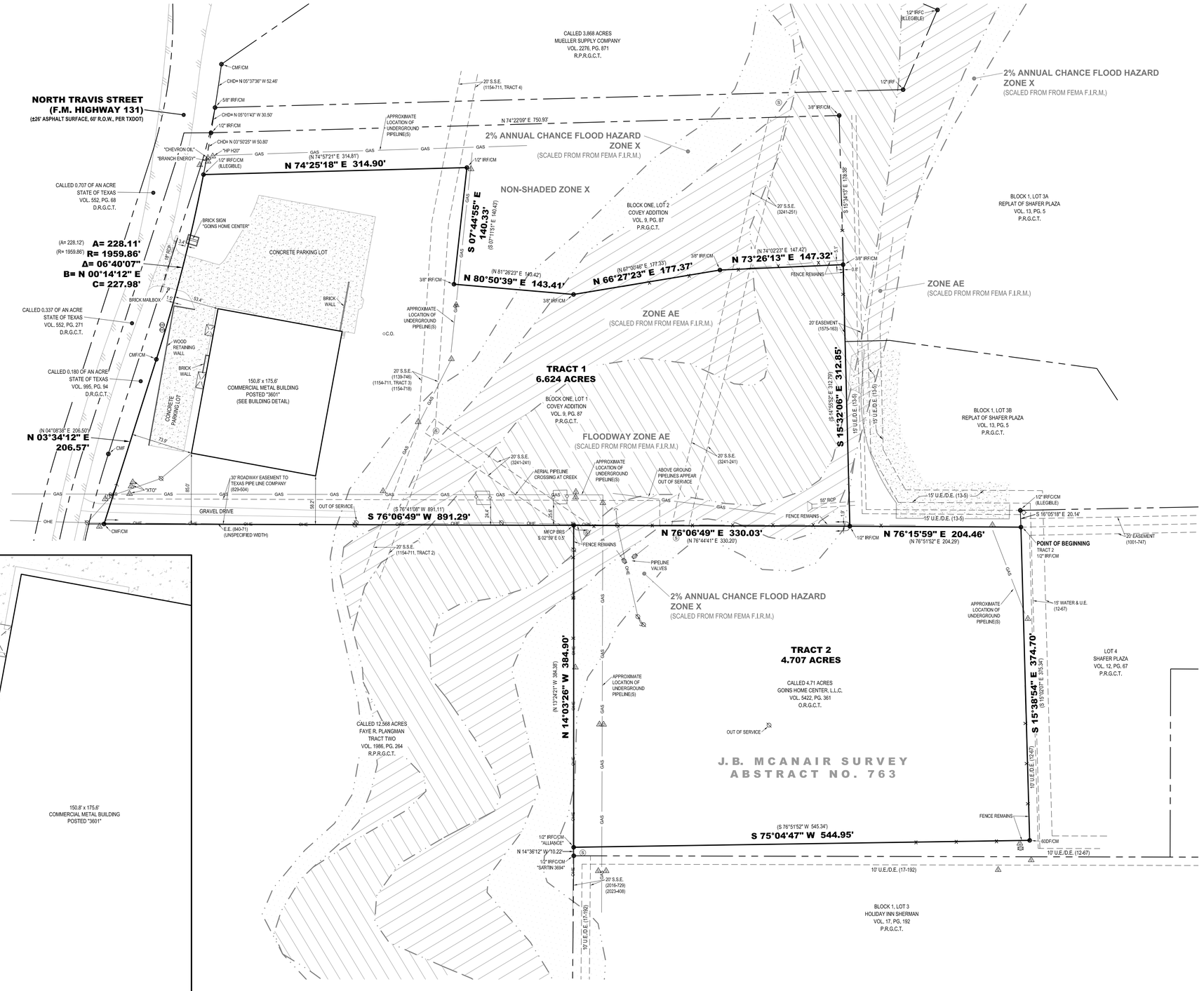
Scale: 1:5,461

Date: 6/20/2022 5:01 PM

3601 N Travis

LEGEND

●	FOUND MONUMENT
IRF	IRON ROD FOUND
IRFC	IRON ROD FOUND W/PLASTIC CAP
CMF	CONCRETE MONUMENT FOUND
MFCP	METAL FENCE CORNER POST
BRS	BEARS
CM	CONTROLLING MONUMENT
( )	DEED OR PLAT CALL
R.O.W.	RIGHT-OF-WAY
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS
O.R.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
R.P.R.G.C.T.	REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS
VOL., PG.	VOLUME, PAGE
RCP	REINFORCED CONCRETE PIPE
AC	AC UNIT
U.E.	UTILITY EASEMENT
D.E.	DRAINAGE EASEMENT
E.E.	ELECTRIC EASEMENT
S.S.E.	SANITARY SEWER EASEMENT
	ELECTRIC METER
	UTILITY/POWER POLE
T	TELEPHONE BOX
	NATURAL GAS METER
	BURIED NATURAL GAS MARKER
	NATURAL GAS VALVE
	WATER METER
S	SANITARY SEWER MANHOLE
C.O.	CLEAN OUT
	BURIED CABLE MARKER
	BOUNDARY LINE
	ADJOINER LINE
	EASEMENT
x	WIRE FENCE
	CHAIN LINK FENCE
	ASPHALT
OHE	OVERHEAD ELECTRIC/UTILITY
GAS	GAS LINE



All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983. All dimensions shown are ground distances. To obtain a grid distance, multiply the ground distance by the Project Combined Factor (PCF) of 0.9998973421.

LAND DESCRIPTION:

TRACT 1:

BEING Lot One (1), in Block One (1) of Convey Addition, an addition to the City of Sherman, Texas, as shown by plat thereof recorded in Volume 9, Page 87, Plat Records, Grayson County, Texas.

TRACT 2:

BEING all of that certain tract or parcel of land situated in the J.B. McAnair Survey, Abstract No. 763, City of Sherman, Grayson County, Texas, and being a re-tracement survey of a called 4.71 acre tract of land described in the deed to Goins Home Center, LLC, recorded in Volume 5422, Page 361, Official Records, Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found for the northeast corner of said 4.71 acre tract, common to the southern-most southeast corner of Lot 3B in Block 1 of the Replat of Shafer Plaza, according to the plat thereof recorded in Volume 13, Page 5, Plat Records, Grayson County, Texas, and on a westerly line of Lot 4 of Shafer Plaza, according to the plat thereof recorded in Volume 12, Page 67, said Plat Records;

THENCE South 15°38'54" East, with the easterly line of said 4.71 acre tract, and with a westerly line of said Lot 4, a distance of 374.70 feet to a 60D Nail found for the southeast corner of said 4.71 acre tract, common to a re-entrant corner of said Lot 4;

THENCE South 75°04'47" West, with the southerly line of said 4.71 acre tract, and with a northerly line of said Lot 4, a distance of 544.95 feet to a 1/2-inch iron rod with a plastic cap stamped "ALLIANCE" found for the southwest corner of said 4.71 acre tract, common to the western-most northwest corner of said Lot 4, and on the easterly line of a called 12.568 acre tract of land described as Tract Two in the deed to Faye R. Plangman, recorded in Volume 1986, Page 264, Real Property Records, Grayson County, Texas;

THENCE North 14°03'26" West, with the westerly line of said 4.71 acre tract, and with the easterly line of said 12.568 acre tract, a distance of 384.90 feet to the northwest corner of said 4.71 acre tract, common to the northeast corner of said 12.568 acre tract, and on the southerly line of Lot 1 in Block One of Covey Addition, according to the plat thereof recorded in Volume 9, Page 87, said Plat Records, and from which a metal fence corner post bears South 02°59' East, a distance of 0.5 feet;

THENCE North 76°06'49" East, with the northerly line of said 4.71 acre tract, and with the southerly line of said Lot 1, a distance of 330.03 feet to a 1/2-inch iron rod found for the southeast corner of said Lot 1, common to the southwest corner of aforesaid Lot 3B;

THENCE North 76°15'59" East, continuing with the northerly line of said 4.71 acre tract, and with a southerly line of said Lot 3B, a distance of 204.46 feet to the POINT OF BEGINNING and enclosing 4.707 acres (205,040 square feet) of land, more or less.

NOTES ADDRESSING SCHEDULE 'B' EXCEPTIONS:

Only those easements and/or other matters of record, as listed in Title Commitment GF No. ATD-154-6001542000228, issued by Alamo Title Insurance Company, countersigned by Alamo Title Company, with an effective date of September 7, 2020, and an issued date of September 16, 2020, and relisted below were considered for this Survey. The surveyor did not perform an abstract of title.

10f. Easement granted to The Texas Pipe Line Company recorded in Volume 829, Page 504, Real Property Records, Grayson County, Texas.
(Affects the surveyed property as shown)

10g. Easement granted to Texas Power & Light Company, recorded in Volume 840, Page 71, Real Property Records, Grayson County, Texas.
(Affects the surveyed property as shown)

10h. Easement granted to Sherman Oaks Corporation, recorded in Volume 1139, Page 746, Real Property Records, Grayson County, Texas.
(Affects the surveyed property as shown)

10i. Easement granted to Texas Pipe Line Company, recorded in Volume 567, Page 49, Real Property Records, Grayson County, Texas, as affected by Instrument, recorded in Volume 942, Page 70, Real Property Records, Grayson County, Texas.
(Does not affect the surveyed property)

10j. Easement granted to Texas Power & Light Company recorded in Volume 1144, Page 706, Real Property Records, Grayson County, Texas.
(Does not affect the surveyed property)

10k. Easement granted to The Texas Pipe Line Company, recorded in Volume 559, Page 342, Real Property Records, Grayson County, Texas.
(Blanket easement affects the larger tract of land from which the surveyed property was carved out of. Exact location unable to be determined by description. Also affects the surveyed property by rights of ingress and egress.)

10l. Easement granted to The Texas Pipe Line Company, recorded in Volume 577, Page 69, Real Property Records, Grayson County, Texas.
(Blanket easement affects the larger tract of land from which the surveyed property was carved out of. Exact location unable to be determined by description. Also affects the surveyed property by rights of ingress and egress.)

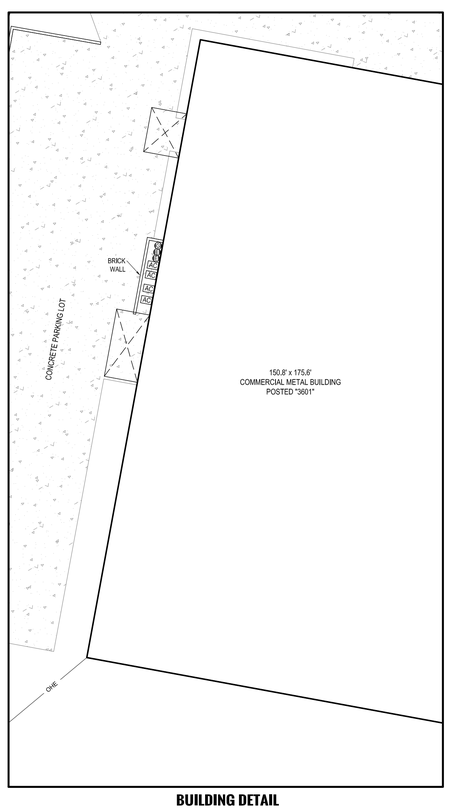
10m. Easement granted to City of Sherman, recorded in Volume 1154, Page 711, Real Property Records, Grayson County, Texas.
(Affects the surveyed property as shown)

10n. Easement granted to City of Sherman, recorded in Volume 3241, Page 251, Real Property Records, Grayson County, Texas.
(Does not affect the surveyed property)

10o. Easement granted to City of Sherman, recorded in Volume 3241, Page 241, Real Property Records, Grayson County, Texas.
(Affects the surveyed property as shown)

GENERAL NOTES:

1. Location of underground pipelines based on information provided by Texas Railroad Commission GIS and/or observed above-ground markings by others (pin flags and/or permanent markers) and should be considered approximate.



BUILDING DETAIL
SCALE: 1"=20'

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, effective date 09/29/2010 and that map indicates that a portion of this property is within "Zone AE" defined as "Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood with base flood elevations determined," and within "Floodway Zone AE" defined as "The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights," and within "0.2% Annual Chance Flood Hazard Zone Z" defined as "Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile," as shown on Panel 0290 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor.

Certify to: Reshma Damanwalla, Goins Home Center, LLC; Alamo Title Insurance Company, Alamo Title Company;

I, Chris R. Noah, a Registered Professional Land Surveyor in the State of Texas, do hereby certify that this survey has been prepared from an actual on-the-ground survey of the premises depicted hereon and described in the land description attached hereto, conducted under my direction and supervision on 09/21/2020, and there are no discrepancies, conflicts, shortages in area or boundary line conflicts, or any intrusions of visible improvements from adjoining tracts, or protrusions of visible improvements onto adjoining tracts, to the best of my knowledge and belief, except as shown. I further certify that this survey meets or exceeds the minimum standards established by the Texas Board of Professional Land Surveying.

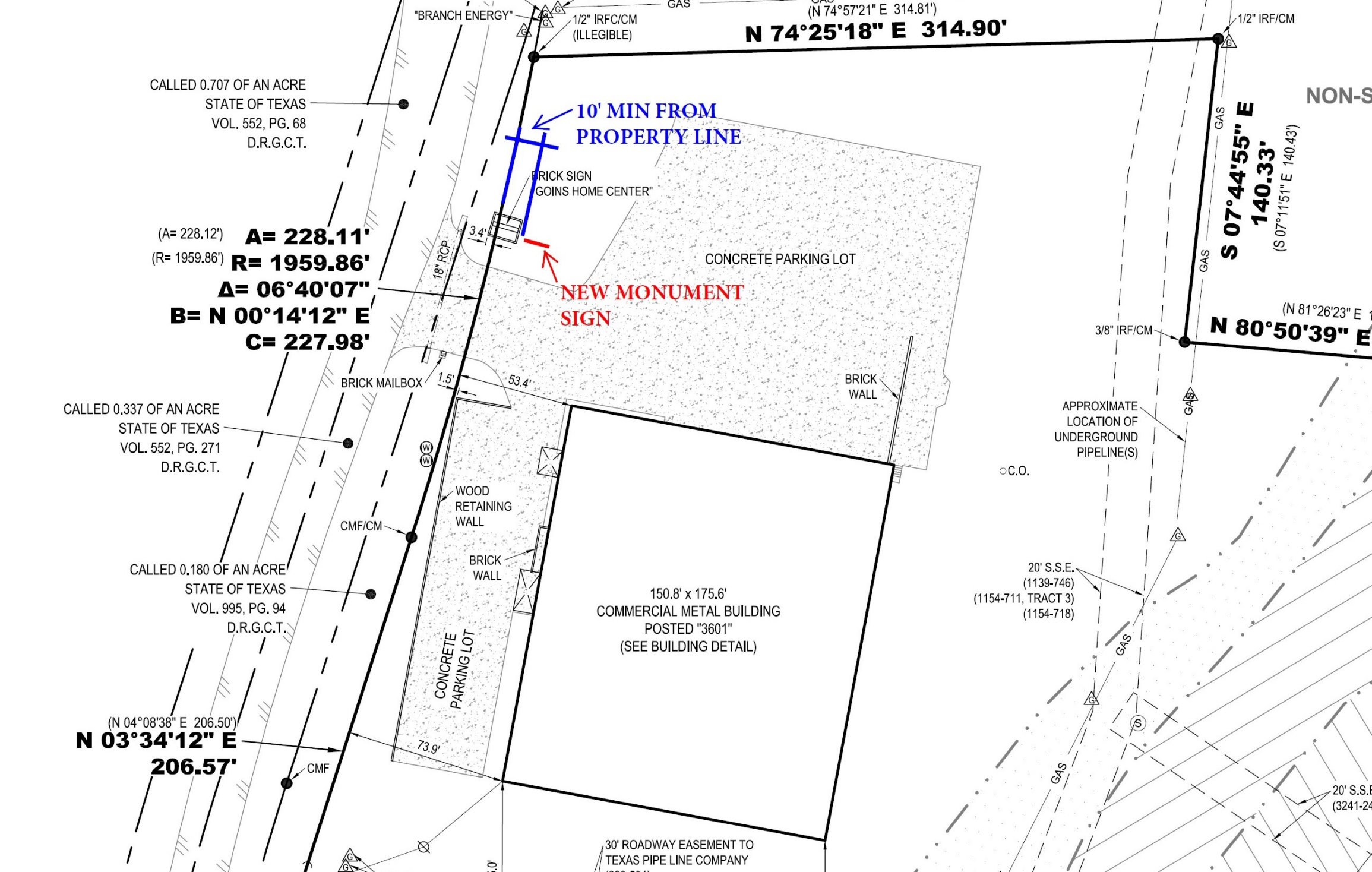
Chris R. Noah, R.P.L.S. No. 6585

STATE OF TEXAS
REGISTERED
CHRIS R. NOAH
6585
PROFESSIONAL
LAND SURVEYOR

TITLE SURVEY
TRACT 1: COVEY ADDITION
BLOCK 1, LOT 1, 6.624 ACRES
TRACT 2: 4.707 ACRES
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
3601 North Travis Street, Sherman
Grayson County, Texas

Preston Trail LAND SURVEYING
83493 N. State Hwy 289, Suite 5
Pottsboro, TX 75076
www.prestontraillandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: BNH	Scale: 1"=60'	Project No. 20-0495
	Checked by: CRN	Date: 09/22/2020	Sheet No. 1 of 1


"BRANCH ENERGY"
GAS
(N 74°57'21" E 314.81')
N 74°25'18" E 314.90'
1/2" IRFC/CM
(ILLEGIBLE)
1/2" IRF/CM
CALLED 0.707 OF AN ACRE
STATE OF TEXAS
VOL. 552, PG. 68
D.R.G.C.T.
10' MIN FROM
PROPERTY LINE
BRICK SIGN
GOINS HOME CENTER"
3.4'
18" RCP
CONCRETE PARKING LOT
NEW MONUMENT
SIGN
(A= 228.12')
A= 228.11'
(R= 1959.86')
R= 1959.86'
Δ= 06°40'07"
B= N 00°14'12" E
C= 227.98'
BRICK MAILBOX
1.5'
53.4'
BRICK
WALL
CALLED 0.337 OF AN ACRE
STATE OF TEXAS
VOL. 552, PG. 271
D.R.G.C.T.
WOOD
RETAINING
WALL
CMF/CM
BRICK
WALL
CALLED 0.180 OF AN ACRE
STATE OF TEXAS
VOL. 995, PG. 94
D.R.G.C.T.
CONCRETE
PARKING LOT
150.8' x 175.6'
COMMERCIAL METAL BUILDING
POSTED "3601"
(SEE BUILDING DETAIL)
(N 04°08'38" E 206.50')
N 03°34'12" E
206.57'
73.9'
CMF
30' ROADWAY EASEMENT TO
TEXAS PIPE LINE COMPANY
GAS
S 07°44'55" E
140.33'
(S 07°11'51" E 140.43')
(N 81°26'23" E
N 80°50'39" E
3/8" IRF/CM
APPROXIMATE
LOCATION OF
UNDERGROUND
PIPELINE(S)
C.O.
20' S.S.E.
(1139-746)
(1154-711, TRACT 3)
(1154-718)
NON-S

"BRANCH ENERGY"

1/2" IRFC/CM
(ILLEGIBLE)

(N 74°57'21" E 314.81')
N 74°25'18" E 314.90'

CENTER LINE
OF LANDSCAPING

NEW SCREEN
FENCE

10'

21'

10'

12.4'

BRICK SIGN
"GOINS HOME CENTER"

3.4'

NEW MONUMENT
SIGN

18" RCP

CONCRETE PARKING LOT

3/8" IRF/CM

MAILBOX

1.5'

53.4'

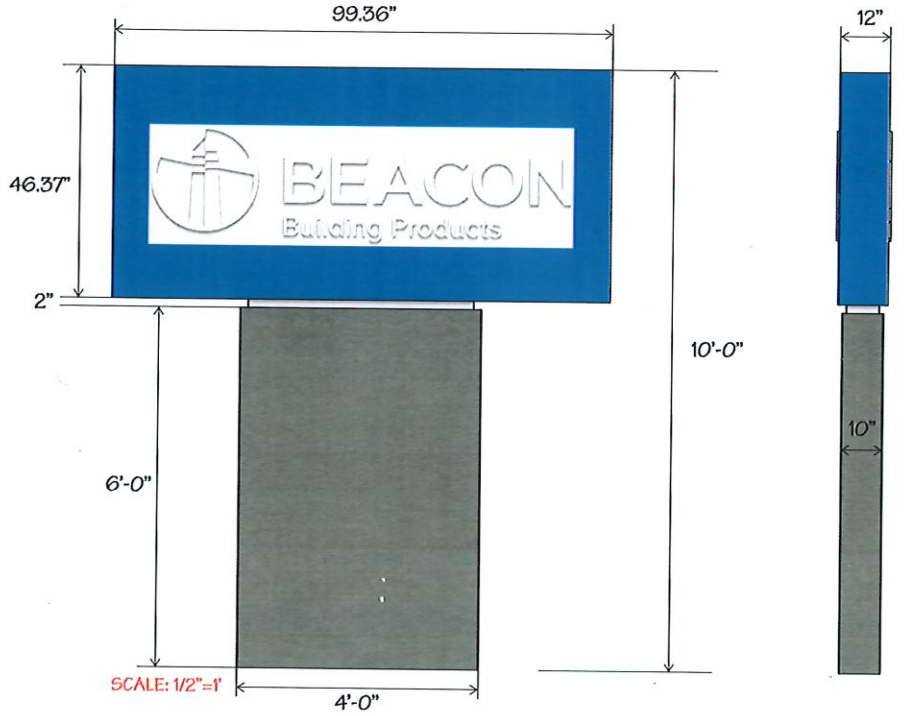
BRICK
WALL

APPROXIMATE
LOCATION OF
UNDERGROUND
PIPELINE(S)

C.O.

WOOD
RETAINING
WALL

PREVIOUS SIGN: REMOVED/TO BE REMOVED



COLORS:
- BLUE PMS: 2945C
- WHITE
- COOL GRAY 9C

POWER REQUIREMENTS:
* N/A (NON-ILLUMINATED SIGN)

SIGN CALCULATIONS:
* PROPOSED SIGNAGE: 32 sq. ft.

GENERAL NOTES:
> NEW DOUBLE-SIDED NON-ILLUMINATED SIGN * (CUSTOM SIZE)
> FABRICATED ALUMINUM BODY
> .080" ALUMINUM SKIN
> PAINTED BRAND COLORS
> 1/2" ACRYLIC LETTERS MOUNTED TO FACE

NATIONAL SIGN CORPORATION
www.nationalsign.com
CONNECTICUT
780 Four Rod Rd.,
Berlin, Ct 06037
Ph:(860) 829-9060
MASSACHUSETTS
21 Larsen Way
North Attleboro, Ma
Ph:(508) 809-4638
This Drawing Is Property Of National Sign Corporation And All Rights To Its Use For Reproduction Are Reserved By National Sign Corp.

CLIENT / PROJECT LOCATION:	ADDRESS:	DRAWING NO:	PROJECT MANAGER:	REVISIONS/NOTES:
BEACON Building Products	3601 Travis St Sherman, TX	72410-03	JB	
FILE LOCATION:	DRAWING DATE:	DRAWN BY:		
pf\beacon building products\sherman, tx	07/29/22	DDD		

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

UL E164024

Sherman
CLASSIC TOWN. BROAD HORIZON.

Developmental Services

STAFF REVIEW LETTER

November 8, 2022

Joe Johnson
2225 E Randol Mill Rd, Suite 524
Arlington, TX 76011

PAAGE
5428 Lake Victoria Cr
Flower Mound, TX 75022

National Sign Corporation
21 Larsen Way
North Attleboro, MA 02760

National Sign Corporation
780 Four Rod Rd
Berlin, CT 06037

Preston Trail Land Surveying
83493 N State Hwy 289, Suite 5
Pottsboro, TX 75076

Dear Applicants,

The request for a Variance under Ordinance No. 2280, Section 7, Subsection (6)(a) to allow a 10' front setback for a Freestanding Sign in lieu of the required 25' in a C-2 (General Commercial) District/O-1 (75 & 82) Overlay District located at 3601 North Travis Street has been scheduled to be heard by the Board of Adjustment on Tuesday, November 15, 2022 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General Commercial) District, the O-1 (75 & 82) Overlay District, the Sign Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.7, Sec. 6.13.1, Sec. 7 (14) and Sec. 17).*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267). *Code of Ordinances Chapter 3.02(c)*
3. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
4. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

5. Engineering Department recommends placing new monument sign 15' from property line to accommodate for future 15' UE along North Travis Street aka FM 131 in accordance with the City

of Sherman/Grayson County Thoroughfare Plan. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*

It is the policy of the Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **17.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

3038 PRESTON CLUB DRIVE

The request of Sue Kimble (Owner) and Underwood Drafting & Surveying (Surveyor) concerning the property located at 3038 Preston Club Drive, being part of Lots Three and Four, Block One, of Preston Club, as follows:

Board of Adjustment

Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 20' rear yard setback for a patio addition in lieu of the required 25' in an R-1 (One-Family Residential) District.

Background:

The property is located at 3038 Preston Club Drive between Highway 82 and Roberts Run and is zoned R-1 (One Family Residential) District. The property owner is requesting a setback variance for a covered patio extension.

Adjacent Zoning:

R-1 (One-Family Residential) District
R-A (Single Family Residential) District

Origination:

Sue Kimble (Owner)
Underwood Drafting & Surveying (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

13

Objections Received:

0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Site Plan
Elevations / Plans
Staff Review Letter

---

dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Planning\Public Notification.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

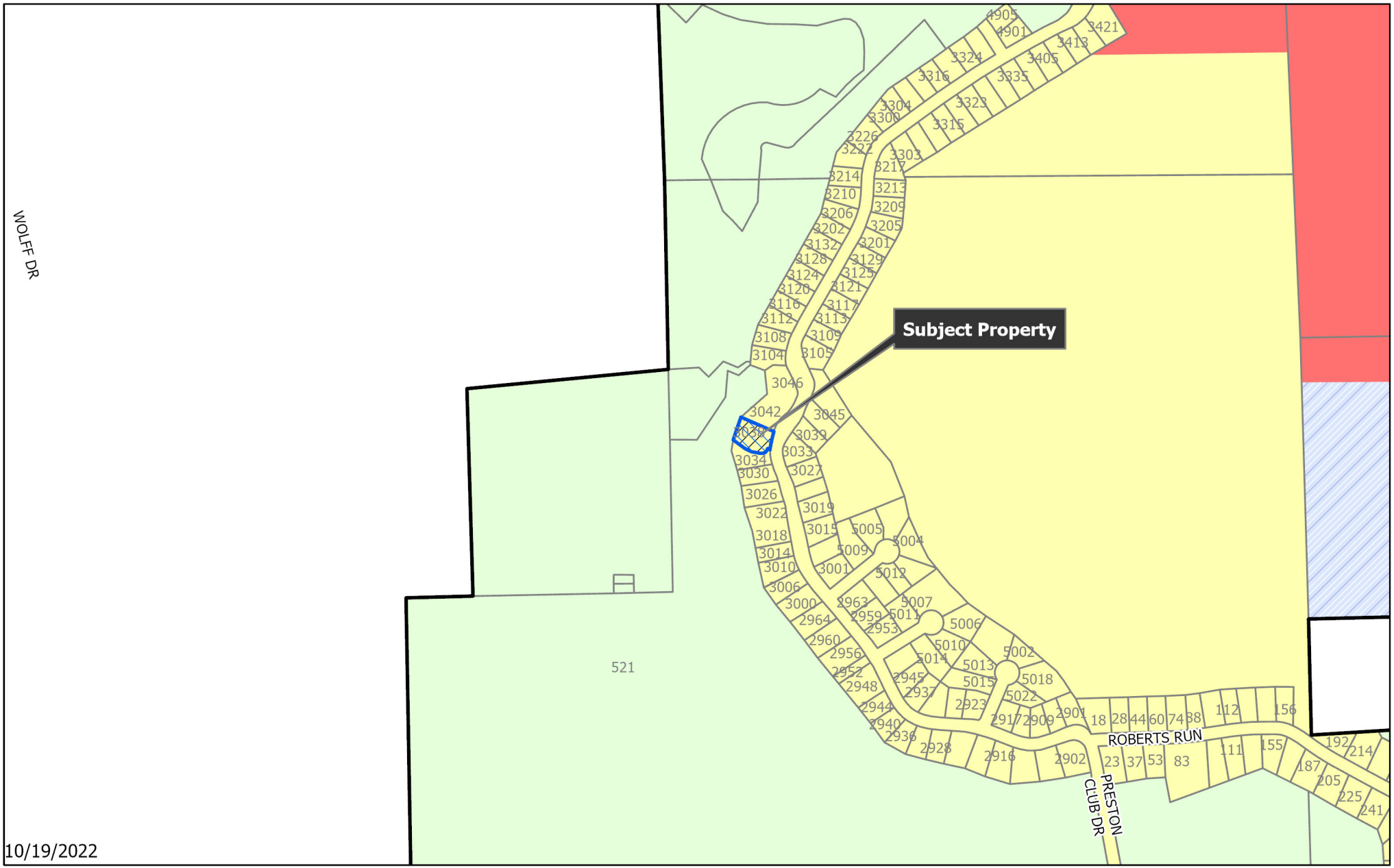
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

3038 Preston Club Dr

N
W E
S

Date: 10/19/2022 10:27 AM Scale: 1:7,185



Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

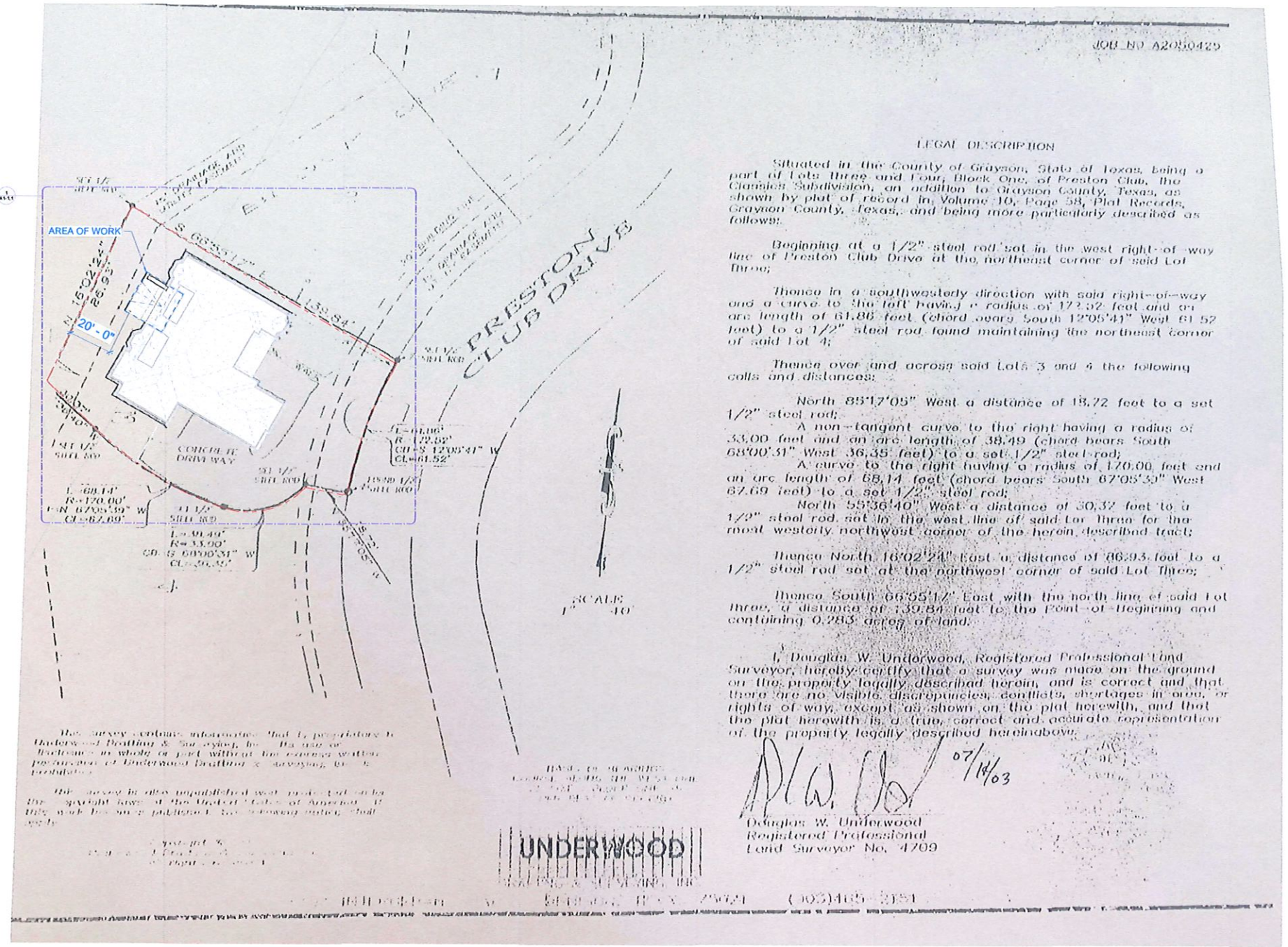
3038 Preston Club Dr

N
W E
S

Scale: 1:6,260

Date: 10/19/2022 10:27 AM

3038 Preston Club Dr.



JOB NO A20030429

LEGAL DESCRIPTION

Situated in the County of Grayson, State of Texas, being a part of Lots Three and Four, Block One, of Preston Club, the Clarnica Subdivision, an addition to Grayson County, Texas, as shown by plat of record in Volume 10, Page 58, Plat Records, Grayson County, Texas, and being more particularly described as follows:

Beginning at a 1/2" steel rod set in the west right-of-way line of Preston Club Drive at the northeast corner of said Lot Three;

Thence in a southwesterly direction with said right-of-way and a curve to the left having a radius of 172.52 feet and an arc length of 61.86 feet (chord bears South 12°05'41" West 61.52 feet) to a 1/2" steel rod found maintaining the northeast corner of said Lot 4;

Thence over and across said Lots 3 and 4 the following calls and distances:

North 85°17'05" West a distance of 18.72 feet to a set 1/2" steel rod;

A non-tangent curve to the right having a radius of 33.00 feet and an arc length of 38.49 (chord bears South 68°00'31" West 36.35 feet) to a set 1/2" steel rod;

A curve to the right having a radius of 170.00 feet and an arc length of 68.14 feet (chord bears South 87°05'39" West 67.69 feet) to a set 1/2" steel rod;

North 55°36'40" West a distance of 30.32 feet to a 1/2" steel rod set in the west line of said Lot Three for the most westerly northwest corner of the herein described tract;

Thence North 16°02'24" East a distance of 86.93 feet to a 1/2" steel rod set at the northwest corner of said Lot Three;

Thence South 66°55'12" East with the north line of said Lot Three, a distance of 139.84 feet to the Point of Beginning and containing 0.283 acres of land.

I, Douglas W. Underwood, Registered Professional Land Surveyor, hereby certify that a survey was made on the ground on the property legally described herein, and is correct and that there are no visible discrepancies, conflicts, shortages in area, or rights of way, except as shown on the plat herewith, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

07/14/03

Douglas W. Underwood
Registered Professional
Land Surveyor No. 4709

UNDERWOOD

(903)465-2151

1 SITE PLAN
1/16" = 1'-0"

MCM

PROJECT
KIMBLE

Project Number 3038
Date 10/03/2022
Drawn By MCKINLEY CONSTRUCTION

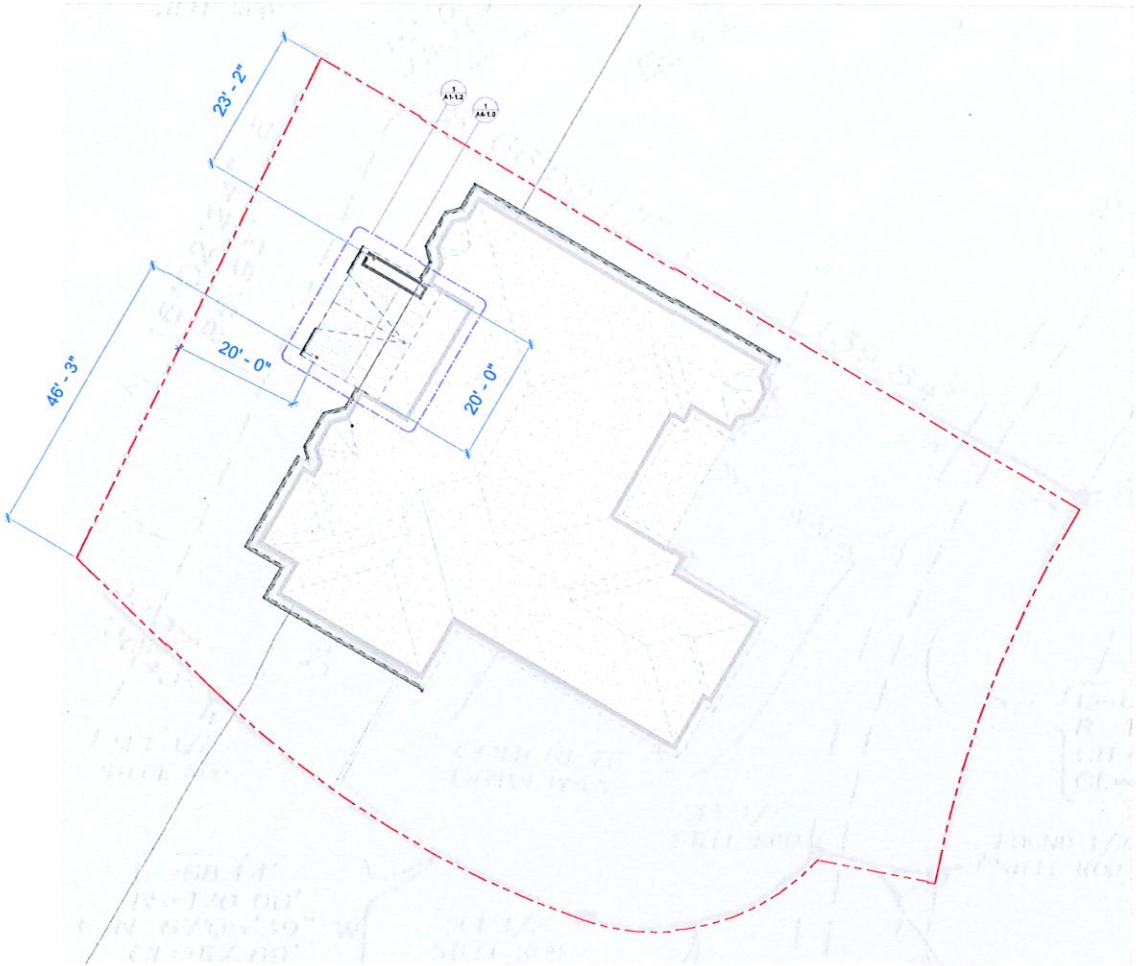
No.	Description	Date
1	INITIAL	07-10-22
2	2' Overhang for 20' Setback	10/03/22

STAMP

SCALE
1/16" = 1'-0"

SITE PLAN
3038 Preston Club Dr, Sherman, TX 75092

A1-1.0



1 SITE PLAN - CALLOUT
1/8" = 1'-0"

MCM

PROJECT

KIMBLE

Project Number 3038
Date 10/03/2022
Drawn By MCKINLEY CONSTRUCTION

No.	Description	Date
1	PATIAL	07/18/22
2	2' Overhang for 20' Setback	10/03/22

STAMP

SCALE
1/8" = 1'-0"

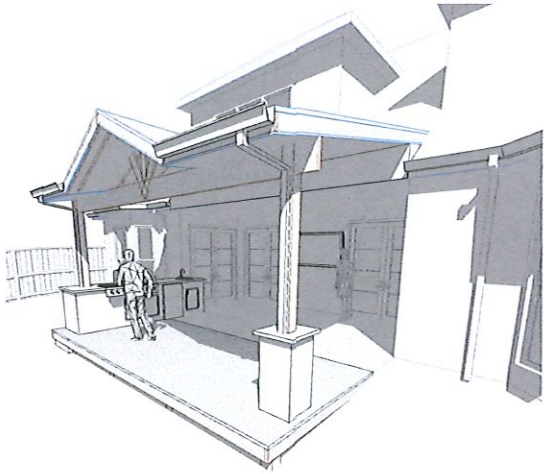
SITE PLAN CALLOUT

3038 Preston Club Dr, Sherman, TX 75092

A1-1.1

McKinley Construction Management
The Colony, Texas
469-583-6213

No.	Description	Date
1	INITIAL	07/13/22
2	2' Overhang for 23' Setback	10/3/22



COVERED STRUCTURE DETAILS:
* STRUCTURE IS 20' X 12', 240 SQFT
* ATTACHED TO HOME
  * ATTACHED TO EXISTING ROOF WITH MIN. 2X6 LEDGER
  * LEDGER FASTENED TO EXISTING ROOF STRUCTURE WITH STRUCTURAL FASTENERS
  * LEDGER FLASHED AND SEALED TO PREVENT WATER DAMAGE
* 4X4 MINIMUM POSTS
  * 18" DIAM, 24" DEEP FOOTER
  * ATTACHED TO FOOTER BY POST BASE
* SHINGLES WITH UNDERLAYMENT AND SELF-HEALING ADHESIVE
* ROOF PITCH AT LEAST 2"/12"

OUTDOOR KITCHEN:
* KITCHEN IS 11' X 2.5', 27.5 SQFT
  * 36" HIGH COUNTERTOPS
* KITCHEN SUPPORTED BY 12" MIN. CONCRETE FOOTER

10/3/2022 2:13:33 PM

Project Name

KIMBLE

Author:	MCKINLEY CONSTRUCTION
Designed By:	DAVID BOOHER
Drawn By:	BEN PORTER

Project Address:	3038 Preston Club Dr, Sherman, TX 75092
Project Issue Date:	10/03/2022
Project Number:	3038

Abbreviations

ACT ACOUSTICAL TILE
AFF ABOVE FINISHED FLOOR
UON UNLESS OTHERWISE NOTED
CAB CABINET
CLG CEILING
COL COLUMN
CON CONCRETE
CPT CARPET
DWG DRAWING
DR DOOR
EQ EQUAL
EX EXISTING
ELEC ELECTRICAL
HVAC HEATING, VENTILATION, AIR CONDITIONING
HWD HARDWOOD
MAX MAXIMUM
MIN MINIMUM
NA NOT APPLICABLE
NTS NOT TO SCALE
SF SQUARE FEET
RM ROOM
WD WOOD

View Symbols

Call out (Floor Plan Views)

Elevation View Tag

Section View Tag

Revision Cloud

Revision # Triangle

View Name
1/8" = 1'-0"
View Title for Views

Type Name
Item Type Call out Tag

North Elevation Symbol

Line Type Symbols

Area of Work

Property Line

Demo

Roof

General Notes

1. THESE DRAWINGS INDICATE IN GENERAL THE PROJECT IN TERMS OF ARCHITECTURAL DESIGN INTENT. THE DIMENSIONS OF THE BUILDING, THE MAJOR ARCHITECTURAL ELEMENTS AND TYPE OF STRUCTURAL MECHANICAL AND ELECTRICAL SYSTEMS. THE DRAWINGS DO NOT NECESSARILY INDICATE OR DESCRIBE ALL WORK REQUIRED FOR FULL PERFORMANCE AND COMPLETION OF THE REQUIREMENTS OF THE CONTRACT DOCUMENTS. AS INDICATED OR DESCRIBED, THE CONTRACTOR OR SUB CONTRACTOR SHALL FURNISH ALL ITEMS REQUIRED FOR THE PROPER EXECUTION AND COMPLETION OF THE WORK.

2. THE CONTRACTOR SHALL COORDINATE ALL MECHANICAL FLOOR/WALL SLEEVES AND SHAFTS IN CONCRETE SLABS/WALLS WITH MECHANICAL, PLUMBING, FIRE PROTECTION, ELECTRICAL, STRUCTURAL AND ARCHITECTURAL DRAWINGS AND DISCREPANCIES, IF ANY, TO BE BROUGHT TO NOTICE OF THE ENGINEER PRIOR TO EXECUTION OF WORK.

3. THE CONTRACTOR SHALL CONDUCT HIS OWN SITE SURVEY OF THE EXISTING GROUND AND CURB ELEVATIONS (LEVELS) AND REPORT ACTUAL ELEVATIONS (LEVELS) TO THE ENGINEER.

4. CONTRACTOR'S SHOP DRAWINGS SHOULD INDICATE ACTUAL ELEVATIONS (LEVELS).

5. ALL ELEVATIONS (LEVELS) ARE IN FEET.

6. ALL DIMENSIONS ARE IN FEET AND INCHES UNLESS OTHERWISE NOTED.

7. ONLY WRITTEN DIMENSIONS IN ALL CASES SHALL BE FOLLOWED.

8. ALL EXISTING OR PROPOSED ELEVATIONS (LEVELS) AND DIMENSIONS, ON SITE AND ON DRAWINGS MUST BE CHECKED AND VERIFIED BY THE CONTRACTOR BEFORE THE PREPARATION OF SHOP DRAWINGS OR COMMENCEMENT OF ANY ITEM OF WORK ON THE SITE.

9. ARCHITECTURAL DRAWINGS MUST ALWAYS BE READ IN CONJUNCTION WITH ALL OTHER RELEVANT SERVICES DRAWINGS AND CONTRACT DOCUMENTS. ANY DISCREPANCY BETWEEN THESE DRAWINGS AND DOCUMENTS SHOULD BE REPORTED TO THE PROJECT MANAGER FOR CLARIFICATION AND VERIFICATION.

10. CONTRACTOR TO LOCATE ALL ACCESS PANEL IN THE GYPSUM BOARD CEILING FOR SERVICES ACCESS.

11. THE CONTRACTOR SHALL SUBMIT SAMPLES AND SHOP DRAWINGS FOR ALL WORKS WITH ALL NECESSARY DETAILS AND DESIGN INFORMATION FOR APPROVAL.

12. NOTES APPEARING ON VARIOUS DRAWINGS FOR DIFFERENT SYSTEMS AND MATERIALS ARE TO BE REVIEWED, COORDINATED AND ARE TO BE APPLIED TO ALL RELATED DRAWINGS AND DETAILS.

13. FREE STANDING STRUCTURE POSTS TO BE BURIED IN THE GROUND AND WRAPPED IN MOISTURE RESISTANT MATERIAL.

14. IF ATTACHED TO EXISTING STRUCTURE, POST TO BE MOUNTED TO METAL POST BASES AND ANCHORED INTO THE CONCRETE.

15. ALL STRUCTURES TO GET 18" X 24" CONCRETE FOOTER

16. U.O.N., NEW CONCRETE PADS TO GET #3 3'S" REBAR 15" ON CENTER. REBAR TO RECESS 4 - 6" U.O.N. FROM NEW CONCRETE INTO EXISTING.

17. REVIEW AND VERIFY ROOF PITCH PRIOR TO ANY CONSTRUCTION STARTING. REPORT BACK TO ENGINEER WITH AN DISCREPANCIES THAT MAY ARISE.

00 SCHEDULE SHEET LIST

Sheet #	Sheet Name	Rev #	Rev Date
A0-1.0	COVER	2	10/03/22
A0-1.1	LEGEND	1	07/19/22
A1-1.0	SITE PLAN	2	10/03/22
A1-1.1	SITE PLAN CALLOUT	2	10/03/22
A1-1.2	FLATWORK & DECK	2	10/03/22
A4-1.0	STRUCTURE OVERVIEW	2	10/03/22
A4-1.1	STRUCTURE FRONT FACING	2	10/03/22
A4-1.2	STRUCTURE RIGHT FACING	1	07/19/22
A6-1.0	SCHEDULES	1	07/19/22
A6-1.1	KITCHEN	1	07/19/22

MCM

PROJECT

KIMBLE

Project Number: 3038
Date: 10/03/2022
Drawn By: MCKINLEY CONSTRUCTION

No.	Description	Date
1	INITIAL	07/19/22

STAMP

SCALE

1/8" = 1'-0"

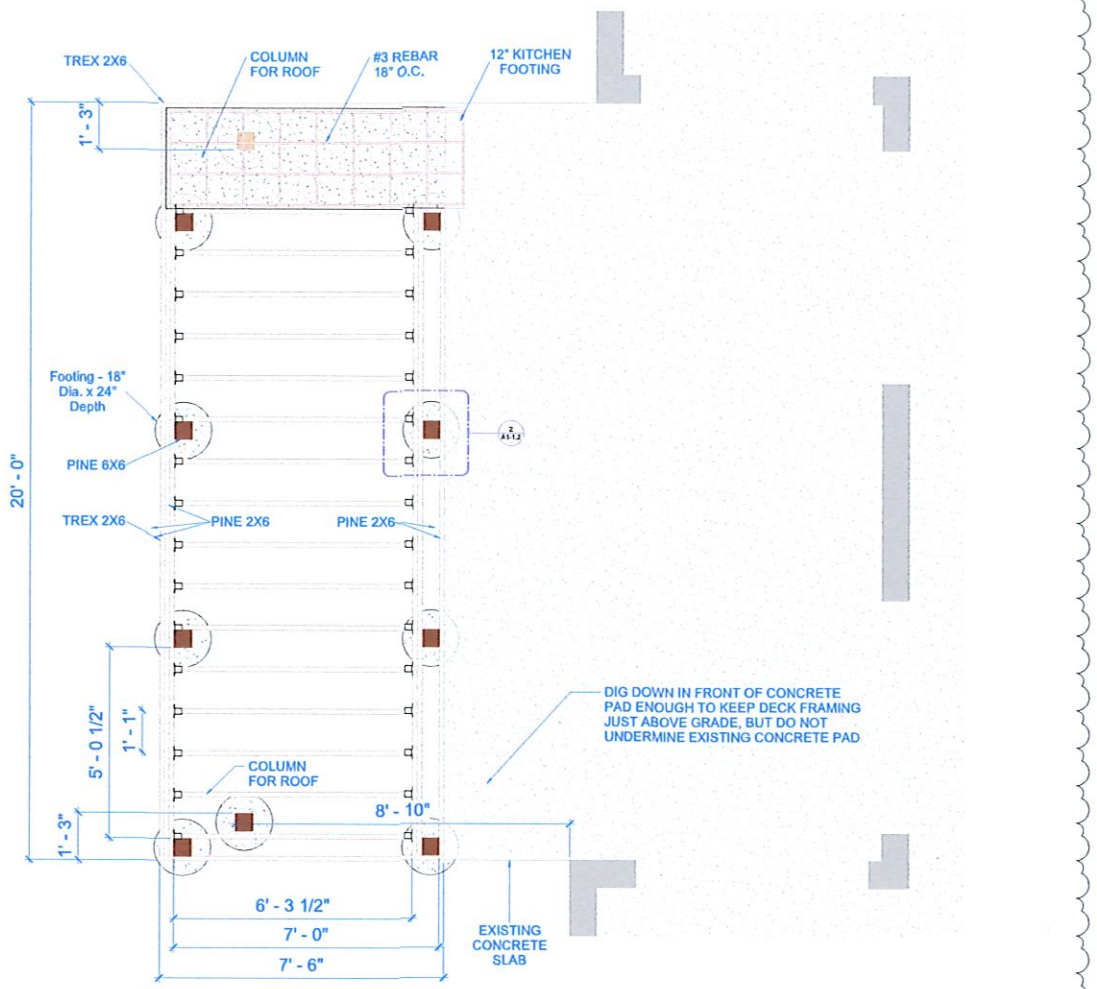
3038 Preston Club Dr, Sherman, TX 75092

LEGEND

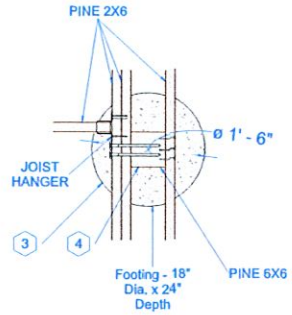
A0-1.1

NOTES FLATWORK

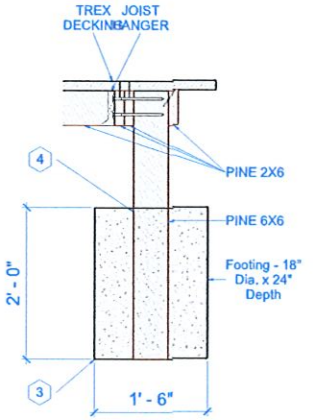
1. REBAR TO BE #3 @ 18" O.C. ALL REBAR WHERE EXISTING FLATWORK IS TO MEET SHALL BE RECESSED 4" - 6" INTO EXISTING FLATWORK FOR ADDED SUPPORT.
2. CONCRETE TO BE 3,500 PSI
3. POST FOOTING TO BE 18" DIA. X 24" DEPTH.
4. GC TO USE POSTSAVER ROT PROTECTION SLEEVE (OR EQUIVALENT PROTECTION) TO PROTECT WOOD POST FROM GROUND LINE ROT.
5. TOP DECK FRAME IN TREX DECK BOARDS



1 DECK PLAN
3/4" = 1'-0"



2 POST FOOTER OVERVIEW
1 1/2" = 1'-0"



3 POST FOOTER SECTION
1 1/2" = 1'-0"

MCM

PROJECT

KIMBLE

Project Number: 3038
Date: 10/13/2022
Drawn By: MCM/KEY CONSTRUCTION

No.	Description	Date
1	INITIAL	07/15/22
2	2' Overhang for 20' Setback	10/13/22

SCALE
As indicated

FLATWORK & DECK
3038 Preston Club Dr, Sherman, TX 75092

A1-1.2

NOTES STRUCTURE

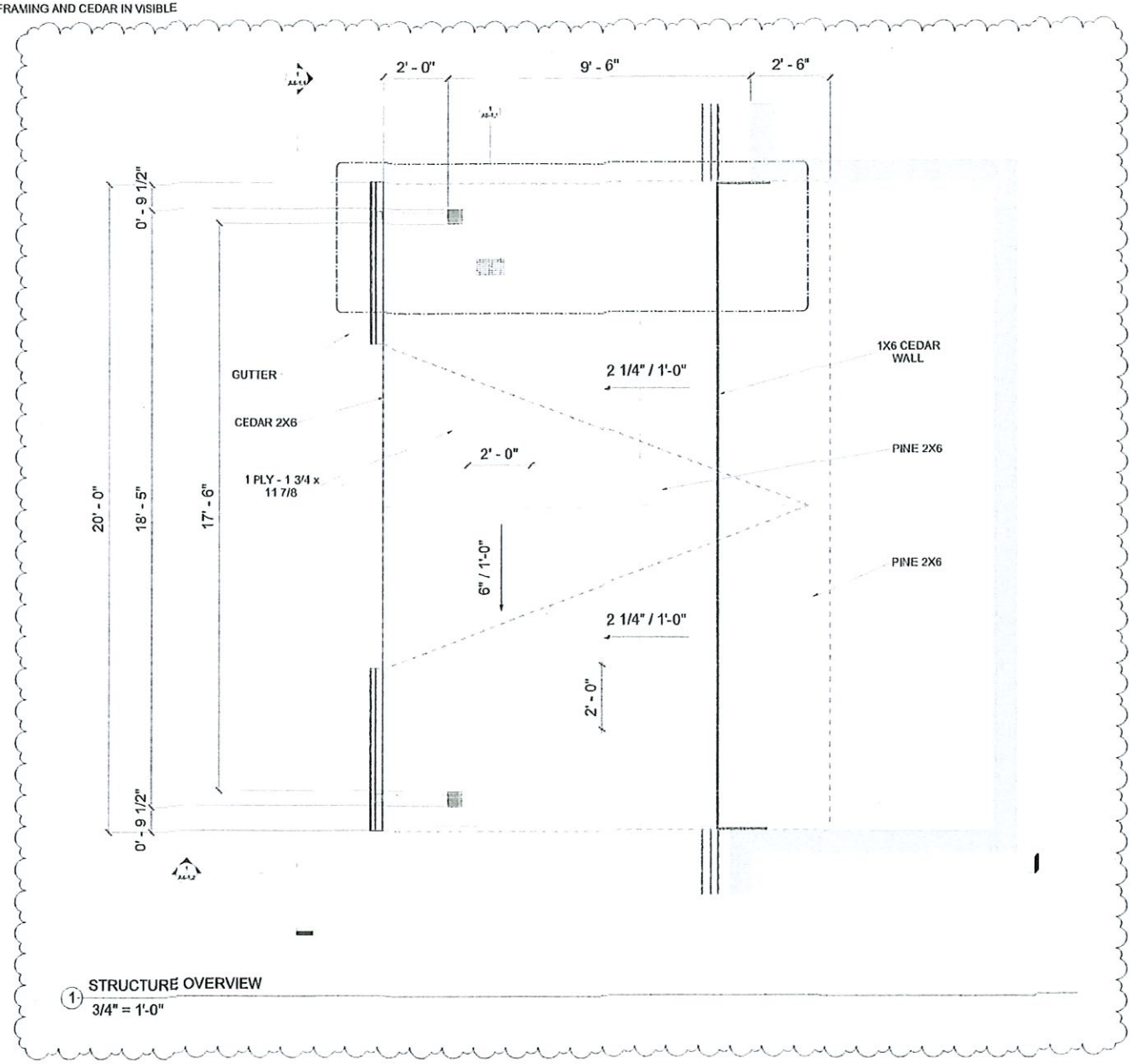
1 CUT INTO EXISTING ROOF AND TIE NEW RAFTERS INTO EXISTING ROOF STRUCTURE.

2 STAIN COLOR CHOSEN DURING SELECTION PHASE. (SEE SELECTIONS IN BUILDERTREND FOR STAIN COLOR)

3 BUILD A FALSE WALL OF 1X6 CEDAR FROM EXISTING ROOF UP TO NEW CEILING.

4 ADD GUTTERS TO THE FRONT OF THE NEW STRUCTURE WITH DOWNSPOUTS LEADING TO DRAINAGE.

5 FRAME STRUCTURE WITH PINE INTERNAL FRAMING AND CEDAR IN VISIBLE LOCATIONS.



1 STRUCTURE OVERVIEW
3/4" = 1'-0"

MCM

PROJECT

KIMBLE

Project Number 3038
Date 10/3/2022
Drawn By MCM/LEY
CONSTRUCTION

No.	Description	Date
1	INITIAL	07/18/22
3	3' Overhang for 20' Eaves	10/3/22

CLIENT

SCALE
3/4" = 1'-0"

STRUCTURE OVERVIEW

3038 Preston Club Dr, Sherman, TX 75092

A4-1.0

NOTES STRUCTURE

1 CUT INTO EXISTING ROOF AND TIE NEW RAFTERS INTO EXISTING ROOF STRUCTURE.

2 STAIN COLOR CHOSEN DURING SELECTION PHASE. (SEE SELECTIONS IN BUILDERTREND FOR STAIN COLOR)

3 BUILD A FALSE WALL OF 1X6 CEDAR FROM EXISTING ROOF UP TO NEW CEILING.

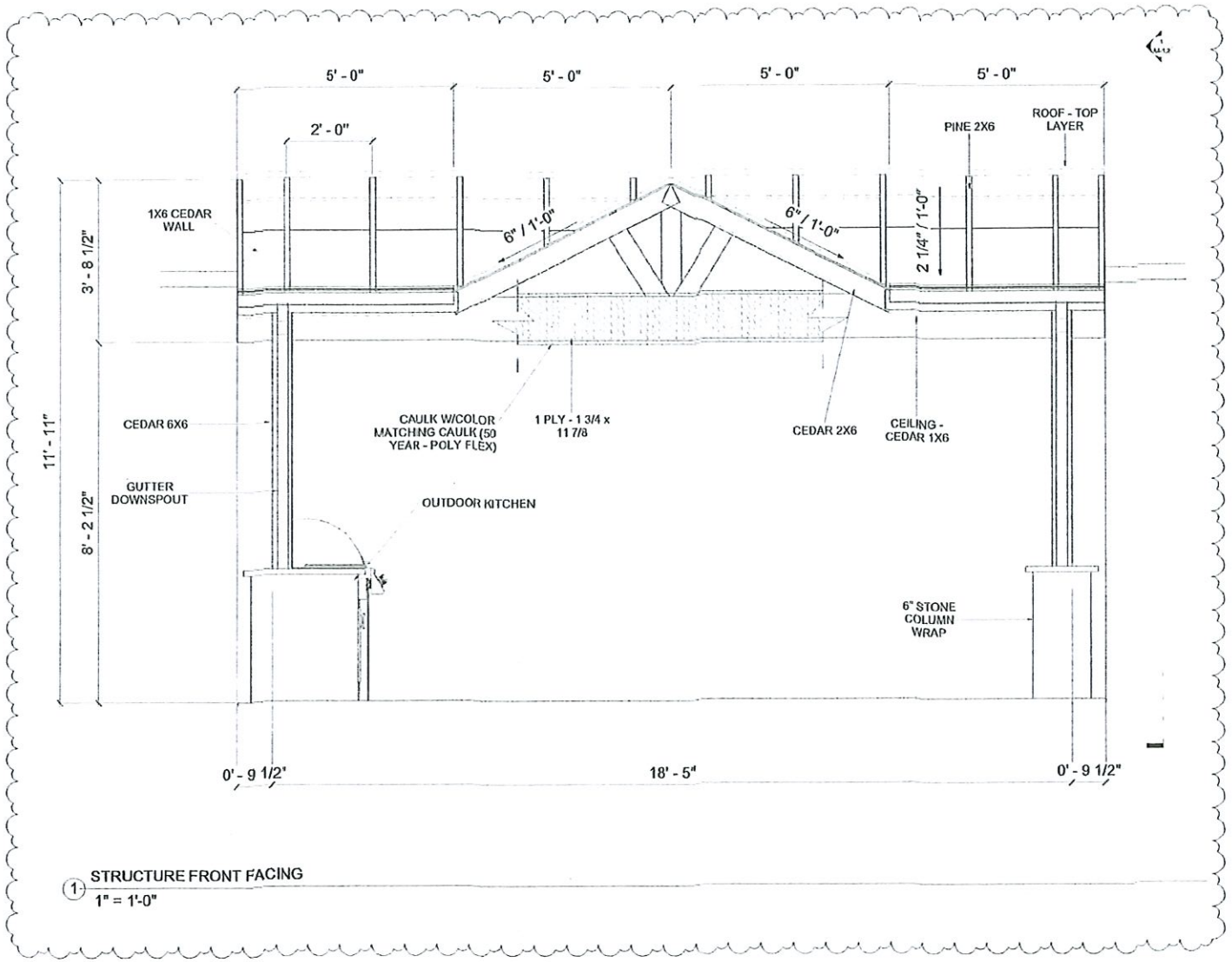
4 ADD GUTTERS TO THE FRONT OF THE NEW STRUCTURE WITH DOWNSPOUTS LEADING TO DRAINAGE.

5 FRAME STRUCTURE WITH PINE INTERNAL FRAMING AND CEDAR IN VISIBLE LOCATIONS.

LVL WRAP NOTES:

1.) WRAP LVL BEAMS WITH 1" X 12" CEDAR TO CREATE A WEATHER BARRIER.

2.) CAULK W/COLOR MATCHING CAULK (50 YEAR - POLY FLEX)



1 STRUCTURE FRONT FACING
1" = 1'-0"

MCM

PHASE

KIMBLE

No.	Description	Date
1	INITIAL	07/19/22
2	Z Ordering for Z2 Section	10/20/22

SCALE
1" = 1'-0"

STRUCTURE FRONT FACING

3038 Preston Club Dr, Sherman, TX 75092

A4-1.1

NOTES STRUCTURE

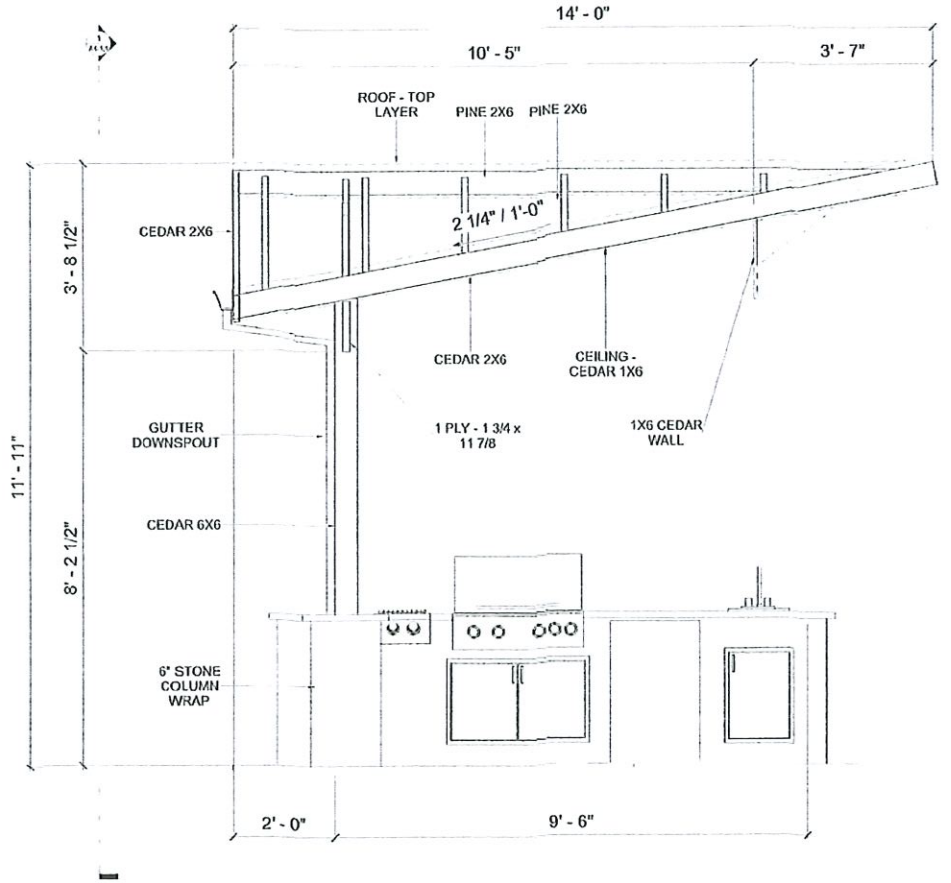
1 CUT INTO EXISTING ROOF AND TIE NEW RAFTERS INTO EXISTING ROOF STRUCTURE.

2 STAIN COLOR CHOSEN DURING SELECTION PHASE. (SEE SELECTIONS IN BUILDERTREND FOR STAIN COLOR)

3 BUILD A FALSE WALL OF 1X6 CEDAR FROM EXISTING ROOF UP TO NEW CEILING.

4 ADD GUTTERS TO THE FRONT OF THE NEW STRUCTURE WITH DOWNSPOUTS LEADING TO DRAINAGE.

5 FRAME STRUCTURE WITH PINE INTERNAL FRAMING AND CEDAR IN VISIBLE LOCATIONS.



1 STRUCTURE RIGHT FACING
1" = 1'-0"

MCM

PROJECT

KIMBLE

Permit Number 3038
Date 10/03/2022
Drawn By MCKINLEY CONSTRUCTION

No.	Description	Date
1	INITIAL	07/19/22

SCALE

1" = 1'-0"

STRUCTURE RIGHT FACING

3038 Preston Club Dr, Sherman, TX 75092

A4-1.2

SCHEDULE FLATWORK

Type	Count	Area	Length	Width	Comments
12" KITCHEN FOOTING	1	21 SF	7' - 10 1/2"	2' - 8"	FOOTING FOR KITCHEN
Footing - 18" Dia. x 24" Depth	8	2 SF	1' - 6"	1' - 6"	FOOTINGS FOR DECK COLUMNS
Footing - 18" Dia. x 24" Depth	2	2 SF	1' - 6"	1' - 6"	FOOTINGS FOR STRUCTURE COLUMNS

SCHEDULE WOOD COLUMN

Type	Count	Length	Comments
CEDAR 6X6	2	12' - 3"	COLUMNS FOR STRUCTURE
PINE 6X6	8	3' - 6 1/2"	COLUMNS FOR DECK

SCHEDULE COLUMN WRAP

Type	Count
3" STONE COLUMN WRAP	1

SCHEDULE WOOD FRAMING

Type	Count	Length	Comments
PINE 2X6	5	17' - 1"	DECK BEAMS, PRESSURE TREATED
PINE 2X6	16	6' - 4"	DECK JOISTS, PRESSURE TREATED
TREX 2X6	2	7' - 6"	DECK VENEER, TREX MATERIAL
TREX 2X6	1	19' - 9"	DECK VENEER, TREX MATERIAL
1 PLY - 1 3/4 x 11 7/8	1	20' - 0"	STRUCTURE FRONT BEAM
PINE 2X6	2	14' - 4"	STRUCTURE HIP BEAM
PINE 2X6	2	0' - 3"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	0' - 10"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	1' - 8"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	2' - 6"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	2' - 8"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	3' - 4"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	4' - 2"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	5' - 0"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	8' - 1"	STRUCTURE INTERNAL FRAMING
PINE 2X6	2	13' - 6"	STRUCTURE INTERNAL FRAMING
PINE 2X6	4	14' - 3"	STRUCTURE INTERNAL FRAMING
PINE 2X6	1	13' - 3"	STRUCTURE RIDGE BEAM
CEDAR 2X6	1	2' - 5"	STRUCTURE SUNBURST
CEDAR 2X6	2	3' - 1"	STRUCTURE SUNBURST
CEDAR 2X6	2	5' - 1"	STRUCTURE VISIBLE FRAMING
CEDAR 2X6	2	5' - 9"	STRUCTURE VISIBLE FRAMING
CEDAR 2X6	2	14' - 3"	STRUCTURE VISIBLE FRAMING

SCHEDULE SPECIALTY EQUIPMENT

Type	Count	Comments
GUTTER DOWNSPOUT	2	FOR GUTTERS ON FRONT OF STRUCTURE
JOIST HANGER	32	FOR DECK JOISTS

SCHEDULE GUTTER

Type	Length	Comments
Gutter - Bevel 5" x 5"	10' - 0"	FRONT OF NEW STRUCTURE

SCHEDULE ROOFING

Type	Area
CEILING - CEDAR 1X6	291 SF
ROOF - TOP LAYER	291 SF

SCHEDULE WALL

Type	Count	Area	Length	Width	Comments
1X6 CEDAR WALL	3	33 SF	23' - 8"	0' - 1"	FALSE WALL BETWEEN ROOF AND STRUCTURE CEILING
OUTDOOR KITCHEN STONE	4	75 SF	25' - 0"	0' - 6"	PERIMETER OF OUTDOOR KITCHEN

MCM

PROJECT

KIMBLE

Project Number 3038
Date 10/03/2022
Drawn By MCM/MEV
CONSTRUCTION
No. Description Date
1 PERMIT 07/18/22

STATUS

SCALE

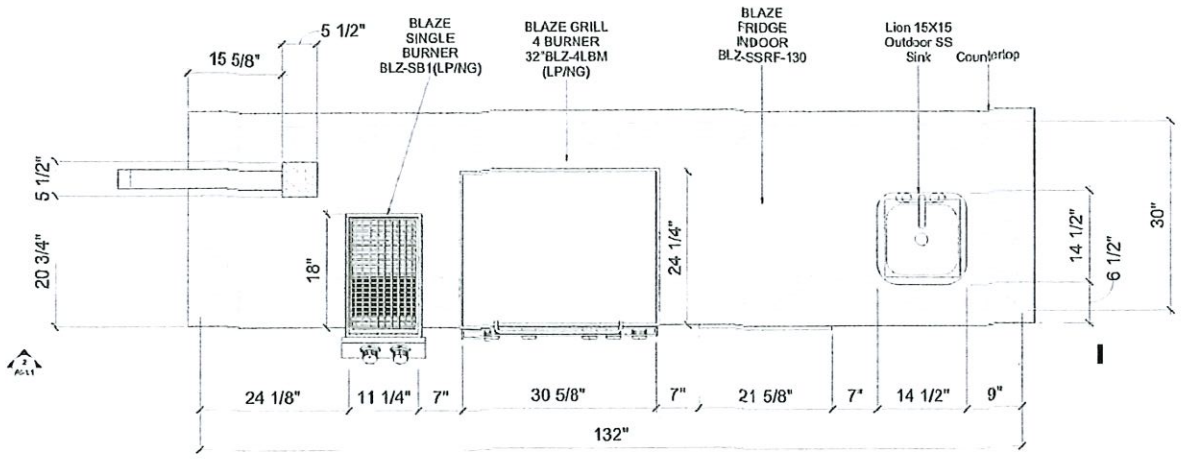
SCHEDULES

3038 Preston Club Dr, Sherman, TX 75092

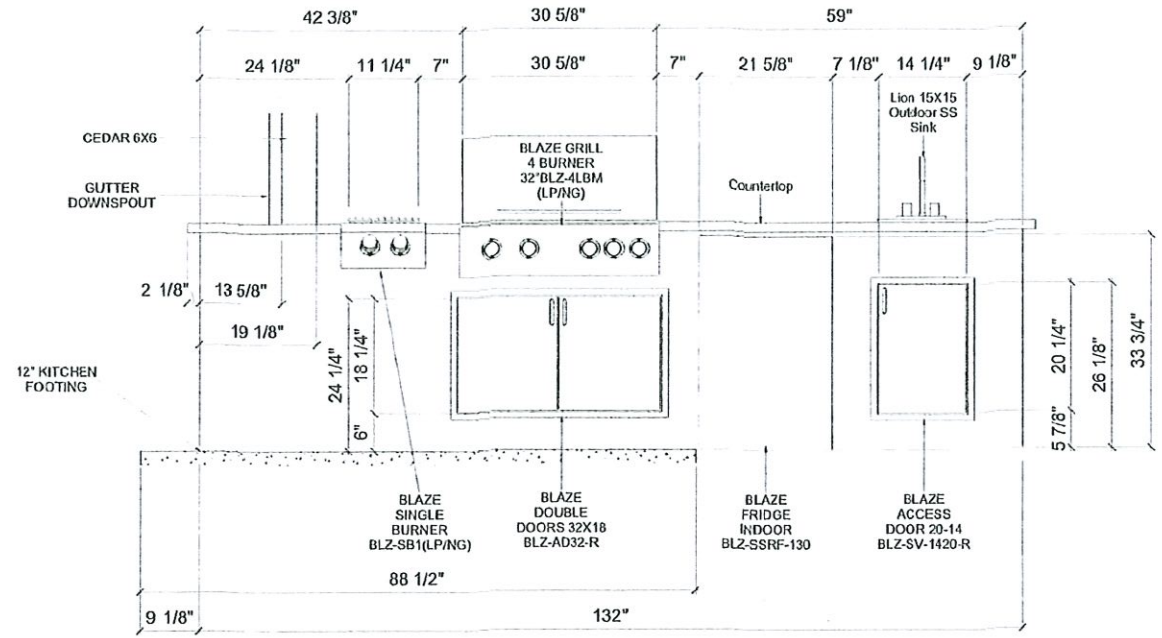
A6-1.0

NOTES KITCHEN

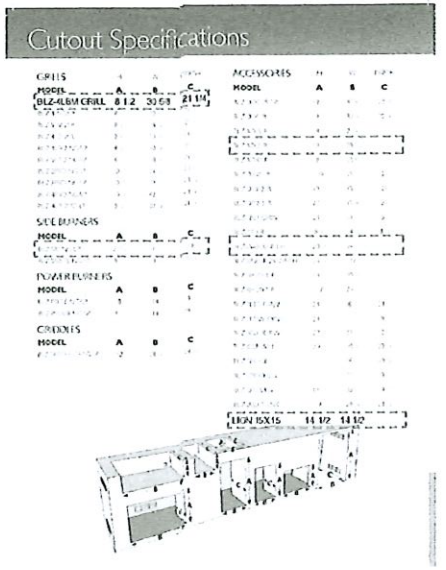
1 CONNECT EXISITNG HOUSE GAS SUPPLY TO BLAZE BARBECUE.

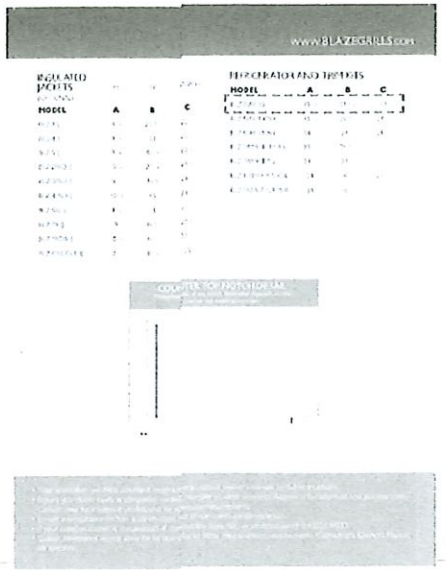


1 KITCHEN OVERVIEW
1 1/2" = 1'-0"



2 KITCHEN FRONT FACING
1 1/2" = 1'-0"





PROJECT
KIMBLE

Project Number 2038
Date 10/03/2022
Drawn By MCM JOBSITE CONSTRUCTION

No.	Description	Date
1	INITIAL	07/19/22

SCALE
1 1/2" = 1'-0"

KITCHEN

3038 Preston Club Dr, Sherman, TX 75092

A6-1.1

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

Sue Kimble
3038 Preston Club Drive
Sherman, TX 75092

Underwood Drafting & Surveying
3404 Interurban Rd
Denison, TX 75021

Dear Applicants,

The request for a Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 20' rear yard setback for a patio addition in lieu of the required 25' in an R-1 (One-Family Residential) District located at 3038 Preston Club Drive has been scheduled to be heard by the Board of Adjustment on Tuesday, November 15, 2022, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Fence Ordinance, and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; Sec. 7(1) & (13) and Sec. 17)*
2. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
3. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
4. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
5. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of the Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Commission and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **18.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

2300-2700 BLOCKS EAST HIGHWAY 82

The request of Frostfire Hwy 82 LLC (Owners), Mathias Haubert, Bohler Engineering (Engineer), Lee Engineering (Traffic Engineer) and Copley Land Surveying (Surveyor) concerning the property located in the 2300-2700 Blocks East Highway 82, being 74.424 acres in part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504, as follows:

Planning and Zoning Commission

A. Zone Change approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District and M-1 (Light Manufacturing) District to a C-2 (General Commercial) District, being 22.705 acres in part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504.
B. Zone Change approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District and M-1 (Light Manufacturing) District to an R-2 (Multi-Family Residential) District, being 51.718 acres in part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504.
C. Specific Use Permit approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Mini-Warehouse in a C-2 (General Commercial) District, being 14.819 acres in part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504.
D. Site Plan approval of Sherman Highway 82 Mixed Use.

Background:

The property is located at 2300-2700 Blocks East Highway 82 at the North East Corner of Frisco Road and Highway 82 and is zoned R-1 (One Family Residential) District/M-1 (Light Manufacturing) District/R-2 (Multi-Family Residential) District/O-1 (75 & 82) Overlay District.

The owner is requesting Zone Changes, Specific Use Permit and Site Plan to allow a mixed use development consisting of commercial uses, residential uses, and a mini-storage on approximately 74 acres.

February 6, 1984 - Zone Change from R-1 (One Family Residential) District to M-1 (Light Manufacturing) District & R-2 (Multi-Family Residential) District

Adjacent Zoning:

C-2 (General Commercial) District
R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District
ETJ (Extra Territorial Jurisdiction)

Origination:

Frostfire Hwy 82 LLC (Owners)
Mathias Haubert
Bohler Engineering (Engineer)
Lee Engineering (Traffic Engineer)
Copley Land Surveying (Surveyor)

Master Plan Designation:

Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Number of notices mailed:

7

Objections Received:

1

Development Review Meeting:

Yes

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Future Land Use Map
Narrative
Survey
Zoning Legal Description C-2
Zoning Legal Description C-2.2
Zoning Legal Description R-2
Site Plan
Zoning Site Rendering
Elevations

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Sherman
CLASSIC TOWN. BROAD HORIZON.

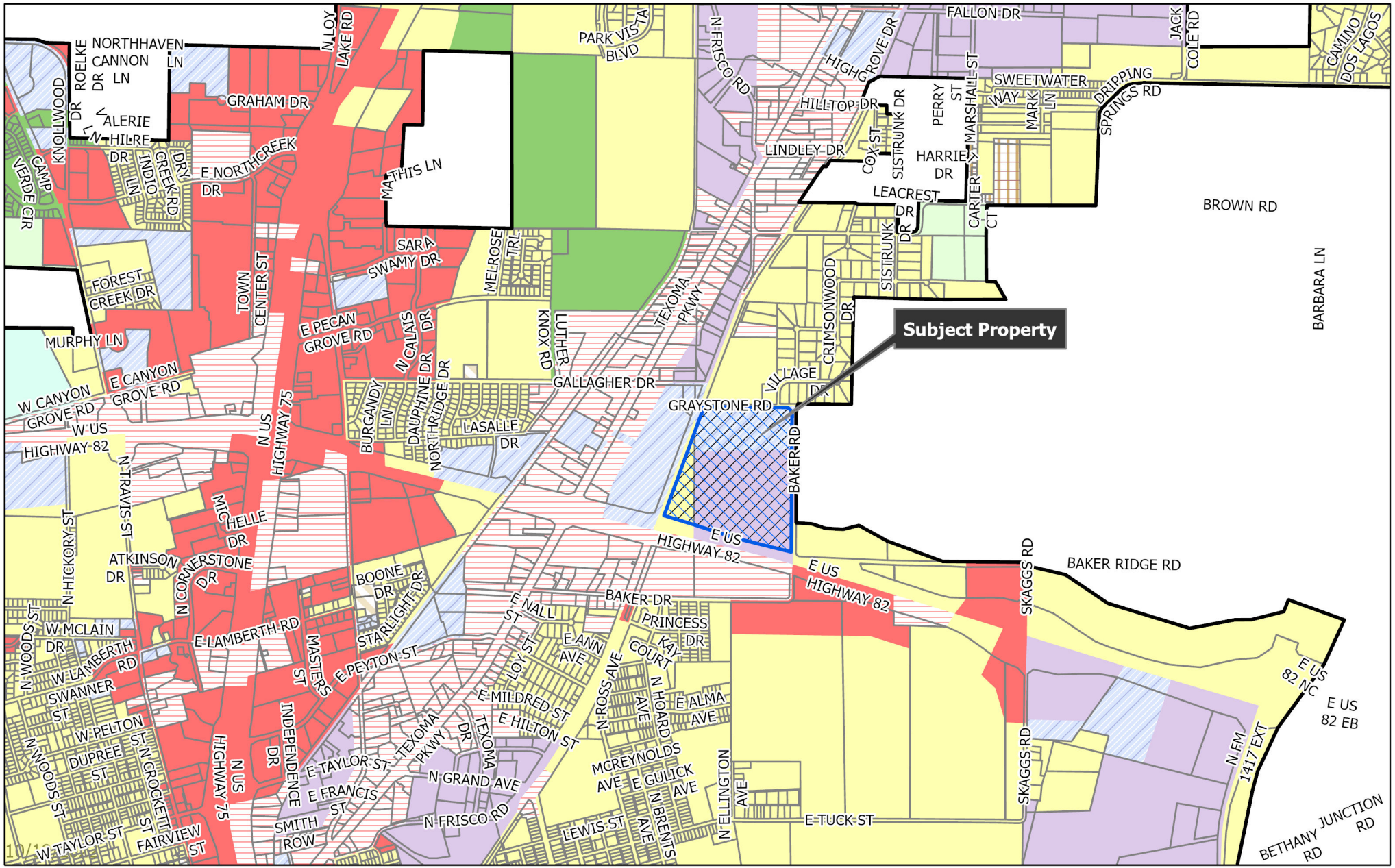
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

2300-2700 Hwy 82 East

N
W E
S

Date: 10/19/2022 10:27 AM Scale: 1:17,540



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

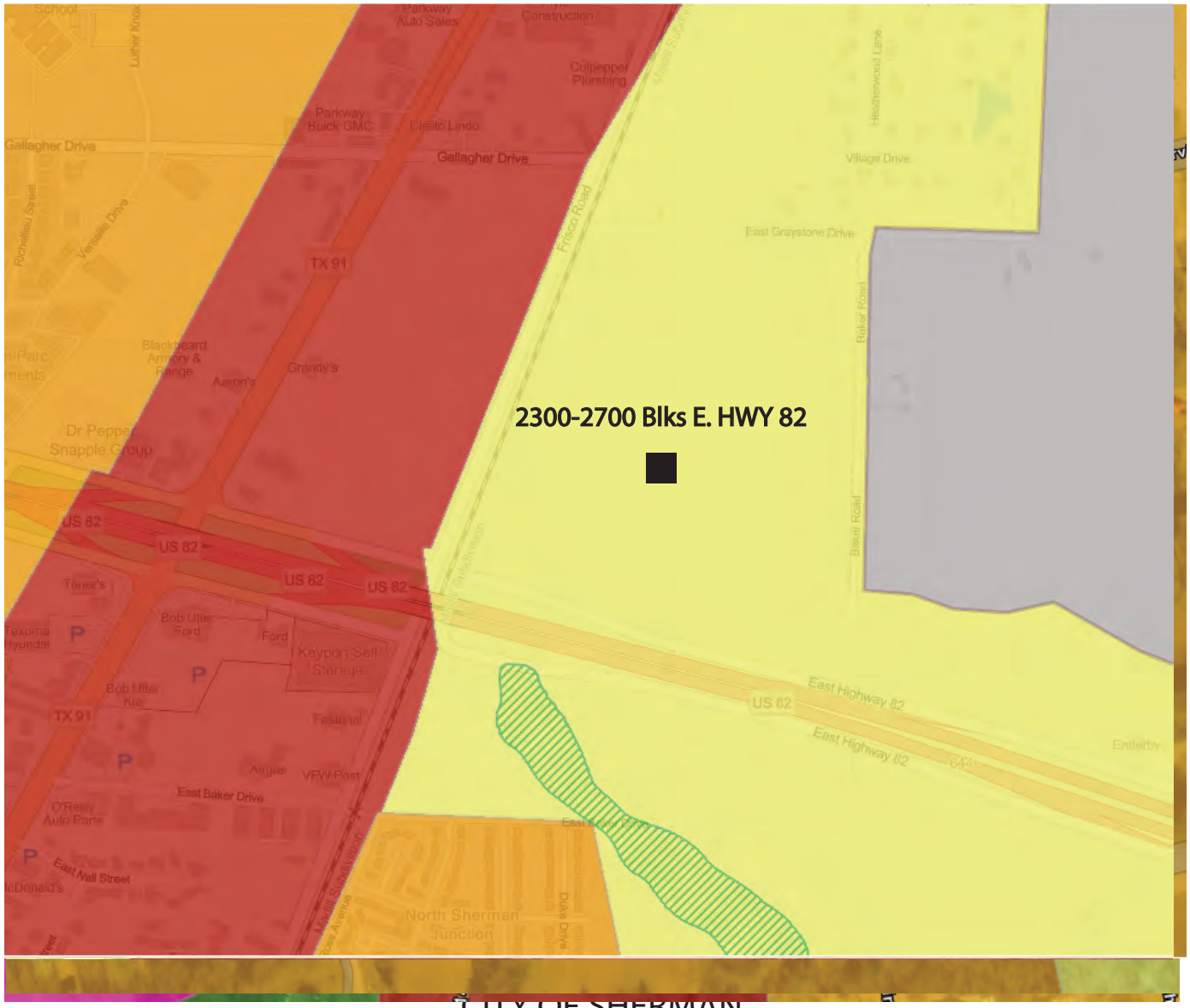
2300-2700 Hwy 82 East

N
W E
S

Scale: 1:23,880

Date: 10/19/2022 10:27 AM

2300-2700 E Hwy 82



CITY OF SHERMAN
Future Land Use Map
2300-2700 Blocks E. Highway 82

- AGRICULTURE/RURAL
- COMMUNITY COMMERCIAL
- CORE NEIGHBORHOOD
- DOWNTOWN
- PARKS
- REGIONAL COMMERCIAL
- SUBURBAN NEIGHBORHOOD
- TECHNOLOGY HUB
- FLOODPLAIN & OPEN SPACE
- NTRA ZONING
- AIRPORT

SUBURBAN NEIGHBORHOOD

Intent & Character

The Suburban Neighborhood category is intended to allow primarily single-family detached in a "complete neighborhood" setting. New subdivisions should include a mix of housing products and lot sizes. Areas of supporting local commercial should be integrated into the neighborhoods, primarily along major streets near the entrance of neighborhoods. Community amenities such as parks, trails, open spaces, and civic uses should also be included in the creation of new subdivisions. This category gives flexibility for the creation of master-planned neighborhoods that are compatible with the surrounding area.

Appropriate Land Use Types

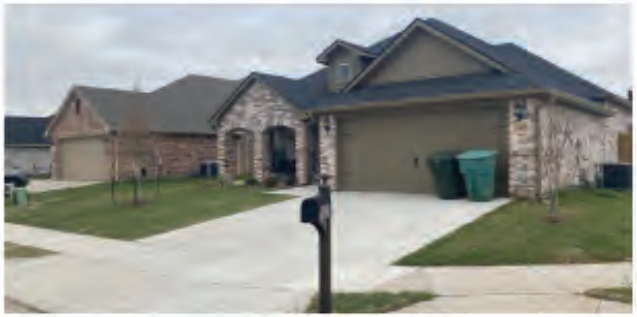
- Single-family detached (primary land use type)
- Single-family attached (duplexes and townhomes)
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

Compatible Zoning Districts

- Estate Residential
- Single-Family Residential (R-12, R-6, R-5, and R-4)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Neighborhood Commercial
- Planned Development

Considerations

- Street connections to existing and future developments.
- Smaller lots and denser development can serve as a transition from the local commercial areas.



Example of existing suburban development in Sherman

6017 Main Street
Frisco, TX 75034
469.458.7300

Project Narrative
For a
Zoning Change Application

Submitted on behalf of:
Frostfire Hwy 82, LLC
12801 N Central Expwy, Suite 140
Dallas, TX 75243
Mr. Bhadresh Trivedi
Bhadresh.trivedi@yahoo.com

Submitted to:

The City of Sherman, Texas
Development Services
220 W Mulberry
PO Box 1106
Sherman, TX 75091

May 23, 2022

Frostfire Hwy 82, LLC is pleased to submit this Project Narrative statement along with our application to The City of Sherman to request a Zoning Change with our application. This application, if approved, will allow for the development of a mixed use development consisting of commercial uses, residential uses, and light manufacturing uses on approximately 74 acres, located northeast of the intersection of US-82 and Frisco Rd.

The project parcel is currently zoned with a mix of M-1, R-1, and R-2. Which allows Multi-family, Industrial, and Single family. The intended zoning being proposed consist of R-2 and C-2 with a Specific use Permit request to allow mini-storage which is close to the current zoning. Our desire is to create a development that allows for a more successful over all planned development that would include commercial/retail along US 82, Self-storage & flex office next to the railroad, and the remaining property to be residential/multi-family.

The commercial uses along US-82 and will allow Retail, Commercial, Fast Food, & Fuel station to capture business and continue the retail corridor spillover from Texoma Parkway. The proposed multifamily residential will offer people that prefer to rent a quality development that offers a pool, and clubhouse with amenity center.

With regards to traffic, a TIA was performed. Currently Baker Rd does not connect to US 82. This development is proposing and offering to construct a connection between Baker Rd & Baker Ridge Rd that would than allow traffic to directly connect onto US 82 from this development and neighborhoods to the North. Baker Rd would be widened between Grayson Dr & US 82 Westbound Frontage Rd to a two-lane undivided paved asphalt road with 12 feet wide lanes. Also, Grayson Dr is planned to be widened to a full two-lane road.

Our team strongly believes that the mixed-use zoning changes that are being requested will create better balance to the overall 74ac property. The entire development team looks forward to working with The City of Sherman to make this a successful project in the North West part of Sherman. We respectfully request your support for this of Zoning Change.

Respectfully,

Mathias Haubert, P.E.

~ PROPERTY ADDRESS ~
TBD, U.S. HWY 82
SHERMAN, TEXAS

Reuben Hendrix Survey
Abstract No. 504

19.949 AC
LLOYD PLYLER CONSTRUCTION, LLP
VOL. 4897, PG. 546
O.P.R.G.C.T.

Block 1
VILLAGE DRIVE
Cedar Park Village
Vol. 14, Pg. 11 P.R.G.C.T.
Block 2
25' ROADWAY DEDICATION

1/2" STEEL ROD FOUND O/S 25.1'
S 89°47'33" E 726.67'
RAILROAD SPIKE FOUND
N 89°28'30" E © 323.37'
1/2" STEEL ROD FOUND
S 89°13'15" E 288.82'
1/2" STEEL ROD FOUND
E. GRAYSTONE DRIVE

SURVEY LINE

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)

N
W E
S

20' UTILITY EASEMENT
CITY OF SHERMAN
VOL. 1626, PG. 461
D.R.G.C.T.

N 20°38'26" E 395.43'

1/2" STEEL ROD SET (RPLS 6720)

1/2" STEEL ROD SET (RPLS 6720)

N. FRISCO ROAD
BURLINGTON NORTHERN SANTA FE RAILROAD

1034.50'

1.00 AC
DENNIS JAKE RICHARDSON
DOCUMENT NO. 2020-28584
O.P.R.G.C.T.

S 00°36'23" W

50' WIDE STRIP
LUIS H. GUTIERREZ
VOL. 3778, PG. 292
O.P.R.G.C.T.

1202.73'

20' UTILITY EASEMENT
CITY OF SHERMAN
VOL. 1626, PG. 461
D.R.G.C.T.

SURVEY LINE

20' UTILITY EASEMENT
CITY OF SHERMAN
VOL. 1626, PG. 438
D.R.G.C.T.

20' UTILITY EASEMENT
CITY OF SHERMAN
VOL. 1626, PG. 445
D.R.G.C.T.

N 20°38'26" E

DESCRIBED LOCATION OF
T.P.L.C. EASEMENT
VOL. 584, PG. 349
D.R.G.C.T.

CHANNEL EASEMENT
CITY OF SHERMAN
VOL. 1417, PG. 769
D.R.G.C.T.

T.P.&L. EASEMENT
VOL. 1144, PG. 714
D.R.G.C.T.

1/2" STEEL ROD SET (RPLS 6720)

L4 CONCRETE MONUMENT
N 70°19'34" W 704.00'---
CONCRETE MONUMENT
N 76°26'34" W 674.65' C1
CONCRETE MONUMENT
L2 L1
MAG NAIL SET (RPLS 6720)
CONCRETE MONUMENT
CONCRETE MONUMENT

Tract 1
74.424 Acres

Samuel McGlothlen Survey
Abstract No. 811

RAILROAD SPIKE FOUND

BAKER ROAD

1093.73'

S 00°51'05" W

227.333 AC
FORTERRA PIPE & PRECAST, LLC
DOCUMENT NO. 2018-2682
O.P.R.G.C.T.

Legend

- PP POWER POLE
- GUY ANCHOR
- FH FIRE HYDRANT
- G GAS MARKER
- GAS VALVE
- S SEWER MANHOLE
- C UNDERGROUND CABLE MARKER
- T TELEPHONE PEDESTAL
- BOUNDARY LINE
- PROPERTY LINE
- OHE OVERHEAD ELECTRIC LINE
- G GAS LINE
- x BARBWIRE FENCE

U.S. HIGHWAY NO. 82

1/2" STEEL ROD FOUND
S 82°34'34" E 413.63'
S 76°26'34" E 674.65' C2
CONCRETE MONUMENT
L7 L8
MAG NAIL SET (RPLS 6720)
CONCRETE MONUMENT
1/2" STEEL ROD FOUND

12.37 AC
RPM xCONSTRUCTION, LLC
VOL. 5722, PG. 306
O.P.R.G.C.T.

Tract 2
19.172 Acres

N 00°50'02" E 704.29'

20' UTILITY EASEMENT
CITY OF SHERMAN
VOL. 1626, PG. 461
D.R.G.C.T.

30' UTILITY EASEMENT
CITY OF SHERMAN
VOL. 1626, PG. 441
D.R.G.C.T.

WATER LINE EASEMENT
VOL. 3143, PG. 327
O.P.R.G.C.T.

329.30'
S 00°29'31" W

186.679 AC
POZA INVESTMENTS, L.P.
VOL. 4090, PG. 473
O.P.R.G.C.T.

RAILROAD SPIKE FOUND
327.45'
L6
N 89°20'30" W
P/K NAIL FOUND
1/2" STEEL ROD FOUND
N 89°28'12" W 930.50'
1/2" STEEL ROD FOUND
SURVEY LINE

George W. McGlothlen Survey
Abstract No. 827

Castle Heights Addition
Vol. 2, Pg. 46 P.R.G.C.T.

Block 1 · Block 3 · Block 5 · Block 2 · Block 4 · Block 6
DUCHESS DRIVE · N. DUKE DRIVE

7.063 AC
VULFRANO GALAN
DOCUMENT NO.
2020-22025
O.P.R.G.C.T.

SURVEY LINE

0 200 400
SCALE ~ 1" = 200'

186.679 AC
POZA INVESTMENTS, L.P.
VOL. 4090, PG. 473
O.P.R.G.C.T.

Flemming Jennings Survey
Abstract No. 638

LINE	BEARING	DISTANCE
L1	S 77°55'50" W	28.22'
L2	S 73°12'26" W	143.20'
L3	N 70°19'34" W	198.22'
L4	N 76°26'34" W	232.60'
L5	N 00°30'53" E	211.86'
L6	N 89°06'33" W	204.01'
L7	S 43°23'34" E	144.20'
L8	S 74°20'58" E	22.44'

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	11608.61'	172.22'	172.22'	N 76°01'05" W	0°51'00"
C2	11309.16'	276.28'	276.27'	S 75°44'34" E	1°23'59"

See Attached Legal Descriptions

I, John C. Copley, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429
DATE OF SURVEY: 1/4/2021

STATE OF TEXAS REGISTERED JOHN C. COPLEY 6720 PROFESSIONAL LAND SURVEYOR

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75076
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

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Copley Land Surveying, Inc.
All rights reserved.

CLS Job# 20120474

C-2 Zoning

BEING a tract of land situated in the City of Sherman in the County of Grayson, being part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504, being part of a called 74.424 acre tract of land described in a Special Warranty Deed to Frostfire Hwy 82, LLC, recorded in Instrument Number 2022-5245, Official Public Records, Grayson County, Texas and being more particularly described as follows:

COMMENCING at a five-eighths inch iron rod with a plastic cap stamped "Copley RPLS 6720" found at the southwest corner of said 74.424 acre tract of land, said capped iron rod being at the intersection of the north line of Highway 82(a variable width right-of-way) and the east line of the Burlington Northern Santa Fe Railroad;

THENCE along the south line of said 74.474 acre tract of land and the north line of said Highway 82, the following courses and distances:

THENCE South 76 degrees 25 minutes 54 seconds East, a distance of 232.60 feet to a point;

THENCE South 70 degrees 18 minutes 54 seconds East, a distance of 368.65 feet to the **POINT OF BEGINNING**;

THENCE over and across said 74.424 acre tract of land, the following courses and distances:

North 19 degrees 29 minutes 39 seconds East, a distance of 243.56 feet to a point for corner;

North 25 degrees 05 minutes 33 seconds East, a distance of 41.12 feet to a point for corner;

South 64 degrees 55 minutes 29 seconds East, a distance of 235.99 feet to a point for corner;

South 75 degrees 09 minutes 02 seconds East, a distance of 654.76 feet to a point for corner, said point being at the beginning of a non-tangent curve to the left;

In a southeasterly direction a distance of 235.73 feet, having a central angle of 18 degrees 50 minutes 54 seconds, a radius of 716.58 feet, a tangent length of 118.94 feet and whose chord bears South 82 degrees 24 minutes 09 seconds East a distance of 234.67 feet to a point for corner;

South 89 degrees 08 minutes 27 seconds East, a distance of 128.92 feet to a point for corner at the west right-of-way line of Baker Road;

THENCE South 00 degrees 51 minutes 45 seconds West, a distance of 231.85 feet to a point for corner;

THENCE along the north right-of-way line of Highway 82 the following courses and distances:

South 77 degrees 56 minutes 30 seconds West, a distance of 28.22 feet to a point for corner;

South 73 degrees 13 minutes 06 seconds West, a distance of 143.20 feet to point for corner, said point being at the beginning of a non-tangent curve to the left;

In a northwesterly direction, a distance of 172.25 feet, having a central angle of 00 degrees 51 minutes 01 seconds, a radius of 11,608.61 feet, a tangent length of 86.13 feet and whose chord bears North 75 degrees 58 minutes 01 seconds West a distance of 172.25 feet to a point for corner;

North 70 degrees 18 minutes 54 seconds West, a distance of 335.35 feet to a point for corner;

THENCE over and across said 74.424 acres tract of land the following courses and distances:
the **POINT OF BEGINNING** and containing 343,502 square feet or 7.886 acres of land.

C-2 Zoning

BEING a tract of land situated in the City of Sherman in the County of Grayson, being part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504, being part of a called 74.424 acre tract of land described in a Special Warranty Deed to Frostfire Hwy 82, LLC, recorded in Instrument Number 2022-5245, Official Public Records, Grayson County, Texas and being more particularly described as follows:

COMMENCING at five-eighths inch iron with a plastic cap stamped "Copley RPLS 6720" found at an angle point of said 74.424 acre tract of land, said capped iron rod being in the west line of said 74.424 acre tract of land east line of the Burlington North Santa Fe Railroad;

THENCE South 00 degrees 31 minutes 33 seconds West, a distance of 211.86 feet to a point for corner;

THENCE South 20 degrees 39 minutes 06 seconds West, a distance of 436.63 feet to the **POINT OF BEGINNING;**

THENCE over and across said 74.424 acre tract of land, the following courses and distances:

South 89 degrees 24 minutes 15 seconds East, a distance of 645.61 feet to a point for corner;

South 75 degrees 57 minutes 22 seconds East, a distance of 158.36 feet to a point for corner;

South 15 degrees 02 minutes 29 seconds West, a distance of 707.90 feet to a point for corner;

North 64 degrees 55 minutes 29 seconds West, a distance of 235.99 feet to a point for corner;

South 25 degrees 05 minutes 33 seconds West, a distance of 41.12 feet to a point for corner;

South 19 degrees 29 minutes 39 seconds West, a distance of 243.56 feet to a point for corner, said point being in the south line of said 74.474 acre tract of land and the north line of Highway 82(a variable width right-of-way);

THENCE along the south line of said 74.424 acre tract of land and the north line of said Highway 82, the following courses and distances:

North 70 degrees 18 minutes 54 seconds West, a distance of 368.65 feet to point for corner;

North 76 degrees 25 minutes 54 seconds West, a distance of 232.60 feet to a one-half inch capped iron rod found;

North 20 degrees 39 minutes 06 seconds East, a distance of 766.10 feet to the **POINT OF BEGINNING** and containing 645,517 square feet or 14.819 acres of land.

R-2 Zoning

BEING a tract of land situated in the City of Sherman in the County of Grayson, being part of the Samuel McGlothlen Survey, Abstract No. 811 and the Ruben Hendrix Survey, Abstract No. 504, being part of a called 74.424 acre tract of land described in a Special Warranty Deed to Frostfire Hwy 82, LLC, recorded in Instrument Number 2022-5245, Official Public Records, Grayson County, Texas and being more particularly described as follows:

BEGINNING at five-eighths inch iron with a plastic cap stamped "Copley RPLS 6720" found at an angle point of said 74.424 acre tract of land, said capped iron rod being in the west line of said 74.424 acre tract of land east line of the Burlington North Santa Fe Railroad;

THENCE North 20 degrees 39 minutes 06 seconds East, a distance of 395.45 feet along the west line of said 74.424 acre tract of land east line of the Burlington North Santa Fe Railroad to a point for corner at the northwest corner of said 74.424 acre tract of land, said capped iron rod being in or near centerline of E. Grayson Road

THENCE along or near the centerline of said E. Grayson Road, the following courses and distances:

South 89 degrees 46 minutes 20 seconds East, a distance of 726.67 feet to a point for corner;

North 89 degrees 29 minutes 10 seconds East, a distance of 323.37 feet to a point for corner;

South 89 degrees 14 minutes 35 seconds East, a distance of 288.83 feet to a point for corner at the northeast corner of said 74.424 acre tract of land;

THENCE in or near the centerline of Baker Road (a variable width right-of-way), the following courses and distances:

South 00 degrees 37 minutes 03 seconds West, a distance of 1054.50 feet to a point for corner;

South 00 degrees 51 minutes 45 seconds West, a distance of 861.88 feet to a point for corner;

THENCE over and across said 74.424 acre tract of land, the following courses and distances:

North 89 degrees 08 minutes 27 seconds West, a distance of 128.92 feet to the beginning of a non-tangent curve to the right;

In a northwesterly direction, a distance of 235.73 feet, having a central angle of 18 degrees 50 minutes 54 seconds, a radius of 716.58 feet, a tangent length of 118.94 feet, whose chord bears North 82 degrees 24 minutes 09 seconds West a distance of 234.67 feet to a point for corner;

North 75 degrees 09 minutes 02 seconds West, a distance of 654.76 feet to a point for corner;

North 15 degrees 02 minutes 29 seconds East, a distance of 707.90 feet to a point for corner;

North 75 degrees 57 minutes 22 seconds West, a distance of 158.36 feet to a point for corner;

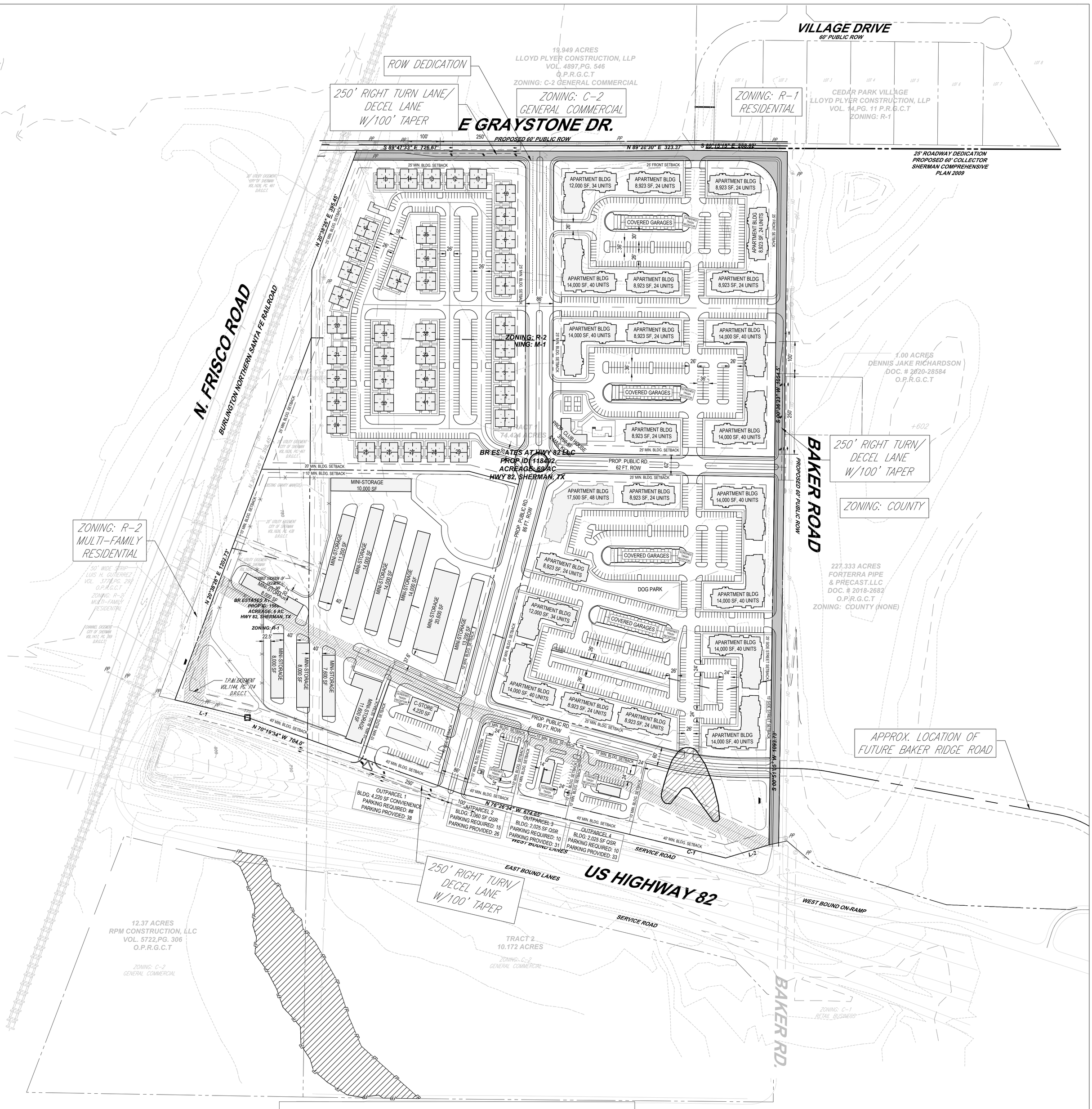
North 89 degrees 24 minutes 15 seconds West, a distance of 645.61 feet to a point for corner, said point being in the west line of said 74.424 acre tract of land and the east line of said Burlington Railroad;

THENCE along the west line of said 74.424 acre tract of land and the east line of said Burlington Railroad, the following courses and distances:

North 20 degrees 39 minutes 06 seconds East, a distance of 436.63 feet to a point for corner;

North 00 degrees 31 minutes 33 seconds East, a distance of 211.86 feet to a point for corner;

the **POINT OF BEGINNING** and containing 2,252,823 square feet or 51.718 acres of land.



SITE DATA

SHERMAN, TEXAS
MAY 23, 2022
PROJECT NUMBER: TXA220010

EXISTING PROPERTY INFORMATION
PIN: 156872 AND 118492
ADDRESS: HWY 82, SHERMAN, TEXAS
TOTAL ACREAGE: +/- 75 ACRES
EXISTING ZONING: M-1, C-2 AND R-2
PROPOSED ZONING: M-1, C-2, R-2
OVERLAY: O-1 (HIGHWAY 82), 500' FROM ROW

SETBACKS:
OVERLAY DISTRICT: O-1 (HIGHWAY 82)
HIGHWAY FRONTAGE: 40' OR 25; PLUS
HT. OF BLDG.
INTERNAL STREETS: 15'
REAR/SIDE: 5'
R-2, MULTI-FAMILY
FRONT: 25'
SIDE SETBACK/YARD: 23' (MIN. 7')
REAR SETBACK/YARD: 25'
C-2, COMMERCIAL
FRONT: 15'
SIDE SETBACK/YARD: 10'
REAR SETBACK/YARD: 0'

LAND USES:

COMMERCIAL:
ACREAGE: +/- 6.44 AC (280,526 SF)
COMMUNITY OPEN SPACE: 2.20 AC (96,036 SF)
PROPOSED ZONING: C-2

OUTPARCEL 1
PARCEL SF: +/- 1.42 AC (61,921 SF)
BUILDING SF: 4,228 SF
HARD SUFACE AREA: 33,151 SF
LANDSCAPE AREA: 24,542 SF
FLOOR/AREA RATIO: 0.01

OUTPARCEL 2
PARCEL SF: +/- 0.81 ac (35,077 SF)
BUILDING SF: 3,064 SF
HARD SUFACE AREA: 15,000 SF
LANDSCAPE AREA: 17,013 SF
FLOOR/AREA RATIO: 0.09

OUTPARCEL 3
PARCEL SF: +/- 0.93 AC (40,647 SF)
BUILDING SF: 2,025 SF
HARD SUFACE AREA: 22,927 SF
LANDSCAPE AREA: 15,695 SF
FLOOR/AREA RATIO: 0.05

OUTPARCEL 4
PARCEL SF: +/- 1.08 AC (47,182 SF)
BUILDING SF: 2,025 SF
HARD SUFACE AREA: 24,271 SF
LANDSCAPE AREA: 20,886 SF
FLOOR/AREA RATIO: 0.04

RIGHT-OF-WAY
EXISTING DEDICATION: +/- 1.48 AC (64,685 SF)
INTERNAL ROW: 6.57 AC (285,976 SF)
HARD SURFACE AREA: 3.39 AC (147,809 SF)
LANDSCAPE AREA: 3.17 AC (138,167 SF)

NOTES:
1. PARKING SHALL MEET STANDARDS OF CITY OF SHERMAN UDO
2. FIRE LANES SHALL MEET CITY OF SHERMAN STANDARDS
3. BUILDING DESIGN REQUIREMENTS SHALL BE MET PER ORDINANCE
4. SECTION 6.13.1 O-I (HWY 82) OVERLAY DISTRICT. 500 FT ON EITHER SIDE OF HWY 82

RESIDENTIAL:
ACREAGE: +/- 44.31 AC (1,930,178 SF)
PROPOSED ZONING: R-2

APARTMENTS
PARCEL SF: +/- 29.34 AC (1,278,056 SF)
BUILDING SF: 265,653 SF
AMENITY BLDG.: 3,750 SF
HARD SUFACE AREA: 684,881 SF
LANDSCAPE AREA: 323,772 SF
FLOOR/AREA RATIO: 0.62

TOWNHOMES
PARCEL SF: +/- 14.97 AC (652,122 SF
BUILDING SF: 128,000 SF
HARD SUFACE AREA: 175,590 SF
LANDSCAPE AREA: 348,532 SF
FLOOR/AREA RATIO: 0.20

MANUFACTURING:
ACREAGE: +/- 14.82 AC (645,559 SF)
PROPOSED ZONING: M-1

MINI-STORAGE
PARCEL SF: +/- 14.82 AC
TOTAL BUILDING SF: 140,200 SF
HARD SUFACE AREA: 272,703 SF
LANDSCAPE AREA: 232,656 SF
FLOOR/AREA RATIO: 0.22

SITE DATA

PARCEL 1
PROP ID: 156872
OWNER: BR ESTATES AT HWY 82 LLC
ACREAGE: 6 AC
ZONING: R-1

PARCEL 2
PROP ID: 118492
OWNER: BR ESTATES AT HWY 82 LLC
ACREAGE: 69 AC
ZONING: M-1, R-2

\\BOHLERENG.NET\SHARES\TX-PROJECTS\2022\TXA220010.00\CAD\DRAWINGS\XREFS\X - PROP3----->LAYOUT: VERTICAL

BOHLER
6017 MAIN STREET
FRISCO, TX 75034
Phone: (469) 458-7300
TX@BohlerEng.com
TBPE No. 18065 | TBPLS No. 10194413

HIGHWAY 82 MIXED USE

SHERMAN, TEXAS | PLAN REV.

May 23, 2022 | KM | Project#TXA220010 | Rev

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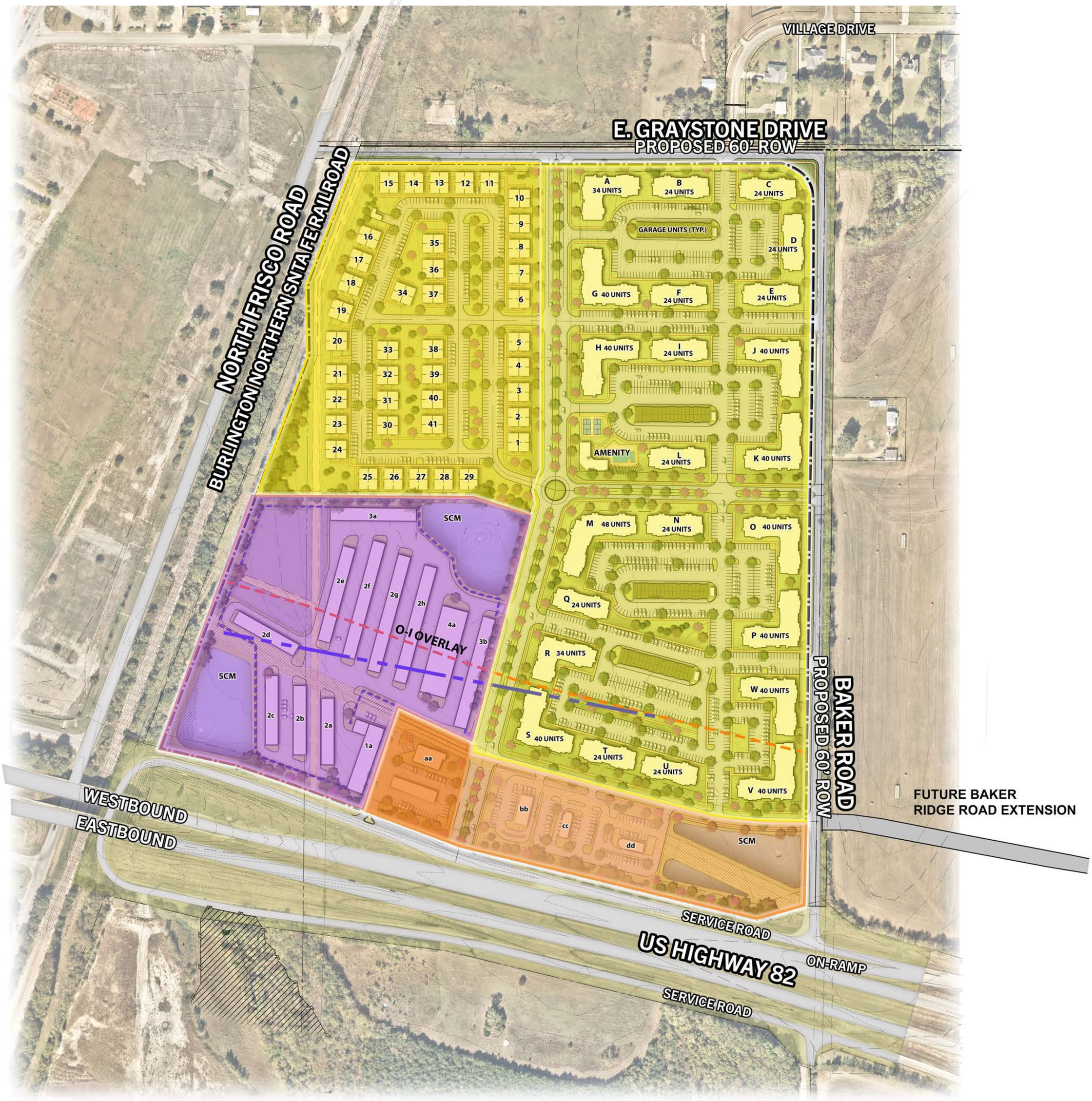


SITE DATA

SHERMAN, TEXAS
MAY 23, 2022
PROJECT NUMBER: TXA220010

EXISTING PROPERTY INFORMATION
PIN: 156872 (6 AC), 118492 (69 AC)
ADDRESS: HWY 82 SHERMAN, TEXAS
TOTAL ACREAGE: +/-75 ACRES
EXISTING ZONING: M-1, R-1 AND R-2
PROPOSED ZONING: M-1, C-2 AND R-2
OVERLAY DISTRICT: O-1 (HIGHWAY 82); 500' FROM ROW

PROPOSED USES:

C-2 ZONING: COMMERCIAL: +/- 6.44 ACRES

USE	BLDG;	PARCEL
C-STORE aa:	4,228 SF	1.42 AC
OUT-PARCEL bb:	3,064 SF	0.81 AC
OUT-PARCEL cc:	2,025 SF	0.93 AC
OUT-PARCEL dd:	2.025 SF	1.08 AC
OPEN SPACE:		3.99 AC

M-1 ZONING: MINI-STORAGE +/- 14.82 AC

USE	AREA
MINI-STORAGE:	140,200 SF
HARD SURFACE:	272,703 SF
OPEN SPACE:	232,656 SF

R-2 ZONING: APARTMENTS +/- 29.39 AC AC

USE:	AREA	UNIT COUNT
APARTMENTS:	265,653 SF	740 UNITS
***3-STORY GARDEN STYLE		
PARKING:		1,500 SPACES
HARD SURFACE AREA:	684,881 SF	
OPEN SPACE:	323,772 SF	

R-2 ZONING: TOWNHOMES +/- 14.97 AC

USE:	AREA	UNIT COUNT
TOWNHOMES:	128,000 SF	164 UNITS / 41 BLDGS.
PARKING:		350 SPACES
PAVEMENT:	175,590 SF	
OPEN SPACE:	348,532 SF	

RIGHT-OF-WAY
EXISTING DEDICATION: +/- 1.48 AC (64,685 SF)
INTERNAL ROW: 6.57 AC (285,976 SF)
HARD SURFACE AREA: 3.39 AC (147,809)
LANDSCAPE AREA: 3.17 AC)138,167 SF)

MASTER PLAN | MIXED USE EXHIBIT | MAY 2022

SHERMAN HIGHWAY 82 MIXED USE

SHERMAN, TEXAS

N W E S

150 75 37.5 0 150
1"=150'

BOHLER

SAMPLE MULTIFAMILY ELEVATIONS

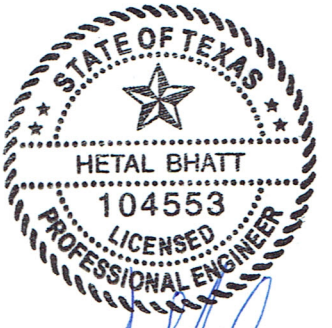
TRAFFIC IMPACT ANALYSIS FOR
MIXED-USE DEVELOPMENT ON GRAYSTONE DRIVE
SHERMAN, TEXAS

Prepared for:
Bohler Engineering
6017 Main Street
Frisco, TX 75034

Prepared by:

LEE ENGINEERING
3030 LBJ Freeway, Suite 1660
Dallas, Texas 75234
(972) 248-3006
TBPE Firm F-450

November 2022



11/04/2022

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INTRODUCTION

This traffic study was performed to analyze the potential traffic impacts of the proposed mixed-use development located to the southeast of the Graystone Drive and Frisco Road intersection in Sherman, Texas. A vicinity map of the study area is shown in **Figure 1,** and a site plan for the development is shown in **Figure 2**. The following elements were included in this study:

Data Collection

- Collected weekday AM and PM peak hour turning movement volumes at the following three (3) existing study intersections:
    - Frisco Road and Graystone Drive
    - Village Drive and Graystone Drive
    - Sistrunk Street and Dripping Spring Road
- Studied existing roadway configurations, surrounding land areas, and sight distance at the proposed access points.
- Obtained the proposed site plan, information related to planned roadway improvements, and other relevant information.

Traffic Analysis

- Assessed the general accessibility of the site.
- Estimated the number of trips that will be generated by the proposed development and other future development in the area.
- Estimated the directional distribution of traffic approaching / departing the proposed development during the AM and PM peak hours.
- Reviewed available historical and projected traffic volume data for the study area roadways.
- Determined the growth rate of traffic in the area and estimated non-site traffic volumes for the study area at site build-out.
- Assigned the estimated traffic to the street network.

Recommendations

- Determined if any roadway improvements are needed to accommodate projected traffic generated by the proposed development.

Documentation

- Prepared this report documenting the study procedures and results.

Figure 1: Vicinity Map of the Study Area

SITE DATA

SHERMAN, TEXAS
MAY 23, 2022
PROJECT NUMBER: TXA220010

EXISTING PROPERTY INFORMATION
PIN: 156872 AND 118492
ADDRESS: HWY 82, SHERMAN, TEXAS
TOTAL ACREAGE: +/- 75 ACRES
EXISTING ZONING: M-1, C-2 AND R-2
PROPOSED ZONING: M-1, C-2, R-2
OVERLAY: O-1 (HIGHWAY 82), 500' FROM ROW

SETBACKS:
OVERLAY DISTRICT: O-1 (HIGHWAY 82)
HIGHWAY FRONTAGE: 40' OR 25; PLUS
HT. OF BLDG.
INTERNAL STREETS: 15'
REAR/SIDE: 5'
R-2, MULTI-FAMILY
FRONT: 25'
SIDE SETBACK/YARD: 25' (MIN. 7')
REAR SETBACK/YARD: 25'
C-2, COMMERCIAL
FRONT: 15'
SIDE SETBACK/YARD: 10'
REAR SETBACK/YARD: 0'

LAND USES:

COMMERCIAL:
ACREAGE: +/- 6.44 AC (280,526 SF)
COMMUNITY OPEN SPACE: 2.20 AC (96,036 SF)
PROPOSED ZONING: C-2

OUTPARCEL 1
PARCEL SF: +/- 1.42 AC (61,921 SF)
BUILDING SF: 4,228 SF
HARD SUFACE AREA: 33,151 SF
LANDSCAPE AREA: 24,542 SF
FLOOR/AREA RATIO: 0.01

OUTPARCEL 2
PARCEL SF: +/- 0.81 ac (35,077 SF)
BUILDING SF: 3,064 SF
HARD SUFACE AREA: 15,000 SF
LANDSCAPE AREA: 17,013 SF
FLOOR/AREA RATIO: 0.09

OUTPARCEL 3
PARCEL SF: +/- 0.93 AC (40,647 SF)
BUILDING SF: 2,025 SF
HARD SUFACE AREA: 22,027 SF
LANDSCAPE AREA: 15,695 SF
FLOOR/AREA RATIO: 0.05

OUTPARCEL 4
PARCEL SF: +/- 1.08 AC (47,182 SF)
BUILDING SF: 2,025 SF
HARD SUFACE AREA: 24,271 SF
LANDSCAPE AREA: 20,886 SF
FLOOR/AREA RATIO: 0.04

RIGHT-OF-WAY
EXISTING DEDICATION: +/- 1.48 AC (64,685 SF)
INTERNAL ROW: 6.57 AC (285,976 SF)
HARD SURFACE AREA: 3.39 AC (147,809 SF)
LANDSCAPE AREA: 3.17 AC (138,167 SF)

RESIDENTIAL:
ACREAGE: +/- 44.31 AC (1,930,179 SF)
PROPOSED ZONING: R-2

APARTMENTS
PARCEL SF: +/- 29.34 AC (1,278,056 SF)
BUILDING SF: 265,653 SF
AMENITY BLDG.: 3,758 SF
HARD SUFACE AREA: 686,381 SF
LANDSCAPE AREA: 323,772 SF
FLOOR/AREA RATIO: 0.62

TOWNHOMES
PARCEL SF: +/- 14.97 AC (652,122 SF
BUILDING SF: 128,000 SF
HARD SUFACE AREA: 175,590 SF
LANDSCAPE AREA: 348,532 SF
FLOOR/AREA RATIO: 0.20

MANUFACTURING:
ACREAGE: +/- 14.82 AC (645,559 SF)
PROPOSED ZONING: M-1

MINI-STORAGE
PARCEL SF: +/- 14.82 AC
TOTAL BUILDING SF: 140,200 SF
HARD SUFACE AREA: 272,703 SF
LANDSCAPE AREA: 232,656 SF
FLOOR/AREA RATIO: 0.22

NOTES:
1. PARKING SHALL MEET STANDARDS OF CITY OF SHERMAN UDO
2. FIRE LANES SHALL MEET CITY OF SHERMAN STANDARDS
3. BUILDING DESIGN REQUIREMENTS SHALL BE MET PER ORDINANCE
4. SECTION 6.13.1 O-1 (HWY 82) OVERLAY DISTRICT, 500 FT ON EITHER SIDE OF HWY 82

MASTER PLAN | MAY 2022

SHERMAN HIGHWAY 82 MIXED USE

SHERMAN, TEXAS

BOHLER

LEE ENGINEERING
3030 LBJ FREEWAY, SUITE 1660
DALLAS, TX 75234
PHONE: 972-248-3006
TBPE FIRM NO. F-450

Proposed Site Plan

Figure 2

SITE ACCESSIBILITY

Site accessibility describes the ease with which vehicles can get to and from a development. A site's accessibility is affected by the geographical location of the development with respect to other activity areas, the roadway system, and physical restraints such as rivers or lakes.

The existing lane configurations for the adjacent roadways are provided in **Figure 3**. The following paragraphs provide a description of the study area roadways. Any reference to Thoroughfare Plan implies Map 4.2 of the Comprehensive Plan (2022 update).

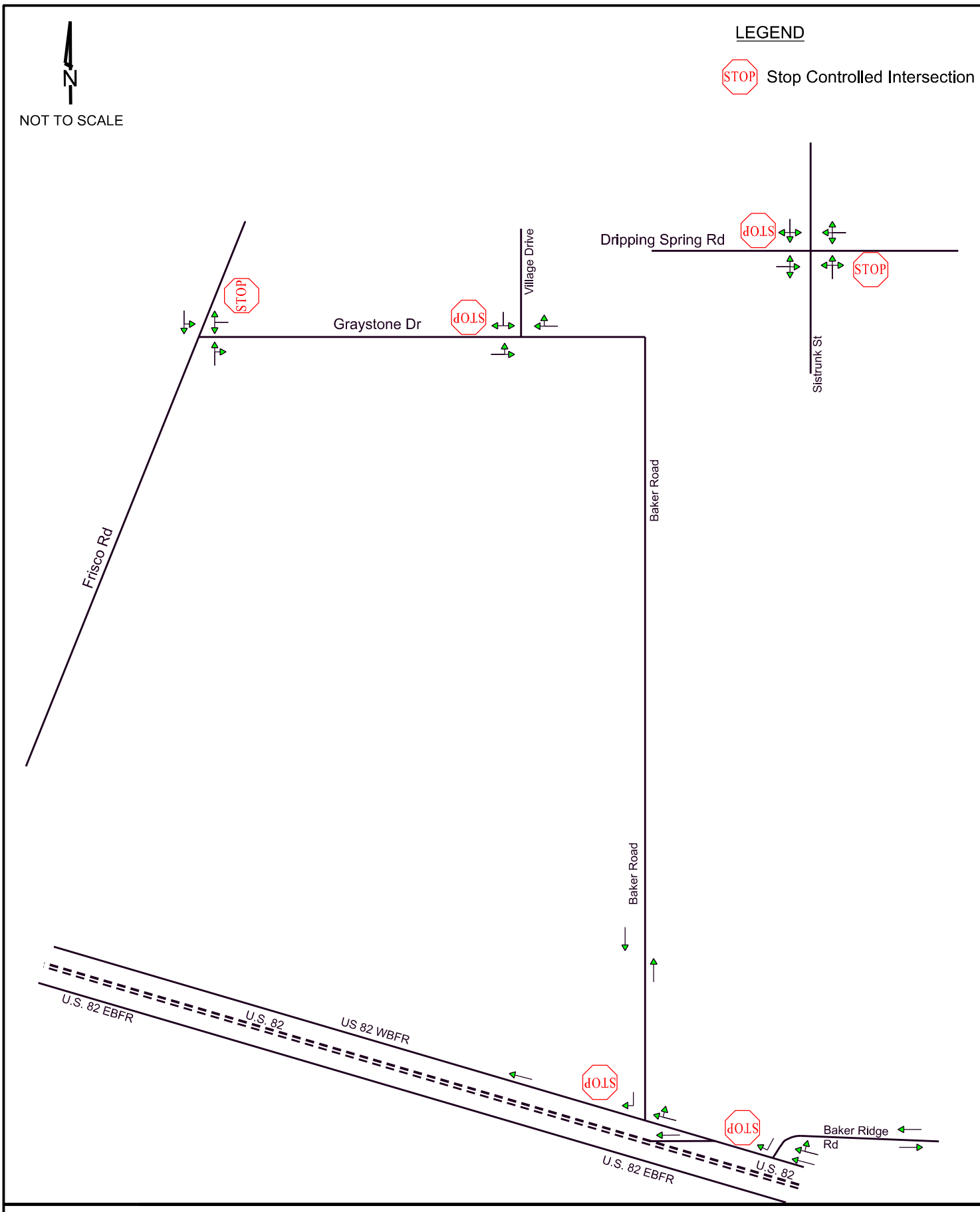
Graystone Drive – Graystone Drive is an east-west roadway north of the proposed development. Its assumed speed limit is 30 miles per hour (mph) since a posted speed limit was not observed during the site visit. During site observations, the width of the roadway was measured at 19 feet. Graystone Drive is a two-lane undivided roadway that is classified as a Collector Street in the City of Sherman Thoroughfare plan. Two access points to the proposed development will be located on Graystone Drive.

Based on the information provided by Bohler Engineering, the project will widen this roadway between Village Drive and Baker Road to a two-lane undivided asphalt roadway with 12 feet wide lanes. Based on the virtual meeting held between Lee Engineering, Bohler Engineering, and the City Staff, we understood that the proposed development to the north of Graystone Drive will widen this roadway to a two-lane divided roadway with 12 feet wide lanes between Frisco Road and Village Drive.

Frisco Road – Frisco Road is a north-south roadway west of the proposed development with a posted speed limit of 35 mph. Frisco Road is a two-lane undivided roadway that is classified as a Collector Street in the City of Sherman Thoroughfare plan. To the southwest of the site, Frisco Road connects to US 82, a major roadway in the area. However, due to a railroad line that parallels Frisco Road on its east side, the connection to US 82 is only directly to and from the west. Trips to and from US 82 to the east must U-turn at Texoma Parkway (SH 91) 0.25 miles to the west.

Village Drive – Village Drive is a short residential street northeast of the proposed development. It has an assumed speed limit of 30 mph since a posted speed limit was not observed during the site visit. Village Drive is a two-lane undivided roadway that is classified as a Local Street in the City of Sherman Thoroughfare plan.

Dripping Spring Road – Dripping Spring Road is an east-west roadway approximately a half mile north of the proposed development. It has an assumed speed limit of 30 mph since a posted speed limit was not observed during the site visit. Dripping Spring Road is a two-lane undivided roadway that is classified as a Minor Arterial in the City of Sherman Thoroughfare Plan.



LEE ENGINEERING
3030 LBJ FREEWAY, SUITE 1660
DALLAS, TX 75234
PHONE: 972-248-3006
TBPE FIRM NO. F-450

Existing Intersection Lane Configurations

Figure 3

Sistrunk Street – Sistrunk Street is a short north-south residential street located northeast of the proposed development. It has an assumed speed limit of 30 mph since a posted speed limit was not observed during the site visit. Sistrunk Street is a two-lane undivided roadway that is classified as a Local Street in the City of Sherman Thoroughfare Plan.

Baker Road – Baker Road is a north-south roadway east of the proposed development. It has an assumed speed limit of 30 mph since a posted speed limit was not observed during the site visit. Baker Road is a two-lane undivided roadway that is classified as a Local Street in the City of Sherman Thoroughfare plan. During site observations, the width of the roadway was measured at 19 feet. Based on the information provided by Bohler Engineering, the project will widen this roadway between Grayson Drive and US 82 Westbound Frontage Road to a two-lane undivided asphalt roadway with 12 feet wide lanes.

Baker Ridge Road – Baker Ridge Road is an east-west roadway southeast of the proposed development. It has an assumed speed limit of 30 mph since a posted speed limit was not observed during the site visit. Baker Ridge Road is a two-lane undivided roadway that is classified as a Local Street in the City of Sherman Thoroughfare plan. As per discussions with the developer, Baker Ridge Road is planned to be connected to Baker Road by a new two-way roadway link by the Build-Out Year (2028). The new connection will facilitate access from the development to the on-ramp for the westbound US 82 main lanes via the intersection of Baker Ridge Road and the US 82 Westbound Frontage Road (WBFR).

Based on the information provided by Bohler Engineering, the project will construct the proposed Baker Road connection to Baker Ridge Road. This connection will be a two-lane undivided asphalt roadway with 12 feet wide lanes.

US 82 Westbound Frontage Road – US 82 Westbound frontage road is an east-west roadway south of the proposed development. Based on the TxDOT statewide planning map, the speed limit on the frontage road is assumed to be 55 mph since a posted speed limit was not observed during the site visit. The US 82 westbound frontage road is a two-lane one-way roadway entering the study area from the east. The left-hand lane drops to the on-ramp for the US 82 main lanes just east of the Baker Road intersection.

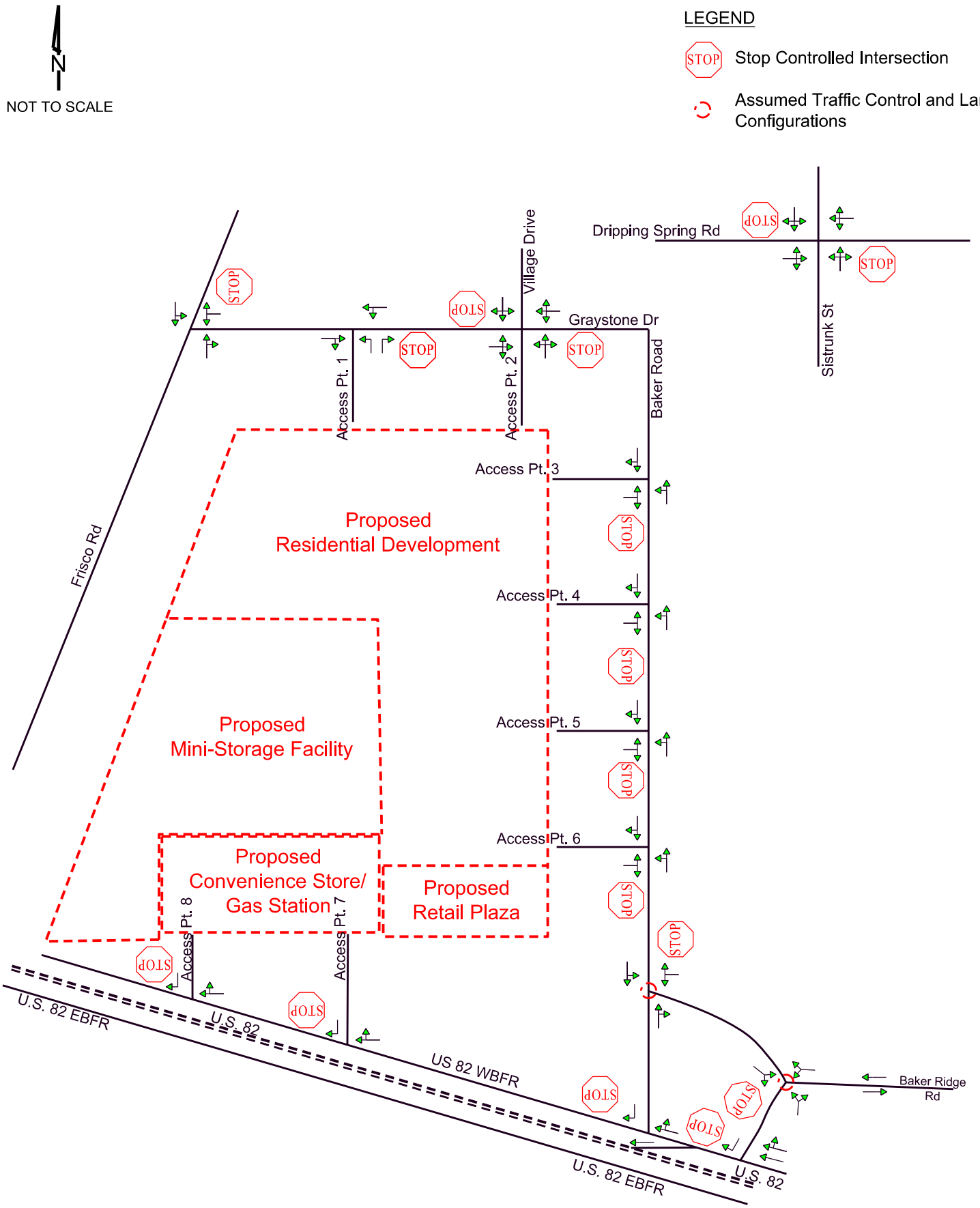
The westbound frontage road continues as a single-lane roadway to the west of the on-ramp and adjacent to the proposed site. The frontage road U-turns underneath the US 82 main lanes near the southwest corner of the proposed mixed-use development and before the rail lane parallel to Frisco Road. This requires all traffic on the westbound frontage road to travel via the US 82 eastbound frontage road before connecting to other routes.

The proposed lane configurations are shown in **Figure 4**.

Access to the proposed mixed-use development will be provided by two access points on Graystone Drive, four access points on Baker Road, and two access points on the US 82 WBFR:

- Access Point 1 will be located on Graystone Drive, about 660 feet east of Frisco Road.
- Access Point 2 will be opposite Village Drive, about 450 feet east of Access Point 1.
- Access Points 3, 4, 5, and 6 will be located on Baker Road, about 475 feet, 950 feet, 1,450 feet, and 1,900 feet south of Graystone Drive, respectively. Access Point 6 will be about 320 feet north of the US 82 WBFR.
- Access Point 7 will be located on the US 82 WBFR approximately 1,000 feet west of Baker Road.
- Access Point 8 will be located on US 82 WBFR, about 1,300 feet west of Baker Road.

The proposed site access point locations and lane configurations are shown in Figure 4.



LEE ENGINEERING
3030 LBJ FREEWAY, SUITE 1660
DALLAS, TX 75234
PHONE: 972-248-3006
TBPE FIRM NO. F-450

Proposed Intersection Lane Configurations

Figure 4

PROPOSED DEVELOPMENT

The proposed mixed-use development on Graystone Drive is planned to include 740 multifamily housing lots, 164 single-family attached townhomes, 7,110 square feet of Retail Plaza, 140,200 square feet of Mini-Storage/Warehouse, and a Gas Station with 10 Vehicle Fueling Positions (VFP's) and a 4,228 square-foot Convenience Store. Based on discussions with the developer's representative, the Build-Out Year for the proposed development is planned to occur in 2028.

The number of trips generated by the proposed development is a function of the type and quantity of land uses within the development. The number of vehicle trips generated by the proposed development was estimated based on the trip generation rates and equations provided in the publication entitled *Trip Generation Manual, 11th Edition*, by the Institute of Transportation Engineers (ITE). Estimates of the number of trips generated by the site were made for the AM and PM peak hours, as well as on a daily basis. The trip generation characteristics for the proposed mixed-use development under Build-Out are shown in **Table 1**.

Table 1: Trip Generation Characteristics for Proposed Mixed-Use Development on Graystone Drive

Land Use (ITE Land Use)	ITE Code	Variable (X)	Average Weekday			AM Peak Hour			PM Peak Hour		
Equation/Rates[1]											
Multifamily Housing (Low-Rise)	220	Number of Dwelling Units	T = 6.41(X) + 75.31			T = 0.31(X) + 22.85			T = 0.43(X) + 20.55		
Single Family Attached Housing (Townhomes)	215	Number of Dwelling Units	T = 7.62(X) - 50.48			T = 0.52(X) - 5.70			T = 0.60(X) - 3.93		
Retail Plaza	822	1000 Sq Ft GFA	T = 42.20(X) + 229.68			T = 2.36(X)			Ln(T) = 0.71Ln(Y) + 2.72		
Mini-Storage/Warehouse	151	1000 Sq Ft GFA	T = 1.45(X)			T = 0.09(X)			T = 0.15(X)		
Convenience Store/Gas Station	945	Number of Vehicle Fueling Positions	T = 257.13(X)			T = 27.04(X)			T = 22.76(X)		
Convenience Store/Gas Station	945	1000 Sq Ft GFA	T = 560.88(X) + 548.79			T = 56.52(X)			T = 54.52(X)		
Directional Splits[2]											
Multifamily Housing (Low-Rise)	220	Number of Dwelling Units	50/50			24/76			63/37		
Single Family Attached Housing (Townhomes)	215	Number of Dwelling Units	50/50			31/69			57/43		
Retail Plaza	822	1000 Sq Ft GFA	50/50			60/40			50/50		
Mini-Storage/Warehouse	151	1000 Sq Ft GFA	50/50			59/41			47/53		
Convenience Store/Gas Station	945	Number of Vehicle Fueling Positions	50/50			50/50			50/50		
Convenience Store/Gas Station	945	1000 Sq Ft GFA	50/50			50/50			50/50		
Trips Generated											
Land Use	Amount	Variable (X)	Total	Enter	Exit	Total	Enter	Exit	Total	Enter	Exit
Multifamily Housing (Low-Rise)	740	Number of Dwelling Units	4,820	2,410	2,410	252	60	192	339	213	126
Single Family Attached Housing (Townhomes)	164	Number of Dwelling Units	1,200	600	600	80	25	55	94	53	41
Retail Plaza	7.11	1000 Sq Ft GFA	530	265	265	17	10	7	62	31	31
Mini-Storage/Warehouse	140.20	1000 Sq Ft GFA	204	102	102	13	8	5	21	10	11
Convenience Store/Gas Station	10	Number of Vehicle Fueling Positions	2,572	1,286	1,286	270	135	135	228	114	114
Total Trips			9,326	4,663	4,663	632	238	394	744	421	323
Internal Capture						8	4	4	86	43	43
TOTAL NEW TRIPS			**9,326**	**4,663**	**4,663**	**624**	**234**	**390**	**658**	**378**	**280**

[1]T = Trips Ends; X = Number of Dwelling Units; [2]XX / YY = % entering vehicles / % exiting vehicles; [3]Number of Dwelling Units

TRAFFIC VOLUMES

Existing Traffic Volumes

Existing weekday peak period turning movement counts at the three (3) existing study intersections were collected on Tuesday, May 10, 2022. Twenty-four-hour turning movement counts were collected at the intersection of Graystone Drive and Frisco Road, while peak period counts were collected at the other two intersections. Twenty-four-hour machine counts were also collected on the Baker Road and Baker Ridge Road study area roadways on Wednesday, August 3, 2022. **Figure 5** shows the existing traffic volumes collected for this traffic study. The raw traffic count data is provided in the **Appendix**.

Background Traffic Volumes

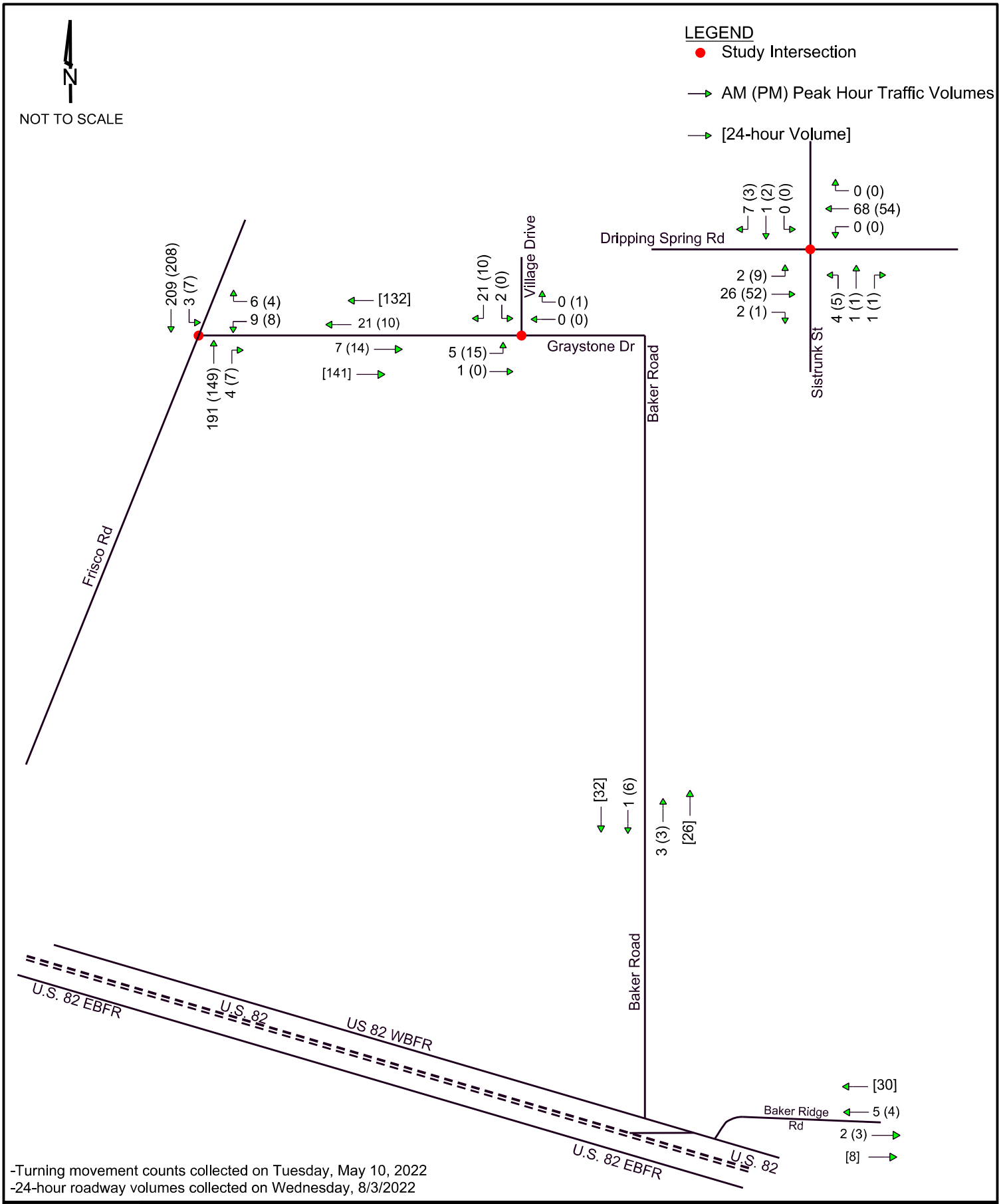
Historical average daily traffic (ADT) volumes in the study area were obtained from TxDOT's online Traffic Count Database System and are presented in **Table 2.**

Table 2: Historical Daily Traffic Counts

Year	Location	
	Frisco Road (S of Graystone Drive)	**Graystone Drive (E of Frisco Road)**
2008	3,630	380
2009	- - -	- - -
2010	- - -	- - -
2011	- - -	- - -
2012	- - -	- - -
2013	3,241	381
2014	- - -	- - -
2015	3,306	- - -
2016	- - -	- - -
2017	- - -	- - -
2018	3,026	322
2019	2,840	- - -
Average Annual Growth[1]	**-2% / -2%**	**-2% / -3%**

[1] Annual growth rate from 2008/2013 to 2019

The values in Table 2 show that traffic volumes on these area roadways have decreased over the past several years. However, for this traffic analysis, a conservative annual growth rate of 2% was used for determining background traffic volumes under Build-Out Year (2028) conditions. The existing traffic volumes on Baker Road are very low, and historical traffic volumes are not available, so the 2% growth rate rounds off to zero assumed growth along Baker Road. The resulting Build-Out Year (2028) Background traffic volumes are provided in **Figure 6**.



-Turning movement counts collected on Tuesday, May 10, 2022
-24-hour roadway volumes collected on Wednesday, 8/3/2022

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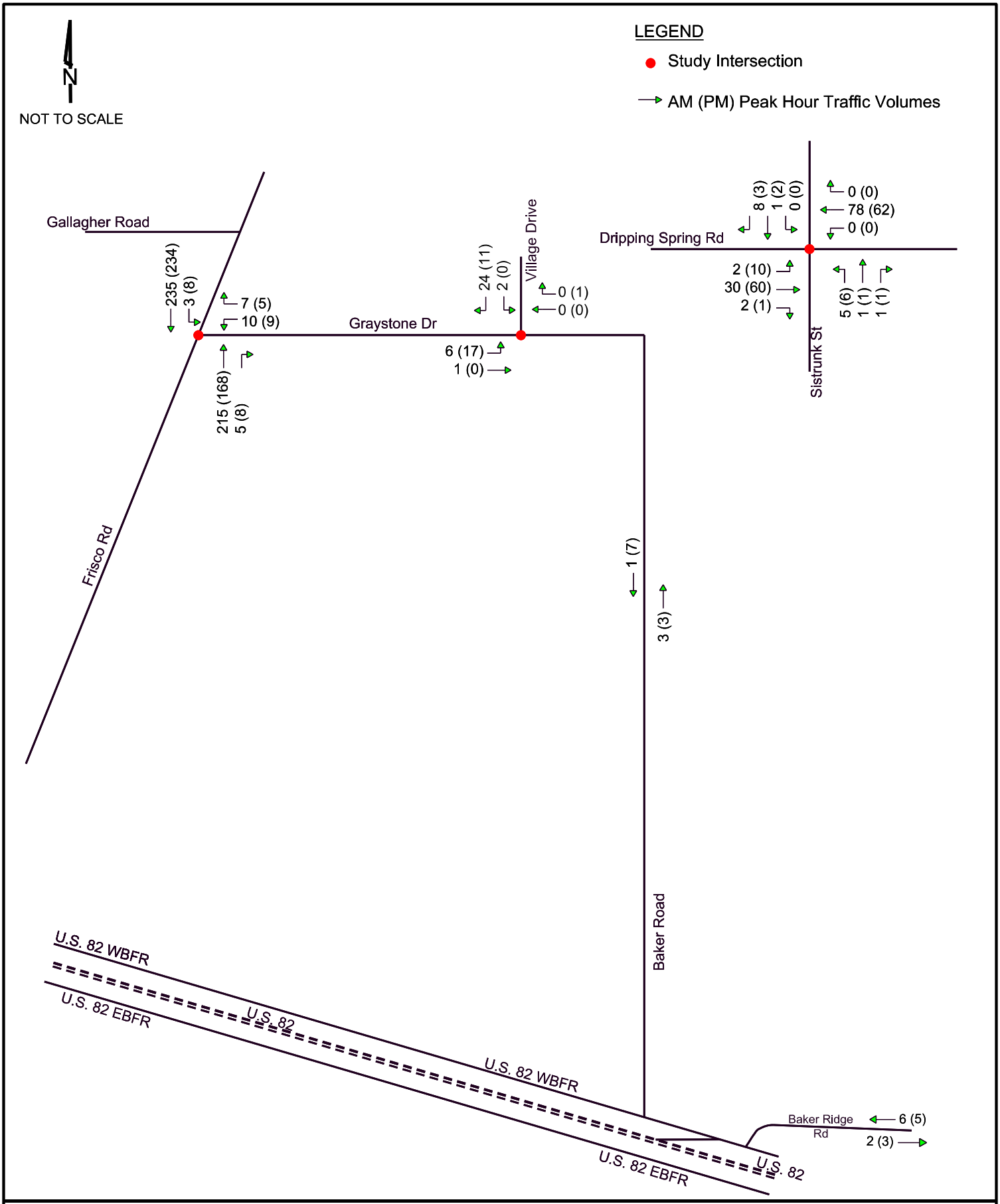
Existing (2022) Peak Hour Traffic Volumes

Figure 5



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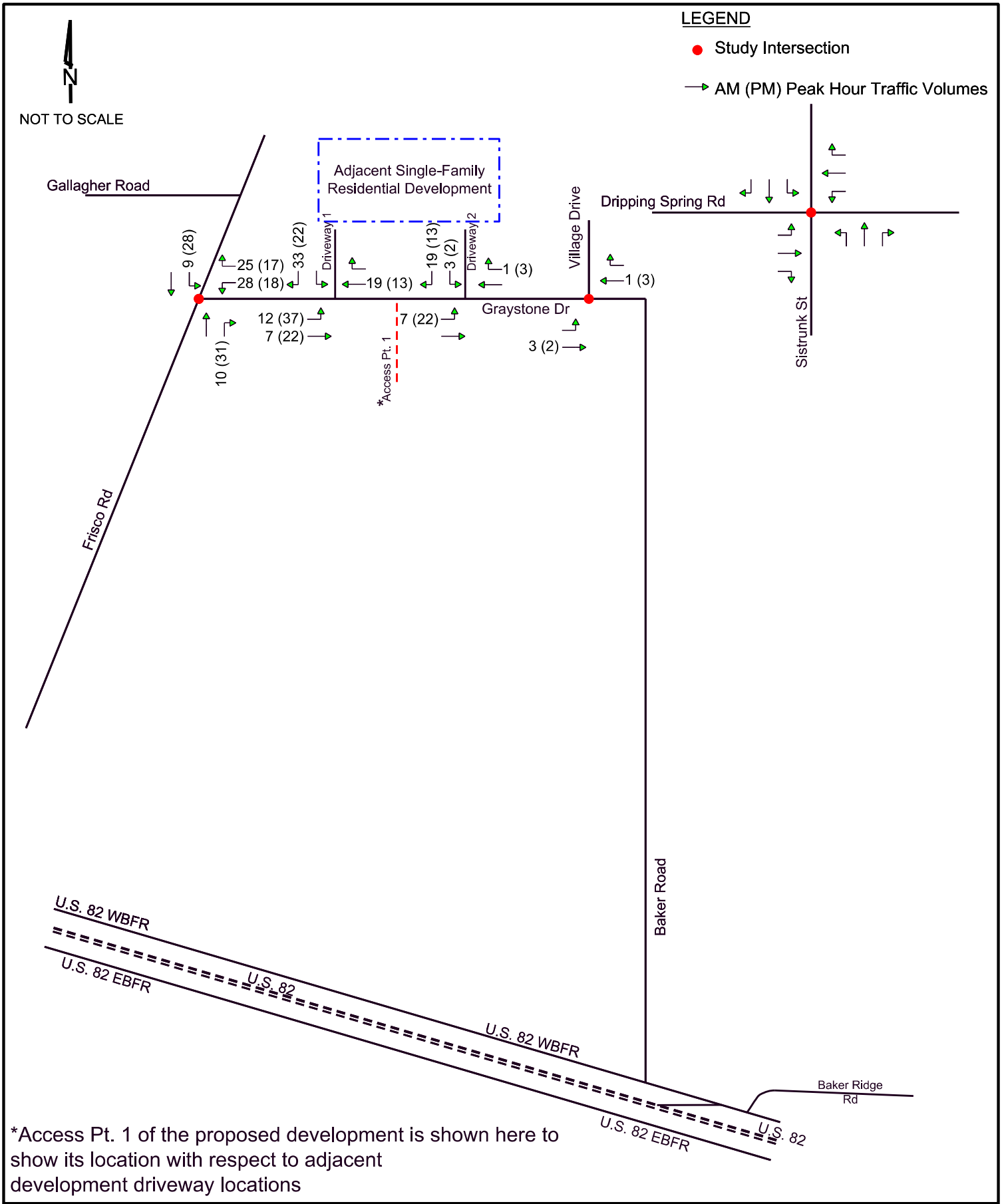
Build-Out Year (2028) Background Peak Hour Traffic Growth

Figure 6



*Access Pt. 1 of the proposed development is shown here to show its location with respect to adjacent development driveway locations

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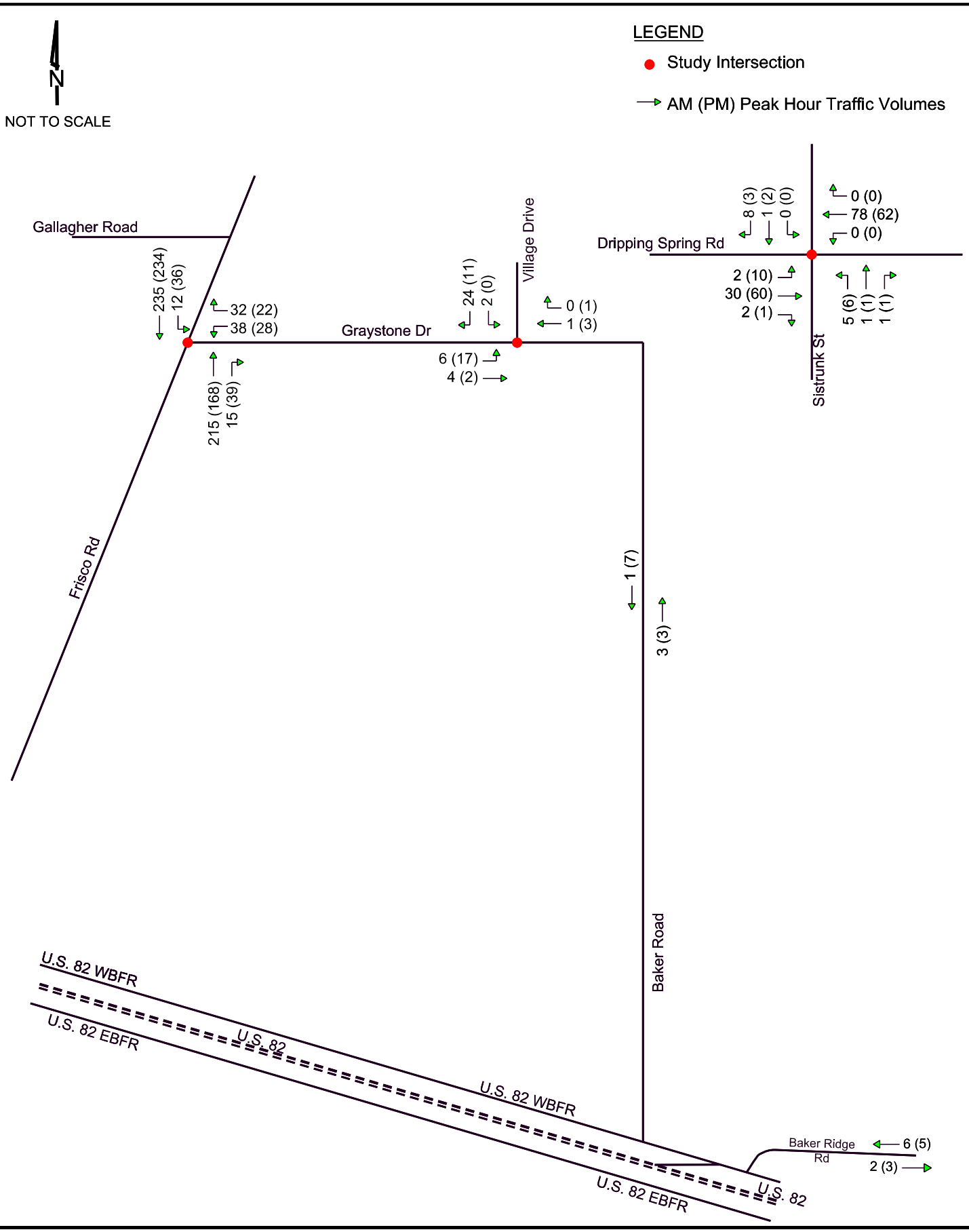
Build-Out Year (2028) Site Traffic
(Adjacent Single-Family Residential Development)

Figure 7



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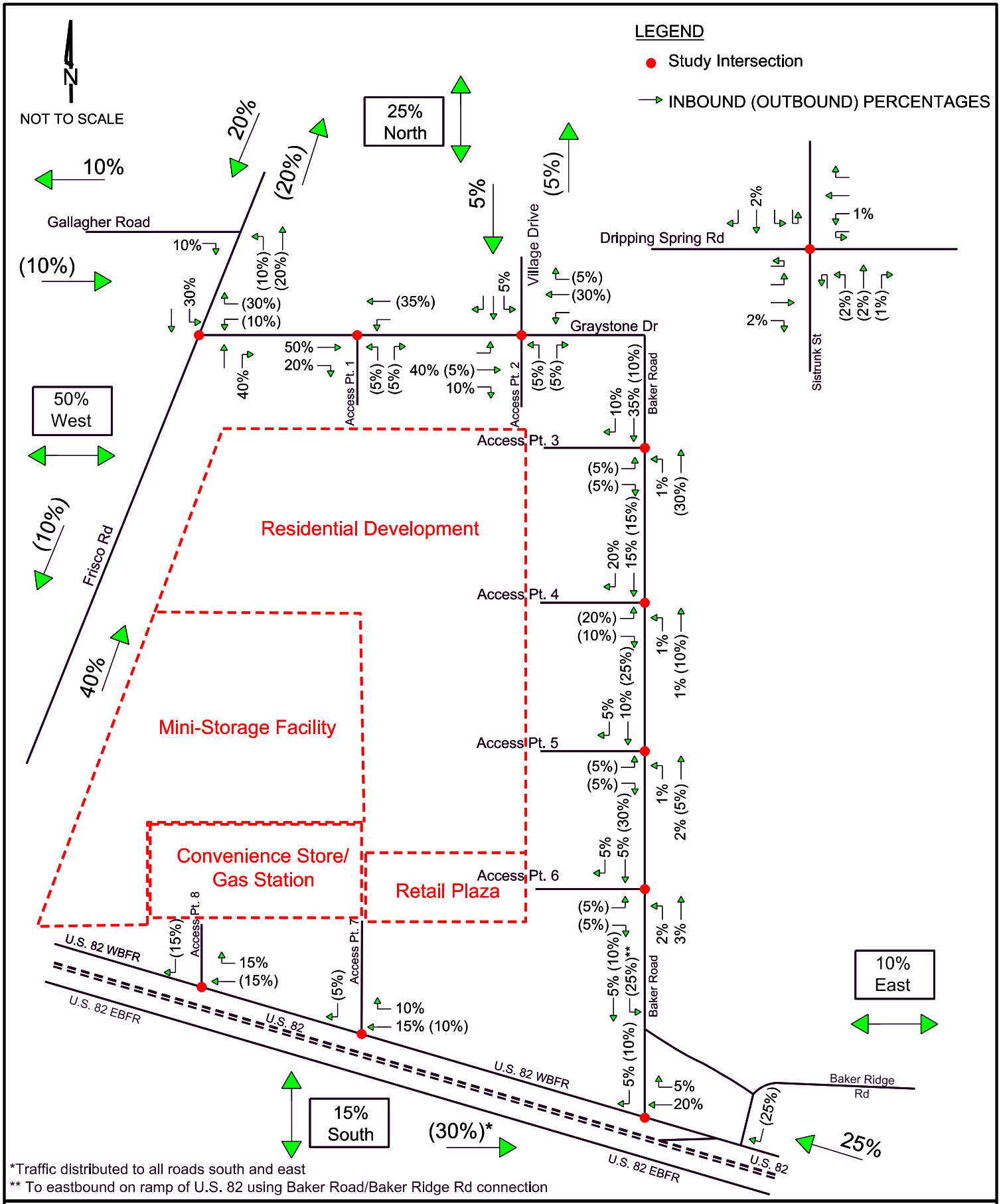
Build-Out Year (2028) Background Peak Hour Traffic Volumes
(Including Site Traffic from adjacent development)

Figure 8



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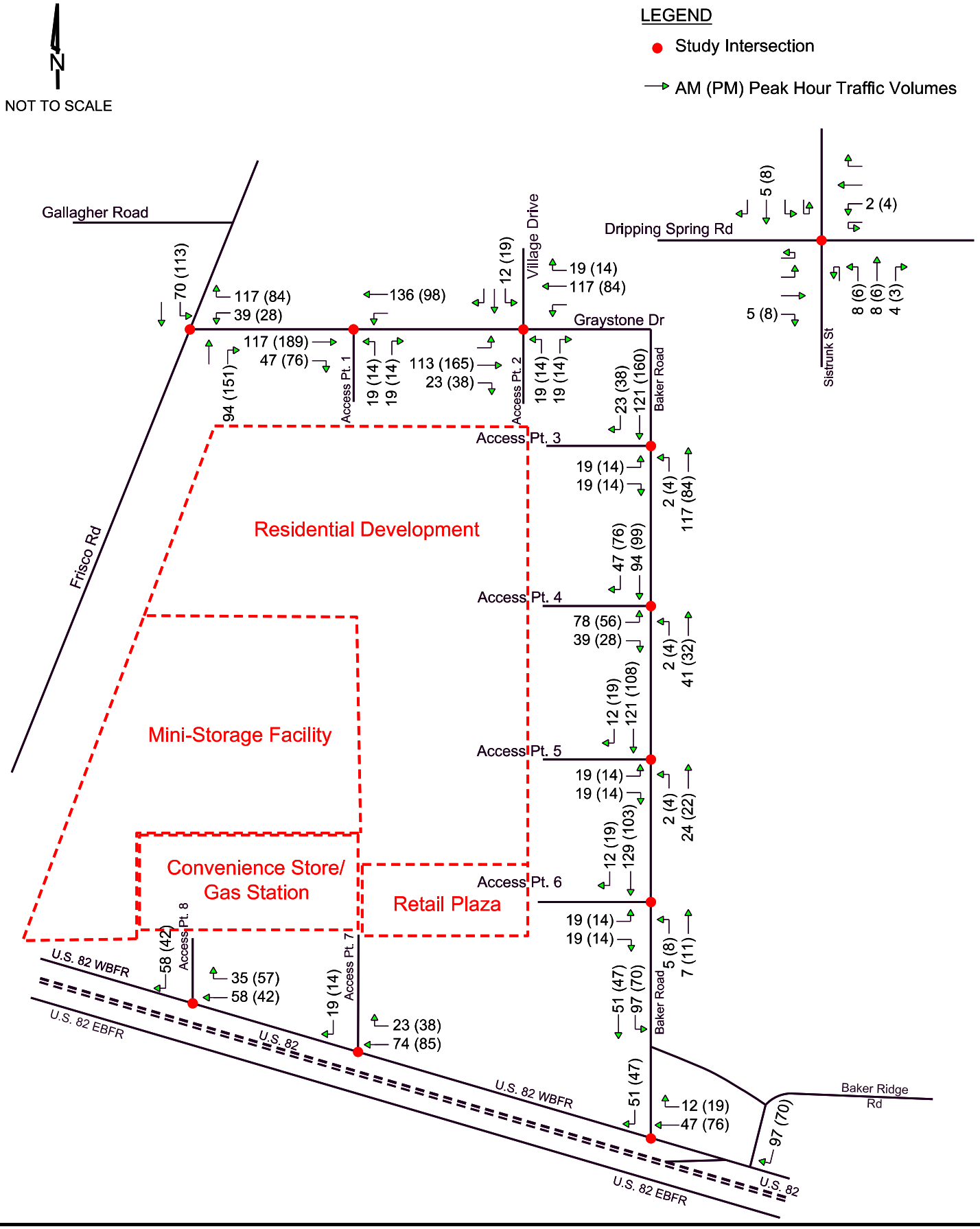
Assumed Directional Distributions
(Proposed Mixed-Use Development)

Figure 9



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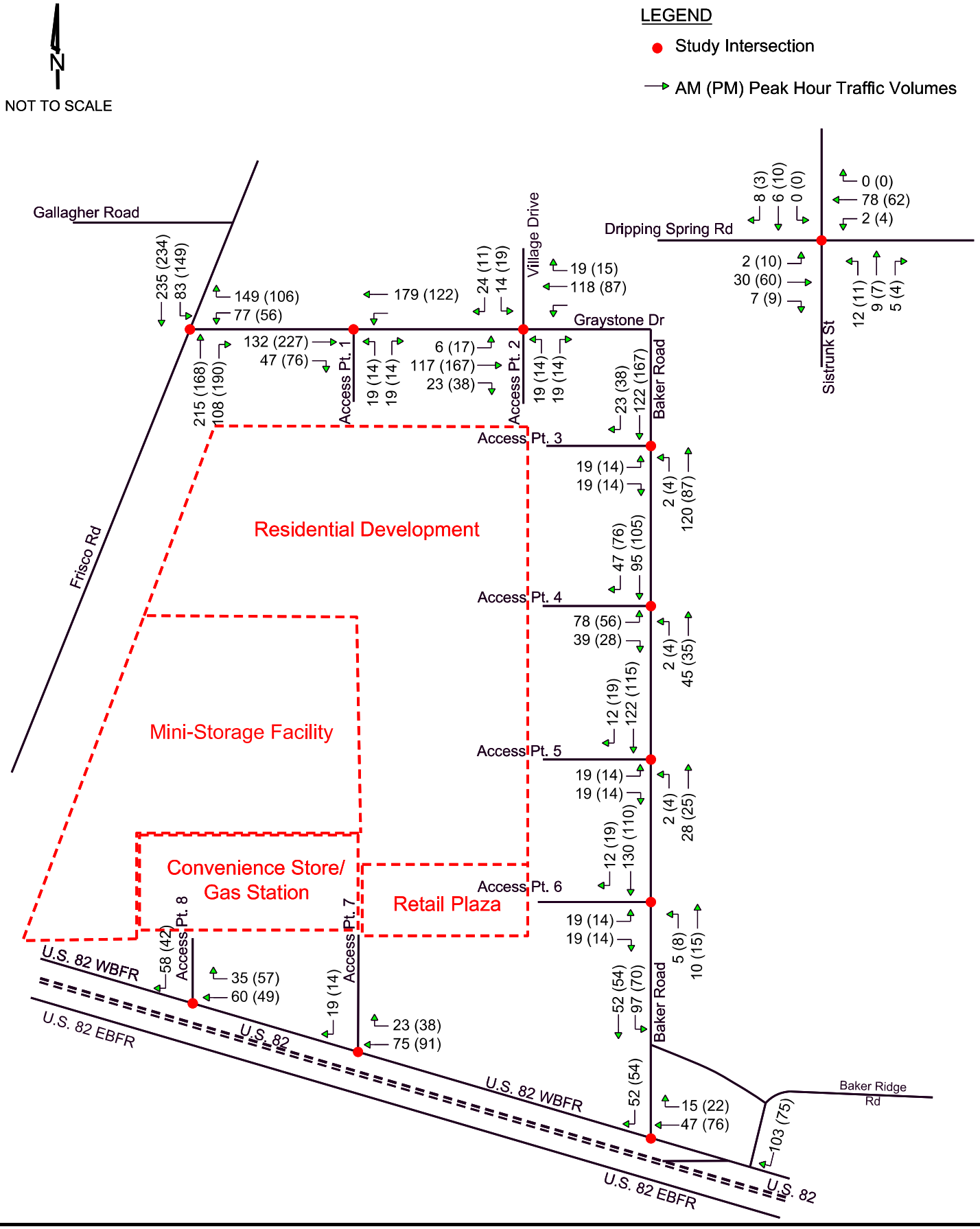
Site Generated Peak Hour Traffic Volumes

Figure 10



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Build-Out Year (2028) Peak Hour Traffic Volumes

Figure 11

TRIP DISTRIBUTION AND ASSIGNMENT

Trip Distribution

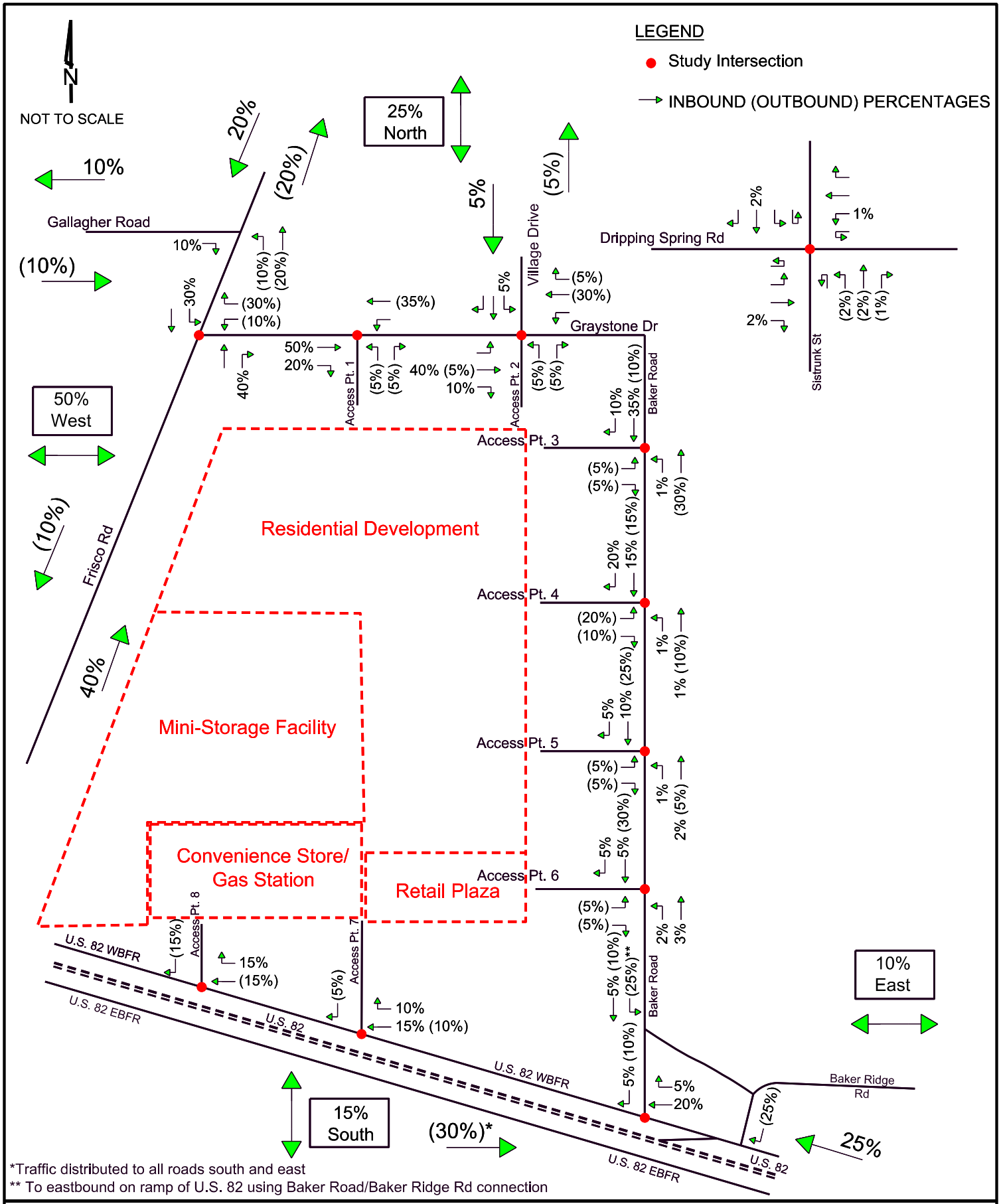
The existing traffic volumes and roadways in the area, along with the proposed site layout, were used to determine the directions from which traffic would approach and depart the proposed mixed-use development on Graystone Drive. The assumed directional distribution is provided in **Figure 9**.

Site Traffic Volumes

Traffic volumes expected to be generated by the proposed mixed-use development on Graystone Drive (Table 1) were assigned to the area roadways and site access points based on the directional distribution identified in Figure 9. The estimated site generated traffic volumes for the AM and PM peak hours are shown in **Figure 10**.

Total Traffic Conditions

Total (background + site) peak hour traffic conditions at Build-Out Year (2028) of the proposed mixed-use development were obtained by adding the proposed site generated traffic volumes (Figure 9) to the Build-Out Year (2028) Background traffic volumes (Figure 8), and are shown in **Figure 11**.



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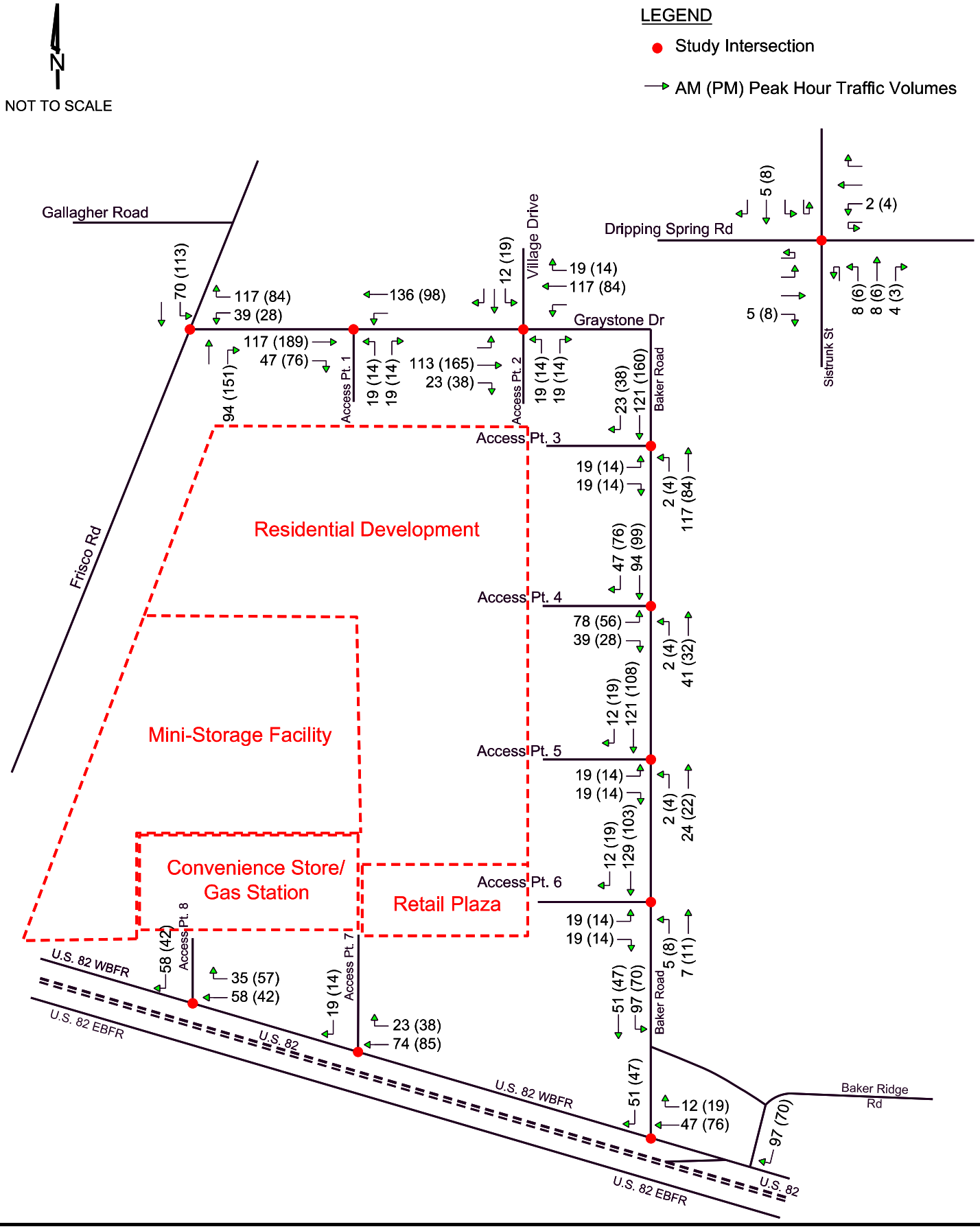
Assumed Directional Distributions
(Proposed Mixed-Use Development)

Figure 9



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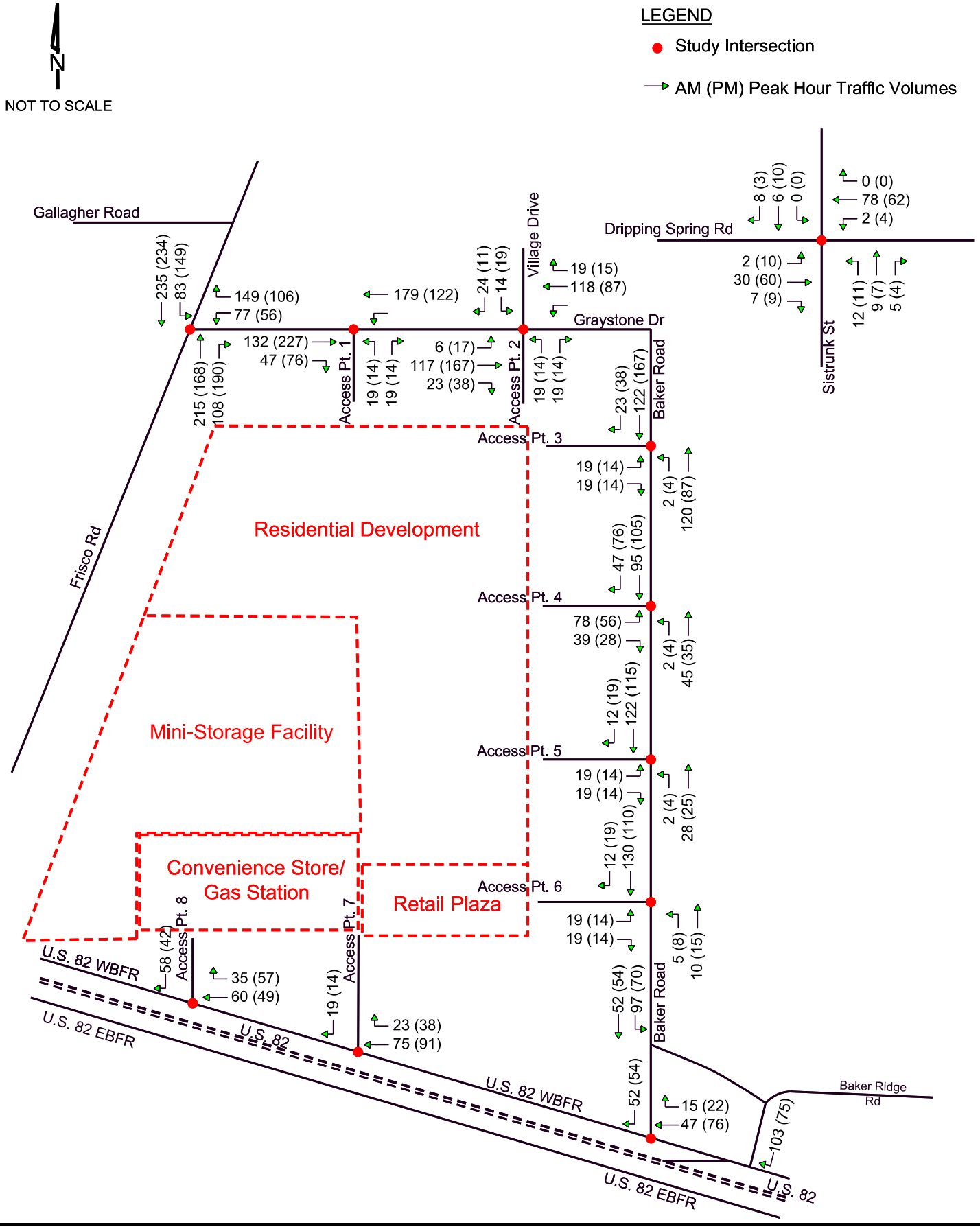
Site Generated Peak Hour Traffic Volumes

Figure 10



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Build-Out Year (2028) Peak Hour Traffic Volumes

Figure 11

INTERSECTION CAPACITY ANALYSES

The Level of Service (LOS) of an intersection is a qualitative measure of capacity and operating conditions and is directly related to vehicle delay. The LOS criteria for unsignalized intersections are shown in **Table 3**. LOS is given a letter designation from A to F, with LOS A representing very short delays and LOS F representing very long delays or over-capacity conditions. LOS D is typically considered the minimum acceptable condition.

Table 3: Level of Service Criteria for Intersections

Level-of-Service (LOS)	Average Delay (seconds/vehicle)
	Unsignalized
A	≤ 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	> 50.0 or Volume exceeds Capacity

SOURCE: *Highway Capacity Manual (HCM) 6th Edition*, Transportation Research Board, 2016

Capacity analyses were conducted for the study area intersections under the following analysis scenarios:

- Existing (2022) Traffic Conditions
- Build-Out Year (2028) Background Traffic Conditions
- Build-Out Year (2028) Total Traffic Conditions

The intersection capacity analyses were conducted using *Highway Capacity Manual (HCM) 6th Edition* methodologies in the *Synchro 11* traffic analysis software package. Printouts of the Synchro analysis results are provided in the **Appendix**.

Existing Traffic Conditions

The existing lane configurations shown in Figure 3 and the Existing (2022) traffic volumes shown in Figure 5 were used for the Existing (2022) analyses. **Table 4** presents the capacity analysis results for the study intersections under Existing (2022) conditions. The intersection of Village Drive and Graystone Drive is assumed to be a two-way stop controlled with southbound traffic on Village Drive required to stop (no stop sign was observed during the site visit).

Table 4: Capacity Analysis Results – Existing (2022) Traffic Conditions

1: Frisco Road and Graystone Drive (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection[1]	NB	SB Left	WB	EB
Existing (2022) Conditions	AM	--	--	7.7 (A)[2]	11.3 (B)	--
	PM	--	--	7.6 (A)	11.1 (B)	--
2: Village Drive and Graystone Drive (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB	SB	WB	EB Left
Existing (2022) Conditions	AM	--	--	8.5 (A)	--	7.4 (A)
	PM	--	--	8.4 (A)	--	7.4 (A)
3: Sistrunk Street and Dripping Spring Road (Two-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB	SB	WB Left	EB Left
Existing (2022) Conditions	AM	--	9.4 (A)	9.0 (A)	0.0 (A)	7.8 (A)
	PM	--	9.6 (A)	9.6 (A)	0.0 (A)	7.8 (A)

[1]HCM methodology does not provide intersection-wide delay/LOS for One-Way/Two-Way Stop-Controlled Intersections
[2]Delay in seconds/vehicle (Level of Service)

The capacity analysis results for Existing (2022) traffic conditions shown in Table 4 indicate that the approaches and movements at the study intersections currently operate very well at LOS A during both the AM and PM peak hours.

Build-Out Year (2028) Traffic Conditions

The existing lane configurations shown in Figure 3 and the Build-Out Year (2028) Background traffic volumes shown in Figure 8 were used for the Build-Out Year (2028) Background analyses ***without*** the effects of the proposed mixed-use development. The proposed intersection lane configurations shown in Figure 4 and the Build-Out Year (2028) Total traffic volumes from Figure 11 were used for the Build-Out Year (2028) Total analyses ***with*** site trips from the new mixed-use development added. **Table 5** presents the capacity analysis results for the study intersections under Build-Out Year (2028) Background and Total conditions.

Table 5: Capacity Analysis Results – Build-Out Year (2028) Traffic Conditions

1: Frisco Road and Graystone Drive (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection[1]	NB	SB Left	WB	EB
Build-Out (2028) Background	AM	--	--	7.8 (A)[2]	11.8 (B)	--
	PM	--	--	7.7 (A)	11.5 (B)	--
Build-Out (2028) Total	AM	--	--	8.5 (A)	25.0 (D)	--
	PM	--	--	9.0 (A)	25.4 (D)	--
2: Village Drive/Access Point 2 and Graystone Drive (One/Two-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB	SB	WB Left	EB Left
Build-Out (2028) Background	AM	--	--	8.5 (A)	--	7.4 (A)
	PM	--	--	8.4 (A)	--	7.4 (A)
Build-Out (2028) Total	AM	--	10.2 (B)	10.0 (B)	0.0 (A)	7.7 (A)
	PM	--	10.5 (B)	10.6 (B)	0.0 (A)	7.7 (A)
3: Sistrunk Street and Dripping Spring Road (Two-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB	SB	WB Left	EB Left
Build-Out (2028) Background	AM	--	9.5 (A)	9.0 (A)	0.0 (A)	7.9 (A)
	PM	--	9.7 (A)	9.7 (A)	0.0 (A)	7.8 (A)
Build-Out (2028) Total	AM	--	10.0 (B)	9.8 (A)	0.0 (A)	7.9 (A)
	PM	--	9.7 (A)	9.7 (A)	0.0 (A)	7.8 (A)
4: Access Point 1 and Graystone Drive (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB	SB	WB	EB Left
Build-Out (2028) Total	AM	--	10.3 (B)	--	--	--
	PM	--	11.0 (B)	--	--	--

[1]HCM methodology does not provide intersection-wide delay/LOS for One-Way/Two-Way Stop-Controlled Intersections
[2]Delay in seconds/vehicle (Level of Service)

Table 5 (Continued): Capacity Analysis Results – Build-Out Year (2028) Traffic Conditions

5: Access Point 3 and Baker Road (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection[1]	NB (Left)[2]	SB	WB	EB
Build-Out (2028) Total	AM	--	7.5 (A)	--	--	9.8 (A)
	PM	--	7.7 (A)	--	--	10.0 (B)
6: Access Point 4 and Baker Road (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB (Left)	SB	WB	EB
Build-Out (2028) Total	AM	--	7.5 (A)	--	--	10.0 (B)
	PM	--	7.6 (A)	--	--	10.0 (B)
7: Access Point 5 and Baker Road (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB (Left)	SB	WB	EB
Build-Out (2028) Total	AM	--	7.5 (A)	--	--	9.4 (A)
	PM	--	7.5 (A)	--	--	9.3 (A)
8: Access Point 6 and Baker Road (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB (Left)	SB	WB	EB
Build-Out (2028) Total	AM	--	7.5 (A)	--	--	9.4 (A)
	PM	--	7.5 (A)	--	--	9.3 (A)
9: Access Point 7 and US 82 WBFR (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB (Left)	SB	WB	EB Left
Build-Out (2028) Total	AM	--	--	8.8 (A)	--	--
	PM	--	--	8.9 (A)	--	--
10: Access Point 8 and US 82 WBFR (One-Way Stop-Controlled)						
Scenario	Peak Hour	Intersection	NB (Left)	SB	WB	EB Left
Build-Out (2028) Total	AM	--	--	8.9 (A)	--	--
	PM	--	--	8.9 (A)	--	--

[1]HCM methodology does not provide intersection-wide delay/LOS for One-Way/Two-Way Stop-Controlled Intersections
[2]Delay in seconds/vehicle (Level of Service)

The analysis results for Build-Out Year (2028) Background conditions in Table 5 indicate that the approaches and movements at the study intersections are predicted to operate at a very good level of service (LOS A or B) during both peak hours.

With the addition of site traffic from the mixed-use development on Graystone Drive under Build-Out Year (2028) Total conditions, all approaches and movements at the study intersections are predicted to continue operating at acceptable levels of service (LOS D or better).

ACCESS MANAGEMENT ANALYSES

As part of this study, access management analyses were performed to consider the need for deceleration lanes and to determine if adequate driveway spacing and intersection sight distance will be provided for the proposed site access points.

Left Turn Deceleration Lane Analysis

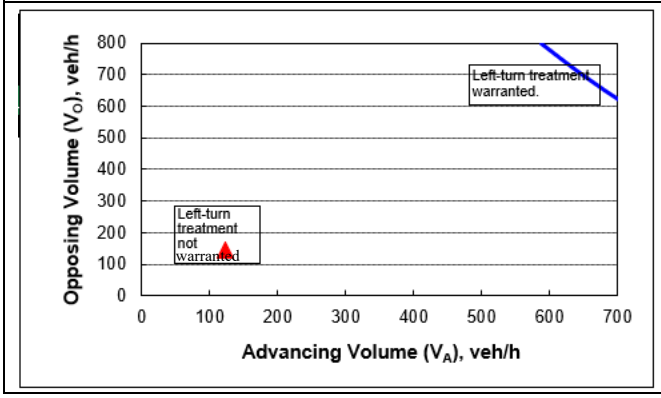
The site access points on Graystone Drive for the proposed mixed-use development were analyzed to determine the need for left turn deceleration lanes. For this analysis, information in *NCHRP Report 457* was used to determine the need for left turn deceleration lanes. This report provides a figure with a curve to determine the need for a left turn deceleration lane based on the number of through lanes, the speed limit, the number of advancing vehicles, the number of opposing vehicles, and the proportion of advancing vehicles making a left turn.

Traffic characteristics at the site access intersections were analyzed under Build-Out Year (2028) Total conditions to determine the potential need for eastbound left turn deceleration lanes along Graystone Drive and northbound left turn deceleration lanes along Baker Road. The results along Baker Road are presented in **Figure 10**. Figure 10 does not show left turn deceleration lane analysis results for Access Point 1 and Access Point 2, as no site generated traffic is expected to turn left into these access points from Graystone Drive. Based on the results in Figure 10, left turn deceleration lanes are not warranted at the site access points on Graystone Drive and Baker Road.

Figure 12: Left Turn Deceleration Lane Analysis Results

Site Access Point 3 @ Baker Road

AM Peak Hour



PM Peak Hour

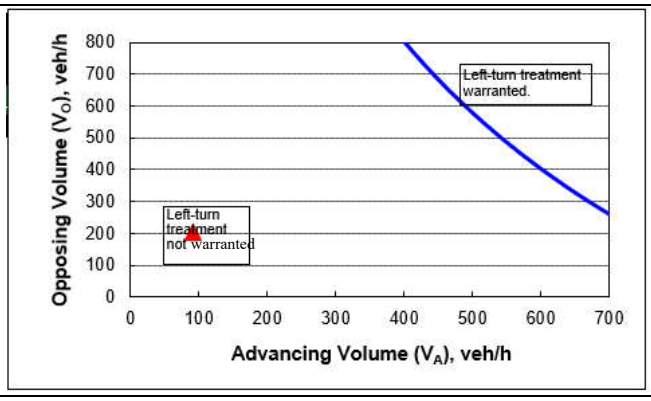
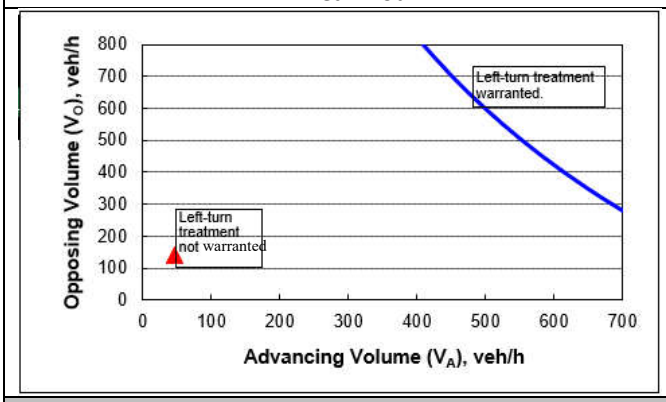


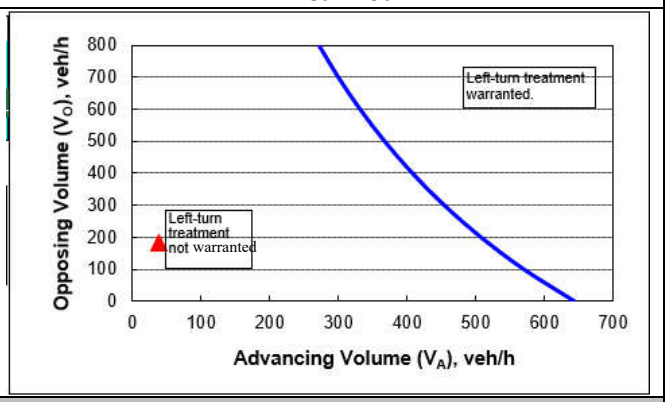
Figure 10 (Continued): Left Turn Deceleration Lane Analysis Results

Site Access Point 4 @ Baker Road

AM Peak Hour

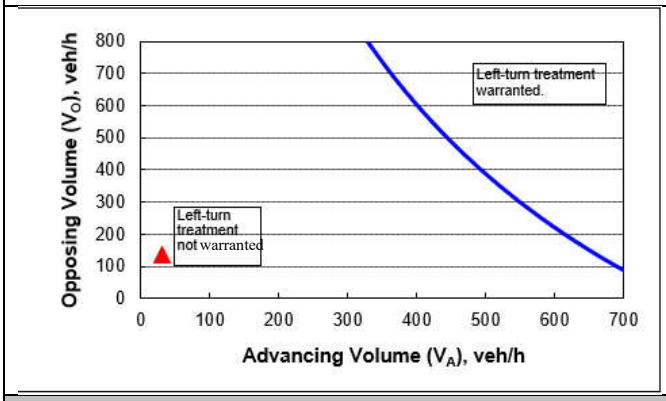


PM Peak Hour

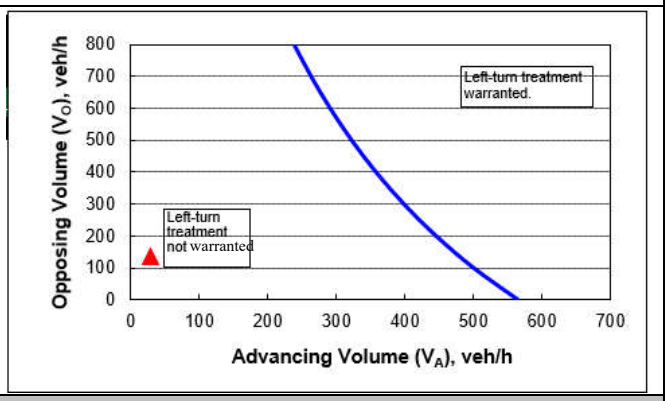


Site Access Point 5 @ Baker Road

AM Peak Hour

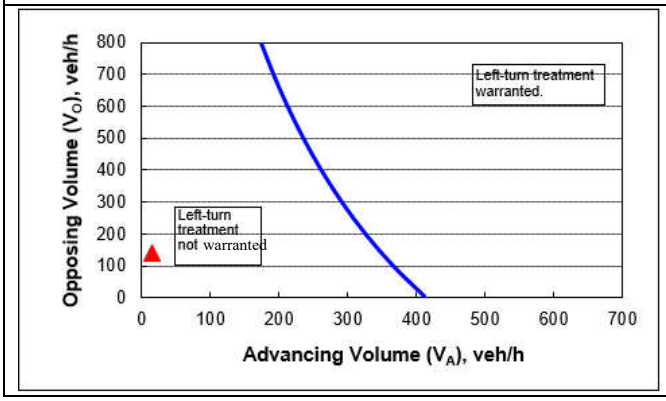


PM Peak Hour

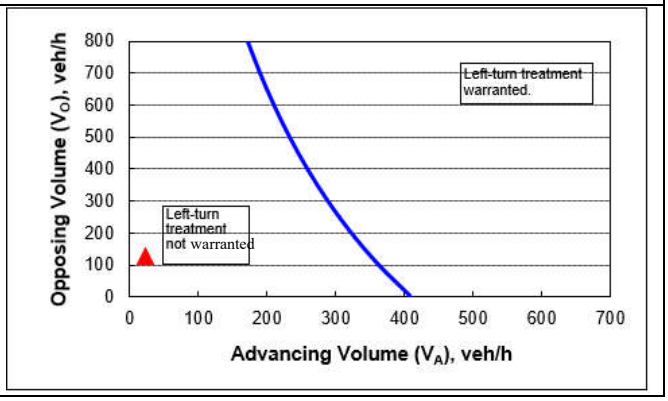


Site Access Point 6 @ Baker Road

AM Peak Hour



PM Peak Hour



Based on the results shown in Figure 10, the left turn deceleration lane is not warranted at the site access points on Graystone Drive and Baker Road.

Right Turn Deceleration Lane Analysis

The proposed site access points for the mixed-use development were analyzed to determine the

need for right turn deceleration lanes. Based on guidelines in TxDOT's *Access Management Manual,* right turn deceleration lanes are typically considered under the following conditions:

- For roadways with a posted speed limit greater than 45 mph, a right turn deceleration lane should be considered when peak right turn volumes are greater than 50 vehicles per hour.
- For roadways with a posted speed limit of 45 mph or less, a right turn deceleration lane should be considered when peak right turn volumes are greater than 60 vehicles per hour.

Table 6 summarizes the projected right turn volumes under Build-Out (2025) total traffic conditions.

Table 6: Right Turn Deceleration Lane Analysis Results

Intersection	Approach	Speed Limit (mph)	Right Turn Volume (vehicles/hour) AM (PM)	Threshold (vehicles/hour)	Exceeds Threshold? AM (PM)
Access Point 1 at Graystone Drive	EB	30	47 (76)	60	No (**Yes**)
Access Point 2 at Graystone Drive	EB	30	23 (38)	60	No (No)
Access Point 3 at Baker Road	SB	30	23 (38)	60	No (No)
Access Point 4 at Baker Road	SB	30	47 (76)	60	No (**Yes**)
Access Point 5 at Baker Road	SB	30	12 (19)	60	No (No)
Access Point 6 at Baker Road	SB	30	12 (19)	60	No (No)
Access Point 7 at US 82 WBFR	WB	50	23 (38)	50	No (No)
Access Point 8 at US 82 WBFR	WB	50	35 (57)	50	No (**Yes**)

Table 6 indicates that the right turning volumes at Access Point 1, Access Point 4, and Access Point 8 are expected to exceed the TxDOT's threshold during the PM peak hour. Therefore, right turn deceleration lanes are recommended on the US 82 westbound frontage road at Access Point 8, Baker Road at Access Point 4, and Graystone Drive at Access Point 1.

Sight Distance

As part of this traffic analysis, the available and recommended intersection sight distance for motorists accessing the adjacent roadway from the proposed site access points were analyzed. The sight distance recommended was estimated using the procedures developed by the

American Association of State Highway and Transportation Officials (AASHTO) and published in the 2018 edition of *A Policy on Geometric Design of Highways and Streets*. At these locations, the motorist should be able to see if and when adequate gaps exist to perform their desired maneuver. **Table 7** presents the recommended and assumed available sight distance for vehicles exiting at the proposed access points for the Graystone Drive mixed-use development.

Table 7: Sight Distance Analysis for Proposed Site Driveways

Major Roadway	Graystone Drive		Baker Road				US 82 Westbound Frontage Road	
Posted Speed Limit[1]	30 mph		30 mph				55 mph	
Minor Roadway	Access Point 1	Access Point 2	Access Point 3	Access Point 4	Access Point 5	Access Point 6	Access Point 7	Access Point 8
Design Vehicle	Passenger Car							
Recommended Intersection Sight Distance	335’	225’[2]	335’				610’	
Available Sight Distance to the Left	>500'	~365’	>400'	>400'	>400'	>400'	>650’	>650'
Available Sight Distance to the Right	~350'	~230'	>400'	>400'	>400'	>400'	N/A	N/A
Sight Distance Available > Recommended Intersection Sight Distance								
To the Left	YES	YES	YES	YES	YES	YES	YES	YES
To the Right	YES	YES[2]	YES	YES	YES	YES	--	--

[1] No posted speed limit was found on Graystone Drive, Baker Road or the US 82 Westbound Frontage Road. Therefore, a speed limit of 30 mph is assumed for Graystone Drive and Baker Road and 55 mph for the US 82 Westbound Frontage Road.
[2] 20 mph speed assumed looking right from Access Point 2 due to reduced turning speed from northbound Baker Road to westbound Graystone Drive.

Based on conditions that existed in the field when sight distance observations were performed, the recommended sight distance is predicted to be provided at all site access points. Note that while Graystone Drive currently curves into Baker Road, the proposed development will realign Baker Road to form a right-angle intersection with Graystone Drive, limiting the average westbound speed on Graystone Drive approaching Access Point 2 to about 20 mph. Therefore, at this location, 20 mph speed was used in the sight distance calculation rather than the assumed speed limit of 30 mph.

Existing dense vegetation near Access Point 2 at Graystone Drive and along Baker Road limits the available sight distance. The available sight distance measurements in Table 7 assume all such vegetation will have been cleared as appropriate. Therefore, it is recommended that the landscape plan for the site include the removal of this vegetation and keeping the location and height of plants, signs, and other site features outside the sight triangles necessary for clear intersection sight distance. To ensure available site distance is provided at each access point, site triangles should be kept clear of landscaping, parking, signs, canopies, or other structures.

Access Spacing

In the City of Sherman's *Subdivision Ordinance* [Article 10.05, Section 12(B)(6)(e)], the minimum centerline offset of adjacent intersections is identified as:

(1) Local–local, 150 feet
(2) Local–collector, 150 feet
(3) Collector–collector, 200 feet

Frisco Road, Village Drive, Baker Road, and Graystone Drive are identified as Local Streets in the City of Sherman Thoroughfare Plan. Therefore, the minimum distance between the centerline of adjacent streets is 150 feet. All site driveways are expected to meet the minimum access spacing criteria.

CONCLUSIONS & RECOMMENDATIONS

Based on the analysis of the proposed site plan and characteristics of the proposed mixed-use development, the following **conclusions** can be made:

- The proposed mixed-use development is predicted to generate 9,326 trips on a daily basis with 624 trips during the AM peak hour and 658 trips during the PM peak hour.

Intersection Capacity Analysis

- The approaches and movements at the study intersections currently operate at an acceptable LOS during the AM and PM peak hours under Existing (2022) conditions. The approaches and movements at these intersections are predicted to continue operating at similar, acceptable LOS under Build-Out Year (2028) Background and Total conditions. Traffic generated by the proposed development is predicted to have minimal impact on the intersections in the study area.

Access Management Analysis

- The traffic volume characteristics at the proposed access points do not exceed thresholds provided in *NCHRP Report 457* for left turn deceleration lanes. Left turn deceleration lanes are not recommended at any of the access points on Graystone Drive or Baker Road.
- Right turn deceleration lanes are recommended at Access Point 1 on Graystone Drive, Access Point 7 on Baker Road, and Access Point 8 on the US 82 Westbound Frontage Road.
- Based on observations of existing conditions in the field, recommended sight distance is predicted to be available for all access points provided that the dense existing vegetation along Graystone Drive and Baker Road is removed as part of the landscaping plan.
- The proposed access points will meet the City of Sherman spacing requirements.

Additionally, the following roadway improvements will be provided with the project:

- Graystone Drive will be widened between Village Drive and Baker Road to a two-lane undivided asphalt roadway with 12 feet wide lanes.
- Baker Road will be widened between Grayson Drive and US 82 Westbound Frontage Road to a two-lane undivided asphalt roadway with 12 feet wide lanes.
- The proposed Baker Road connection from Baker Road to Baker Ridge Road will be constructed as a two-lane undivided asphalt roadway with 12 feet wide lanes.

APPENDIX

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: GRAYSTONE DR @ FRISCO RD
Site Code:
Start Date: 05/10/2022

Turning Movement Data

Start Time	FRISCO RD Southbound					GRAYSTONE DR Westbound					FRISCO RD Northbound					Eastbound St. Eastbound					
	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Int. Total
12:00 AM	0	4	0	0	4	0	0	0	0	0	0	3	0	0	3	0	0	0	0	0	7
12:15 AM	0	1	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1
12:30 AM	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	3
12:45 AM	0	1	0	0	1	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	3
Hourly Total	0	9	0	0	9	0	0	0	0	0	0	5	0	0	5	0	0	0	0	0	14
1:00 AM	1	3	0	0	4	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	5
1:15 AM	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
1:30 AM	0	1	0	0	1	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	3
1:45 AM	0	2	0	0	2	0	0	0	0	0	0	1	1	0	2	0	0	0	0	0	4
Hourly Total	1	8	0	0	9	0	0	0	0	0	0	4	1	0	5	0	0	0	0	0	14
2:00 AM	0	0	0	0	0	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	2
2:15 AM	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
2:30 AM	0	1	0	0	1	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2
2:45 AM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	1
Hourly Total	0	3	0	0	3	0	0	0	0	0	0	4	0	0	4	0	0	0	0	0	7
3:00 AM	0	0	0	0	0	1	0	0	0	1	0	0	0	0	0	0	0	0	0	0	1
3:15 AM	0	3	0	0	3	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	5
3:30 AM	0	0	0	0	0	0	0	0	0	0	0	4	0	0	4	0	0	0	0	0	4
3:45 AM	0	4	0	0	4	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	6
Hourly Total	0	7	0	0	7	1	0	0	0	1	0	8	0	0	8	0	0	0	0	0	16
4:00 AM	0	1	0	0	1	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	2
4:15 AM	0	0	0	0	0	0	0	0	0	0	0	1	0	0	1	0	0	0	0	0	1
4:30 AM	0	0	0	0	0	0	0	1	0	1	0	1	0	0	1	0	0	0	0	0	2
4:45 AM	0	3	0	0	3	0	0	0	0	0	0	3	0	0	3	0	0	0	0	0	6
Hourly Total	0	4	0	0	4	0	0	1	0	1	0	6	0	0	6	0	0	0	0	0	11
5:00 AM	0	5	0	0	5	0	0	0	0	0	0	6	0	0	6	0	0	0	0	0	11
5:15 AM	0	2	0	0	2	0	0	0	0	0	0	4	0	0	4	0	0	0	0	0	6
5:30 AM	0	10	0	0	10	0	0	0	0	0	0	4	0	0	4	0	0	0	0	0	14
5:45 AM	0	8	0	0	8	0	0	0	0	0	0	11	0	0	11	0	0	0	0	0	19
Hourly Total	0	25	0	0	25	0	0	0	0	0	0	25	0	0	25	0	0	0	0	0	50
6:00 AM	0	5	0	0	5	1	0	2	0	3	0	9	1	0	10	0	0	0	0	0	18
6:15 AM	0	7	0	0	7	3	0	1	0	4	0	13	0	0	13	0	0	0	0	0	24
6:30 AM	0	12	0	0	12	1	0	0	0	1	0	19	1	0	20	0	0	0	0	0	33
6:45 AM	0	20	0	0	20	0	0	1	0	1	0	28	3	0	31	0	0	0	0	0	52
Hourly Total	0	44	0	0	44	5	0	4	0	9	0	69	5	0	74	0	0	0	0	0	127
7:00 AM	0	20	0	0	20	5	0	2	0	7	0	30	0	0	30	0	0	0	0	0	57
7:15 AM	1	48	0	0	49	3	0	2	0	5	0	52	0	0	52	0	0	0	0	0	106
7:30 AM	1	54	0	0	55	2	0	3	0	5	0	76	0	0	76	0	0	0	0	0	136
7:45 AM	1	71	0	0	72	3	0	1	0	4	0	39	1	0	40	0	0	0	0	0	116
Hourly Total	3	193	0	0	196	13	0	8	0	21	0	197	1	0	198	0	0	0	0	0	415
8:00 AM	0	36	0	0	36	1	0	0	0	1	0	24	3	0	27	0	0	0	0	0	64
8:15 AM	0	24	0	0	24	1	0	1	0	2	0	20	3	0	23	0	0	0	0	0	49
8:30 AM	2	15	0	0	17	5	0	0	0	5	0	22	1	0	23	0	0	0	0	0	45
8:45 AM	0	25	0	0	25	2	0	0	0	2	0	15	1	0	16	0	0	0	0	0	43
Hourly Total	2	100	0	0	102	9	0	1	0	10	0	81	8	0	89	0	0	0	0	0	201
9:00 AM	0	20	0	0	20	0	0	2	0	2	0	21	0	0	21	0	0	0	0	0	43
9:15 AM	0	24	0	0	24	2	0	0	0	2	0	19	2	0	21	0	0	0	0	0	47
9:30 AM	0	21	0	0	21	1	0	2	0	3	0	14	0	1	15	0	0	0	0	0	39
9:45 AM	1	29	0	0	30	1	0	1	0	2	0	31	1	0	32	0	0	0	0	0	64
Hourly Total	1	94	0	0	95	4	0	5	0	9	0	85	3	1	89	0	0	0	0	0	193
10:00 AM	0	24	0	0	24	3	0	0	0	3	0	24	1	0	25	0	0	0	0	0	52
10:15 AM	0	27	0	0	27	0	0	0	0	0	0	22	0	0	22	0	0	0	0	0	49
10:30 AM	1	28	0	0	29	1	0	1	0	2	0	18	2	0	20	0	0	0	0	0	51
10:45 AM	0	18	0	0	18	2	0	0	0	2	0	23	3	0	26	0	0	0	0	0	46
Hourly Total	1	97	0	0	98	6	0	1	0	7	0	87	6	0	93	0	0	0	0	0	198
11:00 AM	0	21	0	0	21	0	0	0	0	0	0	29	3	0	32	0	0	0	0	0	53
11:15 AM	0	27	0	0	27	2	0	1	0	3	0	16	0	0	16	0	0	0	0	0	46
11:30 AM	2	31	0	0	33	1	0	0	0	1	0	23	0	0	23	0	0	0	0	0	57
11:45 AM	0	31	0	0	31	0	0	0	0	0	0	32	1	0	33	0	0	0	0	0	64
Hourly Total	2	110	0	0	112	3	0	1	0	4	0	100	4	0	104	0	0	0	0	0	220
12:00 PM	0	26	0	0	26	0	0	1	0	1	0	34	2	0	36	0	0	0	0	0	63
12:15 PM	0	21	0	0	21	1	0	0	0	1	0	24	0	0	24	0	0	0	0	0	46

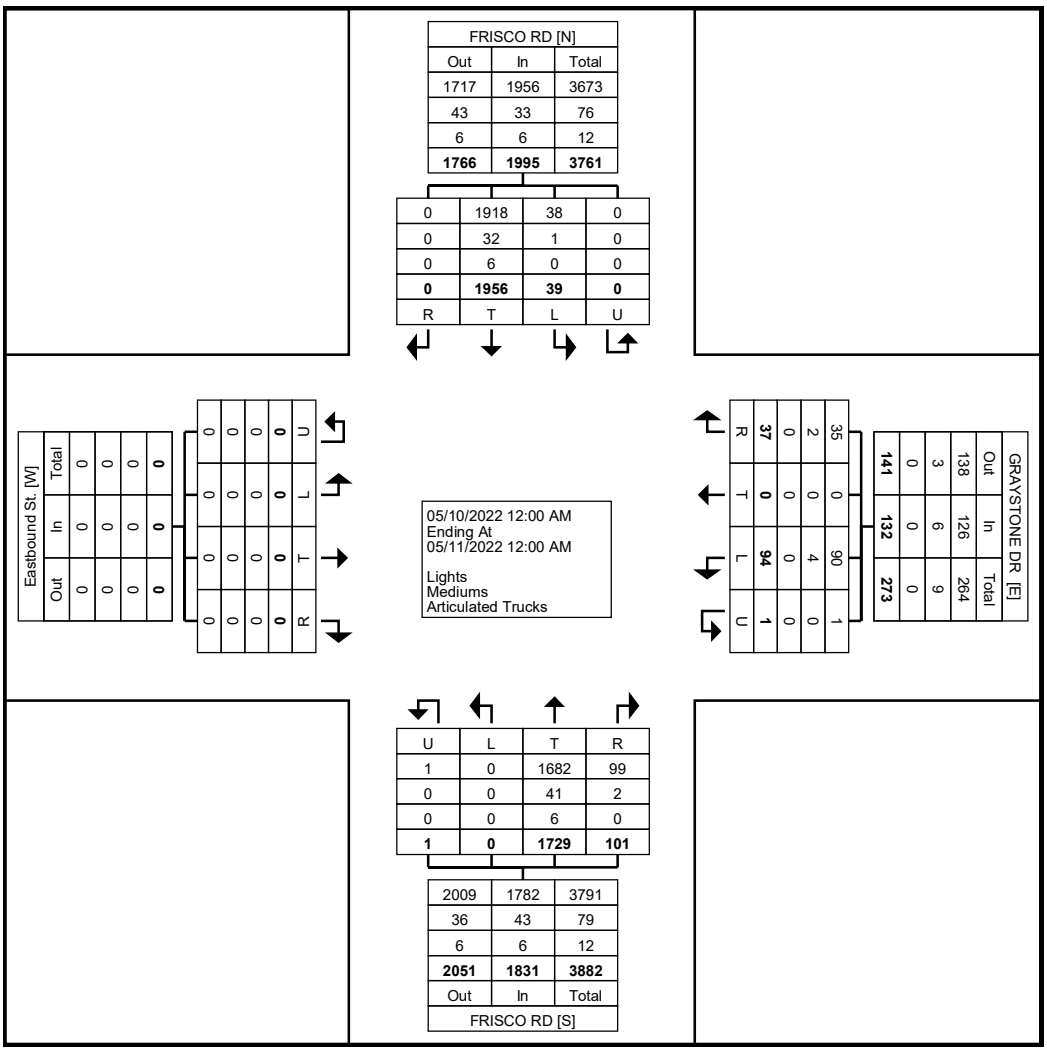
12:30 PM	0	45	0	0	45	1	0	0	0	1	0	26	1	0	27	0	0	0	0	0	73
12:45 PM	0	33	0	0	33	2	0	0	0	2	0	24	2	0	26	0	0	0	0	0	61
Hourly Total	0	125	0	0	125	4	0	1	0	5	0	108	5	0	113	0	0	0	0	0	243
1:00 PM	2	28	0	0	30	4	0	0	0	4	0	27	1	0	28	0	0	0	0	0	62
1:15 PM	0	31	0	0	31	0	0	0	1	1	0	23	3	0	26	0	0	0	0	0	58
1:30 PM	0	31	0	0	31	1	0	0	0	1	0	23	3	0	26	0	0	0	0	0	58
1:45 PM	0	25	0	0	25	0	0	1	0	1	0	25	0	0	25	0	0	0	0	0	51
Hourly Total	2	115	0	0	117	5	0	1	1	7	0	98	7	0	105	0	0	0	0	0	229
2:00 PM	2	25	0	0	27	0	0	0	0	0	0	34	4	0	38	0	0	0	0	0	65
2:15 PM	0	27	0	0	27	0	0	2	0	2	0	25	1	0	26	0	0	0	0	0	55
2:30 PM	2	49	0	0	51	2	0	0	0	2	0	27	0	0	27	0	0	0	0	0	80
2:45 PM	0	28	0	0	28	1	0	1	0	2	0	35	0	0	35	0	0	0	0	0	65
Hourly Total	4	129	0	0	133	3	0	3	0	6	0	121	5	0	126	0	0	0	0	0	265
3:00 PM	0	36	0	0	36	4	0	0	0	4	0	47	0	0	47	0	0	0	0	0	87
3:15 PM	3	56	0	0	59	1	0	2	0	3	0	47	1	0	48	0	0	0	0	0	110
3:30 PM	3	74	0	0	77	3	0	1	0	4	0	28	4	0	32	0	0	0	0	0	113
3:45 PM	1	42	0	0	43	0	0	1	0	1	0	27	2	0	29	0	0	0	0	0	73
Hourly Total	7	208	0	0	215	8	0	4	0	12	0	149	7	0	156	0	0	0	0	0	383
4:00 PM	1	41	0	0	42	4	0	0	0	4	0	33	0	0	33	0	0	0	0	0	79
4:15 PM	1	35	0	0	36	3	0	0	0	3	0	40	4	0	44	0	0	0	0	0	83
4:30 PM	0	32	0	0	32	0	0	0	0	0	0	37	4	0	41	0	0	0	0	0	73
4:45 PM	2	37	0	0	39	3	0	1	0	4	0	34	4	0	38	0	0	0	0	0	81
Hourly Total	4	145	0	0	149	10	0	1	0	11	0	144	12	0	156	0	0	0	0	0	316
5:00 PM	1	51	0	0	52	2	0	0	0	2	0	43	3	0	46	0	0	0	0	0	100
5:15 PM	0	41	0	0	41	1	0	0	0	1	0	44	4	0	48	0	0	0	0	0	90
5:30 PM	0	37	0	0	37	3	0	0	0	3	0	27	1	0	28	0	0	0	0	0	68
5:45 PM	1	37	0	0	38	2	0	0	0	2	0	26	2	0	28	0	0	0	0	0	68
Hourly Total	2	166	0	0	168	8	0	0	0	8	0	140	10	0	150	0	0	0	0	0	326
6:00 PM	2	32	0	0	34	1	0	1	0	2	0	30	4	0	34	0	0	0	0	0	70
6:15 PM	0	23	0	0	23	0	0	2	0	2	0	28	2	0	30	0	0	0	0	0	55
6:30 PM	0	24	0	0	24	5	0	0	0	5	0	13	4	0	17	0	0	0	0	0	46
6:45 PM	0	34	0	0	34	2	0	0	0	2	0	24	1	0	25	0	0	0	0	0	61
Hourly Total	2	113	0	0	115	8	0	3	0	11	0	95	11	0	106	0	0	0	0	0	232
7:00 PM	2	19	0	0	21	1	0	1	0	2	0	19	0	0	19	0	0	0	0	0	42
7:15 PM	0	19	0	0	19	1	0	0	0	1	0	12	3	0	15	0	0	0	0	0	35
7:30 PM	1	25	0	0	26	0	0	0	0	0	0	18	0	0	18	0	0	0	0	0	44
7:45 PM	0	16	0	0	16	0	0	1	0	1	0	16	2	0	18	0	0	0	0	0	35
Hourly Total	3	79	0	0	82	2	0	2	0	4	0	65	5	0	70	0	0	0	0	0	156
8:00 PM	1	25	0	0	26	1	0	0	0	1	0	17	2	0	19	0	0	0	0	0	46
8:15 PM	0	19	0	0	19	0	0	0	0	0	0	18	1	0	19	0	0	0	0	0	38
8:30 PM	0	22	0	0	22	0	0	0	0	0	0	5	1	0	6	0	0	0	0	0	28
8:45 PM	1	14	0	0	15	1	0	0	0	1	0	9	3	0	12	0	0	0	0	0	28
Hourly Total	2	80	0	0	82	2	0	0	0	2	0	49	7	0	56	0	0	0	0	0	140
9:00 PM	1	18	0	0	19	0	0	0	0	0	0	11	0	0	11	0	0	0	0	0	30
9:15 PM	0	8	0	0	8	0	0	1	0	1	0	11	1	0	12	0	0	0	0	0	21
9:30 PM	0	13	0	0	13	0	0	0	0	0	0	8	0	0	8	0	0	0	0	0	21
9:45 PM	0	10	0	0	10	0	0	0	0	0	0	13	0	0	13	0	0	0	0	0	23
Hourly Total	1	49	0	0	50	0	0	1	0	1	0	43	1	0	44	0	0	0	0	0	95
10:00 PM	0	8	0	0	8	0	0	0	0	0	0	16	0	0	16	0	0	0	0	0	24
10:15 PM	0	11	0	0	11	1	0	0	0	1	0	6	2	0	8	0	0	0	0	0	20
10:30 PM	0	6	0	0	6	1	0	0	0	1	0	5	0	0	5	0	0	0	0	0	12
10:45 PM	1	7	0	0	8	0	0	0	0	0	0	4	1	0	5	0	0	0	0	0	13
Hourly Total	1	32	0	0	33	2	0	0	0	2	0	31	3	0	34	0	0	0	0	0	69
11:00 PM	1	6	0	0	7	0	0	0	0	0	0	5	0	0	5	0	0	0	0	0	12
11:15 PM	0	7	0	0	7	0	0	0	0	0	0	4	0	0	4	0	0	0	0	0	11
11:30 PM	0	4	0	0	4	1	0	0	0	1	0	2	0	0	2	0	0	0	0	0	7
11:45 PM	0	4	0	0	4	0	0	0	0	0	0	4	0	0	4	0	0	0	0	0	8
Hourly Total	1	21	0	0	22	1	0	0	0	1	0	15	0	0	15	0	0	0	0	0	38
Grand Total	39	1956	0	0	1995	94	0	37	1	132	0	1729	101	1	1831	0	0	0	0	0	3958
Approach %	2.0	98.0	0.0	0.0	-	71.2	0.0	28.0	0.8	-	0.0	94.4	5.5	0.1	-	0.0	0.0	0.0	0.0	-	-
Total %	1.0	49.4	0.0	0.0	50.4	2.4	0.0	0.9	0.0	3.3	0.0	43.7	2.6	0.0	46.3	0.0	0.0	0.0	0.0	0.0	-
Lights	38	1918	0	0	1956	90	0	35	1	126	0	1682	99	1	1782	0	0	0	0	0	3864
% Lights	97.4	98.1	-	-	98.0	95.7	-	94.6	100.0	95.5	-	97.3	98.0	100.0	97.3	-	-	-	-	-	97.6
Mediums	1	32	0	0	33	4	0	2	0	6	0	41	2	0	43	0	0	0	0	0	82
% Mediums	2.6	1.6	-	-	1.7	4.3	-	5.4	0.0	4.5	-	2.4	2.0	0.0	2.3	-	-	-	-	-	2.1
Articulated Trucks	0	6	0	0	6	0	0	0	0	0	0	6	0	0	6	0	0	0	0	0	12
% Articulated Trucks	0.0	0.3	-	-	0.3	0.0	-	0.0	0.0	0.0	-	0.3	0.0	0.0	0.3	-	-	-	-	-	0.3

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: GRAYSTONE DR @ FRISCO RD
Site Code:
Start Date: 05/10/2022



Turning Movement Data Plot

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: GRAYSTONE DR @ FRISCO RD
Site Code:
Start Date: 05/10/2022

Turning Movement Peak Hour Data (7:15 AM)

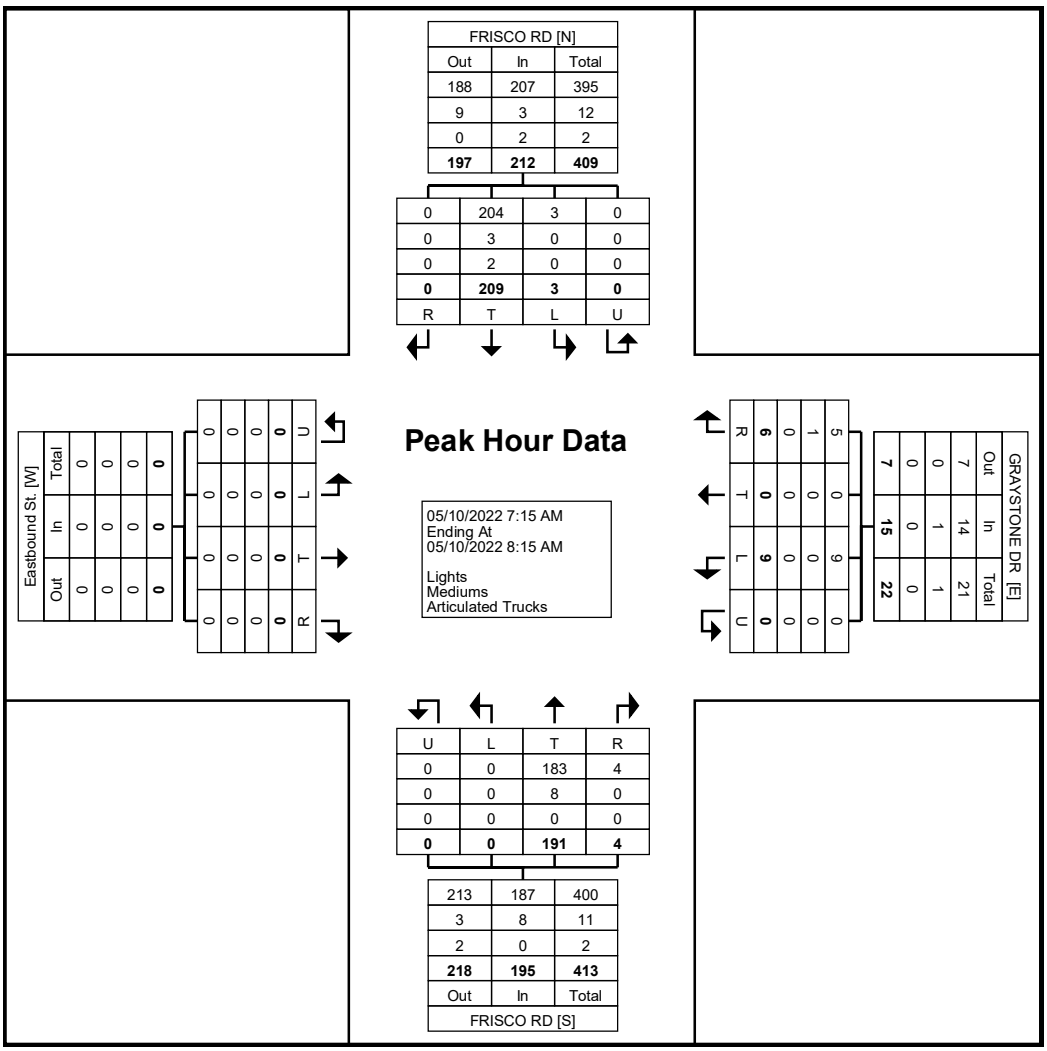
Start Time	FRISCO RD Southbound					GRAYSTONE DR Westbound					FRISCO RD Northbound					Eastbound St. Eastbound					Int. Total
	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	
7:15 AM	1	48	0	0	49	3	0	2	0	5	0	52	0	0	52	0	0	0	0	0	106
7:30 AM	1	54	0	0	55	2	0	3	0	5	0	76	0	0	76	0	0	0	0	0	136
7:45 AM	1	71	0	0	72	3	0	1	0	4	0	39	1	0	40	0	0	0	0	0	116
8:00 AM	0	36	0	0	36	1	0	0	0	1	0	24	3	0	27	0	0	0	0	0	64
Total	3	209	0	0	212	9	0	6	0	15	0	191	4	0	195	0	0	0	0	0	422
Approach %	1.4	98.6	0.0	0.0	-	60.0	0.0	40.0	0.0	-	0.0	97.9	2.1	0.0	-	0.0	0.0	0.0	0.0	-	-
Total %	0.7	49.5	0.0	0.0	50.2	2.1	0.0	1.4	0.0	3.6	0.0	45.3	0.9	0.0	46.2	0.0	0.0	0.0	0.0	0.0	-
PHF	0.750	0.736	0.000	0.000	0.736	0.750	0.000	0.500	0.000	0.750	0.000	0.628	0.333	0.000	0.641	0.000	0.000	0.000	0.000	0.000	0.776
Lights	3	204	0	0	207	9	0	5	0	14	0	183	4	0	187	0	0	0	0	0	408
% Lights	100.0	97.6	-	-	97.6	100.0	-	83.3	-	93.3	-	95.8	100.0	-	95.9	-	-	-	-	-	96.7
Mediums	0	3	0	0	3	0	0	1	0	1	0	8	0	0	8	0	0	0	0	0	12
% Mediums	0.0	1.4	-	-	1.4	0.0	-	16.7	-	6.7	-	4.2	0.0	-	4.1	-	-	-	-	-	2.8
Articulated Trucks	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2
% Articulated Trucks	0.0	1.0	-	-	0.9	0.0	-	0.0	-	0.0	-	0.0	0.0	-	0.0	-	-	-	-	-	0.5

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: GRAYSTONE DR @ FRISCO RD
Site Code:
Start Date: 05/10/2022



Turning Movement Peak Hour Data Plot (7:15 AM)

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: GRAYSTONE DR @ FRISCO RD
Site Code:
Start Date: 05/10/2022

Turning Movement Peak Hour Data (3:00 PM)

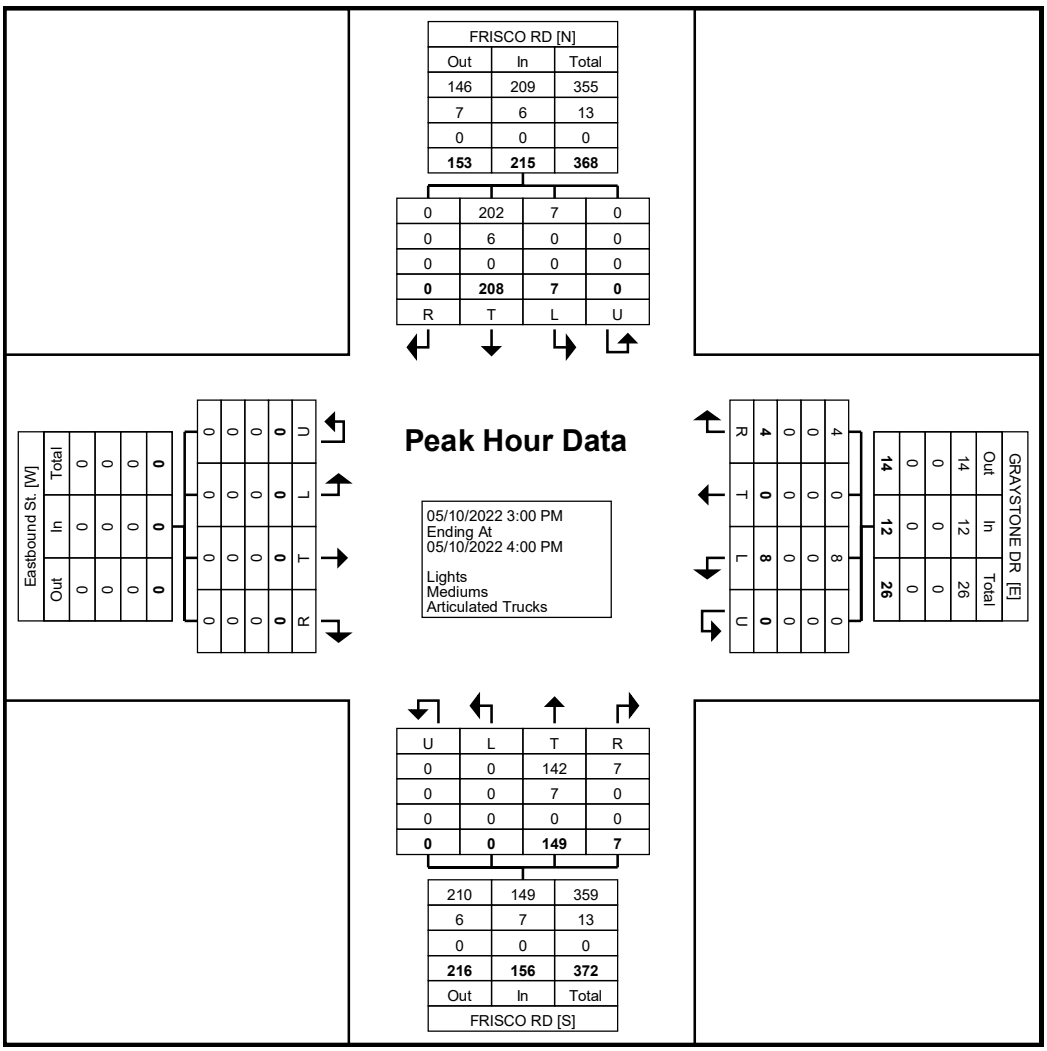
Start Time	FRISCO RD Southbound					GRAYSTONE DR Westbound					FRISCO RD Northbound					Eastbound St. Eastbound					
	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Int. Total
3:00 PM	0	36	0	0	36	4	0	0	0	4	0	47	0	0	47	0	0	0	0	0	87
3:15 PM	3	56	0	0	59	1	0	2	0	3	0	47	1	0	48	0	0	0	0	0	110
3:30 PM	3	74	0	0	77	3	0	1	0	4	0	28	4	0	32	0	0	0	0	0	113
3:45 PM	1	42	0	0	43	0	0	1	0	1	0	27	2	0	29	0	0	0	0	0	73
Total	7	208	0	0	215	8	0	4	0	12	0	149	7	0	156	0	0	0	0	0	383
Approach %	3.3	96.7	0.0	0.0	-	66.7	0.0	33.3	0.0	-	0.0	95.5	4.5	0.0	-	0.0	0.0	0.0	0.0	-	-
Total %	1.8	54.3	0.0	0.0	56.1	2.1	0.0	1.0	0.0	3.1	0.0	38.9	1.8	0.0	40.7	0.0	0.0	0.0	0.0	0.0	-
PHF	0.583	0.703	0.000	0.000	0.698	0.500	0.000	0.500	0.000	0.750	0.000	0.793	0.438	0.000	0.813	0.000	0.000	0.000	0.000	0.000	0.847
Lights	7	202	0	0	209	8	0	4	0	12	0	142	7	0	149	0	0	0	0	0	370
% Lights	100.0	97.1	-	-	97.2	100.0	-	100.0	-	100.0	-	95.3	100.0	-	95.5	-	-	-	-	-	96.6
Mediums	0	6	0	0	6	0	0	0	0	0	0	7	0	0	7	0	0	0	0	0	13
% Mediums	0.0	2.9	-	-	2.8	0.0	-	0.0	-	0.0	-	4.7	0.0	-	4.5	-	-	-	-	-	3.4
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% Articulated Trucks	0.0	0.0	-	-	0.0	0.0	-	0.0	-	0.0	-	0.0	0.0	-	0.0	-	-	-	-	-	0.0

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: GRAYSTONE DR @ FRISCO RD
Site Code:
Start Date: 05/10/2022
Page No: 7



Turning Movement Peak Hour Data Plot (3:00 PM)

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: VILLAGE DR @ GRAYSTONE RD
Site Code:
Start Date: 05/10/2022

Turning Movement Data

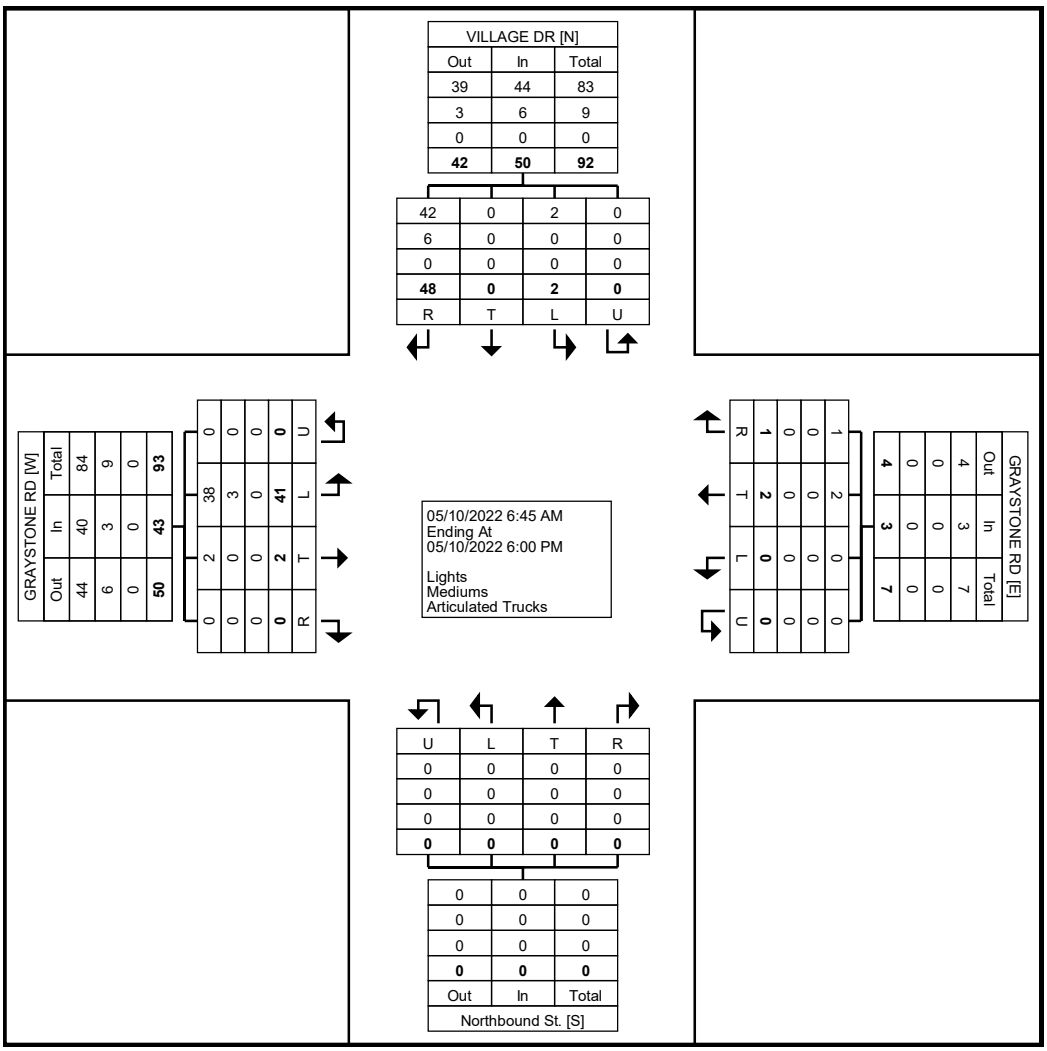
Start Time	VILLAGE DR Southbound					GRAYSTONE RD Westbound					Northbound St. Northbound					GRAYSTONE RD Eastbound					Int. Total
	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	
6:45 AM	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	3	0	0	0	3	5
Hourly Total	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	3	0	0	0	3	5
7:00 AM	0	0	7	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
7:15 AM	1	0	5	0	6	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	8
7:30 AM	1	0	5	0	6	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	7
7:45 AM	0	0	4	0	4	0	0	0	0	0	0	0	0	0	0	2	1	0	0	3	7
Hourly Total	2	0	21	0	23	0	0	0	0	0	0	0	0	0	0	5	1	0	0	6	29
8:00 AM	0	0	1	0	1	0	1	0	0	1	0	0	0	0	0	3	0	0	0	3	5
8:15 AM	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	4
8:30 AM	0	0	5	0	5	0	0	0	0	0	0	0	0	0	0	3	0	0	0	3	8
*** BREAK ***	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hourly Total	0	0	8	0	8	0	1	0	0	1	0	0	0	0	0	8	0	0	0	8	17
4:00 PM	0	0	4	0	4	0	1	0	0	1	0	0	0	0	0	0	1	0	0	1	6
4:15 PM	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	4	0	0	0	4	6
4:30 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	4	0	0	0	4	4
4:45 PM	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	6	0	0	0	6	9
Hourly Total	0	0	9	0	9	0	1	0	0	1	0	0	0	0	0	14	1	0	0	15	25
5:00 PM	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	4	0	0	0	4	6
5:15 PM	0	0	2	0	2	0	0	1	0	1	0	0	0	0	0	3	0	0	0	3	6
5:30 PM	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	5
5:45 PM	0	0	1	0	1	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	3
Hourly Total	0	0	8	0	8	0	0	1	0	1	0	0	0	0	0	11	0	0	0	11	20
Grand Total	2	0	48	0	50	0	2	1	0	3	0	0	0	0	0	41	2	0	0	43	96
Approach %	4.0	0.0	96.0	0.0	-	0.0	66.7	33.3	0.0	-	0.0	0.0	0.0	0.0	-	95.3	4.7	0.0	0.0	-	-
Total %	2.1	0.0	50.0	0.0	52.1	0.0	2.1	1.0	0.0	3.1	0.0	0.0	0.0	0.0	0.0	42.7	2.1	0.0	0.0	44.8	-
Lights	2	0	42	0	44	0	2	1	0	3	0	0	0	0	0	38	2	0	0	40	87
% Lights	100.0	-	87.5	-	88.0	-	100.0	100.0	-	100.0	-	-	-	-	-	92.7	100.0	-	-	93.0	90.6
Mediums	0	0	6	0	6	0	0	0	0	0	0	0	0	0	0	3	0	0	0	3	9
% Mediums	0.0	-	12.5	-	12.0	-	0.0	0.0	-	0.0	-	-	-	-	-	7.3	0.0	-	-	7.0	9.4
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% Articulated Trucks	0.0	-	0.0	-	0.0	-	0.0	0.0	-	0.0	-	-	-	-	-	0.0	0.0	-	-	0.0	0.0

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: VILLAGE DR @ GRAYSTONE RD
Site Code:
Start Date: 05/10/2022



Turning Movement Data Plot

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: VILLAGE DR @ GRAYSTONE RD
Site Code:
Start Date: 05/10/2022

Turning Movement Peak Hour Data (7:00 AM)

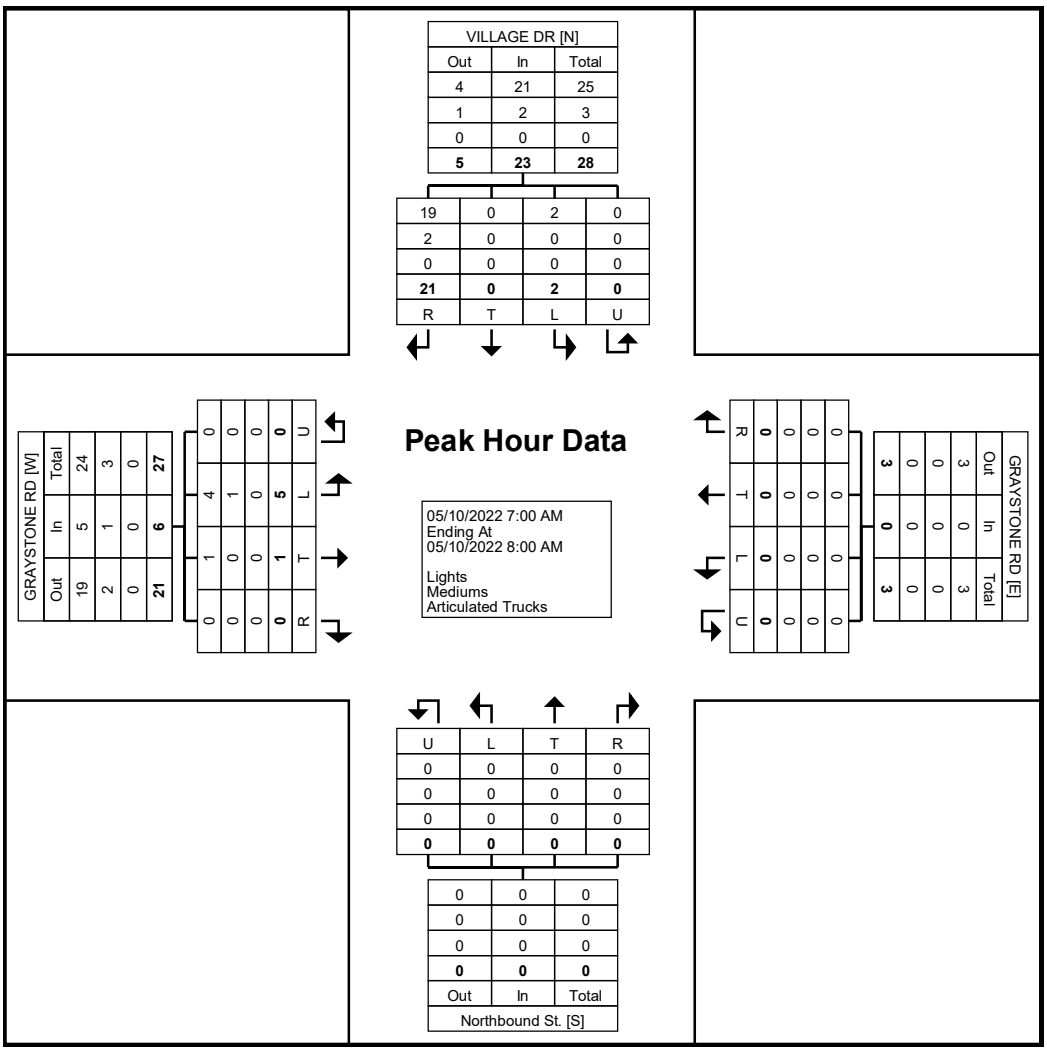
Start Time	VILLAGE DR Southbound					GRAYSTONE RD Westbound					Northbound St. Northbound					GRAYSTONE RD Eastbound					
	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Int. Total
7:00 AM	0	0	7	0	7	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	7
7:15 AM	1	0	5	0	6	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	8
7:30 AM	1	0	5	0	6	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	7
7:45 AM	0	0	4	0	4	0	0	0	0	0	0	0	0	0	0	2	1	0	0	3	7
Total	2	0	21	0	23	0	0	0	0	0	0	0	0	0	0	5	1	0	0	6	29
Approach %	8.7	0.0	91.3	0.0	-	0.0	0.0	0.0	0.0	-	0.0	0.0	0.0	0.0	-	83.3	16.7	0.0	0.0	-	-
Total %	6.9	0.0	72.4	0.0	79.3	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0	17.2	3.4	0.0	0.0	20.7	-
PHF	0.500	0.000	0.750	0.000	0.821	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.625	0.250	0.000	0.000	0.500	0.906
Lights	2	0	19	0	21	0	0	0	0	0	0	0	0	0	0	4	1	0	0	5	26
% Lights	100.0	-	90.5	-	91.3	-	-	-	-	-	-	-	-	-	-	80.0	100.0	-	-	83.3	89.7
Mediums	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	3
% Mediums	0.0	-	9.5	-	8.7	-	-	-	-	-	-	-	-	-	-	20.0	0.0	-	-	16.7	10.3
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% Articulated Trucks	0.0	-	0.0	-	0.0	-	-	-	-	-	-	-	-	-	-	0.0	0.0	-	-	0.0	0.0

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: VILLAGE DR @ GRAYSTONE RD
Site Code:
Start Date: 05/10/2022



Turning Movement Peak Hour Data Plot (7:00 AM)

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: VILLAGE DR @ GRAYSTONE RD
Site Code:
Start Date: 05/10/2022

Turning Movement Peak Hour Data (4:45 PM)

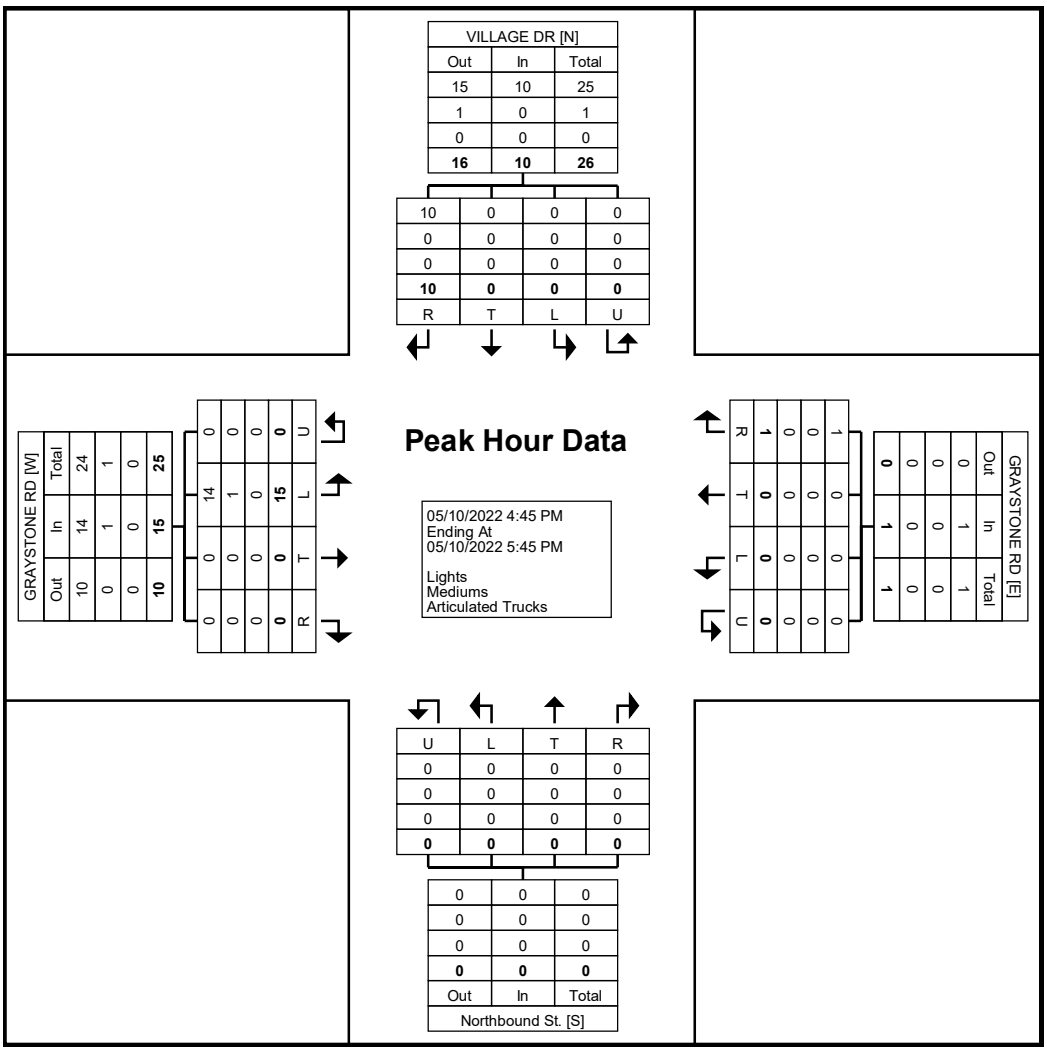
Start Time	VILLAGE DR Southbound					GRAYSTONE RD Westbound					Northbound St. Northbound					GRAYSTONE RD Eastbound					
	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Left	Thru	Right	U-Turn	App. Total	Int. Total
4:45 PM	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	6	0	0	0	6	9
5:00 PM	0	0	2	0	2	0	0	0	0	0	0	0	0	0	0	4	0	0	0	4	6
5:15 PM	0	0	2	0	2	0	0	1	0	1	0	0	0	0	0	3	0	0	0	3	6
5:30 PM	0	0	3	0	3	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	5
Total	0	0	10	0	10	0	0	1	0	1	0	0	0	0	0	15	0	0	0	15	26
Approach %	0.0	0.0	100.0	0.0	-	0.0	0.0	100.0	0.0	-	0.0	0.0	0.0	0.0	-	100.0	0.0	0.0	0.0	-	-
Total %	0.0	0.0	38.5	0.0	38.5	0.0	0.0	3.8	0.0	3.8	0.0	0.0	0.0	0.0	0.0	57.7	0.0	0.0	0.0	57.7	-
PHF	0.000	0.000	0.833	0.000	0.833	0.000	0.000	0.250	0.000	0.250	0.000	0.000	0.000	0.000	0.000	0.625	0.000	0.000	0.000	0.625	0.722
Lights	0	0	10	0	10	0	0	1	0	1	0	0	0	0	0	14	0	0	0	14	25
% Lights	-	-	100.0	-	100.0	-	-	100.0	-	100.0	-	-	-	-	-	93.3	-	-	-	93.3	96.2
Mediums	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0	1	1
% Mediums	-	-	0.0	-	0.0	-	-	0.0	-	0.0	-	-	-	-	-	6.7	-	-	-	6.7	3.8
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% Articulated Trucks	-	-	0.0	-	0.0	-	-	0.0	-	0.0	-	-	-	-	-	0.0	-	-	-	0.0	0.0

GRAM Traffic NTX Inc.

1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968

Count Name: VILLAGE DR @ GRAYSTONE RD
Site Code:
Start Date: 05/10/2022



Turning Movement Peak Hour Data Plot (4:45 PM)

GRAM Traffic NTX Inc.
1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968 isaiah@gramntx.com

Count Name: SISTRUNK ST @ DRIPPING SPRING RD
Site Code:
Start Date: 05/10/2022

Turning Movement Data

Start Time	SISTRUNK ST Southbound					DRIPPING SPRING RD Westbound					SISTRUNK ST Northbound					DRIPPING SPRING RD Eastbound					
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Int. Total
6:45 AM	0	1	1	0	2	0	8	0	0	8	0	0	0	0	0	0	6	0	0	6	16
Hourly Total	0	1	1	0	2	0	8	0	0	8	0	0	0	0	0	0	6	0	0	6	16
7:00 AM	0	0	0	0	0	0	13	0	0	13	0	0	1	0	1	1	7	1	0	9	23
7:15 AM	1	0	0	0	1	0	19	0	0	19	0	0	1	0	1	0	5	1	0	6	27
7:30 AM	3	0	0	0	3	0	17	0	0	17	0	1	0	0	1	1	9	0	0	10	31
7:45 AM	3	1	0	0	4	0	19	0	0	19	1	0	2	0	3	0	5	0	0	5	31
Hourly Total	7	1	0	0	8	0	68	0	0	68	1	1	4	0	6	2	26	2	0	30	112
8:00 AM	0	0	0	0	0	0	15	0	0	15	0	0	0	0	0	0	6	0	0	6	21
8:15 AM	1	0	0	0	1	0	8	0	0	8	0	1	0	0	1	1	1	2	0	4	14
8:30 AM	0	0	0	0	0	0	9	0	0	9	0	0	2	0	2	1	7	2	0	10	21
*** BREAK ***	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hourly Total	1	0	0	0	1	0	32	0	0	32	0	1	2	0	3	2	14	4	0	20	56
4:00 PM	1	1	0	0	2	0	9	1	0	10	0	0	0	0	0	4	12	1	0	17	29
4:15 PM	3	0	0	0	3	0	10	1	0	11	0	0	0	0	0	2	15	2	0	19	33
4:30 PM	1	0	0	0	1	0	15	0	0	15	1	0	1	0	2	0	13	0	0	13	31
4:45 PM	1	2	0	0	3	0	7	0	0	7	0	0	3	0	3	1	9	4	0	14	27
Hourly Total	6	3	0	0	9	0	41	2	0	43	1	0	4	0	5	7	49	7	0	63	120
5:00 PM	0	0	0	0	0	0	14	0	0	14	0	1	1	0	2	0	12	3	0	15	31
5:15 PM	1	0	0	0	1	0	18	0	0	18	0	0	0	0	0	0	18	2	0	20	39
5:30 PM	0	0	0	0	0	0	10	1	0	11	0	0	0	0	0	0	15	2	0	17	28
5:45 PM	2	0	0	0	2	0	11	0	0	11	0	0	0	0	0	2	13	0	0	15	28
Hourly Total	3	0	0	0	3	0	53	1	0	54	0	1	1	0	2	2	58	7	0	67	126
Grand Total	17	5	1	0	23	0	202	3	0	205	2	3	11	0	16	13	153	20	0	186	430
Approach %	73.9	21.7	4.3	0.0	-	0.0	98.5	1.5	0.0	-	12.5	18.8	68.8	0.0	-	7.0	82.3	10.8	0.0	-	-
Total %	4.0	1.2	0.2	0.0	5.3	0.0	47.0	0.7	0.0	47.7	0.5	0.7	2.6	0.0	3.7	3.0	35.6	4.7	0.0	43.3	-
Lights	16	2	1	0	19	0	192	3	0	195	2	1	10	0	13	10	152	19	0	181	408
% Lights	94.1	40.0	100.0	-	82.6	-	95.0	100.0	-	95.1	100.0	33.3	90.9	-	81.3	76.9	99.3	95.0	-	97.3	94.9
Mediums	1	3	0	0	4	0	7	0	0	7	0	2	1	0	3	3	1	1	0	5	19
% Mediums	5.9	60.0	0.0	-	17.4	-	3.5	0.0	-	3.4	0.0	66.7	9.1	-	18.8	23.1	0.7	5.0	-	2.7	4.4
Articulated Trucks	0	0	0	0	0	0	3	0	0	3	0	0	0	0	0	0	0	0	0	0	3
% Articulated Trucks	0.0	0.0	0.0	-	0.0	-	1.5	0.0	-	1.5	0.0	0.0	0.0	-	0.0	0.0	0.0	0.0	-	0.0	0.7

GRAM Traffic NTX Inc.
1120 W. Lovers Lane

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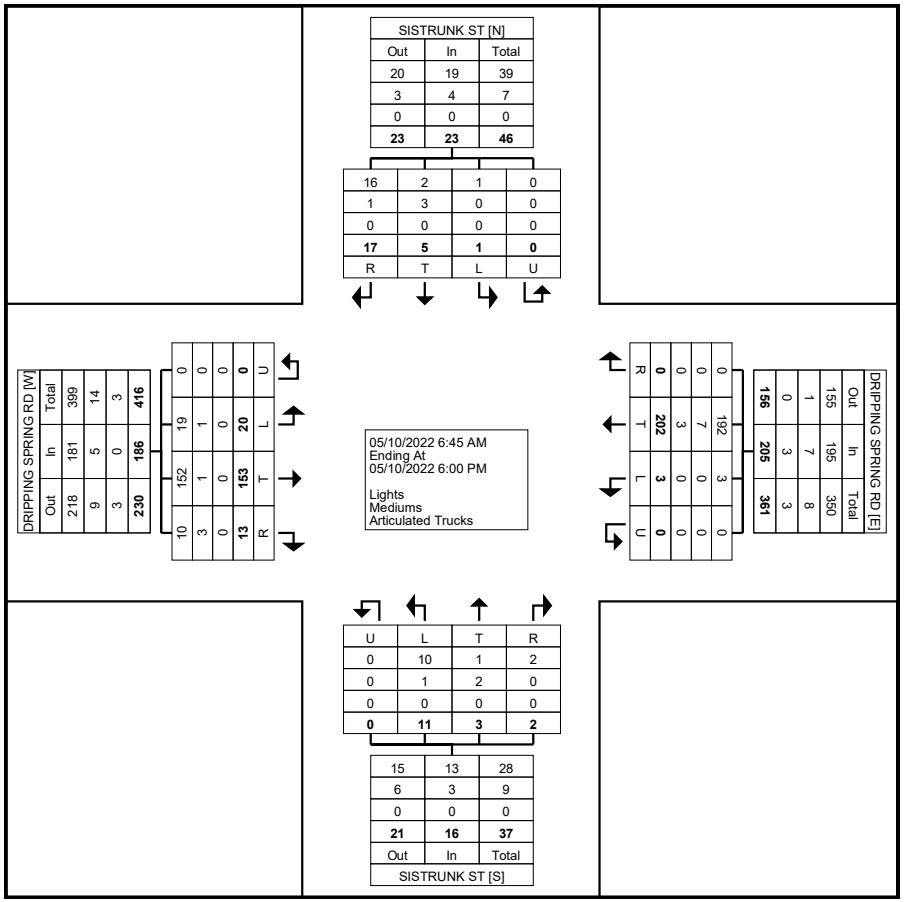
817.265.8968 isaiah@gramntx.com

Count Name: SISTRUNK ST @ DRIPPING SPRING RD
Site Code:
Start Date: 05/10/2022



Turning Movement Data Plot

GRAM Traffic NTX Inc.
1120 W. Lovers Lane

Arlington, Texas, United States 76013
817.265.8968 isaiah@gramntx.com

Count Name: SISTRUNK ST @ DRIPPING SPRING RD
Site Code:
Start Date: 05/10/2022

Turning Movement Peak Hour Data (7:00 AM)

Start Time	SISTRUNK ST Southbound					DRIPPING SPRING RD Westbound					SISTRUNK ST Northbound					DRIPPING SPRING RD Eastbound					
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Int. Total
7:00 AM	0	0	0	0	0	0	13	0	0	13	0	0	1	0	1	1	7	1	0	9	23
7:15 AM	1	0	0	0	1	0	19	0	0	19	0	0	1	0	1	0	5	1	0	6	27
7:30 AM	3	0	0	0	3	0	17	0	0	17	0	1	0	0	1	1	9	0	0	10	31
7:45 AM	3	1	0	0	4	0	19	0	0	19	1	0	2	0	3	0	5	0	0	5	31
Total	7	1	0	0	8	0	68	0	0	68	1	1	4	0	6	2	26	2	0	30	112
Approach %	87.5	12.5	0.0	0.0	-	0.0	100.0	0.0	0.0	-	16.7	16.7	66.7	0.0	-	6.7	86.7	6.7	0.0	-	-
Total %	6.3	0.9	0.0	0.0	7.1	0.0	60.7	0.0	0.0	60.7	0.9	0.9	3.6	0.0	5.4	1.8	23.2	1.8	0.0	26.8	-
PHF	0.583	0.250	0.000	0.000	0.500	0.000	0.895	0.000	0.000	0.895	0.250	0.250	0.500	0.000	0.500	0.500	0.722	0.500	0.000	0.750	0.903
Lights	7	0	0	0	7	0	64	0	0	64	1	0	4	0	5	1	26	1	0	28	104
% Lights	100.0	0.0	-	-	87.5	-	94.1	-	-	94.1	100.0	0.0	100.0	-	83.3	50.0	100.0	50.0	-	93.3	92.9
Mediums	0	1	0	0	1	0	2	0	0	2	0	1	0	0	1	1	0	1	0	2	6
% Mediums	0.0	100.0	-	-	12.5	-	2.9	-	-	2.9	0.0	100.0	0.0	-	16.7	50.0	0.0	50.0	-	6.7	5.4
Articulated Trucks	0	0	0	0	0	0	2	0	0	2	0	0	0	0	0	0	0	0	0	0	2
% Articulated Trucks	0.0	0.0	-	-	0.0	-	2.9	-	-	2.9	0.0	0.0	0.0	-	0.0	0.0	0.0	0.0	-	0.0	1.8

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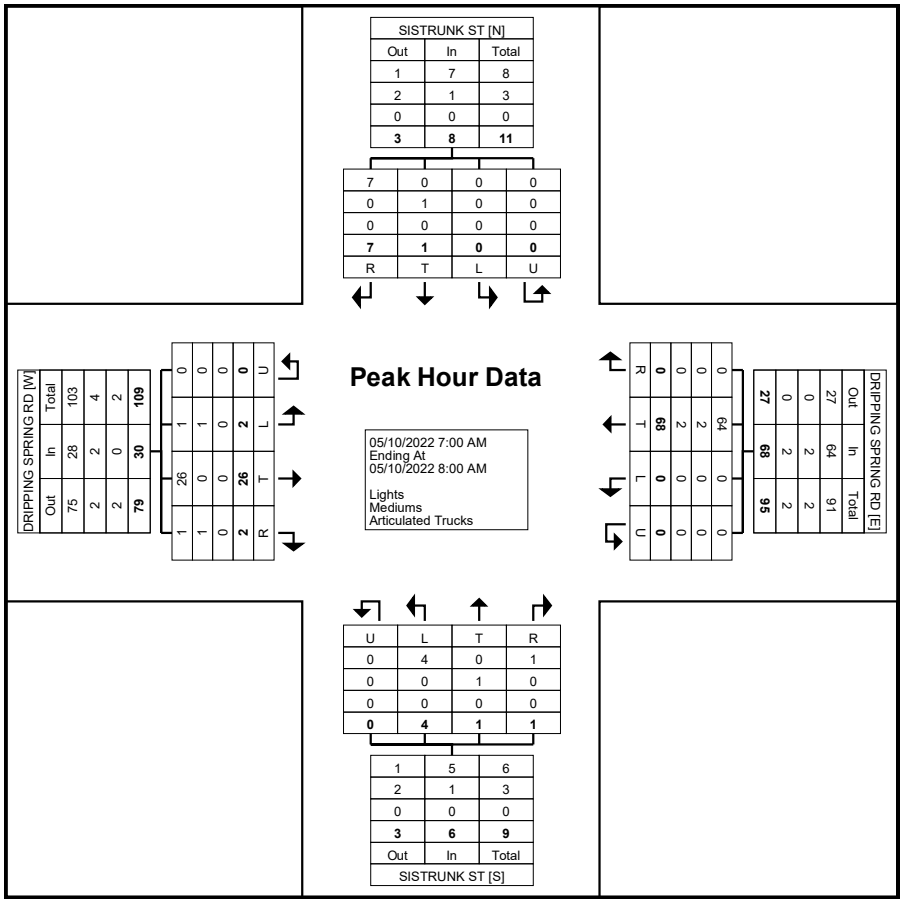
Site Code:
Start Date: 05/10/2022



Turning Movement Peak Hour Data Plot (7:00 AM)

GRAM Traffic NTX Inc.
1120 W. Lovers Lane

Arlington, Texas, United States 76013
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Count Name: SISTRUNK ST @ DRIPPING SPRING RD
Site Code:
Start Date: 05/10/2022

Turning Movement Peak Hour Data (4:30 PM)

Start Time	SISTRUNK ST Southbound					DRIPPING SPRING RD Westbound					SISTRUNK ST Northbound					DRIPPING SPRING RD Eastbound					
	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Right	Thru	Left	U-Turn	App. Total	Int. Total
4:30 PM	1	0	0	0	1	0	15	0	0	15	1	0	1	0	2	0	13	0	0	13	31
4:45 PM	1	2	0	0	3	0	7	0	0	7	0	0	3	0	3	1	9	4	0	14	27
5:00 PM	0	0	0	0	0	0	14	0	0	14	0	1	1	0	2	0	12	3	0	15	31
5:15 PM	1	0	0	0	1	0	18	0	0	18	0	0	0	0	0	0	18	2	0	20	39
Total	3	2	0	0	5	0	54	0	0	54	1	1	5	0	7	1	52	9	0	62	128
Approach %	60.0	40.0	0.0	0.0	-	0.0	100.0	0.0	0.0	-	14.3	14.3	71.4	0.0	-	1.6	83.9	14.5	0.0	-	-
Total %	2.3	1.6	0.0	0.0	3.9	0.0	42.2	0.0	0.0	42.2	0.8	0.8	3.9	0.0	5.5	0.8	40.6	7.0	0.0	48.4	-
PHF	0.750	0.250	0.000	0.000	0.417	0.000	0.750	0.000	0.000	0.750	0.250	0.250	0.417	0.000	0.583	0.250	0.722	0.563	0.000	0.775	0.821
Lights	3	2	0	0	5	0	53	0	0	53	1	0	5	0	6	1	51	9	0	61	125
% Lights	100.0	100.0	-	-	100.0	-	98.1	-	-	98.1	100.0	0.0	100.0	-	85.7	100.0	98.1	100.0	-	98.4	97.7
Mediums	0	0	0	0	0	0	1	0	0	1	0	1	0	0	1	0	1	0	0	1	3
% Mediums	0.0	0.0	-	-	0.0	-	1.9	-	-	1.9	0.0	100.0	0.0	-	14.3	0.0	1.9	0.0	-	1.6	2.3
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
% Articulated Trucks	0.0	0.0	-	-	0.0	-	0.0	-	-	0.0	0.0	0.0	0.0	-	0.0	0.0	0.0	0.0	-	0.0	0.0

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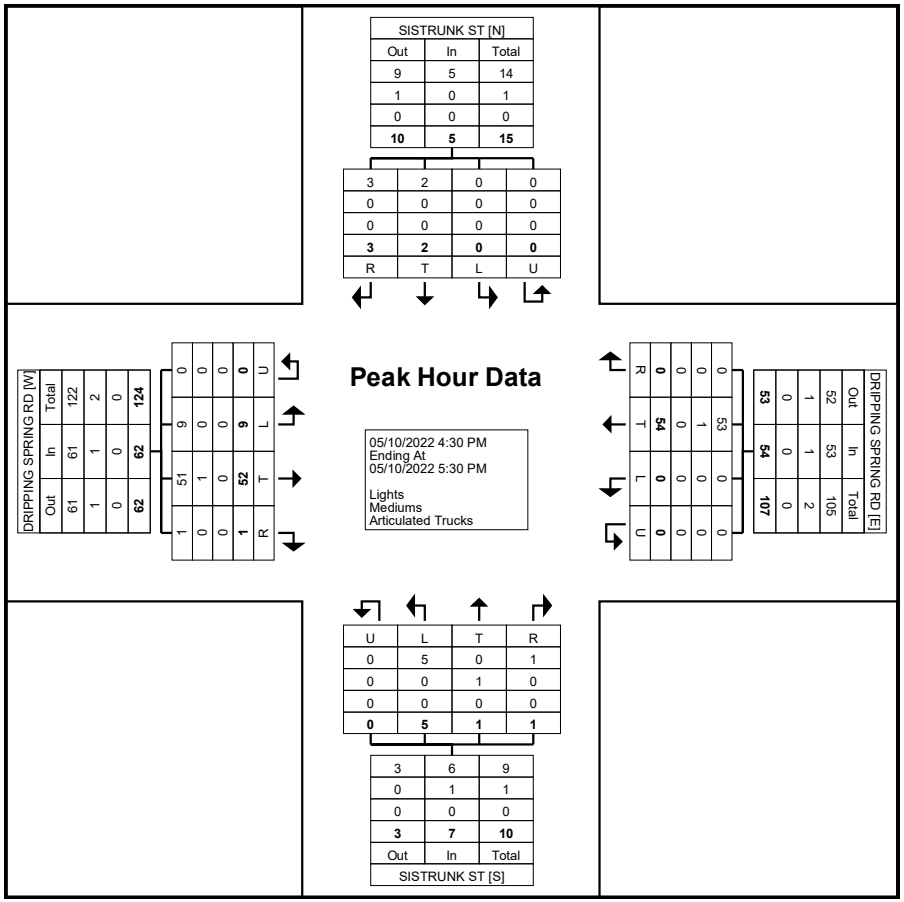
Site Code:
Start Date: 05/10/2022



Turning Movement Peak Hour Data Plot (4:30 PM)

Intersection	
Int Delay, s/veh	0.5

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	9	6	191	4	3	209
Future Vol, veh/h	9	6	191	4	3	209
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	78	78	78	78	78	78
Heavy Vehicles, %	2	17	4	2	2	2
Mvmt Flow	12	8	245	5	4	268

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	524	248	0	0	250	0
Stage 1	248	-	-	-	-	-
Stage 2	276	-	-	-	-	-
Critical Hdwy	6.42	6.37	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.453	-	-	2.218	-
Pot Cap-1 Maneuver	514	755	-	-	1316	-
Stage 1	793	-	-	-	-	-
Stage 2	771	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	512	755	-	-	1316	-
Mov Cap-2 Maneuver	512	-	-	-	-	-
Stage 1	793	-	-	-	-	-
Stage 2	768	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.3	0	0.1
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	588	1316	-
HCM Lane V/C Ratio	-	-	0.033	0.003	-
HCM Control Delay (s)	-	-	11.3	7.7	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	7.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	5	1	0	0	0	0	0	0	0	2	0	21
Future Vol, veh/h	5	1	0	0	0	0	0	0	0	2	0	21
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	91	91	91	91	91	91	91	91	91	91	91	91
Heavy Vehicles, %	20	2	2	2	2	2	2	2	2	2	2	10
Mvmt Flow	5	1	0	0	0	0	0	0	0	2	0	23

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1	0	0	1	0	0	24	12	1	12	12	1
Stage 1	-	-	-	-	-	-	11	11	-	1	1	-
Stage 2	-	-	-	-	-	-	13	1	-	11	11	-
Critical Hdwy	4.3	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.3
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.38	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.39
Pot Cap-1 Maneuver	1511	-	-	1622	-	-	987	883	1084	1005	883	1061
Stage 1	-	-	-	-	-	-	1010	886	-	1022	895	-
Stage 2	-	-	-	-	-	-	1007	895	-	1010	886	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1511	-	-	1622	-	-	963	880	1084	1003	880	1061
Mov Cap-2 Maneuver	-	-	-	-	-	-	963	880	-	1003	880	-
Stage 1	-	-	-	-	-	-	1007	883	-	1019	895	-
Stage 2	-	-	-	-	-	-	985	895	-	1007	883	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	6.2	0	0	8.5
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1511	-	-	1622	-	-	1056
HCM Lane V/C Ratio	-	0.004	-	-	-	-	-	0.024
HCM Control Delay (s)	0	7.4	0	-	0	-	-	8.5
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	2	26	2	0	68	0	4	1	1	0	1	7
Future Vol, veh/h	2	26	2	0	68	0	4	1	1	0	1	7
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	50	2	50	2	6	2	2	100	2	2	100	2
Mvmt Flow	2	29	2	0	76	0	4	1	1	0	1	8

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	76	0	0	31	0	0	115	110	30	111	111	76
Stage 1	-	-	-	-	-	-	34	34	-	76	76	-
Stage 2	-	-	-	-	-	-	81	76	-	35	35	-
Critical Hdwy	4.6	-	-	4.12	-	-	7.12	7.5	6.22	7.12	7.5	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Follow-up Hdwy	2.65	-	-	2.218	-	-	3.518	4.9	3.318	3.518	4.9	3.318
Pot Cap-1 Maneuver	1268	-	-	1582	-	-	862	629	1044	867	628	985
Stage 1	-	-	-	-	-	-	982	707	-	933	674	-
Stage 2	-	-	-	-	-	-	927	674	-	981	706	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1268	-	-	1582	-	-	853	628	1044	864	627	985
Mov Cap-2 Maneuver	-	-	-	-	-	-	853	628	-	864	627	-
Stage 1	-	-	-	-	-	-	980	706	-	931	674	-
Stage 2	-	-	-	-	-	-	918	674	-	976	705	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.5	0	9.4	9
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	829	1268	-	-	1582	-	-	919
HCM Lane V/C Ratio	0.008	0.002	-	-	-	-	-	0.01
HCM Control Delay (s)	9.4	7.8	0	-	0	-	-	9
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	0	0	-	-	0	-	-	0

Intersection	
Int Delay, s/veh	0.5

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	8	4	149	7	7	208
Future Vol, veh/h	8	4	149	7	7	208
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	78	78	78	78	78	78
Heavy Vehicles, %	2	17	4	2	2	2
Mvmt Flow	10	5	191	9	9	267

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	481	196	0	0	200	0
Stage 1	196	-	-	-	-	-
Stage 2	285	-	-	-	-	-
Critical Hdwy	6.42	6.37	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.453	-	-	2.218	-
Pot Cap-1 Maneuver	544	808	-	-	1372	-
Stage 1	837	-	-	-	-	-
Stage 2	763	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	540	808	-	-	1372	-
Mov Cap-2 Maneuver	540	-	-	-	-	-
Stage 1	837	-	-	-	-	-
Stage 2	757	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.1	0	0.2
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	607	1372	-
HCM Lane V/C Ratio	-	-	0.025	0.007	-
HCM Control Delay (s)	-	-	11.1	7.6	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	4.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	15	0	0	0	0	1	0	0	0	0	0	10
Future Vol, veh/h	15	0	0	0	0	1	0	0	0	0	0	10
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	91	91	91	91	91	91	91	91	91	91	91	91
Heavy Vehicles, %	20	2	2	2	2	2	2	2	2	2	2	10
Mvmt Flow	16	0	0	0	0	1	0	0	0	0	0	11

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1	0	0	0	0	0	38	33	0	33	33	1
Stage 1	-	-	-	-	-	-	32	32	-	1	1	-
Stage 2	-	-	-	-	-	-	6	1	-	32	32	-
Critical Hdwy	4.3	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.3
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.38	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.39
Pot Cap-1 Maneuver	1511	-	-	-	-	-	967	860	-	974	860	1061
Stage 1	-	-	-	-	-	-	984	868	-	1022	895	-
Stage 2	-	-	-	-	-	-	1016	895	-	984	868	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1511	-	-	-	-	-	949	851	-	-	851	1061
Mov Cap-2 Maneuver	-	-	-	-	-	-	949	851	-	-	851	-
Stage 1	-	-	-	-	-	-	973	858	-	1011	895	-
Stage 2	-	-	-	-	-	-	1005	895	-	973	858	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	7.4	0	0	
HCM LOS			A	-

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1511	-	-	-	-	-	-
HCM Lane V/C Ratio	-	0.011	-	-	-	-	-	-
HCM Control Delay (s)	0	7.4	0	-	0	-	-	-
HCM Lane LOS	A	A	A	-	A	-	-	-
HCM 95th %tile Q(veh)	-	0	-	-	-	-	-	-

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	9	52	1	0	54	0	5	1	1	0	2	3
Future Vol, veh/h	9	52	1	0	54	0	5	1	1	0	2	3
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	50	2	50	2	6	2	2	100	2	2	100	2
Mvmt Flow	10	58	1	0	60	0	6	1	1	0	2	3

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	60	0	0	59	0	0	142	139	59	140	139	60
Stage 1	-	-	-	-	-	-	79	79	-	60	60	-
Stage 2	-	-	-	-	-	-	63	60	-	80	79	-
Critical Hdwy	4.6	-	-	4.12	-	-	7.12	7.5	6.22	7.12	7.5	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Follow-up Hdwy	2.65	-	-	2.218	-	-	3.518	4.9	3.318	3.518	4.9	3.318
Pot Cap-1 Maneuver	1286	-	-	1545	-	-	828	604	1007	830	604	1005
Stage 1	-	-	-	-	-	-	930	672	-	951	687	-
Stage 2	-	-	-	-	-	-	948	687	-	929	672	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1286	-	-	1545	-	-	818	599	1007	823	599	1005
Mov Cap-2 Maneuver	-	-	-	-	-	-	818	599	-	823	599	-
Stage 1	-	-	-	-	-	-	923	667	-	943	687	-
Stage 2	-	-	-	-	-	-	942	687	-	919	667	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	1.1	0	9.6	9.6
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	798	1286	-	-	1545	-	-	791
HCM Lane V/C Ratio	0.01	0.008	-	-	-	-	-	0.007
HCM Control Delay (s)	9.6	7.8	0	-	0	-	-	9.6
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	0	0	-	-	0	-	-	0

Intersection	
Int Delay, s/veh	0.5

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	10	7	215	5	3	235
Future Vol, veh/h	10	7	215	5	3	235
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	78	78	78	78	78	78
Heavy Vehicles, %	2	17	4	2	2	2
Mvmt Flow	13	9	276	6	4	301

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	588	279	0	0	282	0
Stage 1	279	-	-	-	-	-
Stage 2	309	-	-	-	-	-
Critical Hdwy	6.42	6.37	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.453	-	-	2.218	-
Pot Cap-1 Maneuver	471	725	-	-	1280	-
Stage 1	768	-	-	-	-	-
Stage 2	745	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	469	725	-	-	1280	-
Mov Cap-2 Maneuver	469	-	-	-	-	-
Stage 1	768	-	-	-	-	-
Stage 2	742	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.8	0	0.1
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	549	1280	-
HCM Lane V/C Ratio	-	-	0.04	0.003	-
HCM Control Delay (s)	-	-	11.8	7.8	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	7.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	6	1	0	0	0	0	0	0	0	2	0	24
Future Vol, veh/h	6	1	0	0	0	0	0	0	0	2	0	24
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	91	91	91	91	91	91	91	91	91	91	91	91
Heavy Vehicles, %	20	2	2	2	2	2	2	2	2	2	2	10
Mvmt Flow	7	1	0	0	0	0	0	0	0	2	0	26

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1	0	0	1	0	0	29	16	1	16	16	1
Stage 1	-	-	-	-	-	-	15	15	-	1	1	-
Stage 2	-	-	-	-	-	-	14	1	-	15	15	-
Critical Hdwy	4.3	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.3
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.38	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.39
Pot Cap-1 Maneuver	1511	-	-	1622	-	-	980	878	1084	999	878	1061
Stage 1	-	-	-	-	-	-	1005	883	-	1022	895	-
Stage 2	-	-	-	-	-	-	1006	895	-	1005	883	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1511	-	-	1622	-	-	952	874	1084	995	874	1061
Mov Cap-2 Maneuver	-	-	-	-	-	-	952	874	-	995	874	-
Stage 1	-	-	-	-	-	-	1000	879	-	1017	895	-
Stage 2	-	-	-	-	-	-	981	895	-	1000	879	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	6.3	0	0	8.5
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1511	-	-	1622	-	-	1056
HCM Lane V/C Ratio	-	0.004	-	-	-	-	-	0.027
HCM Control Delay (s)	0	7.4	0	-	0	-	-	8.5
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	-	0	-	-	0	-	-	0.1

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	2	30	2	0	78	0	5	1	1	0	1	8
Future Vol, veh/h	2	30	2	0	78	0	5	1	1	0	1	8
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	50	2	50	2	6	2	2	100	2	2	100	2
Mvmt Flow	2	33	2	0	87	0	6	1	1	0	1	9

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	87	0	0	35	0	0	130	125	34	126	126	87
Stage 1	-	-	-	-	-	-	38	38	-	87	87	-
Stage 2	-	-	-	-	-	-	92	87	-	39	39	-
Critical Hdwy	4.6	-	-	4.12	-	-	7.12	7.5	6.22	7.12	7.5	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Follow-up Hdwy	2.65	-	-	2.218	-	-	3.518	4.9	3.318	3.518	4.9	3.318
Pot Cap-1 Maneuver	1255	-	-	1576	-	-	843	616	1039	848	615	971
Stage 1	-	-	-	-	-	-	977	704	-	921	666	-
Stage 2	-	-	-	-	-	-	915	666	-	976	703	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1255	-	-	1576	-	-	833	615	1039	845	614	971
Mov Cap-2 Maneuver	-	-	-	-	-	-	833	615	-	845	614	-
Stage 1	-	-	-	-	-	-	975	703	-	919	666	-
Stage 2	-	-	-	-	-	-	905	666	-	971	702	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.5	0	9.5	9
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	815	1255	-	-	1576	-	-	912
HCM Lane V/C Ratio	0.01	0.002	-	-	-	-	-	0.011
HCM Control Delay (s)	9.5	7.9	0	-	0	-	-	9
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	0	0	-	-	0	-	-	0

Intersection	
Int Delay, s/veh	0.5

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	9	5	168	8	8	234
Future Vol, veh/h	9	5	168	8	8	234
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	78	78	78	78	78	78
Heavy Vehicles, %	2	17	4	2	2	2
Mvmt Flow	12	6	215	10	10	300

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	540	220	0	0	225	0
Stage 1	220	-	-	-	-	-
Stage 2	320	-	-	-	-	-
Critical Hdwy	6.42	6.37	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.453	-	-	2.218	-
Pot Cap-1 Maneuver	503	784	-	-	1344	-
Stage 1	817	-	-	-	-	-
Stage 2	736	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	498	784	-	-	1344	-
Mov Cap-2 Maneuver	498	-	-	-	-	-
Stage 1	817	-	-	-	-	-
Stage 2	729	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	11.5	0	0.3
HCM LOS	B		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	573	1344	-
HCM Lane V/C Ratio	-	-	0.031	0.008	-
HCM Control Delay (s)	-	-	11.5	7.7	0
HCM Lane LOS	-	-	B	A	A
HCM 95th %tile Q(veh)	-	-	0.1	0	-

Intersection	
Int Delay, s/veh	4.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	17	0	0	0	0	1	0	0	0	0	0	11
Future Vol, veh/h	17	0	0	0	0	1	0	0	0	0	0	11
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	91	91	91	91	91	91	91	91	91	91	91	91
Heavy Vehicles, %	20	2	2	2	2	2	2	2	2	2	2	10
Mvmt Flow	19	0	0	0	0	1	0	0	0	0	0	12

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	1	0	0	0	0	0	45	39	0	39	39	1
Stage 1	-	-	-	-	-	-	38	38	-	1	1	-
Stage 2	-	-	-	-	-	-	7	1	-	38	38	-
Critical Hdwy	4.3	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.3
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.38	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.39
Pot Cap-1 Maneuver	1511	-	-	-	-	-	957	853	-	966	853	1061
Stage 1	-	-	-	-	-	-	977	863	-	1022	895	-
Stage 2	-	-	-	-	-	-	1015	895	-	977	863	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1511	-	-	-	-	-	937	842	-	-	842	1061
Mov Cap-2 Maneuver	-	-	-	-	-	-	937	842	-	-	842	-
Stage 1	-	-	-	-	-	-	964	852	-	1009	895	-
Stage 2	-	-	-	-	-	-	1003	895	-	964	852	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	7.4	0	0	
HCM LOS			A	-

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	-	1511	-	-	-	-	-	-
HCM Lane V/C Ratio	-	0.012	-	-	-	-	-	-
HCM Control Delay (s)	0	7.4	0	-	0	-	-	-
HCM Lane LOS	A	A	A	-	A	-	-	-
HCM 95th %tile Q(veh)	-	0	-	-	-	-	-	-

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	10	60	1	0	62	0	6	1	1	0	2	3
Future Vol, veh/h	10	60	1	0	62	0	6	1	1	0	2	3
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	50	2	50	2	6	2	2	100	2	2	100	2
Mvmt Flow	11	67	1	0	69	0	7	1	1	0	2	3

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	69	0	0	68	0	0	162	159	68	160	159	69
Stage 1	-	-	-	-	-	-	90	90	-	69	69	-
Stage 2	-	-	-	-	-	-	72	69	-	91	90	-
Critical Hdwy	4.6	-	-	4.12	-	-	7.12	7.5	6.22	7.12	7.5	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Follow-up Hdwy	2.65	-	-	2.218	-	-	3.518	4.9	3.318	3.518	4.9	3.318
Pot Cap-1 Maneuver	1276	-	-	1533	-	-	803	587	995	806	587	994
Stage 1	-	-	-	-	-	-	917	664	-	941	680	-
Stage 2	-	-	-	-	-	-	938	680	-	916	664	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1276	-	-	1533	-	-	793	582	995	799	582	994
Mov Cap-2 Maneuver	-	-	-	-	-	-	793	582	-	799	582	-
Stage 1	-	-	-	-	-	-	909	658	-	933	680	-
Stage 2	-	-	-	-	-	-	932	680	-	905	658	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	1.1	0	9.7	9.7
HCM LOS			A	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	777	1276	-	-	1533	-	-	775
HCM Lane V/C Ratio	0.011	0.009	-	-	-	-	-	0.007
HCM Control Delay (s)	9.7	7.8	0	-	0	-	-	9.7
HCM Lane LOS	A	A	A	-	A	-	-	A
HCM 95th %tile Q(veh)	0	0	-	-	0	-	-	0

Intersection	
Int Delay, s/veh	7.3

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	77	149	215	108	83	235
Future Vol, veh/h	77	149	215	108	83	235
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	78	78	78	78	78	78
Heavy Vehicles, %	2	17	4	2	2	2
Mvmt Flow	99	191	276	138	106	301

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	858	345	0	0	414	0
Stage 1	345	-	-	-	-	-
Stage 2	513	-	-	-	-	-
Critical Hdwy	6.42	6.37	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.453	-	-	2.218	-
Pot Cap-1 Maneuver	327	665	-	-	1145	-
Stage 1	717	-	-	-	-	-
Stage 2	601	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	291	665	-	-	1145	-
Mov Cap-2 Maneuver	291	-	-	-	-	-
Stage 1	717	-	-	-	-	-
Stage 2	534	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	25	0	2.2
HCM LOS	D		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	462	1145	-
HCM Lane V/C Ratio	-	-	0.627	0.093	-
HCM Control Delay (s)	-	-	25	8.5	0
HCM Lane LOS	-	-	D	A	A
HCM 95th %tile Q(veh)	-	-	4.2	0.3	-

Intersection	
Int Delay, s/veh	2.3

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇕			⇕			⇕			⇕	
Traffic Vol, veh/h	6	117	23	0	118	19	19	0	19	14	0	24
Future Vol, veh/h	6	117	23	0	118	19	19	0	19	14	0	24
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	91	91	91	91	91	91	91	91	91	91	91	91
Heavy Vehicles, %	20	2	2	2	2	2	2	2	2	2	2	10
Mvmt Flow	7	129	25	0	130	21	21	0	21	15	0	26

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	151	0	0	154	0	0	310	307	142	307	309	141
Stage 1	-	-	-	-	-	-	156	156	-	141	141	-
Stage 2	-	-	-	-	-	-	154	151	-	166	168	-
Critical Hdwy	4.3	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.3
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.38	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.39
Pot Cap-1 Maneuver	1327	-	-	1426	-	-	642	607	906	645	605	886
Stage 1	-	-	-	-	-	-	846	769	-	862	780	-
Stage 2	-	-	-	-	-	-	848	772	-	836	759	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1327	-	-	1426	-	-	620	603	906	627	601	886
Mov Cap-2 Maneuver	-	-	-	-	-	-	620	603	-	627	601	-
Stage 1	-	-	-	-	-	-	841	764	-	857	780	-
Stage 2	-	-	-	-	-	-	823	772	-	812	754	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.3	0	10.2	10
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	736	1327	-	-	1426	-	-	769
HCM Lane V/C Ratio	0.057	0.005	-	-	-	-	-	0.054
HCM Control Delay (s)	10.2	7.7	0	-	0	-	-	10
HCM Lane LOS	B	A	A	-	A	-	-	B
HCM 95th %tile Q(veh)	0.2	0	-	-	0	-	-	0.2

Intersection	
Int Delay, s/veh	2.7

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	2	30	7	2	78	0	12	9	5	0	6	8
Future Vol, veh/h	2	30	7	2	78	0	12	9	5	0	6	8
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	50	2	50	2	6	2	2	100	2	2	100	2
Mvmt Flow	2	33	8	2	87	0	13	10	6	0	7	9

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	87	0	0	41	0	0	140	132	37	140	136	87
Stage 1	-	-	-	-	-	-	41	41	-	91	91	-
Stage 2	-	-	-	-	-	-	99	91	-	49	45	-
Critical Hdwy	4.6	-	-	4.12	-	-	7.12	7.5	6.22	7.12	7.5	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Follow-up Hdwy	2.65	-	-	2.218	-	-	3.518	4.9	3.318	3.518	4.9	3.318
Pot Cap-1 Maneuver	1255	-	-	1568	-	-	830	610	1035	830	606	971
Stage 1	-	-	-	-	-	-	974	701	-	916	663	-
Stage 2	-	-	-	-	-	-	907	663	-	964	698	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1255	-	-	1568	-	-	813	608	1035	813	604	971
Mov Cap-2 Maneuver	-	-	-	-	-	-	813	608	-	813	604	-
Stage 1	-	-	-	-	-	-	972	700	-	914	662	-
Stage 2	-	-	-	-	-	-	889	662	-	943	697	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.4	0.2	10	9.8
HCM LOS			B	A

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	756	1255	-	-	1568	-	-	770
HCM Lane V/C Ratio	0.038	0.002	-	-	0.001	-	-	0.02
HCM Control Delay (s)	10	7.9	0	-	7.3	0	-	9.8
HCM Lane LOS	B	A	A	-	A	A	-	A
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0.1

Intersection	
Int Delay, s/veh	1

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	132	47	0	179	19	19
Future Vol, veh/h	132	47	0	179	19	19
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	143	51	0	195	21	21

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	-	-	364	169
Stage 1	-	-	-	-	169	-
Stage 2	-	-	-	-	195	-
Critical Hdwy	-	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	0	-	635	875
Stage 1	-	-	0	-	861	-
Stage 2	-	-	0	-	838	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	-	-	635	875
Mov Cap-2 Maneuver	-	-	-	-	635	-
Stage 1	-	-	-	-	861	-
Stage 2	-	-	-	-	838	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	10.1
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBT
Capacity (veh/h)	635	875	-	-	-
HCM Lane V/C Ratio	0.033	0.024	-	-	-
HCM Control Delay (s)	10.9	9.2	-	-	-
HCM Lane LOS	B	A	-	-	-
HCM 95th %tile Q(veh)	0.1	0.1	-	-	-

Intersection	
Int Delay, s/veh	1.3

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	19	19	2	120	122	23
Future Vol, veh/h	19	19	2	120	122	23
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	21	21	2	130	133	25

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	280	146	158	0	-	0
Stage 1	146	-	-	-	-	-
Stage 2	134	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	710	901	1422	-	-	-
Stage 1	881	-	-	-	-	-
Stage 2	892	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	709	901	1422	-	-	-
Mov Cap-2 Maneuver	709	-	-	-	-	-
Stage 1	879	-	-	-	-	-
Stage 2	892	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.8	0.1	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1422	-	794	-	-
HCM Lane V/C Ratio	0.002	-	0.052	-	-
HCM Control Delay (s)	7.5	0	9.8	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.2	-	-

Intersection	
Int Delay, s/veh	3.9

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	78	39	2	45	95	47
Future Vol, veh/h	78	39	2	45	95	47
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	85	42	2	49	103	51

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	182	129	154	0	-	0
Stage 1	129	-	-	-	-	-
Stage 2	53	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	807	921	1426	-	-	-
Stage 1	897	-	-	-	-	-
Stage 2	970	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	806	921	1426	-	-	-
Mov Cap-2 Maneuver	806	-	-	-	-	-
Stage 1	896	-	-	-	-	-
Stage 2	970	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10	0.3	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1426	-	841	-	-
HCM Lane V/C Ratio	0.002	-	0.151	-	-
HCM Control Delay (s)	7.5	0	10	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.5	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	19	19	2	28	122	12
Future Vol, veh/h	19	19	2	28	122	12
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	21	21	2	30	133	13

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	174	140	146	0	-	0
Stage 1	140	-	-	-	-	-
Stage 2	34	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	816	908	1436	-	-	-
Stage 1	887	-	-	-	-	-
Stage 2	988	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	815	908	1436	-	-	-
Mov Cap-2 Maneuver	815	-	-	-	-	-
Stage 1	886	-	-	-	-	-
Stage 2	988	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.4	0.5	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1436	-	859	-	-
HCM Lane V/C Ratio	0.002	-	0.048	-	-
HCM Control Delay (s)	7.5	0	9.4	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.2	-	-

Intersection	
Int Delay, s/veh	2

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	19	19	5	10	130	12
Future Vol, veh/h	19	19	5	10	130	12
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	21	21	5	11	141	13

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	169	148	154	0	-	0
Stage 1	148	-	-	-	-	-
Stage 2	21	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	821	899	1426	-	-	-
Stage 1	880	-	-	-	-	-
Stage 2	1002	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	818	899	1426	-	-	-
Mov Cap-2 Maneuver	818	-	-	-	-	-
Stage 1	876	-	-	-	-	-
Stage 2	1002	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.4	2.5	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1426	-	857	-	-
HCM Lane V/C Ratio	0.004	-	0.048	-	-
HCM Control Delay (s)	7.5	0	9.4	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.2	-	-

Intersection	
Int Delay, s/veh	1.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	0	0	75	23	0	19
Future Vol, veh/h	0	0	75	23	0	19
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	-	1	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	82	25	0	21

Major/Minor	Major2		Minor2	
Conflicting Flow All	-	0	-	95
Stage 1	-	-	-	-
Stage 2	-	-	-	-
Critical Hdwy	-	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-
Follow-up Hdwy	-	-	-	3.318
Pot Cap-1 Maneuver	-	-	0	962
Stage 1	-	-	0	-
Stage 2	-	-	0	-
Platoon blocked, %	-	-		
Mov Cap-1 Maneuver	-	-	-	962
Mov Cap-2 Maneuver	-	-	-	-
Stage 1	-	-	-	-
Stage 2	-	-	-	-

Approach	WB	SB
HCM Control Delay, s	0	8.8
HCM LOS		A

Minor Lane/Major Mvmt	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	962
HCM Lane V/C Ratio	-	-	0.021
HCM Control Delay (s)	-	-	8.8
HCM Lane LOS	-	-	A
HCM 95th %tile Q(veh)	-	-	0.1

Intersection	
Int Delay, s/veh	3.4

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	0	0	60	35	0	58
Future Vol, veh/h	0	0	60	35	0	58
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	-	1	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	65	38	0	63

Major/Minor	Major2		Minor2	
Conflicting Flow All	-	0	-	84
Stage 1	-	-	-	-
Stage 2	-	-	-	-
Critical Hdwy	-	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-
Follow-up Hdwy	-	-	-	3.318
Pot Cap-1 Maneuver	-	-	0	975
Stage 1	-	-	0	-
Stage 2	-	-	0	-
Platoon blocked, %	-	-		
Mov Cap-1 Maneuver	-	-	-	975
Mov Cap-2 Maneuver	-	-	-	-
Stage 1	-	-	-	-
Stage 2	-	-	-	-

Approach	WB	SB
HCM Control Delay, s	0	8.9
HCM LOS		A

Minor Lane/Major Mvmt	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	975
HCM Lane V/C Ratio	-	-	0.065
HCM Control Delay (s)	-	-	8.9
HCM Lane LOS	-	-	A
HCM 95th %tile Q(veh)	-	-	0.2

Intersection	
Int Delay, s/veh	6

Movement	WBL	WBR	NBT	NBR	SBL	SBT
Lane Configurations						
Traffic Vol, veh/h	56	106	168	190	149	234
Future Vol, veh/h	56	106	168	190	149	234
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	0	-	-	0
Grade, %	0	-	0	-	-	0
Peak Hour Factor	78	78	78	78	78	78
Heavy Vehicles, %	2	17	4	2	2	2
Mvmt Flow	72	136	215	244	191	300

Major/Minor	Minor1		Major1		Major2	
Conflicting Flow All	1019	337	0	0	459	0
Stage 1	337	-	-	-	-	-
Stage 2	682	-	-	-	-	-
Critical Hdwy	6.42	6.37	-	-	4.12	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.453	-	-	2.218	-
Pot Cap-1 Maneuver	263	672	-	-	1102	-
Stage 1	723	-	-	-	-	-
Stage 2	502	-	-	-	-	-
Platoon blocked, %			-	-		-
Mov Cap-1 Maneuver	208	672	-	-	1102	-
Mov Cap-2 Maneuver	208	-	-	-	-	-
Stage 1	723	-	-	-	-	-
Stage 2	398	-	-	-	-	-

Approach	WB	NB	SB
HCM Control Delay, s	25.4	0	3.5
HCM LOS	D		

Minor Lane/Major Mvmt	NBT	NBR	WBLn1	SBL	SBT
Capacity (veh/h)	-	-	379	1102	-
HCM Lane V/C Ratio	-	-	0.548	0.173	-
HCM Control Delay (s)	-	-	25.4	9	0
HCM Lane LOS	-	-	D	A	A
HCM 95th %tile Q(veh)	-	-	3.2	0.6	-

Intersection	
Int Delay, s/veh	2

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		⇕			⇕			⇕			⇕	
Traffic Vol, veh/h	17	167	38	0	87	15	14	0	14	19	0	11
Future Vol, veh/h	17	167	38	0	87	15	14	0	14	19	0	11
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	91	91	91	91	91	91	91	91	91	91	91	91
Heavy Vehicles, %	20	2	2	2	2	2	2	2	2	2	2	10
Mvmt Flow	19	184	42	0	96	16	15	0	15	21	0	12

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	112	0	0	226	0	0	353	355	205	355	368	104
Stage 1	-	-	-	-	-	-	243	243	-	104	104	-
Stage 2	-	-	-	-	-	-	110	112	-	251	264	-
Critical Hdwy	4.3	-	-	4.12	-	-	7.12	6.52	6.22	7.12	6.52	6.3
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	5.52	-	6.12	5.52	-
Follow-up Hdwy	2.38	-	-	2.218	-	-	3.518	4.018	3.318	3.518	4.018	3.39
Pot Cap-1 Maneuver	1373	-	-	1342	-	-	602	571	836	600	561	929
Stage 1	-	-	-	-	-	-	761	705	-	902	809	-
Stage 2	-	-	-	-	-	-	895	803	-	753	690	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1373	-	-	1342	-	-	587	562	836	582	552	929
Mov Cap-2 Maneuver	-	-	-	-	-	-	587	562	-	582	552	-
Stage 1	-	-	-	-	-	-	749	694	-	888	809	-
Stage 2	-	-	-	-	-	-	883	803	-	727	679	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	0.6	0	10.5	10.6
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	690	1373	-	-	1342	-	-	674
HCM Lane V/C Ratio	0.045	0.014	-	-	-	-	-	0.049
HCM Control Delay (s)	10.5	7.7	0	-	0	-	-	10.6
HCM Lane LOS	B	A	A	-	A	-	-	B
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0.2

Intersection	
Int Delay, s/veh	2.8

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Lane Configurations		↕			↕			↕			↕	
Traffic Vol, veh/h	10	60	9	4	62	0	11	7	4	0	10	8
Future Vol, veh/h	10	60	9	4	62	0	11	7	4	0	10	8
Conflicting Peds, #/hr	0	0	0	0	0	0	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Free	Free	Stop	Stop	Stop	Stop	Stop	Stop
RT Channelized	-	-	None	-	-	None	-	-	None	-	-	None
Storage Length	-	-	-	-	-	-	-	-	-	-	-	-
Veh in Median Storage, #	-	0	-	-	0	-	-	0	-	-	0	-
Grade, %	-	0	-	-	0	-	-	0	-	-	0	-
Peak Hour Factor	90	90	90	90	90	90	90	90	90	90	90	90
Heavy Vehicles, %	50	2	50	2	6	2	2	100	2	2	100	2
Mvmt Flow	11	67	10	4	69	0	12	8	4	0	11	9

Major/Minor	Major1			Major2			Minor1			Minor2		
Conflicting Flow All	69	0	0	77	0	0	181	171	72	177	176	69
Stage 1	-	-	-	-	-	-	94	94	-	77	77	-
Stage 2	-	-	-	-	-	-	87	77	-	100	99	-
Critical Hdwy	4.6	-	-	4.12	-	-	7.12	7.5	6.22	7.12	7.5	6.22
Critical Hdwy Stg 1	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Critical Hdwy Stg 2	-	-	-	-	-	-	6.12	6.5	-	6.12	6.5	-
Follow-up Hdwy	2.65	-	-	2.218	-	-	3.518	4.9	3.318	3.518	4.9	3.318
Pot Cap-1 Maneuver	1276	-	-	1522	-	-	781	577	990	785	573	994
Stage 1	-	-	-	-	-	-	913	661	-	932	673	-
Stage 2	-	-	-	-	-	-	921	673	-	906	657	-
Platoon blocked, %		-	-		-	-						
Mov Cap-1 Maneuver	1276	-	-	1522	-	-	755	570	990	766	566	994
Mov Cap-2 Maneuver	-	-	-	-	-	-	755	570	-	766	566	-
Stage 1	-	-	-	-	-	-	905	655	-	924	671	-
Stage 2	-	-	-	-	-	-	895	671	-	883	651	-

Approach	EB	WB	NB	SB
HCM Control Delay, s	1	0.4	10.2	10.3
HCM LOS			B	B

Minor Lane/Major Mvmt	NBLn1	EBL	EBT	EBR	WBL	WBT	WBR	SBLn1
Capacity (veh/h)	712	1276	-	-	1522	-	-	700
HCM Lane V/C Ratio	0.034	0.009	-	-	0.003	-	-	0.029
HCM Control Delay (s)	10.2	7.8	0	-	7.4	0	-	10.3
HCM Lane LOS	B	A	A	-	A	A	-	B
HCM 95th %tile Q(veh)	0.1	0	-	-	0	-	-	0.1

Intersection	
Int Delay, s/veh	0.7

Movement	EBT	EBR	WBL	WBT	NBL	NBR
Lane Configurations						
Traffic Vol, veh/h	227	76	0	122	14	14
Future Vol, veh/h	227	76	0	122	14	14
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Free	Free	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	0	0
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	247	83	0	133	15	15

Major/Minor	Major1		Major2		Minor1	
Conflicting Flow All	0	0	-	-	422	289
Stage 1	-	-	-	-	289	-
Stage 2	-	-	-	-	133	-
Critical Hdwy	-	-	-	-	6.42	6.22
Critical Hdwy Stg 1	-	-	-	-	5.42	-
Critical Hdwy Stg 2	-	-	-	-	5.42	-
Follow-up Hdwy	-	-	-	-	3.518	3.318
Pot Cap-1 Maneuver	-	-	0	-	588	750
Stage 1	-	-	0	-	760	-
Stage 2	-	-	0	-	893	-
Platoon blocked, %	-	-		-		
Mov Cap-1 Maneuver	-	-	-	-	588	750
Mov Cap-2 Maneuver	-	-	-	-	588	-
Stage 1	-	-	-	-	760	-
Stage 2	-	-	-	-	893	-

Approach	EB	WB	NB
HCM Control Delay, s	0	0	10.6
HCM LOS			B

Minor Lane/Major Mvmt	NBLn1	NBLn2	EBT	EBR	WBT
Capacity (veh/h)	588	750	-	-	-
HCM Lane V/C Ratio	0.026	0.02	-	-	-
HCM Control Delay (s)	11.3	9.9	-	-	-
HCM Lane LOS	B	A	-	-	-
HCM 95th %tile Q(veh)	0.1	0.1	-	-	-

Intersection	
Int Delay, s/veh	0.9

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	14	14	4	87	167	38
Future Vol, veh/h	14	14	4	87	167	38
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	15	15	4	95	182	41

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	306	203	223	0	-	0
Stage 1	203	-	-	-	-	-
Stage 2	103	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	686	838	1346	-	-	-
Stage 1	831	-	-	-	-	-
Stage 2	921	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	684	838	1346	-	-	-
Mov Cap-2 Maneuver	684	-	-	-	-	-
Stage 1	829	-	-	-	-	-
Stage 2	921	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10	0.3	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1346	-	753	-	-
HCM Lane V/C Ratio	0.003	-	0.04	-	-
HCM Control Delay (s)	7.7	0	10	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

Intersection	
Int Delay, s/veh	2.9

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	56	28	4	35	105	76
Future Vol, veh/h	56	28	4	35	105	76
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	61	30	4	38	114	83

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	202	156	197	0	-	0
Stage 1	156	-	-	-	-	-
Stage 2	46	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	787	890	1376	-	-	-
Stage 1	872	-	-	-	-	-
Stage 2	976	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	785	890	1376	-	-	-
Mov Cap-2 Maneuver	785	-	-	-	-	-
Stage 1	869	-	-	-	-	-
Stage 2	976	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	10	0.8	0
HCM LOS	B		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1376	-	817	-	-
HCM Lane V/C Ratio	0.003	-	0.112	-	-
HCM Control Delay (s)	7.6	0	10	-	-
HCM Lane LOS	A	A	B	-	-
HCM 95th %tile Q(veh)	0	-	0.4	-	-

Intersection	
Int Delay, s/veh	1.5

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	14	14	4	25	115	19
Future Vol, veh/h	14	14	4	25	115	19
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	15	15	4	27	125	21

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	171	136	146	0	-	0
Stage 1	136	-	-	-	-	-
Stage 2	35	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	819	913	1436	-	-	-
Stage 1	890	-	-	-	-	-
Stage 2	987	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	817	913	1436	-	-	-
Mov Cap-2 Maneuver	817	-	-	-	-	-
Stage 1	887	-	-	-	-	-
Stage 2	987	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.3	1	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1436	-	862	-	-
HCM Lane V/C Ratio	0.003	-	0.035	-	-
HCM Control Delay (s)	7.5	0	9.3	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

Intersection	
Int Delay, s/veh	1.8

Movement	EBL	EBR	NBL	NBT	SBT	SBR
Lane Configurations						
Traffic Vol, veh/h	14	14	8	15	110	19
Future Vol, veh/h	14	14	8	15	110	19
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Free	Free
RT Channelized	-	None	-	None	-	None
Storage Length	0	-	-	-	-	-
Veh in Median Storage, #	0	-	-	0	0	-
Grade, %	0	-	-	0	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	15	15	9	16	120	21

Major/Minor	Minor2		Major1		Major2	
Conflicting Flow All	165	131	141	0	-	0
Stage 1	131	-	-	-	-	-
Stage 2	34	-	-	-	-	-
Critical Hdwy	6.42	6.22	4.12	-	-	-
Critical Hdwy Stg 1	5.42	-	-	-	-	-
Critical Hdwy Stg 2	5.42	-	-	-	-	-
Follow-up Hdwy	3.518	3.318	2.218	-	-	-
Pot Cap-1 Maneuver	826	919	1442	-	-	-
Stage 1	895	-	-	-	-	-
Stage 2	988	-	-	-	-	-
Platoon blocked, %				-	-	-
Mov Cap-1 Maneuver	821	919	1442	-	-	-
Mov Cap-2 Maneuver	821	-	-	-	-	-
Stage 1	890	-	-	-	-	-
Stage 2	988	-	-	-	-	-

Approach	EB	NB	SB
HCM Control Delay, s	9.3	2.6	0
HCM LOS	A		

Minor Lane/Major Mvmt	NBL	NBT	EBLn1	SBT	SBR
Capacity (veh/h)	1442	-	867	-	-
HCM Lane V/C Ratio	0.006	-	0.035	-	-
HCM Control Delay (s)	7.5	0	9.3	-	-
HCM Lane LOS	A	A	A	-	-
HCM 95th %tile Q(veh)	0	-	0.1	-	-

Intersection	
Int Delay, s/veh	0.9

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	0	0	91	38	0	14
Future Vol, veh/h	0	0	91	38	0	14
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	-	1	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	99	41	0	15

Major/Minor	Major2		Minor2	
Conflicting Flow All	-	0	-	120
Stage 1	-	-	-	-
Stage 2	-	-	-	-
Critical Hdwy	-	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-
Follow-up Hdwy	-	-	-	3.318
Pot Cap-1 Maneuver	-	-	0	931
Stage 1	-	-	0	-
Stage 2	-	-	0	-
Platoon blocked, %	-	-		
Mov Cap-1 Maneuver	-	-	-	931
Mov Cap-2 Maneuver	-	-	-	-
Stage 1	-	-	-	-
Stage 2	-	-	-	-

Approach	WB	SB
HCM Control Delay, s	0	8.9
HCM LOS		A

Minor Lane/Major Mvmt	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	931
HCM Lane V/C Ratio	-	-	0.016
HCM Control Delay (s)	-	-	8.9
HCM Lane LOS	-	-	A
HCM 95th %tile Q(veh)	-	-	0.1

Intersection	
Int Delay, s/veh	2.5

Movement	EBL	EBT	WBT	WBR	SBL	SBR
Lane Configurations						
Traffic Vol, veh/h	0	0	49	57	0	42
Future Vol, veh/h	0	0	49	57	0	42
Conflicting Peds, #/hr	0	0	0	0	0	0
Sign Control	Stop	Stop	Free	Free	Stop	Stop
RT Channelized	-	None	-	None	-	None
Storage Length	-	-	-	-	-	0
Veh in Median Storage, #	-	1	0	-	0	-
Grade, %	-	0	0	-	0	-
Peak Hour Factor	92	92	92	92	92	92
Heavy Vehicles, %	2	2	2	2	2	2
Mvmt Flow	0	0	53	62	0	46

Major/Minor	Major2		Minor2	
Conflicting Flow All	-	0	-	84
Stage 1	-	-	-	-
Stage 2	-	-	-	-
Critical Hdwy	-	-	-	6.22
Critical Hdwy Stg 1	-	-	-	-
Critical Hdwy Stg 2	-	-	-	-
Follow-up Hdwy	-	-	-	3.318
Pot Cap-1 Maneuver	-	-	0	975
Stage 1	-	-	0	-
Stage 2	-	-	0	-
Platoon blocked, %	-	-		
Mov Cap-1 Maneuver	-	-	-	975
Mov Cap-2 Maneuver	-	-	-	-
Stage 1	-	-	-	-
Stage 2	-	-	-	-

Approach	WB	SB
HCM Control Delay, s	0	8.9
HCM LOS		A

Minor Lane/Major Mvmt	WBT	WBR	SBLn1
Capacity (veh/h)	-	-	975
HCM Lane V/C Ratio	-	-	0.047
HCM Control Delay (s)	-	-	8.9
HCM Lane LOS	-	-	A
HCM 95th %tile Q(veh)	-	-	0.1

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

Frostfire Hwy 82
12801 N Central Expwy, Suite 140
Dallas, TX 75243

Lee Engineering
3030 LBJ Freeway, Suite 1660
Dallas, TX 75234

Bohler Engineering
Mathias Haubert
6017 Main Street
Frisco, TX 75034

Copley Land Surveying
1702 Verdi Ln
Sherman, TX 75076

Dear Applicants,

The request for a Zone Change approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District and M-1 (Light Manufacturing) District to a C-2 (General Commercial) District; a Zone Change approval under Ordinance No. 2280, Section 12, from an R-1 (One-Family Residential) District and M-1 (Light Manufacturing) District to an R-2 (Multi-Family Residential) District; a Specific Use Permit approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Mini-Warehouse in a C-2 (General Commercial) District; and Site Plan approval of Sherman Highway 82 Mixed Use in the 2300-2700 Blocks East Highway 82 has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, November 15, 2022 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-2 (Multi-Family Residential) District, C-2 (General commercial) District, the O-1 (75 & 82) Overlay District, the Sign Ordinance, the Fence Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.4; Sec. 6.7; 6.13.1; Sec. 7(14), Sec. 7(13) and Sec. 17).*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Parking shall be provided for one space per 1,000 square feet for a Mini-warehouse; a parking space is considered to be 9' x 20'. (*Chapter 14, Exhibit A, Sec.8 (5)(a); Sec.7(10)(b)).*
5. Parking shall be provided in the R-2 (Multi-Family Residential) District, 1 space per bedroom (minimum of 2 spaces per unit) a parking space is considered to be 9' x 20' (*Chapter 14, Exhibit A, Sec. 6.4(4); Sec.7(10)(b)).*
6. The maximum height of the building shall not exceed 35' in the C-2 (General Commercial) District. (*Chapter 14, Exhibit A, Sec. 6.7(6)(c))*

7. The maximum height of the building shall not exceed 45' in R-2 (Multi-Family Residential) District. (*Chapter 14, Exhibit A, Sec. 6.4 (5))*
8. The trash dumpster will need to be located inside the main building area.
9. The use of the property must comply with all Federal and State Laws and regulations and with all ordinances, rules and regulations of the City of Sherman.
10. The property must be properly maintained in a state of good repair and neat appearance.
11. The granting of a Specific Use Permit has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
12. A specific use permit is an amendment to the district regulations of the zoning ordinance that permits the permanent establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure discontinue or be abandoned for a period of sixty (60) consecutive days in which event such specific use permit shall be void and such use may not thereafter be resumed unless a new specific use permit granted. (*Chapter 14, Exhibit A, Sec. 8 (5)(b))*
13. The approval of the Specific Use Permit and site plan shall be effective for a period of (2) years from the date of approval and shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Specific Use Permit was approved.
14. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

15. Platting of the property is required. *Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004*
16. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
17. Platting of the property is required. *Code of Ordinances Chapter 10, Section 10.02.021; Texas Local Government Code Title 1, Sec. 212.004*
18. Drive approaches and sidewalks must conform to City of Sherman and TxDOT standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
19. Improvements to Baker Road and Graystone Drive may be required.
20. Multiple proposed mini-storage structures encroach over wastewater main. Permanent structures will not be permitted to encroach into any easements.
21. Verify fire requirements and code compliance with Fire Marshal. *Code of Ordinances Chapter 3.02(c)*
22. The location of the trash receptors must be approved by the Public Works Department.
23. Privately owned and maintained detention in accordance with City criteria may be required. Engineering documentation shall be provided to the City of Sherman Engineering Department for review and approval. If detention is required, Ownership and Maintenance information to be shown on plat. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(I)*
24. Water main must be extended in accordance with City criteria to serve proposed Lot. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
25. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
26. Three Party Agreement required for Public Infrastructure.

It is the policy of this Planning and Zoning Commission and the Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Commission and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **19.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

601 NORTH FM 1417 (HERITAGE PARKWAY)

Heritage Nazarene Church (Owners), Mike Hastings (Representative) and Preston Trail Land Surveying (Surveyor) concerning the property located at 601 North FM 1417 (Heritage Parkway), being 14.597 Acres, Nazarene 1 st Addition, being a Re-Plat of Lots 1 and 2, Block 5 of Laurel Creek Addition in the J.B. McAnair Survey, Abstract No. 763 and the G.W. McGlothlin Survey, Abstract No. 828, as follows:

Planning and Zoning Commission

Adopt an ordinance granting a Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Church, Wood Accessory Building and Pavilion in an R-1 (One-Family Residential) District/R-2 (Multi-Family Residential) District/O-1.1 (FM Highway 1417) Overlay District and repeal Ordinance No. 4286.

Background:

The property is located at 601 North FM 1417 (Heritage Parkway) between FM 1417 (Heritage Parkway) and Laurel Ridge Circle and is zoned R-1 (One Family Residential)/R-2 (Multi-Family Residential)/O-1.1 (FM Highway 1417) Overlay District .

The church will be building a new outdoor pavilion on the north side of the church. It will be located approximately 140' from the church, 66' from the end of the driveway, 240' from FM 1417, 320' from the north property line and 57' from the storage building. There will be a 5'x 66' sidewalk leading to the pavilion. All columns will be wrapped in 3/8" wood grain, vertical fiber cement siding. The trim will be 3/4" fiber cement boards. Siding will cover from the slab to the top of the purlin. The roof material will be a standing seam, metal roof with a neutral white colored trim to match.

The following has been approved for this location:

- April 13, 1993 - Specific Use Permit for a church facility and parking in R-2 (Multi-Family Residential) District
- April 20, 2021 - Variance to prebuilt wood accessory building in lieu of the required masonry in an R-1 (One-Family Residential) District/R-2 (Multi-Family Residential) District/O-1.1 (FM Highway

1417) Overlay District.

Adjacent Zoning:

R-1 (One-Family Residential) District
R-2 (Multi-Family Residential) District

Origination:

Heritage Nazarene Church (Owners)
Mike Hastings (Representative)
Preston Trail Land Surveying (Surveyor)

Master Plan Designation:

Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Number of notices mailed:

37

Objections Received:

0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Future Land Use Map
Survey
Site Plan
Elevations - Pavilion
Elevations - Pavilion Poles
Narrative
Ordinance 4286 to repeal
Staff Review Letter

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Sherman
CLASSIC TOWN. BROAD HORIZON.

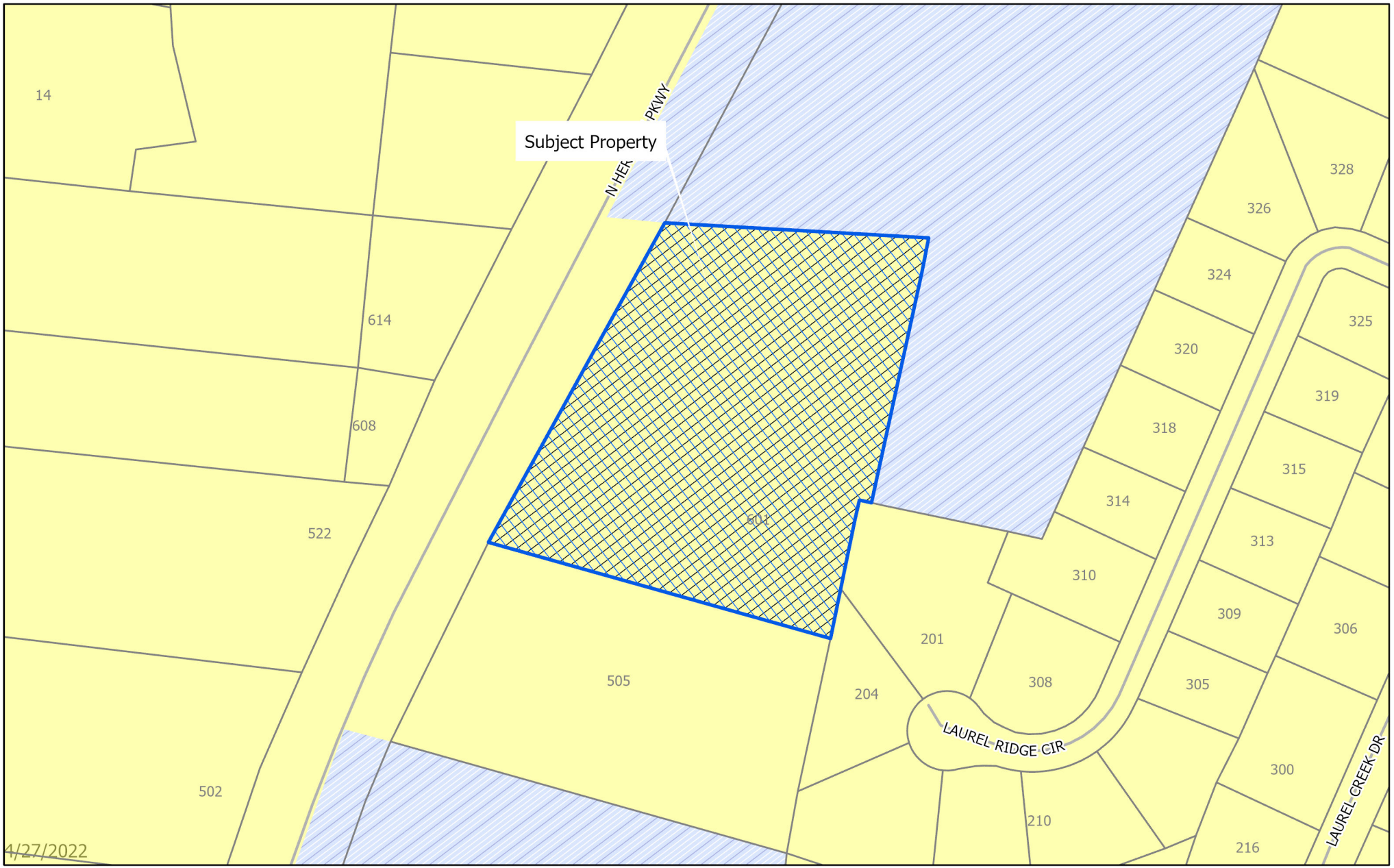
City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
Location Map
(601 N FM 1417)

N
W E
S

Date: 4/27/2022 11:26 AM

Scale: 1:3,781



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels

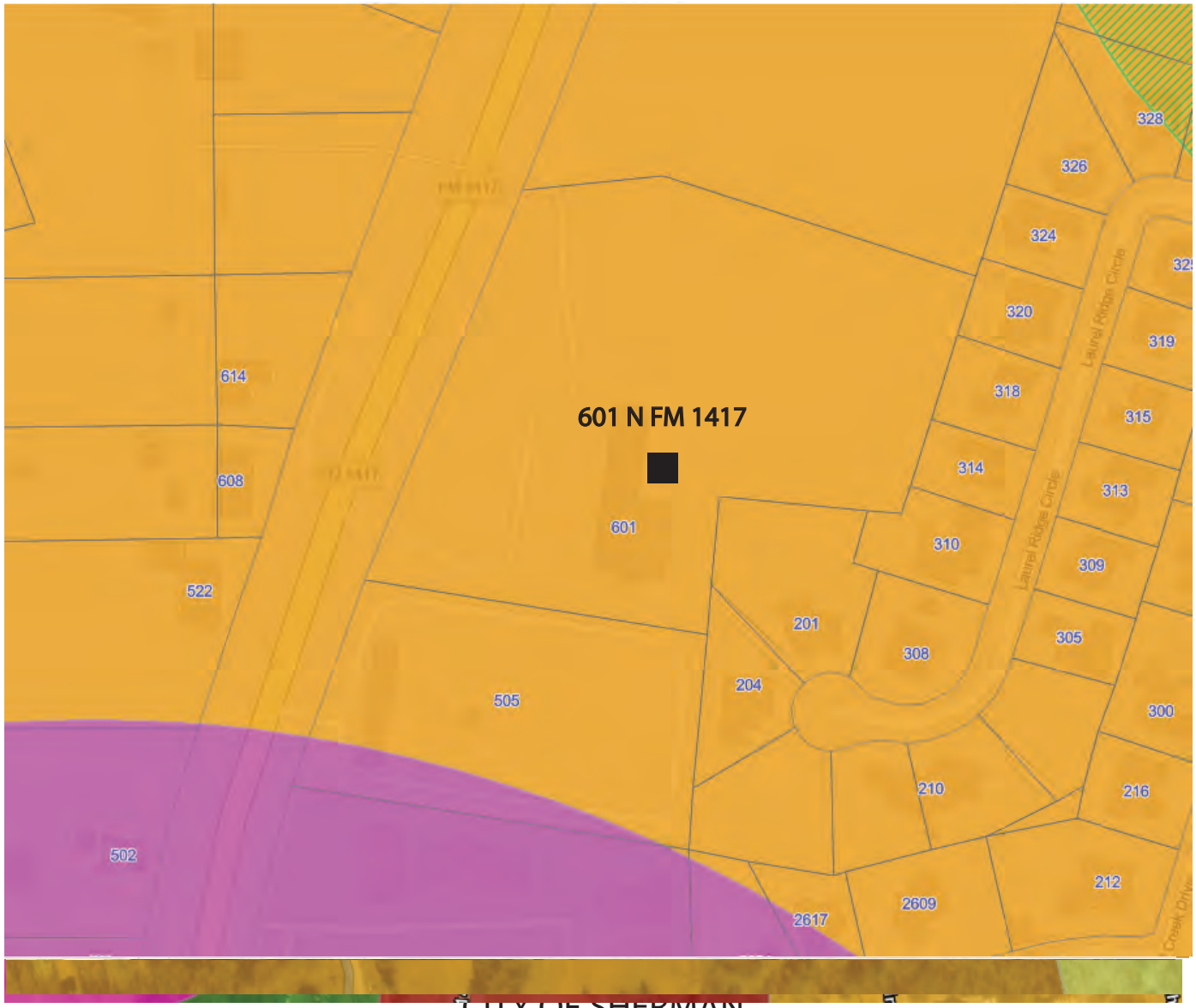
CITY OF SHERMAN
Zoning Location Map
(601 N FM 1417)

N W E S

Scale: 1:1,933

Date: 4/27/2022 11:26 AM

601 N FM 1417 (Heritage Pkwy)



CITY OF SHERMAN
Future Land Use Map
601 N FM 1417

- AGRICULTURE/RURAL
- COMMUNITY COMMERCIAL
- CORE NEIGHBORHOOD
- DOWNTOWN
- PARKS
- REGIONAL COMMERCIAL
- SUBURBAN NEIGHBORHOOD
- TECHNOLOGY HUB
- FLOODPLAIN & OPEN SPACE
- NTRA ZONING
- AIRPORT

CORE NEIGHBORHOOD

Intent & Character

The Core Neighborhood category is intended to protect and enhance the existing residential areas of Sherman. This area is generally located in the center of the city, east and west of US-75. A majority of the Core Neighborhood category encompasses what is known as east Sherman. This category encourages infill development that maintains the existing character, while increasing the aesthetic appeal of the community. In certain areas, an increase in density can be appropriate through the development of single-family attached products, like townhomes or quad-plexes.

Appropriate Land Use Types

- Single-family detached
- Single-family attached
- Local/neighborhood commercial and office
- Parks and open space
- Schools and civic uses

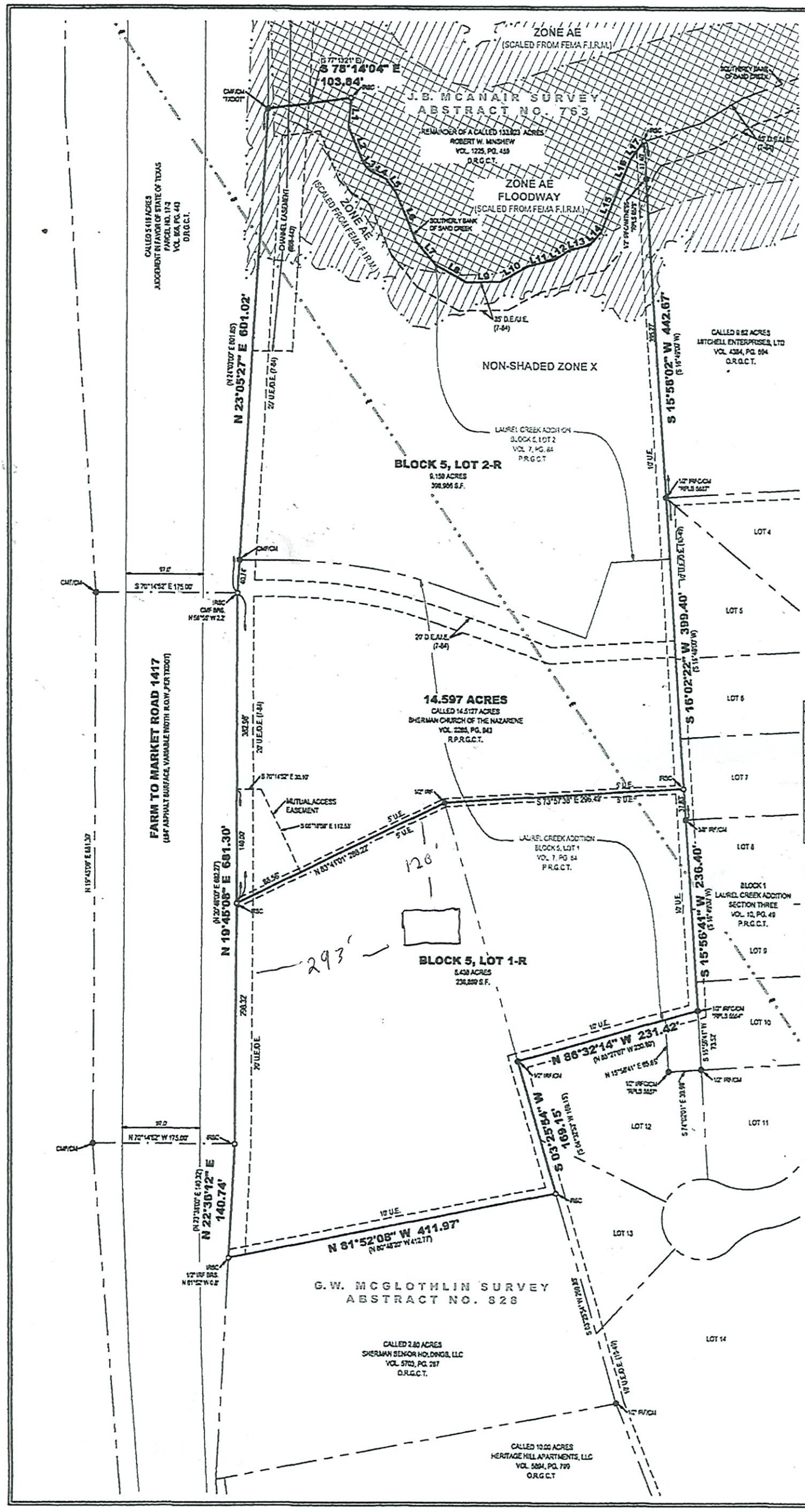
Compatible Zoning Districts

- Single-Family Residential (R-5, R-4, R-2F, and R-TH)
- Multi-Family Residential (MF-15 and MF-30)
- Manufactured Housing
- Retail Business
- Neighborhood Commercial

Considerations

- Infill that increases density should match the character of the surrounding structures.
- Small-scale commercial uses are appropriate along larger streets and should be compatible with the surrounding residential development.

Example of high density lofts in Sherman



VICINITY MAP (NOT TO SCALE)

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 24°09'05" W	36.05'
L2	S 02°07'02" E	48.99'
L3	S 26°08'10" E	11.71'
L4	S 41°59'54" E	21.60'
L5	S 17°06'23" E	20.09'
L6	S 03°07'07" E	66.04'
L7	S 20°40'09" E	38.55'
L8	S 40°44'48" E	43.89'
L9	S 71°34'02" E	42.29'
L10	N 79°30'38" E	40.03'
L11	S 85°20'45" E	34.43'
L12	N 74°44'28" E	19.12'
L13	S 85°27'39" E	27.02'
L14	N 61°21'36" E	21.58'
L15	N 40°58'07" E	67.09'
L16	N 42°41'35" E	30.78'
L17	N 55°27'48" E	27.80'

LEGEND

●	FOUND MONUMENT	D.P.G.C.T.	DEED RECORDS, GRAYSON COUNTY, TEXAS
○	SET MONUMENT		
IRSC	1/2" IRON ROD W/"PRESTON TRAIL LAND SURVEYING, RPLS 6585" CAP SET	O.P.G.C.T.	OFFICIAL RECORDS, GRAYSON COUNTY, TEXAS
IRF	IRON ROD FOUND	R.P.R.G.C.T.	REAL PROPERTY RECORDS, GRAYSON COUNTY, TEXAS
IRFC	IRON ROD FOUND W/PLASTIC CAP		
CMF	CONCRETE MONUMENT FOUND	VOL., PG.	VOLUME, PAGE
BRS	BEARS	U.E.	UTILITY EASEMENT
CM	CONTROLLING MONUMENT	D.E.	DRAINAGE EASEMENT
( )	DEED OR PLAT CALL		BOUNDARY LINE
R.O.W.	RIGHT-OF-WAY		ADJOINER LINE
P.R.G.C.T.	PLAT RECORDS, GRAYSON COUNTY, TEXAS		ABSTRACT LINE APPROXIMATE
			EASEMENT

FLOOD STATEMENT:

I have examined the F.E.M.A. Flood Insurance Rate Map for the City of Sherman, Grayson County, Texas, Community Number 485509, preliminary date 07/24/2020, as provided by the City of Sherman, and that map indicates that portions of this property are within "Zone AE" defined as "Special Flood Hazard Areas (SFHAs) subject to inundation by the 1% annual chance flood with base flood elevations determined."; and within "Floodway Zone AE" defined as "The floodway is the channel of a stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights." as shown on Panel 0280 F of said map. This flood statement does not imply that the property and/or structures thereon will be free from flooding or flood damage, on rare occasions, greater floods can and will occur and flood heights may be increased by man-made or natural causes. This flood statement shall not create liability on the part of the surveyor. This flood information is preliminary and varies from the current effective flood zone information at time of platting.

PRELIMINARY

THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

OWNER/DEVELOPER:
First Church of the Nazarene of Sherman
601 N FM 1417
Sherman, TX 75092
Contact: Mike Hastings
Ph: 903-815-5740

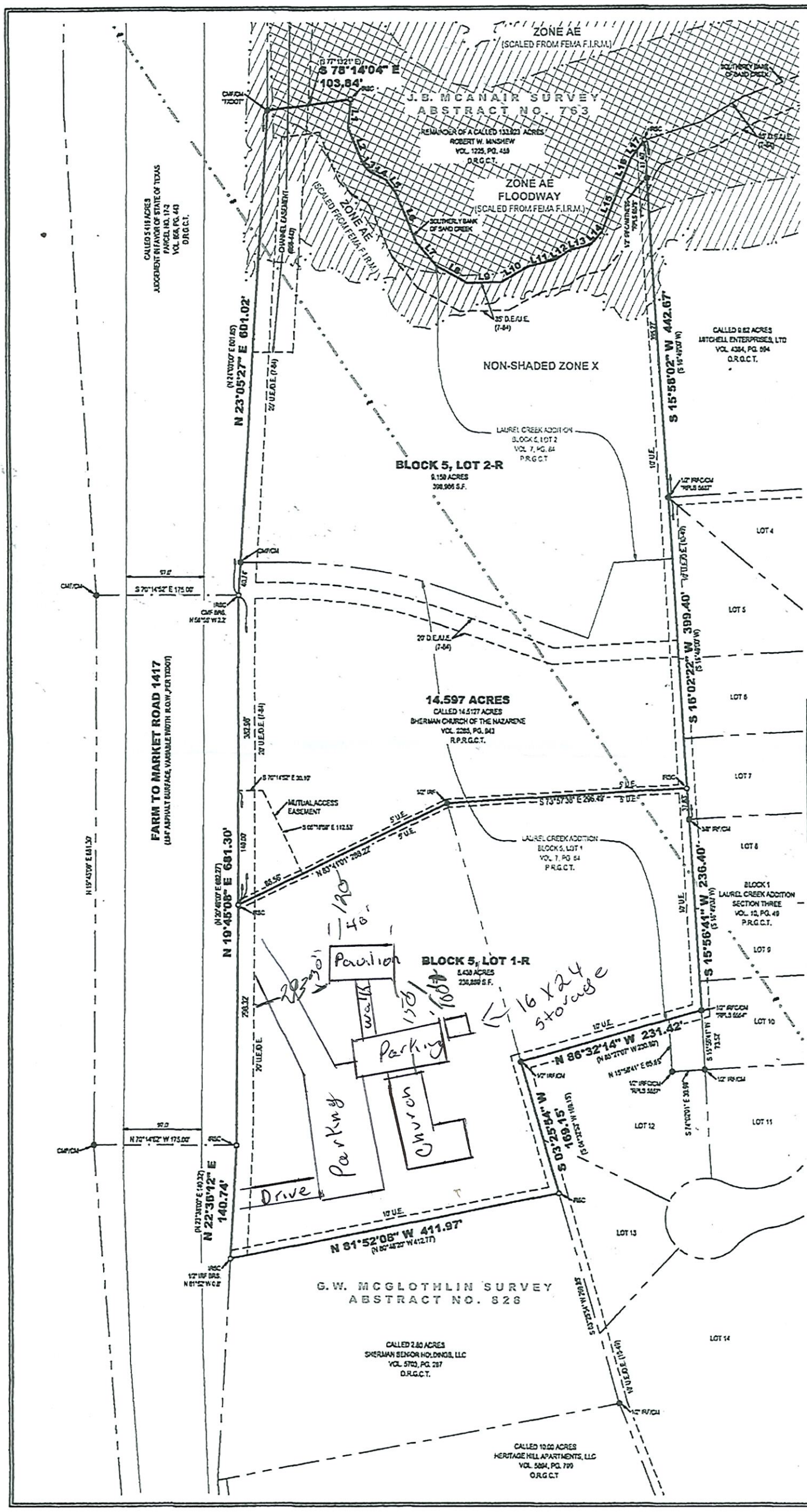
SURVEYOR:
Chris Noah, RPLS 6585
Preston Trail Land Surveying LLC
787 W FM 996
Pottsboro, TX 75076
Ph: 903-788-6029

NAZARENE 1ST ADDITION

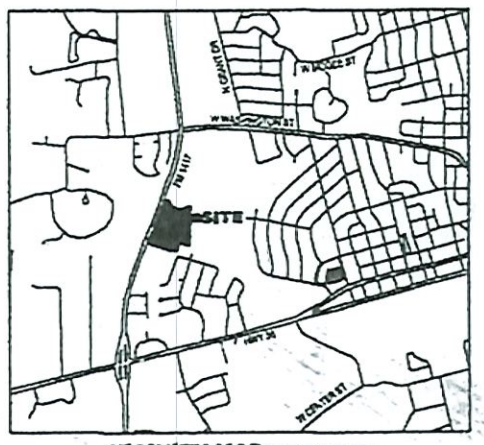
Being a Re-Plat of Lots 1 and 2 in Block 5
of Laurel Creek Addition
14.597 ACRES
J.B. MCANAIR SURVEY, ABSTRACT NO. 763
G.W. MCGLOTHLIN SURVEY, ABSTRACT NO. 828
City of Sherman
Grayson County, Texas

Preston Trail LAND SURVEYING
787 W FM 996
Pottsboro, TX 75076
www.prestontrailandsurveying.com
903-786-6029

TBPLS Firm No. 10194175	Drawn by: MIA	Scale: 1"=80'	Project No. 22-0109
	Checked by: CRN	Date: 04/15/2022	Sheet No. 1 of 2



All bearings shown are based on grid north of the Texas Coordinate System of 1983, North Central Zone (4202), North American Datum of 1983.



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Contact: Mike Hastings
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SURVEYOR:
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Preston Trail Land Surveying LLC
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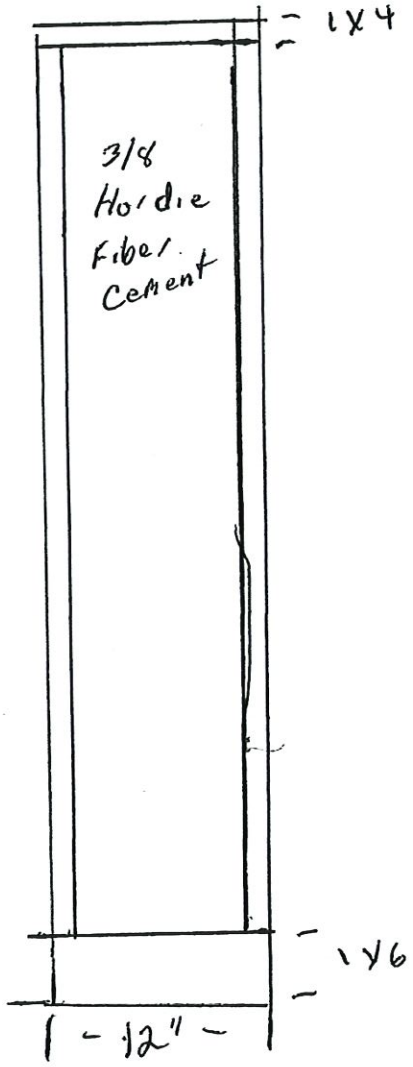
TBPLS Firm No.	Drawn by: MIA	Scale: 1"=60'	Project No. 22-0109
10194175	Checked by: CRN	Date: 04/15/2022	Sheet No. 1 of 2

Church of Nazarene



Specifications for new pavilion at Church of the Nazarene
Town of Sherman

We will be building a new outdoor pavilion on the north side of the church. It will be located approximately 140 feet off of the end of the church, 66' off of the end of the driveway. It will be 240 feet from FM 1417 and 320' from north property line. 57' from the storage mission.

It will be built on a 30'x 40'concrete slab poured 6 inches thick with number three rebar 18 inches on center. It will have a 5'x 66' foot sidewalk leading to it. The sidewalk will be poured to town specifications.

All columns will be wrapped in 3/8" wood grain, vertical fiber cement siding. Trim will be 3/4" fiber cement boards. Siding will cover from slab to top of purling.
Roof material will be standing seam, metal roof with neutral white color trim to match.

SPECIFIC USE PERMIT
601 HWY 1417-NAZARENE CHURCH

93 016

ORDINANCE NO. 4286

AN ORDINANCE OF THE CITY OF SHERMAN, TEXAS, AMENDING SECTION 2, SUBSECTION 1, ORDINANCE NO. 2280, SO AS TO GRANT A SPECIFIC USE PERMIT TO FIRST CHURCH OF THE NAZARENE FOR A CHURCH FACILITY AND OFF-STREET PARKING IN A R-2 (MULTI-FAMILY RESIDENTIAL) DISTRICT, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS:

Section 1. From and after the passage of this ordinance, First Church of the Nazarene is granted a Specific Use Permit for a church facility and off-street parking at 601 F.M. Highway 1417 North, and described as follows:

BEING situated in the G.W. McGlothlin Survey, Abstract No. 763, Grayson County, Texas and being part of Lot 1, and Lot 2, Block 5 of Laurel Creek Addition, Section One, an addition to the City of Sherman, Texas according to the plat thereof recorded in Volume 7, Page 84, Plat Records of Grayson County, Texas and part of a 133.923 acre tract conveyed from the Woodmen of the World Life Insurance Society to Robert W. Minshew, Trustee, by deed dated August 3, 1973, as recorded in Volume 1225, Page 459, Deed Records of Grayson County, Texas, and being more particularly described as follows:

BEGINNING at a point being the southerly corner of a right-of-way clip at the intersection of the northerly line of State Highway 56, (a variable width right-of-way);

THENCE, the following courses and distances with the easterly line of F.M. Highway 1417:

North 52 deg. 19 sec. west, a distance of 30.90 feet to a point;

North 00 deg. 27 min. west, a distance of 364.62 feet to a point being the beginning of a curve to the left with a central angle of 53 deg. 02 min., a radius of 110.0, a chord bearing of

North 26 deg. 58 min. west and a chord distance of 50.46 feet;

Northwesterly, along said curve, an arc distance of

102.00 feet to a point;

North 53 deg. 29 min. west, a distance of 120.00 feet to a point;

North 00 deg. 26 min. west, a distance of 313.34 feet to a point at the beginning of a curve to the right with a central angle of 16 deg. 28 min. a radius of 2,804.79, a chord bearing of North 07 deg. 48 min. east and chord distance of 803.32 feet;

Northeasterly, along said curve, an arc distance of 805.20 to a found concrete right-of-way monument at the point of tangency;
North 23 deg. 38 min. 00 sec. east, a distance of 275.00 feet to the point of beginning at a found 1/2 inch iron rod for corner;

THENCE, the following courses and distances with the easterly line of F.M. Highway 1417:

North 23 deg. 38 min. 00 sec. east, a distance of 140.32 feet to a found concrete right-of-way monument for an angle point;

North 20 deg. 46 min. 00 sec. east, passing the most westerly southwest corner of said Lot 1, Block 5, at a distance of 41.24 feet, continuing in all a distance of 601.65 feet to a set 1/2 inch iron rod for a corner, said point being the northwest corner of said Lot 2, Block 5, and said point being the southwest corner of the remnant tract of land of the said 133.923 acre tract;

THENCE, South 77 deg. 13 min. 21 sec. east, departing the easterly line of F.M. Highway 1417, and with the northerly line of said Lot 2, a distance of 44.01 feet to a point in the south bank of Sand Creek;

THENCE, the following courses and distances with the south bank of Sand Creek and the northerly line of said Lot 2:

South 12 deg. 46 min. 56 sec. east, a distance of 121.43 feet to a point for an angle point;

South 25 deg. 42 min. 22 sec. east, a distance of 98.58 feet to a point for an angle point;

South 13 deg. 00 min. 58 sec. east, a distance of 27.33 feet to a point for an angle point;

South 81 deg. 26 min. 38 sec. east, a distance of 21.95 feet to a point for an angle point;

South 48 deg. 02 min. 34 sec. east, a distance of 54.86 feet to a point for an angle point;

South 66 deg. 30 min. 42 sec. east, a distance of 62.00 feet to a point for an angle point;

North 89 deg. 59 min. 35 sec. east, a distance of 22.02 feet to a point for an angle point;

North 69 deg. 51 min. 23 sec. east, a distance of 33.05 feet to a point for an angle point;

North 46 deg. 18 min. 15 sec. east, a distance of 38.62 feet to a point for an angle point;

North 55 deg. 08 min. 41 sec. east, a distance of 118.12 feet to a point for an angle point;

North 45 deg. 54 min. 30 sec. east, a distance of 5.29 feet to a point for an angle point;

THENCE, South 16 deg. 49 min. 00 sec. west, departing the northerly line of said Lot 2, and the south bank of Sand Creek, a distance of 1078.68 feet to a set 1/2 inch iron rod for a corner in the southerly line of said Lot 1, Block 5;

THENCE, North 85 deg. 27 min. 07 sec. west, a distance of 230.89 feet to set 1/2 inch iron rod for a corner in the westerly line of said Laurel Creek Addition;

THENCE, South 04 deg. 32 min. 53 sec. west, with the westerly line of said Laurel Creek Addition, a distance of 169.15 feet to a found 1/2 iron rod for a corner, said point being the northeast corner of a 2.7993 acre tract conveyed to Sherman Health Care Group by deed recorded in Volume 1920, Page 795, Deed Records of Grayson County, Texas;

THENCE, North 80 deg. 48 min. 20 sec. west, with the northerly line of the said 2.7993 acre tract, a distance of 412.77 feet to the point of beginning and containing 632,172 square feet or 14.5127 acres of land more or less.

Section 2. This ordinance shall not become effective until entered upon the official zoning map as provided in Section 2, Subsection 3, of Ordinance No. 2280.

Section 3. That all ordinances and parts of ordinances

in conflict herewith are hereby repealed.

Section 4. That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public as required by law, and that public notice of the date, time, and purpose of said meeting was given as required.

PASSED AND APPROVED:

1st reading 10TH day of MAY, 19 93.

2nd reading 24TH day of MAY, 19 93.

Effective Date: 31ST day of MAY, 19 93.

Harry Reynolds
MAYOR

ATTEST:

Helen J. Friend
CITY CLERK

APPROVED AS TO FORM & LEGALITY:

John S. Gilliam
CITY ATTORNEY

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

Mike Hastings
381 Red Barn Road
Bells, TX 75414

Heritage Nazarene Church
601 N FM 1417
Sherman, TX 75092

Preston Trail Land Surveying
787 W FM 996
Pottsboro, TX 75076

Dear Applicants,

The request to Adopt an ordinance granting a Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow a Church, Wood Accessory Building and Pavilion in an R-1 (One-Family Residential) District/R-2 (Multi-Family Residential) District/O-1.1 (FM Highway 1417) Overlay District and repeal Ordinance No. 4286 located at 601 North FM 1417 (Heritage Parkway) has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, November 15, 2022, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, R-2 (Multi-Family Residential) District, O-1.1 (FM Highway 1417) Overlay District, the Fence Ordinance, the Sign Ordinance and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; Sec. 6.4; Sec 6.13.2; Sec. 7(13); Sec. 7(14) and Sec. 17)*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
4. Parking shall be provided for one space per every seven seats; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 8 Subsection 5(a))*
5. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b)*
6. The granting of a Specific Use Permit has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
7. A specific use permit is an amendment to the district regulations of the zoning ordinance that permits the permanent establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure discontinue or be abandoned for a period of sixty (60) consecutive days in which event such specific use permit shall be void and such use may not thereafter be resumed unless a new specific use permit granted. (Chapter 14, Exhibit A, Sec. 8 (5)(b))
8. The approval of the Specific Use Permit and site plan shall be effective for a period of (2) years from the date of approval and shall expire unless the applicant demonstrates to the Director of

Development Services that progress has been made toward completion of the project for which the Specific Use Permit was approved.

9. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

It is the policy of the Planning and Zoning Commission not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Commission and Board of Adjustment

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **20.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

3400 TEXOMA PARKWAY

The request of TADLA (Owner), Dax Powell (Tenant) and Helvey-Wagner Surveying (Surveyor) concerning the property located at 3400 Texoma Parkway, being 3.61 acres in part of the Hillard Jennings Survey, Abstract No. 639, being part of Lots 10, 12, 13, and 14, and all of Lot 11, Block 1, of Redick Addition, as follows:

Planning and Zoning Commission

Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Batting Cages in a C-2 (General Commercial) District.

Background:

The property is located at 3400 Texoma Parkway near the northeast corner of Gallagher Drive and Texoma Parkway and is zoned C-2 (General Commercial) District. The owner is requesting a Specific Use Permit and Site Plan approval for batting cages.

Adjacent Zoning:

C-2 (General Commercial) District

Origination:

TADLA (Owner)
Dax Powell (Tenant)
Helvey-Wagner Surveying (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

9

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Future Land Use Map
Survey & Legal Description
Elevations / Photos
Staff Review Letter

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

3400 Texoma Parkway

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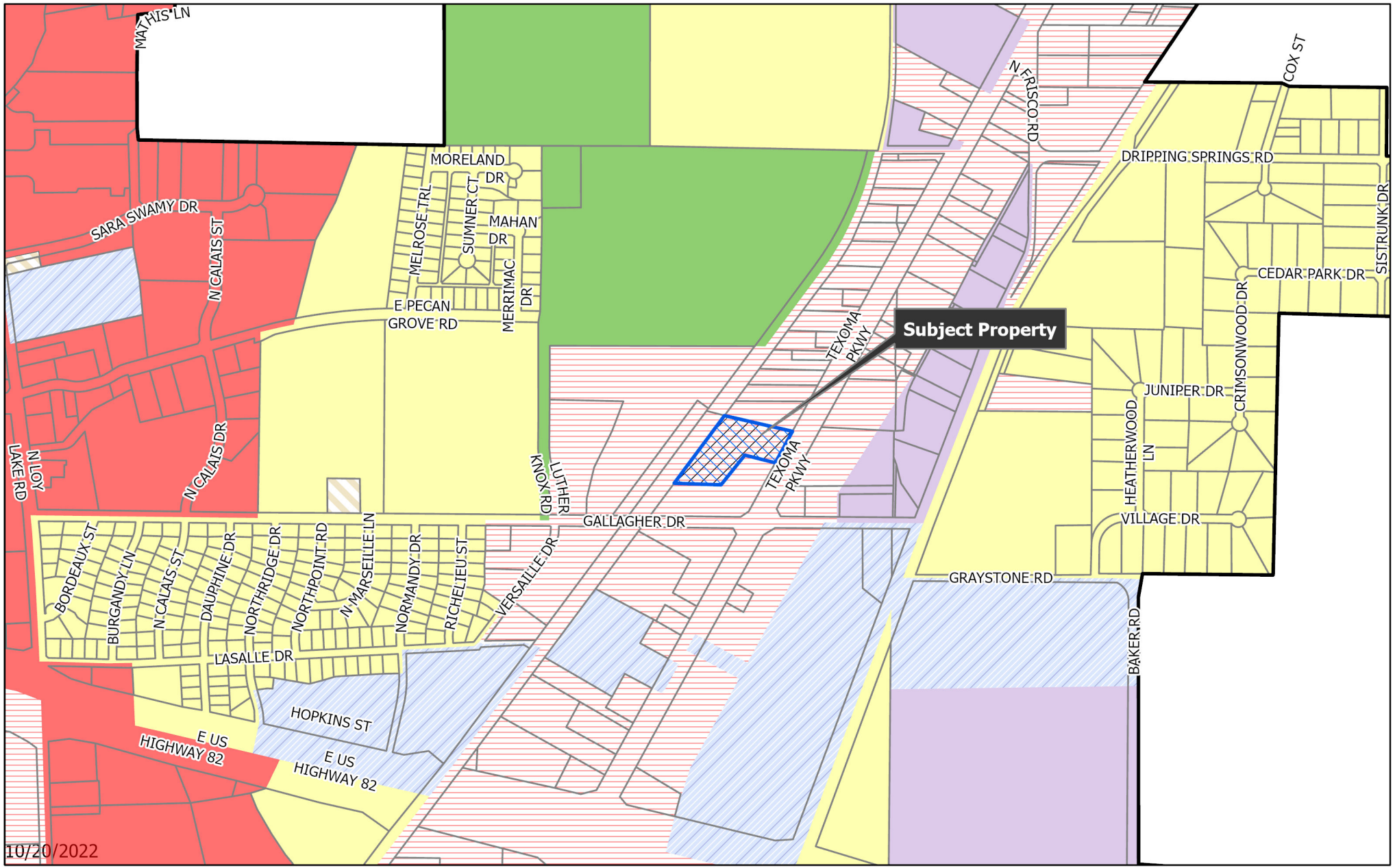

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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

3400 Texoma Parkway

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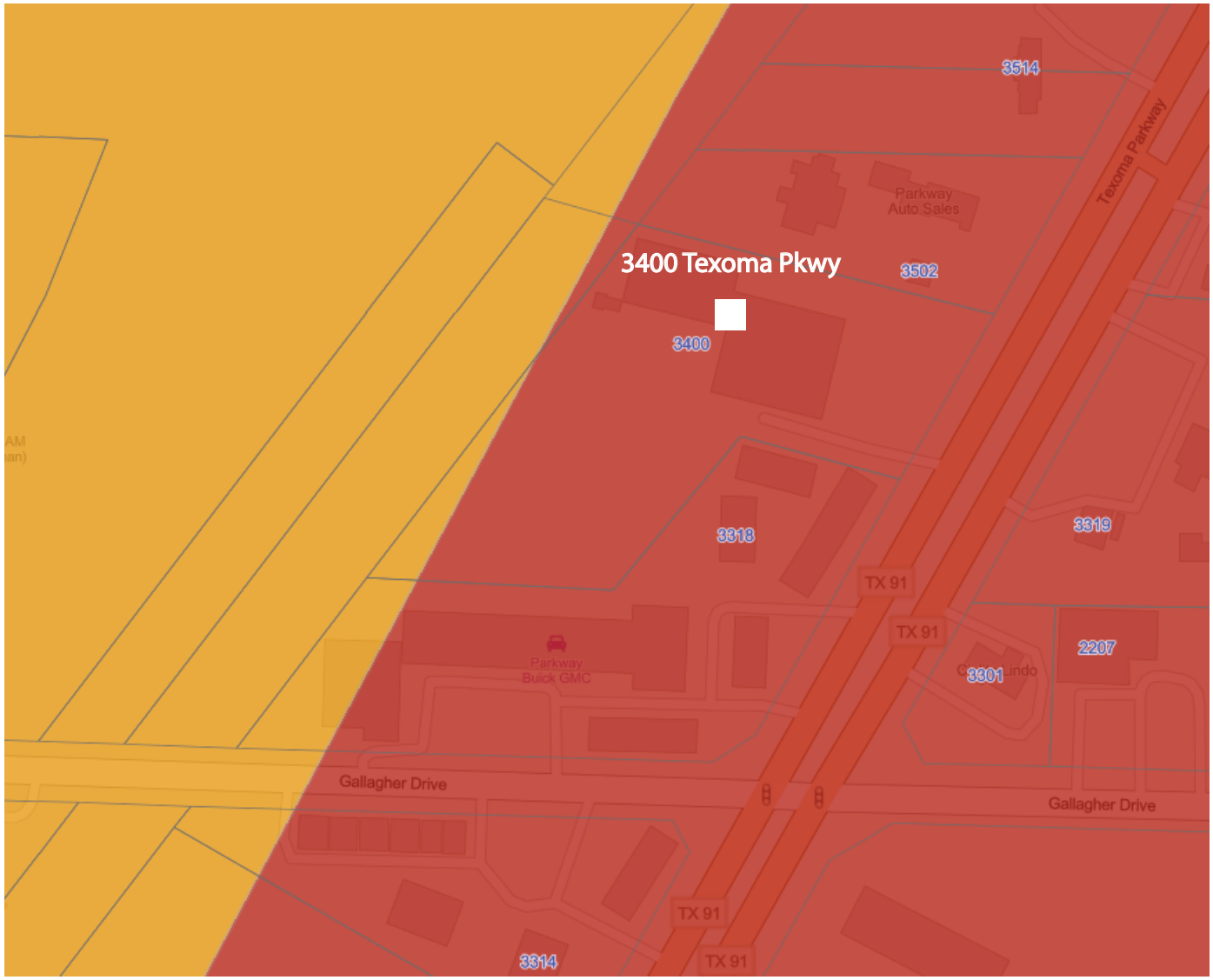
Scale: 1:9,781

Date: 10/19/2022 11:23 AM

3400 Texoma Pkwy



CITY OF SHERMAN
Future Land Use Map
3400 Texoma Pkwy

- AGRICULTURE/RURAL
- COMMUNITY COMMERCIAL
- CORE NEIGHBORHOOD
- DOWNTOWN
- PARKS
- REGIONAL COMMERCIAL
- SUBURBAN NEIGHBORHOOD
- TECHNOLOGY HUB
- FLOODPLAIN & OPEN SPACE
- NTRA ZONING
- AIRPORT

REGIONAL COMMERCIAL

Intent & Character

The Regional Commercial category is intended to promote large-scale commercial development along US-75, while promoting community character through design. US-75 serves as the major gateway to and through the community; therefore, aesthetics and design should be promoted in this corridor. This category should allow large-scale commercial uses that serve the region and the community alike. A mix of uses and inter-connectivity between parcels should be encouraged.

Appropriate Land Use Types

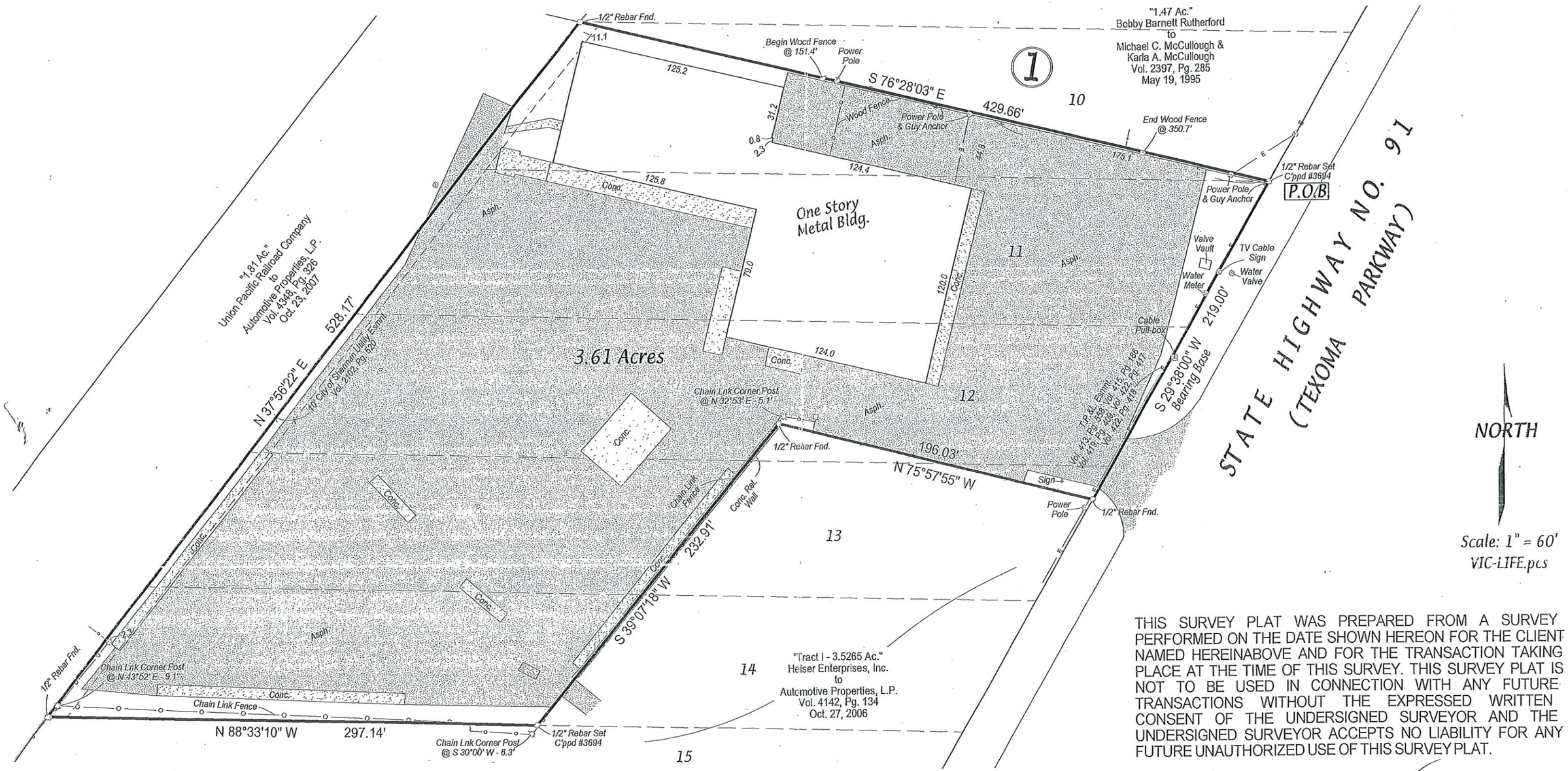
- Retail and Restaurants
- Multi-Family Living
- Office Complex
- Medical
- Mixed Use
- Indoor Entertainment

Compatible Zoning Districts

- Retail Business
- General Commercial
- Office
- Multi-Family Residential (MF-15 and MF-30)
- Planned Development (for larger tracts)

Considerations

- Site design considerations should be given to parking, landscaping, and building articulation.
- Where possible, parking should be screened from view or well-landscaped with native, drought-tolerant plants.
- All buildings facades fronting a public street or within significant public view should have aesthetically-pleasing horizontal and vertical articulation.
- Signage should be multi-tenant, where possible, and should match the character of the primary structure.
- High density residential should be included in mixed use developments.
- High density residential is appropriate behind commercial areas, with inter-connectivity.
- If high density is stand alone, the surrounding uses and connectivity should be considered to avoid an "island."



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VIC-LIFE.pcs

THIS SURVEY PLAT WAS PREPARED FROM A SURVEY PERFORMED ON THE DATE SHOWN HEREON FOR THE CLIENT NAMED HEREINABOVE AND FOR THE TRANSACTION TAKING PLACE AT THE TIME OF THIS SURVEY. THIS SURVEY PLAT IS NOT TO BE USED IN CONNECTION WITH ANY FUTURE TRANSACTIONS WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE UNDERSIGNED SURVEYOR AND THE UNDERSIGNED SURVEYOR ACCEPTS NO LIABILITY FOR ANY FUTURE UNAUTHORIZED USE OF THIS SURVEY PLAT.

SURVEY FOR: VICTORY LIFE CHURCH

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property shown hereon was made on the ground on the 7th day of October, 2009 of the following described property:

(LEGAL DESCRIPTION ATTACHED)

That the improvements on said property are known as **3400 TEXOMA PARKWAY, SHERMAN, TEXAS** and that this survey substantially complies with the current Minimum Standards for Professional Land Surveyors as adopted by the Texas Board of Professional Land Surveying, and is subject to all easements of record or as shown on recorded plat that may affect said property.

STATE OF TEXAS
REGISTERED
MARSHALL SARTIN
3694
PROFESSIONAL
LAND SURVEYOR

Marshall Sartin R.P.L.S. # 3694

SARTIN & ASSOCIATES, INC.
Registered Professional Land Surveyors
*109 S. Travis, P. O. Box 1843 * Sherman, Texas 75091 - 1843*
*Ph.: (903) 892-8003 * Fax: (903) 868-2970*
Email - msartin@acecisp.com

Kerri to cityofsherman.com

SARTIN & ASSOCIATES, INC.

REGISTERED PROFESSIONAL LAND SURVEYORS

Phone (903) 892-8003 * Fax (903) 868-2970 * Email – msartin@gcecisp.com

P.O. Box 1843 * 109 S. Travis * Sherman, Texas 75091-1843

SITUATED in the County of Grayson, State of Texas, being a part of the Hillard Jennings Survey, Abstract No. 639, being a part of Lots TEN (10), TWELVE (12), THIRTEEN (13) and FOURTEEN (14) and all of Lot ELEVEN (11) in Block ONE (1) of REDICK ADDITION to the City of Sherman, Texas as shown by plat of record in Volume 405, Page 87, Deed Records, Grayson County, Texas, being the same property conveyed by McCoy Realty Corporation to Zoe Life Outreach, Inc. by deed dated April 18, 2002, recorded in Volume 3238, Page 502, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at a set ½ inch capped rebar stamped SARTIN-3694 for the Southeast corner of said Lot Ten, the Northeast corner of both said Lot Eleven and Zoe Life Outreach tract, on the East line of said Block One, the West right-of-way line of State Highway No. 91, also known as Texoma Parkway;

THENCE South 29 deg. 38 min. 00 sec. West, with the West right-of-way line of said Texoma Parkway, the East line of said Lots Eleven, Twelve and Thirteen, a distance of 219.00 feet to a found ½ inch rebar maintaining the Northeast corner of a 3.5265 acre tract of land described in Tract I in deed from Heiser Enterprises, Inc. to Automotive Properties, L.P. by deed dated October 27, 2006, recorded in Volume 4142, Page 134, Official Public Records, Grayson County, Texas, on the East line of said Lot Thirteen;

THENCE North 75 deg. 57 min. 55 sec. West, with the Northerly North line of said 3.5265 acre tract, a distance of 196.03 feet to a found ½ inch rebar maintaining its Northerly Northwest corner, from which a chain link fence corner post bears North 32 deg. 53 min. East, a distance of 5.1 feet;

THENCE South 39 deg. 07 min. 18 sec. West, with the Northerly West line of said 3.5265 acre tract, a distance of 232.91 feet to a set ½ inch capped rebar stamp SARTIN-3694 maintaining an ell corner of said tract, on the South line of said Lot Fourteen, the North line of Lot Fifteen in said Block One of Redick Addition,, from which a chain link fence corner post bears South 30 deg. 00 min. West, a distance of 6.3 feet;

THENCE North 88 deg. 33 min. 10 sec. West, with the South line of said Lot Fourteen, the North line of said Lot Fifteen, the Westerly North line of aid 3.5265 acre tract, a distance of 297.14 feet to a found ½ inch rebar maintaining the Southwest corner of said Lot Fourteen, the Northwest corner of said Lot Fifteen, the Westerly Northwest corner of said 3.5265 acre tract, on the West line of said Block One, the East right-of-way line of the old M.K. & T. Railroad, the East line of a 1.81 acre tract of land conveyed by the Union Pacific Railroad Company to Automotive Properties, L.P. by deed dated October 23, 2007, recorded in Volume 4348, Page 326, Official Public Records, Grayson County, Texas;

THENCE North 37 deg. 56 min. 22 sec. East, with the West line of said Block One, the East line of said 1.81 acre tract, a distance of 528.17 feet to a found ½ inch rebar maintaining the Northwest corner of said Lot Ten, the Northeast corner of said 1.81 acre tract, the Southwest corner of the above mentioned McCullough 1.47 acre tract;

THENCE South 76 deg. 28 min. 03 sec. East, with the South line of said 1.47 acre tract, at a distance of 151.4 feet with the general line of a wood fence, at a distance of 350.7 feet passing the end of said fence and continuing for a total distance of 429.66 feet to the **PLACE OF BEGINNING** and containing **3.61 ACRES OF LAND** more or less.....

I, Marshall Sartin, Registered Professional Land Surveyor, hereby certify that a survey of the property legally described hereon was made on the ground on the 7 th day of October, 2009, that the improvements located on said property are known as **3400 TEXOMA PARKWAY, SHERMAN, TEXAS**, that this survey substantially complies with the current Minimum Standards for Professional

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

Dax Powell
27 Sam Roy Lane
Pottsboro, TX 75076

Helvey-Wagner Surveying
222 W Main St
Denison, TX 75021

TADLA
PO Box 1689
Sherman, TX 75091

Dear Applicants,

The request for a Specific Use Permit and Site Plan approval under Ordinance No. 2280, Section 8, Subsection (5)(a) to allow Batting Cages in a C-2 (General Commercial) District at 3400 Texoma Parkway has been scheduled to be heard by the Planning and Zoning Commission on Tuesday, November 15, 2022 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-2 (General commercial) District, the Sign Ordinance, the Fence Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.7; Sec. 7(14), Sec. 7(13) and Sec. 17).*
2. Fire access, lanes and codes shall be coordinated with the Fire Marshal (903.892.7267).
3. All required off-street parking shall be on private property and shall not encroach into the right-of-way. *(Chapter 14, Exhibit A, Section 7, Subsection 10(b))*
4. Parking shall be provided for one space per 200 square feet; a parking space is considered to be 9' x 20'. (*Chapter 14, Exhibit A, Sec.8 (5)(a); Sec.7(10)(b)).*
5. The trash dumpster will need to be located inside the main building area.
6. The use of the property must comply with all Federal and State Laws and regulations and with all ordinances, rules and regulations of the City of Sherman.
7. The property must be properly maintained in a state of good repair and neat appearance.
8. The granting of a Specific Use Permit has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.
9. A specific use permit is an amendment to the district regulations of the zoning ordinance that permits the permanent establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure discontinue or be abandoned for a period of sixty (60) consecutive days in which event such specific use permit shall be void and such use may not thereafter be resumed unless a new specific use permit granted. (*Chapter 14, Exhibit A, Sec. 8 (5)(b))*
10. The approval of the Specific Use Permit and site plan shall be effective for a period of (2) years

from the date of approval and shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Specific Use Permit was approved.

11. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

12. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*

It is the policy of this Planning and Zoning Commission and the Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Commission and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **21.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

115-231, 220, 301 & 303 SUNSET BOULEVARD

The request of Kyle Booth, Bluestone Partners LLC (Owner), Diann Neasbitt (Representative) and Blue Sky Surveying & Mapping (Surveyor) concerning the properties located at 115-231, 220, 301 and 303 Sunset Boulevard, being Tract One: being 4.6414 acres, Lot 1, Block 1 of the second Replat of part of Block 2 of the Replat of Westwood Village Subdivision; Tract Two: being 2.1983 acres, Lot 2, Block 1 of the Second Replat of part of Block 2 of the Replat of Westwood Village Subdivision; Tract Three: being 1.5777 acres in Lot 1, Block 1 of the Replat of Block 1 of the Replat of Westwood Village Subdivision; and Tract Four and Five: being 0.247 acres in the J.B. McAnair Survey, Abstract No. 763, as follow:

Board of Adjustment

A. Variance under Ordinance No. 2280, Section 6.6, Subsection (4) to allow the following parking variances in a C-1 (Retail Business) District:
   - Tract One and Two: 318 parking spaces in lieu of the required 360.
   - Tract Three: 72 parking spaces in lieu of the required 107.
   - Tract Four and Five: 10 parking spaces in lieu of the required 18.

Planning and Zoning Commission

B. Site Plan approval for exterior improvements of Westwood Village.

Background:

The property is located at 115-231, 220, 301 and 303 Sunset Boulevard at the northeast, southeast and southwest corners of Sunset Boulevard and is zoned C-1 (Retail Business) District.

The owner is requesting a parking variance and site plan approval to restore Westwood Village, and make this a retail center that will again be a major activity hub within the City of Sherman.

The owner would accomplish this by adding:
• New contemporary facades to all buildings

• New amenity spaces for organized events or general public use
• New site layout for parking and amenity spaces
• Restoration of the iconic Westwood Village pylon sign

The site layout will incorporate new landscaped areas, including a new centrally located amenity area along Sunset Boulevard, that will allow for picnic tables, an artificial turf area for recreational use, the restored pylon sign, and the ability to host food trucks or other similar attractions.

The need for the variance on the parking requirement is to accomplish the following:
• Meet the required 10% landscaping requirement. The site currently has 0% landscaping.
• Meet the requirement of 9'x20' parking stall size
• Improve the pedestrian access around the site, including barrier-free ramps, which are all currently non-existent on the site.

The following has been approved for this location:

- November 20, 1979 - Construction Code Board to allow a fire wall to be removed between buildings and install early warning smoke detector fire alarm system with connection to fire dept.
- May 14, 1985 -201-203 Sunset Bouldevard - Specific Use Permit to allow a private club in a C-1 (Retail Business) District.
- April 17, 2018 - Specific Use Permit to allow a private club in a C-1 (Retail Business) District.
- October 18, 2022 - To allow a smoke/vape shop in a C-1 (Retail Business) District .(APPROVED AT 10/18/2021 CITY COUNCIL WITH A 1 YEAR TIME PERIOD)

Adjacent Zoning:

R-1 (One-Family Residential) District
CO (Office) District
C-1 (Retail Business) District

Origination:

Kyle Booth, Bluestone Partners LLC (Owner)
Diann Neasbitt (Representative)
Blue Sky Surveying & Mapping (Surveyor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

34

Objections Received:

0

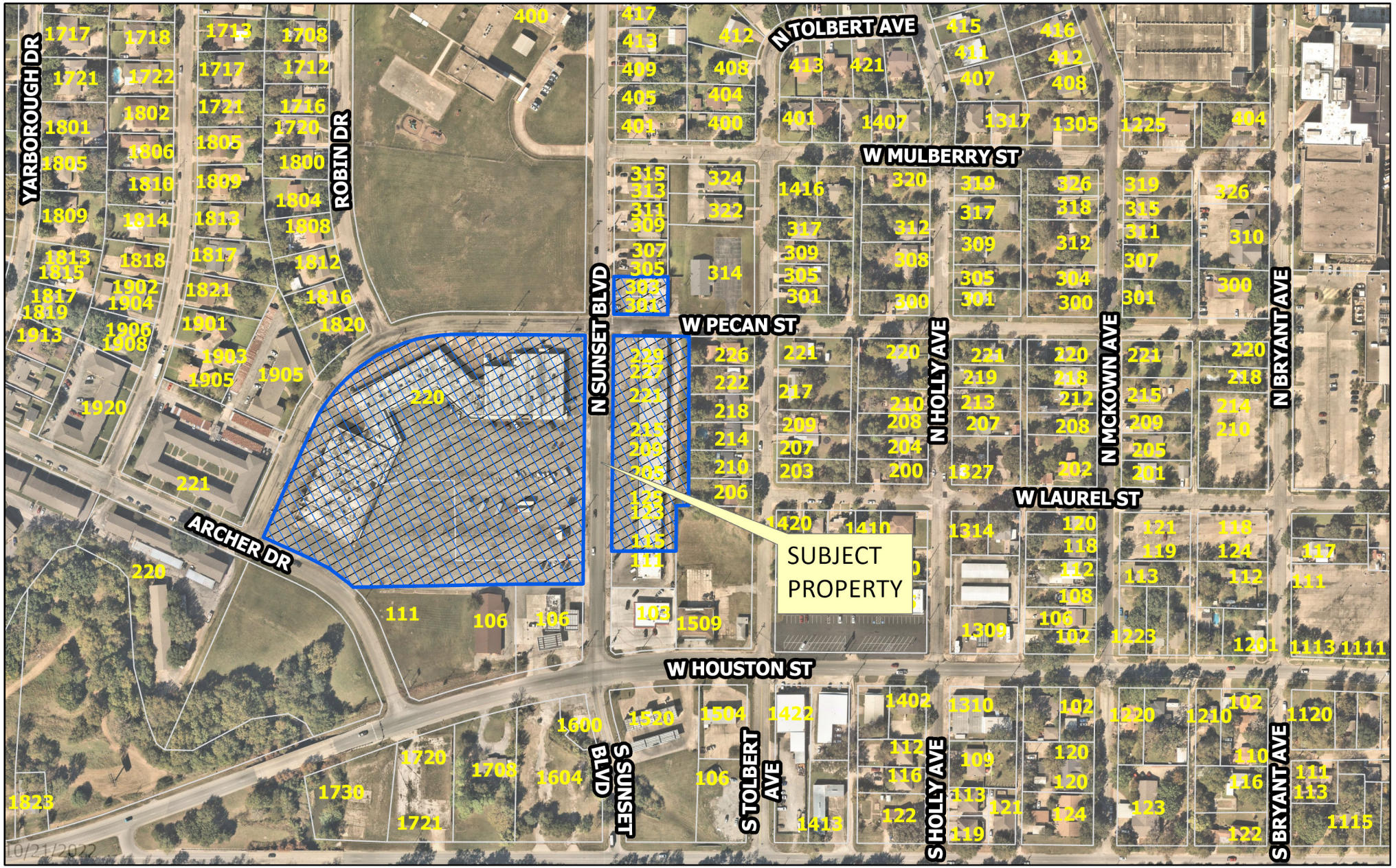
Development Review Meeting:

Yes

Attachments

Location Map

Zoning Map
Zoning Sign Photo
Narrative
Site Survey
Topographical Survey
Site Plan
Elevation / Floor Plan
Landscape Plan
Site Demo
Staff Review Letter



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

W Houston, Archer, And Sunset

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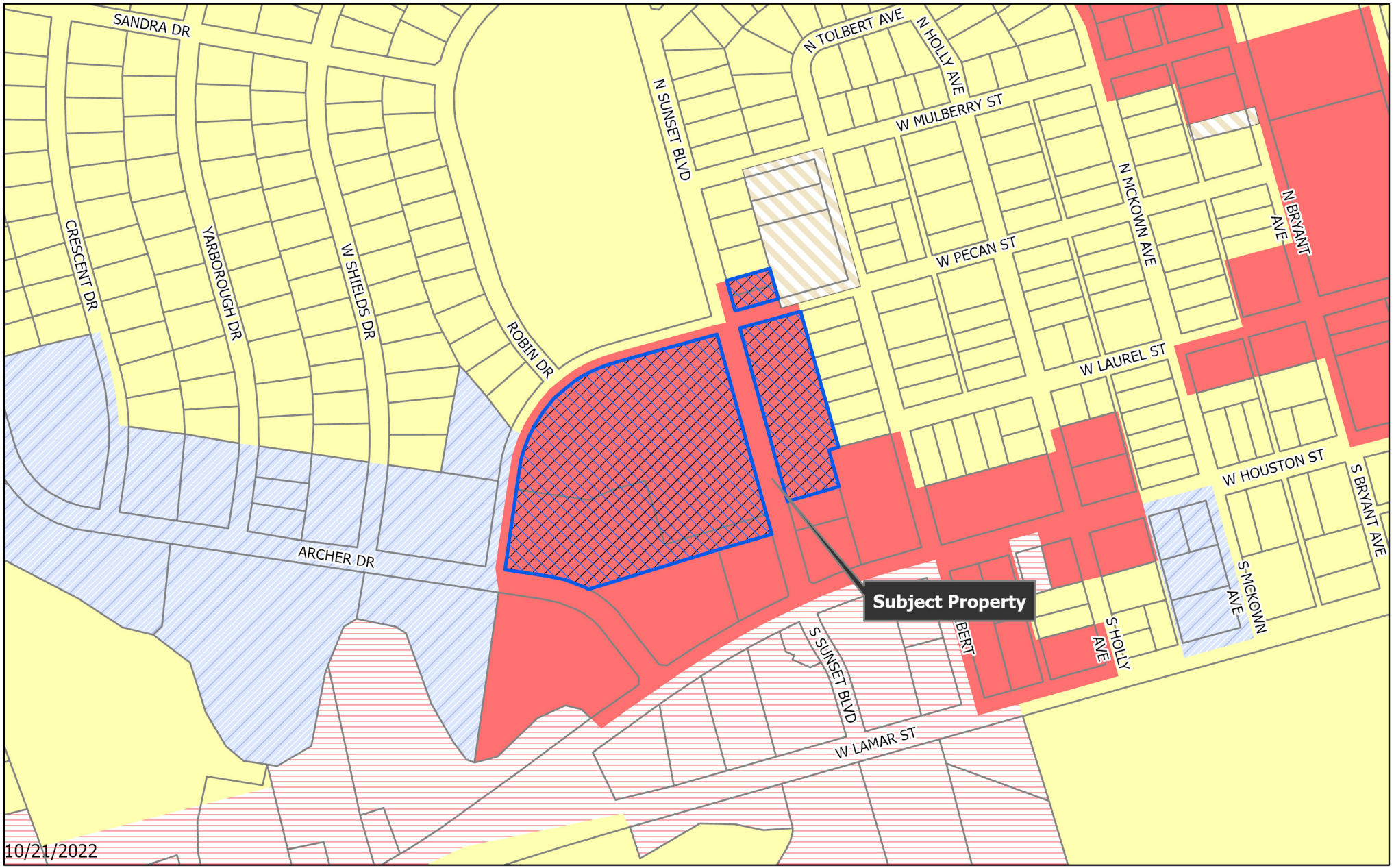

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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
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- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

W Houston, Archer, and Sunset

N / E / S

Scale: 1:4,006

Date: 10/21/2022 8:24 AM

115-231, 220, 301 and 303 Sunset

BLUESTONE
PARTNERS, LLC

4708 N. F.M. 1417
Sherman, Texas 75092
Office: 903-813-1415

To:
City of Sherman
Developmental Services
220 W. Mulberry
P.O. Box 1106
Sherman, Texas 75091

Site Plan Application
for
Westwood Village

Project Narrative:

Bluestone Partners is thrilled to help transform and improve the iconic and well established Westwood Village retail area of Sherman, with the financial backing of Sapphire Group.

In its current state, Westwood Village is a tired-looking retail center with a majority of vacant storefronts, and an endless sea of concrete parking. It screams 'neglect' and is not a desirable location for businesses.

Our mission is to restore the vibrance Westwood Village once had, and make this a retail center that will again be a major activity hub within the city. We are accomplishing this by doing many things:

- New, contemporary facades for all buildings
- New amenity spaces for organized events or general public use
- New site layout for parking and amenity spaces
- Restoration of the iconic Westwood Village pylon sign

The major factor in accomplishing this project will be the redesign of the site itself. As mentioned, it is currently ALL concrete beyond the buildings. Our proposed site layout will incorporate new landscaped areas, including a new centrally located amenity area along Sunset Boulevard, that will allow for picnic tables, an artificial turf area for recreational use, the restored pylon sign, and the ability to host food trucks or other similar attractions.

Variance:

To accomplish the vision described above, there is the need for variance from the General Zoning Ordinance. Exhibit 14A, Section 6.6.4 shows the parking requirement of 1 space per 200 sf. of building. With 96,663 sf., we are required to have 484 parking spaces. The new site plan proposes having 400 parking spaces (83% of required, 1 space per 242 sf.). There are a few factors why we are requesting a variance on the parking requirement:

- Across the entire site, we are meeting the required 10% landscaping requirement. The site currently has 0% landscaping.
- Where possible, we are meeting the newer requirement of 9'x20' parking stall size
- We are improving the pedestrian access around the site, including barrier free ramps, which are all currently non-existent on the site.

In order to accomplish these items above, it is not feasible to meet the 1/200 parking ratio. So we are requesting a variance such that we can still provide 400 parking spaces, but also introduce landscaping and better pedestrian mobility.

Thank you very much for your consideration, and we look forward to this beautiful project.

Regards,

Drake Hitchcock, Architect (TX # 21450)
Managing Partner
Bluestone Partners, LLC.
drake@bluestonebuild.com
903.813.1415

Legend:
rs = PK nail with flasher set
pp = power pole
rf = 1/2" rebar found
rs = 1/2" capped rebar set "RPLS 4480"
sp = service pole
ssmh = sanitary sewer manhole
tmh = telephone manhole
wm = water meter
wv = water valve

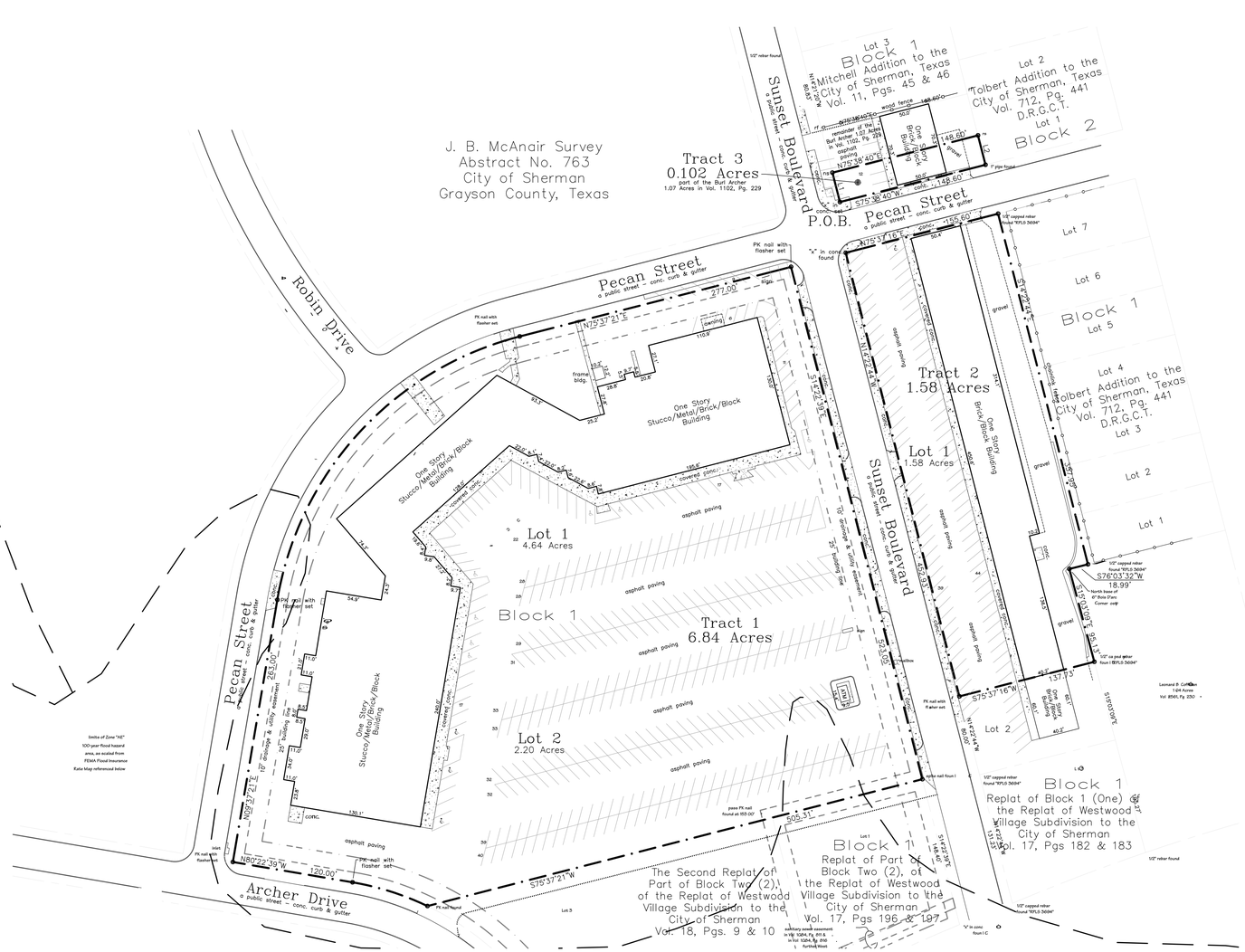
GRAPHIC SCALE

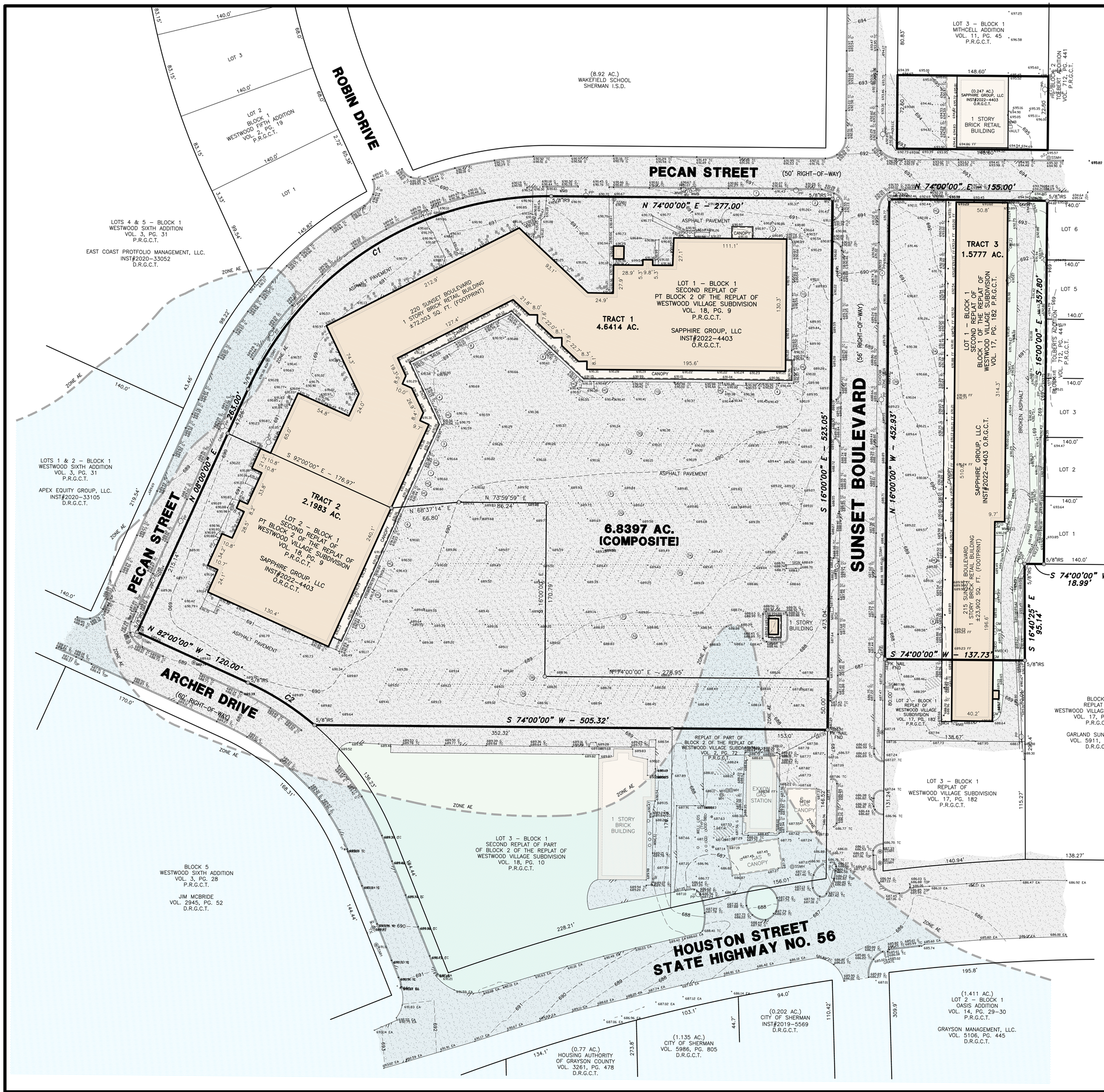
100 0 50 100 200 400

(IN FEET)
1 inch = 100 ft.

LINE TABLE		
LINE	LENGTH	BEARING
L1	30.00'	N14°07'07"W
L2	30.00'	S14°07'07"E

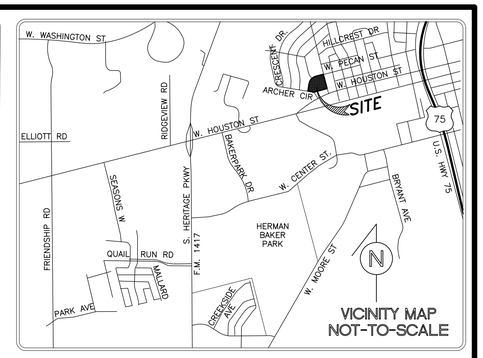
North

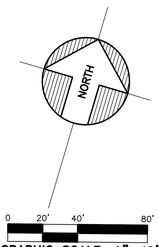

J. B. McAnair Survey
Abstract No. 763
City of Sherman
Grayson County, Texas
Tract 3
0.102 Acres
part of the Burl Archer
1.07 Acres in Vol. 1102, Pg. 229
P.O.B.
Sunset Boulevard
a public street - conc. curb & gutter
Pecan Street
a public street - conc. curb & gutter
Robin Drive
PK nail with flasher set
1/2" rebar found
Lot 3
Block 1
Mitchell Addition to the
City of Sherman, Texas
Vol. 11, Pgs. 45 & 46
Lot 2
Tolbert Addition to the
City of Sherman, Texas
Vol. 712, Pg. 441
D.R.G.C.T.
Lot 1
Block 2
N75°38'40"E 80.83'
S75°38'40"W 80.83'
N75°38'40"E 148.60'
S75°38'40"W 148.60'
reminder of Wal-Burl Archer 1.07 Acres in Vol. 1102, Pg. 229
asphalt paving
wood fence
One Story Brick/Block Building
frame bldg
N75°37'21"E 271.00'
S75°37'21"W 271.00'
N75°37'16"E 155.60'
S75°37'16"W 155.60'
"X" in conc found
Tract 2
1.58 Acres
Lot 1
1.58 Acres
Lot 7
Lot 6
Block 1
Lot 5
Lot 4
Tolbert Addition to the
City of Sherman, Texas
Vol. 712, Pg. 441
D.R.G.C.T.
Lot 3
Lot 2
Lot 1
1/2" capped rebar found "RPLS 3606"
S76°03'32"W 18.99'
North base of 6" Pole (Tan) Corner only
S75°37'16"W 25.13'
1/2" cp pad getter found "RPLS 3606"
137.73'
Leonard D. Cuffman
1.04 Acres
Vol. 8561, Pg. 230
N75°37'16"E 137.73'
Lot 2
Block 1
Replat of Block 1 (One) of the Replat of Westwood Village Subdivision to the City of Sherman
Vol. 17, Pgs 182 & 183
1/2" rebar found
1/2" capped rebar found "RPLS 3606"
Lot 1
4.64 Acres
Block 1
Tract 1
6.84 Acres
Lot 2
2.20 Acres
asphalt paving
covered conc.
One Story Stucco/Metal/Brick/Block Building
N14°22'39"W 283.00'
S14°22'39"E 283.00'
25' building line
10' drainage & utility easement
N80°22'39"W 120.00'
S80°22'39"E 120.00'
PK nail found
PK nail with flasher set
conc.
sidewalk
Archer Drive
a public street - conc. curb & gutter
limits of Zone "AE"
100-year flood hazard
area, as scaled from
FEMA Flood Insurance
Rate Map referenced below
S75°37'21"W 505.51'
pass PK nail found at 355.00'
The Second Replat of Part of Block Two (2), of the Replat of Westwood Village Subdivision to the City of Sherman
Vol. 18, Pgs. 9 & 10
Lot 3
Block 1
Replat of Part of Block Two (2), of the Replat of Westwood Village Subdivision to the City of Sherman
Vol. 17, Pgs 196 & 197
Lot 1
1.48 Acres
N14°22'39"W 505.51'
S14°22'39"E 505.51'
sanitary sewer easement in Vol. 1084, Pg. 811 & in Vol. 1084, Pg. 898 further West
"V" in conc found C
1/2" capped rebar found "RPLS 3606"
1/2" rebar found
N75°37'16"E 155.60'
S75°37'16"W 155.60'
N14°22'39"W 505.51'
S14°22'39"E 505.51'
PK nail with flasher set
"X" in conc found
PK nail found
PK nail with flasher set
1/2" capped rebar found "RPLS 3606"
1/2" rebar found
1/2" capped rebar found "RPLS 3606"
PK nail with flasher set
PK nail with flasher set
PK nail with flasher set



PARKING TABULATION

TRACT 1	
REGULAR PARKING	= 264
HANDICAP PARKING	= 8
TRACT 2	
REGULAR PARKING	= 140
HANDICAP PARKING	= 2
TRACT 3	
REGULAR PARKING	= 81
HANDICAP PARKING	= 2
TOTAL PARKING	= 497





LEGEND

- F.H. FIRE HYDRANT
- ○ "X" SET CHISELED "X" SET
- ○ "X" FND CHISELED "X" FOUND
- ○ IRF IRON ROD FOUND (SIZE AS NOTED)
- ○ IRS IRON ROD SET (SIZE AS NOTED)
- ⟵○ PP OVERHEAD UTILITY POLE W/ GUY
- ◎ SSMH SANITARY SEWER MANHOLE
- ◎ STMH STORM SEWER MANHOLE
- ◎ WMH WATER MANHOLE
- ○ CO SAN. SWR. CLEAN OUT
- ○ GV GAS VALVE
- ○ WV WATER VALVE
- ○ WM WATER METER
- ○ B BOLLARD
- ○ SP SIGNAL POLE
- □ SB SIGNAL BOX
- □ SV SIGNAL VAULT
- □ EB ELECTRIC BOX
- □ EV ELECTRIC VAULT
- □ SS STREET SIGN
- ○ CM CABLE MARKER
- □ CB CABLE BOX
- ○ S SIGN
- ○ AS AUTO SPRINKLER
- □ TPAD TRANSFORMER PAD
- ☼ LIGHT POLE
- (A) TITLE NOTE REFERENCE
- (3) PARKING COUNT
- TREE

~ CURVE DATA TABLE ~

NO.	RADIUS	DELTA	ARC	CH. BEARING	CHORD
C1	325.00'	66°00'00"	374.37'	N 41°00'00" E	354.02'
C2	280.00'	15°57'27"	77.98'	N 74°01'17" W	77.73'

SURVEY PLAT

TO ALL PARTIES INTERESTED IN PREMISES SURVEYED:

THIS IS TO CERTIFY THAT I HAVE, THIS DATE, MADE A CAREFUL AND ACCURATE SURVEY ON THE GROUND OF FOLLOWING PROPERTY BEING DESCRIBED IN THREE TRACTS OF LAND AS FOLLOWS

TRACT 1

BEING **LOT 1, IN BLOCK 1, OF SECOND REPLAT OF PART OF BLOCK 2 OF THE REPLAT OF WESTWOOD VILLAGE SUBDIVISION**, AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18, PAGE 9, OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS.

TRACT 2

BEING **LOT 2, IN BLOCK 1, OF SECOND REPLAT OF PART OF BLOCK 2 OF THE REPLAT OF WESTWOOD VILLAGE SUBDIVISION**, AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 18, PAGE 9, OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS.

TRACT 3

BEING **LOT 1, IN BLOCK 1, OF REPLAT OF BLOCK 1 OF THE REPLAT OF WESTWOOD VILLAGE SUBDIVISION**, AN ADDITION TO THE CITY OF SHERMAN, GRAYSON COUNTY, TEXAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 17, PAGE 182, OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS.

FLOOD NOTE

ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – NATIONAL FLOOD INSURANCE PROGRAM (NFIP) – FLOOD INSURANCE RATE MAP (FIRM) – FOR THE GRAYSON COUNTY, TEXAS AND INCORPORATED AREAS – MAP NO. 48181C0270F, MAP REVISED, SEPTEMBER 29, 2010, THE PROPERTY SHOWN HEREON LIES PARTIALLY IN IN ZONE "X" SHADED (OTHER FLOOD AREAS) AND PARTIALLY IN ZONE "AE" (SFHAs).

ZONE "X" SHADED IS DEFINED AS AREAS OF 0.2% ANNUAL CHANCE FLOOD; AREAS OF 1% ANNUAL CHANCE FLOOD WITH AVERAGE DEPTHS OF LESS THAN 1 FOOT OR WITH DRAINAGE AREAS LESS THAN 1 SQUARE MILE; AND AREAS PROTECTED BY LEVEES FROM 1% ANNUAL CHANCE FLOOD.

ZONE "AE" IS DEFINED AS SPECIAL FLOOD HAZARD AREAS SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD – BASE FLOOD ELEVATIONS DETERMINED.

CERTIFICATION

THE PLAT HEREON IS A TRUE, CORRECT AND ACCURATE REPRESENTATION OF THE TOPOGRAPHY OF THE PROPERTY AS DETERMINED BY SURVEY; SUBJECT TO ALL EASEMENTS, RESERVATIONS AND RESTRICTIONS WHICH MAY BE OF RECORD.

PRELIMINARY / FOR REVIEW

_____
DAVID PETREE
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 1890

TOPOGRAPHIC SURVEY
6.8397 ACRES OF LAND
LOTS 1 AND 2 - BLOCK 1
WESTWOOD VILLAGE SUBDIVISION
CITY OF SHERMAN, GRAYSON COUNTY, TEXAS

BLUE SKY SURVEYING
& MAPPING, CORPORATION
11015 MIDWAY ROAD
DALLAS, TEXAS 75229
PHONE: (214) 358-4500
FAX: (214) 358-4600

DATE: MAY 17 , 2022
SCALE: 1"=40'

DRPETREE@BLUESKYSURVEYING.COM
TBPLS REGISTRATION No. 10105700

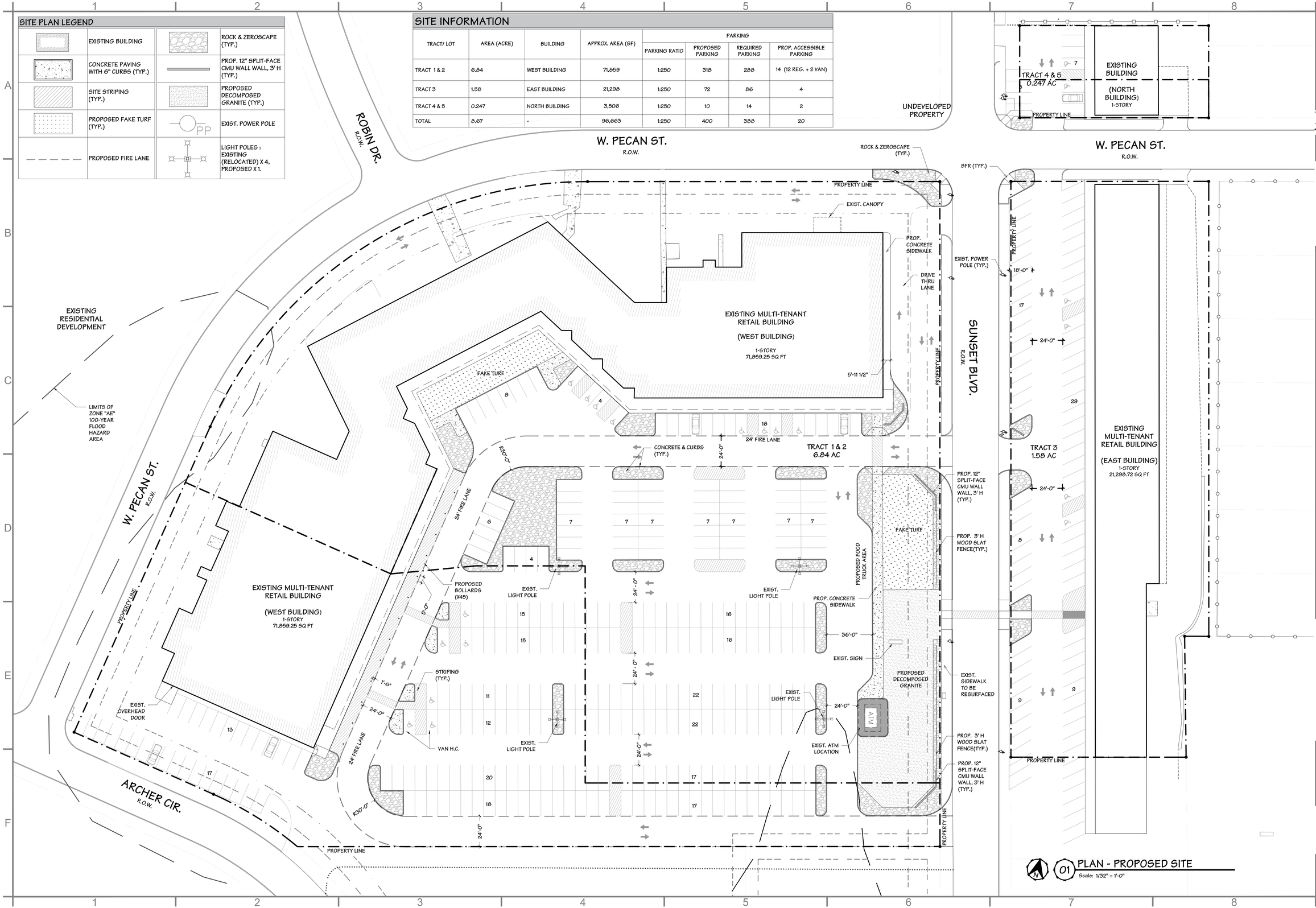
F:\ShermanTexasSunset2022

SITE PLAN LEGEND

	EXISTING BUILDING		ROCK & ZEROSCAPE (TYP.)
	CONCRETE PAVING WITH 6" CURBS (TYP.)		PROP. 12" SPLIT-FACE CMU WALL WALL, 3' H (TYP.)
	SITE STRIPING (TYP.)		PROPOSED DECOMPOSED GRANITE (TYP.)
	PROPOSED FAKE TURF (TYP.)	PP	EXIST. POWER POLE
	PROPOSED FIRE LANE		LIGHT POLES : EXISTING (RELOCATED) X 4, PROPOSED X 1.

SITE INFORMATION

TRACT/ LOT	AREA (ACRE)	BUILDING	APPROX. AREA (SF)	PARKING			
				PARKING RATIO	PROPOSED PARKING	REQUIRED PARKING	PROP. ACCESSIBLE PARKING
TRACT 1 & 2	6.84	WEST BUILDING	71,859	1:250	318	288	14 (12 REG. + 2 VAN)
TRACT 3	1.58	EAST BUILDING	21,298	1:250	72	86	4
TRACT 4 & 5	0.247	NORTH BUILDING	3,506	1:250	10	14	2
TOTAL	8.67	-	96,663	1:250	400	388	20



01 PLAN - PROPOSED SITE
Scale: 1/32" = 1'-0"

BLUESTONE PARTNERS, LLC
4708 N. FM. 1417
Sherman, Texas 75092
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www.bluestonebuild.com

REGISTERED ARCHITECT
BLAKE R. HITCHCOCK
21450
STATE OF TEXAS

Oct.20, 2022

Westwood Village
215 Sunset Blvd.
Sherman, TX 75092
PERMIT SET

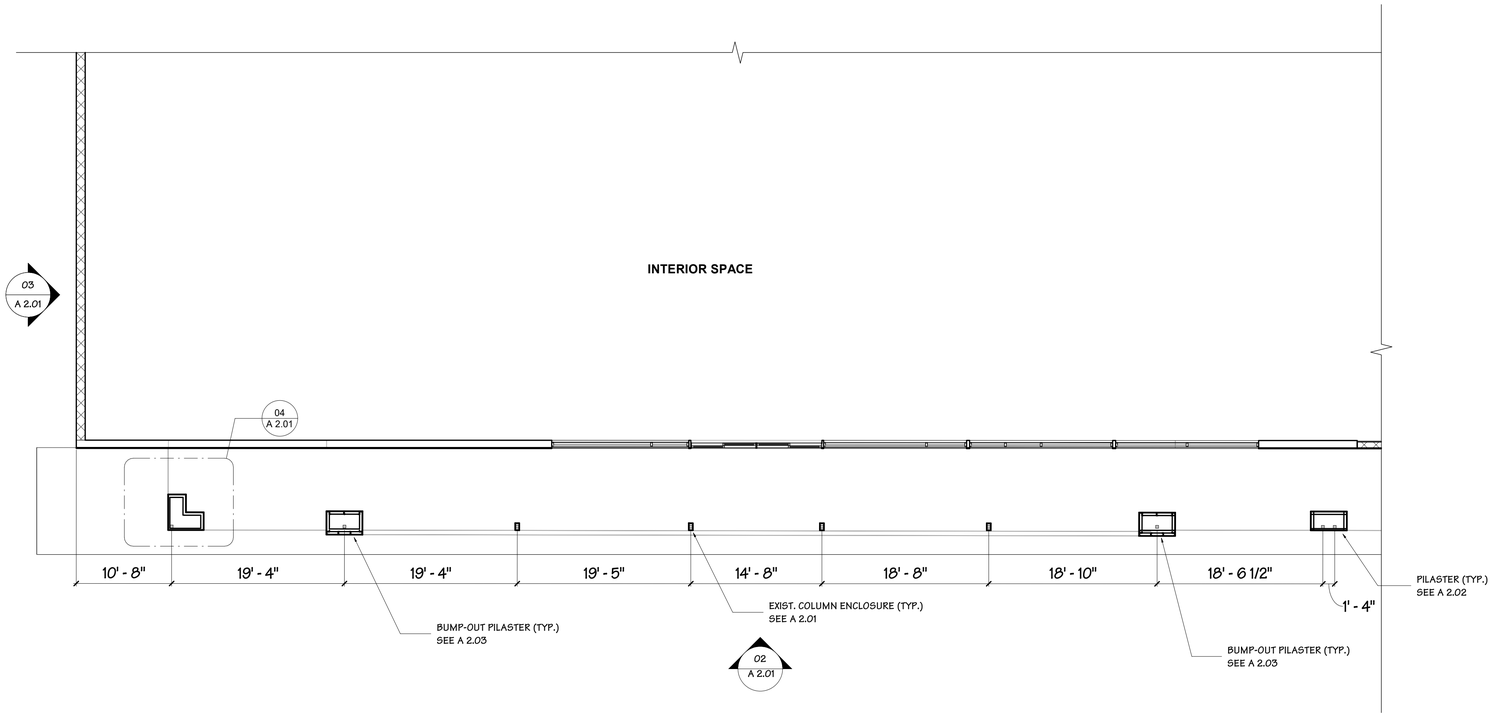
REVISIONS

No.	DATE	NOTE

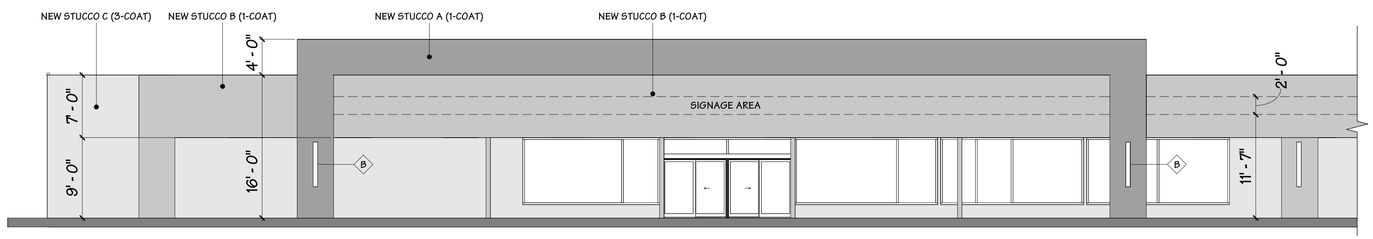
Drawn by: ----
Checked by: ----
Project No: ----
Date: Oct.20, 2022

PLAN - SITE PROPOSED

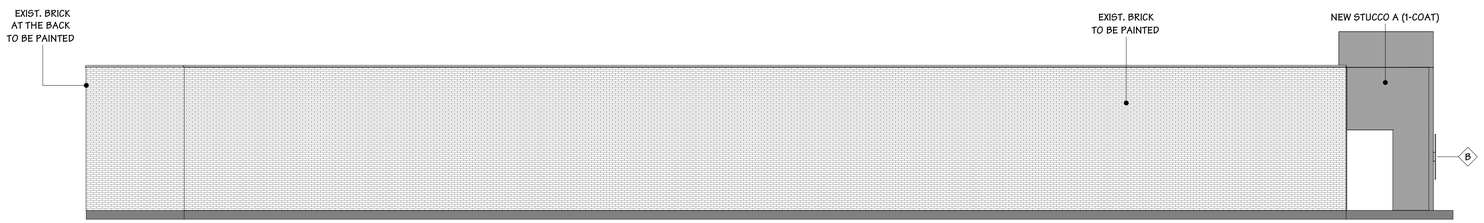
Sheet: A 1.03



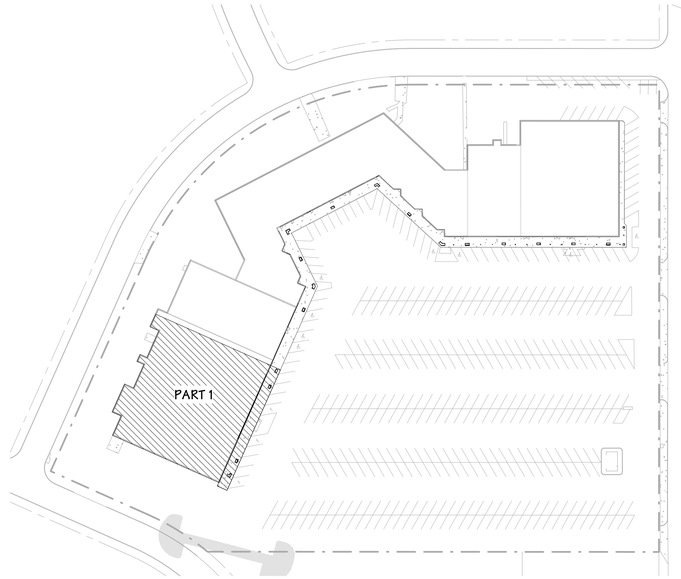
01 PARTIAL PLAN - NEW. (PART I)
Scale: 1/8" = 1'-0"



02 PARTIAL ELEV - NEW. (PART I)
Scale: 1/8" = 1'-0"



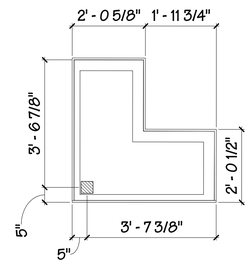
03 WEST ELEV - NEW
Scale: 1/8" = 1'-0"



KEY PLAN
Scale: NTS

NOTES

1. PROVIDE STUCCO ON ALL EXTERIOR WALLS (U.N.O.).
2. EXIST. BRICK AT EAST, WEST AND BACK OF THE WEST BUILDING TO BE PAINTED (U.N.O.).



04 DETAIL - COLUMN
Scale: 1/2" = 1'-0"

BLUESTONE
PARTNERS, LLC
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903.813.1415
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REGISTERED ARCHITECT
BLAKE R. HITCHCOCK
12450
STATE OF TEXAS

Westwood Village
215 Sunset Blvd.
Sherman, TX 75092
PERMIT SET

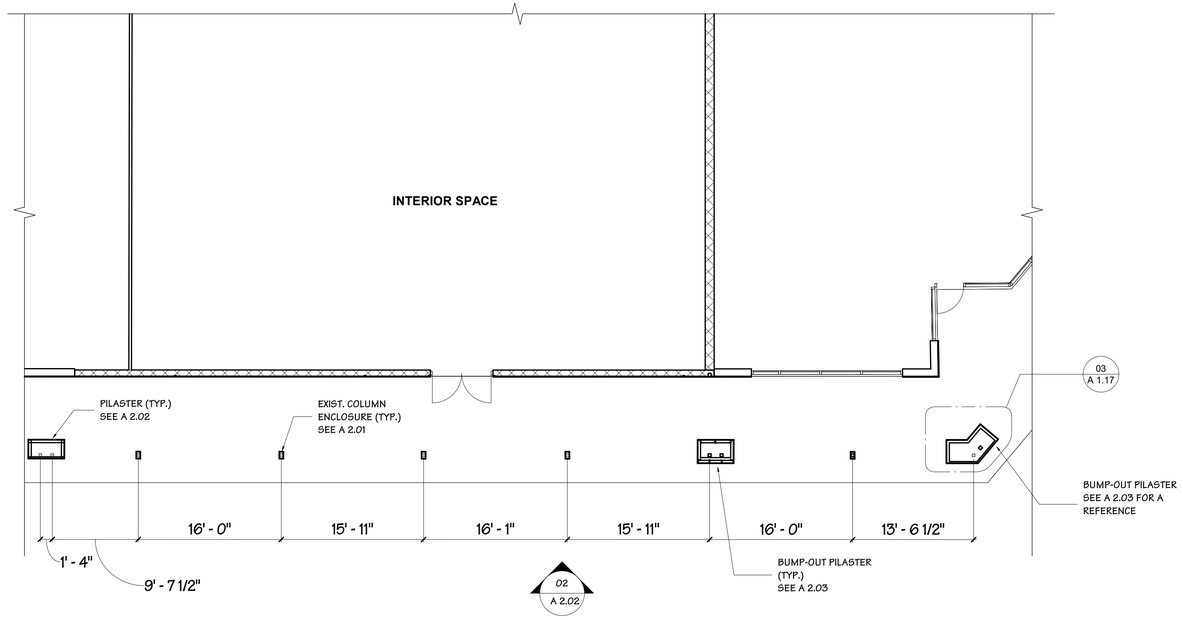
REVISIONS

No.	DATE	NOTE

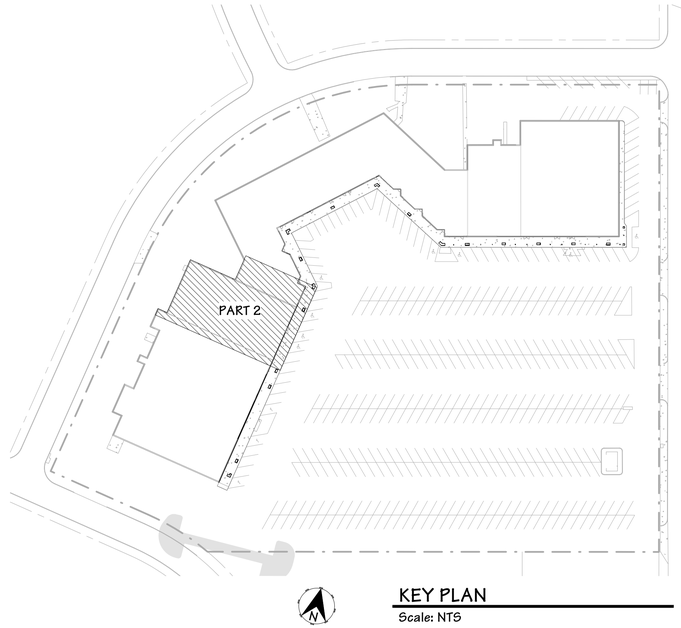
Drawn by:	Author
Checked by:	Checker
Project No:	
Date:	Oct 20, 2022

NEW PARTIAL PLAN/ELEV (PART I) - WEST BLDG.

Sheet: **A 2.01**



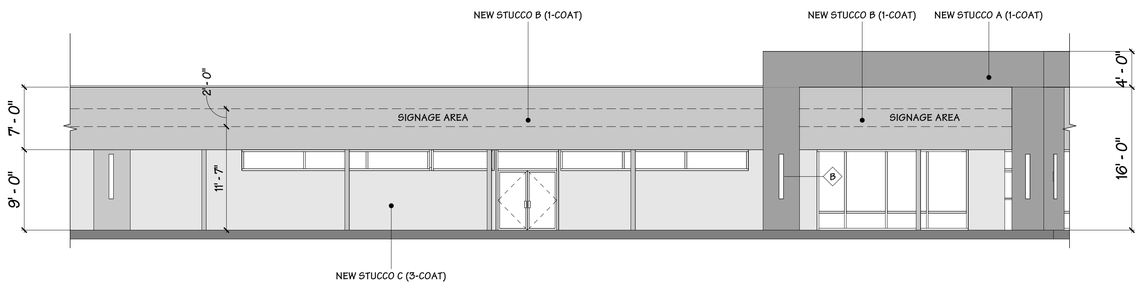
01 PARTIAL PLAN - NEW (PART II)
Scale: 1/8" = 1'-0"



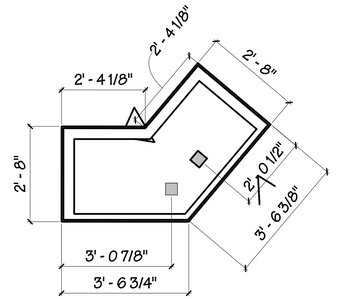
KEY PLAN
Scale: NTS

NOTES

1. PROVIDE STUCCO ON ALL EXTERIOR WALLS (U.N.O.).
2. EXIST. BRICK AT EAST, WEST AND BACK OF THE WEST BUILDING TO BE PAINTED (U.N.O.).



02 PARTIAL ELEV - NEW. (PART II)
Scale: 1/8" = 1'-0"



03 DETAIL - COLUMN
Scale: 1/2" = 1'-0"

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REGISTERED ARCHITECT
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STATE OF TEXAS

Westwood Village
215 Sunset Blvd.
Sherman, TX 75092
PERMIT SET

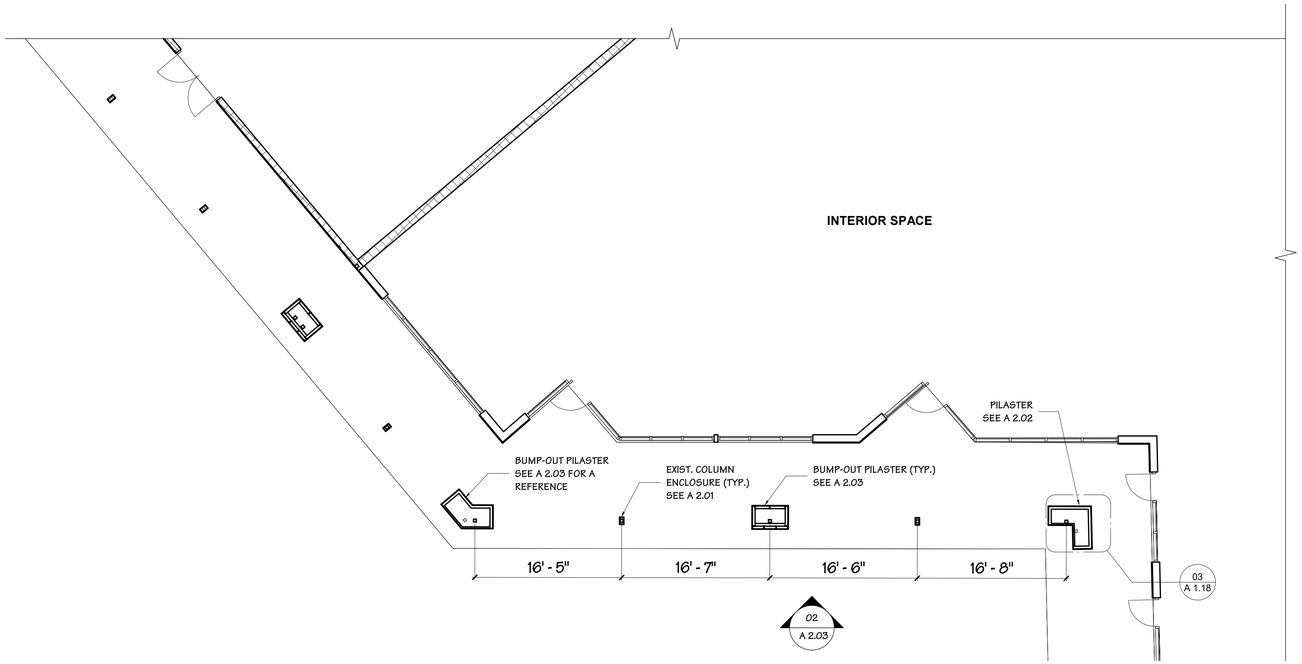
REVISIONS

No.	DATE	NOTE

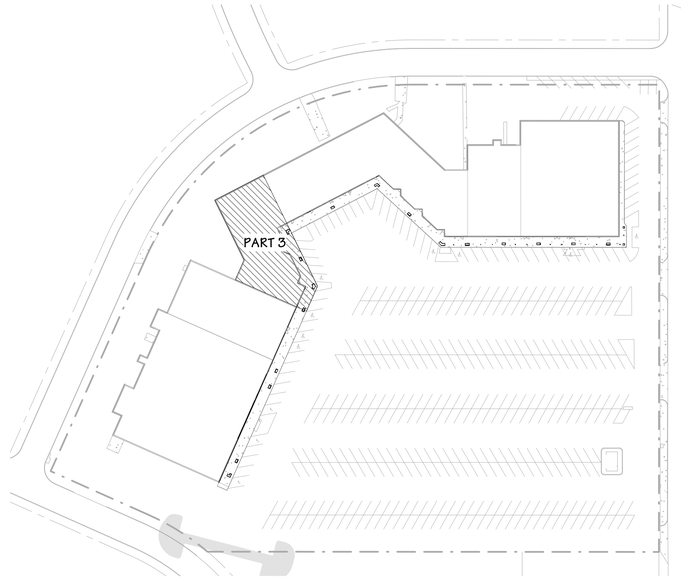
Drawn by: Author
Checked by: Checker
Project No:
Date: Oct 20, 2022

NEW PARTIAL PLAN/ELEV (PART II) - WEST BLDG.

Sheet: A 2.02



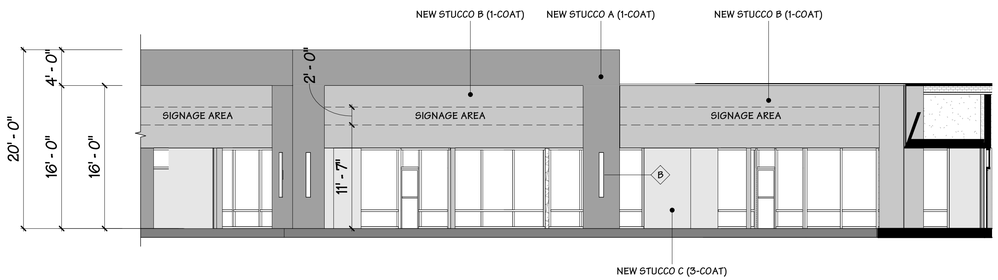
01 PARTIAL PLAN - NEW. (PART III)
Scale: 1/8" = 1'-0"



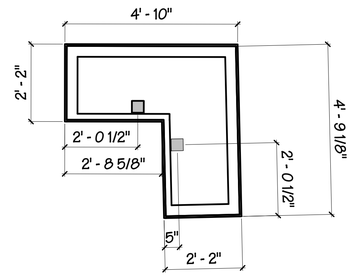
KEY PLAN
Scale: NTS

NOTES

1. PROVIDE STUCCO ON ALL EXTERIOR WALLS (U.N.O.).
2. EXIST. BRICK AT EAST, WEST AND BACK OF THE WEST BUILDING TO BE PAINTED (U.N.O.).



02 PARTIAL ELEV - NEW (PART III)
Scale: 1/8" = 1'-0"



03 DETAIL - COLUMN
Scale: 1/2" = 1'-0"

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REGISTERED ARCHITECT
SHANE R. HITCHCOCK
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Sherman, TX 75092
PERMIT SET

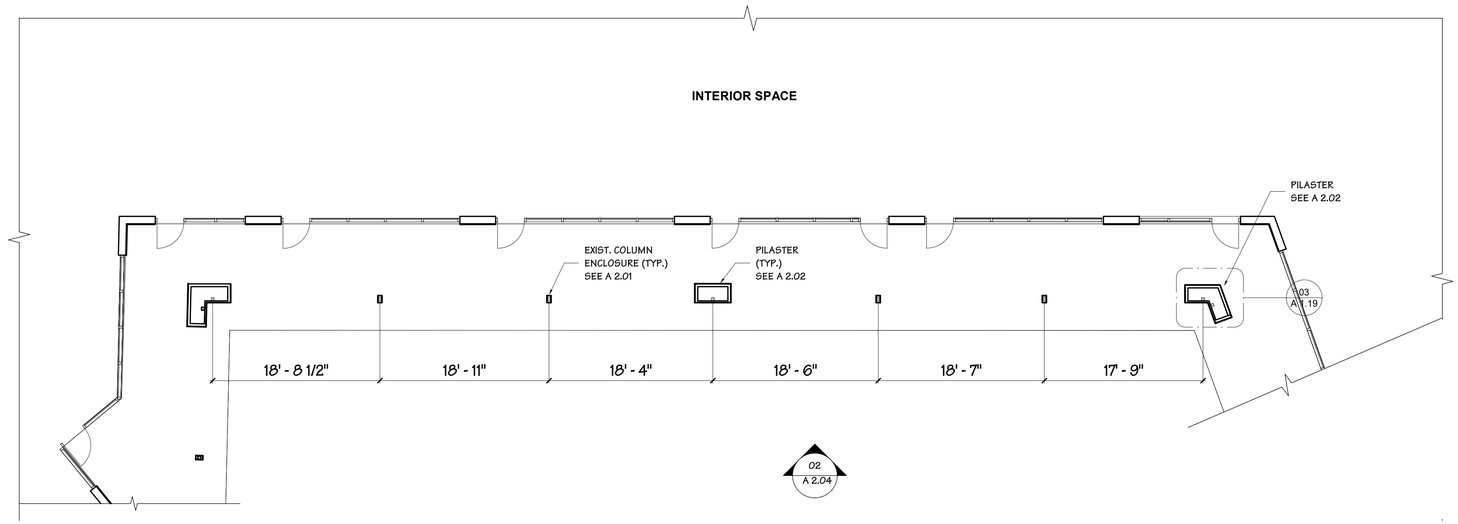
REVISIONS

No.	DATE	NOTE

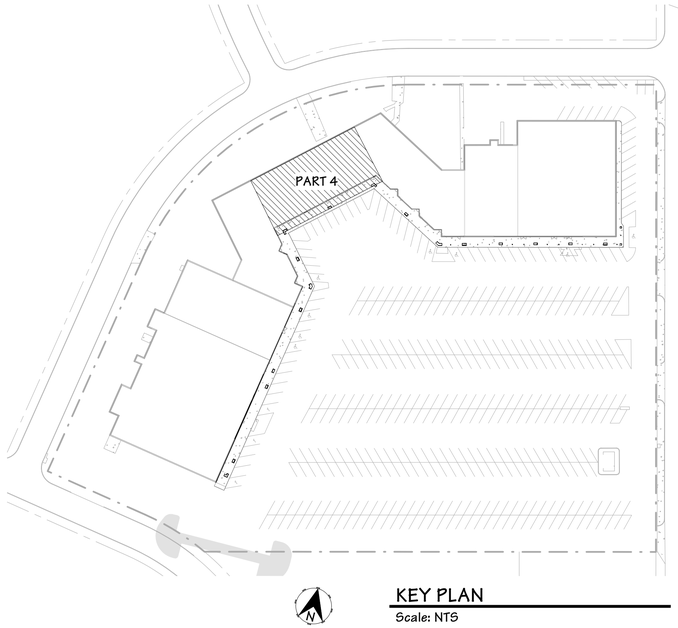
Drawn by:	Author
Checked by:	Checker
Project No:	
Date:	Oct 20, 2022

NEW. PARTIAL PLAN/ELEV (PART III) - WEST BLDG.

Sheet: **A 2.03**



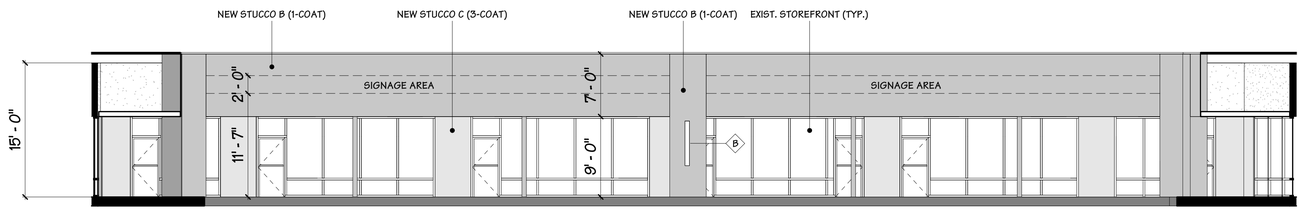
01 PARTIAL PLAN - NEW (PART IV)
Scale: 1/8" = 1'-0"



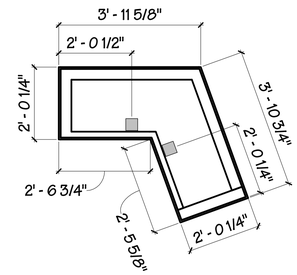
KEY PLAN
Scale: NTS

NOTES

1. PROVIDE STUCCO ON ALL EXTERIOR WALLS (U.N.O.).
2. EXIST. BRICK AT EAST, WEST AND BACK OF THE WEST BUILDING TO BE PAINTED (U.N.O.).



02 PARTIAL ELEV - NEW (PART IV)
Scale: 1/2" = 1'-0"



03 DETAIL - COLUMN
Scale: 1/2" = 1'-0"

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PERMIT SET

REVISIONS

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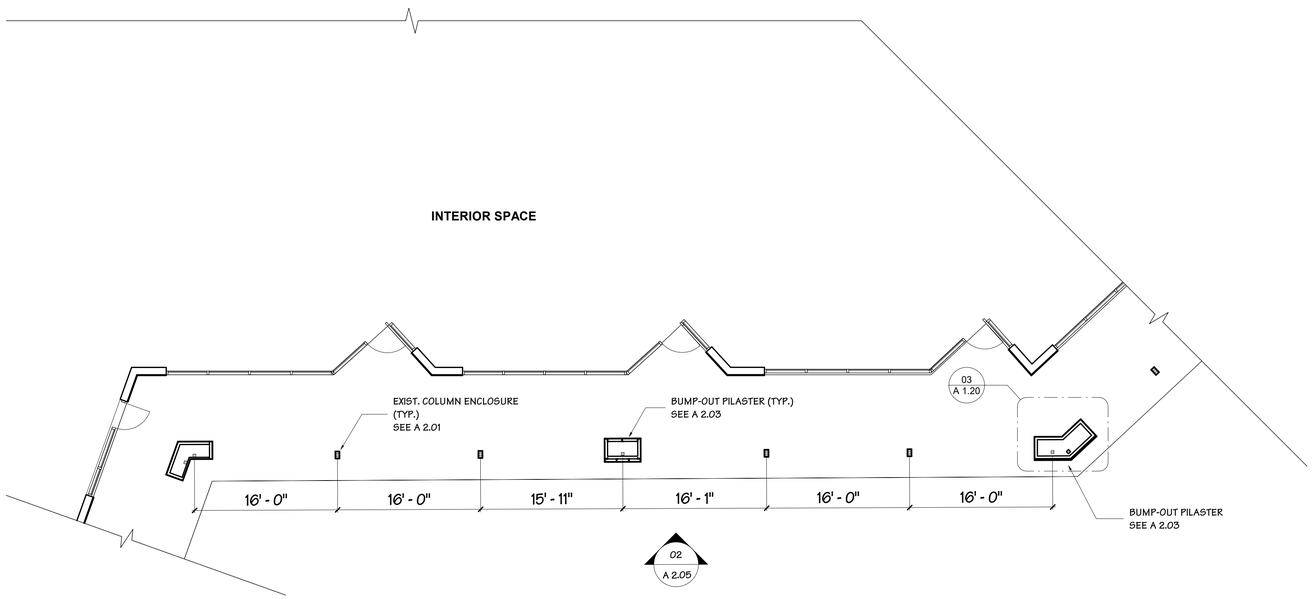
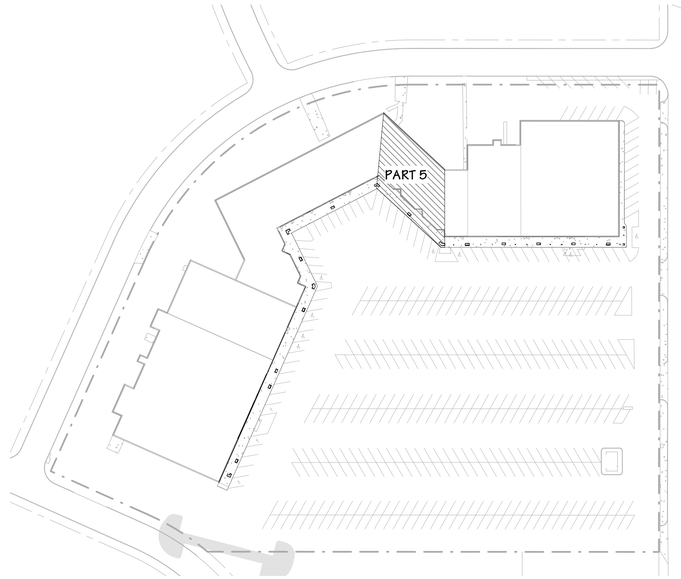
Checked by: Checker
Project No:
Date: Oct 20, 2022

NEW. PARTIAL PLAN/ELEV (PART IV) - WEST BLDG.

Sheet: A 2.04



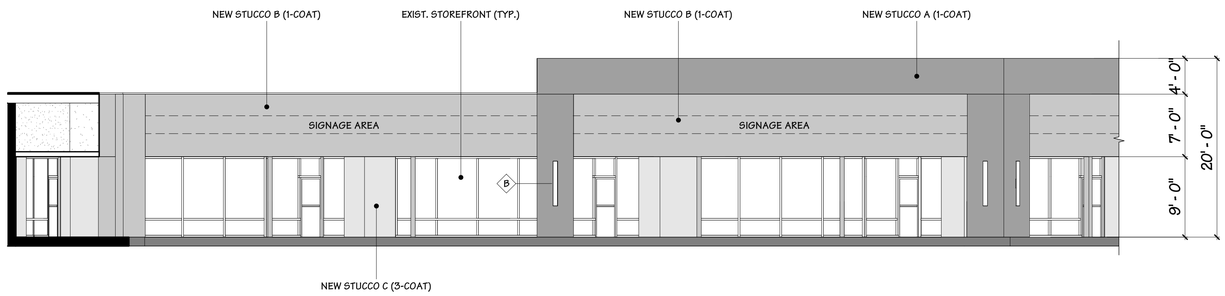
01 PARTIAL PLAN - NEW (PART V)
Scale: 1/8" = 1'-0"



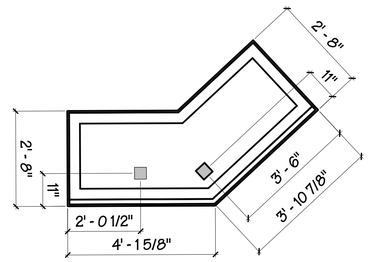
KEY PLAN
Scale: NTS

NOTES

1. PROVIDE STUCCO ON ALL EXTERIOR WALLS (U.N.O.).
2. EXIST. BRICK AT EAST, WEST AND BACK OF THE WEST BUILDING TO BE PAINTED (U.N.O.).



02 PARTIAL ELEV - NEW (PART V)
Scale: 1/8" = 1'-0"



03 DETAIL - COLUMN
Scale: 1/2" = 1'-0"

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4708 N. FM. 1417
Sherman, Texas 75092
903.813.1415
www.bluestonebuild.com

REGISTERED ARCHITECT
BLAKE R. HITCHCOCK
12450
STATE OF TEXAS

Westwood Village
215 Sunset Blvd.
Sherman, TX 75092

PERMIT SET

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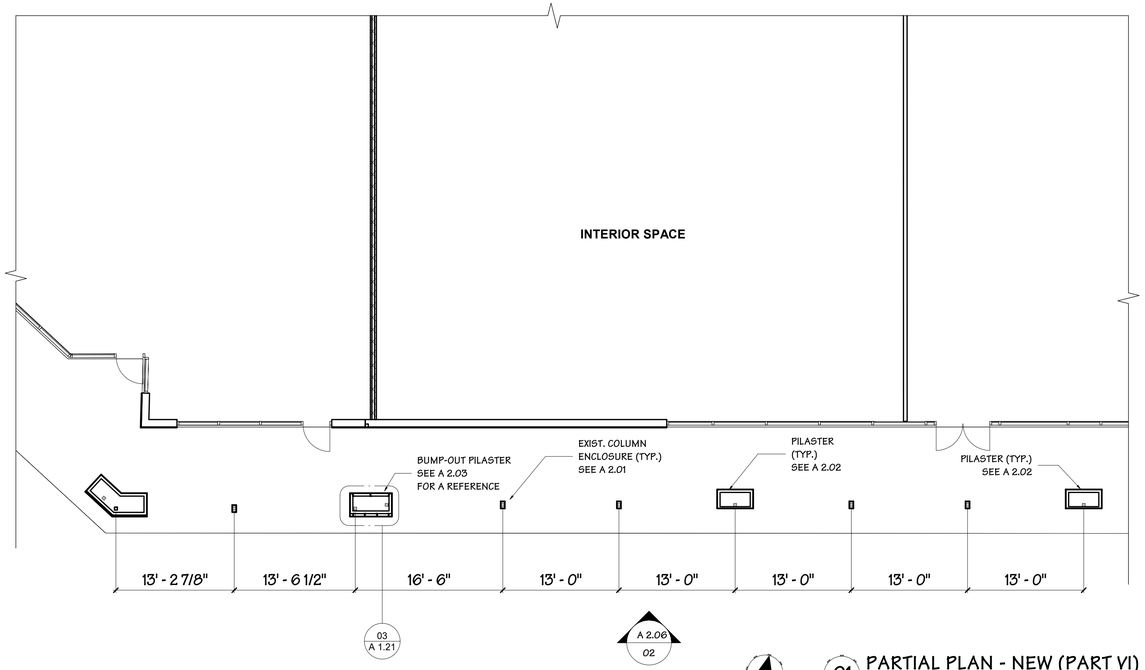
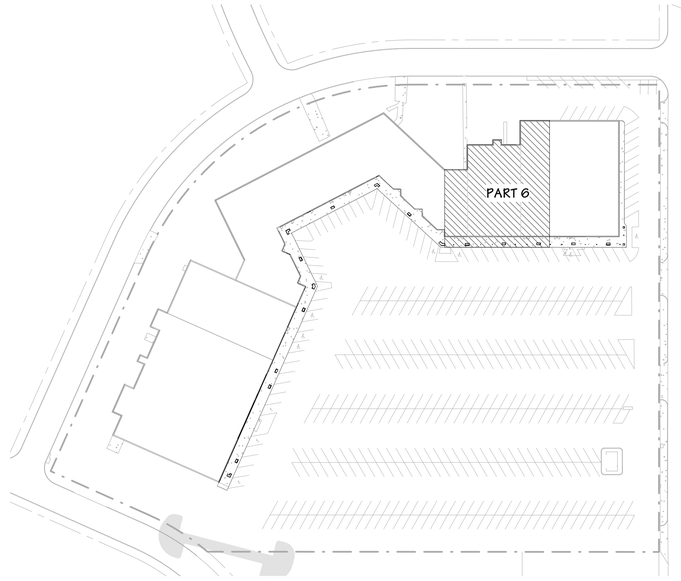
NEW. PARTIAL PLAN/ELEV (PART V) - WEST BLDG.

Sheet: A 2.05



01 PARTIAL PLAN - NEW (PART VI)
Scale: 1/8" = 1'-0"



KEY PLAN
Scale: NTS

NOTES

1. PROVIDE STUCCO ON ALL EXTERIOR WALLS (U.N.O.).
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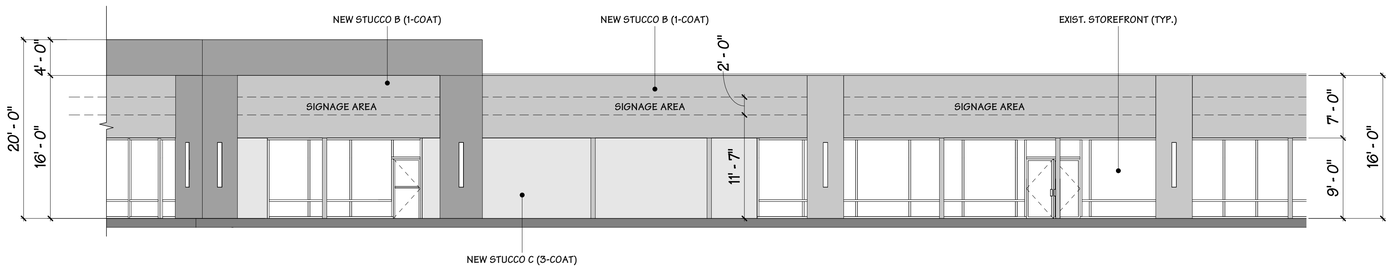
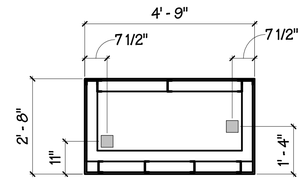


02 PARTIAL ELEV - NEW (PART VI)
Scale: 1/8" = 1'-0"



03 DETAIL - COLUMN
Scale: 1/2" = 1'-0"

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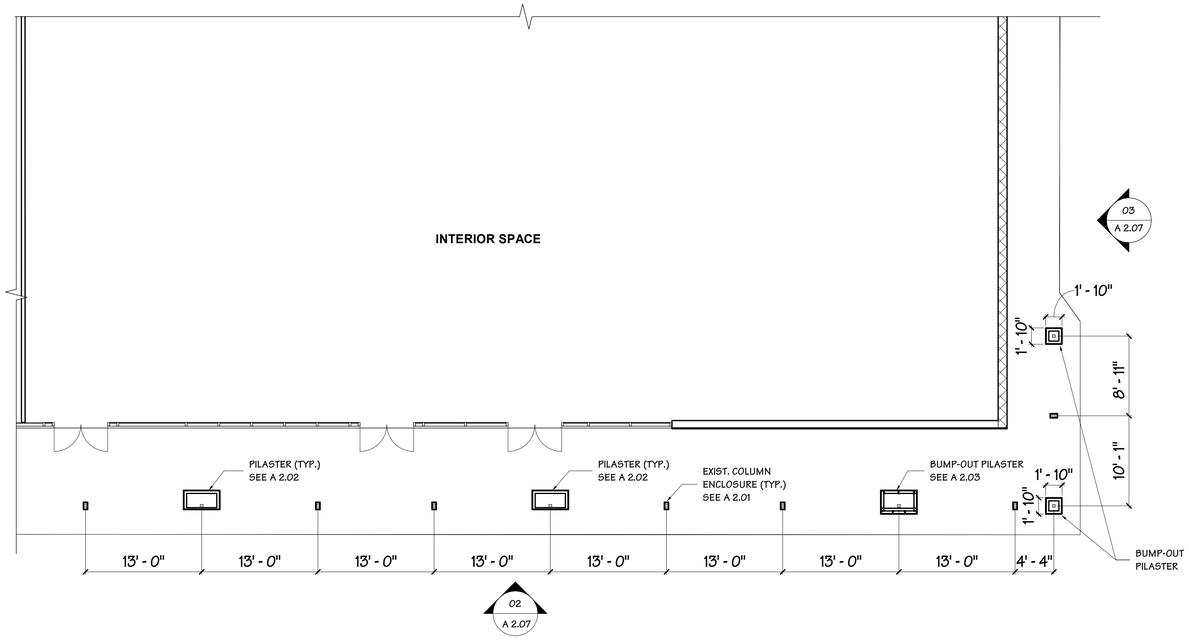
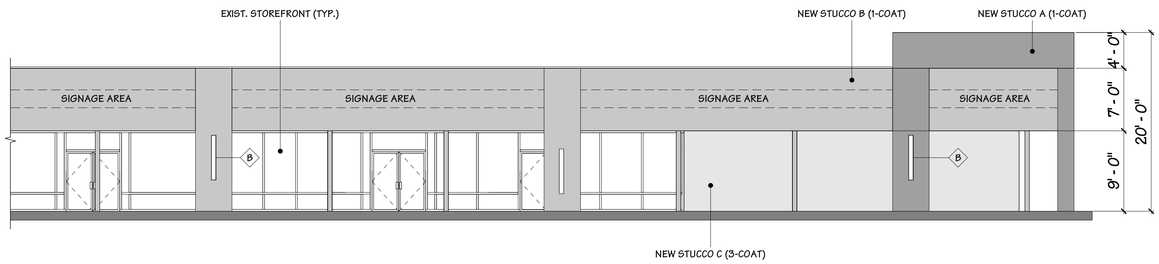
NEW. PARTIAL PLAN/ELEV (PART VI) - WEST BLDG.

Sheet: A 2.06



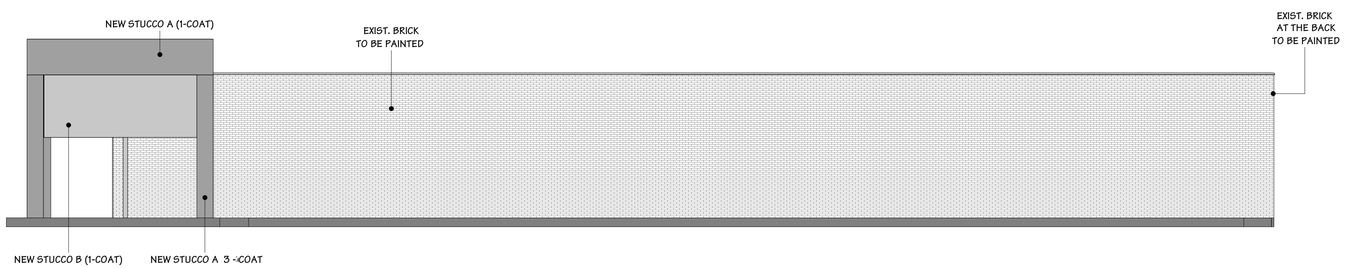
01 PARTIAL PLAN - NEW (PART VII)

Scale: 1/8" = 1'-0"



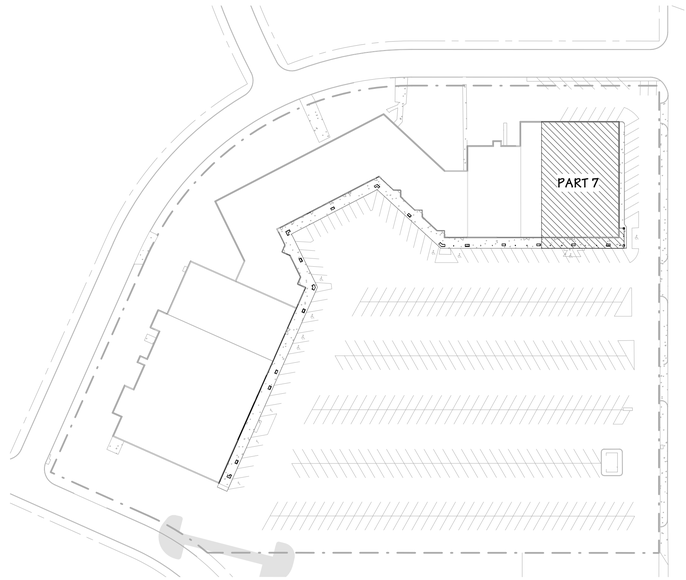
02 PARTIAL ELEV - NEW (PART VII)

Scale: 1/8" = 1'-0"



03 EAST ELEV. - NEW

Scale: 1/8" = 1'-0"



KEY PLAN

Scale: NTS

NOTES

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NEW. PARTIAL PLAN/ELEV (PART VII) - WEST BLDG.

Sheet: A 2.07

NOTES

1. PROVIDE STUCCO ON ALL EXTERIOR WALLS (U.N.O.).
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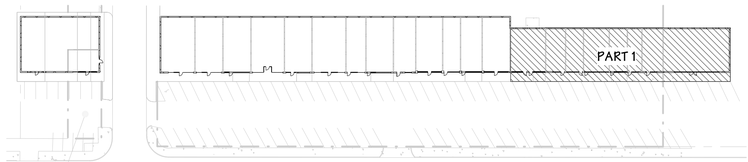
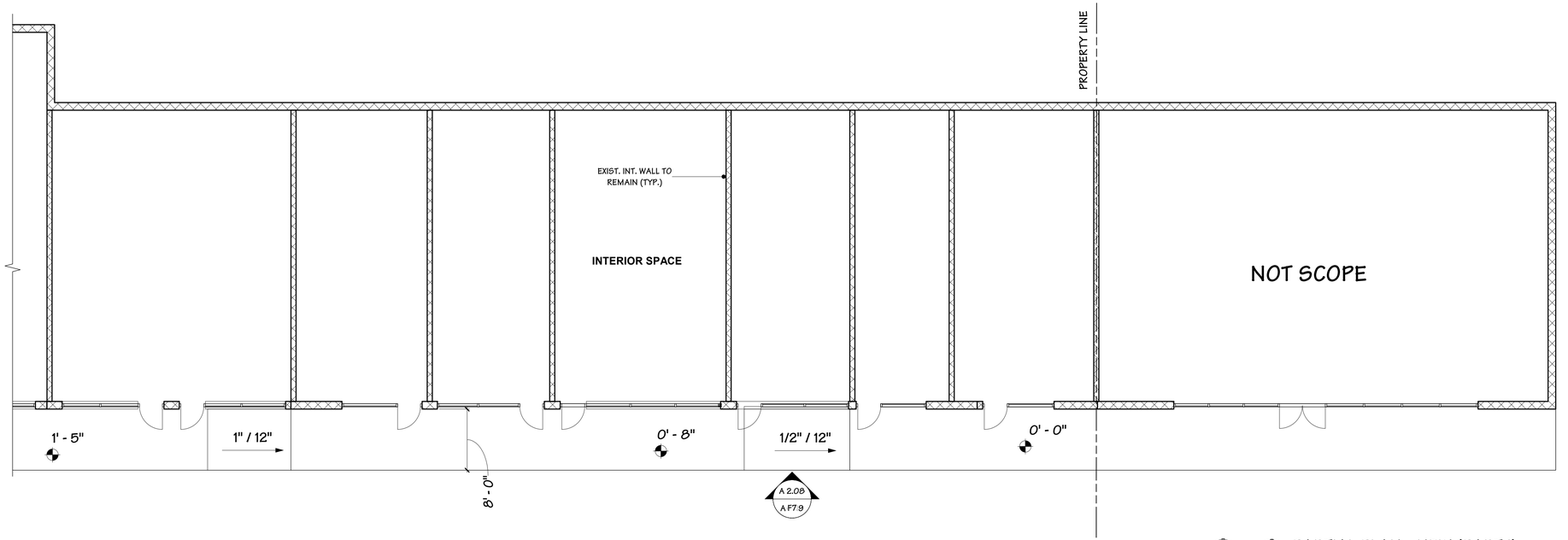
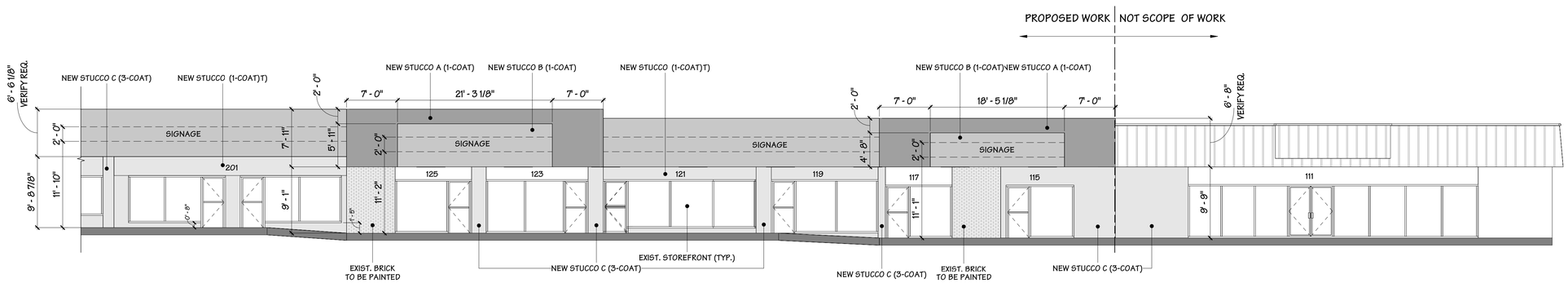


KEY PLAN
Scale: NTS



01 PARTIAL PLAN - NEW (PART I)
Scale: 1/8" = 1'-0"



02 PARTIAL ELEV - NEW (PART I)
Scale: 1/8" = 1'-0"

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NEW. PARTIAL PLAN/ELEV (PART I) - EAST BLDG.

Sheet: **A 2.08**

NOTES

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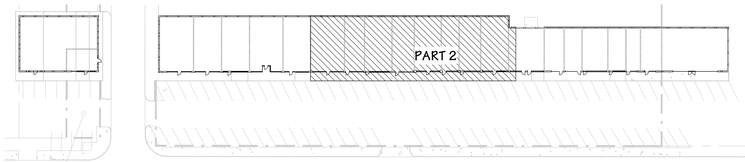
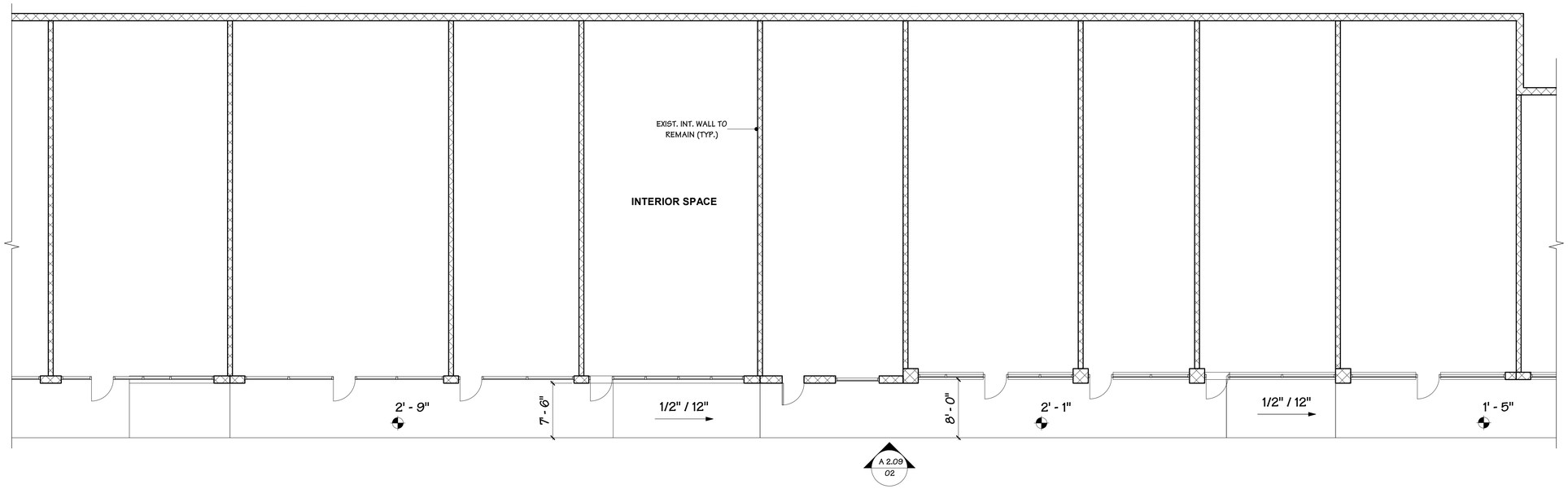
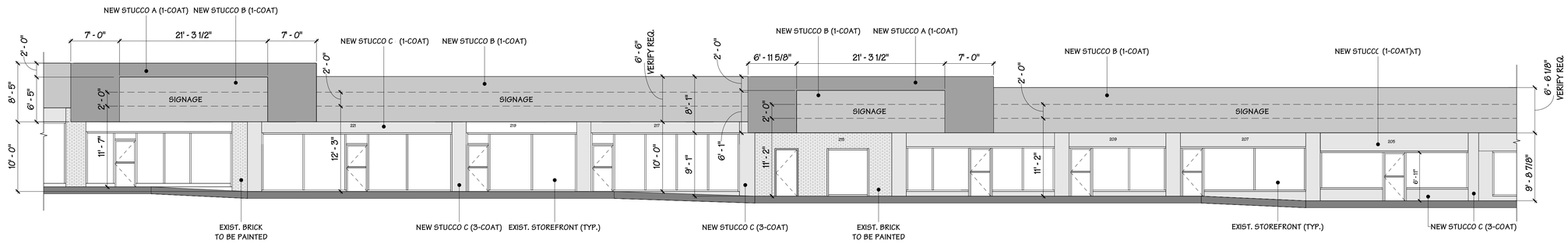


KEY PLAN
Scale: NTS



01 PARTIAL PLAN - NEW (PART II)
Scale: 1/8" = 1'-0"



02 PARTIAL ELEV. -NEW (PART II)
Scale: 1/8" = 1'-0"

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REGISTERED ARCHITECT
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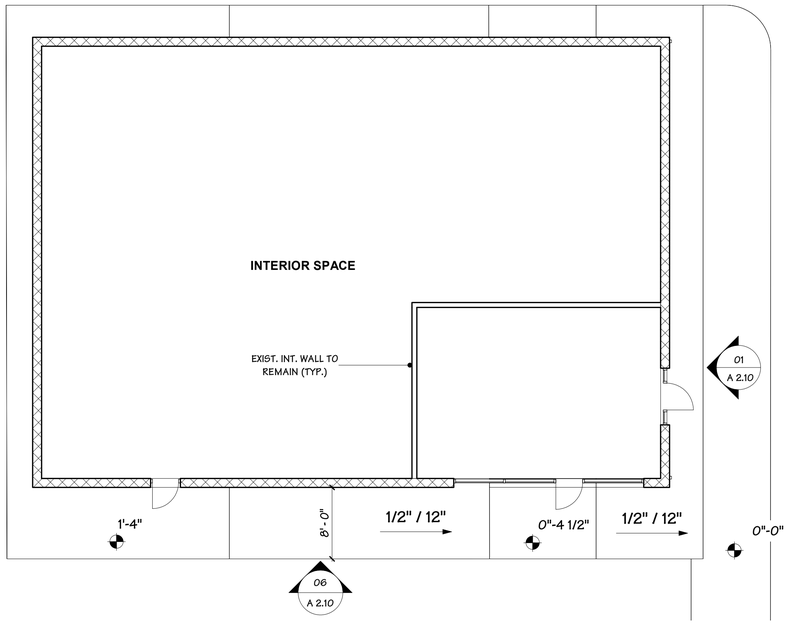
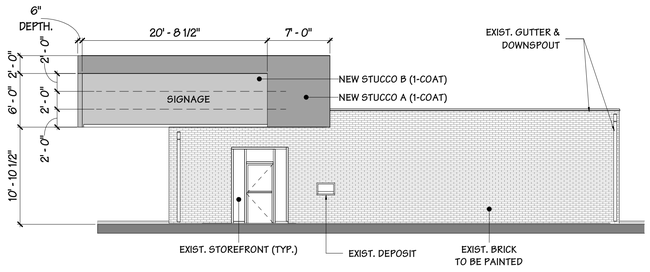
NEW. PARTIAL PLAN/ELEV (PART II) - EAST BLDG.

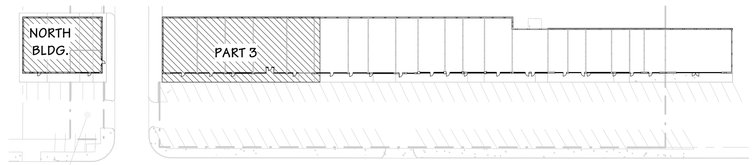
Sheet: A 2.09



02 PLAN - NEW (NORTH BLDG.)
Scale: 1/8" = 1'-0"



01 SOUTH ELEV. - NEW (NORTH BLDG.)
Scale: 1/8" = 1'-0"



NOTES

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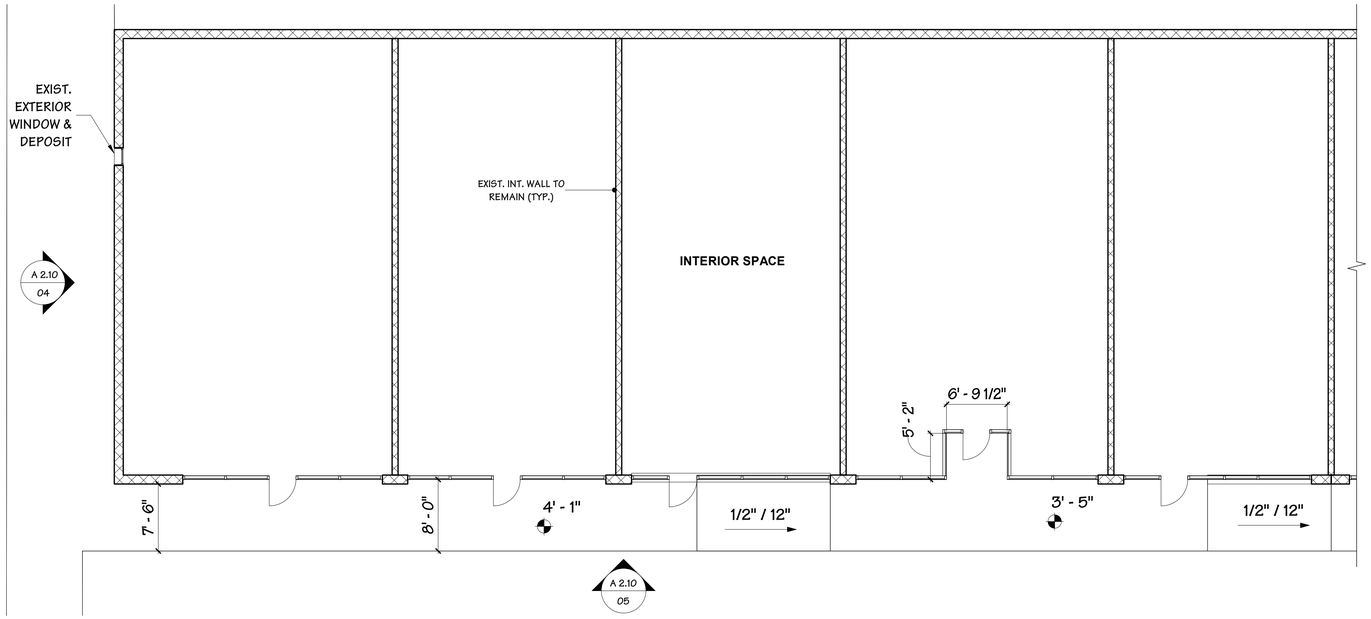
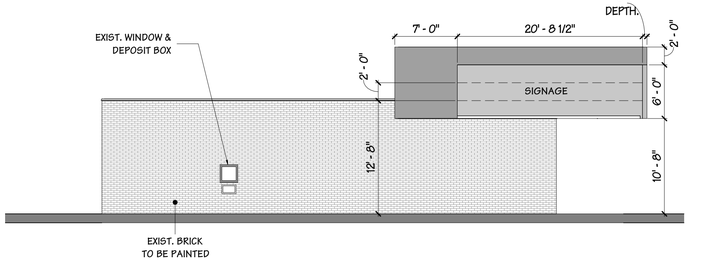
2. EXIST. BRICK AT EAST, WEST AND BACK OF THE WEST BUILDING TO BE PAINTED (U.N.O.).

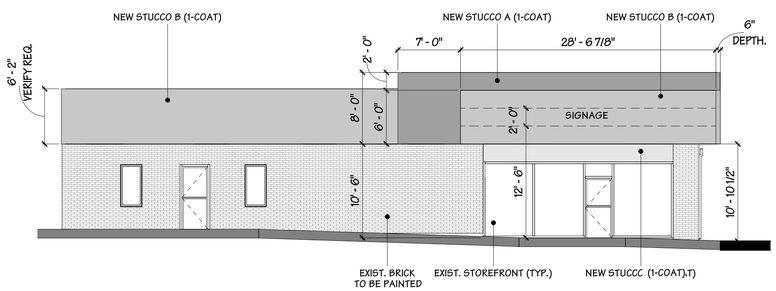
KEY PLAN
Scale: NTS



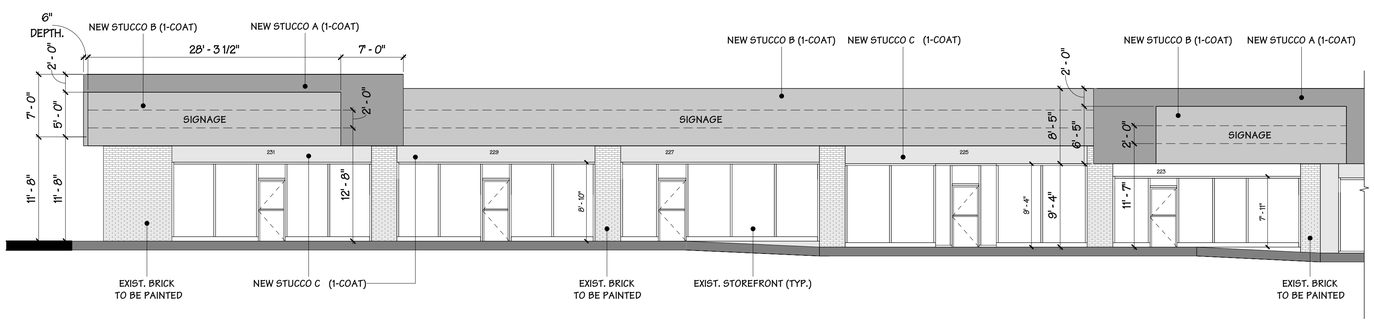
03 PARTIAL PLAN - NEW (PART III)
Scale: 1/8" = 1'-0"



04 NORTH ELEV. - NEW (PART III)
Scale: 1/8" = 1'-0"



06 WEST ELEV. - NEW (NORTH BLDG.)
Scale: 1/8" = 1'-0"



05 PARTIAL ELEV - NEW (PART III)
Scale: 1/8" = 1'-0"

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REGISTERED ARCHITECT
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NEW. PARTIAL PLAN/ELEV (PART III) - EAST / NORTH BLDG.

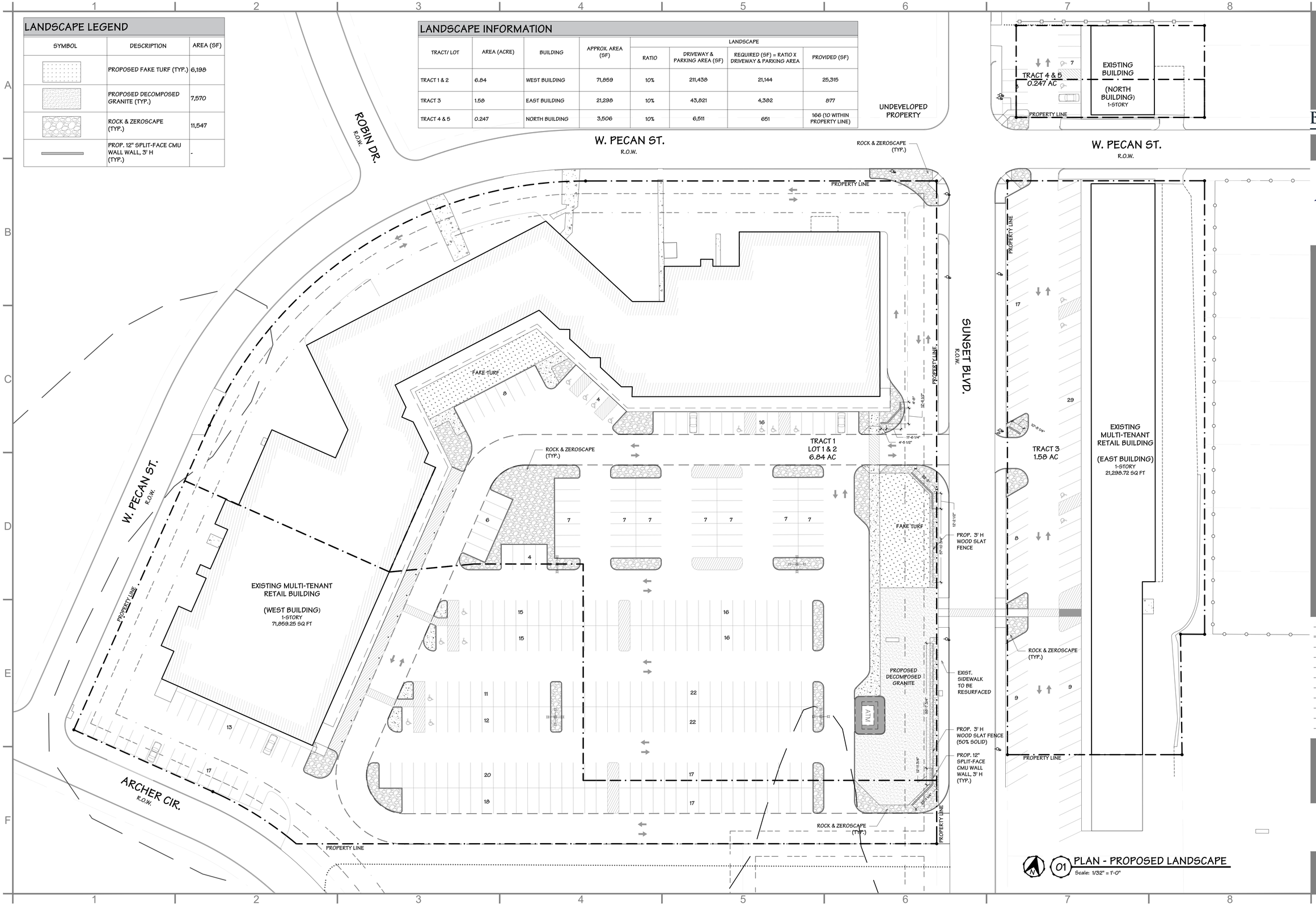
Sheet: A 2.10

LANDSCAPE LEGEND

SYMBOL	DESCRIPTION	AREA (SF)
	PROPOSED FAKE TURF (TYP.)	6,198
	PROPOSED DECOMPOSED GRANITE (TYP.)	7,570
	ROCK & ZEROSCAPE (TYP.)	11,547
	PROP. 12" SPLIT-FACE CMU WALL WALL, 3' H (TYP.)	-

LANDSCAPE INFORMATION

TRACT/ LOT	AREA (ACRE)	BUILDING	APPROX. AREA (SF)	LANDSCAPE			
				RATIO	DRIVEWAY & PARKING AREA (SF)	REQUIRED (SF) = RATIO X DRIVEWAY & PARKING AREA	PROVIDED (SF)
TRACT 1 & 2	6.84	WEST BUILDING	71,859	10%	211,438	21,144	25,315
TRACT 3	1.58	EAST BUILDING	21,298	10%	43,821	4,382	877
TRACT 4 & 5	0.247	NORTH BUILDING	3,506	10%	6,511	651	166 (10 WITHIN PROPERTY LINE)



01 PLAN - PROPOSED LANDSCAPE
Scale: 1/32" = 1'-0"

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Oct.20, 2022

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Checked by: ----
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PLAN - LANDSCAPE

Sheet: A 1.04

DEMO SITE PLAN LEGEND

	EXISTING CONC. PAVING TO REMAIN
	EXISTING CONC. PAVING TO BE DEMO'D
	EXISTING PAVING/SIDEWALK TO BE REMOVED FOR FUTURE TURF / CONC. CURBS & PAVING
	EXISTING PARKING STRIPINGS/ STOPS/ ADA SIGNS TO BE DEMO'D
	EXISTING LIGHTS & POLES TO BE RELOCATED (x4)

UNDEVELOPED PROPERTY

ROBIN DR. R.O.W.

EXIST. PAVING/SIDEWALK TO BE REMOVED FOR FUTURE ZEROSCAPE

TRACT 4 & 5
0.247 AC

PROPERTY LINE

W. PECAN ST.
R.O.W.
(EXIST. CONC. PAVING)

EXIST. SIGN

PECAN ST.
R.O.W.
(EXIST. CONC. PAVING)

EXISTING RESIDENTIAL DEVELOPMENT

EXIST. PAVING TO BE REMOVED FOR FUTURE LANDSCAPE

EXISTING MULTI-TENANT RETAIL BUILDING
(TO REMAIN)
1-STORY
71,859.25 SQ FT

EXIST. CONC. SIDEWALK TO REMAIN

EXIST. CONC. PAVING TO BE DEMO'D

EXIST. PARKING STRIPING/ STOPS/SYMBOLS TO BE DEMO'D.

EXIST. PAVING TO BE REMOVED FOR FUTURE CONCRETE CURBS/ PAVING

EXIST. PARKING STRIPING TO BE DEMO'D.

10'-0"

15'-0"

EXIST. CURBS TO BE REMOVED

LIMITS OF ZONE "AE" 100-YEAR FLOOD HAZARD AREA

W. PECAN ST. R.O.W.

PROPERTY LINE

EXIST. CONC. SIDEWALK TO REMAIN

EXIST. PAVING TO BE REMOVED FOR FUTURE CONC. PARKING ISLANDS (TYP.)

20' BLDG LINE
EXIST. 10' DRAINAGE & UTILITY EASEMENT

SUNSET BLVD.
R.O.W.
(EXIST. CONC. PAVING)

EXISTING MULTI-TENANT RETAIL BUILDING
(TO REMAIN)
1-STORY
71,859.25 SQ FT

EXIST. PARKING STRIPING/ STOPS/SYMBOLS TO BE DEMO'D. (TYP.)

EXIST. LIGHT POLES TO STAY.

EXIST. PAVING TO BE REMOVED FOR FUTURE TURF & GRANITE

TRACT 1
LOT 1 & 2 6.84 AC

EXIST. SIGN TO STAY

EXIST. CURBS TO BE REMOVED

EXIST. CONC. PAVING TO BE DEMO'D.

EXIST. ASPHALT PAVING TO REMAIN.

EXIST. LIGHT POLES TO STAY.

12'-0"

EXIST. MAILBOX TO REMAIN

EXIST. SIDEWALK TO BE RESURFACED

EXIST. INLET

EXIST. CONC. PAVING TO STAY

EXIST. PK NAIL WITH FLASHER SET

EXIST. ASPHALT PAVING TO REMAIN. (TYP.)

EXIST. ATM BLDG. & CONC. PAD TO REMAIN

ARCHER CIR. R.O.W.

EXIST. PAVING TO BE REMOVED FOR FUTURE CONC. CURBS & PAVING (TYP.)

74'-9 1/4"

EXIST. CURBS TO BE REMOVED

PROPERTY LINE

LIMITS OF ZONE "AE" 100-YEAR FLOOD HAZARD AREA

PROPERTY LINE

TRACT 2
LOT 1
1.58 AC

EXISTING MULTI-TENANT RETAIL BUILDING
1-STORY
21,298.72 SQ FT

EXIST. PAVING/SIDEWALK TO BE REMOVED FOR FUTURE LANDSCAPE

PROPERTY LINE

EXISTING BUILDING

01 PLAN - SITE DEMO
Scale: 1/32" = 1'-0"

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REGISTERED ARCHITECT
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21450
STATE OF TEXAS

Oct.20, 2022

Westwood Village

215 Sunset Blvd.
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No.	DATE	NOTE

Drawn by: ----
Checked by: ----
Project No: ----
Date: Oct.20, 2022

PLAN - SITE DEMO

Sheet: A 1.02

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

Kyle Booth
4708 N FM 1417
Sherman, TX 75092

Blue Sky Surveying & Mapping
11015 Midway Road
Dallas, TX 75229

Diann Neasbitt
4708 N FM 1417
Sherman, TX 75092

Dear Applicants,

The request for a Variance under Ordinance No. 2280, Section 6.6, Subsection (4) to allow the following parking Variances in a C-1 (Retail Business) District: Tract One and Two: 318 parking spaces in lieu of the required 360; Tract Three: 72 parking spaces in lieu of the required 107; and Tract Four and Five: 10 parking spaces in lieu of the required 18 and Site Plan approval for exterior improvements of Westwood Village located at 115-231, 220, 301 and 303 Sunset Boulevard has been scheduled to be heard by the Planning and Zoning Commission and Board of Adjustment on Tuesday, November 15, 2022 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-1 (Retail Business) District, the Sign Ordinance, the Fence Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.6; Sec. 7(14), Sec. 7(13) and Sec. 17).*
2. The property must be properly maintained in a state of good repair and neat appearance.
3. All non-conforming signs must be removed or made to conform with all ordinances of the City of Sherman. *(Chapter 14, Exhibit A, Sec. 7(6) and Sec. 7(14))*
4. The approval of the site plan shall be effective for a period of (2) years from the date of approval and shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Specific Use Permit was approved.
5. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

6. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*

It is the policy of the Planning and Zoning Commission and Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Commission and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer City Attorney
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **22.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

1104 CHAFFIN STREET

The request of LaCima Contracting, LLC (Owner), Paul Terrell (Representative) and Copley Land Surveying (Surveyor) concerning the property located at 1104 Chaffin Street, being 0.492 acres in the J.B McAnair survey, Abstract No. 763, and being a part of Block 29, Chaffins Second Addition, as follows:

Board of Adjustment

A. Variance under Ordinance No. 2280, Section 7, Subsection (1)(C)(1) to allow a 5' setback from the home in lieu of the required 6' for the existing detached garage in an R-1 (One-Family Residential) District.
B. Variance under Ordinance No. 2280, Section 7, Subsection (1)(C)(2) to allow a 1' rear yard setback in lieu of the required 5', and a 1' side yard setback in lieu of the required 5' for the existing detached garage in an R-1 (One-Family Residential) District.
C. Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 15' front yard setback in lieu of the required 25' for an existing home in an R-1 (One-Family Residential) District.

Planning and Zoning Commission

D. Final Plat approval of Fielder Addition, a Replat of a Part of Block 29, Chaffins's Second Addition.

Background:

The property is located at 1104 Chaffin Street in the northeast corner of Vaden Street. The owner would like to plat the property into three lots for residential development. The owner is also requesting Variances for the setbacks of the existing home and exhisting detached garage.

Adjacent Zoning:

R-1 (One Family Residential) District

Origination:
LaCima Contracting, LLC (Owner)
Paul Terrell (Representative)
Copley Land Surveying (Surveyor)

Master Plan Designation:
Not Applicable.

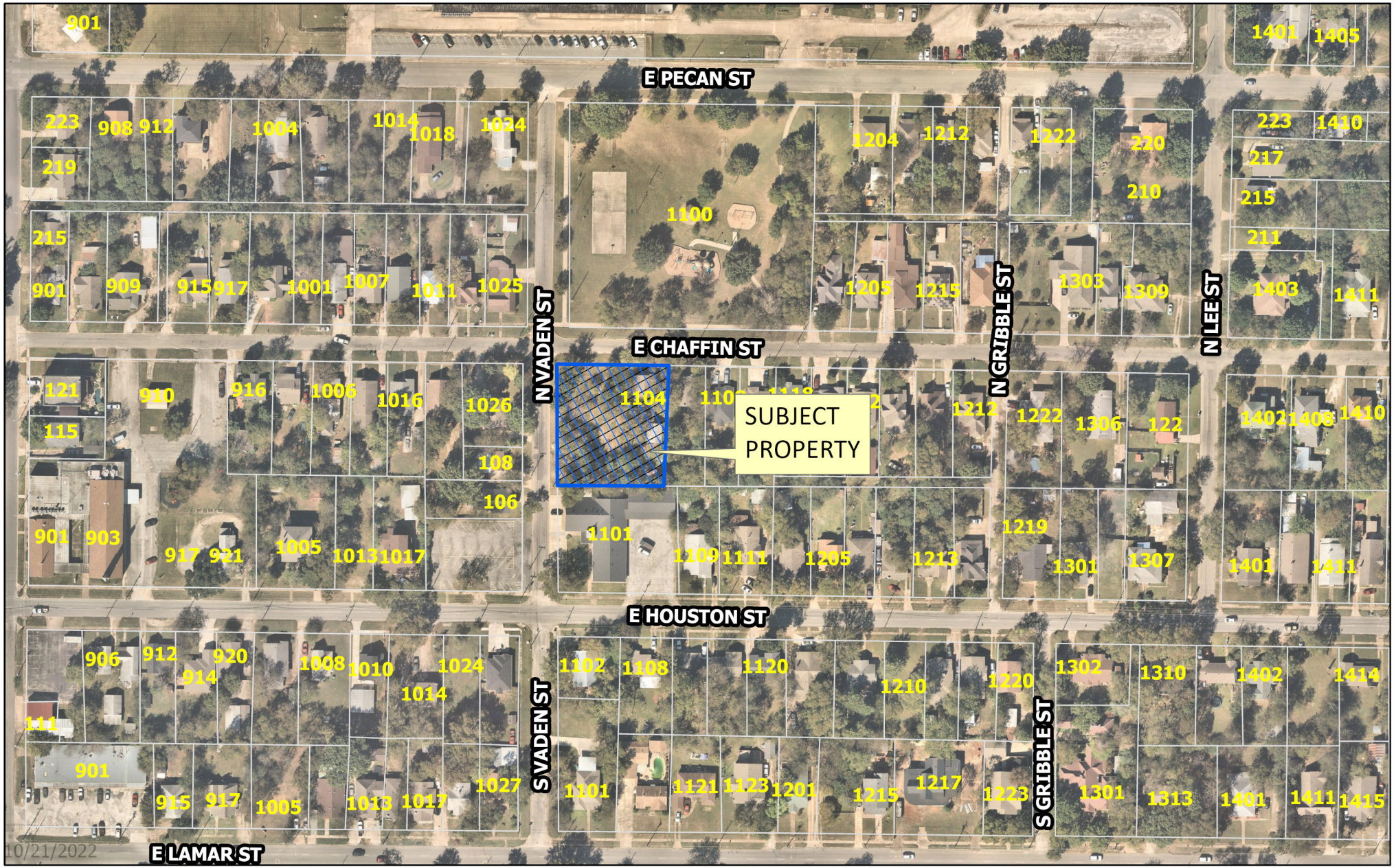
Number of notices mailed:
29

Objections Received:
0

Development Review Meeting:
No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Survey
Replat
Site Plan
Staff Review Letter - Variance
Staff Review Letter - Replat



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

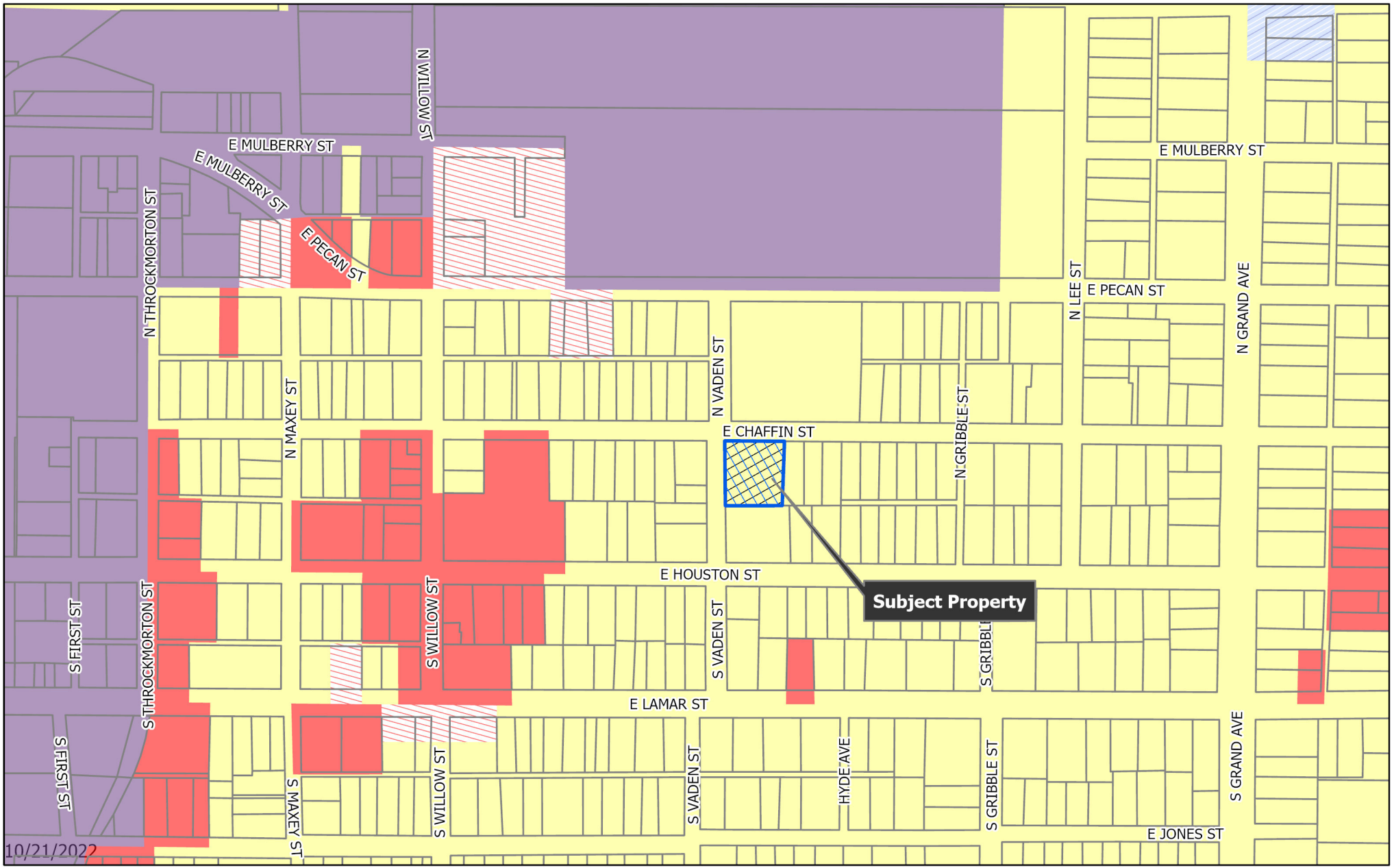
CITY OF SHERMAN

1104 E Chaffin

N
W E
S

Date: 10/21/2022 8:24 AM

Scale: 1:2,143



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

1104 E Chaffin

N
W E
S

Scale: 1:4,006

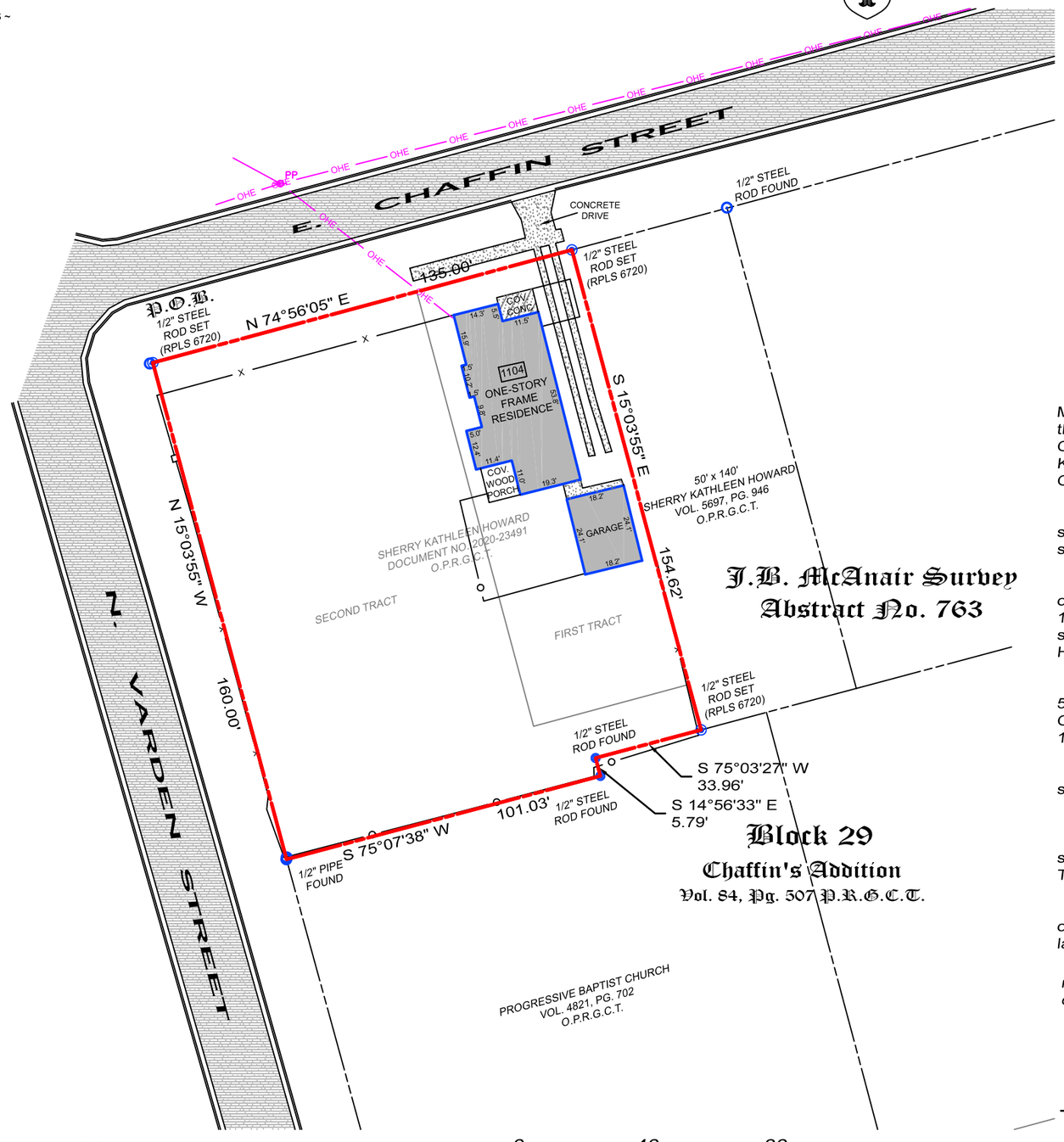
Date: 10/21/2022 8:24 AM

1104 E Chaffin

~ PROPERTY ADDRESS ~
1104 E. CHAFFIN ST.
SHERMAN, TEXAS

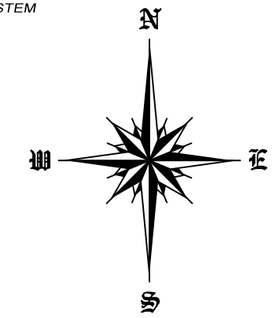
CLS Job# 22090432

~ BASIS OF BEARINGS ~
GRID NORTH, NAD 83
TEXAS STATE PLANE COORDINATE SYSTEM
NORTH CENTRAL ZONE (4202)



Legend

- PP — POWER POLE
- BOUNDARY LINE
- PROPERTY LINE
- OHE — OHE — OVERHEAD ELECTRIC
- BUILDING
- X — BARBWIRE FENCE
- O — CHAINLINK FENCE
- ASPHALT
- CONCRETE



Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas, being a part of the J.B. McAnair Survey, Abstract No. 763, and being a part of Block 29, Chaffin's Addition, an addition to the City of Sherman, as shown by plat of record in Volume 84, Page 507, Plat Records, Grayson County, Texas and being all of the First Tract and Second Tract of lands conveyed to Sherry Kathleen Howard by deed of record in Document No. 2020-23491, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:*

Beginning *at a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the shared northwest corner of said Block 29 and said Second Tract, and being the intersection of the south line of E. Chaffin Street and the east line of N. Varden Street;*

Thence ***North 74°56'05" East****, along the south line of said E. Chaffin Street and the north line of said Block 29 and the North line of said First and Second Tract, a distance of* ***135.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the northeast corner of said First Tract and the northwest corner of a 50' x 140' Tract of land conveyed to Sherry Kathleen Howard by deed of record in Volume 5697, Page 946 of said Official Public Records;*

Thence ***South 15°03'55" East****, along the east line of said First Tract and the west line of said 50' x 140' Tract, a distance of* ***154.62 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the southeast corner of said First Tract, the southwest corner of said 50' x 140' Tract and being in the north line of a Tract of land conveyed to Progressive Baptist Church;*

Thence westerly along the north line of said Progressive Baptist Church and the south line of said First and Section Tract the following calls and distances:
South 75°03'27" West*, a distance of* ***33.96 feet*** *to a 1/2" steel rod found;*
South 14°56'33" East*, a distance of* ***5.79 feet*** *to a 1/2" steel rod found;*
South 75°07'38" West*, a distance of* ***101.03 feet*** *to a 1/2" pipe found maintaining the southwest corner of said Second Tract and the northwest corner of said Progressive Baptist Church Tract and being in the west line of said Block 29 and the east line of said N. Varden Street;*

Thence ***North 15°03'55" West****, along the east line of said N. Varden Street and the west line of said Block 29, a distance of* ***160.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.492 acres*** *of land.*

I, John C. Copley, Registered Professional Land Surveyor, do hereby certify that a survey was made on the ground of the property legally described herein, and that the plat herewith is a true, correct and accurate representation of the property legally described hereinabove.

John C. Copley
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429
DATE OF SURVEY: 9/20/2022

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75076
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

0 40 80
SCALE ~ 1" = 40'

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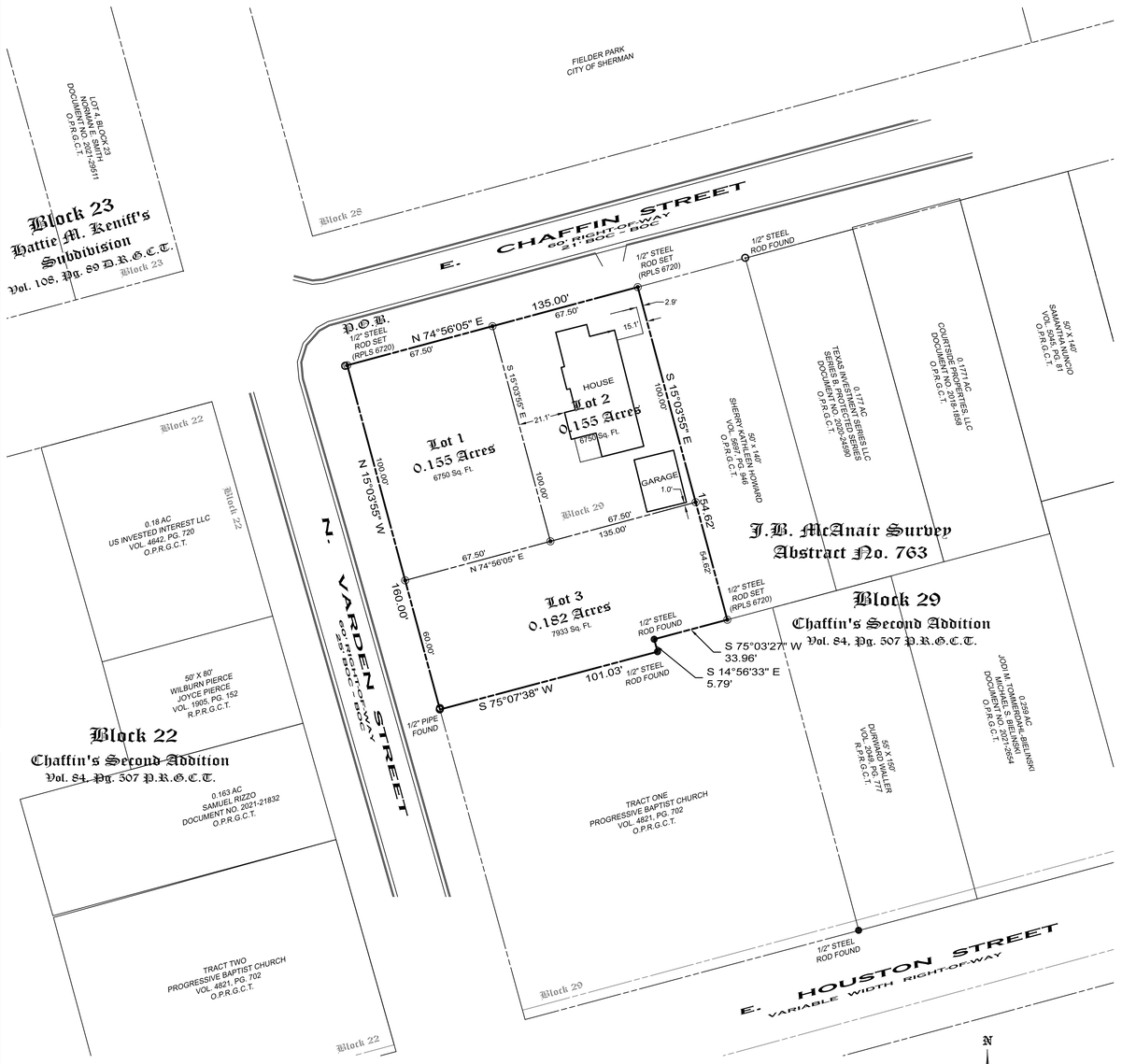
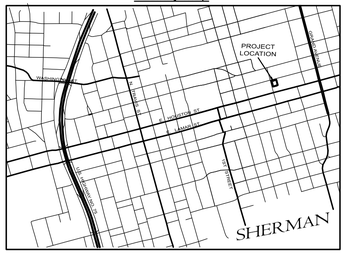
Copley Land Surveying, Inc.
All rights reserved.



Vacinity Map



Final Plat of
Fielder Addition
a Replat of a part of
Block 29, Chaffin's Second Addition
an addition to the City of Sherman
Grayson County, Texas

10/20/2022

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

OWNERS/DEVELOPER
SHERRY KATHLEEN HOWARD
1803 N. BINKLEY STREET
SHERMAN, TEXAS 75092

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN.
SHERMAN, TEXAS 75090

Legal Description

Situated *in the City of Sherman, County of Grayson, State of Texas, being a part of the J.B. McAnair Survey, Abstract No. 763, and being a part of Block 29, Chaffin's Second Addition, an addition to the City of Sherman, as shown by plat of record in Volume 84, Page 507, Plat Records, Grayson County, Texas and being all of the First Tract and Second Tract of lands conveyed to Sherry Kathleen Howard by deed of record in Document No. 2020-23491, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:*

Beginning *at a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the shared northwest corner of said Block 29 and said Second Tract, and being the intersection of the south line of E. Chaffin Street and the east line of N. Varden Street;*

Thence ***North 74°56'05" East****, along the south line of said E. Chaffin Street and the north line of said Block 29 and the North line of said First and Second Tract, a distance of* ***135.00 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the northeast corner of said First Tract and the northwest corner of a 50' x 140' Tract of land conveyed to Sherry Kathleen Howard by deed of record in Volume 5697, Page 946 of said Official Public Records;*

Thence ***South 15°03'55" East****, along the east line of said First Tract and the west line of said 50' x 140' Tract, a distance of* ***154.62 feet*** *to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the southeast corner of said First Tract, the southwest corner of said 50' x 140' Tract and being in the north line of a Tract of land conveyed to Progressive Baptist Church;*

Thence westerly along the north line of said Progressive Baptist Church and the south line of said First and Section Tract the following calls and distances;
South 75°03'27" West*, a distance of* ***33.96 feet*** *to a 1/2" steel rod found;*
South 14°56'33" East*, a distance of* ***5.79 feet*** *to a 1/2" steel rod found;*
South 75°07'38" West*, a distance of* ***101.03 feet*** *to a 1/2" pipe found maintaining the southwest corner of said Second Tract and the northwest corner of said Progressive Baptist Church Tract and being in the west line of said Block 29 and the east line of said N. Varden Street;*

Thence ***North 15°03'55" West****, along the east line of said N. Varden Street and the west line of said Block 29, a distance of* ***160.00 feet*** *to the* ***Point-of-Beginning*** *and containing* ***0.492 acres*** *of land.*

KNOWN ALL MEN BY THESE PRESENTS:

That I, John C. Copley, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

John C. Copley *Date*
Registered Professional
Land Surveyor No. 6720
Firm No. 10194429

AVIGATION RELEASE

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, SHERRY KATHLEEN HOWARD, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as Fielder Addition, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER's described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNER does hereby fully remiss and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at Fielder Addition, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this ____ day of _____, 2022.

By:_____
SHERRY KATHLEEN HOWARD

~ GENERAL NOTES ~

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury, or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

Purpose:
The purpose of this is to re-plat part of block 29.

Owners Certificate & Dedication

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

That I, SHERRY KATHLEEN HOWARD, Owner and Developer, do hereby adopt this plat designating the hereinabove property as the Final Plat of FIELDER ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this ____ day of _____ _____, 2022.

SHERRY KATHLEEN HOWARD

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared SHERRY KATHLEEN HOWARD 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__ _day of_____, 2022.

Notary Public in and for
the State of Texas

Acceptance of Dedication

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, the Final Plat of FIELDER ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the_ ____day of _____, 2022, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this____ day of _____, _____ ,2022.

Clerk, City of Sherman, Texas

Approved this _____ day of _____,2022, by the City Planning Commission to the City of Sherman, Texas.

Chairman *Secretary*

Accepted by the City Council of the City Sherman.

Mayor, City of Sherman, Texas *Date*

Final Plat of
Fielder Addition
a Replat of a part of
Block 29, Chaffin's Second Addition
an addition to the City of Sherman
Grayson County, Texas

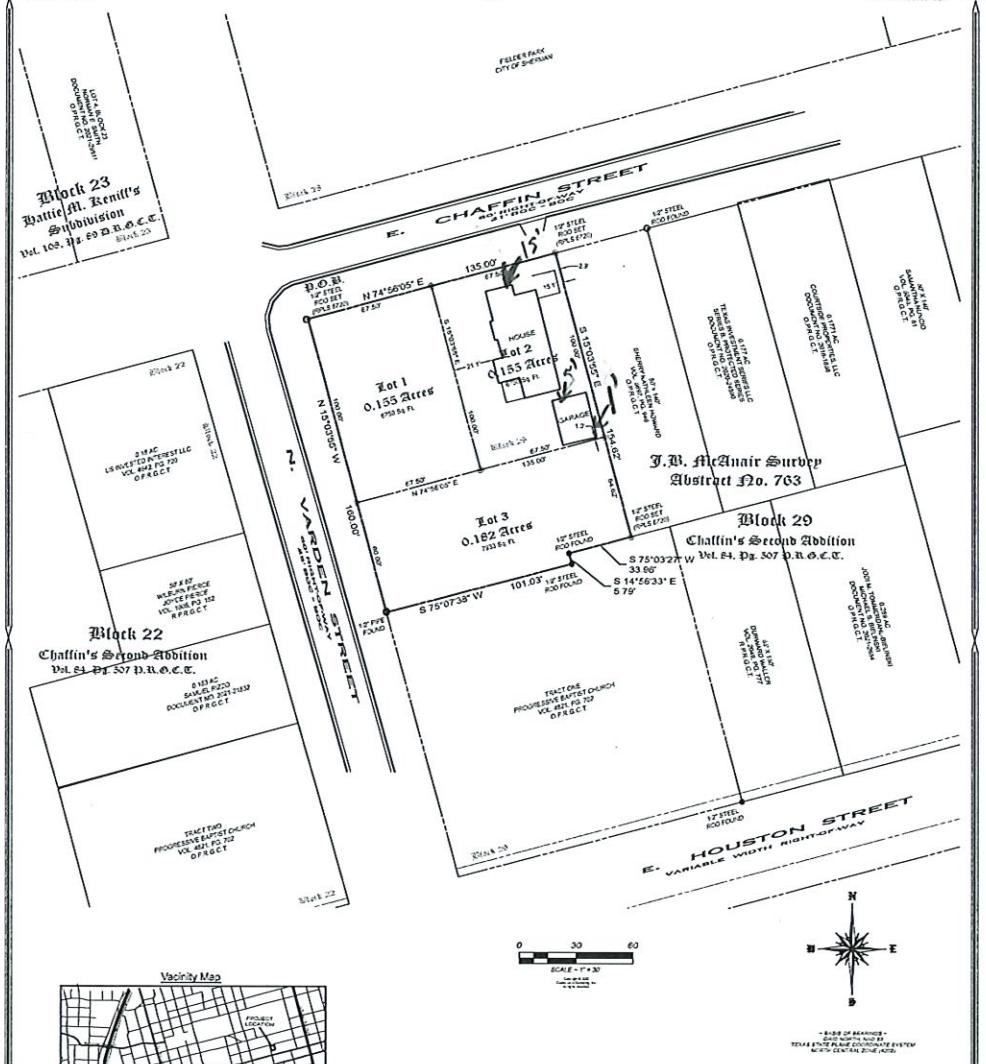
10/20/2022

Copley Land Surveying
1702 Verdi Ln., Sherman, Texas 75090
TX 903-415-0643, OK 580-980-0181
john@copleylandsurveying.com

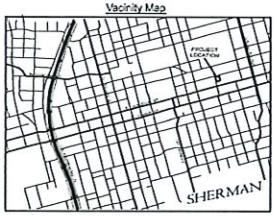
OWNERS/DEVELOPER
SHERRY KATHLEEN HOWARD
1803 N. BINKLEY STREET
SHERMAN, TEXAS 75092

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO. 6720
1702 VERDI LN.
SHERMAN, TEXAS 75090

CLS Job# 220904320



Vicinity Map



Final Plat of
Fielder Addition
an addition to the City of Sherman Grayson County, Texas

10/20/2022

Copley Land Surveying
1702 Veth Rd., Sherman, Texas 75090
TX 903-815-0043, OK 580-580-0181
john@copleylandsurveying.com

OWNER/DEVELOPER
SHERRY KATHLEEN HOWARD
1803 N. BINKLEY STREET
SHERMAN, TEXAS 75092

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO 6720
1702 VERDUN
SHERMAN, TEXAS 75090

CLS Job# 220904320P

Legal Description

Situated in the City of Sherman, County of Grayson, State of Texas, being a part of the J.B. McAnair Survey, Abstract No. 763, and being a part of Block 29, Chaffin's Second Addition, an addition to the City of Sherman, as shown by plat of record in Volume 84, Page 507, Plat Records, Grayson County, Texas and being all of the First Tract and Second Tract of lands conveyed to Sherry Kathleen Howard by deed of record in Document No. 2020-23491, Official Public Records, Grayson County, Texas and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the shared northwest corner of said Block 29 and said Second Tract, and being the intersection of the south line of E. Chaffin Street and the east line of N. Varden Street;

Thence **North 74°56'05" East**, along the south line of said E. Chaffin Street and the north line of said Block 29 and the North line of said First and Second Tract, a distance of **135.00 feet** to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the northeast corner of said First Tract and the northwest corner of a 50' x 140' Tract of land conveyed to Sherry Kathleen Howard by deed of record in Volume 5697, Page 946 of said Official Public Records;

Thence **South 15°03'55" East**, along the east line of said First Tract and the west line of said 50' x 140' Tract, a distance of **154.62 feet** to a 1/2" steel rod set with an aluminum cap marked COPLEY RPLS 6720 for the southeast corner of said First Tract, the southwest corner of said 50' x 140' Tract and being in the north line of a Tract of land conveyed to Progressive Baptist Church;

Thence westerly along the north line of said Progressive Baptist Church and the south line of said First and Section Tract the following calls and distances:
South 75°03'27" West, a distance of **33.06 feet** to a 1/2" steel rod found;
South 14°56'33" East, a distance of **5.79 feet** to a 1/2" steel rod found;
South 75°07'38" West, a distance of **101.03 feet** to a 1/2" pipe found maintaining the southwest corner of said Second Tract and the northwest corner of said Progressive Baptist Church Tract and being in the west line of said Block 29 and the east line of said N. Varden Street;

Thence **North 15°03'55" West**, along the east line of said N. Varden Street and the west line of said Block 29, a distance of **160.00 feet** to the **Point-of-Beginning** and containing **0.492 acres** of land.

KNOWN ALL MEN BY THESE PRESENTS:

That I, John C. Copley, Registered Professional Land Surveyor, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments thereon where properly placed, under my personal supervision, in accordance with the subdivision regulations of the City of Sherman, Texas.

John C. Copley — *Date*
Registered Professional Land Surveyor No. 6720
Firm No. 10194429

AVIGATION RELEASE

THE STATE OF TEXAS §
COUNTY OF GRAYSON §

WHEREAS, SHERRY KATHLEEN HOWARD, hereinafter called OWNER (whether one or more), is the owner of a certain parcel of land situated in the City of Sherman, Grayson County, Texas, being more particularly described as Fielder Addition, an addition to the City of Sherman, Grayson County, Texas.

OWNER does hereby waive, release, remise, quit claim and forever hold harmless the City of Sherman, Texas, a municipal corporation, hereinafter called CITY, and Sherman Municipal Airport, hereinafter called AIRPORT, from any and all claims for damages of any kind that OWNER may now have or may hereinafter have in the future by reason of the passage of all aircraft (aircraft being defined for the purposes of this instrument as any contrivance now known or hereinafter invented, used or designed or navigation of or flight in the air) by whomsoever owned and operated, in the airspace above OWNER'S property. Such release shall include, but not be limited to, any damages to the OWNER'S described property, such as noise, vibration, fumes, dust, fuel and lubricant particles, and all other effects that may be caused by the operation of aircraft landing at or taking off from or operating at or on the Sherman Municipal Airport, whether such claim be for injury or death to person or persons damages to or taking off of property; and OWNER does hereby fully remise and release any right or cause of action which it may now have or which it may in the future have against the CITY or AIRPORT, whether such claims be for injury or death to persons or damage to property due to noises, vibration, fumes, dust, fuel and lubricant particles, and all the other effects that may be caused or may have been caused by the operation and/or maintenance of aircraft or aircraft engines at or on said Sherman Municipal Airport.

It is agreed that this Release shall be binding upon OWNER, his successors, heirs, executors, administrators and assigns, in interest with regard to said property located at Fielder Addition, an addition to the City of Sherman, Texas, and it is further agreed that this instrument shall be a covenant running with the land, and shall be recorded in the Deed Records of Grayson County, Texas.

Executed this ____ day of _____, 2022.

By:_____
SHERRY KATHLEEN HOWARD

- GENERAL NOTES -

1. Water Supply to be provided by the City of Sherman.
2. Sewer service to be provided by the City of Sherman.
3. Electrical service is provided by Oncor Electrical Delivery.
4. Blocking the flow of water or construction of improvements in drainage easements, and filling or obstruction of the floodway is prohibited.
5. Any existing creeks or drainage channels traversing along or across the addition will remain as open channels and will be maintained by the individual owners of the lot or lots that are traversed by or adjacent to the drainage courses along or across said lots.
6. The City of Sherman will not be responsible for the maintenance and operation of said drainage ways or for the control of erosion.
7. Neither the City of Sherman nor the undersigned surveyor will be responsible for any damage, personal injury or loss of life or property occasioned by flooding or flooding conditions.
8. The owners and builders must comply with all other local, state and federal regulations regarding developments of this type.
9. Bearings are based on the City of Sherman Control Monument Network.
10. The City of Sherman reserves the right to require submission of Development Plat based on proposed use of each lot.

Purpose
The purpose of this is to re-plat part of block 29.

Owners Certificate & Dedication

NOW THEREFORE KNOWN ALL MEN BY THESE PRESENTS:

That I, SHERRY KATHLEEN HOWARD, Owner and Developer, do hereby adopt this plat designating the hereinabove property as the Final Plat of FIELDER ADDITION, an addition to the City of Sherman, and do hereby dedicate to the public use forever the streets and easements shown on this plat for the mutual use and accommodation of all public and private utilities desiring to use or using same. Any public or private utility shall have the right to remove and keep removed all or part or any buildings, fences, trees, shrubs or other improvements or growths which in anyway endanger or interfere with the construction, maintenance, or efficiency of its respective systems on any of these easements strips and any public or private utility shall, at all times, have a right of ingress and egress to and from and upon the said easement strips for the purpose of constructing, reconstructing, inspecting, patrolling, maintaining and adding to or removing all or part of its respective system without the permission of anyone. This plat approved subject to all ordinances, rules regulations and resolutions of the City of Sherman, Texas.

WITNESS MY HAND this ____ day of _____ _____, 2022.

SHERRY KATHLEEN HOWARD

STATE OF TEXAS
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, a Notary Public in and for said County and State, on this day personally appeared SHERRY KATHLEEN HOWARD 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__ _day of_____, 2022.

Notary Public in and for
the State of Texas

Acceptance of Dedication

The Undersigned, the City Clerk of the City of Sherman, hereby certifies that the foregoing, the Final Plat of FIELDER ADDITION, an addition to the City of Sherman, Texas, was submitted to the City Council on the ____day of _____, 2022, and the City Council by formal action then and there accepted the dedication of streets, alleys, easements and public places, as shown and set forth in and upon said map or plat, and said City Council further authorized the Mayor to note the acceptance thereof by signing his name as herein above subscribed.

Witness my hand this____day of _____ _____, 2022.

Clerk, City of Sherman, Texas

Approved this _____ day of _____2022, by the City Planning Commission to the City of Sherman, Texas.

Chairman — *Secretary*

Accepted by the City Council of the City Sherman.

Mayor, City of Sherman, Texas — *Date*

Final Plat of
Fielder Addition
an addition to the City of Sherman Grayson County, Texas
10/20/2022

Copley Land Surveying
1702 Veth Rd., Sherman, Texas 75090
TX 903-815-0043, OK 580-580-0181
john@copleylandsurveying.com

OWNER/DEVELOPER
SHERRY KATHLEEN HOWARD
1803 N. BINKLEY STREET
SHERMAN, TEXAS 75092

SURVEYOR
JOHN C. COPLEY
R.P.L.S. NO 6720
1702 VERDUN
SHERMAN, TEXAS 75090

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

LaCima Contracting
1572 Elmore Road
Denison, TX 75021

Copley Land Surveying
1702 Verdi Lane
Sherman, TX 75090

Paul Terrell
1572 Elmore Road
Denison, TX 75021

Dear Applicants,

The request for a Variance under Ordinance No. 2280, Section 7, Subsection (1)(C)(1) to allow a 5' setback from the home in lieu of the required 6' for the existing detached garage in an R-1 (One-Family Residential) District; a Variance under Ordinance No. 2280, Section 7, Subsection (1)(C)(2) to allow a 1' rear yard setback in lieu of the required 5', and a 1' side yard setback in lieu of the required 5' for the existing detached garage in an R-1 (One-Family Residential) District; Variance under Ordinance No. 2280, Section 6.3, Subsection (1) to allow a 15' front yard setback in lieu of the required 25' for an existing home in an R-1 (One-Family Residential) District; and a Final Plat approval of Fielder Addition, a Replat of a Part of Block 29, Chaffins's Second Addition in an R-1 (One-Family Residential) District located at 1104 Chaffin Street has been scheduled to be heard by the Planning and Zoning Commission and Board of Adjustment on Tuesday, November 15, 2022, at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the R-1 (One-Family Residential) District, the Fence Ordinance, and the Residential Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.3; Sec. 7(1) & (13) and Sec. 17)*
2. Parking shall be provided for one space per bedroom, minimum two per unit; a parking space is considered to be 9' x 20'. *(Chapter 14, Exhibit A, Section 6.3 & Section 7, Subsection 10(b))*
3. Driveways and parking are permitted on paved surfaces only (concrete or asphalt). *(Chapter 14, Exhibit A, Section 7, Subsection 10(h))*
4. The approval of a Site Plan shall be effective for a period of two (2) years from the date of approval, at the end of which time the Site Plan shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Site Plan was approved.
5. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

6. Verify fire requirements and code compliance with Fire Marshal. *Code of Ordinances Chapter 3.02(c)*
7. Addition Name, surrounding plat references, and calls must be in Arial, Calibri, or Times New Roman font. *Code of Ordinances Chapter 10.05, Exhibit A, Section 6(B)*
8. Dedicate a 15'x15' Right of Way corner clip on Northwest corner of proposed Lot 1. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
9. Dedicate a 10' Utility Easement along Chaffin Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
10. Dedicate a 10' Utility Easement along Vaden Street. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12(D)*
11. Modify 10' Utility Easement on Northwest corner of proposed Lot 1 to parallel new right of way created by corner clip.
12. Vaden Street is spelled incorrectly on drawing and in metes and bounds description. Correct appropriately. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
13. Remove directions from streets on drawing and in metes and bounds description. *Code of Ordinances Chapter 10, Exhibit A, Sec.6(B)(7)*
14. Plat title to read "Fielder Addition, being a replat of…"
15. Water main must be extended in accordance with City criteria to serve proposed Lot 3. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(G)*
16. Wastewater main must be extended in accordance with City criteria to serve proposed Lots 1 and 2. Wastewater capacity shall be verified for proposed use. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
17. 1104 E. Chaffin Street (Proposed Lot 2) property's only access to Wastewater Main is across proposed Lot 3. An Engineered Wastewater main must be extended within Right of Way to easternmost property line of proposed Lot 2 in accordance with City criteria prior to Building Permit being issued. *Code of Ordinances Chapter 13, Sec. 13.07.282; Chapter 10, Exhibit A, Sec. 12(H)*
18. Relocation of wastewater service for 1104 E. Chaffin (proposed Lot 2) is required prior to filing of plat.
19. Drive approaches and sidewalks must conform to City of Sherman standards and a permit with drawing showing dimensions is required from City of Sherman Engineering Department for review and approval prior to any work being done within public right of way. *Code of Ordinances Chapter 3, Division 5, Sec. 3.10.154*
20. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
21. Three Party Agreement required for Public Infrastructure.
22. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
23. Original tax certificates with $0.00 balance for each taxing property involved in plat shall be furnished to the City of Sherman Engineering Department at the time of delivery of final mylar and prints for the purpose of recording the plat. *Code of Ordinances Chapter 10, Exhibit A, Secs. 6(B), 6(B)(11)*
24. Upon final staff approval, 1 Mylar and 3 paper copies must be submitted in 24"x36" size for recording. Both mylar and paper copies must be split, but not cut, to be 2-24"x18" pages per Grayson County requirements. 1 page must have the legal description (preferably in portrait layout) and the other page must have the image. Both mylar and paper copies must look the same. Both split pages must include the Subdivision Name block and page numbers. Submit digital image to the Engineering department for approval prior to printing mylars and paper copy. Final copies for filing will not be accepted until after approval by P&Z Commission, City Council, and Engineering Department. <u>CAD file must be submitted digitally at time of final approval</u>. *Code of Ordinances Chapter 10, Exhibit A, Sec. 6(B)*

It is the policy of the Planning and Zoning Commission and the Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Commission and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hullett, P.C., City Attorney

Sherman
CLASSIC TOWN. BROAD HORIZON.

STAFF REVIEW LETTER

November 7, 2022

Sherry Kathleen Howard
1803 N. Binkley St.
Sherman, TX 75092

Copley Land Surveying
Attn: John Copley
1702 Verdi Lane
Sherman, TX 75090

Dear Applicants,

The request for approval of the Final Plat of Fielder Addition has been scheduled to be heard by the Planning and Zoning Commission on the day of Tuesday, November 15, 2022 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. Addition Name, surrounding plat references, and calls must be in Arial, Calibri, or Times New Roman font. *Code of Ordinances Chapter 10.05, Exhibit A, Section 6(B)*
2. Dedicate a 15'x15' Right of Way corner clip on Northwest corner of proposed Lot 1. *Code of Ordinances Chapter 10, Exhibit A, Secs. 5(B)(5), (10); 5(C)(1); 6(B)(7)-(8), (14)-(15); 12(B)(1)(a); 12(B)(1)(k)(1)-(3); 12(B)(5)*
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14. Civil Engineering plans shall be provided to the Engineering Department for review and approval. Plat to reflect changes upon Engineering review. *Code of Ordinances Chapter 10, Exhibit A, Sec. 12, Code of Ordinances Chapter 10, Exhibit A, Sec. 15.*
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16. Any other changes made to the plat prior to the final fulfillment of the conditions of the staff review, must be considered minor by staff, as to not require resubmission to the Planning & Zoning Commission.
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It is the policy of this Board not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Wayne Lee, at 903-892-7327 prior to the meeting.

Respectfully,

Wayne E. Lee, P.E., CFM
Director of Engineering

cc: Robby Hefton, City Manager
Tom Pruitt, Utility Engineer
Clint Philpott, Assistant City Manager
Rob Rae, Director of Development Services
Billy Hartsfield, Fire Marshal
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

Planning & Zoning Commission and Board of Adjustments **23.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman	
David Downtain, Vice Chairman	Paul Manley, Commissioner
Shawn Davis, Commissioner	Glenn Whitaker, Commissioner
Leigh Ann Sims, Commissioner	Bryan Blagg, Commissioner

Requested Action/Proposed Use:

3801 AND 4001 NORTH HIGHWAY 75

The request of Sherman Commons LP (Owner), Michelle Forrester (Representative) and 3D Signs & Graphics (Sign Contractor) concerning the properties located at 3801 and 4001 North Highway 75, being Lot 3, Block A, Sherman Common Addition consisting of 3.586, as follows:

Board of Adjustment

Variances under Ordinance No. 2280, Section 7, Subsection (14)(i) to allow 480.58 square feet signs at both locations in lieu of the allowed 300 square feet sign in a C-1 (Retail Business) District/C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.

Background:

The property is located at 3801 and 4001 North Highway 75 near the northeast and northwest corners of North Loy Lake Road and Sara Swamy Drive and is zoned C-1 (Retail Business) District/C-2 (General Commercial) District/O-1 (75 & 82) Overlay District.

The property owner is requesting variances for two signs to allow 480.58 square feet sign face area at both locations in lieu of the allowed 300 square feet.

The following actions have occurred for this location:

- September 13, 2005 - A request for 2 signs with the area of 500 sq. ft. in a C-1 (Retail Business) District failed.
- May 15, 2006 - A request for 2 signs with a height of 65 feet in lieu of 50 feet above the centerline of the thoroughfare, access road, or facing street was approved.

The Development Services department has no record of a variance being granted for a sign to be over the allowed 300 sq. ft. in face area. The existing signs appear to have been installed with a total sign face area of 452.30 sq. ft. The new signs that are wanting to be installed have a total sign face area of 480.58 sq. ft.

Adjacent Zoning:

C-1 (Retail Business) District

Origination:

Sherman Commons LP (Owner)
Michelle Forrester (Representative)
3D Signs & Graphics (Sign Contractor)

Master Plan Designation:

Not Applicable.

Number of notices mailed:

6

Objections Received:

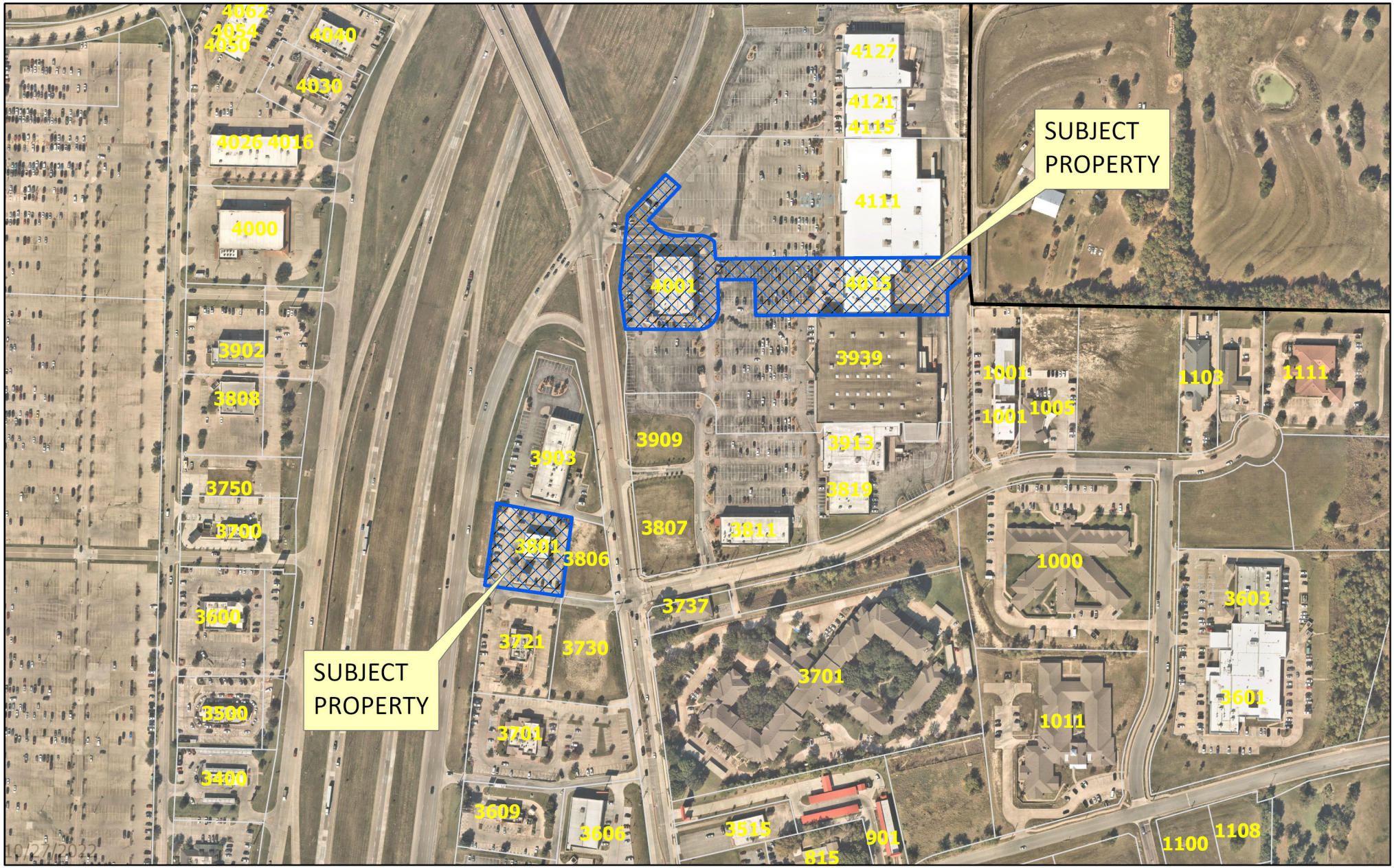
0

Development Review Meeting:

No

Attachments

Location Map
Zoning Map
Zoning Sign Photo
Site Plan
Elevations
Staff Review Letter
2006 Variance Request



dlagrone H:\ENGINEER\GIS\ArcGIS Pro Projects\Planning\Public Notification.aprx

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

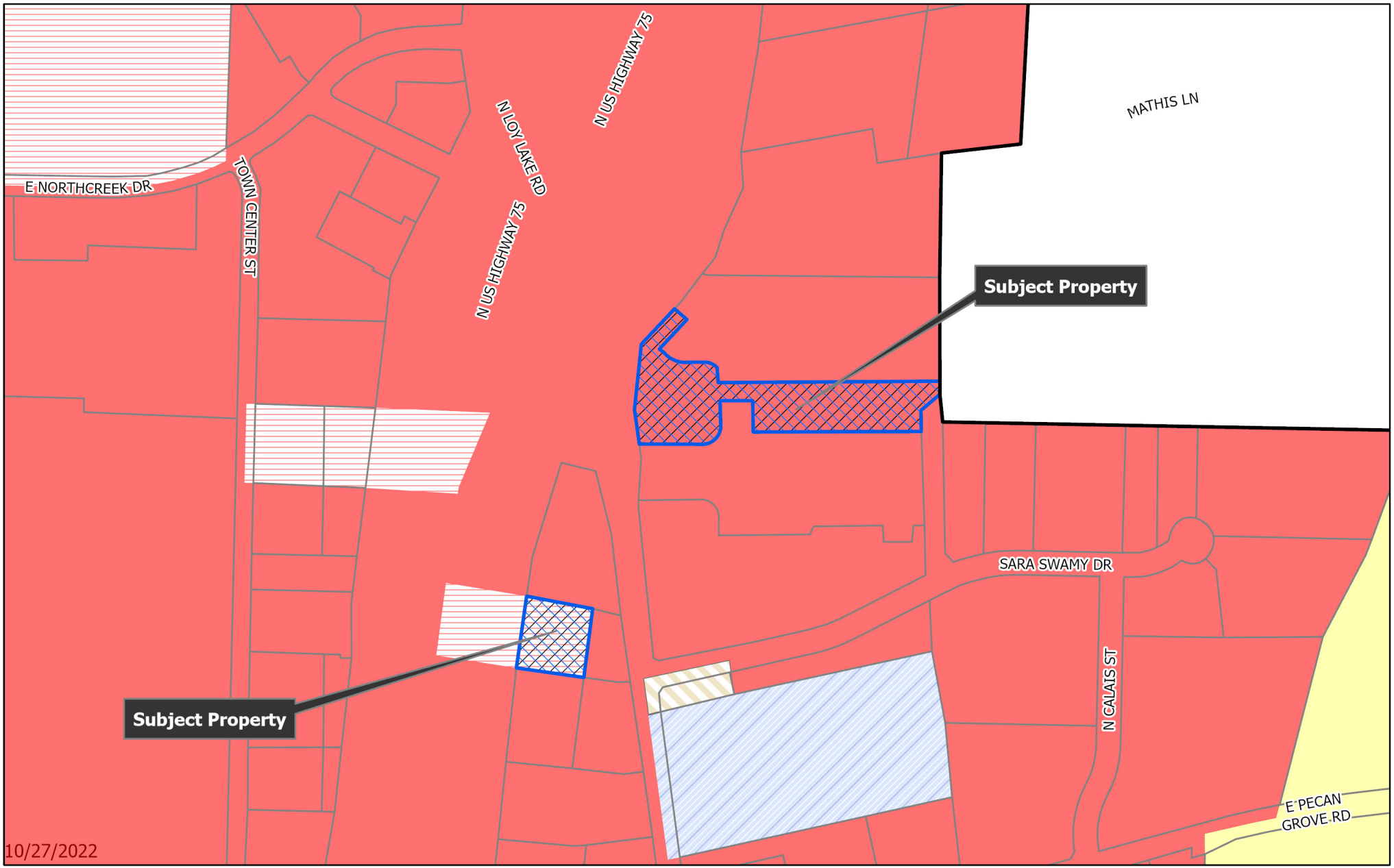
CITY OF SHERMAN

3801 and 4001 N US Hwy 75

N
W E
S

Date: 10/26/2022 4:53 PM

Scale: 1:3,995



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

- BIP Blalock Industrial Park
- C-1 Retail Business District
- C-2 General Commercial District
- CO Office District
- Lakes
- M-1 Light Manufacturing District
- M-1.5 Medium Manufacturing District
- M-2 Heavy Manufacturing District
- MH Manufacturing Housing Distgrict
- R-1 One Family Residential District
- R-2 Multi-Family Residential District
- R-A Single Family Agricultural District
- SF-1 Single Family Residential District
- PD Planned Development
- Subject Locations
- Parcels
- City Limits

CITY OF SHERMAN
Zoning Location Map

3801 4001 N US Hwy 75

N
W E
S

Scale: 1:4,558

Date: 10/26/2022 4:53 PM

3801 and 4001 N Hwy 75

LEGEND OF SYMBOLS & ABBREVIATIONS

N. North
S. South
E. East
W. West
° Degrees
' Feet or Minutes
" Inches or Seconds
Sq. Square
Ft. Feet
Vol. Volume
Pg. Page
O.R. Official Record
Calc. Calculated
Rec. Record
R/W Right of Way
℄ Centerline
N/A Not Applicable
N/F Now or Formerly

- Bollard
- Cable Box
- Catch Basin Round
- Catch Basin Square
- Clean Out
- Electric Box
- Electric Manhole
- Electric Meter
- Unknown Manhole
- Curb Storm Inlet
- Tower
- Fire Hydrant
- Gas Box
- Gas Meter
- Gas Valve
- Handicapped
- Light Pole
- Monitoring Well
- Gas Manhole
- Gas Marker
- Transformer
- Flag Pole
- Power Pole
- Sanitary Manhole
- Satellite Dish
- Sign
- Storm Manhole
- Telephone Manhole
- Water Box
- Water Manhole
- Traffic Pole
- Storm Pipe
- Guy Wire
- Ingress/Egress
- Well
- Water Meter
- Water Meter Pit
- Water Valve
- Vault
- Vent
- Monumentation Found
- Iron Pin To Be Set
- Air Conditioner Unit
- Sprinkler Head
- Ground Light
- Building

- Easement Line
- Fence Line
- Overhead Wires
- Gas Line
- Water Line
- Underground Utility
- Sanitary Line
- Storm Line
- Electric Line
- Property Line
- Building Line
- Centerline
- Right of Way Line
- Concrete

MATCH LINE

LOT 8
30,043 SQ.FT.+/-
0.690 ACRES+/-
Zoned: C1

LOT 9
77,058 SQ.FT.+/-
1.769 ACRES+/-
Zoned: C1

SEE PAGE 3 OF 3
SEE PAGE 2 OF 3

LOY LAKE ROAD (PUBLIC VARIABLE R/W)

U.S. HIGHWAY 75 (PUBLIC VARIABLE R/W)
(PAVEMENT WIDTH VARIES)

TRACT 2(c):
Encroachment Easement
Volume 4602, Page 590

TRACT 2(c):
Encroachment Easement
Volume 4602, Page 590

TRACT 1:
LOTS 1, 2, 3, 4 & 5 - BLOCK "A"
OF THE REPLAT OF BLOCKS "A", "B" & "D"
SHERMAN COMMONS ADDITION
VOLUME 18, PAGE 78
TOTAL AREA:
1,074,702 SQ.FT.+/-
24.672 ACRES+/-

POLE SIGN

SARA SWAMY DRIVE (PUBLIC 60' R/W)

TRACT 1:
LOT 1 - BLOCK "B"
OF THE REPLAT OF BLOCK
"A", "B" & "D"
SHERMAN COMMONS ADDITION
VOLUME 18, PAGE 78
TOTAL AREA:
58,596 SQ.FT.+/-
1.299 ACRES+/-
Zoned: C1

LOT 5
241,786 SQ.FT.+/-
5.551 ACRES+/-
Zoned: C1

LOT 3
156,217 SQ.FT.+/-
3.586 ACRES+/-
Zoned:C1

LOT 4
217,118 SQ.FT.+/-
4.984 ACRES+/-
Zoned: C1

LOT 2
221,236 SQ.FT.+/-
5.079 ACRES+/-
Zoned:C1

LOT 1
238,345 SQ.FT.+/-
5.472 ACRES+/-
Zoned:C1

MATHIS DRIVE (PUBLIC VARIABLE R/W)

TRACT 2(a):
Encroachment Easement
Volume 4090, Page 495

TRACT 2(a):
Encroachment Easement
Volume 4090, Page 495

TRACT 2(c):
Encroachment Easement
Volume 4602, Page 590

SCALE: 1" = 60'
0' 30' 60' 120'

ALTA/ACSM LAND TITLE SURVEY
PREPARED FOR:
PRUDENTIAL WOODMONT PROJECT
DATE: JUNE 21, 2010
NETWORK PROJECT NO. 201000901-3
SHEET 2 OF 3

Bock & Clark's National Surveyors Network
National Coordinators of ALTA/ACSM Land Title Surveys
537 North Cleveland-Massillon Road, Akron, Ohio 44333
Phone: (800) SURVEYS (787-8397), Fax: (330) 666-3608 www.bockandclark.com

BOCK & CLARK
Commercial Real Estate
Due Diligence
EST. 1973

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LEGEND OF SYMBOLS & ABBREVIATIONS

N.	North
S.	South
E.	East
W.	West
°	Degrees
'	Feet or Minutes
"	Inches or Seconds
Sq.	Square
Ft.	Feet
Vol.	Volume
Pg.	Page
O.R.	Official Record
Calc.	Calculated
Rec.	Record
R/W	Right of Way
℄	Centerline
N/A	Not Applicable
N/F	Now or Formerly

- Bollard
- Cable Box
- Catch Basin Round
- Catch Basin Square
- Clean Out
- Electric Box
- Electric Manhole
- Electric Meter
- Unknown Manhole
- Curb Storm Inlet
- Tower
- Fire Hydrant
- Gas Box
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- Handicapped
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- Monitoring Well
- Gas Manhole
- Gas Marker
- Transformer
- Flag Pole
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- Sanitary Manhole
- Satellite Dish
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- Telephone Manhole
- Water Box
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- Storm Pipe
- Guy Wire
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- Water Meter Pit
- Water Valve
- Vault
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- Monumentation Found
- Iron Pin To Be Set
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- Fence Line
- Overhead Wires
- Gas Line
- Water Line
- Underground Utility
- Sanitary Line
- Storm Line
- Electric Line
- Property Line
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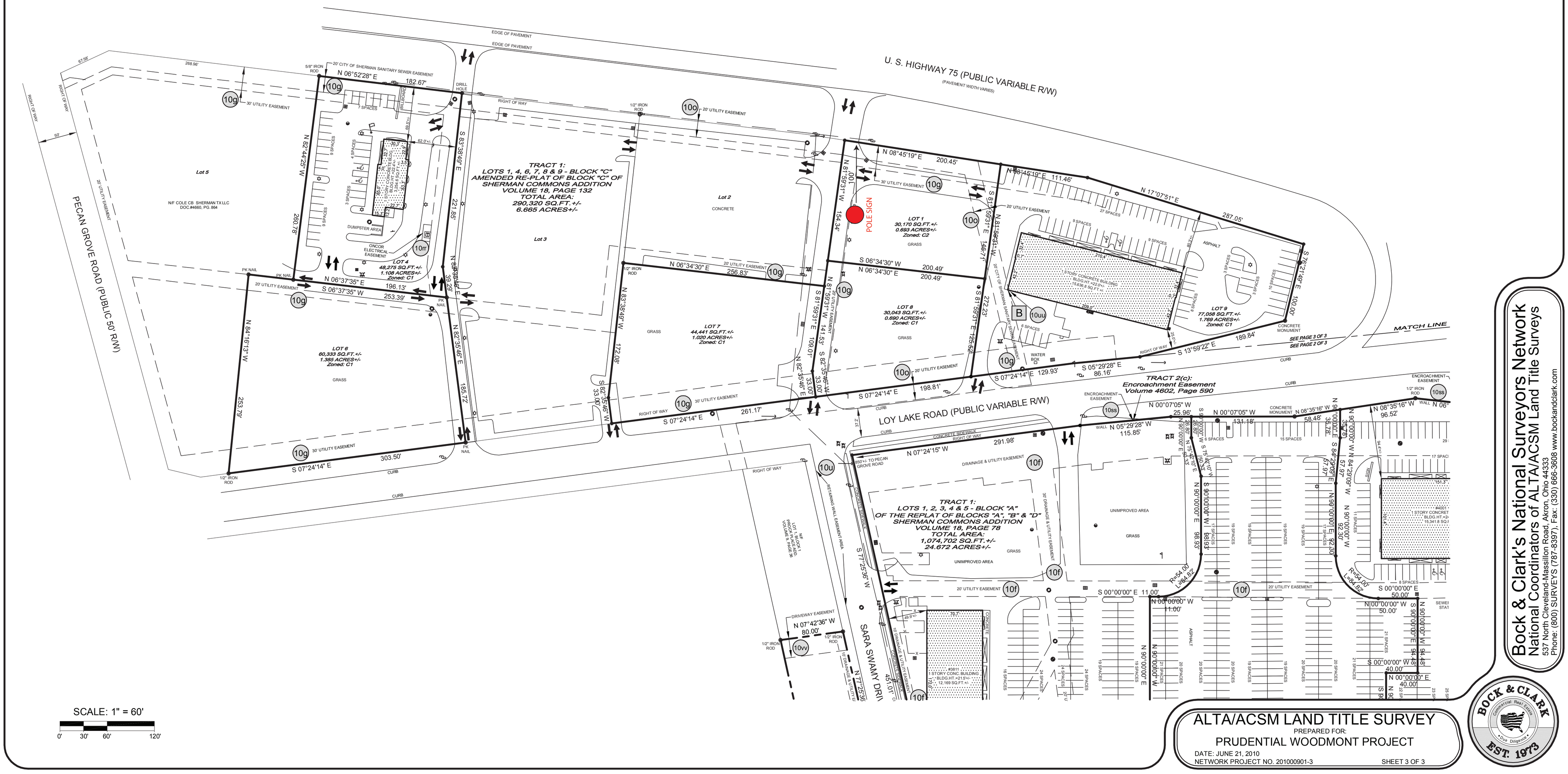
- Centerline
- Right of Way Line
- Concrete



SCALE: 1" = 60'

0' 30' 60' 120'

ALTA/ACSM LAND TITLE SURVEY

PREPARED FOR:

PRUDENTIAL WOODMONT PROJECT

DATE: JUNE 21, 2010

NETWORK PROJECT NO. 201000901-3

SHEET 3 OF 3

Bock & Clark's National Surveyors Network
National Coordinators of ALTA/ACSM Land Title Surveys
537 North Cleveland-Massillon Road, Akron, Ohio 44333
Phone: (800) SURVEYS (787-8397), Fax: (330) 666-3606 www.bockandclark.com

BOCK & CLARK Commercial Real Estate Due Diligence EST. 1973

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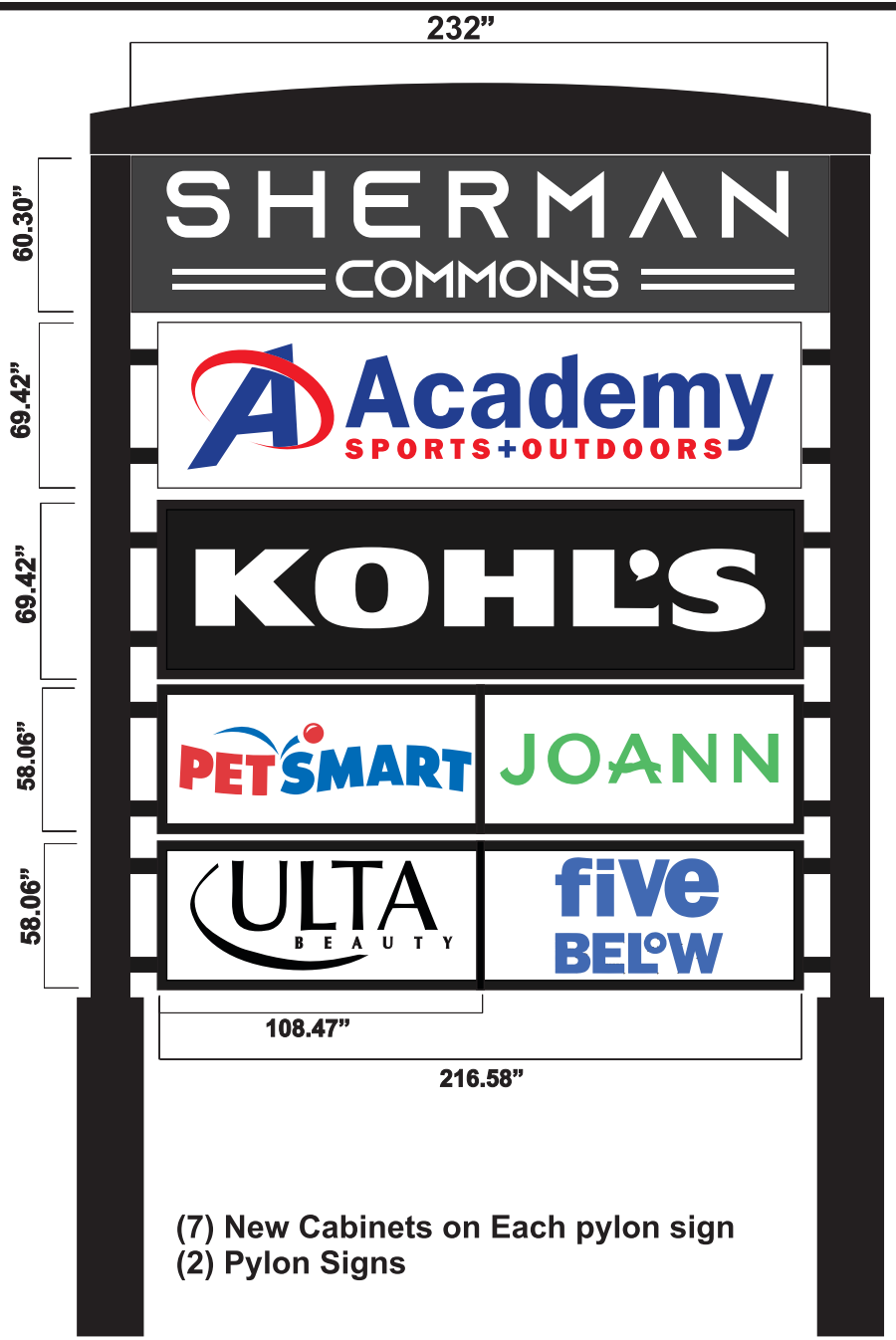
43.7 SQFT EACH : (4) Cabinets - (Ulta Beuty, Pet Smart , Joann, Five Below)

104.4 SQFT EACH: (2) Cabinets - (Kohl's, Academy)

97.15 SQFT: (1) Cabinet (Sherman Commons)



Overall Height: 40’

(7) New Cabinets on Each pylon sign
(2) Pylon Signs

3D Signs & Graphics
3601 Executive Blvd.
Mesquite, TX. 75149
972.288.7948
ddd_signs@hotmail.com

Job Name: _____ Date: _____

Description: _____

Job Address: _____

Customer Approval: X _____ Approval Date: _____

Sherman
CLASSIC TOWN. BROAD HORIZON.

Development Services

STAFF REVIEW LETTER

November 8, 2022

Michelle Forrester
2100 McKinney Ave., Suite 700
Dallas, TX 75201

Sherman Commons LP
2100 McKinney Ave. #700
Dallas, TX 75201

3D Signs & Graphics
3601 Executive Blvd
Mesquite, TX 75149

Dear Applicants,

The request for a Variances under Ordinance No. 2280, Section 7, Subsection (14)(i) to allow 480.58 square feet signs at both locations in lieu of the allowed 300 square feet sign in a C-1 (Retail Business) District located at 3801 and 4001 North Highway 75 has been scheduled to be heard by the Board of Adjustment on Tuesday, November 15, 2022 at 5:00 P.M., in the City Council Chambers, City Hall at 220 W. Mulberry.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

Zoning:

1. Compliance with applicable City ordinances, regulations, standards and rules and other laws, as they exist or may be amended, including but not limited to the City's General Zoning Ordinance, Ordinance No. 2280, the regulations applicable to the C-1 (Retail Business) District, C-2 (General Commercial) District, the O-1 (75 & 82) Overlay District, the Sign Ordinance, the Fence Ordinance and the Commercial Tree and Landscaping Ordinance. (*Chapter 14, Exhibit A, Sec. 6.6; Sec. 6.7; Sec, 6.13.1; Sec. 7(14), Sec. 7(13) and Sec. 17).*
2. The property must be properly maintained in a state of good repair and neat appearance.
3. The approval of the site plan shall be effective for a period of (2) years from the date of approval and shall expire unless the applicant demonstrates to the Director of Development Services that progress has been made toward completion of the project for which the Specific Use Permit was approved.
4. Any changes made to the site plan prior to the final fulfillment of the conditions of the staff review letter must be considered minor by the staff, as to not require resubmission to the Planning & Zoning Commission.

Engineering

5. No permanent structures will be permitted to encroach into any easements.

It is the policy of the Board of Adjustment not to consider a request unless the applicant or its representative attends the meeting at which the request is considered. You are hereby notified to present your case on the date and time stated above.

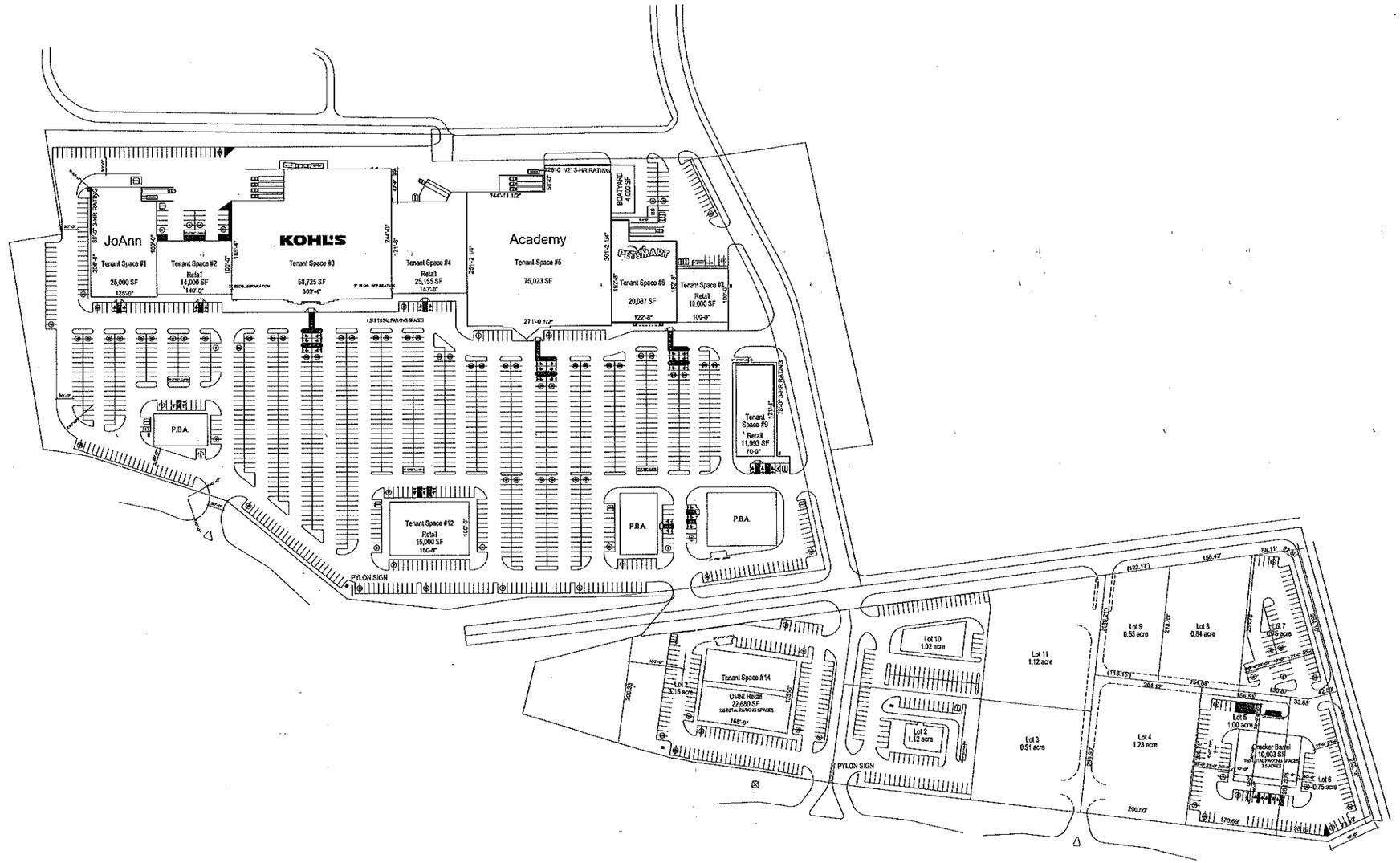
If additional information or clarification is needed, do not hesitate to contact Rob Rae at 903-892-7229 prior to the meeting.

Respectfully,

Rob Rae
Acting Secretary, Planning and Zoning Commission and Board of Adjustments

cc: Robby Hefton, City Manager
Clint Philpott, Asst. City Manager
Wayne Lee, P.E., Director of Engineering
Tom Pruitt, Utility Engineer City Attorney
Billy Hartsfield, Fire Marshal
Amber Doan, Engineering Coordinator
Christopher Armstrong, Asst. City Engineer
The Law Firm of Abernathy, Roeder, Boyd, & Hughlett, P.C., City Attorney

May 16, 2006 Variance Submittal



PRELIMINARY SITE PLAN
SHERMAN, TEXAS
1" = 80'-0"

Design and construction documents as instruments of service are given in confidence and remain the property of Herschman Architects. The use of this design and these construction documents for purposes other than those authorized by Herschman is strictly prohibited without the expressed written consent of Herschman Architects, Incorporated.

Date	Issue
10-04-05	

Drawn By: MLM

Project No.: 04205

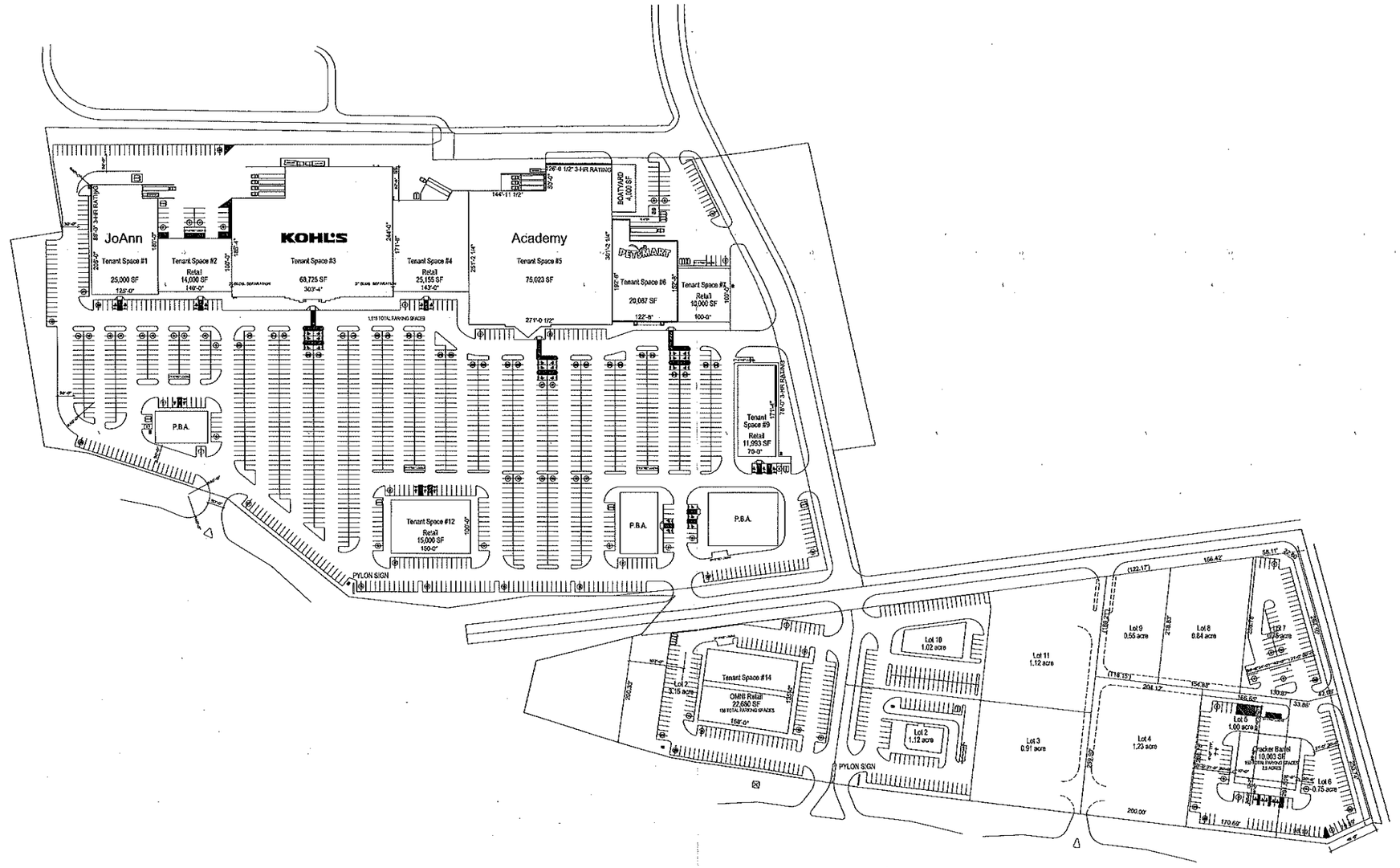
Preliminary Site Development Plan

New Shell Construction
SHERMAN COMMONS SHOPPING CENTER
LOY LAKE ROAD
SHERMAN, TEXAS

HERSCHMAN ARCHITECTS
INCORPORATED
25001 EMERY ROAD, SUITE 400
CLEVELAND, OH 44128
TEL (216) 223-2200
FAX (216) 223-2210
www.herschmanarchitects.com

SP-29

May 16, 2006 Variance Submittal



PRELIMINARY SITE PLAN
SHERMAN, TEXAS
1" = 80'-0"

Design and construction documents as instruments of service are given at completion and remain the property of Herschman Architects. Use of the design and these construction documents for purposes other than the specific project named herein is strictly prohibited without expressed written consent of Herschman Architects, Incorporated.

Date	Issue
10-04-05	

Drawn By: MLM

Project No: 04285

Preliminary Site Development Plan

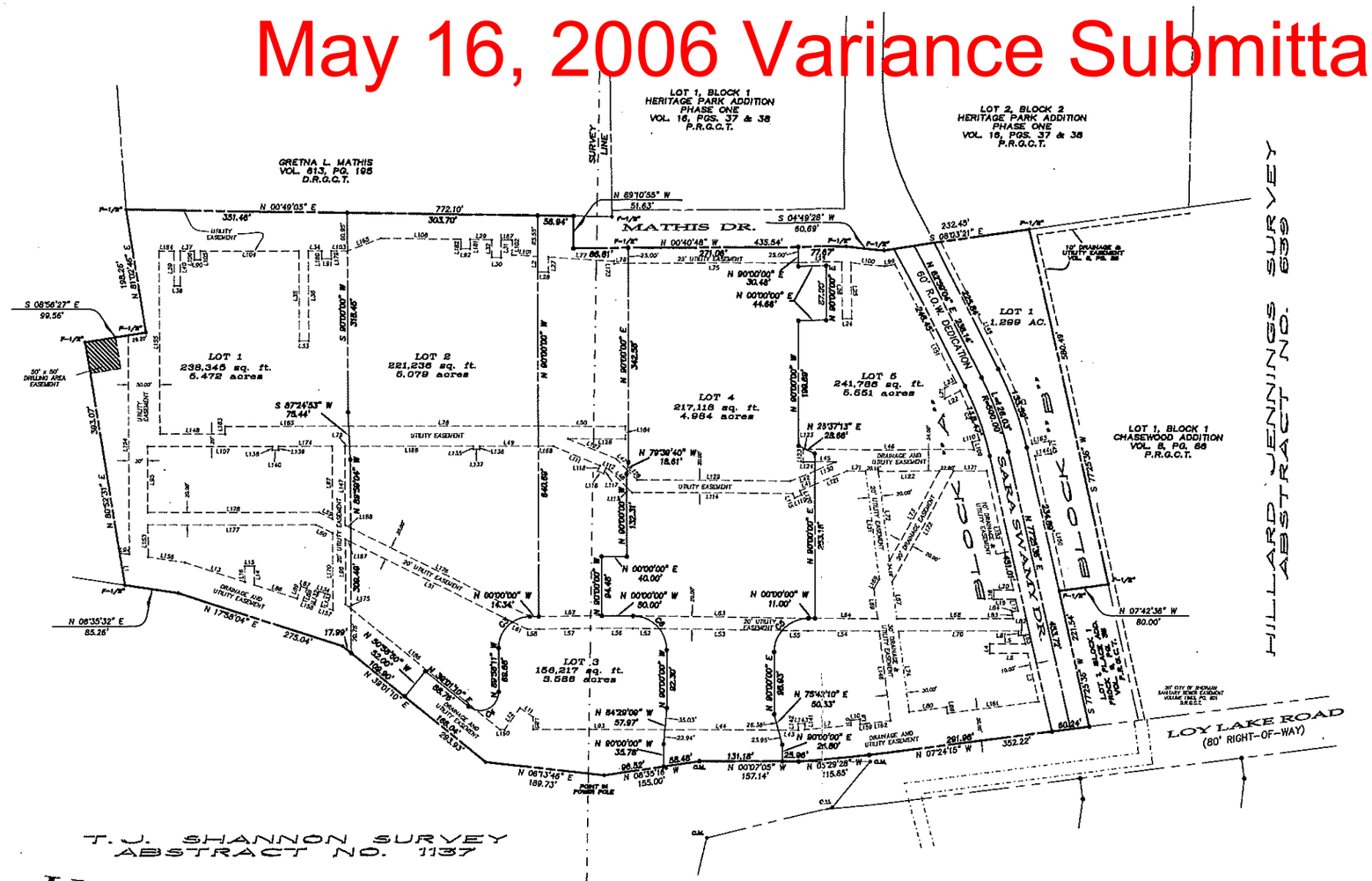
New Shell Construction

SHERMAN COMMONS SHOPPING CENTER
LOY LAKE ROAD
SHERMAN, TEXAS

HERSCHMAN ARCHITECTS
INCORPORATED
25001 EMERY ROAD, SUITE 400
CLEVELAND, OH 44128
TEL (216) 223-3200
FAX (216) 223-3210
www.herschmanarchitects.com

SP-29

May 16, 2006 Variance Submittal



EASEMENT LINE TABLE		
LINE	BEARING	LENGTH
L1	N 80°52'31" E	52.49
L2	N 90°00'00" E	25.06
L3	S 77°25'36" W	78.41
L4	N 90°00'00" W	15.00
L5	N 00°00'00" E	56.87
L6	N 00°00'00" W	80.21
L7	N 05°28'28" W	76.81
L8	S 88°57'20" E	8.04
L9	S 88°57'20" E	8.04
L10	N 05°28'28" W	15.07
L11	N 35°06'30" E	25.83
L12	N 54°53'30" W	42.14
L13	N 17°58'04" E	99.96
L14	N 90°00'00" W	30.33
L15	S 00°00'00" E	15.00
L16	N 90°00'00" E	25.47
L17	S 77°25'36" W	18.45
L18	N 90°00'00" E	15.00
L19	S 00°00'00" E	34.40
L20	S 00°00'00" E	31.06
L21	S 90°00'00" W	16.84
L22	S 27°00'56" E	27.70
L23	S 27°00'56" E	20.06
L24	S 00°40'48" E	15.00
L25	N 89°19'12" E	89.10
L26	N 89°19'12" E	89.91
L27	N 90°00'00" E	24.07
L28	N 00°00'00" E	16.83
L29	N 00°49'05" E	34.85
L30	N 00°49'05" E	15.00
L31	S 89°10'55" E	28.22
L32	S 89°10'55" E	28.22
L33	N 00°00'00" W	15.00
L34	S 00°00'00" E	21.53
L35	N 90°00'00" E	143.50
L36	S 90°00'00" W	143.50
L37	S 00°00'00" E	22.35
L38	S 00°00'00" E	10.00
L39	N 90°00'00" E	55.50
L40	N 90°00'00" W	55.50
L41	N 22°30'00" W	25.70
L42	N 22°30'00" W	42.17
L43	S 00°07'05" E	31.46
L44	S 00°07'05" E	180.88
L45	S 00°00'00" W	34.53
L46	S 00°00'00" E	268.16
L47	N 45°00'00" E	25.06
L48	N 45°00'00" E	39.40
L49	N 00°00'00" E	93.75
L50	S 00°00'47" E	137.09
L51	N 26°21'25" E	288.01
L52	N 00°28'17" E	42.32
L53	N 00°28'17" E	195.10
L54	S 00°00'00" E	116.17
L55	N 00°28'17" E	41.59
L56	S 00°00'00" E	49.76
L57	N 00°55'27" W	99.67
L58	S 00°00'00" E	19.18
L59	N 26°21'25" E	23.98
L60	N 26°21'25" E	29.19
L61	N 26°21'25" E	25.90
L62	N 00°25'27" W	99.67
L63	N 00°28'17" E	279.01
L64	S 00°00'00" E	102.59
L65	S 77°25'36" W	14.32
L66	N 82°52'07" E	10.00
L67	N 82°52'07" E	59.56
L68	S 00°00'00" E	184.57
L69	N 82°52'07" E	48.41
L70	S 00°00'00" E	190.64
L71	N 00°00'00" E	30.16
L72	N 82°52'07" E	143.66
L73	S 61°19'15" E	162.81
L74	N 82°52'07" E	129.69
L75	N 00°40'48" W	271.08
L76	N 00°40'48" W	22.50
L77	S 03°21'56" W	103.85
L78	S 00°00'47" E	302.66
L79	N 00°00'00" E	8.13
L80	N 07°24'15" W	60.00
L81	N 90°00'00" W	6.50
L82	S 00°00'00" E	7.87
L83	N 77°25'24" E	10.76
L84	S 12°34'36" E	10.28
L85	S 88°52'55" W	19.53
L86	N 17°58'04" E	71.27
L87	N 17°55'38" E	10.00
L88	S 72°04'22" E	20.61
L89	S 72°04'22" E	20.60
L90	S 00°00'00" W	10.00
L91	S 00°00'00" W	15.00
L92	S 00°00'00" E	15.00
L93	S 00°07'05" E	209.80
L94	N 08°30'32" E	15.07

EASEMENT LINE TABLE		
LINE	BEARING	LENGTH
L95	N 90°00'00" E	105.37
L96	S 90°00'00" W	104.04
L97	N 90°00'00" E	116.01
L98	N 00°40'48" W	70.15
L99	S 08°03'21" E	16.58
L100	S 04°49'28" W	53.89
L101	S 03°21'56" W	41.03
L102	S 89°10'55" E	23.72
L103	S 00°00'00" E	25.97
L104	S 00°00'00" E	156.15
L105	S 90°00'00" E	13.92
L106	N 90°00'00" E	13.92
L107	N 00°00'00" E	198.24
L108	N 00°49'05" E	127.28
L109	N 74°33'20" E	12.78
L110	S 15°28'40" E	12.38
L111	N 22°30'00" E	78.54
L112	N 22°30'00" E	5.55
L113	N 45°00'00" E	12.88
L114	N 00°00'00" E	255.91
L115	N 67°30'00" E	7.40
L116	S 22°30'00" W	10.00
L117	S 67°30'00" E	9.45
L118	S 87°30'00" E	9.45
L119	S 22°30'00" E	12.16
L120	N 67°30'00" E	7.40
L121	N 22°30'00" W	57.36
L122	N 00°00'00" E	98.00
L123	N 90°00'00" E	20.00
L124	S 00°00'00" E	18.65
L125	S 00°00'00" E	5.24
L126	S 00°00'47" E	91.05
L127	N 22°30'00" E	82.46
L128	N 45°00'00" E	22.51
L129	N 00°00'00" E	243.65
L130	N 22°30'00" W	37.37
L131	N 82°52'07" E	174.17
L132	N 72°31'58" W	21.49
L133	N 72°31'58" W	21.49
L134	S 17°58'04" W	10.00
L135	N 90°00'00" W	4.54
L136	N 90°00'00" W	4.54
L137	S 00°00'00" E	10.00
L138	N 90°00'00" W	5.50
L139	N 90°00'00" W	5.50
L140	S 00°00'00" E	10.00
L141	S 89°52'55" W	9.40
L142	S 89°52'55" W	10.53
L143	S 00°07'05" E	10.00
L144	S 09°20'52" E	23.50
L145	S 80°39'08" W	20.00
L146	N 82°52'07" E	143.59
L147	S 90°00'00" W	125.92
L148	N 00°00'00" W	103.74
L149	S 62°59'04" W	222.40
L150	S 77°25'36" W	218.65
L151	S 62°59'04" W	211.93
L152	S 77°25'36" W	194.78
L153	S 90°00'00" E	51.12
L154	S 90°00'00" E	349.55
L155	N 90°00'00" E	232.00
L156	N 08°35'32" E	59.33
L157	N 17°58'04" E	20.11
L158	N 17°58'04" E	20.02
L159	N 03°29'28" W	8.71
L160	S 00°07'05" E	7.23
L161	N 07°24'15" W	148.42
L162	N 07°24'15" W	40.16
L163	N 09°20'52" W	28.65
L164	S 00°00'00" W	23.42
L165	S 20°34'40" E	57.40
L166	N 00°00'00" E	197.46
L167	N 00°49'05" E	17.41
L168	N 00°00'00" W	23.95
L169	S 61°19'15" E	17.09
L170	N 90°00'00" E	123.27
L171	N 00°00'00" E	53.21
L172	N 61°19'15" W	201.47
L173	N 89°59'59" E	4.05
L174	N 00°00'00" E	85.50
L175	S 39°01'10" W	11.60
L176	N 26°21'25" E	319.13
L177	S 00°00'00" W	267.59
L178	S 00°00'00" W	272.27
L179	S 90°00'00" W	12.50
L180	N 90°00'00" W	12.50
L181	S 90°00'00" W	15.20
L182	N 90°00'00" W	15.42
L183	N 90°00'00" W	12.00
L184	S 89°59'13" W	20.00
L185	S 00°00'47" E	196.69
L186	S 39°01'10" W	305.92
L187	N 26°21'25" E	10.08
L188	N 26°21'25" E	10.10

LOT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C3	78.52	50.00	89°58'30"	S 44°58'30" E	70.70
C4	67.53	30.00	128°58'38"	S 25°28'30" E	54.15
C5	84.82	54.00	90°00'00"	S 45°00'00" E	76.37
C6	84.82	54.00	90°00'00"	N 45°00'00" E	76.37

EASEMENT CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	132.32	540.00	14°02'24"	N 70°00'16" E	131.99
C2	84.42	460.00	10°30'55"	N 68°40'31" E	84.30

GENERAL NOTES:

1. THE SUBJECT TRACT LIES WITHIN ZONE "X" (AREAS OUTSIDE THE 100 YEAR FLOOD PLAIN) ACCORDING TO FEMA FLOOD INSURANCE RATE MAP NO. 48181C 0530 E, DATED JULY 17, 1995.
2. C.M. = FOUND CONCRETE MONUMENT
   F.R.S. = FOUND SPIKE AND
   F=⅝" = FOUND ⅝" STEEL ROD

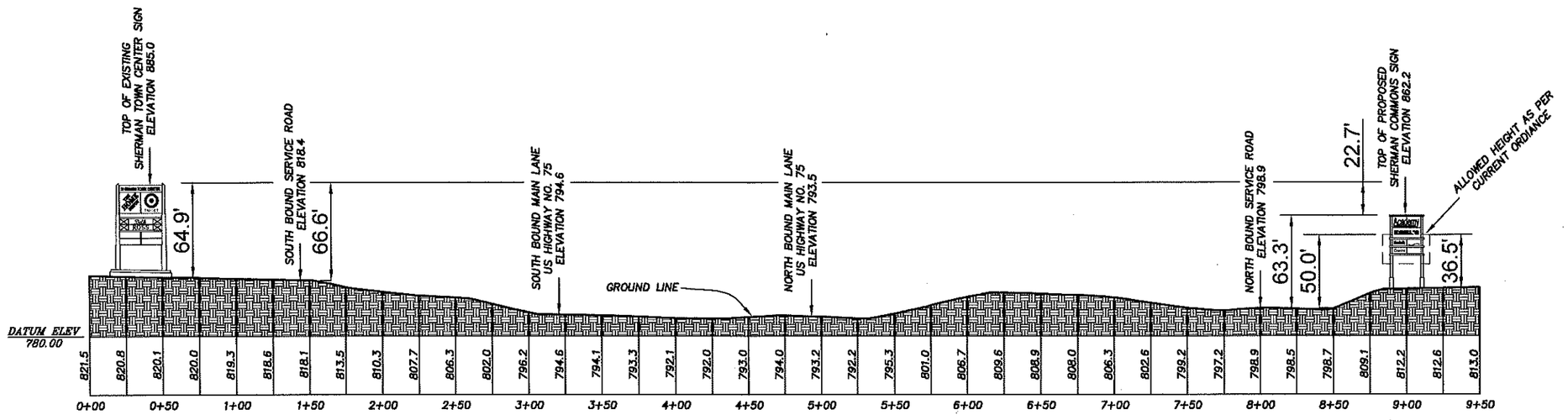
OWNER/DEVELOPER
WOODMONT SHERMAN, LP.
A TEXAS LIMITED PARTNERSHIP
2100 WEST 7th STREET
FT WORTH, TEXAS 76107
PHONE 817-732-4000

SURVEYOR
DOUGLAS W. UNDERWOOD
R.P.L.S. NO. 4709
3404 INTERURBAN ROAD
DENISON, TEXAS 75021
PHONE (903) 465-2151

UNDERWOOD
DRAFTING & SURVEYING, INC.
3404 INTERURBAN ROAD DENISON, TEXAS 75021 (903)465--2151

RE-PLAT OF BLOCKS A, B AND E OF SHERMAN COMMONS ADDITION AN ADDITION TO THE CITY OF SHERMAN, TEXAS BEING 25.971 ACRES SITUATED IN THE T. J. SHANNON SURVEY, ABST NO. 1137 HILLARD JENNINGS SURVEY, ABST NO. 639 GRAYSON COUNTY, TEXAS

May 16, 2006 Variance Submittal



GRAPHIC SCALE

40 0 20 40 80 160

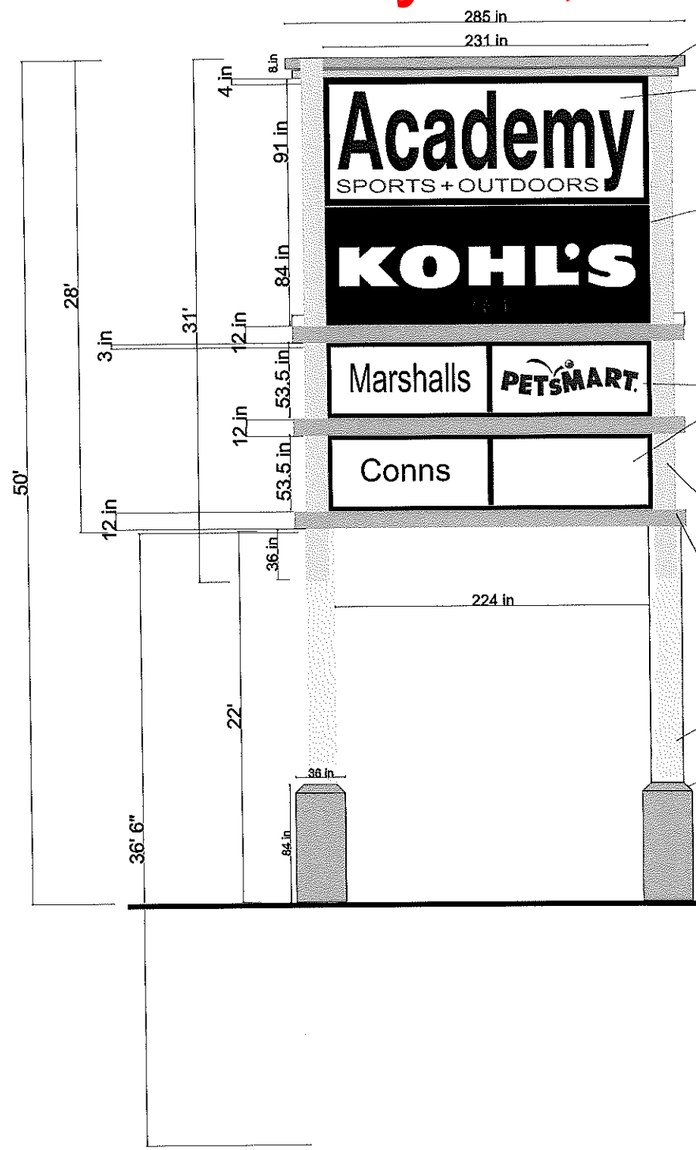
(IN FEET)
1 inch = 40 ft.

SIGN EXHIBIT
VARIANCE REQUEST
SHERMAN COMMONS
SHERMAN, TEXAS

2- Double Faced Pylon Sign Elevation

US Hwy 75 & Loylake Rd

May 16, 2006 Variance Submittal



Aluminum header fabricated of steel frame and skin. Textured finish painted to match center.

Cabinet fabricated of steel frame and aluminum retainers. Flexible face with 3M trans. "Academy" graphics Internally illuminated cabinet to be double sided. Sign cabinets painted gloss black

Cabinet fabricated of steel frame and aluminum retainers Flexible face with 3M trans. Burgundy Vinyl #3630-48, to match PMS188C. Background with "KOHL'S" copy to remain trans. White with 3/8" opaque Black outline border around letters. Internally illuminated cabinet to be double sided. Sign cabinets painted gloss black

Cabinet fabricated of steel frame and aluminum retainers,

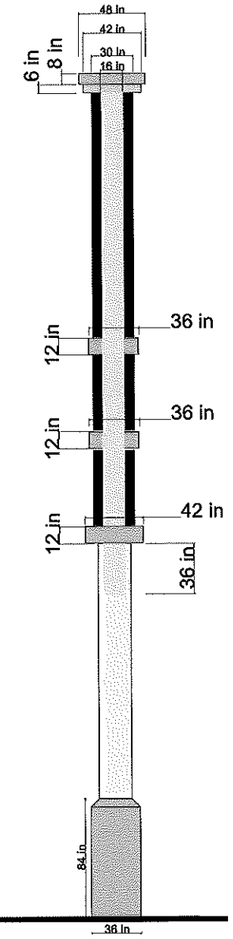
Individual flat white acrylic tenant faces. Internally illuminated tenant graphics to be supplied and installed by others Sign cabinets painted gloss black

16"Dia x .375 wall steel pipe. Painted SW 7057 Silver Strand

Aluminum reveals with textured finish

24" Dia. x .375 wall steel pipe. Painted SW 7057 Silver Strand

Aluminum pole cover / Base. Fabricated of steel frame with aluminum skin. Textured finish Painted SW 6087 Trusty Tan



End Elevation

Commercial SIGNS 431-0807 UL

COMMERCIAL SIGNS, INC.
3548 ATLANTA ROAD
SMYRNA, GA 30080
PH. (770)431-0807
FX. (770)431-1611

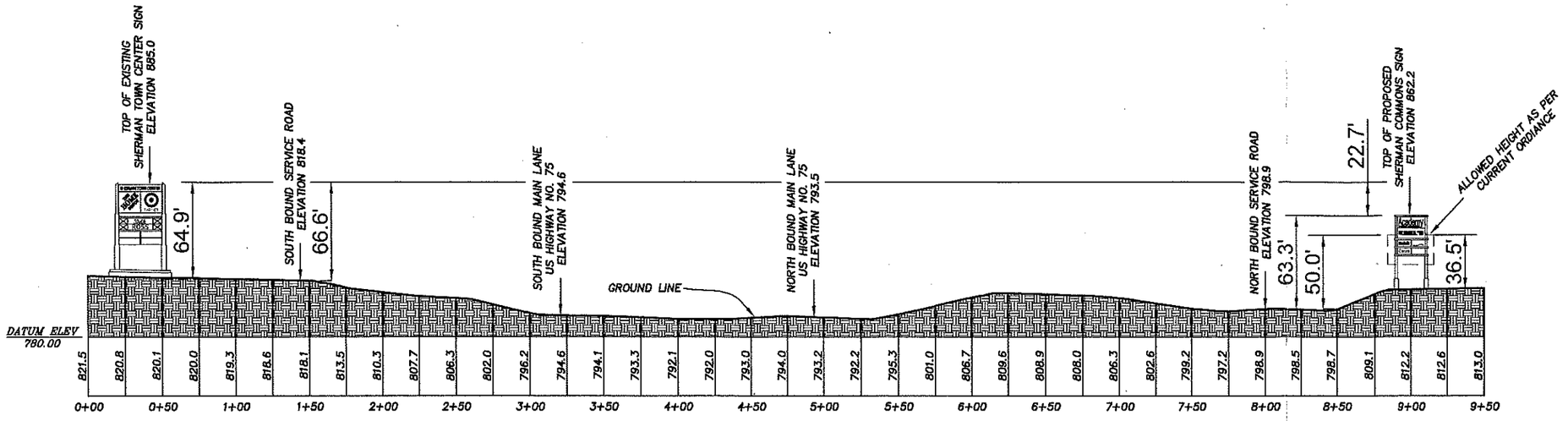
DRAWINGS BY: JK
SALESMAN: Jeff Kendrick
DATE: 2-17-06

FILE NAME: D:JEFF/FLEX/Woodmont/Sherman50 ft final
DRAWING #1 OF 1
DRAWING FOR:
PHONE# FAX#
EMAIL:

ENGINEERED DRAWINGS AND SPECS. TO FOLLOW UPON ACCEPTANCE OF APPROVAL.

Customer
The Woodmont Company

May 16, 2006 Variance Submittal



GRAPHIC SCALE

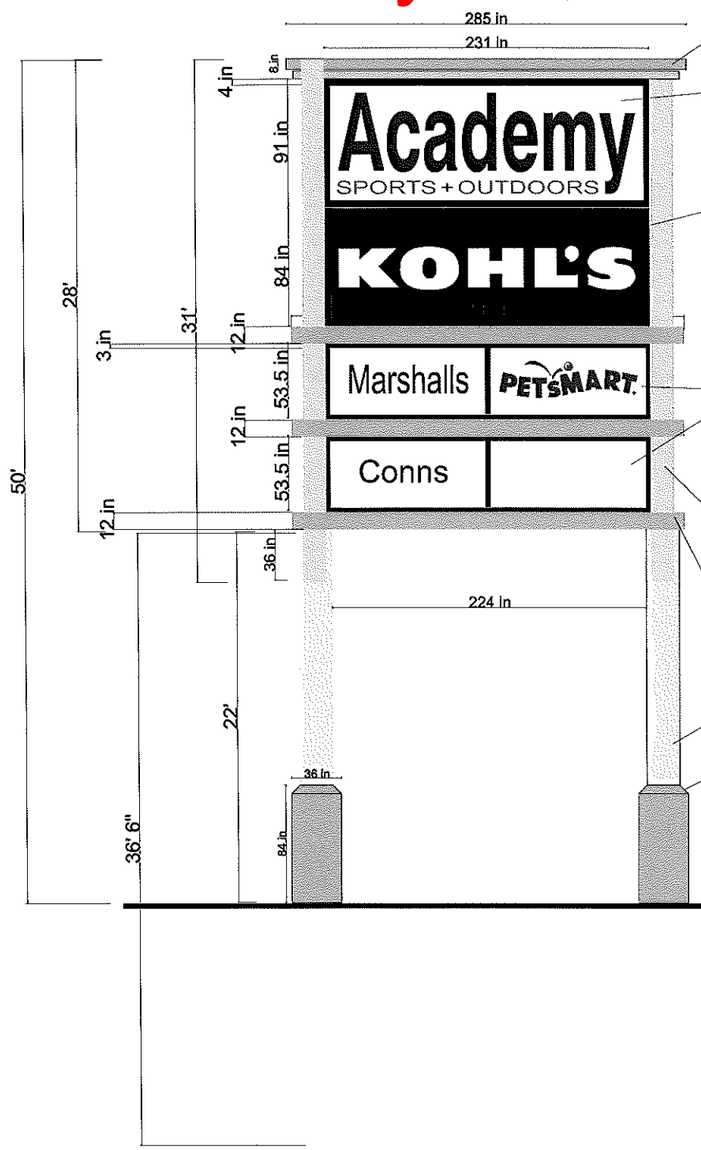
(IN FEET)
1 inch = 40 ft.

SIGN EXHIBIT
VARIANCE REQUEST
SHERMAN COMMONS
SHERMAN, TEXAS

2- Double Faced Pylon Sign Elevation

US Hwy 75 & Loylake Rd

May 16, 2006 Variance Submittal



Aluminum header fabricated of steel frame and skin. Textured finish painted to match center.

Cabinet fabricated of steel frame and aluminum retainers. Flexible face with 3M trans. "Academy" graphics Internally illuminated cabinet to be double sided. Sign cabinets painted gloss black

Cabinet fabricated of steel frame and aluminum retainers Flexible face with 3M trans. Burgundy Vinyl #3630-48, to match PMS188C. Background with "KOHL'S" copy to remain trans. White with 3/8" opaque Black outline border around letters. Internally illuminated cabinet to be double sided. Sign cabinets painted gloss black

Cabinet fabricated of steel frame and aluminum retainers,

Individual flat white acrylic tenant faces. Internally illuminated tenant graphics to be supplied and installed by others Sign cabinets painted gloss black

16"Dia x .375 wall steel pipe. Painted SW 7057 Silver Strand

Aluminum reveals with textured finish

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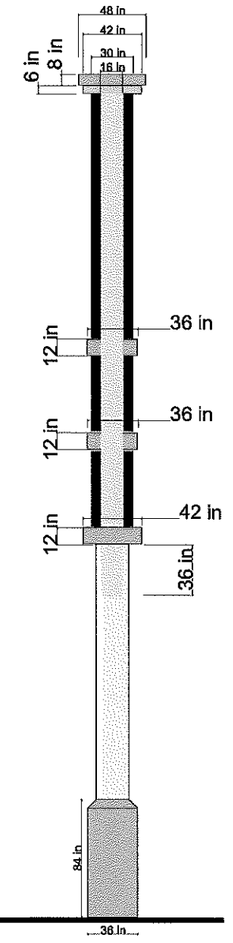
Aluminum pole cover / Base. Fabricated of steel frame with aluminum skin. Textured finish Painted SW 6087 Trusty Tan



End Elevation

COMMERCIAL SIGNS, INC.
3548 ATLANTA ROAD
SMYRNA, GA 30080
PH. (770)431-0807
FX. (770)431-1611

DRAWINGS BY: JK
SALESMAN: Jeff Kendrick
DATE: 2-17-06

FILE NAME: D:JEFF/FLEX/Woodmont/Sherman50 ft final
DRAWING #1 OF 1
DRAWING FOR:
PHONE# FAX#
EMAIL:

ENGINEERED DRAWINGS AND SPECS. TO FOLLOW UPON ACCEPTANCE OF APPROVAL.

Customer

The Woodmont Company

SHERMAN

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

May 16, 2006 Variance Submittal

May 17, 2006

The Woodmont Co.
2100 West 7th Street
Ft. Worth, TX 76107-2306

Jeff Kendrick
3548 Atlanta Road
Smyrna, GA 30080

Dear Applicant,

As you are aware, the Planning and Zoning Board in a regular meeting May 16, 2006, granted your request for a variance to allow the sign which will be north of Loy Lake Road a height of 65' in lieu of the allowed 50' above the centerline of the thoroughfare, access road or facing street in a C-1 (Retail Business) District and O-1 (75 & 82) Overlay District subject to the staff Review Letter in the 3400-4000 Blocks of U.S. Highway 75 North and the 3600-3900 Blocks of Loy Lake Road.

You or your representative may make application for a building permit in the Building Inspection Office located at 220 W. Mulberry at your earliest convenience.

If further information or clarification is needed, please feel free to contact me.
Respectfully,

Scott Shadden
Director of Developmental Services

Cc: L. Scott Wall, City Manager
Giles Brown, Assistant City Manager

SHERMAN

May 16, 2006 Variance Submittal

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

April 26, 2006

The Woodmont Co.
2100 West 7th Street
Ft. Worth, TX 76107-2306

Jeff Kendrick
3548 Atlanta Road
Smyrna, GA 30080

Dear Applicant,

Your application under the Zoning Ordinance relative to the property located in the 3400-4000 U.S. Highway 75 North, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, May 16, 2006 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,

Scott Shadden

Scott Shadden
Secretary, Planning and Zoning Board and
Board of Adjustment

SHERMAN

May 16, 2006 Variance Submittal

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

May 1, 2006

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of May 16, 2006 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Woodmont Sherman GP, LLC (Owner and Developer) concerning the property in the 3400-4000 Blocks of U.S. Highway 75 North and the 3600-3900 Blocks of Loy Lake Road, being 41.49 acres in the Hillard Jennings Survey, Abstract No. 639 and the T.J. Shannon Survey, Abstract No. 1137

The request is as follows:

Variance under Ordinance No. 2280, Section 7, Subsection (14)(i)(4) to allow two signs with an height of 65' in lieu of the allowed 50' above the centerline of the thoroughfare, access road or facing street in a C-1 (Retail Business) District and the O-1 (75 & 82) Overlay District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Scott Shadden
Secretary, Planning & Zoning Board

_____

_____

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Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

May 16, 2006 Variance Submittal

AGENDA ITEM #6

City of Sherman
Planning and Zoning Commission
Agenda Communication Form
May 16, 2005
Kelly Bickerstaff, Chairman

Trent Bass, Vice Chairman
Jason Bethel, Commissioner
Kelsel Sommers, Commissioner
John Nix, Commissioner
John Cernero, Commissioner
Willie Steele, Commissioner
Jim Jacobs, Commissioner
Jason Sofey, Commissioner

3400-4000 Blocks of U. S. Hwy 75 North and the 3600-3900 Blocks of Loy Lake being 41.49 acres in the Hillard Jennings Survey, Abstract No. 639 and the T. J. Shannon Survey, Abstract No. 1137
Variances

Requested Action/Proposed Use:
Variance under Ordinance No. 2280, Section 7, Subsection (14) (i) (4) to allow two signs with an height of 65' in lieu of the allowed 50' above the centerline of the thoroughfare, access road or facing street in a C-1 (Retail Business) District and O-1 (75&82 Overlay) District.

Adjacent Zoning:
C-1 (Retail Business) District and O-1 (75 & 82 Overlay) District, R-2 (Multi-Family Residential) District and C-O (Office) District

Origination:
Woodmont Sherman GP, LLC (Owner and Developer), Isbell Engineering Group (Engineers) and Underwood Drafting & Surveying, Inc. (Surveyors)

Master Plan Designation:
Retail/Commercial

Number of notices mailed:
14

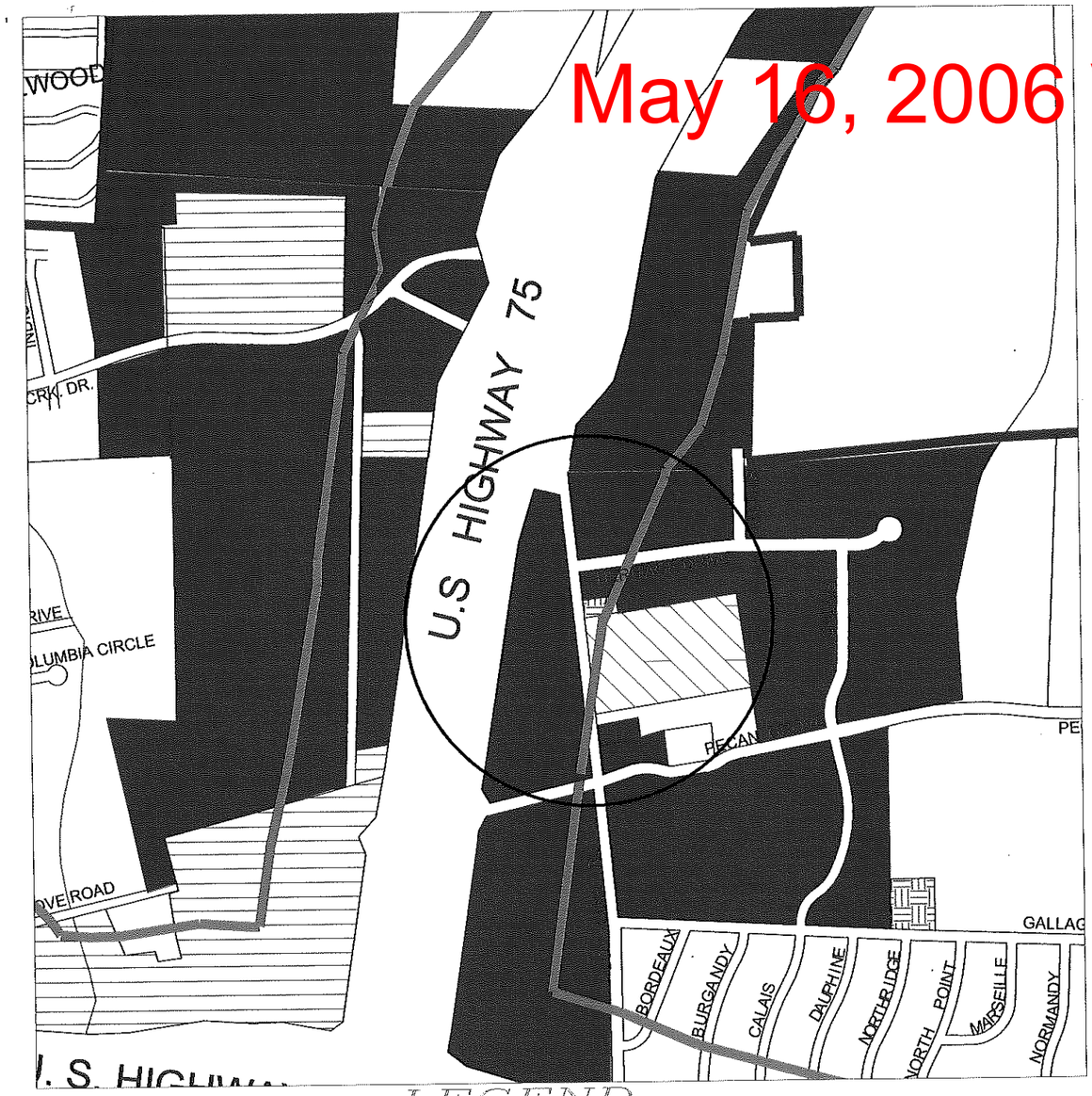
Objections Received:
0

Attachments:
Location map
Photographs
Staff Review
Site Plan

Prepared By:
Rita Gaither
Development Coordinator

Approved By:
Scott Shadden,
Development Services Director

May 16, 2006 Variance Submittal

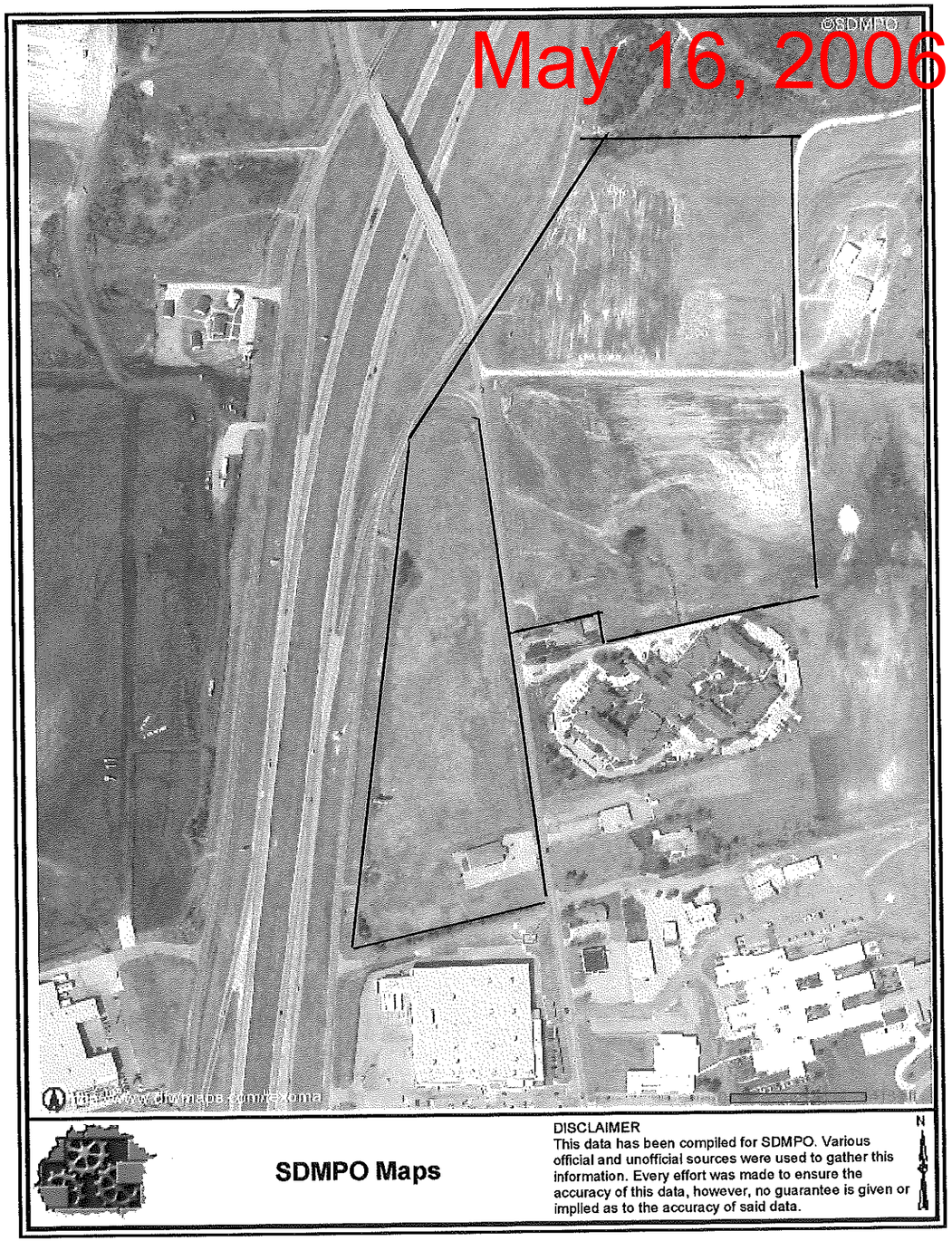


LEGEND

R-A	SINGLE FAMILY AGRICULTURAL DISTRICT	M-2	HEAVY MANUFACTURING DISTRICT
SF-1	SINGLE FAMILY RESIDENTIAL DISTRICT	M H	MANUFACTURED HOUSING DISTRICT
R-1	ONE AND TWO FAMILY RESIDENTIAL DISTRICT		BLALOCK INDUSTRIAL PARK
R-2	MULTI-FAMILY RESIDENTIAL DISTRICT	O-1	OVERLAY DISTRICT - 75 & 82
C-1	RETAIL BUSINESS DISTRICT	O-1.1	OVERLAY DISTRICT - 1417
C-2	GENERAL COMMERCIAL DISTRICT	O-1.2	OVERLAY DISTRICT -SAM RAYBURN FREEWAY
C O	OFFICE DISTRICT	A&C	ARTS & CULTURAL OVERLAY DISTRICT
M-1	LIGHT MANUFACTURING DISTRICT	CBD	CENTRAL BUSINESS DISTRICT
M-1.5	MEDIUM MANUFACTURING DISTRICT		CITY LIMITS

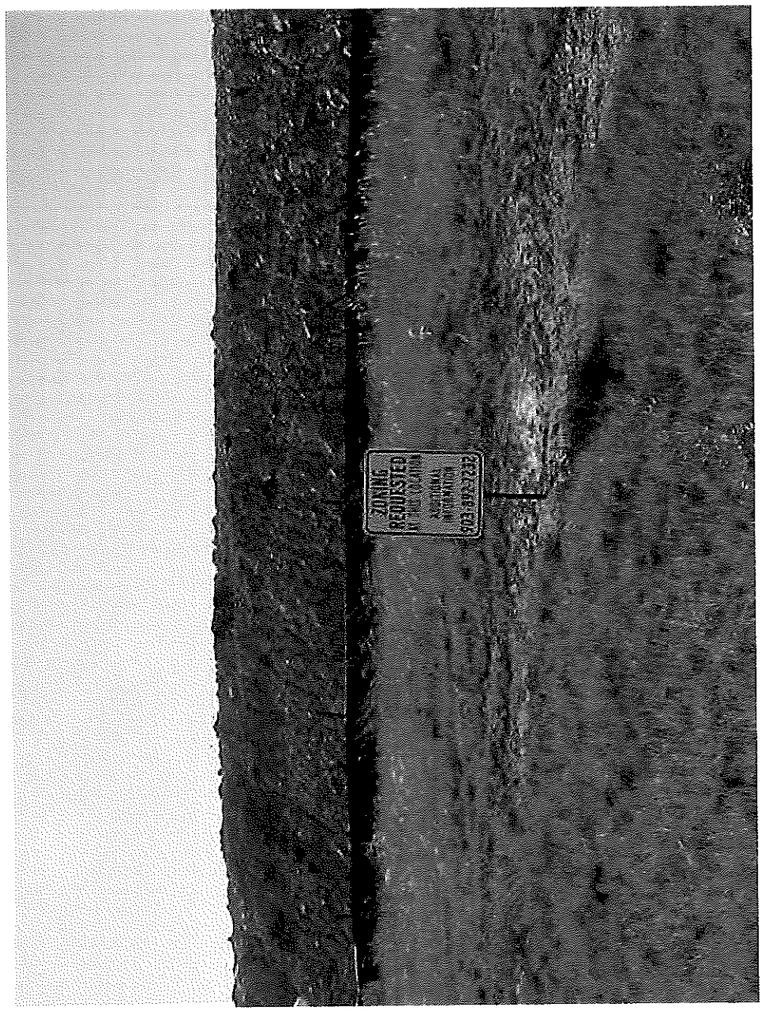
City of Sherman, Texas
3400-4000 Blks US Hwy. 75 North
Variances
Department of Developmental Services

May 16, 2006 Variance Submittal



May 16, 2006 Variance Submittal

3400-4000 Blk Hwy 75 N.



SHERMAN

May 16, 2006 Variance Submittal

STAFF REVIEW LETTER

May 12, 2006

Woodmont Sherman GP, LLC
2100 West 7th Street
Ft. Worth, TX 76107

Jeff Kendrick
3548 Atlanta Road
Smyrna, GA 30080

Dear Sirs:

The request for approval of a variance to allow two signs with heights of 65' in lieu of the allowed 50' above the centerline of the thoroughfare, access road or facing street in the 3400-4000 Block of U. S. Hwy 75 North is scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 16, 2006 in the City Council Chambers, City Hall at 220 West Mulberry. The meeting will begin at 5:00 P.M.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. The location of the signs would appear to be located in areas that are designated as utility easements on the recorded plat and the associated replat. The large piers will be detrimental to the City use of the easement. The proposed signs are to remain outside the limits of the City easements, or an encroachment agreement is to be obtained for the affected easement area.
2. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered as minor, by the staff, as to not require resubmission to the Planning and Zoning Commission

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

Respectfully,

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Giles Brown, Assistant City Manager
Mark Gibson, Director of Utilities
Rita Gaither, Development Coordinator
Isbell Engineering
TxDOT
Perry Elliott, Fire Marshal
Jeff Miller, Director of Public Works and Engineering
James M. Shankles, Jr., P.E., City Engineer
Texas Registered Land Surveying

May 16, 2006 Variance Submittal

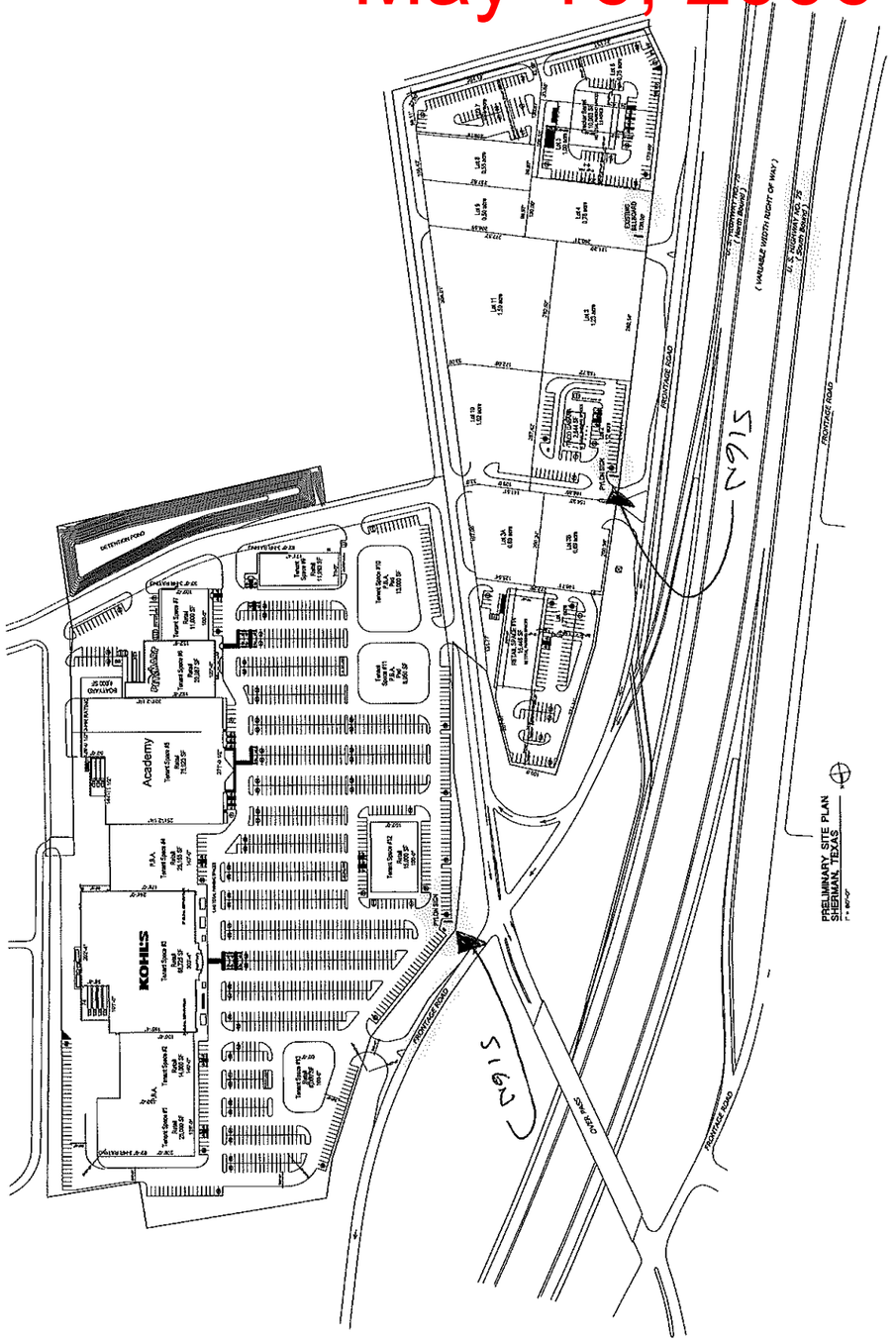
Preliminary Site Development Plan

New Shell Construction
SHERMAN COMMONS SHOPPING CENTER
LOY LAKE ROAD
SHERMAN, TEXAS

HERSCHMAN ARCHITECTS

SP-37

Drawn By: MJH
Project No.: OHNe
Date: None
Scale: 1"=50'



May 16, 2006 Variance Submittal

SHERMAN

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

May 1, 2006

Stoneybrooke LLC
1771 International Pkwy., Ste. 121
Richardson, TX 75081

MAY 15 REC'D

The Planning and Zoning Commission of the City of Sherman will hold a public hearing on the day of May 16, 2006 at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Woodmont Sherman GP, LLC (Owner and Developer) concerning the property in the 3400-4000 Blocks of U.S. Highway 75 North and the 3600-3900 Blocks of Loy Lake Road, being 41.49 acres in the Hillard Jennings Survey, Abstract No. 639 and the T.J. Shannon Survey, Abstract No. 1137

The request is as follows:
Variance under Ordinance No. 2280, Section 7, Subsection (14)(i)(4) to allow two signs with an height of 65' in lieu of the allowed 50' above the centerline of the thoroughfare, access road or facing street in a C-1 (Retail Business) District and the O-1 (75 & 82) Overlay District.

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Scott Shadden
Secretary, Planning & Zoning Board

Stoneybrooke LLC has no objection to the Applicant's request to allow 2 Signs with heights of 65' each in lieu of 50' each.

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

May 16, 2006 Variance Submittal

Respectfully,

Scott Shadden
Secretary, Planning and Zoning Board and Board of Adjustment

cc: Giles Brown, Assistant City Manager
Mark Gibson, Director of Utilities
Rita Gaither, Development Coordinator
Isbell Engineering
Perry Elliott, Fire Marshal
Jeff Miller, Director of Public Works and Engineering
James M. Shankles, Jr., P.E., City Engineer
Underwood Drafting & Surveying

May 16, 2006 Variance Submittal

STAFF REVIEW LETTER

May 9, 2006

Woodmont Sherman GP, LLC
2100 West 7th Street
Ft. Worth, TX 76107

Jeff Kendrick
3548 Atlanta Road
Smyrna, GA 30080

Dear Sirs:

The request for approval of a variance to allow two signs with heights of 65' in lieu of the allowed 50' above the centerline of the thoroughfare, access road or facing street in the 3400-4000 Block of U. S. Hwy 75 North is scheduled to be heard by the Planning and Zoning Commission on Tuesday, May 16, 2006 in the City Council Chambers, City Hall at 220 West Mulberry. The meeting will begin at 5:00 P.M.

City staff has reviewed your request with regards to engineering and development guidelines and finds the following items need to be addressed:

1. The location of the signs is not noted in relation to the City utility easements. The large piers will be detrimental to the City use of the easement. The proposed signs are to remain outside the limits of the City easements, or an encroachment agreement is to be obtained for the affected easement area.

2. Any other changes made to the site plan prior to the final fulfillment of the conditions of the staff review, must be considered as minor, by the staff, as to not require resubmission to the Planning and Zoning Commission

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by your authorized representative to present your request on the date and time stated above.

If additional information or clarification is needed, do not hesitate to contact Rita Gaither, Development Coordinator at 903-892-7212 prior to the meeting.

May 16, 2006 Variance Submittal

File Reference: ———

m e m o r a n d u m

DATE: May 4, 2006

TO: Rita Gaither, Development Coordinator

FROM: Mark Gibson, Director of Utilities MG

SUBJECT: Variances 3400 – 4000 U.S. Hwy 75 North
3500 – 3900 Loy Lake Road
Woodmont Signs

The locations for the signs are not noted in relation to City utility easements. The large piers will be detrimental to the City use of the easement.

The proposed signs are to remain outside the limits of City easements, or an encroachment agreement is to be obtained for the affected easement area.

MG:cs

May 16 2006 Variance Submittal

CITY OF SHERMAN
ZONING APPLICATION

City of Sherman
Development Services
220 W. Mulberry
P.O. Box 1106
Sherman, Texas 75091
Phone: 903-892-7219
Fax: 903-892-7274

Application Type

☐ General Zoning Change	☐ Exception	☒ Variance	☐ Temporary Use Permit	Specific Use Permit	☐ Site Plan
From ____ To ____				☐ New ☐ Amendment	
Fee: $420.00	Fee: $210.00	Fee: $210.00	Fee: $140.00 Renewal: $35.00	Fee: $420.00	Fee: $140.00

Request Information

Site Location US 75 & Loy Lake Rd

Site Street Address 3440 South Loy Lake Rd, Sherman TX

Subdivision* _____ Lot No. _____ Block No. _____

Existing Zoning/Land Use _____ Requested Zoning/Land Use _____

Proposed Use Shopping Center

Applicant/Owner Information

Key Contact Jeff Kendrick Telephone No 770 431 0807 Fax No 770 431 0807

Address 3548 Atlanta Rd

City Smyrna State GA Zip Code 30082

Contact's Status: (check one) ☐ Owner ☒ Representative ☐ Tenant ☐ Prospective Buyer

Owner The Woodmont Co. Telephone No 817 233 7733 Fax No 817 377 7714

Address 2100 West Seventh Street

City Fort Worth State TX Zip Code 76107-2306

Ownership Status: (check one) ☐ Individual ☐ Trust ☐ Partnership ☒ Corporation

Applicant Signature _____ Owner Signature _____

Property owner must sign the application or submit a notarized letter of authorization.

**A metes and bounds description must be attached if the request is for a portion of a platted lot or a non-platted tract.*

OWNER'S APPEAL:

Increase Free Standing Sign Height to 50' from property grade, not street grade.

For Office Use Only

Application Date: _____ Fee: _____ Receipt #: _____

P&Z Hearing: _____ City Council Hearing: _____

May 16, 2006 Variance Submittal

20 SIGNS
Commercial
770
431-0807
Celebrating
20 Years of Excellence

April 21, 2006

City of Sherman

Attn: Rita Gather

Re: Variance application

Dear Ms Gather

Per our conversation I have enclosed the application and information that I have to apply for the variance to increase the pylon signs height for our development at 3440 South Loy lake Road. I will send more detailed info by the end of next week.

That you for your help.

Please call with questions. 770-431-0807

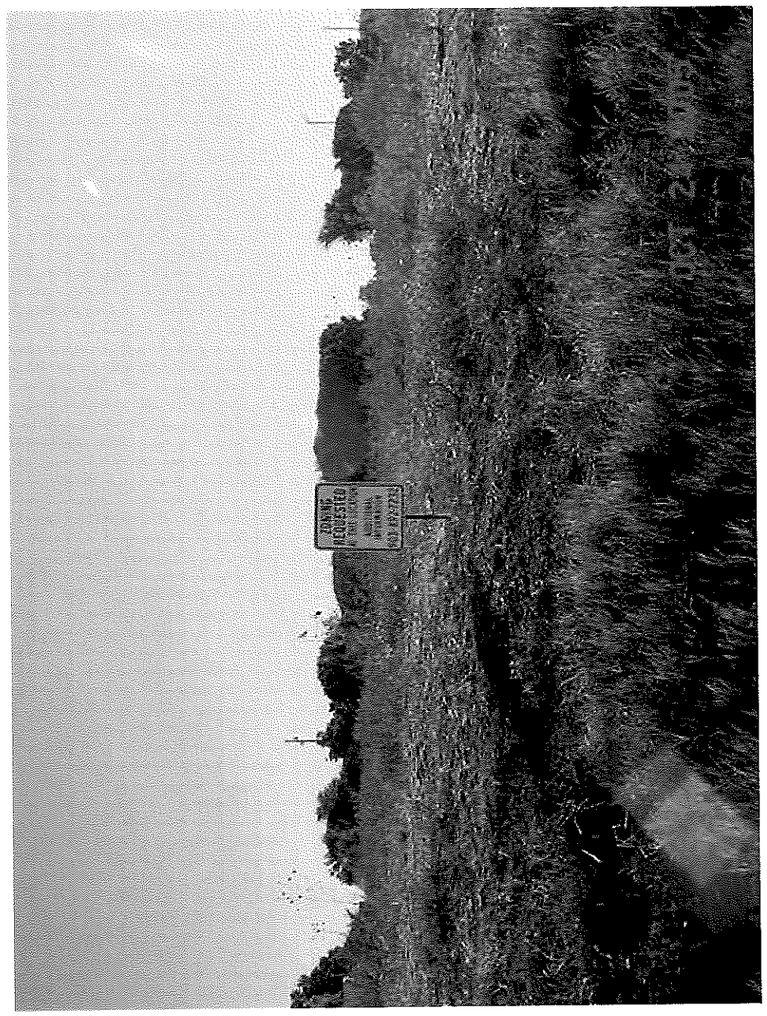
Sincerely,

Jeff Kendrick
Sales Mgr.

Commercial Signs Inc. 3548 Atlanta Rd. Smyrna, Georgia 30080 770-431-0807 / fax 770-431-1611

May 16, 2006 Variance Submittal

3400-4000 Blk Hwy 75 N



3600-3900 Blk Loy Lake Rd.

May 16, 2006 Variance Submittal

May 16, 2006 Variance Submittal

SHERMAN

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

October 24, 2005

The Planning and Zoning Board of the City of Sherman will hold a public hearing on the day of November 8, 2005, at 5:00 P.M. in the City Council Chambers, at 220 W. Mulberry, to hear the request of:

Woodmont Sherman GP, LLC (Owner and Developer) and Isbell Engineering (Engineers) concerning the property in the 3400-4000 Blocks of U.S. Highway 75 North and the 3600-3900 Blocks Loy Lake Road, being 41.49 acres in the Hillard Jennings Survey, Abstract No. 639 and the T.J. Shannon Survey, Abstract No. 1137.

The request is as follows:

1. **Variance under Ordinance No. 2280, Section 6.8, Subsection (5) to allow two signs with a 14'6" setback in lieu of the required 40 feet or 25 plus the height of the building, whichever is greater in a C-1 (Retail Business) District and O-1 (75 & 82) Overlay District.**
2. **Variance under Ordinance No. 2280, Section 7, (i)(3) to allow two signs with an area of 570 square feet in lieu of the maximum allowed 300 square feet in a C-1 (Retail Business) District and O-1 (75 & 82) Overlay District.**

As a property owner within two hundred feet (200') of this property, you are invited to attend. You are not required to be present, but all interested parties wishing to speak should appear at the time and place stated above. If you can not attend the public hearing, but wish to have your views presented to the Board, you may do so in the space provided below or by a separate letter and mailed to:

Scott Shadden
Secretary, Planning and Zoning Board
P.O. Box 1106
Sherman, Texas 75091-1106

Scott L. Shadden
Secretary, Planning & Zoning Board

Unless this notice is delivered in an envelope that has the "City of Sherman" logo and is affixed with postage as required by the U.S. Postal Service, it is NOT an official notice sent to you by the City of Sherman.

SHERMAN

May 16, 2006 Variance Submittal

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

November 10, 2005

Eric Cox
2100 West 7th Street
Ft. Worth, TX 76107

Woodmont Sherman GP, LLC
2100 West 7th Street
Ft. Worth, TX 76107

Dear Applicant,

As you are aware, the Planning and Zoning Board in a regular meeting November 8, 2005, granted your request for variances to allow two signs with a 14'6" setback in lieu of the required 40' setback or 25' plus the height of the structure, whichever is greater and to allow two signs with an area of 570 square feet in lieu of the maximum allowed 300 square feet in a C-1 (Retail Business) District and O-1 (75 & 82 Overlay) District in the 3400-4000 blocks of U.S. Highway 75 North and in the 3600-3900 blocks Loy Lake Road.

You or your representative may make application for a building permit in the Building Inspection Office located at 220 W. Mulberry at your earliest convenience.

If further information or clarification is needed, please feel free to contact me.
Respectfully,

Scott Shadden
Director of Developmental Services

Cc: L. Scott Wall, City Manager
Giles Brown, Assistant City Manager

SHERMAN

May 16, 2006 Variance Submittal

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

October 19, 2005

Eric Cox
2100 West 7th Street
Ft. Worth, TX 76107

Woodmont Sherman GP, LLC
2100 West 7th Street
Ft. Worth, TX 76107

Dear Applicant,

Your application under the Zoning Ordinance relative to the property located 3400-4000 Blocks U.S. Highway 75 North and the 3600-3900 Blocks Loy Lake Road, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, November 8, 2005 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,

Scott Shadden

Scott Shadden
Secretary, Planning and Zoning Board and
Board of Adjustment

May 16, 2006 Variance Submittal

CITY OF SHERMAN
ZONING APPLICATION

City of Sherman
Developmental Services
220 W. Mulberry
P.O. Box 1106
Sherman, Texas 75091
Phone: 903-892-7229
Fax: 903-892-7274

Application Type

☐ General Zoning Change	☐ Exception	☑ Variance	☐ Temporary Use Permit	Specific Use Permit	☐ Site Plan
From _____ To _____				☐ New ☐ Amendment	
Fee: $300.00	Fee: $150.00	Fee: $150.00	Fee: $100.00 Renewal: $25.00	Fee: $300.00	Fee: $100.00

Request Information

Site Location Loy Lake Rd. and Sara Shaw Dr.

Site Street Address _____

Subdivision* _____ Lot No. _____ Block No. _____

Existing Zoning/Land Use C-1 Requested Zoning/Land Use N/A

Proposed Use Retail

Applicant/Owner Information

Key Contact Eric Cox Telephone No. 817 377 7713 Fax No. 817 377 7714

Address 2100 W. 7th Street

City Fort Worth, State Tx Zip Code 76107

Contact's Status: (check one) ☑ Owner ☐ Representative ☐ Tenant ☐ Prospective Buyer

Owner Woodmont Sherman L.P. Telephone No. 817 377 7713 Fax No. 817 377-7714

Address 2100 W. 7th Street

City Fort Worth State Tx Zip Code 76107

Ownership Status: (check one) ☐ Individual ☐ Trust ☑ Partnership ☐ Corporation

Applicant Signature _____ Owner Signature _____

Property owner must sign the application or submit a notarized letter of authorization.

**A metes and bounds description must be attached if the request is for a portion of a platted lot or a non-platted tract.*

OWNER'S APPEAL:

Allow Woodmont Sherman L.P. a set back and size variance on our Pylon Signs

For Office Use Only

Application Date: _____ Fee: _____ Receipt # _____

P&Z Hearing: _____ City Council Hearing: _____

May 16, 2006 Variance Submittal

CITY OF SHERMAN
ZONING APPLICATION

City of Sherman
Developmental Services
220 W. Mulberry
P.O. Box 1106
Sherman, Texas 75091
Phone: 903-892-7229
Fax: 903-892-7274

Application Type

☐ General Zoning Change	☐ Exception	☐ Variance	☐ Temporary Use Permit	Specific Use Permit	☐ Site Plan
From _____ To _____				☐ New ☐ Amendment	
Fee: $420.00	Fee: $210.00	Fee: $210.00	Fee: $140.00 Renewal: $35.00	Fee: $420.00	Fee: $140.00

Request Information

Site Location Loy Lake Road & Shea Swamp Drive

Site Street Address _____

Subdivision* _____ Lot No. _____ Block No. _____

Existing Zoning/Land Use C-1 Requested Zoning/Land Use N/A

Proposed Use Retail

Applicant/Owner Information

Key Contact Eric Telephone No. _____ Fax No. _____

Address _____

City _____ State _____ Zip Code _____

Contact's Status: (check one) ☐ Owner ☐ Representative ☐ Tenant ☐ Prospective Buyer

Owner _____ Telephone No. _____ Fax No. _____

Address _____

City _____ State _____ Zip Code _____

Ownership Status: (check one) ☐ Individual ☐ Trust ☐ Partnership ☐ Corporation

Applicant Signature _____ Owner Signature _____

Property owner must sign the application or submit a notarized letter of authorization.

**A metes and bounds description must be attached if the request is for a portion of a platted lot or a non-platted tract.*

OWNER'S APPEAL: ① Allow Woodmont Sherman L.P. a pylon size variance from 300 SF to 570 SF. ② Allow Woodmont Sherman L.P. a pylon sign set back variance of 14'6".

For Office Use Only

Application Date: _____ Fee: _____ Receipt # _____

P&Z Hearing: _____ City Council Hearing: _____

May 16, 2006 Variance Submittal

The Woodmont Company
2100 West 7th Street
Fort Worth, TX 76107
817 377-7793
817 377-7714

Letter of Transmittal

To:	Rita Gaither	**Phone:**	903 892-7212
From:	**Eric Cox**	**Date:**	10/17/2005
Re:	Pylon Sign Variance	**CC:**	

☐ **Urgent** XXX **For Review** ☐ **Please Comment** ☐ **Please Reply** ☐ **Please Recycle**

Dear Rita,

Enclosed, please find twenty five (25) copies of the Pylon Elevation along with twenty five (25) copies of the site plan which reflects the revised locations. I have included the $70.00 check for the revised variance fee of $210.00 effective October 1, 2005. Please contact me as needed.

Thanks,

Eric Cox

May 16, 2006 Variance Submittal

From: Origin ID: (817)377-[illegible]
DJ Fethke
The Woodmont Company
2100 WEst 7th Street

Fort Worth, TX 76107

FedEx Express

CLS092005/09/16

Ship Date: 17OCT05
ActWgt: 2.0 LB
System#: 5279178/INET2300
Account#: S *********

REF: Eric Cox - Sherman

Delivery Address Bar Code

SHIP TO: (903)892-7212 **BILL SENDER**

Rita Gaither
City of Sherman Texas
220 West Mulberry

Sherman, TX 75091

PRIORITY OVERNIGHT

TUE
Deliver By:
18OCT05

TRK# 7901 8959 7402

FORM 0201

DFW AA

75091 -TX-US

AD SWIA

Shipping Label: Your shipment is complete

1. Use the 'Print' feature from your browser to send this page to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of $100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of $100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is $500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

SHERMAN

May 16, 2006 Variance Submittal

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

September 21, 2005

Eric Cox
2100 West 7th Street
Ft. Worth, TX 76107

Woodmont Sherman GP, LLC
2100 West 7th Street
Ft. Worth, TX 76107

Dear Applicant,

In error, we mailed you a letter informing you your application under the Zoning Ordinance relative to the property located in the 3400-4000 Blocks U.S. Highway 75 North and the 3600-3900 Blocks Loy Lake Road, was scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 11, 2005 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry. **Your request is not scheduled to be heard by the Planning and Zoning Commission on October 11, 2005.** We are sorry for any inconvenient or misunderstanding this may have caused.

If you have any questions, do not hesitate to contact me at 903-892-7229.

Respectfully,

Scott Shadden
Secretary, Planning and Zoning Board and
Board of Adjustment

SS/pr

SHERMAN

May 16, 2006 Variance Submittal

PLANNING AND ZONING BOARD
BUILDING INSPECTION DEPARTMENT
Telephone No. (903) 892-7229
FAX No. (903) 892-7274

September 21, 2005

Eric Cox
2100 West 7th Street
Ft. Worth, TX 76107

Woodmont Sherman GP, LLC
2100 West 7th Street
Ft. Worth, TX 76107

Dear Applicant,

Your application under the Zoning Ordinance relative to the property located in the 3400-4000 Blocks U.S. Highway 75 North and the 3600-3900 Blocks Loy Lake Road, has been scheduled to be heard by the Planning and Zoning Board on the day of Tuesday, October 11, 2005 at 5:00 p.m., in the City Council Chambers, City Hall at 220 W. Mulberry.

It is the policy of this Board not to consider a request unless it has representation. You are hereby notified to be present, either in person or by a legally authorized representative to present your case on the date and time stated above.

Respectfully,

Scott Shadden/PR

Scott Shadden
Secretary, Planning and Zoning Board and
Board of Adjustment

SS/pr

Planning & Zoning Commission and Board of Adjustments **24.**

Meeting Date: 11/15/2022

Prepared by: Lauren Marlow, Administrative Assistant
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

2700-5100 BLOCKS SOUTH HIGHWAY 75, 100 BLOCK EAST FM 1417 AND 100-1300 BLOCKS WEST FM 1417

The request of the City of Sherman concerning the property located in the 2700-5100 Blocks South Highway 75, 100 Block East FM 1417 and 100-1300 Blocks West FM 1417, being approximately 1587.892 acres in part of the Preston Kitchens Survey, Abstract No. 667, Sherrod Dunman Survey, Abstract No. 329, Elizabeth Jones Survey, Abstract No. 625 and William Martin Survey, Abstract 765, as follows:

Planning and Zoning Commission

Public Hearing and consideration of Zone Change for Blalock Industrial Park (BIP) Planned Development through amendment to the Zoning Ordinance to rezone Blalock Industrial Park (BIP) to a PD (Planned Development) District with Light Manufacturing (M-1) as the base zoning district.

Background:

The Blalock Industrial Park was originally created in 1962 under Ordinance No. 2252 with the purpose of creating an industrial district that provides compatible regulations for the construction and use of buildings in the district. In 2001, a minor update was adopted by City Council in Ordinance No. 4967. This Blalock Industrial Park Development Plan replaces those previously adopted ordinances to create a Planned Development (PD) District called the “Blalock Industrial Park."

The purpose of the Blalock Industrial Park PD is to achieve a quality, cohesive, and compatible industrial and manufacturing district to a climate and location for the orderly development of light industry in the southern gateway of Sherman, Texas.

Adjacent Zoning:

C-1 (Retail Business) District
C-2 (General Commercial) District
R-1 (One Family Residential) District
R-2 (Multi-Family Residential) District
Extra Territorial Jurisdiction (ETJ)
M-1 (Light Manufacturing)
M-1.5 (Medium Manufacturing)
PD (Planned Development)

Origination:

City of Sherman

Master Plan Designation:

Technology Hub category is intended for areas of the community that are dedicated to large-scale employment uses. These areas are generally located north and south, anchored by the airport and Texas Instruments, respectively. These areas contribute to the community by providing a tax base and employment opportunities.

Number of notices mailed:

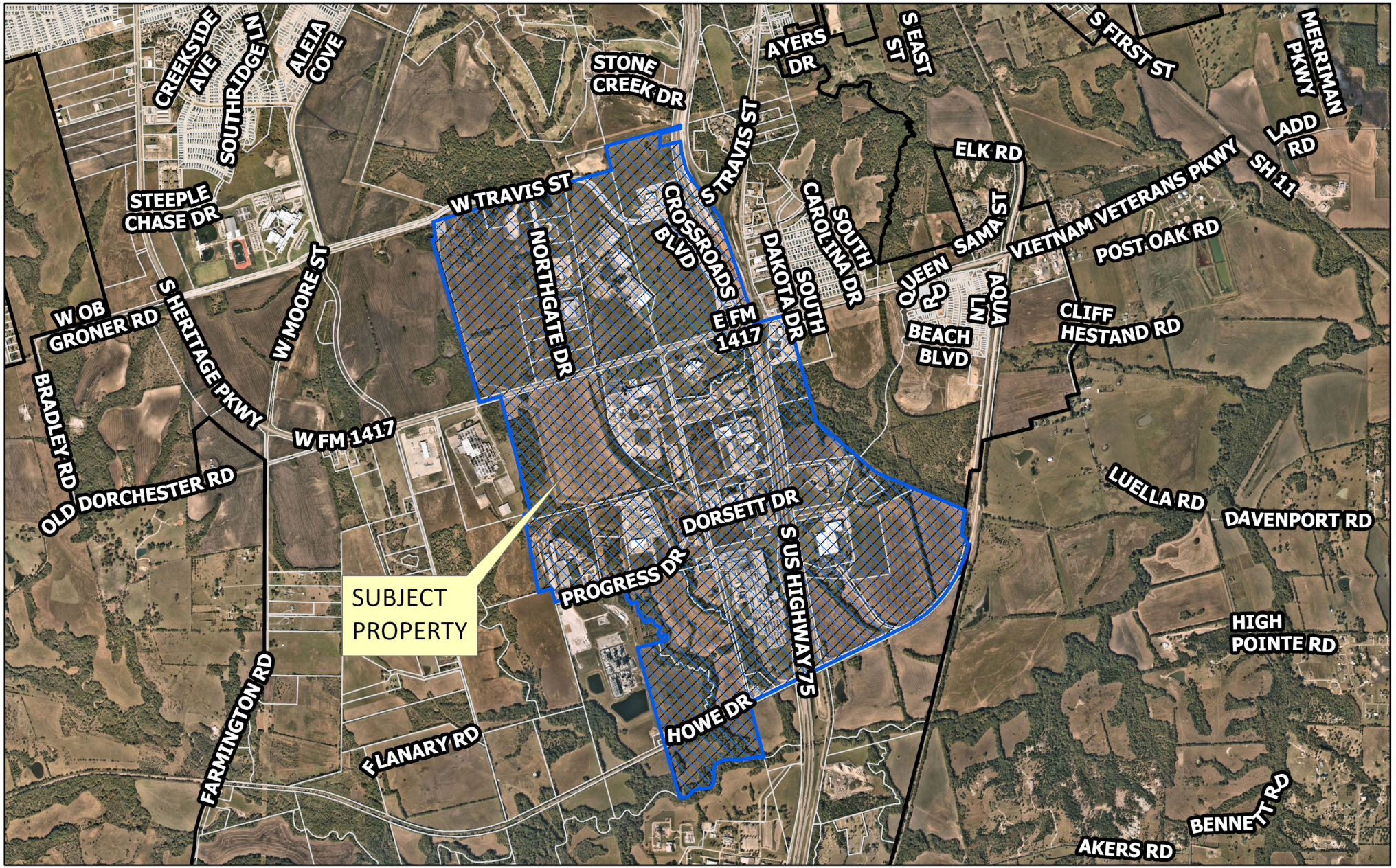
57

Objections Received:

0

Attachments

Location Map
Zoning Map
Zoning Sign Photos
Future Land Use Map
Legal Description
Development Standards



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Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN

Blalock Industrial Park

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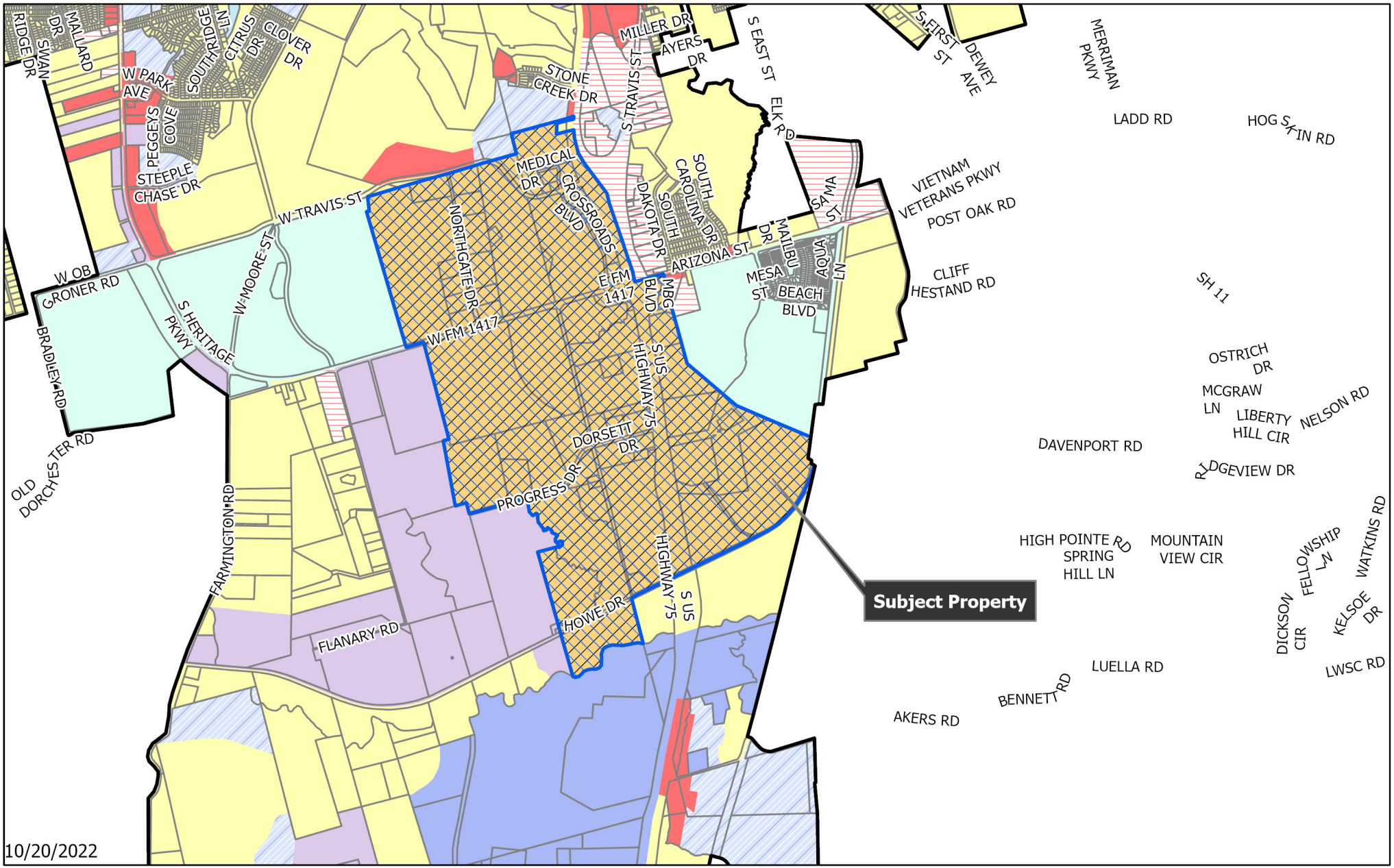

BIP Blalock Industrial Park
C-1 Retail Business District
C-2 General Commercial District
CO Office District
Lakes
M-1 Light Manufacturing District
M-1.5 Medium Manufacturing District
M-2 Heavy Manufacturing District
MH Manufacturing Housing Distgrict
R-1 One Family Residential District
R-2 Multi-Family Residential District
R-A Single Family Agricultural District
SF-1 Single Family Residential District
PD Planned Development
Subject Locations
Parcels
City Limits

Sherman
CLASSIC TOWN. BROAD HORIZON.

City of Sherman, Texas
Development Services Department

CITY OF SHERMAN
Zoning Location Map
Blalock Industrial Park

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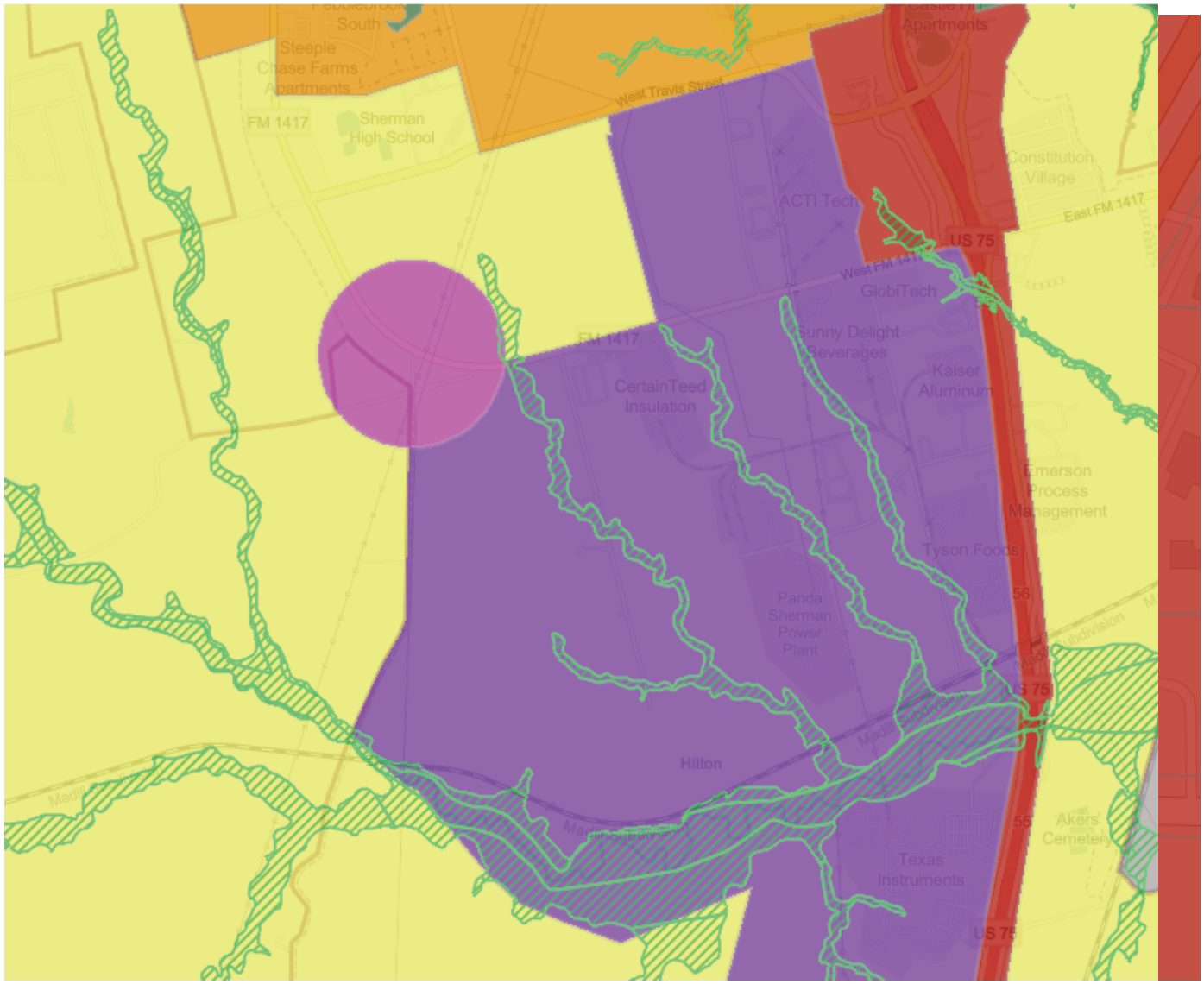
Scale: 1:37,313

Date: 10/20/2022 12:03 PM

Blalock Industrial Park

Blalock Industrial Park



TECHNOLOGY HUB

Intent & Character

The Technology Hub category is intended for areas of the community that are dedicated to large-scale employment uses. These areas are generally located north and south, anchored by the airport and Texas Instruments, respectively. These areas contribute to the community by providing a tax base and employment opportunities.

Appropriate Land Use Types

- Manufacturing
- Research and Development
- Warehousing and Distribution
- Multi-Family

Compatible Zoning Districts

- Light Manufacturing
- Heavy Manufacturing
- Multi-Family Residential (MF-15 and MF-30)

Considerations

- Multi-family uses can support employment uses and provide housing variety in the community. These uses should be integrated into planned developments.
- Industrial uses should be ones that are primarily operated inside.
- Outdoor storage should be limited and screened from public view.

CITY OF SHERMAN
Future Land Use Map
2700-5100 Blks S HWY 75, 100 Blk E FM 1417, 100-1300 Blks W FM1417

- AGRICULTURE/RURAL
- COMMUNITY COMMERCIAL
- CORE NEIGHBORHOOD
- DOWNTOWN
- PARKS
- REGIONAL COMMERCIAL
- SUBURBAN NEIGHBORHOOD
- TECHNOLOGY HUB
- FLOODPLAIN & OPEN SPACE
- NTRA ZONING
- AIRPORT

UNDERWOOD

DRAFTING & SURVEYING, INC.

Situated in the County of Grayson, State of Texas, being a part of The William Martin Survey, Abstract No. 765, The Sherrod Dunman Survey, Abstract No. 329, The Preston Kitchen Survey, Abstract No. 667, and the Elizabeth Jones Survey, Abstract No. 625 and being described by metes and bounds as follows:

Beginning at the Northwest Corner of a 121.99 acre tract of land conveyed to Sherman Economic Development Corporation, Recorded in Volume 2660, Page 656 Official Public Records, Grayson County Texas(O.P.R.G.C.T.);

Thence the Following calls and distances with the South line of Tract 1, being 781.14 acres recorded in Volume 5232, Page 220 O.P.R.G.C.T.;

North 73°39'18" East, a distance of 3613.16 feet to a point;
North 15°28'18" West a distance of 468.80 feet to a point;
North 74°34'58" East a distance of 1377.13 feet to a point in the West Right-of-Way of State Highway 75;

Thence the following calls and distances with said West Right-of-Way of State Highway 75;

With a curve to the left having a radius of 2479.76 feet, (chord bears South 11°05'38" East, with a chord length of1495.26 feet) an arc length of 1518.89 feet to a point;
South 28°38'29" East a distance of 306.10 feet to a point;
South 28°38'29" East a distance of 508.20 feet to a point;
South 28°38'29" East a distance of 61.80 feet to a point;
South 28°38'29" East a distance of 603.10 feet to a point;
South 28°38'29" East a distance of 156.70 feet to a point;
South 24°20'29" East a distance of 280.60 feet to a point;
South 15°35'29" East a distance of 290.50 feet to a point;
South 11°08'29" East a distance of 310.50 feet to a point;
South 07°54'31" West a distance of 187.35 feet to a point in the middle of F.M. 1417;

Thence North 75°07'46" East with the center of said F.M. 1417 a distance of 1022.36 feet to a point;

Thence South 14°39'28" East over and across a 8.07 acre tract of Land conveyed to MKT Real Estate Holdings LLC Recorded in Document Number 2018-10228 O.P.R.G.C.T. and continuing with the west line of a 9.12 Acre tract of land conveyed to the Sherman Economic Development Corporation, Recorded in Volume 5680, Page 685 O.P.R.G.C.T., then with the west line of a 96.76 acre tract of land conveyed to Terra Perpetua LLC, Recorded in Document Number 2018-3686 O.P.R.G.C.T a distance of 2190.10 feet to a point;

Thence South 49°31'48" East with the west line of said Terra Perpetua LLC tract and the west line of a 119.38 acre tract of land conveyed to Bel Air Village SFR LLC, Recorded in Document Number 2021-15093, O.P.R.G.C.T. a distance of 1553.48 feet to a point;

Thence South 67°19'54" East with said West line of the Bel Air Village Tract a distance of 1878.93 feet to a point in the westerly Right-of-Way of the Burlington Northern Santa Fe;

Thence the following calls and distances with said Burlington Northern Santa Fe Right-of-Way;

South 06°06'21" West a distance of 453.34 feet to a point;

South 84°47'28" East a distance of 72.49 feet to a point;

With a curve to the right having a radius of 2247.65 feet, (chord bears South 33°58'49" West, with a chord length of2165.45 feet) an arc length of 2259.38 feet to a point;

South 63°20'11" West a distance of 272.27 feet to a point;

South 63°20'11" West a distance of 1512.47 feet to a point in the East Right-of-Way of State Highway 75;

Thence South 10°49'10" East with said State Highway 75 Right-of-Way a distance of 45.79 feet to a point in the center of the Railroad Tracks;

Thence South 63°24'24" West with the center of said Railroad tracks a distance of 1616.35 feet to a point;

Thence South 14°29'26" East with the East Line of a 208.80 acre tract of land Conveyed to Panda Sherman Power LLC, Recorded in Volume 5132, Page 122, O.P.R.G.C.T. a distance of 1093.66 feet to a point in the center of Choctaw Creek;

Thence the following calls and distances with said Choctaw Creek;

North 89°08'07" West a distance of 50.63 feet to a point;

South 61°50'06" West a distance of 129.18 feet to a point;

North 65°31'21" West a distance of 213.45 feet to a point;

South 43°38'09" West a distance of 143.38 feet to a point;

North 76°35'12" West a distance of 305.86 feet to a point;

South 82°00'24" West a distance of 199.24 feet to a point;

South 07°28'29" West a distance of 447.48 feet to a point;

South 28°46'19" West a distance of 60.92 feet to a point;

South 78°00'17" West a distance of 242.38 feet to a point;

South 53°19'01" West a distance of 279.39 feet to a point;

North 81°47'10" West a distance of 158.75 feet to a point;

Thence North 15°37'07" West leaving said Creek and over and across said Panda Sherman Power LLC tract, a distance of 2975.00 feet to a point;

Thence North 74°22'08" East a distance of 407.29 feet to a point in a Creek being in the East Line of said Panda Sherman Power LLC.;

Thence the following calls and distances with the center of said Creek;

North 01°41'19" East a distance of 20.59 feet to a point;

North 63°16'29" East a distance of 43.88 feet to a point;

South 57°22'55" East a distance of 45.78 feet to a point;

North 50°16'00" East a distance of 96.84 feet to a point;

North 01°40'43" East a distance of 79.46 feet to a point;
North 84°38'12" West a distance of 66.34 feet to a point;
South 30°10'37" West a distance of 76.03 feet to a point;
North 47°26'23" West a distance of 85.74 feet to a point;
North 00°09'28" East a distance of 64.41 feet to a point;
North 31°03'16" East a distance of 100.18 feet to a point;
North 73°22'59" West a distance of 114.31 feet to a point;
North 36°21'36" West a distance of 35.59 feet to a point;
North 11°39'13" West a distance of 48.15 feet to a point;
North 54°32'17" West a distance of 121.04 feet to a point;
South 23°22'22" West a distance of 64.09 feet to a point;
South 77°12'24" West a distance of 66.96 feet to a point;
North 19°26'00" West a distance of 72.45 feet to a point;
North 38°21'11" West a distance of 176.74 feet to a point;
North 07°06'09" West a distance of 138.44 feet to a point;
North 18°07'17" East a distance of 38.00 feet to a point;
North 49°20'09" West a distance of 53.50 feet to a point;
South 55°32'33" West a distance of 98.57 feet to a point;
North 43°02'42" West a distance of 117.84 feet to a point;
North 10°23'40" West a distance of 190.86 feet to a point;
North 07°41'27" East a distance of 50.96 feet to a point;
North 29°38'08" West a distance of 52.72 feet to a point in the South Right-of-Way of Progress Drive;

Thence South 75°08'34" West with said South Right-of-Way of Progress Drive a distance of 1405.79 feet to a point being the Northwest Corner of said Panda Sherman Power LLC, and being a point in the East Line of a 63.6 acre tract of land Conveyed to Sherman Economic Development Corporation, Recorded in Document Number 2017-24319 O.P.R.G.C.T.;

Thence North 15°10'02" West with the East line of said 63.6 acre tract of land a distance of 307.12 feet to a found ½" Steel rod;

Thence South 73°16'52" West with the North Line of said 63.6 acre tract a distance of 270.55 feet to a Found ½" Steel rod;

Thence North 10°39'01" West with the West line of a 47.11 acre tract of land conveyed to Progress Rail Services Corporation a distance of 1542.66 feet to a Found ½" Steel rod;

Thence North 75°19'46" East with the North Line of said 47.11 acre tract of land a distance of 149.87 feet to a point;

Thence North 14°38'25" West with the West line of a 119.17 acre tract of land, Conveyed to Sherman Economic Development Corporation, Recorded in Volume 4895, Page 876, O.P.R.G.C.T., a distance of 2330.05 feet to a point in the South Right-of-Way of F.M. 1417;

Thence South 73°54'02" West with said South Right-of-Way a distance of 395.19 feet to a point;

Thence North 16°13'26" West crossing over said F.M. 1417 and continuing with the West Line of said 121.99 acre tract of Land Conveyed to Sherman Economic Development Corporation a distance of 3397.73 feet to a Found ½" steel rod;

Thence North 83°30'56" East a distance of 64.55 feet to a point;

Thence North 06°22'05" West a distance of 348.30 feet to the Point of Beginning and containing 1495.57 acres of land.

Exhibit B
Development Standards

The design, development and use of the Property shall comply with this Ordinance, Sherman's Zoning Ordinance and the following development standards:

Blalock Industrial Park Development Plan

1 INTRODUCTION

1.1 BACKGROUND & PURPOSE

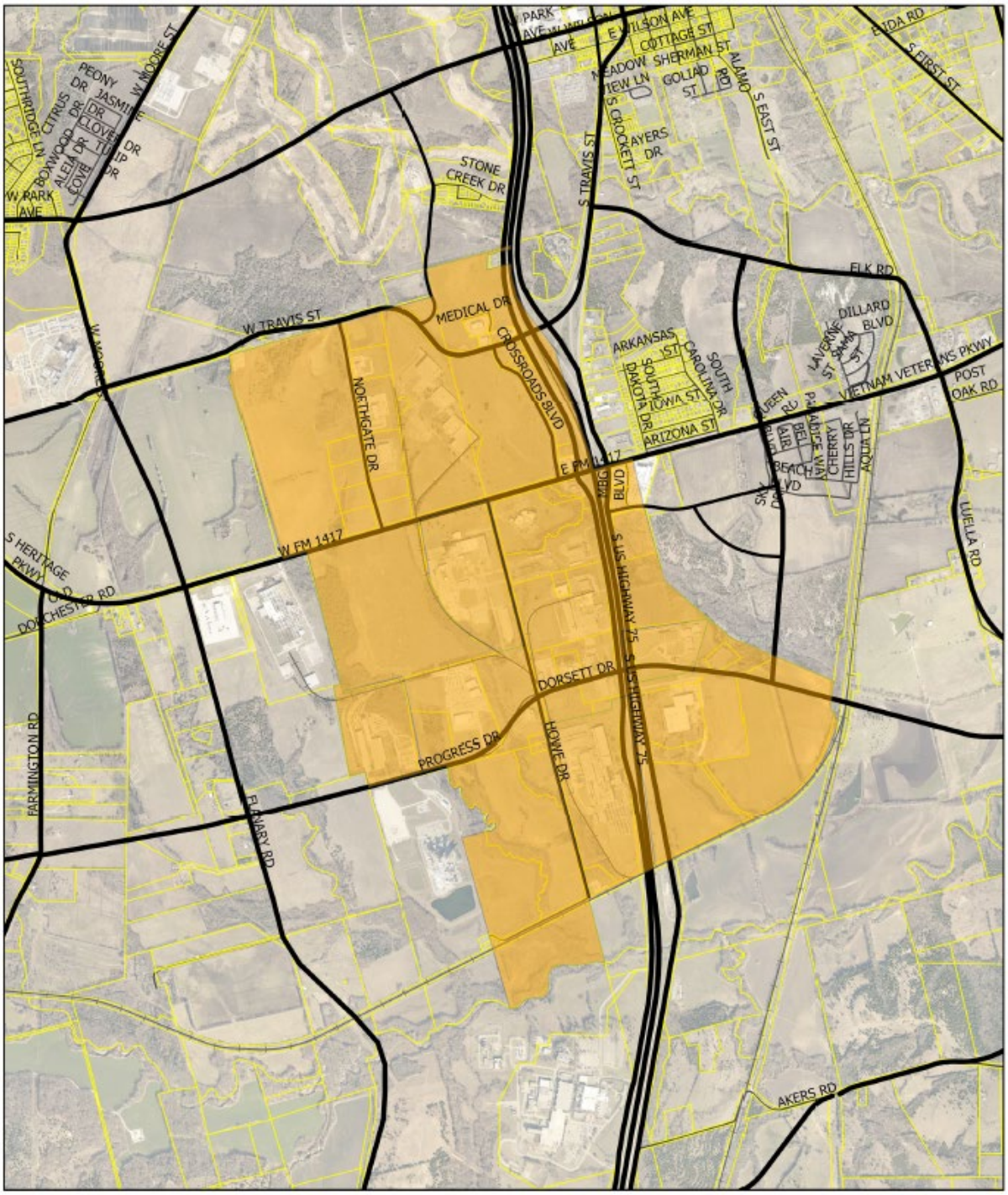
The Blalock Industrial Park was originally created in 1962 under Ordinance No. 2252 with the purpose of creating an industrial district that provides compatible regulations for the construction and use of buildings in the district. In 2001, a minor update was adopted by Council in Ordinance No. 4967. This Blalock Industrial Park Development Plan replaces those previously adopted ordinances to create a Planned Development (PD) District called the "Blalock Industrial Park."

The purpose of the Blalock Industrial Park PD is to achieve a quality, cohesive, and compatible industrial and manufacturing district to a climate and location for the orderly development of light industry in the southern gateway of Sherman, Texas.

1.2 ESTABLISHMENT OF THE DISTRICT AND DISTRICT BOUNDARIES

The Blalock Industrial Park PD consists of approximately 1,495 Acres located within the City of Sherman. In general, the majority of the District is located on the west side of U.S. Highway 75 South of West Travis and proceeds down to the BNSF railroad crossing and Choctaw Creek and proceeds to the west approximately 1 mile along FM Highway 1417. A smaller portion of the District is located on the west side of U.S. Highway 75 from FM Highway 1417 south to the BNSF railroad. See the map below.

Where uncertainty exists with respect to the boundaries of the PD, Exhibit A (Legal Description of the Property) will control.



1.3 Application of Regulations

In the event of a conflict between the City of Sherman Code of Ordinances and the regulations and standards contained in this document, this document shall control, with the exception of the Overlay Districts that have boundaries within the Blalock Industrial Park. Whenever this document is silent upon a regulation or design standard, the City of Sherman Code of Ordinances shall control. Words shown in all CAPITAL LETTERS are defined in Section 5 Definitions.

The development and use of property within the Blalock Industrial Park must comply with the requirements of this document and the requirements of all applicable ordinances, rules and regulations of Sherman, as they currently exist, may be amended or in the future arising.

2 SITE AND BUILDING STANDARDS

2.1 GENERAL STANDARDS

2.1.1 Except as hereinafter specified, all buildings and structures hereinafter erected within "Blalock Industrial Park" shall conform to the construction standards specified in the building code and all other applicable ordinances of the City of Sherman, including Chapter 14 Zoning Ordinance.

2.1.2 No building or land shall hereafter be used or occupied, and the building or part thereof shall be erected, moved, or altered unless in conformity with the regulations herein specified for the district in which it is located.

2.1.3 No building shall hereafter be erected or altered in any tract:

(a) To exceed the applicable height.

(b) To occupy a greater percentage of lot area applicable to such tract and building.

(c) To have narrower or smaller front yards or in any wise infringe upon the setback line, side yards, or come closer to the side lot lines than is herein specified for the tract in which said building is located.

2.1.4 No part of a yard or other open space about any building required for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other open space similarly required for another building.

2.2 PERMITTED USES.

2.2.1 Those uses indicated as being permitted in the "M-1 (Light Manufacturing) District" in the Sherman Zoning Ordinance, Subsection 14.10 (Use Chart).

2.2.2 The permitted uses indicated in the "Blalock Commercial Overlay District" (Sherman Zoning Ordinance, Section 14.03.007) are permitted within the Blalock Industrial Park that overlap with the boundaries of the Blalock Commercial Overlay District.

2.2.3 A Specific Use Permit (SUP) may be considered for uses described in Sherman Zoning Ordinance, Subsection 14.10 (Use Chart) that allows for a SUP in an M-1 (Light Manufacturing) District, subject to requirements set forth in Sherman Zoning Ordinance, Subsection 14.06.009.

2.3 SITE REGULATIONS

2.3.1 Building height limit:

(a) No building shall be erected to a height in excess of 100 feet;

(b) The Director of Development Services may approve a height exception for water towers or tanks, standpipes, elevator housing, air-conditioning equipment, stairways, ventilation fans, and similar equipment that exceed 100 feet in height but no more than 150 feet.

2.3.2 Minimum lot area: 5 acres.

2.3.3 Maximum lot coverage: 50% of the lot.

2.3.4 Maximum Impervious Cover:

(a) 80% of the lot.

(b) Impervious cover shall include all roads, driveways, parking areas, buildings, concrete walkways and other impermeable construction covering the natural land surface on the lot.

2.3.5 Minimum Yards and setback required.

(a) Setback, front lines and yards adjacent to public roadways. Such setback areas between the building lines and the roads right-of-way shall be used for lawns, open landscaping and green areas. Infield area is to be landscaped; it shall be done attractively with lawns, trees, etc., and thereafter properly maintained in a sightly and well-kept condition.

(b) Setbacks shall be as follows:

(1) 200 feet from U.S. Highway 75, with the exception of the defined setbacks in the Blalock Commercial Overlay District, which such setbacks shall govern properties within that overlay district.

(2) 100 feet from F.M. 1417, with the exception of the defined setbacks in the Blalock Commercial Overlay District, which such setbacks shall govern properties within that overlay district.

(3) For property located within the FM1417 overlay district the setbacks set forth herein shall govern.

(4) 50 feet from all other roadways.

(5) Side and rear lines and yards. No structures or buildings, including accessory buildings, shall be located closer than 25 feet to any side or rear building site line.

3 ARCHITECTURAL STANDARDS

3.1.1 Building facing and construction.

(a) All buildings erected on any tract shall be faced with masonry, concrete, stone, glass, cement plaster, exterior insulation facing system (EIFS), or factory finished metal panels. Factory finished metal panels shall not include standard galvanized or painted corrugated or “R” type panels, aluminum, asbestos, or iron or steel or corrugated aluminum, asbestos, iron or steel.

(b) No building shall be constructed with a wooden frame. Should any building be constructed of light weight aggregate, concrete blocks, tile blocks or tile bricks, the front of such building must be finished with face brick, common brick painted, limestone or their equivalent.

(c) Where the exterior (except the front wall) is constructed of light weight aggregate or concrete blocks, unless such exterior walls are finished in stucco, or gunite, or their equal, the building shall be tooled or painted and such exterior walls shall be rubbed down and covered sufficiently with standard waterproofing paint.

4 ADDITIONAL STANDARDS

4.1.1 Screening.

(a) Refer to Sherman Zoning Ordinance, Section 14.04.004 for fences and screening regulations, except as herein specified.

(b) No fences are allowed within the front, side, or rear yard that is adjacent to any road, street, or highway.

(c) Chain link fences or fences with barbed wire shall not be visible from any public roadway.

(d) Mechanical, utility, and service facilities shall be screened on three sides so as not to be visible from public roadways.

(e) Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity.

(f) The aforementioned areas shall be screened from all public roadways.

4.1.2 Parking.

(a) Parking shall be provided at the following rates:

(1) 1 parking space for every 400 square feet for office floor area

(2) 1 parking space for every 1000 square feet for manufacturing or industrial floor area up to 20,000 square feet.

(3) 1 parking space for every 2000 square feet for manufacturing or industrial floor area over 20,000 square feet.

(b) A Parking Study may be conducted from a licensed traffic engineer to justify lower parking rates for a particular development. The traffic engineer must be approved by the City of Sherman in advance. A variance to the required parking may be granted by the Director of Development Services following the completion of the Parking Study.

(c) Any off-street parking areas, service drives, or driveways shall be surfaced with asphalt or concrete paving.

(d) Parking areas shall not be used for any purpose other than the accessory parking of automobiles or other vehicles. In no case shall any storage, servicing, or dismantling of automobiles or other vehicles nor shall unloading or loading be permitted in the parking areas.

4.1.3 Outdoor storage.

(a) Outdoor storage or merchandise, equipment or materials, which is essential or incidental to the use shall be screened from all public roadways and abutting uses. Stored merchandise shall not exceed the height of the screening device.

(b) The area used for outdoor storage shall be located to the rear ½ of the property and shall not be located within the front, side, or rear yard that is adjacent to any road, street, or highway.

(c) Storage of all bulk liquids and gases, including oil, gasoline, petroleum products, acid waste neutralization, deionized water, as well as nitrogen and other gases shall be screened from public view, and shall be located at the back of the facility.

4.1.4 Landscaping.

The regulations in Sherman Zoning Ordinance, Section 14.04.006, Residential and Commercial Landscaping shall guide development in the Blalock Industrial Park.

4.1.5 Signs.

(a) Refer to Sherman Zoning Ordinance, Section 14.07 for sign regulations, except as herein specified.

(b) Freestanding (Monument) Signs – One (1) freestanding monument sign is permitted per lot. The sign shall not exceed 300 square feet in sign face area, 15 feet in height, and 50 feet minimum setback for lots larger than 10 acres. If the lot is less than 10 acres, the sign shall not exceed 150 square feet in sign face area, 10 feet in height, and 25 feet minimum setback. A sign permit is required for Freestanding Signs

(c) Directional Signs – One (1) directional sign is permitted per driveway entrance. Sign face area shall not exceed 32 square feet and must be setback 15 feet from the property line. A sign permit is required for Directional Signs.

(d) Wall Signs – One (1) wall sign is permitted for each wall face. The maximum area of the sign face area shall not exceed 600 square feet and shall not exceed 20% of any single wall face.

(e) Temporary Signs – One (1) temporary sign per lot may be allowed for a period of 30 days in one calendar year. Temporary signs shall not exceed 64 square feet in sign face area. A sign permit is not required for temporary signs.

(f) Refer to Sherman Zoning Ordinance, Section 14.03 for sign regulations for properties within any Overlay Zoning District.

4.1.6 Refuse and sewage.

(a) Hazardous production materials (HPM's) stored and dispensed on-site shall be screened from public view and shall be stored in areas with containment and spill protection, as required by the applicable building code and fire code requirements.

4.1.7 Performance standards.

Unless otherwise permitted under other provisions of this ordinance, there shall be no occupancy or use within the area covered by this ordinance which does not comply with the following performance standards:

(a) Smoke. No smoke shall be permitted within the area which possesses a greater density than that equal to Ringelmann Number Two or greater, according to the Ringelmann Classification.

(b) Odor. No industry or use shall be permitted which commits or results in an odor nuisance and any applicant may be required to present detailed plans for the elimination of any odors.

(c) Dust and dirt. No industry or use shall be permitted which emits or gives off fly ash of 0.3 grains per cubic foot of flue gas at a stack temperature of 500° Fahrenheit. Any applicant may be required to furnish satisfactory proof that it will be able to keep all dust and dirt confined within the walls of STRUCTURES on its premises.

d) Noxious gases. The release of gases of noxious or toxic nature shall meet the concentration levels and requirements set forth by TNRCC air quality standards.

(e) Glare and heat. Any operations involving arc welding, or acetylene torch or emitting glare and heat shall be so conducted that it cannot be seen, felt, or observed from outside the property upon which same is being conducted, save and except during building construction or remodeling.

(f) Fire hazards. All ordinances of the City of Sherman relative to fire and fire hazards shall be observed in said area covered by this ordinance.

(g) Noise. Except for noise from a transportation facility or from construction

work, noise may not exceed 55 decibels LDN during daylight hours and 45 decibels LDN during nighttime hours, as measured from any property line. Earth borne vibrations may not exceed limits in Column I below:

Frequency Cycles Per Second	Column I Displacement (inches)
0 to 1	0.0020
1.1 to 10	0.0010
10.1 to 20	0.0008
20.1 to 30	0.0005
30.1 to 40	0.0004
40.1 and over	0.0003

No industry or use shall be permitted within the area covered by this ordinance which shall permit or cause to be emanated objectionable noise, and any applicant may be required to furnish satisfactory proof for the elimination or muffling of any noise.

5 DEFINITIONS

Except where specifically defined herein or in Section 14.08 of the Zoning Ordinance, all words used in this ordinance shall carry their customary meanings.

(Ldn): (Ldn) stands for Day-Night Average Sound Level and is used to describe the cumulative noise exposure during an average annual day. Ldn does not represent the sound level heard at any particular time, but rather the total sound exposure.

Planning & Zoning Commission and Board of Adjustments **25.**

Meeting Date: 11/15/2022

Prepared by: Kerri Turner, Development Services Coordinator
Rob Rae, Director of Development Services

Clay Mahone, Chairman
David Downtain, Vice Chairman
Shawn Davis, Commissioner
Leigh Ann Sims, Commissioner
Paul Manley, Commissioner
Glenn Whitaker, Commissioner
Bryan Blagg, Commissioner

Requested Action/Proposed Use:

CONSIDERATION OF ZONING ORDINANCE UPDATE

Public Hearing and Consideration of an Ordinance of the City Council of the City of Sherman, Texas, repealing Exhibit A (General Zoning Ordinance), Exhibit A-1 (Matrix Of Permitted Uses) and Exhibit B (Zoning – Blalock Industrial Park) of Chapter 14 (Zoning Ordinance) of the Code Of Ordinances of the City of Sherman, Texas; adopting a New Comprehensive Zoning Ordinance to be codified at Article 14.01 (General Provisions) through Article 14.11 (Sherman Municipal Airport Hazard Zoning) of the Code of Ordinances; establishing new zoning regulations within the City of Sherman, Texas in accordance with Chapter 211 of the Texas Local Government Code, the Home Rule Charter of the City of Sherman, Texas and other law; regulating and restricting the height, number of stories and size of buildings and other structures, the percentage of lots that may be occupied, the size of the yards, courts and other open spaces, the density of population, the location and use of buildings, structures and land for trade, industry, residence or other purpose; and, in the case of designated places and areas of historic and cultural importance, to regulate and restrict the construction, alteration, reconstruction or razing of buildings and other structures; defining terms; providing for variances and appeals; Amending Chapter 14 (Zoning Ordinance), Article 14.01 (General Provisions), Article 14.02 (Sherman Municipal Airport Hazard Zoning Ordinance), Article 14.03 (Planning And Zoning Board), Article 14.04 (General Zoning Ordinance) and Article 14.05 (Zoning – Blalock Industrial Park); providing for inclusion in the Code of Ordinances; providing repealing and severability clauses; providing a penalty not to exceed $2,000; finding and determining that the meeting at which this ordinance is passed was noticed and is open to the public as required by law.

Background:

In 2022, the City of Sherman began the process of updating the Zoning Ordinance in response to the request for additional flexibility in zoning districts, particularly with residential uses.
A Planning and Zoning Subcommittee was established on February 22, 2022 to review the current zoning ordinance and to recommend changes. This committee had meetings on March 8, April 12, May 10, June 14, and July 12, 2022. In addition, a presentation of proposed changes were given to the Planning and Zoning Commission on June 21 and July 19, 2022 and to City

Council on September 22, 2022 to review the draft zoning ordinance recommendations.

Adjacent Zoning:
Not Applicable.

Origination:
City of Sherman

Master Plan Designation:
Not Applicable.

Number of notices mailed:
Not required

Objections Received:
0

Attachments

Proposed Zoning Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS, REPEALING EXHIBIT A (GENERAL ZONING ORDINANCE), EXHIBIT A-1 (MATRIX OF PERMITTED USES) AND EXHIBIT B (ZONING – BLALOCK INDUSTRIAL PARK) OF CHAPTER 14 (ZONING ORDINANCE) OF THE CODE OF ORDINANCES, CITY OF SHERMAN, TEXAS; ADOPTING A NEW COMPREHENSIVE ZONING ORDINANCE TO BE CODIFIED AT ARTICLE 14.01 (GENERAL PROVISIONS) THROUGH ARTICLE 14.11 (_____) OF CHAPTER 14 OF THE CODE OF ORDINANCES; ESTABLISHING NEW ZONING REGULATIONS WITHIN THE CITY OF SHERMAN, TEXAS IN ACCORDANCE WITH CHAPTER 211 OF THE TEXAS LOCAL GOVERNMENT CODE, THE HOME RULE CHARTER OF THE CITY OF SHERMAN, TEXAS AND OTHER LAW; REGULATING AND RESTRICTING THE HEIGHT, NUMBER OF STORIES AND SIZE OF BUILDINGS AND OTHER STRUCTURES, THE PERCENTAGE OF LOTS THAT MAY BE OCCUPIED, THE SIZE OF THE YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY OF POPULATION, THE LOCATION AND USE OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE OR OTHER PURPOSE; AND, IN THE CASE OF DESIGNATED PLACES AND AREAS OF HISTORIC AND CULTURAL IMPORTANCE, TO REGULATE AND RESTRICT THE CONSTRUCTION, ALTERATION, RECONSTRUCTION OR RAZING OF BUILDINGS AND OTHER STRUCTURES; DEFINING TERMS; PROVIDING FOR VARIANCES AND APPEALS; AMENDING CHAPTER 14 (ZONING ORDINANCE), ARTICLE 14.01 (GENERAL PROVISIONS), ARTICLE 14.02 (SHERMAN MUNICIPAL AIRPORT HAZARD ZONING ORDINANCE), ARTICLE 14.03 (PLANNING AND ZONING BOARD), ARTICLE 14.04 (GENERAL ZONING ORDINANCE) AND ARTICLE 14.05 (ZONING – BLALOCK INDUSTRIAL PARK); PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; PROVIDING REPEALING AND SEVERABILITY CLAUSES; PROVIDING A PENALTY WITH A MAXIMUM FINE OF $2,000; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE IS PASSED WAS NOTICED AND IS OPEN TO THE PUBLIC AS REQUIRED BY LAW.

WHEREAS, the City Council of the City of Sherman, Texas ("City Council") has found that it is necessary to establish new zoning regulations to promote the health, safety and morals of the City of Sherman, Texas ("City" or "Sherman"); to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to ensure adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and to protect and preserve places and areas of historical and cultural importance and significance and the general welfare of the community; and

WHEREAS, the City Council is authorized under Chapter 211 of the Texas Local

Government Code, the Home Rule Charter of the City and other law to adopt and enforce this Ordinance; and

WHEREAS, the City Council desires to repeal Exhibit A (General Zoning Ordinance), Exhibit A-1 (Matrix of Permitted Uses) and Exhibit B (Zoning – Blalock Industrial Park) of Chapter 14 (Zoning Ordinance) of the Code of Ordinances, City of Sherman, Texas ("Code of Ordinance") and replace it and Article 14.01 (General Provisions), Article 14.02 (Sherman Municipal Airport Hazard Zoning Ordinance), Article 14.03 (Planning and Zoning Board), Article 14.04 (General Zoning Ordinance) and Article 14.05 (Zoning – Blalock Industrial Park) with this Ordinance, which shall be known as the Zoning Ordinance; and

WHEREAS, this Ordinance shall be codified at Article 14.01 through Article 14.11 of the Code of Ordinances; and

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

WHEREAS, the City Council finds that it will be advantageous, beneficial and in the best interest of the citizens of Sherman to amend the Code of Ordinances as set forth below.

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

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

SECTION 2: Repeal of Exhibit A (General Zoning Ordinance), Exhibit A-1 (Matrix of Permitted Uses) and Exhibit B (Zoning – Blalock Industrial Park) of Chapter 14 (Zoning Ordinance) of the Code of Ordinances. The City Council hereby repeals each of Exhibit A (General Zoning Ordinance), Exhibit A-1 (Matrix of Permitted Uses) and Exhibit B (Zoning – Blalock Industrial Park) of Chapter 14 (Zoning Ordinance) of the Code of Ordinances in their entirety. The effective date of such repeal shall not occur until the effective date of this Ordinance, at which time Exhibit A (General Zoning Ordinance), Exhibit A-1 (Matrix of Permitted Uses) and Exhibit B (Zoning – Blalock Industrial Park) of Chapter 14 (Zoning Ordinance) shall be repealed. Such repeal shall not abate any pending prosecution or lawsuit or prevent any prosecution or lawsuit from being commenced for any violation of any provision of Exhibit A (General Zoning Ordinance), Exhibit A-1 (Matrix of Permitted Uses) and/or Exhibit B (Zoning – Blalock Industrial Park) occurring before the effective date of this Ordinance.

SECTION 3: New Zoning Regulations Adopted; Amendment to Chapter 14 (Zoning Ordinance), Article 14.01 (General Provisions), Article 14.02 (Sherman Municipal Airport Hazard Zoning Ordinance), Article 14.03 (Planning and Zoning Board), Article 14.04 (General Zoning Ordinance) and Article 14.05 (Zoning – Blalock Industrial Park) of the Code of Ordinances. Chapter 14 (Zoning Ordinance), Article 14.01 (General Provisions), Article 14.02 (Sherman Municipal Airport Hazard Zoning Ordinance), Article 14.03 (Planning and Zoning Board), Article 14.04 (General Zoning Ordinance) and Article 14.05 (Zoning – Blalock Industrial Park) of the Code of Ordinances are hereby amended as follows[1]:

[1] Deletions are evidenced by ~~strikethrough~~; all other text is additions.

"ARTICLE 14.01 GENERAL PROVISIONS

Sec. 14.01.001 Purpose

(1) Zoning Ordinance Guiding Principles. The zoning regulations and districts as herein established have been made in accordance with the Comprehensive Plan for the purpose of promoting the health, safety, morals and the general welfare of the City.

(2) Zoning Ordinance Intent. The zoning regulations and districts have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to ensure adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements; and to protect and preserve places and areas of historical and cultural importance and significance and the general welfare of the community.

(3) Zoning Ordinance Considerations. The zoning regulations and districts have been made with reasonable consideration, among other things, for the character of the district, and its peculiar uses specified; and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the City consistent with the Comprehensive Plan. The Comprehensive Plan has been used as a guide to develop the regulations within this Zoning Ordinance.

(4) Zoning Ordinance Reference Documents. The City Council hereby delegates all future authority to draft, amend, approve and adopt any and all Zoning Ordinance Reference Documents to the City Manager. For the purposes of this section, the term "Zoning Ordinance Reference Documents" shall refer to the Development Application Checklist referenced herein. Zoning Ordinance Reference Documents may be drafted, amended, approved or adopted, from time to time, at the discretion and determination of the City Manager. As the Zoning Ordinance Reference Documents are drafted, amended, approved or adopted by the City Manager, said standards shall thereafter have the same force of law and effect as if originally adopted hereby.

(5) Short Title. This chapter shall be known and may be cited as the City's "Zoning Ordinance."

(6) Compliance with City Plans and Ordinances Required. Compliance with all City ordinances pertaining to the subdivision and development of land, and the Comprehensive Plan (where applicable), shall be required prior to approval of any application pursuant to this Zoning Ordinance. All such ordinances and the Comprehensive Plan shall be construed to mean those documents as they exist or may be amended. It is the property owner's responsibility to be familiar with, and to comply with, City ordinances, the Comprehensive Plan and the provisions of this Zoning Ordinance. Applicable City ordinances and plans with which all applications must comply include, but are not limited to, the following:

- (a) Comprehensive Plan (including all associated maps and plans);
- (b) Subdivision Ordinance;
- (c) Building Codes, including the International Fire Code;
- (d) Other applicable portions of the Code of Ordinances;
- (e) Impact Fee Ordinance;
- (f) Engineering Documents, including the Engineering Design Manual;
- (g) Federal, state and local regulations.

Sec. 14.01.002 Official Zoning Map

(1) Zoning Districts Shown on the Official Zoning Map. The boundaries of zoning districts set out herein are delineated on the Official Zoning Map of the City, adopted as part of this Zoning Ordinance as fully as if the same were forth herein in detail.

(2) Official Zoning Map.

(a) Official Zoning Map Filing. One original of the Official Zoning Map shall be filed in the office of the City Clerk. This document shall be the "Official Zoning Map" and shall bear the signature of the Mayor and attestation of the City Clerk.

(b) Official Zoning Map Management. The Official Zoning Map shall not be changed in any manner except through amendment by the City Council. In case of any questions, the Official Zoning Map, together with amending ordinances, shall be controlling.

(3) Current Zoning District Map.

(a) The Development Services Director maintains the current Zoning District Map. An additional copy of the original Zoning District Map shall be placed in the office of Development Services. The copy shall be used for reference and shall be maintained up-to-date by posting thereon all subsequent amendments and shall be identified as the Current Zoning Map.

(b) In order to provide and maintain a current-to-date and accurate map of all zoning district boundaries, the City shall maintain electronic mapping files or other similar Geographic Information System (GIS) files of the Official Zoning Map with all approved zoning amendments.

(c) In case of any question involving a district designation within the City, the updated copy of the Official Zoning Map on file in the Development Services office is presumed correct, and the person challenging the accuracy of that copy has the burden of presenting the Official Zoning Map, together with the ordinances amending the Map, to prove the inaccuracy of the updated copy.

(d) Reproductions for informational purposes may be made of the Official or Current Zoning Map.

Sec. 14.01.003 Zoning District Boundaries

The district boundary lines shown on the Official Zoning Map are usually along streets, alleys, property lines, or extensions thereof. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following shall apply.

(1) Centerlines. Boundaries indicated as approximately following the centerline of streets, highways or alleys shall be construed to follow such centerline.

(2) Platted Lot Lines. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.

(3) City Limits. Boundaries indicated as approximately following City limits shall be construed as following City limits.

(4) Railroad Lines. Boundaries indicated as following railroad lines shall be construed to be midway between the right-of-way lines.

(5) Shore Lines. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerline of streams, lakes, or other bodies of water shall be construed to follow such centerline, and in the event of change in the centerline, shall be construed to move with such centerline.

(6) Parallel to or Extensions of Features. Boundaries indicated as a parallel to or extensions of features indicated in Subsections (1) through (5) above shall be so construed.

Distances not specifically indicated on the original zoning maps shall be determined by the scale of the map.

(7) Vacated Public Way. Whenever any street, alley, or other public way is vacated by official action of the City Council or whenever such area franchised for building purposes, the vacated area shall be rezoned according to Subsection 14.06.005 (Amendments to the Zoning Ordinance/District and Administrative Procedures).

(8) Boundary as a Condition of Zoning Approval. The zoning classification applied to a tract of land adjacent to a street shall extend to the centerline of the street, unless as a condition of zoning approval, it is stated that the zoning classification shall not apply to the street.

(9) Zoning Ambiguity. Where physical features on the ground conflict with information shown on the Official Zoning Map, or when there arises a question as to how or whether a parcel of property is zoned and such question cannot be resolved by the application of Subsections (1) through (8) above, the property shall be considered as classified, R-A (Residential Agricultural) District, in the same manner as provided for newly annexed territory and the issuance of a building permit and the determination of permanent zoning shall be in accordance with the provisions provided in Subsection 14.01.006 (Zoning Upon Annexation) for temporarily zoned areas.

Sec. 14.01.004 Application of District Regulations

The regulations set by this Zoning Ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

(1) 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 unless in conformity with all of the regulations herein specified for the district in which it is located.

(2) No building or other structure shall hereafter be erected or altered:
   (a) To exceed the height;
   (b) To accommodate or house a greater number of families;
   (c) To occupy a greater percentage of lot area;
   (d) To have narrower or smaller rear yards, front yards, side yards, or other open spaces than herein required; or in any other manner contrary to the provisions of this Zoning Ordinance.

(3) No part of a yard or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this Zoning Ordinance shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

(4) No yard or lot existing at the time of passage of this Zoning Ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this Zoning Ordinance shall meet at least the minimum requirements established by this Zoning Ordinance.

Sec. 14.01.005 Compliance Required, Interpretation and Rules of Construction

(1) Compliance Required.
   (a) Applicability. Compliance with this Zoning Ordinance shall apply to all land, buildings, structures or appurtenances located within the City which are hereafter:
      1. Occupied,

2. Used,
3. Erected,
4. Altered,
5. Removed,
6. Placed,
7. Demolished, or
8. Converted.

(b) Compliance with Zoning District. The land, buildings, structures, or appurtenances described in Subsection (a) above shall be in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located as hereinafter provided or subject to penalties as per Subsection 14.09.002 (Penalties for Violations).

(2) Interpretation.

(a) Restrictiveness. Where the regulations imposed herein are either more restrictive than comparable conditions imposed by any other provision of any other applicable law, ordinance, resolution, rule or regulation of any kind, the regulations which are more restrictive and impose higher standards are the requirements that shall govern.

(b) Abrogation. The provisions of these regulations are not intended to abrogate any easement, covenant or other private agreement, provided that where the requirements of these regulations are more restrictive or impose higher standards or regulations than such easement, covenant or other private agreement, the requirements of these regulations shall govern.

(c) Cumulative Effect. The provisions of these regulations are cumulative and additional limitations upon all other laws and ordinances heretofore passed or which may be passed hereafter governing any subject matter set forth in the provisions of these regulations.

(d) Error Correction. In the event that any property or Zoning District set forth on the Official Zoning Map as provided in Subsection 14.01.002 **(**Official Zoning Map) is misnamed, designated incorrectly, the boundaries are incorrect or the property is omitted, in part or in whole, the Official Zoning Map may be amended and/or supplemented according to the following:

1. Applicants. The property owner of said tract, the City Council, or the Planning and Zoning Commission may submit an application to the Director of Development Services to initiate the error correction process.
2. Process. The error correction shall be processed as a zoning map or text amendment according to Subsection 14.06.005 (Amendments to the Zoning Ordinance/District and Administrative Procedures).

(e) Director Authority to Interpret the Zoning Ordinance.

1. Unless specified within a section, the Director of Development Services shall have the authority to interpret and enforce this Zoning Ordinance.
2. A person aggrieved by the Director of Development Services interpretation may appeal the interpretation to the Board of Adjustment pursuant to Subsection 14.06.010 (Appeals and the Appeal Process).

(3) Rules of Construction. The language set forth in these regulations shall be interpreted in accordance with the following rules of construction.

(a) Number. The singular number includes the plural and the plural the singular.

(b) Tense. The present tense includes the past and future tenses and the future the

present.

(c) Mandatory and Permissive Language. The word "shall" and "must" are mandatory while the word "may" is permissive.

(d) Gender Terms. The masculine gender includes the feminine and neuter.

(e) Parentheses. Any word appearing in parentheses directly after a word herein defined shall be construed in the same sense as that word.

(f) Conflicts. If there is an expressed conflict:

1. The text of this Zoning Ordinance controls over the charts or any other graphic display in this Zoning Ordinance; and
2. The use regulations control over the district regulations in this Zoning Ordinance.

Sec. 14.01.006 Zoning Upon Annexation

All territory hereinafter annexed to the City shall be classified as R-A (Residential Agricultural). The procedure for establishing permanent zoning on annexed territory shall conform to the procedure set forth in Subsection 14.06.005 (Amendments to the Zoning Ordinance/District and Administrative Procedures).

(1) Rules of Newly Annexed Territory Classified as the Residential Agricultural District. In an area classified as R-A (Residential Agricultural) District:

(a) Building Permit or Certificate of Occupancy Required. No person shall erect, construct, proceed or continue with the erection or construction of any building or structure or cause the same to be done in any newly annexed territory to the City without first applying for and obtaining a Building Permit or Certificate of Occupancy from the Chief Building Official.

(b) Limited Permits within Newly Annexed Land. No permit for the construction of a building or use of land shall be issued by the Chief Building Official other than a permit which will allow the construction of a building or use permitted in the R-A (Residential Agricultural) District, unless and until such territory has been classified in a zoning district other than the R-A (Residential Agricultural) District, by the City Council in the manner prescribed by law except as provided in Subsection (c) below.

(c) Application for a Building Permit or Certificate of Occupancy within Newly Annexed Land.

1. Except as provided in Subsection (c)(2) below, a building permit shall be approved if the applicant shows the following:
   a) The use was already legally operating on the date the annexation proceedings were initiated for the property; or
   b) The use was not already operating on the effective date of annexation, but was planned for the property before the 90th day before the effective date of annexation, and:
      i) One or more licenses, certificates, permits, approvals, or other form of authorization by a governmental entity were required by law for the planned land use; and
      ii) A completed application for the initial authorization was filed with the governmental entity before the date the annexation proceedings were instituted. For the purpose of this section, a completed application is filed if the application includes all documents and other information designated as required by the governmental entity in a

written notice to the applicant. For the purposes of this section, the date the annexation proceedings were instituted means the date the City Council approves the ordinance annexing the property.

2. Notwithstanding anything to the contrary in this Zoning Ordinance, a building permit shall not be issued if the use in the annexed area falls under one of the categories set forth in Section 43.002(c) of the Texas Local Government Code and such use is prohibited by City ordinance or by the City Charter.
3. If a use described in Subsection 1 above does not comply with the zoning for the property, such uses shall be allowed to continue as a nonconforming use. Nothing shall prevent the City from amortizing a nonconforming use even if it existing or was planned for the property prior to the institution of annexation proceedings. The Board of Adjustment amortizes a nonconforming use only if they first determine the nonconforming use is a nuisance and/or that the nonconforming use presents a risk of imminent destruction of property or injury to persons. Pursuant to Section 43.002(c) of the Texas Local Government Code, such regulations are expressly enforceable against a use even if it existed or was planned prior to the institution of annexation proceedings.
4. The property owner has a right to appeal the Planning and Zoning Commission's decision to City Council, if an appeal is submitted to the Director of Development Services in writing within ten (10) calendar days after the Planning and Zoning Commission voted and made their determination in open session. After receiving and reviewing the appeal application of the Planning and Zoning Commission decision, the City Council may, by majority vote, authorize the issuance of a Building Permit or Certificate of Occupancy or may disapprove the application pending permanent zoning.

Sec. 14.01.007 Nonconforming Uses and Structures

(1) Purpose. It is the declared purpose of this section that nonconforming uses, lots and structures be eliminated and be required to comply with the regulations of the Zoning Ordinance of the City, having due regard for the property rights of the persons affected, the public welfare and the character of the surrounding area. This section also establishes certain regulations respecting private property rights for the allowance and alteration of uses, lots and/or structures that do not conform to currently applicable regulations, but which have been in continuous use and were in conformance with the regulations in place at the time of their inception and have been rendered nonconforming due to a change in the applicable regulations.

(2) Nonconforming Status. A nonconforming status shall exist under the following provisions of this chapter:

(a) When a use, lot or structure, which does not conform to the current regulations of this chapter, was in existence and lawfully operating prior to December 5, 2022, and has been operating since without discontinuance.

(b) When a use, lot or structure does not conform to the current regulations of this chapter, but was legally established at a prior date when the use, lot or structure was in conformance with applicable regulations and such use, lot or structure has been in continuous use or operation since its establishment.

(c) When a use, lot or structure, which does not conform to the current regulations of this chapter, was legally established prior to and in existence at the time of annexation to the City, and has been operating since without discontinuance.

(3) Burden to establish legal nonconformity. The burden of demonstrating that any use, lot or structure is a legal nonconformity as defined by this section shall lie with the owner(s) or the proponent of such purported nonconformity.

(4) Continuing lawful use of property and structures. Any nonconforming use, lot or structure may be continued for definite periods of time as indicated hereinbelow subject to the Board of Adjustment's power of amortization:

(a) Uses.

1. Nonconforming uses may continue to operate indefinitely unless the use ceases to operate for a period longer than 60 days. If a nonconforming use ceases to operate for a period longer than 60 days, the nonconforming use shall be deemed permanently abandoned. The nonconforming use shall not thereafter be renewed or instituted on that property or another property in any district which does not permit the abandoned use, unless otherwise approved by the board of adjustment. For the purposes of this paragraph, the phrase "ceases to operate" shall mean to intentionally terminate operations of the nonconforming use. Any nonconforming use that does not involve a permanent type of structure and which is moved from the property shall be deemed permanently abandoned.
2. A nonconforming use may not be replaced by or changed to another nonconforming use.
3. The Board of Adjustment shall have the authority to reinstate the nonconforming status of a use if the board finds there was clear intent not to abandon the use even though the use was discontinued for more than 60 days. The failure of the owner and/or operator to remove on-premise signs related to the nonconforming use shall not be sufficient, as the sole evidence presented by the applicant, to establish a clear intent or an exigent circumstance not to abandon the use.

(b) Structures.

1. Nonconforming structures may be occupied by conforming uses and may be repaired and maintained to preserve or extend their usability.
2. Structures conforming to all currently applicable regulations may be constructed on nonconforming lots provided that all setbacks and yard areas are observed.
3. Nonconforming structures may be relocated within the same lot so long as no existing nonconformity is exacerbated.

(c) Lots.

1. Any nonconforming lot may be replatted so long as the existing nonconformities of the lot are not exacerbated by the replat and the size of the nonconforming lot, including its various dimensional components other than lot coverage, is not reduced.
2. Lots containing nonconforming structures may be replatted so long as the nonconformities of the structure are not exacerbated by the replat and the size of the nonconforming lot, including its various dimensional components other than lot coverage, is not reduced.

(d) Certain uses and lots in non-residential zoning districts existing on or before

December 5, 2022.

1. This Subsection (4)(d) shall apply only to certain uses and lots in existence on or before December 5, 2022.
2. Single-family or two-family residential uses located in non-residential districts may be improved, maintained or rebuilt.
3. Single-family or two-family dwellings may be constructed on any vacant lot(s) located within a residential subdivision for which such vacant lot was originally platted solely for single-family or two-family dwellings.
4. Any limitation on the construction or reconstruction of a single-family or two-family residential use pursuant to Subsection (6) shall not apply to single-family or two-family residential uses which meet the criteria in Subsections (4)(d)(1)-(4)(d)(3) above.

(5) Expansion of nonconforming uses or structures. A nonconforming use or structure shall not be expanded or increased, except as follows:

(a) A nonconforming use located within a building may be expanded throughout the existing building, provided:
   1. No alterations to the building are required by ordinance to accommodate the expansion of the nonconforming use; and
   2. The number of dwelling units in said building is not increased.

(b) The minimum single family residential lot width, depth, and/or area for the various residential zoning districts shall be in accordance with their respective district's standards, except that a lot having less width, depth, and/or area than herein required, and which lot was a lot of record prior to the adoption of this chapter, may be used for a single-family residential use.

(c) In the Central Business District, a nonconforming structure may be altered or enlarged, provided that such alteration or enlargement shall neither create any new nonconformity nor shall increase the degree of the existing nonconformity of all or any part of such structure. An alteration for a non-air-conditioned space (e.g. patio, porch, roof terrace, balcony, arcade) shall be allowed under any circumstance.

(6) Destruction of structure by fire, the elements, or other cause. Subject to the provisions of Subsection (4)(d) above, if a nonconforming structure is destroyed by fire, the elements, or other cause, it may not be rebuilt except to conform to the provisions of this chapter. A restoration or reconstruction in violation of this subsection immediately terminates the right to occupy the nonconforming structure except as specifically provided otherwise herein-below.

(a) Partial destruction.
   1. In the case of partial destruction of a nonconforming structure where the damage to the structure represents less than 50 percent of its total appraised value as determined by reference to the Grayson County Appraisal District's valuation of the structure in question for the tax-year of such destruction ("appraisal"), reconstruction will be permitted to restore the nonconforming structure to its previously existing condition.
   2. The nonconforming structure may only be restored or reconstructed so as to have the same, but not greater, height, shape, and floor area that it had immediately prior to the damage or destruction. In addition, a nonconforming structure that is located in a historically significant area

or which is a significantly important building may also only be restored or reconstructed so as to have the same appearance that it had immediately prior to the damage or destruction. The Building Official shall estimate the height, shape, floor area, and when applicable the appearance of the structure immediately prior to the damage or destruction, and shall consult with the property owner, if necessary, to make a determination. Should the property owner not agree with the determination of the Building Official, the property owner may appeal the determination of the Building Official to the Board of Adjustment, in accordance with this chapter.

(b) Total destruction. If a nonconforming structure is totally destroyed by fire, the elements, or other cause, it may not be rebuilt unless it adheres to all then applicable regulations. Total destruction for the purposes of this section shall mean destruction of 50 percent or more of the structure's total appraised value as determined by reference to the Grayson County Appraisal District's Appraisal.

(c) Multi-family residential destruction. In the case of the destruction of a multi-family residential structure or development that is nonconforming, the following shall apply:

1. The nonconforming structure(s) may be restored or reconstructed so as to have the same, but not greater, height, shape and floor area than it had immediately prior to the damage or destruction if the damage to the structure(s) represents less than 50 percent of its appraised value, as determined by reference to the Grayson County Appraisal District's Appraisal. In addition, a nonconforming structure that is located in a historically significant area or which is a significantly important building may also only be restored or reconstructed so as to have the same appearance that it had immediately prior to the damage or destruction if the damage to the structure(s) represents less than 50 percent of its appraised value, as determined by the Grayson County Central Appraisal District's Appraisal.
2. The nonconforming structure(s) may be restored or reconstructed so as to have the same, but not greater, height, shape, and floor area than it had immediately prior to the damage or destruction if the damage to the structure(s) equals or exceeds 50 percent of its appraised value, as determined by the Grayson County Appraisal District's Appraisal, but the damage to the structure(s) represents less than 50 percent of the appraised value of the overall development, as determined by the Grayson County Appraisal District's Appraisal. In addition, a nonconforming structure that is located in a historically significant area or which is a significantly important building may also only be restored or reconstructed so as to have the same appearance that it had immediately prior to the damage or destruction if the damage to the structure(s) equals or exceeds 50 percent of its appraised value, as determined by the Grayson County Appraisal District's Appraisal, but the damage to the structure(s) represents less than 50 percent of the appraised value of the overall development, as determined by the Grayson County Appraisal District's Appraisal.
3. The nonconforming structure(s) must be rebuilt to all currently

applicable regulations if the damage to the structure(s) equals or exceeds 50 percent of its appraised value, as determined by the Grayson County Appraisal District's Appraisal, and the damage to the structure(s) equals or exceeds 50 percent of the appraised value of the overall development, as determined by the Grayson County Appraisal District's Appraisal.

4. The Building Official shall estimate the height, shape and floor area and, when applicable, the appearance of the structure immediately prior to the damage or destruction, and shall consult with the property owner, if necessary, to make a determination. Should the property owner not agree with the determination of the Building Official, the property owner may appeal the determination of the Building Official to the Board of Adjustment, in accordance with this chapter.

(7) Amortization of nonconforming uses.

(a) Request to establish compliance date. The City Council, by a simple majority vote, may request that the Board of Adjustment consider establishing a compliance date for a nonconforming use. Upon receiving such a request, the Board shall hold a public hearing to determine whether continued operation of the nonconforming use will have an adverse effect on nearby properties or the community welfare. Notice of the public hearing shall be in the manner established in Subsection 14.06.006(1)(f). If, based on the evidence presented at the public hearing, the Board determines that continued operation of the nonconforming use will have an adverse impact on nearby properties, it shall call for a second public hearing to establish a compliance date for the nonconforming use.

(b) Factors to be considered. The board of adjustment shall consider the following factors when determining whether continued operation of the nonconforming use will have an adverse effect on nearby properties or the community welfare:

1. The Comprehensive Plan;
2. The character of the surrounding or nearby properties;
3. The degree of incompatibility of the use with the zoning district in which it is located;
4. The manner in which the nonconforming use is being conducted;
5. The hours of operation of the use;
6. The extent to which continued operation of the use may threaten public health or safety;
7. The environmental impacts of the use's operation, including, but not limited to, the impacts of noise, glare, dust, and odor;
8. The extent to which public disturbances and nuisances may be created or perpetuated by continued operation of the use;
9. The extent to which traffic or parking problems may be created or perpetuated by continued operation of the use; and
10. Any other factors relevant to the issue of whether continued operation of the use will adversely effect nearby properties.

(c) Determination of amortization period.

1. If the Board of Adjustment determines that continued operation of the nonconforming use has an adverse effect on nearby properties or the community welfare, it shall hold a second public hearing, in accordance with the law, to set a compliance date for the nonconforming use under a plan whereby the owner's actual investment in the use before the time

that the use became nonconforming can be amortized within a definite time period. Notice of the second public hearing shall be in the manner established in Subsection 14.06.006(1)(f).

2. The Board of Adjustment shall request and shall have the authority to require, through the issuance of a subpoena, the owner to produce the financial documentation and records within its possession, custody or control (collectively, "documents") relating to the factors listed in Subsection (c)(5) below. The owner shall provide to the Board such documents at least 30 days before the second public hearing.
3. The Board of Adjustment shall also have the authority to request that the owner allow the City and its representatives or experts reasonable access to, upon and about the property on which the nonconforming use in question is situated together with a reasonable amount of time to examine, photograph, videotape and inspect all aspects of the nonconforming use including, but not limited to, the property, structure, fixtures, assets, records, architectural drawings and all appurtenances thereto relating to the factors listed in Subsection (c)(5), below (collectively, the "physical inspection"). The owner shall cooperate with the City to schedule a date and time period that is acceptable to both the owner and the City to provide the City such reasonable access together with a reasonable amount of time to allow for the physical inspection at least 30 days before the second public hearing.
4. If the owner does not provide the Board any requested documents or fails to cooperate with the Board in allowing the City the ability to perform the physical inspection, the Board of Adjustment is authorized to make its determination of a compliance date based upon any reasonably available public records, comparisons to physical inspection of one or more other similar uses, as well as public or expert testimony at the hearing. Failure or refusal by owner to provide any requested documents or to provide reasonable accommodation to perform a physical inspection shall not prevent the Board of Adjustment from setting a compliance date. In addition, owner's failure or refusal to provide any requested documents or to provide reasonable accommodation to perform a physical inspection shall constitute the owner's waiver of any and all rights to challenge the qualifications of any witness providing testimony, opinions or evidence of any kind or nature to the Board submitted to the Board for its consideration in establishing a compliance date. Owner's failure or refusal to provide any requested documents or to provide reasonable accommodation to perform a physical inspection shall also result in the owner's waiver of any and all rights to challenge any evidence, information, testimony, theories, conclusions, analysis, opinions and results submitted to the board for its consideration in establishing a compliance date.
5. The Board of Adjustment shall provide a compliance date for the nonconforming use under a plan whereby the owner's actual investment in the use before the time that the use became nonconforming can be amortized within a definite time period. The following factors shall be considered by the Board in determining a reasonable amortization period:

a) The owner's capital investment in structures, fixed equipment and other assets (excluding inventory and other assets that may be feasibly transferred to another site) on the property before the time the use became nonconforming;
b) Any costs that are directly attributable to the establishment of a compliance date, including demolition expenses, relocation expenses, termination of leases and discharge of mortgages;
c) Any return on investment since inception of the use, including net income and depreciation;
d) The anticipated annual recovery of investment, including net income and depreciation; and/or
e) A reasonable wind-up period for the nonconforming use.

(d) Compliance requirement. If the Board establishes a compliance date for a nonconforming use, the use must cease operations on that date and it may not operate thereafter unless such operations constitute a conforming use.

(e) For the purposes of this section, "owner" means the owner of the nonconforming use at the time of the Board of Adjustment's determination of a compliance date for the nonconforming use.

(8) Decisions that cannot be immediately appealed.

(a) A decision by the Board of Adjustment to establish a compliance date is not a final decision and cannot be immediately appealed.

(b) A decision by the Board of Adjustment that the continuing operation of a nonconforming use will have an adverse effect on neighboring property or the community welfare and a Board of Adjustment's decision to schedule a second public hearing to establish a compliance date are not final decisions and cannot be immediately appealed.

(9) Decision to deny a request for a compliance date. A decision by the Board to deny a request to establish a compliance date is final unless appealed to state court within ten calendar days in accordance with Chapter 211 of the Texas Local Government Code.

(10) Decision setting a compliance date. A decision by the Board of Adjustment setting a compliance date is final unless appealed to state court within ten calendar days in accordance with Chapter 211 of the Texas Local Government Code.

(11) Setting compliance date by agreement. Nothing in this section shall prohibit the City and the owner(s) of such nonconforming use from mutually agreeing upon a compliance date. Any such agreement shall be in writing, approved by the City Council and said owner(s), fully executed and attested by all parties, and filed in the real property records of Grayson County, Texas.

(12) Completion of structures. Nothing contained herein shall require any change in the plans, construction, or designated use of a structure for which a building permit has been issued or a site plan approved prior to the effective date of this section, nor shall any changes be required in the plans, construction, or designated use of a structure for which a substantially complete application for a building permit was accepted by the chief building official on or before the effective date of this section, provided that the building permit shall comply with all applicable regulations on the date that the application was filed and the building permit is issued within 30 days of the effective date of these regulations.

Secs. 14.01.008 – 14.01.999 Reserved

ARTICLE 14.02 ZONING DISTRICTS

Sec. 14.02.001 Zoning Districts Established

The City is hereby divided into the following zoning districts. The use, height, area and other regulations as set out herein apply to each district. Additional regulations pertaining to each zoning district is located in Article 14.04 (Supplementary District Regulations). The districts established herein shall be known as the following:

(1) Residential Zoning Districts. The purpose of the Residential Zoning Districts is to provide for a suitable residential environment for family life on parcels of land smaller and more compact in size for single-family uses and on larger parcels of land for multi-family uses. Along with single-family and multi-family uses, supporting community services and facilities may be permitted that compliment residential uses within these zoning districts. The districts should be established to protect and enhance certain specific lands and structures which have characteristics which are distinct from lands and structures outside these Residential Districts. The several Residential Zoning Districts hereby established and into which the City is divided are designated as set forth below:

- (a) R-A District: Residential Agricultural District.
- (b) R-E District: Estate Residential District.
- (c) R-12 District: Single-Family Residential District.
- (d) R-6 District: Single-Family Residential District.
- (e) R-5 District: Single-Family Residential District.
- (f) R-4 District: Patio Home Residential District.
- (g) R-2F District: Duplex Residential District.
- (h) R-TH District: Townhome Residential District.
- (i) MF-15 District: Multi-Family Residential District.
- (j) MF-30 District: Multi-Family Residential District.
- (k) MH District: Manufactured Housing District.

(2) Commercial Zoning Districts. The purpose of the Commercial Zoning Districts is to provide for suitable locations to promote the use or other activity involving the sale of goods or services for financial gain. These zoning districts allow for specific commercial activities and uses including tourism, neighborhood commercial, general commercial and office commercial. The districts should be established to protect and enhance certain specific lands and structures which have characteristics which are distinct from lands and structures outside these Commercial Districts. The several Commercial Zoning Districts hereby established and into which the City is divided are designated as set forth below:

- (a) C-N District: Neighborhood Commercial District.
- (b) C-O District: Office District.
- (d) C-1 District: Retail Business District.
- (e) C-2 District: General Commercial District.

(3) Manufacturing Zoning Districts. The purpose of the Manufacturing Zoning Districts is to provide for suitable locations to promote uses or other activities involving the production, manufacturing, distribution or fabrication of goods and/or materials. These zoning districts allow for specific manufacturing activities and uses including manufacturing, assembly, fabrication, packaging or other industrial processing of products including incidental storage, sales and distribution of such products. The districts should be established to protect and enhance certain specific lands and structures which have characteristics which are distinct from lands and structures

outside these Manufacturing Districts. The several Manufacturing Zoning Districts hereby established and into which the City is divided are designated as follows:

(a) M-1 District: Light Manufacturing District.
(b) M-1.5 District: Medium Manufacturing District.
(c) M-2 District: Heavy Manufacturing District.

(4) PD District: Planned Development District.

(5) Overlay Districts.
(a) O-1 (75 & 82) Overlay District.
(b) O-1.1 (F.M. Highway 1417).
(c) O-1.2 (Sam Rayburn) Overlay District.
(d) O-1.3 (F.M. Highway 691) Overlay District.
(e) O-1.4 (State Highway 289) Overlay District.
(f) College Park Overlay District.
(g) Blalock Commercial Overlay District.
(h) A&C (Arts and Cultural) Overlay District.
(i) Central Business District Overlay.
(j) Heritage Row Historical District.

Sec. 14.02.002 Equivalency Table

The following table will identify zoning districts adopted in previous Ordinances and the District which now applies in this Ordinance to those Districts.

Prior to Ordinance No. _____	**Current Zoning District**
R-A – (Single-family agricultural) district	R-A - Residential Agricultural District
	R-E - Estate Residential District
	R-12 - Single-Family Residential District
R-1 (One-family Residential) district SF-1 (Single-Family Residential) District	R-6 - Single-Family Residential District
	R-5 - Single-Family Residential District
	R-4 - Patio Home Residential District
	R-2F - Duplex Residential District
	R-TH - Townhome Residential District
	MF-15 - Multi-Family Residential District
R-2 (Multi-family residential) district	MF-30 - Multi-Family Residential District
MH (Manufactured housing) District	MH - Manufactured Housing District
	C-N - Neighborhood Commercial District
C-O (Office) district	C-O - Office District
C-1 (Retail business) district	C-1 - Retail Business District
C-2 (General commercial) district	C-2 - General Commercial District
M-1 (Light manufacturing) district	M-1 - Light Manufacturing District
M-1.5 (Medium manufacturing District)	M-1.5 - Medium Manufacturing District
M-2 (Heavy manufacturing) district	M-2 - Heavy Manufacturing District
PD (Planned Development) District	PD (Planned Development) District
O-1 (75 & 82) Overlay District	75 & 82 Overlay District
O-1.1 (F.M. Highway 1417) Overlay District	F.M. Highway 1417 Overlay District
O-1.2 (Sam Rayburn) Overlay District	Sam Rayburn Overlay District
O-1.3 (F.M. Highway 691) Overlay District	F.M. Highway 691 Overlay District
O-1.4 (State Highway 289) Overlay District	State Highway 289 Overlay District
College Park Overlay District	College Park Overlay District

Blalock Commercial Overlay District	Blalock Commercial Overlay District
A&C (Arts and Cultural) Overlay District	Arts and Cultural Overlay District
Central Business District Overlay	Central Business District Overlay

Sec. 14.02.003 R-A (Residential Agricultural) District

The R-A (Residential Agricultural) District is intended to provide a location for principally undeveloped or vacant land situated on the fringe of an urban area and used for agricultural purposes but may become an urban area in the future. The types of uses and the area and intensity of uses permitted in this District shall encourage and protect agricultural uses until urbanization is warranted and the appropriate change in district classification is made. This district is generally appropriate with the Agricultural/Rural Future Land Use category.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 2 acres
Lot width: 200'
Lot depth: 200'
Front setback: 40'
Rear setback: 25'
Side setback (of corner lot): 20' (25')
(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted uses. Those uses indicated as being permitted in the "R-A (Single-Family Agricultural) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.
(a) Site plan. A site plan shall be submitted to and must be approved by the Development Services Director or their designee prior to the issuance of a building permit for new construction or additions to an existing building, structure or changes to the site for residential uses in the R-A District.
(b) Floor area. The total floor area of the main building shall not be less than 1,000 square feet.
(c) Building area. The maximum allowable building area in the R-A District shall not exceed 40 percent of the gross area of the lot or tract of land.
(d) Height regulations. No building shall exceed 45 feet.
(e) Parking regulations. Refer to Subsection 14.04.003 for parking regulations.
(f) Landscaping requirements. Refer to Subsection 14.04.006 for landscaping requirements.
(g) Screening regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

Sec. 14.02.004 R-E (Estate Residential) District

The R-E (Estate Residential) District is designed to provide for a suitable residential environment for family life on parcels of land with larger lots consisting of a minimum lot area of one (1) acre, while limiting the uses to single-family residences and their community services and facilities. This district is generally appropriate with the Agricultural/Rural and

Suburban Neighborhood Future Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 1 acre
Lot width: 150’
Lot depth: 150’
Front setback: 40’
Rear setback: 40’
Side setback (of corner lot): 20’ (25’)
(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City’s adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the “R-E (Estate Residential) District” in Subsection 14.10 (Use Chart).

(4) Other Regulations.
(a) Site Plan. A site plan shall be submitted to and must be approved by the Development Services Director or their designee prior to the issuance of a building permit for new construction or additions to an existing building, structure, or changes to the site for residential uses in the R-E District.
(b) Floor Area. The total floor area of the main building shall not be less than 1,500 square feet.
(c) Building Area. The maximum allowable building area shall not exceed 20 percent of the gross area of the lot or tract of land.
(d) Height Regulations. No building shall exceed 45 feet.
(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.
(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.
(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

Sec. 14.02.005 R-12 (Single-Family Residential) District

The R-12 (Single-Family Residential) District is designed to provide for a suitable residential environment for family life on parcels of land with larger lots consisting of a minimum lot area of twelve thousand (12,000) square feet, while limiting the uses to single-family residences and their community services and facilities. This district is generally appropriate with the Suburban Neighborhood Future Land Use category.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 12,000 sq. ft.
Lot width: 80’
Lot depth: 100’
Front setback: 25’
Rear setback: 25’
Side setback (of corner lot): 10’ (15’)
(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway,

Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "R-12 (Single-Family Residential) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Development Services Director or their designee prior to the issuance of a building permit for new construction or additions to an existing building, structure, or changes to the site for residential uses in the R-12 District.

(b) Floor Area. The total floor area of the main building shall not be less than 1,500 square feet.

(c) Building Area. The maximum allowable building area shall not exceed 40 percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed 40 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

Sec. 14.02.006 R-6 (Single-Family Residential) District

The R-6 (Single-Family Residential) District is designed to provide for a low density, residential environment for family life on parcels of land smaller and more compact in size, having a minimum lot area of six thousand (6,000) square feet, while limiting the uses to single-family residences and their community services and facilities. This district is generally appropriate with the Suburban Neighborhood Future Land Use category.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 6,000 sq. ft.
Lot width: 60'
Lot depth: 100'
Front setback: 20'
Rear setback: 20'
Side setback (of corner lot): 6' (15')

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "R-6 (Single-Family Residential district" in the Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site plan. A site plan shall be submitted to and must be approved by the Development Services Director or their designee prior to the issuance of a building permit for new construction or additions to an existing building, structure, or changes to the site for residential uses in the R-6 District.

(b) Floor Area. The total floor area of the main building shall not be less than 1,000 square feet.
(c) Building Area. The maximum allowable building area in the R-6 District shall not exceed 45 percent of the gross area of the lot or tract of land.
(d) Height Regulations. No building shall exceed 35 feet.
(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.
(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.
(g) Screening regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

Sec. 14.02.007 R-5 (Single-Family Residential) District

The R-5 (Single-Family Residential) District is designed to provide for a low density, residential environment for family life on parcels of land smaller and more compact in size, having a minimum lot area of five thousand (5,000) square feet, while limiting the uses to single-family residences and their community services and facilities. This district is generally appropriate with the Suburban Neighborhood or Core Neighborhood Future Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 5,000 sq. ft.
Lot width: 50'
Lot depth: 100'
Front setback: 20'
Rear setback: 15'
Side setback (of corner lot): 5' (15')
(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.
(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.
(3) Permitted Uses. Those uses indicated as being permitted in the "R-5 (Single-Family Residential) District" in Subsection 14.10 (Use Chart).
(4) Other Regulations.
(a) Site plan. A site plan shall be submitted to and must be approved by the Development Services Director or their designee prior to the issuance of a building permit for new construction or additions to an existing building, structure, or changes to the site for residential uses in the R-5 District.
(b) Floor Area. The total floor area of the main building shall not be less than 800 square feet or greater than 3,000 square feet.
(c) Building Area. The maximum allowable building area shall not exceed 50 percent of the gross area of the lot or tract of land.
(d) Height Regulations. No building shall exceed 35 feet.
(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.
(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.
(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Usable Open Space Requirements. Any contiguous subdivision, including multiple phases, developed with twenty-five (25) or more lots shall provide usable open space. Developments with twenty-five (25) to forty-nine (49) lots shall provide usable open space which equals or exceeds five (5) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Developments with fifty (50) or more lots shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. A contiguous subdivision is defined as: abutting or separated only by a local or collector street to the subdivision. Subdivisions separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.

Sec. 14.02.008 R-4 (Patio Home Residential) District

The R-4 (Patio Home Residential) District is designed to provide for a medium density, residential environment for family life on parcels of land smaller and more compact in size, having a minimum lot area of four thousand (4,000) square feet, while limiting the uses to single-family residences and their community services and facilities. This district is generally appropriate with the Suburban Neighborhood or Core Neighborhood Future Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 4,000 sq. ft.
Lot width: 40’
Lot depth: 90’
Front setback (front-loaded garage): 20’
Front setback (rear-loaded garage): 10’
Rear setback (front-loaded garage): 15’
Rear setback (rear-loaded garage): 20’
Side setback (of corner lot): 5’ (15’)

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City’s adopted Thoroughfare Plan Map.

(b) For lot widths less than 45 feet measured along the front property line, civil plans shall be approved by the engineering department prior to final plat submittal to ensure that driveways and curb inlets meet engineering requirements.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the “R-4 (Patio Home Residential) District” in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Development Services Director or their designee prior to the issuance of a building permit for new construction or additions to an existing building, structure, or changes to the site for residential uses in the R-4 District.

(b) Floor Area. The total floor area of the main building shall not be less than 800 square feet or greater than 2,500 square feet.

1. A Special Exception may be granted by the Board of Adjustment for

main buildings exceeding 2,500 square feet, but not to exceed 3,000 square feet. The number of lots exceeding 2,500 square feet for the main building floor area cannot exceed 25% of the development.

(c) Building Area. The maximum allowable building area shall not exceed fifty-five (55) percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed thirty-five (35) feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Usable Open Space Requirements. Any contiguous subdivision, including multiple phases, developed with twenty-five (25) or more lots shall provide usable open space. Developments with twenty-five (25) to forty-nine (49) lots shall provide usable open space which equals or exceeds five (5) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Developments with fifty (50) or more patio homes shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. A contiguous subdivision is defined as: abutting or separated only by a local or collector street to the subdivision. Subdivisions separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.

Sec. 14.02.009 R-2F (Duplex Residential) District

The R-2F (Duplex Residential) District is designed to provide for a medium density, duplex residential environment for family life on individual parcels of land smaller and more compact in size, having a minimum lot area of six thousand (6,000) square feet, while limiting the uses to single-family residences and their community services and facilities. Duplex building types are permitted in this district. This district is generally appropriate with the Core Neighborhood Future Land Use category.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 6,000 sq. ft.
Lot width: 60’
Lot depth: 100’
Front setback: 20’
Rear setback: 20’
Side setback (of corner lot): 6’ (15’)

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City’s adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the “R-2F (Duplex Residential) district” in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the

Development Services Director or their designee prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for residential uses in the R-2F District.

(b) Floor Area. The total floor area of each dwelling unit shall not be less than 800 square feet.

(c) Building Area. The maximum allowable building area shall not exceed fifty-five (55) percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed 35 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Usable Open Space Requirements. Any contiguous subdivision, including multiple phases, developed with twenty-five (25) or more lots shall provide usable open space. Developments with twenty-five (25) to forty-nine (49) lots shall provide usable open space which equals or exceeds five (5) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Developments with fifty (50) or more lots shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. A contiguous subdivision is defined as: abutting or separated only by a local or collector street to the subdivision. Subdivisions separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.

Sec. 14.02.010 R-TH (Townhome Residential) District

The R-TH (Townhome Residential) District is designed to provide for a medium density, attached residential environment for family life on individual parcels of land smaller and more compact in size, having a minimum lot area of two thousand five hundred (2,500) square feet, while limiting the uses to single-family residences and their community services and facilities. Townhome building types are permitted in this district. This district is generally appropriate with the Core Neighborhood Future Land Use category.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 2,500 sq. ft.
Lot width: 25’
Lot depth: 100’
Front setback (front-loaded garage): 20’
Front setback (rear-loaded garage): 10’
Rear setback (front-loaded garage): 15’
Rear setback (rear-loaded garage): 20’
Street side setback: 15’
Interior side setback: 15’

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City’s adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "R-TH (Townhome Residential) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and approved by the Development Services Director or their designee prior to the issuance of a building permit for new construction or additions to an existing building, structure, or changes to the site for residential uses in the R-TH District.

(b) Floor Area. The total floor area of each dwelling unit shall not be less than 800 square feet.

(c) Building Area. The maximum allowable building area shall not exceed sixty-five (65) percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed 40 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Usable Open Space Requirements. Any contiguous subdivision, including multiple phases, developed with twenty-five (25) or more lots shall provide usable open space. Developments with twenty-five (25) to forty-nine (49) lots shall provide usable open space which equals or exceeds five (5) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Developments with fifty (50) or more lots shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. A contiguous subdivision is defined as: abutting or separated only by a local or collector street to the subdivision. Subdivisions separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.

Sec. 14.02.011 MF-15 (Multi-Family Residential) District

The MF-15 (Multi-Family Residential) District is designed to provide for a variety of low intensity multi-family residential including duplexes, townhomes and single-family-for-rent that have multiple uses on one lot. This district is generally appropriate with the Suburban Neighborhood, Core Neighborhood or Technology Hub Future Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 2 acres
Lot width: 85'
Lot depth: 100'
Front setback: 25'
Rear setback: 25'
Side setback: 25'

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "MF-15 (Multi-Family

Residential) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building, structure, or changes to the site for multi-family residential use in the MF-15 District.

(b) Floor Area. The total floor area of any dwelling unit shall not be less than 800 square feet.

(c) Building Area. The maximum allowable building area shall not exceed fifty (50) percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed 35 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Maximum Density. Fifteen (15) dwelling units per net acre.

(i) Minimum Building Separation: A minimum building separation between all buildings on the lot shall be ten (10) feet.

Sec. 14.02.012 MF-30 (Multi-Family Residential) District

The MF-30 (Multi-Family Residential) District is designed to provide for a variety of medium to high intensity multi-family residential. In addition to the general purposes applying to all residential districts, the regulations of this district are designed to encourage the provision of conveniently located, centrally maintained rental accommodations. This district is generally appropriate with the Suburban Neighborhood, Core Neighborhood Future or Technology Hub Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 5 acres
Lot width: 85'
Lot depth: 100'
Front setback: 25'
Rear setback: 25'
Side setback: 25'

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "MF-30 (Multi-Family Residential) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for multi-family residential use in the MF-30 District.

(b) Residential Building Setback. Forty (40) feet from any R (residential) zoned

property.

(c) Building Area. The maximum allowable building area in the MF-30 District shall not exceed fifty (50) percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed 50 feet.

(e) Parking regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Maximum Density. Thirty (30) dwelling units per net acre.

(i) Minimum Building Separation: A minimum building separation between all buildings on the lot shall be ten (15) feet.

Sec. 14.02.013 MH (Manufactured Housing) District

The "MH" district is intended to provide for accommodations for a specific form of housing, the manufactured home. To provide appropriate standards for density, spacing and use, a separate district is created and designated for the specific purpose of providing, at appropriate locations, areas for the development of manufactured home parks and subdivisions. This district is generally appropriate with the Suburban Neighborhood or Core Neighborhood Future Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 3,600 sq. ft.
Lot width: 60'
Lot depth: 60'
Front setback: 25'
Rear setback: 10'
Side setback: 10'

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "MH (Manufactured Housing) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan for a new manufactured home park or manufactured home subdivision shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction for residential use in the MH District.

(b) Addition Setback Regulation. No buildings or structures shall be permitted within twenty-five (25) feet of a boundary of a Manufactured Home Park or Manufactured Home Subdivision.

(c) Area Regulation. The minimum site area which may be developed or used for a manufactured home park or subdivision shall be ten (10) acres.

(d) Height regulations. No building shall exceed 35 feet.

(e) Parking regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping requirements. Refer to Subsection 14.04.006 for landscaping

requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Utility Regulations. Water and sewer service shall be provided for each lot or manufactured home within the district.

(i) Usable Open Space Requirements. Any development with twenty-five (25) or more lots/units shall provide usable open space. Developments with twenty-five (25) to forty-nine (49) lots/units shall provide usable open space which equals or exceeds five (5) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Developments with fifty (50) or more lots/units shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares.

Sec. 14.02.014 C-N (Neighborhood Commercial) District

This district is designed for a limited range of service and light retail land uses and is located at intersections of thoroughfares in the vicinity of residential neighborhoods. This district is generally appropriate with the Suburban Neighborhood, Core Neighborhood, Community Commercial or Downtown Future Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 10,000 SF
Lot width: 50’
Front setback: 25’
Rear setback: 25’
Side setback: 0’

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City’s adopted Thoroughfare Plan Map.

(b) Where lots in the C-N District are abutting a residential district, the side or rear setback shall not be less than twenty-five (25) feet.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the “C-N (Neighborhood Commercial) District” in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for commercial use in the C-N District.

(b) Floor Area. The total floor area of any building or buildings on a lot in the C-N District shall not exceed two-fifths of the total number of square feet in the lot (FAR to not exceed 0.4).

(c) Building Area. The maximum allowable building area in the C-N District shall not exceed 40 percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed 35 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations: Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

Sec. 14.02.015 C-O (Office) District

This district consists of land occupied by or suitable for a wide range of general office activities. This district is generally appropriate with the Regional Commercial, Community Commercial or Downtown Future Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 10,000 SF
Lot width: 50'
Front setback: 25'
Rear setback: 25'
Side setback: 15'

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(b) Where lots in the C-O District abut a residential district, the side or rear yard setback shall not be less than forty (40) feet.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "C-O (Office) District" in Subsection 14.10 (Use Chart).

(4) Other required conditions:

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for office uses in the C-O District.

(b) Floor Area. The total floor area of any building or buildings on a lot in the C-O District shall not exceed the total number of square feet in the lot (FAR to not exceed 1.0).

(c) Building Area. The maximum allowable building area in the C-O District shall not exceed 50 percent of the gross area of the lot or tract of land.

(d) Height regulations. No building shall exceed 50 feet.

(e) Parking regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

Sec. 14.02.016 C-1 (Retail Business) District

This district consists of land occupied by or suitable for neighborhood shopping facilities for the retailing of "convenience goods" and the furnishing of certain personal services to satisfy most of the daily needs of the adjacent residential neighborhood. This district is generally appropriate with the Core Neighborhood, Regional Commercial, Community Commercial or Downtown Future Land Use categories.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 10,000 SF
Lot width: 50'
Front setback: 25'
Rear setback: 25'
Side setback: 15'

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(b) Where lots in the C-1 District abut a residential District, the side or rear yard setback shall not be less than forty (40) feet.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "C-1 (Retail Business) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for commercial uses within the C-1 District.

(b) Floor Area. The total floor area of any building or buildings on a lot in the C-1 District shall not exceed one-half of the total number of square feet in the lot (FAR to not exceed 0.5).

(c) Building Area. The maximum allowable building area in the C-1 District shall not exceed 50 percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed 50 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

Sec. 14.02.017 C-2 (General Commercial) District

This district consists of land occupied by or suitable for a wide range of retail and wholesale activities. Land in this district is located along major highways and in the vicinity of industrial areas. The C-2 District regulations are designed to permit development of the enumerated functions and to provide space for commercial uses which are generally not appropriate for

retail business districts. This district is generally appropriate with the Regional Commercial Future Land Use category.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 10,000 SF
Lot width: 50'
Front setback: 25'
Rear setback: 25'
Side setback: 15'

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(b) Where lots in the C-2 District abut a residential district, the side or rear yard setback shall not be less than sixty (60) feet.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "C-2 (General Commercial) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for commercial uses within the C-2 District.

(b) Floor Area. The total floor area of any building or buildings on a lot in the C-2 District shall not exceed one-half of the total number of square feet in the lot (FAR to not exceed 0.5).

(c) Building Area. The maximum allowable building area in the C-2 District shall not exceed 50 percent of the gross area of the lot or tract of land.

(d) Height Regulations. No building shall exceed 35 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

Sec. 14.02.018 M-1 (Light Manufacturing) District

The manufacturing use districts are designed to provide land for manufacturing and industrial activities subject to limitations intended to protect nearby residential and commercial districts and to protect the permitted uses from one another. Manufacturing District M-1 consists of areas occupied by or suitable for manufacturing, wholesale and other industrial activities, all of a non-nuisance type. This district is generally appropriate with the Technology Hub Future Land Use category.

(1) Minimum Requirements for Lot Area, Width and Setback.
Lot area: 1/2 acre

Lot width: 85’
Front setback: 40’
Rear setback: 25’
Side setback: 25’

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City’s adopted Thoroughfare Plan Map.

(b) When abutting a residential district, the side or rear setback shall be not less than sixty (60) feet.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted uses. Those uses indicated as being permitted in the “M-1 (Light manufacturing) district” in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for manufacturing use in the M-1 District.

(b) Floor Area. The floor area of any building or buildings on a lot in an M-1 District shall not exceed one and one-half times the number of square feet in the lot (FAR to not exceed 1.5).

(c) Impervious Cover. The maximum allowable impervious cover shall not exceed 80 percent of the total lot. Impervious cover shall include all roads, driveways, parking areas, buildings, concrete walkways and other impermeable construction covering the natural land surface on the lot.

(d) Height Regulation. No building or structure shall exceed 100 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

Sec. 14.02.019 M-1.5 (Medium Manufacturing) District

Manufacturing District M-1.5 consists of areas occupied by or suitable for manufacturing and industrial activities whose generator of nuisance effects is ordinarily greater than that of industries permitted in the M-1 District. Zoning or rezoning to this classification will not be permitted after December 5, 2022.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 1/2 acre
Lot width: 85’
Front setback: 40’
Rear setback: 25’
Side setback: 25’

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's adopted Thoroughfare Plan Map.

(b) When abutting a residential district, the side or rear yard shall be not less than sixty (60) feet.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "M-1.5 (Medium Manufacturing) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for manufacturing use in the M-1 District.

(b) Floor area. The floor area of any building or buildings on a lot in an M-1.5 District shall not exceed one and one-half times the number of square feet in the lot (FAR to not exceed 1.5).

(c) Impervious Cover. The maximum allowable impervious cover shall not exceed 80 percent of the total lot. Impervious cover shall include all roads, driveways, parking areas, buildings, concrete walkways and other impermeable construction covering the natural land surface on the lot.

(d) Height Regulation. No building or structure shall exceed 150 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

Sec. 14.02.020 M-2 (Heavy Manufacturing) District

Manufacturing District M-2 consists of areas occupied by or suitable for manufacturing and industrial activities whose generator of nuisance effects is ordinarily greater than that of industries permitted in the M-1 District. This district is generally appropriate with the Technology Hub Future Land Use category.

(1) Minimum Requirements for Lot Area, Width and Setback.

Lot area: 1 acre
Lot width: 150'
Front setback: 40'
Rear setback: 25'
Side setback: 25'

(a) Thoroughfare Street Setback: No building, structures, awnings, canopies, porches or other improvements shall be built or installed within twenty-five (25) feet of the property line facing any thoroughfare street defined as a Highway, Major Arterial, Minor Arterial, or Collector as demonstrated in the City's

adopted Thoroughfare Plan Map.

(b) When abutting a residential district, the side or rear yard shall be not less than seventy-five (75) feet.

(2) See Section 14.04.001 (Setback Encroachments) for encroachment allowances into the required setbacks.

(3) Permitted Uses. Those uses indicated as being permitted in the "M-2 (Heavy Manufacturing) District" in Subsection 14.10 (Use Chart).

(4) Other Regulations.

(a) Site Plan. A site plan shall be submitted to and must be approved by the Planning and Zoning Commission prior to the issuance of a building permit for new construction or additions to an existing building or structure or changes to the site for manufacturing use in the M-2 District.

(b) Floor Area. The floor area of any building or buildings on a lot in an M-2 District shall not exceed one and one-half times the number of square feet in the lot (FAR to not exceed 1.5).

(c) Impervious Cover. The maximum allowable impervious cover shall not exceed 80 percent of the total lot. Impervious cover shall include all roads, driveways, parking areas, buildings, concrete walkways and other impermeable construction covering the natural land surface on the lot.

(d) Height Regulation. No building or structure shall exceed 150 feet.

(e) Parking Regulations. Refer to Subsection 14.04.003 for parking regulations.

(f) Landscaping Requirements. Refer to Subsection 14.04.006 for landscaping requirements.

(g) Screening Regulations. Refer to Subsection 14.04.004 for fences and screening regulations.

(h) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

Sec. 14.02.021 PD (Planned Development) District.

(1) Introduction. The Planned Development (PD) district is intended to facilitate the planning, design and development of integrated land uses on large tracts of land that cannot be adequately accommodated in other zoning districts. A PD shall further the goals of the comprehensive plan, demonstrate enhanced and contextual design standards, present a well-organized and cohesive land plan and contain clear and concise development regulations.

(2) Intent and Purpose.

(a) A PD district may be used to permit innovative and superior land utilization concepts not permitted by other zoning districts in this ordinance. A PD district can permit greater flexibility and creativity to encourage design plans unique to individual projects that are responsive to changing market conditions. The PD district also provides assurance of high-quality standards and a consistent vision across the scope, scale and term of the project.

(b) To ensure that each PD is established to achieve specific, unique planning and design objectives, and to guard against its misuse simply to obtain variances and exceptions for an otherwise conventional development project, PD submittal and approval criteria are provided herein to establish minimum requirements, standards, and procedures.

(3) Establishment of a PD District. The City Council may create a PD district by ordinance pursuant to the procedures established therein. The PD ordinance shall establish the boundaries of the district and assign a project name and number. Any overlay districts that apply to land within the PD project boundaries shall be integrated into the PD district. Unless otherwise specified in the ordinance governing a PD district, all buildings and uses shall comply with all City development requirements. The PD district standards shall conform to all other provisions of the Zoning Ordinance and Code of Ordinances unless specifically excluded or modified in the ordinance governing the PD district. If the standards of a base zoning district are amended, then the most recently amended standards shall apply to a PD district that incorporates base zoning district standards unless the standards have been individually listed within the ordinance governing the PD district as being different from the base zoning district. Base zoning district amendments are applicable to PD districts and do not require special notice to be provided to the properties within a PD district.

(4) Minimum Qualification of a Proposed PD District. To be eligible for consideration, a proposed PD district shall adhere to the following:

(a) Minimum Size. A PD district shall be established with a minimum of 200 contiguous acres, sufficient to accommodate a large master-planned community. The City Council may consider requests for a PD smaller than 200 contiguous acres if it is demonstrated that the project satisfies all other eligibility and approval criteria except for the minimum size; however, in no case shall the development area of a new PD district be less than 100 acres.

(b) Mix of Land Uses. To ensure a mix of supporting and integrated land uses, a PD district should contain a mixture of the following:

- two housing types (single-family, attached housing/townhouse, or multifamily);
- retail, office, business/employment; and/or
- a public destination (large park, public plaza, town center, school/library, or similar community gathering place).

Each of the above uses shall be of large enough area to demonstrate capacity as an integral component of the overall land-use mix within the project. At the discretion of the City, the area, density, and intensity of each proposed land use shall be evaluated by staff for overall compliance with existing plans and PD requirements.

(5) Planned Development Components. The Director shall ensure that a completed application related to a PD district has been submitted by the applicant that includes the information and materials necessary to render an informed decision. The applicant shall prepare a Statement of Justification for the PD district to explain why the proposed project should be accommodated with a PD in lieu of conventional base zoning. The Director shall clearly describe and publish required information for each component. During review, the Director, Planning and Zoning Commission and/or the City Council may require the submission of additional information as needed to meet the objectives of these requirements.

(a) The PD ordinance shall comprise the following components:

1. Development Plan. The Development Plan contains the written terms and standards necessary to ensure compliance with the PD objectives and approved plans. The Development Plan shall include the following:

a) Introduction. A narrative of PD purpose, intent, and guiding principles.

b) Site and Building Standards. A list or table of permitted land uses and associated special development standards within the district, including, but not limited to, intensity, density, lot dimensions and coverage, setbacks, building height, and floor-to-area ratio.

c) Architectural Standards. To regulate residential and commercial architectural elements and treatments related to the façade materials, roofs, service areas and other elements and standards.

c) Landscaping Standards. To guide development of private and public areas of green space and landscape elements such as signage, lighting, screening, and parking.

e) Parks and Open Space Standards. To demonstrate open space and park standards including types of amenities, trail connections, and the responsibility of management of parks and open space within the Planned Development.

f) Zoning Exhibit Map. See Subsection (5)(a)(2) below.

g) Transportation Master Plan Map. To exhibit thoroughfare connections and street circulation.

h) Parks & Open Space Map. To exhibit the location of planned parks and open space. This shall include the location of the parks and open space and a table demonstrating the number of acres that will be used for parks and open space.

i) Proposed Deviations (if any). To identify deviations from specific City standards for public improvements (e.g., streets, sidewalks, utility easements, etc.).

2) Zoning Exhibit. The Zoning Exhibit shall graphically demonstrate the applicant's intent for the development of the proposed Planned Development. The Zoning Exhibit shall show land use areas, acreages and maximum densities, primary street circulation and access points, floodplains, open space and parkland, pedestrian and trail circulation, and location of amenities and other programming, if applicable.

(b) Detailed Site Plan. A Detailed Site Plan shall refine the Zoning Exhibit to show precise locations of land uses, building envelopes and architectural elevations, local street circulation and access points, parking areas, final locations and alignments of pedestrian and trail circulation, park and amenity details, buffering, screening and landscape areas, drainage facility locations, and other details as applicable to the project. For phased PD projects, multiple Detailed Site Plans may be submitted within the project boundaries, but no development shall occur on a site without approval of a Detailed Site Plan. A Traffic Impact Analysis (TIA) may be required from the developer prior to any approvals for the detailed site plan. The traffic consultant must be approved by the City.

(c) The Development Plan and/or Zoning Exhibit shall in no way establish vested rights for the property.

(6) Development Criteria. As part of the application review process, the Director, Planning and Zoning Commission and City Council shall determine whether the proposed PD provides an adequate framework for enhanced land design and integration of uses, and whether the proposal exceeds the minimum standards of the zoning regulations. The Commission and Council may elect to impose supplemental conditions to the Zoning Exhibit, Detailed Site Plan and/or Development Plan to ensure justification for approval of the PD. Approval of a PD and subsequent development within the boundaries thereof

shall adhere to the following:

(a) Consistency with the Comprehensive Plan. As the intent of the PD district is to provide for use and design flexibility, any combination of uses may be considered for the district provided that each use is specifically identified along with any appropriate conditions or limitations. The elements of the proposed PD shall be consistent with and promote the goals of the comprehensive plan.

(b) Enhanced Project Design. It is the intent of these regulations to encourage excellence in project design for PD districts to further implement the policies contained in the comprehensive plan. In exchange for greater design flexibility, PD districts are expected to exceed the minimum regulatory standards applicable to non-PD districts. The following criteria will be used to evaluate PD project design:

1. The project should be appropriately compatible with surrounding neighborhoods relative to architectural design; scale, massing, and building height; historical character; and disposition and orientation of buildings. Transitions to surrounding development shall be made when the proposed project contains differing use and scale.
2. Land uses, buildings, streets, open space, pedestrian circulation, and landscape should be arranged to produce a cohesive, orderly and creative layout that is complementary and supportive of the mix of uses.
3. The project should preserve the natural resources and historical aesthetic character of the site to the greatest extent practicable. Floodplains and riparian areas including wetlands and stream channels, existing specimen trees, other native woody vegetation, and natural topographical features should be identified, demarcated, and preserved as open areas.
4. A variety of housing product types should be included and integrated in an appropriate manner to provide market options within the development.
5. Streets shall be designed with enhancements to the pedestrian realm including sidewalks and shared-use paths separated from vehicular movement with a vegetated parkway buffer and street trees.
6. The street network shall comprise a hierarchy of street types and demonstrate principles supportive of multi-modal users and enhanced connectivity. Streets shall be designed to accommodate expected users, taking into consideration the characteristics of the site and vicinity, such as connections to the existing street network and pedestrian system improvements, existing structures, and natural features.
7. Residential and non-residential building design should demonstrate enhanced architectural elements such as masonry and finishes. Primary building facades should be oriented towards pedestrians to enhance and activate streetscapes.
8. The project shall include a network of connected, common open spaces for use as community gathering places and recreational resources. The open space network should incorporate amenities such as trails, seating, shade, lighting, and wayfinding sufficient to accommodate all expected users in compliance with all federal, state, and local jurisdictions. Wherever possible, the open-space network should connect to trails and parks outside of the project.

(7) Planned Development Approval Authority. The components of a PD district, described in Subsection (5) (Planned Development Components), shall be considered by the Planning and Zoning Commission and City Council in the manner described below:

(a) Zoning Exhibit. The Zoning Exhibit shall be considered for approval by the City Council along with a Development Plan to establish the PD district, with a recommendation from the Planning and Zoning Commission. In certain cases, following a thorough analysis of the submittal, the Director may recommend to the Planning and Zoning Commission that the project proceed directly to Detailed Site Plan for initial PD establishment. In such instance, the applicant shall submit both a Zoning Exhibit and Detailed Site Plan, along with a Development Plan, to the Planning and Zoning Commission for consideration and recommendation to the City Council.

(b) Detailed Site Plan. A Detailed Site Plan shall be considered for approval either by the Planning and Zoning Commission for a PD District initially established with a Zoning Exhibit.

(c) Development Plan. The Development Plan shall be considered for approval by the Planning and Zoning Commission and City Council accompanied by either a Zoning Exhibit or Detailed Site Plan, as established in this section. Certain amendments to an approved Development Plan may be approved by the Director in accordance with Subsection (9)

(8) Development within a Planned Development District.

(a) An approved PD district shall regulate the use and development of property within the district boundaries per the Development Plan. All building permits and development requests shall be in accordance with the plan.

(b) The PD district shall not modify the procedures of the application or approval process for development or building within the PD district. Such processes shall follow and adhere to the normal procedures and requirements established by these regulations.

(9) Modifications and Amendments to PD Districts. Modifications to adopted regulating documents of a PD district shall be as follows:

(a) Initiating Request for PD Modifications. Consideration of a modification in any PD district boundary or other PD regulation may be initiated only with the written consent of all owners of property within the PD district boundaries or by the Planning and Zoning Commission or City Council on its own motion when it finds that the public will benefit from consideration of the proposed modification.

(b) Development Plans. Major Modifications, as defined in Subsection (e), to an approved Development Plan shall be considered for approval by City Council following recommendation of the Planning and Zoning Commission. Minor Modifications, as defined in Subsection (f), may be approved by the Director. Minor modifications approved by the Director shall be memorialized in the City's records and incorporated into the Development Plan approved by ordinance following any amendment approved by the City Council.

(c) Zoning Exhibits. Major Modifications, as defined in Subsection (e), to an approved Zoning Exhibit shall be considered for approval by City Council following recommendation of the Planning and Zoning Commission. All other modifications shall be approved by the Planning and Zoning Commission at the time of Detailed Site Plan or subsequent requests following approval.

(d) Detailed Site Plan. All modifications to an approved Detailed Site Plan shall be

approved by the Planning and Zoning Commission.

(e) Major Modifications. A major modification is described as a change that increases the number of dwelling units/lots or residential density by more than 10 percent, building heights, or lot coverages; a change to primary street connection location; reduction in parkland or open space (without corresponding reduction in dwelling units); a change that alters access, circulation, or infrastructure in a way that would impact surrounding properties; a change to a zoning regulation, PD district boundary, or land uses; a change that does not meet the criteria of a minor modification, as defined in Subsection (f); and other changes deemed by the Director to be substantially different than the vision and principles established in the approved PD Development Plan.

(f) Minor Modifications. A minor modification is described as a change that only affects aesthetic elements of the Development Plan, including but not limited to, architectural standards, landscaping standards, and parks and open space standards that do not include reductions in parkland and open space as defined in Subsection (e). Minor modifications do not include a major modification as defined in Subsection (e).

(g) Protest and Notice Requirements. Protests against proposed modifications shall be filed at least seven (7) days before the date of the public hearing. In computing the percentage of land area subject to a protest under Section 211.006(d) of the Texas Local Government Code, the area of the lots or land covered by the specific proposed modification, which may be less than the entire area of land within the PD district boundaries, or the lots or land immediately adjoining that area and extending 200 feet from that area, shall be included.

(h) Appeals. Any person aggrieved or any official or department of the City affected by any decision or judgment of the Director concerning the interpretation or administration of this Subsection (9) may appeal such decision or judgment to the Planning and Zoning Commission. Such appeal shall be taken within a reasonable time, not to exceed ten (10) days of the date of the decision, by filing with the Director and with the Planning and Zoning Commission a notice of appeal specifying the grounds thereof and accompanied by a fee as established by City Council. The Director shall promptly transmit to the Planning and Zoning Commission all papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action taken from, unless the Director from whom the appeal is taken certifies to the Planning and Zoning Commission after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Planning and Zoning Commission, on notice to the Director from whom the appeal is taken and on due cause shown. The Planning and Zoning Commission's decision on the appeal shall be final.

(10) Expiration of Approved PD District. A Detailed Site Plan shall be submitted for approval within two (2) years from the approval of the Zoning Exhibit for a minimum of 20 percent of the project area.

Secs. 14.02.022 – 14.02.999 Reserved

ARTICLE 14.03 OVERLAY ZONING DISTRICTS

Sec. 14.03.001 75 & 82 Overlay District

(1) Introduction.

(a) The development of new and existing highways offers significant economic opportunities for the City and its citizens. Local highways provide easy access linkages within the City to nearby communities and to the entire U.S. highway system. The development standards will make the City a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the City. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the City as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design, non-residential. Design standards for non-residential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement. Non-residential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between non-residential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas adjacent to

U.S. Highway 75 and being five hundred (500) feet on either side of said right-of-way, from the intersection of U.S. Highway 75 with Highway 91 north to F.M. 691, and from the south City limits, north to the south boundary of Tract 1 and Tract 2 of the Blalock Industrial Park and along and adjacent to U.S. Highway 82 and being five hundred (500) feet on either side of said right-of-way.

(b) Compliance required. All property within the boundaries of the overlay district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Non-residential and multifamily building design.

(a) General provisions. All non-residential buildings shall comply with the Zoning Ordinance, building code and related construction codes of the City.

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission.

(c) Windows. Reflective glass with an exterior reflectance percentage in excess of twenty-seven (27) percent, as certified through the manufacturer's specifications, shall not be used as an exterior building material on any building or structure. Windows and window walls shall not be glazed or reglazed with mirrored glass.

(d) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(e) Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(f) All buildings shall have at least four architectural features from the following list.

- Canopies, awnings, or porticos
- Recesses/projections
- Arcades (recessed porches)
- Peaked roof forms
- Arches
- Outdoor patios
- Display windows
- Architectural details (such as tile work and moldings) integrated into the building facade
- Articulated cornice line
- Integrated planters or wing walls that incorporate landscape and sitting areas
- Offsets, reveals or projecting rib used to express architectural or

structural bays

- Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
- Varied roof heights

(g) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Non-residential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

1. Forty (40) feet from the highway right-of-way or twenty-five (25) feet plus the height of the building, whichever is greater;
2. Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

1. Five (5) feet from rear and side property lines;
2. Forty (40) feet from any residential dwelling that is zoned Residential for single-story buildings not exceeding thirty (30) feet in height;
3. All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall be required in excess of one hundred (100) feet.

(c) Loading docks. Loading docks, overhead doors and service bays shall not be located on the parkway side of any building.

(d) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds City requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts.

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

1. Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy;
2. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way;

3. All landscaping shall be installed so as to avoid hazards;
4. An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of non-residential uses from residential uses. Side yards, rear yards and service sides of non-residential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of six (6) feet above the grade at the property line of abutting residential uses.

1. In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the non-residential use is at a much lower grade than the residential use).
2. All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

1. Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.
2. Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.
3. Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.
4. Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than six (6) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.
5. To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(d) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

1. Rear yards and service yards. Where the rear yard, side yard or service side of a non-residential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to (c) above.
2. Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.
3. Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the

screening device.

4. Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.
5. Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.
- (a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.
- (b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.
- (c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Procedures and notice.
- (a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.
- (b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.
- (c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.
- (d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the Commission's action to the City Council by filing a request for appeal with the City Clerk within ten (10) days of the Commission's decision. Such appeal shall be heard at a time convenient to the City Council and to its procedures and practices for the scheduling of business before the Council.

Sec. 14.03.002 F.M. Highway 1417 Overlay District

(1) Introduction.
- (a) The development of new and existing highways offers significant economic opportunities for the City and its citizens. Local highways provide easy access linkages within the City to nearby communities and to the entire U.S. highway system. The development standards will make the City a more desirable place to live and conduct business.
- (b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the City. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while

presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the City as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design: Non-residential. Design standards for non-residential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Non-residential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between non-residential and residential uses, and service as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas inside the City limits and adjacent to F.M. Highway 1417 and being five hundred (500) feet on either side of said right-of-way F.M. 1417. The overlay applies to commercial and multifamily developments only.

(b) Compliance required. All commercial and multifamily property within the boundaries of the overlay district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The

Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Non-residential and multifamily building design.

(a) General provisions. All non-residential and multifamily buildings shall comply with the Zoning Ordinance, building code and related construction codes of the City.

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission.

1. Exterior walls.

a) All buildings and structures shall have at least 85% of the total exterior walls, excluding doors and windows, constructed of masonry or glass wall construction, in accordance with the City Building Regulations Code and Fire Prevention and Protection Code. No blank walls shall face public streets.

b) The following primary material list shall apply:

i) Masonry consisting of stone, cultured or cast stone
ii) Brick or brick veneer
iii) Tile
iv) Stucco
v) Architecturally finished block
vi) Architectural glass (less than 27% reflectance)

c) A maximum of 15% of the facade may include accent materials not listed on the approved primary material list. All requests for alternative exterior building materials shall be noted and described on a Site Plan with elevation drawings to be submitted to the Planning and Zoning Commission for approval.

2. Exterior colors. These guideline recommendations are consistent with other example corridors with the intent of creating complementary building design.

a) A minimum of 80 percent of all building elevations shall be finished with complimentary neutral, cream, or deep, rich, nonreflective earth tone colors.

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

3. All non-residential and multifamily buildings shall be architecturally finished on all sides with the same materials and detailing. The rear facade of a building, which is not visible to a public right-of-way, park or residential district, shall not be required to comply with this requirement.

4. Additional architectural features (minimum 4 features). All buildings shall have at least four architectural features from the following list:

* Canopies, awnings, or porticos

* Recesses/projections
* Arcades (recessed porches)
* Peaked roof forms
* Arches
* Outdoor patios
* Display windows
* Architectural details (such as tile work and moldings) integrated into the building facade
* Articulated cornice line
* Integrated planters or wing walls that incorporate landscape and sitting areas
* Offsets, reveals or projecting rib used to express architectural or structural bays
* Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
* Varied roof heights

5. Other required or optional features may include:
   a) Entryway features.
      i) All ground floor entrances shall be covered or inset and shall not apply to loading areas. Primary building entrances are to be defined and articulated with architectural elements such as arcades, roofs, alcoves, columns, porticos, porches, and overhangs.
   b) Building articulation.
      i) All buildings shall utilize facade offsets and appropriate fenestration to add architectural variation and visual interest to an elevation and to break up long uninterrupted walls or elevations.
      ii) At a minimum, elevations that are 50 feet or longer in horizontal length shall be interrupted by at least two offsets (projection or recess) from the primary facade plane of at least 18 inches in depth.
   c) Roof treatment.
      i) Long uninterrupted rooflines and planes that are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes shall be broken into smaller segments through the use of appropriately scaled gables and/or dormers, changes in height, changes in roof form, type, or planes which typically correspond to offsets in the building's facade, or other appropriate architectural elements.
      ii) The following materials are allowed for sloping roofs:
         (1) Asphalt shingles
         (2) Industry approved synthetic shingles
         (3) Standing seam metal
         (4) Tile roofs
         (5) Flat roofs shall require parapet screening which adheres to the vertical articulation requirements for the main face of the structure. Parapet

rooflines shall feature a well-defined cornice treatment or another similar architectural element to visually cap each building elevation.

iii) The following materials are prohibited as primary cladding or roofing materials: aluminum siding or cladding, galvanized steel or other bright metal, wood or plastic siding, cementitious fiberboard, unfinished concrete block, exposed aggregate, wood roof shingles, and reflective glass.

(c) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(d) Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(e) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Non-residential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

1. Forty (40) feet from the highway right-of-way.
2. Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.
3. On-premises signs that are 12 feet or less in height may have a 25' setback from Highway 1417. (See Subsection 10.)

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

1. Five (5) feet from rear and side property lines.
2. Forty (40) feet from any R (residential) zoned property for single-story buildings not exceeding thirty (30) feet in height;
3. All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall he required in excess of one hundred (100) feet.

(c) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds City requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts.

(6) Landscaping.

a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an

overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

1. Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.
2. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.
   a) All landscaping shall be installed so as to avoid hazards.
   b) An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of Site Features.

1. Detention areas and drainage channels. A visual screen shall separate and screen all stormwater detention or retention facilities from view from any adjacent street and any adjoining or contiguous property, except for penetrations for required access. The visual screen shall comply with the following standards:
   a) Minimum required screening. Minimum required screening shall achieve an opaque visual screen to a height of no less than six (6) feet nor greater than eight (8) feet using the materials listed below.
   b) Materials. The visual screen may be formed through the retention of existing vegetation, the planting of new vegetation, the creation of planted hedge, the construction of a fence or wall or earthen berm, or any combination of these approaches.
      i) Fencing or masonry walls-Fences and masonry walls shall present a finished and decorative appearances. Shrubs, ground covers, or other vegetation shall be provided in front of the fence or wall so as to provide a decorative effect, in accordance and with the adopted landscaping standards for spacing, location and design. Wooden and woven-wire fences shall not be used.
      ii) Planted materials or natural vegetation-Any combination of existing and newly planted vegetation may be used that can reasonably be expected to create an opaque evergreen visual screen 4 feet high within two growing seasons.
      iii) Earthen berms-When using an earthen berm, the maximum side slope shall not exceed 50% (1 foot of vertical rise to 2 feet of horizontal run) with a minimum crown width of two feet. The berm shall be planted with ground cover, shrubs, trees or other landscaping materials to achieve a total screening height of 4 feet.

(b) Screening of non-residential uses from residential uses. Side yards, rear yards and service sides of non-residential uses abutting residential uses shall be screened. Mechanical, utility, and service facilities shall be screened on three sides. Gates are not required.

(c) Screening height. Screening height shall be a minimum of four (4) feet above

the grade at the property line of abutting residential uses.

1. In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy forming trees where the non-residential use is at a much lower grade than the residential use).
2. All landscaping shall be installed so as to avoid hazards.

(d) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

1. Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble, or the built-up panels of these materials designed for exterior use.
2. Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.
3. Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.
4. Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.
5. To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(e) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

1. Rear yards and service yards. Where the rear yard, side yard or service side of a non-residential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to subsection (c) above.
2. Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.
3. Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.
4. Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.
5. Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties.

Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Signs.

(a) The total area of building signage shall not exceed the following:
For each one linear foot of primary building face (facade facing public street), three (3) square feet of wall sign is allowed up to a maximum. This maximum depends on the building footprint identified in the table below. A minimum of 100 square feet for small freestanding building is allowed. This means that a small building that does not have enough frontage to get to 100 square feet may go to 100 square feet of building signage if desired. These signs can go on any wall but may not exceed the cumulative maximum square footage. If the lot on which the building is located has multiple right-of-way frontage, each street frontage shall be counted for purposes of determining attached sign allowance. The following of the defines the maximum sign area allowed based on the square footage of the building footprint:

Building Footprint (sq ft)	**Maximum Sign Area (sq ft)**
Less than 12,000	150
12,000–49,999	300
50,000 or more	600

(b) For each one linear foot of lease space facade, two (2) square feet of building sign is allowed with maximum of 200 sq. ft.

(c) To ensure separation between building signs, wall signage for lease spaces may not exceed 75% of the linear lease space facade width.

(11) Monument/ground signs.

(a) Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.

(b) Monument signs must include a landscaped, stone-base feature. All monument sign bases shall be constructed of the same material as the front building facade on the same site or shall be compatible in design with stone or brick.

(12) Illuminated/electronic signs.

(a) Signs may be illuminated, but the source of light shall not be visible to traveled ways and the entire image or displayed text shall not be animated, intermittent, or flashing.

(b) A sign shall display static images for a period of at least eight seconds.

(c) Variable message signs shall not be animated, flash, travel, blink, fade, or scroll.

Variable message signs shall transition instantaneously to another static image.

(d) A maximum of 55% of the overall sign area may be devoted to an electronic message sign.

(e) Revolving signs shall not be permitted.

(f) A fuel pricing sign shall only reflect the most current price of fuel available for purchase at that location and must be a ground/monument sign. Only one pricing display is allowed per site.

(13) Connectivity. Access drives/aisles/access easements should be extended to the development's property boundary in order to provide for connectivity with future development(s).

(14) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the Commission's action to the City Council by filing a request for appeal with the City Clerk within ten (10) days of the Commission's decision. Such appeal shall be heard at a time convenient to the City Council and to its procedures and practices for the scheduling of business before the Council.

Sec. 14.03.003 Sam Rayburn Overlay District

(1) Introduction.

(a) The development of existing highways offers significant economic opportunities for the City and its citizens. Local highways provide easy access linkages within the City to nearby communities and to the entire U.S. highway system. The Sam Rayburn Overlay District development standards will make the City a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the City. The intent of the Sam Rayburn Overlay District development area standards is to ensure that the development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the City as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the Sam Rayburn Overlay District

development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design: Non-residential. Design standards for non-residential buildings shall ensure that the design, color, materials, and basis for proportion of structures within the Sam Rayburn Overlay District development area are harmonious with the intent of the ordinance.

(c) Building placement: Non-residential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between non-residential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of the site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent properties are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Sam Rayburn Overlay District development areas are those areas adjacent to and within 200 feet of Sam Rayburn Freeway from the intersection of U.S. Highway 75 with Highway 91 south extending to the Blalock Industrial Park District.

(b) Compliance required. All property within the boundaries of the Sam Rayburn Overlay District development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the Sam Rayburn Overlay District development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Non-residential and multifamily building design.

(a) General provisions. All non-residential buildings shall comply with the Zoning Ordinance, building code and related construction codes of the City.

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and

Zoning Commission.

(c) Windows and Glass. Reflective glass with an exterior reflectance percentage in excess of twenty-seven (27) percent, as certified through the manufacturer's specifications, shall not be used as an exterior building material on any building or structure. Windows and window wall shall not be glazed or reglazed with mirrored glass.

(d) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(e) Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(f) All buildings shall have at least four architectural features from the following list.

- Canopies, awnings, or porticos
- Recesses/projections
- Arcades (recessed porches)
- Peaked roof forms
- Arches
- Outdoor patios
- Display windows
- Architectural details (such as tile work and moldings) integrated into the building facade
- Articulated cornice line
- Integrated planters or wing walls that incorporate landscape and sitting areas
- Offsets, reveals or projecting rib used to express architectural or structural bays
- Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
- Varied roof heights

(g) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Non-residential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

1. Forty (40) feet from the highway right-of-way.
2. Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

1. Five (5) feet from rear and side property lines.
2. Single-story structures up to thirty (30) feet in height shall have a minimum fifteen (15) foot setback from any R (residential) district lines.
3. All other buildings and structures shall be setback from residential district lines no less than a distance equal to the height of the highest point on the building above grade. No setback shall be required in excess

of fifty (50) feet.

(c) Loading docks. Loading docks, overhead doors, service bays and trash receptacles shall be screened by earthen berms and/or landscape when located on the parkway side of any building.

(d) Parking areas. Parking areas and service drives areas shall be concrete and shall be buffered by minimum two (2) foot tall landscape adjacent to the highway.

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

1. Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy.
2. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right of way.
3. All landscaping shall be installed so as to avoid hazards.
4. An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of non-residential uses from residential uses. Side yards, rear yards and service sides of non-residential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

1. In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the non-residential use is at a much lower grade than the residential use).
2. All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

1. Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.
2. Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.
3. Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.
4. Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping;

installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.

5. To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(d) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

1. Rear yards and service yards. Where the rear yard, side yard or service side of a non-residential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to (c) above.
2. Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.
3. Outdoor storage area. Outdoor storage of merchandise, equipment or materials which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.
4. Refuses areas. All refuse areas shall be screened on three sides. Gates are not required.
5. Ground-mounted equipment. All ground mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standards, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable or any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Paving. Any off-street parking area, service drive or driveway shall be concrete pavement so as to provide a durable and dustless surface.

(11) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the Sam Rayburn Overlay District development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the Commission's action to the City Council by filing a request for appeal with the City Clerk within ten (10) days of the Commission's decision. Such appeal shall be heard at a time convenient to the City Council and to its procedures and practices for the scheduling of business before the Council.

Sec. 14.03.004 F.M. Highway 691 Overlay District

(1) Introduction.

(a) The development of new and existing highways offers significant economic opportunities for the City and its citizens. Local highways provide easy access linkages within the City to nearby communities and to the entire U.S. highway system. The development standards will make the City a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the City. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the City as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design: Non-residential. Design standards for non-residential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Non-residential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between non-residential and residential uses, and service as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas inside the City limits and adjacent to F.M. Highway 691 and being five hundred (500) feet on the south side of said right-of-way of F.M. Highway 691. The overlay applies to commercial and multifamily developments only.

(b) Compliance required. All commercial and multifamily property within the boundaries of the overlay district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Non-residential and multifamily building design.

(a) General provisions. All non-residential buildings shall comply with the Zoning Ordinance, building code and related construction codes of the City.

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission.

1. Exterior walls.

a) All buildings and structures shall have at least 85% of the total exterior walls, excluding doors and windows, constructed of masonry or glass wall construction, in accordance with the City Building Regulations Code and Fire Prevention and Protection Code. No blank walls shall face public streets.

b) The following primary material list shall apply:

i) Masonry consisting of stone, cultured or cast stone
ii) Brick or brick veneer
iii) Tile
iv) Stucco
v) Architecturally finished block
vi) Architectural glass (less than 27% reflectance)

c) A maximum of 15% of the facade may include accent materials

not listed on the approved primary material list. All requests for alternative exterior building materials shall be noted and described on a Site Plan with elevation drawings to be submitted to the Planning and Zoning Commission for approval.

2. Exterior colors. These guideline recommendations are consistent with other example corridors with the intent of creating complementary building design.
   a) A minimum of 80 percent of all building elevations shall be finished with complimentary neutral, cream, or deep, rich, non-reflective earth tone colors.
   b) No more than 20 percent of any building elevation may be finished with bright, pure tone primary or secondary colors. These colors shall be limited to use on accent features including, but not limited to window and doorframes, moldings, cornices, canopies, and awnings.
3. All non-residential buildings shall be architecturally finished on all sides with the same materials and detailing. The rear facade of a building, which is not visible to a public right-of-way, park or residential district, shall not be required to comply with this requirement.
4. Additional architectural features (minimum 4 features). All buildings shall have at least four architectural features from the following list:
   * Canopies, awnings, or porticos
   * Recesses/projections
   * Arcades (recessed porches)
   * Peaked roof forms
   * Arches
   * Outdoor patios
   * Display windows
   * Architectural details (such as tile work and moldings) integrated into the building facade
   * Articulated cornice line
   * Integrated planters or wing walls that incorporate landscape and sitting areas
   * Offsets, reveals or projecting rib used to express architectural or structural bays
   * Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
   * Varied roof heights
5. Other required or optional features may include:
   a) Entryway features.
      i) All ground floor entrances shall be covered or inset and shall not apply to loading areas. Primary building entrances are to be defined and articulated with architectural elements such as arcades, roofs, alcoves, columns, porticos, porches, and overhangs.
   b) Building articulation.
      i) All buildings shall utilize facade offsets and appropriate fenestration to add architectural variation and visual

interest to an elevation and to break up long uninterrupted walls or elevations.

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

c) Roof treatment.

i) Long uninterrupted rooflines and planes that are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes shall be broken into smaller segments through the use of appropriately scaled gables and/or dormers, changes in height, changes in roof form, type, or planes which typically correspond to offsets in the building's facade, or other appropriate architectural elements.

ii) The following materials are allowed for sloping roofs:

(1) Asphalt shingles
(2) Industry approved synthetic shingles
(3) Standing seam metal
(4) Tile roofs
(5) Flat roofs shall require parapet screening which adheres to the vertical articulation requirements for the main face of the structure. Parapet rooflines shall feature a well-defined cornice treatment or another similar architectural element to visually cap each building elevation.

iii) The following materials are prohibited as primary cladding or roofing materials: aluminum siding or cladding, galvanized steel or other bright metal, wood or plastic siding, cementitious fiberboard, unfinished concrete block, exposed aggregate, wood roof shingles, and reflective glass.

(c) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(d) Mechanical equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(e) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Non-residential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

1. Forty (40) feet, from the highway right-of-way.
2. Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.
3. On-premises signs that are 12 feet or less in height may have a 25'

setback from FM 691. (See subsection 10.)

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

1. Five (5) feet from rear and side property lines.
2. Forty (40) feet from any R (residential) zoned property for single-story buildings not exceeding thirty (30) feet in height;
3. All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall be required in excess of one hundred (100) feet.

(c) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds City requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts.

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

1. Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.
2. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.
3. All landscaping shall be installed so as to avoid hazards.
4. An effort shall be made to preserve existing trees.

(7) Screening. Screening of site features:

(a) Detention areas and drainage channels. A visual screen shall separate and screen all stormwater detention or retention facilities from view from any adjacent street and any adjoining or contiguous property, except for penetrations for required access. The visual screen shall comply with the following standards:

1. Minimum required screening. Minimum required screening shall achieve an opaque visual screen to a height of no less than 4 feet nor greater than 6 feet using the materials listed below.
2. Materials. The visual screen may be formed through the retention of existing vegetation, the planting of new vegetation, the creation of planted hedge, the construction of a fence or wall or earthen berm, or any combination of these approaches.
    a) Fencing or masonry walls-Fences and masonry walls shall present a finished and decorative appearance. Shrubs, ground

covers, or other vegetation shall be provided in front of the fence or wall so as to provide a decorative effect, in accordance and with the adopted landscaping standards for spacing, location and design. Wooden and woven-wire fences shall not be used.

b) Planted materials or natural vegetation-Any combination of existing and newly planted vegetation may be used that can reasonably be expected to create an opaque evergreen visual screen 4 feet high within two growing seasons.

c) Earthen berms-When using an earthen berm, the maximum side slope shall not exceed 50% (1 foot of vertical rise to 2 feet of horizontal run) with a minimum crown width of two feet. The berm shall be planted with ground cover, shrubs, trees or other landscaping materials to achieve a total screening height of 4 feet.

(b) Screening of non-residential uses from residential uses. Side yards, rear yards and service sides of non-residential uses abutting residential uses shall be screened. Mechanical, utility, and service facilities shall be screened on three sides. Gates are not required.

(c) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

1. In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy forming trees where the non-residential use is at a much lower grade than the residential use).
2. All landscaping shall be installed so as to avoid hazards.

(d) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

1. Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble, or the built-up panels of these materials designed for exterior use.
2. Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.
3. Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.
4. Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height: constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.
5. To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(e) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

1. Rear yards and service yards. Where the rear yard, side yard or service

side of a non-residential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to subsection (c) above.

2. Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.
3. Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.
4. Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.
5. Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Signs.

(a) The total area of building signage shall not exceed the following: For each one linear foot of primary building face (facade facing public street), three (3) square feet of wall sign is allowed up to a maximum. This maximum depends on the building footprint identified in the table below. A minimum of 100 square feet for small freestanding building is allowed. This means that a small building that does not have enough frontage to get to 100 square feet may go to 100 square feet of building signage if desired. These signs can go on any wall but may not exceed the cumulative maximum square footage. If the lot on which the building is located has multiple right-of-way frontages, each street frontage shall be counted for purposes of determining attached sign allowance. The following defines the maximum sign area allowed based on the square footage of the building footprint:

Building Footprint (sq ft)	Maximum Sign Area (sq ft)

Less than 12,000	150
12,000–49,999	300
50,000 or more	600

(b) For each one linear foot of lease space facade, two (2) square feet of building sign is allowed with maximum of 200 sq. ft.

(c) To ensure separation between building signs, wall signage for lease spaces may not exceed 75% of the linear lease space facade width.

(11) Monument/ground signs.

(a) Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.

(b) Monument signs must include a landscaped, stone-base feature. All monument sign bases shall be constructed of the same material as the front building facade on the same site or shall be compatible in design with stone or brick.

(12) Illuminated/electronic signs.

(a) Signs may be illuminated, but the source of light shall not be visible to traveled ways and the entire image or displayed text shall not be animated, intermittent, or flashing.

(b) A sign shall display static images for a period of at least eight seconds.

(c) Variable message signs shall not be animated, flash, travel, blink, fade, or scroll. Variable message signs shall transition instantaneously to another static image.

(d) A maximum of 55% of the overall sign area may be devoted to an electronic message sign.

(e) Revolving signs shall not be permitted.

(f) A fuel pricing sign shall only reflect the most current price of fuel available for purchase at that location and must be a ground/monument sign. Only one pricing display is allowed per site.

(13) Connectivity. Access drives/aisles/access easements should be extended to the development's property boundary in order to provide for connectivity with future development(s).

(14) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the Commission's action to the City Council by filing a request for appeal with the City Clerk within ten (10) days of the Commission's decision. Such appeal shall be heard at a time convenient to the City Council and to its procedures and practices for the scheduling of business before the Council.

Sec. 14.03.005 State Highway 289 Overlay District

(1) Introduction.

(a) The development of new and existing highways offers significant economic opportunities for the City and its citizens. Local highways provide easy access linkages within the City to nearby communities and to the entire U.S. highway system. The development standards will make the City a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the City. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the City as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design: Non-residential. Design standards for non-residential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Non-residential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between non-residential and residential uses, and service as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas inside the

City limits and adjacent to State Highway 289 and being five hundred (500) feet on either side of said right-of-way of State Highway 289. The overlay applies to commercial and multifamily developments only.

(b) Compliance required. All commercial and multifamily property within the boundaries of the overlay district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Non-residential and multifamily building design.

(a) General provisions. All non-residential buildings shall comply with the Zoning Ordinance, building code and related construction codes of the City.

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission.

1. Exterior walls.

a) All buildings and structures shall have at least 85% of the total exterior walls, excluding doors and windows, constructed of masonry or glass wall construction, in accordance with the City Building Regulations Code and Fire Prevention and Protection Code. No blank walls shall face public streets.

b) The following primary material list shall apply:

i) Masonry consisting of stone, cultured or cast stone
ii) Brick or brick veneer
iii) Tile
iv) Stucco
v) Architecturally finished block
vi) Architectural glass (less than 27% reflectance)

c) A maximum of 15% of the facade may include accent materials not listed on the approved primary material list. All requests for alternative exterior building materials shall be noted and described on a Site Plan with elevation drawings to be submitted to the Planning and Zoning Commission for approval.

2. Exterior colors. These guideline recommendations are consistent with other example corridors with the intent of creating complementary building design.

a) A minimum of 80 percent of all building elevations shall be finished with complimentary neutral, cream, or deep, rich, non-reflective earth tone colors.

b) No more than 20 percent of any building elevation may be finished with bright, pure tone primary or secondary colors. These colors shall be limited to use on accent features including,

but not limited to window and door frames, moldings, cornices, canopies, and awnings.

3. All non-residential buildings shall be architecturally finished on all sides with the same materials and detailing. The rear facade of a building, which is not visible to a public right-of-way, park or residential district, shall not be required to comply with this requirement.
4. Additional architectural features (minimum 4 features). All buildings shall have at least four architectural features from the following list:
   * Canopies, awnings, or porticos
   * Recesses/projections
   * Arcades (recessed porches)
   * Peaked roof forms
   * Arches
   * Outdoor patios
   * Display windows
   * Architectural details (such as tile work and moldings) integrated into the building facade
   * Articulated cornice line
   * Integrated planters or wing walls that incorporate landscape and sitting areas
   * Offsets, reveals or projecting rib used to express architectural or structural bays
   * Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
   * Varied roof heights
5. Other required or optional features may include:
   a) Entryway features.
      i) All ground floor entrances shall be covered or inset and shall not apply to loading areas. Primary building entrances are to be defined and articulated with architectural elements such as arcades, roofs, alcoves, columns, porticos, porches, and overhangs.
   b) Building articulation.
      i) All buildings shall utilize facade offsets and appropriate fenestration to add architectural variation and visual interest to an elevation and to break up long uninterrupted walls or elevations.
      ii) At a minimum, elevations that are 50 feet or longer in horizontal length shall be interrupted by at least two offsets (projection or recess) from the primary facade plane of at least 18 inches in depth.
   c) Roof treatment.
      i) Long uninterrupted rooflines and planes that are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes shall be broken into smaller segments through the use of appropriately scaled gables and/or dormers, changes in height, changes in roof form, type, or planes which typically correspond

to offsets in the building's facade, or other appropriate architectural elements.

ii) The following materials are allowed for sloping roofs:
(1) Asphalt shingles
(2) Industry approved synthetic shingles
(3) Standing seam metal
(4) Tile roofs
(5) Flat roofs shall require parapet screening which adheres to the vertical articulation requirements for the main face of the structure. Parapet rooflines shall feature a well-defined cornice treatment or another similar architectural element to visually cap each building elevation.

iii) The following materials are prohibited as primary cladding or roofing materials: aluminum siding or cladding, galvanized steel or other bright metal, wood or plastic siding, cementitious fiberboard, unfinished concrete block, exposed aggregate, wood roof shingles, and reflective glass.

(c) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(d) Mechanical equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(e) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Non-residential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.
1. Forty (40) feet from the highway right-of-way.
2. Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.
3. On premises signs that are 12 feet or less in height may have a 25' setback from S.H. 289. (See Subsection 10.)

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:
1. Five (5) feet from rear and side property lines.
2. Forty (40) feet from any R (residential) zoned property for single-story buildings not exceeding thirty (30) feet in height;
3. All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall be required in excess of one hundred (100) feet.

(c) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds City requirements and approved by the Planning and Zoning

Commission. Cross access driveways are required adjacent to commercial zoned tracts.

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

1. Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.
2. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.
3. All landscaping shall be installed so as to avoid hazards.
4. An effort shall be made to preserve existing trees.

(7) Screening. Screening of site features:

(a) Detention areas and drainage channels. A visual screen shall separate and screen all stormwater detention or retention facilities from view from any adjacent street and any adjoining or contiguous property, except for penetrations for required access. The visual screen shall comply with the following standards:

1. Minimum required screening. Minimum required screening shall achieve an opaque visual screen to a height of no less than 4 feet nor greater than 6 feet using the materials listed below.
2. Materials. The visual screen may be formed through the retention of existing vegetation, the planting of new vegetation, the creation of planted hedge, the construction of a fence or wall or earthen berm, or any combination of these approaches.
   a) Fencing or masonry walls-Fences and masonry walls shall present a finished and decorative appearance. Shrubs, ground covers, or other vegetation shall be provided in front of the fence or wall so as to provide a decorative effect, in accordance and with the adopted landscaping standards for spacing, location and design. Wooden and woven-wire fences shall not be used.
   b) Planted materials or natural vegetation-Any combination of existing and newly planted vegetation may be used that can reasonably be expected to create an opaque evergreen visual screen 4 feet high within two growing seasons.
   c) Earthen berms- When using an earthen berm, the maximum side slope shall not exceed 50% (1 foot of vertical rise to 2 feet of horizontal run) with a minimum crown width of two feet. The berm shall be planted with ground cover, shrubs, trees or other landscaping materials to achieve a total screening height of 4

feet.

(b) Screening of non-residential uses from residential uses. Side yards, rear yards and service sides of non-residential uses abutting residential uses shall be screened. Mechanical, utility, and service facilities shall be screened on three sides. Gates are not required.

(c) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

1. In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy forming trees where the non-residential use is at a much lower grade than the residential use).
2. All landscaping shall be installed so as to avoid hazards.

(d) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

1. Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble, or the built-up panels of these materials designed for exterior use.
2. Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.
3. Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.
4. Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.
5. To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(e) Screening of site features. Site features hereinafter shall be screened in accordance with subsection (c) above.

1. Rear yards and service yards. Where the rear yard, side yard or service side of a non-residential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to subsection (c) above.
2. Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.
3. Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.

4. Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.
5. Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

1. Accent lighting. Floodlighting and spotlighting of architecture, features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Signs.

(a) The total area of building signage shall not exceed the following:

For each one linear foot of primary building face (facade facing public street), three (3) square feet of wall sign is allowed up to a maximum. This maximum depends on the building footprint identified in the table below. A minimum of 100 square feet for small freestanding building is allowed. This means that a small building that does not have enough frontage to get to 100 square feet may go to 100 square feet of building signage if desired. These signs can go on any wall but may not exceed the cumulative maximum square footage. If the lot on which the building is located has multiple right-of-way frontages, each street frontage shall be counted for purposes of determining attached sign allowance. The following defines the maximum sign area allowed based on the square footage of the building footprint:

Building Footprint (sq ft)	Maximum Sign Area (sq ft)
Less than 12,000	150
12,000–49, 499	300
50,000 or more	600

(b) For each one linear foot of lease space facade, two (2) square feet of building sign is allowed with maximum of 200 sq. ft.

(c) To ensure separation between building signs, wall signage for lease spaces may not exceed 75% of the linear lease space facade width.

(11) Monument/ground signs.

(a) Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.

(b) Monument signs must include a landscaped, stone-base feature. All monument

sign bases shall be constructed of the same material as the front building facade on the same site or shall be compatible in design with stone or brick.

(12) Illuminated/electronic signs.

(a) Signs may be illuminated, but the source of light shall not be visible to traveled ways and the entire image or displayed text shall not be animated, intermittent, or flashing.

(b) A sign shall display static images for a period of at least eight seconds.

(c) Variable message signs shall not be animated, flash, travel, blink, fade, or scroll. Variable message signs shall transition instantaneously to another static image.

(d) A maximum of 55% of the overall sign area may be devoted to an electronic message sign.

(e) Revolving signs shall not be permitted.

(f) A fuel pricing sign shall only reflect the most current price of fuel available for purchase at that location and must be a ground/monument sign. Only one pricing display is allowed per site.

(13) Connectivity. Access drives/aisles/access easements should be extended to the development's property boundary in order to provide for connectivity with future development(s).

(14) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the Commission's action to the City Council by filing a request for appeal with the City Clerk within ten (10) days of the Commission's decision. Such appeal shall be heard at a time convenient to the City Council and to its procedures and practices for the scheduling of business before the Council.

Sec. 14.03.006 College Park Overlay District

(1) Introduction.

(a) The College Park Overlay District, at the request of Austin College, contains minimum standards for new construction in the Austin College Community. The College Park Overlay District recognizes the special location, architectural character and land-use mix of the college park neighborhood and establishes appropriate standards for uses with the district. The overlay district is designed to help protect the private property values and public investments in and near the college park neighborhood, to reduce conflicts between new construction and existing development in the existing neighborhood, and to preserve the area's special character. The district promotes mixing of land use to foster a livable community of residential, commercial and cultural uses and encourages pedestrian access within the College Park Neighborhood and provides

connectivity to adjacent neighborhoods and the Central Business District. The district also respects socioeconomic diversity by encouraging a variety of home styles and sizes that are sympathetic to the neighborhood's historical diversity of design and fosters a cooperative atmosphere in the college park neighborhood between the City, Austin College and private landowners to jointly realize the potential of the district. The College Park Overlay District development standards will make the City a more desirable place to live and conduct business.

(b) It is important that the development of the College Park Area supports careful planning and foresight to achieve the greatest positive benefits for the City. The intent of the College Park Overlay District development area standards is to ensure that the development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the City as a whole, or, if carefully and properly designed that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the College Park Overlay District development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design. Design standards for buildings should ensure that the design, color, materials, and basis for proportion of structures within the College Park Overlay District development area are harmonious with the intent of the ordinance.

(c) Screening. Required screening should accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between non-residential and residential uses and serve as a psychological separation between uses which encourages the peace and repose of residents.

(d) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of the site. Glare and illumination standards should ensure that the mechanisms providing light do not negatively impact the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. College Park Overlay District development areas are those areas bounded as follows:

East: Harrison Street (from Pecan Street to Old Settlers Park)
North: Along the Railroad Tracks to the back of Old Settlers Park creating a natural boundary curving down to College Street.
West: Montgomery Street (from College to Pacific Street).
South: Pacific Street from Montgomery to Lee, south to Pecan, east on Pecan to Harrison Street.

(b) Compliance required. All property within the boundaries of the College Park

Overlay District development areas shall adhere to the overlay district development standards.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the College Park Overlay District development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process.

(4) Building design.

(a) General provisions. All buildings shall comply with the Zoning Ordinance, building code and related construction codes of the City.

(b) Exterior walls. On new construction, building materials must be specified and may be permitted when such materials are 60% masonry, hardy board or concrete fiber board and consistent with the intent of these standards. A complete set of elevation plans and schedule of wall and roof colors and finishes used on every freestanding building shall be submitted to the Director of Development Services. (Not required for maintenance of or additions to existing nonconforming structures.)

(c) All new residential structures shall have a minimum 1,200 square foot living area, except patio homes authorized by a specific use permit.

(d) Carports are prohibited.

(e) Detached garages are permitted when architecturally designed to be compatible with historically significant and period style homes.

(5) Screening, Privacy Fences.

(a) Screening of non-residential uses from residential uses. Side yards, rear yards and service sides of non-residential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

1. In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the non-residential use is at a much lower grade than the residential use).
2. All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

1. Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.
2. Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.
3. Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.
4. Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening

device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way. Wire, chain link and corrugated fencing materials are not allowed.

5. To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(6) Glare and illumination.

(a) Parking area lighting. Standards, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(7) Signage.

(a) Maximum face area is 16 square foot.

(b) Maximum height is 4 foot.

(c) Off-premises signs are prohibited

(8) Permitted and Specific Uses.

(a) Uses:

1. No permitted or specific use in the College Park Overlay District may include drive-through facilities, gas pumps or canopies.

2. Permitted Uses. Within the College Park Overlay District, the following uses are permitted in any zoning district.

a) Residential & Educational:
Single-family dwellings
Colleges and Universities

3. Specific Uses. With the College Park Overlay District, the following uses are permitted as Specific Use Permits in residential zones under the provisions of this article. Limitations on the size of certain uses are as stated below:

a) Neighborhood & Community Service.
Arts/cultural center or exhibit hall
Bed and breakfast/historic inn
Charitable/religious institutions
Community center/house
Dance studio
Health care hospitality
Health club/fitness center
Parks
Patio Homes
Place of worship
Preschool & Day care centers, small and large

b) Medical/General Offices.
General offices
Medical and dental offices/services
Medical and other records storage
Medical offices

c) Ancillary/Retail/Neighborhood Uses allowed only on the first

floor and up to a maximum of 3500 square feet of gross floor area per use:
Food store/convenience store excluding the sale of gasoline
General retail
Pharmacy
Research and development facilities
Restaurant/bakery/café
Retail bank/ATMs
Scientific and medical research labs
Technical and medical equipment development and/or services

(9) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for all commercial development within the College Park Overlay District development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the Commission's action to the City Council by filing a request for appeal with the City Clerk within ten (10) days of the Commission's decision. Such appeal shall be heard at a time convenient to the City Council and to its procedures and practices for the scheduling of business before the Council.

Sec. 14.03.007 Blalock Commercial Overlay District

(1) Introduction.

(a) The development of the Blalock Commercial Overlay District offers significant economic opportunities for the City and its citizens. It is imperative that this unique entry to the City be protected by quality development standards. This district is in compliance with the Comprehensive Master Plan Future Land Use Map and the Implementation Section: Prudent use of Development Regulations.

(b) Careful planning and foresight is important to achieve and provide the greatest benefits for the City. The intent of the Blalock Commercial Overlay District Standards is to insure the area develops in a manner that provides an attractive appearance and assures compatible land uses within consistent design guidelines.

(c) The Blalock Commercial Overlay District will consist of highway frontage in the Blalock Industrial Park at Heritage Parkway and nearby tracts that form the south gateway to the City.

(2) Intent. To create a regional image for retail/commercial developments within and around the Blalock Commercial Overlay District. These guidelines are to help owners, developers, designers, architects, and builders by providing design criteria that will coordinate the image, character and quality of the entire development and ensure the aesthetic value and visual appeal of non-residential land uses in the overlay district.

(a) Multiple buildings in commercial centers: To achieve unity between buildings in a commercial development of more than one building, all buildings in such a development shall employ a similar theme, and color palette.

(3) Applicability. These provisions shall apply to all retail and commercial development within Blalock Commercial Overlay District.

(4) Establishment of Blalock Commercial Overlay District. For the purpose of promoting the public health, safety, morals and general welfare in the City, there is hereby, for the purposes of convenience, denominated "Blalock Commercial Overlay District" the following area described by metes and bounds as follows:

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the PRESTON KITCHENS SURVEY, Abstract No. 667, the SHERROD DUNMAN SURVEY, Abstract No. 329 and the ELIZABETH JONES SURVEY, Abstract No. 625 and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at the Southeast corner of a 97.64 acre tract of land described in Tract One in deed from Rabin Worldwide, Inc., et al to Actichem L.P., dated June 21, 2005, recorded in Volume 3880, Page 138, Official Public Records, Grayson County, Texas, the Southwest corner of a 130.48 acre tract of land described in deed form [from] Rabin Worldwide, Inc., et al to Shafer Plaza XLII, Ltd., dated March 28, 2005, recorded in Volume 3842, Page 40, Official Public Records, Grayson County, Texas, on the North right-of-way line of F.M. Highway No. 1417;

THENCE in a Northerly direction with the East line of said Actichem 97.64 acre tract, the West line of said Shafer 130.48 acre tract, the following calls and distances:

North 17 deg. 57 min. 51 sec. West, a distance of 541.99 feet;
North 11 deg. 37 min. 37 sec. East, a distance of 541.99 feet;
North 44 deg. 54 min. 41 sec. West, a distance of 493.45 feet;

North 13 deg. 29 min. 05 sec. West, a distance of 2190.59 feet to the Northeast corner of said 97.64 acre tract, a Southeast corner of a 1140.06 acre tract of land described in Tract One in deed from W. C. Pickens, Jr. to Sherman Hills County Club, Ltd., dated May 17, 2002, recorded in Volume 3265, Page 890, Official Public Records, Grayson County, Texas;

THENCE North 14 deg. 26 min. 23 sec. West, continuing with the West line of said Shafer 130.48 acre tract, an East line of said 1140.06 acre tract, a distance of 468.97 feet to the Northwest corner of said 130.48 acre tract, an ell corner of said 1140.06 acre tract;

THENCE North 75 deg. 38 min. 03 sec. East, with a North line of said 130.48 acre tract, a South line of said 1140.06 acre tract, a distance of 867.16 feet to an ell corner of the herein described tract, at a point 500 feet West of and perpendicular to the West right-of-way line of U.S. Highway No. 75;
THENCE in a Northerly direction 500 feet West of and parallel with the West

right-of-way line of said U.S. Highway No. 75, the following calls and distances:

With a curve to the right having a radius of 3945.71 feet, (chord bears North 04 deg. 35 min. 05 sec. East, 566.30 ft.), a distance of 566.79 feet to the end of said curve;

North 08 deg. 42 min. 00 sec. East, crossing a South line of Sherman Hills Country Club Addition, Golf Course Tracts to the City of Sherman, Texas as shown by plat of record in Volume 17, Pages 71 & 72, Plat Records, Grayson County, Texas and continuing for a total distance of 1199.86 feet to a point;

North 02 deg. 29 min. 14 sec. East, a distance of 166.77 feet to a point;
With a curve to the left having a radius of 3154.72 feet, (chord bears North 02 deg. 14 min. 29 sec. East, 433.48 ft.), a distance of 433.82 feet to the end of said curve;

North 17 deg. 36 min. 44 sec. West, a distance of 154.38 feet to a point; North 02 deg. 50 min. 00 sec. West, a distance of 168.45 feet to a point;

THENCE North 87 deg. 10 min. 00 sec. East, crossing a North line of said Sherman Hills Country Club Addition, Golf Course Tracts, the South line of an 0.981 acre triangular tract of land described as Tract No. 2 in deed from William P. Lee, et ux to William P. Lee and Betty Lou Lee, Trustees of the William P. Lee and Betty Lou Lee Revocable Living Trust by deed dated May 8, 1997, recorded in Volume 2548, Page 19, Official Public Records, Grayson County, Texas and continuing for a total distance of 500.00 feet to an angle point on the East line of said 0.981 acre tract, the West right-of-way line of said U.S. Highway No. 75, at highway station 817+38.7;

THENCE North 79 deg. 29 min. 51 sec. East, crossing said highway, a distance of 383.43 feet to an angle point in the East right-of-way line of said U.S. Highway No. 75, the West line of a 26.318 acre tract of land described in Tract No. 1 in said deed recorded in Volume 2548, Page 19, at highway station 817+89.87;

THENCE North 87 deg. 10 min. 00 sec. East, a distance of 500.00 feet to a point 500 feet East of and perpendicular to the East right-of-way line of said U.S. Highway No. 75;

THENCE in a Southerly direction 500 feet East of and parallel with the East right-of-way line of said U.S. Highway No. 75, the following calls and distances:

South 13 deg. 38 min. 47 sec. East, a distance of 159.91 feet to a point;
South 02 deg. 50 min. 00 sec. East, a distance of 149.32 feet to the beginning of a curve;

With a curve to the right having a radius of 4524.72 feet, (chord bears South 00

deg. 0 1 min. 04 sec. West, 450.15 ft.), a distance of 450.33 feet to a point in the center of Post Oak Creek and on the Southerly line of said Lee 26.318 acre tract;

THENCE in a Southeasterly direction with the center of said Post Oak Creek, the Southerly line of said 26.318 acre tract, the following calls and distances:

South 17 deg. 55 min. 00 sec. East, a distance of 113.24 feet to a point;
South 44 deg. 10 min. 00 sec. East, a distance of 232.88 feet to a point;
South 20 deg. 59 min. 00 sec. East, a distance of 279.56 feet to a point;
South 41 deg. 03 min. 00 sec. East, a distance of 105.88 feet to a point;
South 27 deg. 54 min. 00 sec. East, a distance of 173.45 feet to an angle point and a jog to the West in the West right-of-way line of old U.S. Highway No. 75, at highway station 800+00;
South 78 deg. 32 min. 13 sec. East, crossing said old highway 75 and continuing for a total distance of 127.19 feet to a point;
North 74 deg. 16 min. 00 sec. East, a distance of 52.20 feet to a point;
North 31 deg. 15 min. 00 sec. East, a distance of 275.80 feet to a point;
South 71 deg. 38 min. 00 sec. East, a distance of 103.00 feet to a point;
South 27 deg. 54 min. 00 sec. East, a distance of 458.30 feet to a point;
South 64 deg. 26 min. 00 sec. East, a distance of 22.79 feet to a point on a West line of a West line of a 221.867 acre tract of land conveyed by Stephen B. Gremmels to Pylon Farms, Inc. by deed dated October 11, 1965, recorded in Volume 1040, Page 518, Deed Records, Grayson County, Texas;

THENCE South 13 deg. 41 min. 11 sec. East, with a West line of said 221.867 acre tract, a distance of 1098.90 feet to an ell corner of said tract;

THENCE South 29 deg. 21 min. 33 sec. West, through said 221.867 acre tract, a distance of 1443.79 feet to the Northeast corner of an 0.939 acre tract of land conveyed by Windle Lee Golden, et ux to Richard J. Kalb, et ux by deed dated July 24, 1989, recorded in Volume 2049, Page 131, Real Property Records, Grayson County, Texas, the Southeast corner of a 4.256 acre tract of land conveyed by Leon H. Bloomer, et ux to Pylon Farms, Inc. by deed dated December 21, 1965, recorded in Volume 1054, Page 67, Deed Records, Grayson County, Texas, on a West line of said 221.867 acre tract;

THENCE South 14 deg. 08 min. 33 sec. East, with a West line of said 221.867 acre tract, the East line of said 0.939 acre tract, passing the Northwest corner of Constitution Village Addition, Section Two to the City of Sherman, Texas as shown by plat of record in Volume 4, Page 22, Plat Records, Grayson County, Texas and continuing for a total distance of 246.07 feet to the Southeast corner of said 0.939 acre tract;

THENCE South 14 deg. 37 min. 30 sec. East, continuing with a West line of said 221.867 acre tract, the West line of said Constitution Village Addition, Section Two, a distance of 443.34 feet to a point;
THENCE South 13 deg. 42 min. 08 sec. East, continuing with a West line of said 221.867 acre tract, the West line of said Constitution Village Addition,

Section Two, passing its Southwest corner, the Northwest corner of Constitution Village Addition to the City of Sherman, Texas as shown by plat of record in Volume 3, Page 73, Plat Records, Grayson County, Texas and continuing with the West line of said Constitution Village Addition, passing its Southwest corner on the North right-of-way line of F.M. Highway No. 1417 and continuing for a total distance of 1698.56 feet to a point on the South right-of-way line of said F.M. Highway No. 1417, the North line of a 13.40 acre tract of land described in Correction Trustee's Deed from Robert W. Minshew, Trustee to Kennedy & Minshew Professional Corporation, dated September 2, 2003, recorded in Volume 3534, Page 461, Official Public Records, Grayson County, Texas;

THENCE South 75 deg. 46 min. 49 sec. West, with the South right-of-way line of said F.M. Highway No. 1417, the North line of said 13.40 acre tract, a distance of 120.40 feet to its Northwest corner;

THENCE South 13 deg. 46 min. 49 sec. East, with the West line of said 13.40 acre tract, a distance of 776.73 feet to a point;

THENCE South 13 deg. 30 min. 32 sec. East, continuing with the West line of said 13.40 acre tract, passing its Southwest corner, the Westerly Northwest corner of a 214.134 acre tract of land conveyed by Edward C. Greene, Trustee to Rolling Meadows Associates by deed dated September 28, 1984, recorded in Volume 1716, Page 384, Deed Records, Grayson County, Texas and continuing with the Westerly West line of said 214.134 acre tract for a total distance of 849.43 feet to the Northeast corner of a 25.229 acre tract of land described in Tract 2 indeed from Sherman Development Limited Partnership No. 1 to Sam H. Berry by deed dated October 1, 1993, recorded in Volume 2298, Page 258, Real Property Records, Grayson County, Texas;

THENCE South 74 deg. 56 min. 00 sec. West, with the North line of said 25.229 acre tract, a distance of 667.02 feet to its Northwest corner, on the East right-of-way line of said U.S. Highway 75;

THENCE in a Northerly direction with the East right-of-way line of said U.S. Highway 75, the following calls and distances:
North 09 deg. 47 min. 31 sec. West, a distance of 423.53 feet to highway station 737+00"R"
North 05 deg. 50 min. 32 sec. East, a distance of 155.77 feet to highway station 738+50"R";
North 09 deg. 48 min. 00 sec. West, a distance of 200.00 feet to highway station 740+50"R";
North 14 deg. 25 min. 28 sec. West, a distance of 293.96 feet to highway station 743+43"R";

THENCE South 74 deg. 29 min. 41 sec. West, crossing said U.S. Highway 75, a distance of 319.88 feet to the Southeast corner of an 0.7688 acre tract of land conveyed by Greater Sherman, Inc. to the City of Sherman, Texas by deed dated November 8, 1978, recorded in Volume 1455, Page 265, Deed Records,

Grayson County, Texas, the Northeast corner of a 24.05 acre tract of land conveyed by Sherman Economic Development Corporation to the State of Texas by deed dated January 17, 2003 recorded in Volume 3454, Page 609, Official Public Records, Grayson County, Texas.

THENCE South 80 deg. 12 min. 00 sec. West, with the South line of said 0.7688 acre tract, a North line of said 24.05 acre tract, a distance of 184.80 feet to the Southwest corner of said 0.7688 acre tract, a Northwest corner of said 24.05 acre tract, on an East line of Northgate Technology Park Addition to the City of Sherman, Texas as shown by plat of record in Volume 12, Page 43, Plat Records, Grayson County, Texas;

THENCE in a Northerly direction with the West line of said 0.76887 acre tract, an East line of said Northgate Technology Park Addition, the following calls and distances:

North, a distance of 48.43 feet to a point;
North 06 deg. 48 min. 00 sec. East, a distance of 59.50 feet to a point;
North 06 deg. 00 min. 00 sec. West, a distance of 53.00 feet to a point;
North 57 deg. 37 min. 00 sec. West, a distance of 71.12 feet to the Northwest corner of said 0.7688 acre tract, the Easterly Northeast corner of said Northgate Technology Park Addition, on the South line of 75 and 1417 Addition to the City of Sherman, Texas as shown by plat of record in Volume 12, Page 92, Plat Records, Grayson County, Texas.

THENCE South 76 deg. 23 min. 44 sec. West, with the South line of said 75 and 1417 Addition, a North line of said Northgate Technology Park Addition, a distance of 38.20 feet to the Southwest corner of Lot Two, the Southeast corner of Lot One of said 75 and 1417 Addition;

THENCE in a Northerly direction with the East line of said Lot One, the West line of said Lot Two of 75 and 1417 Addition, the following calls and distances:

North 53 deg. 38 min. 37 sec. West, a distance of 60.71 feet;
North 43 deg. 07 min. 10 sec. West, a distance of 33.15 feet;
South 77 deg. 01 min. 50 sec. West, a distance of 119.26 feet;
North 57 deg. 03 min. 29 sec. West, a distance of 63.21 feet;
South 59 deg. 49 min. 33 sec. West, a distance of 59.56 feet;
North 69 deg. 45 min. 10 sec. West, a distance of 42.46 feet;
North 06 deg. 31 min. 27 sec. East, a distance of 32.18 feet;
North 32 deg. 52 min. 33 sec. West, a distance of 54.38 feet;
North 64 deg. 39 min. 19 sec. West, a distance of 110.97 feet;
North 45 deg. 30 min. 11 sec. West, a distance of 48.34 feet to the Northeast corner of said Lot One, the Northwest corner of said Lot Two on the North line of said 75 and 1417 Addition, the South right-of-way line of F.M. Highway 1417;

THENCE North 49 deg. 46 min. 52 sec. West, crossing said F.M. Highway 1417, a distance of 194.80 feet to a point on the North right-of-way line of said

F.M. Highway 1417, the South line of the above mentioned Shafer 130.48 acre tract;

THENCE in a Westerly direction with the North right-of-way line of said F.M. Highway 1417, the South line of said 130.48 acre tract, the following calls and distances:

South 70 deg. 42 min. 26 sec. West, a distance of 200.49 feet;
South 74 deg. 58 min. 59 sec. West, a distance of 499.93 feet;
South 73 deg. 49 min. 20 sec. West, a distance of 207.88 feet to the PLACE OF

BEGINNING and containing 428.74 ACRES OF LAND more or less.

(5) Permitted Uses. The uses listed below are permitted within the Blalock Commercial Overlay District in addition to the permitted uses of each specific zoning district.

Educational, Institutional, Public and Special Uses

Helistop
Household Care Facility Museum/Art Gallery

Transportation, Utility and Communication Uses

Stealth Antenna, Commercial Telephone Exchange

Office and Professional Uses

Administrative, Medical or Professional Office Government Office
Insurance Office
Research and Development Center

Retail Uses Over 50,000 sq. ft.

Retail uses over 50,000 sq. ft. are permitted when authorized by a Specific Use Permit.

Retail Uses 50,000 sq. ft. and under

Alcoholic Beverage Establishment Antique Shop and Used Furniture
Building Material and Hardware Sales, Major Building Material and Hardware Sales, Minor Convenience Store with Gas Pumps Convenience Store without Gas Pumps
Equipment and Machinery Sales and Rental, Major Equipment and Machinery Sales and Rental, Minor Feed Store
Furniture, Home Furnishings and Appliance Store Retail Stores and Shops
Restaurant or Cafeteria

Service Uses

Artisan's Workshop
Bank, Savings and Loan or Credit Union Beauty Salon/Barber Shop
Business Service Cabinet/Upholstery Shop
Contractor's Shop and/or Storage Yard (Inside)
Dry Cleaning, Major Dry Cleaning, Minor Furniture Restoration Gunsmith
Gymnastics/Dance Studio Health/Fitness Center
Household Appliance Service and Repair Indoor Gun Range
Locksmith/Security System Company Mortuary/Funeral Parlor
Print Shop Minor Restaurant or Cafeteria Restaurant, Drive-In Small Engine Repair Shop
Veterinarian Clinic with Indoor Soundproof Kennels

Automobile and Related Uses

Auto Parts Sales, Inside Automobile parking Lot/Garage

Automobile Repair, Major–No Outside Storage Automobile Repair, Minor–No Outside Storage Automobile Sales/Leasing, New
Automobile Sales, Used Carwash
Motorcycle Sales/Service

Wholesale Uses

Bottling Works
Mini-Warehouse/Public Storage Office/Showroom Office/Warehouse/Distribution Center Storage or Wholesale Warehouse

(6) Prohibited Uses.

Bulk Chemical & Petroleum Storage Terminals
Sexually Oriented Business

(7) Non-residential Building Placement.

(a) 55.7' from ROW of Hwy 75 and Heritage Parkway
(b) 55.7" from ROW of other streets
(c) 55.7' from interior and rear property lines

(8) Signs. One freestanding sign per lot. Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.

(9) Parking Areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds City requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts. The number of parking spaces required for each use is determined by similar uses in Commercial and Manufacturing Districts.

(10) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

1. Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.
2. Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.
3. All landscaping shall be installed so as to avoid hazards.
4. An effort shall be made to preserve existing trees.

ARCHITECTURAL DESIGN GUIDELINES

(11) Mandatory Site and Structure Provisions.

(a) Specific materials and color palette. To achieve unity between buildings in a commercial development of more than one building, all buildings in the subject development shall use a minimum of 10% of stone or faux stone for all street

facing or publicly visible facades. All other building materials and colors should coordinate with and compliment this stone.

(b) Masonry requirements. All buildings shall be constructed with a minimum 60% masonry, exclusive of doors and windows. Masonry shall consist of brick, stone, stucco, simulated stone, or architecturally detailed & painted concrete tilt wall. Unpainted, integral color concrete masonry units are allowed as masonry, but are limited to maximum 50% of a street facing facade.

(c) Secondary materials. Secondary materials (maximum 40%) may be EIFS, stucco, wood, metal, or other approved material. Wood or vertical metal shall be limited to a maximum 15% of any building facade per material.

(d) Earth-Toned Colors. At least 80% of facade is neutral, crème, or deep, rich, non-reflective natural or earth-toned colors, and no more than 1 color is used for visible roof surfaces.

(e) EIFS. the use of Exterior Insulated Finishing System (EIFS) is not allowed below eight (8) feet above finished grade.

(f) Glass. Windows shall have a maximum reflectivity of 20%. Pink and gold glass is not permitted.

(g) Mechanical unit screening. All mechanical equipment shall be screened from all public view. Screening must match building color and material. Ground-mounted mechanical units may be screened with an evergreen landscape screen.

(h) Exposed conduit, ladders, utility boxes, and drain spouts shall be painted to match the color of the building or an accent color.

(i) Trash and Recycling Collection Areas.

1. Trash and recycling collection areas shall be located to minimize visibility.
2. Trash, recycling receptacles, and trash compactors shall be screened with an eight foot masonry wall of a consistent color and material of the primary building.
3. Enclosures shall be oriented so that the service opening does not face any public right-of-way or residentially zoned property where possible. The opening shall incorporate a metal gate to visually screen the dumpster or compactor. Concrete-filled steel bollards are required at the rear of the enclosure and in front of the enclosure to protect the gate hinges.
4. Enclosures located in public areas must be screened with landscaping.
5. All metal gates must not be allowed to swing into the drive aisle or fire lane.

(j) Loading Areas. All loading and service areas shall be screened from view from adjacent public streets and adjacent residential when possible. Screening shall be by walls compatible to the project design and landscaping.

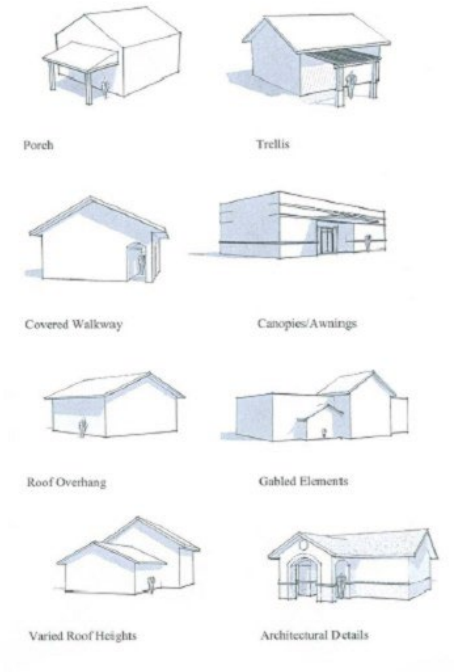
(12) Design Elements. Each development must score a minimum of 6 points for buildings under 10,000 sf, 8 points for buildings 10,001-50,000 sf, and 10 points for buildings/developments 50,001 sf or above by implementing a choice/ combination of the following design elements: (see Appendix A of this subsection for illustrations)

*Additions to existing buildings must be of similar design, and must meet the point score required for the building size of the addition.

**Applicant must submit a table with the architectural drawings enumerating the proposed points acquired for the development.

Points	Element	Description (if necessary)
4	Four-Sided Architecture	Building to be equally finished with a “front door” appearance on all four sides. Required masonry percentages to be met on each elevation.
3	Building Articulation	Building facades over 100’ in length must have building offsets of at least 4’ for a minimum of 25% of the facade. No wall plane may extend more than 100’ without horizontal and vertical articulation. Building facades between 40-100’ in length may have either horizontal or vertical articulation. Facade articulations/offsets shall be shown on the elevation drawings along with dimensions verifying that the elevations have met the above requirements as part of site plan submittal.
2	Porches	Covered areas with columns and sloped roof attached to the main facade of the structure. Must extend at least 6 feet beyond the main facade and across at least 15% of the facade.
1	Trellises	Trellis used to enhance an entry feature or as a shaded walkway.
2	Covered Walkways	An exterior walkway at least 6’ in depth protected by the roof of the main structure, and across at least 15% of the facade.
3	Canopies/Awnings	Coverings of canvas, metal, or other material hung from the building facade to protect windows or door openings.
3	Roof Overhangs	Buildings that feature a pitched roof or partially pitched roof with overhang at least 4 feet beyond the primary facade.
4	Natural Materials	Use stone, simulated stone, stucco and/or brick, for at least 60% of facade (exclusive of doors and windows).
4	Pitched roof	Pitched roof covering 100% of the total roof area with a pitch of at least 3:12 and no visible flat roofline.
2	Gabled Elements	If a flat roof is used, gabled parapet walls are used to break up long facades.
3	Varied Roof Heights	Within a pitched roof, varied roof heights or dormers to break up the line of the roof.
2	Architectural Details in the building facade	i.e. ornamental brickwork, limestone window/door lintels, etc.
1	Decorative Paving at sidewalks	Pavers or decorative concrete for min. 10% of total walkways.
1	Site Amenities	Outdoor seating, patio areas, fountains, or decorative light fixtures.
1	Public sculpture/artwork	Point validity to be determined by the Planning and Zoning Commission.
2	Enhanced Landscape	Provide a minimum increase of 25% in the number of trees, shrubs, and ornamental plantings required by City ordinance.

Appendix A



Appendix B Architectural Examples

ROOF OVERHANGS
Buildings that feature a pitched roof or partially pitched roof with overhang at least 4 feet beyond the primary facade.

NATURAL MATERIALS
Use stone, simulated stone, and/or brick, for at least 60% of facade (exclusive of doors and windows).

PITCHED ROOF
Pitched roof covering 100% of the total roof area with a pitch of at least 3:12 and no visible flat roofline.

GABLED ELEMENTS If a flat roof is used, gabled parapet walls are used to break up long facades.

VARIED ROOF HEIGHTS
Within a pitched roof, varied roof heights or dormers to break up the line of the roof.

DECORATIVE PAVING
Pavers or decorative concrete for min. 10% of total walkways.

SITE AMENITIES
Outdoor seating, patio areas, fountains, or decorative light fixtures.

Sec. 14.03.008 Arts and Cultural Overlay District

The A&C (Arts and cultural overlay) District is primarily to promote the arts and cultural uses in the City. This district includes all lands as described herein: A point of beginning at the railroad right-of-way and Walnut Street, South on Walnut to Pecan Street, West on Pecan to Elm Street, South on Elm to Laurel, West on Laurel to Rusk Street, North on Rusk to Washington Street, West on Washington to Sam Rayburn Freeway, North on Sam Rayburn Freeway to the railroad right-of-way, and east along the railroad right-of- way to Walnut Street.

(1) Purpose. The development of the Arts and Cultural Overlay District offers significant economic and recreational opportunities for the City and its citizens. Businesses of art and cultural significance and compatible uses may be consolidated in this district to enhance and complement each other. The development standards will make the City a more desirable place to live and conduct business.

(2) Permitted uses. Permitted uses are limited to the following list, however any other use and/or sign may be permitted in the Arts and Cultural Overlay District if it is compatible with the district and is approved by exception by the Planning and Zoning Commission.

Aesthetic garden Arts studio
Accessory residential (One off-street parking space per unit required) Bank and lending

institution
Church Community center Dance studio
Farmers market, indoor or outdoor Movie and cinema
Museum Music shop Office
Office, government Parking structure and lot
Restaurants, indoor and outdoor seating Retail use, indoor
Stage, outdoor
Storage of goods or merchandise used in, produced by, or normally carried in stock in conjunction with any permitted use in the district
Theater and playhouse Trolley and taxi stop
Other uses approved by the planning and Zoning Commission.

(3) Parking regulations. Parking is not required in the Arts and Cultural Overlay District except for residential uses.

(4) Area regulations. Lot size and coverage shall be in conformance with the primary designated zoning district.

Sec. 14.03.009 Central Business District Overlay.

(1) Boundary areas.

(a) Area boundaries. The Central Business Area is designated on the official zoning map attached to this ordinance by a heavy solid black line.

(2) Minimum Requirements for Lot Area, Width and Setback:

(a) C-O (Office District):
Lot Area: 2,000 sq. ft.
Lot width: 20’
Front setback: 0’
Rear setback: 0’
Side setback: 0’

(b) C-1 (Retail Business) District:
Lot Area: 2,000 sq. ft.
Lot width: 20’
Front setback: 0’
Rear setback: 0’
Side setback: 0’

(3) Height regulation exception. Structures, buildings and signs within the Central Business Area, delimited on the official zoning map, may exceed 35 feet or 2 stories but shall not exceed a maximum of 80 feet or 6 stories.

(4) The total floor area of any building or buildings on a lot in the C-O or C-1 District within the Central Business Area shall not exceed two and one-half times the number of square feet in the lot (FAR to not exceed 2.5).

(5) Masonry or equivalent shall be required on the sides of all commercial buildings in C-O (Office) District, C-1 (Retail Business) District, and C-2 (General Commercial) District visible from the front street right-of-way in the Central Business District. Masonry shall be brick, stone, EFIS (Exterior Finish Insulation System) or concrete lap siding.

(6) Central business district parking exception. Off-street parking shall not be required for buildings and structures erected or altered within the Central Business District as defined in section (1) above.

(7) One- to four-family occupancies in the Central Business District: One- to four- family occupancies shall be allowed in the Central Business District, with the following

restrictions:

(a) Residential occupancies shall not be allowed in the first half of the first floor of any building facing a front street;
(b) Residential occupancies shall have two (2) fire-safe exits;
(c) Any room used as a bedroom shall have a window or door to the outside for emergency egress;
(d) Residential occupancies shall conform to the construction codes regulating the same;
(e) Residential occupancies shall have one-hour fire separation as required by the construction codes or shall be equipped with fire sprinkler equipment;
(f) Five (5) or more family occupancies shall be reviewed by the Planning and Zoning Commission and approved by the city council by special permit; and
(g) Building owners shall be required to provide one (1) off-street parking space for each residential apartment beginning with the fifth apartment in each building.

(8) The Thoroughfare Streets special setback described in Section 14.04.002(2**)** shall not apply in the Central Business District Overlay.
(9) Billboards shall not be permitted within the Central Business District as designated on the official zoning map.
(10) On-premises signs in the Central Business District shall not exceed the height of the building on the lot. No pole signs shall be allowed in the Central Business District. When a sign is erected or placed before a permit is obtained, the permit fee shall be double.

Sec. 14.03.010 Heritage Row Historical District.

See Article 1.10 in the City of Sherman Code of Ordinances for regulations for the Heritage Row Historical District.

Secs. 14.03.011 – 14.03.999 Reserved

ARTICLE 14.04 SUPPLEMENTARY DISTRICT REGULATIONS

Sec. 14.04.001 Setback Encroachments

(1) Purpose. The purpose of these standards is to provide reasonable regulations for the building of structures within the setbacks of lots in the City of Sherman.
(2) Projections into required yards.

(a) Open and unenclosed building projections such as outside stairways and fire escapes, balconies, terraces or porches, awnings, eave and roof extensions, and ornamental features may project into the required yards for a distance not to exceed 4 feet and located not closer than 3-1/2 feet from any lot line. Additionally, no supporting structures for such extensions may be located within the required yard, with the exception of supporting members for stairways and fire escapes.
(b) Projecting Signs in the Central Business District Overlay shall have a minimum clearance from the sidewalk of 8.5 feet and shall not project more than five feet from the building or more than 50 percent of the width of the sidewalk adjacent to the building, whichever is less. No supporting structures for said signs is permitted within the public right-of-way.
(c) Handicap access ramps in residential zoned properties may be permitted in the

front yard with approval from the Building Official.

Sec. 14.04.002 Accessory Buildings and Structures

(1) Purpose. The purpose of these standards is to provide reasonable regulations for the appearance, location, type and maintenance of accessory buildings and structures to ensure safety and the high-quality character and appearance of the City. The following regulations shall be observed for all accessory buildings and structures in all residential zoning districts. Accessory buildings and structures in non-residential zoning districts shall adhere to the standards of each district.

(2) General Standards.

(a) No accessory building or structure shall be permitted in the front yard. Accessory building or structures shall not be permitted in the required side yard unless specified herein.

(b) Accessory buildings or structures must be separated from the main building or other structures by a distance of not less than 5 feet.

(c) Accessory buildings and structures must have a rear and an interior side yard setback of not less than five (5) feet.

(d) Where the accessory building is adjacent to a side street, the minimum side yard setback from said street shall be fifteen (15) feet, with the exception of garages or carports.

(e) Detached garages or carports facing an alley or side street must be setback twenty (20) feet.

(f) Accessory buildings or structures shall not be located in drainage or utility easements.

(g) A portable storage shed is considered an accessory structure; however, it is not subject to a building permit nor the side or rear yard setback requirements provided that it meets the following:

1. It is less than or equal to 100 square feet in floor area and less than eight (8) feet in height;
2. It is freestanding, moveable, and has no permanent foundation;
3. It is set back at least two (2) feet from side or rear lot lines; and
4. it does not contain plumbing or electrical installations.

(3) Accessory Buildings.

(a) Examples of accessory buildings include, but are not limited to, detached garages and sheds and other enclosures that extend vertically above grade.

(b) Accessory buildings attached to the primary building are considered an extension of the primary building and shall be subject to the regulations that apply to the primary building including, but not limited to, building setbacks.

(c) Accessory buildings may be permitted within the allowable building area of any lot defined by the required front, side, and rear building lines.

(d) No accessory building shall be rented or leased.

(e) An accessory building that serves as an Accessory Dwelling may not be located on a lot less than 12,000 square feet in area and shall be zoned R-A, R-E or R-12.

(f) No accessory building shall be used for commercial purposes.

(g) Accessory buildings of less than 500 square feet may be located within the required rear yard subject to the accessory building setback requirements described in Subsection (2).

(h) Accessory buildings of 500 square feet or greater shall be located in the building

area.

(i) The accessory building footprint shall be included in the calculation of the building area of the lot.

(4) Accessory Structures.

(a) Accessory structures attached to the primary building are considered an extension of the primary building and shall be subject to the regulations that apply to the primary building including, but not limited to, building setbacks.

(b) Accessory structures may be permitted within the allowable building area of any lot defined by the required front, side, and rear building lines.

(c) Accessory structures of less than 500 square feet may be located within the required rear yard subject to the accessory building setback requirements described in Subsection (2).

(d) Accessory structures of 500 square feet and greater shall be located within the zoning district setbacks.

(5) Swimming Pools and other at-grade or below-grade structures.

(a) Above-ground or in-ground swimming pools and other at-grade or below-grade structures may be permitted within the allowable building area of any lot defined by the required front, side, and rear building lines.

(b) In-ground swimming pools are structures that are built below-grade constructed of concrete, fiberglass or other similar construction and require pool equipment such as pumps and filters to operate.

(c) Above-ground swimming pools are structures that are permanently constructed that require pool equipment such as pumps and filters to operate. Play pools and other seasonal pools that do not require pool equipment are not applicable to the regulations in this section.

(d) Above-ground swimming pools and other at-grade or below grade structures are permitted in the rear yard of any residential district so long as they are not constructed or installed within five (5) feet of the main structure and must have a rear and interior side yard setback of not less than five (5) feet.

(6) Permit required. An accessory building or structure as defined above shall be required to have a building permit, be inspected by the City and meet the requirements of this article. Above-ground and in-ground pools require building permits.

Sec. 14.04.003 Parking and Off-Street Loading Areas

(1) Purpose. The purpose of these regulations is to secure the health and safety of the general public; to lessen congestion on public streets; to facilitate the adequate provision of transportation; to conserve the value of buildings; and to encourage the most appropriate use of land. Minimum off-street parking and stacking shall be provided as set forth in the following provisions. The stated goals are supported by the regulations which follow.

(2) General Standards.

(a) Off-street parking shall be prohibited from encroaching into the public right-of-way in any case.

(b) All vehicle maneuvering shall take place on-site.

(c) Handicap parking is required subject to the State of Texas Program for the Elimination of Architectural Barriers and shall conform to the Americans with Disability Act (ADA).

(d) Parking of recreational vehicles (RVs), travel trailers, boat trailers, or other trailers are not permitted in the front yard of any zoning district unless

specifically permitted by use such as RV, Boat or Trailer Sales.

(e) Adequate ingress and egress to all parking spaces shall be provided.

(f) Any lighting used to illuminate any off-street parking area shall be so arranged as to direct the light away from the adjoining premises of any Residential Districts.

(3) Single-Family Residential Parking Standards.

(a) Required parking or driveways in R-A, R-E, R-12, R-6, R-5, R-4, R-2F, and R-TH must be paved concrete or asphalt. An exception to this requirement may be considered by the Director of Development Services for properties zoned R-A (Residential Agricultural) or R-E (Estate Residential) provided that the portion of the driveway located within the public right-of-way is paved with concrete or asphalt.

(b) Minimum Parking Requirements.

1. There shall be a minimum of one (1) enclosed garage parking space in all residential zoned properties.
2. There shall be one (1) parking space per bedroom up to four (4) parking spaces provided behind the front property line, including garage parking.
3. Each required enclosed parking space and driveway parking spaces shall be a minimum of nine (9) feet wide and twenty (20) feet long.

(c) Residential lots with front line lot widths of sixty (60) feet or greater are eligible for circular driveways but subject to approval from the Director of Engineering to ensure that health and safety of the general public is maintained.

(d) Driveways shall not be constructed with a slope greater than 10%.

(4) Non-residential, Multi-family and Manufactured Housing Parking Standards.

(a) Required parking or driveways must be paved concrete or asphalt. Additional parking above the required parking may be constructed with a pervious material as approved by the Director of Engineering.

(b) Parking spaces shall be permanently and clearly identified by stripes or other approved methods. Non-permanent type marking, such as paint, shall be regularly maintained to ensure continuous clear identification of the space.

(c) Minimum Parking Requirements.

1. Required parking spaces shall be a minimum of nine (9) feet wide and twenty (20) feet long.
2. A required parking space may be a minimum of nine (9) feet wide and eighteen (18) feet long when possible for a vehicle to overhang the front of a parking space that is landscaped with grass, mulch, or similar landscaping material, not including sidewalks.
3. Parallel off-street parking spaces must be a minimum of eight (8) feet wide and twenty-two (22) feet long.

(d) Parking Aisle Design.

1. Drive aisles that are also fire lanes shall be constructed to the adopted fire codes and amendments identified in Chapter 3 (Building Regulations).
2. Two-way drive aisles with 90 degree head-in parking shall be constructed with a minimum drive aisle width of twenty (20) feet.
3. One-way drive aisles with angled parking shall be constructed with a minimum drive aisle width of fifteen (15) feet.

(e) Off-Street Loading Areas.

1. All non-residential uses having a gross floor area of 30,000 or more shall provide and maintain an off-street area for the loading and unloading of merchandise and goods.
2. Each site shall provide a designated maneuvering area for trucks.
3. No maneuvering shall take place in the right-of-way.

(f) Driveways and drive aisles shall not be constructed with a slope greater than 8%.

(5) Parking Requirements by Use.

(a) Off-street Parking Requirements. In all zoning districts, off-street parking shall be provided for each of the uses identified herein-below at the ratios specified herein at the time any building or structure is erected, structurally altered, or at such other time when the use of the existing building is changed. The ratios specified herein shall be considered the minimum number of on-site vehicle parking spaces required.

Agricultural Uses	
General Agricultural Parking	Unless specified below, agricultural uses shall have 1 space for every employee plus parking to accommodate all vehicles, but not less than 1 parking space for every 1,000 square feet for gross floor area.
Residential Uses	
Bed and Breakfast Establishments	1 parking space for every guest room in addition to the parking requirements for a single-family dwelling.
Dormitories	1 parking space for every 2 beds.
Dwelling, Multi-family	Efficiency Unit: 1 parking space per unit 1 Bedroom Unit: 1.5 parking spaces per unit 2 Bedroom Unit: 2 parking spaces per unit 3 Bedroom Unit: 2.5 parking spaces per unit 4 Bedroom Unit: 3 parking spaces per unit
Dwelling, Single-family	1 enclosed garage parking space and 1 parking space per bedroom up to 4 parking spaces including garage parking
Dwelling, Two-family (Duplex)	1 enclosed garage parking space and 1 parking space per bedroom up to 4 parking spaces including garage parking
Dwelling, Townhome	1 enclosed garage parking space and 1 parking space per bedroom up to 4 parking spaces including garage parking
Manufactured Home	2 parking spaces per unit
Rooming, Boarding House	1 parking space for every sleeping room
Educational and Institutional Uses	
Assisted living facility, nursing home, or institution	1 parking space for every 4 beds
Church or other place of worship	1 parking space for every 100 square feet of gross floor area in the main sanctuary.
Civic Club, Fraternal Organization, or Lodge	1 parking space for every 400 square feet of gross floor area.
Clinic, medical or dental	1 parking space for every 200 square feet of gross floor area

Halfway House	1 parking space for every 200 square feet of gross floor area
Hospital	1 parking space for every bed
Museum, Library, or Art Gallery	10 parking spaces plus 1 parking space for every 300 square feet of gross floor area in excess of 2,000 square feet.
Nursery, Kindergarten, or Daycare for Children	1 parking space for every 8 pupils
Schools; Elementary, High, College and Universities, Public, Private, or Denominational	Elementary, junior high, and middle schools: 2.5 parking spaces for every classroom and a minimum of 10 stacking spaces in 1 pick-up/drop-off lane. High school: 8 parking spaces per classroom College: 10 parking spaces per classroom.
Utility and Transportation Uses	
General Utility and Transportation Parking	Unless specified below, utility and transportation uses shall have 1 space for every employee plus parking to accommodate all vehicles, but not less than 1 parking space for every 1,000 square feet for gross floor area
Recreation and Entertainment Uses	
Auditorium, Sporting Arenas, Coliseum, Theater, or Amphitheater	1 parking space for every 3 seats
Commercial Amusement Centers, Indoor	1 parking space for every 200 square feet of gross floor area unless listed below: Bingo centers: 1 parking space for every 100 square feet of gross floor area Bowling alley: 5 parking spaces for every alley Indoor sporting courts: 5 parking spaces per court Indoor shooting range: 2 parking spaces for every firing lane and 10 parking spaces for every classroom Indoor swimming pool: 1 parking space for every 100 square feet of water surface and pool deck area
Commercial Amusement Centers, Outdoor	1 parking space for every 100 square feet of gross floor area unless listed below: Golf course: 5 parking spaces for every green, plus the required parking for retail, office, and other uses as applicable. Golf driving range or miniature golf: 1.5 parking spaces for every tee Outdoor shooting range: 2 parking spaces for every firing lane and 10 parking spaces for every classroom Outdoor swimming pool: 1 parking space for every 100 square feet of water surface and pool deck area Sports fields: 50 parking spaces for every field Sports courts: 5 parking spaces per court
Community Center	10 parking spaces plus 1 parking space for every 300 square feet of gross floor area in excess of 2,000 square feet.
Health Club or Studio	1 parking space for every 200 square feet of gross floor

	area
Commercial, Retail, and Service Uses	
Automobile Car Wash	1 parking space for every employee not including parking provided for vacuum stalls. 8 stacking spaces for every car wash bay required for full service and 2 stacking spaces for every car wash bay required for self-service.
Automobile, Motorcycle, Boat, or Trailer Sales, New or Used	1 parking space for every 500 square feet of sales floor area
Automobile or Vehicle Repair	2 parking spaces for every service bay with a minimum of 5 parking spaces. Quick service requires 3 stacking spaces for each service bay.
Automobile Service Station (Fueling Station)	1 space for every 200 square feet of gross floor area. A minimum of 6 parking spaces shall be provided adjacent to the main building.
Bank, credit unions, and financial institutions; including Credit Access Business	1 parking space for every 400 square feet of gross floor area plus 5 stacking spaces for every drive-thru teller or ATM station.
Contractors, Construction Offices, or Contractors Yard	Contractors Office: 1 parking space for every 400 square feet of gross floor area. Contractors Yard: 1 parking space for every 5,000 square feet of outdoor storage area.
Food Truck Lot	1 parking space for every 100 square feet of net food truck court area. Area does not include non-occupiable areas.
Funeral Home, Mortuary, or Crematory	1 parking space for every 200 square feet of gross floor area
Hotel or Motel	1 parking space for every unit plus the required parking for retail, office, and other uses as applicable.
Laundry, Pick-up or Self-service	1 parking space for every 200 square feet of gross floor area plus 3 stacking spaces for drive-thru.
Mini-warehouse	6 parking space for every development. Parking must be located outside of the security gates and accessible to the public.
Office, any type, unless specified herein	1 parking space for every 400 square feet of gross floor area
Restaurant	1 parking space for every 150 square feet of gross floor area plus 8 stacking spaces for drive-thru service.
Retail, any type, unless specified herein	1 parking space for every 250 square feet of gross floor area
Veterinarian, Animal Hospital, Pound or Shelter	1 parking space for every 400 square feet of gross floor area
Manufacturing and Industrial Uses	
Manufacturing and Industrial Parking	1 parking space for every 400 square feet of office floor area 1 parking space for every 1000 square feet for manufacturing or industrial floor area up to 20,000 square feet 1 parking space for every 2000 square feet for

	manufacturing or industrial floor area over 20,000 square feet
Machine Tools, Sales, Service, Rental, and Repair	1 parking space for every 400 square feet of gross floor area.

(b) Rules for Calculating Parking Space Requirements.

1. Where fractional parking spaces result, the parking spaces required shall be rounded up to the nearest whole number
2. For uses shown in subsection (a) that have atypical standards or single uses which have varying parking needs depending on the function of that specific single use, an applicant may submit a proposed parking ratio exception based on best/current planning and transportation practices under the following standards.
   a) Parking Ratio Application Exception.
      i) An applicant may submit an application for a Parking Ratio Exception
      ii) An applicant shall fully cite the sources used to derive the applicant-submitted parking ratio, possible resources include parking standards materials from the Institute of Transportation Engineers (ITE) or the American Planning Association (APA).
      iii) The Director of Development Services shall approve, modify or deny the applicant submitted parking ratio.
      iv) See Subsection 14.06.010 (Appeals and the Appeal Process) for the process to appeal a decision made by the Director of Development Services.

Sec. 14.04.004 Fences and Screening Devices

(1) Purpose. The purpose of these standards is to provide reasonable regulations for the appearance, location, type, and maintenance of fences and screening devices to ensure safety and the high-quality character and appearance of the City.

(2) General Standards. The following criteria shall apply to the installation of all fences and screening devices:

(a) No fence or screening device shall be placed within the following triangular areas at the intersections of streets and alleys due to sight distance requirements:

1. At all street intersections, the triangular area formed by the street right-of-way lines and a line connecting them at points twenty-five (25) feet from the intersection of the right-of-way lines. Depending on the curvature of intersecting roads, the City Engineer may require a larger triangular area.
2. At all intersections of streets with alleys, the triangular area formed by the street right-of-way line and the alley right-of-way line or the street right-of-way line and the property line connecting them at points ten (10) feet from their intersection.
3. Variances to the sight distance requirements may be approved by the Director of Engineering, subject to specific engineering criteria such as design speed, traffic control, and other site conditions.

(b) An irrigated landscaped strip, or an earthen berm, planted with trees or shrubs including a minimum of sixty (60) percent non-deciduous trees or shrubs that will achieve sight and noise obstruction, may be provided as a screening device

as approved as a special exception by the Planning and Zoning Commission.

(c) Backstops and safety fences may be erected in parks and recreational areas with the approval of the Director of Engineering and the Director of Development Services to a height in keeping with standard practices for such uses, so long as such fence or backstop is not otherwise detrimental to public safety.

(d) Electric fences or wires are prohibited along and adjoining any public street, alley or public grounds and any common property line. Such fences or wires shall not be erected, maintained, re-erected or repaired.

(e) Patio screens and/or walls used for other purposes than line fencing may exceed a height of six (6) feet when located within the allowable main building area of any lot as defined by the required front, side and rear building lines, but shall not exceed a height of ten (10) feet.

(f) A detailed site plan for a fence or screening device shall be submitted to the Development Services Department for review.

(g) Prohibited Materials. Metal panel fences are not permitted in any district.

(3) Single-family Residential Districts.

(a) A minimum six (6) foot masonry fence shall be constructed adjacent to major or minor arterials, as defined on the Thoroughfare Plan, to a single-family development. The perimeter fence may extend along the front property line long so long as it does not impact sight distance at intersecting streets, alleys, and driveways as defined in Subsection (2)(a).

(b) No fence, hedge or screening device shall exceed a height of four (4) feet within a front yard in a residential district. Fences, within the front yard must be decorative with openings not less than fifty (50) percent of the fence area. Chain link, woven wire mesh or similar materials are not considered decorative fencing and are prohibited.

(c) Fences used for screening shall not exceed a height of eight (8) feet in or along a required side or rear yard property line in a residential district. Such fences shall be constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained.

(4) Multi-family, Manufactured Housing, and Non-residential Districts.

(a) A minimum six (6) foot masonry or wrought iron, with masonry columns, perimeter fence shall be provided adjacent to public streets to surround a multi-family development or manufactured housing community. The masonry columns along a public street shall be separated at 24 feet on center. The perimeter fence may extend along the front property line long so long as it does not impact sight distance at intersecting streets, alleys, and driveways as defined in Subsection (2)(a). Perimeter fencings for multi-family or manufactured housing communities are not required along property lines that have a natural buffer, such as a water body, flood plain or similar that is greater that sixty (60) feet in width from the adjacent property.

(b) A minimum six (6) foot solid screening device shall be provided where a multi-family development (MF-15 or MF-30), commercial development (C-N, C-0, C-1, or C-2), or a manufacturing development (M-1, M-1.5, M-2) is adjacent to a single-family district (R-A, R-E, R-12, R-6, R-5, R-4, R-2F or R-TH).

(c) No fence or screening device shall exceed a height of four (4) feet within a front yard in a non-residential district. Fence within the front yard must be decorative

with openings in not less than fifty (50) percent of the fence area. Chain link, woven wire mesh or similar materials are prohibited.

(d) All uses within an MF-15, MF-30, C-N, C-O, C-1, C-2, M-1, M-1.5 or M-2 district shall provide a screening device as an enclosure for garbage and trash containers.

1. Such enclosure shall be located within the building area of the lot.
2. The container shall be positioned or screened in such a way so that it is not visible from any street, highway or major thoroughfare.
3. Enclosures shall be constructed of masonry or similar durable material.
4. Trash enclosures may be permitted in the required rear or side yards when adjacent to other multi-family or non-residential zoning districts.

(e) Security fences may be erected to a height of ten (10) feet in commercial and manufacturing districts within the required building area.

(f) It shall be unlawful for any person to build or erect any barbed wire fence consisting of one (1) or more wires with barbs on them on, along or adjoining any public street, alley, or grounds within the City, or to lay any such wire or barbs on or along the top of any wooden or other fence adjoining any such street, alley, or grounds in the City, such fences being regarded as dangerous to the traveling public. The Director of Development Services may approve such fences for the protection of factories and manufacturing establishments, for the husbandry of livestock, or where it is necessary for protection of public utilities or other facilities in time of war or emergency (See Subsection 8.02.003 of the Code of Ordinances).

(5) Agricultural Areas.

(a) Line fences used for control of farm animals or to identify property boundaries may be constructed on a property greater than two (2) acres with active agricultural use. Such fences may be constructed of materials customarily used in agricultural landscaping. Poultry netting or welded wire on t-posts is not permitted for the use of line fences.

(b) Approval by the Development Services Director may be granted for the erection of electric fences or wires in agricultural areas described in Subsection (2)(d) for control of farm animals and in other areas to control dogs or other small animals provided the electric fences or wires are within a fenced area that will provide a protective enclosure.

(c) Gates designed for vehicle access shall be set back at least 20 feet from the property line.

(6) Permit required. Fences and screening devices as defined above shall be required to have a building permit, be inspected by the City and meet the requirements of this article.

Sec. 14.04.005 Telecommunication Antennas and Towers.

(1) Purpose; Goals. The purpose of this section is to provide the citizens of the City with the best services possible while minimizing the detrimental visual effect of antennas and structures. This ordinance does not regulate or apply to existing private communication equipment, towers or antennae solely for internal communication and used by a utility company with a franchise agreement with the City, which are not available for use by the general public.

(2) Definitions. Refer to Subsection 14.08 (Definitions).

(3) Regulations.

(a) Locations requiring building permit only. Permitted locations for antennas on monopole, light standards, flagpoles, and colocations are as follows:

1. An antenna may be located on any existing structure (buildings, signs, water towers, etc.) in any zoning district. The antenna only may extend up to ten (10) feet above the main structure. The allowance of an additional ten (10) feet in height does not apply to existing towers and/or poles. Installations on existing structures shall comply with load requirements of the City Building Code.
2. Colocation on water towers and existing towers.
3. Monopole towers only in the following districts with the maximum heights and conditions as listed:

C-O	40 feet
C-1	50 feet
C-2	70 feet
M-Districts	100 feet

   a) Towers shall maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted sky blue or gray, so as to reduce visual obtrusiveness. At the lower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the lower facilities to the natural setting and built environment.
   b) Towers over seventy (70) feet shall have a minimum setback from residential zones of four hundred (400) feet.
   c) A minimum setback of two hundred (200) feet or one and one-half (1½) times the height of the monopole from any residential zoning district, whichever is greater.
   d) A minimum setback equal to the tower height from any property line.
   e) A minimum separation of one thousand (1,000) feet from any other monopole or antenna tower, except for colocations on the same tower or monopole.

(b) Locations requiring Planning and Zoning Commission approval.

1. A specific use permit is required for any towers proposed to be located in the Overlay District, the Historical District, the Central Business District, and all other types of towers and sites not listed above. The applicant shall provide the following as part of a SUP application:
   a) Proof of attempt to collocate on existing structures or towers. An affidavit that applicant has contacted all other providers and tower owners in applicant's target ring and that applicant was unable to collocate. Information to be provided includes date of contract, contact name, phone number, tower location, and reason colocation was not feasible.
   b) Coverage map for proposed antenna. Disclosure of target ring, lower coverage area, identification of all existing towers in the target ring and their owners, and applicant's propagation studies for the target ring.
   c) Verification list of all property owners notified of the proposed

tower within a three hundred foot (300) radius or three (3) times the height of the tower, whichever is greater. Verification shall be return receipts from the U.S. Postal Service. Proof of notification by U.S. Mail, within twenty-one (21) days before application, of proposed tower location and height to all property owners within a three hundred (300) foot radius from the tower or three (3) times the height of the tower, whichever is greater.

d) A plan to minimize the visual impact of the tower. A detailed plan to minimize the visual impact of the tower and associated buildings and to maintain the aesthetic quality of the surrounding neighborhood by use of appropriate architectural concepts, camouflaging, colors, landscaping, textures of materials and screening, drawn to scale, to include the method of maintaining and replacing any dead or dying vegetation.

e) Visual elevations to scale of the proposed tower or antenna and surrounding area. Visual elevations drawn to scale of the proposed tower or antenna and the surrounding three (3) mile radius area, depicting where any portion of the proposed tower could be seen by pedestrians.

(c) Additional items.

1. All towers, supporting facilities, buildings, antennas, and below-ground structures located within the City limits of the City, including such structures located on real property subsequently annexed into the City, and new towers, supporting facilities, buildings, antennas, and all below-ground structures, shall be removed by the tower or antenna owner after each tower or antenna ceases operations for ninety (90) days, and such owners are required to provide the City with a copy of the notice to the FCC of the intent to cease operations, required to immediately revegetate the tower site in order to blend in with the surrounding area, and required to pay a penalty of fifty dollars ($50.00) per day until removal and revegetation is complete.
2. All towers shall be built three (3) times the capacity of their intended use in order that secondary users could lease the balance of the tower capacity at reasonable rates.
3. Applicants shall send, by certified mail, notice to all other tower users in the area, stating their siting needs and/or sharing capabilities. Applicants cannot be denied space on a lower tower unless mechanical, structural or regulatory factors prevent sharing.
4. A sign having two-inch high letters shall identify all users of the tower.
5. Each tower, supporting facilities, buildings, and antennas located on real property annexed into the City, shall, within one hundred eighty (180) days of such annexation, be modified to minimize the visual impact of these structures and to maintain the aesthetic quality of the surrounding neighborhood by use of appropriate architectural concepts, camouflaging, colors, painting, landscaping, textures of materials, and other screening devices.

(d) Federal requirement. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such

standards and regulations are changed, then the owners of the towers and antennas governed by this section shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations.

(e) Building codes; safety standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the tower fails to comply with such codes and standards and constitutes a danger to persons and property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such codes and standards. If the owner fails to bring such tower into compliance within the said thirty (30) days, the City may remove such tower or cause such tower to be removed at the owner's expense.

(4) Removal of abandoned antennas and towers. Any antenna or tower that is not operated for a continuous period of six (6) months shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the Development Services Director notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the Development Services Director may cause such antenna or tower to be removed at the owner's expense. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

(5) Refusal to grant request. Rejection of an application for a permitted use request for an antenna, tower or alternative tower structure by the Director of Development Services shall require the proponent to submit a zone case for a specific use permit in accordance with Subsection 14.06.009.

Sec. 14.04.006 Residential and Commercial Landscaping Requirements

(1) Residential Tree and Landscaping.

(a) The City finds that the planting of trees aids in the stabilization of soil by preventing erosion and sedimentation, generates oxygen, provides a buffer and screen against pollution, provides a haven for birds, protects and enhances property values and enhances the City's physical and aesthetic appearance.

(b) Scope. This section shall apply to all new residential construction. These regulations do not apply to additions to existing dwellings.

(c) Definitions. Refer to Subsection (3) below for the approved list of trees to choose from for planting.

(d) Caliper. The term "caliper" means the diameter of the trunk of the tree measured twelve (12) inches above grade.

(e) Applicability. The terms and provisions of this section shall apply to all property as follows:

1. New single-family residential construction. Two, two (2) inch caliper trees from the approved tree list set forth herein are required prior to the certificate of occupancy being issued.

(f) Variances. The Board of Adjustment after a public hearing shall hear appeals for variances to this section.

(2) Commercial Tree and Landscaping.

(a) All areas that are used for off-street parking shall conform to the minimum

landscaping requirements of this section. Parking lots with twenty-five (25) parking spaces or more shall have open landscaped areas that are equal to but not less than ten (10) percent of the parking areas and drives in the parking areas. The required area may be used as island, perimeter landscaping, or in any combination. A minimum of forty (40) percent of the required landscaped area must be used as islands.

(b) Landscaping shall consist of a combination of such materials as grasses, ground cover, shrubs, vines, hedges, trees or other such materials. Grasses and ground cover alone shall not constitute adequate landscaping.

(c) Definitions. Refer to Subsection (3) below for the approved list of trees to choose from for planting.

(d) Visibility at intersections. On a corner lot, no vegetation shall be planted and allowed to grow, in such a manner as to impede vision between a height of two (2) feet and eight (8) feet above the centerline grades of the intersecting streets, subject to the sight distance regulations in section 14.04.004(2)(a).

(3) Approved Tree List.

Common Name	**Scientific Name**
Bigtooth maple	Acer grandidentatum
Chalk maple	Acer leucoderme
Caddo maple	Acer saccharum 'Caddo' (Acer barbatum)
Chittamwood	Bumelia lanuginosa
Pecan	Carya illinoensis
Black hickory	Carya texana
Redbud	Cercis canadensis
Desert willow	Chilopsis linearis
Arizona cypress	Cupressus arizonica
Texas persimmon	Diospyros texana
Eastern persimmon	Diospyros virginiana
White ash	Fraxinus americana
Green ash	Fraxinus pennsylvanica
Ginkgo	Ginkgo biloba
Deciduous holly	Ilex decidua
Yaupon holly	Ilex vomitoria
Texas walnut	Juglans microcarpa
Walnut	Juglans nigra
Eastern red cedar	Juniperus virginiana
Golden rain tree	Koelreuteria paniculata
Crepe myrtle	Lagerstroemia indica

Sweetgum	Liquidambar styraciflua
Bois d’arc	Maclura pomifera
Southern magnolia	Magnolia grandiflora
Dawn redwood	Metasequoia glyptostroboides
Texas mulberry	Morus microphylla
Red mulberry	Morus rubra
Afghan or Eldarica pine	Pinus eldarica
Chinese pistachio	Pistacia chinensis
Mexican plum	Prunus mexicana
Ornamental pear	Pyrus calleryana
Texas oak	Quercus buckleyi
Escarpment live oak	Quercus fusiformis
Havard shin oak	Quercus havardii
Bluejack oak	Quercus incana
Lacey oak	Quercus laceyi
Bur oak	Quercus macrocarpa
Blackjack oak	Quercus marilandica
Chinkapin oak	Quercus muehlenbergii
Water oak	Quercus nigra
Shumard red oak	Quercus shumardii
White shin oak	Quercus sinuata var. breviloba
Post oak	Quercus stellata
Live oak	Quercus virginiana
Western soapberry	Sapindus drummondii
Eve’s-necklace	Sophora affinis
Bald-cypress	Taxodium distichum
Winged elm	Ulmus alata
American elm	Ulmus americana
Cedar elm	Ulmus crassifolia
Lacebark elm	Ulmus parvifolia
Drake elm	Ulmus parvifolia ‘Drake’
Slippery elm	Ulmus rubra

Mexican buckeye	Ungnadia speciosa
Texas ash	Fraxinus texensis
Tickle-tongue	Zanthoxylum hirsutum

Secs. 14.04.007 – 14.04.999 Reserved

ARTICLE 14.05 ADMINISTRATIVE AUTHORITY

Sec. 14.05.001 Director of Development Services

(1) The Director of Development Services shall administer and enforce this chapter.

(2) If the Director of Development Services finds that any of the provisions of this chapter are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this chapter to ensure compliance with or to prevent violation of its provisions.

(3) All questions of interpretation and enforcement of this chapter shall be presented to the Director of Development Service, who is responsible for such interpretation and enforcement, and his decisions thereon shall be final unless appealed to the Board of Adjustment pursuant to the procedure described in Subsection 14.06.010 (Appeals and the Appeal Process).

Sec. 14.05.002 Planning and Zoning Commission

The Planning and Zoning Commission shall have the authority and responsibilities outlined in this Chapter and as prescribed by state law and the City Charter.

Sec. 14.05.003 City Council

The City Council may from time to time amend, supplement or change by ordinance the text of this chapter on its own initiative or upon petition for a text amendment.

Sec. 14.05.004 Board of Adjustment

(1) Establishment.

- (a) There is hereby established a Board of Adjustment.
- (b) All rules and regulations adopted by the Board of Adjustment shall be reviewed and approved by the City Council.
  1. The rules and regulations shall be consistent with and not in conflict with state law, this chapter, the City Charter or other rules and regulations prescribed by the City Council.
- (c) The Board of Adjustment shall function according to the laws of the State of Texas, the City Charter and the provisions of this chapter.

(2) Membership.

- (a) The City Council shall appoint a Board of Adjustment of five (5) members from its own body to serve as provided by Texas Local Government Code Section 211.008. The two (2) remaining members of the Planning and Zoning Commission shall serve as alternate members of the Board of Adjustment.
- (b) The chairman of the Board of Adjustment shall be designated by the Planning and Zoning Commission. The Board of Adjustment shall select its own vice-

chairman, secretary, and acting secretaries and such other officers as it may deem expedient.

(3) Duties and Responsibilities.

(a) Appeal of an Administrative Decision. The Board of Adjustment is authorized in specific cases to consider appeals from administrative decisions pursuant to Subsection 14.06.010 (Appeals and the Appeal Process).

(b) Nonconforming Use Reconstruction, Extension or Enlargement. The Board of Adjustment may permit the reconstruction, extension or enlargement of a structure occupied by nonconforming uses, on the lot or tract occupied by such building, provided such reconstruction does not prevent the return of such property to a conforming use.

(c) Amortization of a Nonconforming Use. The Board of Adjustment is authorized in specific cases to amortize nonconforming uses pursuant to Subsection 14.01.007(7) (Amortization of Nonconforming Uses).

(d) Variance. The Board of Adjustment is authorized in specific cases to grant a variance from the Zoning Ordinance terms, standards and criteria pursuant to Subsection 14.06.006 (Variance Procedures).

(e) Special Exception. The Board of Adjustment is authorized in specific cases to grant a special exception from the General Zoning Ordinance terms, standards and criteria pursuant to Subsection 14.06.007 (Special Exceptions).

(f) Reinstatement of Nonconforming Rights. The Board of Adjustment is authorized in specific cases to reinstate nonconforming rights pursuant to Subsection 14.06.012 (Reinstatement of Nonconforming Rights).

(4) Public Hearing Required. Before taking action on an application or appeal under Subsection (3), the Board of Adjustment shall hold a public hearing and shall provide the notice of public hearing required by this Chapter for a zoning district change under Subsection 14.06.005 (Amendments to the Zoning Ordinance/District and Administrative Procedures). At the public hearing, the Board of Adjustment shall consider public comments, the Director's recommendation and other applicable information.

(5) Quorum. Each case before the Board of Adjustment must be heard by at least four (4) members.

(6) Concurring Vote Required.

The concurring vote of four (4) members of the Board of Adjustment is necessary for the following:

(a) Appeal of an Administrative Decision. Reverse or affirm an order, requirement, decision, or determination of an administrative official.

(b) Special Exception or Nonconforming Use Decision. Decide in favor of an applicant on a matter on which the Board of Adjustment is required to pass under a zoning ordinance.

(c) Variance Decision. Authorize a variation from the terms of a zoning ordinance.

(7) Appeal of a Board of Adjustment Decision.

The Board of Adjustment's decision is final unless appealed to district court within ten (10) days after the Board of Adjustment's decision is filed in the Office of the Board. Such appeal must be made in accordance with Chapter 211 of the Texas Local Government Code. The Board of Adjustment's decision is filed in the Office of the Board when the Board votes and makes its decision in open session.

(8) Power to Obligate and Finance.

The Board of Adjustment shall have no power to obligate the City in any manner

whatsoever. The Board of Adjustment's finances shall be handled in the same manner as any division of the City Government.

(9) Ex Parte Communication.
No member of the Board of Adjustment shall hold a meeting or communicate with an applicant or member of the public regarding a pending application or appeal outside of a public hearing.

Secs. 14.05.005 – 14.05.999 Reserved

ARTICLE 14.06 DEVELOPMENT PROCEDURES

Sec. 14.06.001. Building Permits Required

(1) No building or other structure shall be erected, moved, added to or structurally altered without a permit therefor, issued by the Building Official. No building permit shall be issued except in conformity with the provisions of this ordinance, except after written order from the Board of Adjustment.

(2) Application for Building Permit.
   (a) All applications for building permits shall be accompanied by plans, drawn to scale showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Building Official, including existing or proposed building or alteration; existing or proposed uses of the building and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this ordinance.
   (b) One (1) copy, hardcopy or digital, of the plans shall be returned to the applicant by the Building Official, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The copy of the plans, similarly marked, shall be retained by the Building Official.

(3) Building Permit Expiration.
   (a) If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, said permit shall expire; it shall be cancelled by the building official; and written notice thereof shall be given to the persons affected.
   (b) If the work described in any building permit has not been substantially completed within two (2) years of the date of issuance thereof, said permit shall expire and be cancelled by the Building Official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new building permit has been obtained.

Sec. 14.06.002. Creation of the Building Site

(1) No permit for the construction of a building or buildings upon any tract or plot shall be issued until a building site, building tract or building lot has been created by compliance with one of the following conditions:
   (a) Approved Plat of Record. The lot or tract is part of a plat of record, properly approved by the City Council, and filed in the Plat Records of Grayson County,

Texas.

(b) Annexation. The plat, tract or lot faces upon a dedicated street and was separately owned prior to annexation to the City, in which event a building permit for only one main building conforming to all the requirements of this chapter may be issued on each such original separately owned parcel without first complying with Subsection (1)(a) above.

(c) Approved Site Plan. The plat or tract is all or part of a Site Plan officially approved by the Planning and Zoning Commission, and compliance has been made with provisions and improvements approved on such Site Plan for all utility and drainage easements, dedication of streets, alleys and other public improvements required to meet the standards established for the platting of land.

(2) Building Permit Issuance Requires a Plat of Record. A plat of record shall be created prior to the issuance of a Building Permit.

Sec. 14.06.003. Certificates of Occupancy and Compliance

(1) Certificates of Occupancy Required.

(a) Certificates of Occupancy shall be required for any of the following:

1. Occupancy and use of a building hereafter erected or structurally altered;
2. Change in use of an existing building to a use of a different classification;
3. Change in ownership or change in lessee for a non-residential use.
4. Occupancy and use of vacant land, except agricultural use;
5. Change in the use of land to a use of a difference classification;
6. Any change in the use of a nonconforming use; and
7. Any use in existence with an annexation request.

(b) Certificate of Occupancy Required from Building Official. No such use, or change of use, shall take place until a Certificate of Occupancy therefore shall have been issued by the Building Official.

(2) Procedure for New or Altered Buildings.

(a) Written Application. Written application for a Certificate of Occupancy for a new building or for an existing building which is to be altered shall be made at the same time as the application for the Building Permit for such building.

(b) Timing of Certificate Issuance. Said Certificate shall be issued within fourteen (14) calendar days after a written request for the same has been made to said Building Official or his agent after the erection or alteration of such building or part thereof has been completed in conformity with the provisions of this chapter.

(3) Procedure for Vacant Land or a Change in Building Use.

(a) Written Application. Written application for a Certificate of Occupancy shall be made to the Building Official for review according to Subsection 14.06.002 (Creation of Building Site) for the following:

1. The use of vacant land,
2. For a change in the use of land or a building, or
3. For a change in a nonconforming use to a conforming use.

(b) Timing of Certificate Issuance. If the proposed use is in conformity with the provisions of this chapter, the Certificate of Occupancy therefore shall be issued within fourteen (14) calendar days after the completed application for same has been made. The City shall not issue the Certificate of Occupancy where City taxes are delinquent.

(4) Contents of a Certificate of Occupancy.

(a) Building and Proposed Use. Every Certificate of Occupancy shall state that the building or the proposed use of a building or land complies with all provisions of the building and fire laws and Ordinances.

(b) Record of Certificates of Occupancy. A record of all Certificates of Occupancy shall be kept in file on the office of the Building Official or his agent and copies shall be furnished upon request to any person having proprietary or tenancy interest in the building or land affected.

Sec. 14.06.004. Site Plan Requirements.

(1) Purpose. The purpose of site plan approval is to determine compliance with this ordinance and to promote the orderly and harmonious development of the City.

(2) General Standards.

(a) A site plan is a plan of development drawn to scale indicating:

1. The location and arrangement of buildings on the subject property.
2. Building setbacks and yards.
3. Landscaping and/or walls and fences for screening purposes.
4. Off-street parking and loading areas and design of ingress and egress to and from abutting streets.
5. Zoning of adjacent property.
6. The location of screened trash receptors.
7. Fire lanes.
8. When required, a site tabulation table including:
   a) Gross square feet of each structure.
   b) Gross square feet of property.
   c) Required parking.
   d) Parking provided.
   e) Current zoning.
   f) Proposed zoning.
   g) Hard surface/impervious area (square feet).
   h) Landscaped area (square feet).
   i) Floor-to-Area Ratio (FAR).

(b) Site plans for new commercial projects shall be prepared by a design professional (architect, engineer, surveyor, etc.) except as listed below:

1. Temporary Use Permits.
2. Additions to existing buildings under one thousand (1,000) square feet

(c) For any specific use permit application or whenever two or more main buildings, or portions thereof, are placed upon a single lot or tract and such buildings will not face upon a street or officially approved place, a site plan shall be submitted to and approved by the Planning and Zoning Commission.

(d) For any temporary use permit application, a site plan shall be submitted to and approved by the Planning and Zoning Commission.

(3) Site Plan Application Procedure:

(a) Preapplication Meeting.

1. It is recommended that the applicant meet with an authorized representative of the Development Services Department to allow the applicant to learn the general procedures for approval, and to review the general plan of the proposed development, but the development / project shall not be discussed in sufficient detail to provide the City with fair

notice of the project.

2. No applications may be submitted to or accepted for filing with representatives of the Development Services Department during the meeting.

(b) Application Contents Generally. All applications and filings shall meet the requirements as defined by the Development Application Checklist and Engineering Standards, as they exist or may be amended, which shall be established and maintained by the Director of Development Services and the Director of Engineering Services, respectively. Incomplete applications shall not be accepted for filing and shall not be considered officially filed.

1. Filing Procedure.
   a) All applications and filings for approval required by this Ordinance shall be filed with the Development Services Department.
   b) The Development Application Checklist, as it exists or may be amended, shall prescribe the procedures for filing.
   c) All applications and filings shall occur only on official Development Services Schedule Dates, published as part of the Development Application Checklist.
   d) If an application or filing is rejected by the Development Services Department, then it is not considered filed under this Ordinance or the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.
   e) Any application submitted on a date other than an official Development Services Schedule Date shall be rejected and shall not be considered filed under this Ordinance and the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.
   f) An application must be considered complete and officially filed in accordance with this Section prior to being processed for review and consideration.
2. Development Review Schedule Dates. The Director of Development Services shall publish schedules of the official Development Review Processing Dates as follows:
   a) A Development Services Schedule for all land development applications and filings for the period January 1 to December 31 of each year shall be set by the Planning and Zoning commission on or before December 1 of the year before such period and shall be published as part of the Development Application Checklist. Any changes or amendments to the approved schedule require Planning and Zoning Commission approval.
   b) A Disapproval Development Services Schedule for the period January 1 to December 31 of each year shall be set by the Planning and Zoning Commission on or before December 1 of the year before such period and shall be published as part of the Development Application Checklist. Any changes or amendments to the schedule require Planning and Zoning Commission approval. The Disapproval Development Services

Schedule shall govern an applicant's response to the conditional approval or disapproval of a plan or plat subject to Section 212.0093 of the Texas Local Government Code. Any such response submitted on a date other than an official Disapproval Development Services Schedule Date shall be rejected and shall not be considered filed under this Ordinance and the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

3. Fees Required. Every application shall be accompanied by the prescribed fees set forth in the City's fee schedule, as approved by City Council and as may be amended from time to time. The prescribed fee is not refundable.
4. Delinquent City Taxes on Property. An application shall not be deemed complete, nor shall it be approved, if there are delinquent City taxes on the subject property.

(c) Modification of Applications Prior to Approval. The applicant may modify a complete application following its filing and prior to the expiration of the period during which the City is required to act on the application only in accordance with the following conditions.

1. If the modification is for revisions requested by the City, and the modification is received at least fourteen (14) calendar days prior to the time scheduled for decision on the application, the application shall be decided within the original period for decision (from the original official filing date) prescribed by this Zoning Ordinance.
2. Any other modifications to an application will not be accepted.

(d) Initiation, Complete Application and Expiration.

1. Initiation by Owner. An application required under this Zoning Ordinance may be initiated only by the owner of the land subject to the application, or by the owner's duly authorized representative. If the applicant is a representative of the property owner, the application shall include a written and notarized statement from the property owner, such as a duly executed "Power of Attorney," authorizing the representative to file the application on the owner's behalf.
2. Applicability. The procedures within this Section shall apply to all applications that are required by the City and submitted in accordance with this Zoning Ordinance.
3. Determination of Completeness. Every application shall be subject to a determination of completeness by the responsible official for processing the application. An application must be complete in order to be accepted for review by the City.
    a) The application shall only be accepted by the responsible official for processing when it is accompanied by all documents required by, and prepared in accordance with, the requirements of this Zoning Ordinance. A typographical error shall not, by itself, constitute an incomplete application.
    b) A determination of completeness shall not constitute a determination of compliance with the substantive requirements of this Zoning Ordinance.
    c) A determination of completeness shall be conducted in

accordance with the following procedures:

i) If the application does not contain all information, as defined by the Development Application Checklist, as it exists or may be amended, and/or does not conform to all standards required by any ordinance, law, or regulation governing the application, then it shall be considered incomplete. The applicant shall be notified in writing within ten (10) business days if the submitted application is incomplete.

ii) The City shall reject all incomplete applications and provide written notice of the rejection to the applicant by one of the following methods:

- Mail;
- Email;
- Delivery service; or
- Hand delivery or other delivery method of written notice approved by the Director of Development Services. The written notice need not identify all reasons why the application was deemed incomplete. If the notice contains one or more reasons why the application was deemed incomplete, addressing the reason(s) identified in the notice does not guarantee acceptance of a subsequent application.

iii) If the application is determined to be complete, the application shall be processed as prescribed by this Zoning Ordinance.

d) It is not guaranteed that an accepted, complete application will be approved, if after the application is deemed complete, it is determined that the application does not comply with this Zoning Ordinance and all other applicable laws or regulations.

e) No Accrual of Vested rights from Specific Applications: No rights derived from Chapter 245 of the Texas Local Government Code, as amended, shall accrue from an application for a permit that expires, from an application for a permit that is denied or from an application that does not provide fair notice.

f) 30-Day Action Extension Request:

i) Request. An applicant may submit in writing a request to extend the 30-day action in relation to the decision time for site plans of thirty (30) days, as mandated by State law.

ii) Received. If the applicant requests an extension, such request must be received by the municipal authority on or before the eleventh (11th) calendar day prior to the municipal authority's deadline to act.

Sec. 14.06.005. Amendments to the Zoning Ordinance/District and Administrative Procedures

(1) Authority to Amend Ordinance.

(a) Authority. The City Council may from time to time, after receiving a final report thereon by the Planning and Zoning Commission and after public hearings required by law, amend, supplement or change the regulations herein provided or the boundaries of the zoning districts specified on the Zoning Map.

(b) Ordering Changes or Amendments.

1. The Planning and Zoning Commission or City Council may order the consideration of any changes or amendments to this chapter.
2. Any zoning district boundary amendment may be ordered for consideration by the:
   a) City Council;
   b) Planning and Zoning Commission; or
   c) The owner of the real property (or the authorized representative of an owner of real property).

(c) Planning and Zoning Commission Report Required. In no case shall the City Council act upon any zoning request prior to receiving a report on the case from the Planning and Zoning Commission.

(d) Zoning Amendment Application Submittal.

1. Each applicant for zoning or for an amendment or change to the existing provisions of this chapter shall submit a zoning application to the Director of Development Services on official Development Services Schedule Dates and shall be accompanied by payment of the appropriate fee as established by the City.
2. All applications received on a date other than during the Development Services Schedule Dates will not be accepted.
3. Applications must be complete for acceptance, subject to the requirements included in the Development Application Checklist.

(e) Zoning Application Details.

1. To ensure the submission of adequate information, the Director of Development Services is hereby empowered to maintain and distribute a list of specific requirements for zoning applications and update, modify such requirements as deemed necessary.
2. Upon periodic review, the Development Services staff shall have the authority to update such requirements for zoning application details.

(2) Zoning Amendments Process, Public Hearing and Notice.

(a) Zoning District Change.

1. Planning and Zoning Commission Public Hearing Required. Prior to making its report to the City Council, the Planning and Zoning Commission shall hold at least one public hearing on each application.
2. Written Notice of the Planning and Zoning Commission Public Hearing. Before the tenth (10^{th}) calendar day before the hearing date before the Planning and Zoning Commission, written notice of each public hearing before the Planning and Zoning Commission on a proposed change in a zoning classification shall be sent to each owner, as indicated by the most recently approved City Tax Roll, of property within two hundred (200) feet of the property in which the change in classification is proposed. This notice is served by deposit in the United States Postal Service.
3. Published Notice of the City Council Public Hearing. Notice of the City Council public hearing shall be given by publication in the official

newspaper of the City, stating the time and place of such public hearing, a minimum of fifteen (15) calendar days prior to the date of the public hearing.

(b) Zoning Text Amendment.

1. Published Notice Prior to Public Hearing. Notice of public hearings on proposed changes in the text of this chapter shall be accomplished by one publication not less than (15) calendar days prior to both the Planning and Zoning Commission and City Council meetings thereto in the official newspaper of the City.
2. Exemption. Changes in the ordinance text that do not change zoning district boundaries do not require written notification to individual property owners.

(3) Failure to Appear before the Commission. The Planning and Zoning Commission may deny a zoning application if the applicant or representative fails to appear at one (1) or more hearings before the Planning and Zoning Commission.

(4) Planning and Zoning Commission Consideration and Report.

(a) Planning and Zoning Commission Vote. The Planning and Zoning Commission, after the public hearing is closed, may vote to approve, approve with amendments and conditions, table or deny in whole or in part the application.

(b) Planning and Zoning Commission Table. The Planning and Zoning Commission may table for not more than ninety (90) calendar days from the time it is posted on the agenda until it has had opportunity to consider other proposed changes which may have a direct bearing thereon.

(c) Planning and Zoning Commission Consideration. In making their determination, the Planning and Zoning Commission shall consider, among other things, the following factors:

1. Whether the uses permitted by the proposed change will be appropriate in the immediate area concerned and their relationship to the general area and the City as a whole.
2. Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other utilities to the area, and shall note the findings.
3. The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances that may make a substantial part of such vacant land unavailable for development.
4. The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change.
5. How other areas designated for similar development will be, or are unlikely to be, affected if the proposed amendment is approved, and whether such designation for other areas should be modified also.
6. The impact on the environment regarding the floodplain, riparian areas, topography, and vegetation.
7. Whether the request is consistent with the Comprehensive Plan and other master plans.
8. Any other factors which will substantially affect the health, safety, morals, or general welfare.
9. Findings of a Traffic Impact Analysis (TIA), if required.

(d) Planning and Zoning Commission Justification for Denial. If the Planning and Zoning Commission denies the zoning request, it may offer reasons to the applicant for the denial.

(e) Appeals. See Subsection 14.06.010 (Appeals and the Appeal Process).

(5) City Council Consideration.

(a) Proposal Recommended for Approval by the Planning and Zoning Commission.

1. Every proposal which is recommended for approval by the Planning and Zoning Commission shall be automatically forwarded to the City Council for setting and holding of public hearing thereon or as amended by the City Charter.
2. No change, however, shall become effective until after the adoption of an ordinance for same and its publication as required by law.

(b) City Council Consideration and Action. The City Council, after the public hearing is closed, may vote to approve, approve with amendments and conditions, table or deny in whole or in part the application.

(c) Protested Amendments.

1. Documented Protest Requirements. The following requirements apply to documented protests of a proposed change to a regulation or boundary in accordance with Section 211.006(d) of the Texas Local Government Code:
   a) Documented Protest Filing. Protests shall be filed with the Director of Development Services no later than noon of the business day immediately before the date of the first public hearing. Withdrawals of protests must be in writing and filed with the Director of Development Services before the filing deadline. The provisions of this section governing the form and filing of protests apply equally to withdrawals.
   b) Documented Protest Participant Requirements.
      i) Interior Protester: The owners, duly signed and acknowledged, of twenty (20) percent or more of the lots or land area included within a proposed boundary may participate in a documented protest for a specific case.
      ii) Exterior Protester: The owners, duly signed and acknowledged, of twenty (20) percent or more of the lots or land area within a two hundred (200) foot radius of the exterior boundary of the area may participate in a documented protest for a specific case.
2. Documented Protest Effect. If a documented protest, as defined in Subsection (5)(c)(1) above, has been filed with the Director of Development Services, then such proposed change shall not become effective except by the affirmative vote of three-fourths (3/4) of all members of the City Council.

(d) Denial by City Council.

1. The City Council may deny any request with prejudice.
2. If a request has been denied with prejudice, the same or similar request may not be resubmitted to the City for twelve (12) months from the original date of denial.

(e) Final Approval and Ordinance Adoption.

1. Approval of any zoning change or amendment by the City Council at

the scheduled public hearing shall constitute instruction to City staff to prepare the appropriate ordinance for final formal passage at a subsequent time.

2. If finally approved by the required number of votes, the ordinance shall be executed by the Mayor.
3. The Ordinance shall become effective from and after its adoption and publication as required by law and the City Charter.

Sec. 14.06.006. Variance Procedures

(1) Purpose and Applicability.

(a) Cases for which a Variance may be Granted. The Board of Adjustment may authorize, in specific cases, a variance of from the terms of a zoning ordinance for the following:

1. Height,
2. Yard,
3. Lot Area,
4. Exterior Structure,
5. Lot Coverage,
6. Off-street parking, and
7. Loading requirements.

(b) Variance Criteria. A variance may be granted only if the Board finds that:

1. The requested variance is not contrary to the public interest; and
2. The requested variance does not violate the intent of the Zoning Ordinance, as amended; and
3. The requested variance allows the spirit of the Zoning Ordinance to be observed and substantial justice done; and
4. The requested variance would not cause injury to or restrict development on any other parcel of land; and
5. The requested variance is not needed merely to promote economic gain or to prevent economic loss; and
6. A literal enforcement of the Zoning Ordinance would result in an unnecessary hardship. An unnecessary hardship only exists when a variance is needed to permit development of a specific parcel of land that differs from other parcels of land by being of such a restrictive area, shape, or slope that it cannot be developed in a manner commensurate with the development upon other parcels of land with the same zoning; and
7. The unnecessary hardship, if any, is neither self-created nor personal to the owner of the parcel of land.

(c) Variance Application Submittal.

1. Each applicant for a variance request shall submit a zoning application to the Director of Development Services on official Development Services Schedule Dates and shall be accompanied by payment of the appropriate fee as established by the City.
2. All applications received on a date other than during the Development Services Schedule Dates will not be accepted.
3. Applications must be complete for acceptance, subject to the requirements included in the Development Application Checklist.

(d) Variance Application Details.

1. To ensure the submission of adequate information, the Director of Development Services is hereby empowered to maintain and distribute a list of specific requirements for variance applications and update, modify such requirements as deemed necessary.
2. Upon periodic review, the Development Services staff shall have the authority to update such requirements for variance application details.

(e) Variance Limitations.

1. Completed Action Required Before a Variance. An application or request for a variance shall not be heard or granted with regard to any parcel of property or portion thereof upon which a Site Plan, Preliminary Plat or Final Plat, when required by this chapter or the Subdivision Ordinance for any parcel of property or portion thereof, has not been finally acted upon by both the Planning and Zoning Commission and, where required, by the City Council.
2. Exhausted all Other Options. The administrative procedures and requirements of the Zoning Ordinance, and any amendments thereto, with regard to both the Planning and Zoning Commission and City Council consideration and action, on Site Plans, Preliminary Plats, and Final Plats, must be exhausted prior to requesting a variance.

(f) Public Hearing Required.

1. The Board of Adjustment shall hold a public hearing for each variance application and shall provide the notice and public hearing required by this article.
2. At the public hearing, the Board of Adjustment shall consider public comments, the Director of Development Services recommendation, and other applicable information and shall approve, approve with conditions or deny the variance application.
3. Written Notice of the Board of Adjustment Public Hearing. Before the tenth (10^{th}) calendar day before the public hearing date, written notice of each public hearing before the Board of Adjustment on a variance request shall be sent to each owner, as indicated by the most recently approved City Tax Roll, of property within two hundred (200) feet of the property in which the change in classification is proposed. This notice is served by deposit in the United States Postal Service.

Sec. 14.06.007. Special Exceptions

(1) Purpose and Applicability.

(a) Cases for which a Special Exception may be Granted. The Board of Adjustment may authorize, in specific cases, a Special Exception when such Special Exception is clearly indicated as an alternative within this chapter.

(b) Special Exception Criteria. A Special Exception may be granted only if the Board finds that:

1. The requested special exception is not contrary to the public interest; and
2. The requested special exception does not violate the intent of this chapter; and
3. The requested special exception allows the spirit of this chapter to be observed and substantial justice done; and
4. The requested special exception would not cause injury to or restrict

development on any other parcel of land.

(c) Special Exception Application Submittal.

1. Each applicant for a Special Exception request shall submit a zoning application to the Director of Development Services on official Development Services Schedule Dates and shall be accompanied by payment of the appropriate fee as established by the City.
2. All applications received on a date other than during the Development Services Schedule Dates will not be accepted.
3. Applications must be complete for acceptance, subject to the requirements included in the Development Application Checklist.

(d) Special Exception Application Details.

1. To ensure the submission of adequate information, the Director of Development Services is hereby empowered to maintain and distribute a list of specific requirements for Special Exception applications and update, modify such requirements as deemed necessary.
2. Upon periodic review, the Development Services staff shall have the authority to update such requirements for Special Exception application details.

(e) Public Hearing Required.

1. The Board of Adjustment shall hold a public hearing for each Special Exception applicant and shall provide the notice and public hearing required by this article.
2. At the public hearing, the Board of Adjustment shall consider public comments, the Director of Development Services recommendation, and other applicable information and shall approve, approve with conditions, or deny the Special Exception application.
3. Written Notice of the Board of Adjustment Public Hearing. Before the tenth (10^{th}) calendar day before the hearing date, written notice of each public hearing before the Board of Adjustment on a special exception request shall be sent to each owner, as indicated by the most recently approved City Tax Roll, of property within two hundred (200) feet of the property in which the change in classification is proposed. This notice is served by deposit in the United States Postal Service.

Sec. 14.06.008. Temporary Use Permit (TUP) Application and Review

(1) Purpose and Applicability.

(a) Cases for which a TUP may be Granted. The Planning and Zoning Commission may authorize, in specific cases, a TUP when indicated in the Subsection 14.10 (Use Chart) listed as "TUP".

(b) TUP Criteria. A TUP may be granted only if the Board finds that:

1. The requested TUP is not contrary to the public interest; and
2. The requested TUP does not violate the intent of this chapter; and
3. The requested TUP allows the spirit of this chapter to be observed and substantial justice done; and
4. The requested TUP would not cause injury to or restrict development on any other parcel of land.

(c) TUP Application Submittal.

1. Each applicant for a TUP request shall submit a zoning application to the Director of Development Services on official Development Services

Schedule Dates and shall be accompanied by payment of the appropriate fee as established by the City.

2. All applications received on a date other than during the Development Services Schedule Dates will not be accepted.
3. Applications must be complete for acceptance, subject to the requirements included in the Development Application Checklist.

(d) TUP Application Details.

1. To ensure the submission of adequate information, the Director of Development Services is hereby empowered to maintain and distribute a list of specific requirements for TUP applications and update, modify such requirements as deemed necessary.
2. Upon periodic review, the Development Services staff shall have the authority to update such requirements for TUP application details.

(e) Other Regulations.

1. TUPs may be granted for a time period between 2 weeks and 6 months with the exception of a Concrete Batch Plant, which may request a time period of up to 2 years.
2. The Planning and Zoning Commission may impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this chapter for the particular use, as they deem necessary for the protection of adjacent properties, and the public interest.

(f) Public Hearing Required.

1. The Planning and Zoning Commission shall hold a public hearing for each TUP application and shall provide the notice and public hearing required by this ordinance.
2. At the public hearing, the Planning and Zoning Commission shall consider public comments, the Director of Development Services recommendation, and other applicable information and shall approve, approve with conditions, or deny the TUP application.
3. Written Notice of the Board of Adjustment Public Hearing. Before the tenth (10^{th}) calendar day before the public hearing date, written notice of each public hearing before the Planning and Zoning Commission on a TUP request shall be sent to each owner, as indicated by the most recently approved City Tax Roll, of property within two hundred (200) feet of the property in which the change in classification is proposed. This notice is served by deposit in the United States Postal Service.

Sec. 14.06.009. Specific Use Permit (SUP) Application and Review

(1) Purpose and Applicability.

(a) General Standards.

1. The City Council and the Planning and Zoning Commission, in considering any request for Specific Use Permit, shall only approve such request after they have determined that the use or uses allowed will not be detrimental to the adjacent properties or to the City as a whole.
2. The City Council may grant, in specific cases, an SUP only where an SUP is permitted for the proposed use and in the applicable zoning district as indicated in the Use Chart set forth in Subsection 14.10 (Use Chart). The City Council shall grant an SUP in a duly adopted ordinance.

3. A SUP is an amendment to the district regulations of the Zoning Ordinance that permits the establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure is discontinue or abandoned for a period of thirty (30) consecutive days in which event such specific use permit shall be void and such use may not thereafter be resumed unless a new SUP is granted in accordance with this section.
4. A building, premise or land use requiring an SUP shall not be hereafter created, changed, converted or enlarged, either wholly or in part, until a specific use permit has been obtained in accordance with the regulations in this section.
5. The Director, City Council and the Planning and Zoning Commission may require from the applicant any plans, information, operational data, and expert evaluation concerning the location, function, and characteristics of the proposed use or buildings. The City Council when establishing a Specific Use Permit, and the Planning & Zoning Commission when making a recommendation concerning a Specific Use Permit, shall establish conditions and regulations, in addition to those of the base zoning district, necessary to protect the health, safety, morals, and general welfare of the neighborhood and/or the City. In addition, the use shall be in general conformance with the Comprehensive Plan and general objectives of the City. These conditions may include but are not limited to:
    a) Paving of streets, alleys, and sidewalks,
    b) Means of ingress and egress to public streets,
    c) Provisions for drainage,
    d) Adequate off-street parking,
    e) Protective screening, landscaping, and open space,
    f) Area or security lighting,
    g) The locations and heights of structures,
    h) Architectural compatibility of buildings,
    i) Intensity of the use, and
    j) Adequate traffic circulation required to contain all stacking activity on the site.

(b) SUP Criteria. An SUP may be granted only if the Planning and Zoning Commission and the City Council finds that:
1. The requested SUP is not contrary to the public interest; and
2. The requested SUP does not violate the intent of this chapter; and
3. The requested SUP allows the spirit of this chapter to be observed and substantial justice done; and
4. The requested SUP does not violate the intent of the Comprehensive Plan; and
5. The requested SUP would not cause injury to or restrict development on any other parcel of land.

(c) SUP Application Submittal.
1. Each applicant for an SUP shall submit a zoning application to the Director of Development Services on an official Development Services Schedule Date and shall be accompanied by payment of the appropriate fee as established by the City.

2. All applications received on a date other than during the Development Services Schedule Dates will not be accepted.
3. Applications must be complete for acceptance, subject to the requirements included in the Development Application Checklist.
4. Application for a specific use permit may be submitted by an applicant with approval from the property owner.

(d) SUP Application Details.

1. To ensure the submission of adequate information, the Director of Development Services is hereby empowered to maintain and distribute a list of specific requirements for SUP applications and update, modify such requirements as deemed necessary.
2. Upon periodic review, the Development Services staff shall have the authority to update such requirements for SUP application details.

(e) Public Hearing Required.

1. The City Council and the Planning and Zoning Commission shall hold a public hearing for each SUP application and shall provide the notice and public hearing required by this section.
2. At the public hearing, the City Council and the Planning and Zoning Commission shall consider public comments, the Director of Development Services recommendation, and other applicable information and shall approve, approve with conditions or deny the SUP application.
3. Written Notice of the Public Hearing. Before the tenth (10^{th}) calendar day before the hearing date, written notice of each public hearing before the Planning and Zoning Commission on an SUP request shall be sent to each owner, as indicated by the most recently approved City Tax Roll, of property within two hundred (200) feet of the property in which the change in classification is proposed. This notice is served by deposit in the United States Postal Service.

(f) Board of Adjustment Exclusion. The Board of Adjustment shall not have jurisdiction to hear, review, reverse or modify any decision, determination or ruling with respect to the specific land use designated by any Specific Use Permit.

(g) Amend, Change, or Rescind a Specific Use Permit. Upon holding a properly notified public hearing, the City Council may amend, change, or rescind a Specific Use Permit after recommendation by the Planning and Zoning Commission if:

1. There is a violation and conviction of any of the provisions of this ordinance or any ordinance of the City that occurs on the property for which the Specific Use Permit is granted;
2. The building, premise, or land uses under a Specific Use Permit is enlarged, modified, structurally altered, or otherwise significantly changed without approval of a separate Specific Use Permit for such enlargement, modification, structural alteration, or change;
3. Violation of any provision of the terms or conditions of a Specific Use Permit;
4. Ad valorem taxes on the property are delinquent by more than six (6) months;
5. The Specific Use Permit was obtained by fraud or with deception; or

6. The advertisement of a zoning change or Specific Use Permit shall be initiated by staff upon receipt of applicant's written response to staff's recommendation. The response shall indicate whether the applicant agrees or disagrees with the staff recommendation. Where the applicant disagrees with any portion of the recommendation, the applicant shall cite the reasons for the disagreement.

Sec. 14.06.010. Appeals and the Appeal Process

(1) Purpose and Applicability. This section establishes the appeal process for different applicants. All appeals are not processed in the same manner. Appeals are based on an applicant's judgment that the person or body rendering a decision under this chapter may be incorrect in either the process to reach a decision or in the decision itself.

(a) Appeal of an Administrative Decision.

1. The Board of Adjustment may hear and decide an appeal that alleges error in an order, requirement, decision or determination made by an administrative official in the enforcement of this ordinance or Section 211.007 of the Texas Local Government Code.
2. In exercising the Board's authority herein, the Board may reverse or affirm, in whole or in part, or modify the administrative official's order, requirement, decision or determination from which an appeal is taken and make the correct order, requirement, decision or determination, and for that purpose the Board has the same authority as the administrative official.

(b) Appeal of a Site Plan.

1. The applicant, Director of Development Services or four (4) members of the City Council may appeal the decision regarding a Site Plan by submitting a written notice of appeal to the Director of Development Services.
   a) The applicant or Director of Development Services must submit said written notice of appeal no later than fourteen (14) calendar days from the date of such decision.
   b) The City Council shall consider an act on whether it will appeal the Planning and Zoning Commission's decision no later than fourteen (14) calendar days from the date of such decision or at its first regular meeting (for which there is time to post an agenda as required by law) that occurs after the Planning and Zoning Commission meeting at which the decision was made, whichever is later.
   c) Written notice of the City Council's vote to appeal shall be submitted to the Development Services Department within seven (7) calendar days of the City Council's vote.
2. The City Council shall consider the appeal at a public meeting no later than forty-five (45) calendar days after the date on which the notice of appeal is submitted to the Development Services Department.
3. The City Council may affirm, modify or reverse the decision of the Planning and Zoning Commission.

(c) Appeal of a Planning and Zoning Commission Decision to Deny a Zoning Amendment.

1. When the Planning and Zoning Commission determines that a proposed

zoning amendment, supplement or change should be denied, it shall so report and recommend to the City Council and Development Services staff shall notify the applicant.

2. If the proposal is denied by the Planning and Zoning Commission, the request shall not be forwarded to the City Council unless the applicant requests an appeal to the City Council or the request is sent for review by the Planning and Zoning Commission by simple majority vote.
3. Upon denial of a proposed zoning amendment, supplement or change by the Planning and Zoning Commission, the applicant may, upon his own motion within fourteen (14) calendar days, file with the Director of Development Services a written request that a public hearing be scheduled and held before the City Council regarding the application. The applicant's written request for appeal shall state why the appeal is being made and provide all necessary documentation to support the request.
4. The applicant shall be responsible for the costs of re-notification, including postage.
5. The affirmative vote of at least three-fourths (3/4ths) of all the members of the City Council is required to overrule a recommendation of the Planning and Zoning Commission that a proposed zoning amendment, supplement, or change be denied.
6. The City shall not take action on a property where City taxes are delinquent.
7. In case an application for a proposed zoning amendment, supplement or change is denied by the City Council, said application shall not be eligible for reconsideration for twelve (12) months subsequent to such denial. A new application affecting or including all or part of the same property must be substantially different from the application denied, in the opinion of the Planning and Zoning Commission to be eligible for consideration, within twelve (12) months of the denial of the original application.

Sec. 14.06.011. Reinstatement of Nonconforming Rights

(1) Loss of Nonconforming Rights Status. If the Director of Development Services and/or his designee determines that a nonconforming use has been permanently abandoned under Subsection 14.01.007(4)(a) and has lost its nonconforming rights, the use shall not be instituted on that parcel or other parcels in any district which does not permit the discontinued use.

(2) Notice to Owner and/or Operator Required. Notice of this determination shall be made in writing to the owner and/or operator of the abandoned nonconforming use.

(3) Application for Nonconforming Rights Reinstatement.
   (a) The owner and/or operator of the abandoned nonconforming use may submit a written application to the Board of Adjustment to have the nonconforming rights reinstated.
   (b) Written application for reinstatement of nonconforming rights must be made within ten (10) business days after the Director of Development Services and/or his designee issues the written notice of determination that a use has been permanently abandoned.

(4) Board Decision. The Board of Adjustment may reinstate nonconforming rights only if

the Board of Adjustment finds there was a clear intent not to abandon the use even though the use was discontinued for sixty (60) days or more. The failure of the owner and/or operator to remove on-premise signs shall not be considered (on its own) evidence of a clear intent not to abandon the use.

Secs. 14.06.012 – 14.06.999 Reserved

ARTICLE 14.07 SIGNS

Sec. 14.07.001. Purpose

(1) The purpose of this article is to promote health, safety, comfort, convenience and general welfare of the City and its citizens; to allow growth which conforms to a comprehensive plan of the City; to provide uniform sign standards which promote a positive City image reflecting order, harmony and pride and thereby strengthening the economic stability of the City's business, cultural and residential areas. Objectives to be pursued in applying specific standards are as follows:
   (a) To identify individual business, residential, and public uses without creating confusion, unsightliness, or visual obscurity of adjacent businesses.
   (b) To assure that all signs in terms of size, height, and location are properly related to the overall adjacent land use.
   (c) To assure that off-premises advertising is compatible with adjacent land uses.

Sec. 14.07.002. General Provisions

(1) All signs shall pertain to the identification of the primary uses and/or primary services provided or primary products sold on the premises, except for billboards, auxiliary, governmental or community service signs as provided.
(2) All signs, where applicable, shall meet the standards of the City building code.
(3) Except as herein provided, no person or firm, acting either as principal or agent, shall erect any sign or sign structure until a sign permit for such work has been issued by the Development Services Director to a bonded contractor or the owner or occupant of the premises where the work is to be done. No permit shall be required for nonilluminated signs otherwise permitted in Subsection 14.07.007(1), Subsection 14.07.007(2), Subsection 14.07.010, or Subsection 14.07.011.
(4) Not more than two sides of a sign structure may be used for display except pylon signs especially designed for more than two side viewing.
(5) No sign, sign structure, or sign support shall project over any property line, except that a sign placed flat against the wall of a building, which is on the property line may project eighteen (18) inches over the public property line.
(6) Trees, rocks, bridges, fences, windmill towers and dilapidated buildings shall not be used as sign supports.
(7) All business locations shall be identified by a street address sign which is clearly visible from the street.
(8) Signs with flashing, blinking or traveling lights shall have lightbulbs which do not exceed sixty (60) watts each. Such lightbulbs shall be frosted.
(9) In the event that more than one sign-related definition applies to a nonprohibited proposed sign, resulting in conflicting regulations thereon, the sign applicant may choose the definition that is to apply, with qualification that any regulations related to that definition must be adopted. Where the proposed sign is of a type that is prohibited,

it shall remain prohibited notwithstanding that it may also come within the definition of an approved type of sign.

(10) Digital/LED signs shall have a maximum transition time between messages of two (2) seconds. The minimum duration of the message display shall be eight (8) seconds. Brightness shall be no more than 0.3 footcandles over ambient light. Automatic dimming is required. The brightness measurement shall be taken utilizing a Footcandle meter at 200' measured perpendicular to the face of the digital sign.

(11) No off-premises advertising is allowed.

Sec. 14.07.003. Prohibited Signs

The following signs shall be prohibited in all districts:

(1) Any signs and supports, other than those signs and supports required by governmental authority, or for which a street use license has been issued, which are located on the public right-of-way, including on public streets, alleys, and parkways. This section shall not apply to signs on commercial vehicles or commercial trailers lawfully operated or parked in such areas, except that this exception shall not otherwise be used to legitimate the use of advertising vehicles and trailers prohibited in Subsection 14.07.005.

(2) Any signs which resemble an official traffic sign or signal or which bear the words "Stop," "Go Slow," "Caution," "Danger," "Warning" or similar words.

(3) Signs which, by reason of their size, location, movement, content, coloring, or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

(4) Any sign which emits sound, odor or visible matter which serves as a distraction to persons within the public right-of-way.

(5) Any sign, billboard or outdoor advertising, as those terms are defined in Section 108.51 of the Texas Alcoholic Beverage Code, which advertises an alcoholic beverage or the manufacture, sale or distribution of an alcoholic beverage, except as allowed by state law.

Sec. 14.07.004. Abandoned or Damaged Signs

(1) All abandoned signs and their supports shall be removed within ninety (90) days from the date of abandonment. All damaged signs shall be repaired or removed within ninety (90) days. The zoning officer shall have the authority to grant a time extension not exceeding an additional ninety (90) days from an abandoned, non-damaged sign.

(2) All advertising signs shall be removed within ninety (90) days of closing or moving of a business. Faces of signs may be painted or blanked in lieu of removal.

(3) Should the responsible party or parties, after due notice, fail to correct a violation of this section, the Development Services Director shall cause such signs and their supports to be demolished and removed.

Sec. 14.07.005. Parking of Advertising Vehicles

No person shall park an advertising vehicle or trailer on a public right-of-way, on public property or on private property so as to be visible from a public right-of-way.

Sec. 14.07.006. Nonconforming Sign Abatement

(1) The following signs and/or advertising items shall become nonconforming on the effective date of this ordinance.

(2) Any sign which is affixed to sign supports prohibited in Subsection 14.07.002(6).
(3) Banners, pennants, searchlights, sandwich or "A" frame signs, or wind-driven signs.
(4) Any signs which resemble an official traffic sign or signal or which bear the words "Stop", "Caution", "Go Slow", "Danger", "Warning" or similar words.
(5) Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.
(6) Any sign which emits sound, odor or visible matter or which serves as a distraction to persons within the public right-of-way.
(7) Any signs and their supports in violation of Subsection 14.07.003(1) are hereby deemed to be in trespass on public property and shall be immediately removed by the owner or his agent. If the owner fails to remove such signs, the owner shall be in violation of this ordinance and may be cited as such. If the owner is not known, the City administration shall cause the signs and supports to be removed.
(8) The manner of notice where required by this ordinance shall be by regular mail. Refusal of mail, which has been properly addressed and posted, shall not void the notice. Publication may be used when the addressee or his whereabouts are unknown and said publication shall be done in the same manner as prescribed in state law for service of process by publication. Notice by publication shall be deemed sufficient regardless of its effect as actual notice. With the exception of signs made of paper or cardboard and their supports which may be disposed of immediately, removed signs and supports shall be stored a period not to exceed fourteen (14) days beginning the first day of effective notice, whether actual or constructive. A storage charge of five dollars ($5.00) per day will be levied beginning the fourth day of that fourteen (14) day period. Before the expiration of the storage period, the owner of the sign and supports may reclaim his property upon payment of any storage charges and the cost of removal. If said sign and support have not been reclaimed by the expiration of the storage period, they may be disposed of in the manner hereafter provided. If the sign and supports are not capable of being sold, they may be discarded, but if sold, the proceeds therefrom shall be first applied to the storage charge and removal charge, then to the general fund of the City.
(9) All signs which are in violation of the provisions of this ordinance shall become nonconforming. Such signs may be maintained, repaired and may be continued so long as their nonconformity is not increased. Nonconforming signs shall not be enlarged in area or increased in height. No nonconforming sign shall be continued when abandoned. Abandonment means when a business vacates a premises. The new business's sign shall comply with this ordinance as a new sign.

Sec. 14.07.007. Single-Family Residential Signs

The following signs shall be permitted in Single-Family Residential Zoning Districts:

(1) One (1) sign not exceeding one and one-half (1½) square feet in area, indicating only the name and address of the occupant, for each residential unit.
(2) One (1) unlighted sign not exceeding sixteen (16) square feet in area on each development lot pertaining to the prospective sale or rental of the property on which it is located.
(3) Conditional uses. Sign requirements for all conditional uses shall be set by the Board of Adjustment, and in no case shall the requirements exceed the requirements for that use or similar type uses in the district in which the use is ordinarily permitted.

Sec. 14.07.008. Multi-Family Residential Signs

The following signs shall be permitted in the Multi-Family Residential Zoning Districts:

(1) Primary identification signs, each having an area not exceeding ten (10) percent of the area of one (1) wall or five (5) percent of the area of two (2) walls, where applicable, or fifty (50) square feet, whichever is less.

(2) Informational type signs, each not exceeding ten (10) square feet in area per building.

(3) All signs shall be placed flat against the wall of a building and shall not project above the parapet wall or side wall of the building.

(4) All signs, except for the informational signs, shall identify the development by name and address only. Signs may be back lighted, indirect lighted, internal lighted or lighted by spots.

Sec. 14.07.009. Freestanding Signs

(1) One (1) freestanding sign for each freestanding building, not to exceed one (1) freestanding sign per development lot, except as indicated below.

(2) C-N, C-O, C-1, C-2, M-l, M-1.5, and M-2 Districts with frontage on a thoroughfare.

(3) Area. The area of a freestanding sign shall not exceed three hundred (300) square feet.

(4) Height. Sign height shall not exceed fifty (50) feet above the centerline of the thoroughfare, access road or facing street.

(5) Signs at commercial locations that are not on a highway or major thoroughfare may have a maximum height of twelve (12) feet and a maximum face area of thirty-two (32) square feet.

(6) Nonconforming signs. Where a lawful sign exists at the effective date of adoption or amendment of this article that could not be erected under the terms of this ordinance, as amended, such sign may be continued so long as it remains otherwise lawful, subject to the following provisions:

  (a) No such sign may be enlarged or altered in any way which increases its nonconformity; and

  (b) Should such sign be moved for any reason for any distance whatever, it shall thereafter conform to the regulations as set forth in Subsection 14.07.009(1) through (5) above.

(7) Temporary banners may be placed on existing conforming freestanding signs. Total face are of the existing sign and the banner combined shall not exceed three hundred (300) square feet. Banners shall be securely fastened at all times to the structure.

Sec. 14.07.010. Governmental Signs

Governmental signs not exceeding thirty-two (32) square feet in area and not exceeding ten (10) feet in height, shall be permitted. Such standards shall not apply where state or federal regulations are in conflict with these standards.

Sec. 14.07.011. Community Service Signs

Any community service signs for seasonal celebration shall have no size limitation if placed in or on windows. Any community service signs, not of a seasonal celebration nature, shall be placed in or on windows and shall have a combined area not exceeding ten (10) percent of the area of all the windows on the same wall. Such sign area shall not be counted against permitted wall sign area.

Sec. 14.07.012. Billboards

Billboards consisting of off-premises poster panels or bulletins, digital signs or painted or printed bulletins shall be permitted in the C-1, C-2, M-1, M-1.5, and M-2 Districts with a Specific Use Permit and subject to the following conditions:

(1) Billboards shall be constructed to meet the construction standards of the International Building Code. Billboards may have one sign face per side for a maximum of two sides. Only one side face may be visible from one direction of traffic. The back side of the billboard structure shall be boxed in to create a smooth finish. All framework and boxing shall be painted to blend with the surrounding area; ex: sky blue or light grey in open areas and brown or forest green in areas with trees.

(2) Billboards shall be a minimum of thirty-five (35) feet from any residentially zoned property line.

(3) The maximum area of any billboard sign face shall be three hundred (300) square feet. The maximum width of any billboard shall be thirty-five (35) feet.

(4) Billboards shall be within seventy-five (75) feet and on the inbound side of highways 75 or 82 frontage. All billboards shall have one face visible to inbound traffic. The inbound traffic side of highways shall be defined as the side of the highway for traffic coming into the City beginning at the City Limits and ending at North Travis Street for southbound Highway 75, at Highway 82 for northbound Highway 75, at North Travis for westbound Highway 82 and at Texoma Parkway (Hwy 91) for eastbound Highway 82.

(5) There shall be a minimum radial separation of two thousand (2,000) feet between all billboards.

(6) Billboards shall have a setback of not less than thirty-five (35) feet. Setbacks from side lines shall be not less than thirty-five (35) feet.

(7) Billboards shall have a maximum height of forty-two and a half (42.5) feet above the center of the facing street, access road, or thoroughfare. Provided, however, no billboard sign shall be higher than fifty (50) feet measured from its base.

(8) All lighting of billboards shall be so shielded as not to produce intensive or excessive light or glare on adjacent property.

(9) Billboards shall not be permitted within the Central Business District as designated on the official zoning map.

(10) In addition to the above conditions, digital billboards shall have a maximum transition time between messages of two (2) seconds. The minimum duration of the message display shall be eight (8) seconds. Brightness shall be no more than 0.3 footcandles over ambient light. Automatic dimming is required. The brightness measurement shall be taken utilizing a Footcandle meter at 200’ measured perpendicular to the face of the digital billboard.

Sec. 14.07.013. Wall Signs

(1) The maximum area of any wall sign shall be three hundred (300) square feet. In no case shall a wall sign exceed 20% of any single wall.

(2) Temporary banners may be placed on existing buildings. Total area of the banner and existing sign shall not exceed three hundred (300) square feet. Banners shall be securely fastened at all times flat against the structure.

Sec. 14.07.014. Political Signs

(1) It is the intent of this section to provide minimum regulations regarding the posting, maintenance and removal of political signs. Political signs are permitted in all zoning districts, subject to the restrictive provisions of this section. Although political signs are

temporary signs, temporary sign permits do not have to be obtained. The provisions of this section do not apply to billboards which are subject to Subsection 14.06.012 or to political signs inside of a building, even if visible outside the building.

(2) For the limited purposes of this section, a political sign is a temporary sign announcing, supporting or opposing a candidate or issue in connection with any national, state or local election.

(3) Political signs are prohibited on all public property (real and personal), which shall include, but not be limited to, public right-of-way, buildings, fences surrounding public property, sidewalks, crosswalks, curbs, curbstones, fences, walls, playground equipment and/or facilities, street lamp posts, traffic light poles, guy lines, horizontal struts, City barricades, hydrants, trees, shrubs, tree stakes or guards, railroad trestles, poles for electric light or power or telephone or telegraph or trolley wire or upon any fixture of the fire alarm or police telegraph system, bridges, drinking fountains, street signs or traffic signs, planter strips and in City facilities such as parks, City Hall, library, fire stations and corporation yards.

(4) Political signs may be placed on private property with the consent of the property owner (or person entitled to possession) or their authorized agent, subject to the following:

(a) Political signs shall not be placed in a manner that creates a hazardous condition to or obstructs either vehicular or pedestrian traffic or obstructs or restricts safe visibility of a vehicle driver or pedestrian.

(b) Political signs located on corner lots at street intersections shall not be over three (3) feet high if located within fifteen (15) feet from the lot corner at the street intersection and extending fifteen (15) feet in all directions, except if placed upon the signage portion of a lawful billboard or lawful business sign.

(c) Except for lawful billboards and the political signs described in paragraph (ii) hereinabove, no political sign shall exceed a total of thirty-six (36) square feet, be more than eight (8) feet in height, be illuminated, or have any moving elements.

(d) Political signs shall be removed within ten (10) days after the election. In the event that the election is a primary election, or similar preliminary election, the successful candidates for the later election, including a run-off election, may leave their signs in place to be removed within ten (10) days after the general or run-off election.

(e) Should a political sign be erected in a manner or location in violation of this ordinance or exceed the size limitations or be permitted to remain longer than the time period provided for herein, the City may, either at the expense of the advertised candidate or at the expense of the property owner, or both, immediately cause such signs to be removed. If a candidate is to be charged a removal fee, the City shall provide the candidate three (3) days prior notice before removal by the City.

Secs. 14.07.016 – 14.07.999 Reserved

ARTICLE 14.08 DEFINITIONS

For the purpose of this chapter, certain terms and words are to be used and interpreted as defined hereinafter. Words used in the present tense shall include the future tense; words in the singular number include the plural and words in the plural number include the singular, except where the natural construction of the writing indicates otherwise. The word shall is mandatory and not discretionary.

Accessory building: (a) In a residential district, a subordinate building, attached to or detached from the main building, without separate utilities, not used for commercial purposes, and not rented. (b) In other districts, a subordinate building, the use of which is incidental to and used only in conjunction with the main building.

Accessory dwelling: A secondary dwelling unit established in conjunction with and clearly subordinate to a primary dwelling unit, whether a part of the same structure as the primary dwelling unit or a detached dwelling unit on the same lot.

Accessory structure: A secondary structure that is open on at least two sides. Examples of accessory structures include, but are not limited to, detached carports, patio covers, arbors, gazebos, cabanas, garbage and trash enclosures, and other structures that extend vertically above grade.

Accessory use: A use subordinate to the principal use of a building or lot and serving a purpose customarily incidental to the principal use.

Agent of owner: Any person who can show certified written proof that he is acting for the property owner.

Aircraft hangar: A hanger for the storage of four or fewer single-motor aircraft and in which no volatile of flammable oil is handled, stored, or kept other than that contained in the fuel storage tank of the aircraft.

Airport or landing field: Any area of land or water designed and set aside for the landing and take-off of aircraft, including all necessary facilities for the housing and maintenance of aircraft.

Alcoholic beverage establishments: Any establishment that derives seventy-five (75) percent or more of its gross revenue on a quarterly basis from the sale or service of alcoholic beverages, as defined in the Texas Alcoholic Beverage Code, as amended, for on-premise consumption.

Alley: An unnamed public or private right-of-way that is primarily designed to serve as secondary access to the rear or side of those properties whose principal frontage is on some other street.

Animal and poultry husbandry, dairying and pasturage: The use of land for dairying, animal raising and pasturage and the necessary accessory uses; provided, however, that such accessory uses shall be secondary to that of normal animal husbandry activities. The above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

Animal hospital: An establishment for the care and treatment of small animals, including household pets.

Animal pound or shelter: Any premise designated by the City for the purpose of boarding and caring for any animal impounded under the provisions of this title or any other ordinance of the City or law of the state.

Apartment: A room or suite of rooms in an apartment house arranged, designed or occupied as a residence by a single family, individual or group of individuals.

Apartment house: Any multi-family dwelling or building or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as three or more apartments or which is occupied as the home or residence of three or more families living independently of each other and maintaining separate cooking facilities.

Arena, coliseum or stadium: A commercial structure with tiers of seats rising around a field or court, intended to be used primarily for the viewing of athletic events. Sports arena may also be used for entertainment and other public gathering purposes, such as conventions, circuses, or concerts.

Art gallery: An establishment engaged in the sale, loan, or display of art books, paintings, sculpture, or other works of art. This clarification does not include libraries, museums, or non-commercial art galleries.

Asphalt or asphalt products: The manufacture or storage of asphalt or asphalt products

Assisted living quarters: See nursing home.

Auditorium, or amphitheater: An open, partially enclosed, or fully enclosed facility used or intended to be used primarily for spectator sports, entertainment events, expositions, and other public gatherings. Typical uses include convention and exhibition halls, sports arenas, and amphitheaters.

Automobile accessory and supply store: Stores selling new automobile parts, tires, and accessories. Does not include the installation of automobile parts, or automobile repair.

Automobile laundry, carwash: The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

Automobile, motorcycle, boat, or trailer sales, new or used: Any business establishment that sells or leases new or used automobiles, trucks, vans, trailers, recreational vehicles, boats, or motorcycles or other similar motorized transportation vehicles. An automobile dealership may maintain an inventory of the vehicles for sale or lease either on-site or at a nearby location and may provide on-site facilities for the repair and service of the vehicles sold or leased by the dealership.

Automobile parking lot or structured parking: An authorized area not within a building where motor vehicles are stored for the purpose of temporary, daily, or overnight off-street parking.

Automobile rental or taxi storage and repair: Any building, structure, improvements, or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, oil change and lubrication, painting, tire ser vice and sales, or installation of CB radios, car alarms, stereo equipment, or cellular telephones.

Automobile repair, body work, or painting: Any building, structure, improvements, or land used for the repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including but not limited to body, fender, muffler, or upholstery work, oil change and lubrication, painting, tire ser vice and sales, or installation of after market accessories.

Automobile service station: Any building, structure, or area of land used for the retail sale of

automobile fuels, oils, and accessories. May include the sale of propane or kerosene as accessory uses.

Bait store: Any building, structure, or area of land used for the sale of live and dead bait and fishing tackle to the public as a principal or incidental operation.

Baseball park, commercial: See Arena, Coliseum or Stadium.

Bakery, confectionery, or similar (retail): An establishment primarily engaged in the retail sale of baked products for consumption off site. The products may be prepared either on or off site. Such use may include incidental food service. A bakery shall be considered a general retail use.

Bakery, wholesale: A bakery in which there is permitted the production and/or wholesaling of baked goods, but where over-the-counter or other retail dispensing of baked goods shall be prohibited.

Bank, credit unions, and financial institutions: A freestanding building, with or without a drive-up window, for the custody, loan, or exchange of money; for the extension of credit; and for facilitating the transmission of funds.

Barbershop: Any establishment or place of business within which the practice of barbering is engaged in or carried on by one or more barbers.

Basement: A story whose floor is more than 12 inches, but not more than half of its story height below the average level of the adjoining ground (as distinguished from a "cellar" which is a story more than one-half below such level). A basement or cellar, when used as a dwelling, shall be counted as a story for purposes of height measurement.

Batching or mixing plant, concrete or asphalt: A plant for the manufacture or mixing of asphalt, concrete, cement, and concrete and cement products, including any apparatus and uses incident to such manufacturing and mixing.

Battery manufacturing: The process of manufacturing for batteries or battery parts.

Beauty parlor: Any commercial establishment, residence, vehicle, or other establishment, place, or event wherein cosmetology is offered or practiced on a regular basis for compensation; may include the training of apprentices under regulations of the board.

Bed and breakfast establishments: A transient lodging establishment, generally in a single-family dwelling or detached guesthouses, primarily engaged in providing overnight or otherwise temporary lodging for the general public and may provide meals for compensation.

Beginning of construction: The incorporation of labor and materials within the foundation of the building or buildings.

Boarding house: A building other than a hotel, where lodging and meals for five or more persons are served for compensation. Also referred to as rooming house.

Boat/Recreational Vehicle (RV) rental, storage, and repair: On-site rental, storage, or repair of any recreational vehicles, boats, trailers, or similar.

Boiler manufacturing: The process of manufacturing for boilers or boiler parts.

Bowling alley: An establishment that devotes more than 50 percent of its gross floor area to bowling lanes, equipment, and playing area.

Building: Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property. When such a structure is divided into separate parts by one or more unpierced walls extending from the ground up, each part is deemed a separate building.

Building area: The building area is the inner edge of any required yard or required setback, and the corresponding outer edge of the buildable area. No portion of the main building or structure may be extended to occupy any portion of the lot outside its building area.

Building height: The vertical dimension from the lowest point of the building, structure, or wall exposed above the ground surface to the highest point of the roof, parapet wall, or uppermost part. Chimneys, vents, or utility service structures shall not be included in the measurement of vertical dimensions.

Building line: A line parallel or approximately parallel to a lot line or street line and beyond which buildings may not be erected.

Building, main: A building in which is conducted the principal use of the site on which it is located. In any residential district any and all dwellings shall be deemed to be main buildings on the site on which they are located.

Building material sales or monument sales: Any retail trade use characterized by the sale of bulky items, outside display or storage of merchandise or equipment, such as farm and garden supplies, ice storage houses, lumber and building materials, and stone monument sales.

Building official: Is the officer or other designated authority charged with the administration and enforcement of the City Building Code, or duly authorized representative.

Bus station: A location on private property where buses arrive and depart.

Carnival or circus: A traveling or transportable group or aggregation of rides, shows, games, or concessions or any combination thereof.

Carpet, manufacture or cleaning: The process of manufacturing carpet or the location of a carpet cleaning service.

Carport: An accessory structure made of canvas, aluminum, or similar materials, or any combination thereof, on movable framing for the shade and shelter of one or more private passenger vehicles.

Caterer: An establishment that serves and supplies food to be consumed off premises.

Cemetery or mausoleum: Land used or dedicated to the burial of the dead, including crematoriums, mausoleums, necessary sales, and maintenance facilities. Mortuaries may be included when operated within the boundary of such cemetery.

Central Business District (CBD): The major commercial downtown center of the City, defined as the area designated on the official zoning map being: Montgomery Street from the Railroad Tracks south to Jones Street, Jones Street west to U.S. Highway 75, U.S. Highway 75 north to the Railroad Tracks, Railroad Tracks east to Montgomery Street.

Christmas tree sales: A retail sales operation, generally conducted wholly out-of-doors, that offers for sale on a temporary, limited basis Christmas trees and related holiday items such as wreaths and Christmas tree stands. The allowable sales period extends generally from the Thanksgiving holiday through December 25.

Church or place of worship: A building used primarily for religious assembly and worship and those accessory activities which are customarily associated therewith, and the place of residence for ministers, priests, nuns, rabbis, or other religious personnel on the premises (tax exempt as defined by State law). For the purposes of this ordinance, Bible study and other similar activities that occur in a person's primary residence shall not apply to this definition.

City: References to the "City" shall mean the City of Sherman, Texas.

City Council: The governing body of the City.

Civic club, fraternal organization or lodge: A group of people formally organized for a common interest, usually cultural, religious, or entertainment, with regular meetings and formal written membership requirements.

Clinic, medical or dental: An institution or station for the examination and treatment of ill and afflicted out-patients.

Colocation: Installation of an additional antenna on an existing tower or pole.

Commercial amusement centers: An establishment providing indoor or outdoor recreation activities. Accessory uses may include the preparation and serving of food or the sale of equipment related to the enclosed uses. Included in this definition shall be bowling, rollerskating or ice-skating, billiards, pool, shooting ranges, and related amusements.

Community center: A building to be used as a place of meeting, recreation, or social activity and not operated for profit and in which neither alcoholic beverages or meals are normally dispensed or consumed.

Concession stand: A structure devoted to the sale of confections, snacks, or other light meals and providing no inside seating nor drive-in service for the customers.

Contractors or construction offices, equipment sales, service, rental and repair: An establishment used for the indoor repair, maintenance, or storage of a contractor's vehicles, equipment, or materials, and may include the contractor's business office.

Convalescent home: Any structure used for or occupied by more than three persons recovering from illness or suffering from the infirmities of old age.

Correctional or detention facility or jail: Publicly or privately operated facility housing persons awaiting trial or persons serving a sentence after being found guilty of a criminal offense.

Country club: A club with recreation facilities for members, their families and invited guests.

Court: An open, unoccupied and unobstructed space, other than a yard, on the same lot with a building or group of buildings.

Coverage of a lot or maximum allowable building area: The ratio of gross floor area of the first floor of a building or of a group of buildings on the same lot to the area of the lot, expressed as a percentage.

Credit access bureau (loan office): Credit access businesses obtain credit for a consumer from an independent third-party lender in the form of a deferred presentment transaction or a motor vehicle title loan, more commonly referred to as "payday loans" or "title loans."

Dance hall: Establishments in which more than 10 percent of the total floor area is designed or used as a dance floor, or where an admission fee is directly collected, or some other form of compensation is obtained for dancing.

Density: The maximum number of residential units permitted on a lot.

Department store: A business which is conducted under a single owner's name wherein a variety of unrelated merchandise and services are housed enclosed and are exhibited and sold directly to the customer for whom the goods and services are furnished.

Detached structure: Any building, accessory building or structure that is not physically attached to any other building or structure by any means.

District or zoning district: A portion of the territory of the City within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this ordinance.

Dormitories: A building intended or used principally for sleeping accommodations where such building is related to an educational or public institution, including religious institutions.

Drug-store or pharmacy: An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.

Dwelling: Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, trailer or mobile home.

Dwelling, single-family: A building designed for or used exclusively for residence purposes by one family or housekeeping unit.

Dwelling, duplex or two-family: A building designed for or used exclusively for residence purposes by two families or two housekeeping units.

Dwelling, multi-family efficiency unit: A dwelling unit that consists of one (1) principal room, exclusive of a bathroom and a kitchen.

Dwelling, multi-family: A building or portion thereof designed for or used by three or more families or housekeeping units.

Dwelling, townhome: A one-family dwelling unit, with a private entrance, which is part of a

structure whose dwelling units are attached horizontally in a linear arrangement, and having a totally exposed front and rear wall to be used for access, light, and ventilation.

Dwelling unit or unit: One room, or a suite of two or more rooms, designed for or used by one family for living and sleeping purposes and having only one kitchen or kitchenette.

Electric power substation or generating including ground-mounted solar and wind: A facility that converts electrical power, including but not limited to water power, fossil fuels, nuclear power, or solar power, into electrical energy or steam. A power generation plant may also perform either or both of the following: (a) operation of a transmission system that conveys the energy or steam from the generation facility to a power distribution system; (b) operation of a distribution system that conveys energy or steam from the generation facility or the transmission system to final consumers.

Exterminator: A business establishment specializing in the elimination of vermin, insects, or similar.

FAA: The Federal Aviation Administration.

Fairgrounds or rodeo: An area of land use including but not limited to: agricultural related office buildings, animal shows and judging, carnivals, circuses, community meeting or recreational buildings and uses, concerts, food booths and stands, games, rides, rodeos, sales and auctions, storage, theaters. Such county fairs, exhibitions, and shows do not include racetracks or motorized contests of speed.

Family: A person living alone, or two or more persons living together as a single housekeeping unit in a dwelling unit, and in which not more than four individuals are unrelated by blood.

Farm equipment sales, service, repairs, feed store: Establishments selling, renting, or repairing agricultural machinery, equipment, and supplies for use in soil preparation and maintenance, the planting and harvesting of crops, and other operations and processes pertaining to farming and ranching.

FCC: The Federal Communications Commission.

Fence: An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

Field crops, horticulture, nursery, and truck gardening: The process of growing crops, plants, or flowers for the purpose of personal use.

Floor area of a building: The sum of the gross horizontal areas of the several floors of a building or buildings, measured from the center lines of exterior walls or from the center line of walls separating two buildings in square feet. The floor area measurement is exclusive of areas of unfinished attics, attached garages or space used for off-street parking or loading, breezeways, enclosed or unenclosed porches, elevator or stair bulkheads, and accessory structures.

Floor area ratio (FAR) of a building: The floor area of a building or buildings on a lot divided by the lot area.

Florist shop: Retail business whose principal activity is the selling of plants which are not grown on the site and conducting business within an enclosed building.

Food or grocery store, retail: Stores where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.

Food products, manufacturing, processing or storage: Manufacturing establishments producing or processing foods for human consumption and certain related products. Includes: (1) bakery products, sugar and confectionery products (except facilities that produce goods only for on-site sales with no wider distribution; (2) dairy products processing; (3) fats and oil products (not including rendering plants); (4) fruit and vegetable canning, preserving, and related processing; (5) grain mill products and by-products; (6) meat, poultry, and seafood canning, curing, and byproduct processing (not including facilities that also slaughter animals); and (7) miscellaneous food preparation from raw products, including catering services that are independent from food stores or restaurants.

Food truck lot: A location in which three or more mobile food businesses that congregate at an established private property to offer food or beverages for sale to the public.

Forge plant: A business in which the manufacturing process involves the shaping of metal using localized compressive forces.

Freight Container/Portable Storage Container: A standardized, reusable shipping vessel used in the transportation of freight and capable of being mounted and moved on a rail car, or mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

Freight depot or terminal, railroad and/or truck: A heavy rail or truck facility for freight pick-up or distribution; may include intermodal distribution facilities for truck or shipping transport.

Funeral home, mortuary, or crematory: A building used for the preparation of the deceased for burial and display of the deceased and rituals connected therewith before burial or cremation. A funeral home, as defined for purposes of this code, includes a funeral chapel.

Furniture and appliances sales; custom upholstery: A building used for the sale of furniture and home appliances.

Furniture and upholstery manufacturing: A business that manufactures furniture and upholstery.

Garage or maintenance yard, government: The servicing, repairing, storing or altering of any vehicles, apparatus, or equipment to perpetuate the use or purpose for which such vehicles, apparatus, or equipment was originally intended.

Golf course: A tract of land laid out with at least nine holes for playing a game of golf and improved with tees, greens, fairways, and hazards. A golf course includes a clubhouse and shelters as accessory uses.

Golf driving range: An area equipped with distance markers, clubs, balls, and tees for practicing golf drives and putting, and which may include a snack-bar and proshop, but

excludes miniature golf courses and "putt-putt" courses.

Governmental Office: A building used for the provision of governmental executive, management, administrative, and/or postal services. Governmental offices include those facilities owned and/or operated by city, special district, county, state, and federal agencies.

Grade, existing: The average level of the original surface of the ground adjacent to the exterior walls of the building.

Grain, milling or processing, elevators: The processing of crops after harvest, to prepare them for on-site marketing or processing and packaging elsewhere. Includes the following: alfalfa cubing; corn shelling; cotton ginning; custom grist mills; custom milling of flour, feed and grain; dairies (but not feedlots); drying of corn, rice, hay, fruits, and vegetables; grain leaning and custom grinding; hay baling and cubing; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; sorting, grading, and packing of fruits and vegetables, tree nut hulling and shelling.

Greenhouse, plant nursery, or garden center: Retail business whose principal activity is the selling of plants grown on the site and having outside storage, growing, or display.

Halfway house: A place where persons are aided in readjusting to society following a period of imprisonment, hospitalization, or institutionalized treatment.

Hardware store and small tool rental: A facility primarily engaged in the retail sale of various basic hardware lines, such as tools, builders' hardware, plumbing and electrical supplies, paint and glass, housewares and household appliances, garden supplies, and cutlery.

Hatchery: Establishments devoted to hatching, raising or rearing fish.

Health club or studio: A facility where members or nonmembers use equipment or space for the purpose of physical exercise.

Heavy equipment storage, repair and sales, earth moving: See Transit vehicle, bus and truck storage, servicing repairs, and sales

Height: When referring to an antenna or other structure, the distance measured from the ground level to the highest point on the structure, even if the highest point is an antenna.

Heliport or helistop: An area designed to be used for the landing or takeoff of helicopters including operations facilities, such as maintenance, loading and unloading, storage, fueling, or terminal facilities.

Home occupations: A business, profession, occupation or trade conducted within a dwelling unit or elsewhere on a lot primarily used for dwelling purposes for compensation or gain by a resident of the dwelling unit.

Hookah bar: See smoke shop.

Hospital: An institution providing health services primarily for human inpatient or medical or surgical care for the sick or injured, and including the related facilities such laboratories, outpatient departments, training facilities, central service facilities, and staff offices which are

integral parts of the facilities.

Hotel: A building in which lodging is provided and offered to the public for compensation, and which is open to transient guests and is not a rooming or boarding house as herein defined.

HUD-code manufactured home: A structure constructed on or after 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 C.F.R. Section 3282.8(g).

Ice vending establishment: Any unattended self-service device that, upon insertion of a coin, coins, or token, or by similar means, dispenses anything of value including food, beverage, goods, wares, merchandise, or services.

Incineration, distillation or reduction of garbage, offal, or dead animals, fat rendering: A facility in which the Incineration of waste is completed at temperatures high enough to destroy contaminants. No outside processing is allowed.

Industrial and manufacturing plants (apparel, drugs and pharmaceuticals, electronic, plastic): The manufacturing of apparel, drugs and pharmaceuticals, electronic equipment or parts, plastic items, or similar.

Industrial and manufacturing plants (acid, cement, chemicals, fertilizer, gypsum, lime, paper or pulp): The manufacturing of acid, cement, chemicals, fertilizer, gypsum, lime, paper or pulp, or similar.

Industrial and manufacturing plants (automobiles, motorcycles, trucks or trailers, boats, vehicle parts): The manufacturing of automobiles, motorcycles, trucks or trailers, boats, or similar.

Industrialized housing: An off-site modularly constructed single-family or duplex to be used as a permanent residential structure in accordance with the laws of the State of Texas and have all local permits and licenses applicable to other single-family or duplex residences and shall (1) have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located; (2) have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located; (3) comply with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings; and (4) be securely fixed to a permanent foundation.

Industrialized housing value: The taxable value of the industrialized housing and the lot after installation of the housing. Such housing and lot value shall be accurately estimated by the tax appraiser for the Grayson County Tax Appraisal District before installation upon the lot.

Institute for alcoholic, narcotic, or psychiatric patients: Structures and land used for the

treatment of alcohol or other drug abuse, or psychiatric conditions where one or more patients are provided with care, meals, and lodging.

Junk, salvage yard, or wrecking service: A tract of land, including any accessory structure thereon, that is used for buying, selling, storing, baling, packing, disassembling, or handling waste or scrap materials. Such scrap materials include vehicles, machinery, and equipment not in operable condition, and metals, glass, paper, plastics, rags, and rubber tires. A lot on which three or more inoperable vehicles are stored shall be deemed a junkyard. A junkyard includes an automobile wrecking yard.

Laboratory, medical or dental: A facility offering diagnostic or pathological testing and analysis of blood, blood fluids, pathological specimens, DNA sampling and analysis, and any other diagnostic test generally recognized in the healthcare industry.

Laboratory, research or testing: A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Laundry cleaning plant: A building, portion of a building, or premises used or intended to be used for cleaning fabrics, textiles, wearing apparel, or articles of any sort by immersion and agitation, or by immersions only, in volatile solvents including, but not by way of limitation, solvents of the petroleum distillate type, and/or the chlorinated hydrocarbon type, and the processes incidental thereto.

Laundry, pickup station: An establishment or business maintained for the pickup and delivery of dry cleaning and/or laundry without the maintenance or operation of any laundry or dry-cleaning equipment or machinery on the premises.

Laundry, self-service: A business that provides washing, drying, and/or ironing machines for hire to be used by customers on the premises.

Library: A public facility for the use, but not sale, of literary, musical, artistic, or reference materials.

Linen or uniform supply, or diaper service: An establishment that provides customers with a supply of clean linen, towels, uniforms, gowns, protective apparel, clean room apparel, mats, rugs, and/or similar items whether ownership of the item is in the person operating the linen and uniform supply service or in the customer.

Livestock auction sales, feeding yards, pens with barns: A structure or enclosure where goods or livestock are sold by auction. This use also allows for areas for livestock feeding and storage.

Lot: One piece, parcel or tract of land which collectively meets all of the following requirements at the time of filing for a building permit:

(1) Is located within a single block.

(2) Has frontage on an accepted and improved public street.

(3) Is occupied or utilized or designated by its owner, owners or developer to be occupied, developed or utilized as a unit for a principal use and uses accessory

thereto, together with such open spaces as are required by this ordinance.

(4) And of which a plat has been recorded in the office of the County Clerk.

(5) The word "lot" includes the words "plot" or "parcel."

Lot, area of: The area of the lot shall be the net area of the lot and shall not include portions of streets and alleys.

Lot, Coverage: That percentage of the lot area covered by the building area.

Lot depth: The mean horizontal distance between the front lot line and rear lot line of a zoning lot.

Lot line: A boundary of a lot.

Lot line, front: The street right-of-way line at the front of a lot.

Lot line, rear: The lot line opposite and most distant from the front.

Lot line, side: A lot line which is not a front lot line or rear lot line. A side lot line separating a lot from a thoroughfare other than an alley is an exterior side lot line as opposed to an interior side lot line.

Lot width: The mean horizontal distance between the side lot lines of a lot.

Machine shop or welding: Shops where lathes, presses, grinders, shapers, and other wood- and metal-working machines are used such as blacksmith, tinsmith, welding, and sheet metal shops; plumbing, heating, and electrical repair shops; and overhaul shops.

Machine tools, sales, service, rental, and repair: A business that

Manufactured housing or manufactured home: A HUD-code manufactured home or a mobile home and collectively means and refers to both.

Manufactured home park: A contiguous parcel of land which has been developed for the placement of manufactured homes and is owned by an individual, firm, trust, partnership, public or private association, or corporation.

Manufactured home subdivisions: include individually platted lots, for sale within the subdivision, for the placement of manufactured home units.

Meat or fish products, including slaughtering of meat or preparation of fish for packing: A building where live animals are killed and processed; and/or a building where meat, poultry, or eggs are cooked, smoked, or otherwise processed or packed but does not include a butcher shop or rendering plant.

Meeting halls: A meeting place at which the public or membership groups are assembled regularly or occasionally, including but not limited to schools, churches, theaters, auditoriums, funeral homes, stadiums, and similar places of assembly.

Metal fabrication: The assembly of metal parts, including blacksmith and welding shops, sheet

metal shops, machine shops, and boiler shops, that produce metal duct work, tanks, towers, cabinets and enclosures, metal doors and gates, and similar products.

Mining, processing or storage of construction materials (clay, gravel, sand, lumber, quarrying of rock or stones, ceramics, stone, glass, marble, porcelain, brick, stone, tile): An area of land upon which operations to extract valuable mineral deposits or other materials—typically, but not limited to, clay, gravel, sand, lumber, ceramics, stone, glass, marble, porcelain, brick, stone, tile—have been conducted, are being conducted, or are planned to be conducted or stored.

Mini-warehouse: A building or group of buildings divided into separate compartments used to meet the temporary storage needs of small businesses, apartment dwellers, and other residential uses; and may include refrigerated facilities.

Mobile home: A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems.

Mobile home/manufactured home sales with distribution: A site dedicated to the sales and storage of mobile homes or manufactured homes.

Model home: A dwelling unit temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a particular subdivision or other residential development approved by the City. Model homes may also incorporate sales or rental offices for dwellings within the development.

Monopole: A freestanding single pole tower engineered to support communications antenna(s), which is self-supporting and without guy wires or additional support.

Motel: Abuilding or group of buildings in which lodging is provided to transient guests, offered to the public for compensation, and in which access to and from each room or unit is through an exterior door.

Motor freight terminal: See Freight depot or terminal, railroad and/or truck

Municipal uses operated by the City: Any area, land, building, structure, and/or facility owned, used, leased, or operated by the City, including, but not limited to, administrative office, maintenance facility, fire station, library, sewage treatment plant, police station, water tower, service center, park, heliport, helistop, and golf course.

Museum: An institution devoted to the procurement, care, study, and display of objects of lasting interest or value.

Nursery, kindergarten, or daycare for children: A place where more than four children (unrelated) are left for care between the hours of 7 a.m. and 12 p.m. in a place other than the child's own dwelling unit.

Nursing home: Any premises where more than three persons are lodged and furnished with meals and nursing care.

Office: Administrative, executive, professional, research, or similar organizations, having only limited contact with public, provided that no merchandise or merchandising services are sold on the premises, except such as are incidental or accessory to the principal permissible use.

Open space: Area included in any side, rear or front yard or any other unoccupied space on a lot that is open and unobstructed to the sky.

Open space, usable: Open space that may be improved and set aside, dedicated, designated, or reserved for recreational facilities such as swimming pools, play equipment for children, ball fields, court games, picnic tables, or similar. Natural areas may be included as usable open space if improved with a minimum eight (8) feet wide concrete walking trail. Areas occupied by enclosed buildings (except gazebos and pavilions), drives, parking, overhead electrical transmission lines, drainage channels and antennas may not be included in calculating usable open space. Usable open space areas must be easily viewed from adjacent streets and homes.

Outdoor storage: The keeping of personal or business property or motor vehicles in a required open parking space or any other area outside of a building for a period of time exceeding 72 consecutive hours.

Pawn shop: Any business that loans money on deposit of personal property or deals in the purchase or possession of personal property on condition of selling the same back again to the pledger or depositor, or loans or advances money on personal property by taking chattel mortgage security thereon, and takes or receives such personal property.

Permanent makeup: Permanent makeup, also called a cosmetic tattoo or micropigmentation, is done with the use of a pen containing iron oxide that tattoos the skin and to create the look of makeup. A tattoo can mimic eyeliner or lipstick, or it can darken and create the look of thicker eyebrows.

Person: Includes a firm, association, organization, partnership, trust, company or corporation as well as an individual.

Personal service: A service based on the intellectual or manual efforts of an individual (as for salary or wages).

Pet shop: A retail sales establishment primarily involved in the sale of domestic animals, such as dogs, cats, fish, birds, and reptiles, excluding exotic animals and farm animals such as horses, goats, sheep, and poultry.

Portable offices and construction buildings: A mobile home, travel trailer, truck trailer, or other structure used as an office in conjunction with a construction project. Only one construction or field office shall be allowed per construction site.

Portable storage containers: A standardized, reusable shipping vessel used in the transportation of freight and capable of being mounted and moved on a rail car, or mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

Printing, publishing, or reprographics, including engraving or photoengraving: An establishment in which the principal business consists of duplicating and printing services using photocopy, blueprint, or offset printing equipment, including publishing, binding, and engraving.

Private clubs: A commercial enterprise whose primary activity is the sale of alcoholic beverages to be consumed on the premises. Private clubs include taverns, night clubs, private clubs, bottle clubs, and similar facilities serving alcoholic liquor.

Psychic/paranormal readings: A use involving the foretelling of the future in exchange for financial or other valuable consideration. Fortune telling shall be limited to uses where the fortune is told through astrology, augury, card or tea reading, cartomancy, clairvoyance, clairaudience, crystal gazing, divination, magic mediumship, necromancy, palmistry, psychometry, phrenology, prophecy, spiritual reading or any similar means. Fortune telling does not include forecasting based on historical trends or patterns, religious dogma, or any of the previously listed arts when presented in an assembly of people who purchase tickets or means in exchange for the presentation at a site licensed for such purpose.

Public park, playground or playfield: A natural or landscaped area, buildings, or structures, provided by a unit of government, to meet the active or passive recreational needs of people.

Radio or television broadcasting transmitter or tower, microwave relay tower: A structure designed to support one or more reception/transmissions systems. This term includes but is not limited to a radio tower, television tower, telephone exchange/microwave relay tower, or cellular telephone transmission/personal communications systems tower.

Railroad freight station: A heavy rail facility for freight pick-up or distribution; may include intermodal distribution facilities for truck or shipping transport.

Railroad rights-of-way: A public or private right-of-way, for the purpose of allowing rail travel.

Railroad yards, shops, or equipment: An area of land, a portion of which is covered by a system of tracks, that provides for the making up of trains by one or more railroads or private industry concerns. Necessary functions of a railyard include but are not limited to the classifying, switching, storing, assembling, distributing, consolidating, moving, repairing, weighing, or transferring of cars, trains, engines, locomotives, and rolling stock.

Receive-only antennas/amateur radio antenna: Any tower or antenna that is under seventy (70) feet in height and is owned or operated by a federally licensed amateur radio station operator or is used exclusively for reception only, including local television broadcast reception antennas, direct broadcast satellite antennas or multichannel multipoint distribution services. Receive only/amateur radio antennas are not subject to regulation under section 14.04.005.

Recycling center: A building in which recyclable material only is collected, processed, and/or baled in preparation for shipment to others who will use those materials to manufacture new products.

Refining, retail or storage (petroleum products, gas, butane, propane): A facility for the refining, wholesale retail, and/or storage of fuels or other volatile products and for their distribution to retail sales facilities or other bulk purchasers, regardless of ownership.

Rehabilitation facility: A facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human diseases, pain, injury, deformity, or physical condition.

Restaurant: A commercial establishment where food and beverages are prepared, served, and

consumed primarily within the principal building and where food sales constitute more than 80 percent of the gross sales receipts for food and beverages.

Retail store: Establishments engaged in selling commodities or goods in small quantities to ultimate customers or consumers.

Sales of alcoholic beverages: The revenue derived or provided from the sale or service of alcoholic beverages.

Sanitary landfill: Establishment for the disposition of unwanted or discarded material, including garbage with insufficient liquid content to be free flowing.

School, commercial or trade: A specialized instructional establishment that provides on-site training of business, commercial, and/or trade skills such as accounting, data processing, and computer repair. This classification excludes establishments providing training in an activity that is not otherwise permitted in the zone. Incidental instructional services in conjunction with another primary use shall not be considered a business and trade school.

Schools; elementary, high, college and universities, public, private, or denominational: Any public, parochial, private, charitable, or nonprofit school, junior college, or university, other than trade or business schools, including instructional and recreational uses, with or without living quarters, dining rooms, restaurants, heating plants, and other incidental facilities for students, teachers and employees.

School district bus yard: Any premises owned and/or operated by an independent school district used for the parking and storage of motor-driven buses.

Secondhand store or rummage shop: Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment. This classification does not include secondhand motor vehicles, parts, or accessories.

Setback line: That line which is parallel to and the minimum allowable horizontal distance from a given point or line of reference, such as a lot line, to the minimum required building line.

Sewage treatment plant: The facility or group of units used for the treatment of industrial or domestic wastewater for sewer systems and for the reduction and handling of solids and gases removed from such wastes, whether or not such facility or group of units is discharging into state waters. “Wastewater treatment plant” specifically excludes any facility or group of units used for pretreatment, treatment, or handling of industrial water, wastewaters, reuse waters, and wastes which are not discharged into state waters.

Sexually oriented business: See Section 4.02.002 of the Code of Ordinances for definitions and regulations related to sexually oriented businesses.

Sign: Any structure or part thereof, or any device attached to, painted on or represented on a building or other structure, upon which is displayed or included any letter, word, model, banner, decoration, device, or representation used as, or which is in the nature of, an announcement, direction, advertisement, or other attention-directing device.

Sign, area of: The total exterior surface computed in square feet of a sign having but one exposed exterior surface; the aggregate exposed exterior surface computed in square feet of a

sign having more than one such surface.

Sign, banner: A sign with or without characters, letters, illustrations, or ornamentations applied to cloth, paper, flexible plastic, or fabric of any kind with only such material for backing.

Sign, freestanding: Any sign which is not attached to a building or other structure, including portable signs.

Sign, monument: A freestanding sign supported primarily by an internal structural framework or integrated into landscaping or other solid structural features other than support poles. The calculation of the sign area consists of the entire monument sign structure.

Sign, pennant: A sign, with or without a logo, made of flexible materials suspended from one or two corners, used in combination with other such signs to create the impression of a line.

Sign, projecting: A sign attached to a building or other structure and extending in whole or in part more than 14 inches beyond the building.

Sign, "A" frame: An advertising or business ground sign constructed in such a manner as to form an "A" or a tent-like shape, hinged or not hinged at the top; each angular face held at an appropriate distance by a supporting member.

Sign, searchlight: Searchlights shall be considered signs that are used to announce, direct attention to, or advertise businesses.

Sign, wind-driven: Any display or series of displays, banners, flags, balloons, or other objects designed and fashioned in such a manner as to move when subjected to wind pressure.

Skating rink: An establishment that provides facilities for participant skating, including but not limited to roller skating, inline skating, ice skating, or skateboarding.

Slaughtering or packing of animals or poultry: A facility for the slaughtering and processing of animals and the refining of their byproducts.

Smelting or ores of metals: The process of extractive metallurgy to produce a metal from its ore. Smelting uses heat and a chemical reducing agent to decompose the ore, driving off other elements as gasses or slag and leaving just the metal behind. The reducing agent is commonly a source of carbon such as coke, charcoal, and coal.

Smoke shop: A retail establishment that is dedicated, in whole or in part, to the smoking of tobacco, electronic vaping devices or other similar substances and includes any establishment that allows either the payment of consideration by a customer to the establishment for on-site delivery of tobacco, tobacco accessories, electronic vaping devices, vapor accessories or similar substances and products to the customer; and, the onsite smoking of such. This definition shall be construed to include establishments known variously as retail tobacco stores, tobacco product shops, vapor shops, and similar establishments, but shall not include an establishment which derives more than 50 percent of its gross revenue from food, beverage or gasoline fuel sales.

Smoking lounge: Any facility, building, structure or location, where customers consume tobacco or a similar smoking product, or where customers use an electronic smoking device or

other apparatus to deliver an inhaled dose of nicotine or other substance within the establishment. This includes cigar lounge, hookah lounge, vapor bar, and similar establishments.

Snow cone stand: A temporary or permanent business that is located in a structure that is used to sell snow cones.

Stable, commercial: A building in which domestic animals are sheltered and fed for profit and not personal uses; such a building having stalls or compartments a horse stable.

Stable, private: A building in which domestic animals are sheltered and fed for personal uses; such a building having stalls or compartments a horse stable.

Stockyards: Services involving the temporary keeping of livestock for slaughter, market, or shipping. Typical uses include stockyards and animal sales in auction yards.

Story: That portion of a building included between the surface of any floor and the ceiling next above it.

Street: A public or private way which affords the principal means of access to abutting properties.

Street line: A dividing line between a street right-of-way line and an abutting lot, tract or parcel of land.

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

Structural alteration: Any change in the structural members of a building, such as walls, columns, beams or girders.

Studio for professional work or teaching (fine arts, photography, music, drama, radio, television, or recording: An establishment for the purpose of professional work or teaching related to fine arts, photography, music, drama, radio, and television. This use does not include any sexually oriented businesses, tattoo or piercing or health-related studios or teaching.

Swimming pool, commercial: A recreation facility designed and intended for water contact activities that is operated as a business or as a club unless such club is associated with a neighborhood club or similar organization.

Swimming pool, private: A swimming pool built accessory to a dwelling unit and used for the enjoyment of the family living therein.

Tailor shop, seamstress, altering, and repairing of apparel: The process of altering new or used clothing.

Tattoo studio: An establishment whose principal business activity, either in terms of operation or as held out to the public, is the practice of one or more of the following: (1) placing of designs, letters, figures, symbols, or other marks upon or under the skin of any person, using ink or other substances that result in the permanent coloration of the skin by means of the use of needles or other instruments designed to contact or puncture the skin; (2) creation of an

opening in the body of a person for the purpose of inserting jewelry or other decoration.

Taxidermist: The business of preparing, stuffing, and mounting the skins of animals.

Telephone exchange, garage, shop, or service: A building used exclusively for the transmission and exchange of telephone messages, but the term shall not include wireless service towers.

Tents, seasonal retail: Tents installed in retail parking lots for the purpose of selling seasons goods.

Theater: A building or part of a building devoted to showing motion pictures, or for dramatic, dance, musical, or other live performances.

Theater, drive-in: An establishment devoted to showing motion pictures in an outdoor location.

Tower: Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas, including self-supporting lattice towers, guy towers, or monopole towers.

Transit vehicle, bus and truck storage, servicing repairs, and sales: Storage, repair, and sales of construction equipment, commercial trucks, agricultural implements, transit vehicles and similar heavy equipment, where major engine and transmission repairs are conducted.

Trucking, carting, crating, express handling, and storage: A facility for the receipt, transfer, short-term storage, and dispatching of goods transported by truck. Included in the use type would be express and other mail and package distribution facilities, including such facilities operated by the U.S. Post Office.

Used: The words "used" or "occupied" include the words "intended," "designed" or "arranged" to be used or occupied.

Utility distribution lines: Transmission lines for sewer, water, or other utilities.

Vape Shop: See smoke shop.

Veterinarian: See animal hospital.

Warehousing: A use engaged in storage, wholesale, and distribution of manufactured products, supplies, and equipment, excluding bulk storage of materials that are inflammable or explosive or that present hazards or conditions commonly recognized as offensive.

Watchman or caretaker quarters: A residence located on a premises with a main non-residential use and occupied only by a caretaker or guard employed on the premises.

Water storage tank: A structure used to store water for fire protection and potable drinking water within a designated area or community. Elevated tanks allow the natural force of gravity to produce consistent water pressure throughout the system. Ground or underground storage tanks use pumps to produce consistent water pressure.

Water treatment plant: The facility or facilities within the water supply system which can alter the physical, chemical, or bacteriological quality of the water.

Wholesale establishment: An establishment or place of business primarily engaged in selling and/or distributing merchandise to retailers; to industrial, commercial, institutional, or professional business users, or to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies. This is not considered a general commercial use.

Wrecked or damaged automobiles: Vehicles with visible damage or that are incapable of highway operation. Wrecking and salvaging include, but are not limited to, dismantling or assembling of parts for sale, reuse, or reassembly to undamaged vehicles and offered for sale.

Yard: An open, unoccupied space other than a court, on the lot in which a building is situated and which is unobstructed from the ground to the sky.

Yard, front: An open, unoccupied space on a lot facing a street and extending across the front of a lot between the side yard lines and being the minimum horizontal distance between the street line and the main building.

Yard, required front: An open space extending the full width of a lot between the front lot line and the front setback line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this ordinance.

Yard, rear: An open space unoccupied and unobstructed extending across the rear of a lot from one side lot line to the other side lot line and being the minimum horizontal distance between the rear lot line and the main building.

Yard, required rear: An open space extending the full width of the lot between the rear lot line and the rear setback line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this ordinance.

Yard, side: An open, unoccupied space on the same lot with a building, situated between the building and side line of the lot and extending through from the front yard to the required rear yard. Any lot line not the rear line or a front line shall be deemed a side line.

Yard, required side: An open space extending from the minimum front yard setback line to the minimum rear yard setback line between the side yard setback line and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this ordinance.

Zoning map, official: The zoning map or maps of the City attested together with all amendments subsequently adopted.

Secs. 14.08.002 – 14.08.999 Reserved

ARTICLE 14.09 ADMINISTRATIVE PROVISIONS

Sec. 14.09.001 Savings/Repealing

(1) Illegal Uses. By the passage of this Ordinance, no presently illegal use shall be deemed to have been legalized unless such use falls within a use district where the actual use is a conforming use. Otherwise, such uses shall remain nonconforming uses where recognized, or an illegal use, as the case may be.

(2) Repealing. All provisions of any ordinance in conflict with this chapter are hereby

repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portions of said ordinances shall remain in full force and effect.

Sec. 14.09.002 Schedule of Fees, Charges and Expenses

(1) The City Council shall establish a schedule of fees, charges and expenses, and a collection procedure for building permits, amendment applications, appeals and other matters pertaining to this ordinance. The schedule of fees are listed below and may be altered or amended only by the City Council.

(2) No permit, amendment, special exception or variance shall be issued unless or until such costs, charges, fees or expenses have been paid in full, nor shall any action be taken or public hearing be held unless or until preliminary charges and fees have been paid in full.

(3) Schedule of Fees.
See Appendix C, Comprehensive Fee Schedule in the Sherman Code of Ordinances.

Sec. 14.09.003 Penalty for Violations

(1) A violation of any of the provisions of this Ordinance or failure to comply with any of its requirements shall constitute a Class C misdemeanor. Any person who violates this Ordinance or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than two thousand dollars ($2,000.00) and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered a separate offense.

(2) A violation of any of the provisions of this Ordinance by the owner, tenant, occupant or manager of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a Class C misdemeanor with a fine of not more than two thousand dollars ($2,000.00) per day and each day the violation occurs is a separate offense.

(3) Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation including temporary restraining orders and temporary and permanent injunctions.

(4) An owner, occupant, tenant, manager or other person who violates any provision of this Ordinance or who participates in, assists in or maintains a violation of this Ordinance is subject to a civil penalty of up to one thousand dollars ($1,000.00) per day for each violation and each day the violation occurs shall be a separate offense.

Sec. 14.09.004 Severability

(1) Unconstitutional or Invalid Section. Should any section, subsection, sentence, clause or phrase of this chapter be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this chapter shall remain in full force and effect.

(2) Independent Sections. The City hereby declares that it would have passed this chapter, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more section, subsections, sentences, clauses and/or phrases be declared unconstitutional or invalid.

Sec. 14.09.005 Estoppel/Waiver

The failure of the City to enforce any term or condition of this chapter shall not constitute a waiver or estoppel or any subsequent violation of this chapter.

Secs. 14.09.006 – 14.09.999 Reserved

ARTICLE 14.10 USE CHART

Sec. 14.10.001

(1) Uses Permitted by District. Land and buildings in each of the zoning districts may be used for any of the indicated uses, but no land shall hereafter be used, and no building or structure shall hereafter be erected, altered or converted, which is arranged or designed or used for other than those uses specified as permitted uses in the district in which it is located, according to the Use Chart and in accordance with Subsection 14.01.005 (Compliance Required, Interpretation and Rules of Construction) and the provisions of this Zoning Ordinance.

(2) Classification of New and Unlisted Uses. It is recognized that new types of land use will develop and forms of land use not presently anticipated may seek to locate in the City. If the Director is unable to classify the use under one of the existing listed uses, then the Director shall initiate a zoning text amendment pursuant to procedures set forth in this Zoning Ordinance.

(3) Legend for Use Chart

P – Use is permitted by right in district indicated
[Blank] – Use is prohibited in district indicated
SUP – Use is permitted in district only upon approval of a Specific Use Permit
TUP – Use is permitted in district only upon approval of a Temporary Use Permit
[#] – Use is permitted in the district only upon the conditions specified herein

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(4) Use Chart. The use of land or buildings shall be in accordance with those listed in the following Use Chart. No land or building shall hereafter be used and no building or structure shall be erected, altered or converted other than for those uses specified in the zoning district in which it is located.

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Agricultural Uses																		
Accessory buildings for agricultural storage	P																	P
Animal and poultry husbandry, dairying, and pasturage	P																	P
Fairgrounds or rodeo	SUP																	
Farm equipment sales, service, repairs, feed store	P														SUP			P
Field crops, horticulture, nursery, and truck gardening	P																	P
Grain, milling or processing, elevators	SUP																	P
Hatchery (fish)	SUP																	P
Livestock auction sales, feeding yards, pens with barns	SUP																	P
Meat or fish products, including slaughtering of meat or preparation of fish for packing	SUP																	P
Slaughtering or packing of animals or poultry	SUP																	P
Stable, commercial	P																	
Stable, private	P	P																
Stockyards	SUP																	P
Residential Uses																		

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Accessory building; garage or carport, domestic storage	[1]	[1]	[1]	[1]	[1]	[1]	[1]	[1]										
Bed and breakfast establishments	SUP	SUP	SUP	SUP									P	P				
Dormitories										P								
Dwelling, multi-family									P	P								
Dwelling, single-family	P	P	P	P	P	P	P	P										
Dwelling, two-family (duplex)								P	P	P								
Dwelling, townhome							P		P	P								
Home occupations	[2]	[2]	[2]	[2]	[2]	[2]	[2]	[2]	[2]	[2]								
Mobile or manufactured home park/subdivision											SUP							
Model home real estate sales office, temporary	[3]	[3]	[3]	[3]	[3]	[3]	[3]	[3]										
Rooming, boarding house									P	P								
Watchman or caretaker quarters																P	P	P
Educational and Institutional Uses																		
Assisted living facility or nursing home	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP			
Cemetery or mausoleum	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP								
Church or other place of worship	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP			
Civic club, fraternal organization, or lodge												SUP	SUP	SUP	SUP			
Clinic, medical or dental	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		P	P	P	P			
Correctional or Detention Facility or Jail																		SUP
Garage or Maintenance Yard, Government															SUP	SUP	P	P

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Governmental Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Halfway house	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP			SUP	SUP	SUP			
Hospital	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP			SUP	SUP	SUP			
Institution for alcoholic, narcotic, or psychiatric patients on a minimum of 15 acres	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP			SUP	SUP	SUP			
Municipal Uses Operated by the City	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Museum, library, art gallery	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		P	P	P	P			
Nursery, kindergarten, or daycare for children	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP		P	P	P	P			
Rehabilitation facility, inpatient or outpatient													SUP	SUP	SUP			
Rehabilitation facility, outpatient only														P	P			
School, commercial or trade																		
Schools; elementary, high, college and universities, public, private, or denominational	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP			
School District Bus Yard															SUP	SUP	SUP	SUP
Utility and Transportation Uses																		
Airport or landing field, and aircraft hangar	SUP	SUP														SUP		
Bus station														SUP	SUP			
Electric power substation or generating including	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	P	P	P

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
ground-mounted solar and wind																		
Freight depot or terminal, railroad and/or truck															SUP			
Heliport or helistop	SUP														SUP			
Motor freight terminal																P	P	P
Radio or television broadcasting transmitter or tower, microwave relay tower	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Railroad freight station																P	P	P
Railroad rights-of-way	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Railroad yards, shops, or equipment																	P	P
Recycling center															SUP			
Sanitary landfill																		SUP
Sewage treatment plant																		SUP
Telephone exchange, garage, shop, or service													SUP	SUP	SUP			
Utility distribution lines	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Water storage tank	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Water treatment plant	P																P	P
Recreation and Entertainment Uses																		
Auditorium, arena, coliseum, theater, or amphitheater														SUP	SUP			
Baseball park, commercial															P			
Carnival or circus													TUP	TUP	TUP			
Commercial amusement centers, indoor only												SUP	SUP	SUP	SUP			

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Commercial amusement centers, indoor or outdoor															SUP			
Community Center	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP							
Concession stand within a park, playground, or playfield	P	P	P	P	P	P	P	P	P	P								
Country club	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP								
Dance hall, commercial															SUP			
Golf course	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP								
Golf driving ranges, commercially operated														P	P			
Health club or studio												P	P	P	P			
Private clubs when required to obtain a permit from the Texas Alcoholic Beverage Commission													SUP	SUP	SUP			
Public park, playground or playfield	P	P	P	P	P	P	P	P	P	P	P							
Sexually oriented businesses															SUP	SUP		
Skating rink, commercial															P			
Swimming pool, commercial														P	P			
Swimming pool, private	P	P	P	P	P	P	P	P	P	P	P							
Theater, drive-in															SUP			
Commercial, Retail, and Service Uses																		
Alcoholic Beverage Establishments														SUP	SUP			
Automobile accessory and supply store														P	P			

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Automobile laundry, carwash														SUP	SUP			
Automobile, motorcycle, boat, or trailer sales, new or used														SUP	SUP			
Automobile parking lot or structured parking	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP								
Automobile parking lot; for a special event	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP								
Automobile rental or taxi storage and repair														P	P			
Automobile repair, body work, or painting															SUP			
Automobile service station												P		P	P	P	P	P
Bait store															P			
Bakery, confectionery, or similar (retail)												P	P	P	P			
Bakery, wholesale															P			
Bank, credit unions, and financial institutions												SUP		P	P			
Barbershop, beauty parlor or permanent makeup												P		P	P			
Billboard														SUP	SUP	SUP	SUP	SUP
Boat/Recreational Vehicle (RV) rental, storage, and repair															SUP			
Building material sales or monument sales															P			
Caterer														P	P			
Christmas tree sales (temporary)	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP				P	P			

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Contractors or construction offices, equipment sales, service, rental and repair, without outdoor storage														P	P			
Contractors or construction offices, equipment sales, service, rental and repair, with outdoor storage															SUP			
Credit Access Business (loan office)														SUP	SUP			
Department store														P	P			
Drug-store or pharmacy												P		P	P			
Exterminator															P			
Florist shop												P		P	P			
Food or grocery store, retail												SUP		P	P			
Food truck lot													SUP	SUP	SUP			
Funeral home, mortuary, or crematory														P	P			
Furniture and appliances sales; custom upholstery, not automobile related														P	P			
Greenhouse, plant nursery, or garden center															P			
Hardware store and small tool rental, but not including sales or lumber or industrial hardware														P	P			
Hookah bar, smoking lounge, smoke shop, or vape shop														SUP	SUP			

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Hotel or motel														SUP				
Ice vending establishment														P	P			
Laboratory, medical or dental														P	P			
Laboratory, research or testing															P	P	P	P
Laundry, pickup station or self-service												P		P	P			
Meeting halls													SUP	SUP	SUP			
Mini-warehouse														SUP	SUP			
Mobile home/manufactured home sales with distribution															SUP			
Office, any type											[4]	P	P	P	P	P	P	P
Pawn shop															P			
Personal service (accounting, travel, attorney, or similar)												P	P	P	P			
Pet shop (indoor only)														P	P			
Printing, publishing, or reprographics, including engraving or photoengraving												P		P	P			
Psychic/paranormal readings															SUP			
Restaurant (inside and outside service)												P		P	P			
Restaurant (inside service only)												P		P	P			
Restaurant (outside service only)												P		P	P			

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Retail store (indoor)												P		P	P			
Secondhand store or rummage shop														SUP	SUP			
Snow cone stand	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	P		P	P			
Studio for professional work or teaching (fine arts, photography, music, drama, radio, television, or recording)												P	P	P	P			
Tailor shop, seamstress, altering, and repairing of apparel												P		P	P			
Tattoo studio															SUP			
Taxidermist														SUP	SUP			
Tents, seasonal retail (temporary)												TUP		TUP	TUP			
Transit vehicle, bus and truck storage, servicing repairs, and sales															SUP			
Veterinarian, animal hospital, pound or shelter, indoor soundproof kennels only												P		P	P			
Veterinarian, animal hospital, pound or shelter, indoor or outdoor kennels															SUP			
Wholesale establishment including storage															SUP	P	P	P
Wholesale establishment with storage limited to samples														P	P	P	P	P

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Manufacturing and Industrial Uses																		
Asphalt or asphalt products																		P
Batching plant, Portland cement, concrete, noncommercial	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	
Batching or mixing plant, asphalt, or concrete																		P
Battery manufacturing																P	P	P
Boiler manufacturing																		P
Carpets, manufacture and cleaning																P	P	P
Food products, manufacturing, processing, or storage																P	P	P
Forge plant																		P
Furniture and upholstery manufacturing																P	P	P
Heavy equipment, storage, repair and sales, earth moving																P	P	P
Incineration, distillation or reduction of garbage, offal, or dead animals, fat rendering																		P
Industrial and manufacturing plants (apparel, drugs and pharmaceuticals, electronic, plastic, or similar products manufacture)																P	P	P

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Industrial and manufacturing plants (acid, cement, chemicals, fertilizer, gypsum, lime, paper or pulp, or similar products manufacture)																	**P**	**P**
Industrial and manufacturing plants (Automobiles, motorcycles, trucks or trailers, boats, vehicle parts or similar products manufacture)																**P**	**P**	**P**
Junk, salvage yard, or wrecking service																**SUP**	**SUP**	**SUP**
Laundry cleaning plant																**P**	**P**	**P**
Linen or uniform supply, or diaper service															**P**	**P**	**P**	**P**
Machine shop or welding																**P**	**P**	**P**
Machine tools, sales, service, rental, and repair															**P**	**P**	**P**	**P**
Metal fabrication																	**P**	**P**
Mining, processing, or storage of construction materials (clay, gravel, sand, lumber, quarrying of rock or stones, ceramics, stone, glass, marble, porcelain, brick, stone, tile or similar products)	**SUP**														**SUP**	**SUP**	**SUP**	**SUP**
Outdoor storage														**[5]**	**[5]**	**[5]**	**[5]**	**[5]**

Use Type	R-A	R-E	R-12	R-6	R-5	R-4	R-TH	R-2F	MF-15	MF-30	MH	C-N	C-O	C-1	C-2	M-1	M-1.5	M-2
Portable offices and construction buildings which shall be removed upon completion or abandonment of construction work.	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Portable storage containers	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]	[6]
Refining, retail or storage (petroleum products, gas, butane, propane)																		SUP
Smelting or ores of metals																		P
Trucking, carting, crating, express handling, and storage															SUP	P	P	P
Warehousing															SUP	P	P	P

Legend for Use Chart
P – Use is permitted by right in district indicated
[Blank] – Use is prohibited in district indicated
SUP – Use is permitted in district only upon approval of a Specific Use Permit
TUP – Use is permitted in district only upon approval of a Temporary Use Permit

[1] Accessory Buildings: For accessory buildings requirements in residential district, see Subsection 14.04.002.
[2] Home Occupations:

- A home occupation shall be permitted only when it is an accessory use to a detached single-family dwelling unit.
- A home occupation shall not involve any external structural alteration of the main building.
- A home occupation shall be conducted wholly within the main building, and not in any accessory building. The total floor area to

be used for a home occupation shall not exceed 20 percent of the total floor area of the main building, including garages. Notwithstanding the above, instructional classes may be held outside of the main building, providing a maximum of six students may be allowed in each session and other stipulations of this section are met.

- Only one employee other than occupants of the residence may be employed in the home occupation. A person who receives a wage, salary or percentage of the profits directly related to the home occupation shall be considered an employee for the purposes of this section, provided that this definition shall not include the coordination or supervision of employees who do not regularly visit the dwelling for purposes related to the business.
- No outdoor storage of materials, goods, supplies or equipment shall be allowed.
- A person who engages in a home occupation shall not place an advertisement, sign or display on or off the premises.
- A home occupation shall not involve more than four patrons on the premises at one time.
- Any outdoor activities associated with a home occupation shall be screened from the neighboring property by a solid fence of at least six feet in height.
- A home occupation may include the sale of products on the premises, provided that compliance is maintained with all other conditions specified in this section.
- A home occupation shall produce no offensive noise, vibration, smoke, electrical interference, odors or heat in excess of those normally found in residential areas. No toxic, explosive, flammable, combustible, corrosive, radioactive or other hazardous materials shall be used or stored on the site for business purposes.
- A home occupation shall not include the physical or medical treatment of persons or animals, beauty shops, dance studios, carpenter shops, electrical shops, massage establishments, plumber shops, heating and air conditioning shops, radio shops, auto repairing or painting, furniture repairing, sign painting or similar activities.

[3] Model Home: A model home is permitted for a period of 12 months following the issuance of a Certificate of Occupancy. The garage may be converted to a sales office during that time, but shall be converted back to a garage at the time that the home is transferred to the residential homeowner for occupancy.

[4] Office, any type: None are permitted except an incidental office for management of the manufactured home park

[5] Outdoor Storage: The storing of business property may be permitted in the side and rear yard of a lot so long as it is fully screened from adjacent properties and not visible for any street right-of-way.

[6] Portable storage containers: may be allowed on properties that have an active building permit, subject to approval from the Director of Development Services.

Secs. 14.10.002 – 14.10.999 Reserved

ARTICLE 14.11 SHERMAN MUNICIPAL AIRPORT HAZARD ZONING ORDINANCE

Sec. 14.11.001. Purpose; Findings

(1) The City Council finds that an airport hazard has the potential for endangering the lives and property of users of the City's municipal airport and property or occupants of land in its vicinity, that an obstruction may affect existing and/or future instrument approach minimums at the City's municipal airport, and that an obstruction may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the City's municipal airport and the public investment therein. Accordingly, the City Council declares that:
   (a) The City's municipal airport fulfills an essential community purpose;
   (b) The creation or establishment of an airport hazard is a public nuisance and injures the region served by the City's municipal airport;
   (c) It is necessary in the interest of the public health, safety, and general welfare to prevent the creation or establishment of airport hazards; and
   (d) The prevention of these airport hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

(2) The City Council further declares that the prevention of the creation or establishment of airport hazards; the elimination, removal, alteration, or mitigation of airport hazards; and the marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

(3) The City Council further finds that the City's municipal airport is used in the interest of the public because the City, by contract, license, or otherwise, permits the airport to be used by the public to an extent that the airport fulfills an essential community purpose.

Sec. 14.11.002. Short title.

This article shall be known and may be cited as the "Sherman Municipal Airport Hazard Zoning Ordinance."

Sec. 14.11.003. Definitions.

As used in this article, the following words have the meanings set forth below unless the context otherwise requires:

Airport: Sherman Municipal Airport, Sherman, Texas, including the ultimate development of that facility.

Airport elevation: The established elevation of the highest point on the usable landing area measured in feet above mean sea level (MSL). The airport elevation of the City's municipal airport is seven hundred forty-six and one-tenth (746.1) feet above mean sea level (MSL).

Airport hazard: Any structure, object of natural growth, or use of land that obstructs the airspace required for the flight of aircraft or obstructs or interferes with the control, tracking, and/or data acquisition in the landing, takeoff, or flight at an airport or any installation or facility relating to flight, tracking, and/or data acquisition of the flight craft; that is hazardous to, interferes with, or obstructs such landing, takeoff, or flight of aircraft; or that is hazardous

to or interferes with tracking and/or data acquisition pertaining to flight and flight vehicles.

Airport hazard area: Any area of land or water upon which an airport hazard might be established if not prevented as provided by this article.

Approach surface: A surface longitudinally centered on the extended runway centerline, extending outward and upward from each end of the primary surface and at the same slope as the approach zone height limitation slope set forth in Subsection 14.11.004 of this article. In plan the perimeter of the approach surfaces coincide with the perimeter of the approach zones.

Board of Adjustment: A board appointed by the City Council as provided by Section 211.008 of Texas Local Government Code.

Conical surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally for each one (1) foot vertically for a horizontal distance of four thousand (4,000) feet.

Hazard to air navigation: An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.

Height: For the purpose of determining the height limits in all zones set forth in this article and shown on the hazard zoning map, the datum shall be height above mean sea level (MSL) elevation as measured in feet.

Horizontal surface: A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Nonconforming use: Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this article on the effective date of this article or the effective date of an amendment thereto.

Non-precision instrument (NPI) runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, or a runway for which a straight-in non-precision instrument approach procedure has been approved or planned.

Obstruction: Any structure, tree, or other object, including a mobile object, which exceeds Federal Aviation Regulations (FAR) part 77 imaginary surfaces.

Permit: A document issued by development services to erect, replace, or increase the height of any structure, or the construction of a new structure on property, which may include an airspace determination, Form 7460-1, from the FAA.

Person: An individual, firm, partnership, coloration, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Primary surface: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of that runway. The width of the primary surface of a runway will be that width

prescribed in part 77 of the Federal Aviation Regulations (FAR) for the most precise approach, existing or planned, for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline or crown. The width of the primary surface is five-hundred (500) feet for a utility runway having a non-precision instrument approach to either or both ends of that runway.

Runway: A defined area on an airport prepared for the landing and taking off of aircraft along its length. The zoned length of runway 16-34 at the City's municipal airport is four thousand (4,000) feet.

Structure: An object, including a mobile object, constructed or installed by man including, but not limited to: buildings, towers, cranes, smokestacks, earth formations, and overhead transmission or power lines.

Transitional surfaces: Surfaces extending outward at ninety (90) degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each one (1) foot vertically from the sides of the primary surface and the approach surfaces to where they intersect the horizontal surface.

Tree: Any object of natural growth.

Utility runway: A runway constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.

Visual runway: A runway intended solely for the operation of aircraft using visual approach procedures.

Sec. 14.11.004. Airport Overlay Height Zones

In order to carry out the provisions of this article, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surface, and conical surface as they apply to the City's municipal airport, as shown in Attachment A to Ordinance No. 6413 "airport airspace drawing," and made a part hereof. These zones are created and established for the purposes of regulating and developing uses of land within each zone that do not endanger the health, safety, and general welfare of the owners, occupants, or users of the land because of noise or vibrations or the risk of personal injury or property damage created by the operations of the City's municipal airport, including the taking off and landing of aircraft. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

(1) Approach zones.

(a) An approach zone is hereby established beneath the approach surface at the end of runway 34 at the City's municipal airport for a utility runway with non-precision instrument landings and takeoffs. The approach zone shall have an inner edge width of five hundred (500) feet which coincides with the width of the primary surface at a distance of two hundred (200) feet beyond the runway end, widening thereafter uniformly to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten-thousand (10,000) feet beyond the end of the primary surface. Its centerline being the continuation of the centerline of the runway.

(b) An approach zone is hereby established beneath the approach surface at the end of runway 16 at the City's municipal airport for a utility runway with visual landings and takeoffs. The approach zone shall have an inner edge width of five hundred (500) feet which coincides with the width of the primary surface at a distance of two hundred (200) feet beyond the runway end, widening thereafter uniformly to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten thousand (10,000) feet beyond the end of the primary surface. Its centerline being the continuation of the centerline of the runway.

(2) Transitional zones. Transitional zones are hereby established beneath the transitional surfaces for the runway as indicated on the hazard zoning map. Transitional surfaces, symmetrically located on either side of the runway, have variable widths as shown on the hazard zoning map. Transitional surfaces extend outward at right angles to the runway centerline and the runway centerline extended from the periphery of the primary surface and the approach surfaces to where they intersect the horizontal surface.

(3) Horizontal zone. A horizontal zone is hereby established beneath the horizontal surface which is a plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of ten thousand (10,000) feet radii from the center of each end of the primary surface and connecting the adjacent arcs by lines tangent to those arcs.

(4) Conical zone. A conical zone is hereby established beneath the conical surface which extends outward from the periphery of the horizontal surface for a horizontal distance of four thousand (4,000) feet.

Sec. 14.11.005. Height Limitations

Except as otherwise provided in this article, no structure shall be erected, altered, or maintained and no tree shall be allowed to grow in any zone created by this article to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

(1) Approach zones. Slope one (1) foot in height for each twenty (20) feet in horizontal distance beginning at the ends of and at the same elevation as the primary surface and extending to points ten thousand (10,000) feet from the ends of primary surface. The City's engineering department will review the airspace determination, as issued by the FAA, resulting from the submission of the FAA notice of proposed construction or alteration to determine if any remediation is required as part of the development.

(2) Transitional zones. Slope one (1) foot in height for each seven (7) feet in horizontal distance beginning at the sides of and at the same elevation as the primary surface and the approach surfaces and extending to a height of one hundred fifty (150) feet above the airport elevation, or to a height of eight hundred ninety-six (896) feet above mean sea level. The City's engineering department will review the airspace determination, as issued by the FAA, resulting from the submission of the FAA notice of proposed construction or alteration to determine if any remediation is required as part of the development.

(3) Horizontal zone. Established at one hundred fifty (150) feet above the airport elevation, or at a height of eight hundred ninety-six (896) feet above mean sea level. The City's engineering department will review and determine if the development has the potential to be a hazard to the navigable airspace, and may require the filing of an FAA Form 7460-1 to receive an airspace determination as part of the development. The development will adhere to the requirements of the airspace determination.

(4) Conical zone. Slopes one (1) foot in height for each twenty (20) feet in horizontal distance beginning at the periphery of the horizontal zone and at one hundred fifty (150) feet above the airport elevation and extending to a height of three hundred fifty (350) above the airport elevation, or to a height of one thousand ninety-five (1,095) feet above mean sea level. The City's engineering department will review and determine if the development has the potential to be a hazard to the navigable airspace, and may require the filing of an FAA Form 7460-1 to receive an airspace determination as part of the development. The development will adhere to the requirements of the airspace determination.

Sec. 14.11.006. Land Use Restrictions

(1) Unlawful interference. Notwithstanding any other provision of this article, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the airport.

(2) Permitted uses. All uses are permitted within each applicable zone established by this article that are permitted by other existing zoning ordinances except as prohibited or regulated by these zoning regulations. Where there is a conflict between the zone restrictions and other zoning regulations, the provisions of the zone shall prevail. Uses within the zones that are not permitted and uses that are hereby regulated are shown in attachment A to Ordinance 6413 "airport airspace drawing," which is attached to and made a part of these zoning regulations.

Sec. 14.11.007. Nonconforming Uses and Structures

(1) Regulations not retroactive. Except as provided by Section 241.035 of the Local Government Code, the provisions of this article do not require:
   (a) Changes in nonconforming land use existing on the date of the adoption of the regulations;
   (b) The removal, lowering, or other change of a structure that does not conform to the regulations on the date of their adoption, including all phases or elements of a multiphase structure, regardless of whether actual construction has commenced, that received a determination of no hazard by the Federal Aviation Administration under 14 C.F.R., part 77, before the regulations were adopted;
   (c) The removal, lowering, or other change of an object of natural growth that does not conform to the regulations on the date of their adoption; or
   (d) Any other interference in the continuation of a use that does not conform to the regulations on the date of their adoption.
   (e) Nothing herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alternation of which was begun prior to the effective date of this article and is diligently prosecuted. Trees are not a permitted nonconforming use.

(2) Lighting and marking. Notwithstanding subsection (a) of this section, the owner of any nonconforming structure is required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the City Manager or their designated representative to indicate to the operators of aircraft

in the vicinity of the airport the presence of such airport hazards. Such markers and lights, if installed by the City, shall be operated, and maintained at the expense of the City.

Sec. 14.11.008. Permits.

(1) Future uses. Except as specifically provided hereunder, no structure shall be erected or otherwise established and no tree shall be permitted to grow in any zone hereby created in excess of the excepted height limitation of the zone, and no material change shall be made in the use of land that would create a hazardous condition as described in Subsection 14.11.005, unless a permit therefor shall have been applied for and granted by the City Manager or their designated representative. Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particularity to permit it to be determined whether the resulting structure, tree, or use would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit allowing inconsistency with the provisions of this article shall be granted unless a variance has been approved in accordance with subsection (d) of this section.

(2) Existing uses. No permit shall be granted that would allow the establishment or creation of any airport hazard or permit a nonconforming use, structure, or tree to be made or become higher or become a greater hazard to air navigation.

(3) Nonconforming uses abandoned or destroyed. Whenever the City Manager or their designated representative determines that a nonconforming use or structure has been abandoned, physically deteriorated, or decayed, as defined in Subsection 14.01.007 (Nonconforming Uses and Structures), no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(4) Variances. Any person desiring to erect, replace, or increase the height of any structure, permit the growth of any tree, or use his property in violation of the regulations prescribed in this article must apply to the Board of Adjustments for a variance from such regulations in question. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities (FORM 7460-1 or approved equal form) and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and the relief granted would not be contrary to the public interest, but do substantial justice, and be in accordance with the spirit of this article.

(5) Obstruction, marking and lighting. Any permit granted under these regulations may require the owner of the structure, tree or installation in question to install, operate, and maintain thereon such markers and lights as the board of adjustments may find necessary to indicate the presence of the airport hazard. The owner will install, operate and maintain the marking and/or lighting. If the owner does not maintain the marking and/or lighting, the City has the right to enter, make repair and bill the owner for the cost of the repair.

Sec. 14.11.009. Enforcement.

It shall be the duty of the City Manager or a representative designated by Development Services to administer and enforce the regulations prescribed herein. Applications for permits shall be made to the office of development services or the designated representative and shall be promptly considered and granted or denied. Applications for variances shall be made to the

board of adjustments by first filing said application for variance with development services or the designated representative who shall forthwith transmit said application to the board of adjustments for determination.

Sec. 14.11.010. Board of Adjustment

(1) The Board of Adjustment appointed by the City Council as provided by section 211.008 of Texas Local Government Code is designated as the board of adjustment under this article.

(2) The Board of Adjustment has the following powers:
   (a) To hear and decide an appeal, as provided by Section 241.036 of the Texas Local Government Code, from any requirement, decision or determination made by the City Manager or the designated representative in the enforcement of this article;
   (b) To hear and decide special exceptions to the terms of this article upon which such board of adjustments under such regulations may be required to pass; and
   (c) To hear and decide specific variances under Section 241.034 of the Texas Local Government Code.

(3) The schedule of meetings of the Board of Adjustment are published annually and are available as part of the development application checklist. The Board of Adjustment shall comply with Section 241.032 of the Texas Local Government Code.

(4) The concurring vote of four (4) members of the Board of Adjustment shall be necessary to reverse any order, requirement, decision or determination of the City Manager or their designated representative, to decide in favor of the applicant on any matter upon which it is required to pass under this article, or to effect any variation in this article as provided in Section 241.032(d) of the Texas Local Government Code.

Sec. 14.11.011. Appeals

A decision of the City Manager or their designated representative made in the administration of this article may be appealed to the Board of Adjustment in accordance with Section 241.036 of the Texas Local Government Code.

Sec. 14.11.012. Judicial Review

A person who is aggrieved or a taxpayer who is affected by a decision made under this article by the Board of Adjustment, or the City Council, may appeal to a court of competent jurisdiction as provided by Subchapter D of Chapter 241 of the Texas Local Government Code.

Sec. 14.11.013. Conflicting Regulations

Where there exists a conflict between any of the regulations or limitations prescribed in this article and any other regulation applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail as provided by Section 241.901 of the Texas Local Government Code.

Secs. 14.11.014 – 14.11.999 Reserved”

CHAPTER 14 ZONING ORDINANCE

ARTICLE 14.01 GENERAL PROVISIONS

(Reserved)

ARTICLE 14.02 SHERMAN MUNICIPAL AIRPORT HAZARD ZONING ORDINANCE*

Sec. 14.02.001 Purpose; findings

(a) The city council finds that an airport hazard has the potential for endangering the lives and property of users of the city's municipal airport and property or occupants of land in its vicinity, that an obstruction may affect existing and/or future instrument approach minimums at the city's municipal airport, and that an obstruction may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of the city's municipal airport and the public investment therein. Accordingly, the city council declares that:

(1) The city's municipal airport fulfills an essential community purpose;

(2) The creation or establishment of an airport hazard is a public nuisance and injures the region served by the city's municipal airport;

(3) It is necessary in the interest of the public health, safety, and general welfare to prevent the creation or establishment of airport hazards; and

(4) The prevention of these airport hazards should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

(b) The city council further declares that the prevention of the creation or establishment of airport hazards; the elimination, removal, alteration, or mitigation of airport hazards; and the marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

(c) The city council further finds that the city's municipal airport is used in the interest of the public because the city, by contract, license, or otherwise, permits the airport to be used by the public to an extent that the airport fulfills an essential community purpose.

Sec. 14.02.002 Short title

This article shall be known and may be cited as the "Sherman Municipal Airport Hazard Zoning Ordinance."

Sec. 14.02.003 Definitions

As used in this article, the following words have the meanings set forth below unless the context otherwise requires:

Airport. Sherman Municipal Airport, Sherman, Texas, including the ultimate development of that facility.

Airport elevation. The established elevation of the highest point on the usable landing area measured in feet above mean sea level (MSL). The airport elevation of the city's municipal airport is seven hundred forty-six and one-tenth (746.1) feet above mean sea level (MSL).

Airport hazard. Any structure, object of natural growth, or use of land that obstructs the airspace required for the flight of aircraft or obstructs or interferes with the control, tracking, and/or data acquisition in the landing, takeoff, or flight at an airport or any installation or facility relating to flight, tracking, and/or data acquisition of the flight craft; that is hazardous to, interferes with, or obstructs such landing, takeoff, or flight of aircraft; or that is hazardous to or interferes with tracking and/or data acquisition pertaining to flight and flight vehicles.

Airport hazard area. Any area of land or water upon which an airport hazard might be established if not prevented as provided by this article.

Approach surface. A surface longitudinally centered on the extended runway centerline, extending outward and upward from each end of the primary surface and at the same slope as the approach zone height limitation slope set forth in section 14.02.004 of this article. In plan the perimeter of the approach surfaces coincide with the perimeter of the approach zones.

Board of adjustments. A board appointed by the city council as provided by section 211.008 of Texas Local Government Code.

Conical surface. A surface extending outward and upward from the periphery of the horizontal surface at a slope of twenty (20) feet horizontally for each one (1) foot vertically for a horizontal distance of four thousand (4,000) feet.

Hazard to air navigation. An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of navigable airspace.

Height. For the purpose of determining the height limits in all zones set forth in this article and shown on the hazard zoning map, the datum shall be height above mean sea level (MSL) elevation as measured in feet.

Horizontal surface. A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Nonconforming use. Any pre-existing structure, object of natural growth, or use of land which is inconsistent with the provisions of this article on the effective date of this article or the effective date of an amendment thereto.

Non-precision instrument (NPI) runway. A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, or a runway for which a straight in non-precision instrument approach procedure has been approved or planned.

Obstruction. Any structure, tree, or other object, including a mobile object, which exceeds Federal Aviation Regulations (FAR) part 77 imaginary surfaces.

Permit. A document issued by development services to erect, replace, or increase the height of any structure, or the construction of a new structure on property, which may include an airspace determination, Form 7460-1, from the FAA.

Person. An individual, firm, partnership, coloration, company, association, joint stock association, or body politic and includes a trustee, receiver, assignee, administrator, executor, guardian, or other representative.

Primary surface. A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of that runway. The width of the primary surface of a runway will be that width prescribed in part 77 of the Federal Aviation Regulations (FAR) for the most precise approach, existing or planned, for either end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline or crown. The width of the primary surface is five hundred (500) feet for a utility runway having a non-precision instrument approach to either or both ends of that runway.

Runway. A defined area on an airport prepared for the landing and taking off of aircraft along its length. The zoned length of runway 16-34 at the city's municipal airport is four thousand (4,000) feet.

Structure. An object, including a mobile object, constructed or installed by man including, but not limited to: buildings, towers, cranes, smokestacks, earth formations, and overhead transmission or power lines.

Transitional surfaces. Surfaces extending outward at ninety (90) degree angles to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each one (1) foot

vertically from the sides of the primary surface and the approach surfaces to where they intersect the horizontal surface.

Tree. Any object of natural growth.

Utility runway. A runway constructed for and intended to be used by propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.

Visual runway. A runway intended solely for the operation of aircraft using visual approach procedures.

Sec. 14.02.004 Airport overlay height zones

In order to carry out the provisions of this article, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surface, and conical surface as they apply to the city's municipal airport, as shown in attachment A to Ordinance 6413 "airport airspace drawing," and made a part hereof. These zones are created and established for the purposes of regulating and developing uses of land within each zone that do not endanger the health, safety, and general welfare of the owners, occupants, or users of the land because of noise or vibrations or the risk of personal injury or property damage created by the operations of the city's municipal airport, including the taking off and landing of aircraft. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

(1) Approach zones.

(A) An approach zone is hereby established beneath the approach surface at the end of runway 34 at the city's municipal airport for a utility runway with non-precision instrument landings and takeoffs. The approach zone shall have an inner edge width of five hundred (500) feet which coincides with the width of the primary surface at a distance of two hundred (200) feet beyond the runway end, widening thereafter uniformly to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten thousand (10,000) feet beyond the end of the primary surface. Its centerline being the continuation of the centerline of the runway.

(B) An approach zone is hereby established beneath the approach surface at the end of runway 16 at the city's municipal airport for a utility runway with visual landings and takeoffs. The approach zone shall have an inner edge width of five hundred (500) feet which coincides with the width of the primary surface at a distance of two hundred (200) feet beyond the runway end, widening thereafter uniformly to a width of three thousand five hundred (3,500) feet at a horizontal distance of ten thousand (10,000) feet beyond the end of the primary surface. Its centerline being the continuation of the centerline of the runway.

(2) Transitional zones. Transitional zones are hereby established beneath the transitional surfaces for the runway as indicated on the hazard zoning map. Transitional surfaces, symmetrically located on either side of the runway, have variable widths as shown on the hazard zoning map. Transitional surfaces extend outward at right angles to the runway centerline and the runway centerline extended from the periphery of the primary surface and the approach surfaces to where they intersect the horizontal surface.

(3) Horizontal zone. A horizontal zone is hereby established beneath the horizontal surface which is a plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of ten thousand (10,000) feet radii from the center of each end of the primary surface and connecting the adjacent arcs by lines tangent to those arcs.

(4) Conical zone. A conical zone is hereby established beneath the conical surface which extends outward from the periphery of the horizontal surface for a horizontal distance of four thousand (4,000) feet.

Sec. 14.02.005 Height limitations

Except as otherwise provided in this article, no structure shall be erected, altered, or maintained and no tree shall be allowed to grow in any zone created by this article to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

(1) Approach zones. Slope one (1) foot in height for each twenty (20) feet in horizontal distance beginning at the ends of and at the same elevation as the primary surface and extending to points ten thousand (10,000) feet from the ends of primary surface. The city's engineering department will review the airspace determination, as issued by the FAA, resulting from the submission of the FAA notice of proposed construction or alteration to determine if any remediation is required as part of the development.

(2) Transitional zones. Slope one (1) foot in height for each seven (7) feet in horizontal distance beginning at the sides of and at the same elevation as the primary surface and the approach surfaces and extending to a height of one hundred fifty (150) feet above the airport elevation, or to a height of eight hundred ninety-six (896) feet above mean sea level. The city's engineering department will review the airspace determination, as issued by the FAA, resulting from the submission of the FAA notice of proposed construction or alteration to determine if any remediation is required as part of the development.

(3) Horizontal zone. Established at one hundred fifty (150) feet above the airport elevation, or at a height of eight hundred ninety-six (896) feet above mean sea level. The city's engineering department will review and determine if the development has the potential to be a hazard to the navigable airspace, and may require the filing of an FAA Form 7460-1 to receive an airspace determination as part of the development. The development will adhere to the requirements of the airspace determination.

(4) Conical zone. Slopes one (1) foot in height for each twenty (20) feet in horizontal distance beginning at the periphery of the horizontal zone and at one hundred fifty (150) feet above the airport elevation and extending to a height of three hundred fifty (350) above the airport elevation, or to a height of one thousand ninety-five (1,095) feet above mean sea level. The city's engineering department will review and determine if the development has the potential to be a hazard to the navigable airspace, and may require the filing of an FAA Form 7460-1 to receive an airspace determination as part of the development. The development will adhere to the requirements of the airspace determination.

Sec. 14.02.006 Land use restrictions

(a) Unlawful interference. Notwithstanding any other provision of this article, no use may be made of land or water within any zone established by this article in such a manner as to create electrical interference with navigational signals or radio communications between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, taking off, or maneuvering of aircraft intending to use the airport.

(b) Permitted uses. All uses are permitted within each applicable zone established by this article that are permitted by other existing zoning ordinances except as prohibited or regulated by these zoning regulations. Where there is a conflict between the zone restrictions and other zoning regulations, the provisions of the zone shall prevail. Uses within the zones that are not permitted and uses that are hereby regulated are shown in attachment A to Ordinance 6413 "airport airspace drawing," which is attached to and made a part of these zoning regulations.

Sec. 14.02.007 Nonconforming uses and structures

(a) Regulations not retroactive. Except as provided by section 241.035 of the Local Government Code, the provisions of this article do not require:

(1) Changes in nonconforming land use existing on the date of the adoption of the regulations;

(2) The removal, lowering, or other change of a structure that does not conform to the regulations on the date of their adoption, including all phases or elements of a multiphase structure, regardless of whether actual construction has commenced, that received a determination of no hazard by the Federal Aviation Administration under 14 C.F.R., part 77, before the regulations were adopted;

(3) The removal, lowering, or other change of an object of natural growth that does not conform to the regulations on the date of their adoption; or

(4) Any other interference in the continuation of a use that does not conform to the regulations on the date of their adoption.

(5) Nothing herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alternation of which was begun prior to the effective date of this article and is diligently prosecuted. Trees are not a permitted nonconforming use.

(b) Lighting and marking. Notwithstanding subsection (a) of this section, the owner of any nonconforming structure is required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the city manager or their designated representative to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport hazards. Such markers and lights, if installed by the city, shall be operated, and maintained at the expense of the city.

Sec. 14.02.008 Permits

(a) Future uses. Except as specifically provided hereunder, no structure shall be erected or otherwise established and no tree shall be permitted to grow in any zone hereby created in excess of the excepted height limitation of the zone, and no material change shall be made in the use of land that would create a hazardous condition as described in section 14.02.005, unless a permit therefor shall have been applied for and granted by the city manager or their designated representative. Each application for a permit shall indicate the purpose for which the permit is desired with sufficient particularity to permit it to be determined whether the resulting structure, tree, or use would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit allowing inconsistency with the provisions of this article shall be granted unless a variance has been approved in accordance with subsection (d) of this section.

(b) Existing uses. No permit shall be granted that would allow the establishment or creation of any airport hazard or permit a nonconforming use, structure, or tree to be made or become higher or become a greater hazard to air navigation.

(c) Nonconforming uses abandoned or destroyed. Whenever the city manager or their designated representative determines that a nonconforming use or structure has been abandoned, physically deteriorated, or decayed, as defined in chapter 14, zoning ordinance, section 5, "nonconforming lots, uses of land, structures and uses of structures and premises," no permit shall be granted that would allow such structure to exceed the applicable height limit or otherwise deviate from the zoning regulations.

(d) Variances. Any person desiring to erect, replace, or increase the height of any structure, permit the growth of any tree, or use his property in violation of the regulations prescribed in this article must apply to the Board of Adjustments for a variance from such regulations in question. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities (FORM 7460-1 or approved equal form) and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and the relief granted would not be contrary to the public interest, but do substantial justice, and be in accordance with the spirit of this article.

(e) Obstruction, marking and lighting. Any permit granted under these regulations may require the owner of the structure, tree or installation in question to install, operate, and maintain thereon such markers and lights as the board of adjustments may find necessary to indicate the presence of the airport hazard. The owner will install, operate and maintain the marking and/or lighting. If the owner does not maintain the marking and/or lighting, the city has the right to enter, make repair and bill the owner for the cost of the repair.

Sec. 14.02.009 Enforcement

It shall be the duty of city manager or a representative designated by development services to administer and enforce the regulations prescribed herein. Applications for permits shall be made to the office of development services or the designated representative and shall be promptly considered and granted or denied. Applications for variances shall be made to the board of adjustments by first filing said application for variance with development services or the designated representative who shall forthwith transmit said application to the board of adjustments for determination.

Sec. 14.02.010 Board of adjustments

(a) The board of adjustments appointed by the city council as provided by section 211.008 of Texas Local Government Code is designated as the board of adjustments under this article.

(b) The board of adjustments has the following powers:

(1) To hear and decide an appeal, as provided by section 241.036 of the Texas Local Government Code, from any requirement, decision, or determination made by the city manager or the designated representative in the enforcement of this article;

(2) To hear and decide special exceptions to the terms of this article upon which such board of adjustments under such regulations may be required to pass; and

(3) To hear and decide specific variances under section 241.034 of the Texas Local Government Code.

(c) The schedule of meetings of the board of adjustments are published annually and are available as part of the development application checklist. The board of adjustments shall comply with section 241.032 of the Texas Local Government Code.

(d) The concurring vote of four (4) members of the board of adjustments shall be necessary to reverse any order, requirement, decision, or determination of the city manager or their designated representative, to decide in favor of the applicant on any matter upon which it is required to pass under this article, or to effect any variation in this article as provided in section 241.032(d) of the Texas Local Government Code.

Sec. 14.02.011 Appeals

A decision of the city manager or their designated representative made in the administration of this article may be appealed to the board of adjustments in accordance with section 241.036 of the Texas Local Government Code.

Sec. 14.02.012 Judicial review

A person who is aggrieved or a taxpayer who is affected by a decision of the board of adjustments, or the city council, may appeal to a court of competent jurisdiction as provided by subchapter D chapter 241 of the Texas Local Government Code.

Sec. 14.02.013 Enforcement and remedies

The city attorney may institute in a court of competent jurisdiction an action to prevent, restrain, correct, or abate any violation of this article or of any order or ruling made in connection with its administration or enforcement, including, but not limited to, an action for injunctive relief as provided by section 241.044 of the Texas Local Government Code.

Sec. 14.02.014 Penalties

Each violation of this article or of any regulation, order, or ruling promulgated hereunder shall constitute

a misdemeanor and upon conviction shall be punishable by a fine of not more than $2,000.00. A violation of any provision of this article shall constitute a separate violation for each calendar day in which it occurs. The penal provisions imposed under this article shall not preclude the city from filing suit to enjoin the violation. The city retains all legal rights and remedies available to it pursuant to local, state and federal law. There shall be no requirement of a culpable mental state for an offense under this article.

Sec. 14.02.015 – Conflicting regulations

Where there exists a conflict between any of the regulations or limitations prescribed in this article and any other regulation applicable to the same area, whether the conflict be with respect to the height of structures or trees, the use of land, or any other matter, the more stringent limitation or requirement shall govern and prevail as provided by section 241.901 of the Texas Local Government Code.

(Ordinance 6413 adopted 9/7/21)

ARTICLE 14.03 PLANNING AND ZONING BOARD

Sec. 14.03.001 – Terms of members; forfeiture of office

Each member of the planning and zoning board shall hold office until his successor has been named and enters into the duties of his office; provided, however, a member shall automatically forfeit his position on the planning and zoning board in the event he shall fail to attend three (3) consecutive meetings of the board without good cause as to be determined by the membership of the planning and zoning board. In that event, the chairman of the planning and zoning board shall immediately notify the city council of such forfeiture and petition the council to appoint a replacement at the council's earliest convenience. (1991 Code, sec. 25-26)

Sec. 14.03.002 – Officers

The chairman of the planning and zoning board shall be designated by the city council. The board shall elect its own vice-chairman, secretary, acting secretary and such other officers as it may deem expedient. It shall be the duty of the chairman to call all meetings of such board and to preside at the meeting. It shall be the duty of the vice-chairman to preside over meetings and to call meetings as may be necessary in the absence of the chairman. It shall be the duty of the secretary to keep a record of all meetings and the business transacted at such meetings. (1991 Code, sec. 25-27)

Sec. 14.03.003 – Quorum

A majority of the members of the planning and zoning board shall constitute a quorum for the transaction of business. (1991 Code, sec. 25-28)

Sec. 14.03.004 – Rules and regulations; Robert's Rules of Order

(a) The members of the planning and zoning board shall adopt such rules and regulations as they deem best for the government of their actions, proceedings, and time and place of meetings. However, such rules and regulations shall not be in contravention of any of the laws of the state or of any provision of this code or other ordinance of the city.

(b) The planning and zoning board shall adopt Robert's Rules of Order as the order of decision.

(1991 Code, sec. 25-29)

Sec. 14.03.005 – General powers and duties

(a) It shall be the duty of the planning and zoning board to act as an advisory board to the city council or any other commission, board or department of the city. It shall be its duty to make recommendations to the city council and other commissions, boards and departments relating to all nature of public improvements, civic improvements, city planning, opening, widening and changing the streets, routing of public utilities, controlling and regulating traffic upon the public streets and ways of the city and such other matters relating to city improvements as the planning and zoning board may deem beneficial to the city.

(b) The planning and zoning board is hereby vested with proper power to submit to the city council plans, together with recommendations, governing public improvements for the establishment and location of additional streets, alleys and byways, schools, parks, playgrounds, recreation centers, public amusements, outdoor theatres, swimming pools, the creation of new zones or the changing of present zones or any other recommendations deemed by the board to come under the heading of civic improvements or city planning. The city council may thereafter adopt the recommendations made by the board on any other plans or methods which may be deemed most advisable by the city council.

(c) The planning and zoning board, in addition to the powers and authority granted by this article, shall be and is hereby vested with all of the powers and authority conferred upon city planning and zoning boards by the laws of the state and such board shall, in addition to the duties set forth in this article, perform all of the duties provided by the laws of the state for city planning and zoning boards, as well as the duties provided by this code and other ordinances of the city.

(1991 Code, sec. 25-30)

Sec. 14.03.006 Powers and duties relative to divisions of land

(a) It shall be the duty of the planning and zoning board to examine every proposed division of lands, which is hereby defined as plans, plats, replats, additions, subdivisions and resubdivisions for subdividing lands, located in the corporate limits of or within five (5) miles of the corporate limits of the city, to determine if such division of lands conforms to the general plan of the city, its streets, alleys, parks, playgrounds, public utility facilities, sanitary facilities, drainage facilities and all other facilities or the extension of any of such facilities which have been or may be laid out, and to determine if such division of land conforms to such general rules, regulations, ordinances or laws, if any, governing the division of land falling within the jurisdiction of the city, its city council or the planning and zoning board, which rules, regulations, ordinances or laws are or have been adopted or promulgated to promote the health, safety, morals or general welfare of the community and the safe, orderly and healthful development of the community.

(b) The planning and zoning board is authorized to set up such standards to cover the presentation of such division of land, and to establish such procedures for acting upon such presentations as it may deem advisable; provided, that such standards and procedures shall not be inconsistent with the provisions of this code or other ordinances of the city, the laws of the state and the Constitution of the United States.

(1991 Code, sec. 25-31)

Sec. 14.03.007 Appointment, etc., of board of adjustment

(a) The planning and zoning board shall appoint a board of adjustment of five (5) members from its own body to serve as provided by V.T.C.A., Local Government Code sec. 211.008. The two (2) remaining members of the planning and zoning board shall serve as alternate members of the board of adjustment.

(b) The chairman of the board of adjustment shall be designated by the planning and zoning board. The board of adjustment shall select its own vice-chairman, secretary, and acting secretaries, and such other officers as it may deem expedient.

(c) The board of adjustment shall adopt Robert's Rules of Order as the order of decision.

(1991 Code, sec. 25-32)

Sec. 14.03.008 Public hearings on recommendations

The planning and zoning board shall hold a public hearing on each of its recommendations before such recommendations are submitted to the city council for action. (1991 Code, sec. 25-33)

Sec. 14.03.009 Records

The planning and zoning board shall maintain records of its proceedings, which records shall be open for inspection by the public, provided that the record of any executive session shall not be open for inspection by the public until such times as the matters covered in such executive session shall have been passed on by the board in regular session. (1991 Code, sec. 25-34)

Sec. 14.03.010 Reports to city council

The planning and zoning board shall report to the city council, either through its officers in person or in writing, at each regular session of the city council. The planning and zoning board may report to or confer with the city council at any time that the board deems advisable or that the council may direct at a special meeting of the council called for such purpose. (1991 Code, sec. 25-35)

Sec. 14.03.011 Removal of members; filling of vacancies

The members of the planning and zoning board shall be subject to removal from office by the city council for any cause deemed by the city council sufficient for their removal in the interest of public service. Any vacancy occurring upon the planning and zoning board by death, resignation, removal or otherwise shall be filled by the city council appointing a suitable person to fill such vacancy for the unexpired term. (1991 Code, sec. 25-36)

Sec. 14.03.012 Action not necessary to validity of improvements

Any public improvements undertaken under the provisions of this article or otherwise by the city council shall never be deemed invalid because the planning and zoning board has not been consulted or has not furnished any advice or recommendations thereon or because the city council has failed to submit to the board its plans thereon. (1991 Code, sec. 25-37)

ARTICLE 14.04 GENERAL ZONING ORDINANCE

(a) Ordinance 2280, adopted by the city on October 21, 1963, and as amended, is attached to this chapter as exhibit A. The original arrangement, section catchlines and subsection catchlines, capitalization, punctuation and grammar have been retained. Amendments to the ordinance are indicated by a history note following amended sections. If there is no history note, the material is unchanged from the original ordinance. Obvious misspellings have been corrected. Material enclosed in brackets has been added for clarification. Ordinances zoning or rezoning property are not included, but are on file in the city clerk's office.

(b) Changes made by city. Certain changes have been made to the zoning ordinance at the request of the city. Because these changes have not been made in accordance with the amendment procedures as mandated in V.T.C.A., Local Government Code sec. 211.006 and other applicable sections of the Local Government Code, Franklin Legal Publishing, Inc., assumes no responsibility or liability for such changes being made. Every change made at the city's request is denoted by an editor's note specifying the change.

(Ordinance adopting Code)

ARTICLE 14.05 ZONING BLALOCK INDUSTRIAL PARK

Ordinance 2252, adopted by the city on December 17, 1962, as amended, is attached to this chapter as exhibit B. The original arrangement, headings, section catchlines, capitalization, punctuation, grammar, etc., have been retained. Amendments to the ordinance are indicated by the history notes following amended sections. If there is no history note, the material is unchanged from the original ordinance. Obvious misspellings have been corrected. Material enclosed in brackets has been added for clarity.

EXHIBIT A[*]

GENERAL ZONING ORDINANCE

ORDINANCE NO. 2280

AN ORDINANCE OF THE CITY OF SHERMAN ADOPTING A COMPREHENSIVE ZONING PLAN AND ZONING MAP, AND DIVIDING THE CITY INTO SEVERAL DISTRICTS, ESTABLISHING THE USES AUTHORIZED IN SAID DISTRICTS, PROVIDING FOR PERMITS, AND USE PERMITS, AND CERTIFICATES OF OCCUPANCY AND COMPLIANCE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING ALL ORDINANCES IN CONFLICT THEREWITH:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN:

Sec. 1. Purpose of zoning ordinance.

The zoning regulations and districts as herein established have been made in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals and the general welfare of the City of Sherman. They have been designed to lessen the congestion in the streets; to secure safety from fire, panic and other dangers; to provide adequate light and air; to prevent the overcrowding of land; to avoid undue concentration of population; to facilitate the adequate provision of transportation, water, sewerage, schools, parks and other public requirements. They have been made with reasonable consideration, among other things, for the character of the district and its peculiar suitability for particular uses, and with a view of conserving the value of buildings and encouraging the most appropriate use of land throughout the City of Sherman.

Sec. 2. Establishment of districts; provision for official zoning map.

(1) The city is hereby divided into zones, or districts, as shown on the official zoning map, which, together with all explanatory matter thereon, is adopted by reference and declared to be a part of this ordinance.

(2) The official zoning map shall be identified by the signature of the mayor attested by the city secretary [clerk], and bearing the seal of the city under the following words:

"This is to certify that this is the Official Zoning Map referred to in Section 2 of Ordinance Number 2280 of the City of Sherman, Texas, adopted Jan. 22, 2002."

(3) If in accordance with the provisions of this ordinance, changes are made in district boundaries or other matters portrayed on the official zoning map, such changes shall be made on the official zoning map promptly after the amendment has been approved by the city council. The amending ordinance shall provide that such changes or amendments shall not become effective until they have been duly entered upon this official zoning map. The entry shall be signed by the mayor and attested by the city secretary [clerk].

(4) No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under section 15 of this ordinance.

(5) Regardless of the existence of purported copies of the official zoning map which may from time to time be made or published, the official zoning map which shall be located in the office of the city secretary [clerk] shall be the final authority as the current zoning status of land and water areas, buildings and other structures in the city.

(6) In the event that the official 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 resolution, adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original zoning ordinance or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor attested by the city secretary [clerk], and bearing the seal of the city under the following words:

"This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map

adopted _____, ___ as part of Ordinance No. _____ of the City of Sherman, Texas."

(7) The first and second tracts described in Ordinance 2275 shall be in the C-2 (General Commercial) District. Tract[s] 3 through 10 of said ordinance shall be in R-A (Single-Family Agricultural) District.

(Ordinance 4988, sec. 1, adopted 1/22/02)

Sec. 3. Rules for interpretation of district boundaries.

Where uncertainty exists as to the boundaries of districts as shown on the official zoning map, the following shall apply:

(1) Boundaries indicated as approximately following the center lines of streets, highways or alleys; platted lot lines; city limits, railroad center lines; banks or center lines of banks, streams, rivers, canals, lakes or other bodies of water; shall be construed to follow such lines.

(2) Boundaries indicated as parallel to or extensions of features indicated in subsection (1) above shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.

(3) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections (1) and (2) above, the board of adjustment shall interpret the district boundaries.

Sec. 4. Application of district regulations.

The regulations set by this ordinance within each district shall be minimum regulations and shall apply uniformly to each class or kind of structure or land, and particularly, except as hereinafter provided:

(1) 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 unless in conformity with all of the regulations herein specified for the district in which it is located.

(2) No building or other structure shall hereafter be erected or altered:

(a) To exceed the height;

(b) To accommodate or house a greater number of families;

(c) To occupy a greater percentage of lot area;

(d) To have narrower or smaller rear yards, front yards, side yards, or other open spaces;

than herein required; or in any other manner contrary to the provisions of this ordinance.

(3) No part of a yard or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this ordinance shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building.

(4) No yard or lot existing at the time of passage of this ordinance shall be reduced in dimension or area below the minimum requirements set forth herein. Yards or lots created after the effective date of this ordinance shall meet at least the minimum requirements established by this ordinance.

(5) All territory which may hereafter be annexed to the city shall be considered to be zoned R-A (Single-Family Agricultural) District. Application for building permits for uses other than agricultural and residential in newly annexed areas shall be referred to the zoning board by the building official. The zoning board may recommend denial, or in recommending approval of such building permit, the zoning board may impose such requirements and conditions with respect to location, construction, maintenance and operation in addition to those expressly stipulated in this ordinance for the particular use, as they may deem necessary for the

protection of adjacent properties and the public interest. The application, together with the recommendations of the zoning board, shall then be forwarded to the city council for final authorization before issuance of a building permit.

(Ordinance 5153, sec. 1, adopted 8/18/03; Ordinance 5589 adopted 2/16/09)

Sec. 5. Nonconforming lots, uses of land, structures, and uses of structures and premises.

(1) *Intent*.

(a) Within the district established by this ordinance or amendments that may later be adopted there exist lots, structures, and uses of land and structures which were lawful before this ordinance was passed or amended, but which would be prohibited, regulated or restricted under the terms of this ordinance or future amendment.

(b) It is the intent of this ordinance to permit these nonconformities to continue until they are removed, but not to encourage their survival. Such uses are declared by this ordinance to be incompatible with permitted uses in the districts involved. It is further the intent of this ordinance that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.

(c) A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land shall not be extended or enlarged after passage of this ordinance by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be prohibited generally in the district involved.

(d) To avoid undue hardship, nothing in this ordinance shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this ordinance and upon which actual building construction has been diligently carried on. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner; except that where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that work shall be diligently carried on until completion of the building involved.

(2) *Nonconforming lots of record*. Lots in platted additions at the time of the passage of this ordinance may be improved and used for any lawful use without regard to area requirements except reasonable front, side and back yards shall be provided to be determined by the building inspector with the right of appeal to the board of adjustment from his decision.

(3) *Nonconforming uses of land*. Where, at the effective date of adoption or amendment of this ordinance, lawful use of land exists that is made no longer permissible under the terms of this ordinance as enacted or amended, such use may be continued so long as it remains otherwise lawful, subject to the following provisions:

(a) No such nonconforming use shall be enlarged or increased, nor shall [it] be extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this ordinance.

(b) No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this ordinance.

(c) If any such nonconforming use of land ceases for any reason for a period of more than 30 days, any subsequent use of such land shall conform to the regulations specified by this ordinance for the district in which such land is located.

(4) *Nonconforming structures*. Where a lawful structure exists at the effective date of adoption or

amendment of this ordinance that could not be built under the terms of this ordinance by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

(a) No such structure may be enlarged or altered in any way which increases its nonconformity.

(b) A lot separately owned at the time of the passage of this chapter [ordinance] on which valuable improvements have been erected and in lawful use at the time of the passage of this chapter [ordinance], shall continue to be a lawful use and a lawful lot, and said lot and the use thereof and the structure thereon situated may be repaired, maintained and enlarged without regard to the area requirements required by this ordinance so long as the increase in the structure and the use thereof is in conformity with the general neighborhood within 200 feet of the premises.

(c) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

(5) *Nonconforming uses of structures*. If a lawful use of a structure, or of structure and premises in combination, exists at the effective date of adoption or amendment of this ordinance, that would not be allowed in the district under the terms of this ordinance, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

(a) No existing structure devoted to a use not permitted by this ordinance in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.

(b) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this ordinance, but no such use shall be extended to occupy any land outside such building.

(c) If no structural alterations are made, any nonconforming use of a structure, or structure and premises, may be changed to another nonconforming use provided that the board of adjustment, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the board of adjustment may require appropriate conditions and safeguards in accordance with the provisions of this ordinance.

(d) Any structure or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which such structure is located, and the nonconforming use may not thereafter be resumed.

(e) When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for 6 consecutive months or for 18 months during any three-year period, the structure, or structure and premises in combination, shall not thereafter be used except in conformance with the regulations of the district in which it is located.

(f) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

(6) *Repairs and maintenance*.

(a) Any building devoted in whole or in part to any nonconforming use may be maintained

and repaired, provided that the cubic content of the building as it existed at the time of passage or amendment of this ordinance shall not be increased.

(7) *Uses under exception provisions not nonconforming uses*. Any use for which an exception is permitted as provided in this ordinance shall not be deemed a nonconforming use, but shall without further action be deemed a conforming use in such district.

(Ordinance 2545, sec. 1, adopted 1/23/67; Ordinance 4583, sec. 1, adopted 2/10/97)

Sec. 6. Schedule of district regulations adopted.

District regulations shall be as set forth in the Schedule of District Regulations, and in section 7 of this ordinance, entitled "Supplementary District Regulations." The several districts hereby established and into which the City is divided are designated as follows:

6.1. R-A District: Single-family Agricultural District.

6.2 SF-1 District: Single-family Residential District.

6.3. R-1 District: One-family Residential District.

6.4. R-2 District: Multifamily Residential District.

6.5. C-O District: Office District.

6.6. C-1 District: Retail Business District.

6.7. C-2 District: General Commercial District.

6.8. M-1 District: Light Manufacturing District.

6.9. M-1.5 District: Medium Manufacturing District.

6.10. M-2 District: Heavy Manufacturing District.

6.11 MH District: Manufactured Housing District.

6.12 PD District: Planned Development District.

6.13 Overlay District.

6.13.1 O-1 (75 & 82) Overlay District.

6.13.2 O-1.1 (F.M. Highway 1417).

6.13.3 O-1.2 (Sam Rayburn) Overlay District.

6.13.4 O-1.3 (F.M. Highway 691) Overlay District.

6.13.5 O-1.4 (State Highway 289) Overlay District.

6.13.6 College Park Overlay District.

6.13.7 Blalock Commercial Overlay District.

6.13.8 A&C (Arts and Cultural) Overlay District.

(Ordinance 6385 adopted 5/17/21)

Sec. 6.1. R-A (Single-family agricultural) district.

Purpose. This district consists mainly of unsubdivided land that is mainly vacant or being used for agricultural purposes with some dwellings, and accessory uses. In addition to the general purposes applying to all residential districts, the regulations are designed to prevent intensive residential development until such time as major streets, utilities and other facilities can be economically provided by the municipality. (Ordinance 2732, sec. 1, adopted 10/6/69; Ordinance 5113, sec. 1, adopted 3/3/03)

(1) Minimum requirements for lot area, width, and setback:

Lot area: 2 acres

Lot width: 200'

Front: 30'

Rear: 25'

Side yards: 15' with sum of both side yards not less than 50'.

(Ordinance 6385 adopted 5/17/21)

(2) See section 7 for supplementary district regulations and exceptions and parking requirements applying to the R-A District. (Ordinance 2732, sec. 1, adopted 10/6/69; Ordinance 5113, sec. 1, adopted 3/3/03)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments, and specific use permits that may be recommended by the Planning and Zoning Commission within the R-A District under certain circumstances and conditions. (Ordinance 6385 adopted 5/17/21)

(4) Permitted uses and parking requirements:

Permitted Use	**Parking Ratio**
Any use permitted in R-1 District.	-
Accessory building for agricultural storage	none
Animal and poultry husbandry, dairying and pasturage, but not including the feeding of garbage	none

(5) Height regulations: No building shall exceed thirty-five (35) feet or two (2) stories in height.

(Ordinance 2732, sec. 1, adopted 10/6/69; Ordinance 5113, sec. 1, adopted 3/3/03)

(6) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations. (Ordinance 6385 adopted 5/17/21)

Sec. 6.2. SF-1 (Single-Family Residential) District.

(1) *Minimum requirements for lot area, width, and setback:*

Lot area: 6,000 S.F.

Lot width: 60'

Front: 25'

Rear: 25'

Side yards: There shall be a side yard on each side of the main building not less than ten (10) percent of the mean horizontal distance between the side lines of the lot; except that such side yard shall be not less than six (6) feet; and need not be more than fifteen (15) feet. A building on a corner lot shall have a side street of not less than ten (10) feet.

(2) See section 7 for supplementary district regulations, exceptions and parking regulations applying to the R-1 District.

(Ordinance 5425 adopted 11/6/06)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments and specific use permits that may be recommended by the Planning and Zoning Commission within the SF-1 District under certain circumstances and conditions.

(4) Permitted uses and parking requirements:

Permitted Uses	Parking Ratio
Accessory building; garage or carport, domestic storage.	None
Bedrooms two bedrooms may be rented to not more than four people.	1/Unit
Dwelling, Single family	1/bedroom (min. 2/unit)
Field crops, horticulture, nursery, truck gardening, but not including retail sales on the premises.	None
Public park, playground or playfield.	None
Swimming pool, private.	None
Railroad rights-of-way but not including shops and yards.	None
Portable offices and construction buildings which shall be removed upon completion or abandonment of construction work.	None
Home Occupations: Any occupation that is customarily carried on at home that does not involve a structural change in the dwelling unit, that does not require the employment of help other than members of the immediate family, provided, however that the following uses shall not be permitted as home occupations. Any office in which services are rendered, or in which chattels or goods, wares or merchandise are commercially created, exchanged or sold; barber or beauty shops, beauty culture schools; commercial stables or kennels; doctor's office for the treatment of patients; and/or the display of goods.	

(Ordinance 6385 adopted 5/17/21)

(5) Height regulations: No building shall exceed 35 feet or 2 stories in height. (Ordinance 5425 adopted 11/6/06)

(6) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations. (Ordinance 6385 adopted 5/17/21)

Sec. 6.3. R-1 (One-family residential) district.

(1) Minimum requirements for lot area, width, and setback:

- Lot area: 6,000 SF
- Lot width: 60'
- Front: 25'
- Rear: 25'
- Side yards: There shall be a side yard on each side of the main building not less than ten (10) percent of the mean horizontal distance between the side lines of the lot; except that such side yard shall be not less than six (6) feet; and need not be more than fifteen (15) feet. A building on a corner lot shall have a side yard adjacent to its side street of not less than ten (10) feet.

(2) See section 7 for supplementary district regulations, exceptions and parking regulations

applying to the R-1 District.

(Ordinance 5501 adopted 12/3/07)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments and specific use permits that may be recommended by the Planning and Zoning Commission within the R-1 District under certain circumstances and conditions.

(4) Permitted uses and parking requirements:

Permitted Uses	**Parking Ratio**
Accessory building; garage or carport, domestic storage.	none
Bedrooms-two bedrooms may be rented to not more than four people.	1/unit
Dwelling, Single-family	1/bedroom (min. 2/unit)
Field crops, horticulture, nursery, truck gardening, but not including retail sales on the premises.	none
Public park, playground or playfield.	none
Swimming pool, private.	none
Railroad rights-of-way but not including shops and yards.	none
Portable offices and construction buildings which shall be removed upon completion or abandonment of construction work.	none
Home occupations: Any occupation that is customarily carried on at home that does not involve a structural change in the dwelling unit, that does not require the employment of help other than members of the immediate family, provided, however that the following uses shall not be permitted as home occupations: Any office in which services are rendered, or in which chattels or goods, wares or merchandise are commercially created, exchanged or sold; barber or beauty shops, beauty culture schools; commercial stables or kennels; doctor's office for the treatment of patients; and/or the display of goods.	-

(Ordinance 6385 adopted 5/17/21)

(5) Height regulations: No building shall exceed 35 feet or 2 stories in height. (Ordinance 5501 adopted 12/3/07)

(6) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations. (Ordinance 6385 adopted 5/17/21)

Sec. 6.4. R-2 (Multi-family residential) district.

Purpose. This district consists mainly of areas which contain some two-family or multiple-family development or which are centrally located or suitable for ultimate two-family or multiple-family development. In addition to the general purposes applying to all residential districts, the regulations of District R-2 are designed to encourage the provision of conveniently located, centrally maintained

rental accommodations.

(1) Minimum requirements for lot area, width and setback:

-	Lot Area	Lot Width	Setback			Sum of Both
			Front	Rear	Side One	
Duplex or two-family dwelling	6,000 SF	60'	25'	25'	See Section 6.2(1) Side Yard Requirements	
Multi-family dwelling	12,000 SF	85'	25'	25'	7'	23'

(2) See section 7 for supplementary district regulations, exceptions and parking requirements applying to the R-2 District.

(Ordinance 5425 adopted 11/6/06)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments and specific use permits that may be recommended by the Planning and Zoning Commission within the R-2 District under certain circumstances and conditions.

(4) Permitted Uses and Parking Requirements:

Permitted Uses	Parking Ratio
Any use permitted in the R-1 District	-
Dwelling, Multifamily	1/bedroom (min. 2/unit)
Dwelling, Two-family (Duplex)	1/bedroom (min. 2/unit)
Rooming, boarding house	1/bedroom (min. 2/unit)

(Ordinance 6385 adopted 5/17/21)

(5) Height Regulations: No building shall exceed 45 feet or 3 stories in height.

(6) Building Design: All wall finishes shall be masonry or masonry veneer.

(Ordinance 5425 adopted 11/6/06)

(7) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations.

(8) Other Required Conditions:

(a) Site plan. Where new dwelling construction or additions to an existing building in any district provide dwelling units for more than two (2) families on a single lot or tract of land, a site plan shall be submitted to and approved by the Development Services Director prior to the issuance of a zoning permit. No building or structure subject to the special setback requirements indicated in Section 7(5) shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan.

(Ordinance 6385 adopted 5/17/21)

(b) The total floor area of any main building or buildings on a lot in the R-2 District shall not exceed ninety (90) percent of the total number of square feet in the lot.

(c) Building area. The maximum allowable main building area in the R-2 District shall not exceed thirty (30) percent of the gross area of the lot or tract of land.

(d) Density. In the R-2 District, multiple-family dwellings may be constructed on any lot provided that: The minimum land area per family unit is not less than one thousand two hundred fifty (1,250) square feet. The maximum number of dwelling units allowable on any lot where multiple-family dwelling units are permitted shall be determined by dividing the total number of square feet in the lot by one thousand two hundred fifty (1,250).

(Ordinance 5425 adopted 11/6/06)

Sec. 6.5. C-O (Office) district.

Purpose. This district consists mainly of land occupied by or suitable for a wide range of general office activities.

(1) Minimum requirements for lot area, width and setback:

-	Lot Area	Lot	Setback		
			Front	Rear	Side
C-O District	5,000 SF	50'	25'	10'	0'
Exceptions, Central Business Area	2,000 SF	20'	0'	0'	0'

(a) Where the yards of lots in the C-O District are abutting a residential district, the side yard setback shall not be less than fifteen (15) feet. The rear yard setback shall not be less than fifteen (15) feet.

(b) Residential development within the C-O District. The lot area, lot width, density and setback regulations for residential structures within the C-O District shall be the same as those in the R-2 District, when authorized by a specific use permit.

(2) All supplementary district regulations, exceptions, and parking requirements applying to the C-1 District in Section 7 shall apply to the C-O District.

(Ordinance 3890, sec. 1, adopted 12/9/85)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments and specific use permits that may be recommended by the Planning and Zoning Commission within the C-O District under certain circumstances and conditions.

(4) Permitted uses and parking requirements:

Permitted Uses	Parking Ratio
Automobile parking lot or structured parking	None
Clinic or office, medical	1/200
Office, any type	1/400

(5) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations.

(6) Other required conditions:

(a) A site plan shall be submitted to and approved by the Development Services Director prior to the issuance of a zoning permit for new construction or addition to an existing building or structure for office use in the C-O District and for multiple-family uses when a specific use permit has been obtained. No building or structure subject to the special setback requirements indicated in Section 7(5) shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan.

(b) The total floor area of any building or buildings on a lot in the C-O District shall not exceed one-half of the total number of square feet in the lot (FAR to not exceed 0.5). The total floor area of any building or buildings on a lot in the C-O District within the Central Business Area shall not exceed two and one-half times the number of square feet in the lot (FAR to not exceed 2.5).

(Ordinance 6385 adopted 5/17/21)

(c) Height regulations. No building shall exceed 35 feet or 2 stories in height.

(d) Height regulation exception. Structures, buildings and signs within the Central Business Area, delimited on the official zoning map, may exceed 35 feet or 2 stories but shall not exceed a maximum of 80 feet or 6 stories.

(Ordinance 3890, sec. 1, adopted 12/9/85)

Sec. 6.6. C-1 (Retail business) district.

Purpose. This district consists mainly of land occupied by or suitable for neighborhood shopping facilities for the retailing of "convenience goods" and the furnishing of certain personal services to satisfy most of the daily needs of the adjacent residential neighborhood. The district also provides space and facilities for financial, administrative, government and business services within the downtown Central Business Area.

(1) Minimum requirements for lot area, width and setback:

-	**Lot Area**	**Lot Width**	**Setback**		
			Front	**Rear**	**Side**
C-1 District	5,000 SF	50'	25'	10'	0'
Exceptions, Central Business Area	2,000 SF	20'	0'	0'	0'

(a) Where the yard of lots in the C-1 District are abutting a residential District, the side yard setback shall not be less than 15 feet. The rear yard setback shall not be less than 15 feet.

(b) Residential development within the C-1 District. The lot area, lot width, density and setback regulations for residential structures within the C-1 District shall be the same as those in the R-2 District, when authorized by a specific use permit.

(2) See section 7 for supplementary district regulations, exceptions and parking requirements applying to the C-1 District.

(Ordinance 5935 adopted 3/7/16)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of

Adjustments and specific use permits that may be recommended by the Planning and Zoning Commission within the C-1 District under certain circumstances and conditions.

(4) Permitted uses and parking requirements:

Permitted Uses	**Parking Ratio**
Art, supply store, antiques, gallery or museum	1/200
Automobile accessory and supply store	1/200
Automobile service station	none
Automobile parking lot or structured parking	none
Automobile rental or taxi storage and repair	None
Bakery, retail	1/200
Bank, Company and Credit Unions	1/200
Barbershop or beauty parlor	1/200
Blueprinting and similar reproduction processes	1/200
Bookstore or lending library, commercial	1/200
Business machines, sales/service	1/400
Bus station	None
Camera or photographic supplies store	1/200
Candy, nut, confectionery store	1/200
Caterer	1/200
Christmas trees and wreaths	none
Clinic or office, medical	1/200
Clothing retailer including formal wear and costumes	1/200
Department store	1/200
Drugstores	1/200

~~Dry cleaning pickup station~~	~~1/200~~
~~Eating place (inside service only)~~	~~1/4 seats in main dining rooms (includes counter stools; does not include banquet rooms)~~
~~Eating place (inside and outside service)~~	~~2/4 seats in main dining rooms (includes counter stools; does not include banquet rooms)~~
~~Eating place (outside service only)~~	~~1/100 (minimum 8 spaces)~~
~~Floor covering sales retail~~	~~1/400~~
~~Florist shop, greenhouse (parking requirement does not include greenhouse or open stock)~~	~~1/200~~
~~Food or grocery store, retail~~	~~1/200~~
~~Funeral home or mortuary~~	~~1/3 seats~~
~~Furniture and appliance sales; custom upholstery, not automobile related~~	~~1/400~~
~~Gift, novelty shop~~	~~1/200~~
~~Glass and cutting shop~~	~~1/400~~
~~Commercially operated golf driving ranges~~	~~1/2,000 sq. ft. of space utilized of total operation~~
~~Hardware store and small tool rental, but not including sales of lumber or industrial hardware~~	~~1/200~~
~~Health Club or Studio~~	~~1/200~~
~~Hobby shop or craft supply store~~	~~1/200~~
~~Ice vending establishment~~	~~none~~
~~Jewelry store~~	~~1/200~~
~~Laboratory, medical or dental~~	~~1/400~~
~~Laundry, pickup station or self-service~~	~~1/200~~
~~Locksmith or key shop~~	~~1/200~~

~~Manufacturing of baked goods, candy, delicatessen foods and ice cream~~	~~1/400~~
~~Music store~~	~~1/400~~
~~Newspaper distribution station~~	~~none~~
~~Office, any type~~	~~1/400~~
~~Optical goods, optician, optometrist~~	~~1/200~~
~~Orthopedic or medical shoe or appliance store and repair~~	~~1/400~~
~~Paint and wallpaper store or decorators shop~~	~~1/200~~
~~Pet shop~~	~~1/200~~
~~Photographic, studio or store and photo processing~~	~~1/200~~
~~Plumbing fixture sales, retail~~	~~1/400~~
~~Post office~~	~~1/200~~
~~Radio, television or recording studio~~	~~1/200~~
~~Rehabilitation center for handicapped persons~~	~~1/1.5 emp.~~
~~Rental, repair, or servicing of articles whose sale is permitted in the same district, unless more specifically listed elsewhere~~	~~1/200~~
~~School, commercial or trade, when not involving any danger of fire or explosion, of offensive noise, vibration, dust, odor, glare, heat or other objectionable influences~~	~~1/400~~
~~Sewing machine sales, retail~~	~~1/200~~
~~Shoe repair shop or store~~	~~1/200~~
~~Sporting goods store~~	~~1/200~~
~~Stationery store~~	~~1/200~~
~~Storage of goods or merchandise, used in, produced by or normally carried in stock in conjunction with permitted uses in the applicable district regulations~~	~~1/1,000~~

Studio for professional work or for teaching any form of fine arts, photography, music, drama, etc.	1/400
Swimming pool, commercial	1/200
Tailor shop seamstress, altering and repairing of wearing apparel	1/400
Telephone answering service	1/200
Toy stores	1/200
Veterinarian, indoor soundproof kennels only	1/400
Watch repair	1/200
Wholesale office with storage limited to samples	1/400

(5) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations.

(6) Other required conditions:

(a) A site plan shall be submitted to and approved by the Development Services Director prior to the issuance of a zoning permit for new construction or additions to an existing building or structure for multiple-family or commercial uses within the C-1 District. No building or structure subject to the special setback requirements indicated in Section 7(5) shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan.

(b) The total floor area of any building or buildings on a lot in the C-1 District shall not exceed one-half of the total number of square feet in the lot (FAR to not exceed 0.5). The total floor area of any building or buildings on a lot in the C-1 District within the Central Business Area shall not exceed two and one-half times the number of square feet in the lot (FAR to not exceed 2.5).

(Ordinance 6385 adopted 5/17/21)

(c) Height regulations. No building shall exceed 45 feet or 3 stories in height.

(d) Height regulation exception. Structures, buildings and signs within the Central Business Area, delimited on the official zoning map, may exceed 50 feet or 3 stories but shall not exceed a maximum of 80 feet or 6 stories.

(Ordinance 5935 adopted 3/7/16)

Sec. 6.7. C-2 (General commercial) district

Purpose. This district consists mainly of land occupied by or suitable for a wide range of retail and wholesale activities. Land in this district is located mainly along major highways and in the vicinity of industrial areas. The C-2 District regulations are designed to permit development of the enumerated functions and to provide space for commercial uses which are generally not appropriate for retail business districts.

(1) Minimum requirements for lot area, width and setback:

Lot Area	**Lot Width**	**Setback**

		Front	Rear	Side
5,000 SF	50'	15'	10'	0'

(a) Where the side yards of lots in the C-2 District are abutting a residential district, the side yard setback shall not be less than 15 feet.

(b) *Rear yard*. Where the rear yards of lots in the C-2 District are abutting a Residential or C-1 District, the rear yard setback shall not be less than 15 feet.

(c) *Residential development within the C-2 District*. The lot area, lot width, density and setback regulations for residential structures within the C-2 District shall be the same as those in the R-2 District, when authorized by a specific use permit.

(2) See section 7 for supplementary district regulations, exceptions and parking requirements applying to the C-2 District.

(Ordinance 6195 adopted 3/18/19)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments and specific use permits that may be recommended by the Planning and Zoning Commission within the C-2 District under certain circumstances and conditions.

(4) Permitted Uses and Parking Requirements:

Permitted Uses	Parking Ratio
Any use permitted in the C-1 District.	-
Animal hospital, pound or shelter (parking requirement does not include outdoor kennels)	1/200
Bait store	1/200
Bakery, wholesale	1/1,000
Barber and beauty shop equipment and specialties; sales	1/400
Baseball park, commercial	1/3 seats
Bookbinding	1/1,000
Bowling alley	5/alley
Carpet cleaning, enclosed nonflammable solvents	1/400
Contractors or construction offices, without outside storage	1/400
Exterminator	1/400
Food locker plant for consumer use	1/200

Hardware industrial sales	1/400
Laboratory, research or testing	1/400
Linen or uniform supply, or diaper service	1/400
Machine tools, sales, service, rental and repair	1/400
Mirror silvering	1/1,000
Monument sales and incidental processing	1/1,000
Pawn shops	1/200
Printing or publishing, including engraving or photo-engraving	1/400
Sign shop	1/400
Skating rink, commercial	1/400
Water distillation	1/1.5 emp.
Wholesale establishment including storage	1/400

(5) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations.

(6) Other Required Conditions:

(a) Site plan. A site plan shall be submitted to and approved by the Development Services Director for any commercial or multiple-family use of structure within the C-2 District prior to the issuance of a zoning permit. No building or structure subject to the special setback requirements indicated in Section 7(5) shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan.

(b) Floor area. The total floor area of any building or buildings on a lot in the C-2 District shall not exceed the number of square feet in the lot (FAR to not exceed 1.0).

(Ordinance 6385 adopted 5/17/21)

(c) Height regulations. No building shall exceed 35 feet or 2 stories in height.

(d) Exterior Facade. Masonry or equivalent shall be required on the sides of all buildings visible from front street right-of-way.

(e) Freight containers shall not be located so as to be visible from front street right-of-way.

(Ordinance 6195 adopted 3/18/19)

Sec. 6.8. M-1 (Light manufacturing) district.

Purpose. The manufacturing use districts are designed to provide land for a wide range of commercial and industrial activities subject to limitations intended to protect nearby residential and commercial districts and to protect the permitted uses from one another.

Manufacturing District M-1 consists mainly of areas occupied by or suitable for manufacturing,

wholesale and other industrial activities, all of a nonnuisance type.

(1) Minimum requirements for lot area, width and setback:

Setback		
Front	**Rear**	**Side**
15'	10'	10'

(a) When abutting a residential district, the side yard shall be 15 feet.

(b) In all cases where the side yard is adjacent to a side street, the side yard shall not be less than 10 feet.

(2) See section 7 for supplementary district regulations and exceptions and parking requirements applying to the M-1 District.

(Ordinance 5937 adopted 3/7/16)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments, and specific use permits that may be recommended by the Planning and Zoning Commission within the M-1 District under certain circumstances and conditions. (Ordinance 6385 adopted 5/17/21)

(4) Parking regulations and permitted uses:

(a) If a use that is permitted in the Residential, C-1, C-2 Districts is established in the M-1 District, the parking requirements for that use shall be the same as required for that particular use in the district in which the use is specifically permitted.

(b) In the M-1 District, manufacturing, industrial, and processing establishments, repair shops, warehouses, and storage buildings, in addition to providing off-street facilities for the loading and unloading of merchandise and goods, shall provide one off-street parking space for each 1,000 square feet of general floor space, and one off-street parking space for each 400 square feet of office floor space.

(Ordinance 5937 adopted 3/7/16)

(c) In the M-1 District, no land shall be used and no building shall be erected for or converted to any use other than:

Permitted Uses: Any use permitted in the R-A, R-1, R-2, C-1 and C-2 Districts except that no building shall be erected or converted for dwelling purposes; provided, however, that dwelling quarters may be established in connection with any industrial plant for watchmen and caretakers employed on the premises and provided further that any existing dwelling within the M-1 District may be repaired or altered.

Manufacturing of the following:

Advertising displays manufactured.

Automobiles, motorcycles, trucks or trailers, including parts, or rebuilding of engines.

Battery manufacturing.

Boats, building or repair.

Books, binding, other than hand binding.

Bottling works, for all beverages not including alcoholic.

Brooms or brushes.

Cameras or other photographic equipment and film.

Carpets, manufacture and cleaning.

Ceramics, stone, glass, marble, and porcelain products.

Electrical appliances, equipment assembly, supplies, or similar products, including electrical machinery.

Electric power substation or generating including ground-mounted solar and wind.

Food products.

Furniture and upholstery manufacturing

Heavy equipment, storage, repair and sales, earth moving.

Ice, dry or natural.

Laundry plant (steam).

Machines, business, including typewriters, accounting machines, calculators, card-counting equipment, or similar products.

Machinery, miscellaneous, including repairs.

Machine tools, including metal lathes, metal presses, metal stamping machines, woodworking machines, or similar products.

Mattresses, including rebuilding or renovating.

Musical instruments, including pianos or organs.

Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers or similar products.

Paper products, including envelopes, stationery, bags, boxes, shipping containers, bulk goods, tubes, wallpaper printing, or similar products.

Pharmaceutical products.

School, commercial or trade.

Sporting or athletic equipment.

Steel products, miscellaneous fabrication or assembly.

Textiles, spinning, weaving, manufacturing, dyeing, bleaching, printing, knit goods, yard thread or cordage.

Tires, recapping or vulcanizing shop.

Tools or hardware, including bolts, nuts, screws, doorknobs, drills, handtools or cutlery, hinges, house hardware, locks nonferrous metal castings, plumbing appliances, or similar products.

Toys.

Vehicles, children's, including bicycles, scooters, wagons, baby carriages or similar vehicles.

Venetian blinds, window shades or awnings.

(5) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations.

(6) Other required conditions:

(a) Site plan. A site plan shall be submitted to and approved by the Development Services Director prior to the issuance of a zoning permit. No building or structure subject to the special setback requirements indicated in Section 7(5) shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan.

(b) Floor area. The floor area of any building or buildings on a lot in an M-1 District shall

not exceed one and one-half times the number of square feet in the lot (FAR to not exceed 1.5).

(Ordinance 6385 adopted 5/17/21)

(c) Building area. The maximum allowable building area in the M-1 District shall not exceed 75 percent of the gross area of the lot or tract of land.

(d) Height regulation. No building or structure shall exceed 100 feet in height unless set back from the required yard lines an additional foot for each 4 feet in height above 100 feet.

(Ordinance 5937 adopted 3/7/16)

Sec. 6.9. M-1.5 (Medium manufacturing) district.

Purpose. Manufacturing District M-1.5 consists mainly of areas occupied by or suitable for manufacturing and industrial activities whose generator of nuisance effects is ordinarily greater than that of industries permitted in the M-1 District.

(1) Minimum requirements for lot area, width and setback:

Setback		
Front	**Rear**	**Side**
15'	10'	10'

(a) When abutting a residential district, the side yard shall be 15 feet.

(b) In all cases where the side yard is adjacent to a side street, the side yard shall not be less than 10 feet.

(2) See section 7 for supplementary district regulations and exceptions and parking requirements applying to the M-1.5 District.

(Ordinance 2545, sec. 2, adopted 1/23/67)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments and specific use permits that may be recommended by the Planning and Zoning Commission within the M-1.5 District under certain circumstances and conditions. (Ordinance 6385 adopted 5/17/21)

(4) Parking regulations and permitted uses:

(a) If a use that is permitted in the Residential, C-1, C-2, or M-1 District is established in the M-1.5 District, the parking requirements for that use shall be the same as required for that particular use in the district in which the use is specifically permitted. (Ordinance 2545, sec. 2, adopted 1/23/67)

(b) In the M-1.5 District, manufacturing, industrial, and processing establishments, repair shops, warehouses, and storage buildings, in addition to providing off-street facilities for the loading, and unloading of merchandise and goods, shall provide one off-street parking space for each 1,000 square feet of general floor space, and one off-street parking space for each 400 square feet of office floor space.

(c) In the M-1.5 District no land shall be used and no building shall be erected for or converted to any use other than:

Permitted uses.

Any use permitted in the R-A, R-1, C-1, C-2, and M-1 Districts except that no building shall be erected or converted for dwelling purposes; provided however, that dwelling quarters may

be established in connection with any industrial plant for watchmen and caretakers employed on the premises and provided further that any existing dwelling within the M-1.5 District may be repaired or altered.

Manufacturing of the following:

Chemicals, including acids, acetylene, aniline dyes, ammonia, bleaching compounds, carbide, caustic soda, cellulose, chlorine, cleaning or polishing preparations, creosoting, exterminating agents, hydrogen or oxygen, industrial alcohol, solvents, sugar, potash, plastic materials, or synthetic rosins, or rayon yarns.

Coal, coke, charcoal or tar products, including gas.

Electrical equipment and components.

Excelsior or packing materials.

Explosives.

Gas or flammable liquids, storage or products.

Graphite or graphite products.

Metal or metal ores, reduction, refining, smelting or alloying.

Metal alloys of foil, miscellaneous, including solder, pewter, brass, bronze, or tin, lead or gold foil, or similar products.

Metal or metal products, stamping or extrusion, treatment, bonding, finishing or processing, including enameling, japanning, lacquering, galvanizing, plating, or similar processes.

Metal welding, casting or foundry products, including ornamental iron work, or similar products.

Paint, enamel, lacquer, turpentine or varnish.

Plastic and rubber products.

Soaps or detergents, perfumes.

(5) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations.

(6) Other required conditions:

(a) Site plan. A site plan shall be submitted to and approved by the Development Services Director prior to the issuance of a zoning permit. No building or structure subject to the special setback requirements indicated in Section 7(5) shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan.

(b) Floor area. The floor area of any building or buildings on a lot in an M-1.5 District shall not exceed one and one-half times the number of square feet in the lot (FAR to not exceed 1.5).

(Ordinance 6385 adopted 5/17/21)

(c) Building area. The maximum allowable building area in the M-1.5 District shall not exceed 75 percent of the gross area of the lot or tract of land.

(d) Height regulation. No building or structure shall exceed 200 feet in height unless set back from the required yard lines an additional foot for each 4 feet in height above 200 feet.

(Ordinance 2545, sec. 2, adopted 1/23/67)

Sec. 6.10. M-2 (Heavy manufacturing) district.

Purpose. Manufacturing District M-2 consists mainly of areas occupied by or suitable for manufacturing and industrial activities whose generator of nuisance effects is ordinarily greater than

that of industries permitted in the M-1 District.

(1) Minimum requirements for lot area, width and setback:

Setback		
Front	**Rear**	**Side**
15'	10'	10'

(a) When abutting a residential district, the side yard shall be 15 feet.

(b) In all cases where the side yard is adjacent to a side street, the side yard shall not be less than 10 feet.

(2) See section 7 for supplementary district regulations and exceptions and parking requirements applying to the M-2 District.

(Ordinance 3616, sec. 2, adopted 10/18/82; Ordinance 3706, sec. 1, adopted 11/14/83)

(3) See sections 8.4 and 8.5 for temporary use permits that may be granted by the Board of Adjustments, and specific use permits that may be recommended by the Planning and Zoning Commission within the M-2 District under certain circumstances and conditions. (Ordinance 6385 adoopted 5/17/21)

(4) Parking regulations and permitted uses:

(a) If a use that is permitted in the Residential C-1, C-2, or M-1 District is established in the M-2 District, the parking requirements for that use shall be the same as required for that particular use in the district in which the use is specifically permitted.

(b) In the M-2 District, manufacturing, industrial, and processing establishments, repair shops, warehouses, and storage buildings, in addition to providing off-street facilities for the loading and unloading of merchandise and goods, shall provide one off-street parking space for each 1,000 square feet of general floor space, and one off-street, parking space for each 400 square feet of office floor space.

(Ordinance 3616, sec. 2, adopted 10/18/82; Ordinance 3706, sec. 1, adopted 11/14/83)

(c) In the M-2 District no land shall be used and no building shall be erected for or converted to any use other than:

Any use permitted in the R-A, R-1, R-2, C-1, C-2, M-1.5 and M-1 Districts except that no building shall be erected or converted for dwelling purposes; provided, however, that dwelling quarters may be established in connection with any industrial plant for watchmen and caretakers employed on the premises and provided further that any existing dwelling within the M-2 District may be repaired or altered.

Manufacturing of the following:

Asphalt or asphalt products.

Batching or mixing plant, asphalt or concrete.

Boiler manufacture.

Bottling works, for all beverages, including alcoholic.

Brick, stone, tile or clay products.

Cement, lime, or plaster of paris.

Cotton ginning, cotton wadding or linters, cottonseed products manufacture, cotton baling or compress.

Explosives or fireworks.

Fertilizers.

Gelatin, glue or size.

Grain, milling or processing, elevators.

Gypsum.

Hair, felt or feathers, bulk processing, washing, curing or dyeing.

Hatchery.

Incineration, distillation or reduction of garbage, offal, or dead animals, fat rendering.

Insecticides, fungicides, disinfectants, or related industrial or household chemical compounds.

Junk handling or storage, and assembling of iron, rags, and similar materials enclosed by an opaque wall or fence 6 feet in height.

Jute, hemp, sisal or oakum products.

Leather, hair, or fur tanning, curing, finishing or dyeing and products.

Livestock auction sales, feeding yards, pens with barns and temporary unloading, concentration loading and shipping.

Meat or fish products, including slaughtering of meat or preparation of fish for packing.

Petroleum or petroleum products, refining, including gasoline or other petroleum products.

Railroad yards, shops or equipment.

Slaughtering or packing of animals or poultry.

Wood products, pulp, fiber, or lumber processing, or reduction including paper mill operations.

Wood scouring or pulling.

(5) Screening Devices: Refer to Section 7(13) for fences, hedges and screening regulations.

(6) Other required conditions:

(a) Site plan. A site plan shall be submitted to and approved by the Development Services Director prior to the issuance of a zoning permit. No building or structure subject to the special setback requirements indicated in Section 7(5) shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan.

(b) Floor area. The floor area of any building or buildings on a lot in an M-2 District shall not exceed one and one-half times the number of square feet in the lot (FAR to not exceed 1.5).

(Ordinance 6385 adopted 5/17/21)

(c) Building area. The maximum allowable building area in the M-2 District shall not exceed 75 percent of the gross area of the lot or tract of land.

(d) Height regulation. No building or structure shall exceed 150 feet in height unless set back from the required yard lines an additional foot for each 4 feet in height above 150 feet.

(Ordinance 3616, sec. 2, adopted 10/18/82; Ordinance 3706, sec. 1, adopted 11/14/83)

Sec. 6.11. MH (Manufactured housing) district.

Purpose and intent. The "MH" district is intended to provide for accommodations for a specific form of housing, the manufactured home. To provide appropriate standards for density, spacing, and use, a

separate district is created and designated for the specific purpose of providing, at appropriate locations, areas for the development of manufactured home parks, courts and subdivisions. The standards for trailer camps for transient occupancy differ from those of a manufactured home subdivision, where more or less permanent occupancy is anticipated.

(1) Definitions.

HUD-code manufactured home: A structure constructed on or after 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling, with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle as that term is defined by 24 C.F.R. section 3282.8(g).

Manufactured housing or manufactured home: A HUD-code manufactured home or a mobile home and collectively means and refers to both.

Mobile home: A structure that was constructed before June 15, 1976, transportable in one or more sections, which, in the traveling mode, is eight (8) body feet or more in width or forty (40) body feet or more in length, or, when erected on site, is three hundred twenty (320) or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems.

(2) Permitted uses. Land in the "MH" district shall be used for the following purposes in accordance with these regulations and any special standards as provided below.

Legend.

[C] use is permitted with conditions

[SUP] use is permitted with specific use permit

a. *Agricultural/animal related uses*. Crop production is a permitted use.

b. *Institutional uses*. Governmental facilities other than listed are permitted uses.

c. *Office uses*. None are permitted except an incidental office for management of the manufactured home park.

(Ordinance 4711, sec. 1, adopted 9/21/98)

d. Residential and lodging uses. [C] Manufactured homes are permitted as part of either:

i. A manufactured home park with a [SUP]; or

ii. A manufactured home subdivision shown on a subdivision plat approved by the Planning and Zoning Commission and filed for record or signed specifically for and restricted to manufactured home development.

(Ordinance 6385 adopted 5/17/21)

e. Utilities/communications/transportation uses. Utility lines, towers, or metering stations are permitted uses.

f. Accessory uses.

i. Accessory community center (private).

ii. Accessory swimming pool (private).

(3) Building setback requirements.

a. The minimum street frontage setback shall be twenty-five (25) feet.

b. The minimum side setback shall be ten (10) feet.

c. There shall be a minimum space separation of twenty (20) feet between manufactured homes.

d. The minimum rear setback shall be ten (10) feet.

e. No manufactured home shall be permitted within twenty-five (25) feet of a boundary of an "MH" district.

(4) Area regulations.

a. The minimum site area which may be developed or used for manufactured home purposes shall be ten (10) acres.

b. The minimum lot or site area per unit or stand shall be three thousand six hundred (3,600) square feet.

c. The minimum lot width per unit or stand shall be sixty (60) feet.

d. The minimum lot depth per unit or stand shall be sixty (60) feet.

(Ordinance 4711, sec. 1, adopted 9/21/98)

e. Platting is required for each individual lot. (Ordinance 6385 adopted 5/17/21)

(5) Height regulations. The maximum height of any building or structure shall be thirty-five (35) feet.

(6) Fencing regulations.

a. There shall be constructed and maintained a permanent screening device, not less than six (6) feet in height, on all sides of a manufactured home park or subdivision not directly abutting a dedicated public street within the park or subdivision. The screen shall comply with the city's fence and screen regulations.

b. Also see section 7(13) of the general zoning ordinance.

(7) Off-street parking and loading.

a. Each manufactured home shall be provided with two (2) parking spaces of not less than one hundred eighty (180) square feet (9' x 20') each.

(Ordinance 4711, sec. 1, adopted 9/21/98)

(8) Special standards.

a. Prior to issuance by the Development Services Director of any permit for a manufactured home park, a site plan shall be approved by the Planning and Zoning Commission. No building or structure subject to the special setback requirements indicated in Section 7(5) shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan. (Ordinance 6385 adopted 5/17/21)

b. Sanitation, fire protection and utility service shall be provided to each lot, tract, plat or stand in accordance with health department requirements or any ordinance of the city regulating same.

c. A plan of ingress and egress to the property shall be approved by the transportation engineer of the city.

d. There shall be provided with the park or subdivision open playground space at a ratio of five hundred (500) square feet for each of the first twenty (20) units and two hundred fifty (250) square feet per unit for all additional unit spaces provided located at the entrance to the park or subdivision.

e. There shall be provided on the park or subdivision property street and drive surfacing,

drainage and garbage collection rights-of-way, fire lanes and utility easements as required by the city.

(Ordinance 4711, sec. 1, adopted 9/21/98)

Sec. 6.12. PD (Planned Development) District.

(1) Introduction. The Planned Development (PD) district is a tool intended to facilitate the planning, design, and development of integrated land uses on large tracts of land that cannot be adequately accommodated in other zoning districts. A PD shall further the goals of the comprehensive plan, demonstrate enhanced and contextual design standards, present a well-organized and cohesive land plan, and contain clear and concise development regulations.

(2) Intent and Purpose.

(a) A PD district may be used to permit innovative and superior land utilization concepts not permitted by other zoning districts in this ordinance. A PD district can permit greater flexibility and creativity to encourage design plans unique to individual projects that are responsive to changing market conditions. The PD district also provides assurance of high-quality standards and a consistent vision across the scope, scale, and term of the project.

(b) To ensure that each PD is established to achieve specific, unique planning and design objectives, and to guard against its misuse simply to obtain variances and exceptions for an otherwise conventional development project, PD submittal and approval criteria are provided herein to establish minimum requirements, standards, and procedures.

(3) Establishment of a PD District. The governing body may create a PD district by ordinance through an amendment to the zoning map, pursuant to Section 12 and the procedures established therein. The PD ordinance shall establish the boundaries of the district and assign a project name and number. Any overlay districts that apply to land within the PD project boundaries shall be integrated into the PD district. Unless specified in the ordinance governing a PD district, all buildings and uses shall comply with all City development requirements. The PD district standards shall conform to all other provisions of the Zoning Ordinance and Code of Ordinances unless specifically excluded or modified in the ordinance governing the PD district. If the standards of a base zoning district are amended, then the most recently amended standards shall apply to a PD district that incorporates base zoning district standards unless the standards have been individually listed within the ordinance governing the PD district as being different from the base zoning district. Base zoning district amendments are applicable to PD districts and do not require special notice to be provided to the properties within a PD district.

(4) Minimum Qualification of a Proposed PD District. To be eligible for consideration, a proposed PD district shall adhere to the following:

(a) Minimum Size. A PD district shall be established with a minimum of 200 contiguous acres, sufficient to accommodate a large master-planned community. The City Council may consider requests for a PD smaller than 200 contiguous acres if it is demonstrated that the project satisfies all other eligibility and approval criteria except for the minimum size. In no case shall the development area of a new PD district be less than 100 acres.

(b) Mix of Land Uses. To ensure a mix of supporting and integrated land uses, a PD district should contain a mixture of the following:

* two housing types (single-family, attached housing/townhouse, or multifamily);

* retail, office, business/employment; and/or

* a public destination (large park, public plaza, town center, school/library, or similar community gathering place).

Each of the above uses shall be of large enough area to demonstrate capacity as an integral component of the overall land use mix within the project. At the discretion of the City, the area, density, and intensity of each proposed land use shall be evaluated by staff for overall compliance with existing plans and PD requirements.

(5) Planned Development Components. The Director shall ensure that a completed application related to a PD district has been submitted by the applicant that includes the information and materials necessary to render an informed decision. The applicant shall prepare a Statement of Justification for the PD district to explain why the proposed project should be accommodated with a PD in lieu of conventional base zoning. The Director shall clearly describe and publish required information for each component. During review, the Director, Planning and Zoning Commission and/or the City Council may require the submission of additional information as needed to meet the objectives of these requirements.

(a) The PD ordinance shall comprise the following components:

(1) Development Plan. The Development Plan contains the written terms and standards necessary to ensure compliance with the PD objectives and approved plans. The Development Plan shall include the following:

(i) Introduction - A narrative of PD purpose, intent, and guiding principles.

(ii) Site and Building Standards - A list or table of permitted land uses and associated special development standards within the district, including, but not limited to, intensity, density, lot dimensions and coverage, setbacks, building height, and floor-to-area ratio.

(iii) Architectural Standards - To regulate residential and commercial architectural elements and treatments related to the façade materials, roofs, service areas and other elements and standards.

(iv) Landscaping Standards - To guide development of private and public areas of green space and landscape elements such as signage, lighting, screening, and parking.

(v) Parks and Open Space Standards - To demonstrate open space and park standards including types of amenities, trail connections, and the responsibility of management of parks and open space within the Planned Development.

(vi) Conceptual Plan Map - See Subsection (5)(a)(2) below.

(vii) Transportation Master Plan Map - To exhibit thoroughfare connections and street circulation.

(viii) Parks & Open Space Map - To exhibit the location of planned parks and open space. This shall include the location of the parks and open space and a table demonstrating the number of acres that will be used for parks and open space.

Proposed Deviations (if any) - To identify deviations from specific City standards for public improvements (e.g., streets, sidewalks, utility easements, etc.).

(2) Conceptual Plan. The Conceptual Plan shall graphically demonstrate the applicant's intent for the development of the proposed Planned Development. The plan exhibit shall show general land use areas, acreages and maximum densities, primary street circulation and access points, floodplains, open space and parkland, pedestrian and trail circulation, and general location of amenities and other programming, if applicable. This plan stage is intended to be neither exhaustive nor absolute and is expected to be refined further in the Detailed Site Plan.

(b) Detailed Site Plan. The Detailed Site Plan shall refine the Conceptual Plan to show precise locations of land uses, building envelopes and architectural elevations, local street circulation and access points, parking areas, final locations and alignments of pedestrian and trail circulation, park and amenity details, buffering, screening and landscape areas, drainage facility locations, and other details as applicable to the project. For phased PD projects, multiple Detailed Site Plans may be submitted within the project boundaries, but no development shall occur on a site without approval of a Detailed Site Plan. A Traffic Impact Analysis (TIA) may be required from the developer prior to any approvals for the detailed site plan. The traffic consultant must be approved by the City of Sherman.

(c) The Development Plan and/or Conceptual Plan shall in no way establish vested rights for the property.

(6) Development Criteria. As part of the application review process, the Director, Planning and Zoning Commission, and City Council shall determine whether the proposed PD provides an adequate framework for enhanced land design and integration of uses, and whether the proposal exceeds the minimum standards of the zoning regulations. The Commission and Council may elect to impose supplemental conditions to the Conceptual/Detailed Site Plan and/or Development Plan to ensure justification for approval of the PD. Approval of a PD and subsequent development within the boundaries thereof shall adhere to the following:

(a) Consistency with the Comprehensive Plan. As the intent of the PD district is to provide for use and design flexibility, any combination of uses may be considered for the district provided that each use is specifically identified along with any appropriate conditions or limitations. The elements of the proposed PD shall be consistent with and promote the goals of the comprehensive plan.

(b) Enhanced Project Design. It is the intent of these regulations to encourage excellence in project design for PD districts to further implement the policies contained in the comprehensive plan. In exchange for greater design flexibility, PD districts are expected to exceed the minimum regulatory standards applicable to non-PD districts. The following criteria will be used to evaluate PD project design:

(1) The project should be appropriately compatible with surrounding neighborhoods relative to architectural design; scale, massing, and building height; historical character; and disposition and orientation of buildings. Transitions to surrounding development shall be made when the proposed project contains differing use and scale.

(2) Land uses, buildings, streets, open space, pedestrian circulation, and landscape should be arranged to produce a cohesive, orderly and creative layout that is complementary and supportive of the mix of uses.

(3) The project should preserve the natural resources and historical aesthetic character of the site to the greatest extent practicable. Floodplains and riparian areas including wetlands and stream channels, existing specimen trees, other native woody vegetation, and natural topographical features should be identified, demarcated, and preserved as open areas.

(4) A variety of housing product types should be included and integrated in an appropriate manner to provide market options within the development.

(5) Streets shall be designed with enhancements to the pedestrian realm including sidewalks and shared-use paths separated from vehicular movement with a vegetated parkway buffer and street trees.

(6) The street network shall comprise a hierarchy of street types and demonstrate principles supportive of multi-modal users and enhanced connectivity. Streets shall be designed to accommodate expected users, taking into consideration

the characteristics of the site and vicinity, such as connections to the existing street network and pedestrian system improvements, existing structures, and natural features.

(7) Residential and non-residential building design should demonstrate enhanced architectural elements such as masonry and finishes. Primary building facades should be oriented towards pedestrians to enhance and activate streetscapes.

(8) The project shall include a network of connected, common open spaces for use as community gathering places and recreational resources. The open space network should incorporate amenities such as trails, seating, shade, lighting, and wayfinding sufficient to accommodate all expected users in compliance with all federal, state, and local jurisdictions. Wherever possible, the open-space network should connect to trails and parks outside of the project.

(7) Planned Development Approval Authority. The components of a PD district, described in Subsection (5) Planned Development Components, shall be considered by the Planning and Zoning Commission and City Council in the manner described below:

(a) Conceptual Plan. The Conceptual Plan shall be considered for approval by the City Council along with a Development Plan to establish the PD district, with a recommendation from the Planning and Zoning Commission. In certain cases, following a thorough analysis of the submittal, the Director may recommend to the Planning and Zoning Commission that the project proceed directly to Detailed Site Plan for initial PD establishment. In such instance, the applicant shall submit both a Conceptual Plan and Detailed Site Plan, along with a Development Plan, to the Planning and Zoning Commission for consideration and recommendation to the City Council.

(b) Detailed Site Plan. A Detailed Site Plan shall be considered for approval either by the Planning and Zoning Commission for a PD District initially established with a Conceptual Plan.

(c) Development Plan. The Development Plan shall be considered for approval by the Planning and Zoning Commission and City Council accompanied by either a Conceptual Plan or Detailed Site Plan, as established in this section. Certain amendments to an approved Development Plan may be approved by the Director in accordance with Subsection 6.12(9)

(8) Development within a Planned Development District.

(a) An approved PD district shall regulate the use and development of property within the district boundaries per the Development Plan. All building permits and development requests shall be in accordance with the plan.

(b) The PD district shall not modify the procedures of the application or approval process for development or building within the PD district. Such processes shall follow and adhere to the normal procedures and requirements established by these regulations.

(9) Modifications and Amendments to PD Districts. Modifications to adopted regulating documents of a PD district shall be as follows:

(a) Initiating Request for PD Modifications. Consideration of a modification in any PD district boundary or other PD regulation may be initiated only with the written consent of all owners of property within the PD district boundaries or by the Planning and Zoning Commission or City Council on its own motion when it finds that the public will benefit from consideration of the proposed modification.

(b) Development Plans. Major Modifications, as defined in subsection (e), to an approved Development Plan shall be considered for approval by City Council following

recommendation of the Planning and Zoning Commission. Minor Modifications, as defined in subsection (f), may be approved by the Director. Minor modifications approved by the Director shall be memorialized in the City's records and incorporated into the Development Plan approved by ordinance following any amendment approved by the City Council.

(c) Conceptual Plans. Major Modifications, as defined in subsection (e), to an approved Conceptual Plan shall be considered for approval by City Council following recommendation of the Planning and Zoning Commission. All other modifications shall be approved by the Planning and Zoning Commission at the time of Detailed Site Plan or subsequent requests following approval.

(d) Detailed Site Plan. All modifications to an approved Detailed Site Plan shall be approved by the Planning and Zoning Commission.

(e) Major Modifications. A major modification is described as a change that increases the number of dwelling units/lots or residential density by more than 10 percent, building heights, or lot coverages; a change to primary street connection location; reduction in parkland or open space (without corresponding reduction in dwelling units); a change that alters access, circulation, or infrastructure in a way that would impact surrounding properties; a change to a zoning regulation, PD district boundary, or land uses; a change that does not meet the criteria of a minor modification, as defined in subsection (f); and other changes deemed by the Director to be substantially different than the vision and principles established in the approved PD Development Plan.

(f) Minor Modifications. A minor modification is described as a change that only affects aesthetic elements of the Development Plan, including but not limited to, architectural standards, landscaping standards, and parks and open space standards that do not include reductions in parkland and open space as defined in subsection (e). Minor modifications do not include a major modification as defined in subsection (e).

(g) Protest and Notice Requirements. Protests against proposed modifications shall be filed at least seven (7) days before the date of the public hearing. In computing the percentage of land area subject to a protest under Section 211.006(d) of the Texas Local Government Code, the area of the lots or land covered by the specific proposed modification, which may be less than the entire area of land within the PD district boundaries, or the lots or land immediately adjoining that area and extending 200 feet from that area, shall be included.

(h) Appeals. Any person aggrieved or any official or department of the City affected by any decision or judgment of the Director concerning the interpretation or administration of this subsection (9) may appeal such decision or judgment to the Planning and Zoning Commission. Such appeal shall be taken within a reasonable time, not to exceed ten (10) days of the date of the decision, by filing with the Director and with the Planning and Zoning Commission a notice of appeal specifying the grounds thereof and accompanied by a fee as established by City Council. The Director shall promptly transmit to the Planning and Zoning Commission all papers constituting the record upon which the action appealed from was taken. An appeal stays all proceedings in furtherance of the action taken from, unless the Director from whom the appeal is taken certifies to the Planning and Zoning Commission after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Planning and Zoning Commission, on notice to the Director from whom the appeal is taken and on due cause shown. The Planning and Zoning Commission's decision on the appeal shall be final.

(10) Expiration of Approved PD District. A Detailed Site Plan shall be submitted for approval

within two (2) years from the approval of the Conceptual Plan for a minimum of 20 percent of the project area.

(Ordinance 6457 adopted 2/7/22)

Sec. 6.13. Overlay District.

The purpose of the following Overlay Districts is to allow the creation of development that occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses. The districts should be established to protect and enhance certain specific lands and structures which have characteristics which are distinct from lands and structures outside these Overlay Districts. The several Overlay Districts hereby established and into which the City is divided are designated as follows: (Ordinance 6385 adopted 5/17/21)

Sec. 6.13.1. O-1 (75 & 82) Overlay District.

(1) Introduction.

(a) The development of new and existing highways offers significant economic opportunities for the city and its citizens. Local highways provide easy access linkages within the city to nearby communities and to the entire U.S. highway system. The development standards will make the city a more desirable place to live and conduct business. (Ordinance 6129 adopted 7/16/18)

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines. (Ordinance 6385 adopted 5/17/21)

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the planning and zoning commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(b) Building design: Nonresidential. Design standards for nonresidential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Nonresidential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas adjacent to U.S. Highway 75 and being five hundred (500) feet on either side of said right-ofway, from the intersection of U.S. Highway 75 with Highway 91 north to F.M. 691, and from the south city limits, north to the south boundary of Tract 1 and Tract 2 of the Blalock Industrial Park and along and adjacent to U.S. Highway 82 and being five hundred (500) feet on either side of said right-of-way.

(Ordinance 6129 adopted 7/16/18)

(b) Compliance required. All property within the boundaries of the overlay district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Nonresidential and multifamily building design.

(Ordinance 6385 adopted 5/17/21)

(a) General provisions. All nonresidential buildings shall comply with the zoning ordinance, building code and related construction codes of the city. (Ordinance 6129 adopted 7/16/18)

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission. (Ordinance 6385 adopted 5/17/21)

(c) Windows. Reflective glass with an exterior reflectance percentage in excess of twenty-seven (27) percent, as certified through the manufacturer's specifications, shall not be used as an exterior building material on any building or structure. Windows and window walls shall not be glazed or reglazed with mirrored glass.

(d) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(e) Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(f) All buildings shall have at least four architectural features from the following list.

- Canopies, awnings, or porticos
- Recesses/projections
- Arcades (recessed porches)
- Peaked roof forms
- Arches
- Outdoor patios

- Display windows
- Architectural details (such as tile work and moldings) integrated into the building facade
- Articulated cornice line
- Integrated planters or wing walls that incorporate landscape and sitting areas
- Offsets, reveals or projecting rib used to express architectural or structural bays
- Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
- Varied roof heights

(g) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Nonresidential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

(1) Forty (40) feet from the highway right-of-way or twenty-five (25) feet plus the height of the building, whichever is greater;

(2) Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

(1) Five (5) feet from rear and side property lines;

(Ordinance 6129 adopted 7/16/18)

(2) Forty (40) feet from any residential dwelling that is zoned Residential for single-story buildings not exceeding thirty (30) feet in height; (Ordinance 6385 adopted 5/17/21)

(3) All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall be required in excess of one hundred (100) feet.

(c) Loading docks. Loading docks, overhead doors and service bays shall not be located on the parkway side of any building.

(Ordinance 6129 adopted 7/16/18)

(d) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds city requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts. (Ordinance 6385 adopted 5/17/21)

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

(1) Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy;

(2) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way;

(3) All landscaping shall be installed so as to avoid hazards;

(4) An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened.

(Ordinance 6129 adopted 7/16/18)

(b) Screening height. Screening height shall be a minimum of six (6) feet above the grade at the property line of abutting residential uses. (Ordinance 6385 adopted 5/17/21)

(1) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the nonresidential use is at a much lower grade than the residential use). (Ordinance 6129 adopted 7/16/18)

(2) All landscaping shall be installed so as to avoid hazards. (Ordinance 6385 adopted 5/17/21)

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(1) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.

(2) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

(3) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

(Ordinance 6129 adopted 7/16/18)

(4) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than six (6) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way. (Ordinance 6385 adopted 5/17/21)

(5) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(d) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

(1) Rear yards and service yards. Where the rear yard, side yard or service side of a nonresidential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to (c) above.

(2) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

(3) Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.

(4) Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.

(5) Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wallmounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(Ordinance 6129 adopted 7/16/18)

(10) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the commission's action to the city council by filing a request for appeal with

the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

(Ordinance 6385 adopted 5/17/21)

Sec. 6.13.2. O-1.1 (F.M. Highway 1417) Overlay District.

(1) Introduction.

(a) The development of new and existing highways offers significant economic opportunities for the city and its citizens. Local highways provide easy access linkages within the city to nearby communities and to the entire U.S. highway system. The development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(Ordinance 5938 adopted 3/7/16)

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity.

This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(Ordinance 6385 adopted 5/17/21)

(b) Building design: Nonresidential. Design standards for nonresidential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Nonresidential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and service as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall

ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas inside the city limits and adjacent to F.M. Highway 1417 and being five hundred (500) feet on either side of said right-of-way F.M. 1417. The overlay applies to commercial and multifamily developments only.

(Ordinance 5938 adopted 3/7/16)

(b) Compliance required. All commercial and multifamily property within the boundaries of the overlay district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Nonresidential and multifamily building design.

(a) General provisions. All nonresidential and multifamily buildings shall comply with the zoning ordinance, building code and related construction codes of the city.

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission.

(Ordinance 6385 adopted 5/17/21)

1) Exterior walls.

a) All buildings and structures shall have at least 85% of the total exterior walls, excluding doors and windows, constructed of masonry or glass wall construction, in accordance with the City Building Regulations Code and Fire Prevention and Protection Code. No blank walls shall face public streets.

b) The following primary material list shall apply:

i) Masonry consisting of stone, cultured or cast stone

ii) Brick or brick veneer

iii) Tile

iv) Stucco

v) Architecturally finished block

vi) Architectural glass (less than 27% reflectance)

c) A maximum of 15% of the facade may include accent materials not listed on the approved primary material list. All requests for alternative exterior building materials shall be noted and described on a Site Plan with elevation drawings to be submitted to the Planning and Zoning Commission for approval.

(Ordinance 5938 adopted 3/7/16)

2) Exterior colors. These guideline recommendations are consistent with other example corridors with the intent of creating complementary building design. (Ordinance 6385 adopted 5/17/21)

a) A minimum of 80 percent of all building elevations shall be finished with complimentary neutral, cream, or deep, rich, nonreflective earth tone colors.

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

(Ordinance 5938 adopted 3/7/16)

3) All nonresidential and multifamily buildings shall be architecturally finished on all sides with the same materials and detailing. The rear facade of a building, which is not visible to a public right-of-way, park or residential district, shall not be required to comply with this requirement. (Ordinance 6385 adopted 5/17/21)

4) Additional architectural features (minimum 4 features). All buildings shall have at least four architectural features from the following list:

* Canopies, awnings, or porticos
* Recesses/projections
* Arcades (recessed porches)
* Peaked roof forms
* Arches
* Outdoor patios
* Display windows
* Architectural details (such as tile work and moldings) integrated into the building facade
* Articulated cornice line
* Integrated planters or wing walls that incorporate landscape and sitting areas
* Offsets, reveals or projecting rib used to express architectural or structural bays
* Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
* Varied roof heights

5) Other required or optional features may include:

a) Entryway features.

i) All ground floor entrances shall be covered or inset and shall not apply to loading areas. Primary building entrances are to be defined and articulated with architectural elements such as arcades, roofs, alcoves, columns, porticos, porches, and overhangs.

b) Building articulation.

i) All buildings shall utilize facade offsets and appropriate

fenestration to add architectural variation and visual interest to an elevation and to break up long uninterrupted walls or elevations.

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

c) Roof treatment.

i) Long uninterrupted rooflines and planes that are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes shall be broken into smaller segments through the use of appropriately scaled gables and/or dormers, changes in height, changes in roof form, type, or planes which typically correspond to offsets in the building's facade, or other appropriate architectural elements.

ii) The following materials are allowed for sloping roofs:

(1) Asphalt shingles

(2) Industry approved synthetic shingles

(3) Standing seam metal

(4) Tile roofs

(5) Flat roofs shall require parapet screening which adheres to the vertical articulation requirements for the main face of the structure. Parapet rooflines shall feature a well-defined cornice treatment or another similar architectural element to visually cap each building elevation.

iii) The following materials are prohibited as primary cladding or roofing materials: aluminum siding or cladding, galvanized steel or other bright metal, wood or plastic siding, cementitious fiberboard, unfinished concrete block, exposed aggregate, wood roof shingles, and reflective glass.

(c) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(d) Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(e) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Nonresidential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

(i) Forty (40) feet from the highway right-of-way.

(ii) Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(iii) On-premises signs that are 12 feet or less in height may have a 25' setback

from Highway 1417. (see Subsection 10)

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

(i) Five (5) feet from rear and side property lines.

(ii) Forty (40) feet from any R (residential) zoned property for single-story buildings not exceeding thirty (30) feet in height;

(iii) All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall he required in excess of one hundred (100) feet.

(Ordinance 5938 adopted 3/7/16)

(c) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds city requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts. (Ordinance 6385 adopted 5/17/21)

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

(i) Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.

(ii) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.

(iii) All landscaping shall be installed so as to avoid hazards.

(iv) An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of Site Features.

1) Detention areas and drainage channels. A visual screen shall separate and screen all stormwater detention or retention facilities from view from any adjacent street and any adjoining or contiguous property, except for penetrations for required access. The visual screen shall comply with the following standards:

(Ordinance 5938 adopted 3/7/16)

a) Minimum required screening. Minimum required screening shall achieve an opaque visual screen to a height of no less than six (6) feet nor greater than eight (8) feet using the materials listed below. (Ordinance 6385 adopted 5/17/21)

b) Materials. The visual screen may be formed through the retention of existing vegetation, the planting of new vegetation, the creation of planted hedge, the construction of a fence or wall or earthen berm, or any combination of these approaches.

i) Fencing or masonry walls - Fences and masonry walls shall present a finished and decorative appearances. Shrubs, ground covers, or other vegetation shall be provided in front of the fence or wall so as to provide a decorative effect, in accordance and with the adopted landscaping standards for spacing, location and design. Wooden and woven wire fences shall not be used.

ii) Planted materials or natural vegetation - Any combination of existing and newly planted vegetation may be used that can reasonably be expected to create an opaque evergreen visual screen 4 feet high within two growing seasons.

iii) Earthen berms - When using an earthen berm, the maximum side slope shall not exceed 50% (1 foot of vertical rise to 2 feet of horizontal run) with a minimum crown width of two feet. The berm shall be planted with ground cover, shrubs, trees or other landscaping materials to achieve a total screening height of 4 feet.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened. Mechanical, utility, and service facilities shall be screened on three sides. Gates are not required.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

(i) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy forming trees where the nonresidential use is at a much lower grade than the residential use).

(ii) All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(i) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble, or the built-up panels of these materials designed for exterior use.

(ii) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

(iii) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

(iv) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.

(v) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(d) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

(i) Rear yards and service yards. Where the rear yard, side yard or service side of a nonresidential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to subsection (c) above.

(ii) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

(iii) Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.

(iv) Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.

(v) Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Signs.

a) The total area of building signage shall not exceed the following:

For each one linear foot of primary building face (facade facing public street), three (3) square feet of wall sign is allowed up to a maximum. This maximum depends on the building footprint identified in the table below. A minimum of 100 square feet for small freestanding building is allowed. This means that a small building that does not have enough frontage to get to 100 square feet may go to 100 square feet of building signage if desired. These signs can go on any wall but may not exceed the cumulative maximum square footage. If the lot on which the building is located has multiple right-of-way frontage, each street frontage shall be counted for purposes of determining attached sign allowance. The following of the defines the maximum sign area allowed based on the square footage of the building footprint:

Building Footprint (sq ft)	**Maximum Sign Area (sq ft)**

Less than 12,000	150
12,000–49,999	300
50,000 or more	600

b) For each one linear foot of lease space facade, two (2) square feet of building sign is allowed with maximum of 200 sq. ft.

c) To ensure separation between building signs, wall signage for lease spaces may not exceed 75% of the linear lease space facade width.

(11) Monument/ground signs.

a) Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.

b) Monument signs must include a landscaped, stone base feature. All monument sign bases shall be constructed of the same material as the front building facade on the same site or shall be compatible in design with stone or brick.

(12) Illuminated/electronic signs.

a) Signs may be illuminated, but the source of light shall not be visible to traveled ways and the entire image or displayed text shall not be animated, intermittent, or flashing.

b) A sign shall display static images for a period of at least eight seconds.

c) Variable message signs shall not be animated, flash, travel, blink, fade, or scroll. Variable message signs shall transition instantaneously to another static image.

d) A maximum of 55% of the overall sign area may be devoted to an electronic message sign.

e) Revolving signs shall not be permitted.

f) A fuel pricing sign shall only reflect the most current price of fuel available for purchase at that location and must be a ground/monument sign. Only one pricing display is allowed per site.

(13) Connectivity. Access drives/aisles/access easements should be extended to the development's property boundary in order to provide for connectivity with future development(s).

(Ordinance 5938 adopted 3/7/16)

(14) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be

heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

(Ordinance 6385 adopted 5/17/21)

Sec. 6.13.3. O-1.2 (Sam Rayburn) Overlay District.

(1) Introduction.

(a) The development of existing highways offers significant economic opportunities for the city and its citizens. Local highways provide easy access linkages within the city to nearby communities and to the entire U.S. highway system. The Sam Rayburn Overlay District development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the Sam Rayburn Overlay District development area standards is to ensure that the development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(Ordinance 5513 adopted 2/4/08)

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the Sam Rayburn Overlay District development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements. (Ordinance 6385 adopted 5/17/21)

(b) Building design: Nonresidential. Design standards for nonresidential buildings shall ensure that the design, color, materials, and basis for proportion of structures within the Sam Rayburn Overlay District development area are harmonious with the intent of the ordinance.

(c) Building placement: Nonresidential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(Ordinance 5513 adopted 2/4/08)

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of the site. Glare and illumination standards shall

ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent properties are not detrimentally affected. (Ordinance 6385 adopted 5/17/21)

(3) Boundary areas.

(a) Area boundaries. Sam Rayburn Overlay District development areas are those areas adjacent to and within 200 feet of Sam Rayburn Freeway from the intersection of U.S. Highway 75 with Highway 91 south extending to the Blalock Industrial Park District.

(Ordinance 5513 adopted 2/4/08)

(b) Compliance required. All property within the boundaries of the Sam Rayburn Overlay District development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the Sam Rayburn Overlay District development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Nonresidential and multifamily building design.

(Ordinance 6385 adopted 5/17/21)

(a) General provisions. All nonresidential buildings shall comply with the zoning ordinance, building code and related construction codes of the city. (Ordinance 5513 adopted 2/4/08)

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission. (Ordinance 6385 adopted 5/17/21)

(c) Windows and Glass. Reflective glass with an exterior reflectance percentage in excess of twenty-seven (27) percent, as certified through the manufacturer's specifications, shall not be used as an exterior building material on any building or structure. Windows and window wall shall not be glazed or reglazed with mirrored glass. (Ordinance 5513 adopted 2/4/08)

(d) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building. (Ordinance 6385 adopted 5/17/21)

(e) Mechanical Equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(f) All buildings shall have at least four architectural features from the following list.

- Canopies, awnings, or porticos
- Recesses/projections
- Arcades (recessed porches)
- Peaked roof forms
- Arches
- Outdoor patios
- Display windows

- Architectural details (such as tile work and moldings) integrated into the building facade
- Articulated cornice line
- Integrated planters or wing walls that incorporate landscape and sitting areas
- Offsets, reveals or projecting rib used to express architectural or structural bays
- Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
- Varied roof heights

(g) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Nonresidential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

(1) Forty (40) feet from the highway right-of-way.

(2) Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

(1) Five (5) feet from rear and side property lines.

(Ordinance 5513 adopted 2/4/08)

(2) Single-story structures up to thirty (30) feet in height shall have a minimum fifteen (15) foot setback from any R (residential) district lines. (Ordinance 6385 adopted 5/17/21)

(3) All other buildings and structures shall be setback from residential district lines no less than a distance equal to the height of the highest point on the building above grade. No setback shall be required in excess of fifty (50) feet.

(c) Loading docks. Loading docks, overhead doors, service bays and trash receptacles shall be screened by earthen berms and/or landscape when located on the parkway side of any building.

(d) Parking areas. Parking areas and service drives areas shall be concrete and shall be buffered by minimum two (2) foot tall landscape adjacent to the highway.

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

(1) Landscaping shall be required on all developments and shall be completed prior

to the issuance of the certificate of occupancy.

(2) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right of way.

(3) All landscaping shall be installed so as to avoid hazards.

(4) An effort shall be made to preserve existing trees.

(7) Screening.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

(1) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the nonresidential use is at a much lower grade than the residential use).

(2) All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(1) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.

(2) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

(3) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

(Ordinance 5513 adopted 2/4/08)

(4) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way. (Ordinance 6385 adopted 5/17/21)

(5) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(d) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

(1) Rear yards and service yards. Where the rear yard, side yard or service side of a nonresidential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to (c) above.

(2) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

(3) Outdoor storage area. Outdoor storage of merchandise, equipment or materials which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.

(4) Refuses areas. All refuse areas shall be screened on three sides. Gates are not required.

(5) Ground-mounted equipment. All ground mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standards, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable or any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Paving. Any off-street parking area, service drive or driveway shall be concrete pavement so as to provide a durable and dustless surface.

(Ordinance 5513 adopted 2/4/08)

(11) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the Sam Rayburn Overlay District development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

(Ordinance 6385 adopted 5/17/21)

Sec. 6.13.4. O-1.3 (F.M. Highway 691) Overlay District.

(1) Introduction.

(a) The development of new and existing highways offers significant economic opportunities for the city and its citizens. Local highways provide easy access

linkages within the city to nearby communities and to the entire U.S. highway system. The development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(Ordinance 5983 adopted 9/6/16)

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity.

This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(Ordinance 6385 adopted 5/17/21)

(b) Building design: Nonresidential. Design standards for nonresidential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Nonresidential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and service as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas inside the city limits and adjacent to F.M. Highway 691 and being five hundred (500) feet on the south side of said right-of-way of F.M. Highway 691. The overlay applies to commercial and multifamily developments only.

(Ordinance 5983 adopted 9/6/16)

(b) Compliance required. All commercial and multifamily property within the boundaries of the overlay district development areas shall adhere to the overlay district development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Nonresidential and multifamily building design.

(Ordinance 6385 adopted 5/17/21)

(a) General provisions. All nonresidential buildings shall comply with the zoning ordinance, building code and related construction codes of the city. (Ordinance 5983 adopted 9/6/16)

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission. (Ordinance 6385 adopted 5/17/21)

1) Exterior walls.

a) All buildings and structures shall have at least 85% of the total exterior walls, excluding doors and windows, constructed of masonry or glass wall construction, in accordance with the City Building Regulations Code and Fire Prevention and Protection Code. No blank walls shall face public streets.

b) The following primary material list shall apply:

i) Masonry consisting of stone, cultured or cast stone

ii) Brick or brick veneer

iii) Tile

iv) Stucco

v) Architecturally finished block

vi) Architectural glass (less than 27% reflectance)

c) A maximum of 15% of the facade may include accent materials not listed on the approved primary material list. All requests for alternative exterior building materials shall be noted and described on a Site Plan with elevation drawings to be submitted to the Planning and Zoning Commission for approval.

2) Exterior colors. These guideline recommendations are consistent with other example corridors with the intent of creating complementary building design.

a) A minimum of 80 percent of all building elevations shall be finished with complimentary neutral, cream, or deep, rich, non-reflective earth tone colors.

b) No more than 20 percent of any building elevation may be finished with bright, pure tone primary or secondary colors. These colors shall be

limited to use on accent features including, but not limited to window and doorframes, moldings, cornices, canopies, and awnings.

3) All nonresidential buildings shall be architecturally finished on all sides with the same materials and detailing. The rear facade of a building, which is not visible to a public right-of-way, park or residential district, shall not be required to comply with this requirement.

4) Additional architectural features (minimum 4 features). All buildings shall have at least four architectural features from the following list:

* Canopies, awnings, or porticos
* Recesses/projections
* Arcades (recessed porches)
* Peaked roof forms
* Arches
* Outdoor patios
* Display windows
* Architectural details (such as tile work and moldings) integrated into the building facade
* Articulated cornice line
* Integrated planters or wing walls that incorporate landscape and sitting areas
* Offsets, reveals or projecting rib used to express architectural or structural bays
* Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
* Varied roof heights

5) Other required or optional features may include:

a) Entryway features.

i) All ground floor entrances shall be covered or inset and shall not apply to loading areas. Primary building entrances are to be defined and articulated with architectural elements such as arcades, roofs, alcoves, columns, porticos, porches, and overhangs.

b) Building articulation.

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

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

c) Roof treatment.

i) Long uninterrupted rooflines and planes that are visible from the public right-of-way or are oriented to properties zoned or

used for residential purposes shall be broken into smaller segments through the use of appropriately scaled gables and/or dormers, changes in height, changes in roof form, type, or planes which typically correspond to offsets in the building's facade, or other appropriate architectural elements.

ii) The following materials are allowed for sloping roofs:

(1) Asphalt shingles

(2) Industry approved synthetic shingles

(3) Standing seam metal

(4) Tile roofs

(5) Flat roofs shall require parapet screening which adheres to the vertical articulation requirements for the main face of the structure. Parapet rooflines shall feature a well-defined cornice treatment or another similar architectural element to visually cap each building elevation.

iii) The following materials are prohibited as primary cladding or roofing materials: aluminum siding or cladding, galvanized steel or other bright metal, wood or plastic siding, cementitious fiberboard, unfinished concrete block, exposed aggregate, wood roof shingles, and reflective glass.

(c) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(d) Mechanical equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(e) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Nonresidential and multifaily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

(i) Forty (40) feet, from the highway right-of-way.

(ii) Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

(Ordinance 5983 adopted 9/6/16)

(iii) On-premises signs that are 12 feet or less in height may have a 25' setback from FM 691. (see subsection 10) (Ordinance 6385 adopted 5/17/21)

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

(i) Five (5) feet from rear and side property lines.

(ii) Forty (40) feet from any R (residential) zoned property for single-story buildings not exceeding thirty (30) feet in height;

(iii) All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback

shall be required in excess of one hundred (100) feet.

(Ordinance 5983 adopted 9/6/16)

(c) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds city requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts. (Ordinance 6385 adopted 5/17/21)

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

(i) Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.

(ii) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.

(iii) All landscaping shall be installed so as to avoid hazards.

(iv) An effort shall be made to preserve existing trees.

(7) Screening. Screening of site features:

(a) Detention areas and drainage channels. A visual screen shall separate and screen all stormwater detention or retention facilities from view from any adjacent street and any adjoining or contiguous property, except for penetrations for required access. The visual screen shall comply with the following standards:

1) Minimum required screening. Minimum required screening shall achieve an opaque visual screen to a height of no less than 4 feet nor greater than 6 feet using the materials listed below.

2) Materials. The visual screen may be formed through the retention of existing vegetation, the planting of new vegetation, the creation of planted hedge, the construction of a fence or wall or earthen berm, or any combination of these approaches.

a) Fencing or masonry walls - Fences and masonry walls shall present a finished and decorative appearance. Shrubs, ground covers, or other vegetation shall be provided in front of the fence or wall so as to provide a decorative effect, in accordance and with the adopted landscaping standards for spacing, location and design. Wooden and woven-wire fences shall not be used.

b) Planted materials or natural vegetation - Any combination of existing and newly planted vegetation may be used that can reasonably be

expected to create an opaque evergreen visual screen 4 feet high within two growing seasons.

c) Earthen berms - When using an earthen berm, the maximum side slope shall not exceed 50% (1 foot of vertical rise to 2 feet of horizontal run) with a minimum crown width of two feet. The berm shall be planted with ground cover, shrubs, trees or other landscaping materials to achieve a total screening height of 4 feet.

(b) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened. Mechanical, utility, and service facilities shall be screened on three sides. Gates are not required.

(c) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

1) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy forming trees where the nonresidential use is at a much lower grade than the residential use).

2) All landscaping shall be installed so as to avoid hazards.

(d) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

1) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble, or the built-up panels of these materials designed for exterior use.

2) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

3) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

4) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height: constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.

5) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(e) Screening of site features. Site features hereinafter shall be screened in accordance with (c) above.

1) Rear yards and service yards. Where the rear yard, side yard or service side of a nonresidential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to subsection (c) above.

2) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

3) Outdoor storage area. Outdoor storage of merchandise, equipment or materials,

which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.

4) Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.

5) Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Signs.

(a) The total area of building signage shall not exceed the following: For each one linear foot of primary building face (facade facing public street), three (3) square feet of wall sign is allowed up to a maximum. This maximum depends on the building footprint identified in the table below. A minimum of 100 square feet for small freestanding building is allowed. This means that a small building that does not have enough frontage to get to 100 square feet may go to 100 square feet of building signage if desired. These signs can go on any wall but may not exceed the cumulative maximum square footage. If the lot on which the building is located has multiple right-of-way frontages, each street frontage shall be counted for purposes of determining attached sign allowance. The following defines the maximum sign area allowed based on the square footage of the building footprint:

Building Footprint (sq ft)	**Maximum Sign Area (sq ft)**
Less than 12,000	150
12,000–49,999	300
50,000 or more	600

(b) For each one linear foot of lease space facade, two (2) square feet of building sign is allowed with maximum of 200 sq. ft.

(c) To ensure separation between building signs, wall signage for lease spaces may not exceed 75% of the linear lease space facade width.

(11) Monument/ground signs.

(a) Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.

(b) Monument signs must include a landscaped, stone base feature. All monument sign bases shall be constructed of the same material as the front building facade on the same site or shall be compatible in design with stone or brick.

(12) Illuminated/electronic signs.

(a) Signs may be illuminated, but the source of light shall not be visible to traveled ways and the entire image or displayed text shall not be animated, intermittent, or flashing.

(b) A sign shall display static images for a period of at least eight seconds.

(c) Variable message signs shall not be animated, flash, travel, blink, fade, or scroll. Variable message signs shall transition instantaneously to another static image.

(d) A maximum of 55% of the overall sign area may be devoted to an electronic message sign.

(Ordinance 5983 adopted 9/6/16)

(e) Revolving signs shall not be permitted. (Ordinance 6385 adopted 5/17/21)

(f) A fuel pricing sign shall only reflect the most current price of fuel available for purchase at that location and must be a ground/monument sign. Only one pricing display is allowed per site.

(13) Connectivity. Access drives/aisles/access easements should be extended to the development's property boundary in order to provide for connectivity with future development(s).

(14) Procedures and notice.

(a) The Planning and Zoning commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

(Ordinance 5983 adopted 9/6/16)

Sec. 6.13.5. O-1.4 (State Highway 289) Overlay District.

(1) Introduction.

(a) The development of new and existing highways offers significant economic opportunities for the city and its citizens. Local highways provide easy access linkages within the city to nearby communities and to the entire U.S. highway system. The development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of our highways be controlled through careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the overlay district development area standards is to ensure that highway development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(Ordinance 5984 adopted 9/6/16)

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed, that same use can be an attractive and welcome activity.

This emphasis on how uses are designed and developed is the focus of the overlay district development standards. The following design elements statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements.

(Ordinance 6385 adopted 5/17/21)

(b) Building design: Nonresidential. Design standards for nonresidential buildings shall ensure that the design, color, materials and basis for proportion of structures within the overlay district development area are harmonious with the intent of the ordinance.

(c) Building placement: Nonresidential. Visual continuity and compatibility shall be achieved through the appropriate placement of buildings and related site features, such as parking and loading areas.

(d) Landscaping. Landscaping standards are used to promote a flexible framework of planting and green areas that enhance and safeguard property values while aiding in erosion control, noise abatement, glare and reflection control, buffering between land uses of different character and atmospheric purification.

(e) Screening. Required screening shall accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and service as a psychological separation between uses which encourages the peace and repose of residents. Toward this goal, landscaping shall be used to break up the view and to aesthetically enhance screening devices.

(f) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of this site. Glare and illumination standards shall ensure that the mechanisms providing light do not negatively impact on the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. Overlay district development areas are those areas inside the city limits and adjacent to State Highway 289 and being five hundred (500) feet on either side of said right-of-way of State Highway 289. The overlay applies to commercial and multifamily developments only.

(Ordinance 5984 adopted 9/6/16)

(b) Compliance required. All commercial and multifamily property within the boundaries of the overlay district development areas shall adhere to the overlay district

development standards and shall be subject to site plan approval by the Planning and Zoning Commission.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the designated overlay district development area, the applicant will receive a copy of the overlay district development standards and counseling as to their applicability and the review process. The Planning and Zoning Commission shall review the plans for compliance with the development standards and make a determination of approval or disapproval as submitted.

(4) Nonresidential and multifamily building design.

(Ordinance 6385 adopted 5/17/21)

(a) General provisions. All nonresidential buildings shall comply with the zoning ordinance, building code and related construction codes of the city. (Ordinance 5984 adopted 9/6/16)

(b) Exterior walls. Building materials must be specified and consistent with the intent of these standards. Wall finishes shall be masonry, or masonry veneer, or concrete siding. A complete set of elevation plans and schedule of materials used on every freestanding building shall be submitted to the Planning and Zoning Commission. (Ordinance 6385 adopted 5/17/21)

1) Exterior walls.

a) All buildings and structures shall have at least 85% of the total exterior walls, excluding doors and windows, constructed of masonry or glass wall construction, in accordance with the City Building Regulations Code and Fire Prevention and Protection Code. No blank walls shall face public streets.

b) The following primary material list shall apply:

i) Masonry consisting of stone, cultured or cast stone

ii) Brick or brick veneer

iii) Tile

iv) Stucco

v) Architecturally finished block

vi) Architectural glass (less than 27% reflectance)

c) A maximum of 15% of the facade may include accent materials not listed on the approved primary material list. All requests for alternative exterior building materials shall be noted and described on a Site Plan with elevation drawings to be submitted to the Planning and Zoning Commission for approval.

2) Exterior colors. These guideline recommendations are consistent with other example corridors with the intent of creating complementary building design.

a) A minimum of 80 percent of all building elevations shall be finished with complimentary neutral, cream, or deep, rich, non-reflective earth tone colors.

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

3) All nonresidential buildings shall be architecturally finished on all sides with the

same materials and detailing. The rear facade of a building, which is not visible to a public right-of-way, park or residential district, shall not be required to comply with this requirement.

4) Additional architectural features (minimum 4 features). All buildings shall have at least four architectural features from the following list:

* Canopies, awnings, or porticos
* Recesses/projections
* Arcades (recessed porches)
* Peaked roof forms
* Arches
* Outdoor patios
* Display windows
* Architectural details (such as tile work and moldings) integrated into the building facade
* Articulated cornice line
* Integrated planters or wing walls that incorporate landscape and sitting areas
* Offsets, reveals or projecting rib used to express architectural or structural bays
* Accent materials, such as stone, stucco, etc. (minimum 15% of exterior facade)
* Varied roof heights

5) Other required or optional features may include:

a) Entryway features.

i) All ground floor entrances shall be covered or inset and shall not apply to loading areas. Primary building entrances are to be defined and articulated with architectural elements such as arcades, roofs, alcoves, columns, porticos, porches, and overhangs.

b) Building articulation.

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

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

c) Roof treatment.

i) Long uninterrupted rooflines and planes that are visible from the public right-of-way or are oriented to properties zoned or used for residential purposes shall be broken into smaller segments through the use of appropriately scaled gables and/or dormers, changes in height, changes in roof form, type, or planes which typically correspond to offsets in the building's facade, or other appropriate architectural elements.

ii) The following materials are allowed for sloping roofs:

(1) Asphalt shingles

(2) Industry approved synthetic shingles

(3) Standing seam metal

(4) Tile roofs

(5) Flat roofs shall require parapet screening which adheres to the vertical articulation requirements for the main face of the structure. Parapet rooflines shall feature a well-defined cornice treatment or another similar architectural element to visually cap each building elevation.

iii) The following materials are prohibited as primary cladding or roofing materials: aluminum siding or cladding, galvanized steel or other bright metal, wood or plastic siding, cementitious fiberboard, unfinished concrete block, exposed aggregate, wood roof shingles, and reflective glass.

(c) Fire escapes. Exterior fire escapes shall not be permitted on the front side of a building.

(d) Mechanical equipment. Exposed duct shall not be permitted on any side of the building visible from the highway.

(e) Retaining wall. Visible portions of retaining walls shall be constructed of brick, stone, marble or the built-up panels of these materials designed for exterior use. Retaining walls shall be shown on the site plan and elevations shall be provided. Exposed basket type retaining walls shall not be permitted.

(5) Nonresidential and multifamily building placement.

(a) Setbacks from property lines adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines, except with approval by variance where parcels are of an irregular shape such that development in accordance with these setbacks is not feasible.

1) Forty (40) feet from the highway right-of-way.

2) Fifteen (15) feet from right-of-way of all other streets intersecting with the highway.

3) On premises signs that are 12 feet or less in height may have a 25' setback from S.H. 289. (see Subsection 10)

(b) Setbacks from property lines not adjacent to streets. No structure of any kind or any part thereof shall be placed within the following setback lines:

1) Five (5) feet from rear and side property lines.

2) Forty (40) feet from any R (residential) zoned property for single-story buildings not exceeding thirty (30) feet in height;

3) All other buildings shall be set back from residential district lines not less than twice the height of the highest point on the building above grade. No setback shall be required in excess of one hundred (100) feet.

(Ordinance 5984 adopted 9/6/16)

(c) Parking areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds city requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts. (Ordinance 6385 adopted 5/17/21)

(6) Landscaping.

(a) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(b) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(c) Compliance. Landscaping shall conform to the following:

1) Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.

2) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.

3) All landscaping shall be installed so as to avoid hazards.

4) An effort shall be made to preserve existing trees.

(7) Screening. Screening of site features:

(a) Detention areas and drainage channels. A visual screen shall separate and screen all stormwater detention or retention facilities from view from any adjacent street and any adjoining or contiguous property, except for penetrations for required access. The visual screen shall comply with the following standards:

1) Minimum required screening. Minimum required screening shall achieve an opaque visual screen to a height of no less than 4 feet nor greater than 6 feet using the materials listed below.

2) Materials. The visual screen may be formed through the retention of existing vegetation, the planting of new vegetation, the creation of planted hedge, the construction of a fence or wall or earthen berm, or any combination of these approaches.

a) Fencing or masonry walls - Fences and masonry walls shall present a finished and decorative appearance. Shrubs, ground covers, or other vegetation shall be provided in front of the fence or wall so as to provide a decorative effect, in accordance and with the adopted landscaping standards for spacing, location and design. Wooden and woven-wire fences shall not be used.

b) Planted materials or natural vegetation - Any combination of existing and newly planted vegetation may be used that can reasonably be expected to create an opaque evergreen visual screen 4 feet high within two growing seasons.

c) Earthen berms - When using an earthen berm, the maximum side slope shall not exceed 50% (1 foot of vertical rise to 2 feet of horizontal run) with a minimum crown width of two feet. The berm shall be planted with ground cover, shrubs, trees or other landscaping materials to achieve a total screening height of 4 feet.

(b) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened.

Mechanical, utility, and service facilities shall be screened on three sides. Gates are not required.

(c) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

1) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy forming trees where the nonresidential use is at a much lower grade than the residential use).

2) All landscaping shall be installed so as to avoid hazards.

(d) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

1) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble, or the built-up panels of these materials designed for exterior use.

2) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

3) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

4) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way.

5) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(e) Screening of site features. Site features hereinafter shall be screened in accordance with subsection (c) above.

1) Rear yards and service yards. Where the rear yard, side yard or service side of a nonresidential use is adjacent to a public thoroughfare and screening of the use is not specifically addressed elsewhere in this section, it shall be screened according to subsection (c) above.

2) Loading docks. Freight docks, service bays, loading docks, truck berths and heavy storage areas shall be screened from all abutting uses, except when the abutting use is determined to be of equal or greater intensity. The aforementioned areas shall be screened from all thoroughfares.

3) Outdoor storage area. Outdoor storage of merchandise, equipment or materials, which is essential or incidental to the use and which is not on temporary display for the purpose of being immediately available for sale to the public at large, shall be screened from all public thoroughfares and abutting uses. Stored merchandise shall not exceed the height of the screening device.

4) Refuse areas. All refuse areas shall be screened on three sides. Gates are not required.

5) Ground-mounted equipment. All ground-mounted equipment including, but not limited to, pad-mounted transformers, telephone switch boxes and gas meters, shall be reasonably screened or located away from the view of public

thoroughfares and from the view of adjacent properties. Whenever possible, appurtenances for utility services shall be installed at the rear of the structure which they service.

(8) Glare and illumination.

(a) Parking area lighting. Standard, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard, pole, bollard and wall-mounted fixtures are allowed.

(i) Accent lighting. Floodlighting and spotlighting of architecture, features shall not create spillage of light onto adjacent properties.

(9) Utilities. No building shall have service wires or cable of any kind attached to the front fifty (50) percent of a building facing the highway and adjacent to the required front yard.

(10) Signs.

(a) The total area of building signage shall not exceed the following:

For each one linear foot of primary building face (facade facing public street), three (3) square feet of wall sign is allowed up to a maximum. This maximum depends on the building footprint identified in the table below. A minimum of 100 square feet for small freestanding building is allowed. This means that a small building that does not have enough frontage to get to 100 square feet may go to 100 square feet of building signage if desired. These signs can go on any wall but may not exceed the cumulative maximum square footage. If the lot on which the building is located has multiple right-of-way frontages, each street frontage shall be counted for purposes of determining attached sign allowance. The following defines the maximum sign area allowed based on the square footage of the building footprint:

Building Footprint (sq ft)	**Maximum Sign Area (sq ft)**
Less than 12,000	150
12,000–49, 999	300
50,000 or more	600

(b) For each one linear foot of lease space facade, two (2) square feet of building sign is allowed with maximum of 200 sq. ft.

(c) To ensure separation between building signs, wall signage for lease spaces may not exceed 75% of the linear lease space facade width.

(11) Monument/ground signs.

(a) Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.

(b) Monument signs must include a landscaped, stone base feature. All monument sign bases shall be constructed of the same material as the front building facade on the same site or shall be compatible in design with stone or brick.

(12) Illuminated/electronic signs.

(a) Signs may be illuminated, but the source of light shall not be visible to traveled ways

and the entire image or displayed text shall not be animated, intermittent, or flashing.

(b) A sign shall display static images for a period of at least eight seconds.

(c) Variable message signs shall not be animated, flash, travel, blink, fade, or scroll. Variable message signs shall transition instantaneously to another static image.

(d) A maximum of 55% of the overall sign area may be devoted to an electronic message sign.

(e) Revolving signs shall not be permitted.

(f) A fuel pricing sign shall only reflect the most current price of fuel available for purchase at that location and must be a ground/monument sign. Only one pricing display is allowed per site.

(13) Connectivity. Access drives/aisles/access easements should be extended to the development's property boundary in order to provide for connectivity with future development(s).

(Ordinance 5984 adopted 9/6/16)

(14) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for development within the overlay district development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

(Ordinance 6385 adopted 5/17/21)

Sec. 6.13.6. College Park Overlay District

(1) Introduction.

(a) The College Park Overlay District, at the request of Austin College, contains minimum standards for new construction in the Austin College Community. The College Park Overlay District recognizes the special location, architectural character and land-use mix of the college park neighborhood and establishes appropriate standards for uses with the district. The overlay district is designed to help protect the private property values and public investments in and near the college park neighborhood, to reduce conflicts between new construction and existing development in the existing neighborhood, and to preserve the area's special character. The district promotes mixing of land use to foster a livable community of residential, commercial and cultural uses and encourages pedestrian access within the college park neighborhood and provides connectivity to adjacent neighborhoods and the Central Business District. The district also respects socioeconomic diversity by encouraging a variety of home styles and sizes that are sympathetic to the neighborhood's historical diversity of design and fosters a cooperative atmosphere in the college park neighborhood between the City of Sherman, Austin College and private landowners

to jointly realize the potential of the district. The College Park Overlay District development standards will make the city a more desirable place to live and conduct business.

(b) It is important that the development of the College Park Area supports careful planning and foresight to achieve the greatest positive benefits for the city. The intent of the College Park Overlay District development area standards is to ensure that the development occurs in a manner which promotes safety while presenting an attractive appearance and assures compatible land uses according to consistent design guidelines.

(Ordinance 6193 adopted 3/18/19)

(2) Intent and purpose.

(a) Design elements. Regulation of land use patterns has traditionally been the major tool used to shape the urban environment. The particular use that takes place at a certain location affects the design and specific development of land uses. In many cases, a particular use can be incompatible and offensive to its neighbors and the city as a whole, or, if carefully and properly designed that same use can be an attractive and welcome activity. This emphasis on how uses are designed and developed is the focus of the College Park Overlay District development standards. The following design elements are addressed by the standards. A statement of intent accompanies each element, the Planning and Zoning Commission may from time to time, when justified by certain circumstances or specific conditions, grant variances to these design elements. (Ordinance 6385 adopted 5/17/21)

(b) Building design. Design standards for buildings should ensure that the design, color, materials, and basis for proportion of structures within the College Park Overlay District development area are harmonious with the intent of the ordinance.

(c) Screening. Required screening should accomplish visual screening of the site, noise attenuation, and a barrier to vehicular traffic between nonresidential and residential uses, and serve as a psychological separation between uses which encourages the peace and repose of residents.

(d) Glare and illumination. Site lighting is to provide safety and security and enhance the architectural and natural features of the site. Glare and illumination standards should ensure that the mechanisms providing light do not negatively impact the appearance of the site and ensure that light is contained to the extent that adjacent areas are not detrimentally affected.

(3) Boundary areas.

(a) Area boundaries. College Park Overlay District development areas are those areas bounded as follows:

East: Harrison Street (from Pecan Street to Old Settlers Park)

North: Along the Railroad Tracks to the back of Old Settlers Park creating a natural boundary curving down to College Street.

West: Montgomery Street (from College to Pacific Street).

South: Pacific Street from Montgomery to Lee, south to Pecan, east on Pecan to Harrison Street.

(b) Compliance required. All property within the boundaries of the College Park Overlay District development areas shall adhere to the overlay district development standards.

(c) Action on application. Upon receipt of a request for building permit, zoning change or subdivision plat within the College Park Overlay District development area, the applicant will receive a copy of the overlay district development standards and

counseling as to their applicability and the review process.

(4) Building design.

(a) General provisions. All buildings shall comply with the zoning ordinance, building code and related construction codes of the city.

(Ordinance 6193 adopted 3/18/19)

(b) Exterior walls. On new construction, building materials must be specified and may be permitted when such materials are 60% masonry, hardy board or concrete fiber board and consistent with the intent of these standards. A complete set of elevation plans and schedule of wall and roof colors and finishes used on every freestanding building shall be submitted to the Director of Development Services. (Not required for maintenance of or additions to existing nonconforming structures.) (Ordinance 6385 adopted 5/17/21)

(c) All new residential structures shall have a minimum 1,200 square foot living area, except patio homes authorized by a specific use permit.

(d) Carports are prohibited.

(e) Detached garages are permitted when architecturally designed to be compatible with historically significant and period style homes.

(5) Screening, Privacy Fences.

(a) Screening of nonresidential uses from residential uses. Side yards, rear yards and service sides of nonresidential uses abutting residential uses shall be screened.

(b) Screening height. Screening height shall be a minimum of four (4) feet above the grade at the property line of abutting residential uses.

(A) In cases of extreme height differential, the following guidelines apply: Adjust screening height requirements or alter material requirement (e.g., including, but not limited to, the use of canopy-forming trees where the nonresidential use is at a much lower grade than the residential use).

(B) All landscaping shall be installed so as to avoid hazards.

(c) Materials and methods. The materials and methods used in screening under this section shall conform to the following:

(A) Masonry walls shall be defined as an exterior wall consisting of brick, stone, rock, marble or the built-up panels of these materials designed for exterior use.

(B) Earthen berms shall have a maximum side slope of 3:1 and shall be entirely vegetated with turf or ground cover.

(C) Evergreen shrubs of sufficient height when used alone, or in conjunction with other material, shall meet the minimum height requirements of this section.

(Ordinance 6193 adopted 3/18/19)

(D) Privacy fences shall consist of wood or masonry fence material. Line fences used for screening within an O-1 District shall not be less than four (4) feet in height; constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained. The screening device shall not exceed four (4) feet in height within twenty-five (25) feet of a front street right-of-way. Wire, chain link and corrugated fencing materials are not allowed. (Ordinance 6385 adopted 5/17/21)

(E) To meet requirements of this section, the developer may use a combination of any two (2) materials allowed in this section to meet minimum height requirements.

(6) Glare and illumination.

(a) Parking area lighting. Standards, poles and fixtures shall be of a single color, compatible with the architecture of the building. All lighting fixtures shall be restricted to down-lighting or cut-off types.

(b) Walkway lighting. Walkway lighting with standard pole, bollard and wallmounted fixtures are allowed.

(c) Accent lighting. Floodlighting and spotlighting of architecture, graphics or natural features shall not create spillage of light onto adjacent properties.

(7) Signage.

(a) Maximum face area is 16 square foot.

(b) Maximum height is 4 foot.

(c) Off-premises signs are prohibited

(8) Permitted and Specific Uses.

(a) Uses:

(A) No permitted or specific use in the College Park Overlay District may include drive-through facilities, gas pumps or canopies.

(B) Permitted Uses. Within the College Park Overlay District, the following uses are permitted in any zoning district.

(i) Residential & Educational:

Single-family dwellings

Colleges and Universities

(C) Specific Uses. With the College Park Overlay District, the following uses are permitted as Specific Use Permits in residential zones under the provisions of this article. Limitations on the size of certain uses are as stated below:

(i) Neighborhood & Community Service.

Arts/cultural center or exhibit hall

Bed and breakfast/historic inn

Charitable/religious institutions

Community center/house

Dance studio

Health care hospitality

Health club/fitness center

Parks

Patio Homes

Place of worship

Preschool & Day care centers, small and large

(ii) Medical/General Offices:

General offices

Medical and dental offices/services

Medical and other records storage

Medical offices

(iii) Ancillary/Retail/Neighborhood Uses allowed only on the first floor and up to a maximum of 3500 square feet of gross floor area per use:

Food store/convenience store excluding the sale of gasoline

General retail

Pharmacy

Research and development facilities

Restaurant/bakery/cafe

Retail bank/ATMs

Scientific and medical research labs

Technical and medical equipment development and/or services

(Ordinance 6193 adopted 3/18/19)

(9) Procedures and notice.

(a) The Planning and Zoning Commission shall review the specific elements of site and building plans for all commercial development within the College Park Overlay District development area for compliance with these standards and shall make a determination of approval or disapproval of the site plan as submitted.

(b) The Planning and Zoning Commission shall review all exceptions and requests for variations to the development standards to determine compliance with the intent of the standards or to determine the necessity and appropriateness of the required exception or variation.

(c) If the Planning and Zoning Commission denies any site plan, the same application may not be filed for a period of six (6) months from the date of such denial.

(d) Any applicant aggrieved by a decision of the Planning and Zoning Commission may appeal the commission's action to the city council by filing a request for appeal with the city clerk within ten (10) days of the commission's decision. Such appeal shall be heard at a time convenient to the city council and to its procedures and practices for the scheduling of business before the council.

(Ordinance 6385 adopted 5/17/21)

Sec. 6.13.7. Blalock Commercial Overlay District

(1) Introduction.

(A) The development of the Blalock Commercial Overlay District offers significant economic opportunities for the City of Sherman and its citizens. It is imperative that this unique entry to the city be protected by quality development standards. This district is in compliance with the Comprehensive Master Plan Future Land Use Map and the Implementation Section: Prudent use of Development Regulations.

(B) Careful planning and foresight is important to achieve and provide the greatest benefits for the City of Sherman. The intent of the Blalock Commercial Overlay District Standards is to insure the area develops in a manner that provides an attractive appearance and assures compatible land uses within consistent design guidelines.

(C) The Blalock Commercial Overlay District will consist of highway frontage in the Blalock Industrial Park at Heritage Parkway and nearby tracts that form the south

gateway to the city.

(Ordinance 5638 adopted 2/15/10)

(2) Intent. To create a regional image for retail/commercial developments within and around the Blalock Commercial Overlay District. These guidelines are to help owners, developers, designers, architects, and builders by providing design criteria that will coordinate the image, character and quality of the entire development and ensure the aesthetic value and visual appeal of nonresidential land uses in the overlay district. (Ordinance 6385 adopted 5/17/21)

(A) Multiple buildings in commercial centers: To achieve unity between buildings in a commercial development of more than one building, all buildings in such a development shall employ a similar theme, and color palette.

(3) *Applicability*. These provisions shall apply to all retail and commercial development within Blalock Commercial Overlay District.

(4) *Establishment of Blalock Commercial Overlay District.*

(A) For the purpose of promoting the public health, safety, morals, and general welfare in the City of Sherman:

(B) There is hereby, for the purposes of convenience, denominated "Blalock Commercial Overlay District" the following area described by metes and bounds as follows:

SITUATED in the City of Sherman, County of Grayson, State of Texas, being a part of the PRESTON KITCHENS SURVEY, Abstract No. 667, the SHERROD DUNMAN SURVEY, Abstract No. 329 and the ELIZABETH JONES SURVEY, Abstract No. 625 and being more particularly described by metes and bounds as follows to-wit:

BEGINNING at the Southeast corner of a 97.64 acre tract of land described in Tract One in deed from Rabin Worldwide, Inc., et al to Actichem L.P., dated June 21, 2005, recorded in Volume 3880, Page 138, Official Public Records, Grayson County, Texas, the Southwest corner of a 130.48 acre tract of land described in deed form [from] Rabin Worldwide, Inc., et al to Shafer Plaza XLII, Ltd., dated March 28, 2005, recorded in Volume 3842, Page 40, Official Public Records, Grayson County, Texas, on the North right-of-way line of F.M. Highway No. 1417;

THENCE in a Northerly direction with the East line of said Actichem 97.64 acre tract, the West line of said Shafer 130.48 acre tract, the following calls and distances:

North 17 deg. 57 min. 51 sec. West, a distance of 541.99 feet;

North 11 deg. 37 min. 37 sec. East, a distance of 541.99 feet;

North 44 deg. 54 min. 41 sec. West, a distance of 493.45 feet;

North 13 deg. 29 min. 05 sec. West, a distance of 2190.59 feet to the Northeast corner of said 97.64 acre tract, a Southeast corner of a 1140.06 acre tract of land described in Tract One in deed from W. C. Pickens, Jr. to Sherman Hills County Club, Ltd., dated May 17, 2002, recorded in Volume 3265, Page 890, Official Public Records, Grayson County, Texas;

THENCE North 14 deg. 26 min. 23 sec. West, continuing with the West line of said Shafer 130.48 acre tract, an East line of said 1140.06 acre tract, a distance of 468.97 feet to the Northwest corner of said 130.48 acre tract, an ell corner of said 1140.06 acre tract;

THENCE North 75 deg. 38 min. 03 sec. East, with a North line of said 130.48 acre tract, a South line of said 1140.06 acre tract, a distance of 867.16 feet to an ell corner of the herein described tract, at a point 500 feet West of and perpendicular to the West right-of-way line of U.S. Highway No. 75;

THENCE in a Northerly direction 500 feet West of and parallel with the West right-of-way line of said U.S. Highway No. 75, the following calls and distances:

~~With a curve to the right having a radius of 3945.71 feet, (chord bears North 04 deg. 35 min. 05 sec. East, 566.30 ft.), a distance of 566.79 feet to the end of said curve;~~

~~North 08 deg. 42 min. 00 sec. East, crossing a South line of Sherman Hills Country Club Addition, Golf Course Tracts to the City of Sherman, Texas as shown by plat of record in Volume 17, Pages 71 & 72, Plat Records, Grayson County, Texas and continuing for a total distance of 1199.86 feet to a point;~~

~~North 02 deg. 29 min. 14 sec. East, a distance of 166.77 feet to a point;~~

~~With a curve to the left having a radius of 3154.72 feet, (chord bears North 02 deg. 14 min. 29 sec. East, 433.48 ft.), a distance of 433.82 feet to the end of said curve;~~

~~North 17 deg. 36 min. 44 sec. West, a distance of 154.38 feet to a point;~~

~~North 02 deg. 50 min. 00 sec. West, a distance of 168.45 feet to a point;~~

~~THENCE North 87 deg. 10 min. 00 sec. East, crossing a North line of said Sherman Hills Country Club Addition, Golf Course Tracts, the South line of an 0.981 acre triangular tract of land described as Tract No. 2 in deed from William P. Lee, et ux to William P. Lee and Betty Lou Lee, Trustees of the William P. Lee and Betty Lou Lee Revocable Living Trust by deed dated May 8, 1997, recorded in Volume 2548, Page 19, Official Public Records, Grayson County, Texas and continuing for a total distance of 500.00 feet to an angle point on the East line of said 0.981 acre tract, the West right-of-way line of said U.S. Highway No. 75, at highway station 817+38.7;~~

~~THENCE North 79 deg. 29 min. 51 sec. East, crossing said highway, a distance of 383.43 feet to an angle point in the East right-of-way line of said U.S. Highway No. 75, the West line of a 26.318 acre tract of land described in Tract No. 1 in said deed recorded in Volume 2548, Page 19, at highway station 817+89.87;~~

~~THENCE North 87 deg. 10 min. 00 sec. East, a distance of 500.00 feet to a point 500 feet East of and perpendicular to the East right-of-way line of said U.S. Highway No. 75;~~

~~THENCE in a Southerly direction 500 feet East of and parallel with the East right-of-way line of said U.S. Highway No. 75, the following calls and distances:~~

~~South 13 deg. 38 min. 47 sec. East, a distance of 159.91 feet to a point;~~

~~South 02 deg. 50 min. 00 sec. East, a distance of 149.32 feet to the beginning of a curve;~~

~~With a curve to the right having a radius of 4524.72 feet, (chord bears South 00 deg. 0 1 min. 04 sec. West, 450.15 ft.), a distance of 450.33 feet to a point in the center of Post Oak Creek and on the Southerly line of said Lee 26.318 acre tract;~~

~~THENCE in a Southeasterly direction with the center of said Post Oak Creek, the Southerly line of said 26.318 acre tract, the following calls and distances:~~

~~South 17 deg. 55 min. 00 sec. East, a distance of 113.24 feet to a point;~~

~~South 44 deg. 10 min. 00 sec. East, a distance of 232.88 feet to a point;~~

~~South 20 deg. 59 min. 00 sec. East, a distance of 279.56 feet to a point;~~

~~South 41 deg. 03 min. 00 sec. East, a distance of 105.88 feet to a point;~~

~~South 27 deg. 54 min. 00 sec. East, a distance of 173.45 feet to an angle point and a jog to the West in the West right-of-way line of old U.S. Highway No. 75, at highway station 800+00;~~

~~South 78 deg. 32 min. 13 sec. East, crossing said old highway 75 and continuing for a total distance of 127.19 feet to a point;~~

~~North 74 deg. 16 min. 00 sec. East, a distance of 52.20 feet to a point;~~

~~North 31 deg. 15 min. 00 sec. East, a distance of 275.80 feet to a point;~~

~~South 71 deg. 38 min. 00 sec. East, a distance of 103.00 feet to a point;~~

~~South 27 deg. 54 min. 00 sec. East, a distance of 458.30 feet to a point;~~

~~South 64 deg. 26 min. 00 sec. East, a distance of 22.79 feet to a point on a West line of a West line of a 221.867 acre tract of land conveyed by Stephen B. Gremmels to Pylon Farms, Inc. by deed dated October 11, 1965, recorded in Volume 1040, Page 518, Deed Records, Grayson County, Texas;~~

~~THENCE South 13 deg. 41 min. 11 sec. East, with a West line of said 221.867 acre tract, a distance of 1098.90 feet to an ell corner of said tract;~~

~~THENCE South 29 deg. 21 min. 33 sec. West, through said 221.867 acre tract, a distance of 1443.79 feet to the Northeast corner of an 0.939 acre tract of land conveyed by Windle Lee Golden, et ux to Richard J. Kalb, et ux by deed dated July 24, 1989, recorded in Volume 2049, Page 131, Real Property Records, Grayson County, Texas, the Southeast corner of a 4.256 acre tract of land conveyed by Leon H. Bloomer, et ux to Pylon Farms, Inc. by deed dated December 21, 1965, recorded in Volume 1054, Page 67, Deed Records, Grayson County, Texas, on a West line of said 221.867 acre tract;~~

~~THENCE South 14 deg. 08 min. 33 sec. East, with a West line of said 221.867 acre tract, the East line of said 0.939 acre tract, passing the Northwest corner of Constitution Village Addition, Section Two to the City of Sherman, Texas as shown by plat of record in Volume 4, Page 22, Plat Records, Grayson County, Texas and continuing for a total distance of 246.07 feet to the Southeast corner of said 0.939 acre tract;~~

~~THENCE South 14 deg. 37 min. 30 sec. East, continuing with a West line of said 221.867 acre tract, the West line of said Constitution Village Addition, Section Two, a distance of 443.34 feet to a point;~~

~~THENCE South 13 deg. 42 min. 08 sec. East, continuing with a West line of said 221.867 acre tract, the West line of said Constitution Village Addition, Section Two, passing its Southwest corner, the Northwest corner of Constitution Village Addition to the City of Sherman, Texas as shown by plat of record in Volume 3, Page 73, Plat Records, Grayson County, Texas and continuing with the West line of said Constitution Village Addition, passing its Southwest corner on the North right-of-way line of F.M. Highway No. 1417 and continuing for a total distance of 1698.56 feet to a point on the South right-of-way line of said F.M. Highway No. 1417, the North line of a 13.40 acre tract of land described in Correction Trustee's Deed from Robert W. Minshew, Trustee to Kennedy & Minshew Professional Corporation, dated September 2, 2003, recorded in Volume 3534, Page 461, Official Public Records, Grayson County, Texas;~~

~~THENCE South 75 deg. 46 min. 49 sec. West, with the South right-of-way line of said F.M. Highway No. 1417, the North line of said 13.40 acre tract, a distance of 120.40 feet to its Northwest corner;~~

~~THENCE South 13 deg. 46 min. 49 sec. East, with the West line of said 13.40 acre tract, a distance of 776.73 feet to a point;~~

~~THENCE South 13 deg. 30 min. 32 sec. East, continuing with the West line of said 13.40 acre tract, passing its Southwest corner, the Westerly Northwest corner of a 214.134 acre tract of land conveyed by Edward C. Greene, Trustee to Rolling Meadows Associates by deed dated September 28, 1984, recorded in Volume 1716, Page 384, Deed Records, Grayson County, Texas and continuing with the Westerly West line of said 214.134 acre tract for a total distance of 849.43 feet to the Northeast corner of a 25.229 acre tract of land described in Tract 2 indeed from Sherman Development Limited Partnership No. 1 to Sam H. Berry by deed dated October 1, 1993, recorded in Volume 2298, Page 258, Real Property Records, Grayson County, Texas;~~

~~THENCE South 74 deg. 56 min. 00 sec. West, with the North line of said 25.229 acre tract, a distance of 667.02 feet to its Northwest corner, on the East right-of-way line of said U.S. Highway 75;~~

~~THENCE in a Northerly direction with the East right-of-way line of said U.S. Highway 75, the following calls and distances:~~

~~North 09 deg. 47 min. 31 sec. West, a distance of 423.53 feet to highway station 737+00"R"~~

~~North 05 deg. 50 min. 32 sec. East, a distance of 155.77 feet to highway station 738+50"R";~~

~~North 09 deg. 48 min. 00 sec. West, a distance of 200.00 feet to highway station 740+50"R";~~

~~North 14 deg. 25 min. 28 sec. West, a distance of 293.96 feet to highway station 743+43"R";~~

~~THENCE South 74 deg. 29 min. 41 sec. West, crossing said U.S. Highway 75, a distance of 319.88 feet to the Southeast corner of an 0.7688 acre tract of land conveyed by Greater Sherman, Inc. to the City of Sherman, Texas by deed dated November 8, 1978, recorded in Volume 1455, Page 265, Deed Records, Grayson County, Texas, the Northeast corner of a 24.05 acre tract of land conveyed by Sherman Economic Development Corporation to the State of Texas by deed dated January 17, 2003 recorded in Volume 3454, Page 609, Official Public Records, Grayson County, Texas.~~

~~THENCE South 80 deg. 12 min. 00 sec. West, with the South line of said 0.7688 acre tract, a North line of said 24.05 acre tract, a distance of 184.80 feet to the Southwest corner of said 0.7688 acre tract, a Northwest corner of said 24.05 acre tract, on an East line of Northgate Technology Park Addition to the City of Sherman, Texas as shown by plat of record in Volume 12, Page 43, Plat Records, Grayson County, Texas;~~

~~THENCE in a Northerly direction with the West line of said 0.76887 acre tract, an East line of said Northgate Technology Park Addition, the following calls and distances:~~

~~North, a distance of 48.43 feet to a point;~~

~~North 06 deg. 48 min. 00 sec. East, a distance of 59.50 feet to a point;~~

~~North 06 deg. 00 min. 00 sec. West, a distance of 53.00 feet to a point;~~

~~North 57 deg. 37 min. 00 sec. West, a distance of 71.12 feet to the Northwest corner of said 0.7688 acre tract, the Easterly Northeast corner of said Northgate Technology Park Addition, on the South line of 75 and 1417 Addition to the City of Sherman, Texas as shown by plat of record in Volume 12, Page 92, Plat Records, Grayson County, Texas.~~

~~THENCE South 76 deg. 23 min. 44 sec. West, with the South line of said 75 and 1417 Addition, a North line of said Northgate Technology Park Addition, a distance of 38.20 feet to the Southwest corner of Lot Two, the Southeast corner of Lot One of said 75 and 1417 Addition;~~

~~THENCE in a Northerly direction with the East line of said Lot One, the West line of said Lot Two of 75 and 1417 Addition, the following calls and distances:~~

~~North 53 deg. 38 min. 37 sec. West, a distance of 60.71 feet;~~

~~North 43 deg. 07 min. 10 sec. West, a distance of 33.15 feet;~~

~~South 77 deg. 01 min. 50 sec. West, a distance of 119.26 feet;~~

~~North 57 deg. 03 min. 29 sec. West, a distance of 63.21 feet;~~

~~South 59 deg. 49 min. 33 sec. West, a distance of 59.56 feet;~~

~~North 69 deg. 45 min. 10 sec. West, a distance of 42.46 feet;~~

~~North 06 deg. 31 min. 27 sec. East, a distance of 32.18 feet;~~

North 32 deg. 52 min. 33 sec. West, a distance of 54.38 feet;

North 64 deg. 39 min. 19 sec. West, a distance of 110.97 feet;

North 45 deg. 30 min. 11 sec. West, a distance of 48.34 feet to the Northeast corner of said Lot One, the Northwest corner of said Lot Two on the North line of said 75 and 1417 Addition, the South right-of-way line of F.M. Highway 1417;

THENCE North 49 deg. 46 min. 52 sec. West, crossing said F.M. Highway 1417, a distance of 194.80 feet to a point on the North right-of-way line of said F.M. Highway 1417, the South line of the above mentioned Shafer 130.48 acre tract;

THENCE in a Westerly direction with the North right-of-way line of said F.M. Highway 1417, the South line of said 130.48 acre tract, the following calls and distances:

South 70 deg. 42 min. 26 sec. West, a distance of 200.49 feet;

South 74 deg. 58 min. 59 sec. West, a distance of 499.93 feet;

South 73 deg. 49 min. 20 sec. West, a distance of 207.88 feet to the PLACE OF BEGINNING and containing 428.74 ACRES OF LAND more or less.

(5) Permitted Uses. The uses listed below are permitted within the Blalock Commercial Overlay District in addition to the permitted uses of each specific zoning district.

Educational, Institutional, Public and Special Uses

Helistop

Household Care Facility

Museum/Art Gallery

Transportation, Utility and Communication Uses

Stealth Antenna, Commercial

Telephone Exchange

Office and Professional Uses

Administrative, Medical or Professional Office

Government Office

Insurance Office

~~Research and Development Center~~

~~Retail Uses Over 50,000 sq. ft.~~

~~Retail uses over 50,000 sq. ft. are permitted when authorized by a Specific Use Permit.~~

~~Retail Uses 50,000 sq. ft. and under~~

~~Alcoholic Beverage Establishment~~

~~Antique Shop and Used Furniture~~

~~Building Material and Hardware Sales, Major~~

~~Building Material and Hardware Sales, Minor~~

~~Convenience Store with Gas Pumps~~

~~Convenience Store without Gas Pumps~~

~~Equipment and Machinery Sales and Rental, Major~~

~~Equipment and Machinery Sales and Rental, Minor~~

~~Feed Store~~

~~Furniture, Home Furnishings and Appliance Store~~

~~Retail Stores and Shops~~

~~Restaurant or Cafeteria~~

~~Service Uses~~

~~Artisan's Workshop~~

~~Bank, Savings and Loan or Credit Union~~

~~Beauty Salon/Barber Shop~~

~~Business Service~~

~~Cabinet/Upholstery Shop~~

~~Contractor's Shop and/or Storage Yard (Inside)~~

~~Dry Cleaning, Major~~

~~Dry Cleaning, Minor~~

~~Furniture Restoration~~

~~Gunsmith~~

~~Gymnastics/Dance Studio~~

~~Health/Fitness Center~~

~~Household Appliance Service and Repair~~

~~Indoor Gun Range~~

~~Locksmith/Security System Company~~

~~Mortuary/Funeral Parlor~~

~~Print Shop Minor~~

~~Restaurant or Cafeteria~~

~~Restaurant, Drive-In~~

~~Small Engine Repair Shop~~

~~Veterinarian Clinic with Indoor Soundproof Kennels~~

~~Automobile and Related Uses~~

~~Auto Parts Sales, Inside~~

~~Automobile parking Lot/Garage~~

Automobile Repair, Major- No Outside Storage

Automobile Repair, Minor- No Outside Storage

Automobile Sales/Leasing, New

Automobile Sales, Used

Carwash

Motorcycle Sales/Service

Wholesale Uses

Bottling Works

Mini-Warehouse/Public Storage

Office/Showroom

Office/Warehouse/Distribution Center

Storage or Wholesale Warehouse

(6) Prohibited Uses.

Bulk Chemical & Petroleum Storage Terminals

Sexually Oriented Business

(7) Nonresidential Building Placement.

(A) 55.7' from ROW of Hwy 75 and Heritage Parkway

(B) 55.7" from ROW of other streets

(C) 55.7' from interior and rear property lines

(8) Signs. One freestanding sign per lot. Signs may have a maximum 65 square foot face area and shall not exceed twelve feet in height. Minimum setback for signs shall be 25 feet from the highway right-of-way.

(Ordinance 5638 adopted 2/15/10)

(9) Parking Areas. Parking areas and driveways shall be concrete and with curb and gutter along state highways adjacent to open drainage areas. Alternative parking materials may be used to reduce impervious cover when parking is provided that exceeds city requirements and approved by the Planning and Zoning Commission. Cross access driveways are required adjacent to commercial zoned tracts. The number of parking spaces required for each use is determined by similar uses in Commercial and Manufacturing Districts. (Ordinance 6385 adopted 5/17/21)

(10) Landscaping.

(A) Landscaping definition. Landscaping shall be defined, for the purposes of these requirements, as plant material including, but not limited to, grass, trees, shrubs, flowers, vines and other ground cover, natural land forms, water forms, planters, walks and plaza areas.

(B) Site definition. Site shall be defined, for the purposes of these guidelines, as any plot, tract or parcel of land or combination of contiguous lots, tracts or parcels of land which is developed (or intended for development) according to an overall site plan. A site shall be exclusive of any land dedicated for public use through the platting process.

(C) Compliance. Landscaping shall conform to the following:

(i) Landscaping shall be required on all developments and shall be completed prior to the issuance of the certificate of occupancy. All detention ponds shall be landscaped.

(ii) Every site adjacent to the highway right-of-way shall include a buffer strip, landscaped and irrigated, being ten (10) feet in depth adjacent to the highway right-of-way.

(iii) All landscaping shall be installed so as to avoid hazards.

(iv) An effort shall be made to preserve existing trees.

ARCHITECTURAL DESIGN GUIDELINES

(11) Mandatory Site and Structure Provisions.

(A) Specific materials and color palette: To achieve unity between buildings in a commercial development of more than one building, all buildings in the subject development shall use a minimum of 10% of stone or faux stone for all street facing or publicly visible facades. All other building materials and colors should coordinate with and compliment this stone.

(B) Masonry requirements: All buildings shall be constructed with a minimum 60% masonry, exclusive of doors and windows. Masonry shall consist of brick, stone, stucco, simulated stone, or architecturally detailed & painted concrete tilt wall. Unpainted, integral color concrete masonry units are allowed as masonry, but are limited to maximum 50% of a street facing facade.

(C) Secondary materials: Secondary materials (maximum 40%) may be EIFS, stucco, wood, metal, or other approved material. Wood or vertical metal shall be limited to a maximum 15% of any building facade per material.

(D) Earth-Toned Colors: At least 80% of facade is neutral, crème, or deep, rich, non-reflective natural or earth-toned colors, and no more than 1 color is used for visible roof surfaces.

(E) EIFS: the use of Exterior Insulated Finishing System (EIFS) is not allowed below eight (8) feet above finished grade.

(F) Glass: Windows shall have a maximum reflectivity of 20%. Pink and gold glass is not permitted.

(G) Mechanical unit screening: All mechanical equipment shall be screened from all public view. Screening must match building color and material. Ground-mounted mechanical units may be screened with an evergreen landscape screen.

(H) Exposed conduit, ladders, utility boxes, and drain spouts shall be painted to match the color of the building or an accent color.

(I) Trash and Recycling Collection Areas:

(1) Trash and recycling collection areas shall be located to minimize visibility.

(2) Trash, recycling receptacles, and trash compactors shall be screened with an eight foot masonry wall of a consistent color and material of the primary building.

(3) Enclosures shall be oriented so that the service opening does not face any public right-of-way or residentially zoned property where possible. The opening shall incorporate a metal gate to visually screen the dumpster or compactor. Concrete-filled steel bollards are required at the rear of the enclosure and in front of the enclosure to protect the gate hinges.

(4) Enclosures located in public areas must be screened with landscaping.

(5) All metal gates must not be allowed to swing into the drive aisle or fire lane.

(J) Loading Areas: All loading and service areas shall be screened from view from adjacent public streets and adjacent residential when possible. Screening shall be by walls compatible to the project design and landscaping.

(12) Design Elements. Each development must score a minimum of 6 points for buildings under 10,000 sf, 8 points for buildings 10,001-50,000 sf, and 10 points for buildings/developments 50,001 sf or above by implementing a choice/combination of the following design elements: (see Appendix A [of this subsection] for illustrations)

*Additions to existing buildings must be of similar design, and must meet the point score required for the building size of the addition.

**Applicant must submit a table with the architectural drawings enumerating the proposed points acquired for the development.

(Ordinance 5638 adopted 2/15/10)

Points:	**Element:**	**Description: (if necessary):**
4	Four-Sided Architecture	Building to be equally finished with a "front door" appearance on all four sides. Required masonry percentages to be met on each elevation.
3	Building Articulation	Building facades over 100' in length must have building offsets of at least 4' for a minimum of 25% of the facade. No wall plane may extend more than 100' without horizontal and vertical articulation. Building facades between 40-100' in length may have either horizontal or vertical articulation. Facade articulations/offsets shall be shown on the elevation drawings along with dimensions verifying that the elevations have met the above requirements as part of site plan submittal.
2	Porches	Covered areas with columns and sloped roof attached to the main facade of the structure. Must extend at least 6 feet beyond the main facade and across at least 15% of the facade.

1	Trellises	Trellis used to enhance an entry feature or as a shaded walkway.
2	Covered Walkways	An exterior walkway at least 6' in depth protected by the roof of the main structure, and across at least 15% of the facade.
3	Canopies/Awnings	Coverings of canvas, metal, or other material hung from the building facade to protect windows or door openings.
3	Roof Overhangs	Buildings that feature a pitched roof or partially pitched roof with overhang at least 4 feet beyond the primary facade.
4	Natural Materials	Use stone, simulated stone, stucco and/or brick, for at least 60% of facade (exclusive of doors and windows).

Points:	**Element:**	**Description: (if necessary):**
4	Pitched roof	Pitched roof covering 100% of the total roof area with a pitch of at least 3:12 and no visible flat roofline.
2	Gabled Elements	If a flat roof is used, gabled parapet walls are used to break up long facades.
3	Varied Roof Heights	Within a pitched roof, varied roof heights or dormers to break up the line of the roof.
2	Architectural Details in the building facade	i.e. ornamental brickwork, limestone window/door lintels, etc.
1	Decorative Paving at sidewalks	Pavers or decorative concrete for min. 10% of total walkways.

-	-	-
1	Site Amenities	Outdoor seating, patio areas, fountains, or decorative light fixtures.
-	-	-
1	Public sculpture/artwork	Point validity to be determined by the Planning and Zoning Commission.
-	-	-
2	Enhanced Landscape	Provide a minimum increase of 25% in the number of trees, shrubs, and ornamental plantings required by city ordinance.

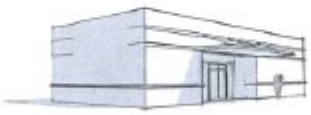
(Ordinance 5638 adopted 2/15/10; Ordinance 6385 adopted 5/17/21)

Appendix A

Porch

Trellis

Covered Walkway

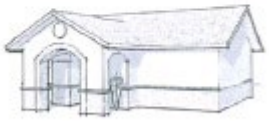


Canopies/Awnings

Roof Overhang

Gabled Elements

Varied Roof Heights



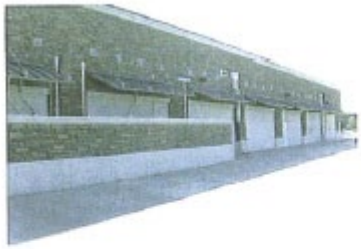
Architectural Details

Appendix B

Architectural Examples

PORCHES

Covered areas with columns and sloped roof attached to the main façade of the structure. Must extend at least 6 feet beyond the main facade and across at least 15% of the facade.



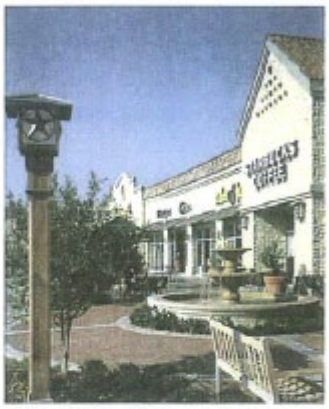
Four-Sided Architecture Building to be equally finished with a "quality" appearance on all four sides. Required masonry percentages to be met on each elevation.

BUILDING ARTICULATION

Building facades over 100' in length must have building offsets of at least 4' for a minimum of 25% of the façade. No wall plane may extend more than 100' without horizontal and vertical articulation. Building facades between 40-100' in length may have either horizontal or vertical articulation.

Facade articulations/offsets shall be shown on the elevation drawings along with dimensions verifying that the elevations have met the above requirements as part of Architectural Review submittal.

ROOF OVERHANGS
Buildings that feature a pitched roof or partially pitched roof with overhang at least 4 feet beyond the primary facade.



NATURAL MATERIALS

Use stone, simulated stone, and/or brick, for at least 60% of facade (exclusive of doors and windows).

PITCHED ROOF

Pitched roof covering 100% of the total roof area with a pitch of at least 3:12 and no visible flat roofline.

GABLED ELEMENTS *If a flat roof is used, gabled parapet walls are used to break up long facades.*

VARIED ROOF HEIGHTS

Within a pitched roof, varied roof heights or cornices to break up the line of the roof.

DECORATIVE PAVING

Pavers or decorative concrete for min. 10% of total walkways.

SITE AMENITIES

Outdoor seating, patio areas, fountains, or decorative light fixtures.

~~(Ordinance 5638 adopted 2/15/10)~~

~~Sec. 6.13.8. A&C (Arts and Cultural Overlay) district.~~

~~The A&C (Arts and cultural overlay) District is primarily to promote the arts and cultural uses in the city. This district includes all lands as described herein: A point of beginning at the railroad right-of-way and Walnut Street, South on Walnut to Pecan Street, West on Pecan to Elm Street, South on Elm to Laurel, West on Laurel to Rusk Street, North on Rusk to Washington Street, West on Washington to Sam Rayburn Freeway, North on Sam Rayburn Freeway to the railroad right-of-way, and east along the railroad right-of-way to Walnut Street. (Ordinance 4890, sec. 1, adopted 10/2/00)~~

~~(1) Purpose. The development of the Arts and Cultural Overlay District offers significant economic and recreational opportunities for the city and its citizens. Businesses of art and cultural significance and compatible uses may be consolidated in this district to enhance and complement each other. The development standards will make the city a more desirable place to live and conduct business.~~

~~(2) Permitted uses. Permitted uses are limited to the following list, however any other use and/or sign may be permitted in the Arts and Cultural Overlay District if it is compatible with the district and is approved by exception by the Planning and Zoning Commission.~~

~~(Ordinance 6385 adopted 5/17/21)~~

- ~~Aesthetic garden~~
- ~~Arts studio~~
- ~~Accessory residential (One off-street parking space per unit required)~~
- ~~Bank and lending institution~~
- ~~Church~~
- ~~Community center~~
- ~~Dance studio~~
- ~~Farmers market, indoor or outdoor~~
- ~~Movie and cinema~~

- Museum
- Music shop
- Office
- Office, government
- Parking structure and lot
- Restaurants, indoor and outdoor seating
- Retail use, indoor
- Stage, outdoor
- Storage of goods or merchandise used in, produced by, or normally carried in stock in conjunction with any permitted use in the district
- Theater and playhouse
- Trolley and taxi stop
- Other uses approved by the planning and zoning board.

(3) Parking regulations. Parking is not required in the Arts and Cultural Overlay District except for residential uses.

(4) Area regulations. Lot size and coverage shall be in conformance with the primary designated zoning district.

(Ordinance 4890, sec. 1, adopted 10/2/00)

Sec. 7. Supplementary district regulations and exceptions.

(1) Accessory buildings.

(a) Accessory buildings detached from the main building by an enclosed or unenclosed structure may be permitted within the allowable building area of any lot defined by the required front, side and rear building lines.

(b) No accessory building shall be permitted in the front yard or in the required side yard.

(c) Accessory buildings and carports may be permitted in the required rear yard provided:

1. That they are detached from the main building or structure and separated therefrom by a distance of not less than 6 feet.
2. Said accessory buildings and carports have a rear and an interior side yard setback of not less than 5 feet.
3. Where the accessory building within the required rear yard is adjacent to a side street, the minimum side yard setback from said street shall be 10 feet.
4. Accessory buildings when detached from the main building shall be located a minimum of 60 feet back from the front property line and be separated therefrom by a distance of not less than 6 feet.

(d) In no case shall the total floor area of all accessory buildings or portions thereof within the required rear yard exceed thirty (30) percent of the area of the required rear yard.

(e) The area of the required rear yard shall be the product of the rear yard setback and the mean width of the lot.

(f) On any odd or irregular shaped lot, the required rear yard may be established as an equal amount of square feet of land behind the furthermost rear wall of the main building as would be determined by the depth of rear yard required, times the width of the lot if said lot was of rectangular shape.

(g) Accessory buildings cannot be located in drainage or utility easements.

(2) T.V./radio towers and satellite receiving systems:

(a) T.V./radio towers and satellite receiving systems may be permitted within the allowable building area of any lot defined by the required front, side, and rear building lines.

(b) No T.V./radio tower or satellite receiving system shall be permitted in the front yard, but same may be permitted in the required rear yard or side yard provided:

1. Said T.V./radio tower or satellite receiving system shall have a rear and an interior side yard setback of not less than five (5) feet.

2. Where the T.V./radio tower or satellite receiving system within the required rear yard is adjacent to a side street, the minimum side yard setback from said street shall be twenty-five (25) feet.

(c) As used herein, the term "satellite receiving system" shall mean any device, disc or structure designed for the purpose of receiving television or radio transmissions from earth-orbiting satellites.

(d) Guy wires utilized to hold a T.V./radio tower in place shall not be considered as part of the tower for purposes of measuring setback distances required herein.

(e) That any person, firm, or corporation who violates any provision of this subsection, or who fails to comply with any of the provisions herein, within the corporate limits of the City of Sherman, shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00). Each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

(3) Exterior Facade: Masonry or equivalent shall be required on the sides of all commercial buildings in C-O (Office) District, C-1 (Retail Business) District, and C-2 (General Commercial) District visible from the front street right-of-way on all streets as listed in Section 7(5)(d) and in the Central Business District. Masonry shall be brick, stone, EFIS (Exterior Finish Insulation System) or concrete lap siding.

(a) Masonry requirements may be excluded on the rear or one side of a building where screening is required and is not visible from the front street right-of-way as listed in Section 7(5)(d).

(4) Central business area: The Central Business Area is designated on the official zoning map attached to this ordinance by a heavy solid black line.

(a) Central business district parking exception: Off-street parking shall not be required for buildings and structures erected or altered within the Central Business District as defined in section (4) above.

(b) One- to four-family occupancies in the Central Business District: One- to four- family occupancies shall be allowed in the Central Business District, with the following restrictions:

(1) Residential occupancies shall not be allowed in the first half of the first floor of any building facing a front street;

(2) Residential occupancies shall have two (2) fire-safe exits;

(3) Any room used as a bedroom shall have a window or door to the outside for emergency egress;

(4) Residential occupancies shall conform to the construction codes regulating the same;

(5) Residential occupancies shall have one-hour fire separation as required by the construction codes or shall be equipped with fire sprinkler equipment;

(6) Five (5) or more family occupancies shall be reviewed by the Planning and

Zoning Commission Board and approved by the city council by special permit; and

(7) Building owners shall be required to provide one (1) off-street parking space for each residential apartment beginning with the fifth apartment in each building.

(5) Distance between buildings on same lot:

(a) Outer courts and open spaces between walls of residential buildings. Where any wall or portion thereof of a residential building is parallel or within 30 degrees of another wall or portion thereof of the same building or of another residential building on the same lot, the distance between the two walls shall not be less than one-fourth of the length of the shorter wall. The distance between walls of buildings shall not be less than 8 feet and need not exceed 30 feet.

(b) Distance between walls of buildings. The shortest horizontal distance measured between the vertical walls of a building or buildings perpendicular to an axis, all points along which are midway between said walls.

(6) Special building setback:

(a) No building, structures, awnings, canopies, porches or signs shall be built within twenty-five (25) feet of the front property line on any federal, state, farm to market, or existing county road as extended, or city street where a need to widen same, to decrease traffic congestion is anticipated, or the building of structures within said twenty-five (25) foot setback specified herein would pose sight obstruction hazards to existing or future vehicular traffic, regardless of whether such property is within a Residential, Retail, Commercial or Manufacturing District and without regard to whether the lot fronts on such designated highways or if adjacent to such highways as specifically set forth in subsection (d). Gasoline pump islands shall be allowed twelve (12) feet to face of curb and canopies ten (10) feet to closest point of property line. Subject to the approval of the building inspector, telephone poles, utility poles, signs, fences and all improvements at ground level may be constructed within such area, and existing buildings may be replaced, repaired and maintained.

(b) No commercial or industrial building or structure shall be erected with an overhead type door which faces the front of any residentially zoned property. Additionally, no building or structure subject to the special setback requirements of this section shall be erected nor shall a building permit be issued until the Planning and Zoning Commission shall have reviewed and approved the site plan.

(c) In case of special hardships as may be determined by the Board of Adjustments and approved by city council by special permit, existing buildings may be extended into the herein required twenty-five-foot setback.

(d) Subsections (5)(a), (5)(b), and (5)(c) shall apply specifically to the following streets as a minimum setback, but such setback shall not apply in the Central Business District except for the herein mentioned streets:

Center Street

Crockett Street

Dewey Avenue

First Street, south of Centennial Street

U.S. Highway 82

Houston, west of Elm and east of Montgomery

Lamar, west of Elm and east of Montgomery

Loy Lake Road

Travis Street, north of Washington and south of Jones

Washington Street

Taylor Street

Gallagher Drive

Lamberth Road

Texoma Parkway

Fallon Drive, west of Texoma Parkway

State Highway 289

Moore Street

Flanary Road

Friendship Road

Park Avenue

Quail Run Road

FM 691

(7) Side yard setback on street side of corner lot:

(a) The side yard setback of accessory buildings, wings and main structures shall be 10 feet where the side* line of a lot as shown on the plat of such lot is a street line.

*In no case shall the orientation of a building or structure, or the arrangement of doors, windows or other features of a building or structure determine the front, side, or rear line of a lot for the purposes of this ordinance. Lot lines shall be interpreted as defined in Section 16.

(8) Side yard setback exception on street side of corner lot:

(a) Where the extended side street line of a corner lot serves as the front street line of one or more other lots in the same block, then the side yard setback on the side street line of said corner lot shall be at least 10 feet.

(b) Where the extended side street line of a corner lot serves as the front or side line of said lot, then the front line of such corner lot shall be determined to be along that street line of the two intersecting streets having the greatest percentage of said street line platted or developed as a front line. Setbacks on a square corner lot shall be determined from (7)(a) and (8)(a) above.

(9) Minimum street frontage required for residential use: Except as permitted in this ordinance, no lot shall contain any building used in whole or in part for residential purposes unless such lot abuts for at least 60 feet on a street or officially approved place which means of access shall have a minimum right-of-way width of 50 feet.

(10) Parking and off-street loading areas:

(a) Off-street parking shall be required at the time any building or structure is erected or is enlarged or increased in capacity in accordance with the parking ratio requirements of this ordinance.

(b) Each off-street parking space shall be a rectangle 9 feet by 20 feet exclusive of access drives or aisles, and shall be located completely on private property. Adequate ingress and egress to all parking spaces shall be provided.

(c) Off-street loading spaces required. In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of 3,000 square feet or

more, which is to be occupied by any use requiring the receipt or distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with such building, at least one off-street loading space plus one additional loading space for each 30,000 square feet or major fraction thereof of gross floor area so used in excess of 3,000 square feet.

(d) Each loading space shall be no less than 10 feet in width, 25 feet in length and 12 feet in height. Such space may occupy all or part of any required yard or court space.

(e) In applying the off-street parking requirements, the floor area shall be the sum of the several floors of all enclosed buildings and structures on the lot measured from the center line of exterior walls. The floor area shall not include cellars and open and unenclosed balconies, terraces, porches, stairs and parking structures.

(f) Where open land is used for sales, manufacturing, storage or other operations in a manner similar to indoor operations, such open land shall be added to the floor area in determining the number of parking spaces required.

(g) Any lighting used to illuminate any off-street parking area shall be so arranged as to direct the light away from the adjoining premises of any Residential Districts.

(h) Paving. Any off-street parking area, service drive or driveway shall be surfaced with an asphaltic or portland cement binder pavement so as to provide a durable and dustless surface.

(i) Parking ratio abbreviations in the permitted use, temporary use, and specific use schedules refer to the off-street parking requirements applicable to the corresponding uses. Interpretation of off-street parking requirements is as follows:

Parking Ratio	Interpretation of Off-Street Parking Requirements
none	Off-street parking not required
1/100	1 space for each 100 sq. ft. of gross floor space
1/unit	1 space for each dwelling unit
1/guest room	1 space for each guest room
1/3 seats	1 space for each three seats within the largest auditorium (20 inches shall equal 1 seat if benches are provided)
1/3 beds	1 space for each 3 beds
1/1.5 emp.	1 space for each 1 ½ employees
5/alley	5 spaces for each bowling lane
10/wash lane	10 spaces for each washing lane

(11) Projections into required yards: Open and unenclosed building projections such as outside stairways and fire escapes, balconies, terraces or porches, awnings, eave and roof extensions, and ornamental features may project into the required yards for a distance not to exceed 4 feet; provided, however, that no supporting structures for such extensions may be located within the required yards. In no case shall such projections be located closer than 3-1/2 feet

from any lot line. Supporting members for stairways and fire escapes only, however, shall be permitted within the required yards.

(12) Site Plan Requirements:

(a) Purpose: The purpose of site plan approval is to determine compliance with this ordinance and to promote the orderly and harmonious development of the City.

(b) General Standards:

1. A site plan is a plan of development drawn to scale indicating:

(i) The location and arrangement of buildings on the subject property.

(ii) Building setbacks and yards.

(iii) Landscaping and/or walls and fences for screening purposes.

(iv) Off-street parking and loading areas and design of ingress and egress to and from abutting streets.

(v) Zoning of adjacent property.

(vi) The location of screened trash receptors.

(vii) Fire lanes.

(viii) When required, a site tabulation table including:

* Gross square feet of each structure.

* Gross square feet of property.

* Required parking.

* Parking provided.

* Current zoning.

* Proposed zoning.

* Hard surface/impervious area (square feet).

* Landscaped area (square feet).

* Floor-to-Area Ratio (FAR).

2. Site plans for new commercial projects shall be prepared by a design professional (architect, engineer, surveyor, etc.) except as listed below:

(i) Temporary Use Permits.

(ii) Additions to existing buildings under one thousand (1,000) square feet

3. Where a site plan is required, a zoning permit shall not be issued until a site plan of development has been approved by the Development Services Director, except for site plans required for approval through the Planning and Zoning Commission subject to Section 7(6)(b) of this ordinance.

4. A site plan required for a zone change may be a conceptual plan.

5. For any specific use permit application or whenever two or more main buildings, or portions thereof, are placed upon a single lot or tract and such buildings will not face upon a street or officially approved place, a site plan shall be submitted to and approved by the Planning and Zoning Commission.

6. For any temporary use permit application, a site plan shall be submitted to and approved by the Board of Adjustments.

7. Blalock Industrial Park of Sherman: The provisions of Ordinance No. 2252* providing zoning for Blalock Industrial District are reenacted and said

provisions of said ordinance shall be applicable in the said district.

(c) Site Plan Application Procedure:

1. Preapplication Meeting.

(i) It is recommended that the applicant meet with an authorized representative of the Development Services Department to allow the applicant to learn the general procedures for approval, and to review the general plan of the proposed development, but the development/ project shall not be discussed in sufficient detail to provide the City with fair notice of the project.

(ii) No applications may be submitted to or accepted for filing with representatives of the Development Services Department during the meeting.

2. Application Contents Generally. All applications and filings shall meet the requirements as defined by the Development Application Checklist and Engineering Standards, as they exist or may be amended, which shall be established and maintained by the Director of Development Services and the Director of Engineering Services, respectively. Incomplete applications shall not be accepted for filing and shall not be considered officially filed.

(i) Filing Procedure.

1. All applications and filings for approval required by this Ordinance shall be filed with the Development Services Department.

2. The Development Application Checklist, as it exists or may be amended, shall prescribe the procedures for filing.

3. All applications and filings shall occur only on official Development Services Schedule Dates, published as part of the Development Application Checklist.

4. If an application or filing is rejected by the Development Services Department, then it is not considered filed under this Ordinance or the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

5. Any application submitted on a date other than an official Development Services Schedule Date shall be rejected and shall not be considered filed under this Ordinance and the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

6. An application must be considered complete and officially filed in accordance with this Section prior to being processed for review and consideration.

(ii) Development Review Schedule Dates. The Director of Development Services shall publish schedules of the official Development Review Processing Dates as follows:

1. A Development Services Schedule for all land development applications and filings for the period January 1 to December 31 of each year shall be set by the Planning & Zoning Commission on or before December 1 of the year before

such period and shall be published as part of the Development Application Checklist. Any changes or amendments to the approved schedule require Planning & Zoning Commission approval.

2. A Disapproval Development Services Schedule for the period January 1 to December 31 of each year shall be set by the Planning & Zoning Commission on or before December 1 of the year before such period and shall be published as part of the Development Application Checklist. Any changes or amendments to the schedule require Planning & Zoning Commission approval. The Disapproval Development Services Schedule shall govern an applicant's response to the conditional approval or disapproval of a plan or plat subject to Section 212.0093 of the Texas Local Government Code. Any such response submitted on a date other than an official Disapproval Development Services Schedule Date shall be rejected and shall not be considered filed under this Ordinance and the law or regulation governing the application or filing, including Chapter 212 of the Texas Local Government Code, if applicable.

(iii) Fees Required. Every application shall be accompanied by the prescribed fees set forth in the City's fee schedule, as approved by city council and as may be amended from time to time. The prescribed fee is not refundable.

(iv) Delinquent City Taxes on Property. An application shall not be deemed complete, nor shall it be approved, if there are delinquent City taxes on the subject property.

3. Modification of Applications Prior to Approval. The applicant may modify a complete application following its filing and prior to the expiration of the period during which the City is required to act on the application only in accordance with the following conditions.

(i) If the modification is for revisions requested by the City, and the modification is received at least fourteen (14) calendar days prior to the time scheduled for decision on the application, the application shall be decided within the original period for decision (from the original official filing date) prescribed by this Zoning Ordinance.

(ii) Any other modifications to an application will not be accepted.

4. Initiation, Complete Application and Expiration.

(i) Initiation by Owner. An application required under this Zoning Ordinance may be initiated only by the owner of the land subject to the application, or by the owner's duly authorized representative. If the applicant is a representative of the property owner, the application shall include a written and notarized statement from the property owner, such as a duly executed "Power of Attorney," authorizing the representative to file the application on the owner's behalf.

(ii) Applicability. The procedures within this Section shall apply to all applications that are required by the City and submitted in accordance with this Zoning Ordinance.

(iii) Determination of Completeness. Every application shall be subject to a

determination of completeness by the responsible official for processing the application. An application must be complete in order to be accepted for review by the City.

1. The application shall only be accepted by the responsible official for processing when it is accompanied by all documents required by, and prepared in accordance with, the requirements of this Zoning Ordinance. A typographical error shall not, by itself, constitute an incomplete application.

2. A determination of completeness shall not constitute a determination of compliance with the substantive requirements of this Zoning Ordinance.

3. A determination of completeness shall be conducted in accordance with the following procedures:

    * If the application does not contain all information, as defined by the Development Application Checklist, as it exists or may be amended, and/or does not conform to all standards required by any ordinance, law, or regulation governing the application, then it shall be considered incomplete. The applicant shall be notified in writing within ten (10) business days if the submitted application is incomplete.

    * The City shall reject all incomplete applications and provide written notice of the rejection to the applicant by one of the following methods:

    ° Mail;

    ° Email;

    ° Delivery service; or

    ° Hand delivery or other delivery method of written notice approved by the Director of Development Services.

    The written notice need not identify all reasons why the application was deemed incomplete. If the notice contains one or more reasons why the application was deemed incomplete, addressing the reason(s) identified in the notice does not guarantee acceptance of a subsequent application.

    * If the application is determined to be complete, the application shall be processed as prescribed by this Zoning Ordinance.

4. It is not guaranteed that an accepted, complete application will be approved, if after the application is deemed complete, it is determined that the application does not comply with this Zoning Ordinance and all other applicable laws or regulations.

5. No Accrual of Vested rights from Specific Applications: No rights derived from Chapter 245 of the Texas Local Government Code, as amended, shall accrue from an application for a permit that expires, from an application for a permit that is denied or from an application that does not provide fair notice.

6. 30-Day Action Extension Request:

(i) Request. An applicant may submit in writing a request to extend the 30-day action in relation to the decision time for site plans of thirty (30) days, as mandated by State law.

(ii) Received. If the applicant requests an extension, such request must be received by the municipal authority on or before the eleventh (11th) calendar day prior to the municipal authority's deadline to act.

Editor's note- Ordinance No. 2252 is included in chapter 14 of the Code of Ordinances as exhibit B.

(13) Fences and Screening Devices:

(a) Purpose: The purpose of these standards is to provide reasonable regulations for the appearance, location, type, and maintenance of fences and screening devices to ensure safety and the high-quality character and appearance of the city.

(b) General Standards: The following criteria shall apply to all landscaping materials and installations:

1. No fence, hedge, or screening device shall be placed within the following triangular areas at the intersections of streets and alleys due to sight distance requirements:

(i) At all street intersections, the triangular area formed by the street right-of-way lines and a line connecting them at points twenty-five (25) feet from the intersection of the right-of-way lines. Depending on the curvature of intersecting roads, the city engineer may require a larger triangular area.

(ii) At all intersections of streets with alleys, the triangular area formed by the street right-of-way line and the alley right-of-way line or the street right-of-way line and the property line connecting them at points ten (10) feet from their intersection.

(iii) Variances to the sight distance requirements may be approved by the City Engineer, subject to specific engineering criteria such as design speed, traffic control, and other site conditions.

2. An irrigated landscaped strip, or an earthen berm, planted with trees or shrubs including a minimum of sixty (60) percent non-deciduous trees or shrubs that will achieve sight and noise obstruction, may be provided as a screening device as approved by the Planning and Zoning Commission.

3. Backstops and safety fences may be erected in parks and recreational areas with the approval of the city engineer and the Development Services Director to a height in keeping with standard practices for such uses, so long as such fence or backstop is not otherwise detrimental to public safety.

4. Electric fences or wires are prohibited along and adjoining any public street, alley or public grounds and any common property line. Such fences or wires shall not be erected, maintained, re-erected or repaired. Electric fences or wires shall include A.C. and D.C. current and all voltage.

5. Patio screens and/or walls used for other purposes than line fencing may exceed a height of six (6) feet when located within the allowable main building area of any lot as defined by the required front, side and rear building lines, but shall not exceed a height of ten (10) feet.

6. A detailed site plan for a screening device shall be submitted to the Development

Services Department for review. The Planning and Zoning Commission may be required to approve a fence or screening device if the site plan does not meet current requirements.

7. Prohibited Materials: Metal panel fences are not permitted in any district.

(c) Single-family Residential Districts:

1. No fence, hedge or screening device shall exceed a height of four (4) feet within a front yard in a residential district. Fences, within the front yard must be decorative with openings not less than fifty (50) percent of the fence area. Chain link, woven wire mesh or similar materials are not considered decorative fencing and are prohibited.

2. Fences used for screening shall not exceed a height of eight (8) feet within a required side or rear yard in a residential district. Such fences shall be constructed of wood, stone, brick, concrete block or other suitable material customarily used in residential landscaping; installed in a neat and workmanlike manner; having a completely solid area with no openings; and permanently maintained.

(d) Multi-family and Non-residential Districts:

1. A minimum six (6) foot masonry or wrought iron, with masonry columns, perimeter fence shall be provided to surround multi-family development. The masonry columns shall be separated at 24 feet on the portion of the development facing public streets, and 32 feet on all other portions of the development.

2. A minimum six (6) foot solid screening device shall be provided where a multi-family development (R-2), commercial development (C-0, C-1, or C-2), or a manufacturing development (M-1, M-1.5, M-2) is adjacent to a single-family district (R-A, SF-1, or R-1).

3. No fence, hedge or screening device shall exceed a height of four (4) feet within a front yard in a multi-family or non-residential district. Fences within the front yard must be decorative with openings in not less than fifty (50) percent of the fence area. Chain link, woven wire mesh or similar materials are not considered decorative fencing and are prohibited.

4. All uses within an R-2, C-O, C-1, C-2, M-1, M-1.5 or M-2 district shall provide a screening device as an enclosure for garbage and trash containers. Such screening device shall be located within the building area of the lot, parcel or tract or land. The container shall be positioned or screened in such a way so that it is not visible from any street, highway or major thoroughfare as listed in Section 7(5)(d).

5. Security fences may be erected to a height of ten (10) feet in commercial and manufacturing districts within the required building area.

(e) Agricultural Areas:

1. Line fences used for control of farm animals or to identify property boundaries may be constructed on a property greater than three (3) acres with active agricultural use. Such fences may be constructed of materials customarily used in agricultural landscaping. Poultry netting or welded wire on t-posts is not permitted for the use of line fences.

2. Approval by the Development Services Director may be granted for the erection of electric fences or wires in agricultural areas described in section 7(13)(b)(4) for control of farm animals and in other areas to control dogs or other small animals provided the electric fences or wires are within a fenced

area that will provide a protective enclosure.

3. Gates designed for vehicle access shall be set back at least 20 feet from the property line.

(14) Signs:

(a) Purpose. The purpose of this subsection is to promote health, safety, comfort, convenience, and general welfare of the citizens; to allow growth which conforms to a comprehensive plan of the city; to provide uniform sign standards which promote a positive city image reflecting order, harmony, and pride and thereby strengthening the economic stability of Sherman's business, cultural and residential areas. Objectives to be pursued in applying specific standards are as follows:

1. To identify individual business, residential, and public uses without creating confusion, unsightliness, or visual obscurity of adjacent businesses.

2. To assure that all signs in terms of size, height, and location are properly related to the overall adjacent land use.

3. To assure that off-premises advertising is compatible with adjacent land uses.

(b) General provisions.

1. All signs shall pertain to the identification of the primary uses and/or primary services provided or primary products sold on the premises, except for billboards, auxiliary, governmental, or community service signs as provided.

2. All signs, where applicable, shall meet the standards of the City Building Code.

3. Except as herein provided, no person or business firm, acting either as principal or agent, shall erect any sign or sign structure until a sign permit for such work has been issued by the Development Services Director to a bonded contractor or the owner or occupant of the premises where the work is to be done. No permit shall be required for nonilluminated signs otherwise permitted in subsections (g)1, (g)2, (k), or (l).

4. Not more than two sides of a sign structure may be used for display except pylon signs especially designed for more than two side viewing.

5. No sign, sign structure, or sign support shall project over any property line, except that a sign placed flat against the wall of a building, which is on the property line may project eighteen (18) inches over the public property line.

6. Trees, rocks, bridges, fences, windmill towers and dilapidated buildings shall not be used as sign supports.

7. All business locations shall be identified by a street address sign which is clearly visible from the street.

8. Signs with flashing, blinking or traveling lights shall have lightbulbs which do not exceed sixty (60) watts each. Such lightbulbs shall be frosted.

9. In the event that more than one sign related definition applies to a nonprohibited proposed sign, resulting in conflicting regulations thereon, the sign applicant may choose the definition that is to apply, with qualification that any regulations related to that definition must be adopted. Where the proposed sign is of a type that is prohibited, it shall remain prohibited notwithstanding that it may also come within the definition of an approved type of sign.

10. Digital Signs/LED signs: digital signs shall have a maximum transition time between messages of two (2) seconds. The minimum duration of the message display shall be eight (8) seconds. Brightness shall be no more than 0.3 footcandles over ambient light. Automatic dimming is required. The

brightness measurement shall be taken utilizing a Footcandle meter at 200' measured perpendicular to the face of the digital sign.

11. No off-premises advertising is allowed.

(c) Prohibited sign. *The following signs shall be prohibited in all districts*:

1. Any signs and supports, other than those signs and supports required by governmental authority, or for which a street use license has been issued, which are located on the public right-of-way, including on public streets, alleys, and parkways. This section [subsection] shall not apply to signs on commercial vehicles or commercial trailers lawfully operated or parked in such areas, except that this exception shall not otherwise be used to legitimate the use of advertising vehicles and trailers prohibited in section (3)1 [subsection (e)1] following.

2. Any signs which resemble an official traffic sign or signal or which bear the words "Stop," "Go Slow," "Caution," "Danger," "Warning," or similar words.

3. Signs which, by reason of their size, location, movement, content, coloring, or manner of illumination, may be confused with or construed as a traffic control sign, signal or device, or the light of an emergency or road equipment vehicle, or which hide from [view] any traffic or street sign or signal or device.

4. Any sign which emits sound, odor or visible matter which serves as a distraction to persons within the public right-of-way.

5. Any sign, billboard or outdoor advertising, as that term is defined in V.T.C.A., the Alcoholic Beverage Code, Section 108.51, which advertises an alcoholic beverage or the manufacture, sale or distribution of an alcoholic beverage.

(d) Abandoned or damaged signs.

1. All abandoned signs and their supports shall be removed within ninety (90) days from the date of abandonment. All damaged signs shall be repaired or removed within ninety (90) days. The zoning officer shall have the authority to grant a time extension not exceeding an additional ninety (90) days from an abandoned, non-damaged sign.

2. All advertising signs shall be removed within ninety (90) days of closing or moving of a business. Faces of signs may be painted or blanked in lieu of removal.

3. Should the responsible party or parties, after due notice, fail to correct a violation of this section, the Development Services Director shall cause such signs and their supports to be demolished and removed.

(e) Parking of advertising vehicles.

l. No person shall park an advertising vehicle or trailer on a public right-of-way, on public property, or on private property so as to be visible from a public right-of-way.

(f) Nonconforming sign abatement.

1. The following signs and/or advertising items shall become nonconforming on the effective date of this ordinance.

2. Any sign which is affixed to sign supports prohibited in section [subsection] (b)6.

3. Banners, pennants, searchlights, twirling signs, sandwich or "A" frame signs,

sidewalk or curb signs, balloon or other gas filled objects.

4. Any signs which resemble an official traffic sign or signal or which bear the words "Stop", "Caution", "Go Slow", "Danger", "Warning" or similar words.

5. Signs which, by reason of their size, location, movement, content, coloring or manner of illumination may be confused with or construed as a traffic control sign, signal, or device, or the light of an emergency or road equipment vehicle, or which hide from view any traffic or street sign or signal or device.

6. Any sign which emits sound, odor or visible matter, which serves as a distraction to persons within the public right-of-way.

7. Any signs and their supports in violation of section [subsection] (c)1 are hereby deemed to be in trespass on public property and shall be immediately removed by the owner or his agent. If the owner fails to remove such signs, the owner shall be in violation of this ordinance and may be cited as such. If the owner is not known, the city administration shall cause the signs and supports to be removed.

8. The manner of notice where required by this ordinance shall be by regular mail. Refusal of mail, which has been properly addressed and posted, shall not void the notice. Publication may be used when the addressee or his whereabouts are unknown and said publication shall be done in the same manner as prescribed in Vernon's Annotated Civil Statutes for service of process by publication. Notice by publication shall be deemed sufficient regardless of its effect as actual notice.

With the exception of signs made of paper or cardboard and their supports which may be disposed of immediately, removed signs and supports shall be stored a period not to exceed fourteen (14) days beginning the first day of effective notice, whether actual or constructive. A storage charge of five dollars ($5.00) per day will be levied beginning the fourth day of that fourteen (14) day period. Before the expiration of the storage period, the owner of the sign and supports may reclaim his property upon payment of any storage charges and the cost of removal. If said sign and support have not been reclaimed by the expiration of the storage period, they may be disposed of in the manner hereafter provided. If the sign and supports are not capable of being sold, they may be discarded, but if sold, the proceeds therefrom shall be first applied to the storage charge and removal charge, then to the general fund of the city.

9. All signs which are in violation of the provisions of this ordinance shall become nonconforming. Such signs may be maintained, repaired and may be continued so long as their nonconformity is not increased. Nonconforming signs shall not be enlarged in area or increased in height. No nonconforming sign shall be continued when abandoned. Abandonment means when a business vacates a premises. The new business's sign shall comply with this ordinance as a new sign.

(g) The following signs shall be permitted in the R-1 District.

1. One (1) sign not exceeding one and one-half (1½) square feet in area, indicating only the name and address of the occupant, for each residential unit.

2. One (1) unlighted sign not exceeding sixteen (16) square feet in area on each development lot pertaining to the prospective sale or rental of the property on which it is located.

3. Bulletin erected by a church, community center, school, public agency, or

institution on its own premises for announcement purposes, and which does not exceed 20 square feet in area and 6 feet in height.

4. Conditional uses. Sign requirements for all conditional uses shall be set by the Board of Adjustments, and in no case shall the requirements exceed the requirements for that use or similar type uses in the district in which the use is ordinarily permitted.

(h) The following signs shall be permitted in the R-2 District.

1. Primary identification signs, each having an area not exceeding ten (10) percent of the area of one (1) wall or five (5) percent of the area of two (2) walls, where applicable, or fifty (50) square feet, whichever is less.

2. Informational type signs, each not exceeding ten (10) square feet in an [sic] area per building.

3. All signs shall be placed flat against the wall of a building and shall not project above the parapet wall or side wall of the building.

4. All signs, except for the informational signs, shall identify the development by name and address only. Signs may be back lighted, indirect lighted, internal lighted or lighted by spots.

(i) Freestanding signs.

1. One (1) freestanding sign for each freestanding building, not to exceed one (1) freestanding sign per development lot, except as provided in section [subsection] (h)4 shall be permitted only as indicated below.

2. C-1, C-2, M-l, M-1.5, and M-2 Districts with frontage on a thoroughfare.

3. Area. The area of a freestanding sign shall not exceed three hundred (300) square feet.

4. Height. Sign height shall not exceed fifty (50) feet above the centerline of the thoroughfare, access road or facing street.

5. Signs at commercial locations that are not on a highway or major thoroughfare may have a maximum height of twelve (12) feet and a maximum face area of thirty-two (32) square feet.

6. Nonconforming signs. Where a lawful sign exists at the effective date of adoption or amendment of this ordinance that could not be erected under the terms of this ordinance, as amended, such sign may be continued so long as it remains otherwise lawful, subject to the following provisions:

a. No such sign may be enlarged or altered in any way which increases its nonconformity; and

b. Should such sign be moved for any reason for any distance whatever, it shall thereafter conform to the regulations as set forth in (i)1. through 5. above.

7. Temporary banners may be placed on existing conforming freestanding signs. Total face are of the existing sign and the banner combined shall not exceed three hundred (300) square feet. Banners shall be securely fastened at all times to the structure.

(j) Roof signs. Roof signs on a building shall not be more than fifty (50) feet in height, measured from ground level of the building. No roof signs, regardless of height, may rotate more than six (6) revolutions per minute.

(k) Governmental signs. Governmental signs not exceeding thirty-two (32) square feet in area and not exceeding ten (10) feet in height, shall be permitted. Such standards shall

not apply where state or federal regulations are in conflict with these standards.

(l) Community service signs. Any community service signs for seasonal celebration shall have no size limitation if placed in or on windows. Any community service signs, not of a seasonal celebration nature, shall be placed in or on windows and shall have a combined area not exceeding ten (10) percent of the area of all the windows on the same wall. Such sign area shall not be counted against permitted wall sign area.

(m) Billboards (Off-premises poster panels or bulletins, digital signs, or painted or printed bulletins). Outdoor advertising signs of this type shall be permitted in the C-1, C-2, M-1, M-1.5, and M-2 Districts with a Specific Use Permit and subject to the following conditions:

1. Billboards shall be constructed to meet the construction standards of the International Building Code. Billboards may have one sign face per side for a maximum of two sides. Only one side face may be visible from one direction of traffic. The back side of the billboard structure shall be boxed in to create a smooth finish. All framework and boxing shall be painted to blend with the surrounding area; ex: sky blue or light grey in open areas and brown or forest green in areas with trees.

2. Billboards shall be a minimum of thirty-five (35) feet from any residentially zoned property line.

3. The maximum area of any billboard sign face shall be three hundred (300) square feet. The maximum width of any billboard shall be thirty-five (35) feet.

4. Billboards shall be within seventy-five (75) feet and on the inbound side of highways 75 or 82 frontage. All billboards shall have one face visible to inbound traffic. The inbound traffic side of highways shall be defined as the side of the highway for traffic coming into the city beginning at the City Limits and ending at North Travis Street for southbound Highway 75, at Highway 82 for northbound Highway 75, at North Travis for westbound Highway 82 and at Texoma Parkway (Hwy 91) for eastbound Highway 82.

5. There shall be a minimum radial separation of two thousand (2,000) feet between all billboards.

6. Billboards shall have a setback of not less than thirty-five (35) feet. Setbacks from side lines shall be not less than thirty-five (35) feet.

7. Billboards shall have a maximum height of forty-two and a half (42.5) feet above the center of the facing street, access road, or thoroughfare. Provided, however, no billboard sign shall be higher than fifty (50) feet measured from its base.

8. All lighting of billboards shall be so shielded as not to produce intensive or excessive light or glare on adjacent property.

9. Billboards shall not be permitted within the Central Business District as designated on the official zoning map.

10. Digital Billboards. In addition to the above conditions, digital billboards shall have a maximum transition time between messages of two (2) seconds. The minimum duration of the message display shall be eight (8) seconds. Brightness shall be no more than 0.3 footcandles over ambient light. Automatic dimming is required. The brightness measurement shall be taken utilizing a Footcandle meter at 200' measured perpendicular to the face of the digital billboard.

(n) Wall Signs.

1. The maximum area of any wall sign shall be three hundred (300) square feet. In no case, shall a wall sign exceed 20% of any single wall.

2. Temporary banners may be placed on existing buildings. Total area of the banner and existing sign shall not exceed three hundred (300) square feet. Banners shall be securely fastened at all times flat against the structure.

(o) Central Business District. On-premises signs in the Central Business District shall not exceed the height of the building on the lot. No pole signs shall be allowed in the Central Business District. When a sign is erected or placed before a permit is obtained, the permit fee shall be double.

(p) Political signs.

(1) It is the intent of this section to provide minimum regulations regarding the posting, maintenance and removal of political signs. Political signs are permitted in all zoning districts, subject to the restrictive provisions of this section. Although political signs are temporary signs, temporary sign permits do not have to be obtained. The provisions of this section do not apply to billboards [which are subject to Section 7(m)] or to political signs inside of a building, even if visible outside the building.

(2) For the limited purposes of this section, a political sign is a temporary sign announcing, supporting or opposing a candidate or issue in connection with any national, state or local election.

(3) Political signs are prohibited on all public property (real and personal), which shall include, but not be limited to, public right-of-way, buildings, fences surrounding public property, sidewalks, crosswalks, curbs, curbstones, fences, walls, playground equipment and/or facilities, street lamp posts, traffic light poles, guy lines, horizontal struts, City barricades, hydrants, trees, shrubs, tree stakes or guards, railroad trestles, poles for electric light or power or telephone or telegraph or trolley wire or upon any fixture of the fire alarm or police telegraph system, bridges, drinking fountains, street signs or traffic signs, planter strips and in City facilities such as parks, City Hall, library, fire stations, and corporation yards.

(4) Political signs may be placed on private property with the consent of the property owner (or person entitled to possession) or their authorized agent, subject to the following:

(i) Political signs shall not be placed in a manner that creates a hazardous condition to or obstructs either vehicular or pedestrian traffic, or obstructs or restricts safe visibility of a vehicle driver or pedestrian.

(ii) Political signs located on corner lots at street intersections shall not be over three (3) feet high if located within fifteen (15) feet from the lot corner at the street intersection and extending fifteen (15) feet in all directions, except if placed upon the signage portion of a lawful billboard or lawful business sign.

(iii) Except for lawful billboards and the political signs described in paragraph (ii) hereinabove, no political sign shall exceed a total of thirty-six (36) square feet, be more than eight (8) feet in height, be illuminated, or have any moving elements.

(iv) Political signs shall be removed within ten (10) days after the election. In the event that the election is a primary election, or similar preliminary election, the successful candidates for the later election, including a run-off election, may leave their signs in place to be

removed within ten (10) days after the general or run-off election.

(v) Should a political sign be erected in a manner or location in violation of this ordinance or exceed the size limitations or be permitted to remain longer then [than] the time period provided for herein, the City may, either at the expense of the advertised candidate or at the expense of the property owner, or both, immediately cause such signs to be removed. If a candidate is to be charged a removal fee, the City shall provide the candidate three (3) days prior notice before removal by the City.

Editor's note Ordinance 5165, sec. 2, adopted 9/2/03, enacted a fee schedule for removal of political signs, which is on file in the office of the city clerk.

(15) Telecommunications antennas and towers:

(a) Purpose; goals. The purpose of this ordinance is to provide the citizens of the City of Sherman with the best services possible while minimizing the detrimental visual effect of antennas and structures. This ordinance does not regulate or apply to existing private communication equipment, towers or antennae solely for internal communication and used by a utility company with a franchise agreement with the City of Sherman, which are not available for use by the general public.

(b) Definitions. Refer to Section 16 of the General Zoning Ordinance, Definitions.

(c) Regulations:

1. Locations requiring building permit only: Permitted locations for antennas on monopole, light standards, flagpoles, and colocations:

a. An antenna may be located on any existing structure (buildings, signs, water towers, etc.) in any zoning district. The antenna only may extend up to ten (10) feet above the main structure. The allowance of an additional ten (10) feet in height does not apply to existing towers and/or poles. Installations on existing structures shall comply with load requirements of the City of Sherman Building Code.

b. Colocation on water towers and existing towers.

c. Monopole towers only in the following districts with the maximum heights and conditions as listed:

C-O	40 feet
C-1	50 feet
C-2	70 feet
M-Districts	100 feet

(i) Towers shall maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted sky blue or gray, so as to reduce visual obtrusiveness. At the lower site, the design of the buildings and related structures shall, to the extent possible, use materials, colors, textures, screening, and landscaping that will blend the lower facilities to the natural setting and built environment.

(ii) Towers over seventy (70) feet shall have a minimum setback

from Residential Zones of four hundred (400) feet.

(iii) A minimum setback of two hundred (200) feet or one and one-half (1½) times the height of the monopole from any residential zoning district, whichever is greater.

(iv) A minimum setback equal to the tower height from any property line.

(v) A minimum separation of one thousand (1,000) feet from any other monopole or antenna tower, except for colocations on the same tower or monopole.

2. Locations requiring Planning and Zoning Commission approval:

a. A specific use permit is required for any towers proposed to be located in the Overlay District, the Historical District, the Central Business District, and all other types of towers and sites not listed above. The applicant shall provide the following as part of a S.U.P. application:

(i) Proof of attempt to colocate on existing structures or towers. An affidavit that applicant has contacted all other providers and tower owners in applicant's target ring and that applicant was unable to colocate. Information to be provided includes date of contract, contact name, phone number, tower location, and reason colocation was not feasible.

(ii) Coverage map for proposed antenna. Disclosure of target ring, lower coverage area, identification of all existing towers in the target ring and their owners, and applicant's propagation studies for the target ring.

(iii) Verification list of all property owners notified of the proposed tower within a three hundred foot (300) radius or three (3) times the height of the tower, whichever is greater. Verification shall be return receipts from the U.S. Postal Service. Proof of notification by U.S. Mail, within twenty-one (21) days before application, of proposed tower location and height to all property owners within a three hundred (300) foot radius from the tower or three (3) times the height of the tower, whichever is greater.

(iv) A plan to minimize the visual impact of the tower. A detailed plan to minimize the visual impact of the tower and associated buildings and to maintain the aesthetic quality of the surrounding neighborhood by use of appropriate architectural concepts, camouflaging, colors, landscaping, textures Of materials and screening, drawn to scale, to include the method of maintaining and replacing any dead or dying vegetation.

(v) Visual elevations to scale of the proposed tower or antenna and surrounding area. Visual elevations drawn to scale of the proposed tower or antenna and the surrounding three (3) mile radius area, depicting where any portion of the proposed tower could be seen by pedestrians.

3. Additional items:

a. All towers, supporting facilities, buildings, antennas, and below-ground structures located within the city limits of the City of Sherman,

Texas, including such structures located on real property subsequently annexed into the City of Sherman, Texas, and new towers, supporting facilities, buildings, antennas, and all below-ground structures, shall be removed by the tower or antenna owner after each tower or antenna ceases operations for ninety (90) days, and such owners are required to provide the city with a copy of the notice to the FCC of the intent to cease operations, required to immediately revegetate the tower site in order to blend in with the surrounding area, and required to pay a penalty of fifty dollars ($50.00) per day until removal and revegetation is complete.

b. All towers shall be built three (3) times the capacity of their intended use in order that secondary users could lease the balance of the tower capacity at reasonable rates.

c. Applicants shall send, by certified mail, notice to all other tower users in the area, stating their siting needs and/or sharing capabilities. Applicants can not be denied space on a lower [tower] unless mechanical, structural, or regulatory factors prevent sharing.

d. A sign having two-inch high letters shall identify all users of the tower.

e. Each tower, supporting facilities, buildings, and antennas located on real property annexed into the City of Sherman, Texas, shall, within one hundred eighty (180) days of such annexation, be modified to minimize the visual impact of these structures and to maintain the aesthetic quality of the surrounding neighborhood by use of appropriate architectural concepts, camouflaging, colors, painting, landscaping, textures of materials, and other screening devices.

4. Federal requirement. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers and antennas. If such standards and regulations are changed, then the owners of the towers and antennas governed by this section shall bring such towers and antennas into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations.

5. Building codes; safety standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time. If, upon inspection, the tower fails to comply with such codes and standards and constitutes a danger to persons and property, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring such tower into compliance with such codes and standards. If the owner fails to bring such tower into compliance within the said thirty (30) days, the city may remove such tower or cause such tower to be removed at the owner's expense.

(d) Removal of abandoned antennas and towers. Any antenna or tower that is not operated for a continuous period of six (6) months shall be considered abandoned, and the owner of such antenna or tower shall remove same within ninety (90) days of receipt of notice from the Development Services Director notifying the owner of such abandonment. If such antenna or tower is not removed within said ninety (90) days, the Development Services Director may cause such antenna or tower to be removed at the owner's expense. If there are two (2) or more users of a single tower, then this provision shall not become effective until all users cease using the tower.

(e) Refusal to grant request. Rejection of an application for a permitted use request for an antenna, tower or alternative tower structure by the Development Services Director shall require the proponent to submit a zone case for a specific use permit in accordance with section 8(5) of this chapter.

(16) Model homes: In developments of five (5) new homes or more, model homes may be a permitted use for a period of up to one (1) year. For periods over one (1) year a specific use permit shall be required. A model home is a home used for display purposes only, not for a residence, which will showcase architectural styles, materials, workmanship, appliances, fixtures, type of construction, floor plans, and other amenities.

(Ordinance 2545, sec. 3, adopted 1/23/67; Ordinance 2827, sec. 1, adopted 4/19/71; Ordinance 3415, sec. 1, adopted 4/7/80; Ordinance 3559, sec. 2, adopted 12/14/81; Ordinance 3578, secs. 1, 2, adopted 4/19/82; Ordinance 3691, sec. 1, adopted 9/19/83; Ordinance 3678, secs. 1, 3, adopted 8/13/83; Ordinance 3818, sec. 2, adopted 3/18/85; Ordinance 3822, sec. 1, adopted 4/1/85; Ordinance 3832, sec. 1, adopted 5/28/85; Ordinance 3858, sec. 1, adopted 7/8/85; Ordinance 3859, sec. 1, adopted 8/5/85; Ordinance 4072, sec. 1, adopted 8/1/88; Ordinance 4423, sec. 1, adopted 5/22/95; Ordinance 4425, sec. 1, adopted 6/5/95; Ordinance 4426, sec. 1, adopted 6/5/95; Ordinance 4486, sec. 1, adopted 1/16/96; Ordinance 4572, sec. 3, adopted 12/16/96; Ordinance 4581, sec. 1, adopted 2/10/97; Ordinance 4598, sec. 1, adopted 4/21/97; Ordinance 4874, secs. 1–3, adopted 8/7/00; Ordinance 4990, sec. 1, adopted 2/4/02; Ordinance 5024, sec. 1, adopted 6/10/02; Ordinance 5083, sec. 1, adopted 2/3/03; Ordinance 5113, sec. 2, adopted 3/3/03; Ordinance 5154, sec. 1, adopted 8/18/03; Ordinance 5156, secs. 1–3, adopted 8/18/03; Ordinance 5165, sec. 1, adopted 9/2/03; Ordinance 5381, secs. 1–2, adopted 5/15/06; Ordinance 5591 adopted 2/16/09; Ordinance 5714 adopted 8/15/11; Ordinance 6196 adopted 3/18/19; Ordinance 6385 adopted 5/17/21; Ordinance 6407, sec. 2, adopted 8/16/21)

State law reference Authority of municipality to regulate signs, V.T.C.A., Local Government Code ch. 216.

Sec. 8. Administration and enforcement; building permits, certificates of zoning compliance, temporary use permits, and specific use permits.

(1) Administration and enforcement: The Development Services Director shall administer and enforce this ordinance. He may be provided with the assistance of such other persons as the city council may direct.

(a) If the Development Services Director shall find that any of the provisions of this ordinance are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this ordinance to insure compliance with or to prevent violation of its provisions.

(2) Building permits required:

(a) No building or other structure shall be erected, moved, added to, or structurally altered without a permit therefor, issued by the Building Official. No building permit shall be issued except in conformity with the provisions of this ordinance, except after written order from the Board of Adjustments.

(b) Application for building permit. All applications for building permits shall be accompanied by plans in duplicate, drawn to scale showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The application shall include such other information as lawfully may be required by the Development Services Director or the Building Official, including existing or proposed building or alteration; existing or proposed uses of the building

and land; the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot; and such other matters as may be necessary to determine conformance with, and provide for the enforcement of this ordinance.

1. One (1) copy of the plans shall be returned to the applicant by the Building Official, after he shall have marked such copy either as approved or disapproved and attested to same by his signature on such copy. The second copy of the plans, similarly marked, shall be retained by the Building Official.

(c) Explanation of building permit.

1. If the work described in any building permit has not begun within ninety (90) days from the date of issuance thereof, said permit shall expire; it shall be cancelled by the building official; and written notice thereof shall be given to the persons affected.

2. If the work described in any building permit has not been substantially completed within two (2) years of the date of issuance thereof, said permit shall expire and be cancelled by the Building Official, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the canceled permit shall not proceed unless and until a new building permit has been obtained.

(3) Zoning permits required: The purpose of the zoning permit is to determine compliance with the provisions of this ordinance. No owner shall use or permit the use of any land, structure or building, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly in any R, C, or M District until a zoning permit has been issued by the Development Services Director; provided, however, that no zoning permit shall be required when any use of land, structure or building or part thereof is continued by the renters, lessees or owner.

(a) No zoning permit shall be required for any land, structure or building occupied principally as a one and two-family dwelling unless more specifically required elsewhere in this ordinance.

(b) A zoning permit shall be required for a home occupation in the residential districts.

(c) Application shall be made by the property owner or agent thereof on a form prescribed by the city council.

(d) There shall be no fee for a zoning permit.

(e) It shall be the duty of the Development Services Director to issue a zoning permit, provided he is satisfied that the structure, building or premises, and the proposed uses thereof conform with all requirements of this ordinance and that all other reviews and actions, if any, called for in this ordinance have been complied with and all necessary approvals secured therefore [therefor].

(f) Land and buildings may be occupied and used only for the use for which the zoning permit is issued.

1. In any case where the conditions of such permit have not been or are not complied with, the permittee shall be given notice of intention to revoke such permit at least ten (10) days prior to revocation. After conclusion of said ten days, permit may be revoked.

2. In any case where a zoning permit has not been used within six (6) months after the date of granting thereof, then without further action, the permit granted shall be null and void.

(g) A record of all zoning permits shall be kept on file in the office of the Development

Services Director, and a copy of any such permit shall be furnished on request to any person having a proprietary or tenancy interest in the building or premises affected.

(h) No excavation for any building shall be commenced before a zoning permit for the intended structure has been issued.

(i) Failure to obtain a zoning permit shall be a violation of this ordinance and punishable under section 15 of this ordinance.

(Ordinance 2291, sec. 1, adopted 1/13/64; Ordinance 2346, sec. 1, adopted 11/2/64; Ordinance 2465, adopted 2/7/66; Ordinance 2778, sec. 2, adopted 7/13/70; Ordinance 2984, sec. 1, adopted 2/4/74; Ordinance 3018, sec. 1, adopted 8/5/74; Ordinance 3057, secs. 1, 3, adopted 5/27/75; Ordinance 3306, sec. 1, adopted 2/26/79; Ordinance 3327, sec. 1, adopted 5/21/79; Ordinance 3433, sec. 3, adopted 6/16/80; Ordinance 3435, sec. 1, adopted 6/16/80; Ordinance 3706, sec. 2, adopted 11/14/83; Ordinance 3818, sec. 3, adopted 3/18/85; Ordinance 3873, sec. 1, adopted 9/3/85; Ordinance 3990, secs. 1, 2, adopted 11/24/86; Ordinance 4051, secs. 1, 2, adopted 1/18/88; Ordinance 4061, sec. 1, adopted 4/11/88; Ordinance 4070, sec. 1, adopted 6/20/88; Ordinance 4088, sec. 1, adopted 11/7/88; Ordinance 4104, secs. 2, 3, adopted 7/17/89; Ordinance 4346, sec. 3, adopted 5/23/94; Ordinance 4377, sec. 1, adopted 11/7/94; Ordinance 4420, sec. 1, adopted 5/22/95; Ordinance 4529, secs. 1, 2, adopted 7/1/96; Ordinance 4572, sec. 4, adopted 12/16/96; Ordinance 4599, secs. 1, 2, adopted 4/21/97; Ordinance 5025, sec. 1, adopted 6/10/02; Ordinance 5082, secs. 2, 4, adopted 8/18/03; Ordinance 6385 adopted 5/17/21)

(4) Temporary Use Permits:

(a) In addition to the zoning permit called for in subsection (3) above, a temporary use permit shall be required before the following temporary uses can be permitted in the district or districts indicated where the time limit of occupancy exceeds two (2) weeks:

Temporary Use	**Parking Ratio**	**District**
Automobile parking lot; for a special event	None	R
Batching plant, Portland cement, concrete, noncommercial	None	R, C
Carnival or circus	1/500	R, C, M
Christmas trees and wreaths, retail	None	R
Model home real estate sales office, temporary	2/model home	R
Portable Storage Containers	None	R, C, M
Retail and wholesale of agricultural products not raised on the premises and sold from vehicles parked off street, not over 500 square feet of retail and wholesale storage and sales area	None	R, C, M
Snow cone stand	2/snow cone stand	R
Tents, Seasonal Retail	None	C

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(Ordinance 6385 adopted 5/17/21)

(b) A temporary use permit is an exception to the zoning ordinance and allowable where the facts and conditions prescribed and detailed in the ordinance as those upon which a temporary use permit may be granted are determined by the board of adjustment to exist. (Ordinance 5447 adopted 3/5/07)

(c) The applicant, in applying to the Board of Adjustments for a temporary use permit or exception, shall simply demonstrate that he meets the requirements of the particular use and district and need not show unnecessary hardship.

(d) The Development Services Director shall not issue a zoning permit for such uses that are hereafter created, changed, converted or enlarged, either wholly or in part, until a temporary use permit has been obtained from the Board of Adjustments in accordance with the exceptions procedures set forth in section 9 paragraph (2)(b).

(Ordinance 6385 adopted 5/17/21)

(e) The purpose of the regulations described in this subsection is to allow the proper integration into the city of uses which may be suitable only in specific locations in a zoning district and only for limited periods of time. (Ordinance 5447 adopted 3/5/07)

(f) Application for a temporary use permit shall be made by the property owner or certified agent thereof to the Board of Adjustments on forms prescribed for this purpose by the city council. Such application shall be accompanied by a site plan as set forth in subsection (7). Temporary use permits, revocable, conditional and valid for a term period not to exceed 6 months, may be issued by the Board of Adjustments for any of the uses or purposes for which such permits are required or permitted by the terms of this ordinance. Granting of a temporary use permit does not exempt the applicant from complying with the requirements of the building code or other ordinances.(Ordinance 6385 adopted 5/17/21)

(g) The fee to cover administrative costs of a temporary use permit application shall be as established by the city council, no part of which shall be refundable. (Ordinance 5447 adopted 3/5/07)

(h) In considering any application for a temporary use permit, the Board of Adjustments shall give due regard to the nature and condition of all adjacent uses and structures. The Board of Adjustments may deny an application for a temporary use permit, and, in granting or renewing a temporary use permit, the Board of Adjustments may impose such requirements and conditions with respect to location, construction, maintenance, and operation, in addition to those expressly stipulated in this ordinance for the particular use, as they may deem necessary for the protection of adjacent properties, and the public interest.

(i) Portable storage containers may be allowed without a Temporary Use Permit on properties that have an active building permit, subject to approval from the Director of Development Services.

(j) Provided that the Board of Adjustments finds:

(1) That the proposed structure or use conforms to the requirements and intent of this ordinance and the comprehensive plan,

(2) That any additional conditions stipulated by the Board of Adjustments as deemed necessary in the public interest have been met, and

(3) That such use will not under the circumstances of the particular case constitute a nuisance or be detrimental to the public welfare of the community.

The Board of Adjustments shall issue a temporary use permit therefore.

(k) Following the issuance of a temporary use permit by the Board of Adjustments the Development Services Director shall issue a zoning permit, as provided in subsection (3) above, and shall ensure that development is undertaken and completed in compliance with said permits.

(4.1) Reserved.

(Ordinance 6385 adopted 5/17/21)

(5) Specific use permits:

(a) In addition to the zoning permit called for in subsection (3) above, a specific use permit shall be required before the following specific uses can be permitted in the district or districts indicated.

The following specific uses are permitted in any district of lower classification than indicated herein without a specific use permit:

(Ordinance 6194 adopted 3/18/19)

Parking Requirement	**Specific Use**	**District**
1/1.5 employees	Ambulance Service	C-1, C-2
1/3 seats	Auditorium, arena, coliseum, theater or amphitheater	C-1
None	Automobile/boat sales, new or used	C
1/400	Automobile, glass, muffler, seat cover, tire and upholstery service, sales, installation and repair, but not including tire recapping	C
3/wash lane	Automobile laundry, Carwash	C
None	Automobile parking lot or structured parking	R
None	Automobile repair, body, work, painting. Automobile, wrecks, for sale, damaged condition may be offered for sale; provided the automobiles are stored within a completely enclosed building. The salvage or dismantling of parts or wrecked automobiles for sale or the salvage of undamaged portions of automobiles for assembly to undamaged portions of other automobiles is hereby prohibited within the C-2 (General Commercial) District. The storage of wrecked or damaged automobiles for any purpose other than those specified herein is prohibited	C-2
1/1,000 sq. ft. of general floor space and 1/400 sq. ft. of office floor space	Automobile wrecking, salvaging, and storage	M

1/200	Beauty parlor, single operator homeowner	R
1/guest room 1/innkeeper	Bed and Breakfast establishments	R
1/400	Boat rental, storage and repair	C-2
1/400	Cabinet or carpentry shop	C-2
None	Cemetery or mausoleum	R
1/7 seats	Church or other place of worship including parish houses and Sunday Schools, but excluding rescue missions or temporary revivals	R
1/200	City, county, state and federal govt. garage, maintenance yard, or similar govt. establishment	R
1/400	Club or lodge	C
1/1,000	Cold storage Plant	C-2
1/200	Commercial amusement centers	C
None	Concession stand within a park, playground or playfield	R
1/400	Contractors or construction offices, with outside storage	C-2, M
None	Construction, equipment sales, service, rental and repair shops and yards	C-2
1/3 beds	Convalescent home	In any District
1/100	Dance hall, commercial	C-2
1/200	Doctor or dentist One doctor or dentist with staff, No retail sales	R
1/200	Dry cleaning plant, Package plant	C
1/Bedroom; minimum 2/unit	Dwelling, Multifamily	C
1/Bedroom; minimum 2/unit	Dwelling, Single-family	C
1/Bedroom; minimum 2/unit	Dwelling, Two-family (Duplex)	R-1, C
None	Earth moving and excavations, depositing of construction materials, clay, earth, gravel, minerals, rock, sand or	In any District

	~~stone on the ground~~	
~~1/1000~~	~~Electric power substation or generating including ground mounted solar and wind~~	~~R, C~~
~~1/400~~	~~Farm equipment sales, service, repairs, feed store~~	~~C-2~~
~~None~~	~~Food Truck Lot~~	~~C-M~~
~~1/400~~	~~Freight depot or terminal, railroad and/or truck~~	~~C-2~~
~~1/1.5 emp.~~	~~Garment manufacturing~~	~~C-2~~
~~1/400~~	~~Gas compressor or regulator station~~	~~R~~
~~8/green~~	~~Golf course~~	~~R~~
~~1/200~~	~~Halfway house; mental, alcoholic, etc.~~	~~R, C~~
~~1/200~~	~~Hookah Bar, Smoking Lounge, Smoke Shop, Vape Shop~~	~~C, M~~
~~1/3 beds~~	~~Hospitals, general, not including animal~~	~~In any District~~
~~1/unit~~	~~Hotel~~	~~C-1~~
~~2/1 unit~~	~~Industrialized Housing~~	~~SF1 & R~~
~~1/3 beds~~	~~Institution, correctional, detention penal or for use of insane, feeble minded, alcoholic or narcotic patients on a minimum site of 15 acres~~	~~R~~
~~1/3 beds~~	~~Institution for children and aged; nonprofit~~	~~R~~
~~1/400~~	~~Institution, nonresidential~~	~~C, M~~
~~1/200~~	~~Loan office~~	~~C~~
~~1/400~~	~~Lumberyard (parking does not include lumber sheds)~~	~~C-2~~
~~1/200~~	~~Medical or dental clinic No retail sales~~	~~R~~
~~1/400~~	~~Meeting halls~~	~~C~~
~~None~~	~~Mining, including extraction of clay, gravel, sand; quarrying of rocks or stone~~	~~In any District~~

1/1,000	Mini-warehouse	C
1/unit	Mobile home park	C-2
1/400	Mobile home/manufactured home sales with distribution	C-2 & M
1/200 office	Model home display/sales without distribution	C & M
1/unit	Motel	C-1
1/400	Motorcycle sales, repair, storage and service	C-2
1/2,000 sq. ft. of space utilized for operation	Motorized outdoor amusements (i.e. total go-carts, motorcycles)	In any District
1/400	Novelty Products, Manufacture or Sales	M-1
1/3 beds	Nursing home	In any District
1/200	Office services only, no sales of goods, wares or merchandise or storing stocks	R
1/1.5 emp.	Oil well supplies and machinery sales	C-2
1/2,000 sq. ft. of space utilized or total operation	Outdoor commercial amusements, i.e., miniature golf etc.	C-2
None	Outdoor Storage	C, M
1/bedroom (min. 2/unit)	Patio homes	In any District
1/200	Photographer's studio; sales limited to photos and film	R
1/1,000	Pipe storage enclosed	C-2
1/400	Private clubs when required to obtain a permit from the Texas Alcoholic Beverage Commission Note: The parking requirement of 1/400 applies to the bar and/or dance floor portion of the club only.	C & M
1/400	Public library or museum	R
None	Radio or television broadcasting transmitter or tower, microwave relay tower	In any District
1/1,000 sq. ft. of space utilized	Recycling center	C

for total operation		
1/3 beds	Sanatorium on a site of 10 acres or more	R
1/1.5 emp.	Schools, elementary, high, college and universities, public, private or denominational	In any District
1/1.5 emp.	School, nursery, kindergarten or daycare for children	R
1/200	Secondhand Store, Rummage Shop	C, M
1/400	Sexually oriented businesses	C 2, M 1
1/200	Shopping center on a site of 5 acres or more	R
None	Sign: Advertised or billboard (Which directs attention to a business commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot)	C 2 & M
1/200	Tattoo Studio	C, M
1/400	Taxidermist	C
1/100	Teaching or tutoring more than 4 students at any one time	R
1/400	Telephone exchange, but not including garage, shop or service	R
1/400	Telephone exchange, garage, shop or service	C
None	Theater, drive in	C 2
None	Trailer sales, other than mobile home/manufactured housing and rentals	C 2
1/400	Trucking, carting, crating, express handling and storage	C 2
1/1,000	Transit vehicle, bus and truck storage, servicing, repairs and sales	C 2
1/1,000	Warehousing establishment other than accessory to permitted retain use	C 2
1/500	Wholesale for construction and building materials	C 2

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(Ordinance 6385 adopted 5/17/21)

(b) A specific use permit is an amendment to the district regulations of the zoning ordinance that permits the permanent establishment of a specific use within a zoning district in which such specific use may be established unless such use of land or structure discontinue or be abandoned for a period of sixty (60) consecutive days in which event such specific use permit shall be void and such use may not thereafter be resumed unless a new specific use permit granted in accordance with this section. (Ordinance 6194 adopted 3/18/19)

(c) The Development Services Director shall not issue a zoning permit for such uses that are hereafter created, changed, converted or enlarged, either wholly or in part, until a specific use has been obtained in accordance with the amendment procedures set forth in section 12.(Ordinance 6385 adopted 5/17/21)

(d) The purpose of the regulations described in this subsection is to allow the proper integration into the city of uses which may be suitable only in specific locations in a zoning district. (Ordinance 6194 adopted 3/18/19)

(e) Application for a specific use permit shall be made by the property owner or certified agent thereof to the Planning and Zoning Commission on forms prescribed for this purpose by the city council. Such application shall be accompanied by a site plan as set forth in section 7. When application for a specific use permit is made for a use that can only be permitted by issuance of a specific use permit, the zoning board may require additional plans, information, operating data and expert evaluation concerning the location and function and characteristics of any building or use proposed. A specific use permit shall not be granted when the requested use is not compatible with the character of the neighborhood. Specific use permits, revocable, conditional or valid for a term period, may be issued for any of the uses or purposes for which such permits are required or permitted by the terms of this ordinance. Granting a specific use permit does not exempt the applicant from complying with the requirements of the building code or other ordinances. Applicants for a specific use permit to drill an oil and/or gas well shall comply with all of the requirements of Chapter 20, now article 4.10 of the Code of Ordinances.

(f) The Planning and Zoning Commission may recommend approval or disapproval of an application for a specific use permit and, upon approval of a permit, the Planning and Zoning Commission may impose requirements and conditions as set out in subsection (g) below.

(g) The Planning and Zoning Commission shall consider:

(Ordinance 6385 adopted 5/17/21)

1. The neighborhood, building and use characteristics as they relate to or are compatible with the existing and adjacent conditions and uses.

2. The separate and distinct problems that may be caused by a particular use, including but not limited to traffic, peace and order, safety, parking, health, morals and temperance.

3. Previous use permits for location.

4. The minutes of hearings for zone change approval for the location.

(Ordinance 6194 adopted 3/18/19)

(h) The Planning and Zoning Commission may approve or disapprove upon consideration of the above. Before recommending approval, the Planning and Zoning Commission may impose such requirements and conditions regarding development standards and safeguards as the conditions indicate important to the welfare and protection of adjacent property from excessive noise, vibration, dust, dirt, smoke, fumes, gas, odor, explosion, glare, offensive view or other undesirable or hazardous conditions, or

nuisances and for protection of the public interests.

Upon consideration of the factors herein set out and recommendation made under subsection (g) above to impose certain conditions to a specific use permit, the Planning and Zoning Commission shall make specific findings, set out in the minutes of the board as follows:

1. The proposed structure or use conforms to the requirements and intent of this ordinance and the comprehensive plan of the city;

2. That all applicable conditions and factors herein set out have been considered;

3. That the imposition of conditions provided in section 6(5)(g) have been met; and the use does not constitute a nuisance or detriment to the public.

(Ordinance 6385 adopted 5/17/21)

(6) Construction and use to be as provided in applications, plans, building permits and zoning permits: Building permits or zoning permits issued on the basis of plans and applications approved by the building official authorize only the use, arrangement and construction set forth in such approved plans and applications. Any other use, arrangement or construction at variance with that authorized shall be deemed violation of this ordinance, and punishable as provided by section 15 hereof. (Ordinance 5502 adopted 12/3/07)

(7) [Reserved.]

Editor's note The material in this subsection pertaining to private clubs has been omitted at the request of the city. Because this change has not been made in accordance with the amendment procedures as mandated in V.T.C.A., Local Government Code sec. 211.006 and other applicable sections of the Local Government Code, Franklin Legal Publishing, Inc., assumes no responsibility or liability for such change being made.

(8) [Reserved.]

Editor's note The material in this subsection pertaining to sexually oriented businesses has been omitted at the request of the city. Because this change has not been made in accordance with the amendment procedures as mandated in V.T.C.A., Local Government Code sec. 211.006 and other applicable sections of the Local Government Code, Franklin Legal Publishing, Inc., assumes no responsibility or liability for such change being made.

(9) Patio homes (PH):

(a) Purpose. A patio home development is intended to provide for areas of detached, zero-lot-line, single-family development in a clustered lot pattern with a common usable open space system that is an integral part of the development.

(b) Lot area, width and setback requirements.

1. Minimum lot area: 4,000 square feet.

2. Minimum lot width (of corner lot): 40 feet (45 feet).

3. Maximum lot width (of corner lot): 50 feet (55 feet).

4. Minimum front yard: 20 feet.

5. Maximum front yard setback: 25 feet.

6. Minimum side yard (of corner lot): 5 feet* (10 feet on street side).

7. Maximum side yard: Not applicable.

8. Minimum rear yard: 10 feet.

9. Maximum living area: 2,500 square feet.

Patio home developments shall be developed as either minimum five (5) foot setbacks or

as zero-lot-line homes. If developed as zero-lot-line homes, then one (1) side yard shall be reduced to zero feet, while the other side yard shall be increased to a minimum of ten (10) feet. A minimum five-foot wide maintenance easement shall be placed on the adjacent lot to enable the property owner to maintain his house. Side yards and maintenance easements shall be placed on the subdivision plat. A minimum separation between patio homes of ten (10) feet shall be provided. Roof overhangs will be allowed to project into the maintenance easement a maximum of twenty-four (24) inches. Side yard setbacks must be uniform for all homes within a given block.

(c) Permitted uses. Permitted uses are identical to those contained in section 6.2(4) for the R-1 (one-family residential) district, with the exception that field crops, horticulture, nursery, truck gardening, and railroad rights-of-way are prohibited. Duplexes are not permitted in Patio home (PH) districts.

(d) Maintenance requirements for common areas. A property owners association is required for continued maintenance of common land and facilities. Review and approval of the property owners association is required before building permits can be issued.

(e) Usable open space requirements. Any contiguous subdivision, including multiple phases, developed with twenty-five (25) or more lots under the Patio Home standards of this ordinance shall provide usable open space. Developments with 25 - 49 patio home lots shall provide usable open space which equals or exceeds five (5) percent of the gross platted area, excluding rights-of-way for major thoroughfares. Developments with 50 or more patio homes shall provide usable open space which equals or exceeds ten (10) percent of the gross platted area, excluding rights-of-way for major thoroughfares. A contiguous subdivision is defined as: abutting or separated only by a local or collector street to the subdivision. Subdivisions separated by rights-of-way, drainage or utility easements in excess of sixty (60) feet in width shall not be considered as contiguous.

Design criteria - Areas provided as usable open space shall meet the following criteria:

1. Individual usable open space areas shall be twenty thousand (20,000) square feet or larger. Usable open space must be a minimum of fifty (50) feet wide and have no slope greater than ten (10) percent.

2. Pools, tennis courts, walks, patios and similar amenities may be located within areas designated as usable open space. Areas occupied by enclosed buildings (except gazebos and pavilions), drives, parking, overhead electrical transmission lines, drainage channels and antennas may not be included in calculating usable open space.

3. Usable open space areas must be easily viewed from adjacent streets and homes.

Landscaped areas - Additional common open space and landscaped areas may be provided, but shall not be counted as usable open space unless they meet the criteria above.

Unacceptable open space - The Planning and Zoning Commission may deny the creation of any common open space area if in the judgment of the commission the area would be:

1. Difficult to maintain;

2. A security or safety concern; or

3. An unreasonable financial burden to the homeowners association.

At the time of site plan and/or subdivision plat approval, the Planning and Zoning Commission and/or city council may give full or partial credit for open areas that exceed the maximum slope or which are otherwise unusable if it is determined that such areas are environmentally or aesthetically significant and that their existence enhances the development.

Also, approval may be granted for up to one-third of the required open space to be credited for off-site dedicated open space that meets the development's needs in terms of adjacency, accessibility, usability, and design integration. It is to be noted that the granting of the off-site credit is a discretionary power of the Planning and Zoning Commission and/or city council. The guidelines below may assist in considering if credit is appropriate:

Adjacency - Is fifteen (15) percent or more of the site's boundary adjacent to park land?

Accessibility - Are there defined pedestrian connections between the development and the park land?

Usability - Is the park land immediately adjacent to the development suitable for use by residents?

Design integration - Does the design of the development provide a significant visual and pedestrian connection to the park land?

(f) Screening Devices. Refer to Section 7(13) for fences, hedges and screening regulations.

(g) Shingles. The use of wood shingles on the main building or any accessory building is prohibited.

(h) Miscellaneous requirements. The elimination of a garage space by enclosing the garage with a stationary building wall shall be prohibited.

(10) Bed and breakfast establishments. Bed and breakfast establishments shall be permitted with a specific use permit in a residential district. The following conditions shall apply to a bed and breakfast establishment:

(a) Definition - A bed and breakfast is an innkeeper (owner/manager) occupied home which offers lodging for paying guests and serves breakfast to those guests. Guests shall be transient in nature.

(b) Parking - A bed and breakfast shall provide one (1) off-street parking space (minimum size of nine (9) feet by twenty (20) feet) for each guest room and one (1) parking space for the innkeeper.

(c) Number of guests - A bed and breakfast will be subject to single-family residential construction up to and including five (5) guest rooms. Any bed and breakfast exceeding five (5) guest rooms per residence will meet commercial building requirements. A residence is defined as a building(s) serviced by a single water, gas and/or electric service.

(d) Alarm system - A bed and breakfast must have an approved, hard-wired smoke alarm system which is installed by a licensed installer and activates all alarms and notifies the fire department simultaneously.

(Ordinance 2291, sec. 1, adopted 1/13/64; Ordinance 2346, sec. 1, adopted 11/2/64; Ordinance 2465, adopted 2/7/66; Ordinance 2778, sec. 2, adopted 7/13/70; Ordinance 2984, sec. 1, adopted 2/4/74; Ordinance 3018, sec. 1, adopted 8/5/74; Ordinance 3057, secs. 1, 3, adopted 5/27/75; Ordinance 3306, sec. 1, adopted 2/26/79; Ordinance 3327, sec. 1, adopted 5/21/79; Ordinance 3433, sec. 3, adopted 6/16/80; Ordinance 3435, sec. 1, adopted 6/16/80; Ordinance 3706, sec. 2, adopted 11/14/83; Ordinance 3818, sec. 3, adopted 3/18/85; Ordinance 3873, sec. 1, adopted 9/3/85; Ordinance 3990, secs. 1, 2, adopted 11/24/86; Ordinance 4051, secs. 1, 2, adopted 1/18/88; Ordinance 4061, sec. 1, adopted 4/11/88; Ordinance 4070, sec. 1, adopted 6/20/88; Ordinance 4088, sec. 1, adopted 11/7/88; Ordinance 4104, secs. 2, 3, adopted 7/17/89; Ordinance 4346, sec. 3, adopted 5/23/94; Ordinance 4377, sec. 1, adopted 11/7/94; Ordinance 4420, sec. 1, adopted 5/22/95; Ordinance 4529, secs. 1, 2, adopted 7/1/96; Ordinance 4572, sec. 4, adopted 12/16/96; Ordinance 4599, secs. 1, 2, adopted 4/21/97; Ordinance 5025, sec. 1, adopted 6/10/02; Ordinance 5082, secs. 2, 4, adopted 8/18/03; Ordinance 6385 adopted 5/17/21; Ordinance 6385 adopted 5/17/21)

Sec. 9. Board of adjustment: procedure.

(1) A board of adjustment is hereby established which shall consist of five (5) members and two (2) alternates. Vacancies shall be filled for the unexpired term of the member affected.

(a) *Proceedings of the board of adjustment*.

1. The board of adjustment shall adopt rules necessary to the conduct of its affairs, and in keeping with the provisions of this ordinance. Meetings shall be held at the call of the chairman and at such times as the board may determine. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses. All meetings shall be open to the public.

2. The board of adjustment shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be a public record and be immediately filed in the office of the board.

(b) *Appeals; hearings; notice.*

1. Any person aggrieved or any official or department of the governing body of the city affected by any decision or judgment of the building official concerning interpretation of administration of this ordinance, may appeal such decision or judgment to the board of adjustment. Such appeals shall be taken within a reasonable time, not to exceed ten (10) days or such other period as may be provided by the rules of the board, by filing with the building official and with the board of adjustment a notice of appeal accompanied by a fee as established by the city council specifying the grounds thereof. The building official shall forthwith transmit to the board all papers constituting the record upon which the action appealed from was taken.

2. The board of adjustment shall fix a reasonable time for the hearing of appeal, given [giving] public notice thereof as well as due notice to the parties in interest and decide the same within a reasonable time. At the hearing any party may appear in person or by agent or attorney.

(c) *Stay of proceedings*.

1. An appeal stays all proceedings in furtherance of the action taken from, unless the building official from whom the appeal is taken certifies to the board of adjustment after the notice of appeal is filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the board of adjustment or by a court of record on application, on notice to the building official from whom the appeal is taken and on due cause shown.

(2) *The board of adjustment: Powers and duties*. The board of adjustment shall have the following powers and duties:

(a) *Administrative review*. To hear and decide appeals where it is alleged there is error in any order, requirement, decision or determination made by the building official in the enforcement of this ordinance.

(b) *Exceptions; conditions governing application; procedures*.

1. To hear and decide only such exceptions or temporary use permits as the board of adjustment is specifically authorized to pass on by the terms of this ordinance; to decide such questions as are involved in determining whether exceptions should be granted; and to grant exceptions with such conditions and safeguards as are appropriate under this ordinance, or to deny exceptions

when not in harmony with the purpose and intent of this ordinance. An exception or temporary use permit shall not be granted by the board of adjustment unless and until:

a. A written application for an exception together with fee is submitted, accompanied by an accurate legal description, maps, site plans, drawings and any necessary data, indicating the section of this ordinance under which the exception is sought and stating the grounds on which it is requested;

b. Notice shall be given of such public hearing to the owner of the property for which the exception is sought or his agent and to all owners of real property lying within two hundred (200) feet of the subject property, such notice to be given not less than 10 days before the date set for hearing, to all such owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing same, properly addressed and postage paid, in the city post office. Notice of the time and place of such hearing shall also be given by one publication in the official newspaper at least 15 days prior to such hearing. Failure of owners to receive notice of hearing shall in no way affect the validity of action taken.

c. The public hearing shall be held. Any party may appear in person, or by agent or attorney.

d. The board of adjustment shall make a finding that it is empowered under the section of this ordinance described in the application to grant the exception, and that the granting of the exception will not adversely affect the public interest.

2. In granting any exception, the board of adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the exception is granted, shall be deemed a violation of this ordinance and punishable under section 15 of this ordinance. The board of adjustment shall prescribe a time limit within which the action for which the exception is required shall be begun or completed, or both. Failure to begin or complete, or both, such action within the time limit set shall void the exception.

(c) *Variances; conditions governing application; procedure.*

1. To authorize upon appeal in specific cases such variance from the terms of this ordinance as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of this ordinance would result in unnecessary hardship. A variance from the terms of this ordinance shall not be granted by the board of adjustment unless and until:

a. A written application for variance together with fee is submitted, accompanied by an accurate legal description, maps, site plans, drawings and any necessary data, demonstrating:

i. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district;

ii. That literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this

ordinance;

iii. That the special conditions and circumstances do not result from the actions of the applicant;

iv. That granting the variance requested will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures or buildings in the same district;

v. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

b. Notice of public hearing shall be given as in subsection (2)(b)lb above.

c. The public hearing shall be held. Any party may appear in person or by agent or by attorney.

d. The board of adjustment shall make findings that the requirements of subsection (2)(c)la above have been met.

e. The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

f. The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this ordinance, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

2. In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this ordinance and punishable under section 15 of this ordinance.

3. Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this ordinance in said district.

(d) *Decisions of the board of adjustment*.

1. In exercising the above mentioned powers, the board of adjustment may, so long as such action is in conformity with the terms of this ordinance, reverse or affirm, wholly or partly, or may modify the order, requirements, decision or determination appealed from and may make such order, requirements, decision, or determination as ought to be made, and to that end shall have powers of the administrative official from whom the appeal is taken.

2. The concurring vote of four of the members of the board shall be necessary to reverse any order, requirement, decision or determination of the building official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance, or to effect any variation in the application of this ordinance.

(3) *Appeals from the board of adjustment*: All decisions of the board of adjustment shall be final unless appealed to the city council.

(Ordinance 2972, sec. 1, adopted 10/1/73)

State law reference—Board of adjustment, V.T.C.A., Local Government Code sec. 211.008 et seq.

Sec. 10. Duties of building official, board of adjustment, city council, and courts on matters of appeal.

(1) All questions of interpretation and enforcement of this ordinance shall be presented to the administrative official and his decisions thereon shall be final unless appealed to the board of adjustment pursuant to the procedure described in section 9(1)(b)1 of Ordinance 2280 [this ordinance].

Under this ordinance the city council shall have only the duties of:

(a) Considering and adopting or rejecting proposed amendments or the repeal of this ordinance, as provided by law; and

(b) Of establishing a schedule of fees and charges as stated in section 11 below.

(Ordinance 2972, sec. 2, adopted 10/1/73)

Sec. 11. Schedule of fees, charges and expenses.

(1) The city council shall establish a schedule of fees, charges and expenses, and a collection procedure for building permits, amendment applications, appeals and other matters pertaining to this ordinance. The schedule of fees shall be listed in the ordinance or posted in the office of the building official and may be altered or amended only by the city council.

(2) No permit, amendment, special exception or variance shall be issued unless or until such costs, charges, fees or expenses have been paid in full, nor shall any action be taken or public hearing be held unless or until preliminary charges and fees have been paid in full.

(Ordinance 6189 adopted 3/18/19)

Cross reference—Chapter 3, Article 3.14, Permit, Development and Registration Fees.

Sec. 12. Amendments.

The governing body may, from time to time, amend this ordinance by changing the boundaries of districts or by changing any other provision thereof whenever the public necessity and convenience and general welfare require such amendment.

(1) APPLICATION:

(a) *Who may initiate action*. Amendment may be initiated by the city council or the [planning and] zoning board or by an application of one or more owners of property affected by the proposed amendment.

(b) *Application fee*. Each application by a property owner shall be accompanied by a fee as established by the city council, to cover administrative and processing costs.

(c) *Accompanying data*. An application for an amendment shall be accompanied by the following:

(1) A preliminary plat or map for the land affected by the amendment, to include land size and legal description.

(2) A city map showing the location, and a smaller vicinity map showing a 200-foot radius of the site.

(3) A site plan complying with the provisions of section 7(12)(a), and which, in addition, shows existing and proposed drainage, utilities and traffic count, must be filed with the zoning office fourteen (14) days before the meeting of the planning and zoning commission [board].

(4) A statement describing the intended use of the property sought to be rezoned.

(5) Any data necessary to demonstrate that the proposed amendment is in general conformance with the comprehensive plan of the city, and that it will not

adversely impact the health, safety, morale [morals] and general welfare of the City of Sherman.

(6) Where land is to be rezoned, a sign must be posted on the property at least fourteen (14) days prior to the public hearing with the planning and zoning board. On zone change requests involving property larger than one (1) acre, a sign four feet (4') by eight feet (8') must be placed on the property by the applicant, which states the zone change request proposed and the intended use. The sign must be placed in a location which is clearly legible to the general public.

(7) Any and all easements that may appear on the property, plus any new proposed easements.

(2) PUBLIC HEARING BEFORE THE ZONING BOARD:

(a) Upon filing of the application, the [planning and] zoning board shall call a public hearing on said application as provided herein.

(b) *Notice of public hearing*. Written notice of such hearing shall be sent to the owner of the property or his agent and to all persons of [owning] real property lying within two hundred (200) feet of the property on which the change in classification is proposed, such notice to be given not less than ten (10) days before the date set for hearing, to all such owners who have rendered their said property for city taxes as the ownership appears on the last approved city tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the city post office. Where property lying within two hundred (200) feet of the property proposed to be changed is located in territory which was annexed to the city after the final date for making the renditions which are included on the last approved city tax roll, notice to such owners shall be given [by] one publication in the official newspaper at least fifteen (15) days before the time of hearing. Failure of owners to receive notice of hearing shall in no way affect the validity of action taken.

(c) *Action by zoning board at conclusion of hearing*. If after conclusion of the hearing, and after considering the information provided in section 12(1)(c) supra, the board decides to recommend amendment of this ordinance to the city council, the [planning and] zoning board may impose requirements and conditions it deems necessary in order to protect the health, safety, morale [morals] and general welfare of the public. The recommendation for amendment of this ordinance shall be by motion of the [planning and] zoning board approved by the affirmative votes of not less than a majority of those present and voting; provided, however, that in no case shall an affirmative recommendation be forwarded to the city council with less than four (4) affirmative votes. A copy of any recommended amendment shall be submitted to the city council and shall be accompanied by a report of findings, summary of hearings and any other pertinent data.

(d) Any amendment to this ordinance concerning a zoning change request will become null and void if the site plan submitted, pursuant to section 12(1)(c) supra, is changed in size by twenty (20) percent or more, or if the intended use is changed from that stated in the application for zone change.

(e) *Appeal of [planning and] zoning board denial of application*. In the event the [planning and] zoning board recommends denial of an application after public hearing, the applicant may appeal said determination to the city council by filing a written notice of appeal with the city secretary within ten (10) days after the determination of the [planning and] zoning board.

(3) ACTION BY THE CITY COUNCIL:

(a) If the [planning and] zoning board has recommended approval of an application or if the

zoning board has recommended denial of an application and a notice of appeal has been filed pursuant to subsection (2)(d) [(2)(e)] above, the city council shall within ten (10) days following the perfection of said appeal cause a notice of a public hearing on the matter to be published, as the word "published" is defined in the city charter, setting forth therein the matter to be heard, the date, time and place of hearing thereon. The public hearing shall follow the publication by no less than seven (7) days. Decisions of the city council shall be final unless an appeal be made to a court of competent jurisdiction within the time and in the manner provided for by the laws of the State of Texas.

(b) The city council may, by simple majority vote, recommend disapproval of an application for amendment of the zoning ordinance, or in recommending approval of an amendment to the zoning ordinance, the city council may impose such requirements and conditions or changes as they may deem necessary pursuant to subsection 1 [(1)] of this section.

(c) A three-fourths (3/4) vote of at least five (5) city council members present and voting is required in order to adopt proposed amendments that have been recommended for disapproval by the [planning and] zoning board. A vote of three-fourths (3/4) of the city council is required in order to adopt proposed amendments that have been recommended for approval by the [planning and] zoning board against which a written protest has been filed with the city secretary duly signed and acknowledged by any one of the following:

1. The owners of twenty (20) percent of the land included in the proposed amendment.

2. The owners of twenty (20) percent of the land immediately adjacent to the land included in the proposed amendment and extending two hundred (200) feet therefrom.

3. The owners of twenty (20) percent of the land directly opposite the land included in the proposed amendment and two hundred (200) feet from the street frontage of such opposite land.

(d) *Effect of denial of application*. In case an application for an amendment to the zoning ordinance is denied by the city council, said application shall not be eligible for reconsideration for one year subsequent to such denial. A new application affecting or including all or part of the same property must be substantially different from the application denied, in the opinion of the zoning board to be eligible for consideration, within one year of the denial of the original application.

(Ordinance 2972, sec. 3, adopted 10/1/73; Ordinance 3154, sec. 1, adopted 11/22/76; Ordinance 4087, sec. 1, adopted 11/21/88; Ordinance 4565, sec. 1, adopted 12/16/96)

State law reference Amendments to zoning ordinances, V.T.C.A., Local Government Code sec. 211.006.

Sec. 13. Provisions of ordinance declared to be minimum requirements.

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, morals and general welfare. Whenever the requirements of this ordinance are at variance with the requirements of any other lawfully adopted rules, regulations or ordinances, the most restrictive or that imposing the higher standards shall govern.

Sec. 14. Complaints regarding violations.

Whenever a violation of this ordinance occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint, stating fully the causes and basis thereof, shall be filed with the building official. He shall record properly such complaint, immediately investigate and take action

thereon as provided by this ordinance. Should the administrative official, acting in conjunction with other city officials, decline to take action within 15 days, the complaining party may seek enforcement of his complaint in the manner provided by the laws of the State of Texas and the same shall be true should the administrative official and other city officials feel the public interest would be best served by not initiating any action.

(Ordinance 3721, sec. 3, adopted 12/27/83; Ordinance 5148, secs. 1–4, adopted 7/21/03)

Sec. 15. Penalties for violation.

(1) A violation of any of the provisions of this Chapter 14 or failure to comply with any of its requirements shall constitute a Class C misdemeanor. Any person who violates this Chapter 14 or fails to comply with any of its requirements shall, upon conviction thereof, be fined not more than two thousand dollars ($2,000.00) and in addition shall pay all costs and expenses involved in the case. Each day such violation continues shall be considered as a separate offense.

(2) A violation of any of the provisions of this Chapter 14 by the owner, tenant, occupant or manager of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a Class C misdemeanor with a fine of not more than two thousand dollars ($2,000.00) per day and each day the violation occurs is a separate offense.

(Ordinance 6385 adopted 5/17/21)

(3) Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation including temporary restraining orders and temporary and permanent injunctions. (Ordinance 3721, sec. 3, adopted 12/27/83; Ordinance 5148, secs. 1–4, adopted 7/21/03)

(4) An owner, occupant, tenant, manager or other person who violates any provision of this Chapter 14 or who participates in, assists in or maintains a violation of this Chapter 14 is subject to a civil penalty up to one thousand dollars ($1,000.00) per day for each violation and each day the violation occurs shall be a separate offense. (Ordinance 6385 adopted 5/17/21)

State law reference Enforcement of zoning ordinances, V.T.C.A., Local Government Code sec. 211.012.

Sec. 16. Definitions.

For the purposes of this ordinance, certain terms or words used herein shall be interpreted as follows:

The word "person" includes a firm, association, organization, partnership, trust, company or corporation as well as an individual. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular. The word "shall" is mandatory; the word "may" is permissive. The words "used" or "occupied" include the words "intended," "designed" or "arranged" to be used or occupied. The word "lot" includes the words "plot" or "parcel".

Accessory building: (a) In a residential district, a subordinate building, attached to or detached from the main building, without separate utilities, not used for commercial purposes, and not rented, a washroom, a storage room for domestic storage only and space for one or more automobiles. (b) In other districts, a subordinate building, the use of which is incidental to and used only in conjunction with the main building.

Accessory use: A use subordinate to the principal use of a building or lot and serving a purpose customarily incidental to the principal use.

Agent of owner: Any person who can show certified written proof that he is acting for the property owner.

Alley: A public or private way not more than 30 feet wide affording only secondary means of access to abutting property.

Apartment: A room or suite of rooms in an apartment house arranged, designed or occupied as a residence by a single family, individual or group of individuals.

Apartment house: Any multiple-family dwelling or building or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied as three or more apartments or which is occupied as the home or residence of three or more families living independently of each other and maintaining separate cooking facilities.

Basement: A story whose floor is more than 12 inches, but not more than half of its story height below the average level of the adjoining ground (as distinguished from a "cellar" which is a story more than one-half below such level). A basement or cellar, when used as a dwelling, shall be counted as a story for purposes of height measurement.

Beginning of construction: The incorporation of labor and materials within the foundation of the building or buildings.

Boardinghouse: A building other than a hotel, where lodging and meals for five or more persons are served for compensation.

Building: Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals or property. When such a structure is divided into separate parts by one or more unpierced walls extending from the ground up, each part is deemed a separate building.

Building area: The building area is the inner edge of any required yard or required setback, and the corresponding outer edge of the buildable area. No portion of the main building or structure may be extended to occupy any portion of the lot outside its building area.

Building official: The building inspector or other official appointed by the city council to enforce the zoning ordinance.

Building line: A line parallel or approximately parallel to a lot line or street line and beyond which buildings may not be erected.

Building, main: A building in which is conducted the principal use of the site on which it is located. In any residential district any and all dwellings shall be deemed to be main buildings on the site on which they are located.

Clinic, medical: An institution or station for the examination and treatment of ill and afflicted out-patients.

Colocation: Installation of an additional antenna on an existing tower or pole.

Convalescent home: Any structure used for or occupied by more than three persons recovering from illness or suffering from the infirmities of old age.

Court: An open, unoccupied and unobstructed space, other than a yard, on the same lot with a building or group of buildings.

Coverage of a lot or maximum allowable building area: The ratio of gross floor area of the first floor of a building or of a group of buildings on the same lot to the area of the lot, expressed as a percentage.

Day nursery (includes nursery school, kindergarten, or day care for children): A place where more than four children (unrelated) are left for care between the hours of 7 a.m. and 12 p.m.

Density: The maximum number of family units permitted on a lot.

Detached structure: Any building, accessory building or structure that is not physically attached to any other building or structure by any means.

District or zoning district: A portion of the territory of the city within which certain uniform regulations and requirements or various combinations thereof apply under the provisions of this ordinance.

Dwelling: Any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more persons, but not including a tent, trailer or mobile home.

Dwelling, single family: A building designed for or used exclusively for residence purposes by one family or housekeeping unit.

Dwelling, duplex or two family: A building designed for or used exclusively for residence purposes by two families or two housekeeping units.

Dwelling, multiple family: A building or portion thereof designed for or used by three or more families or housekeeping units.

Dwelling unit or unit: One room, or a suite of two or more rooms, designed for or used by one family for living and sleeping purposes and having only one kitchen or kitchenette.

FAA: The Federal Aviation Administration.

Family: A person living alone, or two or more persons living together as a single housekeeping unit in a dwelling unit, and in which not more than four individuals are unrelated by blood.

FCC: The Federal Communications Commission.

Floor area of a building: The sum of the gross horizontal areas of the several floors of a building or buildings, measured from the center lines of exterior walls or from the center line of walls separating two buildings in square feet.

Freight Container/Portable Storage Container: A standardized, reusable shipping vessel used in the transportation of freight and capable of being mounted and moved on a rail car, or mounted on a chassis or bogie for movement by truck trailer or loaded on a ship.

Grade, existing: The average level of the original surface of the ground adjacent to the exterior walls of the building.

Height: When referring to an antenna or other structure, the distance measured from the ground level to the highest point on the structure, even if the highest point is an antenna.

Hotel: A building occupied as the more or less temporary abiding place of individuals who are lodged with or without meals, in which as a rule the rooms are occupied for hire, and in which there are more than 12 sleeping rooms, a public room for the accommodation of more than 12 guests and a general kitchen.

Industrialized Housing: An off-site modularly constructed single-family or duplex to be used as a permanent residential structure in accordance with the laws of the State of Texas and have all local permits and licenses applicable to other single-family or duplex residences and shall (1) have a value equal to or greater than the median taxable value for each single-family dwelling located within 500 feet of the lot on which the industrialized housing is proposed to be located; (2) have exterior siding, roofing, roof pitch, foundation fascia, and fenestration compatible with the single-family dwellings located within 500 feet of the lot on which the industrialized housing is proposed to be located; (3) comply with municipal aesthetic standards, building setbacks, side and rear yard offsets, subdivision control, architectural landscaping, square footage, and other site requirements applicable to single-family dwellings; and (4) be securely fixed to a permanent foundation.

Industrialized Housing Value: The taxable value of the industrialized housing and the lot after installation of the housing. Such housing and lot value shall be accurately estimated by the tax appraiser for the Grayson County Tax Appraisal District before installation upon the lot.

Lot: One piece, parcel or tract of land which collectively meets all of the following requirements at the time of filing for a zoning permit:

(1) Is located within a single block.

(2) Has frontage on an accepted and improved public street.

(3) Is occupied or utilized or designated by its owner, owners or developer to be occupied, developed or utilized as a unit for a principal use and uses accessory thereto, together with

such open spaces as are required by this ordinance.

(4) And of which a plat has been recorded in the office of the county clerk.

Lot, area of: The area of the lot shall be the net area of the lot and shall not include portions of streets and alleys.

Lot depth: The mean horizontal distance between the front lot line and rear lot line of a zoning lot.

Lot line: A boundary of a lot.

Lot line, front: The street right-of-way line at the front of a lot.

Lot line, rear: The lot line opposite and most distant from the front.

Lot line, side: A lot line which is not a front lot line or rear lot line. A side lot line separating a lot from a thoroughfare other than an alley is an exterior side lot line as opposed to an interior side lot line.

Lot width: The mean horizontal distance between the side lot lines of a lot.

Mobile home park: Any lot upon which twenty or more mobile homes, occupied for dwelling purposes, [are located] regardless of whether or not a charge is made for such accommodation.

Monopole: A freestanding single pole tower engineered to support communications antenna(s), which is self-supporting and without guy wires or additional support.

Motel (includes tourist courts): One or more buildings designed or used as temporary living quarters for automobile transients in which individual cooking facilities may or may not be provided. If facilities are provided for individual cooking so that the unit or units may be occupied as dwelling units the same area, density, yard regulations and off-street parking as required in the R-2 (Multifamily Residential) District, shall be observed. In all cases, one off-street parking space shall be provided for each room or suite of rooms.

Nursing home: Any premises where more than three persons are lodged and furnished with meals and nursing care.

Open space: Area included in any side, rear or front yard or any other unoccupied space on a lot that is open and unobstructed to the sky.

Receive-only antennas/amateur radio antenna: Any tower or antenna that is under seventy (70) feet in height and is owned or operated by a federally licensed amateur radio station operator or is used exclusively for reception only, including local television broadcast reception antennas, direct broadcast satellite antennas or multichannel multipoint distribution services. Receive only/amateur radio antennas are not subject to regulation under section 7(15).

Sales of alcoholic beverages: The revenue derived or provided from the service of alcoholic beverages.

Setback line: That line which is parallel to and the minimum allowable horizontal distance from a given point or line of reference, such as a lot line, to the minimum required building line.

Sign: Any structure or part thereof, or any device attached to, painted on or represented on a building or other structure, upon which is displayed or included any letter, work [word], model, banner, decoration, device, or representation used as, or which is in the nature of, an announcement, direction, advertisement, or other attention-directing device.

Sign, area of: The total exterior surface computed in square feet of a sign having but one exposed exterior surface; the aggregate exposed exterior surface computed in square feet of a sign having more than one such surface.

Sign, freestanding: Any sign which is not attached to a building or other structure, including portable signs.

Story: That portion of a building included between the surface of any floor and the ceiling next above it.

Street: Any thoroughfare other than an alley.

Street line: A dividing line between a street right-of-way line and an abutting lot, tract or parcel of land.

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

Structural alteration: Any change in the structural members of a building, such as walls, columns, beams or girders.

Tower: Any structure that is designed and constructed primarily for the purpose of supporting one (1) or more antennas, including self-supporting lattice towers, guy towers, or monopole towers.

Wrecked or damaged automobiles: Vehicles with visible damage or that are incapable of highway operation. Wrecking and salvaging include, but are not limited to, dismantling or assembling of parts for sale, reuse, or reassembly to undamaged vehicles and offered for sale.

Yard: An open, unoccupied space other than a court, on the lot in which a building is situated and which is unobstructed from the ground to the sky.

Yard, front: An open, unoccupied space on a lot facing a street and extending across the front of a lot between the side yard lines and being the minimum horizontal distance between the street line and the main building.

Yard, required front: An open space extending the full width of a lot between the front lot line and the front setback line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this ordinance.

Yard, rear: An open space unoccupied and unobstructed extending across the rear of a lot from one side lot line to the other side lot line and being the minimum horizontal distance between the rear lot line and the main building.

Yard, required rear: An open space extending the full width of the lot between the rear lot line and the rear setback line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this ordinance.

Yard, side: An open, unoccupied space on the same lot with a building, situated between the building and side line of the lot and extending through from the front yard to the required rear yard. Any lot line not the rear line or a front line shall be deemed a side line.

Yard, required side: An open space extending from the minimum front yard setback line to the minimum rear yard setback line between the side yard setback line and the nearest side lot line, unoccupied and unobstructed from the ground upward except as specified elsewhere in this ordinance.

Zoning map, official: The zoning map or maps of the city attested together with all amendments subsequently adopted.

Zoning permit: A document issued by the building official authorizing buildings, structures or uses consistent with the terms of this ordinance and for the purpose of carrying out and enforcing its provisions. Where a building permit has been issued by the building official in accordance with section 8(2)(a), the zoning permit shall be construed to have been issued.

(Ordinance 2423, sec. 1, adopted 10/4/65; Ordinance 3706, sec. 3, adopted 11/14/83; Ordinance 4101, sec. 1, adopted 5/22/89; Ordinance 4426, sec. 2, adopted 6/5/95; Ordinance 5082, sec. 3, adopted 8/18/03; Ordinance 6385 adopted 5/17/21)

Sec. 17. *Residential and Commercial Tree Preservation*

(1) Residential Tree and Landscaping

(a) The City finds that the planting of trees aids in the stabilization of soil by preventing erosion and sedimentation, generates oxygen, provides a buffer and screen against pollution, provides a haven for birds, protects and enhances property values and enhances the city's physical and aesthetic appearance.

(b) Scope: This ordinance shall apply to all new residential construction. These regulations do not apply to additions to existing dwellings.

(c) Definitions: Approved Tree List – Approved list of trees to choose from for planting (*denotes introduced from outside Texas):

CITY OF SHERMAN TREE LIST

Common Name	Scientific Name
Bigtooth maple	Acer grandidentatum
Chalk maple	Acer leucoderme
Caddo maple	Acer saccharum 'Caddo' (Acer barbatum)
Chittamwood	Bumelia lanuginosa
Pecan	Carya illinoensis
Black hickory	Carya texana
Redbud	Cercis canadensis
Desert willow	Chilopsis linearis
Arizona cypress	Cupressus arizonica
Texas persimmon	Diospyros texana
Eastern persimmon	Diospyros virginiana
White ash	Fraxinus americana
Green ash	Fraxinus pennsylvanica
Ginkgo*	Ginkgo biloba
Deciduous holly	Ilex decidua
Yaupon holly	Ilex vomitoria
Texas walnut	Juglans microcarpa

~~Walnut~~	~~Juglans nigra~~
~~Eastern red cedar~~	~~Juniperus virginiana~~
~~Golden rain tree*~~	~~Koelreuteria paniculata~~
~~Crepe myrtle*~~	~~Lagerstroemia indica~~
~~Sweetgum~~	~~Liquidambar styraciflua~~
~~Bois d'arc~~	~~Maclura pomifera~~
~~Southern magnolia~~	~~Magnolia grandiflora~~
~~Dawn redwood*~~	~~Metasequoia glyptostroboides~~
~~Texas mulberry~~	~~Morus microphylla~~
~~Red mulberry~~	~~Morus rubra~~
~~Afghan or Eldarica pine*~~	~~Pinus eldarica~~
~~Chinese pistachio*~~	~~Pistacia chinensis~~
~~Mexican plum~~	~~Prunus mexicana~~
~~Ornamental pear*~~	~~Pyrus calleryana~~
~~Texas oak~~	~~Quercus buckleyi~~
~~Escarpment live oak~~	~~Quercus fusiformis~~
~~Havard shin oak~~	~~Quercus havardii~~
~~Bluejack oak~~	~~Quercus incana~~
~~Lacey oak~~	~~Quercus laceyi~~
~~Bur oak~~	~~Quercus macrocarpa~~
~~Blackjack oak~~	~~Quercus marilandica~~
~~Chinkapin oak~~	~~Quercus muehlenbergii~~
~~Water oak~~	~~Quercus nigra~~

Shumard red oak	Quercus shumardii
White shin oak	Quercus sinuata var. breviloba
Post oak	Quercus stellata
Live oak	Quercus virginiana
Western soapberry	Sapindus drummondii
Eve's necklace	Sophora affinis
Bald cypress	Taxodium distichum
Winged elm	Ulmus alata
American elm	Ulmus americana
Cedar elm	Ulmus crassifolia
Lacebark elm*	Ulmus parvifolia
Drake elm*	Ulmus parvifolia 'Drake'
Slippery elm	Ulmus rubra
Mexican buckeye	Ungnadia speciosa
Texas ash	Fraxinus texensis
Tickle tongue	Zanthoxylum hirsutum

(d) Caliper: Diameter of the trunk of the tree measured twelve (12) inches above grade.

(e) Applicability: The terms and provisions of this ordinance shall apply to all property as follows:

1. New one and two family residential construction. Two two (2) inch caliper trees from the approved tree list (defined herein) are required prior to the certificate of occupancy being issued.

(f) Variances: The Planning and Zoning Board of Adjustments after a public hearing shall hear appeals for variances to this ordinance.

(2) Commercial Tree and Landscaping

Off-street parking landscaping [twenty-five (25) spaces or more].

(a) All areas that are used for parking shall conform to the minimum landscaping requirements of this Article. Parking lots shall have open landscaped areas that are equal to but not less than ten (10) percent of the parking areas and drives in the parking areas. The required area may be used as island, perimeter landscaping, or in any combination. A minimum of forty (40)

percent of the required landscaped area must be used as islands.

(b) Landscaping shall consist of a combination of such materials as grasses, ground cover, shrubs, vines, hedges, trees, or other such materials. Grasses and ground cover alone shall not constitute adequate landscaping.

(c) Approved Tree List - Approved list of trees to choose from for planting (*denotes introduced from outside Texas):

CITY OF SHERMAN TREE LIST

Common Name	**Scientific Name**
Bigtooth maple	Acer grandidentatum
Chalk maple	Acer leucoderme
Caddo maple	Acer saccharum 'Caddo' (Acer barbatum)
Chittamwood	Bumelia lanuginose
Pecan	Carya illinoensis
Black hickory	Carya texana
Redbud	Cercis canadensis
Desert willow	Chilopsis linearis
Arizona cypress	Cupressus arizonica
Texas persimmon	Diospyros texana
Eastern persimmon	Diospyros virginiana
White ash	Fraxinus americana
Green ash	Fraxinus pennsylvanica
Ginkgo*	Ginkgo biloba
Deciduous holly	Ilex decidua
Yaupon holly	Ilex vomitoria

~~Texas walnut~~	~~Juglans microcarpa~~
~~Walnut~~	~~Juglans nigra~~
~~Eastern red cedar~~	~~Juniperus virginiana~~
~~Golden rain tree*~~	~~Koelreuteria paniculata~~
~~Crepe myrtle*~~	~~Lagerstroemia indica~~
~~Sweetgum~~	~~Liquidambar styraciflua~~
~~Bois d'arc~~	~~Maclura pomifera~~
~~Southern magnolia~~	~~Magnolia grandiflora~~
~~Dawn redwood*~~	~~Metasequoia glyptostroboides~~
~~Texas mulberry~~	~~Morus microphylla~~
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~~Afghan or Eldarica pine*~~	~~Pinus eldarica~~
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~~Mexican plum~~	~~Prunus mexicana~~
~~Ornamental pear*~~	~~Pyrus calleryana~~
~~Texas oak~~	~~Quercus buckleyi~~
~~Escarpment live oak~~	~~Quercus fusiformis~~
~~Havard shin oak~~	~~Quercus havardii~~
~~Bluejack oak~~	~~Quercus incana~~
~~Lacey oak~~	~~Quercus laceyi~~
~~Bur oak~~	~~Quercus macrocarpa~~
~~Blackjack oak~~	~~Quercus marilandica~~
~~Chinkapin oak~~	~~Quercus muehlenbergii~~

Water oak	Quercus nigra
Shumard red oak	Quercus shumardii
White shin oak	Quercus sinuate var. breviloba
Post oak	Quercus stellata
Live oak	Quercus virginiana
Western soapberry	Sapindus drummondii
Eve's necklace	Sophora affinis
Bald cypress	Taxodium distichum
Winged elm	Ulmus alata
American elm	Ulmus americana
Cedar elm	Ulmus crassifolia
Lacebark elm*	Ulmus parvifolia
Drake elm*	Ulmus parvifolia 'Drake'
Slippery elm	Ulmus rubra
Mexican buckeye	Ungnadia speciosa
Texas ash	Fraxinus texensis
Tickle tongue	Zanthoxylum hirsutum

(d) Visibility at intersections. On a corner lot, no structure shall be erected or constructed, and no vegetation shall be planted and allowed to grow, in such a manner as to impede vision between a height of two (2) feet and eight (8) feet above the centerline grades of the intersecting streets, in the triangular area bounded by the intersecting street lines and a line joining points along said street lines twenty (20) feet from the point of their intersection.

(Ordinance 5355 adopted 11/21/05)

EXHIBIT A-1 MATRIX OF PERMITTED USES

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Permitted Uses	**Parking**	**R-A**	**SF-1**	**R-**	**R-2**	**C-O**	**C-1**	**C-2**	**M-1**	**M-**	**M-2**	**M**

	Ratio			**1**						**1.5**		**H**
Accessory building; garage or carport, domestic storage	None	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	Yes
Accessory building for agricultural storage	None	Yes	No	No	No	No	No	No	Yes	Yes	Yes	Yes
Advertising displays manufactured.	None	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Ambulance service	1/1.5 emp.	No	No	No	No	No	SUP	SUP	No	No	No	No
Animal and poultry husbandry, dairying and pasturage, but not including the feeding of garbage	None	Yes	No	No	No	No	No	No	Yes	Yes	Yes	Yes
Animal hospital, pound or shelter (parking requirements does not include outdoor kennels)	1/200	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Art, supply store, antiques, gallery or museum	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Asphalt or asphalt products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Auditorium, arena, coliseum, theater or amphitheater	1/3 seats	No	No	No	No	No	SUP	No	No	No	No	No
Automobile accessory and supply store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Automobile laundry, Carwash	3/wash lane	No	No	No	No	No	SUP	SUP	No	No	No	No
Automobile parking lot or structured parking	None	SUP	SUP	SUP	SUP	Yes	Yes	Yes	Yes	Yes	Yes	No

Automobile parking lot; for a special event	None	TUP	TUP	TUP	TUP	No	No	No	No	No	No	No
Automobile rental or taxi storage and repair	None	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Automobile repair, body work, painting. Automobile, wrecks for sale, damaged condition may be offered for sale; provided the automobiles are stored within a completely enclosed building. The salvage or dismantling of parts of wrecked automobiles for sale or the salvage of undamaged portions of automobiles for assembly to undamaged portions of other automobiles is hereby prohibited with the C-2 (General Commercial) District. The storage of wrecked or damaged automobiles for any purpose other than those specified herein is prohibited	None	No	No	No	No	No	No	SUP	No	No	No	No
Automobile service station	None	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Automobile wrecking, salvaging & storage	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	SUP	SUP	SUP	No
Automobile, glass, muffler, seat cover, tire & upholstery service, sales, installation and repair, but not including tire recapping	1/400	No	No	No	No	SUP	SUP	SUP	No	No	No	No

Automobile/boat sales, new or used	None	No	No	No	No	SUP	SUP	SUP	No	No	No	No
Automobiles, motorcycles, trucks or trailers, including parts or rebuilding of engines	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Bait store	1/200	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Bakery, retail	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Bakery, wholesale	1/1000	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Bank, Company and Credit Unions	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Barber and beauty shop equipment and specialties; sales	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Barbershop or beauty parlor	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Baseball park, commercial	1/3 seats	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Batching plant, Portland cement, concrete, noncommercial	None	TUP	TUP	TUP	TUP	TUP	TUP	TUP	No	No	No	No
Batching or mixing plant, asphalt or concrete	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Battery manufacturing	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No

Beauty parlor, single operator homeowner	1/200	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Bed and Breakfast establishments	1/guest room 1/innkeeper	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Bedrooms - two bedrooms may be rented but not more than four 4 people	1/unit	Yes	No	Yes	Yes	No	No	No	No	No	No	No
Blueprinting and similar reproduction processes	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Boat rental, storage and repair	1/400	No	No	No	No	No	No	SUP	No	No	No	No
Boats, building or repair	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Boiler manufacture	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Bookbinding	1/1000	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Books, binding, other than hand binding	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Bookstore or lending library, commercial	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Bottling works, for all beverages - not including alcoholic	1/1000 of general floor space 1/400 of	No	No	No	No	No	No	No	Yes	Yes	Yes	No

	office floor space											
Bottling works, for all beverages – including alcoholic	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Bowling alley	5/alley	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Brick, stone, tile or clay products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Brooms or brushes	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Bus Station	None	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Business machines, sales/service	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Cabinet or carpentry shop	1/400	No	No	No	No	No	No	SUP	No	No	No	No
Camera or photographic supply store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Cameras or other photographic equipment and film	1/1000 of general floor space 1/400 office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Candy, nut, confectionery store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Carnival or circus	1/500	TUP	TUP	TU	TUP	TUP	TUP	TUP	TUP	TUP	TUP	No

				P								
Carpet cleaning, enclosed nonflammable solvents	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Carpets, manufacture and cleaning	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Caterer	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Cement, lime, or plaster of paris	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Cemetery or mausoleum	None	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Ceramics, stone, glass, marble, and porcelain products	1/1000 of general floor space 1/400 office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Chemicals, including acids, acetylene, aniline dyes, ammonia, bleaching compounds, carbide, caustic soda, cellulose, chlorine, cleaning or polishing preparations, creosoting, exterminating agents, hydrogen or oxygen, industrial alcohol, solvents, sugar, potash, plastic materials, or synthetic rosins, or rayon yarns	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Christmas tree and wreaths	None	TUP	TUP	TUP	TUP	No	Yes	Yes	Yes	Yes	Yes	No
Church or other place of worship, including	1/7 seats	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No

parish houses and Sunday schools, but excluding rescue missions or temporary revivals												
City, county, state and federal government garage, maintenance yard, or similar govt. establishment	1/200	SUP	SUP	SUP	SUP	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Clinic or office, medical	1/200	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	No
Clothing retailer including formal wear and costumes	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Club or lodge	1/400	No	No	No	No	SUP	SUP	SUP	No	No	No	No
Coal, coke, charcoal or tar products, including gas.	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Cold storage plant	1/1000	No	No	No	No	No	No	SUP	No	No	No	No
Commercial amusement centers	1/200	No	No	No	No	SUP	SUP	SUP	No	No	No	No
Concession stand within a park, playground or playfield	None	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Construction, equipment sales, service, rental and repair	None	No	No	No	No	No	No	SUP	No	No	No	No
Contractors or construction offices, with outside storage	1/400	No	No	No	No	No	No	SUP	SUP	SUP	SUP	No
Contractors or construction offices, without outside storage	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No

Convalescent home	1/3 beds	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Cotton ginning, cotton wadding or linters, cottonseed products manufacture, cotton baling or compress.	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Dance hall, commercial	1/100	No	No	No	No	No	No	SUP	No	No	No	No
Department Store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Doctor or Dentist - One doctor or dentist with staff - No retail sales	1/200	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Drugstores	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Dry cleaning pickup station	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Dry Cleaning plant, package plant	1/200	No	No	No	No	SUP	SUP	SUP	No	No	No	No
Dwelling, Multifamily	1/bedroom (min. 2/unit)	No	No	No	Yes	SUP	SUP	SUP	No	No	No	No
Dwelling, Single Family	1/bedroom (min. 2/unit)	Yes	Yes	Yes	Yes	SUP	SUP	SUP	No	No	No	Yes
Dwelling, Two Family (Duplex)	1/bedroom (min. 2/unit)	No	No	SUP	Yes	SUP	SUP	SUP	No	No	No	No
Earth moving and excavations, depositing of construction materials, clay, earth, gravel, minerals, rock, sand or stone on the ground	None	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Eating place (inside and outside service)	2/4 seats	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Eating place (inside	1/4 seats	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No

service only)												
Eating place (outside service only)	1/100 min. 8	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Electric power substation or generating including ground-mounted solar and wind	1/1000	SUP	SUP	SUP	SUP	SUP	SUP	SUP	Yes	Yes	Yes	No
Electrical appliances, equipment assembly, supplies, or similar products, including electrical machinery	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Electrical equipment and components	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Excelsior or packing materials	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Explosives	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Explosives or fireworks	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Exterminator	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Farm equipment sales,	1/400	No	No	No	No	No	No	SUP	No	No	No	No

service, repairs, feed store												
Fertilizers	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Field crops, horticulture, nursery, truck gardening, but not including retail sales on the premises	None	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	No
Floor covering sales retail	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Florist shop, greenhouse (parking requirement does not include greenhouse or open stock)	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Food locker plant for consumer use	1/200	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Food or grocery store, retail	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Food products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Food Truck Lot	None	No	No	No	No	SUP	SUP	SUP	SUP	SUP	SUP	No
Freight depot or terminal, railroad and/or truck	1/400	No	No	No	No	No	No	SUP	No	No	No	No
Funeral home or mortuary	1/3 seats	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Furniture and upholstery	1/1000 of general floor	No	No	No	No	No	No	No	Yes	Yes	Yes	No

manufacturing	space 1/400 of office floor space											
Furniture and appliances sales; custom upholstery, not automobile related	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Garment manufacturing	1/1.5 emp.	No	No	No	No	No	No	SUP	No	No	No	No
Gas compressor or regulator station	1/400	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Gas or flammable liquids, storage or products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Gelatin, glue or size	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Gift, novelty shop	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Glass and cutting shop	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Golf course	8/green	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Golf driving ranges, commercially operated	1/2000 sq. ft.	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Grain, milling or processing, elevators	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Graphite or graphite	1/1000 of general floor	No	No	No	No	No	No	No	No	Yes	Yes	No

products	space 1/400 of office floor space											
Gypsum	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Hair, felt or feathers, bulk processing, washing, curling or dyeing	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Halfway house; mental, alcoholic, etc.	1/200	SUP	SUP	SUP	SUP	SUP	SUP	SUP	No	No	No	No
Hardware industrial sales	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Hardware store and small tool rental, but not including sales of lumber or industrial hardware.	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Hatchery	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Health Club or Studio	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Heavy equipment, storage, repair and sales, earth moving	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Hobby shop or craft	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No

supply store												
Home occupations: Refer to Section 6.2(4) or 6.3(4) for additional detail.	-	Yes	Yes	Yes	Yes	No	No	No	No	No	No	No
Hookah Bar, Smoking Lounge, Smoke Shop, Vape Shop	1/200	No	No	No	No	SUP	SUP	SUP	SUP	SUP	SUP	No
Hospitals, general, not including animal	1/3 beds	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Hotel	1/unit	No	No	No	No	No	SUP	No	No	No	No	No
Ice vending establishment	None	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Ice, dry or natural	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Incineration, distillation or reduction of garbage, offal, or dead animals, fat rendering	1/1000 or general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Industrialized Housing	2/1 unit	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Insecticides, fungicides, disinfectants, or related industrial or household chemical compounds	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Institution for children and aged, nonprofit	1/3 beds	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Institution, correctional, detention, penal or for	1/3 beds	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No

use of insane, feeble minded, alcoholic or narcotic patients on a minimum site of 15 acres												
Institution, nonresidential	1/400	No	No	No	No	SUP	SUP	SUP	SUP	SUP	SUP	No
Jewelry store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Junk handling or storage, assembly of iron, rags, and similar materials enclosed by an opaque wall or fence 6 feet in height.	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Jute, hemp, sisal or oakum products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Laboratory, medical or dental	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Laboratory, research or testing	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Laundry plant (steam)	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Laundry, pickup station or self service	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Leather, hair, or fur tanning, curing, finishing or dyeing and products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No

Linen or uniform supply, or diaper service	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Livestock auction sales, feeding yards, pens with barns and temporary unloading, concentration loading and shipping	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Loan office	1/200	No	No	No	SUP	SUP	SUP	SUP	No	No	No	No
Locksmith or key shop	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Lumberyard (parking does not include lumber sheds)	1/400	No	No	No	No	No	No	SUP	No	No	No	No
Machine tools, including metal lathes, metal press, metal stamping machines, woodworking machines, or similar products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Machine tools, sales, service, rental and repair	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Machinery, miscellaneous, including repairs	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Machines, business, including typewriters, accounting machines, calculators, card-counting equipment, or similar products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Manufactured Home Park	-	No	No	No	No	No	No	No	No	No	No	SUP
Manufacturing of baked goods, candy, delicatessen foods and	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No

ice cream												
Mattresses, including rebuilding or renovating	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Meat or fish products, including slaughtering of meat or preparation of fish for packing	1/1000 general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Medical or dental clinic - No retail sales	1/200	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Meeting halls	1/400	No	No	No	SUP	SUP	SUP	SUP	No	No	No	No
Metal alloys of foil, miscellaneous, including solder, pewter, brass, bronze, or tin, lead or gold foil, or similar products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Metal or metal ores, reduction, refining, smelting or alloying	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Metal or metal products, stamping or extrusion, treatment, bonding, finishing or processing, including enameling, japanning, lacquering, galvanizing, plating, or similar processes.	1/1000 general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No
Metal welding casting or foundry products, including ornamental iron work, or similar	1/1000 of general floor space 1/400 of	No	No	No	No	No	No	No	No	Yes	Yes	No

products.	office floor space											
Mining, including extraction of clay, gravel or sand; quarrying of rock or stones	None	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Mini-warehouse	1/1000	No	No	No	SUP	SUP	SUP	SUP	No	No	No	No
Mirror silvering	1/1000	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Mobile home park	1/unit	No	No	No	No	No	No	SUP	No	No	No	No
Mobile home/manufactured home sales with distribution	1/400	No	No	No	No	No	No	SUP	SUP	SUP	SUP	No
Model home display/sales without distribution	1/200 office	No	No	No	No	SUP	SUP	SUP	SUP	SUP	SUP	No
Model home real estate sales office, temporary	2/model home	TUP	TUP	TUP	TUP	No	No	No	No	No	No	No
Monument sales and incidental processing	1/1000	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Motel	1/unit	No	No	No	No	No	SUP	No	No	No	No	No
Motorcycle sales, repair, storage, and service	1/400	No	No	No	No	No	No	SUP	No	No	No	No
Motorized outdoor amusements i.e. total go-carts, motorcycles)	1/2000 sq. ft. of space utilized for operation	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Music store	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Musical instruments, including pianos or organs	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No

Newspaper distribution station	None	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Novelty Products, Manufacture or Sales	1/400	No	No	No	No	No	No	No	SUP	No	No	No
Nursing home	1/3 beds	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Office – Services only, No sales of goods, wares or merchandise or storing stocks	1/200	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Office, any type	1/400	No	No	No	No	Yes	Yes	Yes	Yes	Yes	Yes	No
Oil well supplies and machinery sales	1/1.5 emp.	No	No	No	No	No	No	SUP	No	No	No	No
Optical goods, optician, optometrist	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Orthopedic or medical appliances, including artificial limbs, braces, supports, stretchers or similar products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Orthopedic or medical shoe or appliance store and repair	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Outdoor commercial amusements, i.e., miniature golf, etc.	1/2000 sq. ft. of space utilized or total operation	No	No	No	No	No	No	SUP	No	No	No	No
Outdoor Storage	None	No	No	No	No	SUP	SUP	SUP	SUP	SUP	SUP	No
Paint and wallpaper store or decorators shop	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Paint, enamel, lacquer, turpentine or varnish.	1/1000 of general floor space 1/400 of	No	No	No	No	No	No	No	No	Yes	Yes	No

	office floor space											
Paper products, including envelopes, stationery, bags, boxes, shipping containers, bulk goods, tubes, wallpaper printing, or similar products.	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Patio homes	1/bedroom (min. 2/unit)	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Pawn Shop	1/200	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Pet shop	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Petroleum or petroleum products, refining, including gasoline or other petroleum products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Pharmaceutical products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Photographer's studio; sales limited to photos and film	1/200	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Photographic studio or store and photo processing	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Pipe storage enclosed	1/1000	No	No	No	No	No	No	SUP	No	No	No	No
Plastic and rubber products	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	Yes	Yes	No

Plumbing fixture sales, retail	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Portable offices and construction buildings which shall be removed upon completion or abandonment of construction work.	None	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	No
Portable Storage Containers	None	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	No
Post Office	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Printing or publishing, including engraving or photoengraving	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Private clubs when required to obtain a permit from the Texas Alcoholic Beverage Commission	1/400 (The parking requirement applies to the bar and/or dance floor portion of the club only.)	No	No	No	No	SUP	SUP	SUP	SUP	SUP	SUP	No
Public library or museum	1/400	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Public park, playground or playfield	None	Yes	Yes	Yes	Yes	No	No	No	No	No	No	No
Radio or television broadcasting transmitter or tower, microwave relay tower	None	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Radio, television or recording studio	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Railroad rights-of-way but not including shops and yards	None	Yes	Yes	Yes	Yes	No	No	No	Yes	Yes	Yes	No
Railroad yards, shops, or equipment	1/1000 of general floor	No	No	No	No	No	No	No	No	No	Yes	No

	space 1/400 of office floor space											
Recycling center	1/1000 sq. ft.	No	No	No	No	SUP	SUP	SUP	No	No	No	No
Rehabilitation center for handicapped persons	1/1.5 emp.	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Rental, repair, or servicing of articles whose sale is permitted in the same district, unless more specifically listed elsewhere	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Retail and wholesale of agricultural products not raised on the premises and sold from vehicles parked off street, not over 500 square feet of retail and wholesale storage and sales area	None	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	TUP	No
Rooming, boarding house	1/bedroom (min. 2/unit)	No	No	No	Yes	No	No	No	No	No	No	No
Sanatorium on a site of 10 acres or more	1/3 beds	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
School nursery, kindergarten or daycare for children	1/1.5 emp.	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
School, commercial or trade	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
School, commercial or trade, when not involving any danger of fire or explosion of offensive noise, vibration, dust, odor,	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No

glare, heat or other objectionable influences												
Schools; elementary, high, college and universities, public, private or denominational	1/1.5 emp.	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP	SUP
Secondhand store or rummage shop	1/200	No	No	No	No	SUP	SUP	SUP	SUP	SUP	SUP	No
Sewing machine sales, retail	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Sexually oriented businesses	1/400	No	No	No	No	No	No	SUP	SUP	No	No	No
Shoe repair shop or store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Shopping center on a site of 5 acres or more	1/200	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Sign shop	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Sign: Advertised or billboard (Which directs attention to a business commodity, service, or entertainment conducted, sold or offered elsewhere than upon the same lot)	None	No	No	No	No	No	No	SUP	SUP	SUP	SUP	No
Skating rink, commercial	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Slaughtering or packing of animals or poultry	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Snow Cone Stand	2/snow cone stand	TUP	TUP	TUP	TUP	No	No	No	No	No	No	No
Soaps or detergents,	1/1000 of general floor	No	No	No	No	No	No	No	No	Yes	Yes	No

perfumes	space 1/400 of office floor space											
Sporting goods store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Sporting or athletic equipment	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Stationery store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Steel products, miscellaneous fabrication or assembly (Manufacturing)	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Storage of goods or merchandise, used in, produced by or normally carried in stock in conjunction with permitted uses in the applicable district regulations	1/1000	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Studio for professional work or for teaching any form of fine arts, photography, music, drama, etc.	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Swimming pool, commercial	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Swimming pool, private	None	Yes	Yes	Yes	Yes	No	No	No	No	No	No	Yes
Tailor shop seamstress, altering and repairing of wearing apparel	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No

Tattoo Studio	1/200	No	No	No	No	SUP	SUP	SUP	SUP	SUP	SUP	No
Taxidermist	1/400	No	No	No	No	SUP	SUP	SUP	No	No	No	No
Teaching or tutoring more than 4 students at any one time	1/100	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Telephone answering service	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Telephone exchange, garage, shop or service	1/400	No	No	No	No	SUP	SUP	SUP	No	No	No	No
Telephone exchange, but not including garage, shop or service	1/400	SUP	SUP	SUP	SUP	No	No	No	No	No	No	No
Tents, Seasonal Retail	None	No	No	No	No	TUP	TUP	TUP	No	No	No	No
Textiles, spinning, weaving, manufacturing, dyeing, bleaching, printing, knit goods, yard thread or cordage	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Theater, drive in	None	No	No	No	No	No	No	SUP	No	No	No	No
Tires, recapping or vulcanizing shop	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Tools or hardware, including bolts, nuts, screws, doorknobs, drills, hand tools or cutlery, hinges, house hardware, locks, nonferrous metal castings, plumbing appliances, or similar products.	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Toy store	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No

Toys	-	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Trailer sales, other than mobile home/manufactured housing and rentals	None	No	No	No	No	No	No	SUP	No	No	No	No
Transit vehicle, bus and struck storage, servicing repairs and sales	1/1000	No	No	No	No	No	No	SUP	No	No	No	No
Trucking, carting, crating, express handling and storage	1/400	No	No	No	No	No	No	SUP	No	No	No	No
Vehicles, children's, including bicycles, scooters, wagons, baby carriages or similar vehicles	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Venetian blinds, window shades, or awnings	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	Yes	Yes	Yes	No
Veterinarian, indoor soundproof kennels only	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Warehousing establishment other than accessory to permitted retail use	1/1000	No	No	No	No	No	No	SUP	No	No	No	No
Watch repair	1/200	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No
Water distillation	1/1.5 emp.	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Wholesale establishment including storage	1/400	No	No	No	No	No	No	Yes	Yes	Yes	Yes	No
Wholesale office with storage limited to samples	1/400	No	No	No	No	No	Yes	Yes	Yes	Yes	Yes	No

Wood products, pulp, fiber, or lumber processing, or reduction including paper mill operations	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No
Wood scouring or pulling	1/1000 of general floor space 1/400 of office floor space	No	No	No	No	No	No	No	No	No	Yes	No

(Ordinance 6385 adopted 5/17/21)

EXHIBIT B*

ZONING- BLALOCK INDUSTRIAL PARK

ORDINANCE NO. 2252

AN ORDINANCE CREATING AN INDUSTRIAL DISTRICT AND REGULATING AND RESTRICTING THE LOCATION, CONSTRUCTION AND USE OF BUILDINGS, STRUCTURES, AND THE USE OF LAND IN THE SAID INDUSTRIAL DISTRICT HEREIN CREATED, TO BE KNOWN AS THE BLALOCK INDUSTRIAL PARK OF SHERMAN, TEXAS, AND FOR SAID PURPOSE DIVIDING THE SAID INDUSTRIAL DISTRICT INTO NUMBERED TRACTS: ENACTING PROVISIONS INCIDENT TO AND RELATING TO THE SUBJECT AND PURPOSE OF THIS ORDINANCE; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SHERMAN:

ARTICLE I. PURPOSES

Sec. 100. Purposes

In and by the enactment of this ordinance it is the intent of the City of Sherman to provide for and create an industrial district for the purpose of promoting and protecting the public health, safety, morals and general welfare of the inhabitants of the City of Sherman, and providing a procedure, climate and location for the orderly development of light industry.

ARTICLE II. DEFINITIONS

Except where specifically defined herein all words used in this ordinance shall carry their customary meanings. Words used in the present tense include the future, and the plural includes the singular; the word "tract" includes the word "plot", "lot" or "parcel"; the word "building" includes the word "structure"; the word "shall" is intended to be mandatory; "occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied".

(1) *Accessory use*: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

(2) *Accessory use*: A use incidental to the principal use of a building. In buildings restricted to residence use, the office of a professional man, customary family occupations and workshops not conducted for compensation, shall be deemed accessory use.

(3) *Alterations*: As applied to a building or structure, a change or rearrangement in the structural parts or in the exit facilities, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one position to another.

(4) *Alterations, structural*: Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

(5) *Area, building*: The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings exclusive of uncovered porches, terraces and steps.

(6) *Area, net site*: The total area within the property lines, excluding external streets.

(7) *Building*: Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of persons, animals or chattels.

(8) *Building, accessory*: A subordinate building or a portion of the main building on a lot, the use of which is customarily incidental to that of the main or principal building.

(9) *Building, detached*: A building surrounded by open space on the same lot.

(10) *Building, front line of*: The line of that face of the building nearest the front line of the lot. This face includes sun parlors and covered porches whether enclosed or unenclosed, but does not include steps.

(11) *Building, height*: The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

(12) *Building, main*: A building in which is conducted the principal use of the lot on which it is located.

(13) *Coverage*: That percentage of the plot or lot area covered by the building area.

(14) *Floor area*: The sum of the gross horizontal areas of the several floors of the building or buildings, measured from the exterior faces of exterior walls or from the center line of walls separating two buildings. In particular, the "floor area" of a building or buildings shall include:

(a) Basement space.

(b) Elevator shafts and stairwells at each floor.

(c) Floor space for mechanical equipment, with structural headroom of seven feet, six inches or more.

(d) Penthouses.

(e) Attic space (whether or not a floor has actually been laid) providing structural headroom of seven feet, six inches or more.

(f) Interior balconies and mezzanines.

(g) Enclosed porches.

(h) Accessory uses, not including space for accessory off-street parking.

However, the "floor area" of a building shall not include:

(i) Cellar space, except that cellar space used for retailing shall be included for the purpose of calculating requirements for accessory off-street parking spaces and accessory off-street loading berths.

(j) Elevator and stair bulkheads, accessory water tanks and cooling towers.

(k) Floor space used for mechanical equipment, with structural headroom of less than seven feet, six inches.

(l) Attic space, whether or not a floor has actually been laid, providing structural headroom of less than seven feet, six inches.

(m) Uncovered steps.

(n) Terraces, breezeways and open spaces.

(o) Accessory off-street parking spaces.

(p) Accessory off-street loading berths up to 200 percent of the amount required by section 410.

(15) *Floor area of a building*: The sum of the gross horizontal area of the several floors of a building and its accessory buildings on the same lot, excluding cellar and basement floor areas not devoted to residential use, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between exterior faces of walls.

(16) *Floor area ratio of a building*: The quotient of the floor area of a building divided by its lot area.

(17) *Grade, established*: The elevation of the center line of the streets as officially established by the city authorities.

(18) *Grade, finished*: The completed surfaces of lawns, walks, and roads brought to grades as shown on official plans or designs relating thereto.

(19) *Lot*. Land occupied or to be occupied by a building and its accessory buildings, or by a dwelling group and its accessory buildings, together with such open spaces as are required under the provisions of this ordinance, having not less than the minimum area and width required by this ordinance for a lot in the district in which such land is situated, and having its principal frontage on a street or on such other means of access as may be determined in accordance with the provisions of the law to be adequate as a condition of the issuance of a building permit for a building on such land.

(20) *Lot, depth of*: The mean distance from the street line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.

(21) *Lot, width of*: The mean width measured at right angles to its depth.

(22) *Lot lines*: Any line dividing one lot from another.

(23) *Nonconforming use*: A building, structure or use of land existing at the time of enactment of this ordinance, and which does not conform to the regulations of the district or zone in which it is situated.

(24) *Parking space*: An off-street space available for the parking of one motor vehicle and having an area of not less than 200 square feet exclusive of passageways and driveways appurtenant thereto and giving access thereto, and having direct access to a street or alley.

(25) *Sign*: A "sign" is any structure or part thereof, or any device attached to a structure or painted or represented on a structure, which shall display or include any letter, word, model, banner, flag, pennant, insignia, device or representation used as, or which is in the nature of an announcement, direction or advertisement. A "sign" includes any "billboard", but does not include the tag, pennant, or insignia of any nation, or group of nations, or of any state, city or other political unit, or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement, or event. However, a "sign" as defined herein, shall not include [a] similar structure or device located within a building.

(a) "Business sign" is a sign which directs attention to a business or profession conducted or to products sold upon the same lot. A "For Sale" or "To Let" sign relating to the lot

on which it is displayed shall be deemed a "business sign".

(b) An "advertising sign" is a sign which directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the same lot.

(c) An "illuminated sign" is any sign designed to give forth any artificial light or designed to reflect such light deriving from any source which is intended to cause such light or reflection. A "flashing sign" is any "illuminated sign" on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use.

(26) *Story*: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

(27) *Street*: A public or private way which affords the principal means of access to abutting properties.

(28) *Structure*: Anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

(29) *Yard, front*: An open unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the street line and the front line of the building projected to the side lines of the lot. The depth of the front yard shall be measured between the front line of the building and the street line. Covered porches, whether enclosed or unenclosed, shall be considered as part of the main building and shall not project into a required front yard.

(30) *Yard, rear*: An unoccupied space on the same lot with a main building, extending the full width of the lot and situated between the rear line of the lot and the rear line of the building projected to the side lines of the lot. The depth of the rear yard shall be measured between the rear line of the lot, or the center line of the alley if there be an alley, and the rear line of the building.

(31) *Yard, side*: An open unoccupied space on the same lot with a main building situated between the side line of the building and the adjacent side line of the lot and extending from the rear line of the front yard to the front line of the rear yard. If no front yard is required, the front boundary of the side yard shall be the front line of the lot and if no rear yard is required the rear boundary of the side yard shall be the rear line of the lot.

ARTICLE III. ESTABLISHMENT OF DISTRICTS

Sec. 300. List of districts.

For the purpose of promoting the public health, safety, morals, and general welfare in the City of Sherman:

(1) There is hereby, for the purposes of convenience, denominated "Blalock Industrial Park" the following area described by metes and bounds as follows:

Field Notes for Blalock Industrial Park

Situated in the County of Grayson, State of Texas, being a part of the Preston Kitchens Survey, Abstract No. 667, Sherrod Dunman Survey, Abstract No. 329, Elizabeth Jones Survey, Abstract No. 625, and William Martin Survey, Abstract No. 765, and described by metes and bounds as follows, to wit: Beginning at the Southeast corner of the W. L. Pickens tract of land in the Preston Kitchens Survey, said corner being on the West line of Highway 75 access road; thence along the west right-of-way of said Highway 75 access road and the East line of City of Sherman Russell Water Station, Johnson and Johnson 437.697 acre tract of land, and the Greater Sherman, Inc. 54,328 acre tract of land for a distance of 5,917 ft., more or less, to a point opposite the I. B. M. tract of land; thence North 74 deg., 56 min. East a distance of 967.37 ft., more or less, to the most Northerly corner of I. B. M.

tract of land; thence along the East line of I. B. M. tract of land the following calls and distances: South 13 deg., 35 min. East for a distance of 510.0 ft.; South 48 deg., 32 min. East 1,556.42 ft.; South 66 deg., 10 min. East 1,885.73 ft. to a point in the West line of the Frisco Railroad right-of-way; thence along the West and North lines of said Frisco Railroad and the East and South line of I. B. M. tract of land the following calls and distances: South 7 deg., 42 min. West a distance of 452.7 ft., more or less; South 82 deg., 18 min. East a distance of 75.0 ft., more or less; South 9 deg., 02 min. West a distance of 227.95 ft., more or less, to P. C. of 2 deg., 30 min. curve to the right; thence in a Southwesterly direction a distance of 1,870.58 ft., more or less, along said curve to the P. T.; thence continuing with said railroad right-of-way: South 62 deg., 59 min. West a distance of 319.75 ft., more or less; South 62 deg., 24 min. West a distance of 1,617 ft., more or less, to the East right-of-way of Hwy. 75 at the overpass above the said Frisco Railroad; thence continuing with said railroad right-of-way South 62 deg., 24 min. West a distance of 1,510 ft., more or less, to a point in the East line of Sherman Industrial Districts, Inc. 151.25 acre tract of land (Formerly owned by Haynes); thence South 16 deg. East a distance of 1,760 ft., more or less, to Choctaw Creek; thence up Choctaw Creek with its meanderings to the Southwest corner of said 151.25 acre tract of land; thence North 16 deg. West a distance of 2,966 ft., more or less; thence North 74 deg. East a distance of 456 ft., more or less, to center of creek; thence up said creek to a point in the South line of Greater Sherman Inc. 127 acre tract of land formerly owned by C. L. Green and W. A. Henson; thence South 74 deg. West a distance of 1,420 ft., more or less, to the Southwest corner of said 127 acre tract of land; thence North 16 deg. West a distance of 4,263 ft., more or less, along the West line of said 127 acre tract and the West line of Bessie Kinnard 184.662 acre tract of land to a point in the North line of F.M. Hwy. 1417 and the South line of Johnson and Johnson 437.697 acre tract of land; thence South 74 deg., 59 min. West a distance of 400 ft., more or less, along the North line of F.M. Hwy. 1417 to the Southwest corner of Johnson and Johnson 437.697 acre tract of land; thence along the West line of Johnson and Johnson 437.697 acre tract of land the following calls and distances: North 15 deg., 13 min. West a distance of 3,295.73 ft.; North 84 deg., 41 min. East a distance of 64.55 ft.; North 05 deg., 19 min. West a distance of 349.18 ft.; to the Northwest corner of said Johnson and Johnson 437.697 acre tract of land; thence North 74 deg., 40 min. East a distance of 3,614.68 ft. along the North line of Johnson and Johnson tract of land; thence North 14 deg., 30 min. West a distance of 469.10 [ft.]; thence North 75 deg., 32 min. East a distance of 1,400 ft. along the North line of Johnson and Johnson and the South line of the W. L. Pickens tract of land to the place of beginning and containing 1,350 acres of land, more or less.

"I, James S. Hart, Registered Public Surveyor, prepared the above field notes from field notes of the various tracts of land of which the Blalock Industrial Park is comprised."

Section 300, paragraph 1, of Ordinance No. 2252, is amended so as to hereafter include the following described tract of land, to-wit:

Situated in the County of Grayson, State of Texas, being a part of Sherrod Dunman Survey, Abstract No. 329, and being the same land conveyed to L. O. Blanton, Jr. and Alan A. Hulsey by deed recorded in Vol. 847, Page 347, Deed Records, Grayson County, Texas and described by metes and bounds as follows to-wit:

Beginning at S.E. corner of L. O. Blanton, Jr. tract of land and N. line of I. B. M. Corp. tract of land; thence S. 74° W. a distance of 746.39' to a point in the East Right-of-way of U.S. Hwy. 75 S.; thence N. 11° 30' W. a distance of 1,699.5' with the East Right-of-Way of said Hwy. 75 S. to the N. boundary line of said Dunman Survey and the center line of the old Dorchester Road; thence N. 74° E. a distance of 626.94' along the center line of said Dorchester Road and N. line of said Dunman Survey to a point; thence S. 16° E. a distance of 1,685.1' to the place of beginning and containing 26.68 acres.

(2) The said "Blalock Industrial Park" is hereby divided into tracts numbered, identified and bounded and described as follows:

(a) That area bounded on the North by the Dorchester road and on the East and South by the City Limits of Sherman, and bounded on the West by the center line of U.S.

Highway 75 shall be known as Tract Number One (1).

Section 300, paragraph (2)(a), of Ordinance No. 2252, is amended so as to hereafter include within Tract No. 1, the following property, to-wit:

All that certain tract or parcel of land fully described in deed to I. B. M. and recorded in Vol. 842, Pages 418, 577, and 482 Deed Records, Grayson County, Texas, to which reference is made for all purposes.

(b) That area bounded on the North by the Dorchester Road, and on the East by the center line of U.S. Highway No. 75 bounded on the South by the City Limits of Sherman, and on the West by the center line of the old Sherman-Howe Road shall be known as Tract Number Two (2).

(c) That area bounded on the East by the center line of the Sherman Road and bounded on the North by the center line of the Dorchester Road and on the South and West by the City Limits of Sherman shall be known as Tract Number Three (3).

(d) That area bounded on the South line by the old Dorchester Road, on the East by the center line of U.S. Highway No. 75, and bounded on the North by the South line of the W. L. Pickens land, bounded on the West by the City Limits of Sherman shall be known as Tract Number Four (4).

(e) That area bounded on the South line by the old Dorchester Road, on the East by the St. Louis & San Francisco Railway Company service track, and West of the main plant and facilities of Johnson & Johnson shall be known as Tract Number Four Point One (4.1).

Situated in the City of Sherman, Grayson County, Texas, being a part of the Elizabeth Jones Survey, Abstract No. 625, and being a part of the 314.444 acre tract of land conveyed by Sherman Industrial Districts, Inc. to Johnson & Johnson by deed dated November 29, 1960, recorded in Volume 924, Page 40, Deed Records, Grayson County, Texas, and being more particularly described by metes and bounds as follows:

Beginning at a 1/2" steel rod set for the Southwest corner of the herein described tract at the point of intersection of the West line of the said 314.444 acre tract with the North right-of-way line of F.M. Highway No. 1417;

Thence North 15° 10' 56" West with a fence along the West line of the said 314.444 acre tract a distance of 3,279.13 feet to a 3/4" pipe found at an angle point;

Thence North 84° 34' 59" East continuing with said fence a distance of 64.55 feet to a 3/4" pipe found at an angle point;

Thence North 05° 18' 31" West continuing with said fence and West line a distance of 348.99 feet to 3/4" pipe found maintaining the Northwest corner of the said 314.444 acre tract;

Thence North 74° 42' 53" East with a fence along the North line of the said 314.444 acre tract a distance of 2,630.61 feet to a 1/2" steel rod set for corner at the point of intersection of said North line with the extension of the West right-of-way line of the St. Louis & San Francisco Railway Company service track West of the main plant and facilities of said Johnson & Johnson;

Thence South 08° 48' 59" East with said extended line and continuing with said West right-of-way line 50 feet West of and parallel to the centerline of the main track for a total distance of 3,646.00 feet to a 1/2" steel rod set for the Southeast corner of the herein described tract in the said North right-of-way line of Highway No. 1417;

Thence South 74° 59' 00" West with said North right-of-way line a distance of 2,349.82 feet to the Point-of-Beginning and containing 211.212 acres of land more or less.

(f) Section 300, paragraph (2), of Ordinance No. 2252, is amended so as to hereafter create Tract No. 5, and described as follows, to-wit:

Situated in the County of Grayson, State of Texas, being a part of Sherrod Dunman Survey, Abstract No. 329, and being the same land conveyed to L. O. Blanton, Jr. and Alan A. Hulsey by deed recorded in Vol. 847, Page 347, Deed Records, Grayson County, Texas and described by metes and bounds as follows, to-wit:

Beginning at S.E. corner of L. O. Blanton, Jr. tract of land and N. line of I. B. M. Corp. tract of land; thence S. 74° W. a distance of 746.39' to a point in the East Right-of-Way of U.S. Hwy. 75 S.; thence N. 11° 30' W a distance of 1,699.5' with the East Right-of-Way of said Hwy. 75 S. to the N. boundary line of said Dunman Survey and the center line of the old Dorchester Road; thence N. 74° E. a distance of 626.94' along the center line of said Dorchester Road and N. line of said Dunman Survey to a point; thence S. 16° E. a distance of 1,685.1' to the place of beginning and containing 26.68 acres.

(3) The streets and roads within said park are accepted and designated as streets of the City of Sherman and identified by name as shown on the zoning map herein provided for, except in those instances in which acceptance and utilization would be inconsistent with ownership in the State of Texas.

(Ordinance 4967, sec. 1, adopted 10/15/01)

Sec. 310. Zoning map.

Said "Blalock Industrial Park" and the various districts with which it is divided are each and all bounded as shown on a map entitled "Zoning Map of Blalock Industrial Park of the City of Sherman, Texas" adopted this 17th day of December, 1962, and certified by the city clerk of the City of Sherman, Texas, after same had been first approved by the planning commission and city engineer of said city, which map accompanies and which, with all explanatory matter therein, is hereby made a part of this ordinance.

Editor's note The map referred to in section 310 is not included herein, but is on file in the city clerk's office.

Sec. 320. Interpretation of district boundaries.

Where uncertainty exists with respect to the boundaries of any of the aforesaid districts as shown on the zoning map, the following rules shall apply:

(1) Where district or tract boundaries are indicated as approximately following the center lines of streets or highways, street lines, or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.

(2) Where district boundaries are so indicated that they approximately follow the lot or tract lines, such lot or tract lines shall be construed to be said boundaries.

(3) Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given such dimension shall be determined by the use of the scale shown on said zoning map.

(4) Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line.

(5) Where the boundary of a district follows a stream, lake or other body of water, said boundary line shall be deemed to be at the limit of the jurisdiction of the City of Sherman unless otherwise indicated.

ARTICLE IV. REGULATIONS

Sec. 400. Application of regulations.

Except as hereinafter provided:

(1) No building or land shall hereafter be used or occupied and the building or part thereof shall be erected, moved, or altered unless in conformity with the regulations herein specified for the district in which it is located.

(2) No building shall hereafter be erected or altered in any tract:

(a) To exceed the applicable height.

(b) To occupy a greater percentage of lot area applicable to such tract and building.

(c) To have narrower or smaller front yards or in any wise infringe upon the setback line, side yards, or come closer to the side lot lines than is herein specified for the tract in which said building is located.

(3) No part of a yard or other open space about any building required for the purpose of complying with the provisions of this ordinance shall be included as a part of a yard or other open space similarly required for another building.

Sec. 410. Schedule of regulations.

(1) Except as hereinafter specified, all buildings and structures hereinafter erected within "Blalock Industrial Park" shall conform to the construction standards specified in the building code and all other applicable ordinances of the City of Sherman.

(2) The following regulations shall apply to all tracts within said "Blalock Industrial Park".

(a) *Permitted principal uses.*

1. Said premises shall not be used or occupied at any time for any purposes other than the purposes of light industrial manufacturing, wholesaling, jobbing, warehousing or businesses of a kindred nature; provided, however, that the uses of the lands, buildings, structures or processes shall not exceed the performance standards hereinafter set forth.

2. The provisions of Articles 2235 and 2236 of the Ordinances of the City of Sherman, as amended, shall not be applicable to "Blalock Industrial Park".

(b) *Uses prohibited.* All uses of land, buildings, and structures for industrial processes that may be noxious, injurious, or an annoyance and nuisance by reason of the production or emission of dust, smoke, refuse, matter, odor, gas, fumes, noise or similar substances or conditions, or that do not comply with the performance standards hereinafter set forth, are prohibited. Provided, however, that any uses may be permitted if approved by the city planning commission, zoning commission and city council of the City of Sherman, and subject to the securing of a permit therefor, and to such conditions, restrictions and safeguards as will be necessary by said board, commission or council for the purpose of protecting the health, safety, morals or general welfare of the community and said "Blalock Industrial Park".

(c) *Building height limit.* No building shall be erected to a height in excess of 100 feet; provided, however, that water towers or tanks, standpipes, elevator housing, air-conditioning equipment, stairways, ventilation fans, roof signs and similar equipment may exceed 100 feet in height with written consent and approval of the city council of the City of Sherman.

(d) *Required lot area.* No building or house shall be erected or maintained on a tract having an area less than 25 acres, unless otherwise herein permitted. Except on Tract Nos. 2, 3 and 4.1, the area may be not less than 5 acres. Tract No. 5 the area may be not less than the current separately owned lands, and the setback from Sam Rayburn Freeway shall be 50 feet, and the side yards shall be at least 50 feet, with a rear yard of 35 feet.

(e) *Percentage of lot coverage*. Any building or buildings, including accessory buildings, shall not cover more than 20% of the tract upon which it is constructed unless otherwise herein specified. Except on Tract Nos. 2, 3 and 4.1, the maximum coverage shall be 50% of the tract upon which it is constructed.

(f) *Impervious Cover*. The impervious cover on a tract shall not exceed 80% of the total tract area. Impervious cover shall include all roads, driveways, parking areas, buildings, concrete walkways and other impermeable construction covering the natural land surface. All pedestrian sidewalks within public right-of-way are excluded from the impervious cover calculations. Storm water detention, swales, and other conveyances for drainage purposes only shall not be calculated as impervious cover.

(g) *Yards and setback required*.

1. *Setback, front lines and yards*. Every building and structure of new construction shall have a minimum front yard setback of 400 feet from any new main road, street or arterial highway and a minimum front yard setback of 200 feet from any other road, unless otherwise herein specified. Except on Tract Nos. 3 and 4.1, the front setback shall be 100 feet from any road, street or arterial highway. Such setback areas between the building lines and the roads right-of-way shall be used for lawns, open landscaping and green areas. Infield area is to be landscaped; it shall be done attractively with lawns, trees, etc., and thereafter properly maintained in a sightly and well-kept condition. Except in Tract No. 2, the minimum setback line on Dorset Drive shall be not less than 55.7 feet, the setback from Sam Rayburn Freeway shall be not less than 55.7 feet and the setback from any other street shall be not less than 55.7 feet but subject to special permit from the city zoning board of adjustments and appeals and the city council.

2. *Side lines and yards*.

   a. No structures or buildings, including accessory buildings, shall be located closer than 55.7 feet to any side building site line.

   b. When any such side yard between any building or accessory building and the lot line is used as a vehicular accessway, it shall be at least 55.7 feet in width.

3. *Rear lines and yards*. All rear yards are required to be so designed as to be 55.7 feet in depth between any rear building, accessory building, or parking area and any rear abutting property line.

(h) *Screening*. Screening in Tract Nos. 2, 3 and 4.1 shall be provided as necessary to achieve appropriate and desirable sight and noise obstruction in accordance with the purposes of the Blalock Industrial Park.

(i) *Loading docks*. No loading docks may be on any street frontage. Each building shall have adequate off-street loading and unloading facilities and provision for same shall be made in a location that will not interfere with accessory parking areas and means of ingress and egress. Provision for handling all freight either by railroad or truck shall be on those sides of any buildings, which do not face on any street or proposed street, and no loading dock entrance doors for such loading docks shall be so located without written consent of the city council. The distances between the outside limits of loading areas and the side or rear lot line herein specified for rear yards and side yards must be observed. For each building or structure which shall be erected and for each light manufacturing, jobbing, warehousing, wholesaling, or other uses permitted in "Blalock Industrial Park" there shall be provided on each tract developed and used in accordance with the requirements for such tract, and shall be provided off-street parking facilities to be of sufficient capacity to serve both the employees of the

building located on such tract and the use made thereof and any commercial vehicle connected therewith or serving the same; said parking facilities must be off the public streets and shall be designated on the plans submitted for the building permit.

(j) *Parking*. Generally, but not specifically, attempt should be made to acquire the minimum rate of one parking space for each two employees to be employed on the premises. Parking lot services shall be constructed and maintained in accordance with the requirements of the ordinances of the City of Sherman governing such installation.

The parking areas shall not be used for any purpose other than the accessory parking of automobiles or other vehicles. In no case shall any storage, servicing, or dismantling of automobiles or other vehicles nor shall unloading or loading be permitted in the park areas. In no event shall any part of the parking areas or lawns be used for the storage or abandonment of any article, nor storage of trucks, trailers, etc., shall be allowed in the open.

No building permit for the construction of any building or buildings on any tract shall be issued unless and until the building inspector of the City of Sherman, and superior authority, where necessary, has approved the site plan for the tract for which application is made showing not only types and locations of building or buildings, but also lay-out of parking areas and areas for unloading and loading.

(k) *Outside storage*. No article, material, or commodities shall be kept, stored or displayed outside the confines of buildings unless it be so screened by fences, walls, or planting that it cannot be seen from a public street. The area used for outside storage shall be located to the rear ½ of the property which shall in no instance be placed on that half of the property adjacent to any existing or proposed street.

(l) *Fences*. No fences, masonry walls, or masked planting shall be permitted to extend beyond the building lines except as may be permitted under the supplementary provisions of this ordinance.

(m) *Building facing and construction*. All buildings erected on any tract shall be faced with masonry, concrete, stone, glass, cement plaster, exterior insulation facing system (EIFS), or factory finished metal panels. Factory finished metal panels shall not include standard galvanized or painted corrugated or "R" type panels, aluminum, asbestos, or iron or steel or corrugated aluminum, asbestos, iron or steel. No building shall be constructed with a wooden frame. Should any building be constructed of light weight aggregate, concrete blocks, tile blocks or tile bricks, the front of such building must be finished with face brick, common brick painted, limestone or their equivalent. Where the exterior (except the front wall) is constructed of light weight aggregate or concrete blocks, unless such exterior walls are finished in stucco, or gunite, or their equal, the building shall be tooled or painted and such exterior walls shall be rubbed down and covered sufficiently with standard waterproofing paint.

(n) *Signs*. No billboards or advertising signs other than those identifying the name, business and products of the person, firm, or establishment occupying the premises shall be permitted, and such signs so permitted shall not exceed 300 square feet in size; provided, however, that a sign not to exceed four feet by eight feet in size offering the premises for sale or lease may be permitted.

(o) *Tanks*. Storage of all bulk liquids and gases, including oil, gasoline, petroleum products, acid waste neutralization, deionized water, as well as nitrogen and other gases shall be screened from public view, and located at the back of the facility when possible.

(p) *Refuse and sewage*. No waste material shall be dumped upon or permitted to remain upon any part of the premises, unless first treated. Treated release shall conform to

TNRCC water quality requirements.

- Industrial sewage shall be treated with on-site treatment systems, and release to sanitary sewage system shall meet the standards set forth by the City of Sherman sanitary waste treatment department.

- Hazardous production materials (HPM's) stored and dispensed on-site shall be screened from public view and shall be stored in areas with containment and spill protection, as required by the applicable building code and fire code requirements.

(q) *Residence prohibited*. No building shall be constructed for or used as living quarters within the area covered by this ordinance.

(r) *Performance standards*. Unless otherwise permitted under other provisions of this ordinance, there shall be no occupancy or use within the area covered by this ordinance which does not comply with the following performance standards:

1. *Smoke*. No smoke shall be permitted within the area which possesses a greater density than that equal to Ringlemann [Ringelmann] Number Two or greater, according to the Ringlemann [Ringelmann] Classification.

2. *Odor*. No industry or use shall be permitted which commits or results in an odor nuisance and any applicant may be required to present detailed plans for the elimination of any odors.

3. *Dust and dirt*. No industry or use shall be permitted which emits or gives off fly ash of 0.3 grains per cubic foot of flue gas at a stack temperature of 500° Fahrenheit. Any applicant may be required to furnish satisfactory proof that it will be able to keep all dust and dirt confined within the walls of structures on its premises.

4. *Noxious gases*. The release of gases of noxious or toxic nature shall meet the concentration levels and requirements set forth by TNRCC air quality standards.

5. *Glare and heat*. Any operations involving arc welding, or acetylene torch or emitting glare and heat shall be so conducted that it cannot be seen, felt, or observed from outside the property upon which same is being conducted, save and except during building construction or remodeling.

6. *Fire hazards*. All ordinances of the City of Sherman relative to fire and fire hazards shall be observed in said area covered by this ordinance.

7. *Noise*. Except for noise from a transportation facility or from construction work, noise may not exceed 55 decibels Ldn during daylight hours and 45 decibels Ldn during nighttime hours, as measured from any property line. Earth borne vibrations may not exceed limits in Column I below:

Frequency Cycles Per Second	*Column I Displacement (inches)*
0 to 1	0.0020
1.1 to 10	0.0010

10.1 to 20	0.0008
20.1 to 30	0.0005
30.1 to 40	0.0004
40.1 and over	0.0003

No industry or use shall be permitted within the area covered by this ordinance which shall permit or cause to be emanated objectionable noise, and any applicant may be required to furnish satisfactory proof for the elimination or muffling of any noise.

(Ordinance 4967, sec. 2, adopted 10/15/01)

ARTICLE V. ADMINISTRATION

Sec. 500. Enforcement.

(1) *Building permits*. No building or structure shall be erected, added to, or structurally altered until a permit therefor has been issued by the building inspector of the City of Sherman. All applications for such permits and fees charged therefor shall be in accordance with the requirements of the building code, zoning ordinance, and other applicable ordinances of the City of Sherman.

All procedures and appeals incident to the future processing of such permits shall, likewise, be identical with and in accordance with the requirements of the building code, zoning ordinances, and other applicable ordinances of the City of Sherman.

(2) *Certificate of occupancy*.

(a) No land shall be occupied or used and no building hereafter erected, altered or extended shall be used or changed in use or any required area reduced until a certificate of occupancy shall have been issued by the building inspector, stating that the buildings or proposed use thereof complies with the provisions of this ordinance.

(b) No nonconforming use shall be maintained, renewed, changed, or extended without a certificate of occupancy having first been issued by the building inspector.

(c) All certificates of occupancy shall be applied for coincident with the application for a building permit. Said certificate shall be issued within ten (10) days after the erection or alteration shall have been approved as complying with the provisions of this ordinance.

(d) The building inspector shall maintain a record of all certificates and copies shall be furnished upon request to any person having a proprietary or tenancy interest in the building affected.

(e) No permit for excavation for, or the erection or alteration of, or repairs to any building shall be issued until an application has been made for a certificate of occupancy.

(f) Under such rules and regulations as may be established by the [planning and] zoning board, the planning commission, and city council, a temporary certificate of occupancy for not more than 30 days, for a part of the building, may be issued by the building inspector.

Sec. 510. Special consideration.

Where there are practical difficulties and unnecessary hardships in the way of carrying out the strict

letter of this ordinance, the [planning and] zoning board, the planning commission, and city council shall, in concert, have the power in passing upon any appeals to vary or modify the application of any of the regulations or provisions of this ordinance relating to the use, construction or alteration of buildings or structures, or the use of the land so that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done.

Sec. 520. Violations.

A violation of this ordinance is an offense punishable by a fine not exceeding $2,000.00, and each and every day shall be considered as a separate violation.

Editor's note At the request of the city, the fine in section 520 was changed from $200.00 to $2,000.00. Because this change has not been made in accordance with the zoning amendment procedures as mandated in V.T.C.A., Local Government Code sec. 211.006 and other applicable sections of the Local Government Code, Franklin Legal Publishing, Inc., assumes no responsibility or liability for such change being made. However, it should be noted that V.T.C.A., Local Government Code sec. 54.001 authorizes a fine of up to $2,000.00 for violation of zoning regulations.

ARTICLE VI. AMENDMENTS

Sec. 600. Amendment procedure.

The city council of the City of Sherman may, from time to time, on its own motion or on petition or on recommendation of the planning [and zoning] commission [board], amend, supplement or repeal the regulations and provisions of this ordinance after public notice and hearing. All amendments to the ordinance shall be governed by the regulations and procedures applicable to any change or amendment to the building code and zoning laws of the City of Sherman.

ARTICLE VII. MISCELLANEOUS

Sec. 700. Interpretation.

In their interpretation and application, the provisions of this ordinance shall be held to be the minimum requirements adopted for the promotion of the public health, morals, safety, or general welfare. Whenever the requirements of this ordinance are at variance with the requirements of any lawfully adopted rules, regulations or ordinance, the requirements of this ordinance shall be held to be paramount, exclusive and controlling to the exclusion of any and all others.

Sec. 710. Validity and separability.

Should any section or provisions of this ordinance be decided by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole or any part thereof other than the part so decided to be unconstitutional or invalid.

Sec. 720. Repealer.

This ordinance, together with all changes and amendments, is hereby declared to be paramount, superior and controlling to all other rules, regulations or ordinances covering the matter to which it relates and any other rule, regulation, or ordinance, treating with or thought, in any wise, to relate to the matters covered by this ordinance shall be inapplicable to the matters governed by this ordinance or to which it relates.

PASSED AND APPROVED this the 17th day of December, 1962.

SECTION 4: Open Meeting. The meeting at which this Ordinance was introduced and passed was open to the public and that public notice of the time, place and purpose of said

meeting was given all as required by law.

SECTION 5: Effective Date; Publication. This Ordinance shall become effective from and after its adoption and publication as required by law. The City Clerk is directed to publish the caption of this Ordinance as required by law.

[*The remainder of this page intentionally left blank.*]

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF SHERMAN, TEXAS on this ___ day of _____, 2022.

_____
DAVID PLYLER, MAYOR

ATTEST:

_____
LINDA ASHBY, CITY CLERK

APPROVED AS TO FORM:
ABERNATHY, ROEDER,
BOYD & HULLETT, P.C.

_____
RYAN D. PITTMAN, CITY ATTORNEY