



**AGENDA
CITY OF ALLEN
PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, MARCH 6, 2018 – 7:00 P.M.
CITY COUNCIL CHAMBERS
ALLEN CITY HALL
305 CENTURY PARKWAY
ALLEN, TEXAS 75013**

Call to Order and Announce a Quorum is Present

Pledge of Allegiance

Directors Report

1. Action taken on the Planning & Zoning Commission items by City Council at the February 27, 2018, regular meeting.

Consent Agenda (*Routine P&Z business. Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Commission member or member of staff.*)

2. Approve minutes from the February 20, 2018, regular meeting.
3. Final Plat – Consider a request for a Final Plat for Cottonwood Creek Addition, Lots 1 & 2, Block A, being 54.878± acres located in the Seaborn & Clements Survey, Abstract No. 879, and all of Cottonwood Creek Baptist Church Addition, Lot 1, Block A; generally located south of State Highway 121 and west of Watters Road. (PL-012918-0029) [Allen Harley Davidson]
4. Final Plat – Consider a request for a Final Plat for Ridgeview Crossing Phase 1A, being 20.441± acres located in the F. Dasser Survey, Abstract No. 280 and the G. Phillips Survey, Abstract No. 701; generally located west of Chelsea Boulevard and south of the Ridgeview Drive right-of-way. (PL-012318-0023) [Ridgeview Crossing Phase 1A]
5. Final Plat – Consider a request for a Final Plat for Ridgeview Crossing Phase 1B, being 15.324± acres located in the F. Dasser Survey, Abstract No. 280; generally located west of Chelsea Boulevard and south of the Ridgeview Drive right-of-way. (PL-012618-0025) [Ridgeview Crossing Phase 1B]

Regular Agenda

6. Public Hearing – Conduct a Public Hearing and consider a request for a Replat for Lyrick Addition, Lots 1-AR, 2R, 3R, and 4-7, Block A, being 39.3432± acres; generally located south of Bethany Drive and west of Greenville Avenue. (PL-012618-0027) [Lyrick Addition]

7. Discuss proposed amendments to the Allen Land Development Code.

Executive Session (As Needed)

As authorized by Section 551.071(2) of the Texas Government Code, this meeting may be convened into closed Executive Session for the purpose of seeking confidential legal advice from the City Attorney on any agenda item listed herein.

Adjournment

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, March 2, 2018, at 5:00 pm.

Shelley B. George, City Secretary

Allen City Hall is wheelchair accessible. Access to the building and special parking are available at the entrance facing Century Parkway. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 214-509-4105.

Director's Report from 2/27/2018 City Council Meeting

- No items were taken to the February 27, 2018 City Council Regular Meeting.

PLANNING AND ZONING COMMISSION
REGULAR MEETING
FEBRUARY 20, 2018

ATTENDANCE:

Commissioners Present:

Ben Trahan, Chair
Michael Orr, 2nd Vice-Chair
Gene Autrey
Dan Metevier

Commissioners Absent:

Stephen Platt, Jr., 1st Vice-Chair
John Ogrizovich

City Staff Present:

Madhuri Mohan, AICP, Senior Planner
Hayley Angel, Planner
Nicole Corr, City Attorney

Call to Order and Announce a Quorum is Present:

With a quorum of the Commissioners present, Chairman Trahan called the meeting to order at 7:00 p.m. in the City Hall Council Chambers Room at Allen City Hall, 305 Century Parkway, Allen, Texas, 75013.

Directors Report

1. The Senior Planner discussed the action taken on the Planning & Zoning Commission items by City Council at the February 13, 2018, regular meeting.

Consent Agenda (*Routine P&Z business: Consent Agenda is approved by a single majority vote. Items may be removed for open discussion by a request from a Commission member or member of staff.*)

2. Approve minutes from the February 6, 2018, workshop meeting and the February 6, 2018, regular meeting.
3. Capital Improvement Program (CIP) Status Report.
4. Final Plat – Consider a request for a Final Plat for McCoy and Roth Addition, Lot 4AR, Block A, being 1.380± acres located in the J. Miller Survey, Abstract No. 609 and all of McCoy and Roth Addition, Lot 4A, Block A; generally located east of Angel Parkway and south of Stacy Road. (PL-012618-0024) [McCoy and Roth Addition].

Motion: **Upon a motion by Commissioner Metevier, and a second by Commissioner Autrey, the Commission voted 4 IN FAVOR, and 0 OPPOSED to approve the Consent Agenda.**

The motion carried.

Regular Agenda

5. Preliminary Plat – Consider a request for a Preliminary Plat for The Enclave, being 24.964± acres located in the John Huffman Survey, Abstract No. 416; generally located north of Hedgcoxe Road and east of Custer Road. (PL-Pre-011618-0010) [The Enclave]

Ms. Angel, Planner, presented the item to the Commission.

Ms. Angel stated that the Preliminary Plat is consistent with the Concept Plan and meets the requirements of the *Allen Land Development Code*. She noted that staff is in support of the agenda item.

Motion: **Upon a motion by Commissioner Autrey, and a second by 2nd Vice-Chair Orr, the Commission voted 4 IN FAVOR, and 0 OPPOSED to approve the Preliminary Plat for The Enclave, generally located north of Hedgcoxe Road and east of Custer Road.**

The motion carried.

Executive Session (As Needed)

The Executive Session was not held.

Adjournment

The meeting adjourned at 7:04 p.m.

These minutes approved this _____ day of _____ 2018.

Ben Trahan, Chairman

Hayley Angel, Planner

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: March 6, 2018

SUBJECT: Consider a request for a Final Plat for Cottonwood Creek Addition, Lots 1 & 2, Block A, being 54.878± acres located in the Seaborn & Clements Survey, Abstract No. 879, and all of Cottonwood Creek Baptist Church Addition, Lot 1, Block A; generally located south of State Highway 121 and west of Watters Road. (PL-012918-0029) [Allen Harley Davidson]

STAFF RESOURCE: Hayley Angel
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Planned Development No. 40 – Approved October, 1986
SUP No. 88 – Approved September, 2001
Preliminary Plat – Approved December, 2001
Final Plat – Approved March, 2002
Planned Development No. 40 – Amended December, 2017
Preliminary Plat – Approved January, 2018

LEGAL NOTICES: None.

ANTICIPATED COUNCIL DATE: None.

BACKGROUND

The property is generally located south of State Highway 121 and west of Watters Road. The property to the north (across SH 121) is the City of McKinney. The properties to the west and east are zoned Planned Development PD No. 40 Corridor Commercial CC. The property to the south is zoned Planned Development PD No. 72 Corridor Commercial CC.

A Concept Plan for a Motor Cycle Sales and Service use (Harley Davidson) was approved in December 2017, and a Preliminary Plat was approved in January 2018. A Site Plan is currently under review. Final platting is the last step in the development process.

The Final Plat shows approximately 54.878± acres being subdivided into two lots. There are four points of access into the development; three on State Highway 121 and one on Ridgeview Drive. The plat also shows various easements required for development.

The Final Plat has been reviewed by the Technical Review Committee, is generally consistent with the Concept Plan and Preliminary Plat, and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

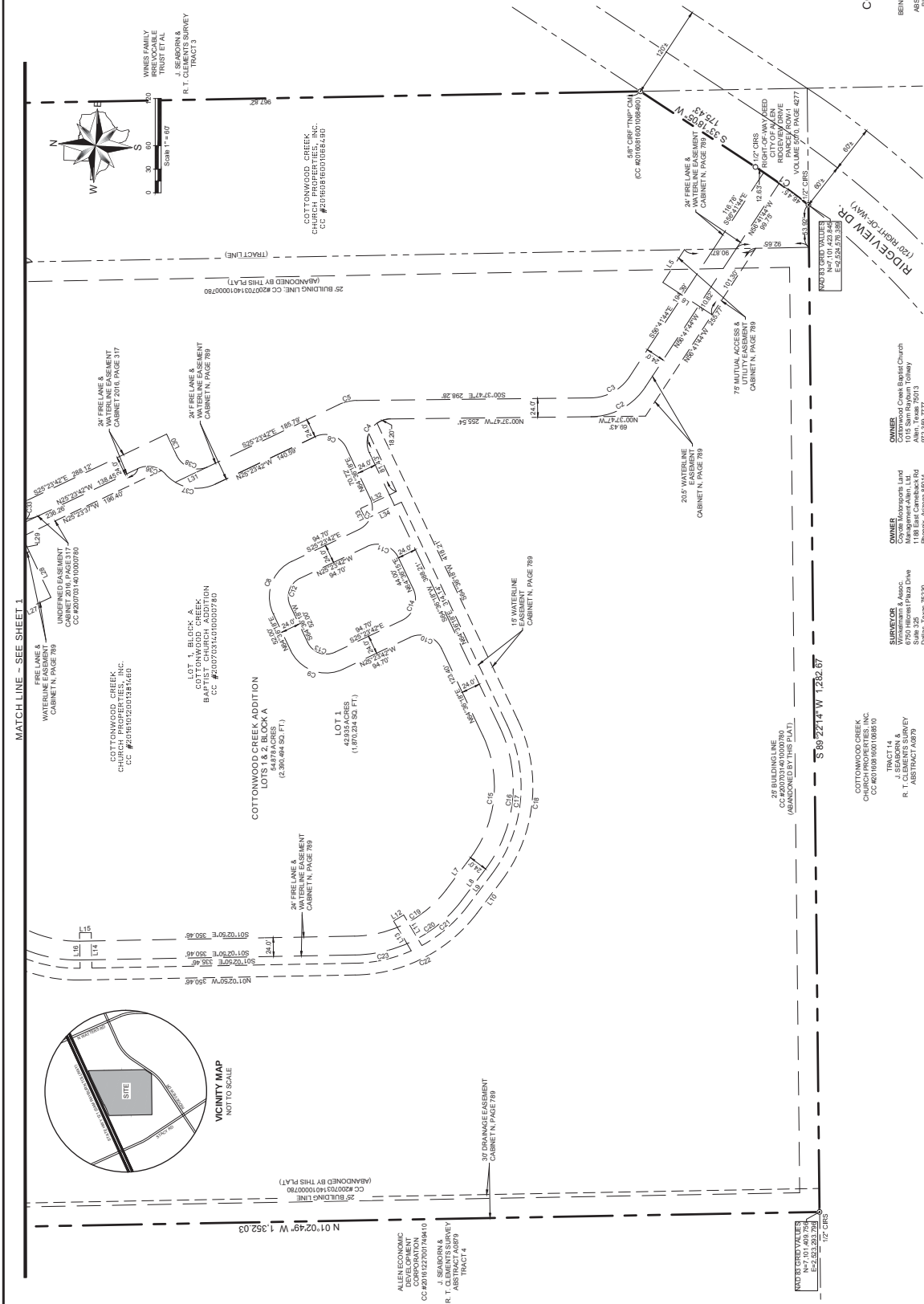
I make a motion to approve the Final Plat for Cottonwood Creek Addition, Lots 1 & 2, Block A; generally located south of State Highway 121 and west of Watters Road.

ATTACHMENTS

Final Plat

 Winckelmann & Associates, Inc. CONSULTING ENGINEERS & ARCHITECTS 1000 WEST 19TH STREET, SUITE 100 DALLAS, TEXAS 75201-2209 TEL: 214-742-1100 FAX: 214-742-1101	 DAVID L. ALLEN STATE OF TEXAS NO. 11888 EXPIRATION DATE 08/31/2012	COYTE MOTORSPORTS (LAND MANAGEMENT)-ALLEN, LTD. 1188 EAST COYTE ROAD PHOENIX, ARIZONA 85014	LOTS 1 & 2, BLOCK A	Project No.: 73101
				File #: 73101-Pt.1
				Scale: 1" = 60'
Date: 07-21-17		FINAL PLAN		COTTONWOOD CREEK ADDITION
SPARKMAN & CLARKSON (OWNER)-ASHFORTH, CO. 8/19 CITY OF ALLEN COLLIN COUNTY, TEXAS		SPARKMAN & CLARKSON (OWNER)-ASHFORTH, CO. 8/19 CITY OF ALLEN COLLIN COUNTY, TEXAS		

FINAL PLAT
COTTONWOOD CREEK
ADDITION
LOTS 1 & 2, BLOCK 1
ING 64.878 ACRES (1,200,494 SQ. FT.) OUT OF
THE SEABORN & CLEMENTS SURVEY,
ABSTRACT NO. 879, AND BEING ALL OF LOT 1,
BLOCK 4, COTTONWOOD CREEK BAPTIST
CHURCH ADDITION, IN THE CITY OF ALLEN,
COLLIN COUNTY, TEXAS



PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE: March 6, 2018

SUBJECT: Consider a request for a Final Plat for Ridgeview Crossing Phase 1A, being 20.441± acres located in the F. Dasser Survey, Abstract No. 280 and the G. Phillips Survey, Abstract No. 701; generally located west of Chelsea Boulevard and south of the Ridgeview Drive right-of-way. (PL-012318-0023) [Ridgeview Crossing Phase 1A]

STAFF RESOURCE: Hayley Angel
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Alternative Screening Request – Approved June, 2016
General Development Plan – Approved July, 2016
Planned Development No. 130 – Approved June, 2017
Preliminary Plat – Approved September, 2017
Planned Development No. 130 – Amended January, 2018

LEGAL NOTICES: None.

ANTICIPATED COUNCIL DATE: None.

BACKGROUND

The property is generally located west of Chelsea Boulevard and south of the Ridgeview Drive right-of-way. The property to the north is zoned Planned Development PD No. 130 Single-Family Residential R-6. The property to the east (across Chelsea Boulevard) is zoned Agricultural Open Space AO. The properties to the south are zoned Planned Development PD No. 92 Single-Family Residential R-7 and Planned Development PD No. 92 Single-Family Residential R-5. The properties to the west (across Hillard Drive) are zoned Planned Development PD No. 130 Single-Family Residential R-5 and Agricultural Open Space AO.

The property is zoned Planned Development PD No. 130 Single-Family Residential R-6 and Planned Development PD No. 130 Single-Family Residential R-5. A Planned Development was approved by City Council in June 2017, and a Planned Development Amendment addressing the elevations was approved by City Council in January 2018. A Preliminary Plat was approved in September 2017. The Final Plat is the last step in the development process.

The Preliminary Plat showed two phases of development. The subject Final Plat is for a portion of Phase 1, and shows 20.441± acres of land subdivided into 95 residential lots and 5 Open Space/HOA lots. There are five points of access into this portion of the development; the primary access point is on Chelsea Boulevard and the other four are through internal drives. The plat also shows the various easements and right-of-way dedication required for development of the property.

The Final Plat has been reviewed by the Technical Review Committee, is generally consistent with the PD Concept Plan and the Preliminary Plat, and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to approve the Final Plat for Ridgeview Crossing 1A; generally located west of Chelsea Boulevard and south of the Ridgeview Drive right-of-way.

ATTACHMENTS

Final Plat

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
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AGENDA DATE:	March 6, 2018
SUBJECT:	Consider a request for a Final Plat for Ridgeview Crossing Phase 1B, being 15.324± acres located in the F. Dasser Survey, Abstract No. 280; generally located west of Chelsea Boulevard and south of the Ridgeview Drive right-of-way. (PL-012618-0025) [Ridgeview Crossing Phase 1B]
STAFF RESOURCE:	Hayley Angel Planner
PREVIOUS COMMISSION/COUNCIL ACTION:	Alternative Screening Request – Approved June, 2016 General Development Plan – Approved July, 2016 Planned Development No. 130 – Approved June, 2017 Preliminary Plat – Approved September, 2017 Planned Development No. 130 – Amended January, 2018
LEGAL NOTICES:	None.
ANTICIPATED COUNCIL DATE:	None.

BACKGROUND

The property is generally located east of Chelsea Boulevard and south of the Ridgeview Drive right-of-way. The property to the north (across the Ridgeview Drive right-of-way) is zoned Planned Development PD No. 92 Corridor Commercial CC. The properties to the east (across Hillard Drive) are zoned Planned Development PD No. 130 Single-Family Residential R-5. The properties to the south are zoned Planned Development PD No. 130 Single-Family Residential R-5 and Agricultural Open Space AO. The properties to the west are zoned Community Facilities CF and Agricultural Open Space AO.

The property is zoned Planned Development PD No. 130 Single-Family Residential R-5. A Planned Development was approved by City Council in June 2017, and a Planned Development Amendment addressing the elevations was approved by City Council in January 2018. A Preliminary Plat was approved in September 2017. The Final Plat is the last step in the development process.

The Preliminary Plat showed two phases of development. The subject Final Plat is for a portion of Phase 1, and shows 15.324± acres of land subdivided into 39 residential lots and 9 Open Space/HOA lots. There are six points of access into this portion of the development; all six through internal drives. The plat also shows the various easements and right-of-way dedication required for development of the property.

The Final Plat has been reviewed by the Technical Review Committee, is generally consistent with the PD Concept Plan and the Preliminary Plat, and meets the requirements of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

I make a motion to approve the Final Plat for Ridgeview Crossing 1B; generally located west of Chelsea Boulevard and south of the Ridgeview Drive right-of-way.

ATTACHMENTS

Final Plat

PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
--

AGENDA DATE: March 6, 2018

SUBJECT: Conduct a Public Hearing and consider a request for a Replat for Lyrick Addition, Lots 1-AR, 2R, 3R, and 4-7, Block A, being 39.3432± acres; generally located south of Bethany Drive and west of Greenville Avenue. (PL-012618-0027) [Lyrick Addition]

STAFF RESOURCE: Hayley Angel
Planner

PREVIOUS COMMISSION/COUNCIL ACTION: Final Plat – Approved July, 1985
Preliminary Plan – Approved August, 1999
Final Plat – Approved August, 1999
Planned Development PD No. 131 – Approved September, 2017

LEGAL NOTICES: None.

ANTICIPATED COUNCIL DATE: None.

BACKGROUND

The property is generally located south of Bethany Drive and west of Greenville Avenue. The properties to the north (across Bethany Drive) are zoned Planned Development PD No. 3 Light Industrial LI, Planned Development PD No. 3 Shopping Center SC, and Local Retail LR. The properties to the east (across Greenville Avenue) are zoned Planned Development PD No. 4 Shopping Center SC. The properties to the south and west zoned Light Industrial LI.

The property is currently zoned Planned Development PD No. 131 Shopping Center SC and Light Industrial LI. A PD Amendment for Lot 2R, Lots 4-7, a portion of 1-AR, and a portion of Lot 3R was approved by City Council in September 2017. Site Plans for Lots 2R, 3R, 4, and 6 are currently being reviewed. Platting is the last step in the development process.

The Replat shows seven lots at approximately 39.3432± acres. There are a total of five primary access points into the property; three on Bethany Drive and two on Greenville Avenue. The plat also shows various easements and right-of-way dedication required for development of the property.

The Replat has been reviewed by the Technical Review Committee and meets the standards of the Allen Land Development Code.

STAFF RECOMMENDATION

Staff recommends approval.

MOTION

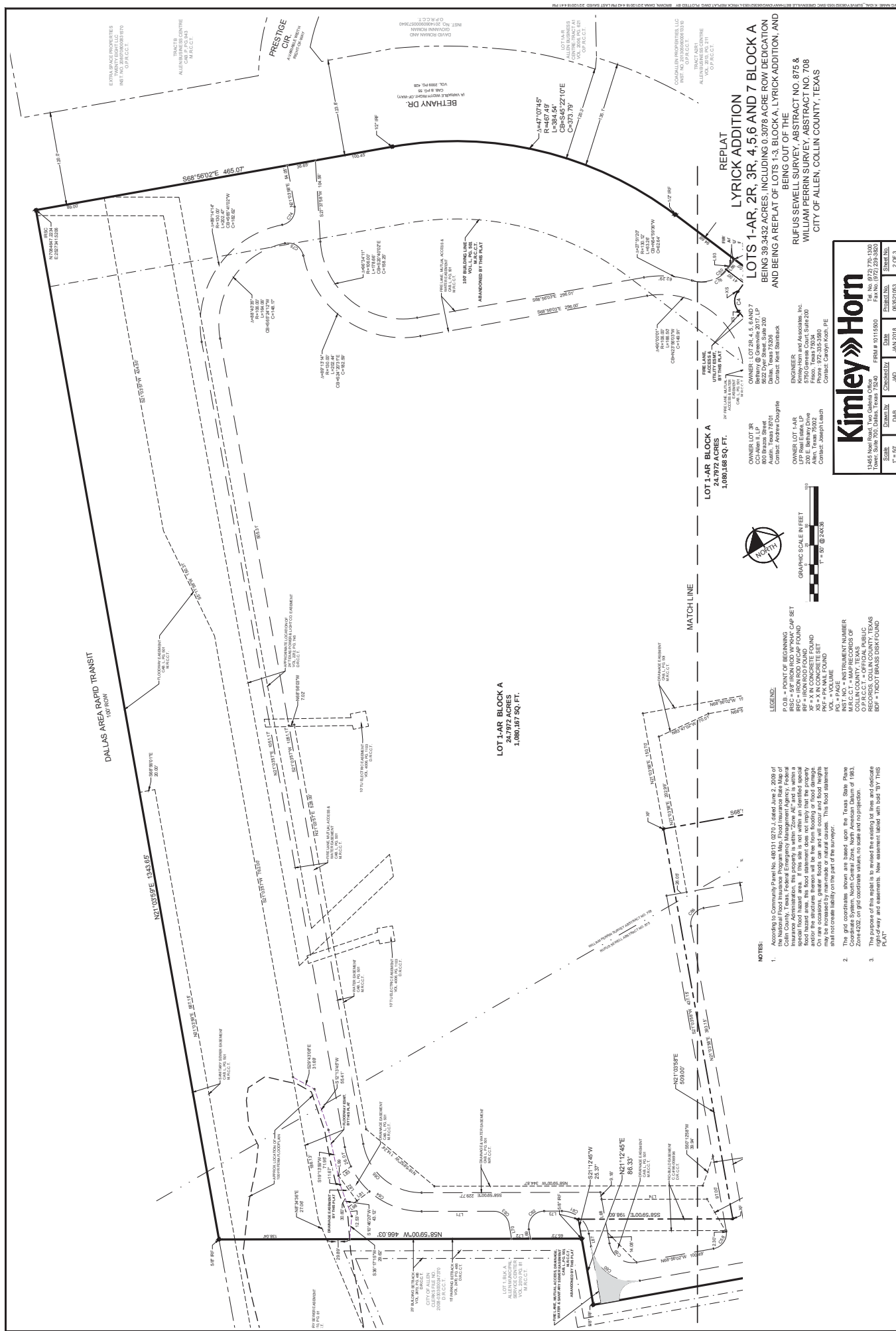
I make a motion to approve a Replat for Lyrick Addition, Lots 1-AR, 2R, 3R, and 4-7, Block A; generally located south of Bethany Drive and west of Greenville Avenue.

ATTACHMENTS

Replat



STRAINING OF CAGE-CULTURED SALMON "WILD" REVENUE



PLANNING & ZONING COMMISSION AGENDA COMMUNICATION
--

AGENDA DATE: March 6, 2018

SUBJECT: Discuss proposed amendments to the Allen Land Development Code.

STAFF RESOURCE: Lee Battle, AICP
Assistant Director of Community Development

PREVIOUS COMMISSION/COUNCIL ACTION: None.

LEGAL NOTICES: None.

ANTICIPATED COUNCIL DATE: None.

BACKGROUND

The Allen Land Development Code (ALDC) is periodically amended to improve the effectiveness and efficiency of the code, address changing development trends and new technologies, and make changes necessary for compliance with state and federal laws.

This discussion item is intended to provide an opportunity for the Commission to review and discuss the proposed amendments prior to making a recommendation. The Allen Land Development Code amendments will return to the Commission at the March 20, 2018 Regular Meeting as an action item on the Regular Agenda.

STAFF RECOMMENDATION

N/A

MOTION

No motion to be made.

ATTACHMENTS

Proposed Amendments to the Allen Land Development Code

Allen Land Development Code - Proposed Amendments

Proposed changes are illustrated in RED.

Townhome Standards

The following amendments are intended to improve the standards for future townhome developments.

Sec. 4.08.5. "TH" townhome residential district.

~~2. Supplemental district regulations. In addition to other applicable use and development regulations set forth in this Code, the following regulations shall apply to property located within a "TH" district:~~

~~a. No more than six dwelling units shall be attached in one continuous row or group.~~

~~b. No dwelling unit shall be constructed above another dwelling unit.~~

~~c. There shall be a side yard of not less than six feet in width on each side of a contiguous row or group of dwellings.~~

Sec. 4.15.2. Schedule of residential height and area regulations.

		TH ⁽⁸⁾
Minimum	Lot Area (sq. feet)	2160
	Lot Area/Dwelling Unit	n/a
	Front Yard ⁽⁴⁾ (in feet)	20 ⁽⁵⁾ 15 ⁽⁸⁾
	Rear Yard (in feet)	15 10 ⁽⁸⁾
	Side Yard ⁽³⁾ (in feet)	6 ⁽⁸⁾
	Side Yard ⁽³⁾ (% of lot width)	n/a
	Corner Lot Side Yard (in ft.)	10 15 ⁽⁸⁾
	Lot Width (in feet)	24
	Lot Depth (in feet)	90
	Buildable Area (sq. feet)	n/a
	Dwelling unit Size (sq. ft.)	1,200
	Average du size/project	n/a
	Park Land/du (sq. feet)	436
	Open Space/du (sq. ft.)	667
	Building Materials	100% Masonry
Maximum	Percent Lot Coverage	65 2 story 75 1 story
	Dwelling units/acre(sq. ft.)	10.8
	Building Height (feet)	35
	Building Height (stories)	2.5

~~(8) One visitor parking space required for every two townhomes (no unit shall be further than 100 feet from a visitor space), in addition to a minimum of two garage spaces (only a minimum of two car garages allowed), with two spaces in driveway; right of way can be 40 feet, paving 28 feet back to back, roll down curbs allowed with a ten-foot utility easement required in front yards if there is no alley access; if right of way is 40 feet and there is alley access, a five-foot utility easement is required in front yard. See supplemental use regulations Sec. 6.06.13.~~

Sec. 6.06.13. Townhomes

Townhome developments shall be subject to the following additional development and use regulations:

- a. *Base zoning.* Townhome uses shall comply with the use and development regulations applicable to the development of a townhome residential district except as provided in this section or the development and use regulations of a planned development zoning district.
- b. *Units.* No more than six (6) dwelling units shall be attached in one continuous row or group. No dwelling unit shall be constructed above another dwelling unit.
- c. *Lot Design.* Townhome developments shall be developed with units that face a public street or an open space in accordance with the following:
 1. Units that front a public street.
 - i. On-street parallel parking spaces are required. Spaces meeting the minimum dimensional requirements of this code may count toward the required visitor parking.
 - ii. Street trees are required to be planted between the curb and sidewalk. The minimum width of tree planting areas shall be nine feet (9'). No utilities shall be located in the tree planting area. Trees may be planted in landscaping bump-outs located between parallel parking spaces and having a minimum size of nine feet by ten feet (9'x10').
 - iii. A minimum ten foot (10') utility and pedestrian access easement is required and must be located between the tree planting area and townhome. The sidewalk shall be located in this easement. The easement shall be a minimum of five feet (5') from any structure (including porches). The width of this easement may need to be increased to accommodate utility depth requirements.
 - iv. All franchise utilities shall be located in the rear (alley side) of the units.
 - v. Front-loading garages are not permitted. Rear access driveways shall be a minimum of twenty feet (20') in length, or shall be six feet (6') in length.
 - vi. No fences shall be placed closer to the alley than the face of the garage. No fences shall be placed in a public utility easement.
 2. Units that front an open space.
 - i. The minimum width of the open space shall be thirty feet (30'), excluding the required front yards. The maximum length of a continuous open space with townhomes fronting on it shall be 500 feet.
 - ii. Required street trees shall be planted in the open space.
 - iii. Pedestrian access easements to accommodate sidewalks will be required either in the open space or front yards.
 - iv. Driveways shall be a minimum of twenty feet (20') in length.
 - v. A minimum twenty-four foot (24') wide paved alley shall be required. Public utilities (water and sewer) must be placed in easements outside the alley pavement. Franchise utilities may be located in the rear in a separate easement that does not conflict with public utilities.

- vi. No fences shall be placed closer to the alley than the face of the garage. No fences shall be placed in a public utility easement.
- d. *Parking.* A minimum of two attached garage spaces are required (excluding tandem spaces). One visitor parking space shall be provided for every two townhomes. No unit shall be farther than 100 feet from a visitor space. Visitor parking may include designated on-street or off-street spaces.
- e. *Setbacks.*
 - 1. Front yards. Minimum fifteen feet (15').
 - 2. Rear yards. Minimum ten feet (10'). Six feet (6') where garages are accessed with six foot (6') driveways. All above ground utility equipment, including but not limited to meters, transformers, utility boxes and A/C units, shall be placed adjacent to, or attached to, the building.
 - 3. Side yards. Minimum twelve feet (12') between buildings. Minimum fifteen feet (15') adjacent to a street or alley.
- f. *Trees.* One shade tree per unit shall be located in the tree planting area described in section c. *Lot Design.* Trees shall be separated by a minimum of thirty feet (30'). Root barriers and similar planting standards may be required based on proximity to utilities and other improvements.
- g. *Open Space.* Open space areas should be evenly distributed, centrally located and easily accessible. All lots must be located within 1,320 feet of usable open space as measured along a street or trail. Open space shall have no dimension of less than fifteen feet (15'), and lots shall not back to open space.
- h. *Architecture.* Townhouse buildings shall be designed to meet the following:
 - 1. Building and roof lines should have horizontal and vertical articulation on all walls facing or adjacent to a street or public open space. Building facades shall be designed to reduce the uniform monolithic scale and appearance of large unadorned walls, while providing a more pedestrian-oriented design and visual interest through the use of detail and scale and fenestration (i.e. character and interrelationships of facade design components including windows, doors, and roof design).
 - 2. All living units must have an individual identity which is to be achieved by a combination of some of the following:
 - (a) Varying building unit height.
 - (b) Varying building unit forms.
 - (c) Varying roof pitch and pitch directions.
 - (d) Addition or deletion of patio and patio walls.
 - (e) Staggering of exterior walls.

The following will require all single-family homes to be 100% masonry. Currently all other construction, including townhomes, multi-family, and commercial buildings, are required to be 100% masonry.

Sec. 4.15.2. Schedule of residential height and area regulations.

	R-1	R-1.5	R-2	R-3	R-4	R-5	R-6	R-7	2-F	TH ⁽¹⁰⁾	MF-12 ⁽⁸⁾	MF-18 ⁽⁸⁾	M-H
Building Materials	75 100% Masonry Exterior ⁽⁹⁾									100% Masonry Exterior (does not include cement fiber products)			

(9) The exterior walls of all buildings shall be constructed of 100 percent brick, stone masonry, or stucco materials per elevation. For the purposes of this section, cementitious fiber board shall not be considered a masonry material.

Highway 121 Standards

The following amendments will modify the required setbacks along Hwy 121 and allow for larger multi-tenant signage, appropriate to the larger developments that will occur along the corridor.

Section 4.15.3 Schedule of non-residential height and area regulations

		CC
Min.	Front Yard Setback R-O-W >100 ft.	100 ⁽²⁾⁽³⁾⁽⁸⁾
	Front Yard Setback R-O-W <100 ft.	50 ⁽²⁾⁽⁸⁾

⁽⁸⁾ Properties adjacent to Highway 121 shall have a front yard setback of fifty feet (50'). No parking shall be allowed within thirty feet (30') of the front property line.

Section 7.09.11.2 - Table 7.23, Permanent Signs

SIGN TYPE Zoning District	Maximum Height	Maximum Copy Area (Square Feet)	Maximum Structure (includes copy area)	Maximum Number	Minimum Spacing	Front Yard Setback (minimum in ft)	Permit Required	Additional Provisions
On-premises - Free-standing (Detached) - Monument								
Retail/Comm Multi-Tenant >10 acres within 100 ft. of Highway 121	35**	300	n/a	1*	60	15	Y	Signs to be wrapped in masonry or similar product with no poles visible. **Measured from the nearest adjacent grade of the travel lanes of Highway 121 *Additional sign allowed for tracts > 15 acres on same premises

Sec. 7.05.3. Nonresidential and multifamily landscaping requirements.

1. Landscape buffers adjacent to streets. A landscape buffer in which no building, structure or parking shall be located, shall be required adjacent to the right-of-way line of all dedicated public streets as follows:
 - a. Adjacent to United States Highway 75 ~~and State Highway 121~~: 25 feet.
 - ~~a.b.~~ Adjacent to State Highway 121: 30 feet. A maximum of 15-feet of the landscape buffer may be collocated with utility easements.
 - ~~b.c.~~ Adjacent to public streets with a right-of-way of 100 feet or more: 15 feet.
 - ~~c.d.~~ Adjacent to public streets with a right-of-way less than 100 feet: 10 feet.
 - ~~d.e.~~ Where public improvements, including deceleration lanes, are necessary, the city may consider, on a case by case basis, reducing the landscape buffer up to 50 percent. The total amount of landscape buffer reduced (in square feet) must be relocated within the site.
 - ~~e.f.~~ *Certain corner lots.* Corner lots at the intersection of two major or larger thoroughfares classified as P8D, P6D, M6D, M4D, M4U, C4U shall comply with the following landscaping requirements in addition to the required plantings for the landscaped buffer and parking lot landscaping:

Sight Visibility Standards

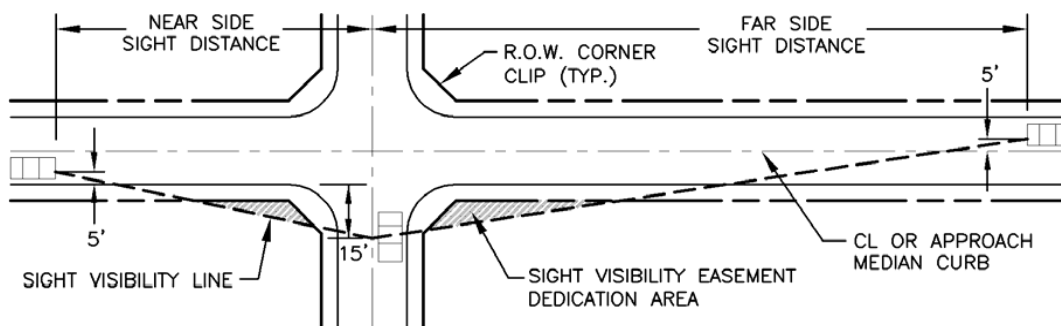
This amendment provides better sight visibility for drivers at intersections and adopts national AASHTO standards.

Section 8.05.1 Street Design Standards

15. Sight Visibility Triangles.

- a. Sight Visibility Triangles shall be provided on all corners of an intersection between a street and another street, alley or driveway.
- b. No fence, wall, screen, sign, structure, foliage, hedge, tree, bush, shrub, berm, or any other item, either man-made or natural shall be erected, planted, or maintained in a position that will obstruct or interfere with sight lines. However, single-trunk trees, traffic control devices, street lights, and other utility elements that cannot reasonably be placed elsewhere, may be placed within a given visibility triangle. The Director of Engineering shall have the authority to make a final determination on the presence of any obstruction and the allowance of any items within the visibility triangle.
- c. Lines of sight at all intersections shall be clear at elevations between thirty inches (30") and nine feet (9') above the average gutter elevation within the corner visibility triangle.
- d. The City has the right to prune or remove any vegetation within City right-of-way, including within sight line triangles, to abate a safety hazard and/or a nuisance.
- e. The Director of Engineering shall have the authority to interpret the application of sight visibility requirements where unique circumstances exist (i.e. advisory speeds, roadway geometry).
- f. The values presented in this table are minimum sight distances for views in both directions such that an exiting vehicle could accelerate to the operating speed of the street in turning left (far side applies) or right (near side applies) from any driveway, alley or street intersecting a public street. Where a driveway intersects a street with a median barrier that prevents left turns, only the Near Side sight distance requirement is applicable.

Posted Speed (mph)	Intersection Sight Distance	
	Near Side (feet)	Far Side (feet)
30	290	335
35	335	390
40	385	445
45	430	500
50	480	555



Section 7.07 Fences and walls

1. Height of fence or wall

- c. No fence, screen, wall or other visual barrier shall be placed in such a manner as to obstruct the vision of motor vehicle drivers approaching any street **or alley** intersection. At all intersections, clear vision shall be maintained **in accordance with Section 8.05.1 of this code. across the corner for a distance of 45 feet back from a projected curbline corner along both intersecting streets. (See Figure 1.)**
- d. **No fence, screen, wall or other visual barrier shall be placed in such a manner as to obstruct the vision of motor vehicle drivers approaching any alley intersection. At all intersections of an alley with a street, clear vision shall be maintained across the corner for a distance of 20 feet back from a projected curbline corner along the intersection of the alley and street.**
- e. **A sight distance of 200 feet shall be maintained at all street intersections.**

The following is a new section being added to the code to provide clear authority and guidelines when the code is being interpreted.

Sec. 1.10. Rules of Interpretation

1. *Restrictiveness.* Where the regulations imposed herein are either more restrictive or less 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.
2. *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.
3. *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.
4. *Director Authority to Interpret.* Unless otherwise specified within this ordinance, the Director shall have the authority to determine the meaning, applicability, and interpretation of any provision of this ordinance. Any person aggrieved, or any officer, department, board or commission of the city affected by an interpretation of the Director may appeal the interpretation to Board of Adjustment in accordance with Section 2.02.

Changes the allowable duration of a carnival from three to five days:

Section 6.04.1 Temporary use permit applications

4. Types of temporary use permits
 - c. *Carnival, circus, fairgrounds, parking lot sales, sporting events, philanthropic or religious event, and political rallies.* Carnival, circus, fairgrounds, parking lot sales, sporting events, political rallies, philanthropic or religious events and similar activities may be allowed provided the use conforms to all other provisions of this Code and the Code of Ordinances. The term of a temporary use permit for a carnival, circus, or fairgrounds shall not exceed a maximum of ~~three~~ **five (5) days, including set-up and tear-down.**

Appendix A. Definitions

Clarifies that poker clubs and similar businesses do not fall under the definition of Amusement commercial (indoor):

~~Amusement commercial (indoor) means a private facility offering indoor entertainment such as bowling alley, video arcade, indoor entertainment, or billiard parlor.~~

Amusement commercial (indoor) means a private facility offering indoor entertainment such as bowling alley, billiard parlor, skating rink, video arcade, coin-operated amusement machines in compliance with Sec. 47.01(4)(B) of the Texas Penal Code, or similar indoor entertainment. This does not include, social gaming, gaming clubs or parlors, cardrooms, or similar gaming activities.

Clarifies that licenses massage therapy businesses are included as a medical office:

~~Massage therapy means the service of physical therapy performed by a licensed physical therapist.~~

Medical or dental office means an office where outpatient medical and dental services are provided by physicians, dentists, chiropractors, optometrists, **licensed massage therapists**, and similar medical professionals. This classification also includes physical therapy and counseling services related to medical conditions. See also "Medical clinic."

Clarifies what activities are included as Personal Service Businesses, and separates them from the definition of retail uses:

Personal service business means an establishment providing individual services related to personal needs directly to customers at the site of the business, or that receives goods from or returns goods to the customer that have been treated or processed at that location or another location. Specific use types include, but are not limited to: barbershop, beauty shop, tanning salons, permanent cosmetics, nail salons and unlicensed / non-medical massage therapy.

Section 4.20.2 Schedule of principal uses

RESIDENTIAL USES												TYPE OF USE	NON-RESIDENTIAL DISTRICTS											
R1	R1.5	R-2	R-3	R-4	R-5	R-6	R-7	2F	TH	MF12	MF18		AO	GO	O	LR	SC	LC	GB	CC	IT	LI	HI	CF
												PERSONAL SERVICE BUSINESS				X	X	X	X	X				

Platting Approvals

The following amendments provide clarification on the types of plats regulated by the code and insure that the code mirrors State law. These amendments do not change the actual regulations for platting.

Sec. 8.02.4. Administrative approval of certain amending plats, minor plats and replats.

- ~~5. a. The following certificate shall be placed on....~~
- ~~b. The title block shall say....~~

Sec. 8.03.4. Final plat.

2. Required information.
 - n. Notarized certifications and certificates shall be placed on the plat as required by the City.
 - ~~o. A notarized certification by the owner(s)...~~
 - ~~p. The following certificates shall be placed...~~
 - ~~q. o. Final plat review...~~

Sec. 8.03.6. Minor plats.

1. The purpose of a Minor Plat is to simplify divisions of land under certain circumstances outlined in State Law. An application for approval of a Minor Plat may be filed only in accordance with State law, when all of the following circumstances apply:
 - a. The proposed division results in four (4) or fewer lots;
 - b. All lots in the proposed subdivision front onto an existing public street and the construction or extension of a street or alley is not required to meet the requirements of this code; and
 - c. Except for right-of-way widening and easements, the plat does not require the extension of any municipal facilities to serve any lot within the subdivision.
2. Unless otherwise specified, application and all related procedures, including recordation, shall be the same as specified for a Final Plat. Review and approval shall be in accordance with Section 8.02.4 and other applicable provisions of this code.

Sec. 8.03.7. Replatting without vacating preceding plat.

1. The purpose of a replat is to re-subdivide part or all of any previously platted subdivision, addition, lot or tract, which does not require the vacation of the entire preceding plat. Replats shall apply only if a property owner seeks to change any portion of a plat that has been filed of record with the County.
2. A Replat of all or a portion of a recorded plat may be approved in accordance with State law without vacation of the recorded plat, if the Replat:
 - a. Is signed and acknowledged by only the owners of the property being replatted;
 - b. Is approved after a public hearing; and
 - c. Does not propose to amend or remove any covenants or restrictions previously incorporated in the recorded plat.

3. ~~2.~~ A replat without vacation of the preceding plat must conform to the requirements of ~~this~~ section ~~4.~~ below if:
 - a. During the preceding five years, any of the area to be replatted was limited by an interim or permanent zoning classification to residential use for not more than two residential units per lot; or
 - b. Any lot in the preceding plat was limited by deed restrictions to residential use for not more than two residential units per lot.
4. ~~3.~~ If the conditions described in subsection ~~23.~~a. or ~~23.~~b. of this section exist, then the following is required...

Sec. 8.03.8. Amending plats.

- d. The purpose of an Amending Plat shall be to provide an expeditious means of making minor revisions to a recorded plat consistent with provisions of State law (LGC 212.016). procedures for an Amending Plat shall apply only if the sole purpose of the Amending Plat is to achieve one or more of the following:
 - a. Correct an error in a course or distance shown on the preceding plat;
 - b. Add a course or distance that was omitted on the preceding plat;
 - c. Correct an error in a real property description shown on the preceding plat;
 - d. Indicate monuments set after the death, disability or retirement from practice of the engineer or surveyor responsible for setting monuments;
 - e. To show the location or character of a monument that has been changed in location or character or that is shown incorrectly as to location or character on the preceding plat;
 - f. To correct any other type of scrivener or clerical error or omission previously approved by the municipal authority responsible for approving plats, including lot numbers, acreage, street names, and identification of adjacent recorded plats;
 - g. To correct an error in courses and distances of lot lines between two adjacent lots if:
 - i. both lot owners join in the application for amending the plat;
 - ii. neither lot is abolished;
 - iii. the amendment does not attempt to remove recorded covenants or restrictions; and
 - iv. the amendment does not have a material adverse effect on the property rights of the other owners in the plat;
 - h. To relocate a lot line to eliminate an inadvertent encroachment of a building or other improvement on a lot line or easement;
 - i. To relocate one or more lot lines between one or more adjacent lots if:
 - i. the owners of all those lots join in the application for amending the plat;
 - ii. the amendment does not attempt to remove recorded covenants or restrictions; and
 - iii. the amendment does not increase the number of lots;
 - j. To make necessary changes to the preceding plat to create six or fewer lots in the subdivision or a part of the subdivision covered by the preceding plat if:
 - i. the changes do not affect applicable zoning and other regulations of the municipality;
 - ii. the changes do not attempt to amend or remove any covenants or restrictions; and
 - iii. the area covered by the changes is located in an area that the municipal planning commission or other appropriate governing body of the municipality has approved, after a public hearing, as a residential improvement area; or
 - k. To replat one or more lots fronting on an existing street if:
 - i. the owners of all those lots join in the application for amending the plat;

- ii. the amendment does not attempt to remove recorded covenants or restrictions;
 - iii. the amendment does not increase the number of lots; and
 - iv. the amendment does not create or require the creation of a new street or make necessary the extension of municipal facilities.
- e. Unless otherwise specified, application and all related procedures, including recordation, shall be the same as specified for a Final Plat. Review and approval shall be in accordance with Section 8.02.4 and other applicable provisions of this code.