ORDINANCE NO. 2023-198

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, CITY OF ALEDO, TEXAS, BY REPEALING ORDINANCE NUMBER 2008-03 "CITY ZONING ORDINANCE" AND CHAPTER 66, "SUBDIVISIONS," AND ADOPTING A NEW CHAPTER 66, "UNIFORM DEVELOPMENT CODE," TO PROVIDE THE SUBDIVISION AND ZONING REGULATIONS OF THE CITY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A PENALTY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Aledo, Texas ("City"), is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City previously adopted ordinances governing the subdivision and zoning of property located within the City for the purpose of promoting the public health, safety, morals, and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the City has created a Uniform Development Code to regulate subdivision and zoning of property within the City; and

WHEREAS, a public hearing was held at a meeting of the Planning and Zoning Commission on October 12, 2023, and the City Council on December 7, 2023 with respect to the proposed use changes described herein; and

WHEREAS, all requirements of law dealing with notice, publication, and all procedural requirements have been complied with in accordance with the Comprehensive Zoning Ordinance and Chapter 211 of the Local Government Code; and

WHEREAS, the City Council of the City does hereby deem it advisable and in the public interest to repeal and replace the City Zoning Ordinance and Chapter 66, "Subdivisions," of the Code of Ordinances with the Uniform Development Code.

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

SECTION 1.

Ordinance No. 2008-03, the City Zoning Ordinance, as amended, is hereby repealed in its entirety.

SECTION 2.

Chapter 66, "Subdivisions," of the Code of Ordinances is hereby repealed and replaced with Chapter 66, "Uniform Development Code," to read as follows:

"CHAPTER 66 – SUBDIVISIONS

ARTICLE I. – IN GENERAL

Sec. 66.1 – Adopted.

The Unified Development Code ("UDC"), adopted by Ordinance No. 2023-198, enacted December 7, 2023, as amended, is included at the end of this chapter as Exhibit A. Due to the nature of the UDC and the technicalities involved in adopting or amending it, such Ordinance is printed herein as enacted, with only nonsubstantive formatting and style changes. Capitalization, punctuation, and numbering of articles, sections, and subsections have been retained as enacted. Subsequent amendments will be inserted in their proper place and denoted by a history note following the amended provisions. The absence of a history note indicates the material is unchanged from the original. Obviously, misspelled words have been corrected without notation. Any other material added for purposes of clarification is enclosed in brackets.

Secs. 66.2 – 66.99 – Reserved.

Exhibit 66A – Unified Development Code.

***"

SECTION 3.

Exhibit 66A, "Unified Development Code," is attached hereto as Exhibit A and incorporated herein for all purposes. The Unified Development Code shall be codified within the Code of Ordinances.

SECTION 4.
ORDINANCE CUMULATIVE

This Ordinance shall be cumulative of all other ordinances of the City of Aledo affecting zoning, subdivision, land use, and administration of the same, as well as any other provisions of the Code of Ordinances, and shall not repeal any of the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this Ordinance.

SECTION 5.
PENALTY

Any person, firm, or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance shall be fined not more than Two Thousand Dollars ($2,000.00) for each offense. Each day that a violation is permitted to exist

shall constitute a separate offense. In addition, any person, firm or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this Ordinance may be subjected to such civil penalties as authorized by law.

SECTION 6.
SAVINGS CLAUSE

All rights or remedies of the City are expressly saved as to any and all violations of the City Zoning Ordinance, as amended, or any other ordinance affecting zoning and land use that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation, both civil and criminal, same shall not be affected by this Ordinance, but may be prosecuted until final disposition by the Courts.

SECTION 7.
SEVERABILITY

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 8.
PUBLICATION

The City Secretary of the City of Aledo is hereby directed to publish in the official newspaper of the City the caption, penalty clause, and effective date clause of this Ordinance as required by law.

SECTION 9.
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED AND APPROVED ON THIS 7th DAY OF DECEMBER, 2023.

NICK STANLEY, MAYOR

ATTEST:

DEANA MCMULLEN, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

ALICIA KREH, CITY ATTORNEY

Table of Contents

Article 1 – General Provisions Page 1

Article 2 – Districts Page 25

Article 3 – Development Standards Page 54

Article 4 – Signage Page 100

Article 5 – Subdivision Page 109

Article 6 – Definitions Page 147

Acknowledgements

City Council

Nick Stanley, Mayor

Nelson Rowls, Mayor Pro Tem

Christian Pearson

Shane Davis

Shawna Ford

Summer Jones

Planning and Zoning Commission

Jeff Corby, Chair

Ben Clark

Eric Grimm

Clayton Lundgren

Taylor Renberg

Robert Gustavson, Alternate

Matt Poston, Alternate

Byron Smith, Alternate

Daniel Reilley, Alternate

City Staff

Noah A. Simon, City Manager

Deana McMullen, City Secretary

Luis Gatica, Public Works Director

Iván G. Gonzalez, City Planner

Kevin Turner, Building Official

Amy Bridges, Permit Technician

Gary Enna, Interim Public Works Director

Article 1 – General Provisions

1. Title & Authority

    a. This Ordinance shall be known and may be cited as "The City of Aledo Unified Development Code Ordinance."

    b. This chapter is adopted under the authority of the constitution and laws of the state, including, particularly, V.T.C.A., Local Government Code Chapters 43, 211, 212, and 213.

2. Purpose

    a. Promoting public health, safety, morals, or general welfare and protecting and preserving places and areas of historical, cultural, or architectural importance and significance.

    b. Land Development Regulations are herein established in accordance with a Comprehensive Plan for the purpose of promoting the health, safety, and general welfare of the citizens of the City. They are designed to lessen 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, and to avoid undue concentration of population; to Facilitate the adequate provision of transportation, water, wastewater, schools, parks, and other public requirements. They have been established with reasonable consideration for the character of each district and its peculiar suitability for the uses specified; and with a view to conserving the value of buildings and encouraging the most appropriate use of land throughout the City.

3. Validity, Severance, and Conflict

    a. If any section, paragraph, subdivision, clause, phrase, or provision of this Ordinance shall be adjudged invalid or held unconstitutional, the same shall be severed from and shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part deemed to be invalid or unconstitutional. To the extent any provision of this Ordinance conflicts with other ordinances of the City of Aledo, the terms of this Ordinance shall control.

4. Effective Date

    a. This Ordinance shall be effective from and after the publication of its caption, penalty clause, and effective date as required by law and the City Secretary is hereby directed to implement such publication in accordance with Section 52.03 of the Local Government Code.

    b. Recommended for acceptance by the Planning and Zoning Commission of the City of Aledo, Texas, on the 19th day of October 2023.

5. Plat Required

a. Zoning Required Prior to Approval of Plat: The City Council shall not approve any plat of any subdivision within the City limits until the area covered by the proposed plat shall have been zoned by the City Council.

b. Contemporaneous Action on Zoning and Annexation: In the event the City Council holds a hearing on proposed annexation, it may, at its discretion, hold a contemporaneous hearing on the zoning that is to be applied to the area or tract to be annexed. The City Council may, at its discretion, act contemporaneously on the matters of zoning and annexation.

c. A plat for land within the City or the City's extraterritorial jurisdiction is required for approval before a person may:

i. Divide the land into two (2) or more parts for the purpose of sale of one (1) or more lots or for the development of lots and streets, alleys, squares, parks, or other parts intended to be dedicated to public use or for the use of the purchasers of lots; or

ii. Obtain a permit for construction of a building upon a tract that has not been platted.

iii. Connect to any City public infrastructure including water and sewer services.

6. Compliance

a. Compliance With Zoning Regulations Required: All land, buildings, structures, or appurtenances thereon located within the City of Aledo which are hereafter occupied, used, erected, altered, removed, placed, demolished, or converted shall be occupied, used, erected, altered, removed, placed, demolished, or converted in conformance with the zoning regulations prescribed for the zoning district in which such land or building is located as hereinafter provided.

b. Within the City, all lots created or modified by plat must comply with applicable provisions of the City's zoning ordinance.

c. Building Permits Prohibited Without Plat: No permit for the construction or placement of a building or buildings upon any tract shall be issued on a tract of land unless the tract is part of a plat of record, properly approved by the Planning and Zoning Commission and City Council and filed in the Plat Records of Parker County, Texas, except for situations where state law provides that no plat is required.

d. Exclusions: Nothing herein contained shall require any change in the plans, construction, or designated use of a building under construction at the time of the passage of this Ordinance and such entire building shall be completed within one (1) year from the date of passage of this Ordinance.

e. One Main Building on a Lot or Tract: Only one main building with permitted accessory buildings may be located upon a lot or tract. Every dwelling shall face or front upon a public street. private street or public access easement, as set out within this Ordinance.

Where a lot is used for retail and dwelling purposes, more than one (1) main building may be located upon the lot but only when such buildings conform to all ordinances of the City of Aledo, including, but not limited to all open space, parking, height, and density requirements applicable to the uses and districts. Whenever two (2) or more main buildings are placed upon a single lot or tract and such buildings will not face upon a public street, the same may be permitted when the site plan for such development is approved by the Administrator. No parking area, storage area, or required open space for one building shall be computed as being the open space, yard, or area requirements for any other dwelling or other use.

7. Non-Conformities
    a. Uses in Existence at Time of Adoption of Ordinance: A non-conforming status shall exist when a use or structure which does not conform to the regulations prescribed in the district in which such use or structure is located was in existence and lawfully operating prior to the adoption of this Ordinance.
    b. Expansion of Non-Conforming Use Prohibited: No non-conforming use or structure may be expanded or increased as of the effective date of this Ordinance except to provide off-street loading or off-street parking space upon approval of the Administrator.
    c. Repairs / Normal Maintenance of Non-Conforming Buildings or Structures Permitted: Repairs and normal maintenance may be made to a non-conforming building or structure provided that no structural alterations or extensions shall be made except those required by law or ordinance unless the building or structure is changed to a conforming use.
    d. Change of Non-Conforming to Conforming Use: Any non-conforming use may be changed to a conforming use and once such change is made, the use shall not thereafter be changed back to a non-conforming use.
    e. Abandonment/ Discontinuation of Non-Conforming Use: Whenever a non-conforming use is abandoned or discontinued, all non-conforming rights shall cease, and the use of the premises shall thenceforth be in conformity with this Ordinance. Abandonment shall involve the intent of the user or owner to discontinue a non-conforming operation and the actual act of discontinuance. Discontinuance of a business or the vacancy of a building or premises occupied by a non-conforming use for a period of three (3) months shall be construed as a rebuttable presumption of the intent to abandon the non-conforming use. Any non-conforming use involving a temporary type of structure which is removed from the premises shall be considered to have been abandoned.
    f. Accidental Destruction of Non-Conforming Use: If a non-conforming structure occupied by a non-conforming use is destroyed by fire, act of God or other cause, it may not be rebuilt except in compliance with the provisions of this Ordinance. In the case of partial destruction of a non-conforming structure or use not exceeding sixty percent (60%) of its appraised value, reconstruction may be permitted, but the size and function of the non-conforming structure or use shall not be expanded.
    g. Replacement of Non-Conforming HUD-Code Manufactured Home: Notwithstanding any of the provisions of this Section, a non-conforming HUD-Code manufactured home may be exchanged or replaced by another HUD-Code manufactured home, provided the manufactured home is owner-occupied.

8. Extraterritorial Jurisdiction
    a. Land located in the extraterritorial jurisdiction of the City is subject to the terms and standards of Article 5: Subdivisions and the City Design Standards Manual.
    b. Land, any portion of which is located within 500 feet of the corporate boundaries of the City and within the City's official extraterritorial jurisdiction, shall not be platted until such time as a petition for annexation has been submitted by the owner of record.
9. Administrator
    a. Appointment: For the purpose of this Ordinance, the Administrator or their designee shall serve as the Administrator. The general powers and duties of the Administrator shall include the following:
        i. Receive and process all applications and requests pertaining to the use of land, buildings, and structures.
        ii. Review applications for compliance with this Ordinance. Review plans and specifications for compliance with this Ordinance prior to the issuance of permits for building or alterations. The Administrator shall not issue a permit for a structure or use not in conformity with the requirements of this Ordinance.
        iii. Forward petitions for zoning changes, variances, specific use permits, special uses, appeals, and plan and ordinance amendments to the appropriate official bodies.
        iv. Inspect buildings and land to ensure compliance with applicable permits and the provisions of this Ordinance.
        v. Maintain permanent and current records pertaining to the City's land use plan, ordinances and applications, permits and orders pertaining thereto, including, but not limited to specific use permits, special uses, variances, subdivisions, planned unit developments, nonconforming uses, the zoning map, the land use plan, and ordinance amendments.
        vi. Enforce all the provisions of this Ordinance. The Administrator is authorized to issue an order to stop a development, project, plan, or other occurrence, which is in violation of this Ordinance.
        vii. Provide technical assistance to the City Council and the Planning and Zoning Commission.
        viii. Provide information and assistance to the public on matters relating to the land use plan and ordinances.
        ix. Make field inspections as necessary to clarify specific zoning complaints and confer with owners to alleviate violations.
        x. If the Administrator shall find that any of the provisions of this Ordinance are being violated, the Administrator shall notify in writing the person responsible for such violation, indicating the nature of the violation and ordering the action necessary to correct it. The Administrator shall order discontinuance of illegal uses of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work in process; or take any other action authorized by this Ordinance to ensure compliance with, or to prevent violation of, its provisions.

xi. Questions concerning interpretation, at the request of the Administrator, shall be brought before the Planning and Zoning Commission.

10. Planning and Zoning Commission
    a. Organization and Appointment: There is hereby created a Planning and Zoning Commission which shall be organized, appointed by the City Council, and function as follows:
        i. Membership: The Planning and Zoning Commission shall consist of five (5) members and four (4) alternatives who are residents of the City of Aledo, each to serve for a term of two (2) years, and who shall be removable for cause by the City Council. Appointees shall fill positions, which shall be designated by place numbers (e.g., place I, place 2, alternate 1 and 2, etc.). Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause in the same manner as the original appointment.
        ii. Terms: The terms of members filling places 1, 3, 5, and alternates 1 and 3 shall expire on October 1 of each odd-numbered year and the terms of members filling places 2, 4, and alternates 2 and 4 shall expire on October I of each even-numbered year. Commission members may be appointed to succeed themselves. Vacancies shall be filled for unexpired terms, but no members shall be appointed for a term more than two (2) years. Newly appointed members shall be installed at the first regular Commission meeting after their appointment. The length of service of each board member shall not exceed three (3) consecutive terms and a member must have remained off the commission for two (2) consecutive years before being eligible for reappointment.
        iii. Organization: The City Council shall appoint the chairperson. The chairperson is appointed for a duration of one (1) year and must be reappointed annually, but if not reappointed will continue to serve until a successor is appointed. A chairperson's service shall not exceed three (3) consecutive years. At its first meeting in October or as soon thereafter as practicable, the commission shall elect a vice-chairperson, to be ratified by the City Council.
        iv. Meetings: There shall be monthly meetings of the Planning and Zoning Commission, with additional called meetings as necessary to carry out the work of the Commission. A quorum shall be necessary to carry on any business before the Commission requiring a vote. A simple majority vote will satisfy the requirements for affirmative voting on any issue.
        v. Quorum and Compensation: A quorum for the conduct of business shall consist of a majority of the membership of the Commission. The members shall serve without compensation, except for reimbursement of authorized expenses in relation to the performance of their duties.
    b. Duties and Authority: The Planning and Zoning Commission is hereby charged with the duty and invested with the authority to:
        i. Formulate and recommend to the City Council for its adoption a comprehensive plan for the orderly growth and development of the City and its environs and from time to time recommend such changes in the plan as it finds will facilitate

the movement of people and goods, and the health, recreation, safety, and general welfare of the citizens of the City.

ii. Formulate a zoning plan as may be deemed best to carry out the goals of the comprehensive plan; hold public hearings and make recommendations to the City Council relating to the creation, amendment, and implementation of zoning regulations and districts as authorized under state law.

iii. Exercise all powers of a commission as to recommendation to City Council of approval or disapproval of plans, plats, or replats as authorized under state law.

iv. Study and recommend to City Council the location, extension, and planning of public rights-of-way, parks, or other public places, and on the vacating or closing of same.

v. Study and make recommendations to City Council regarding the general design and location of public buildings, bridges, viaducts, street fixtures, and other structures and appurtenances.

vi. Initiate, in the name of the City, proposals for the opening, vacating, or closing of public rights-of-way, parks, or other public places and for the change of zoning district boundaries on an area-wide basis.

vii. Formulate and recommend to the City Council for its adoption policies and regulations consistent with the City's adopted Capital Improvement Plan governing the location and/or operation of utilities, public facilities, and services owned or under the control of the City.

11. Zoning Board of Adjustment

a. Creation, Membership and Procedures:

i. Zoning Board of Adjustment Established: A Zoning Board of Adjustment is hereby reestablished in accordance with the provisions of Texas Local Government Cole, §211.008, as amended, regarding the zoning of cities and with the powers and duties as provided in said Code.

ii. Membership: The Zoning Board of Adjustment shall consist of five (5) members, each to be appointed by the City Council for a term of two (2) years and to be removable by the City Council as provided in Section 21 I.008(b), Local Government Code. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. Three (3) members shall serve until October 1 of odd-numbered years, and two (2) members shall serve until October 1 of even numbered years, and thereafter each member appointed shall serve for a full term of two (2) years unless removed as herein provided. The City Council shall appoint two (2) alternate members of the Board and may appoint up to four (4) alternate members of the Board who shall serve in the absence of one or more of the regular members when requested by the Chairman of the Board, so that all cases to be heard by the Board will always be heard by a minimum number of four (4) members. These alternate members, when appointed, shall serve for the same period as the regular members, who are for a term of two (2) years, and any vacancy shall be filled in the same manner, and they shall be

subject to removal by the same means and under the same procedures as the regular members.

iii. Hearings: The hearings of the Board shall be public. The Board shall hear the intervention of any owner of property adjacent to, in the rear of, or across the street from a lot as to which the granting of any permit is pending and shall also hear any other parties of interest. All hearings are to be heard by at least four (4) members of the Board.

iv. Meetings: Regular meetings of the Board shall be held at such times as the Board may determine. Special meetings of the Board shall be held at the call of the chairman or at the written request of two regular members of the Board, or City staff, and said request to be submitted to the Chairman.

v. Rules and Regulations: The Board shall keep written minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such vote, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the City Secretary and shall be public record. The Board shall act in which four (4) members must concur. The Board shall adopt from time to time such additional rules and regulations as it may deem necessary to carry into effect the provisions of this Ordinance which rules and regulations shall not conflict with the provisions of this Ordinance and shall furnish a copy of the same to the Administrator, all which rules and regulations shall operate uniformly in all cases.

b. Powers and Duties of Board:

i. Appeals Based on Error: The Board shall have the power to hear and decide appeals where it is alleged there is error of interpretation in any order, requirement, decision, or determination made by an administrative official of the City in the enforcement of this Ordinance.

ii. Limitation on Reapplications: When the Board has denied a proposal with prejudice; no new applications of a similar nature shall be accepted by the Board or scheduled for twelve (12) months after the date of Board denial. Applications which have been withdrawn or denied without prejudice at or before the Board meeting may be resubmitted at any time for hearing before the Board.

iii. Vote of Four Members Required: The concurring vote of four (4) members of the Board is necessary to:

1. reverse an order, requirement, decision, or determination of an administrative official;
2. decide in favor of an applicant on a matter on which the Board is required to pass; or
3. authorize a variance from the terms of this Ordinance.

c. Appeals

i. Procedure: Appeals may be taken to the Zoning Board of Adjustment by any person aggrieved, or by any officer, Department, board, or bureau in the City in the interpretation or enforcement of this Ordinance. Such an appeal shall be

made by filing a notice of appeal with the City and specifying the grounds thereof. The office or Department from which the appeal is taken shall transmit to the Board all the papers constituting the record from which the action appealed was taken.

ii. Stay of Proceedings: An appeal shall stay all proceedings in furtherance of the action appealed from unless the Administrator shall certify to the Board that, by reason of facts in the certificate, a stay would cause imminent peril to life or property, in which case proceedings shall not be stayed otherwise than by a restraining order which may be granted by a court of law or equity, after notice to the office from whom the appeal was taken.

iii. Notice of Hearing on Appeal: The Board shall fix a reasonable time for the hearing of the appeal or other matter referred to it, and shall mail notices of such hearing to the petitioner and to the owners of property lying within two hundred (200') feet of any point of the lot or portion thereof on which a variance is desired, and to all other persons deemed by the Board to be affected thereby, such owners and persons being determined according to the current tax rolls of the City. Depositing of such written notice in the United States mail shall be deemed sufficient compliance therewith.

iv. Decision by Board: The Board shall decide the appeal within a reasonable time. At the hearing, any party may appear in person or by an agent or attorney. The Board may reverse or affirm wholly or partly or may modify the order, requirements, decision, or determination as in its opinion ought to be made and to that end, shall have all powers of the officer or Department from whom the appeal is taken.

d. Variances

i. The Board shall have the power to authorize, upon appeal in specific cases, such variances 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 will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and substantial justice done, including the following:

1. Permit a variance in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of the provisions due to an irregular shape of the lot or topographical or other conditions, provided such variance will not seriously affect any adjoining property or the general welfare.
2. Authorize, upon appeal, whenever a property owner can show that a strict application of the terms of this Ordinance relating to the construction or alteration of buildings or structures will impose upon him unusual and practical difficulties or particular hardship, such variances from the strict application of the terms of this Ordinance as are in harmony with its own general purpose and intent, but only when the Board is satisfied that granting of such a variance will not merely serve as a convenience to the applicant, but will alleviate some

demonstrable and unusual hardship or difficulty so great as to warrant a variance from the provisions of this Ordinance and at the same time properly protect the surrounding property.

3. The Board shall have the power to hear and decide appeals where it is alleged there is an error of law in any order, requirements, decision, or determination made by the Building Inspector in the enforcement of this Ordinance. Except as otherwise provided herein, the Board shall have, in addition, the following specific powers:
4. To grant a permit for the extension of a use, height, or area regulation into an adjoining district, where the boundary line of the district divides a lot in a single ownership on the effective date of this Ordinance.
5. To permit the reconstruction of a non-conforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than sixty percent (60%) of its fair market value, where the Board finds some compelling necessity requiring a continuance of the nonconforming use.
6. To waive or reduce the parking and loading requirements in any of the districts, when (i) the character or use of the building is such as to make unnecessary the full provision of parking or loading facilities; or (ii) when such regulations would impose an unreasonable hardship upon the use of the lot. The Board shall not waive or reduce such requirements merely for the purpose of granting an advantage or a convenience.
7. A written application for variance shall be submitted together with the required fee, accompanied by an accurate legal description, maps, site plans, drawings, and any necessary data, demonstrating:
    a. 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:
    b. 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;
    c. That the special conditions and circumstances do not result from the actions of the applicant; and
    d. 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.
8. No non-conforming 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.

ii. Changes:

1. The Board shall have no authority to change any provisions of this Ordinance and its jurisdiction is limited to hardship and borderline cases which may arise from time to time. The Board may not change the district designation of any land to a more or less restrictive zone.
2. It is the intent of this Ordinance that all questions of interpretation and enforcement of this Ordinance shall be first presented to the appropriate official, that such questions shall be presented to the Board only on appeal from the decision of such official and that recourse from the decisions of the Board shall be to the courts as provided by the laws of the State of Texas.

12. Development Review Committee (DRC)
    a. Established; composition; responsibilities and purpose. A Development Review Committee is established to be composed of the Director of Public Works, City Planner, City Engineer, Building Official, Fire Marshall, and other department directors as required. The Administrator shall chair the DRC and be responsible for coordinating and establishing committee procedures. The committee's general purpose is to assist developers and applicants through the development process in the most efficient manner possible. The committee's more specific purposes are to provide a technical review; and ensure compliance with development codes and ordinances. The committee's review comments will be consolidated by the Administrator who will forward the comments in writing to the applicants.
    b. Report of application status or case by Administrator. The Administrator will then report to the Planning and Zoning Commission and City Council of the status of the application or case at the time of the commission meetings or council sessions.
    c. The City Manager may serve as a member of the development review committee.
13. Building Permits and Certificates of Occupancy
    a. General Requirements: No permanent structure may be constructed or otherwise located within the City limits prior to issuance of a Building Permit by the Building Official or designee. No permanent structure constructed or otherwise located within the City limits may be occupied prior to issuance of a Certificate of Occupancy by the Building Official or designee. No change in the existing conforming use of a permanent structure, or of land to a use of a different classification under this Ordinance, and no change in the legally conforming use of a permanent structure or of land may take place prior to issuance of a Certificate of Occupancy by the Building Official or designee.
    b. Procedure for New or Altered Buildings: Plans for any permanent structure to be constructed or otherwise located within the City limits must be approved by the Building Official or the designee who upon approval shall issue a Building Permit. A complete application for a Building Permit shall contain details of foundation and structure sufficient to determine compliance with applicable provisions of the Building Code. Upon submission of a complete application, the Building Official or designee shall issue a Building Permit. After issuance of a Building Permit and prior to issuance of a Certificate of Occupancy, the Building Official or designee shall conduct a building, mechanical, foundation, plumbing, and electrical inspection. After such inspections, the Building Official or designee, if the plans and the results of the inspections comply with

the provisions of all applicable ordinances and regulations, the Building Official or designee shall issue a Certificate of Occupancy.

c. Procedure for a Change in Use: Written application for a Certificate of Occupancy for a change in the use of land or a change in the use of land or a building, or for a change in a non-conforming use, as herein provided, shall be made to the Building Official or designee. If the proposed use is in conformity with the provisions of this Ordinance, the Certificate of Occupancy therefore shall be issued within ten (10) days after the submission of a complete application in compliance with this Ordinance.
d. Contents of Certificate of Occupancy: Every Certificate of Occupancy shall state that the building or the proposed use of a building or land complies with all provisions of the applicable ordinances of the City of Aledo. A record of all Certificates of Occupancy shall be kept on file in the Office of the Building Official.
e. Temporary Certificate: Pending the issuance of a permanent certificate, a temporary Certificate of Occupancy may be issued by the Building Official or the Building Official's designee for a period not exceeding six (6) months during the completion of alterations or during partial occupancy of a building pending its completion. Issuance of a temporary certificate shall not be construed to alter the respective rights, duties, or obligations of the owner or of the City relating to the use or occupancy of the premises or any other matter covered by this Ordinance.
f. Certificates for Non-Conforming Uses: A Certificate of Occupancy shall be required for all lawful non-conforming uses of land or buildings created by adoption of this Ordinance. Application for a Certificate of Occupancy for a non-conforming use shall be filed with the Building Official or the Building Official's designee by the owner or lessee of the building or land occupied by such non-conforming use within one (1) year after being notified that the land use is non-conforming with this Ordinance. It shall be the duty of the Building Official or designee to issue a Certificate of Occupancy for a lawful non-conforming use, but failure to apply for such Certificate of Occupancy for a non-conforming use shall be evidence that said non-conforming use was either illegal or did not lawfully exist at the effective date of this Ordinance.

14. Changes and Amendments to all zoning Ordinances and districts and administrative procedures

a. Declaration of Policy: The City declares the enactment of these regulations governing the use and development of land, buildings, and structures to be a measure necessary to the orderly development of the community. Therefore, no change shall be made in these regulations or in the boundaries of the zoning districts except:
    i. To correct any error in the regulations or map.
    ii. To recognize changed or changing conditions or circumstances in a particular locality.
    iii. To recognize changes in technology, style of living, or manner of doing business.
b. Authority to Amend Ordinance: The City Council may from time to time, after public hearings required by law, amend, supplement, or change the regulations herein provided for the classification or boundaries of the zoning districts. Any amendment, supplement, or change to the text of this Ordinance and/or the zoning map, or any

change in the classification or boundaries of the zoning districts may be initiated by the Planning and Zoning Commission or the City Council or may be requested by the owner of the affected real property or the authorized representative of an owner of the affected real property.

c. Public Hearing and Notice:
    i. Upon filing of an application for an amendment to this Ordinance and/or zoning map, the Planning and Zoning Commission shall call a public hearing on said application.
    ii. A public hearing before the City Council shall take place within 45 days of the Planning and Zoning Commission public hearing. If the public hearing is not held by the City Council within such time, the application shall be considered denied without prejudice. A new application may be resubmitted to the Planning and Zoning Commission.
    iii. All materials presented to the City Council shall have been presented to the Planning and Zoning Commission. If all materials have not been so presented, the City Council shall refer the application back to the Planning and Zoning Commission for a new public hearing. The cost of re-advertising of the public hearing shall be borne by the applicant.
    iv. If, after public hearing, the Planning and Zoning Commission recommends amendment of this Ordinance to the City Council, said recommendation shall be by the affirmative votes of not less than a majority of the total membership of the Commission present and voting. A copy of any recommended amendment shall be submitted to the City Council.
    v. If, after public hearing, the Planning and Zoning Commission recommends denial of an application, the applicant may appeal said determination to the City Council by filing a written notice of appeal with the City within ten (10) days after the denial by the Planning and Zoning Commission.
    vi. The Planning and Zoning Commission may recommend denial of an application with or without prejudice against the applicant to refile the application. If the Commission recommends denial of the application and fails to clearly state the same is being denied with prejudice, then it shall be deemed that said application is being recommended for denial without prejudice against refilling. If it is later determined by the Commission that there has been a sufficient change in circumstances regarding the property or in the zoning application itself, it may waive the waiting period set out in this Ordinance and grant a new hearing. Newly annexed land which has been given Agricultural zoning is exempt from the one (1) year waiting period.
d. Action of the City Council:
    i. If the Planning and Zoning Commission has recommended approval of an application or if the Planning and Zoning Commission has recommended denial of an application and a notice of appeal has been filed within the ten (10) day limit, the City Council shall set said application for public hearing and shall give notice of the time and place of the hearing by one (1) publication in the official newspaper at least fifteen (15) days prior to such hearing.

ii. If the Planning and Zoning Commission has recommended to the City Council that a proposed amendment be disapproved, the City Council may refuse to adopt the amendment by a simple majority vote of the Council Members present and voting. However, to adopt the amendment which has been recommended for disapproval by the Planning and Zoning Commission, the amendment shall not become effective except by the favorable vote of seventy-five percent (75%) majority vote of all members of the City Council.

iii. When the Planning and Zoning Commission has recommended to the City Council that a proposed amendment be approved, the City Council may disapprove the petition or application for amendment by a simple majority vote of the City Council. In the event of a tie vote of the City Council present and voting, the Mayor may cast the deciding vote.

iv. In the case of a protest against an amendment to this Ordinance signed by the owners of twenty percent (20%) or more either of the area of the lots or land immediately adjoining the area included in the proposed change and extending two hundred (200') feet from that area, such amendment shall not become effective except by the favorable vote of a seventy five percent (75%) majority of all members of the City Council.

v. In making its determination, the City Council may consider but is not limited to, 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 which may make a substantial part of such vacant land unsuitable 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 changes.
5. The manner in which other areas zoned for similar development will be, or are likely to be, affected if the proposed amendment is approved, and whether the zoning classification for other areas should also be modified.
6. Any other factors which will substantially affect the public health, safety, morals, or general welfare of the community.

vi. In considering a motion to deny a zoning application or upon voting to deny a zoning application, the City Council shall further consider whether said application shall be denied with or without prejudice against refiling. If an application is denied with prejudice, no application may be filed for all or part of

the subject tract of land for a period of one (1) year from the date of denial by the City Council. If it is determined by the Planning and Zoning Commission that there has been a sufficient change in circumstances regarding the property or in the zoning application itself, the Commission may waive the waiting period and grant a new hearing. Newly annexed land which has been given Agricultural zoning is exempt from the one (1) year waiting period.

e. Effect of Denial of Petition: In case the application for an amendment to this Ordinance is denied by the Planning and Zoning Commission, and no appeal is taken to the City Council, or in case an application for an amendment to this Ordinance is denied by the City Council with prejudice, then, in either of said events, said application shall not be eligible for reconsideration for one (1) 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 Planning and Zoning Commission, to be eligible for consideration within one (1) year of the denial of the original application.
f. In the event a reapplication affecting the same land is for a zone that will permit the same use of the property as that which would have been permitted under the denied application, the same shall not be considered to be substantially different from the application denied.
g. Final Approval and Ordinance Adoption: If the amending ordinance is not approved or denied within three (3) months from the time of its original consideration, the zoning request, at the option of the City Council, may be scheduled for a new public hearing.
h. Changes in Zoning Regulations: Amendments to the Zoning Ordinance not involving a particular property but involving change in the zoning regulations do not require notice to individual property owners. In such cases, notice of the required public hearing shall be given by publication in the official newspaper of the City, stating the time and location of the public hearing, which time shall not be less than fifteen (15) days from the date of such publication.
i. Joint Meetings: The City Council may, by resolution, elect to combine the Planning and Zoning Commission hearing and the City Council hearing; however, the City Council shall not take action upon any proposed amendment or change until it has received the final report and recommendation from the Commission. When the joint hearing provision of this Ordinance is in effect, the City Council shall cause a notice showing the time and place of such joint hearing to be published in a newspaper of general circulation at least fifteen (15) days prior to the hearing. In addition, notice of all jointly held public hearings on proposed changes in classification of zoning shall be sent to owners of real property lying within two hundred (200') 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 the hearing to all such property owners as they appear on the last approved tax roll of the City. When any such amendment relates to a change of a zoning regulation or to the text of this Ordinance not affecting specific property, notice requirements shall be the same as specified in Section 14(c) above.

15. Minor Modifications

a. During the review process, the Administrator is authorized to approve Minor Modifications at the request of an applicant. Minor Modifications are provided for basic flexibility in design.
b. Numerical adjustments up to ten (10) percent to the following:
    i. Frontage requirements
    ii. Building/parking setback ranges
    iii. Building type dimensions
    iv. Height maximums
    v. Signage requirements
    vi. Block Dimensions
    vii. Landscape requirements
c. Financial considerations alone shall not be the basis for Minor Code Modifications under this section of reductions.

16. Platting procedures
    a. Land Development
    b. Preapplication
        i. Prior to the filing of a preliminary plat, the subdivider may meet with the Administrator to become familiar with the City's development regulations and the relationship of the proposed subdivision to the City comprehensive plan. At the preapplication conference, the subdivider may be represented by a land planner, engineer and/or surveyor.
        ii. Following the preapplication conference, the subdivider may submit a concept plan for review by City. At the meeting, the general character of the development may be discussed, and items may be included concerning zoning, utility service, street requirements and other pertinent factors related to the proposed subdivision.
    c. Preliminary plat
        i. The subdivider shall prepare a preliminary plat of the proposed subdivision for submission to the City. Preliminary plats shall be prepared in accordance with the provisions of this section.
        ii. Digital copies of the preliminary plat shall be submitted to the Administrator not less than 20 days prior to the planning and zoning commission meeting at which consideration is desired. Preliminary drainage, and water and sewer plans shall be submitted to the City's engineer at this time for review. (See City Design Standards Manual.)
        iii. A filing fee is required to be paid to the City at the time of the submittal, as stipulated and established on the City fee schedule.
        iv. The preliminary plat shall be, for the purposes of this section, considered filed after it is found, absent request for waiver, to be in compliance with the general provisions of these regulations by the development review committee; and the date of such findings shall be considered the actual filing date.
        v. At the time of filing, the following notice shall be stamped on the face of each preliminary plat: "Preliminary Plat-For review purposes only."

vi. The preliminary plats shall be distributed immediately upon receipt in accordance with the development review checklist provided with the application for a preliminary plat. The development review committee shall gather review comments and make a specific recommendation with regard to the technical aspects of the submittal. Such comments will be written and made available to the applicant.

vii. Whenever a preliminary plat involves land that is in the City's extraterritorial jurisdiction, the City shall act upon the plat in the same manner as a plat in the City limits.

viii. A report from the Administrator and the City's Engineer shall be presented to the Planning and Zoning Commission at the next regular meeting containing the results of the subdivision review. The report should include documents relative to the proposed subdivision's compliance with these regulations, the comprehensive plan, the zoning ordinance or other plans, such as utility plans. The report may include comments from municipal departments or other agencies concerned with urban development.

ix. Following review of the preliminary plat and other materials submitted in accordance with these regulations, and review with the subdivider on changes deemed advisable and the kind and extent of improvements to be made, the Planning and Zoning Commission shall, within 30 days of the actual filing date, approve with modifications or deny approval of the proposed preliminary plat. If approved with modifications, the commission shall express its approval as approval with modifications and state the conditions of such approval, if any, or if denied, shall express its denial and its reasons therefor.

x. Approval of a preliminary plat shall not constitute approval of the final plat. Rather, it shall be deemed an expression of approval to the layout submitted on the preliminary plat as a guide to the preparation of the final plat.

xi. The commission shall, in its action on the preliminary plat, consider the physical arrangement of the subdivision and determine the adequacy of street and thoroughfare rights-of-way and alignment and the compliance of the streets and thoroughfares with the comprehensive plan, the existing street pattern in the area and with any other applicable provisions of the comprehensive plan. Based upon recommendations of the staff, the commission shall also ascertain that adequate easements for proposed or future utility service and surface drainage are provided, and that the plat complies with the provisions of the zoning ordinance.

xii. A notation of the action taken, and requisite reasons therefor shall be entered into the records of the commission.

xiii. Approval of the preliminary plat shall be valid for a period of 24 months from the date of approval, and the general terms and conditions under which the approval was granted will not be changed. The preliminary plat shall be considered void unless a final plat is submitted within the 24-month period. The validity of the preliminary plat is extended for 24 months from the approval date of a partial final plat of any portion of the preliminary plat, and/or the

acceptance of any community facilities installed by the subdivider in the subdivision. The 24-month period may be extended by the City, based upon the written request of the subdivider and his explanation of mitigating circumstances.

xiv. The owner or subdivider may choose to final plat portions of the preliminary plat in phases. If the owner or subdivider chooses to final plat phases of the preliminary plat, the owner or subdivider shall provide a phase schedule at the time of preliminary plat indicating the schedule of final platting of each phase. Phases may be revised by submitting a revised preliminary plat to the Planning and Zoning Commission for approval.

d. Final Plat

i. Upon approval of the commission of the preliminary plat and within 24 months of the date of approval, unless extended by action of the City, and a site development permit, the subdivider may submit for approval the final plat. Copies of the final plat, as noted in the development review checklist provided with the application for a final plat, together with two reproducible transparent drawings, shall be submitted to the planning commission at least 30 days prior to the meeting at which consideration is desired. Plans for streets, water, sewer service, and storm drainage shall accompany the final plat in accordance with Engineering Criteria Manual. Final plats shall be prepared in accordance with the provisions of this section.

ii. No final plat shall be accepted for processing until three copies of the corrected revised preliminary plat have been submitted to the City that reflect the commission's approval, modifications or stipulations.

iii. The final plat shall conform substantially to the preliminary plat as approved, and it may constitute only that portion of the approved preliminary plat which is to be developed at the time; provided, however, that such portion conforms to all requirements of these regulations.

iv. The official filing date of the final plat shall be the date upon which the plat is found to be in compliance with the provisions of this chapter by the development review committee.

v. The City shall act on the final plat within 30 days after the official filing date. If it is not disapproved within 30 days after filing, the final plat shall be deemed approved. A certificate, showing the filing date and failure to disapprove the plat within 30 days of the filing date, shall be issued on demand; and this certificate shall be sufficient in lieu of a written endorsement or other evidence of approval. A final plat that is not recorded within 24 months of its approval date shall become void. Approval may, upon written application, be extended for an additional 24 months by action of the Planning and Zoning Commission.

vi. After the commission has determined that the plat is in proper form, that the arrangement of the development proposed for the property being subdivided is in general conformance with the comprehensive plan and is consistent with zoning regulations, that the subdivision complies with all the provisions of this

chapter, and that the final plans for streets, drainage, water and sewer have been approved by the City's engineer, it shall approve or deny the plat.

vii. The Commission's approval of the final plat shall authorize the Mayor and City Secretary to execute the certificate of approval on the reproducible transparency of the final plat.

viii. The final plat shall then be filed of record by the City in the plat records of the county, but only after the mayor has officially signed any community facility agreements required with reference to public improvements, dedications and utilities. The approval of the final plat does not constitute acceptance of the public improvements of the subdivision.

ix. Final plats located in the extraterritorial jurisdiction of the City shall be submitted to the commissioners' court of the county, following approval by the City.

x. An owner or subdivider, at his option, may obtain approval of a portion a subdivision, provided that it meets the requirements of section c (xiv), and all requirements of this chapter with reference to such portion in the same manner as is required for a complete subdivision. If a subdivision and the final plat thereof are approved by the City in portions, each final plat of each portion is to carry the name of the entire subdivision and shall also bear a distinguishing letter, number or subtitle. Block numbers shall run consecutively throughout the entire subdivision.

xi. Administrative approval.

1. Minor plats. A minor plat may be administratively approved without the approval of the planning and zoning commission and the City Council, subject to the following conditions:
    a. A minor plat shall meet all of the informational and procedural requirements set forth for a final plat, including the required number of copies of the plat, a completed application form, and the required application fee.
    b. A minor plat, for which a minor plat has not been approved in the preceding ten years, or replat involves four or fewer lots fronting on an existing street, not requiring any new street or the extension of any municipal facilities, except sidewalks, as determined by the City staff to serve any lot within the subdivision. Any property to be subdivided using a minor plat shall already be adequately served by all required City utilities, and all lots will have frontage on public roadway.
    c. To amend an approved plat the person shall file with the Administrator the minor plat, together with a copy of the plat being amended and a statement detailing the amendments being proposed for their consideration and conforming with V.C.T.A., Local Government Code § 212.006. A minor plat shall meet all of the informational and procedural requirements set forth for a final plat and shall be accompanied by all items

required by the Administrator, including the required number of copies of the plat, and a completed application form.

d. Upon receipt of a favorable recommendation for approval by the City staff, the Administrator may approve a minor plat or may for any reason elect to present the minor plat to the planning and zoning commission and the City Council for consideration. Should the Administrator refuse to approve the minor plat, then the plat shall be referred to the planning and zoning commission and City Council for review and approval within the time period required by state law.

2. The minor plat shall be entitled and clearly state that it is a "minor plat."
3. The minor plat shall be filed at the county in the same manner as prescribed for a final plat.
4. A filing fee as established by the City Council from time to time shall be paid to the City at the time the minor plat is filed with the Administrator.

e. Replatting and amended/corrected

i. Replatting and/or the vacation of plats shall be in accordance with the following requirements.

1. Vacating plats. A plat may be vacated by the owners of the land covered by the plat at any time before a lot in the plat is sold. If lots have been sold, the plat or any part of the plat may be vacated upon the application of all the owners of lots in the plat and with the approval of the City obtained in the manner prescribed for the original plat.

ii. Replats. 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:

1. Is signed and acknowledged by only the owners of the property being replatted;
2. Is approved by the City and meets all requirements of LGC 212.015;
3. Does not attempt to amend or remove any covenants or restrictions; and
4. Is in compliance, when applicable, with this section.

iii. The following additional requirements for approval shall apply in the replat of a plat, without vacating the immediate previous plat, if any of the proposed area to be resubdivided or replatted was, within the immediate preceding five (5) years, limited by any interim or permanent zoning classification to residential use for not more than two residential units per lot, or if any lot in the immediate previous subdivision was limited by deed restriction to residential use for not more than two (2) residential units per lot and if a proposed replat described by requires a waiver:

1. Notice of the public hearing shall be given in advance in the following manner:

a. Publication at least 15 days in advance of the hearing in a newspaper of general circulation in the county in which the City is located.
b. A written notice of the public hearing forwarded to the owners (as the ownerships appear on the last approved ad valorem tax roll) of all lots in the immediate preceding plat no less than 15 days prior to the day of the hearing. The notice may be served by depositing it properly addressed and postage paid, in a post office or postal depository within the City; provided, however, if the immediate preceding plat contains more than 100 lots, the notice shall be mailed only to those owners of lots within the plat which are located within 200 feet of the lot or lots which are sought to be replatted.

2. If the proposed replat requires a waiver and is protested in accordance with this subsection, the proposed replat must receive, in order to be approved, the affirmative vote of at least three-fourths of the members present of the commission and City Council. For a legal protest, written instruments signed by the owners of at least 20 percent of the area of the lots or land immediately adjoining the area covered by the proposed replat and extending 200 feet from that area, but within the original subdivision, must be filed with the commission and City Council prior to the closing of the public hearing. In computing the percentage of land area, the area of streets and alleys shall be included.
3. Provided, however, compliance with subsection (e)(iii)1. or (e)(iii)b. of this section is not be required for approval of a replatting of a portion of a prior plat if the area to be replatted or was designated or reserved for other than single or duplex-family residential usage by notation on the last legally recorded plat or in the legally recorded restrictions applicable to the plat.

f. Amending plat procedures.
i. Amending plats. Notwithstanding any other provision of section 16(d)(i), the City is authorized to approve and issue an amending plat which is signed by the applicants only, and which is for one or more of the following purposes set forth in subsections (f)(i)1-11 below, and such approval and issuance shall not require notice, hearing or approval of other lot owners. Amended/corrected plats in accordance with the provisions of this section may be approved by the development assistance committee if the sole purpose of the amending plat is to:
1. Correct an error in any course or distance shown on the prior plat;
2. Add any course or distance that was omitted on the prior plat;
3. Correct an error in the description of the real property shown on the prior plat;

4. Indicate monuments set after death, disability, or retirement from practice of the surveyor charged with the responsibilities for setting monuments;
5. Show the proper location or character of any monument which has been changed in location or character or which originally was shown at the wrong location or incorrectly as to its character on the prior plat;
6. Correct any other type of scrivener or clerical error or omission as previously approved by the City; such errors and omissions may include, but are not limited to, lot numbers, acreage, street names and identification of adjacent recorded plats;
7. Correct an error in courses and distances of lot lines between two adjacent lots where both lot owners join in the application for plat amendment, and neither lot is abolished; provided that such amendment does not attempt to remove recorded covenants or restrictions and does not have a material adverse effect on the property rights of the other owners in the plat;
8. Relocate a lot line in order to cure an inadvertent encroachment of a building or improvement on a lot line or on an easement;
9. Relocate one or more lot lines between one or more adjacent lots where the owner or owners of all such lots join in the application for the plat amendment, provided that such amendment does not:
    a. Attempt to remove recorded covenants or restrictions;
    b. Increase the number of lots; or
    c. Remove or otherwise abandon any easement or right-of-way;
10. Make necessary changes to the preceding plat to create six or fewer lots in the subdivision or part of the subdivision covered by the preceding plat if:
    a. The changes do not affect applicable zoning and other regulations of the City;
    b. The changes do not attempt to amend or remove any covenants or restrictions; and
    c. 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
11. Replat one or more lots fronting on an existing street if:
    a. The owners of those lots join in the application for amending the plat;
    b. The amendment does not attempt to remove recorded covenants or restrictions;
    c. The amendment does not increase the number of lots; and
    d. The amendment does not create or require creation of a new street or make necessary the extension of municipal facilities.

ii. Plats submitted under this section shall be subject to a filing fee as approved on the City fee schedule and shall be accompanied by certified copies of the entire subdivision plat and the deed restrictions.

g. Waivers

i. Any applicant who believes that proposed conditions of development will work a hardship or are in excess of the impacts caused or benefits derived by the development shall, prior to the approval of any plat, apply for a waiver from such proposed conditions in accordance with the provisions of this section. The applicant's failure to submit a timely request under the provisions of this section shall be deemed to be the applicant's consent to the conditions imposed.

ii. Waivers from Article 5: Subdivisions may be approved as follows.

1. An applicant who desires a waiver from any specific term or regulation contained within the provisions of this article shall file a written request and pay the fee as established on the approved City fee schedule for the waiver, with the Administrator. The written request shall:
    a. State the specific provision of the subdivision code for which a waiver is sought;
    b. If applicable, state any excessive conditions that the applicant believes are being improperly or unfairly imposed on the development that do not bear a rough proportionality to the requirements necessary to serve the development;
    c. State the nature of the waiver requested and include a written justification for the waiver;
    d. Present documentation necessary to show that the granting of the waiver will not result in any danger to the public health, safety, and welfare of the City and the development immediately surrounding the site for which the waiver is sought; and
    e. Show that the City will not incur any unnecessary and inappropriate expense from the granting of the waiver.
2. Following receipt of the written request for a waiver, the Administrator shall have the request for the waiver placed on the agenda of the next City Council and Planning and Zoning Commission. The Administrator shall then direct that a copy of the waiver request together with any and all supporting documents be presented to the members of the City Council and planning and zoning commission with their regular agenda materials delivered to them for use in the meeting. The Administrator shall advise the applicant in writing of the time and place of the meeting on the requested waiver in such manner as to ensure that the applicant shall have, at least, ten days' notice of the proposed hearing to allow adequate preparation for the presentation of the applicant's case.
3. The planning and zoning commission shall meet and shall submit a recommendation to the City Council recommending approval of the waiver, denial of the waiver or modification of the waiver.

4. The recommendation of the planning and zoning commission shall be reduced to writing and forwarded to the City secretary for placement upon the agenda of the next regularly scheduled City Council meeting subsequent to the hearing before the planning and zoning commission. The Administrator shall place a copy of the application for a waiver together with all supporting documentation and the recommendation of the planning and zoning commission on the request, in the package of materials to be delivered to City Council members for review of the items to be presented on the council agenda in which the request for waiver is to be considered. The Administrator shall ensure that the applicant is given written notice of the scheduled meeting before the City Council on the request for a waiver by depositing it in the United States mail at least seven days prior to the scheduled meeting date.
5. The City Council shall give consideration to the recommendations of the planning and zoning commission on the application for a waiver. The City Council shall grant the application for a waiver, deny the application for a waiver, or grant a modified waiver under terms and conditions that the council deems necessary and appropriate to protect the public health, safety and welfare and to ensure that the waiver granted does not create a financial burden upon the City. The Administrator shall advise the applicant in writing of the City Council's decision within one week of the issuance of the council's decision.

h. Conveyance of Property by Metes and Bounds Description
    i. If a lot has been legally platted according to the rules and regulations in force in the City at the time of platting and all required community facility agreements have been executed, then subsequently if a portion of the lot is sold or conveyed to another individual or entity by a metes and bounds description and the sale has been duly registered at the appropriate county courthouse, the City shall issue a building permit or certificate of occupancy under the following conditions:
        1. The property described in the metes and bounds description shall be replatted in accordance with all rules and regulations in effect in the City at the time of replatting; and
        2. The replat describing the property that was conveyed by metes and bounds description shall also include the larger tract of landform which the conveyance occurred. A newly assigned lot identification number as determined by the City shall identify the property conveyed. The remaining out parcel from which the conveyance occurred shall be assigned a new lot number with the suffix "remainder" applied. This number shall also be assigned by the City.
        3. A standard note to be added to the replat which states: "No construction permits of any kind shall be issued on lots with a "remainder" designation.

ii. Before a building permit or certificate of occupancy shall be issued on a site identified with the suffix "remainder," the property shall be replatted in accordance with the codes and ordinances in effect in the City at the time such action is to occur.

iii. The City shall notify by registered letter, return receipt, all property owners of lots on which a "remainder" designation will be placed in advance of the placement of the designation. This notice shall state that the status of the existing plat on which their property is located is in jeopardy of invalidation. The addressee shall have ten (10) days after the date of the notification to respond.

17. Schedule of fees, charges, and expenses
    a. The City Council shall establish a schedule of fees, charges, and expenses, and a collection procedure for building permits, certificates of occupancy, appeals, and other matters pertaining to this Ordinance. The schedule shall be on file in the office of the City Secretary and may be altered or amended only by the City Council.
    b. No permits, certificates, special permits or variances shall be issued unless and until such costs, charges, fees, or expenses have been paid in full, nor shall any action be taken on proceedings before the Board of Adjustment unless or until all charges and fees have been paid in full.
    c. The exact charge for the following services will be established by separate ordinance:
        i. For docketing a zoning petition with the Planning and Zoning Commission of the City of Aledo.
        ii. For docketing an application for a variance with the Board of Adjustment of the City of Aledo.
18. Penalty for violations
    a. Any person or corporation violating any of the provisions of this Ordinance shall upon conviction, be fined a sum not to exceed two thousand dollars ($2,000.00) per violation per day, and each day that the provisions of this Ordinance are violated shall constitute a separate and distinct offense. In addition, the right is hereby conferred upon any owner of property in any district where such property may be affected or injured by a violation of the terms of this Ordinance to bring suit in a court having jurisdiction thereof and to obtain such remedies as may be available at law and equity in the protection of the rights of such property owner.
19. Savings Clause
    a. That all rights or remedies of the City of Aledo, Texas, are expressly saved as to any and all violations that have accrued at the time of the effective date of this Ordinance of the provisions of any ordinances affecting zoning, land use, buildings and structures that have accrued at the time of the effective date of this Ordinance; and as to such accrued violations, and all pending litigation, both civil or criminal, same shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

Article 2 – Districts

Establishment of Districts. The districts are established as districts within this Ordinance. The designation and location of the specific Districts shall be established and governed in the City of Aledo Zoning Map (Exhibit __).

Purpose and Intent of Districts. The overarching purpose of the district is to set expectations for future development and maintain the goals and aspirations of the residents in the neighborhood. In designating districts, this Ordinance extends its purpose to identify and preserve certain character and authenticity within such districts.

Residential

Residential districts are intended to:

1. Provide appropriate locations for residential development that are consistent with the City of Aledo Future Land Use Plan, as amended over time;
2. Ensure adequate light, air, and privacy for all dwelling units;
3. Appropriately address multi-modal transportation access and ensure adequate availability of public services and utilities;
4. Allow for a variety of housing types that meet the diverse needs of residents; and
5. Protect residential development from the encroachment of uses that are incompatible with residential uses.

In all residential zoning districts, complementary uses such as parks, open space, public schools, religious assemblies, minor public or private utilities, accessory buildings, and certain temporary uses are also allowed.

Commercial/Mixed Use

Commercial and mixed-use districts are intended to:

1. Accommodate a range and different scales of non-residential uses, including office, retail, commercial, and service uses needed by Aledo;
2. Encourage site planning, land use planning, and architectural design that create interesting and attractive environments;
3. Maintain and enhance the City's economic base and provide a range of shopping, entertainment, housing, lodging, and employment opportunities for the residents and visitors of Aledo;
4. Minimize potential negative impacts of commercial and mixed-use development on adjacent residential neighborhoods; and
5. Help ensure that the appearance and operational impacts of commercial and mixed-use developments do not adversely affect the character of the areas in which they are located.

Industrial

Industrial districts are intended to:

1. Accommodate a range of industrial uses, including storage, logistics, assembly, and manufacturing uses in Aledo;

2. Encourage site planning, land use planning, and architectural design that create attractive but functional and safe environments;
3. Maintain and enhance the City's economic base and provide employment and manufacturing opportunities for Aledo residents;
4. Minimize potential negative impacts of industrial uses on other adjacent uses; and
5. Help ensure that the appearance and operational impacts of industrial developments do not adversely affect the character of the areas in which they are located.

Special

Special zoning districts are intended to:

1. Provide a flexible zoning tool in the form of special development standards intended to implement unique development projects that can better respond to changing market demand;
2. Encourage site planning, land use planning, and architectural design that creates interesting, pedestrian-friendly, and walkable environments;
3. Maintain and enhance the City's economic base and provide shopping, entertainment, and employment opportunities close to where people live;
4. Provide a range of housing types within the context of a walkable development to maximize long-term viability; and
5. Preserve and protect public assets and natural environment in and around the City of Aledo.

Agriculture District (AG)

Intent:

1. Provide appropriate locations for residential development that are consistent with the City of Aledo Future Land Use Plan, as amended over time;
2. Ensure adequate light, air, and privacy for all dwelling units;
3. Appropriately address multi-modal transportation access and ensure adequate availability of public services and utilities;
4. Allow for a variety of housing types that meet the diverse needs of residents; and
5. Protect residential development from the encroachment of uses that are incompatible with residential uses.

Purpose: A district including general agriculture and residential that is devoted to the production of crops or livestock or rural residential living on large acreage. This can also promote agritourism and accommodate ancillary uses to be a viable agricultural property.

Graphic Representation

Figure i: Lot Dimension Measurement

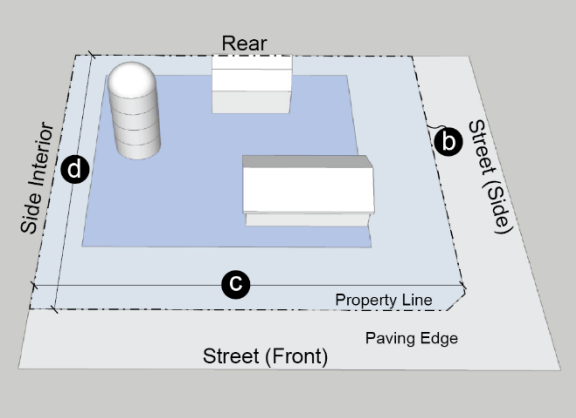
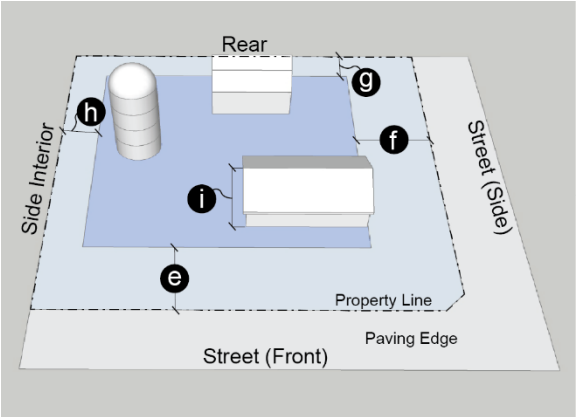


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	0.5
Lot Dimensions	
(b) Lot Area (minimum) acres	2.0
(c) Lot Width (minimum) feet	100
(d) Lot Depth (minimum) feet	200
Setbacks	
(e) Street, Front (minimum) feet	
Primary or Secondary Street	35
Local or Private	25
(f) Street, Side (minimum) feet	
All roadways	25
Alleys / Private Access Easements	25
(g) Rear (minimum) feet	10
Alley	10
(h) Side, Interior (minimum) feet	7.5
Height (maximum) feet	
(i) To the highest level of the eave of the roof or top of the parapet	35
Lot Coverage (maximum) Percentage	
(j) Total of all buildings on the lot	10%
Off-Street Parking and Loading	
(k) Number of off-street parking spaces, per dwelling unit	2.0
Notes	

Estate District (RE)

Intent:

1. Provide appropriate locations for residential development that are consistent with the City of Aledo Future Land Use Plan, as amended over time;
2. Ensure adequate light, air, and privacy for all dwelling units;
3. Appropriately address multi-modal transportation access and ensure adequate availability of public services and utilities;
4. Allow for a variety of housing types that meet the diverse needs of residents; and
5. Protect residential development from the encroachment of uses that are incompatible with residential uses.

Purpose: Residential properties with larger acreage tracts. These properties may also be used for smaller homestead farms than those within the AG zoning district.

Graphic Representation

Figure i: Lot Dimension Measurement

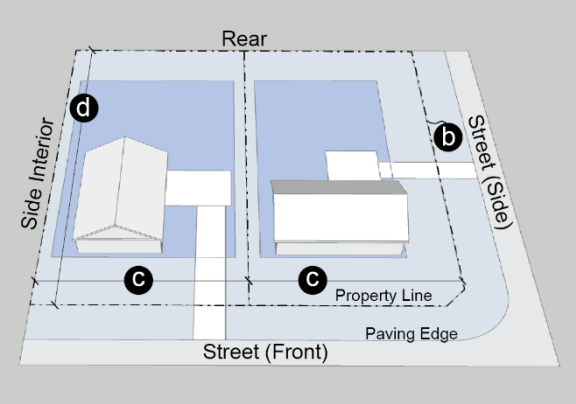
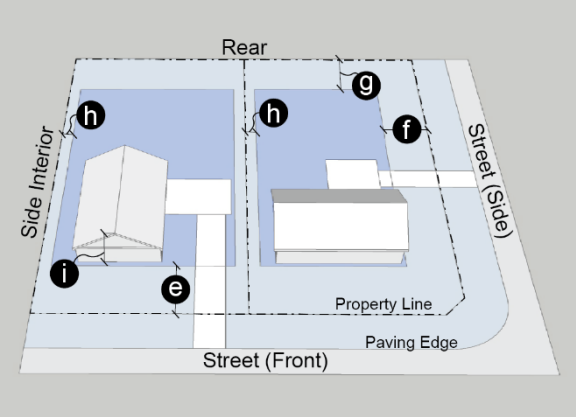


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	1.0
Lot Dimensions	
(b) Lot Area (minimum) acres	1.0
(c) Lot Width (minimum) feet	90
(d) Lot Depth (minimum) feet	125
Setbacks	
(e) Street, Front (minimum) feet	
Primary or Secondary Street	30
Local or Private	20
(f) Street, Side (minimum) feet	
All roadways	10
Alleys / private easements	10
(g) Rear (minimum) feet	10
Alley / private easements	10
(h) Side, Interior (minimum) feet	10
Height (maximum) feet	
(i) To the highest level of the eave of the roof or top of the parapet	35
Lot Coverage (maximum) Percentage	
(j) Total of all buildings on the lot	35%
Off-Street Parking and Loading	
(k) Number of off-street parking spaces,	2.0
Notes	

Single Family District (R-1)

Intent:

1. Provide appropriate locations for residential development that are consistent with the City of Aledo Future Land Use Plan, as amended over time;
2. Ensure adequate light, air, and privacy for all dwelling units;
3. Appropriately address multi-modal transportation access and ensure adequate availability of public services and utilities;
4. Allow for a variety of housing types that meet the diverse needs of residents; and
5. Protect residential development from the encroachment of uses that are incompatible with residential uses.

In all residential zoning districts, complementary uses such as parks, open space, public schools,

Purpose: Residential properties with traditional lot size minimums. These single-family residences are the minimum standards for new single-family neighborhoods.

Graphic Representation

Figure i: Lot Dimension Measurement

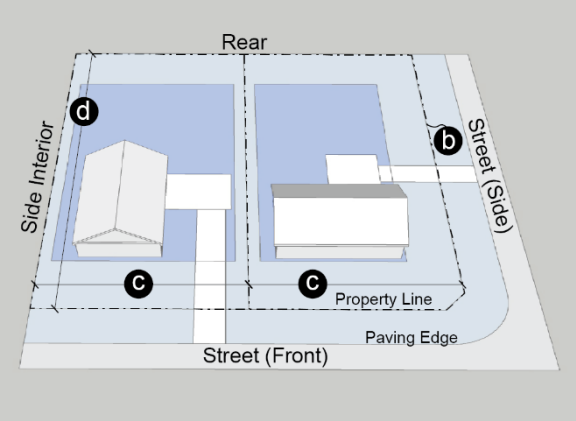
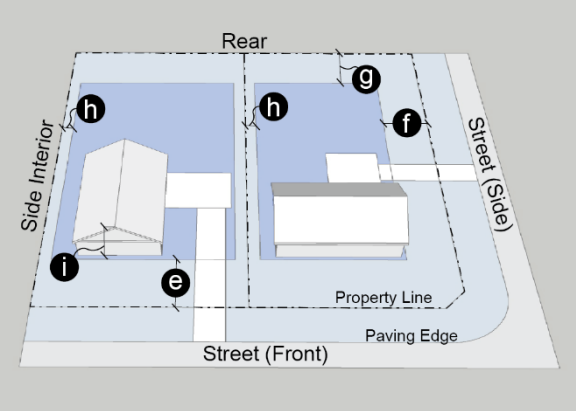


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	4.0
Lot Dimensions	
(b) Lot Area (minimum) sq. ft.	7,000
(c) Lot Width (minimum) feet	50
(d) Lot Depth (minimum) feet	100
Setbacks	
(e) Street, Front (minimum) feet	
Primary or Secondary Street	20
Local or Private	20
(f) Street, Side (minimum) feet	
All roadways	10
Alleys / private easements	10
(g) Rear (minimum) feet	10
Alley / private easements	10
(h) Side, Interior (minimum) feet	5
Height (maximum) feet	
(i) To the highest level of the eave of the roof or top of the parapet	35
Lot Coverage (maximum) Percentage	
(j) Total of all buildings on the lot	60%
Off-Street Parking and Loading	
(k) Number of off-street parking spaces,	See Article
Notes	

Brownstones District (R-2)

Intent:

1. Provide appropriate locations for residential development that are consistent with the City of Aledo Future Land Use Plan, as amended over time;
2. Ensure adequate light, air, and privacy for all dwelling units;
3. Appropriately address multi-modal transportation access and ensure adequate availability of public services and utilities;
4. Allow for a variety of housing types that meet the diverse needs of residents; and
5. Protect residential development from the encroachment of uses that are incompatible with residential uses.

In all residential zoning districts, complementary uses such as parks, open space, public schools, religious assemblies, minor public or private utilities, accessory buildings, and certain temporary uses are also allowed.

Purpose: Residential properties with medium densities, lots less than 6,000 sq. ft. and including duplex, townhomes, and other missing middle housing types, up to 4 units in a building.

Graphic Representation

Figure i: Lot Dimension Measurement

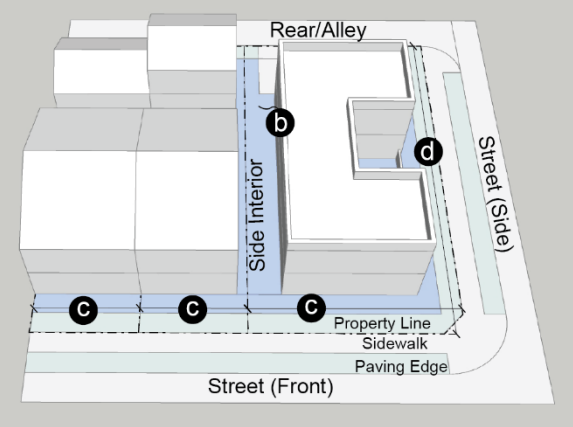
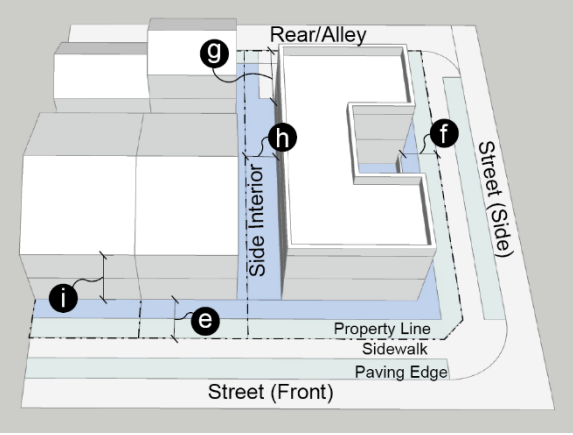


Figure ii. Setback Measurement



Density

(a) Dwelling Units/Acre (maximum)	40.0
Lot Dimensions	
(b) Lot Area (minimum) sq. Ft.	1,200
(c) Lot Width (minimum) feet	20
(d) Lot Depth (minimum) feet	40
Setbacks	
(e) Street, Front (minimum) feet	
Primary or Secondary Street	15
Local or Private Street	10
(f) Street, Side (minimum) feet	
All roadways	10
Alley / private easements	5
(g) Rear (minimum) feet	10
Alley / private easements	5
(h) Side, Interior (minimum) feet	0
Height (maximum) feet	
(i) To the highest level of the eave of the roof or top of the parapet	35
Lot Coverage (maximum) Percentage	
(j) Total of all buildings on the lot	75
Off-Street Parking and Loading	
(k) Number of off-street parking spaces, per dwelling unit	1.25
Notes	

Multifamily District (R-3)

Intent:

1. Provide appropriate locations for residential development that are consistent with the City of Aledo Future Land Use Plan, as amended over time;
2. Ensure adequate light, air, and privacy for all dwelling units;
3. Appropriately address multi-modal transportation access and ensure adequate availability of public services and utilities;
4. Allow for a variety of housing types that meet the diverse needs of residents; and
5. Protect residential development from the encroachment of uses that are incompatible with residential uses.

Purpose: Residential properties with high intensity, greater than four (4) units in a building. Can be used for higher intensity missing middle to apartment complexes.

Graphic Representation:

Figure i: Lot Dimension Measurement

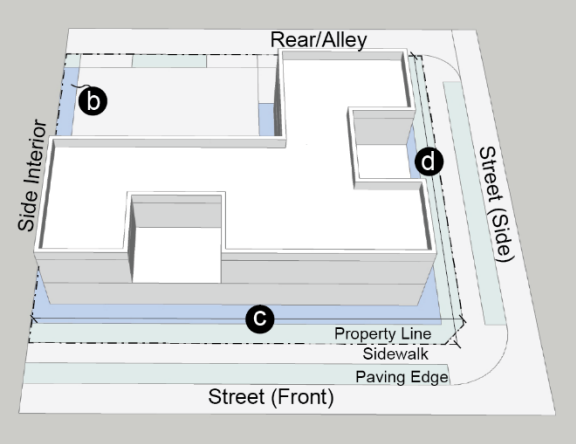
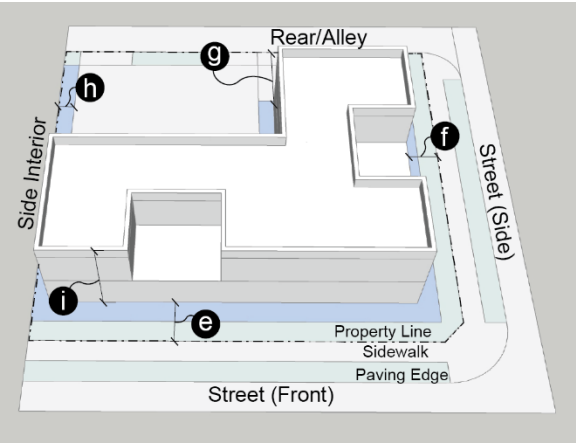


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	50
Lot Dimensions	
(b) Lot Area (minimum) sq. Ft.	5,000
(c) Lot Width (minimum) feet	50
(d) Lot Depth (minimum) feet	60
Setbacks	
(e) Street, Front (minimum) feet	
Primary or Secondary Street	35
Local or Private Street	25
(f) Street, Side (minimum) feet	
All roadways	10
Alley / private easements	5
(g) Rear (minimum) feet	20
Alley / private easements	10
(h) Side, Interior (minimum) feet	10
Height (maximum) feet	
(i) To the highest level of the eave of roof or top of parapet	45
Lot Coverage (maximum) Percentage	
(j) Total of all buildings on the lot	75
Off-Street Parking and Loading	
(k) Number of off-street parking spaces, per dwelling unit	See Article
Notes	

Neighborhood Commercial District (C-1)

Intent:

1. Accommodate a range and different scales of non-residential uses, including office, retail, commercial, and service uses needed by Aledo;
2. Encourage site planning, land use planning, and architectural design that create interesting and attractive environments;
3. Maintain and enhance the City's economic base and provide a range of shopping, entertainment, housing, lodging, and employment opportunities for the residents and visitors of Aledo;
4. Minimize potential negative impacts of commercial and mixed-use development on adjacent residential neighborhoods; and
5. Help ensure that the appearance and operational impacts of commercial and mixed-use

Purpose: Non-residential uses operating as office, commercial, or neighborhood services.

Graphical Representation

Figure i: Lot Dimension Measurement

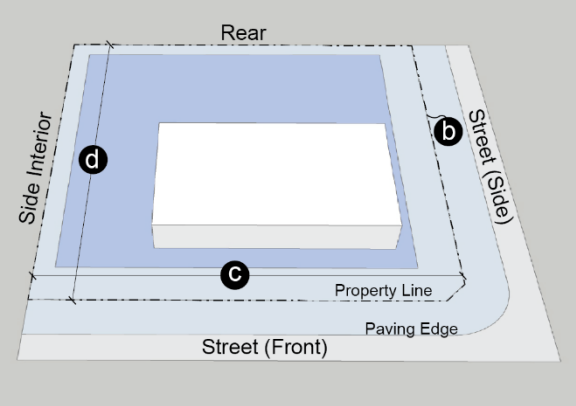
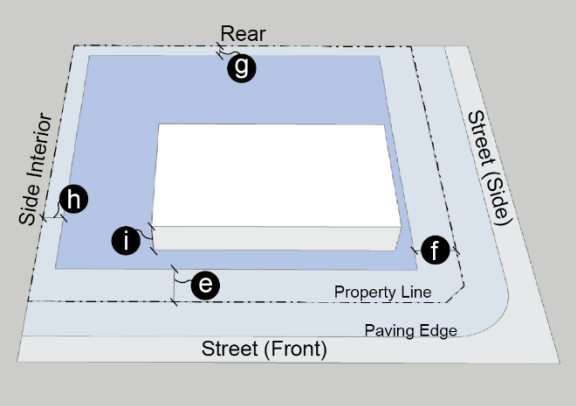


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	N/A
Lot Dimensions	
(b) Lot Area (minimum) sq. ft.	N/A
(c) Lot Width (minimum) feet	50
(d) Lot Depth (minimum) feet	N/A
Setbacks	
(e) Street, Front (minimum) feet (see	
Primary or Secondary Street	20
Local or Private	15
(f) Street, Side (minimum) feet	
All roadways	15
Alley / private easements	5
(g) Rear (minimum) feet	20
Alley / private easements	10
(h) Side, Interior (minimum) feet Abutting Ag or Res lot Abutting any other lot	 20 0
Height (maximum) feet	
(i) To highest level of eave of the roof or top of the parapet: Abutting an Ag or Res lot Abutting any other lot	 15 35
(j) Additional height (feet) for each additional foot of side and rear setback	0.5
Lot Coverage (maximum) Percentage	
(k) Total of all structures on the lot	50%
Off-Street Parking and Loading	
(l) Number of off-street parking spaces	See Article
(m) Access and driveway spacing to property from State Highways	TxDOT Design Criteria
Notes	
1. Recommended right-of-way dimensions can be found in the City of Aledo Engineering Design	

	Criteria Manual.

Local Commercial District (C-2)

Intent:

1. Accommodate a range and different scales of non-residential uses, including office, retail, commercial, and service uses needed by Aledo;
2. Encourage site planning, land use planning, and architectural design that create interesting and attractive environments;
3. Maintain and enhance the City's economic base and provide a range of shopping, entertainment, housing, lodging, and employment opportunities for the residents and visitors of Aledo;
4. Minimize potential negative impacts of commercial and mixed-use development on adjacent residential neighborhoods; and
5. Help ensure that the appearance and operational impacts of commercial and mixed-use

Purpose: Non-residential uses operating as office, commercial, or neighborhood services.

Graphical Representation

Figure i: Lot Dimension Measurement

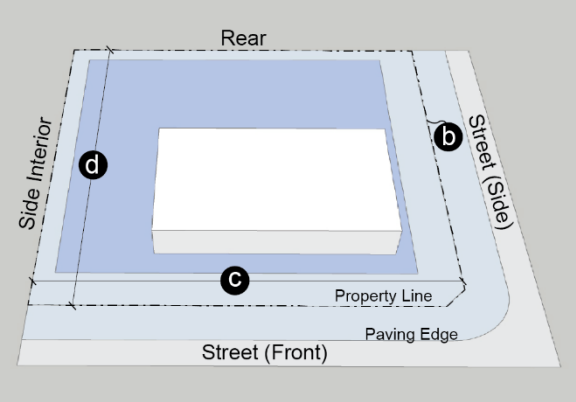
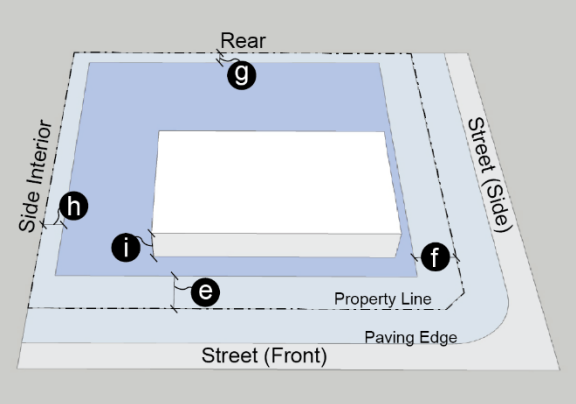


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	N/A
Lot Dimensions	
(b) Lot Area (minimum) sq. ft.	N/A
(c) Lot Width (minimum) feet	50
(d) Lot Depth (minimum) feet	N/A
Setbacks	
(e) Street, Front (minimum) feet (see	
Primary or Secondary Street	20
Local or Private Street	15
(f) Street, Side (minimum) feet	
All roadways	15
Alley / private easements	5
(g) Rear (minimum) feet	20
Alley / private easements	10
(h) Side, Interior (minimum) feet Abutting Ag or Res lot Abutting any other lot	 20 0
Height (maximum) feet	
(i) To highest level of eave of the roof or top of the parapet: Abutting an Ag or Res lot Abutting any other lot	 15 35
(j) Additional height (feet) for each additional foot of side and rear setback	0.5
Lot Coverage (maximum) Percentage	
(k) Total of all structures on the lot	50%
Off-Street Parking and Loading	
(l) Number of off-street parking spaces	See Article
(m) Access and driveway spacing to property from State Highways	TxDOT Design Criteria
Notes	
1. Recommended right-of-way dimensions can be found in the City of Aledo Engineering Design Criteria Manual.	

Regional Commercial District (C-3)

Intent:

1. Accommodate a range and different scales of non-residential uses, including office, retail, commercial, and service uses needed by Aledo;
2. Encourage site planning, land use planning, and architectural design that create interesting and attractive environments;
3. Maintain and enhance the City's economic base and provide a range of shopping, entertainment, housing, lodging, and employment opportunities for the residents and visitors of Aledo;
4. Minimize potential negative impacts of commercial and mixed-use development on adjacent residential neighborhoods; and
5. Help ensure that the appearance and operational impacts of commercial and mixed-use

Purpose: Non-residential uses operating as office, commercial, or neighborhood services

Graphic Representation:

Figure i: Lot Dimension Measurement

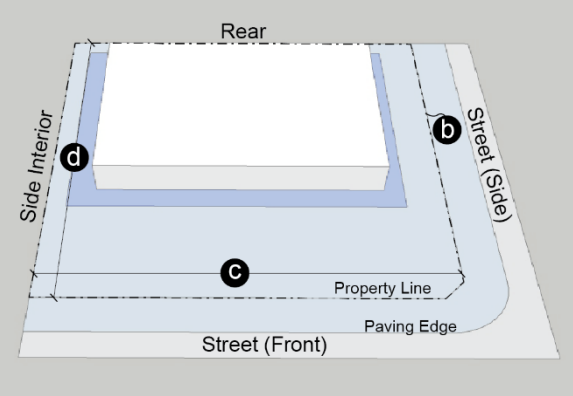
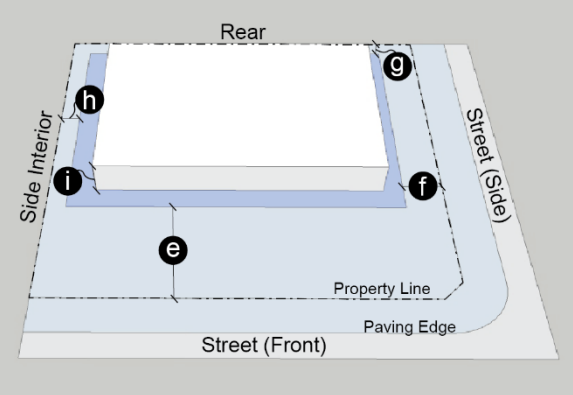


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	N/A
Lot Dimensions	
(b) Lot Area (minimum) sq. ft.	N/A
(c) Lot Width (minimum) feet	100
(d) Lot Depth (minimum) feet	N/A
Setbacks	
(e) Street, Front (minimum) feet (see	
Primary or Secondary Street	50
Local or Private	20
(f) Street, Side (minimum) feet	
All roadways	20
Alley / private easements	10
(g) Rear (minimum) feet	20
Alley / private easements	10
(h) Side, Interior (minimum) feet Abutting Ag or Res Lot Abutting any other lot	 20 0
Height (maximum) feet	
(n) To highest level of eave of roof or top of parapet: Abutting an Ag or Res lot Abutting any other lot	 15 35
(i) Additional height (feet) for each additional foot of side and rear setback	0.5
Lot Coverage (maximum) Percentage	
(j) Total of all structures on the lot	50%
Off-Street Parking and Loading	
(k) Number of off-street parking spaces	See Article
(l) Access and driveway spacing to property from State Highways	TxDOT Design Criteria
Notes	

	1. Recommended right-of-way dimensions can be found in the City of Aledo Engineering Design Criteria Manual.

Mixed Use District (MU)

Purpose and Intent:

1. The MU District is intended to encourage the creation of walkable development patterns in the area and connecting it to adjacent neighborhoods. The MU District is intended to be a live, work, and play area in the City. It is intended to be a mixed-use district with the higher density allowances compatible with a city center.
2. Development should facilitate pedestrian connections and soft transitions between residential and non-residential uses. Residential uses are encouraged on the upper floors of nonresidential establishments.

Graphic Representation

Figure i: Lot Dimension Measurement

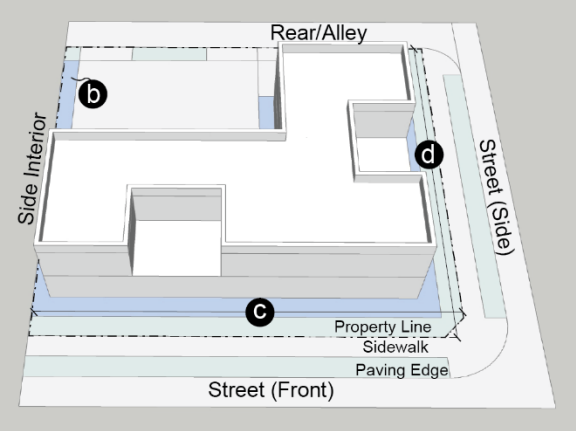
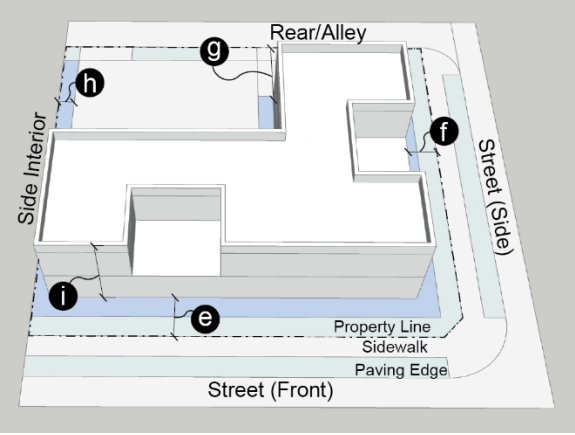


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	60
Lot Dimensions	
(b) Lot Area (minimum) sq. ft.	N/A
(c) Lot width (minimum) feet	20
(d) Lot depth (minimum) feet	50
Setback Ranges (See Definitions)	
(e) Front, min./max. (ft)	
Pedestrian-Priority Frontage (see note 1)	0 min 10 max
Public Open Space, Trail	10 min 30 max
Public street or private access easement	5 min 20 max
(f) Side, min./max/ (ft)	
Pedestrian-Priority Frontage	0 min 15 max
Public street	10 min No max
Interior Lot line	No min No max
Private access easement or alley	5 min No max
(g) Rear min./max. (ft)	
Alley (see note 2)	3 min No max
All other conditions	10 min No max
Building Standards (See Definitions)	
(h) Building height, max. (Stories/ft)	3 stories or 45 ft
(i) Pedestrian-Priority Frontage	90% min
(j) All other frontages	70% min
(k) Lot Coverage, max. (%)	N/A
Notes	

	1. Front setbacks along Pedestrian-Priority Frontages shall align with adjacent buildings to have a consistent setback line, except if a publicly accessible open space is being developed in front of the building. A master-planned development shall denote the pedestrian-priority frontages during the platting process. 2. If a garage driveway is not intended to have cars parked in front of the garage entry, then 3 ft is the maximum dimension. If parking is intended, then the driveway must by at least 8 ft for parallel parking, or 18 ft for perpendicular parking.

Downtown District (DT)

Purpose and Intent:

1. The DT District is intended to encourage the preservation of the historic core of the City along with the creation of walkable public space in the area and connecting to adjacent neighborhoods. The DT District is intended to be the center of life, work, and play in the City. It is intended to be a mixed-use district with the higher density allowances of a City center.
2. Development should facilitate pedestrian connections and soft transitions between residential and non-residential uses. Residential uses are encouraged on the upper floors of nonresidential establishments.

Graphic Representation



Density	
(l) Dwelling Units/Acre (maximum)	N/A
Lot Dimensions	
(m) Lot width, min. (ft)	20
(n) Lot depth, min. (ft)	50
Setback Ranges (See Definitions)	
(o) Front, min./max. (ft)	
Pedestrian-Priority Frontage (see note 1)	0 min 10 max
Public Open Space, Trail	10 min 30 max
Public street or private access easement	5 min 20 max
(p) Side, min./max/ (ft)	
Pedestrian-Priority Frontage	0 min 10 max
Public street	10 min No max
Interior Lot line	No min No max
Private access easement or alley	5 min No max
(q) Rear min./max. (ft)	
Alley (see note 2)	3 min No max
All other conditions	10 min No max
Building Standards (See Definitions)	
(r) Building height, max. (Stories/ft)	See Regulating Plan
(s) Pedestrian-Priority Frontage	90% min
(t) All other frontages	70% min

	(u) Lot Coverage, max. (%)	N/A
	Notes	
	1. Front setbacks along Pedestrian-Priority Frontages shall align with adjacent buildings to have a consistent setback line, except if a publicly accessible open space is being developed in front of the building. 2. If a garage driveway is not intended to have cars parked in front of the garage entry, then 3 ft is the maximum dimension. If parking is intended, then the driveway must by at least 8 ft for parallel parking, or 18 ft for perpendicular parking.	

Light Industrial District (M-1)

Intent:

1. Accommodate a range of industrial uses, including storage, logistics, assembly, and manufacturing uses in Aledo;
2. Encourage site planning, land use planning, and architectural design that create attractive but functional and safe environments;
3. Maintain and enhance the City's economic base and provide employment and manufacturing opportunities for Aledo residents;
4. Minimize potential negative impacts of industrial uses on other adjacent uses; and
5. Help ensure that the appearance and operational impacts of industrial developments do not adversely

Purpose: Large scale manufacturing, warehouse, office, commercial, and regional shopping attractions.

Graphic Representation

Figure i: Lot Dimension Measurement

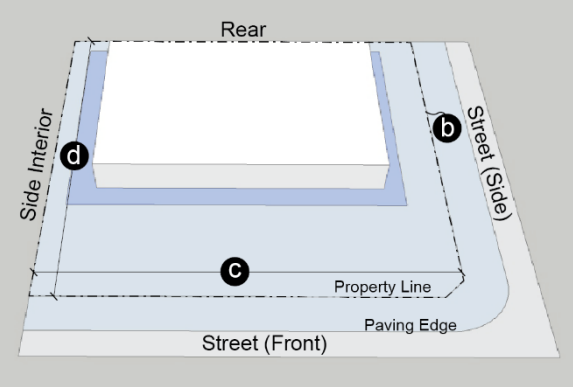
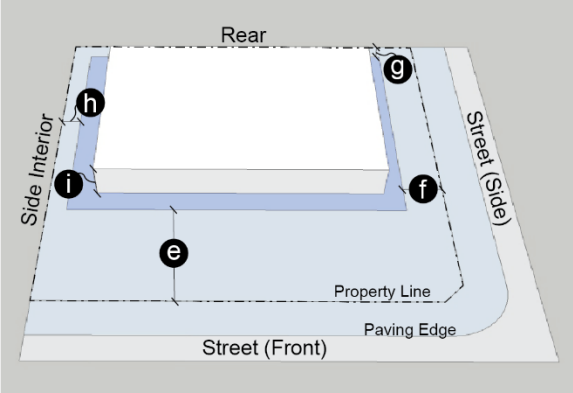


Figure ii. Setback Measurement



Density	
(a) Dwelling Units/Acre (maximum)	N/A
Lot Dimensions	
(b) Lot Area (minimum) sq. ft.	N/A
(c) Lot Width (minimum) feet	150
(d) Lot Depth (minimum) feet	N/A
Setbacks	
(e) Street, Front (minimum) feet (see	
Primary or Secondary Street	50
Local or Private Street	25
(f) Street, Side (minimum) feet	
All roadways	25
Alley / private easements	20
(g) Rear (minimum) feet Abutting Agriculture or Residential Lot Abutting any other lot	 75 0
(h) Side, Interior (minimum) feet Abutting Agriculture or Residential Lot	 75 0
Height (maximum) feet	
(i) To highest level of eave of roof or top of parapet when within 200 feet of an Agriculture or Residential zoned lot	35
(j) Additional height (feet) for each additional foot of side and rear setback	0.5
Lot Coverage (maximum) Percentage	
(k) All structures on the lot	50%

Off-Street Parking and Loading	
(l) Number of off-street parking spaces	See Article
(m) Access and driveway spacing to property from State Highways	TxDOT Design Criteria
Notes	
1. Recommended right-of-way dimensions can be found in the City of Aledo Engineering Design Criteria Manual.	

Heavy Industrial District (M-2)

Intent:
1. Accommodate a range of industrial uses, including storage, logistics, assembly, and manufacturing uses in Aledo;
2. Encourage site planning, land use planning, and architectural design that create attractive but functional and safe environments;
3. Maintain and enhance the City's economic base and provide employment and manufacturing opportunities for Aledo residents;
4. Minimize potential negative impacts of industrial uses on other adjacent uses; and
5. Help ensure that the appearance and operational impacts of industrial developments do not adversely

Purpose: Large-scale manufacturing, warehouse, office, commercial, and regional shopping attractions.

Graphic Representation:

Figure i: Lot Dimension Measurement

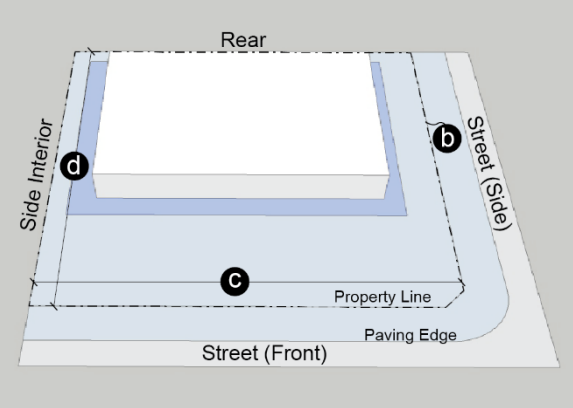
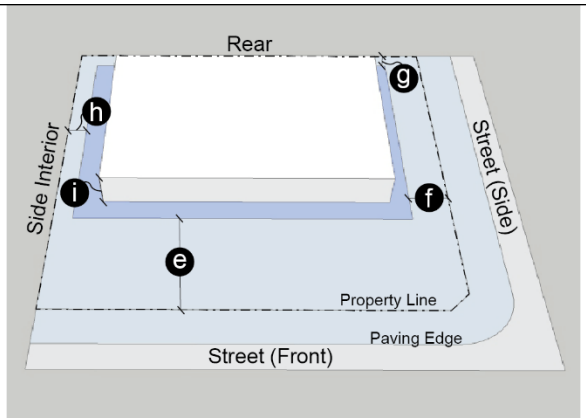


Figure ii. Setback Measurement

Density	
(a) Dwelling Units/Acre (maximum)	N/A
Lot Dimensions	
(b) Lot Area (minimum) sq. ft.	N/A
(c) Lot Width (minimum) feet	200
(d) Lot Depth (minimum) feet	N/A
Setbacks	
(e) Street, Front (minimum) feet (see	
Primary or Secondary Street	50
Local or Private Street	25
(f) Street, Side (minimum) feet	
All roadways	25
Alley / private easements	20
(g) Rear (minimum) feet Abutting Agriculture or Residential Lot Abutting any other lot	 75 0
(h) Side, Interior (minimum) feet Abutting Agriculture or Residential Lot Abutting any other lot	 75 0
Height (maximum) feet	
(i) To highest level of eave of roof or top of parapet when within 200 feet of an Agriculture or Residential zoned lot	35
(j) Additional height (feet) for each additional foot of side and rear setback	0.5
Lot Coverage (maximum) Percentage	



(k) All structures on the lot	50%
Off-Street Parking and Loading	
(l) Number of off-street parking spaces	See Article
(m) Access and driveway spacing to property from State Highways	TxDOT Design Criteria
Notes	
1. Recommended right-of-way dimensions can be found in the City of Aledo Engineering Design Criteria Manual.	

Parks and Open Space District (PARKS)

Purpose: A district designating property dedicated as open space or conservation district in perpetuity. These can be used according to the terms of their dedication or as open space and recreation as permitted.

Illustrative Images	Density	
Bearcat Park 	(a) Dwelling Units/Acre (maximum)	N/A
	Lot Dimensions	
	(b) Lot Area (minimum) acres	N/A
	(c) Lot Width (minimum) feet	N/A
	(d) Lot Depth (minimum) feet	N/A
	Setbacks	
	(e) Street, Front (minimum) feet	
	Primary or Secondary Street	40
	Local or Private Street	40
	(f) Street, Side (minimum) feet	
	All roadways	40
	Alleys/private easements	10
	(g) Rear (minimum) feet	20
	Alley	20
	(h) Side, Interior (minimum) feet	20
Mountain Bike Trails 	**Height (maximum) feet**	
	(i) To the highest level of the eave of the roof or top of the parapet	N/A
	Lot Coverage (maximum) Percentage	
	(j) Total of all buildings on the lot	10%
	Off-Street Parking and Loading	
	(k) Number of off-street parking spaces, per dwelling unit	None
	Notes	

Planned Development District (PD)

a. Purpose and Intent: The Planned Unit Development (PD) District is established to provide an alternative to the zoning districts established in this Ordinance. The PD district is intended to accomplish the following:

   1. Permit and encourage innovative land development while maintaining appropriate limitations on the character and intensity of use and assuring compatibility with adjoining and proximate properties;
   2. Permit greater flexibility within the development best to utilize the unique physical features of the particular site;
   3. Permit creative land use design;
   4. Provide and preserve meaningful open space; and
   5. Achieve a continuity of function and design within the development.

a. A PD is established and may be requested on any property within the City. There is no minimum size requirement for property to be considered for a planned unit development district. However, no planned unit development shall be approved where the size of the property is such that the purposes of this article cannot be achieved.

b. If a PD containing residential uses is proposed in a nonresidential district, the maximum allowable density shall be based on the gross acreage devoted to residential use and shall not include areas devoted to nonresidential use.

c. Review Procedures: The review and approval procedures in Article 1.14 for a zoning change will apply.

d. Submittal Items: The following are required with any formal application of a PD zoning district:

   1. The application must be accompanied by a Development Plan as described herein and processed in the manner established in Article 1.14**.**
   2. An application for a PD may be processed at the same time as an application for an amendment to the general base zoning district.

e. PD Development Plan: The Development Plan shall include the following through maps and accompanying text development standards:

   1. Proposed development areas and requested land uses;
   2. Proposed number of off-street parking and loading spaces and number and size of business signs (for non-residential uses);

3. Proposed open space;
4. Proposed maximum building heights and minimum building setbacks;
5. Proposed public and private vehicular and pedestrian circulation systems;
6. Proposed landscaping areas and screening of mechanical and utility equipment (for non-residential uses and public or private common spaces);
7. Proposed intensity of residential uses expressed in the number of dwelling units per development area (in acres), and proposed intensity of non-residential uses expressed in square feet, and allocated to the proposed Development Areas of the PD;
8. Sufficient surrounding area to demonstrate the relationship of the PD to adjoining uses, structures, and roadways, both existing and proposed;
9. Existing topographic character of the land, including identification of any floodplain areas and treed areas. In instances of probable development constraints due to slope and/or soil conditions, the Administrator may require the submittal of slope and/or soil analysis;
10. A narrative explaining the character and purpose and/or intent of the PD; and
11. The expected schedule of development, including the phasing map.

f. Detail Plans: Detail plans may be used to provide required information not submitted in the PD adoption. These detail plans shall be reviewed by staff to approve each detail phase and its conformance with the PD development standards provided. If not in substantial conformance with the approved PD, detailed plans will be forwarded to Planning and Zoning Commission and City Council.

g. Abandonment of a PD shall require approval of the City Council as follows:

    1. Upon the recommendation from the Planning Commission on an application for an amendment to the Zoning Map to repeal the PD Designation, the City Council may repeal said designation:

        a. Upon final action authorizing the abandonment of the PD, no Building Permit shall be issued except in accordance with the restrictions and limitations of the general base zoning district(s).

        b. Upon abandonment of the PD, the City Council may amend the underlying zoning upon receiving a recommendation from the Planning Commission.

Use Table

1. Table of Allowed Uses

1.1. Purpose

a. Table 2.1: Allowed Uses below lists the uses allowed within all zoning districts.

b. Approval of a use listed in this article, and compliance with the applicable use-specific standards for that use, authorizes that use only.

c. Development or use of a property or structure for any other use not specifically allowed in this article and approved under the appropriate process is prohibited.

1.2. Explanation of Use Table Abbreviations

a. Permitted by-right uses: "P" in a cell indicates that the use is permitted by right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this Ordinance, including the supplemental use standards in this article and the requirements of Article 3: Development Standards.

b. Uses requiring a specific use permit: "S" in a cell indicates that, in the respective zoning district, the use is allowed only if issued a Specific Use Permit, in accordance with the procedures of Article 1: General Provisions. Uses requiring a Specific Use Permit are subject to all other applicable regulations of this Ordinance, including the supplemental use standards in this article and the requirements of Article 3: Development Standards.

c. Prohibited uses: A blank cell indicates that the use is prohibited in the respective zoning district.

d. Additional use standards: Regardless of whether a use is allowed by right, or permitted with a Specific Use Permit, there may be supplemental standards that are applicable to the use. The applicability of these standards is noted through a cross-reference in the last column of the table. An asterisk [*] in a cell indicates that the use, whether permitted by right or as a special use, is permitted subject to additional use standards in that district.

e. Allowed land uses in planned unit development (PD) districts: Land uses in a PD are permitted as follows:

i. If the PD Development Plan specifically references a base zoning district:

1. Any land use permitted by right in the applicable underlying base zoning district, as amended, may be permitted.

2. Any land use requiring a Specific Use Permit in the applicable underlying base zoning district, as amended, is only allowed if a Specific Use Permit is issued for the use.

3. Any land use prohibited in the underlying base zoning district, as amended, is also prohibited in the PD unless it is specifically added as part of the PD conditions.

ii. The PD conditions may list the permitted, prohibited, and Specific Use Permit uses separately.

iii. A combination of the above.

1.3. Use Table Organization

a. In the table, land uses and activities are classified into general "use categories" and specific "use types" based on common functional, product, or physical characteristics, such as the type and amount of activity, the type of customers or residents, how goods or services are sold or delivered, and site conditions.

b. This classification provides a systematic basis for assigning present and future land uses into appropriate zoning districts.

c. This classification does not list every use or activity that may appropriately exist within these use categories, and specific uses may be listed in one category when they may reasonably have been listed in one or more other categories.

d. The use categories are intended merely as an indexing tool and are not regulatory.

1.4. Classification of New and Unlisted Uses

a. The City recognizes that new types of land uses will arise, and forms of land use not anticipated in this Ordinance may seek to be located in the City. When application is made for a use category or use type that is not specifically listed in the appropriate use table, the Administrator shall make a determination as to the appropriate classification of any new or unlisted form of land use in the following manner:

i. The Administrator shall provide an interpretation as to the zoning classification into which such use should be placed. In making such interpretation, the Administrator shall consider all relevant characteristics of the proposed use, including but not limited to the following:

1. The actual or projected characteristics of the proposed use
2. The volume and type of sales (retail, wholesale, etc.) for commercial uses
3. The size and type of items sold and nature of inventory on the premises
4. The type and number of customers and employees
5. The hours of operation
6. The size and arrangement of buildings and parking on the site
7. The amount of parking needed and estimate of trips generated by the proposed use
8. Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, distribution
9. Any dangerous, hazardous, toxic, or explosive materials used in the processing
10. The nature and location of storage and outdoor display of merchandise, whether enclosed, open, inside or outside the principal building; predominant types of items stored (such as business vehicles, work-in-process inventory and merchandise,

construction materials, scrap and junk, and raw materials including liquids and powders)

11. The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes
12. Any special public utility requirements for serving the proposed use type, including but not limited to water supply, wastewater output, pre-treatment of wastes and emissions required or recommended, and any significant power structures and communications towers or facilities
13. The effect on adjacent properties created by the proposed use type, which should not be greater than that of other use types in the zoning district

ii. Standards for new and unlisted uses may be interpreted as those of a similar use.

iii. Appeal of the Administrator's decision shall be made to the Board of Adjustment following procedures of Article 1: General Provisions.

iv. The Administrator may periodically request amendments to this Ordinance to incorporate newly listed uses into Article 2: Districts and Article 6: Definitions.

Table 2.1 – Allowed Uses

P = Permitted by right P = Permitted with design criteria (Article 2.2) A = Permitted Accessory Use S = Specific Use Permit Required*

Land Use	***AG***	***ER***	***R-1***	***R-2***	***R-3***	***C-1***	***C-2***	***C-3***	***MU***	***DT***	***M-1***	***M-2***	***PARKS***
COMMERCIAL USES													
Retail sales or service with no drive-through facility. Excluded from this category are retail sales and services establishments geared towards the automobile, including gasoline service stations, which are categorized under Other Uses.						S	P	P	P	P	P	P	
Finance, insurance, and real estate establishments, including banks, credit unions, real estate, and property management services, with no drive-through facility						S	P	P	P	P	P	P	
Offices for business, professional, and technical uses, including accountants, architects, lawyers, doctors, etc.						P	P	P	P	P	P	P	
Foodservice uses such as full-service restaurants, cafeterias, and snack bars with no drive-through facilities, including café seating within a public or private sidewalk area with no obstruction of pedestrian circulation						S	P	P	P	P	P	P	
ARTS, ENTERTAINMENT, AND RECREATION USES													
Art galleries						P	P	P	P	P	P	P	
Art, antiques, furniture, or electronics studio (retail, repair, or fabrication; excludes auto electronics sales or service)							P	P	P	P	P	P	
Theater, cinema, dance, or music establishment							P	P	P	P	P	P	
Museums and other special-purpose recreational institutions							P	P	P	P	P	P	P
Fitness, recreational sports, gym, or athletic club						S	P	P	P	P	P	P	
Parks, greens, plazas, squares, and playgrounds	P	P	P	P	P	P	P	P	P	P	P	P	P

Table 2.1 – Allowed Uses

P = Permitted by right P = Permitted with design criteria (Article 2.2) A = Permitted Accessory Use S = Specific Use Permit Required*

Land Use	***AG***	***ER***	***R-1***	***R-2***	***R-3***	***C-1***	***C-2***	***C-3***	***MU***	***DT***	***M-1***	***M-2***	***PARKS***
EDUCATIONAL PUBLIC ADMINISTRATION, HEALTH CARE, AND OTHER INSTITUTIONAL USES													
Business associations and professional membership organizations						S	P	P	P	P	P	P	
Schools, libraries, and community halls	P	P	P	P	P	P	P	P	P	P	P	P	
Civic uses (City Hall, courthouse, and other public offices and functions)						S	P	P	P	P	P	P	
Social and fraternal organizations						S	P	P	P	P	P	P	
Social services and philanthropic organizations						S	P	P	P	P	P	P	
Religious institutions	P	S	S	S	S	S	P	P	P	P	P	P	
INDUSTRIAL USES													
Auto Service Establishment including gas stations							P*	P	P*		P	P	
Brewery, Distillery and Winery							P*	P	P*	P*	P	P	
Commercial Food, Textile, and Product Manufacturing							P*	P	P*	P*	P	P	
Heavy Manufacturing (that may produce hazardous waste)												S	
Miscellaneous Light Manufacturing and Warehousing							P*	P*	P*	P*	P	P	
Telecommunications and Broadcasting (Radio, TV, Cable, Wireless Communications, Telephone, Etc.)	S					S	S	S	S	S	P	P	
Wholesale Trade, Warehouse, and Storage Services	A						P*	P	P*	P*	P	P	
RESIDENTIAL USES													
Home occupations	A	A	A	A	A				A	A			
Live/work units	P	P	P	P*	P*				P*	P*			
Residential apartments and/or condominiums (ground floor)				S	P				P*	P*			

Table 2.1 – Allowed Uses

P = Permitted by right P = Permitted with design criteria (Article 2.2) A = Permitted Accessory Use S = Specific Use Permit Required*

Land Use	***AG***	***ER***	***R-1***	***R-2***	***R-3***	***C-1***	***C-2***	***C-3***	***MU***	***DT***	***M-1***	***M-2***	***PARKS***
Upper-floor residential uses				S	P				P	P			
Multi-Plex (up to four units)				P	P				P	P			
Single-family residential attached dwelling unit (Townhomes)				P	P				P	P			
Single-family residential detached dwelling unit	P	P	P	P					P	P			
Accessory Dwelling Unit	P*	P*	P*	P*						P*			
OTHER USES													
Model homes for sales and promotion**	P	P	P	P	P					P			
Bars, Taverns													
Full-service hotels							P	P	P	P			
Bed and breakfast establishments				P	P	P			P	P			
Outdoor storage	P*						P	P				P	
Outdoor display (within 10 feet of front facade of building only; merchandise must be brought indoors after closing)						P	P	P	P	P			
Parking, surface	A			A	A	A	A	A	A*	A*	A	A	A
Parking, structured				A	A	A	A	A	A	A	A	A	A
Sales from kiosks, food trucks, etc.	P*					P*	P*	P*	P*	P*	P*	P*	P*
Any permitted use with a drive through facility							P*	P*					
Farmer's market	P	P	P	P	P	P	P	P	P	P	P	P	P
Veterinary clinic, Pet lodging (no outdoor kennels)	P					P	P	P	P	P	P	P	
Veterinary Clinic, Pet lodging with outdoor kennels	P*							S			S	S	
Urban Agriculture, Community Gardens, or other innovative agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P

Table 2.1 – Allowed Uses

P = Permitted by right P = Permitted with design criteria (Article 2.2) A = Permitted Accessory Use S = Specific Use Permit Required*

Land Use	***AG***	***ER***	***R-1***	***R-2***	***R-3***	***C-1***	***C-2***	***C-3***	***MU***	***DT***	***M-1***	***M-2***	***PARKS***
Recreational Vehicle Park or Resort	P*												

2. Design Criteria Standards

1. Applicability

1.1. Design criteria for all uses allowed under Table 2.1: Allowed Uses shall be regulated by Article 2: Districts and additional standards within Article 3: Development Standards.

2. Industrial use additional standards.

2.1. Auto Service Establishment including gas stations

a. Spray painting or bodywork is not permitted. Dismantling, remanufacturing, or rebuilding are not allowed.

b. Outside storage or display of products or vehicles shall be prohibited.

c. Repair or installation work shall be conducted completely within a building.

d. Service bays that face any residential uses or public right-of-way shall be screened according with the standards for a type screen described in Article 3: Development Standards.

e. Car and truck wash: Wash bays and vacuum bays facing a public street or residential uses shall be screened following the standards for screens described in Article 3: Development Standards.

f. Auto-related parts and accessory sales: No outside storage or display of any merchandise sold.

g. Gasoline sales: Gas pumps and canopies shall not be located on the site adjacent to any residential uses in addition to screening following the standards for screens described in Article 3: Development Standards.

2.2. Brewery, Distillery and Winery

a. Maximum size shall be limited to 5,000 sq.ft. and production limit in accordance with TABC restrictions. All other TABC requirements and/or restrictions remain applicable.

2.3. Other Industrial Uses

a. Shall be no more than 10,000 sq.ft.

b. All outside storage shall only be in the rear yard and screened from all adjoining properties and public streets by an eight (8) foot high solid screening device that complies with the following requirements:

i. All screening devices shall form an opaque, solid barrier, without gaps or openings, except as provided in (iii) below.

ii. All screening devices shall be masonry, wrought iron, or metal made to resemble wrought iron.

iii. Only openings in screening devices that are necessary for reasonable access to the storage yard shall be permitted but shall be equipped with a solid gate or door constructed and maintained in accordance with the requirements for screening devices set forth in this section. All openings shall always be closed and securely locked, except for needed access.

iv. Any painting, staining, coating, covering or other coloring of any screening device shall be of a uniform color.

v. All screening devices shall be maintained, repaired and/or replaced to ensure compliance with the requirements in this section at all times.

c. Outside storage shall not be stacked, accumulated, kept, or otherwise placed above the solid screening device described in this subsection.

d. A row of evergreen screening plants shall be planted in front of and within ten (10) feet of the required screening device. These trees shall be spaced a maximum of ten (10) to fifteen (15) feet on center. They shall be placed no closer than five (5) feet to the street side of the required screening device. The plants shall mature to a height of six (6) to eight (8) feet. All screening landscaping shall be equipped with an automatic irrigation system.

3. Residential use additional standards.

3.1. Dwelling, Live/Work:

a. The "live" portion of the building may be sited above or behind the non-residential use but shall not be between the non-residential use and the public right-of-way or public access easement.

3.2. Residential apartments and/or condominiums (ground floor)

a. Ground floor residential shall not face a pedestrian-priority street.

3.3. Accessory Dwelling Unit (ADU)

a. Any lot with, or zoned for, a principal single-family dwelling unit may have up to one ADU.

b. The Zoning Administrator may authorize an additional ADU if the property is in an AG District and will be used for AG employee housing.

c. An ADU may be any size, provided the proposed unit's total square footage is less than fifty percent (50%) of the primary dwelling's and other setback and lot coverage requirements are satisfied.

d. An ADU shall not be taller than the primary structure.

e. An ADU shall not be set in the front yard of a primary structure.

4. Other Uses

4.1. Food Trucks

a. Food truck parks and food trucks shall only be permitted on a platted property a minimum of 1/3 acre in size.

b. Restrooms. Patrons must have access to restrooms. Permanent restroom(s) located within a permitted building/structure shall be provided on-site within the food truck park, or on the premises where the food truck is located, for the use of the owners, operators, and customers of the food trucks and food truck park. Such restroom(s) must remain open and available for use at all times during the food truck park or food truck is in operation.

c. Utility services. Food truck parks are required to provide electricity access for the individual food trucks which operate the site. Individual food trucks are not allowed to operate a generator unless emergency circumstances necessitate the use of a generator.

d. On-site management. There must be a designated manager of the food truck park who is responsible for the orderly organization of the food trucks, the cleanliness of the site, and the site's compliance with all rules and regulations during the hours of operation. A certified food manager must be designated for each food truck operating in a food truck park.

e. Alcohol sales. If alcohol is to be sold by any food truck in the food truck park, compliance with Texas Alcohol and Beverage Commission (TABC) rules and regulations is required. This includes the requirement of fencing the entire food truck park area with approved fencing materials (no chicken wire or chain link) as should be shown on the site plan.

f. Hours of operation. Food truck parks shall only engage in sales operations during the following days and times:

   Sunday- Thursday 7:00a.m. to 9:00p.m.

   Friday- Saturday 7:00a.m. to 11 :00 p.m.

   Alternate hours may apply during special events permitted in compliance with Chapter 62 of the Aledo Municipal Code or otherwise approved by the City.

g. Refuse, recyclables, litter, liquid waste, and food preparation byproducts.
   i. Food truck parks and food trucks shall provide containers of sufficient size and number for disposal of refuse and recyclables from the operation of the food truck park. All dumpsters provided by the food truck park must be on an approved site designated on the site plan.
   ii. All refuse, recyclables, and/or litter on the ground at the food truck area shall be immediately picked up and discarded in an appropriate manner by the food truck operator or the food truck park's manager. Refuse and/or recyclables must be removed from the food truck area as needed to avoid creating unsanitary or unhealthy conditions or nuisances.
   iii. Grease, oils, vapors, and other similar food preparation byproducts shall be kept in the food trucks at all times. Dumping, or the improper disposal, of food preparation byproducts on the ground, pavement or other surface or into a stormwater collection system is strictly prohibited and may result in the immediate revocation of all permits and licenses of the food truck and/or the food truck park in addition to the performance of any necessary remediation and the issuance of citations and fines.
   iv. Sewage, liquid wastes and food preparation byproducts shall be removed from the food truck at an approved waste servicing area (commissary) in an approved way that public health hazards or nuisances are not created.

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

i. At a special event that is licensed pursuant to a special event permit issued by the City, provided that the food truck is identified in the special event permit application as a participating concessionaire or caterer; or

ii. On public property including but not limited to a public park, public library, community/recreation center, at the request of the City.

4.2. Outdoor Storage:

a. Outdoor storage or display of products along any highway frontage shall be prohibited. All storage areas shall be located within the rear yard and screened from adjacent properties and any public right-of-way.

b. If adjacent to any residential uses, they shall be screened in accordance to the standards for a type screen described in Article 3: Development Standards.

4.3. Any permitted use with a drive through facility

a. Drive-thru facilities (windows, lanes, queuing, etc.) Shall not face a public right-of-way and shall be placed to the side (without street frontage) or rear of the building.

b. If the previous requirement is not feasible, drive-thru lanes facing, backing, or siding a public street or residential uses shall be screened in accordance with the standards for a typical screen described in Article 3: Development Standards.

4.4. Surface parking lot:

a. Shall be screened when located adjacent to any residential uses or public right-of-way with a screen in accordance with Article 3: Development Standards.

b. Any lot where the parking lot is intended to be the primary use shall be screened by a liner structure or habitable building to frame the edges of the parking along a street frontage.

c. If a liner building is not feasible, a thirty (30) foot-deep landscape edge (allowing for a future liner building) is required to buffer the parking lot from the public right-of-way or public access easement.

4.5. Veterinary Clinics with Outdoor Kennels

a. Outdoor kennels and runs are not permitted within 500 feet of residentially zoned property.

4.6. Recreational Vehicle Park or Resort

a. Development Standards:

i. Private Streets: Private streets shall be provided and shall extend continuously from the public street so as to provide suitable access to all RV lots and other facilities or uses permitted in the RV Park, as well as provide adequate connection to future streets at the boundaries of the RV Park property line. Private Streets shall meet the following standards:

1. Shall be a minimum of twenty-four (24) feet in width.

2. Intersections shall be at right angles. Intersection offsets of less than 125 feet shall be avoided. Intersections of more than two streets shall also be avoided.

3. Dead end streets shall be a maximum of 600 feet in length and shall provide a paved vehicular turnaround of at least eighty (80) feet in diameter.
4. Shall be constructed of all-weather dust free materials which shall be durable and designed by an engineer to withstand all fire and emergency apparatuses in addition to accommodating appropriate drainage improvements.
5. If the private street connects two public streets, it shall be in such a way as to discourage cut-through traffic.
6. Driveways, approaches, right-of-way, turning radii, etc., shall meet the City of Aledo Engineering Design Criteria Manual.

ii. Water Utilities: Each pad/lot/stand within an RV Park shall be provided with a connection to city water supply if available at the site. It shall be installed as follows:

1. Water supply system shall meet all city ordinances and codes.
2. A master meter shall be installed to serve the RV Park.
3. A reduced pressure principal backflow preventer (RPZ) will be required to be placed at the property line on the discharge side of the master meter. In addition, one (1) anti-siphon device must be placed at each of the connections for each RV pad/stand/lot.
4. Water riser service branch lines shall extend at least twelve (12) inches above ground level.
5. Adequate provisions shall be made to prevent freezing of service lines, valves, and riser pipes. Surface drainage shall be diverted from the location of utility connections at each site.
6. A shut-off valve below the frost line shall be provided near each water riser pipe.
7. The owner/operator shall maintenance responsibility for the water system within the RV Park with the city's responsibility ending at the master meter.

iii. Wastewater Facilities: Each RV lot/stand/pad shall be provided with a connection to the City of Aledo wastewater service, if available. If city wastewater service is not available, then a permit from the Texas Commission on Environmental Quality (TCEQ) shall be obtained prior to placement of an on-site sewage facility. The city must approve all proposed wastewater facility plans prior to construction. The wastewater distribution system shall be installed as follows:

1. The wastewater system and materials must be installed in accordance with applicable codes adopted by the city.
2. Each RV lot/pad/stand must include a four-inch diameter wastewater riser and shall extend above grade by three (3) to four (4) inches. The wastewater riser pipe shall be located on each stand so that the

wastewater connection to the RV drain outlet will approximate a vertical position. Each inlet shall be provided with a gastight seal when connected to a Recreational Vehicle or have a gastight seal plug when not in service. The plug shall be that of a spring-loaded device.

3. The wastewater connection to each RV lot/pad/stand shall consist of a single four-inch service line without any branch lines, fittings, or connections. All joints shall be watertight.
4. Surface drainage shall be diverted away from the riser.
5. The owner/operator shall have complete maintenance responsibility for the wastewater system within the RV Park. The responsibility of the city stops at the property line.

iv. Electrical Service: Each lot/pad/stand within the RV Park shall be provided with electrical service. All electrical service shall be underground and installed in accordance with all adopted city codes and ordinances. The electrical service shall be installed as follows:

1. A master electric meter shall be installed to serve the RV Park.
2. The location of all underground lines shall be clearly marked by surface signs at approved intervals.
3. Power supply to each lot/pad/stand shall be a minimum of one (1) 30-amp and one (1) 50-amp power supply.
4. Outlets (receptacles or pressure connectors) shall be housed in an approved weatherproof outlet.

v. RV Lot/Pad/Stand Standards:

1. Each RV lot/pad/stand shall consist of an area that is a minimum of thirty (30) feet in width by sixty-five (65) feet in depth.
2. All lots shall be connected to utilities as specified in this section.
3. All lots shall abut and have access to a private street within the RV Park.
4. All lots shall provide adequate foundation for parking the RV and one additional space for a vehicle on an asphalt or concrete surface. The remainder of the lot shall be maintained as grass or other all-weather dust free surface.
5. No direct vehicular access to any RV lot shall be permitted from any public street.
6. The term RV lot/stand/pad shall apply only if all the required improvements are present on the lot.
7. Only one (1) RV is permitted on each RV lot/stand/pad.
8. Each RV lot/stand/pad shall be clearly marked with a minimum of three (3) inch numbers identifying the RV lot/stand/pad number.

9. The individual lots/stands/pads within the RV Park are not allowed to have accessory structures as defined in this Ordinance.

vi. Setbacks: All RV's shall meet the following setbacks:

1. The front of the RV shall be at least ten (10) feet from the edge of the private street.
2. No part of any RV shall be located closer than twenty-five (25) feet from any adjacent public street ROW.
3. No side of an RV shall be located closer than eighteen (18) feet from any other RV.
4. The rear of an RV shall be no closer than ten (10) feet from any other RV.
5. No part of any RV shall be located closer than ten (10) feet from the RV Park perimeter property line.
6. All permanent structures shall conform to the zoning district standards and all adopted city codes and ordinances.

vii. Drainage: All open areas of the RV Park shall be graded and equipped to drain all surface water in a safe, effective manner so as not to permit water to stand or become stagnant. The RV Park shall also meet the city's adopted storm water drainage standards for development.

viii. Lighting: All entrance/exit driveways, private streets, parking lots, walkways, and service areas shall be adequately lit to be safe for all residents and visitors with one (1) footcandle average and a range from .02 to two (2) footcandles.

ix. Garbage/Trash Disposal: Adequate facilities for the collection, storage, and disposal of garbage/trash of the occupants of the RV Park shall be provided. These trash receptacles shall be in the RV Park and be placed on an all-weather surface pad. Each RV lot/pad/stand shall be located within two hundred (200) feet of a trash receptacle as measured along an internal drive or walkway within the RV Park. Screening of the trash receptacles shall meet the standards in Article 3 Development Standards.

x. Fencing: The RV Park shall be fenced along all sides per standards for nonresidential and multifamily fencing in Article 3 Development Standards. All public street frontages shall be fenced by natural barriers (new or existing) such as trees or shrubs where possible. Where natural barriers are not feasible as determined by the Administrator, a minimum eight (8) foot high fence shall be placed along the street frontage. All other standards for the fence shall meet the standards for nonresidential fencing in Article 3 Development Standards.

xi. Off-Street Parking: Shall meet standards in Article 3 Development Standards.

xii. Registration: Each person renting an RV lot/stand/pad in an RV Park shall register with the RV Park operator or owner with all the details of the person including name, permanent address, driver's license, auto-registration and RV license plates, number of the RV lot/stand/pad being rented, date of arrival and rental period.

xiii. Maximum Rental Period: RV lots/stands/pads shall be rented on a temporary basis not to exceed 180 consecutive days or 200 cumulative days within any calendar year to the same tenant. Rental extensions of an additional 180 days may be approved by the Administrator prior to the expiration date of the original rental period.

xiv. Pest and Rodent Control: Grounds, buildings, and structures in the RV Park shall be maintained free of the accumulation of dry brush, leaves, tree limbs, high grass (over 12 inches, unless part of native landscape areas), weeds, trash, and debris so as to prevent rodent and snake harborage or breeding of flies, mosquitoes, or other pests.

xv. Fire Safety and Protection: All RV Parks shall meet the city's Fire Code standards including the placement of fire hydrants within 500 feet of the RV Park. All fire hydrants shall meet the city's adopted fire code standards.

xvi. RV Parks in Annexed Areas: When an RV Park is annexed into the city, it shall be permitted for a period of 90 days before which the owner or operator is subject to the SUP requirements of this section.

1. Applicability: Development Standards shall apply as follows:
    1.1. New construction: all development standards shall apply
    1.2. Change of use (no change in square footage): Parking standards in Section 3 shall apply
    1.3. Addition of parking (with or without building addition or change in use): Standards in Section 3 (parking standards) shall apply to the extent feasible. No additional nonconformity shall be created, nor shall an existing nonconformity be made worse.
    1.4. Exterior remodel: Standards in Section 2 shall apply to the extent practicable. No additional nonconformity shall be created, nor shall an existing nonconformity be made worse.
    1.5. Building additions: All sections shall apply to the building addition; no additional nonconformity shall be created, nor shall an existing nonconformity be made worse.
    1.6. Other: No additional nonconformity shall be created or shall an existing nonconformity be made worse.
2. Building and Urban Design Standards
    2.1. Non-Residential Design Standards
        a. Purpose and Intent: The intent of this section is to establish design and development standards that foster high-quality, attractive, and enduring non-residential development. The standards are intended to:
            i. Protect and enhance the character and quality of retail, office, and industrial areas in Aledo;
            ii. Protect and enhance the long-term market value of property within Aledo;
            iii. Enhance the human and pedestrian scale of retail and office developments and ensure compatibility between residential neighborhoods and adjacent commercial uses;
            iv. Mitigate negative visual impacts arising from the scale, bulk, and mass of large commercial and industrial buildings and centers;
            v. Promote building designs and construction practices that are enduring and adaptable to multiple uses for extended building lifecycles;
            vi. Establish a sense of place for the commercial areas in Aledo; and
            vii. Balance the community's economic and aesthetic concerns.
        b. Site Design and Building Organization
            i. Purpose: Site design standards address a development's relationship to its surrounding natural features, street network, and land uses. They also address the relationship between key elements within the site. Careful site design is critical to the success of non-residential projects, and the standards of this Section should be considered at the outset, and throughout, the design process. The standards of this Section are intended to:
                1. Ensure development is sensitive to the physical characteristics of the site;

2. Ensure building scale, orientation, and design relates to the surrounding uses and streets, and creates a cohesive visual identity and an attractive street scene, especially in neighborhood commercial areas;
3. Ensure site design for efficient pedestrian, bicycle, transit, and vehicular circulation patterns, and create a high-quality pedestrian environment where appropriate;
4. Promote design environments built to human scale where appropriate;
5. Ensure delivery, trash, and loading facilities are located to be visually appealing and not impede regular vehicular and pedestrian circulation and access routes; and
6. Ensure safe pedestrian access between buildings and parking areas.

ii. Building Organization and Orientation:

1. Individual Buildings
    a. Development composed of one (1) or two (2) buildings shall be oriented so that the front façade faces the primary street or public access easements. On corner lots, the building(s) shall face the higher street designation unless adjoining and connected development provides a context for street frontage along the lower designation street as determined by the Administrator.
    b. In cases where the longer side of a building is perpendicular to the primary street, the portion of the building facing the primary street shall be designed as a building front with entrances, signage, and transparent windows.

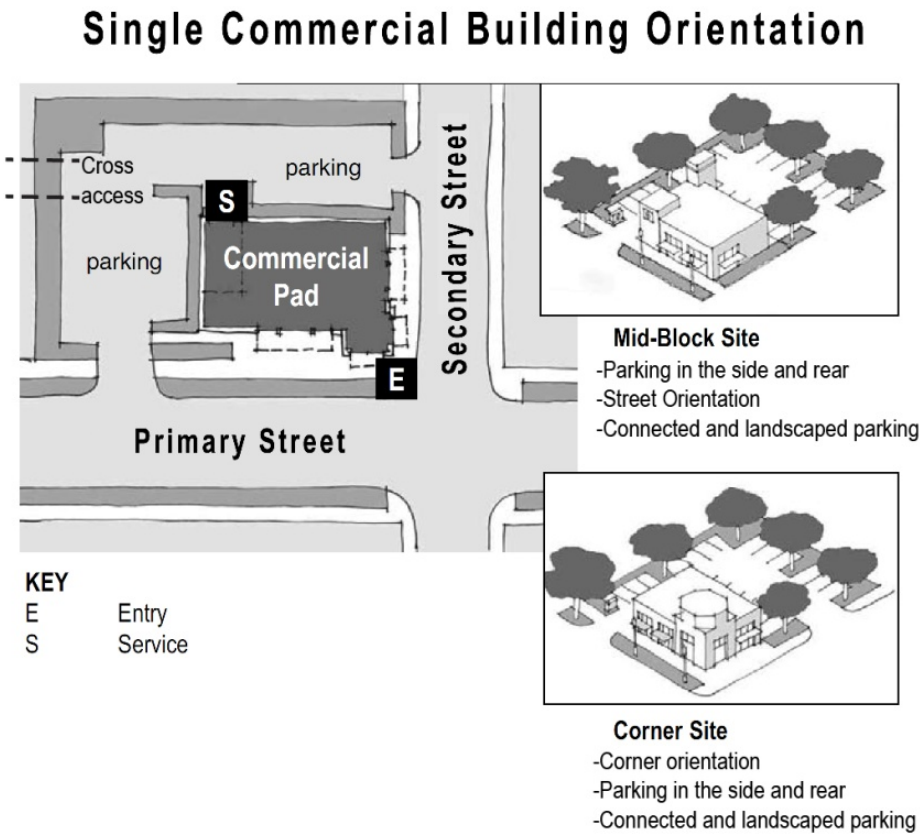


Figure 3.1-1 Illustration of a Single Building Orientation and Site Organization

2. Multiple Buildings: Development composed of three or more buildings shall be configured to (see Figure 3.1-2):
    a. Break up the site into a series of smaller internal "blocks" defined by on-site driveways, private streets, vehicle access ways, pedestrian walkways, or other circulation routes;
    b. Buildings should frame internal streets and parking should be located in the middle of the block;
    c. Large parking areas should be broken up into smaller parking areas defined by internal landscaped drives designed as “quasi” streets (public access easements, driveways, etc.) that have pedestrian frontages and streetscapes;

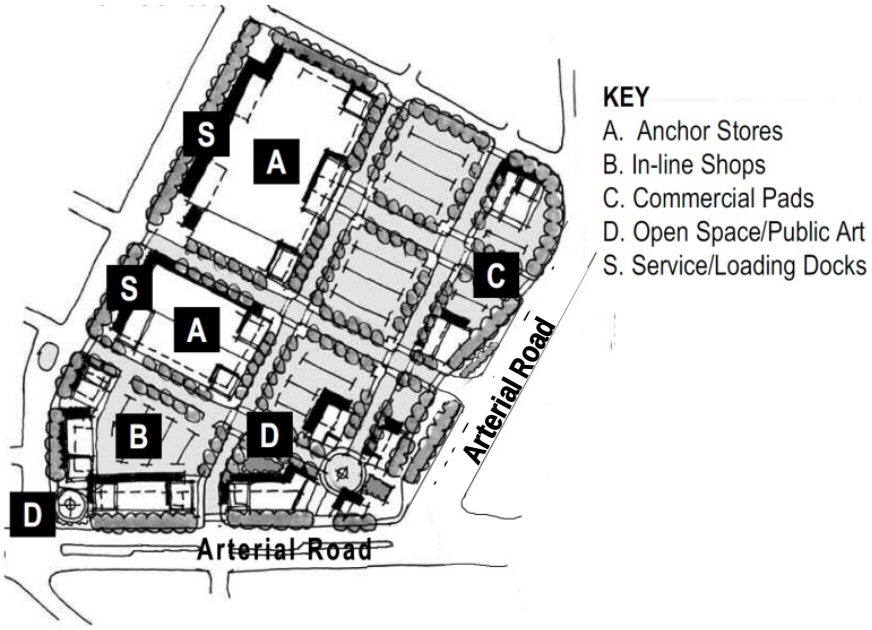
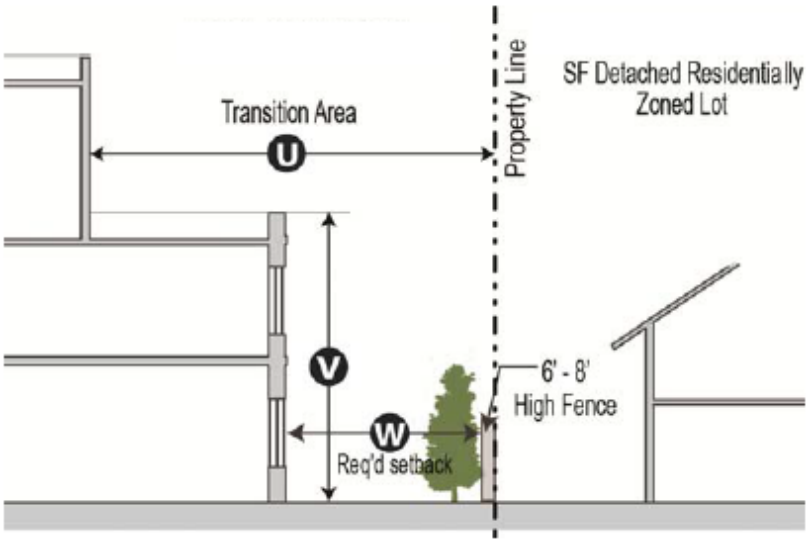


Figure 3.1-2 Illustration of Site Organization of a Multiple Building Development

3. Building Entry Design:
    a. All buildings shall have their primary entrance directly off the street or through a recessed area, courtyard, or plaza located adjacent to the public right-of-way or public access easement.
    b. The primary building entrance shall be readily apparent as a prominent architectural component from the street, creating a focal point. However, non-residential buildings with multiple tenants on the ground floor or multiple primary entrances shall have all entrances treated architecturally.
    c. Primary building entrances are to be defined and articulated with architectural elements such as pediments, columns, porticos, porches, and overhangs, as appropriate to the architectural style.
4. Height Transitions: Transitions between non-residential buildings and adjoining residential neighborhoods shall be provided by using a combination of the following techniques:
    a. Concentrating the tallest buildings at the center of the site or along primary street frontages; or
    b. Stepping down the height of buildings along any shared residential lot line or street frontage to the zoned maximum height of the adjacent residential structures. See Figure 3.1-3.



U	Zoned minimum setback plus an additional 20 feet
V	Adjacent residential maximum height
W	Zoned minimum setback

Figure 3.1-3 Illustration of Height Transition to Single-Family Detached zoned lot

c. Building Design

i. Purpose: Building design directly influences the character and function of non-residential or mixed-use development. The standards of this Section are intended to:

1. Ensure that multiple building or phased commercial developments use compatible schemes of materials, colors, and architectural styles to ensure consistency. This includes accessory structures such as freestanding canopies, accessory and maintenance buildings, and dumpster enclosures;
2. Ensuring that individual buildings have a single definitive, consistent style. Mixing of various architectural styles on the same building is discouraged;
3. Ensure that buildings are designed to a human scale; and
4. Encourage adaptable development by designing buildings to be adaptable for multiple uses over time based on changing market demand.

ii. Street Side Architecture: All building elevations facing a public or private street shall be architecturally finished with comparable levels of materials and detailing (e.g., tiles, moldings, cornices, wainscoting, etc.). Blank walls void of architectural details or other variations are prohibited.

iii. Building Form and Mass: A single, large, dominant building mass shall be avoided in new commercial buildings and redevelopment projects under this Ordinance. Changes in mass shall be related to entrances, tenant spaces, the integral structure, and/or the interior space organization and activities, and not just for cosmetic effect.

iv. Exterior Walls: All exterior walls (with the exception of rear or service facades) shall be designed with a base and top.
    1. Base: Façades and walls shall have a recognizable base with (but not limited to):
        a. Thicker walls, ledges, or sills;
        b. Storefront windows and displays.
    2. Top: Facades and walls shall also have a recognizable top with (but not limited to):
        a. Cornice treatments, other than colored stripes or bands alone, or differently colored materials;
        b. Sloping roof with overhangs and brackets; or
        c. Parapets that step up to emphasize entries.
    3. Building Articulation: Buildings shall be designed to reduce apparent mass by dividing facades into smaller components. No individual component shall have an uninterrupted length of more than sixty (60) feet. Components shall be distinguished from one another through two (2) or more of the following:
        a. Variations in roof form or variations in roof height or parapet of two (2) feet or more;
        b. Changes in wall plane of a minimum of ten percent (10%) in width and a minimum of twenty-four (24) inches in depth;
        c. Variations in the arrangement and recessing of doors and windows;
        d. Recognizable changes in texture or material; or
        e. Decorative columns.
    4. Windows and Transparency:
        a. At ground level, buildings shall have a high level of transparency. Façades and walls that face the street, pedestrian walkways, plazas, and parking areas (excluding the building rear or side) must have transparent windows (visual transmittance of 0.6 or above) for at least 40% of the façade between 2 feet and 12 feet above the grade.
        b. Side facades (non-street fronting) must have transparent windows (visual transmittance of 0.6 or above) for at least 20% of the façade between 2 feet and 12 feet above the grade.
        c. Where the internal arrangement of a building makes it impossible to provide transparency along a portion of a wall as determined by the Administrator, a combination of changing color or texture to imitate the rhythm of windows or storefront displays may substitute for fifty percent (50%) of required

transparent areas, except when fronting plaza or sidewalk café areas.

v. Roof Forms: Variations in rooflines shall be used to add interest and reduce the scale of large buildings. Roof features shall correspond to and denote building elements and functions such as entrances, arcades, canopies, etc. They shall also complement the character of the overall development.
    1. Flat Roofs: Flat roofs shall include parapets that adhere to articulation requirements for the main face of the structure. The average height of the parapet shall not exceed fifteen percent (15%) of the height of the supporting wall unless rooftop equipment cannot be sufficiently screened. A three-dimensional cornice treatment is encouraged for parapets. Parapets shall look complete from all sides if visible at any distance from the ground. Parapets should be constructed of the same material as the primary façade.
    2. Sloped Roofs: Pitched roofs shall have a minimum pitch of 4:12 for all structures. This requirement excludes roofs for entries and dormers. Any overhanging eaves shall extend at least one (1) foot past the supporting walls.

vi. Shade Requirements

1. All development shall provide shaded pedestrian walkways along at least fifty percent (50%) of all building facades along streets, outdoor gathering spaces, and internal drives along parking areas.
2. Buildings should be oriented to minimize direct solar exposure on the primary building façade and areas of high pedestrian activity.
3. Shade may be provided through any or a combination of the following:
    a. Arcades, canopies, or galleries;
    b. Canopy trees;
    c. Trellises or pergolas; or
    d. Any other shading device as approved by the Administrator.

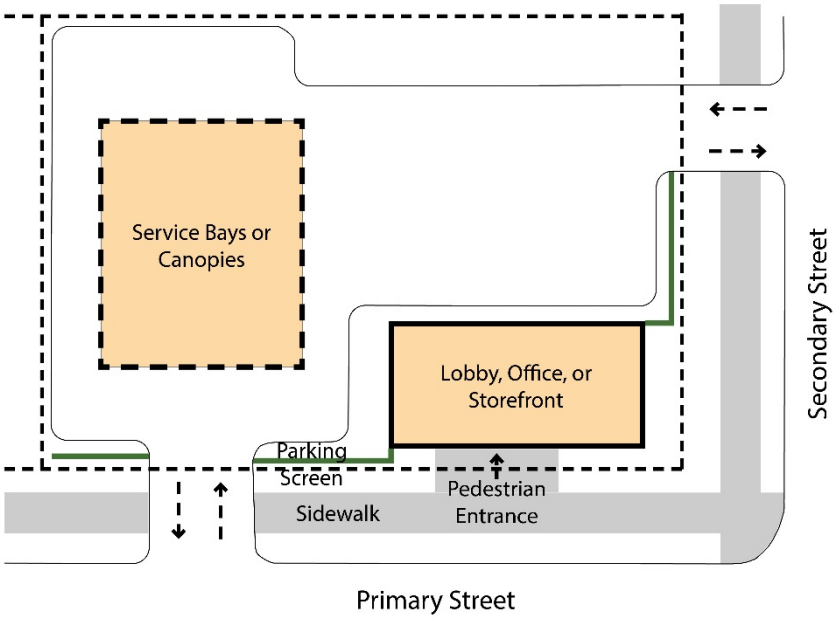
d. Design of Auto-Oriented Elements

i. Location and Design of Parking and Service Areas:

1. All surface parking lots for non-residential uses shall be located at the side or rear of a building. Specifically, the frontage of surface parking lots shall be minimized along Pedestrian Priority frontage designations. If located adjacent to other streets or a residential use, screening shall be provided along the length of the parking area, except where sidewalk and vehicular access occurs.
2. A surface parking lot may not be adjacent to a street intersection with a Pedestrian Priority frontage or civic space such as a plaza or square or occupy a lot that terminates a street vista. Any lot with surface parking as a primary use shall follow the design criteria for that use in Article 2.2 Design Criteria Standards.
3. Shared parking facilities are encouraged for non-residential uses in all Districts.
4. Bicycle parking shall be provided for non-residential uses, multi-family uses, especially for schools, parks, trails, and other recreational facilities. Bicycle parking shall be provided at a rate of 5% of all off-street automobile parking spaces provided for all residential uses except single-family uses (attached or detached.) Bicycle parking may be shared between uses and should be centrally located, easily accessible, covered/protected from the elements, lit at night, and visible from streets or parking lots. They may be located between the roadway and the building facades if their location does not impede pedestrian walkways, by being placed in a furnishing area or a separate bike parking area.

ii. Design of Automobile Related Site Elements (Drive Throughs, service bays, etc.):

1. Drive-through lanes, drive up windows, service bays, and other auto-related site elements shall not be located along any Pedestrian Priority frontages.
2. Along all other frontages, no more than sixty percent (60%) of the lot's frontage along a such frontage shall be dedicated to auto-related site elements.
3. Drive-through lanes shall be hidden behind a screening device (minimum of three (3) feet in height) along adjacent streets. There shall be no limit to the number of drive-through lanes located along alleys.
4. All off-street loading, unloading, and trash pick-up areas shall be located along alleys or rear of buildings only. Such uses may be located along Non-Pedestrian Priority frontages only if the lot has no access to an alley. Any off-street loading, unloading, or trash pick-up areas shall be screened in accordance with Section 8.2(C) Screening and Fencing Standards.
5. Driveways shall be located along alleys or Non-Pedestrian Priority frontages unless the site has no access to such roadways. Driveway widths shall be a maximum of twenty-four (24) feet unless providing service access in which case they shall be no wider than thirty (30) feet. Driveways shall maintain a continuous and level sidewalk across the curb cut. Driveway spacing shall be per the City Engineering Design Criteria or as approved by the City Engineer. Driveways along State Highways are under the purview of the Texas Department of Transportation (TXDOT) and shall meet TXDOT standards.



iii. Design of Parking Structures

1. All frontages of parking structures located on Pedestrian Priority frontages shall be lined by active edges or commercial ready frontages on the ground floor to a minimum depth of twenty-five (25) feet.
2. Parking structure facades on all public streets (except alleys) shall be designed with both vertical (façade rhythm of twenty (20) to thirty (30) feet) and horizontal (aligning with horizontal elements in the block) articulation.
3. Where above ground structured parking is located at the perimeter of a building, it shall be screened in such a way that cars on all parking levels are not visible from adjacent buildings or the street. Parking garage ramps shall not be visible from any public street. Ramps shall not be located along the perimeter of the parking structure with frontage along a Pedestrian Priority designation. Architectural screens shall be used to articulate the façade, hide parked vehicles, and shield car bumpers and headlights.



Images showing appropriate design of parking structures

2.2. Residential Design Standards

a. Purpose and Intent: The standards of this section are intended to:

i. Promote high-quality residential developments that are distinctive, have character, and relate and connect to established neighborhoods;
ii. Provide variety and visual interest in the exterior design of residential buildings;
iii. Create new neighborhoods that age gracefully and add long term value to the City;

iv. Enhance the residential streetscape and diminish the prominence of garages and parking areas;
v. Protect property values; and
vi. Ensure the compatibility of infill residential development with the existing character of surrounding neighborhoods.

b. Single-Family and Two- to Four-Family Residential Building Design Standards
   i. Applicability: This section shall apply to all new and redeveloped single-family and two- to four-family residential developments in all zoning districts with the following exceptions:
      1. Planned Development districts that have specific residential design standards and are approved after the adoption date of this Ordinance, and
      2. Any building permit issued prior to the adoption of this Ordinance.
   ii. Façade Design: Façades must be articulated by using color, arrangement, or change in materials to emphasize the façade elements. Exterior wall planes may be varied in height, depth, or direction. Design elements and detailing, including the presence of windows and window treatments (for walls that face the public right-of-way), trim detailing, and exterior wall materials, must be continued completely around the structure. Doors and windows must be detailed to add visual interest to the façade.






iii. Building Entrances:

1. All buildings shall have at least one primary entry door oriented towards the primary street. The main entry to the home shall be visible from the street. Two to four family buildings may have side entrances for other units as long as at least one unit has an entrance door oriented towards the primary street.
2. Provide a prominent entry feature (either projected or recessed) that reflects the home's architectural style. Common projected entries are porches and stoops. Two- and one-story recessed entry features that do not incorporate roof overhangs or stoops shall not be permitted.

iv. Roof design:

1. The minimum roof pitch shall be 4/12, unless utilizing a flat roof. Other roof types and proportions shall be appropriate to the home's architectural style.
2. Roof elements such as dormers, chimneys, skylights, and varying heights and ridgelines may be utilized to ensure good design and neighborhood continuity. However, these shall be appropriately scaled for the home's architectural style.

c. Multi-Family Residential Building Design

i. Applicability: This section shall apply to all new and redeveloped multi-family residential buildings (greater than four (4) units) in all zoning districts with the following exceptions:

1. Planned Development districts that have specific residential design standards and are approved after the adoption date of this Ordinance, and
2. Any building permit issued prior to the adoption of this Ordinance.

ii. Site Design and Building Orientation

1. Site Access

a. New multi-family developments with 100 or more units shall have primary access from an arterial street and shall comply with the following standards:

1. A minimum of one secondary point of ingress/egress into a multi- family development may be required for public safety access.
2. No primary vehicular access from a multi-family development shall be provided on a local street serving existing single-family detached development; however, secondary vehicle access may be provided onto local streets.

b. A new multi-family development with fewer than 100 units may take primary access from a collector street, if approved by the Administrator.

2. Entry feature design: The following landscaping standards shall apply to the primary entrance:
    a. The main site entry for multi-family developments shall be treated with special landscape elements that will provide an individual identity to the project.
    b. Site entry and access drives for multi-family development shall include at least three (3) of the following:
        1. A minimum five (5) foot-wide landscaped median;
        2. Textured paving, interlocking pavers, or other decorative pavement (stamped concrete or stamped asphalt);
        3. Gateway elements such as lighting, bollards, entry fences, or monuments;
        4. An entry containing landscaping, water feature, or artwork; or
        5. Other improvements as approved by the Administrator.

iii. Building Orientation and Common Open Space

1. Building Orientation:
    a. Buildings must be oriented towards perimeter streets, for internal buildings, they may face an internal drive (i.e., private street) or open space amenity (excludes required yards) that maintains or creates a traditional grid, rather than orientation only to internal parking lots.
    b. Garage entries, carports, parking areas, and parking structures shall be internalized in building groupings or oriented away from street frontages.
2. Common Open Space:
    a. Shall be a minimum of ten percent (10%) of the net site area and may be located on upper floors or roofs.
    b. Larger open spaces should be the fundamental organizing element of the site. Common open spaces should be well-defined by buildings and streets.
    c. These common open spaces shall not count landscape buffers and setbacks unless such buffers and setbacks are programmed as open spaces with functional features (trails, seating, special paving, etc.)
    d. Buildings should be oriented in such a way as to create courtyards and open space areas.
    e. Large existing trees and other natural features should be integrated into the site.

f. Common open space should be centralized and directly accessible to most of the surrounding units. Where possible, it shall be linked by a minimum of five (5) foot sidewalks to adjacent parks, paths, and open space areas.
g. The open space shall be useable areas, and no more than 25% of the open space shall be riparian areas, floodplains, or slopes exceeding 3:1.

iv. Site Amenities Required: In conjunction with the common open space requirements, all multifamily projects shall provide the residents with two or more site amenities listed below. Amenities shall be centrally located for most of the residents and may be located within the common open space areas.
1. Swimming pool.
2. Sports courts, such as tennis, pickle ball, basketball, or volleyball.
3. Natural open space area with accessible and connected trails and benches.
4. Jogging trails.
5. Fountains, art, or sculpture.
6. Playgrounds
7. Other comparable amenities as approved by the Administrator.

v. Building Design:
1. 360-degree architecture: All sides of a multi-family building shall display a comparable level of quality and architectural detailing as on the front elevation.
2. Articulation:
a. Maximum length of any multi-family residential building shall be 200 feet.
b. No more than six townhomes may be attached in any single block.
c. Each elevation greater than thirty (30) feet in length, measured horizontally, shall incorporate wall plane projections or recesses having a depth of at least two (2) feet and extending at least twenty (20) percent of the length of the façade.
d. The elevations of all multi-family buildings shall be articulated through the incorporation of at least five (5) or more of the following:
1. Balconies, a minimum of twenty-five (25) square feet in area;
2. Bay or box windows;
3. Porches or covered entries that are compatible to the architectural design and size of the building;
4. Dormers;

5. Awnings or canopies;
6. Structural offsets a minimum of four (4) feet from the principal plane of the facade;
7. Ornamental or decorative window grills and/or shutters;
8. Vertical elements such as towers or building endcaps that demarcate building modules; or
9. Other comparable features as approved by the Administrator.

3. Height Transition Adjacent to Single-Family: Any part of a multi-family building shall not exceed forty (40) feet or three (3) stories if the building is located within fifty (50) feet of a property zoned, used, or intended to be used for detached single-family residential.
4. Buildings and parts of buildings located more than fifty (50) feet away from property zoned for detached single-family residential are subject to height restrictions of the underlying zoning district.
5. Building Entrances:
    a. Building entries next to a public street, private drive or parking area must be pedestrian-scaled, providing an expression of human activity or use in relation to build size. Doors, windows, entranceways, and other features such as corners, setbacks, and offsets can be used to create pedestrian scale.
6. Windows:
    a. All walls and elevations on all floors of multiple household buildings must have windows, except when necessary to assure privacy for adjacent property owners as determined by the Administrator.
    b. Windows should be located to maximize the possibility of occupant surveillance of streets, entryways, and common areas.
7. Roof Design:
    a. On buildings with pitched roofs, the minimum roof pitch is 4:12.
    b. On buildings where flat roofs are the predominant roof type, parapet walls must vary by a minimum of ten percent (10%) in height and/or vary by shape once every fifty (50) feet along a wall.
    c. Changing roof forms or towers must be designed to correspond and denote building elements and functions such as entrances and stairwells.

2.3. Historic District Design Standards (RESERVED)

3. Site Design and Development Standards
    3.1. Applicability: Table 3.2-1 shall establish the applicability of this section to new development and redevelopment.
    3.2. Off-Street Parking
        a. Purpose: The regulations of this section are intended to ensure provision of off-street parking and loading facilities in rough proportion to the generalized parking, loading, and transportation demands of different land uses. By requiring such facilities, it is the intent of this section to help avoid the negative effects associated with spillover parking into adjacent neighborhoods, while at the same time avoiding the negative environmental and urban design effects that can result from large surface parking lots and other vehicular use areas. The provisions of this section are also intended to help protect the public health, safety, and general welfare by:
            i. Helping avoid and mitigate traffic congestion;
            ii. Encouraging multi-modal transportation options and enhanced pedestrian safety;
            iii. Providing methods to help reduce stormwater runoff and the heat island effect of large, paved parking areas; and
            iv. Providing flexible methods of responding to the changing transportation and access demands of various land uses in different areas of the City.
        b. Applicability
            i. Generally: The off-street parking and loading standards of this section shall apply to all parking lots and parking structures accessory to any building constructed and to any use established in every district. Except when specifically exempted, the requirements of this section shall apply to all temporary parking lots and parking lots that are the principal use on the site.
            ii. Expansions and Enlargements: The off-street parking and loading standards of this section shall apply when an existing structure or use is expanded or enlarged. Additional off-street parking and loading spaces shall be required to serve the enlarged or expanded area and where possible to reduce the deficiency or parking for the existing building and use, provided that in all cases the number of off-street parking and loading spaces provided for the expanded use shall equal 100 percent of the minimum ratio established in Tables 3.2-1 and 3.2-2.
            iii. Change in Permitted Uses: A permitted use that does not meet the parking requirements of this section may be converted to another permitted use without full compliance with the required number of parking spaces if the Administrator determines:
                1. The maximum possible number of parking spaces is provided without removing or partially removing a structure.

2. If a structure or a portion of a structure is voluntarily removed, the resulting area shall be used to provide the additional parking spaces necessary to fulfill the requirements of Tables 3.2-1 and 3.2-2.
3. The amount of parking available is at least 75 percent of the parking required for the new use in Tables 3.2-1 and 3.2-2.

iv. Location: Required off-street parking, loading, and vehicle stacking spaces shall be located on the same lot as the principal use or shared use area, except as otherwise provided in this section.

v. Use Limited to Parking: No required off-street parking facility or loading space shall be used for sales, display of merchandise, non- vehicular or rental vehicle storage, repair, or service activities unless specifically provided for in this Ordinance, or an appropriate temporary use permit is acquired.

vi. In all residential districts, no heavy load vehicle, truck trailer, truck tractor, mobile home, motor home, camper, trailer, boat, farm equipment or machinery or any other similar equipment or machinery (called collectively "equipment") shall be parked or left standing for more than two (2) days out of any consecutive seven (7) day period within the required front yard, within the side yard of a corner lot between the side building line and side property line on the side of the lot abutting a street or public right-of-way, or within the public right-of-way.

c. Off-Street Parking Standards

i. Off-Street Parking Schedule A: The off-street parking requirements for uses allowed by this Ordinance are listed in Table 3.2-1. The vehicle stacking requirements of Section 3.2-2, Drive-Through Vehicle Stacking Standards, may also be applicable to certain uses.

Table 3.2-1 Zoning District Parking Schedule

Zoning District	*Downtown and Mixed-Use*	*All other zoning districts*	*PD or Special Districts*	*Additional Criteria*
Min. Off-Street Parking Requirement				
All Non-Residential uses and ground floor Commercial Ready spaces	1 space per 500 sq. ft. of building area (the first 2,000 sf of a building shall be exempt from any parking requirement)	1 space per 300 sq. ft. of building area	1 space per 300 sq ft of building area, if within 250 feet of an existing Residential district.	1. Off-site parking may be provided per Section 3.3. 2. Landscaping within surface parking lots shall meet standards in Section 3.4 of this Ordinance. 3. A shared parking plan or alternative parking plan may be approved by the Administrator as an Alternative Parking Plan.
Residential uses (except ADUs)	1.0 space per each dwelling unit	2.0 spaces per each dwelling unit	2.0 spaces per each dwelling unit	

Lodging uses (hotels and motels)	0.5 spaces per guest room; all other areas shall be parked at the non-residential rate above	1.0 space per guest room; all other areas shall be parked at the non-residential rate above	Alternative Parking Plan required	4. On-street parking located along any adjacent public street shall be counted towards the required off street parking for a building. 5. Accessory Dwelling Units (ADU's) are exempt from parking requirements.

d. Computation of Parking and Loading Requirements
    i. Fractions: When measurements of the number of required spaces result in a fractional number, any fraction exceeding 0.5 shall be rounded up to the next higher whole number.
    ii. Multiple Uses: Lots containing more than one use shall provide parking and loading in an amount equal to the total of the requirements for all uses. No off-street parking space provided for one type of use or building shall be included in the calculation of the off-street parking requirements for any other use or building except as prescribed in Section 3.2.g, Parking Alternatives, of this Ordinance.
    iii. Area Measurements: Unless otherwise specified, all square footage-based parking and loading standards shall be computed based on gross floor area of the use in question. Structured parking within a building shall not be counted as gross floor area in such a measurement.
    iv. Off-Street Loading and Service Areas: Required off-street loading spaces shall not be counted as off-street parking spaces in computation of required off-street parking spaces. Parking spaces located in buildings used for repair garages or car washes, and spaces in drive-through lanes shall not be counted as meeting the required parking.
    v. Parking for Unlisted Uses: Parking requirements for uses not specifically listed in Table 3.2-1, Off-Street Parking Schedule, shall be determined by the Administrator based on the requirements for the closest comparable use, as well as on the parking demand and trip generation characteristics of the proposed use. The Administrator may alternately require the submittal of a parking demand analysis that justifies estimates of parking demand based on the recommendations of the Institute of Transportation Engineers, and includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location. The off-street parking requirement determined by this analysis may be sent to the City Council for appeal.

e. Accessible Parking: In addition to the required off-street parking identified in Section 3.2, Off-Street Parking Standards, accessible parking shall be provided for multi-family

and all non-residential uses in accordance with the Americans with Disabilities Act and the Texas Accessibility Standards.

f. Drive-Through Vehicle Stacking: The following standards shall apply to buildings that contain a drive-through use, regardless of if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

i. Location of Stacking Lanes and Use of Audible Electronic Devices

1. Stacking lanes shall not be located between the building and the street rights-of-way.
2. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be audible beyond the site's property line.
3. No service shall be rendered, deliveries made, or sales conducted within the required front yard or corner lot side yard; customers served in vehicles shall be parked to the sides and/or rear of the principal building.
4. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive-up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.

ii. Stacking Space and Lane Requirements

1. The number of required stacking spaces shall be as provided for in Table 3.2-2, Stacking Space Requirements.

TABLE 3.2-2: Stacking Space Requirements

Activity	Minimum Stacking Spaces (per lane)	Measured From:
Bank, Financial Institution, or Automated Teller Machine (ATM)	2	Teller or Window
Restaurant	4	Pick-Up Window
Full Service or Automated Vehicle Washing Establishment	4	Outside of Washing Bay
Fuel or Gasoline Pump Island	1	Pump Island
Other	As determined by the Administrator	

iii. Design and Dimensions: Stacking lanes shall be provided for any use having a drive-through establishment and shall apply comply with the following standards:

1. Drive-through stacking lanes shall have a minimum width of ten (10) feet.

2. When stacking lanes are parallel to other stacking or bypass lanes, separation shall be required by means of a five (5) foot wide landscaped median or island.
3. Bypass lanes are required for all stacking lanes.

g. Alternative Parking Plan: Alternatives to providing the number of off-street parking spaces required by Section 3.2, Off-Street Parking Standards may be approved in accordance with the following standards.

i. Off-Premise Parking: An off-premise parking facility may be approved to accommodate either required or additional parking subject to the following conditions:

1. The off-premise parking facility shall be located within 600 feet from an entrance, as measured along the shortest practical walking route, to the structure for which it will be used.
2. Off-premise parking shall be connected to the use by a minimum five (5) foot sidewalk or surfaced path.
3. Residential parking or ADA accessible parking may not be provided in off-premise facilities.

ii. Shared Parking: Shared parking facilities for developments or uses with different operating hours or different peak business periods may be approved if the shared parking complies with all of the following standards:

1. Location: Shared parking spaces shall be located within 600 feet of a public entrance to the uses served unless remote parking shuttle bus service is provided.
2. Shared Parking Analysis: Where shared parking is contemplated, the applicant may be required to include parking accumulation analyses as a part of the request for approval. The analysis shall include the parking demand for each hour over a 12- to 24-hour period for a typical high-volume day. This will determine the minimum number of spaces that shall be provided. Based on the analysis submitted, if the maximum number of vehicles accumulated during a peak hour or hours for all overlapping uses exceeds the number of spaces that are required to be provided, shared parking shall be limited. A prorated number of shared parking spaces may be permitted based on the justification information of the analysis.
3. Agreement for Shared Parking: A shared parking plan will be enforced through a written agreement among all owners of record. An attested copy of the agreement between the owners of record shall be submitted to the Administrator for review and approval. The applicant shall record the agreement prior to the issuance of a building permit or certificate of occupancy for any use to be served by the shared parking. A shared parking agreement may be terminated if all required off-

street parking spaces are to be provided in accordance with the requirements of Section 3.2, Off-Street Parking Standards.

4. Shared parking agreements that existed prior to the adoption of this Ordinance shall continue in force.
5. Amendments to pre-existing agreements shall be made pursuant to the terms of this Section and shall be made by written agreement.

iii. Public Parking: Credit for Nearby Public Parking: Spaces available in public parking areas located within 1,000 feet of the subject use may be counted toward the total amount of required off-street parking if connected to the use by a minimum five (5) foot sidewalk or surfaced path and the Administrator determines that the spaces are reasonably available for the use.

iv. Additional Reductions in Parking: The City Council may allow an additional reduction in the required number of parking spaces. A parking demand analysis, prepared in accordance with the Administrator's guidelines by a qualified parking or traffic consultant, substantiating the basis for granting a reduced number of spaces is required.

h. Parking Facility Location and Design

i. Parking Space Dimensions

1. No parking space shall be less than eighteen (18) feet in length and nine (9) feet in width, except as provided below.
2. Parking spaces may be reduced in length when a tire-stop curb is installed sixteen (16) feet from the maneuvering lane and a clear space of two feet is provided for a vehicle to overhang. The overhang is not permitted over public property, sidewalks, a landscaped area, or a setback in which parking is not permitted. Such a reduction is permitted only when the width of the maneuvering lane is maintained at twenty-six (26) feet.

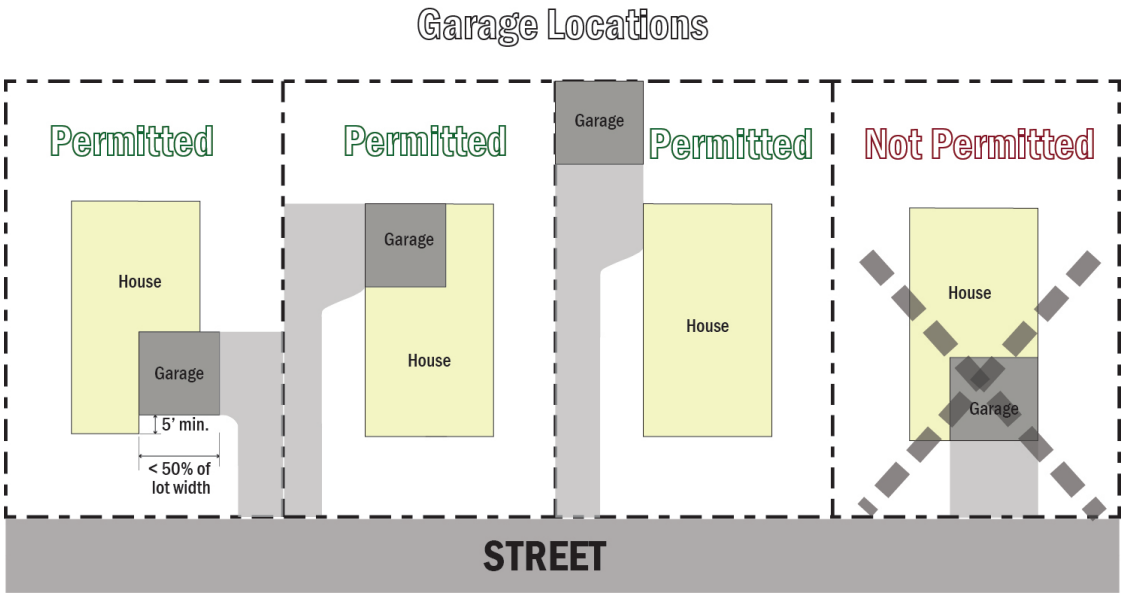
ii. Design of Parking Spaces:

1. No parking shall be allowed except on a paved concrete, bituminous parking space surface, or an alternative surface approved by the Director of Public Works.
2. Parking Prohibited in Rights-of-Way and Drive Lanes:
    a. No private off-street parking facility shall be located, in whole or in part, in a public street or sidewalk, parkway, alley, or other public right-of-way.
    b. No off-street parking or loading space shall be located, either in whole or in part, within any fire lane required by ordinance of the City or within aisles, driveways, or maneuvering areas necessary to provide reasonable access to any parking space.

iii. Parking Area Location and Layout in Non-Residential Districts: The following shall apply in the non-residential zoning districts except Special Districts.

1. Parking Location: Sites shall be designed with buildings closer to the street with parking located to the side and rear of the site to avoid views of large, paved parking areas from public rights-of-way. However, the Administrator may adjust this requirement based on the prevailing development patterns or future vision for the area to be consistent with the established pattern of development along the street to create a better context for the future of the area.
2. Parking Area Layout: Surface parking areas shall be divided into sub-areas, each accommodating no more than 200 vehicles. Each parking sub- area shall be separated by a minimum fifteen (15) foot wide landscaped island, which shall include pedestrian walkways and shade features such as trees and/or arbors. This technique shall be used to minimize the view of a "sea of parking" between the building and the principal street and to require that the majority of off-street parking be located to the side or rear of the buildings served. Surface parking lots shall comply with the requirements in Section 3.4.c, Parking Lots or Parking Areas Landscaping.
3. Circulation Area Design: Circulation areas shall be designed to facilitate the safe movement of vehicles without posing a danger to pedestrians or impeding the function of the parking area. Parking lots shall maintain safe circulation patterns and access to public streets.

i. Residential Parking and Garage Design
    i. Any off-street parking provided for residential uses shall be located in such a manner as to minimize the impact of garages and driveways along the residential street. All residential lots that are forty (40) feet or less in width shall have off-street parking and/or garages accessed from alleys.
    ii. Front loaded garages are permitted on lots greater than forty (40) feet, but in no case shall the width of the garage exceed fifty percent (50%) of the front façade width of the entire building or twenty-four (24) feet (whichever is smaller). In addition, the garage shall be set back at least five (5) feet from the front façade of the home.
    iii. Outside storage of large vehicles, recreational vehicles, trailers, and watercraft storage shall be to the side or rear of the primary structure. Storage of these vehicles are not permitted in the front yard, public right of way, or side setback on a corner lot adjacent to side street.
    iv. The following graphics indicate the accepted location and placement of garages (attached or detached) when an alley is not available.



j. Minimum Off-Street Loading Standards

i. Off-street facilities shall be provided and maintained for receiving and loading of merchandise, supplies, and materials within a building or on the premises.

ii. All retail, commercial, and industrial structures shall provide and maintain an off-street area for the loading and unloading of merchandise and goods at a ratio of at least one (1) space for the first twenty thousand (20,000) square feet of gross floor area and one (1) space for each additional twenty thousand (20,000) square feet of gross floor area or fraction thereof. A loading space shall consist of an area of a minimum of twelve (12) by thirty (30) feet. All drives and approaches shall provide adequate space and clearances to allow for the maneuvering of trucks off-street. Each site shall provide a designated maneuvering area for trucks.

iii. Required off-street loading facilities may be adjacent to an existing public alley or private service drive or may consist of a berth within a structure.

iv. No portion of a loading facility may extend into a public right-of-way or into an off- street parking facility.

v. The off-street loading spaces or truck berths shall provide maneuvering areas on site to prevent any blockage of public right-of-way.

vi. Off-street loading spaces shall be screened in compliance with the provisions of Section 3.4.1.d, Screening of Service, Loading, and Storage Areas.

vii. All loading areas shall be designed to minimize the impact on adjacent uses. If loading areas are adjacent to residential developments or zoning districts, loading and unloading hours shall be restricted to 6:00 A.M. to 10:00 P.M

4. Landscaping, Screening and Fencing Standards

4.1. Commercial and Multi-Family

a. General Landscape Requirements:
    i. Trees: The minimum size planted shall be two (2) inch diameter measured at a height of five (5) feet above the ground. The builder, developer or property owner, as the case may be, shall be responsible for planting, within the areas from the front of the building to the front property line, or within the Landscape Buffer Strip, as applicable, of one (1) tree for each twenty-five (25) feet of street frontage, or one (1) tree per each fifty foot by fifty foot (50' X 50') module, whichever is greater. The trees may be planted within the street right-of-way when approved by the Director of Public Works or the Director's designee. An exception may be granted where larger turf areas exist and grouping of trees is desirable.
b. Landscape Buffer Strip
    i. A minimum ten-foot-wide landscape buffer-strip must be provided along the entire length of the portion of the perimeter of any commercial or industrial lot that abuts, without an alley or drive separation, or is directly across a public street from a residential zoning district, exclusive of driveways and access-ways.
    ii. If the proposed commercial structure exceeds twenty-four (24) feet in height adjacent to an alley, a ten (10) foot buffer shall also be required along the length of the alley.
    iii. No landscape buffer-strip will be required between any commercial lot that abuts another commercial lot or any industrial lot that abuts another industrial lot, or within the Downtown District. A five (5) foot-wide landscape buffer strip must be provided between commercial lots and industrial lots.
c. Foundation Planting
    i. Foundation planting a minimum of five (5) feet in width shall be provided at the fronts and sides of buildings and shall consist of a combination of groundcovers, shrubs, and ornamental trees.
d. Parking Lots or Parking Areas
    i. Screening requirements
        1. Parking lots shall be 100% screened with shrubs or berms adjacent to all public streets. Berms shall be a minimum of three (3) feet in height and shrubs shall be a minimum of two (2) feet in height at time of planting. Shrubs shall be planted and maintained to form a continuous, unbroken, solid visual screen which will be three (3) feet high within one (1) year after time of planting.
    ii. Landscaping requirements
        1. No more than twelve (12) consecutive parking spaces shall be allowed without the interruption of a landscaped island.
        2. All parking lot islands must be a minimum of nine (9) feet in width and twenty (20) feet in length.

3. The ends of all parking aisles must be terminated with a landscaped island.
4. An island the size of one (1) parking space shall contain one (1) large three (3) inch caliper canopy tree and an island the size of two parking spaces shall contain two (2) large three (3) inch caliper trees.
5. A minimum of fifteen percent (15%) of all parking lots shall be landscaped.

e. Screening of Service, Loading, and Storage Areas
   i. All service areas in commercial zoning classifications shall be placed at the rear or side of the buildings and screened from:
      1. All public streets; and
      2. Any residential district that abuts or is directly across a public street or alley from the service area.
   ii. All service areas in industrial zoning classifications shall be placed at the rear or side of the buildings and screened from:
      1. Arterial streets, as indicated on the City's thoroughfare plan; and
      2. Any residential district that abuts or is directly across a public street or alley from the service area.
   iii. Service areas and waste containers (including fryer grease recycling bin or vessel when applicable) and trash compactors shall be located at the rear of the property and shall not face a street. The waste containers and trash compactors shall be screened with masonry (precast, tilt wall and concrete block are prohibited) wall compatible in material and color with the primary building. Door frames made of tubular steel shall be utilized for waste containers and trash compactor screening wall gates. Door frames and door covering shall be able to support and function for the intended use; however, no wood is permitted. A pedestrian access point shall be provided for access to a waste container and trash compactor enclosure to facilitate access without opening the gate.
   iv. Screening shall be a minimum height of eight (8) feet to screen truck berths and at least one (1) foot higher than waste container; loading docks; and areas designated for permanent parking or storage of heavy vehicles, equipment, or materials shall have screening height no less than the height of the materials being stored.
   v. Screening shall be long enough to screen the maximum size trailer that can be accommodated on site.

f. Screening from Residential Uses
   i. Any commercial or industrial use or parking lot that has a side or rear property line contiguous to any residential use or parking lot that has a side or rear property line contiguous to any residential use, shall be screened with a masonry fence (precast, tilt wall and concrete block are prohibited) eight (8)

feet in height. As an alternative, berms in conjunction with a minimum of a six (6) foot wrought iron fence and a combination of trees and shrubs can be utilized to meet the screening requirements if the Administrator determines that the proposed alternative will provide sufficient screening. The screen shall be located no closer to the street than the property line. Any ordinances concerning sight obstructions of intersections shall be applicable to the screen where it is intersected by a street or driveway.

ii. Prior to construction of any required screens, complete construction plans showing type of material, depth of beam, and structural support shall be analyzed by the Building Official to determine whether or not:
    1. The screen will withstand the pressures of time and nature;
    2. The screen adequately accomplishes the purpose for which it is intended.

iii. Construction plans shall be designed and sealed by a licensed professional engineer and approved by the City.

iv. Such screen shall be constructed prior to the issuance of a certificate of occupancy for any building or portion thereof unless approved by the Administrator.

v. The areas adjacent to the required screening wall, or areas adjacent to a public street or right-of-way, shall be maintained by the property owner in a clean and orderly condition, free of debris and trash in accordance with the applicable codes of the City.

4.2. Residential Subdivision Landscaping

a. A minimum of five percent (5%) of the entire area not covered by buildings and/or structures and not a part of the right-of-way shall be subject to these landscaping requirements.

b. The area between the property line and the street curb shall be maintained by the abutting property owner.

c. Plant Requirements:

i. Trees. Requires a minimum of two (2) trees per lot, with a minimum two (2) inch caliper, planted in the front yard to be of a native/naturalized type not listed in Prohibited Plant List.

ii. Plants not considered trees but grown to tree form and which can be substituted for trees shall be a minimum of six (6) feet in height at the time of planting. Plants of this type, as example only and not as a limitation, are Crape Myrtle, Ligusturm, and the like.

iii. Screen Plantings. Plantings that are to serve as a living screen shall be a minimum of four feet (4') in height with a minimum spacing of five (5) feet apart.

iv. Shrubs. Shrubs shall be no smaller than those normally available in one-gallon containers and where used for a continuous hedge effect, shall be spaced so as to meet the requirement over a two (2) year period.

v. Ground Cover Plants. Although no minimum size plant is required, sufficient plants, following standard nursery planting practices, are required so that full coverage will develop within eighteen (18) months.

d.

4.3. Residential Subdivisions Screening and Buffering

a. Required Screening: Screening is required for all single-family detached, two-family, and townhome lots and subdivisions as follows:

i. Back of Lots – The rear property line of all lots that back to an arterial or collector thoroughfare;

ii. Side of Lots – The side property line of all lots that side to an arterial or collector thoroughfare; and

iii. Between Streets/Alleys – Between any street and an adjoining parallel alley.

iv. This does not apply if homes face the arterial and have garage access from a rear alley.

b. Screening Plan

i. Preliminary Screening Plan – A Preliminary Screening Plan shall be submitted with the Preliminary Plat.

ii. Final Screening Plan – A Final Screening Plan, including entry features and showing all elevations and materials, shall be submitted with the construction plans. The Screening Plan shall be reviewed and considered for approval by the Administrator prior to approval of the construction plans, and prior to scheduling a Pre- Construction Meeting.

iii. Screening walls and fences shall be designed and sealed by a licensed professional engineer and approved by the City.

iv. Timing of Installation and Inspection – Upon installation of the required screening, the developer shall contact the Administrator to request final inspections of screening elements. All required screening shall be installed prior to City issuance of a Letter of Final Acceptance.

c. Landscape Buffer Design Standards

i. Landscape Plan – A Landscape Plan for landscaping that will be installed for the development, including landscaping for common and amenity areas, entryways, and thoroughfare screening, shall be submitted upon approval of the Final Plat by the Planning and Zoning Commission and shall be approved by the Administrator prior to scheduling a Pre-Construction Meeting.

ii. Timing of Installation and Inspection – Upon installation of all landscaping, including that required for thoroughfare screening, the developer shall request a final inspection of landscaping elements by the Administrator. All required

landscaping shall be installed prior to the City's issuance of a Letter of Final Acceptance, excluding model homes which may be released early.

d. Screening and Landscape Options: Screening required by this Section shall be installed by the developer in accordance with the approved Screening and Landscaping Plan(s), as applicable.

Table 4.2-1 Screening and Landscape Options					
Screening Option	**Landscape Edge**	**Screening Wall/Fence Type**	**Trees/Frontage**	**Shrub Screen**	**Berms**
Option 1 (Lots back or side to Thoroughfare)	4-6 Lane Divided: 10 feet 3-4 Lane Undivided: 15 feet	Continuous minimum eight (8) foot solid masonry	One 4-inch caliper tree per 40' frontage on average	Not required	Not required (max. Slope 3:1 if used)
Option 2 (Lots separated from Thoroughfare by alley)	4-6 Lane Divided: 10 feet 3-4 Lane Undivided: 15 feet	Continuous minimum eight (8) foot solid masonry with solid evergreen shrub screen; or Continuous minimum eight (8) foot ornamental metal fence with solid evergreen shrub screen	One 4-inch caliper tree per 40' frontage on average	Solid evergreen shrub screen at time of planting	Not required (max. Slope 3:1 if used)
Option 3 (Lots back or side to Thoroughfare but separated by alley)	25 feet	Minimum eight (8) foot ornamental metal fence with solid evergreen shrub screen	One 4-inch caliper tree per 40' frontage on average	Solid evergreen shrub screen at time of planting	Not required (max. Slope 3:1 if used)
Option 4 (Req'd for bulb portion of cul-de-sac where lots side to adjacent street)	4-6 Lane Divided: 10 feet 3-4 Lane Undivided: 15 feet Residential Streets: None	Sidewalk centered on the common property line connecting the cul-de-sac & adjacent street sidewalk through wall/fence opening Non-residential Thoroughfares: Screening Options 1, 2, or 3 Residential Streets: Continuous eight (8) foot ornamental metal fence	Six 4-inch caliper trees evenly spaced within 150 feet, centered on the common property line.	Evergreen shrub screen at time of planting, planted at approximately 5-foot on center within a distance of 150-feet centered on the common property line	Not required (max. Slope 3:1 if used)

i. Landscape Edge – All landscaping and screening walls provided to meet subdivision screening requirements shall be located within a private "non-buildable" lot (shown on the Preliminary and Final Plats) located between the City's right-of-way line and the nearest residential property line within the subdivision (except for cul-de-sac bulbs (Option 4), where the required ornamental fence shall be located entirely upon the cul-de-sac lots abutting the adjacent street). The "non-buildable" lot shall be dedicated to, owned by, and maintained by the subdivision's Homeowners' Association (HOA). Required landscape edges shall be exclusive of all required street and right-turn rights-of-way, drainage easements, and utility easements.

ii. Screening Walls & Perimeter Fences – All required screening walls and fences shall be maintained by the HOA. A minimum five (5) foot wide wall maintenance easement, dedicated to the HOA, shall be provided on all lots abutting the required screening along the full length of the required screening wall or fence, unless separated by an alley.

iii. Trees and Shrub Screens – All required screening trees and shrubs shall be planted within the landscape edge (except for as provided for cul-de-sac bulbs). All trees required for screening shall be of evergreen drought-tolerant species selected from the City's Approved Plant List (in the appendices of this

Ordinance) and shall be subject to approval by the Administrator. Minimum tree size shall be at least four (4) caliper inches, and a single species of tree shall not exceed forty-five percent (45%) of the plantings for all screening options. All trees shall be planted a minimum of four (4) feet from easements, curbs, utility lines, screening walls, fences, sidewalks, and alleys, as determined by the Administrator.

1. Solid Shrub Screens – For solid shrub screens, evergreen shrubs from the City's Approved Plant List (in the appendices of this Ordinance) shall be used that are low- maintenance, drought-tolerant, and insect- and disease-resistant. Shrubs shall be spaced such that they will provide a solid and unbroken minimum six (6) foot tall and two (2) foot wide screen upon planting.

iv. Cul-De-Sac Bulbs – For all cul-de-sac bulbs that abut, or "open", onto an adjacent street, the following additional screening standards shall apply:

1. All required trees and other landscape materials shall be located within the side yards of the cul-de-sac lots abutting the adjacent street and within a landscape easement of an adequate width unless a landscape edge, dedicated to and maintained by the HOA, is provided.
2. Trees required for screening do not count toward the number of trees required for residential lots in this section of the Ordinance.
3. A minimum ten (10) foot separation, or the required landscape edge width, whichever is greater, shall be provided between the right-of-way for the cul-de-sac and the right-of-way for the adjacent street. A sidewalk shall be provided to connect the sidewalk along the adjacent street to the sidewalk along the cul-de-sac within a fifteen (15) foot pedestrian access easement.

v. Berms – Berms may be used in conjunction with any screening option, subject to approval by the Administrator. Berms shall be placed within the landscape edge on private property (i.e., not within public right-of-way), shall not exceed a three-to-one (3:1) slope, and shall be designed such that they do not hinder maintenance, storm drainage, accessibility or visibility. Topographic information for berms shall be shown on the Landscape Plan and on the Grading and Drainage Plans for the development.

e. Wall Elevations and Living Screens

i. The minimum height of required walls and fences shall be measured from the nearest alley edge, rear lot property line (where no alley exists), or street-side sidewalk grade, whichever is higher. The maximum height of columns, including capstones, shall be nine (9) feet.

ii. If the top-of-wall elevation for a required screening wall is less than six (6) feet, as measured in accordance with this Section, a solid, irrigated living screen shall

be used in combination with the screening wall to provide the necessary screening at the appropriate height from grade.

iii. An irrigated living screen consisting of large evergreen trees (a minimum height of six (6) feet at time of planting) and additional large evergreen shrubs (a minimum of five (5) gallons and be capable of attaining six (6) feet in height in two growing seasons) that are appropriate for screening purposes (selected from the City's Approved Plant List in the appendices this Ordinance) shall be planted within the landscape edge where the height deficiency occurs.

iv. All plant materials used for living screens shall be insect- and disease-resistant and shall be plant species that are well freeze-hardy, low maintenance, well-adapted to the north central Texas area, and drought-tolerant such that they are self-sustaining with minimal irrigation and care.

v. When an irrigated living screen is utilized, the Landscape Plan shall demonstrate adequate visual screening at the heights required and within required time frames.

f. Irrigation Requirements: An automatic, underground irrigation system shall provide one hundred percent (100%) coverage for all living screens and plantings, and shall conform with the following:

i. Line Placement – Irrigation lines shall be placed a minimum of two and one-half (2½) feet from the sidewalk. The main irrigation lines, section lines and zone valves for irrigation systems shall be placed outside of required right-of-way corner clips.

ii. Separate valves shall be provided to turn off all or some irrigation lines/zones during periods of drought, water conservation or freezing weather temperatures. Irrigation zones containing streets, sidewalks, or alleys must be turned off during freezing temperatures.

iii. Detectors – Evapotranspiration (ET) controllers are required on all irrigation systems.

iv. Water Meter – The developer is responsible for installing irrigation water meter(s). The Administrator shall approve all water meter sizes and placement. All water meters shall be easily accessible from the street.

g. Access Gate Emergency Access: All private perimeter fencing that creates a gated access shall install a Knox Box security system or other approved access device located at one or more access gate for emergency access by the police or fire department. All private perimeter fencing that creates gated access shall be registered with the police and fire department.

h. HOA Responsibilities: All developments that have thoroughfare screening, entry features or common amenity areas shall be required to have a mandatory homeowners' association (HOA) to own and maintain such features.

4.4. Residential Privacy Fences

a. Applicability: This section applies to replacement of residential fences or construction of new fences. A fence permit is required when more than twenty-five percent (25%) of the length of the fence is replaced within an eighteen (18) month period.
b. Height: Height shall not exceed eight (8) feet as measured from the highest adjacent grade within ten (10) feet of the fence. Maximum height of eight (8) feet includes entry gates. Fence columns may exceed eight (8) feet in height by no more than three (3) inches.
c. Fence Posts: Fence posts for all residential fences shall be metal or masonry.
d. Approved Materials
    i. Masonry (brick, stone, reinforced cement concrete) or any other sustainable material as approved by the Building Official with more than a 30-year life expectancy;
    ii. Ornamental metal rail fencing;
    iii. Chemically pre-treated wood, cedar, and redwood;
    iv. Composite or engineered plastic lumber fencing and
    v. Other wooden picket fences, only if constructed with metal posts, metal brackets, and metal caps. Chemically pre-treated wooden horizontal members shall be at least 2" X 4".
e. Prohibited Materials
    i. Chain link (unless replacing or repairing an existing, lawfully installed chain link fence);
    ii. Sheet, roll, or corrugated metal;
    iii. Cast off, secondhand, or other items not originally intended to be used for constructing or maintaining a fence; and
    iv. Razor wire, barb wire; and
    v. Slatted materials used to create opacity.
f. Location of Fence: Privacy fences may be located along the property line with the following exceptions.
    i. In the interest of public safety and considering fences shall not block any sight/visibility triangles on any corner lots.
    ii. All fences must be set back at least one foot from the right-of-way and/or open space lot line unless a stricter setback is required.
    iii. Any fence that is more than two feet high shall be set back at least five feet from the side property line of a corner lot. In the case of a reverse corner lot, any fence that is more than two feet high shall be set back at least 7.5 feet from the side property line.
    iv. Installation of parallel fences along a common property or easement line are prohibited.
g. Orientation of Fence: When any fence or other screening device, whether required or not, is located on a lot adjacent to a public street, said fence or screening device shall

orient the side with exposed posts or rails away from view from the adjacent public street.

h. Adjacent to parks or Common Open Space: The following standard shall apply for all privacy fences where the rear and/or side yards share a common property line with a dedicated public or private open space or parkland.
    i. Height: Height shall not exceed eight feet as measured from the highest adjacent grade within ten (10) feet of the fence. Fence columns may exceed eight (8) feet in height by no more than three (3) inches.
    ii. Approved Material
        1. Ornamental metal rail fencing with columns (brick or stone) or ornamental metal posts shall be used to provide at least fifty percent (50%) transparency.
        2. In the interest of privacy, homeowners may choose to plant vines or shrubs along the fence on their property.
i. Fences in Front Yard Setback: Fences in front yard setbacks are prohibited, unless otherwise approved in district specific standards adopted by City Council.
j. Residential Screening of Utility Equipment
    i. Utility equipment shall be screened from public streets. A combination of trees and shrubs shall be utilized to screen utility equipment from the adjacent residential street. Trees and shrubs shall be planted at a spacing that provides adequate screening from the street. The screen shall be located no closer to the street than the property line. Any requirements concerning sight or visibility triangles at intersections shall be applicable to the screen where it is intersected by a street or driveway.

5. Open Space Standards

5.1. Applicability

a. All development subject to this article shall set aside the following minimum amounts of land area as public or privately maintained open space that meets the standards of this section.
    i. For single-family developments with more than five units: at least 200 square feet per unit.
    ii. For non-residential and mixed-use buildings with a gross floor area greater than 10,000 and up to 50,000 square feet: 5 percent of total gross site area.
    iii. For non-residential and mixed-use buildings with a gross floor area greater than 50,000 square feet: 7 percent of total gross site area.

5.2. Open Space Design Standards

a. Purpose: Public open spaces are set aside for the use and enjoyment of a development's residents, employees, or users. Public open space serves numerous purposes, including preservation of natural areas and resources, ensuring greater resident access to open areas and recreation, reducing the heat island effect, enhancing

stormwater quality, providing public health benefits, and providing for the general health and welfare of the citizens of Aledo.

b. General
    i. The following shall be credited toward the public open space requirement:
        1. Natural Features
            a. Exclude any of the following:
                1. Flood hazard and conveyance areas
                2. Water features, including wetlands, and lakes
                3. Hillsides and exposed slopes of more than 10%
                4. Wildlife habitat areas for threatened and endangered species
            b. Design and Maintenance Requirements for Natural Features:
                1. Where natural features exist, the developer or owner shall give priority to its preservation as publicly accessible open space. Placement of a conservation easement over the protected natural feature areas is encouraged.
                2. In reviewing the proposed location of public open spaces, the Administrator shall use all applicable plans, maps, and reports to determine whether significant resources exist on a proposed site that should be protected.
                3. Maintenance shall include, at a minimum, removal and avoidance of hazards, nuisances, or unhealthy conditions.
        2. Active Recreational Areas
            a. Includes any of the following:
                1. Mini-park/Playgrounds
                2. Sports Complex/Ball Fields/Tennis Courts
                3. Trails and Pathways
            b. Design and Maintenance Requirements
                1. In no case shall active recreation constitute more than 25% of the total common open space area within a residential or mixed-use district.
                2. Land shall be contiguous unless the land is used to link to an existing or planned open space resource.
                3. The site shall be adjacent to at least one street. Landscaping shall be planned along all rights-of-way to provide a buffer to surrounding areas.
        3. Plazas and Neighborhood Parks
            a. Includes any of the following:

1. Neighborhood Park
2. Park
3. Community Park
4. HOA/Private Park
5. Squares, forecourts or plazas

b. Design and Maintenance Requirements
    1. Where provided, such features shall have a minimum size of 400 square feet.
    2. Such features shall abut at least one direct-access road, public or private.
    3. Surrounding buildings shall be oriented toward the square, forecourt, or park and a connection shall be made to surrounding development.

ii. The following may not be credited toward the open space requirement:
    1. Property within the rear yard
    2. Vehicular paving
    3. Vehicular entry islands
    4. Required parking lot tree islands
    5. Building footprint
    6. Utility yards, or
    7. Required landscape buffers

c. Surface Requirements: Surface shall be one of the following materials, or a combination thereof, unless area is part of an environmental preserve to be maintained in a natural state:
    i. Grass or plant materials
    ii. Quality permeable materials, such as decomposed granite or marble,
    iii. Quality fall/cushioned surface materials for active play areas,
    iv. Brick pavers, or
    v. Other typical materials used for open space surfaces as approved by the Administrator.

d. Public Open Space: Land set aside for required public open space shall meet the following standards:
    i. Location: Where appropriate, open space shall be located to be readily accessible and usable by residents and users of the development. To the maximum practical extent, the open space shall be open to the public view to benefit area developments, enhance the visual character of the City, protect public safety, and minimize conflict with adjacent land uses.
    ii. Configuration
        1. The lands dedicated as open space shall be contiguous to each other unless the land is used as a continuation of or link to an existing or

planned adjacent open space resource or where specific natural or topographic features require a different configuration.

2. Where open areas, trails, parks, or other open space resources are planned or exist adjacent to the development, the open space shall, to the maximum extent practical, be located to adjoin, extend, and enlarge the presently existing trail, park, or other open area land.

iii. Orientation of Adjacent Lots and Buildings

1. Lots and buildings adjacent to the required open space, not including perimeter landscape buffers, shall have at least one entrance facing the open space.
2. Provision in Multi-Phase Developments:
    a. Development proposed in phases shall be considered as a single development for the purposes of applying the open space requirements.
    b. Open space requirements and improvements shall also be phased proportionally with the development phases.
    c. Development shall not be phased in such a manner as to place the burden of the majority of the open space provision on the last 25 percent of the total area contemplated by the development.

e. Detention or Retention Ponds

i. A detention or retention pond may count toward the open space requirement only if it meets two or more of the following:

1. Located between the building and the street,
2. Viewable from public space or street,
3. Any slope of the pond area does not exceed a 3 (horizontal):1 (vertical) slope,
4. Accessible to the public (not enclosed with a private fence)

ii. Detention or retention ponds must include the following amenities to be considered toward the open space requirement:

1. Seating area, public art, or fountain, connected to and accessible by a minimum five (5) foot sidewalk, and
2. One tree or planter at least sixteen (16) square feet for every two hundred (200) square feet of open space and be located within or adjacent to the open space (in addition to the landscaping requirements).

6. Lighting

6.1. Purpose

a. This division is intended to establish procedures and standards that which will minimize light pollution glare, light trespass, and conserve energy and maintain the quality of the City's physical and aesthetic character while promoting the best practices as established by the Illuminating Engineering Society of North America (IESNA) and the International Dark Sky Association (IDA). The use of outdoor lighting is often necessary for adequate nighttime safety and utility, but common lighting practices can also interfere with other legitimate public concerns. Principles among these are:

i. Degradation of the nighttime visual environment by production of unsightly and dangerous glare; and

ii. Lighting practices that interfere with the health and safety of Aledo's citizens and visitors; and

iii. Unnecessary waste of energy and resources in the production of too much light or wasted light; and

iv. Interference in the use or enjoyment of property that is not intended to be illuminated at night by light trespass, and the loss of the scenic view of the night sky due to increased urban sky-glow; and

v. The impact of inappropriately designed outdoor lighting disrupts nocturnal animal behavior, particularly migrating birds and other species.

6.2. Applicability.

a. All outdoor electrically powered illuminating devices shall be installed in conformance with the provisions of this division, the building code and the electrical code of the City as applicable and under appropriate permit and inspection. Except as approved otherwise by the City Council, these performance standards shall apply to all zoning districts in the City. This division shall apply to all outdoor lighting including, but not limited to, search, spot, or floodlights for:

i. Buildings and structures;

ii. Recreational use lighting;

iii. Parking lot lighting;

iv. Landscape lighting;

v. Street and/or right-of-way lighting;

vi. Other outdoor lighting.

6.3. Outdoor lighting plan.

a. *Plan submittal.* An outdoor lighting plan must be submitted separately from any required site plan or landscape plan on all public or private properties, including rights-of-way, public easements, franchises and utility easements. The outdoor lighting plan shall be submitted prior to issuing a building permit. An outdoor lighting plan may be approved administratively by the Administrator.

b. *Applications.* Plans shall include the following:

i. A site plan of the proposed fixture locations;

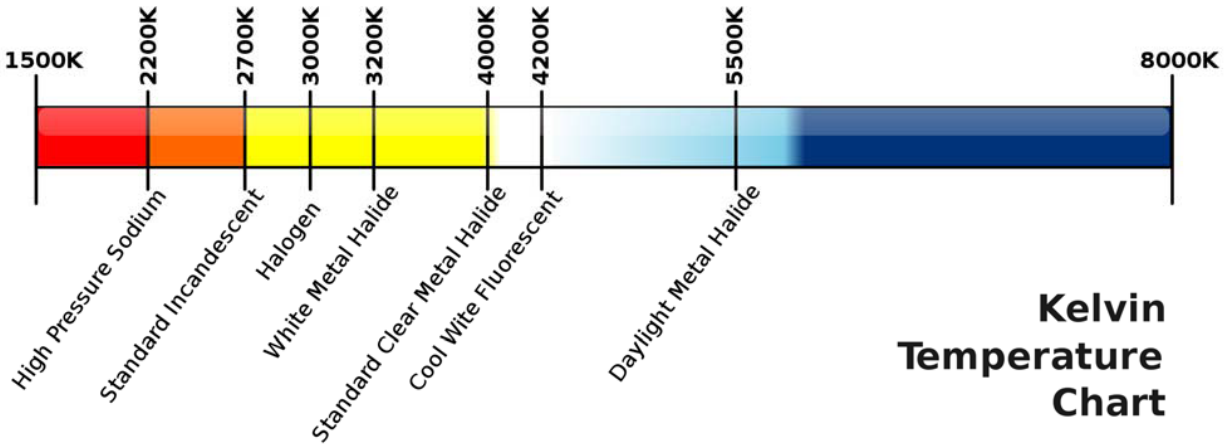
ii. The luminous area for each proposed light source with photometrics in foot-candle measurement;
iii. The average lighting level of the development;
iv. The lamp type and height of the light fixture or of the light source above grade;
v. The type of illumination;
vi. The cut-off angles of each fixtures;
vii. The number of lumens and wattage of each fixture;
viii. Color correlated temperature of each fixture measured in Kelvins as shown in Figure 1;
ix. A plan to manage glow and glare on the outside of the structure by lighting produced by interior lights. The plan shall include descriptions of window shading, window tinting, structural screening, and operational arrangement of interior lights.
x. Such other information that the Administrator may determine is necessary to ensure compliance with this division.

c. *Plan approval.* If the Administrator determines that any proposed lighting does not comply with this division, the permit shall not be issued, nor the plan approved. Appeals may be made to the City Council by following the provisions of Article 1: General Provisions.
d. *Lamp or fixture substitution.* Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, a change request must be submitted to the Administrator for approval, together with adequate information to assure compliance with this division, which must be received prior to substitution.
e. *Record drawings.* In addition to the certificate of installation, a record drawing of the outdoor lighting plan, as-built, shall be provided upon completion of a development or project where any outdoor lighting was used by the architect or engineer of record. General regulations.
f. *Preferred source.* Due to their high energy, long life, and spectral characteristics, low-pressure sodium (LPS) lamps and narrow-band amber LEDs (NBALED) are the preferred illumination source throughout the City. Their use is to be encouraged, when not required, for outdoor illumination whenever their use would not be detrimental to the use of the property. In all applications where LPS lighting is required or preferred, an acceptable alternative is narrow-band amber LEDs.
g. *Height of fixtures.* Lighting fixtures shall be a maximum of 16 feet in height for street lighting, rights-of-way, parking areas, and nonresidential zoning districts. Lighting fixtures shall be a maximum of eight feet in height within non-vehicular pedestrian areas. Lighting fixtures within residential districts shall be no more than 12 feet in height and no light fixtures located within 50 feet of any residential district shall exceed 12 feet in height. Lighting fixtures affixed to signalized intersection shall be no more than 20 feet in height.

h. *Light emitting diodes (LEDs).* All LED lighting shall be dimmable and comport to all provisions of this division, unless specified otherwise. The following are preferred options for LED types in use with outdoor lighting:
    i. Narrow-band amber LED (NBALED);
    ii. Phosphor-converted amber (PCALED);
    iii. Filter warm-white LED (FLED)

i. *Lighting temperature.* All lighting must be less than 3,000 Kelvins (K) per the correlated color temperature in Figure 6.3-1.

FIGURE 6.3-1. KELVIN TEMPERATURE CHART



6.4. Lighting control requirements.

a. *Automatic switching requirements.* Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device.

b. *Motion sensing.* Motion sensing light fixtures shall be fully shielded and properly adjusted, according to the manufacturer's instruction, to turn off when detected motion ceases.

c. *Dimmable lighting.* Where possible, all outdoor lighting shall contain a dimmable option that comports with the standards of this division.

d. *Lamp and shielding.* All light fixtures are required to be fully shielded and shall be installed in such a manner that the shielding complies with the definition of fully shielded light fixtures for all uses, including single-family, except as provided in Table 6.4-1.

TABLE 6.4-1. LAMPING AND SHIELDING

Lamp Type	Shielding
Low Pressure Sodium (LPS)	Fully shielded, with 80° cut-off
High Pressure Sodium (HPS)	Fully shielded, with 80° cut-off

Light Emitting Diode (LED)	Fully shielded, with 80° cut-off
Metal Halide	Fully shielded, with 80° cut-off
Halogen	Prohibited
Mercury Vapor	Prohibited
Fluorescent	Fully shielded, with 80° cut-off
Incandescent	Fully shielded, with 80° cut-off
Any light source 625 lumens and under	Unshielded permitted
Low intensity Neon, Krypton or Argon discharge tubes	Unshielded permitted

FIGURE 6.4-2. ACCEPTABLE/UNACCEPTABLE LIGHTING FIXTURES

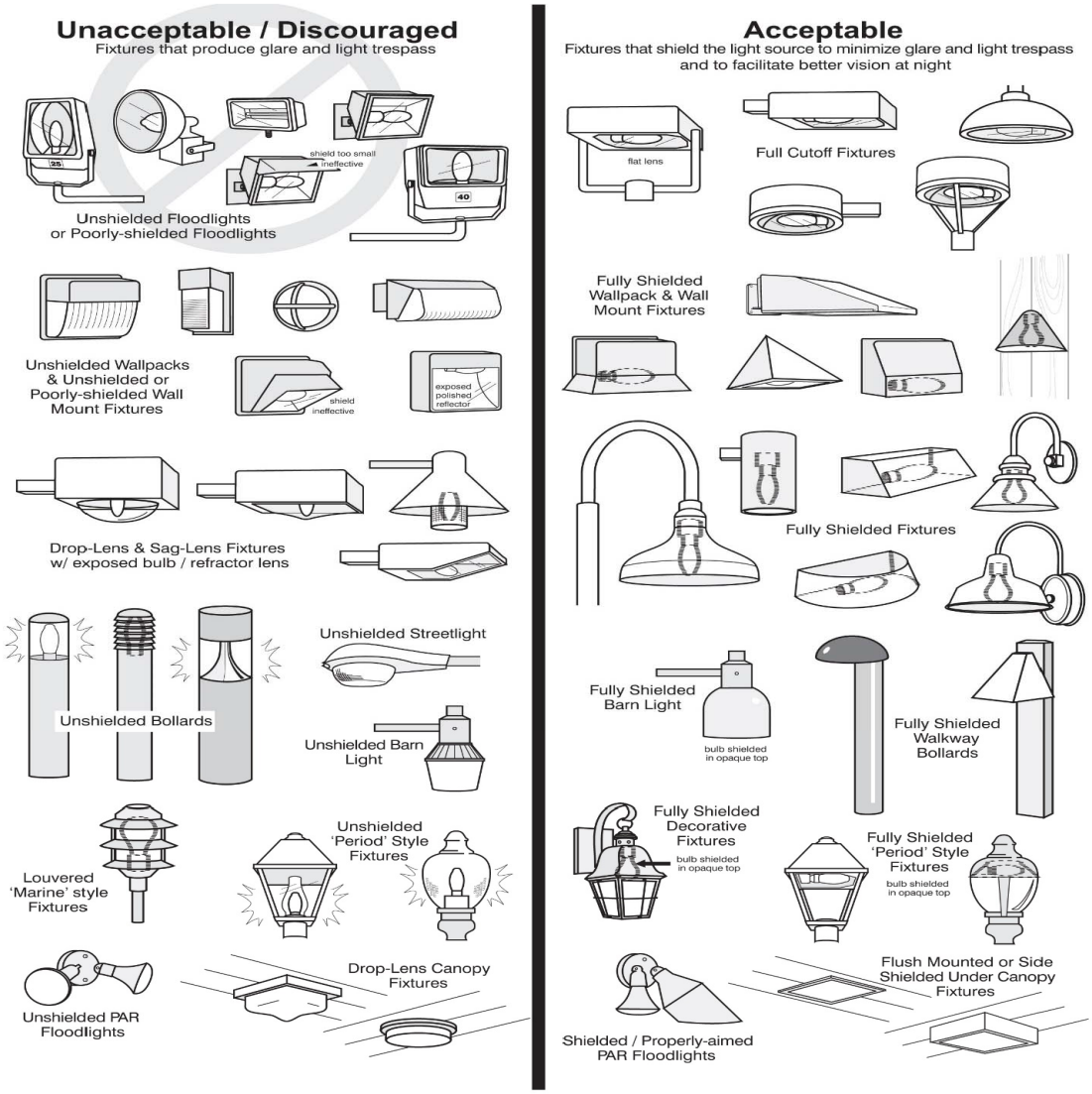


FIGURE 6.4-3. SHIELDING CONFIGURATION

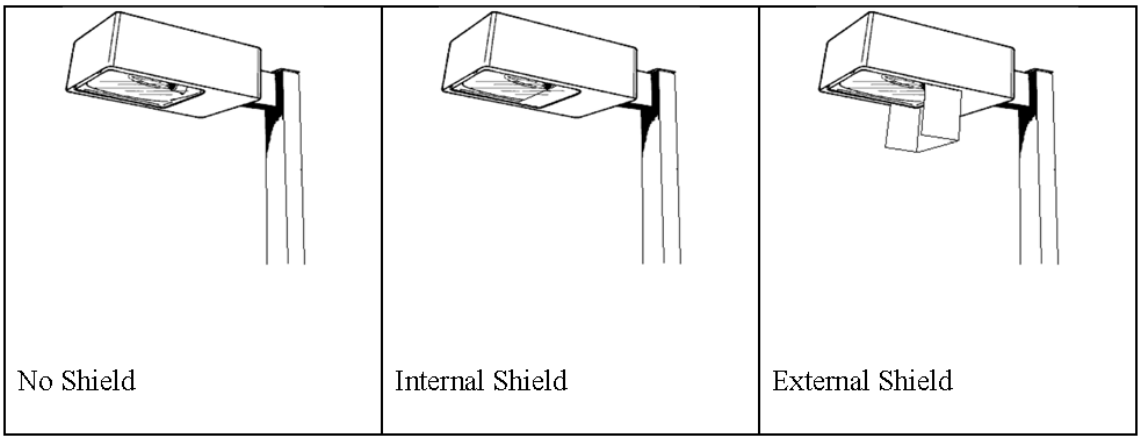
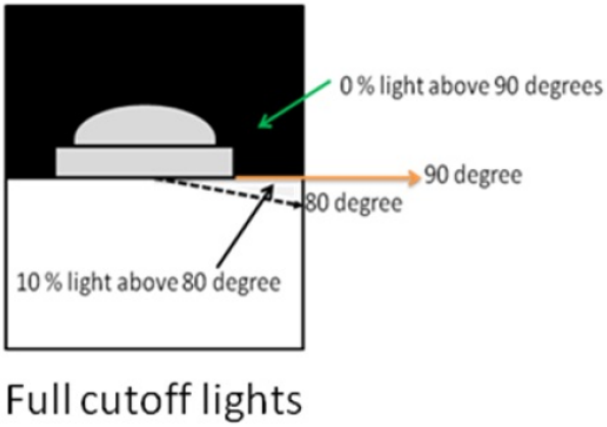


FIGURE 6.4-4. FIXTURE CUTOFF ANGLES



e. *Total outdoor light output.* Light emitted from outdoor lighting is to be included in the total outdoor light output. Total outdoor light output shall not exceed 100,000 lumens per net acre for all nonresidential uses. Residential uses are evaluated on a per lot basis. Total outdoor light output shall be calculated as follows:

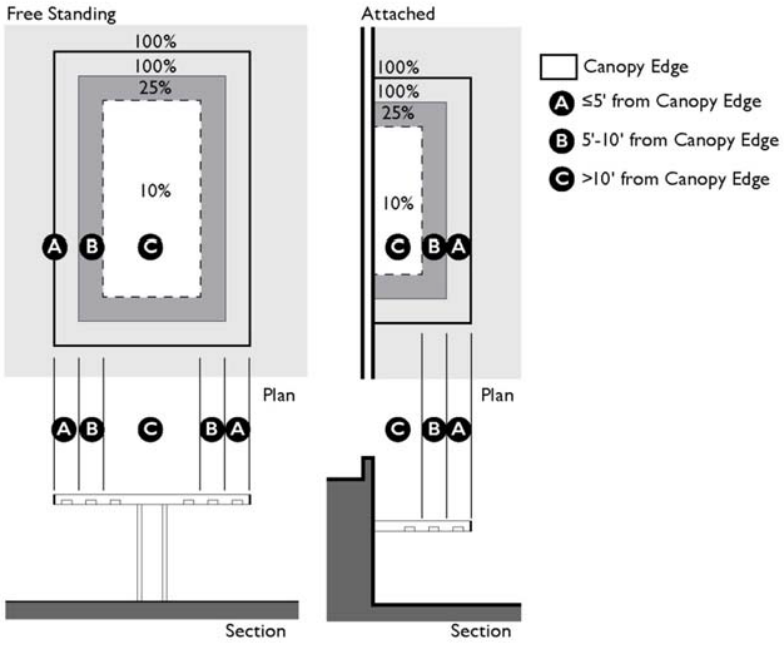
   i. Light fixtures installed as described below shall be included in the total outdoor light output by adding 100 percent of the initial lumen outputs of the lamps used:

      1. All unshielded or partially shielded fixtures, regardless of location;
      2. Light fixtures installed on poles (such as parking lot light fixtures);
      3. Light fixtures installed on the side of buildings or other structures but not located as described in paragraphs (2) or (3) below; and
      4. Light fixtures installed within open parking garages, or under canopies, building overhangs, or roof eaves that are not fully shielded or are fully shielded but not located as described in paragraphs (2) or (3) below.

ii. Fully shielded light fixtures installed as described below shall be included in the total outdoor light output by adding only twenty-five percent (25%) of the initial lumen outputs of the lamps used:
    1. Fully shielded light fixtures located within open parking garages, or located under canopies, building overhangs, or roof eaves, where all parts of the light fixture are located at least five feet but less than ten feet from the nearest outdoor opening, canopy, or overhang edge.

iii. Fully shielded light fixtures installed as described below shall be included in the total outdoor light output by adding only ten percent of the initial lumen outputs of the lamps used:
    1. Fully shielded light fixtures located within open parking garages, or located under canopies, building overhangs, or roof eaves, where all parts of the light fixture are located ten feet or more from the nearest outdoor opening, canopy, or overhang edge.

FIGURE 6.4-5. FREE STANDING AND ATTACHED CANOPY SECTION



iv. The total outdoor light output shall not exceed the limits in Table 6.4-2 averaged over the entire development. All site lighting shall not exceed the intensities and uniformity ratios in Table 6.4-2 below, unless otherwise specified in this division.

TABLE 6.4-2. AVERAGE LIGHTING LEVELS

Type of Lighting/Land Use	Lighting Levels (footcandles)		
	Minimum	Average	Maximum

Architectural lighting	0.0fc	1.0fc	3.0fc
Canopy area lighting	0.5fc	2.0fc	5.0fc
Entrances and exits	0.5fc	1.5fc	5.0fc
Loading and unloading areas	1.0fc	2.0fc	5.0fc
Multifamily residential	0.5fc	1.5fc	5.0fc
Nonresidential	0.5fc	1.5fc	10.0fc
Parking lots/vehicle areas/streets	0.25fc	1.0fc	5.0fc
Public facilities (recreational areas)	2.5fc	5.0fc	10.0fc
Residential	0.0fc	1.0fc	5.0fc
Security lighting	0.20fc	1.0fc	5.0fc
Walkways, landscape or decorative lighting	0.0fc	1.0fc	3.0fc

f. *Time limits for outdoor lighting.* All outdoor lighting shall be turned off at the times listed below. Decorative holiday lights are exempt in accordance with the regulations outlined in this division.
    i. *Nonresidential.* All nonessential lighting shall be turned off no later than 30 minutes after the business closes or after 11:00 p.m., whichever is later, and remain off for the remainder of the night or until the business reopens, leaving only necessary lighting for site security.
    ii. *Residential.* All nonessential lights exceeding 625 lumens shall be turned off after 11:00 p.m., leaving only necessary lighting for site security.
    iii. *Recreational facilities.* All events shall be scheduled so as to complete all activity before or as near to 10:30 p.m. as practical, but under no circumstances shall any illumination of the playing field, court, or track be permitted after 11:00 p.m. except to conclude a scheduled event that was in progress before 11:00 p.m. and circumstances prevented concluding before 11:00 p.m.
g. *Sign illumination.* Standards for external and internal sign illumination are subject to the provisions in Article 4: Signage. Light used for illumination of signs is included toward the total outdoor light output standards of this division.

6.5. Illumination.

a. *Illumination.* Unless otherwise provided in this division, illumination, where required by this division, shall have intensities and uniformity ratios in accordance with the current recommended practices of the Illuminating Engineering Society of North America (IESNA) as from time to time amended and the International Dark-Sky Association (IDA).
b. *Measurement.* Illumination levels of outdoor lighting shall be measured by a qualified professional according to generally accepted Illuminating Engineering Society of North America methods.
    i. *Meter required.* Lighting levels of outdoor lighting shall be measured in foot-candles with a direct reading portable light meter with a color and cosine corrected sensor with multiple scales. The meter shall read within an accuracy of plus or minus five percent.

ii. *Horizontal method of measurement.* The meter sensor shall be mounted not more than six inches above ground level in a horizontal position. Readings shall be taken only after the cell has been exposed to provide a constant reading.

c. *Computation of illumination.* Illumination at a point may be computed in lieu of measurement. Computation methods shall consist of a generally accepted Illuminating Engineering Society of North America method, using certified photometric data furnished by the fixture manufacturer, lamp manufacturer, photometric laboratory, or other reliable authority satisfactory to the City. Computations shall be based on new, properly seasoned lamps, diffusers and other appurtenances in place, and with proper regard taken for mounting height, relative elevation, natural and manmade objects.

d. *Light trespass standard.* No use or operation in any district shall be located or conducted so as to produce glare, or either direct or indirect illumination across the bounding property line from a source of illumination into a residentially zoned property, nor shall any such light be of such intensity as to create a nuisance or detract from the use and enjoyment of adjacent property. For the purposes of this section, a nuisance shall be defined as more than one-tenth of one (0.1) footcandles of light measured at the residential property line and twenty-five hundredths of one footcandles at any adjoining nonresidential property line:

TABLE 6.5-3. LIGHTING AT PROPERTY LINES

Zoning of Property	Horizontal Foot-candles (fc)
Residential districts	0.10fc
Nonresidential districts	0.25fc

e. *Lumens.* Brightness of a light fixture shall be measured in lumens. Where applicants may need to measure equivalency of lumens and watts, Table 6.5-4 below shall be used. Where a ratio is not listed in the table, the best practices as prescribed by the IESNA shall apply:

TABLE 6.5-4. LUMEN-WATT EQUIVALENTS

Light Output (Lumens)	Power Consumption (Watts)		
	Standard Incandescent	Compact Fluorescent	LED
200 L	25 W	6 W	4 W
450 L	40 W	9 W	8 W
800 L	60 W	14 W	13 W
1,100 L	75 W	19 W	17 W
1,600 L	100 W	23 W	20 W
2,000 L	125 W	33 W	22 W
2,400—2,600 L	150 W	43 W	28 W

6.6. Special uses.

a. *Security lighting.*

i. Unless otherwise provided in this division, all building lighting for security will be fully shielded type, not allowing any upward distribution of light. Wallpack type fixtures are acceptable only if they are fully shielded with 80-degree cut-off and shall not project above the fascia or roof line of the building.
ii. Security fixtures shall not face residential uses.
iii. Security fixtures shall not be substituted for parking area or walkway lighting and shall be restricted to loading, storage, service and similar locations.

b. *Canopy area lighting.*
i. *Shielding.* All development that incorporates a canopy type area including, but not limited to, service stations, automated teller machines, awnings, arcades, porte-cochere or similar installations shall use a recessed lens cover flush with the bottom surface of the canopy that provides a cutoff or shielded light distribution. Such shielding must be provided by the fixture itself and shielding by surrounding structures such as canopy edges is not permitted. Lighting along the canopy edge, side or roof is not permitted.
ii. *Total under-canopy output.* The total light output used under service station canopies, defined as the sum of all under-canopy initial lamp outputs in lumens, shall not exceed 40 lumens per square foot of canopy and comply with the average lighting levels of Table 6.5-2.

$$\frac{\sum Lumens\ under\ Canopy}{Square\ Feet\ of\ Canopy} < 40\ lumens\ per\ square\ foot$$

iii. All lighting mounted under the canopy, including but not limited to light fixtures mounted on or recessed into the lower surface of the canopy and any lighting within signage (but not including any lamps mounted within the pumps and used to illuminate information indicating the total cost of such items as fuel pumped and price per gallon), shall be included in the total outdoor light output for the site and is subject to the standards of this division.

c. *Entrances and exits.* All entrances and exits to buildings used for nonresidential purposes and open to the general public, along with all entrances and exits in multifamily residential buildings, shall be lighted to ensure the safety of persons and the security of the building. All lighting shall conform to average lighting levels of Table 6.5-2.

d. *Parking lots, garages and loading area lighting.*
i. All lighting facilities shall be arranged as to reflect the illumination away from any adjacent property. Such lighting facilities shall provide illumination within parking areas and shall distribute not more than one-fifth of a foot-candle of light upon any adjacent residential property.
ii. Parking lots and vehicle movement areas shall not exceed a maximum illumination value of five foot-candles or a minimum illumination value of one-fourth foot-candle. Lamps in decorative lantern type fixtures shall not exceed a

maximum of 1,600 lumens. Total pole and fixture height shall not exceed a maximum of 16 feet, measured from grade at the base.

iii. All lighting facilities shall be placed, masked or otherwise arranged such that illumination or glare shall not intrude on residential property or create a hazard to motorists on any street, alley or other public or private right-of-way.

iv. All light fixtures used on open parking garages, including those mounted to the ceilings over the parking decks, shall be fully shielded.

v. The lumen output of lamps mounted on or within open parking garages shall be included toward the total outdoor light output standards of this division.

e. *Outdoor recreational facilities.* Any light source permitted by this division may be used for lighting of outdoor recreational facilities (public or private), such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, driving ranges, outdoor arenas and amphitheaters, show areas, or other field recreation facilities and are subject to the following conditions:

i. *Illumination.* Any illumination level exceeding a maximum of ten foot-candles must receive prior approval by the council.

ii. *Shielding.* All fixtures used for event lighting shall be fully shielded, or be designed or provided with sharp cut-off capability, so as to minimize up light, spill-light, and glare.

iii. *Time limits.* No illuminated sports facility shall be illuminated after the time limits outlined in this division, except to conclude a scheduled recreational or sporting event in progress prior to the time limitation.

f. *Street lighting.*

i. Standards for street lighting installed on public rights-of-way must conform to the City engineering standards and the City's comprehensive plan and the standards of this this division.

ii. Street lighting installed on private rights-of-way shall be included within the total outdoor light output for the development.

iii. Streetlights for both public and private right-of-ways are not exempt from the provisions of this division.

g. *Internally illuminated architectural elements*. Any architectural element including walls or portions of buildings that are internally illuminated and that is not a sign or fenestration (e.g. windows or doors) shall have 100 percent of the initial lamp output of all lamps used to provide such illumination counted toward unshielded lighting for the purposes of calculating total outdoor light output for the site and is subject to the standards of this division.

h. *Architectural, aesthetic and landscape lighting.* Architectural lighting used to illuminate the wall of a building or landscape lighting used to illuminate trees or other landscape elements is permitted. All building lighting for aesthetics shall be fully shielded type, not allowing any upward distribution of light and must be externally lit from the top and shine downward, except as provided below:

i. Architectural and landscape lighting that is directed downward onto a wall, tree or other landscape feature shall be included in the total outdoor light output standards provided in Table 6.5-2, based on whether a fully shielded or partially shielded light fixture is used; and

ii. Architectural and landscape lighting that is directed upward onto a wall, tree or other landscape feature shall be included in the total outdoor light output standards provided in Table 6.5-2. Fixtures shall be located, aimed or shielded to minimize light spill into the night sky.

i. *Emergency lighting.* Emergency lighting that is only turned on in the event of a power failure or when an alarm is activated is permitted in all zoning districts and is excluded from the total lumen calculations for the site.

j. *Neon building lighting.* Neon building lighting is included in the total outdoor light output calculations for the site. Any unshielded neon lighting is limited by the unshielded lighting limits of this division.

6.7. Prohibited lighting.

a. *Laser source light.* The use of laser source light or any similar high intensity light for outdoor advertising or entertainment, when projected above the horizontal is prohibited.

b. *Cobra-head fixtures.* Cobra-head-type fixtures having dished or drop lenses are prohibited.

c. *Searchlights.* The operation of searchlights for advertising purposes is prohibited.

d. *Floodlights.* The use of floodlights is prohibited.

e. *Up lighting.* Up lighting of display, building and aesthetic lighting is prohibited, except where provided otherwise in this division.

f. *Halogen lights.* Halogen lights are prohibited.

g. *Mercury vapor lights.* Mercury vapor lights are prohibited.

h. *Flashing lights.* Any lighting device located on the exterior of a building or on the inside of a window which is visible beyond the boundaries of the lot or parcel with intermittent fading, flashing, blinking, rotating or strobe light illumination.

6.8. Exemptions.

a. The following are exempt from the provisions of this division:

i. *Emergency lighting by emergency services.* All temporary emergency lighting needed by the department of public safety or other emergency services, as well as all vehicular luminaries.

ii. *Holiday decorations.* Seasonal decorative lighting is exempt from the provisions of this division provided that individual lamps are less than ten watts incandescent or equivalent lumens.

iii. *Solar powered lighting.* Solar powered lights less than five watts incandescent or equivalent lumens per fixture used in residential landscaping application and to illuminate walkways are exempt from applicable lamp type and shielding standards, but must conform the average lighting levels of Table 6.5-2.

iv. *Public art.* Lighting for public monuments and statuary as approved by the City Council are exempt from the standards of this division.

v. *Construction.* All outdoor lighting used for construction or major renovation structures and facilities are exempt from the provisions of this division unless specified elsewhere in this division or Code.

vi. *Swimming pool and decorative water fountain lighting.* Underwater lighting in swimming pools and other water features are exempt from the lamp type and shielding standards.

b. Temporary exemptions.

i. Upon approval by the Administrator, temporary exemptions from the requirements of this division shall be for a period not to exceed ten days.

ii. Any person may submit a written request, on a form prepared by the City for a temporary exemption request. The request shall fulfill the same requirements as defined in in the outdoor lighting plan standards of this division.

iii. Requests for renewal or exemptions shall be processed in the same way as the original request. Each renewal shall be valid for not more than ten (10) days or a time period designated by the Administrator.

iv. Approval for temporary exemptions will be based on the effect of location and use of outdoor lighting fixtures.

v. Roadway and/or street lighting, whether public or private, is not eligible for exemption.

Article 4 – Signage

1. General standards:
    a. Purpose: The regulations established in this Article are intended to provide minimum standards to safeguard life, property, and public welfare by regulating and controlling the use, materials, construction, location, number, maintenance, and the permitting of certain signs and sign structures. In addition, this Article is intended to enhance the beauty of the City by limiting visual clutter. The provisions of this Article are not intended to permit a violation of any provision of any other ordinance or federal or state law.
    b. *Uniform Sign Code*: The Uniform Sign Code, as enacted by the International Conference of Building Officials, latest edition, a copy of which is on file in the office of the City Secretary, is adopted by reference as though such code were copied at length in this section, except as such code may be amended by the provisions in this Article.
    c. *Height of signs*: Sign height shall be measured from ground level at the base of this sign to the highest part of the sign.
    d. *Building and electrical codes applicable*: All signs must conform to the regulations and design standards of the building code and other ordinances of the City. The wiring of all electrical signs must conform to the electric code of the City.
    e. *Illumination of signs*: Signs shall be designed, located, shielded, and directed to prevent the casting of glare or direct light from artificial illumination upon adjacent public right-of-way and surrounding property. Requirements from Article 3: Illumination shall apply to signage and maximum illumination standards.
    f. *Requirement to repair*: Whenever a sign is damaged by wind, is inadequately maintained, is of faulty construction, or is damaged by any other cause, it shall be considered a public nuisance and the owner shall be required to repair such sign substantially to its original condition as determined by the designated official, or at the owner's election such sign shall be removed. A sign which has been permitted to remain in place as a nonconforming use shall be removed when the sign, or a substantial part of it, is blown down or otherwise destroyed or dismantled for any purpose other than maintenance operations or for changing the letters, symbols, or other material on the sign. For purposes of this Article, a sign, or a substantial part of it is considered to have been destroyed if the cost of repairing the sign is more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location.
    g. *Placement of sign*: Except as provided in weekend advertising of this Ordinance, no sign may be erected or placed on public right-of-way. Any signs so erected or placed may be removed by the designated official without notice. No sign may be erected or placed on vacant lots or tracts unless written permission has been given by the property owner and such documentation is provided to the designated official upon the official's request.
    h. *Sight triangle*: No permanent or temporary sign shall be located to block the visibility in the required sight triangle.
    i. *Noncommercial messages*: Notwithstanding any other provision of this section, or other ordinance, any sign authorized in this section is allowed to contain a noncommercial message in place of any other authorized commercial or noncommercial message without an additional permit or approval, so long as the sign complies with the other requirements of this ordinance and other City ordinances.
    j. *Off-premises signs*: Off-premises signs shall be prohibited in the City of Aledo, with the exception of builders' directional signs or instructional signs, when written permission has been given by the

property owner and such documentation is provided to the designated official upon such official's request.

k. *Painted signs*: Except as otherwise provided herein, no sign shall be permitted which is painted on the wall of any building or on any part of a building.

l. *Weekend advertising*: The City policy for weekend advertising, as expressed in this Article, is extended to homebuilders for the purpose of guiding the weekend motoring public to available residential properties in the City. The policy is intended as a benefit to the buying public. These provisions are designed to allow temporary directional signs without resulting in an excess that may prove offensive to others or the public. The policy shall also serve as common sense guidelines in places where direct application is unclear.

   i. *Registration*: In order for a builder/developer to be eligible to participate in this advertisement he must be registered with the Administrator. An annual fee must be paid by each builder/developer/owner wishing to advertise under this Section. The amount of such fee shall be established in the fee schedule approved by the City Council.

   ii. *Schedule*: Signs will be allowed between 12:00 noon Friday and 12:00 noon Monday. A holiday falling on Friday or Monday will be considered part of the weekend.

   iii. *Sign size*: Signs shall not exceed twenty-four inches by thirty inches (24" X 30") in size, nor exceed three (3) feet above grade.

   iv. *Spacing of signs*: A minimum of thirty (30) feet must be maintained between all signs, and signs for one advertiser must be at least two hundred (200) feet apart.

   v. *Sign location:* Individual sign locations shall adhere to the following criteria:

      1. No closer than forty (40) feet to a street intersection or median opening.
      2. Signs may be placed in the City right-of-way, but no closer than three (3) feet from the edge of the sign to the street curb or edge of the pavement. Signs shall not encroach on either the sidewalks or the street.
      3. No sign shall be placed in a visibility triangle. Generally, if a sign is close to blocking motorist visibility, it shall be removed.
      4. No signs shall be placed further than three (3) miles from the subject property.

   vi. *Sign construction and criteria*: Signs shall be rigid, two-dimensional displays that advertise new residential property, guiding the motorists to a specific location in the City.

   vii. *Enforcement*: These are the guidelines under which weekend advertising will be administered, relating particularly to the weekend/motoring public. It is the responsibility of the builder/owner to secure permission of the property owner for placement of signs on private property. weekend advertising does not grant unlimited access and use of the City right-of-way. Violations of the Section concerning the placement of signs on private property and City right-of-way will be cause for confiscation of the signs. Any signs which are confiscated by the Director of Public Works or the Director's designee may be reclaimed by the owner of the sign, but each sign so confiscated will be subject to a redemption fee per sign. If a sign remains unclaimed for a period of thirty (30) days, the City will dispose of such sign as the City may deem appropriate. Excessive general violations may require that weekend advertising be suspended for a period of time. The Administrator shall notify the City Council if the suspension of this Section is required.

m. *Nonconforming Signs:*

i. *Existing Nonconforming Signs*. All signs that are lawfully in existence on the date of adoption of this Ordinance may exist in their present form, however, such signs shall only be altered as provided in (2) below.

ii. *Permitted alteration of nonconforming signs.* A nonconforming sign may be altered only as follows, subject to compliance with permitting requirements set out in the ordinances of the City.

1. Advertising copy, including letters, symbols, or other matter on the sign, may be changed, including the exchange of display faces that are designed to be interchangeable to facilitate the display of advertising copy; provided, however, display faces that are designed to be permanently attached to the supporting sign structure may be replaced only with display faces composed of like materials, e.g., a plywood display face may be replaced only with a plywood display face. Display faces may be replaced only with display faces that are the same size or smaller than the size which existed on the date of adoption of this Ordinance.
2. A sign which has been blown down or otherwise destroyed by wind, fire or damages from any other source, may be repaired, provided that the cost of repairing the sign is sixty percent (60%) of the cost of erecting a new sign of the same type at the same location, or less. If the cost of repairing the sign is more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location, the sign may not be altered, reconstructed, repaired or replaced, and the owner shall remove the sign or bring it into compliance with this Ordinance, including but not limited to Article 4: Signage, and all other applicable ordinances of the City; and
3. Maintenance operations may be performed on the sign. For purposes of this section, "maintenance operations" means the process of keeping a sign in good repair. Maintenance operations include:
    1 cleaning;
    2 painting;
    3 repair of parts with like materials in a manner that does not alter the basic design or structure of the sign, provided that the cost of all repairs performed during any consecutive 365-day period is not more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location; and

    4 replacement of parts with like materials in a manner that does not alter the basic design or structure of the sign, provided that the cost of all replacement of parts performed during any consecutive 365-day period is not more than sixty percent (60%) of the cost of erecting a new sign of the same type at the same location. Examples of actions that are not maintenance operations and are therefore prohibited include, without limitation:
        i. converting a sign from a multiple pole structure to a monopole structure;
        ii. replacing wooden components with metal components;
        iii. increasing the area or height of a sign,
        iv. adding illumination to a non-illuminated sign;
        v. adding additional display faces; and

vi. converting a sign to utilize animated display or moveable copy technology, including but not limited to signs featuring Tri-Vision technology. If a sign is dismantled for any purpose other than an alteration or maintenance operation permitted hereunder, the sign may not be altered, reconstructed, repaired or replaced, and the owner shall remove the sign or bring it into compliance with this Ordinance, including but not limited to Article 4: Signage, and all other applicable ordinances of the City.

iii. *Other Alterations:* All other alterations of any nature whatsoever in connection with nonconforming signs are prohibited. If any such alteration is performed, the owner shall remove the sign or bring it into compliance with this Ordinance, including but not limited to Article 4: Signage, and all other applicable ordinances of the City.

2. Schedule for permanent signs: No permanent sign shall be erected, placed, displayed or located except in accordance with Table 1, Schedule for Permanent Signs.

TABLE 1- SCHEDULE FOR PERMANENT SIGNS

TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT	NUMBER OF SIGNS	REQUIREMENTS
Individual Commercial and Industrial	C-1, C-2, C-3, MU, DT, M-1, M-2	Any one development may have one main development sign and a wall sign: Choice of monument sign or projecting sign (see below)			
Major Comm./Industrial Development	C-1, C-2, C-3, M-1, M-2	0.0005 s.f. per s.f. of floor area to a 500 s.f. maximum	12 ft. monument sign	One (1) sign on one (1) street frontage	50,000 s.f. or greater in buildings
Freestanding monument commercial	C-1, C-2, C-3, M-1, M-2	150 s.f. 100 SF each side 10'x10'	10 ft.	1 per development	30% changeable copy allowed Different regulations for monument signs in residential districts
Monument	C-1, C-2, C-3, MU, DT, M-1, M-2	60 s.f. each side 6'x10'	6ft	1 per development	Monument masonry non-advertising area is not to exceed 50% or fall less than 30% of the commercial advertising area. Exposed poles prohibited
Commercial Multi-tenant monument (Min.3 tenants)	C-1, C-2, C-3, M-1, M-2	150 s.f. (6'x12')	12 ft.	1 per development	
Projecting (Attached) dependent on building for support. Projects more than 12" but less than 48"	C-1, C-2, C-3, MU, DT, M-1	1 s.f. per linear ft. of qualified street frontage, 100 s.f. max. 32 SF each side (4'x8')	Would not project beyond roof line	One (1) per development (choice of monument sign or projecting sign)	Shall not extend more than 4" from any wall facing {this measurement is distance between wall and sign at attached brackets) and shall be a minimum of seven feet above grade.

TABLE 1- SCHEDULE FOR PERMANENT SIGNS					
TYPE OF SIGN	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT	NUMBER OF SIGNS	REQUIREMENTS
Shingle	C-1, C-2, DT	4 s.f. 2'x2'	7 ft off the ground	One (1) per establishment	May suspend parallel or vertical under eave of porch
Commercial Wall (Attached)	C-1, C-2, C-3, MU, DT, M-1	10 percent of wall area, 200 s.f. max.	Not above apparent flat roof or eaves line height	Signage area can be composed of multiple signs	Includes any valance or permanent window signs
Canopy	C-1, C-2, C-3, MU, DT, M-1	15 percent of canopy fascia area	Top of parapet wall or roof eave height	Signage area can be composed of multiple signs	Includes signs suspended on the canopy supports
Residential Freestanding Monument (entryway)	RE, R-1, R-2, R-3	50 s.f.	4 ft.	2 matching at main entrance to subdivision	Monument signs not allowed in Agriculture District
Multifamily wall or ground	R-3	50 s.f. total (4' x 12.5')	Ground -4 ft. Wall-Height of Masonry Screening Wall	1 per street frontage	For identification purposes only; No encroachment into sight triangle
Private traffic control	C-1, C-2, C-3, MU, DT, M-1, M-2	2 s.f.	3 ft.	No number specified	Vehicular or pedestrian; no logos
Commercial Flags	C-1, C-2, C-3, MU, DT, M-1, M-2	Company and award flags 100 s.f. or less than U.S. and state flags	25 ft.	1 flag of each type per site	Flags of governmental entities and nonprofit organizations exempt.
Flags in Residential	RE, R-1, R-2, R-3	15 s.f. maximum	15 ft.	1 flag of each type per site	Flags of governmental entities and nonprofit organizations exempt.
Directional Monument Sign	DT, MU	4 s.f. each, maximum 8 individual signs	12 ft above the ground	Max 2 north of RR; 2 south of RR	Historic Style

3. Schedule for temporary signs: No temporary sign shall be erected, placed, displayed, or located except in accordance with Table 2, Schedule for Temporary Signs.

TABLE 2 – SCHEDULE FOR TEMPORARY SIGNS						
TYPE OF SIGN	PERMIT REQ.	DISTRICTS PERMITTED	MAXIMUM AREA	MAXIMUM HEIGHT	TIME LIMIT	REQUIREMENTS
Portable	Yes	Nonresidential	50 s.f.	8 ft.	14 days with 14 days between	150 ft. separation 20 ft. from ROW; no flashing signs
Real Estate	No	All	5 s.f.	3 ft.	Remove within 1 week of sale or lease	1 per lot
Commercial Real Estate	No	C-1, C-2, C-3, MU, DT, M-1, M-2	100 s.f.	Height of Wall	Remove within 1 week of sale or lease	Unlighted, flat against wall
Undeveloped property	No	All	1 s.f. per linear ft. of street frontage or 100 s.f. whichever is smaller	15 ft.		1 per street frontage unlighted
Weekend builders advertising	Yes, annual reg. fee	All	5 s.f. (24″ X 30″)	3 ft.	12 noon Friday until 12 noon Monday, except holidays	3 ft. from curb, 30 ft. spacing, 200 ft. same builder spacing, 40 ft. min. from intersection, no lighting, within 3 miles of site
New subdivision development	Yes	RE, R-1, R-2, R-3	150 s.f.	15 ft.	1 year of completion or project 1 yr renewal available	1 on-site & 1 off-site, 25 ft. behind curb, 200 ft. apart
Trade construction	Yes	All	50 s.f.	4 ft.	Removed prior to C.O.	Approved by Building Official
Vertical banner	Yes	All	36 s.f. (3′ X 12′)	25 ft. max, 6 ft. min to bottom of vertical banner	30 days each, 5 times per year with 45 days between	50 ft. min spacing, 100 ft. min street frontage

Horizontal Banner	Yes	C-1, C-2, C-3, R-3, MU, DT	50 s.f.	Attached to building, height of wall	30 days each 3 times per yr. with 30 days between	
Political	No	All	36 s.f.	8 ft.	Allowed 62 days before election.	Removed 7days after election or runoff; no illumination or moving elements allowed.
School, church and civic	Yes, but no fee	All	50 s.f.	6 ft.	5 days prior & remove within 24 hours after	On private property, not on R.O.W., no traffic hazard
Garage Sale	No	All	8 s.f.	3ft.	1 day prior and remove within 24 hours after	Unlighted, not in public R.O.W., 3 per year

4. Pole and monument signs not to be used in combination: Pole and monument signs shall not be used in combination on the same premise. Each premise shall be permitted only one (1) pole sign or one (1) monument sign. A pole sign or monument sign may be used in combination with other permanent signs listed in the schedule for permanent signs.
5. Prohibited signs: The following signs are prohibited from installation, construction, repair, alteration, or relocation within the City, except as otherwise permitted in this Ordinance:
    a. "A" frame or sandwich board, and sidewalk or curb signs, except as temporary signs;
    b. Balloons, or inflatable signs;
    c. Message Board Signs (MBS). Electronic Message Board Signs and electronic reader board signs shall not be allowed that are moving, flashing, animated, change displays more frequently than eight (8) seconds, rotating signs, signs with moving lights, or signs which create the illusion of movement.
    d. Temporary off-premises signs;
    e. Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property. However, this does not prohibit signs placed on vehicles and trailers that are incidental to the primary use or ownership of the vehicle or trailer as transportation;
    f. Signs attached to utility poles or other surfaces which are not the property of a utility or do not serve a public purpose located within a public right-of-way or easement;
    g. Signage on fences shall not be allowed.
6. Signs exempt from regulation: The following signs are exempt from the provisions and regulations of this Section:

a. Public signs: Signs required by governmental bodies or specifically authorized for a public purpose by any law, statute, or ordinance. Such public signs may be of any type, number, area, height, location, or illumination as required by law, statute, or ordinance.
b. Signs on vehicles: Signs placed on or affixed to vehicles and/or trailers where the sign is incidental to the primary use of the vehicle or trailer as transportation.
c. Warning signs: Signs warning the public of the existence of danger but containing no advertising material; to be removed within three days upon the cessation of danger. Such warning signs may be of any type, number, area, height, location, or illumination as deemed necessary to warn the public of the existence of danger.
d. Flags: Flags of governmental entities or nonprofit organizations. Nothing in this ordinance shall be construed to prevent the display of a national or state flag, or to limit flags, insignias, or legal notices, or informational, directional, or traffic signs which are legally required and necessary to the essential functions of government agencies.
e. Governmental signs: Signs of a duly constituted governmental body, including traffic or similar regulatory devises, legal notices, warnings at railroad crossings, and other instructional or regulatory signs having to do with health, hazards, parking, swimming, dumping, etc.
f. Address numerals: Address numerals and other signs required to be maintained by law or governmental order, rule, or regulation are allowed, provided that the content and size of the sign do not exceed the requirements of such law, order, rule or regulation.
g. Athletic signs: Signs used as scoreboards in athletic stadiums.
h. Directional signs: Signs which direct vehicles and pedestrian traffic, which may display arrows, words, or other symbols to indicate direction of facilities.
i. Directory signs: Signs which are located in or adjacent to entrances or foyers.
j. Instructional signs: Signs providing no advertising of any kind, which provide directions or instruction to guide persons to facilities intended to serve the public, including but not specifically limited to the signs identifying restrooms, public telephones, public walkways, parking areas, and other similar facilities.

7. Permit requirements. Except as herein provided, no permanent sign shall be erected, placed, displayed or located without first obtaining a sign permit from the City.
   a. Application for permit: Application for a permit for a permanent sign shall be made in writing upon forms furnished by the City. Such application shall contain the location by street and address number of the proposed sign structure, with necessary drawings and plot plan.
8. DOWNTOWN DISTRICT – Additional Sign Standards:
   a. General business pole signs shall not be permitted. One historic decorative pole sign is allowed per business, not to exceed twelve (12) feet in height, sign to be no more than six (6) square feet and wrought iron decoration required. No back lighted or neon signs allowed. Signage needs to be in the standard of the historic nature of the architecture and colors of the main structure.
   b. Painted Wall Mural, generally defined as a graphic directly painted on the building wall surface as approved by the Building Official.
      (1) Maximum square footage: 100% of wall area.
      (2) Maximum height: N/A
      (3) Setback: N/A
      (4) Lighting: External
      (5) Spacing: None
      (6) Maximum number: 1 per building

(7) Time limit: None

(8) Special Conditions:

1. Murals shall be painted with a weather resistant paint.
2. No portion of the mural shall be used to advertise a specific product or service. The mural may display the name or logo of the on-site tenant or an event within the district.
3. The name or logo displayed shall not exceed more than twenty-five percent (25%) of the mural area.
4. Should the mural become faded, peeled or severely weathered, the owner or the person or firm maintaining the same shall, upon written notice from the Public Works Director or the Director's designee, repair the mural or repaint the wall on which such mural was painted within sixty (60) days of the date of such written notice.

b. Vertical Banners may be permitted in the right-of-way if approved.

(1) Maximum square footage: 35 square feet per pole

(2) Maximum height: 35 feet

(3) Minimum height: 7 feet above curb or sidewalk

(4) Setback: None

(5) Lighting: External

(6) Spacing: None

(7) Time limit: None

(8) Permitted on-site: None

(9) Permitted in right-of-way: Yes

(10) Special Conditions:

1. Torn or severely weathered vertical banners shall not be permitted. Should the banner become faded, peeled or severely weathered in the sole opinion of the Administrator, the owner or the person or firm maintaining the same shall, upon written notice from the Administrator, repair or remove the banner within sixty (60) days of such written notice.
2. Vertical banners shall be secured at all points of attachment to the pole.
3. There shall be no more than two (2) vertical banners per pole with brackets approved by the Administrator.
4. No portion of a vertical banner shall be used to advertise a specific product or service. Any vertical banner located in the right-of-way may contain the name or logo of an event within the district or a special community event which is sponsored by community-based nonprofit entities. Events must be reviewed and approved by City Council resolution.
5. Vertical banners may be attached to light standards or other poles in the right-of-way with a permit from appropriate City departments.
6. Vertical banners, as described in this section, shall only be permitted in the right-of-way of the DT or MU Districts, except they may be located on both sides of a right-of-way, which acts as a boundary of the district.

Article 5 – Subdivision

1) General Provisions

   a) Title

      i) This article is known as the Subdivision Regulations of the City of Aledo.

   b) Purposes

      i) The purposes of these regulations are:

         (1) To protect and provide for the public health, safety, and general welfare of the community by promoting sustainable development of the area both within the City and within its extraterritorial jurisdiction.

         (2) To guide the future growth and development of the City in accordance with this Ordinance, Aledo's Comprehensive Plan, and any adopted constituent elements, and all other development-related ordinances of the City.

         (3) To promote safety from fire, flood, and other danger, and to prevent overcrowding of the land and undue congestion of population.

         (4) To ensure that public and private development are served by adequate public facilities and services with sufficient capacity for efficient transportation, water, sanitary sewer, drainage, and other public requirements and facilities, and that the development bear its fair share of the cost of providing the facilities and services.

         (5) To establish policies governing traffic flow and safety on street facilities, minimize traffic congestion, improve traffic safety, and flow, and ensure that traffic generated from the proposed development can be adequately and safely served by the existing and future street system.

         (6) To establish reasonable standards of design and procedures for platting to further the orderly layout and use of land and to promote proper legal descriptions and monumenting of platted land.

         (7) To minimize the pollution of streams and ponds; to provide for the adequacy of drainage facilities; to control stormwater runoff; to minimize erosion and siltation problems; to safeguard the water table; to encourage the wise use and management of natural resources; and enhance the stability and beauty of the community and the value of the land.

         (8) To remedy the problems associated with illegally subdivided lands and/or previously platted lands, including premature subdivision, incomplete subdivision, or scattered subdivision of land.

   c) Applicability

      i) The owner or proprietor of any tract of land who desires to subdivide land (i.e., to create a "subdivision") shall submit a plat of the subdivision to the Administrator.

ii) No person shall subdivide land without making and recording a plat and complying fully with this article, and the subdivision procedures in Article 1(15): Platting Procedures.

iii) No person shall sell or transfer ownership of any lot or parcel of land by reference to a plat of a subdivision before the plat is duly recorded with Parker County, unless the subdivision was created prior to the adoption of this article.

iv) The following are allowed only if they conform to this Ordinance:

(1) The issuance of a development approval or certificate of occupancy for any plat, map, or plan that was created prior to subdivision approval under this Ordinance.

(2) The issuance of a development approval or certificate of occupancy for any parcel or plat of land that was created by subdivision after the effective date of this Ordinance.

(3) The excavation of land or construction of any public or private improvements.

v) A subdivision plat is not required for any of the following:

(1) The public acquisition by purchase of strips of land for the widening or opening of streets.

(2) In accordance with Section 212.004(a) of the Texas Local Government Code (TXLGC), a division of land under this article does not include a division of land into parts greater than five (5) acres where each part has access, and no public improvement is being dedicated.

2) Platting Requirements

a) Division of Property

i) Every owner of any tract of land who divides the tract into two or more parts shall cause a plat to be made, which accurately describes and locates the entire tract by metes and bounds as required in this Article.

ii) A division of a tract under this Ordinance includes a division regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method.

iii) No plat may be recorded and no transfer of title to any part of a tract of land shall be made until a plat, accurately describing the property to be conveyed, is approved in accordance with these provisions and recorded.

b) Permits for Construction Activity or Public Improvements

(1) Except as provided in Section 1.c: Applicability, and remaining in the same configuration, the Administrator shall not issue permits for any construction activity or allow any public improvements for a development until a plat is approved and filed of record.

(2) Upon written request from the developer, the Administrator may allow the construction of public improvements prior to plat recording with accepted plans and development agreements.

(a) In order for the request to be granted, the developer must demonstrate that an inability to record the plat within a reasonable timeframe is the result of recording requirements that do not have a substantive impact upon the development of the land.

(b) If the City allows the development of public improvements prior to plat recording, the City shall not accept those improvements until a plat is filed of record.

(3) No building permit shall be issued, nor shall any public utility service be provided for land without a plat as required by this article unless exempt under TXLGC 212.

c) Guiding Policies for Administration of this Article

i) Proposed plats or subdivisions that do not conform to the purposes listed above and the following policies and regulations shall be denied. In lieu of being denied, the City may approve the subdivision subject to the guiding policies in this section. These regulations shall be administered in accordance with the following policies:

(1) Conformity with Comprehensive Plan: Plats and proposed public improvements shall conform to the City's Comprehensive Plan and any adopted constituent elements, including the Master Thoroughfare Plan, and all other plans or development related ordinances of the City.

(2) Conformity with Unified Development Ordinance: No subdivision shall be approved unless it complies with all applicable zoning, design, and development regulations set forth in this Ordinance, including but not limited to:

(a) The requirements of the zoning district in which the property is located (See Article 2: Districts)

(b) The requirements relevant to specific uses (See Article 2: Districts)

(c) Generally applicable development and design standards (See Article 3: Development Standards)

(3) Sites and Access for Comprehensive Plan Elements: Adequate sites and convenient access for schools, parks, playgrounds, and other community services indicated in the City's Comprehensive Plan and all applicable ordinances shall be provided in accordance with the intent, policies, and provisions of this Ordinance.

(4) Developer Responsibility: The developer is responsible for the accuracy of all information furnished in the design of facilities as it pertains to both the proposed development and other properties affected by the proposed development. The City's concurrence in the design does not relieve the developer of this responsibility.

(5) Effect of Development on General Welfare: The nature, shape, and location of land to be platted or developed shall enable it to be used without danger to health or increased risk of fire, floods, erosion, stormwater pollution, landslides, or other menaces to the general welfare.

(6) Applicability in the ETJ – The standards in Article shall apply to all subdivision in the City's Extraterritorial Jurisdiction (ETJ) subject to the provisions in TXLGC Chapter 212 as amended.

d) Incorporation of Infrastructure Design Standards

i) The City's adopted infrastructure design criteria and construction standards for public improvements are hereby incorporated and collectively referenced as the Infrastructure Design Standards. The Infrastructure Design Standards shall be maintained in the Public Works office, posted on the City website, and are available upon request.

3) Adequate Public Facilities and Dedication Required

a) Provision of Adequate Public Facilities

i) Each subdivision shall provide adequate public facilities. Adequate public facilities shall include adequate water, sanitary sewer, drainage, and transportation facilities necessary to serve the proposed development, whether the facilities are to be located within the property being platted or offsite.

b) Criteria for Adequate Public Facilities

i) Public facilities are considered adequate if they meet the minimum level of service established in the appropriate sections of this Ordinance and the following standards:

(1) Street Access: All platted lots shall have safe and reliable street access for daily use and emergency purposes including fire ingress/egress. All platted lots shall have direct access to a paved public street, private street, or an approved access easement. (See Table 5.1: Street and Right-of-Way Requirements).

(2) Water: All platted lots shall be connected to a public water system that provides water for health and emergency purposes. The water system shall be consistent with the City of Aledo water system plan and all adopted City codes and ordinances and Infrastructure Design Standards.

(3) Wastewater/Sanitary Sewer: All platted lots shall be connected to a public sanitary sewer collection and treatment system where available. On-site sanitary sewer treatment systems shall only be permitted if no public sanitary sewer is available within 1,000 feet of the property and shall meet the City's adopted standards for on-site sanitary sewer. The sanitary sewer system shall be consistent with any adopted Wastewater System Model and Master Plan and Infrastructure Design Standards of the City of Aledo, as amended.

(4) Drainage and Stormwater Management: Drainage and stormwater facilities are adequate when:

(a) Stormwater runoff attributable to new development or redevelopment complies with the minimum standards of this Ordinance and the City's Infrastructure Design Standards and iSWM Criteria Manual.

(b) To the maximum extent practicable, permanent Best Management Practices (BMPs), as described in the iSWM Criteria Manual as adopted by the City, shall maintain the predevelopment characteristics of any natural creek that ultimately receives stormwater runoff from the development.

(5) Electricity: All platted lots shall have access to a public utility that provides electricity for retail consumption.

(6) Telecommunications: All platted lots shall have access to a public utility that provides telecommunications for retail consumption.

c) Dedication Statement

i) DEDICATION STATEMENT (to be used in all instances)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS; THAT (OWNER'S NAME) ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS (SUBDIVISION NAME), AN ADDITION TO THE CITY OF ALEDO, TEXAS AND DOES HEREBY DEDICATE, IN FEE SIMPLE, TO THE PUBLIC USE FOREVER, THE STREETS, ALLEYS, AND PUBLIC USE AREAS SHOWN HEREON, AND DOES HEREBY DEDICATE THE EASEMENTS SHOWN ON THE PLAT FOR THE PURPOSES INDICATED TO THE PUBLIC USE FOREVER, SAID DEDICATIONS BEING FREE AND CLEAR OF ALL LIENS AND ENCUMBRANCES EXCEPT AS SHOWN HEREIN. NO BUILDINGS, FENCES, TREES, SHRUBS, OR OTHER IMPROVEMENTS SHALL BE CONSTRUCTED OR PLACED UPON, OVER, OR ACROSS THE EASEMENTS ON SAID PLAT. UTILITY EASEMENTS MAY ALSO BE USED FOR THE MUTUAL USE AND ACCOMMODATION OF ALL PUBLIC UTILITIES DESIRING TO USE OR USING THE SAME UNLESS THE EASEMENT LIMITS THE USE TO A PARTICULAR UTILITY OR UTILITIES, SAID USE BY PUBLIC UTILITIES BEING SUBORDINATE TO THE PUBLIC'S AND CITY OF ALEDO' USE THEREOF. THE CITY OF ALEDO AND 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 WHICH IN ANY WAY ENDANGER OR INTERFERE WITH THE CONSTRUCTION, MAINTENANCE, OR EFFICIENCY OF ITS RESPECTIVE SYSTEM ON ANY OF THESE EASEMENTS AND THE CITY OF ALEDO ON ANY PUBLIC UTILITY SHALL AT ALL TIMES HAVE THE RIGHT OF INGRESS AND EGRESS TO AND FROM AND UPON ANY OF SAID EASEMENTS FOR THE PURPOSE OF CONSTRUCTING, RECONSTRUCTING, INSPECTING, PATROLLING, MAINTAINING, AND ADDING TO OR REMOVING ALL OR PART OF ITS RESPECTIVE SYSTEM WITHOUT THE NECESSITY AT ANY TIME OF PROCURING THE PERMISSION OF ANYONE. (OWNER'S NAME) DOES HEREBY BIND ITSELF, ITS SUCCESSORS AND ASSIGNS TO FOREVER WARRANT AND DEFEND ALL AND SINGULAR THE ABOVE DESCRIBED STREETS, ALLEYS, EASEMENTS, AND RIGHTS UNTO THE PUBLIC AGAINST EVERY PERSON WHOMSOEVER LAWFULLY CLAIMING OR TO CLAIM THE SAME OR ANY PART THEREOF. THIS PLAT APPROVED SUBJECT TO ALL PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF ALEDO.

WITNESS MY HAND THIS DAY OF, 20 _ .

Signature of Owner

_____

Name: _ Title: __ Company: ____

Signature of Lienholder (if applicable)

_____

Name: _ Title: __ Company: ____

If there is no lien holder, add the following statement:

To the best of my knowledge, there are no liens against this property.

_____

Signature of Owner

d) Dedication Required

i) Generally: Property necessary for the orderly development of streets, roadways, thoroughfares, utilities, stormwater facilities, or other public purposes shall be dedicated to the City as required by this Ordinance and in accordance with the Comprehensive Plan, the Master Thoroughfare Plan, and other adopted plans. Dedication of and acceptance by the City of the property is a condition of plat approval.

ii) Proportionality Required: The dedication requirements for a specific plat shall be roughly proportional to the projected impact of the proposed development and shall be determined as set forth in Section 212.904 of the TXLGC.

iii) Property Owners' Association

(1) Property Owners' Association Allowed: When a subdivision contains common areas, drainage ways, screening walls or other facilities not located within the public right-of-way nor subject to City maintenance, or if landscaping, sidewalks, or other amenities are provided within the public right-of-way for which a license agreement is required by the City, a property owners' agreement, as evidenced by the covenants establishing the association, shall be placed on the plat. Such homeowners' agreement (the covenants, conditions and restrictions) shall be approved as part of the preliminary plat process and shall be filed of record prior to recording of the Final Plat.

(2) The City Attorney will review the association documents as to form. The following six (6) statements shall appear on the face of the plat and in a single article in the association's covenants, conditions and restrictions:

(a) The owner of fee simple title to every individual lot of land within the subdivision must be a member of the homeowner's association.

(b) The homeowner's association must have the authority to collect membership fees.

(c) The homeowner's association must be responsible for the maintenance of all common areas and screening walls.

(d) The homeowner's association must grant the City the right of access to common areas to abate any nuisances thereon and attach a lien for the prorated cost of abatement upon each individual lot.

(e) The homeowner's association shall indemnify and hold the City harmless from any and all costs, expenses, suits, demands, liabilities, damages, or otherwise including attorney's fees and costs of suit, in connection with the City's maintenance of common areas.

(f) The homeowner's association shall enter into a license agreement with the City of Aledo where additional right-of-way has been dedicated for the purpose of providing landscaping, additional areas for sidewalks, walls, or other amenities, and shall be responsible for the installation and maintenance of all landscape areas that are in the public right-of-way.

(3) Alternative Funding Mechanisms: If a property owners' association fails to collect reserve funds to maintain property such as private streets, access easements, privately maintained drainage features, or pools, the City may assess property owners within the subdivision served by the amenity or facility the costs associated with addressing matters of public safety.

iv) Platting Exemptions for Single Tracts Prior to Construction: Any owner of an unplatted single tract of land shall submit for approval and have filed of record a plat of the tract prior to the commencement of construction or issuance of a building permit. However, nothing in these regulations requires a plat to be approved and recorded as a prerequisite to construction under the following conditions:

(1) The tract is zoned residential in accordance with Article 2: Districts, and the construction is for any of the following purposes, and the addition or alteration conforms with the Unified Development Ordinance:

(a) Adding to or altering an existing lawfully conforming single-family building or structure

(b) Adding a fence on the tract

(c) Adding an accessory building or structure to an existing lawfully conforming single-family use

(2) The tract is not zoned residential as noted above or is zoned residential but contains a permitted non-residential land use, the construction is for any of the following purposes, and the alteration conforms with the Unified Development Ordinance:

(a) Adding an accessory building to an existing lawfully conforming use on the same tract

(b) Adding a fence on the tract

(c) Remodeling or altering an existing commercial or industrial building

(d) Adding a wireless communications antenna to an existing utility transmission tower or existing telecommunications tower

(e) Any improvement that does not create infrastructure impacts or more intensive development than the exceptions listed above

e) Design Standards

i) Street and Right-of-Way Requirements

(1) Basic Policy: The following general requirements apply to all plats.

(a) Streets and right-of-way shall conform to any adopted Master Thoroughfare Plan, as amended, the City's Infrastructure Design Standards and the standards in this Ordinance.

(b) An adequate off-site street and thoroughfare system shall be designed and constructed in order to:

(i) Provide for streets of suitable location, width, or other improvements to accommodate existing traffic, traffic anticipated from the development, and traffic anticipated from other developments impacting the same roadways.

(ii) Afford satisfactory access to adjoining properties.

(iii) Accommodate police, firefighting, sanitation, and street maintenance equipment.

(c) The proposed streets of the development shall effectively relate to the present and future street system and to the development of the surrounding area in order to assure continuity of thoroughfares, coordination of intersections, the limitation of median breaks, and the promotion of livable neighborhoods.

(d) The plat shall provide for appropriate continuation or termination of any existing streets, whether constructed or dedicated, which extend to the limits of the proposed subdivision.

(e) Adequate provision of access to adjoining lands shall be made.

(f) The developer shall design and construct adequate roadway facilities, whether on-site or off-site.

(g) The developer shall be responsible for all costs associated with meeting the requirements of this article.

(2) Adequacy of Offsite Roadway Network Required

(a) Adequacy Required: Prior to plat approval, the Administrator shall determine whether the roadway network serving the development to be platted has adequate capacity to accommodate existing traffic, traffic reasonably anticipated from the

development, and traffic reasonably anticipated from other developments approved or to be approved within a reasonable period. The standards for compliance with this requirement are set out in subsections (b) through (d), below. The Administrator's determination shall be based on information provided by the developer in the plat application and supporting studies unless the study is waived.

(b) Analysis of Adequacy

(i) For any property submitted for platting that increases intensity of traffic based on City Master Thoroughfare Plan based on the Director of Public Works recommendation, the developer shall provide, at the developer's expense, a Traffic Impact Analysis (TIA) that analyzes the adequacy of the roadway network to serve the development.

(ii) Adequate capacity of the roadway network shall be determined as described in the City's adopted Master Thoroughfare Plan and/or Infrastructure Design Standards.

(c) Determination of Adequacy: The roadway network shall be considered adequate if:

(i) There is sufficient capacity on each existing and proposed link and intersection of the network

(ii) The roadway conditions are adequate for each existing link and intersection of the network

(d) Determination of Inadequacy: In the event that the TIA shows a result of a level of service "D", "E", or "F", as defined in the Highway Capacity Manual, or the Administrator or City Engineer determines that the off-site roadway network serving the development to be platted is not adequate, the following shall be provided:

(i) Proposed solutions to the transportation issues resulting from the proposed development

(ii) The degree of local congestion

(iii) The availability of alternate routes to service the increased traffic

(iv) The degree to which the increased congestion is attributable to the applicant's project

(e) After the information is reviewed, the City may:

(i) Disapprove the plat

(ii) Require that development of the property be phased to coordinate the timing of building permits with the provision of adequate capacity

(iii) Require the developer, in lieu of denial or phasing of the plat, to construct off-site and/or on-site improvements to City standards or as otherwise permitted by the Administrator to provide adequate capacity for the roadway network.

Construction may be required to use standards in excess of any adopted Master Thoroughfare Plan or City Infrastructure Design Standards if warranted based on the available capacity and proportional impact of the proposed development.

(3) Traffic Impact Analysis (TIA) Requirements

(a) TIA Submittal: The TIA shall be prepared in accordance with the criteria established in the City's Infrastructure Design Standards.

(b) Acceptance of TIA: Prior to forwarding any plat to the Planning and Zoning Commission (P&Z), the traffic study shall be accepted by the City. The acceptance of the traffic study will be based on the completeness of the traffic study, the thoroughness of the impact evaluation, and the consistency of the study with the proposed access and development plan.

(4) Requirement for Access to the Street Network

(a) Acquisition of Access Required: The developer shall acquire right-of-way and/or necessary easements and construct any offsite roadways and/or access ways necessary to connect the development with an adequate offsite, existing City roadway network.

(b) Residential Access Limited

(i) Arterial Streets: No single-family, townhouse, or duplex residential development shall have direct access to an arterial street unless no other means of access is available. In cases where access is permitted to an arterial street, a private access easement adjacent to the thoroughfare is required. Any lot that has direct access to an arterial street is required to provide head-out egress.

(ii) Collectors: Single-family, duplex, and townhouse residential lots may have direct driveway access to collectors if the following development standards are complied with:

1. An additional setback of ten (10) feet shall be required along the Collector Street frontage. The setback shall be measured from the ultimate ROW of the Collector Street as identified in the adopted Master Thoroughfare Plan.

2. Driveway separation may be allowed only with a minimum of 240 feet separation with shared driveways.

(c) Private Access Easements: To the maximum extent practicable, private access easements shall be required between and/or across any non- residential lots fronting on arterial and collector streets in order to minimize the total number of access points along those streets and to facilitate traffic flow between lots. The location and dimensions of the easement shall be in accordance with the City's Infrastructure Design Standards. A note shall be provided on the plat indicating the lots served by the private access easement. The minimum width of a private access easement shall be twenty (20) feet. The easement shall be increased to twenty-four

(24) feet when it functions as a required fire lane. For twenty-four (24) foot and twenty-two (22) foot local standards, private access easements are required to provide rear access to residential lots. For this use, the private access easement width may be reduced by the Administrator if not needed for fire access.

(d) Maintenance of Private Access Easement: Maintenance of any private access easement is the responsibility of the property owner or property owner's association, as applicable. When an easement is created by plat, a maintenance note as approved by the Administrator shall be added to the plat acknowledging maintenance responsibility. When the easement is created by separate instrument, the maintenance responsibility shall be acknowledged with the separate instrument.

(e) Adequate Access: Each single-family residential subdivision shall have at least two constructed points of public ingress and egress, except:

(i) When thirty (30) or fewer residential units are constructed with one point of street ingress and egress.

(ii) The Administrator may approve up to forty (40) units with one point of access when requested. In evaluating a request, the Administrator shall consider factors including the timing of construction of other public improvements that provide a second point of access, public safety, and convenience, especially if undeveloped property is adjoining the subdivision and future stub streets are provided.

(f) Stub Streets Required: Street stubs for future connections shall be required to any adjoining undeveloped property at a minimum spacing of 1,000 feet. A street stub for a future connection may provide the justification for the waiver of the Adequate Access (see (e) above) requirement.

(5) Street Layout Requirements

(a) Intersections

(i) Intersection Offsets

1. No street intersecting an arterial or collector street shall vary from a ninety (90) degree angle of intersection by more than ten (10) degrees.

2. The number of collector or local street offsets shall be minimized. However, when approved by the Administrator because no other reasonable alternative exists, a minimum centerline offset distance of 125 feet shall be maintained.

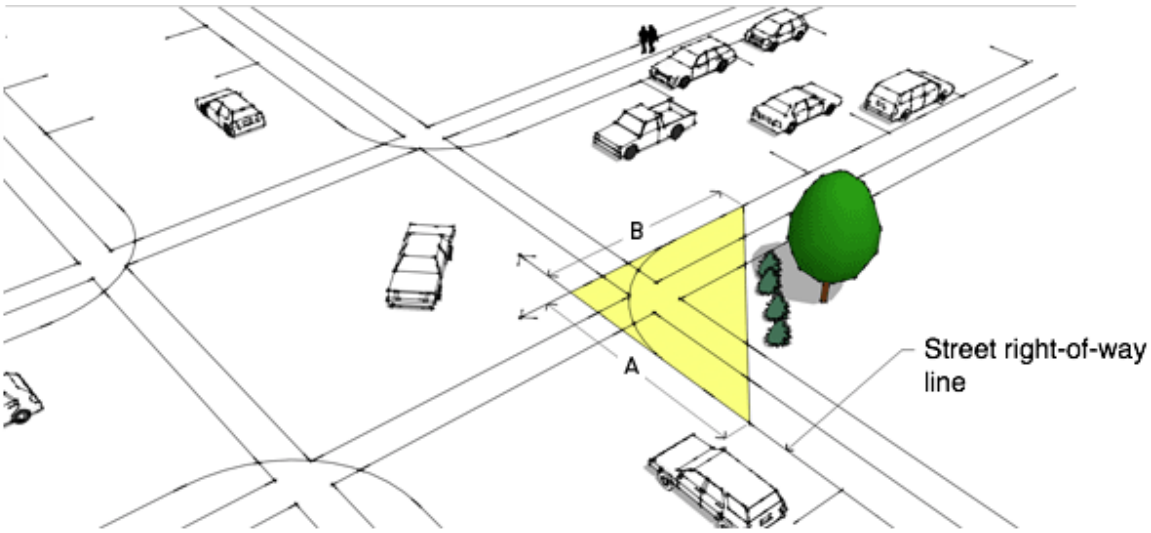
3. There shall be a minimum of 600 feet between intersections of arterials or collector type streets.

(ii) Arterial streets shall be intersected only by collector streets or other arterial streets, unless the only means of ingress and egress to a subdivision is from the

arterial street. In this event, the local street intersection may be required to be configured to accommodate stacking and turning traffic with a flared intersection per the City's Infrastructure Design Standards. All costs associated with the construction of this flare configuration shall be borne by the developer.

(iii) Visibility triangles: shall be provided at the intersection of all public streets. In addition, visibility easements may be required where sight distance may be limited due to topography, roadway curvature, vegetation, or other sight hindrance. The easement shall be dedicated by plat.

1. On a corner lot condition: no obstruction shall be planted or erected which materially obstructs traffic visibility within the triangular space bounded by two intersecting right-of-way lines and a straight line connecting the two points on the street right-of-way lines twenty-five (25) feet from their intersection.



2. For alley to street conditions: no obstruction shall be planted or erected which materially obstructs traffic visibility within the triangular space ten (10) feet from their intersection.

3. For alley to alley conditions: no obstruction shall be planted or erected which materially obstructs traffic visibility within the triangular space five (5) feet from their intersection.

4. The maximum height of fences, walls, signs, and other similar fixed items shall be thirty (30) inches within the visibility easement.

5. Landscaping: All landscaping (and any other fixed feature) within the triangular visibility easement shall be designed to provide unobstructed cross-visibility at a level between thirty (30) inches and eight (8) feet. A limited number of single-trunked trees may be permitted in this area provided they are trimmed in such a manner that no limbs or foliage extend into the cross-visibility area. Landscaping, except grass and low ground

cover, shall not be located closer than three feet from the edge of any street pavement.

(a) Residential Block Length: The following standards shall be followed in the design of residential blocks.

(i) Block lengths and cul-de-sacs shall be appropriate to the density and type of development as follows:

1. Generally, the maximum length of any block in a residential zone district shall be 600 feet.

2. If utilizing rural standards, the maximum block length shall be 1000 to 1200 feet with a maximum of twelve (12) lots.

(ii) Alternative Block Lengths

1. The Administrator may approve alternative block lengths under the following conditions:

a. Proximity to a railway, expressway, waterway

b. Topographic features

c. An infill development with no alternate access

2. When considering a request for alternative block lengths, the Administrator shall consider the following:

a. Alternative designs which would reduce block length

b. The effect of long blocks on access, congestion, and delivery of municipal services

c. Means of mitigation, including but not limited to mid-block turnarounds, limitation on the number of lots to be created and served, temporary points of access, and additional fire protection measures

(b) Curvilinear Street Design Requirements

(i) Roadway layout may include curvilinear design. If curvilinear street design is utilized, then local and collector streets shall be designed with a maximum of fifty (50) percent of the lots within the subdivision to have curved frontage.

(ii) The roadways shall also conform to the following:

1. Fit the road to natural topography

2. Avoid monotony of lot appearance

3. Reduce speeds through neighborhoods

4. Discourage through traffic intrusions by eliminating straight views from one block to the next

(iii) Local and collector streets that connect one major collector or arterial to another major collector or arterial directly are discouraged.

(c) Cul-de-Sacs: Dead end streets are permitted only where a future extension or connection is anticipated or planned into adjacent property. If the dead end is greater than 150 feet measured from the property line, a turnaround facility will be required. The developer shall be responsible for acquiring the right-of-way or easement and constructing the turnaround. The turnaround will be considered temporary until the street is extended or a permanent cul-de-sac is constructed. The temporary turnaround may be constructed without curb and gutter but shall meet all other design criteria. The turnaround shall be constructed off-site, unless the developer is unable to obtain off-site right-of-way. The Administrator may approve the construction of the turnaround within the limits of the development based on phasing and timing of future connectivity.

(i) A cul-de-sac shall have a fifty (50) foot right-of-way radius at the closed end. The radius of the paved area of the turnaround shall be a minimum of thirty-six (36) feet.

(ii) To the maximum extent practicable, cul-de-sacs shall provide direct



Figure 9.2 Pedestrian Access

pedestrian/bicyclist access to the closest street or pedestrian/bicyclist connection.

(iii) Maximum length of a dead-end street permitted shall be 600 feet.

(iv) Provisions shall be made for drainage at the ends of dead-end streets.

(v) When an existing dead-end street with temporary turnaround, whether on- or off-site, is extended, the developer extending the street shall be responsible for

removing the turnaround facilities, constructing the extension or cul-de-sac to the standards in these regulations, and restoring the affected area.

(vi) If the developer chooses not to extend an existing dead end-street, then that developer shall provide right-of-way and construct a permanent turnaround or cul-de-sac.

(2) Rights-of-Way

(a) Rights-of-way for major arterials, arterials, and collectors are required and shall be established in Table 5.1 unless it meets the standards as established in the City's adopted Master Thoroughfare Plan.

Table 5.1: Required Right of Way Widths	
Roadway Classification	***Right-of-Way Width***
Major Arterial	***110 feet***
Minor Arterial	***80-100 feet***
Major Collector	***70 feet***
Minor Collector	***60 feet***

(b) Mid-block and Intersection Requirements: Mid-block and intersection rights-of-way and geometric design for streets are required as shown in the Master Thoroughfare Plan and the City's Infrastructure Design Standards. Based on site conditions and the proposed development, additional ROW may be required to be dedicated to facilitating access ramp and/or signal construction as follows:

(i) A ten (10) foot by ten (10) foot clip for local/local street intersections.

(ii) An eighty (80) foot radius for arterial/arterial intersections and arterial/departure side of major collector street intersections. See City's Infrastructure Design Standards for layout.

(iii) A fifteen (15) foot by fifteen (15) foot clip for all other intersections.

(c) Local Streets: For local streets, the right-of-way can vary depending on the standards utilized as shown in Table 5.2 below:

Table 5.2: Right of Way Widths and Local Streets		
Pavement Width	*Right-of-Way Width*	*On-Street Parking (Parallel)*

30 feet (curb & gutter)	*50 feet*	*Allowed on both sides*
26 feet (curb & gutter)	*50 feet*	*Allowed on one side*
28 feet (rural design)	*60 feet plus 10 feet drainage easement on each side*	*None allowed*

(i) Rural Design: A rural design for a local street includes twenty-eight (28) feet of pavement with no curb and gutter. This standard shall only be used in residential developments with lots one (1) acre or greater in size. On street parking shall not be permitted.

(ii) Flare at Intersection: Right-of-way for all local streets shall flare to sixty (60) feet at intersections with any arterial street.

(d) Alleys:

(i) Residential alleys shall be a minimum of twenty (20) foot wide ROW with a minimum twelve (12) foot wide pavement.

(ii) Commercial alleys shall be minimum twenty-four (24) foot wide ROW with a minimum twenty-four (24) foot wide pavement.

(3) Sidewalks

(a) Sidewalks Required: The developer shall install sidewalks on all public streets within and abutting the development and standards shall meet Article 5. Sidewalks are not required for the local rural streets where the lots are one acre or larger in area. A waiver of sidewalks may be granted by the Director of Public Works if it is determined that construction is not feasible at time of development for engineering reasons or inappropriate due to the nature of the project.

(b) Standards: Sidewalks shall be built in accordance with the City's Infrastructure Design Standards, any adopted Trail Plan, and Texas Accessibility Standards.

(c) The developer may, at his own option, choose to provide additional private access easements for sidewalks, walkways, or bicycle facilities. Construction and maintenance of these private access easements will be the responsibility of the developer and/or subsequent owners.

(4) Development Requirements

(a) State Roadways: The developer may be required to construct curbs, gutters, and sidewalks to TxDOT's standards on developments abutting roadways designated as state highways, or on right-of-way or land owned by the State.

(b) Coordination with Planned Street Projects: Where a development will abut an existing street for which construction plans have been prepared for future improvements, the plans for the development shall be coordinated with the street

construction plans. If the developer requests an alteration to the construction plans, and the City agrees to the alteration, the developer shall pay to revise the plans as necessary and escrow any increased construction costs. The escrow will not be refundable.

(c) Street Appurtenances with Construction: All public street construction shall include streetlights, street signs, signals, and pavement markings as required by the City's Infrastructure Design Standards. The developer will be responsible for all costs associated with the design and construction or installation of these street appurtenances. Streetlights shall also be required on all perimeter public streets along the frontage of the development. Conduit for fiber optic cables may be required at signalized intersections and along roadways identified in the City's network fiber plan. All street appurtenances shall be designed and constructed in accordance with the City's Infrastructure Design Standards.

(d) Payment Requirements

(i) Payment May be Collected for Site Required Facilities: Upon the developer's request to defer construction of any required public improvements, at the City's sole option, a payment in lieu of construction may be collected for required improvements. The Administrator/City Engineer may agree to defer construction of required improvements and accept payment when construction of the required improvements is not feasible at the time of development. The payment amount shall be estimated based on the total estimated cost of design, utility relocation, and construction of the improvements unless otherwise specified in this section. Payment shall be made to an escrow account to be utilized solely for the construction of the required public improvements.

(ii) Easements Required: The developer shall provide the right-of- way/easements even if construction is determined not to be feasible and payment is accepted at the time of subdivision.

(5) Development Agreements:

(a) Standard development agreements executed by the developer and the City are required for all public improvements. The agreements shall include two-year maintenance bonds, performance bond, payment bond, insurance, and other requirements and fees as detailed in the City's Infrastructure Design Standards.

(b) Ownership and Maintenance: All public facilities constructed within dedicated public rights-of-way or public easements shall be and shall remain the property of the City and, after expiration of the maintenance bonds, shall be maintained by the City.

(6) Private Streets

(a) Design and Construction Requirements: Private street widths, cross- sections, and design criteria shall comply with City standards and shall meet the minimum

construction standards for public streets, including its appurtenances such as streetlights, street signs, and pavement markings. If the development will be gated, it shall comply with the gated entry guidelines in the City's Infrastructure Design Standards.

(b) Streets shown on the Master Thoroughfare Plan shall not be used, maintained, or constructed as private streets. In addition, the City may deny the creation of any other private street if, in the City's judgment, the private street would have any of the following effects:

(i) Negatively affect traffic circulation on public streets

(ii) Impair access to property either on-site or off-site to the subdivision

(iii) Impair access to or from public facilities including schools, parks and libraries

(iv) Delay the response time of emergency vehicles

(c) Private streets shall be constructed within a separate lot owned by the property owners' association. This lot shall conform to the City's standards for public streets and rights-of-way. An easement covering the street lot shall be granted to the City providing unrestricted use and maintenance of the property for public utilities. This right shall extend to all utility providers operating within the City. The easement shall also provide the City with the right of access for any purpose related to the exercise of a governmental service or function, including but not limited to, fire and police protection, inspection, and ordinance enforcement. The easement shall permit the City to remove any vehicle or obstacle within the street lot that impairs emergency access.

(d) Cost of Private Streets: The City shall not pay for any portion of the cost of constructing or maintaining a private street and its appurtenances.

(e) Inspections: Inspections of private streets shall be performed by the City at the developer's cost or by a third party in accordance with requirements outlined in the City's Infrastructure Design Standards.

(f) Maintenance: Developments with private streets shall have a mandatory property owners' association that includes all property served by private streets to ensure maintenance of the private street.

(g) Waiver of Services: The subdivision's recorded plat, property deeds, and property owner association documents shall note that certain City services may not be provided on private streets. Among the services that may not be provided are: street maintenance, routine police patrols, enforcement of traffic and parking ordinances, and preparation of accident reports. Depending on the characteristics of the proposed development, other services may not be provided.

(7) Street Names: The developer shall name streets in conformance with the City's Infrastructure Design Standards. The City shall have final approval of all street names.

(8) Alternative Local Street Standards: Alternative street designs may be allowed in accordance with development specific ordinances in PDs and Special Districts approved by the City Council. There shall be no waivers from construction specifications.

ii) Lots and Blocks

(1) Lots

(a) Buildings on a Lot: Except as otherwise permitted by this Ordinance, every building shall be located on a lot.

(b) Frontage: All lots shall front on a public or private street or private access easement and shall have a minimum lot width as indicated in Article 4.

(c) Lot Size: Platted or replatted lots must comply with the minimum lot size regulations of the zoning district in which the lot is located.

(d) Setbacks: Lot setbacks shall be determined by the applicable zoning district and not by platted building lines.

(2) Blocks

(a) Lots within Blocks: Lots shall be arranged in a contiguous pattern within blocks or abutting a cul-de-sac.

iii) Easements

(1) Width of Easements

(a) Utility: The minimum width for utility easements shall be in accordance with the standards outlined in the City's Infrastructure Design Standards and shall be adequate for the installation and maintenance of utilities that are likely to be located in the easement.

(b) Drainage: The minimum width for City drainage easements shall be as required by the City's Infrastructure Design Standards.

(c) Storm Drainage or Floodway: Where a Subdivision is traversed by a watercourse, drainage way or channel, a storm drainage easement or right-of-way shall be provided that conforms substantially with such course and of such additional width as may be designated by the Administrator and/or City Engineer, subject to determination according to proper engineering considerations. The required width shall conform to the requirements set forth by the Federal Emergency Management Agency (FEMA), the U.S. Army Corps of Engineers, and/or the City. Parallel Streets or parkways are encouraged adjacent to creek or drainage ways to provide maintenance access and/or public access and visibility into public open space or recreation areas. In this regard it is required that at least fifty percent (50%) of the edge along creeks/drainage ways be designated for public access – either trail or street frontage. Utilities may be permitted within a drainage or floodway easement

only if approved by the Administrator and/or City Engineer and any other applicable entity requiring the drainage or floodway easement.

(d) Other: The width of easements for other utility providers, such as for gas, electric, telephone or cable television, shall be as required by that particular entity. It shall be the Applicant/Developer's responsibility to determine appropriate easement widths required by other utility companies.

(2) Location of Easements: Easements shall be located to accommodate the optimal design (as determined by the City Engineer) of the various utility and drainage systems that will serve the subdivision and shall be provided in locations to accommodate any public purpose deemed necessary to protect the public health safety and welfare. In residential subdivisions, where alleys are not provided, a minimum ten (10) foot wide utility easement shall be provided along the front of all lots, parallel to and flush with the street ROW line for the potential placement of utility facilities.

(3) Computation of Lot & Buildable Area: The area of a lot shall be computed inclusive of all easements. However, there shall be a minimum buildable area, exclusive of required easements, buffer zones and setbacks for each lot. The minimum buildable area shall be an area half (1/2) of the required minimum lot size. When an entire lot is not buildable, the Developer shall submit verification in writing that the buildable area is adequate for the type of housing product (or nonresidential building) proposed for that lot. Final approval of the allowed buildable area for any lot shall be by the Administrator.

(4) On-Site Easements Shown on Plat: For new development, all necessary on-site easements shall be established on the Plat and not by separate instrument, and they shall be labeled for a purpose, such as for franchised public utilities. Other examples include, but are not limited to, the following: a drainage easement, which is dedicated to the City for a drainage structure; an access easement, which is dedicated to the public for unrestricted access purposes; a fire lane easement, which is dedicated to the City and its fire suppression and emergency medical service providers for access purposes; and an electrical, gas, or telephone easement which is dedicated to the specific utility provider that requires the easement.

iv) Water and Wastewater Utilities

(1) Connections for Water: All new Subdivisions shall be connected with the City's water system or other public water supply system approved by TCEQ. The water system shall be capable of providing water for health and emergency purposes, including fire protection. The design and construction of water system shall comply with the following standards:

(a) Applicable regulations of the Texas Commission on Environmental Quality (TCEQ).

(b) Standards in the City's Infrastructure Design Standards.

(c) Fire protection and suppression standards in accordance with the City's policies and ordinances including Fire Code adopted by the City. Additional development will not be allowed without water pressure meeting these standards.

(2) Connections for Wastewater:

(a) All new subdivisions shall be served by a wastewater collection and treatment system authorized and permitted by the TCEQ, except as provided below. The design and construction of the wastewater system improvements shall be in accordance with the standards in the City's Infrastructure Design Standards, and in accordance with TCEQ standards.

(b) On-site sewage facilities such as septic or aerobic systems may be permitted where each lot is one acre or more in area, if the subdivision is 1,000 feet or more from a connection to a wastewater collection system. They shall meet the City's adopted standards for on-site sewage facilities.

(3) Subdivider Responsibilities: The Subdivider shall be responsible for the following:

(a) Phasing of development or improvements in order to maintain adequate water and wastewater services

(b) Extensions of utility lines (including any necessary on-site and off-site lines) to connect to existing utility mains of adequate capacity

(c) Providing and/or procuring all necessary easements for the utilities (whether on-site or off-site)

(d) Providing proof to the City of adequate water and wastewater service

(e) Providing for future expansion of the utilities if such will be needed to serve future developments, subject to the City's policies, if applicable

(f) Providing all operations and maintenance of the private utilities, or providing proof that a separate entity will be responsible for the operations and maintenance of the utilities

(g) Providing all fiscal security required for the construction of the utilities

(h) Obtaining approvals from the applicable utility providers if other than the City

(i) Complying with all requirements of the utility providers, including the City

(4) Location of Lines: Extension of water and wastewater lines shall be made along the entire frontage of the subdivision adjacent to a street or thoroughfare in rights-of-way or dedicated Easements.

(a) If the subdivision is not adjacent to a thoroughfare, the extension of utilities shall be to the edge of the Subdivision's perimeter property line adjoining any undeveloped property or accomplished in such a manner as to allow future connections to said utilities by new subdivisions.

(b) If new subdivisions are not likely to be developed beyond the proposed subdivision (due to physical constraints), the Administrator may waive the requirement for adjacent utility line construction at the time of Preliminary Plat approval and prior to construction of the subdivision.

(c) The City shall determine the location and routing of water and sewer extensions and shall retain the authority to reject any extension not deemed to be in the best interest of the City.

(5) Utilities Not Specified: Installation, operations and maintenance of utilities not specifically referenced herein shall comply with regulations of the TCEQ and with any other applicable State rules and regulations, whichever is the most stringent.

(6) Dead-End Water Lines

(a) Dead-end water lines should be avoided, but when deemed necessary, they should be extended to, and then through, the property sought to be subdivided.

(b) All dead-end water lines shall be valved and provided with a valve and fire hydrant located at the extreme end of the line instead of the blow-off mechanism for their flushing, in accordance with current City Infrastructure Design Standard specifications.

(7) Payment of Pro-Rata Charges: Where the proposed subdivision would abut and utilize an existing water main and/or sanitary sewer main of the City, the Developer may be required to pay to the City any applicable "pro rata" charge per requirements of the City or previous pro rata agreement.

v) Drainage and Environmental Standards

(1) Drainage System Generally

(a) Drainage improvements shall accommodate runoff from the upstream drainage area and shall be designed to prevent overloading the capacity of the downstream drainage system or adversely impacting either upstream or downstream properties.

(b) The City may require the phasing of development, the use of control methods such as retention or detention, or the construction of off-site drainage improvements in order to mitigate the impact of the proposed development.

(c) No storm water collection system shall be constructed unless it is designed by a licensed professional engineer and in accordance with this section and with the City's Infrastructure Design Standards, and unless it is reviewed and approved by the Administrator/City Engineer.

(d) All plans submitted to the Administrator/City Engineer for approval shall include a layout of the drainage system together with supporting calculations for the design of the system.

(e) Drainage Easements shall be kept clear of all obstructions, such as but not limited to, fences, buildings, trees and shrubs, or other structures or improvements which in any way endanger or interfere with the construction, maintenance, or operation of any drainage system.

(2) Off-Site Drainage:

(a) The applicant/developer/property owner of the subject property to be developed shall be solely responsible for all storm drainage flowing on or from the subject property. This responsibility includes the drainage directed to that property by prior development as well as drainage naturally flowing through the property by reason of topography.

(b) Adequate consideration shall be given by the applicant/developer/property owner in the development of property to determine how the discharge leaving the proposed development will affect downstream property. As part of any application for development that will affect downstream property, the applicant/developer/property owner shall furnish the City with a letter signed by a Texas Professional Engineer stating that the development as designed will not damage downstream property due to the development's impact on off-site drainage.

(c) Storm water runoff that has been collected or concentrated on lots or tracts of five acres or more shall not be permitted to drain onto adjacent property except into existing creeks, channels or storm sewers, unless proper drainage easements or notarized letters of permission from any affected downstream property owner(s) are provided.

(3) Cross-lot Drainage Prohibited: Drainage between residential lots is the responsibility of the affected applicant/developer/property owner. Applicants/developers/property owners are required to drain surface runoff from an individual lot to a public ROW or to an underground drainage system contained in a public easement and will not be allowed to surface drain onto another lot. The Administrator shall have the discretion to allow modifications to the lot-to-lot drainage requirements where adherence to these requirements would be in conflict with other City ordinances and/or regulations.

(4) Erosion & Sedimentation Control: All erosion and sedimentation controls shall conform to the City's Infrastructure Design Standards and the current National Pollution Discharge Elimination System (NPDES) regulations.

(5) Changing Existing Ditch, Channel, Stream or Drainage Way: No person or entity shall deepen, widen, fill, reclaim, reroute or change the course or location of any existing ditch, channel, stream or drainage way without first obtaining written permission of the Administrator/City Engineer and any other applicable agency (such as FEMA or the U.S. Army Corps of Engineers) having jurisdiction. The Administrator/City Engineer may require preparation and submission of a CLOMR, LOMR, other appropriate map revision or flood study for a proposed development if there are concerns regarding storm

drainage on the subject property or upstream or downstream from the subject property. The costs of such study, if required, shall be borne by the developer.

(6) Siting of Lots & Building Sites: In order to help reduce storm water runoff, and resulting erosion, sedimentation and conveyance of nonpoint source pollutants, the layout of the street network, lots and building sites shall, to the greatest extent possible, be sited and aligned along natural contour lines, and shall minimize the amount of cut and fill on slopes in order to minimize the amount of land area that is disturbed during construction.

(7) Approval: Lots in any proposed subdivision shall not be approved until drainage facilities adequate to prevent flooding have been installed or necessary arrangements made for such installation as required under this Article.

(8) Issuance of Building Permits: On any lot/subdivision designated by the Administrator/City Engineer as requiring completion or partial completion of drainage improvements prior to building construction, no building permits shall be issued prior to a release authorized by the Administrator.

b) Improvements Required Prior To Acceptance of Subdivision

i) Generally; The requirements as set forth below are designed and intended to ensure that, for all subdivisions subject to this Article, all improvements as required herein are installed properly and:

(1) The City can provide for the orderly and economical extension of public facilities and services

(2) All purchasers of property within the subdivision shall have a usable, buildable parcel of land

(3) All required public improvements are constructed in accordance with City's Infrastructure Design Standards

ii) Adequate Public Facilities Policy

(1) The land to be divided or developed must be served adequately by essential public facilities and services. No plat shall be recorded unless and until adequate public facilities exist or provision has been made for water facilities, wastewater facilities, drainage facilities, electricity and street facilities which are necessary to serve the development proposed, whether or not such facilities are to be located within the property being platted or off-site. Wherever the subject property adjoins undeveloped land, or wherever required by the City to serve the public good, utilities shall be extended to adjacent property lines to allow connection of these utilities by adjacent property owners.

iii) Public Improvements Required: Public improvements that are required by the City of Aledo for the acceptance of any subdivision by the City shall include the following:

(1) Water and wastewater facilities

(2) Storm water drainage, collection and conveyance facilities

(3) Water quality, erosion and sedimentation controls

(4) Streets

(5) Street lights

(6) Street signs

(7) Alleys (if provided)

(8) Sidewalks, including ADA approved ramps at street intersections and other appropriate locations

(9) Perimeter landscaping, screening and/or retaining walls (where required)

(10) Common area improvements

(11) Traffic control devices required as part of the project

(12) Appurtenances to the above, all designed and constructed in accordance with ADA standards, if applicable, and any other public facilities required as part of the proposed subdivision

iv) Compliance Required: All aspects of the design and construction of public improvements shall comply with the City's current Infrastructure Design Standards and any other applicable City codes and ordinances, including preparation and submittal of engineering plans and construction inspection.

v) Utility Lines: All utility lines that pass under a street or alley shall be installed before the street or alley is paved. When it is necessary that utility lines pass under the street or alley pavement, they shall be installed to a point at least three (3) feet beyond the edge of the pavement.

vi) Monuments

(1) Block Corner Monuments: Monuments consisting of three-quarter (3/4) inch diameter steel rods twenty-four (24) feet long and set flush with the top of the ground shall be placed at all corners of block lines, the point of intersection of alley and block lines, and at points of intersections of curves and tangents of the subdivision. Each block corner monument shall be marked in a way that is traceable to the responsible RPLS or associated employer.

(2) Lot Corner Monuments: Lot corner monuments shall be placed at all lot corners (except corners which are also block corners), consisting of iron rods or pipes of a diameter of not less than one half (½) inch and twenty-four (24) inches in length, and set flush with the top of the ground.

(3) Curve Point Markers: In addition, curve point markers shall be established of the same specifications as lot corners.

(4) View between Monuments Obstructed: Where, due to topographic condition, permanent structures, or other conditions, the view is obstructed between any two (2) adjacent monuments, intermediate monuments shall be so set as to assure a clear view between adjacent monuments.

(5) Installed Prior to Acceptance & Filing: All required block, lot, and curve monuments shall be installed prior to the final acceptance of the subdivision by the City and prior to filing the plat at the county.

(6) Precision and Error of Closure: All survey work around the boundary area, as well as within the subdivision, shall satisfy the following precision requirements and otherwise comply with 66 Texas Admin. Code §663.13, as applicable:

(a) The actual relative location of corner monuments found or set within the corporate limits of the City shall be reported within a positional tolerance of 1:10,000 + 0.10 feet.

(b) The actual relative location of corner monuments found or set within the extraterritorial jurisdiction of the City shall be reported within a positional tolerance of 1:7,500 + 0.10 feet.

(c) The actual relative location of corner monuments found or set in all rural areas outside the corporate limits and extraterritorial jurisdiction of the City shall be reported within a positional tolerance of 1:5,000 + 0.10 feet.

(d) Areas, if reported, shall be produced, recited, and/or shown only to the least significant number compatible with the precision of closure.

(e) Survey measurement shall be made with equipment and methods of practice capable of attaining the tolerances specified by these standards.

(f) Positional tolerance of any monument is the distance that any monument may be mislocated in relation to any other monument cited in the survey.

vii) Subdivisions Containing Five (5) Acres or More: A subdivision containing five (5) acres or more shall have at least two (2) monuments set by the RPLS, if not already existing, for two (2) corners of the subdivision, and such monuments shall be located at opposite ends (or at widely separated corners) of the subdivision and clearly shown on the Final Plat prior to filing at the county. The Final Plat shall also show clear ties to existing monuments in the vicinity of the subdivision.

viii) Streetlights: Streetlight locations and installations shall be coordinated by the applicant/developer with the power company and the City. Street lighting shall conform to the latest edition of the Illuminating Engineering Society Handbook. Streetlights shall be installed a maximum distance of 600 feet apart, at intersections, and at the ends of cul-de-sacs. The applicant/developer shall pay for the electricity used by the streetlights until

building permits are issued for eighty percent (80%) of the lots, after which time the City shall pay for the cost of electricity used.

ix) Street Names and Signs: Street names must be submitted to the City for review and approval in accordance with this section and the City's guidelines for the naming of streets.

(1) Preliminary Plat: Proposed Street names shall be submitted for review as a part of the Preliminary Plat application and shall become fixed at the time of approval of the Preliminary Plat.

(2) Final Plat. On the Final Plat, street names shall not be changed from those that were approved on the Preliminary Plat unless special circumstances have caused the major realignment of streets, or a proposed street name(s) is discovered to have already been used elsewhere in the City (or some other similar eventuality). If additional street names are needed for the Final Plat, then they must be submitted for review and approval by the City, along with the Final Plat application.

(3) Streets Named for Corporations/Businesses Prohibited: The names of corporations or businesses shall not be used as street names, unless approved by City Council.

(4) List of Street Names Maintained: The City will maintain a list of existing street names that are essentially "reserved" names that have previously been approved on a Preliminary Plat and will update the list as new streets are platted.

(5) Duplication & Similarities Prohibited: New street names shall not duplicate existing street names either literally or in a subtle manner (for example, Smith Street vs. Smythe Street; Oak Drive vs. Oak Place vs. Oak Court vs. Oak Circle; Lantern Way vs. Land Tern Way; Cascade Drive vs. Cascading Drive); shall not be so similar as to cause confusion between names (for example, Lakeside Drive vs. Lake Side Drive vs. Lake Siding Drive).

(6) Extension of Existing Streets: Any new street that extends an existing street shall bear the name of the existing street unless otherwise approved by the P&Z Commission and City Council.

(7) Street Sign Installation

(a) Street name signs shall be installed by the applicant/developer/property owner at all intersections within or abutting the subdivision. Such signs shall be of a type approved by the City and shall be installed in accordance with the standards of the City. Traffic signs shall be furnished in accordance with the latest Texas Manual on Uniform Traffic Control Devices (MUTCD).

(b) Timing of Installation: All street signs shall be installed before final acceptance of the subdivision by the City.

x) Street and Alley Improvements

(1) Facilities Constructed by the Developer: All facilities, such as internal streets and alleys, existing or proposed streets located immediately adjacent to the property, that are

required to be constructed or improved to adequately serve the development, shall be constructed by the developer at the developer's expense, unless otherwise allowed by this Article.

(2) Construction and Design: All streets and alleys shall be designed and constructed to meet the City's Infrastructure Design Standards and shall conform in width and section to any approved development specific ordinance, this Article or adopted Master Thoroughfare Plan.

(3) Paving Standards: The developer shall construct all streets and alleys according to the standards contained within the City's Infrastructure Design Standards.

(4) ADA Compliance: In addition to the above-mentioned minimum standards, barrier- free ramps for physically challenged persons shall be constructed at all street intersections, driveway approaches, appropriate mid-block crosswalks, and in locations where accessible parking spaces are provided. All barrier-free ramps and other accessibility considerations shall comply with the Highway Safety Act, as amended, and with the Americans with Disabilities Act (ADA), as amended.

(5) Signs and Barricades: All signs and barricades shall be in conformity with the City's Infrastructure Design Standards, with ADA standards, and with specifications for uniform traffic control devices, as adopted by the City, Parker County, Texas Department of Transportation, or the Texas Department of Public Safety, as applicable.

xi) Subdivision Perimeter Fencing, Buffering and Landscaping

(1) Subdivision Perimeter Fencing shall be required per standards in Article 3: Development Standards or per a development specific ordinance as approved by the P&Z and the City Council.

(2) Buffering and Landscaping for any common areas or public improvements shall be required per standards in Article 3: Development Standards or per a development specific ordinance as approved by the P&Z and City Council.

(3) The developer shall provide (at his/her expense) such required fencing, buffering and/or landscaping prior to acceptance of a subdivision by the City.

xii) Subdivision Identification Signs

(1) Subdivision Identification Signs are permitted at the entrance of residential subdivisions which are bisected by one (1) or more streets. Such subdivisions must have:

(a) Ten (10) or more platted single-family or duplex, triplex, quad-plex residential lots

(b) Twenty (20) or more multi-family units

(2) Subdivision Identification Signs may be free standing or may be incorporated on a subdivision perimeter fence located in an appropriate easement.

(3) Standards:

(a) The maximum size of a Subdivision Identification Sign shall be fifty (50) square feet per sign with a maximum height of six (6) feet unless an alternative design is otherwise approved by the City Council.

(b) Signs may be located at each corner of an intersection of an entrance street or within the median of a divided street but shall not be located in within visibility triangles.

(c) The design of the Subdivision Identification Sign shall be in accordance with the City's Sign Ordinance or Infrastructure Design Standards, as applicable.

(d) The design of the Subdivision Identification Sign (including any related perimeter fence) shall be reflected on materials/plans submitted along with the Preliminary Plat and the engineering plans.

xiii) Water and Wastewater Requirements

(1) Installation: The design, construction and installation of all water and wastewater lines shall be in conformance with this Article 5 and any adopted master plans and City Infrastructure Design Standards and shall be approved by the Administrator/City Engineer.

(2) Provision for Water & Wastewater Required: No Final Plat shall be approved nor subdivision accepted within the City or its extraterritorial jurisdiction until the applicant/developer/property owner has made adequate provision for a water system, fire protection, and a sanitary sewer system per the requirements of this Article 5.

(3) Safe Water Supply & Fire Protection: Water system mains of sufficient size and having a sufficient number of outlets to furnish adequate and safe domestic water supply and to furnish fire protection to all lots shall be provided.

(4) Water and Wastewater Mains to Property Line: Water and wastewater mains shall extend to the farthest property line in order to allow future connections into adjacent undeveloped property unless otherwise authorized by this Article 5.

(5) Utilities to Property Line of Each Lot: Services for utilities shall be made available to the property line of each lot in such a manner as will minimize the necessity for disturbing the street pavement and drainage structures when connections are made.

(6) Fire Protection: Fire hydrants and protection apparatus shall be provided in accordance with the City's Infrastructure Design Standards, and with any other City policy or ordinance pertaining to fire protection or suppression.

(a) The Administrator/Fire Marshall/Fire Chief shall have the authority to approve the locations and placement of all fire hydrants, fire lanes, and easements in accordance with the adopted Fire Code. Fire hydrant spacing or fire lane placement may be modified based upon special design or distance circumstances with approval of the Administrator/Fire Marshall/Fire Chief.

(b) Vertical construction (i.e., any building construction above foundation/slab level) shall not commence until all required fire lanes are properly installed and accepted by the City, nor until all fire hydrants have been installed, inspected, tested and accepted by the City.

xiv) Storm Drainage & Water Quality Controls

(1) Adequate Storm Sewer System Required: An adequate storm sewer system consisting of inlets, pipes and other underground structures with approved outlets shall be constructed where runoff of storm water and the prevention of erosion cannot be accomplished satisfactorily by surface drainage facilities.

(2) Areas Subject to Flood Conditions or Storm Water Retention: Areas subject to flood conditions or inadvertent storm water retention, such as standing or pooling water, as determined by the Administrator, will not be considered for development until adequate drainage has been provided.

(3) Design: The criteria for use in designing storm sewers, culverts, bridges, drainage channels, and other drainage facilities shall conform to the requirements of this Article and any adopted City Infrastructure Design Standards.

(4) Maintenance Bond:

(a) The developer shall ensure that all drainage improvements within public easements or rights-of-way are functioning properly prior to the expiration of the maintenance/performance bond.

(b) Responsibility: The developer shall be responsible for removing any significant build-up of sediment or debris from drainage improvements, through maintenance/performance bond time period for the applicable facilities.

(c) City Inspection: The City shall inspect the improvements to determine any maintenance or correction of deficiencies at the conclusion of this period.

(5) Storm Water Pollution Prevention Plan (SWPPP):

(a) An SWPPP shall be provided for storm water discharge in accordance with Texas Pollutant Discharge Elimination System (TPDES) general permit, TXR150000, and/or Environmental Protection Agency (EPA) regulations. This shall include the assumption of responsibility of said pollution prevention system, including the design and implementation of said system, complete in place. Moreover, when it comes to SWPPP, only the developer/contractor has the sole authority, responsibility and control over plans and specifications of the said SWPPP and can make changes to those specifications for the entire project as deemed necessary or needed to remain in compliance with the Texas Commission on Environmental Quality (TCEQ) and/or EPA regulations.

(b) When site stability is achieved in accordance with the SWPPP, the developer shall remove the control apparatuses, devices, and systems and remove accumulated silt and debris.

xv) Private Utilities

(1) Utility companies shall submit plans when constructing new overhead lines, underground lines, and upgrading existing lines within the rights-of-way. The City shall review and permit such plans per the requirements in this Ordinance, any applicable state laws, and the City's Infrastructure Design Standards. Non- emergency utility work shall be coordinated with the City's Capital Improvements Plan to reduce disruption due to construction to the community. Utility companies are not required to obtain a permit in the event of an emergency to restore service.

(2) All subdivision plats shall provide for utility services such as electrical, gas, telephone, and cable TV utility (lateral and/or service distribution) lines and wires including, but not limited to, street lighting, to be placed underground.

(3) The Developer shall be responsible for obtaining verification from the utility companies for easement locations and widths prior to the final approval of construction plans by the City. Any changes during construction shall be approved by the utility companies and the City.

(4) Where existing overhead service or lateral/distribution utilities lines are located within the land proposed for development and the lines must be relocated to accommodate the development, the Developer is responsible for relocation and placement of the lines underground.

(5) All new service lines to individual lots in a subdivision shall be placed underground.

(6) In special or unique circumstances or to avoid severe hardships that are not financial, the City may authorize waivers to this requirement and permit the construction and maintenance of overhead electric utility lateral or service lines and of overhead telephone or cable TV lines and may approve any plat with such approved exceptions. Such waivers may only be approved by the City Council prior to Final Plat approval and upon the execution of the thirty (30) day waiver by the applicant.

(7) Where electrical service is to be placed underground, all other utilities, including circuits for street and site lighting, except street lighting standards, shall also be placed underground.

(8) Each of the utility companies shall be responsible for developing administrative policies and cost reimbursement procedures for the installation and extension of their underground utilities. Each utility company shall have the right to charge or recover costs associated with installing underground utilities in accordance with the respective utility's Tariff for Service and/or Line Extension Policy. No utility company shall be required to begin construction of underground facilities unless and until the owner or Developer of the subdivision has made arrangements with the respective utility

company for payment in accordance with that respective utility's Tariff for Service and/or Line Extension Policy governing utility installations and their cost.

(9) Temporary construction service may be provided by overhead electric lines and facilities without obtaining a waiver, provided that when the underground utility service to any portion of a subdivision is completed, such overhead electric lines and facilities are promptly removed.

(10) All installations regulated by this section shall also conform to the standards for utility construction as per the City's Infrastructure Design Standards.

c) Requirements For Acceptance of Subdivisions by The City

i) Withholding City Services and Improvements until Acceptance

(1) General Policy

(a) The City will withhold all City services and lot permits of any type until all required improvements are properly constructed according to the approved engineering plans and to City's Infrastructure Design Standards, and until such public improvements are dedicated to and accepted by the City.

(b) The City will withhold all permits until all development-related fees, including park fees have been paid.

(2) Guarantee of Public Improvements

(a) Developer's Guarantee: Before final acceptance of a subdivision located all or partially within the City or its extraterritorial jurisdiction, the City must be satisfied that all required public improvements have been constructed in accordance with the approved engineering plans and with the requirements of this Article.

(3) Development Agreements & Guarantee: The Administrator may waive the requirement that the developer/applicant complete and dedicate all public improvements prior to final acceptance of the subdivision and may permit the developer to enter into a Development Agreement by which the developer pledges to complete all required public improvements no later than two years following the date upon which the remainder of the subdivision is accepted. The Administrator may also require the developer to complete or dedicate some of the required public improvements prior to final acceptance of the subdivision, and to enter into a Development Agreement for completion of the remainder of the required improvements during such two-year period. The Development Agreement shall contain such other terms and conditions as are agreed to by the developer and the City and shall be approved by the City Council.

(4) Development Agreement Required for Oversize Facility Reimbursement: The City may participate in the oversizing of water and sewer facilities required to serve the land areas and improvements beyond the subdivision. The City shall require a Development Agreement pertaining to any public improvement for which the developer shall request

reimbursement from the City for oversize costs. Such agreements shall only be approved by the City Council.

(5) Financial Guarantee:

(a) Whenever the City permits a developer/applicant to enter into a Development Agreement, it shall require the developer/applicant to provide sufficient financial guarantee, covering the completion of the public improvements. The financial guarantee shall be in the form of cash escrow or, where authorized by the City, a Performance Bond or letter of credit or other instrument acceptable to the Administrator and the City Attorney. The financial guarantee shall be in an amount equal to 110 percent of the estimated cost of completion of the required public improvements and lot improvements. The City Engineer shall review and approve the cost estimates provided by the developer.

(b) Additional Financial Guarantee. If the financial guarantee on any Performance Bond furnished by the developer/applicant is declared bankrupt, or becomes insolvent, or its right to do business is terminated in the State of Texas, or if the financial guarantee ceases to meet the requirements listed in Circular 570, the developer shall, within twenty (20) calendar days thereafter, substitute another Performance Bond which must be acceptable to the City.

(c) Withholding Until Improvements or Other Financial Guarantee: The City may withhold building permits; certificate of occupancy permits or utility connections until required public improvements are completed or other financial guarantee is provided to the City.

(d) Reducing Amount of Financial Guarantee: As portions of the required public improvements are completed, the developer/applicant may make written application to the City to reduce the amount of the original financial guarantee. If the City is satisfied that such portion of the improvements has been completed in accordance with approved plans and City's Infrastructure Design Standards, the Administrator may allow the amount of the financial guarantee to be reduced by such amount that is deemed appropriate, so that the remaining amount of the financial guarantee adequately insures the completion of the remaining required public improvements.

(6) Escrow Policies and Procedures for Streets:

(a) Whenever this Article requires a developer/applicant to construct a street or thoroughfare, the developer/applicant may petition the City to construct the street or thoroughfare, usually at a later date, in exchange for deposit of escrow as established in this section.

(b) The basis of such petition shall be the existence of unusual circumstance(s), such as a timing issue due to pending street improvements by the City or another agency such as TxDOT or Parker County that would present undue hardships or that would impede public infrastructure coordination or timing.

(c) The City Council shall review the particular circumstances involved, and shall determine, at its sole discretion, whether or not provision of escrow deposits will be acceptable in lieu of the developer's obligation to construct the street or thoroughfare at the time of the subdivision development.

(d) Whenever the City Council agrees to accept escrow deposits in lieu of construction by the developer of the street or thoroughfare, the developer shall deposit in escrow with the City an amount equal to costs of the following:

1. Administration
2. Advertisements
3. Bidding
4. Bonds
5. Contingency
6. Testing
7. Design
8. Construction
9. Permits
10. Reviews and approvals
11. Inspections
12. Any additional land acquisition

(e) An appropriate (and realistic) inflation factor to ensure that the actual "future dollar" costs will be covered when actual construction occurs in the future

(f) Determination of Escrow Amount. The amount of the escrow shall be determined by using the maximum comparable "turn-key" bid price of construction of the street or thoroughfare improvements (including the items listed in subparagraph (d) above).

(g) The escrow amount shall be paid prior to release (approval) of engineering plans by the City Engineer. The obligations, responsibilities, and related liability of the developer shall become those of the developer's transferees, successors, and assigns.

(h) Escrowed amounts, along with any interest accrued on such amount, may be used for the purposes outlined in subparagraph (d) above to undertake construction of the facilities that are required as part of the development for which the escrow was submitted.

(i) Escrows, or portions of escrowed amounts, which have been placed with the City under this section and which have been held for a period of ten (10) years from the

date of such payment or agreement, in the event that the City has not authorized the preparation of plans and specifications for construction of such street facilities for which the escrow was made, shall, upon written request, be returned to the Developer, along with its accrued interest. Such return does not remove any obligations of the developer for construction of the required facilities if a building permit has not been issued on the subject lot or if a new building permit is applied for.

(j) If any street or thoroughfare for which escrow is deposited is constructed by a party other than the City or is reconstructed by another governmental authority at no cost to the City, the escrowed funds and accrued interest shall be refunded to the developer/applicant who originally paid the escrow amount after completion and acceptance of the public improvements. If a portion of the cost is borne by the City and the other portion of the cost by another party or governmental authority, the difference between the developer's actual proportionate cost and the escrowed funds, including accrued interest, if any, shall be refunded after completion and acceptance of the improvements.

ii) Temporary Improvements

(1) Responsibility: The developer/applicant shall build and pay for all costs of any temporary improvements required by the City and shall maintain such improvements for the period specified by the City.

(2) Temporary Easement: Any temporary improvement (e.g., a temporary cul-de-sac, alley turnout, drainage swale, erosion control device, etc.) shall be placed within a temporary easement established specifically for that purpose. The recording information of the instrument establishing the temporary easement shall not be shown on the Final Plat unless it is a permanent easement for the subdivision. A temporary easement may be abandoned with the Administrator's written consent.

iii) Failure to Complete Improvements: In those cases where a Development Agreement has been executed and financial guarantee has been posted, and the required public improvements have not been installed within the terms of the agreement, the City may:

(1) Declare the agreement to be in default and require that all the public improvements be installed regardless of the extent of completion of the development at the time the agreement is declared to be in default.

(2) Suspend any previously authorized building construction activity within the Subdivision until the public improvements are completed and record a document to that effect for the purpose of public notice.

(3) Obtain funds under the financial guarantee and complete the public improvements itself or through a third party.

(4) Assign its right to receive funds under the financial guarantee to any third party, including a subsequent owner of the subdivision for which public improvements were

not constructed, in whole or in part, in exchange for that subsequent owner's promise to complete the public improvements on the property.

(5) Exercise any other rights or remedies available under the law.

iv) Maintenance Guarantee

(1) A developer shall furnish a good and sufficient maintenance bond issued by a reputable and solvent corporate surety approved by the Texas Insurance Commission, in favor of the City, to indemnify the City against and guarantee the costs of any repairs which may become necessary to any part of the construction work performed in connection with the subdivision, arising from defective workmanship or materials used therein, for a full period of two (2) years from the date of final acceptance of the entire project or a phase of the project, if the City elects to accept a particular phase before the entire project is completed.

(2) A separate maintenance bond must be furnished for work done under each contract for each part of such construction work unless otherwise authorized by the City.

(3) Final acceptance will be withheld until said maintenance bond is furnished to and approved by the City Attorney. The maintenance bond shall have attached thereto a copy of the construction contract for such improvements and other information necessary to determine the validity and enforceability of such bond. When the bond has been examined and approved, the City Attorney shall specify in writing to the Administrator. No permits shall be issued by the City on any piece of property other than an original or a re-subdivided lot in a duly approved and recorded subdivision or on a lot of separate ownership of record prior to the approval of any required maintenance bond.

(4) The Administrator may waive the requirement for a maintenance bond for projects with a construction cost of $5,000 or less.

v) Construction Procedures

(1) Site Development Permit: A Site Development Permit shall be required from the City prior to beginning any site development-related work in the City or its extraterritorial jurisdiction which affects erosion control, grading, storm drainage, clear-cutting of trees, or a flood plain.

(2) Conditions Prior to Authorization: Prior to issuing a Site Development Permit, the Administrator shall be satisfied that the following conditions have been met:

(a) The Final Plat has been approved (and any conditions of such approval have been satisfied)

(b) All required engineering plans and documents are completed and approved by the City.

(c) All contractors participating in the construction shall be presented with a set of approved plans bearing the stamp of approval of the City, and at least one (1) set of these plans shall remain on the job.

(d) A complete list of the contractors, their representatives on the site, and telephone numbers where a responsible party may be reached at all times must be submitted to the City.

(e) All applicable fees must be paid to the City

(3) Nonpoint Source Pollution Controls and Tree Protection: All nonpoint source pollution controls, erosion controls, and tree protection measures and devices shall be in place, to the City Engineer's satisfaction, prior to commencement of construction on any property.

vi) Inspection and Acceptance of Public Improvements

(1) The developer shall provide an inspection service per the City's standards to ensure that construction is being accomplished in accordance with the plans and specifications approved by the City.

(2) The developer shall notify the City at least forty-eight (48) hours prior to commencement of construction. This notice shall give the location and date of the start of construction.

(3) The City shall have the right to inspect any construction work being performed to ensure that it is proceeding in accordance with the intent of the provisions of this Article.

(4) If the City finds, upon inspection, that any of the required public improvements have not been constructed in accordance with the approved construction plans, the City's standards and/or Infrastructure Design Standards, then the developer shall be responsible for completing and correcting the deficiencies (at the developer's expense) such that they are brought into conformance with the applicable standards.

(5) Letter of Satisfactory Completion:

(a) The City will only deem required public improvements satisfactorily completed when the developer's engineer or RPLS has certified to the City (through submission of detailed sealed "as-built", or record, drawings of the property [digital and hard copy]) drawings that indicate all public improvements and their locations, dimensions, materials and other information required by the City, and when all required public improvements have been completed.

(b) When the requirements of subsection (a) above have been met to the Administrator's and City Engineer's satisfaction, and when a maintenance bond has been received and approved as required in Section 5.5.c.iv: Maintenance Guarantee, the Administrator shall issue a Letter of Satisfactory Completion.

(6) Effect of Acceptance: Acceptance of the development shall mean that the developer has transferred all rights to all the public improvements to the City for use and

maintenance, subject to the two (2) year Maintenance Bond (see Section 5.5.c.iv: Maintenance Guarantee).

vii) Issuance of Building Permits and Certificates of Occupancy

(1) Building Permit:

(a) A building permit shall only be issued for a lot, building site, building or use after the lot or building site has been officially recorded by a Final Plat approved and filed per Article 3, and after all public improvements have been completed per this Article.

(b) Notwithstanding the (a) above, a permit may be issued as outlined below, provided that an agreement providing sufficient financial guarantee (see Section: Guarantee of Public Improvements) is approved for the completion of all remaining Public Improvements.

(i) Building "Foundation-Only" Permit: A building "foundation only" permit may be issued for a nonresidential or multi-family development. However, the building permit shall not be issued and building construction shall not be allowed to surpass the construction of fire protection improvements. In other words, the building shall not proceed above the slab level until all required fire lanes have been completed, and until all water lines serving fire hydrants have been completed, inspected and tested.

(ii) Possible Release of Lots. The Administrator may release some residential building permits for not more than ten (10) percent of the lots within a new residential subdivision, provided that all public improvements have been completed for that portion of the development including those required for fire and emergency protection. No lot may be sold, nor title conveyed until the Final Plat has been recorded with Parker County.

(2) Certificate of Occupancy:

(a) A Certificate of Occupancy shall only be issued for a building or the use of property after a Final Plat has been approved and filed per Article 3, and after all subdivision improvements have been completed and accepted.

(b) Notwithstanding (a) above, a Certificate of Occupancy may be issued provided that an agreement providing sufficient financial guarantee (see Section 5.5.c.i.2: Guarantee of Public Improvements) is approved for the completion of all remaining Public Improvements, and provided that the structure is safely habitable in accordance with the City's adopted building codes. No Lot may be sold, nor title conveyed until the Final Plat has been recorded with Parker County.

Article 6 – Definitions

Abutting Property: Property that adjoins another property, except that property adjacent to a street shall also be understood as abutting property on the other side of the street.

Accessory Building or Use: An accessory building or use is one which: is subordinate to and serves a principal building or principal use; and is subordinate in area, extent, or purpose to the principal building or principal use served; and contributes to the comfort, convenience and necessity of occupants of the principal building or principal use served; and is located on the same building lot as the principal use served.

Accessory Dwelling Unit (ADU): A smaller, secondary home on the same lot as a primary dwelling. ADUs are independently habitable and provide the basic requirements of shelter, heating, cooking, and sanitation. There are two types of ADUs:

a. Garden cottages are detached structures. Examples include converted garages or new construction.
b. Accessory suites are attached to or part of the primary dwelling. Examples include converted living space, attached garages, basements or attics; additions; or a combination thereof.

Adjacent: Shall mean "next to" or "closest to" but not necessarily "touching".

Airport, Landing Field: A place where an aircraft can land and take off, usually equipped with hangers, facilities for refueling and repair, and various accommodations for passengers and/or freight.

Alley: A public right of way which affords only secondary means of access to property abutting thereon.

Amusement, Commercial:

> **Indoor:** An establishment providing activities, services and instruction for the entertainment, exercise and improvement of fitness and health of customers, clients or members but not including hospitals, clinics, massage parlors or arcades. Uses would typically include bowling alleys, ice or roller skating rinks, racquetball and handball courts, indoor tennis courts, weight lifting and nautilus facilities, exercise areas, swimming pools and spas, bingo parlors, martial arts, classrooms and/or practice areas, gymnasiums and indoor running or jogging tracks
>
> **Outdoor:** An outdoor area or structure, open to the public, which provides entertainment or amusement for a fee or admission charge, including but not limited to batting cages, miniature golf, go-kart tracks and carnivals.

Antenna/Microwave Reflector: An apparatus constructed of solid, mesh, or perforated materials of any configuration that is used to receive and/or transmit microwave signals from a terrestrial or orbital located transmitter or transmitter relay. This definition is meant to include but is not limited to what are commonly referred to as satellites which receive only earth stations.

Antenna/Radio or Television: The arrangement of wires or metal rods used in sending and/or receiving electromagnetic waves.

Antique Shop: A retail establishment engaged in the selling of works of art, furniture or other artifacts of an earlier period, with all sale and storage occurring inside a building.

Apartment: A room or suite of rooms in a multifamily dwelling or apartment house designed or occupied as a place of residence by a single family, individual or group of individuals.

Apartment House: Any building or portion thereof, which is designed, built, rented, leased, or let to be occupied as a home or place of residence by three (3) or more families living in independent Living Units.

Approach mains

> **Water.** An off-site water main (not adjacent to the subject development) that is required to connect a development to a source of adequate supply. An approach main shall not be less than eight inches in diameter and in all cases shall be of a size large enough to serve both the development for which service is requested and the ultimate development for adjoining areas, as determined by the City's engineer.
>
> **Sewer.** The off-site sanitary sewer required of sufficient size, but not less than eight inches in diameter, to serve the entire drainage area in which it is to be constructed, both inside and outside of a developer's property, under ultimate development conditions, to connect sanitary sewer facilities in the development to the City's sanitary sewerage system.

Arcade: An establishment in which there are located six (6) or more coin operated skill or amusement machines.

Area, Lot or Building Site: The area shall be the net area of the lot or site and shall not include portions of streets and alleys.

As-built plans: Community facilities plans of record that include any significant changes that occurred during construction from the plans as they were originally approved by the City's engineer. These may also be referred to as "record drawings."

Awning: An architectural projection which provides weather protection, identity, or decoration, and is supported by the building to which it is attached. It is composed of a lightweight rigid or retractable skeleton structure over which another cover is attached, which may be of fabric or other material. Such signs may be raised or retracted to a position against the building and may be illuminated.

Auction: Public sale of property to the highest bidder.

Auto Accessory Sales and Installation: A facility or area for the retail sale and installation of after-market automobile accessories (i.e., window tinting, alarms, stereos, or related equipment). State inspection stations are not included in this definition. The resurfacing of rotors, pressing of bearings, grinding of brake drums, and similar activities are not permitted as incidental uses.

Auto Laundry: The use of automated machinery in the washing of vehicles.

Auto Leasing: Storage and leasing of automobiles, motorcycles, and light load vehicles.

Auto Parts Sales

Inside: The use of any building or other premises for the display and sale of new or used parts for automobiles, panel trucks, vans, tractor trailers, or recreational vehicles.

Outside: The use of any land area for the display and sale of new or used parts for automobiles, panel trucks, vans, tractor trailers, or recreational vehicles.

Automobile Repair

Major: General repair or reconditioning of engines and air-conditioning systems for motor vehicles; wrecker service; collision services including body, frame or fender straightening or repair; customizing; overall painting or paint shop; vehicle steam cleaning; those uses listed under "automobile repair, minor", and other similar uses. Automobile repair garages shall not allow automobiles which are inoperative or are being repaired to remain outside such service station for a period greater than thirty (30) days.

Minor: Minor repair or replacement of parts, tires, tubes, and batteries; diagnostic services; minor motor services such as grease, oil, spark plug, and filter changing; tune-ups; emergency road service; replacement of starters, alternators, hoses, brake parts; automobile washing and polishing; performing state inspections and making minor repairs necessary to pass said inspection; normal servicing of air-conditioning systems, and other similar minor services for light load vehicles, but not including any operation named under "automobile repair, major" or any other similar use. Automobile repair garages shall not allow automobiles which are inoperative or being repaired to remain outside such service station for a period greater than thirty (30) days.

Automobile, Trailer, and RV Sales

New: Building(s) and associated open area other than a street or required automobile parking space used for the display or sale of primarily new automobiles, light trucks, recreational vehicles or trailers, to be displayed and sold on premises, and where no repair work is done except minor reconditioning of the automobiles and trailers to be displayed and sold on the premises, and no dismantling of automobiles or trailers for sale or keeping of used automobile and trailer parts or junk on the premises.

Used: Building(s) and associated open area other than a street or required automobile parking space used for the display and sale of used automobiles, light trucks, recreational vehicles or trailers in operating condition and where no repair work is done except the minor adjustments of the vehicles to be displayed or sold on the premises. A used car sale area shall not be used for the storage of wrecked automobiles or the dismantling of automobiles or the storage of automobile parts or junk on the premises.

Automobile Service Station: A building or place arranged, designed, used, or intended to be used for the primary purpose of dispensing gasoline, oil, diesel fuel, liquefied petroleum gases, greases, batteries, and other automobile accessories at retail direct to the on-premise motor vehicle trade provided that the above services shall not be construed to include major overhaul, the removal and/or rebuilding of an engine, cylinder head, oil pan, transmission, differential, radiator, springs, or axles; steam cleaning, body or frame work, painting, upholstering and replacement of glass. If the dispensing or offering for sale of auto fuel at retail is incidental, the premises shall be classified as a public garage. Service stations shall

not allow automobiles which are inoperative or are being repaired to remain outside such service stations for a period greater than seven (7) days.

Auto Storage: The storage on a lot or tract of operable automobiles for the purpose of holding such vehicles for sale, distribution, or storage.

Automobile Wrecking Yard or Junk Yard: Any building, structure, or open area used for the dismantling or wrecking of any type of used vehicles or the storage, sale, or dumping of dismounted or wrecked vehicles or their parts and accessories, including any farm vehicles or farm machinery or parts thereof, stored in the open and not being restored to operating condition, including the commercial salvaging, storage, and scraping of any other goods, articles, or merchandise.

Bakery and Confectionary:

> **Retail Sales:** A place for preparing, cooking, baking, and selling of products on the premises.
>
> **Commercial:** A place for preparing, cooking or baking products primarily intended for off-premise distribution.

Bank, Savings, and Loan, Credit Union: An establishment for the custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds.

Banner: A sign made of paper, plastic, or fabric, with or without a frame, containing characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric. Banner does not include a flag.

Barber Shop: A place where barbering, as defined in Chapters 1601 and 1603 of the Texas Occupation Code, is practiced, offered, or attempted to be practiced, except when such place is duly licensed as a barber school or college.

Barber School or College: A place of training for the practice of barbering, as defined in Chapters 1601 and 1603 of the Texas Occupation Code, meeting standards established in the Texas Occupation Code.

Basement: A building story, which is partly underground, but having at least one-half of its height above the average level of the adjoining ground. A basement shall not be counted as a story in computing building height.

Benefited property: A lot or tract to which water or sewer service is made available or an adjacent street is improved.

Beauty Shop: A place where cosmetology, as defined in Sections 1602 and 1603 of the Texas Occupation Code, is practiced.

Billboard: A sign which directs attention to a business, person, organization, activity, event, place, commodity, product, or service conducted, sold, or offered at a location other than the premises on which the sign is located.

Block: An area enclosed by streets and occupied by or intended for buildings; where this word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two (2) streets which intersect said street on said side.

Board: The Zoning Board of Adjustment of the City of Aledo.

Boarding or Rooming House: A building, other than hotel or multiple family dwelling, where lodging is provided to persons for compensation, and where facilities for food preparation are not provided in individual rooms. Facilities usually referred to as "bed and breakfast" arrangements are included in this definition.

Border street: A street which divides properties under separate ownership.

Buildable Width: The width of the building site left to be built upon after the required side yards are provided.

Builder's directional sign: A temporary sign which provides direction or instruction to guide persons to sites where new homes are under construction, usually off-premises.

Building: Any structure built for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind. When subdivided in a manner sufficient to prevent the spread of fire, each portion so subdivided may be deemed a separate building.

> **Detached:** A building surrounded by yard or open space on the same building lot as the main building.
>
> **Building Ends:** Those sides of a building having the least dimension as compared to the front or rear of a building. As used in the building space regulations for multiple-family dwelling, the term "building end" shall mean the narrowest side of a building regardless of whether it fronts upon a street faces the rear of the lot or adjoins the side lot line or another building.
>
> **Building, Front of:** The side of a building most nearly parallel with and adjacent to the front of the lot on which it is situated.

Building Inspector: The Building Official or person charged with the enforcement of the zoning and building codes of the City of Aledo.

Building Line or Setback: A line parallel or approximately parallel to the street I ROW line (property line) at a specified distance therefrom constituting the minimum distance from the street/ ROW line (property line) that a building may be erected. A building line or setback from the property line also applies to side and rear yards.

Billboard: A sign which directs attention to a business, person, organization, activity, event, place, commodity, product, or service conducted, sold, or offered at a location other than the premises on which the sign is located.

Bus Terminal: Any premises for the transient housing or parking of motor-driven buses and the loading and unloading of passengers.

Business Service: Establishments primarily engaged in providing services not elsewhere classified to business enterprises on a fee contract basis including but not limited to advertising agencies, computer programming and software services, and office equipment rental or leasing.

Cabinet and Upholstering Shop: An establishment used for the production, display and sale of furniture and soft coverings for furniture.

Canopy: A structure made of metal or other material with a frame supported by either one or more columns or the building to which it is accessory and is open on two or more sides.

Car Wash: Facility or structure used to wash motorcycles, automobiles, vehicles and trucks.

Carport: A structure open on a minimum of three (3) sides designed or used to shelter vehicles, not to exceed thirty-six (36') feet on its longest dimension.

Cemetery or Mausoleum: An area or structure designed to contain the remains of humans or animals for permanent interment.

Childcare Center: An establishment where four (4) or more children are provided care, training, education, treatment, or supervision for less than twenty-four (24) hours a day. The term "childcare center" shall not include medical treatment, counseling, or rehabilitative services and does not apply to any school (Also see Registered Family Home).

Church, Rectory, or Place of Worship: A building for regular assembly for religious worship which is used primarily for such purpose and customary accessory activities including a place of residence for ministers, priests, rabbis, teachers, or directors on the premises.

City: The City of Aledo, Texas, including all its governing and operating bodies.

City Council: the governing and legislative body of the City of Aledo.

City Manager: That person appointed as City Manager by the City Council, or his designee.

City Engineer: That person or group of persons appointed as City engineer.

City Planner: That person or group of persons appointed as City planner.

City requirements: The design and construction standards, ordinances, policies, approved plans and specifications, profiles, grades, lines and agreements as required for the construction of community facilities.

City Secretary: That person appointed by the City Council under the authority of the Texas Local Government Code and includes any deputies appointed by the City Council.

Civic Center: A building or complex of buildings that houses municipal offices and services and which may include cultural, convention and/or entertainment facilities owned and/or operated by a governmental agency.

Cleaning and Dyeing, Small Plant or Shop: A custom cleaning shop not exceeding five thousand (5,000) square feet of floor area or a pickup station.

College or University: An institution established for educational purposes offering courses of study beyond the secondary education level but excluding trade and commercial schools.

Commercial development: All properties (other than single-family or two-family residential) which require extensions of community facilities due to new construction or expansion improvements on the property.

Commercial establishment: Any establishment other than a one- or two-family dwelling unit.

Commercial property: Any property zoned for land uses other than single-family or two-family residential uses.

Commission: The City planning and zoning commission.

Community Center:

> **Private:** A building or buildings dedicated to social and/or recreational activities serving residents of a subdivision or development which is operated by an association or incorporated group for their use and benefit.
>
> **Public:** A building or buildings dedicated to social and/or recreational activities, serving the city or a neighborhood and owned and operated by the city or by a non-profit organization dedicated to promoting the health, safety, morals, or general welfare of the City.

Community facilities: Any facility which is used by or benefits the public and dedicated to the City for the public's use to include, but not be limited to, water mains, sewer mains, streets, alleys, sidewalks, curbs, gutters and drainage facilities and traffic signals or hike and bike trails, as needed, in keeping with the parks and open space master plan.

Comprehensive plan: The policy plan (including revisions) of the City and adjoining areas recommended by the City planning and zoning commission, adopted by the City Council and consisting of a land use plan, a thoroughfare plan, a parks and open space plan, goals pertaining to urban design, historic preservation, public infrastructure, economic development and community environment as well as other plans and goals necessary to satisfy the long term planning needs of the City.

Concept plan: A sketch or rough layout of the proposed development plans for use in the preapplication conference to be submitted by the developer or subdivider at a size and at a scale not less than one inch equals 400 feet.

Construction sign: A temporary sign identifying individuals or companies involved in design, construction, wrecking, financing, or improvements of the premises where work is under construction.

Construction Yard (Temporary): A storage yard or assembly yard for building materials and equipment directly related to a construction project and subject to removal at completion of construction and subject to same restrictions as Field or Sales Office.

Continuing Care Facility: A place as defined in the Texas Continuing Care Facility Disclosure and Rehabilitation Act in which a person provides board and lodging, together with personal care services and nursing services, medical services, or other health-related services, regardless of whether the services and lodging are provided at the same location, under an agreement that requires the payment of a fee and that is effective for the life of the individual or for a period of more than one (1) year, such individual or individuals being cared for not being related by consanguinity or affinity to the person providing the care. (Also see Household Care Facility and Household Care Institution, and Personal Care Home).

Contractor: The person, firm or corporation which is or will be engaged in the actual construction, building, laying rebuilding or repairing of streets, alleys, thoroughfares, curbs, gutters, sewer mains, water mains and/or any other community facility.

Country Club (Private): Facilities where food, beverages, entertainment, or meeting spaces are provided to members only.

Dedicated street or alley: Any street or alley for which the right-of-way has become public property through platting, deed or public usage, as defined by law.

Design engineering: All necessary studies, tests, preliminary plans, etc., necessary to the preparation of complete plans, specifications and contract documents, sealed by a licensed engineer and meeting the approval of the City.

Design Standards Manual: A document intended to be used in conjunction with the North Central Texas Council of Government's Construction Standards and Specifications to establish standards for the design and construction of community facilities. Recommendations for changes to this manual may come from the City staff and/or the City's engineer and may be amended by resolution of the City Council.

Developer: The owner or the owner's authorized agent of a tract of land which has been subdivided or is being subdivided.

Development: Any activity that requires submission of a subdivision plat, or the securing of a building permit.

Development Assistance Committee: A committee of key staff members along with the City's engineer or designee that provide a centralized, technical review of development plans.

Directional sign: A permanent on-site or off-site attached sign intended to aid in vehicular movement on the site or within the DT district.

Director of Public Works The person appointed as the director of public works or the person's designated representative(s).

Directory sign: A sign which indicates the name and/or address of the tenants or occupants, the address of the premises, and/or identification of any business or occupation which may exist on the premises.

Dormitory: A building in which housing is provided for individual students under the general supervision or regulation of an accredited college or university and as distinguished from an apartment, hotel, motel, or rooming house. A dormitory may provide apartment units for guests, faculty, or supervisory personnel on a ratio not to exceed one (I) such apartment unit for each fifty (50) students for which the building is designed. Individual rooms or suites of rooms may have cooking facilities. The dormitory may include facilities such as a commissary and/or snack bar, lounge and study area, dining halls and accessory kitchen, recreation facilities and laundry, provided these facilities are for the benefit and use of the occupants and their guests and not open to the general public.

Dwelling unit: That area of a structure set aside for single-family living; a single-family residence is one dwelling unit, a duplex is two dwelling units and each apartment of an apartment complex is a separate dwelling unit.

Duplex: See Two Family Dwelling

Electrical Substation: A subsidiary station in which electric current is transformed.

Engineer: A person licensed under the provisions of the Texas Engineering Practice Act to practice the profession of engineering.

Exhibition Area: An area or space either outside or within a building for the display of topic-specific goods or information.

Existing developed residential area: Defined areas in which at least 51 percent of the lots of record have existing improvements and for which a community facility is required to benefit the area as a whole.

External Illumination: Illumination of a sign by an artificial source of light which is not contained within the sign itself.

Extraterritorial Jurisdiction or ETJ: The unincorporated area that is contiguous to the corporate boundaries of the City and that is located within one mile of those boundaries.

Fairgrounds: An area where outdoor fairs, circuses or exhibitions are held.

Family Home: A community-based residential home operated by either the State of Texas, a non-profit corporation, a community center organized pursuant to State statute, or an entity which is certified by the State as a provider for a program for the mentally challenged. Family homes provide care for people who have mental and/or physical impairments that substantially limit one or more major life activities. To qualify as a family home, a home must meet the following requirements:

1. Not more than six (6) disabled persons and two (2) supervisory personnel may reside in a family home at the same time.
2. The home must provide food and shelter, personal guidance, care, rehabilitation services, or supervision.
3. All applicable licensing requirements must be met.

Farm, Ranch, Orchard: An area of five (5) acres or more which is used for growing of usual farm products and/or raising of usual farm products and animals and including the necessary accessory uses for raising, treating, and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals and not including any type of agriculture or husbandry specifically prohibited by ordinance or law. Farm, ranch, or orchard use shall not cause a hazard to health by reason of unsanitary conditions and shall not be offensive by reason of odors, dust, fumes, noise, vibrations, or other environmental concerns or be otherwise detrimental to the public welfare.

Feeder line: Utility/service company lines that emanate from substations or hubs for distribution throughout an area.

Feedlot, animal: A plot of land on which animals are fattened for market.

Field or Sales Office (Temporary): A building or structure, of either permanent or temporary construction, used in connection with a development or construction project for display purposes or for housing temporary supervisory or administrative functions related to development, construction or the sale of real estate properties within the active development or construction project. Special Permits for "temporary buildings" shall be issued for a period not to exceed eighteen (18) months. Extensions may

be granted only by the City Council, and any such permits or extensions granted may be revoked if the City Council finds the use of the building or structure is contrary to the intent of this Ordinance or results in increased noise, traffic, or other environmental concerns considered being a nuisance or hazard.

Flag: Any fabric containing distinctive color, pattern, or symbols, used as a symbol of a government, political subdivision, nonprofit organization, or corporation that is flown from flagpoles.

Flashing sign: An illuminated sign on which the artificial source of light is not maintained stationary or constant in intensity and color at all times when the sign is illuminated. For the purpose of this Ordinance, any moving illuminated sign affected by intermittent lighting shall be deemed to be a flashing sign.

Floodplain: The land adjacent to a river, stream or watercourse that would be inundated by a 100-year (one percent chance) flood.

Floodplain easement: An easement provided along all natural or manmade drainageways of a width that will contain the 100-year flood.

Floodplain restrictions: Restrictions that apply only to developments within floodplain areas, including, but not be limited to, the requirement of a floodplain development permit and a finished floor elevation of at least two feet above the 100-year flood elevation or one foot above base flood elevation after reclamation of flood fringe areas as authorized by a letter of map revision (LOMR) approved by the Federal Emergency Management Agency (FEMA).

Floodway The channel of a watercourse and the adjacent floodplain that must be reserved for the passage of the 100-year flood without cumulatively increasing the water surface more than one foot.

Fraternal Organization, Lodge, or Civic Club: An organized group having a restricted membership and specific purpose.

Garage, Private: A detached accessory building or portion of the main building for the parking or temporary storage of automobiles of the occupants of the premises; if occupied by vehicles of others, it is a storage space.

Garden (Patio) Home: A free-standing, detached structure used for residential purposes, built in accordance with standards set out in Section 20.10.

Gas Metering Station: Facility at which natural gas flows are regulated and recorded.

Golf Course: An area of twenty (20) acres or more improved with trees, greens, fairways, hazards and which may include clubhouses.

Golf Driving Range: A commercial facility offering driving tees, driving range, or pitch and putt course to the public on a fee basis.

Greenhouse or Plant Nursery, Commercial: A place, often including artificially heated and/or cooled buildings, where trees or plants are raised and/or sold including related storage of equipment for landscape contracting.

Greenhouse, Non-Commercial: A building, often artificially heated and/or cooled, used as a location for cultivating plants which are used by the grower and not sold as a commercial activity.

Gross surface area: The area of the smallest rectangle enclosing the extreme limits of characters, lettering, illustrations, ornamentation, or other fixtures, material, or color forming part of the sign. Structural supports bearing no sign copy shall not be included in gross surface area; however, if any portion of the required structural supports become enclosed for decorative or architectural purposes, that portion will be included in the total gross surface area of the sign. Gross surface area shall be measured on both sides of a two-faced (back to back) sign carrying the same image and message on both faces. Two-faced signs carrying different messages and images on each side shall be considered as separate signs.

Ground sign: A sign not wholly supported on a building, or which has its main supporting structure depending on the ground for attachment.

Guest House: A free-standing, detached structure used for residential purposes on the same lot as a primary house.

Heliport or Helistop: A landing facility for rotary wind aircraft which may include fueling or servicing facilities for such craft.

Home Occupation: An occupation, profession, domestic craft, or economic enterprise which is customarily conducted in a "residential dwelling" as hereinafter defined, subject to compliance with each of the following conditions:

"Residential dwelling" shall mean a dwelling designed, used and occupied exclusively by members of one (1) family as a residence.

Such use shall be and remain incidental and subordinate to the principal use of the residential dwelling as a family residence.

The residential dwelling shall maintain its residential character and shall not be altered or remodeled to create any type of exterior commercial appeal.

No exterior storage of material, equipment, and/or supplies used in conjunction with such occupation, profession, domestic craft, or enterprise shall be placed, permitted, or allowed on the premises occupied by the residential dwelling.

No offensive noise, vibration, smoke, dust, odors, heat, or glare generated by or associated with the home occupation shall extend beyond the property line of the lot or tract on which the home occupation is being conducted.

The occupation, profession, domestic craft, or enterprise shall be conducted wholly within the residential dwelling or accessory structure.

Hospital (Chronic and Acute Care); Health Care Facility: An institution providing both in-patient health, personal care, or rehabilitative services to persons chronically ill, aged, or disabled due to injury and disease or to injured patients who need medical or surgical treatment intended to restore them to health and an active life and which is licensed by the State of Texas

Hospital Care Facility: A dwelling unit which provides residence and care to not more than nine (9) persons, regardless of legal relationship, who are elderly; disabled; orphaned, abandoned, abused, or neglected children; victims of domestic violence; or rendered temporarily homeless due to fire, natural

disaster, or financial adversity; living together with no more than two supervisory personnel as a single housekeeping unit. (See also Personal Care Home and Continuing Care Facility.)

Illuminated sign: A sign which has characters, letters, figures, or designs illuminated by electric lights, luminous tubes, or other means that are specifically placed to draw attention to, or provide nighttime viewing of, the subject matter on the sign face.

Illumination, external: Lighting by means of an unshielded light source (including neon tubing) which is effectively visible as an external part of the sign.\

Illumination, internal: Lighting by means of a light which is within a sign having translucent background, silhouetting opaque letters or designs, on which letters or designs are placed, which are themselves made of translucent material.

Incidental signs: Small signs of a noncommercial nature, intended primarily for convenience of the public. Included are signs designating restrooms, address numbers, hours of operation, entrances to buildings, directions, help wanted, public telephones, and so forth.

Industrialized Housing: A residential structure that is: (1) designed for occupancy by one or more families; (2) constructed in one more modules or constructed using one or more modular components built at a location other than the permanent site; and (3) designed to be used as a permanent residential structure when the module or the modular component is transported to the permanent site and erected or installed on a permanent foundation system. Industrialized housing includes the structure's plumbing, heating, air conditioning, and electrical systems. Industrialized housing does not include: (1) a residential structure that exceeds three stories or 49 feet in height as measured from the finished grade elevation at the building entrance to the peak of the roof; (2) housing constructed of a sectional or panelized system that does not use a modular component; or (3) a ready-built home constructed in a manner in which the entire living area is contained in a single unit or section at temporary location for the purpose of selling and moving the home to another location. Modular Component means a structural part of housing or a building constructed at a location other than the building site in a manner that prevents the construction from being adequately inspected for code compliance at the building site without damage or removal and reconstruction of a part of the housing or building.

Inflatable sign: Any display capable of being expanded by air or other gas and used on a permanent or temporary basis to advertise a product or event.

Instructional sign: A sign limited to directional messages, principally for pedestrian and vehicular traffic, such as one-way, entrance, and exit.

Landscaping: Landscaping shall consist of any of the following or combination of same: material such as, but not limited to, grass, ground covers, shrubs, vines, hedges, or trees; and nonliving structural material commonly used in landscaping, such as, but not limited to, rocks, pebbles, sand, walls, fountains, or fences, but excluding paving.

Lateral line: Utility/service company lines that emanate from a feeder line and are used for distribution to smaller areas of consumers, normally connected to a feeder line through a sectionalizing device such as a fuse or disconnection switch.

Layout: In plan view not requiring profiles or final engineering description.

Library: Any institution for the loan or display of books, video or audio tapes, CD's, DVD's or similar items, objects of art or science which is sponsored by a public or responsible quasi-public agency and which institution is open and available to the general public.

Logo: Any design or insignia of an organization, individual, company, or product which is commonly used in advertising to identify that organization, individual, company, or product.

Lot: A parcel of land which is designated as a separate lot; identified by a lot number or symbol in an approved subdivision plat which has been properly filed of record in the county.

Manufactured Housing, HUD Code: A structure, constructed on or after June 15, 1976, according to the rules of the United States Department of Housing and Urban Development, transportable in one (1) 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 foundation when connected to the required utilities, and includes the plumbing, heating, air- conditioning, and electrical systems. Does not include a recreational vehicle as defined in 24 CFR Section 3282.8(g). All references in this Ordinance to manufactured housing or manufactured home(s) shall be references to HUD Code Manufactured Housing, unless otherwise specified.

Manufactured Home Subdivision: A tract of land of not less than two (2) acres which has been platted of record in its entirety in accordance with the subdivision regulations of the City for occupancy primarily by HUD-Code manufactured housing and industrialized housing.

Marquee: Any hood or awning or permanent construction projecting from the wall of a building or other structure containing either permanent or changeable advertising.

Menu board: A sign displaying the menu for a drive-up window for a food establishment.

Mixed-use development: Developments containing both residential commercial land uses.

Mobile Home: A structure 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 foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

Monument sign: A permanent ground sign generally constructed out of brick, stone, or cast concrete supported on a concrete foundation across the entire base of the structure.

Motel, Motor Hotel, or Motor Lodge: A building or group of buildings designed for and occupied as a temporary dwelling place, providing four (4) or more room units for compensation and where the operation is supervised by a person or persons in charge at all hours. A motel, motor hotel, or motor lodge may include restaurants, club rooms, banquet halls, ballrooms and meeting rooms as accessory uses.

Moving sign: A sign which revolves, rotates, swings, undulates, or otherwise attracts attention through the movement of parts or through the impression of movement, including automatic electronically controlled copy changes, but not including flags, banners, or pennants.

Multi-Family Residence: Any building or portion thereof which is designed to be occupied as five (5) or more dwelling units or apartments or which is occupied as a home or place of residence by five (5) or more families living in independent dwelling units.

Museum or Art Gallery: An institution for the collection, display and distribution of objects of art or science and which is privately owned and operated and sponsored by a public or quasi-public agency and which facility is open to the general public.

New street construction: The paving of a street that has not previously been surfaced, or which has been surfaced, but not to City standards.

Nameplate sign: An on-premises non-illuminated sign identifying only the name, address, and/or profession of the occupant of the premises on which the sign is located.

Nursery School; Kindergarten: A childcare facility offering a state approved curriculum four (4) hours or more per day for children who have passed their second birthday but who are under seven years old.

Off-premises sign. A sign which directs attention to a business, person, organization, activity, event, place, commodity, product or service not conducted, sold, or offered upon the premises on which the sign is located.

On-premises sign: A sign which promotes or advertises a business, person, organization, activity, event, place, commodity, product, or service which is conducted, sold, or offered upon the premises where the sign is located.

On-site mains

Water: A water main located adjacent to or within the limits of the development or subdivision. A water main shall not be less than eight inches in diameter.

Sewer: A sanitary sewer main designed to serve the entire drainage area in which it is to be constructed, both inside and upstream from all or part of the developer's property, under ultimate development conditions, but which is located entirely within the limits of the development. A sewer main shall not be less than eight inches in diameter.

Open street or alley: Any street or alley for which the right-of-way has become public property through platting, deed or public usage, as defined by law, and is presently being used.

Park, Playground, or Recreation Center (Public): An open recreation facility or park owned and operated by a public agency and available to the public.

Parking Lot or Parking Garage:

Automobile: Area for parking light load vehicles, automobiles, and motorcycles.

Truck: Area for parking heavy load vehicles.

Pennant: A wind device usually made of light-weight plastic, fabric, or other material whether or not containing a message of any kind, usually triangular in shape and attached to a single cord.

Permanent Sign: A sign which is fixed in nature that is erected, affixed, or maintained on a premises for a period of time which is regulated by Table 1, Schedule for permanent signs.

Personal Care Home (Custodial Care):

Planning and zoning commission: A group of persons appointed by the City Council for the purpose of participating in the orderly growth of the City and acting as a recommending body to the City Council.

Plans: Includes plan view, profiles, detailed drainage studies, reflect final engineering designs for construction, include specification and contract documents, and satisfy requirements of the Design Standards Manual.

Plat

Final: The final approved plat of any lot or lots to be recorded in the records of the county.

Preliminary: The plat of any lot or lots of record that is not to be recorded of record but is only a proposed division of land for review and study by the City.

Short Form: A subdivision of not more than three lots, which does not require the dedication or improvement of any street or the provision of easements for drainage or utilities or the extension or installation of new utilities which allows a short form process that eliminates the need for a preliminary plat. **Pole sign (also called "pylon sign"):** A freestanding ground sign supported by one or more poles columns, uprights, or braces placed in or upon the ground and having no guys or braces to the ground or to any other structure.

Political sign: A temporary sign pertaining to any national, state, county, or local election that supports or opposes an announced candidate, political party, or issue of political significance.

Portable sign: Any temporary sign supported by the ground but not attached to the ground, which can be regularly moved from a location at periodic intervals, and which is located upon the premises where the business, profession, activity; commodity, service, or entertainment referred to by the sign is located. The term "portable sign" shall include the following:

A sign which is mounted on a trailer or wheels or is part of a trailer and by its design can be towed from one location to another by the use of attached wheels or by attaching an axle to existing mounts;

An "A-frame" type sign;

A sign affixed by pole or poles to a portable base made of wood, metal, or concrete;

A sign suspended or attached to a stand with an inverted "T" base; and

Any sign that the base is inserted into a sleeve mounted or driven into the ground which can be easily extracted from said sleeve by simply lifting or removing bolts.

Premises: A lot or tract, or a combination of contiguous lots or un-platted tracts if the lots or tracts or combination are under a single ownership and are reflected in the plat or deed records of Parker County. Multi-tenant locations shall be considered as being one premise.

Prison, Jail or Place of Incarceration:

Projecting sign: A sign suspended perpendicular from a building or structure and projecting more than one (1) foot from the face of such building or structure and shall be a minimum of seven (7) feet above grade.

Pylon sign: See "pole sign".

Qualified street frontage: The width of property along the street of a commercial or industrial development which bears the address of the property.

Quick Oil Change Facility:

Quick Tune-up Facility:

Race Track: A facility used for the racing of motor-driven vehicles and/or animals.

Radio, Television, or Microwave Communications Operators

> **Amateur:** The transmission, retransmission, or reception of radio, electromagnetic, or microwave signals for private or personal use and not for the purpose of operating a business for financial gain.
>
> **Commercial:** The transmission, retransmission, or reception of radio, electromagnetic, or microwave signals primarily for the purpose of operating a business for financial gain.

Railroad Station: Any premises for the transient parking of trains and the loading and unloading of passengers.

Railroad Track and Right-of-Way: A facility/place for the loading and unloading of materials on trains. Includes track and undeveloped right-of-way, but does not include railroad stations, sidings, team tracks, loading facilities, dock yards, or maintenance areas.

Reader board sign: A sign comprised of non-permanent letters, numerals, or symbols which may be changed by manually adding, removing, or rearranging the letters, numerals, or symbols.

Real estate sign: A sign relating to the sale, lease, or rental of the premises upon which such a sign is placed.

Refundable approach main: An approach main, either sewer or water, that is paid for by the developer; and for which a special contract agreement has been signed between the developer and the City, stating the conditions of the refund to the developer when another user connects to the approach main.

Registered Family Home: A child care facility that regularly provides care in the caretakers own residence for not more than six (6) children under fourteen (14) years of age, excluding the caretaker's own children, and that provides care after school hours for not more than six (6) additional elementary school siblings of the other children given care, but the total number of children, including the caretaker's own, does not exceed twelve (12) at any given time. (Also see Childcare Center).

Regulatory flood or 100-year flood: A flood having a one percent chance of occurrence in any given year. It is based on statistical analyses of stream flow records available for the watershed and analyses of rainfall and runoff characteristics in the general region of the watershed.

Rehabilitation Care Facility: A dwelling unit which provides residence and care to not more than four (4) persons, regardless of legal relationship, who have demonstrated a tendency towards alcoholism, drug abuse, mental illness or anti-social or criminal conduct living together with not more than two supervisory personnel as a single housekeeping unit.

Rehabilitation Care Institution: A facility which provides residence and care to five (5) or more persons, regardless of legal relationship, who have demonstrated a tendency towards alcoholism, drug abuse, mental illness or anti-social or criminal conduct living together with supervisory personnel.

Replatting: The rearrangement of any part or all of any lot or lots of a previously platted subdivision.

Residential development: This designation shall apply to all single-family and two-family properties that require the extension of community facilities due to new construction or expansion improvements on the property.

Residential property: Property zoned agricultural, single-family, or two-family residential.

Rest Home or Nursing Home: A place of residence or care for persons suffering from infirmities of age or illness where care is provided on a prolonged or permanent basis. This term shall include a convalescent home.

Retirement Housing: A development providing dwelling units specifically designed for the needs of ambulatory or retired persons. The following subsidiary uses shall be permitted to provide on-site goods and services for residents and their guests, but are not intended for use by the general public:

(a) cafeteria and/or dining room

(b) library

(c) game room

(d) swimming pool and/or spa

(e) exercise room

(f) arts and crafts facilities

(g) greenhouse

(h) housekeeping service

(i) transportation service

(j) snack bar with a maximum of 350 square feet per 100 dwelling units

(k) beauty/barber shop with a maximum of 220 square feet per 100 dwelling units with a maximum of 450 square feet

(l) convenience retail shop with maximum of 350 square feet per 100 dwelling units to provide for sale of food items, non-prescription drugs, small household items, and gifts.

Reviewing engineer: The City's engineer or other professional engineer authorized to perform plan review on the City's behalf.

Rodeo Arena: A commercial facility offering a show featuring cowboy skills and competitions such as bronco riding, calf roping, steer wrestling.

Roof sign: A sign mounted upon, against, or directly above the roof or parapet line of a building or structure, or that is wholly dependent upon a building for support and that projects above the top walk or edge of a building with a flat roof, the eave line of a building with a gambrel, gable, or hip roof, or the dock line of a building with a mansard roof.

Seasonal Sales: A significant commercial activity lasting not longer than ninety (90) days intended to sell, lease, rent or promote specific merchandise, services or product lines, including but not limited to warehouse sales, tent sales, trade shows, flea markets, farmer's markets, Christmas tree lot sales, product demonstrations or parking lot sales of food, artwork, or other goods.

Search light: A large outdoor lighting apparatus used to attract attention to a business or a specific location.

Secondary sign: A sign located on premises identifying individual uses in a mixed-use multi-tenant commercial shopping center.

Servant's, Caretaker's, Mother-in Law's, or Guard's Residence: An accessory building or portion of an accessory building located on the same lot or grounds with the main building, containing not more than one kitchen and bathroom facilities and used as living quarters for a person or persons employed on the premises for not less than fifty percent (50%) of his/her actual working time, or as living quarters for a relative of the occupants of the main building, and not otherwise used or designed as a separate place of abode, provided the living area of such quarters shall not exceed six hundred (600) square feet.

Service connections

> **Water:** The connection between a water main and the water meter through which a lot is supplied with water.
>
> **Sewer:** That portion of the sanitary sewer located in the roadway of a public street between the main or lateral sanitary sewer in the street and a point at the right-of-way line of the public street nearest to the site to be served, or that portion of the sanitary sewer located in a public alley, or the tap installed for connection to a sanitary sewer located in the parkway of a public street or in an easement.
>
> **Private utility company service line:** Utility/service company lines which, through a transformer or directional tap, connect a lateral line to a consumer's service entrance.

Service Yard of Government Agency: An area for the servicing and storage of vehicles or other property of a governmental agency.

School

> **Private (Primary or Secondary):** An institution of learning having a curriculum equivalent to public schools but not including specialty schools such as dancing, music, beauty, mechanical, trade, or commercial schools.

Public (Primary or Secondary): An institution under the sponsorship of a public agency which offers instruction in the several branches of learning and study required to be taught in the public schools by the Education Code of the State of Texas but not including specialty schools such as dancing, music, beauty, mechanical, trade, or commercial schools.

Trade or Commercial: Establishments, other than public or parochial schools, private primary and secondary schools, or colleges, offering training or instruction on a trade, art, or occupation.

Shall; May: The word "shall," wherever used in this chapter, is to be interpreted in its mandatory sense; the word "may" shall be interpreted as permissive.

Shooting Range:

Indoor: A shooting range inside a building equipped with targets for practice with firearms.

Outdoor: An outdoor range equipped with targets for practice with firearms.

Shops, Office, and/or Storage Area of Public or Private Utility: The pole yard, maintenance yard, and/or administrative offices of a municipality or franchised utility.

Shrubs: Shrubs required in this Ordinance shall be self-supporting, woody, evergreen species as normally will grow in Parker County, Texas.

Sign: Any name, number, identification, description, announcement, declaration, demonstration, device, display, flag, banner, pennant, illustration, logo, balloon, streamer, valance, advertising display, poster, beacon, light, or insignia, illuminated or non- illuminated, affixed directly or indirectly to or upon any building, window, door, or outdoor structure, which is visible to the general public and calls attention to any business, person, organization, event, commodity, object, product, service, place, or activity, including any permanently installed or situated merchandise or facsimile.

Area, Sign: The total area within the extreme rectangular perimeter of the attraction area intended to draw attention to the sign. Supporting structures shall not be included in calculations. The area of the sign with two faces, approximately opposed, shall be the total area of both faces shall be considered the sign area. For multisided or circular signs, the calculation shall include all of the projected area.

Single Family Dwelling

Attached: A dwelling that is part of a structure containing two (2) or more dwellings, each designed and constructed for occupancy by one family, with each dwelling unit attached by a common wall to another with a minimum length of attachment of twenty (20') feet, in which each dwelling is located on a separate platted lot.

Detached: A detached building designed exclusively for occupancy by one (1) family, excluding manufactured housing and modular homes.

Multi-plex: A structure on a single lot designed to resemble a single-family home but contains up to four (4) dwelling units and is eligible for FHA financing as a single-family home.

Solid Waste Transfer Station: A facility and/or premises at which solid waste is temporarily deposited prior to ultimate removal to a permanent solid waste storage site.

Stable:

Commercial: A structure housing horses which are boarded or rented to the public or any stable other than a private stable, but not including a sale barn, auction, or similar trading activity.

Private: An accessory building set back from adjacent property lines a minimum distance of one hundred (100') feet and used for quartering horses, not to exceed one (1) horse per one (1) acre area of a farm or lot.

Stadium or Play Field, Public: An athletic field or stadium owned and operated by a public agency for the public including a baseball field, golf course, football field or stadium which may be lighted for nighttime play.

Storm sewer: A facility which conveys stormwater runoff from a development to a specified point of outfall.

Street: A public way for vehicular traffic, whether designated as a street, highway, thoroughfare, parkway, throughway, road, avenue, boulevard, lane, private place or however otherwise designated.

Street grade: The average elevation of the projected corners of a property, adjacent to a dedicated street right-of-way or roadway easement, the elevation of the corners being measured at the top of the curb, or the centerline of the street if no curb is present.

Street reconstruction: The widening or reconstruction of an existing street that has an existing surface to City standards.

Swimming Pool:

Commercial: A swimming pool with accessory facilities where parts of the facilities are available to the public for a fee.

Private: A swimming pool for the use of the owners, employees, or residents of the property and their guests.

Subdivider: A person, firm, association, corporation, syndicate, trust or any other legal entity who subdivides or seeks to subdivide land into two or more lots.

Subdivision: The division of a tract or parcel of land situated within the City or the City's extraterritorial jurisdiction, into two or more lots for the purpose of sale, lease, or development. The term "subdivision" includes resubdivision, but it does not include the division of land for agricultural purposes into parcels or tracts of ten acres or more which does not involve the creation of any new street, alley or easement or access or building sites. For the purposes of this chapter, subdivisions are divided into the following three classifications:

Rural subdivision: A subdivision intended for residential development that is comprised of lots with an area of at least 2½ acres.

Suburban subdivision: A subdivision intended for residential development comprised of lots with an area of at least one (1) acre, some or all of which contain under 2½ acres.

Urban subdivision:

A subdivision intended for residential development containing any lots with an area of less than one (1) acre.

Any subdivision intended for commercial development.

Substantial completion: When the developer has completed his project in good faith and with the intent of fully accomplishing what is required of him; even though there may be small defects or omissions, he is generally regarded as being in compliance minus the remedying of any such defects or omissions.

Surveyor: A registered public land surveyor (RPLS) licensed by the state to practice the profession of surveying.

Telephone Exchange: A switching or transmitting station owned by a public utility but not including business offices, storage, or repair shops or yards.

Temporary event: An event such as a "grand opening," or a "going out of business sale" which lasts for a period of time not to exceed sixty (60) days.

Temporary sign: A nonpermanent sign designed or intended to be displayed for a short period of time erected, affixed, or maintained on premises and regulated by Schedule for Temporary Signs. Trailer and portable signs are classified as temporary signs.

Townhouse or Row Dwelling: One of a series of not less than three (3) nor more than ten (10) attached one (I) family dwellings under common roof with common exterior wall and separated from one another by single partition walls without openings from basement to roof. Each Townhouse shall be constructed on its own lot. Townhouse includes a condominium.

Tract: An unplatted parcel of land described by metes and bounds and typically recorded in the county deed records

Transit Station or Turnaround: A facility for the loading and discharging of train or bus passengers.

Transmission line: Electrical lines operated at nominal voltages of 60,000 volts or higher that bring power from a power plant to a substation.

Travel Trailer: A house trailer-type vehicle or a camper trailer that is:

(1) less than eight (8') feet in width or forty (40') feet in length, exclusive of any hitch installed on the vehicle; and

(2) primarily for use as temporary living quarters in connection with recreational, camping, travel, or seasonal use and not as a permanent dwelling; provided that "travel trailer" shall not include a utility trailer, enclosed trailer, or other trailer not having human habitation as its primary purpose.

Travel Trailer Park: Any tract of land under single ownership, two (2) acres or more, where accommodations are provided for travel trailer or recreational vehicle use.

Trees: Trees shall be defined as self-supporting woody plants of species which normally grow to an overall height of fifteen feet (15') in Parker County, Texas.

Truck and Bus Leasing: The rental of new or used panel trucks, vans, trailers, recreational vehicles, or motor-driven buses in operable condition and where no repair work is done.

Truck and Bus Repair: An establishment providing major and minor automobile repair services to heavy load vehicles.

Truck and Motor Freight Terminal: A building or area in which freight brought by motor truck is assembled and/or stored for shipping by motor truck.

Truck Sales: Building(s) and associated open area other than a street or required automobile parking space used for the display or sale of heavy load vehicles, to be displayed and sold on premises, and where no repair work is done except minor reconditioning of the vehicles to be displayed and sold on the premises, and no dismantling of vehicles for sale or keeping of used vehicle parts or junk on the premises.

Two Family Dwelling (Duplex): A building or buildings designed for occupancy by two (2) individuals or families living independently of each other within separate units which may or may not have a common wall and may or may not be under one (1) roof.

Unopened street or alley: Any dedicated street or alley which is not being used for vehicular traffic.

Utility: a public or private service provided to the public, including, but not limited to, electricity, water, sewer, stormwater, telecommunications, cable television, and natural gas.

Utility easement: An interest in land granted to the City, to the public in general and/or to a private utility corporation for installing or maintaining utilities across, over or under private land, together with the right to enter thereon with machinery and vehicles necessary for the maintenance of the utilities.

Utility service company: Any company or corporation other than the City that provides a public or private utility or service to the general public, including, but not limited to, electric utility companies, telecommunications companies, cable television providers and natural gas companies.

Vehicular sign: Any sign, not including bumper stickers, on or in a vehicle moving along the ground or on any vehicle parked temporarily, incidental to its principal use for transportation. This definition shall not include signs which are being transported to a site of permanent erection or lettering of company vehicle that advertises only the company name, address, and/or logo, or temporary signs [with an area less than three (3') feet] attached to vehicles which may be removed daily.

Visibility triangle: An area of unobstructed visibility (permanent or temporary objects at heights between two (2) feet and seven (7) feet above ground level or top of curb, whichever is the most critical) on either corner of a street, alley, and/or driveway of at least twenty-five (25) feet in any direction.

Wall sign: A sign attached or affixed to an exterior wall of a building or structure or dependent upon a building for support with the exposed face of the sign located in a place substantially parallel to the exterior building wall to which it is attached or by which it is supported and not extending more than twelve (12") inches from said wall. A wall sign shall not extend above the wall or parapet to which the sign is attached. For the purpose of this section, awnings, canopy facias, or mansards extending along a building side shall be considered a part of the wall.

Warning sign: A sign containing no advertising material, warning the public of the existence of danger.

Window sign: A sign attached to, placed upon, or painted on the exterior or interior of a window or door of a building, which is intended for public viewing from the exterior of such building.

Yard sign: Any sign of a temporary nature other than a development, real estate, builders or construction sign, which includes the advertisement of a service which has been performed on premises, or construction/repair that has been performed on premises.

Zero Lot Line House: A residence allowed to have little or no side yard on one side, where the wall on that side has no doors, windows, or other openings and which otherwise qualifies for a one-hour fire rating as defined in the building code.