



AGENDA

CITY COUNCIL REGULAR MEETING

APRIL 1, 2025 @ 5:00 PM

Notice is hereby given that the City Council for the City of Parker will meet on Tuesday, April 1, 2025 at 5:00 PM at the Parker City Hall, 5700 E. Parker Road, Parker, Texas, 75002. The City Council meeting will be open to the public and live streamed.

Pursuant to Texas Government Code § 551.127, notice is given that it is the intent of the City Council that a quorum of the Council will be physically present for the above-referenced meeting at Parker City Hall, 5700 E. Parker Road, Parker, Texas. Some council members or City employees may participate in this meeting remotely by means of video conference call in compliance with state law.

CALL TO ORDER – Roll Call and Determination of a Quorum

WORKSHOP (5:00 - 6:00 PM)

1. PROPOSED PERSONNEL POLICY MANUAL

[Proposed Personnel Policy Manual](#)

ADJOURN

CALL TO ORDER – Roll Call and Determination of a Quorum

EXECUTIVE SESSION (6:00 – 7:00 PM) – Pursuant to the provision of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

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

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.

Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter (Open Meetings Act).

CONVENE REGULAR MEETING AT 7:00 PM.

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

PLEDGE OF ALLEGIANCE

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

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

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

ITEMS OF COMMUNITY INTEREST

2. THURSDAY, APRIL 3, 2025 - LAST DAY TO REGISTER TO VOTE FOR THE MAY 3, 2025, GENERAL ELECTION

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, APRIL 9, 2025, 5 PM
2025 PWC'S CANDIDATES NIGHT – THURSDAY, APRIL 17, 2025, 7 PM – VICTORY CHURCH – 6301 E. PARKER ROAD

NATIONAL PRESCRIPTION DRUG TAKE BACK - SATURDAY, APRIL 26, 2025, 10AM-2PM
GENERAL ELECTION

REMINDER – MAY 3, 2025 – GENERAL ELECTION (EV AND ED INFO)

| Sunday (Domingo) | Monday (Lunes) | Tuesday (Martes) | Wednesday (Miércoles) | Thursday (Jueves) | Friday (Viernes) | Saturday (Sábado) |
|---|--|--|--|--|--|--|
| April 20 No Voting (20 de abril) (Sin votar) | April 21 No Voting (21 de abril) (Sin votar) | April 22 Early Voting (22 de abril) (Votación adelantada) | April 23 Early Voting (23 de abril) (Votación adelantada) | April 24 Early Voting (24 de abril) (Votación adelantada) | April 25 Early Voting (25 de abril) (Votación adelantada) | April 26 Early Voting (26 de abril) (Votación adelantada) |
| | | 8 am – 5 pm |
| April 27 No Voting (27 de abril) (Sin votar) | April 28 Early Voting (28 de abril) (Votación adelantada) | April 29 Early Voting (29 de abril) (Votación adelantada) | April 30 (30 de abril) | May 1 (1 de mayo) | May 2 (2 de mayo) | May 3 Election Day (3 de mayo) (Día de elección) |
| | 7am - 7pm | 7am - 7pm | | | | 7am – 7pm |

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

3. APPROVAL OF MEETING MINUTES FOR FEBRUARY 25, 2025. [SPECIAL MEETING - PERSONNEL POLICY MANUAL WORKSHOP AND MEETING {RESCHEDULED}]
4. APPROVAL OF MEETING MINUTES FOR MARCH 4, 2025. [REGULAR MEETING - PERSONNEL POLICY MANUAL WORKSHOP AND MEETING]

INDIVIDUAL CONSIDERATION ITEMS

5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-837 OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPROVING A PROSECUTOR FEE SCHEDULE.
6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-818 APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ST. PAUL AND THE CITY OF PARKER PROVIDING MUNICPAL COURT SERVICES.
7. CONSIDER AND DISCUSS PROCEDURES FOR COUNCIL APPOINTMENTS.
8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-838 APPOINTING A MAYOR PRO TEM.
9. DISCUSS AND CONSIDER REFERRAL OF THE SPECIAL ACTIVITIES DISTRICT ORDINANCE TO THE PLANNING AND ZONING (P&Z) COMMISSION FOR REVIEW AND RECOMMENDATIONS FOR UPDATE/REVISION.
10. DISCUSSION AND GIVE STAFF DIRECTION ON CAPITAL IMPROVEMENT PLAN (CIP).

ROUTINE ITEMS

11. UPDATE(S):

FM2551
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)
ENGINEERING REQUEST FOR QUALIFICATIONS (RFQs)
NOISE COMMITTEE
LEWIS LANE
CHAPARRAL INTERSECTION
POST OFFICE/ZIP CODE
DUBLIN ROAD WATERLINES
NEWSLETTER
DUBLIN PUMP STATION CONNECTION
ANY ADDITIONAL UPDATES

DONATION(S)

12. ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF FOR THE RECORD (Each valued at between \$0 - \$1,000 [RES. NO. 2024-801])

Maryam Boroujerdi & Mohammad Massoudi donated 1 dozen Nothing Bundt Cakes Bundtinis valued at \$28 to City Staff.

Troy & Melissa Tierce donated a brownie tray valued at \$20 to the Police Department.

FUTURE AGENDA ITEMS

13. FUTURE AGENDA ITEMS

ADJOURN

In addition to any specifically identified Executive Sessions, Council may convene into Executive Session at any point during the open meeting to discuss any item posted on this Agenda. The Open Meetings Act provides

specific exceptions to the requirement that a meeting be open. Should Council elect to convene into Executive Session, those exceptions will be specifically identified and announced. Any subsequent action, as a result of this Executive Session, will be taken and recorded in open session.

I certify that this Notice of Meeting was posted on or before March 28, 2025, by 5:00 p.m. at the Parker City Hall, and required by Texas Open Meetings Act (TOMA) is also posted to the City of Parker Website at www.parkertexas.us

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

Date Notice Removed

Patti Scott Grey
City Secretary

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

City of Parker

PERSONNEL POLICY MANUAL

PROPOSED

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CHAPTER 1 – CITY POLICIES

Section 1.1 **Introduction**

The purpose of the personnel policy manual is to promote understanding, cooperation, efficiency and unity, all of which come through the systematic application of established procedures in personnel management and administration; and to provide a uniform policy for all employees, with all the benefits such a program ensures. This manual is designed to acquaint all employees with the City and provide information about working conditions, employee benefits, and policies affecting employment. Employees should read, understand, and comply with all provisions of the manual. It describes many responsibilities as an employee and outlines the programs developed by the City to benefit employees. It is not intended to give specific guidelines for every conceivable personnel action; it does not replace in-person conversations with your supervisor. Because of the variety of services performed by the City, it may be necessary for individual departments to establish codes of conduct, rules and regulations, and policies and procedures to accomplish departmental responsibilities. An employee who violates a City or departmental code of conduct, rule, policy, or procedure is subject to disciplinary action.

The City reserves the authority to modify, revoke, interpret, or terminate any or all the rules and regulations specified in the personnel policy manual in whole or in part, at any time, with or without notice. The issuance of the personnel policy manual does not constitute an express or implied contract between the City of Parker and its employees. City supervisory personnel shall not make any representation to employees or applicants concerning the terms or conditions of employment with the City of Parker, which is not consistent with the personnel policy manual.

The Human Resources function may be performed by a designated City employee with a different title; all references to "Human Resources" or "Human Resources Manager" refer to the assigned employee and his or her designee.

Section 1.2 **At-Will Employment**

Employment with the City of Parker is on an at-will basis. Employment with the City is for no fixed or definite term. At-will employment means that both the employee and/or the City have the right to terminate employment at any time, with or without notice, and with or without cause. No agreement or promise regarding an employee's terms or conditions of employment is binding on the City unless such agreement is in writing, approved by the City Council, and signed by the Mayor. This personnel policy manual does not constitute a contract of employment. Nothing in this personnel policy manual is intended to alter the continuing at-will status of employment with the City.

Section 1.3 **Equal Opportunity Employer**

The City is an equal opportunity employer. Discrimination against any person in recruitment, examination, selection, appointment, rate of pay, promotion and transfer, retention, daily working conditions, training, awards, compensation and benefits, disciplinary measures or any other aspect of employment because of age, race, color, religion, sex, sexual

orientation, gender identity, national origin, disability, genetics, veteran's status or other unlawful basis, is prohibited.

Section 1.4 **Inappropriate Conduct and Prohibited Harassment**

All City employees are entitled to a workplace free of unlawful harassment and inappropriate conduct by management, supervisors, co-workers, citizens, and vendors. This means that each employee must be respectful of others and act professionally. City employees are also prohibited from engaging in inappropriate conduct and unlawful harassment of other employees, citizens, vendors, and all other third parties.

Unlawful Sexual Harassment

- All types of sexual harassment are prohibited. "Sexual harassment" means an unwelcome sexual advance, a request for a sexual favor, or any other verbal or physical conduct of a sexual nature if submission to the advance, request, or conduct is made, either explicitly or implicitly, a term or condition of an individual's employment; or
- submission to or rejection of the advance, request, or conduct by an individual is used as a basis for a decision affecting the individual's employment; or
- the advance, request, or conduct has the purpose or effect of unreasonably interfering with an individual's work performance; or
- the advance, request, or conduct has the purpose or effect of creating an intimidating, hostile, or offensive work environment.

Sexual harassment may include a range of subtle and not so subtle behaviors and may involve individuals of the same or different gender. Prohibited sexual harassment does not require sexual attraction or interest. This policy prohibits sexual advances and requests for sexual favors, sexual jokes and innuendo; comments about bodies, sexual prowess, sexual preferences, sexual experiences or sexual deficiencies; leering, whistling, or touching; verbal abuse of a sexual nature, including insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures, including nudity and pornography; and all inappropriate conduct of a sexual nature, whether it be physical, verbal or visual conduct.

It is an unlawful employment practice if sexual harassment of an employee occurs and the City's management or a supervisor (1) knows or should have known that the sexually harassing conduct was occurring; and (2) fails to take immediate and appropriate corrective action.

Inappropriate Conduct and Other Prohibited Harassment

In addition to the State law prohibiting sexual harassment, harassment on the basis of any other legally protected characteristic is also strictly prohibited. This means that verbal or physical conduct that singles out, denigrates, or shows hostility or aversion toward someone because of race, religion, color, national origin, age, disability, genetics, veteran status, sexual orientation, gender, gender identity, citizenship, or any other characteristic protected by law is also prohibited.

Prohibited conduct includes, but is not limited to, epithets, slurs and negative stereotyping;

threatening, intimidating, or hostile conduct; denigrating jokes and comments; and writings or pictures, that single out, denigrate, or show hostility or aversion toward someone on the basis of a protected characteristic.

Conduct, comments, or innuendoes that may be perceived by others as offensive are inappropriate and are strictly prohibited. This policy also prohibits sending, showing, sharing, or distributing in any form, inappropriate jokes, pictures, comics, stories, etc., including but not limited to via facsimile, e-mail, cell phone or other electronic devices, social media, and/or the Internet, such as YouTube and Facebook. Harassment of any nature, when based on race, religion, color, sex, sexual orientation, gender identity, national origin, age or disability, genetics, veteran status, citizenship or any other characteristic protected by law is prohibited and will not be tolerated.

This policy applies to City employees, citizens, vendors, and other visitors to the workplace, and applies to social events, off-duty, retreats and travel situations as well.

Mandatory Reporting

The City requires that employees report all perceived incidents of harassment or inappropriate conduct, regardless of the offender's identity or position.

Any employee who observes or otherwise learns of possible harassment in the workplace or who feels that harassment has occurred or has been subjected to conduct prohibited by this policy must report it immediately to:

- the Department Head
- the City Administrator or
- Human Resources

Any supervisor, manager, or department head who becomes aware of possible conduct prohibited by this policy must immediately advise the department head and/or the City Administrator.

Under this policy, an employee may report to and/or contact the City Administrator, without regard to the employee's normal chain of command:

Voice messages or e-mails may be left at any time.

Investigation

All reports of prohibited conduct will be investigated promptly and in as confidential a manner as possible. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have other relevant knowledge. All employees are required to cooperate with City investigations and to maintain confidentiality.

Retaliation Prohibited

Retaliation against employees who make a good faith charge or report of prohibited conduct or who assist in a complaint investigation is prohibited. Acts of retaliation must be reported immediately as set out above.

Responsive Action

The City will take immediate and appropriate action upon receipt of a sexual harassment complaint.

Misconduct constituting harassment or retaliation will be dealt with appropriately. Discipline, up to and including dismissal, will be imposed upon any employee who is found to have engaged in conduct prohibited by this policy. Likewise, disciplinary action will be imposed in situations where claims of prohibited conduct were untruthful, fabricated or exaggerated or when employees are untruthful during an investigation.

Section 1.5 **Drug and Alcohol Use Policy/Testing**

It is the desire of the City to provide a drug-free, healthful, and safe workplace. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory and safe manner.

Prohibition Against Alcohol and Illegal and Unauthorized Drugs

While on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment, no employee may use, possess, distribute, sell, or have a detectable amount of alcohol in his/her system (.02) (except under the limited circumstances described below), inhalants, illegal drugs, including drugs which are legally obtainable but which were not legally obtained, and prescribed or over-the-counter drugs which are not being used as prescribed or as intended by the manufacturer.

The use of alcohol by a City employee during a business lunch is prohibited even though the person with whom the employee is having lunch may be consuming alcohol. Further, an employee on duty or conducting City business, including City-related business entertainment, may not drive his or her own personal vehicle while under the influence of alcohol. No employee in his or her work-related capacity should ever be impaired because of the use of alcohol. City employees may not bring alcoholic beverages on City premises, including parking lots adjacent to City work areas, and may not store or transport alcohol in a City-owned or leased vehicle.

Prohibition Against Illegal and Unauthorized Drug-Related Paraphernalia

This policy also prohibits the use, possession, distribution and sale of drug-related paraphernalia while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment.

Drug-related paraphernalia includes material and/or equipment designed for use in testing, packaging, storing, injecting, ingesting, inhaling or otherwise introducing illegal or unauthorized drugs into the body.

Permissive Use of Prescribed and Over-The-Counter Drugs

The legal use of prescribed and over-the-counter drugs is permitted while on City premises, while on duty, while conducting City-related business or other activities off premises, while driving a City-owned or leased vehicle, or while operating or using other City-owned or leased property or equipment only if it does not impair an employee's ability to perform the essential functions of the job (or operate the vehicle, property or other equipment) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace. Examples of impairment include, but are not limited to, drowsiness, dizziness, confusion, or feeling shaky.

Police Department Employees

Certain City Police Department employees may be required to be in possession of alcohol and/or drugs in carrying out their job duties. Such employees will be exempt from certain portions of this policy under certain limited conditions. Additional guidelines may be established by Police Department operating procedures.

Mandatory Disclosure by Employees

Employees taking prescription medication and/or over-the-counter medication must report such use to either their Department Head or to the City Administrator if there is a reasonable likelihood the medication will impair the employee's ability to perform the essential functions of his or her job (or operate a vehicle, property or other equipment, if applicable) effectively and in a safe manner that does not endanger the employee, citizens or other individuals in the workplace. Examples of impairment include, but are not limited to, slurred speech, drowsiness, dizziness, confusion, or feeling shaky.

Employees Who Are Called Out

Employees who are aware they are subject to being called out are expected to be fit for duty upon reporting to work.

Any employee who is called out is governed by this policy. If a situation occurs where the employee called out has a detectable amount of alcohol in his/her system (.02) or has a presence in the system of drugs, such that reporting to work would result in a violation of this policy, the employee must so advise the appropriate supervisor on duty. The employee will not be required to report to work.

Mandatory Reporting of Arrests and Convictions

Employees must notify their immediate supervisor and the department head, in writing, of any alcohol or drug-related arrest and/or convictions (including a plea of *nolo contendere*) or deferred adjudication, for a violation occurring off duty and/or in the workplace no later than twenty-four (24) hours after the arrest and/or conviction.

Off-Duty Conduct

The City may take disciplinary action, up to and including termination of employment, if an employee's off-duty use of or involvement with drugs or alcohol is damaging to the City's reputation or business, is inconsistent with the employee's job duties, or when such off-duty use or involvement adversely affects the employee's job performance.

Any employee reporting to work under the influence of illegal drugs or with a detectable amount of alcohol (.02 bac or higher) may be disciplined, up to and including termination.

Rehabilitation/Treatment

1. It is the City's desire to assist employees who voluntarily request assistance with alcohol or drug dependency. For City support and assistance, however, an employee must acknowledge the problem and seek and accept counseling and/or rehabilitation before it impairs job performance and/or jeopardizes the employee's employment.
2. Employees with drug or alcohol problems that have not resulted in, and are not the immediate subject of, disciplinary action may request approval to take a leave of

absence to participate in a rehabilitation or treatment program. An employee may not enroll in a rehabilitation or treatment program in lieu of disciplinary action. The leave of absence may be granted in the City's sole discretion. Factors considered by the City in deciding whether to grant leave include: the length of the employee's employment with the City; the employee's prior work and disciplinary history; the employee's agreement to abstain from the use of the problem substance and follow all other requirements of the rehabilitation/treatment program; the reputation of the program and the likelihood of a successful outcome; the employee's compliance with City policies, rules, and prohibitions relating to conduct in the workplace; and the resulting hardship on the City due to the employee's absence. Unless otherwise required by law, it is the City's policy to grant such a leave of absence only once during the course of an employee's employment with the City.

3. The employee is responsible for all costs associated with any rehabilitation or treatment program. The cost of any rehabilitation or treatment may be partially covered under the City's group health insurance policy.
4. During time off for a City-approved rehabilitation or treatment program, the employee must use any available Vacation leave or Sick leave.
5. If the employee successfully completes the prescribed rehabilitation or treatment, the City will make reasonable efforts to return the employee to the prior position or one of similar pay and status. However, employment with the City following a City approved leave for rehabilitation or treatment is conditioned on the following:
 - Initial negative test for drugs and/or alcohol before returning to work;
 - A written release to return to work from the City-approved rehabilitation or treatment facility/program;
 - Periodic and timely confirmation of the employee's on-going cooperation and successful participation in any follow-up or ongoing counseling, testing, or other treatment required in connection with the City-approved rehabilitation or treatment program, if applicable;
6. In addition to any testing required in connection with the employee's ongoing treatment or follow-up to treatment, all employees who participate in rehabilitation or treatment under this section will also be required to submit to periodic and/or random testing by the City during the two years following the employee's return to work following treatment; and
7. The employee must sign a formal written agreement to abide by the above conditions, as well as any other conditions deemed appropriate by the City Administrator. The employee must meet with the City Administrator to discuss the terms of continued employment and sign a formal agreement before returning to work.

Policy Violations

Violations of this policy will generally lead to disciplinary action, up to and including immediate termination of employment and/or required participation in a substance abuse rehabilitation or treatment program. The Police Department may have stricter disciplinary rules regarding violation of this policy. Employees with questions or concerns about substance dependency or abuse are encouraged to discuss these matters with their

supervisor or the City Administrator to receive assistance or referrals to appropriate resources in the community.

TESTING

Types of Tests

Testing may include one or more of the following: urinalysis, hair testing, breathalyzer, Intoxilyzer, blood, or other generally accepted testing procedure.

Testing of Applicants

All applicants to whom a conditional offer of employment has been made will be required to submit to testing for illegal and unauthorized drugs.

A positive test result, refusal to test, or attempts to alter or tamper with a sample or any other part of the test, will render the applicant ineligible for consideration of employment or future employment with the City.

Testing of Employees

1. Employees will be tested for alcohol and/or illegal and unauthorized drugs after a workplace injury or accident or "near miss," when reasonable suspicion exists, or in connection with any required treatment or rehabilitation.
2. The City may conduct random testing on employees holding safety sensitive positions in the police department, fire department, and public works departments.
3. Police Department employees are also subject to any applicable departmental rules and regulations regarding illegal and unauthorized drug and alcohol testing.
4. For purposes of this policy, reasonable suspicion is a belief based on articulable observations (e.g., observation of alcohol or drug use, apparent physical state of impairment, incoherent mental state, changes in personal behavior that are otherwise unexplainable, deteriorating work performance that is not attributable to other factors, a work-related accident or injury, evidence of possession of substances or objects which appear to be illegal or unauthorized drugs or drug paraphernalia, or credible reports of drug use even if anonymously provided) sufficient to lead a supervisor to suspect that the employee is under the influence of illegal or unauthorized drugs or alcohol.
5. Supervisors who refer an employee for reasonable suspicion testing must document the specific factors that support reasonable suspicion testing (e.g., the who, what, when, where of the employee's behavior and other symptoms, statements from other employees or third parties, and other evidence supporting the reasonable suspicion testing).
6. Tests will be paid for by the City. To the extent possible, testing will normally be done during the employee's normal work time.
7. Any employee who refuses to be tested, or who attempts to alter or tamper with a sample or any other part of the testing process, will be subject to disciplinary action up to and including termination.

8. A positive test result is a violation of the City's Drug and Alcohol Use Policy and will result in disciplinary action up to and including termination of employment. Any employee who is terminated for violation of the City's Drug and Alcohol Use Policy is ineligible for future employment with the City.
9. The City has additional obligations when testing for controlled substances and alcohol for those employees regulated by the U.S. Department of Transportation. Please see the City's Drug and Alcohol Policy for DOT Employees (below) for additional information.

Testing Procedures

1. All testing must normally be authorized in advance by both the employee's department head and the Human Resources Manager. If the department head is unavailable within a reasonable period of time, the Human Resources Manager, with sole discretion, authorize the testing of an employee. If the Human Resources Manager is unavailable within a reasonable period of time, the department head or Human Resources Manager may, with sole discretion, authorize the testing of an employee. For reasonable suspicion testing, testing may not be authorized without the supervisor's documentation of the articulable factors which led the supervisor to suspect that the employee is has any detectable amount of alcohol or illegal/unauthorized drugs. Testing should be arranged as soon as possible after the supervisor's articulable observations and no later than 4 hours after the articulated observations.
2. If an employee is involved in workplace accident, injury or "near miss," or reasonable suspicion exists to believe that the employee has violated the City's Drug and Alcohol Use Policy, the employee will be provided with transportation to the testing facility. A supervisor or other designated City representative may be required to stay with the employee during the testing process. The City may, in its discretion, reassign the employee or put the employee on administrative leave until the test results are received. The City will make arrangements to have the employee transported home after the testing.
3. All substance abuse testing will be performed by an approved laboratory or healthcare provider chosen by the City. All positive test results will be subject to confirmation testing.
4. Test results will be maintained in a confidential file separate and apart from the employee's personnel file. Any medical-related information will be confidential and accessible only by the City Administrator and Human Resources; supervisors on a need to know basis, including those who have a need to know about necessary restrictions on the work or duties of an employee and any necessary accommodation; first aid and safety personnel when appropriate; government officials; insurance companies as may be necessary to provide health or life insurance to employees; by court order or as otherwise legally mandated; and as necessary to protect the interests of the City.

DRUG AND ALCOHOL POLICY FOR DOT EMPLOYEES

Employees/Applicants Subject to Testing

The City complies with the U.S. Department of Transportation's (DOT) physical mandated by the Federal Motor Carrier Safety Administration (FMCSA) applicable to employees in positions requiring a Commercial Driver's License (CDL). A DOT physical helps determine if a driver is physically, mentally, and emotionally fit to operate a CMV. For your safety and the public's safety, FMCSA requires all CDL holders to complete and pass a DOT physical to maintain a valid commercial driver's license.

Covered drivers must also comply with DOT drug testing and alcohol testing procedures.

Questions

Anyone with questions regarding this policy should contact the Human Resources Manager.

Section 1.6 Nepotism **(Employment of Relatives)**

This policy is designed to prevent conflicts of interest and perceptions of biased conduct and to maintain the confidentiality of restricted information.

Hiring & Employment of Relatives. The City will not hire a relative of a current employee without the express written authorization of the City Administrator. Continuing employment of employees who become relatives after they are hired is subject to the following:

- No employee may supervise, review, or process the work of a relative;
- The employees' relationship must not create an actual or potential conflict of interest;
- There can be no interdependence or relationship between jobs that might be potentially detrimental to the City;
- Relatives cannot work in the same Department; Department Heads cannot have a relative in their own or in another Department.

Mayor, Council Members, and City Administrator.

- Relatives of the Mayor may not work for the City.
- Relatives of City Council members may not work for the City.
- Relatives of the City Administrator may not work for the City.

Employee Dating. Department Heads are prohibited from dating another City employee. Other supervisors are prohibited from dating anyone in their own Department and are discouraged from dating employees in other Departments, especially if the relationship (or dissolution of the relationship) might reasonably create a disruption to the work environment, create a conflict of interest or the appearance of a conflict of interest, or lead to charges of favoritism, discrimination, or sexual harassment.

If a dating relationship is permitted under this policy, repeatedly asking out someone who is not interested is still a violation of this policy. For purposes of this policy "dating" includes both serious and casual dating and other conduct associated with romantic or sexual relationships. Anyone with questions as to whether an existing or potential relationship is prohibited by this policy is directed to discuss it with their Director, Human Resources, and/or the City Administrator's Office.

Required Disclosures.

- **Job Applicants.** Job applicants, both internal and external, must disclose during the hiring process if they are related to or are dating the Mayor, a Council Member, or a current City employee.
- **Current Employees.** Employees are required to notify the Human Resource department of the following:
 - **Relatives Seeking Employment.** Employees who know that a relative is or has applied for employment with the City must immediately notify Human Resources.
 - **Impending Relationships.** The City recognizes that future situations may arise where employees who were not relatives or who were not dating when hired may subsequently become related to or consider dating another City employee. If a romantic relationship, engagement, marriage, reorganization, or other situation will result in a violation of this policy, affected employees must immediately inform the appropriate Department Head and Human Resources.
- **Supervisors.** Supervisors must immediately disclose to the Human Resource department any known or suspected violations of this policy, as well as any impending relationships that will or may be in violation. Human Resources will work with Department Heads and the City Administrator to determine if this policy is or will be violated and coordinate any further action.

Application. This policy applies to all employees. Relationships that violate this policy will, unfortunately, result in the termination of one or both employees if a transfer or other resolution is not workable.

Definition of Relative. The definition of a “relative” is applied broadly and includes an employee’s:

- Mother, father, daughter, son, sister and brother;
- Stepparent, stepchild, and stepsibling;
- Aunt, uncle, niece, nephew, grandparent, and grandchild;
- Great-grandparent and great-grandchild;
- Spouse and the spouse’s mother/father, brother/sister, son/daughter, aunt/uncle, niece/nephew, grandparent, grandchild, great-grandparent and great-grandchild;
- Former spouse, fiancé, “significant other,” and members of the same household.

Section 1.7 Conflict of Interest and Outside Employment

It is the policy of the City of Parker to establish that no officer or employee shall give occasion for distrust of integrity, impartiality, or devotion to the best interests of the City and the public trust held by such persons.

No officer or employee shall use or attempt to use his official position to secure special advantage, privilege or exemption for him or herself or others.

To guard against a potential conflict of interest, no employee of the City of Parker may engage in any outside employment or self-employment without first securing approval, in writing, from his or her Department Head and approved by the City Administrator.

Section 1.8

Health/Medical Examinations/Fitness for Duty

The City endeavors to provide a safe work environment for all employees. It is the responsibility of each employee to maintain the standards of physical and mental health and fitness required for performing the essential functions of the position, either with or without reasonable accommodation.

Serious Health Condition/Disabilities

The City recognizes that employees with a potentially life-threatening and/or infectious illness or physical and/or mental disabilities may wish to continue to engage in as many of their normal pursuits as their condition allows, including their employment.

As long as these employees are able to perform the essential functions of their job, with or without a reasonable accommodation, without creating an undue hardship on other employees, and medical evidence indicates that their condition is not a direct threat to themselves or others, the City will treat them consistently with other employees.

Medical Exams for Current Employees

The City Administrator, or an employee's department head (with the prior written approval of the City Administrator) may require a current employee to undergo a medical and/or psychological examination to determine fitness for continued employment, as may be necessary in order for the City to provide a reasonable accommodation; following an injury or accident; and as otherwise permitted in accordance with applicable laws. Any requested medical examinations of employees will be job-related and consistent with business necessity.

Medical Information from an Employee's Doctor

Under certain circumstances, the City Administrator may require employees to provide medical information from their healthcare provider. In such cases, employees are to inform their health care provider not to provide any genetic information when responding to such request.

Genetic Information

In accordance with the Genetic Information Nondiscrimination Act (GINA), the City will neither request nor require genetic information of an employee or his/her family member, except as specifically allowed by GINA. To comply with GINA, employees are directed not to provide any genetic information when responding to any City request for medical information.

"Genetic information," as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or embryo lawfully held by an individual or family member receiving assistive reproductive services.

Medical Records

Medical records and sensitive information regarding an employee's health will be kept confidential as required by law. Limited information may be provided to supervisors and

managers, first aid and safety personnel, government officials, Texas Workers' Compensation Commission, and as necessary for insurance and other business-related purposes.

Return to Work/Fitness for Duty

Before returning to work following a medical and/or psychological examination under this policy, the employee must coordinate his/her return through the City Administrator. An employee who misses work due to medical reasons may be required to provide a fitness-for-duty certification before returning to work.

Time Off from Work

Time away from work undergoing a City mandated fitness for duty examination will normally be coded to paid administrative leave but may be retroactively changed to Sick or Vacation leave as circumstances warrant.

Section 1.9 **Americans with Disabilities Act**

To ensure compliance with the Americans with Disabilities Act and Americans with Disabilities Act as Amended (ADAAA), the City offers equal employment opportunity to qualified individuals and strictly prohibits discrimination against qualified individuals on the basis of disability.

The City will provide reasonable accommodation to the known physical or mental impairments of an otherwise qualified individual with a disability if such reasonable accommodation will enable the individual to perform the essential functions of the position at issue. The City's obligation under this policy is limited to providing reasonable accommodations that will not result in undue hardship to the City.

Any employee seeking reasonable accommodation for a disability that affects the employee's ability to perform the essential functions of the position shall make a written request to the City Administrator.

Employees who have a complaint involving potential violations of the Americans with Disabilities Act or ADAAA, including but not limited to harassment, discrimination, or failure to provide a reasonable accommodation, must immediately contact the immediate Supervisor, Department Head, or the City Administrator.

Section 1.10 **Modified Duty Assignments**

The City may modify duty assignments available to ill or injured employees who are unable to perform their regular job duties. The decision to offer an employee a modified duty assignment is made in the City's sole discretion.

A modified duty assignment may be in the employee's own or another department in the City. Factors considered by the City in making its decision include but are not limited to: the nature of the employee's illness or injury; the medical release provided in support of modified duty; the risk that a modified duty assignment may result in aggravation of the employee's injury or illness; the type of modified duty work available; the length of the employee's

employment with the City; the employee's performance and disciplinary history in making modified duty assignments.

Employees who are released for and given a modified duty assignment may not perform work duties in violation of their medical release. An employee who violates the terms of the medical release while on a modified duty assignment may lose the modified duty assignment and, in addition, may be disciplined up to and including termination of employment.

Modified duty will not normally extend beyond thirty (30) calendar days without an evaluation by the employee's treating physician and a recommendation from the department head to the City Administrator. Only the City Administrator may approve an extension of a modified duty assignment.

Employees still unable to return to regular duty within the time limit established for modified duty must re-qualify for modified duty through evaluation by the treating physician or revert to workers' compensation indemnity payment or accumulated leave benefits, if available.

An employee who is released for and offered modified duty by the City, but who elects not to accept such an assignment, will be ineligible for leave benefits under City policy and salary continuation benefits under workers' compensation, but may still be granted unpaid leave.

An employee's salary during any modified duty assignment shall be at the same rate as the salary received prior to the injury. This policy will be enforced consistent with the City's obligations under the ADA/ADAAA.

Section 1.11 **Social Media Policy**

An employee's use of social media, both on and off duty, must not interfere with or conflict with the employee's duties or job performance, reflect negatively on the City or violate any City policy. The intent of these standards is to regulate the creation and distribution of information concerning the City, its employees, and citizens through electronic media, including, but not limited to online forums, instant messaging and internet social media and blogging sites. This policy is designed to protect the City's reputation and ensure that an employee's communications not only reflect positively on the employee as an individual, but also on the City.

The term "social media" encompasses Twitter, Facebook, Snapchat, TikTok, LinkedIn, Instagram, Threads, blogs, and other online journals and diaries; bulletin boards and chat rooms, microblogging and all other social networking sites, instant messaging and the posting of video on YouTube and similar media.

Use of City's Internet

Use of the City's Internet is a privilege and City employees must responsibly and ethically use it. The City may monitor an employee's access, use, and postings to the City's Internet to ensure compliance with internal policies, support the performance of internal investigations, assist management of information systems, and for all other lawful purposes. Employees have no expectation of privacy when using the City's internet.

The City expects all employees to follow the Guidelines below when posting information on

the City's Social media sites.

Other City Policies

This policy should be read and interpreted in conjunction with other City policies, including but not limited to, policies prohibiting harassment, discrimination, offensive conduct or inappropriate behavior. Violations of the Social Media Policy may lead to disciplinary action. The City provides an effective system for employee complaints through the "General Complaint and Grievance" policy without resorting to social media.

Employee Guidelines: Use of City's Social Media on Work Time

Any blogging or posting of information on the Internet or other City social media sites must comply with the City's guidelines, regardless of where the blogging or posting is done.

- Blogging, or posting information of a personal nature on the Internet or other City social media sites is prohibited during work hours. Employees are not permitted to engage in social networking of a personal nature while using any of the City's electronic social media sites.
- Employees must obtain written authorization from the City Administrator to update or post on social media sites on behalf of the City and all content must be approved prior to posting.
- All the employee's time spent updating or posting on City social media sites as part of the employee's job duties is compensable time that must be reported and counted in the calculation of overtime.
- No use of social media on work time and on City equipment on City networks is considered private or confidential, even if password protected or otherwise restricted. The City reserves the right to access, intercept, monitor and review all information accessed, posted, sent, stored, printed or received through its communication systems or equipment at any time.
- Never disclose any confidential information concerning another employee of the City in a blog or other posting to the Internet. Posting confidential information may violate state law and subject the user to criminal penalty. All requests for City documents must be processed through the Public Information Act.
- Employees must abide by all federal and state law and policies of the City regarding information sent through the City's Internet.
- Individual supervisors do not have the authority to make exceptions to these guidelines.

Employee Guidelines: Use of Personal Social Media While not on Work Time

The City recognizes that many City employees utilize social media when not at work. The City requires that employees be aware of guidelines regarding posting of work-related information on personal social media sites, and they are listed below.

- If the employee's social networking includes any information related to the City, the employee must make it clear to the readers that the views expressed are the employee's alone and not reflective of the views of the City.
- Employees are encouraged to act responsibly on and off duty, and to exercise good judgment when using social media. Recognize that postings on your social media site, even if done off premises and while off duty, could have an adverse effect on the City's legitimate business interests.

- Respect coworkers and the City. Do not put anything on your personal social media site that may defame, embarrass, insult, demean or damage the reputation of the City or any of its employees.
- Do not put anything on your personal social media site that may constitute violation(s) of the City's Inappropriate Conduct and Prohibited Harassment policy.
- Do not post any pornographic pictures of any type that could identify you as an employee of the City. Be mindful that the City's harassment policy covers both work and non-work time, including postings on social media sites.
- Do not post pictures of yourself or others on your personal social media site containing images of City uniforms or insignia, City logos, City equipment or City work sites.
- Do not post information on your personal social media site that could adversely impact the City and/or an employee of the City.
- Do not permit or fail to remove postings violating this policy, even when placed by others on your social media site.

PROPOSED

CHAPTER 2 – EMPLOYMENT

Section 2.1 **Employee Applications**

The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the City's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Section 2.2 **Employee Classifications**

Exempt Employees

Salaried executive, administrative, and/or professional employees earning \$684 per week or more and who meet all of the exempt requirements of the FLSA are exempt under FLSA and are not eligible for overtime pay. Exempt employees usually work in excess of forty hours per week. Due to the nature of exempt work, exempt employees may work irregular, incidental, casual or discretionary hours beyond their normal work schedule. Such hours are an integral part of the job. The job description should inform employees whether their position is exempt.

However, exempt personnel may be allowed to flex time at the discretion of the City Administrator if the employee worked over the required eighty (80) hours during a pay period. Exempt personnel wishing to flex time off are expected to obtain approval in advance from the City Administrator. Exempt employees will not be paid for any additional hours worked upon separation.

Non-Exempt Employees

Non-Exempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked.

Full Time Employees

Full-time employees are those persons employed to work a regular full schedule. Each full-time employee is eligible for all benefits provided by the benefits plan currently in effect, subject to any waiting periods defined in specific plans.

Part Time Employees

Part-time employees generally work fewer than 18 hours per week and are paid on an hourly basis. Part-time employees do not participate in or receive employee benefits.

Seasonal Employees

Employees may be hired on a seasonal basis and are paid on an hourly basis. Seasonal employees do not participate in or receive benefits.

Section 2.3 **Selection Process**

The Department Head shall determine the most appropriate means of selecting applicants using job requirements to identify the best qualified and best suited applicant(s). Reference checks, interviews, assessment centers, medical examinations, performance tests, written tests, and other selection methods may be used.

Applicants shall be required to provide any information and undergo any examinations necessary to demonstrate compliance with prescribed requirements for the position(s) involved.

Section 2.4 **Training and Evaluation Period**

All regular employees shall be placed in a training and evaluation capacity for a period of three (3) months, with the exception of police personnel, who shall be placed in a training and evaluation capacity for a period of twelve (12) months. This training and evaluation period will be utilized for closely observing the employee's work; for securing the most effective adjustment for a new employee to the position; and for dismissing any employee whose performance does not meet the required work standards. During this training and evaluation period, employees have no opportunity to appeal their termination.

Section 2.5 **Working Hours/Attendance**

City Administration office hours are from 8:00 a.m. until 5:00 p.m. Monday-Friday. Scheduled working hours, lunch and rest breaks are established for each department employee by their respective department head. This schedule may change from time-to-time depending on the needs of the City of Parker. City offices are closed on Saturday and Sunday. Regular and reliable attendance is expected for all employees.

Section 2.6 **Promotional Opportunities**

Employees interested in promotional opportunities must apply through the Administration Department when opportunities are officially posted. The hiring supervisor will be allowed to review the employee's personnel file.

The City of Parker reserves the right to select individuals that it deems best suited for positions consistent with equal opportunity laws and fairness.

Section 2.7 **Transfers**

A transfer is the assignment of an employee in one position to another position at the same rate of pay. As with any other job opportunity, employees interested in a transfer must apply through the Administration Department when such an opportunity is officially posted. (This does not include internal transfers within a specific rank or classification within a department.) The hiring supervisor will be allowed to review the employee's personnel file.

A transfer does not affect the current rate of pay.

There will likely be no objection to capable employees transferring between departments provided the following conditions are met:

- Both department heads are aware of it and agreeable **before** contact is made with the employee.
- That the employee is the best available person to fill the job that is open.
- That the employee is qualified to handle the new job and it will not create undue hardship in the department that the employee is leaving.

Section 2.8 **Voluntary Demotion**

Voluntary demotions occur whenever employees apply for and accept a position at a lower pay rate. Prior to accepting the job offer, the Department Head and the City Administrator will decide the pay rate for the demotion, but it must be within the pay range of the lower job classification.

Section 2.9 **Involuntary Demotion**

An involuntary demotion occurs whenever a Department Head makes an administrative decision to permanently reassign an employee to a lower pay rate or reduced responsibilities. Compensation for an employee involuntarily demoted will be determined on a case-by-case basis by the Department Head and City Administrator depending on the circumstances of the demotion.

Section 2.10 **Temporary Assignments**

An employee may temporarily be paid at a higher base rate of pay if he or she performs all the duties of a higher job classification for a prescribed period of time. A temporary assignment to a higher job classification does not constitute a promotion and shall not be used to circumvent normal selection procedures. The employee involved shall not acquire any status or rights in the class to which temporarily assigned.

The City of Parker reserves the right to assign higher-level duties to an employee without additional compensation. Additional compensation for temporary assignments or acting duty shall be paid only if officially authorized by the Department Head and City Administrator.

Section 2.11 **Layoffs – Reduction in Force**

An employee may have his/her employment terminated due to the elimination of budgeted positions by the City Council. This is a non-disciplinary termination and is not subject to appeal.

Section 2.12 **Searches**

The City may conduct unannounced searches or inspections of the work site, including but not limited to City property used by employees such as lockers, file cabinets, desks, and offices, computer and electronic files, social media sites, cell phones, text messages, whether secured, unsecured or secured by a lock or password provided by the employee. No supervisor has the authority to deviate from City policy. If reasonable suspicion exists, the City may also conduct unannounced searches or inspections of the employee's personal property located on City premises, including vehicles parked on City parking lots.

All searches must be authorized and conducted under the direction of the City Administrator. Employees who refuse to cooperate with a search may be subject to disciplinary action up to and including termination.

Section 2.13 **Telephone Contact**

All supervisory personnel and service personnel must have a telephone number at which they can be reached during off-duty hours. This can be a cell phone or a land line telephone.

- No reimbursement shall be made to the employee for the City's use of such employee's private telephone to contact the employee regarding work-related matters.
- All employees must immediately notify supervision of any change in phone number(s), and provide a phone number for a secondary contact, i.e., spouse, parent.

CHAPTER 3 – WORK PERFORMANCE

Section 3.1 **Periodic Reviews**

It is a goal of the City to establish a uniform and equitable plan of evaluation and compensation based upon the relative duties and responsibilities of positions within the City and to reward meritorious service.

Newly hired employees will experience an intense period of job orientation for the first several months of employment. New employees will be evaluated on job performance as often as necessary. Employees will be evaluated three months after hire, and Police Officers will be evaluated 12 months after hire; all employees will be evaluated annually thereafter.

Periodic reviews may be performed when an employee's performance does not meet expectations or in any other event that the supervisor determines a performance review is needed.

If an employee believes he/she has received an unfair or incorrect performance evaluation, it should first be discussed with the Department Head during the initial evaluation interview. Written comments on the evaluation form are allowed, or they may be attached to the form, regarding why the employee contends the evaluation is unfair or incorrect. Written comments shall become part of the personnel file. Signing an evaluation does not indicate agreement with the review, only that it has been received.

Section 3.2 **Education and Training**

All employees shall have the knowledge and expertise to do their job. Employees will have the minimum educational standard required for their position. In addition, the City of Parker will work to provide the following:

- On the job training - Each employee will receive training on procedures, policy, and equipment from their supervisor and other employees in similar positions.
- Government required education and registration – All employees so required will achieve and maintain their own educational and registration requirements.
- Additional training and education – From time to time, additional training and education will be required to enhance job performance, knowledge, skills and ability.

Section 3.3 **Memberships in Organizations and Associations**

The City of Parker may pay for memberships in organizations and associations whose objectives and purposes are directly related to the objectives and purposes of the City. Each Department Head will be responsible for approving payment for membership in the organization.

CHAPTER 4 CONDUCT

Section 4.1 **Commitment**

The City of Parker expects each employee to provide quality public services by meeting high standards of job performance and conduct and by following established policies, procedures, rules, regulations, and practices. For this reason, all employees are to be treated as responsible adults in the employment relationship. Employees are expected to meet the City of Parker's performance standards and perform his/her job in an efficient and safe manner. Supervisors will provide a written job description and performance expectations. Employees are expected to hold a high level of commitment to the City of Parker organization. This commitment should be shown through cooperation, good work habits, and high standards of efficiency, economy, and accountability in the public service.

Section 4.2 **Personal Appearance**

All employees, regardless of work location and degree of public contact, are expected to maintain a good personal appearance and an acceptable standard of cleanliness and personal hygiene at all times.

While it is not the City's intention to dictate the personal wardrobe of employees, the appearance and dress of employees are important in creating a favorable image supportive of public confidence. In general, dress and grooming which management might consider faddish, extreme, slovenly, or overly casual should be avoided. The following guidelines should prove helpful:

1. Appearance of all employees should be businesslike and within the limits of common sense and acceptable community standards. Employees should wear clothing that is neat, clean, professional, attractive and suitable for business, except when fieldwork is required. Very casual clothing and evening wear are not appropriate.
2. Those employees who are issued uniforms are expected to wear them and present a neat and clean appearance. Identification badges should be worn when appropriate.
3. Grooming, hairstyle and length should be the individual's choice, but should avoid extremes, be neat, clean, and suitable for business. Safety concerns may override some employee preferences. Accessories and shoes should be functional and safe for the type of work performed. Since it is impossible to foresee all possible individual variations in dress and style, employees should be alert to the reactions of other employees and the public to their appearance.
4. Judgment is to be exercised by the department head to assure that equitable and uniform application of the guidelines prevails. An employee whose personal appearance is unacceptable to these general standards will be informed of this immediately and may be sent home. If the problem is not corrected promptly and cooperatively, he or she may receive disciplinary action.

Section 4.3

Contact with the Public and the Media

Employees are the ambassadors of the City to all they meet. Employees must be courteous, polite, and helpful. Nothing they do or say should detract from the public image of the City. If the help that is needed is “not your job,” courteously find the people or direct the person to the right people to assist them. If they ask, explain to anyone what you are doing and why you are doing it.

If the person is asking about the policies and opinions of the City, direct them to your supervisor.

Contact with the media is centralized to the City Administrator as Public Information Officer (PIO). Media contact dealing with police business goes through the Chief of Police. If a member of the media contacts an employee, the employee needs to refer them to the appropriate official.

Section 4.4

Electronic Communications and Systems Access Use

The City may provide computer networks, internet access, email, telephones, cell phones, digital cameras, voice mail, and fax communication systems for use by City employees in the performance of their job duties. These communication devices are referred to collectively in this policy as “electronic communications systems” or “systems.” These electronic communications systems are designed to support and enhance the communication, research and information capabilities of City employees and to encourage work-related communication and sharing of information resources within the City. This policy governs user behavior pertaining to access and usage of the City’s electronic communications systems. This policy applies to all City employees, contractors, volunteers and other affiliates who use the City’s electronic communications systems.

The City’s electronic communications systems access must be used in a professional, responsible, efficient, ethical and legal manner.

Internet, Instant Message and Email Access

Users desiring Internet, and/or email access must obtain written permission from their department head and provide it to the City Administrator. Users must acknowledge an understanding of this policy and its guidelines as a condition of receiving an Internet, instant message and/or email access account.

Failure to adhere to this policy and its guidelines may result in suspending or revoking the offender's privilege of access and/or other disciplinary action under City policies, up to and including termination of employment.

Acceptable Use

Acceptable uses of the City’s electronic communication systems are limited to those activities that support reference, research, internal/external communication and conducting City business in line with the user’s job responsibilities. Network users are encouraged to develop uses which meet their individual needs and which take advantage of the City’s internal network function. The City prohibits connection to sites or forwarding of information

that contain materials that may be offensive to others including, but not limited to, sites or information containing sexually explicit material.

Users must understand that use of any City-provided, publicly accessible computer network such as the Internet, instant messaging and email is a privilege. Personal use of City electronic media is not permitted. Supervisors cannot alter the restrictions of this policy.

Unacceptable Uses of Electronic Communications Systems include:

- Using profanity, obscenity, or other language which may be offensive or harassing to other coworkers **or** third parties.
- Accessing, displaying, downloading, or distributing sexually explicit material.
- Accessing, displaying, downloading or distributing profane, obscene, harassing, offensive or unprofessional messages or content.
- Copying or downloading commercial software in violation of copyright law.
- Using the systems for financial gain or for any commercial activity unrelated to City business.
- Using the systems in such a manner as to create a security breach of the City network.
- Looking or applying for work or business opportunities other than for internal City postings.
- Accessing any site, or creating or forwarding messages with derogatory, inflammatory, or otherwise unwelcome remarks or content regarding race, religion, genetics, color, sex, national origin, age, disability, age, physical attributes, or veteran status.
- Transmitting or sharing information regarding a coworker's health status without permission.
- Expressing opinions or personal views that could be misconstrued as being those of the City.
- Expressing opinions or personal views regarding management of the City or other political views.
- Using the electronic communication systems for any illegal purpose or in any way that violates City policy or is contrary to the City's best interest.
- The use of TikTok on a City-issued device is strictly prohibited; the City Administrator may prohibit the use of any other social media site, software, or application to protect the integrity of the City's network.

Responsibility

The person in whose name a City provided Internet, email or other electronic communications system account is issued is responsible at all times for its proper use, regardless of the user's location.

Exchanges that occur in the course of conducting City business on the City's electronic communications systems will be considered a communication of the City and held to the same standards as formal letters.

No Right of Privacy/Monitoring

Users of City electronic communications systems may not assume they are provided any degree of anonymity and employees have no right to privacy with regard to such systems. Personal passwords are not an assurance of confidentiality. To ensure proper use of its

electronic communications systems, the City will monitor their use. Management staff has the ability and will, with or without advance notice, monitor and view usage, including but not limited to: employee email, voice mail and instant messages, text messages, information and material transmitted, received or stored using City systems and user internet access and usage patterns to assure that the City's Internet resources are devoted to maintaining the highest levels of productivity, as well as proper use and compliance with this policy.

Copyright Restriction

Any software or other material, including music, downloaded into a City computer may be used only in ways consistent with the licenses and copyrights of the vendor, author or owner of the material. Prior written authorization from the City Administrator is required before introducing any software into the City's computer system. Employees may not download entertainment software, games or any other software unrelated to their work.

Cybersecurity Awareness Training

The City will conduct cybersecurity training in compliance with State law (HB 1118) and regulations for all employees, council members and any other person who has access to the City's computer network and/or IT infrastructure.

Section 4.5

Cell Phone Use in the Workplace

The City recognizes that many employees bring cell phones to work. Cell phones may belong to the employee or be provided for the employee's use by the City. The use of personal cell phones, including those with a texting, camera and/or video playing capability is not permitted during work time without a supervisor's approval.

Employees who are permitted by a supervisor to use a personal cell phone while at work must not allow cell phone use to become disruptive or interfere with their own or a co-worker's ability to do their jobs.

Employees who use cell phones to violate City policy, including the City's Inappropriate Conduct and Prohibited Harassment Policy, will be subject to disciplinary action.

Employees with City-issued cell phones are allowed to use City cell phones for personal phone calls.

Except in emergency circumstances, employees should not use a cell phone while operating a motor vehicle, including both making and receiving phone calls and texting. Employees using City -issued cell phones have no expectation of privacy in cell phone calls, pictures, or text messages on these phones.

Public Information Act

Employees are advised that records related to calls and text messages made and received on City issued cell phones are public information. Information related to telephone numbers called, length of call, and time and date of call as well as the text message itself may be obtainable through the Texas Public Information Act.

If an employee uses a personal phone or device for City related business, that phone or

device may be subject to disclosure under the Public Information Act of the State of Texas. Texas Government Code § 552.004, §552.233. Employees, including former employees, who possess City records on a personal device are required to either transfer the information to the City or to preserve the information in accordance with law and provide it to the City upon request. City information may be transferred from personal devices to the City by forwarding to the City Secretary.

Section 4.6 **City Property/Equipment Use**

The City attempts to provide employees with adequate tools, equipment, vehicles and facilities for the job being performed, and the City requires all employees to observe safe work practices and lawful, careful and courteous operation of vehicles and equipment. Any City-provided safety equipment must be used at all times.

From time to time, the City may issue various equipment or other property to employees, e.g., credit cards, keys, tools, security passes, manuals, written materials, uniforms, cell phones, computers, and computer-related equipment. Employees are responsible for items formally issued to them by the City, as well as for items otherwise in their possession or control or used by them in the performance of their duties.

At the time of issuance, employees may be required to sign certain forms or other documentation evidencing their receipt of property and/or equipment and authorizing a payroll deduction for the cost of lost, damaged, or unreturned items. In addition to payroll deductions, the City may take any other action it deems appropriate or necessary to recover and/or protect its property.

Employees must notify their supervisor immediately if any vehicle, equipment, machinery, tools, etc. appears to be damaged or defective, or are in need of repair. The appropriate supervisor can answer questions about an employee's responsibility for maintenance and care of equipment used on the job. The improper, careless, negligent, destructive, unauthorized, or unsafe use or operation of equipment will likely result in disciplinary action.

Personal Use Prohibited

City property, materials, supplies, tools, equipment or vehicles may not be removed from the premises or used for personal business without prior written approval by the City Administrator, or the Department Director.

Tobacco Use Prohibited

The use of all tobacco products of any kind, including smokeless electronic cigarettes is prohibited at any time in City buildings and other facilities, in City vehicles, while using City equipment, and as otherwise directed. Employees should not smoke at a resident's home. Employees are welcome to smoke on their rest breaks outside of the building in designated smoking areas. Smoke breaks which are excessive in frequency or length will be treated as an attendance issue.

Mileage Reimbursement

An employee will receive mileage reimbursement for consistently using such employee's own vehicle for City business if the use is deemed necessary by the City Administrator.

Mileage will be reimbursed at the current IRS mileage reimbursement rate.

Take Home Vehicles

A City vehicle may be assigned to a position or employee when it is more economical than payment of a car allowance or mileage reimbursement. To be eligible for assignment of a take-home vehicle, an employee must be subject to emergency call back during off-duty hours to locations other than the employee's normal work location. No personal use of a take-home vehicle is permitted except to commute to and from home or work. A City vehicle is not to be used for personal business such as going to the bank, grocery store, etc. without prior written approval of the City Administrator. No alcoholic beverages are allowed in City vehicles. No passengers may be transported in take-home vehicles except as required by official duties.

The City's vehicles are classified as either "exempt" or "non-exempt" as prescribed by law. Most pickups, vans and automobiles are classified as "non-exempt" vehicles. Employees to whom a "non-exempt" vehicle is assigned for take-home may incur a federal income tax liability for the benefit of commuting to and from work in a City vehicle. Police vehicles used by employees on call 24-hours are normally exempt from the benefit tax liability.

Use of City Vehicles

City-owned or leased vehicles may be used only for official City business. City owned or leased vehicles may only be driven by authorized City employees. If an employee drives a personal vehicle, or a City-owned, rented or leased vehicle on the job or while carrying out City-related business, the employee must comply with the following:

- Drivers must have a valid State of Texas driver's license appropriate for the vehicle operated, must maintain a satisfactory driving record, and must inform their supervisor of any change in status.
- Always observe all posted laws and speed limits.
- Always wear seat belts when the vehicle is in operation.
- No passengers other than City employees or others on City business may ride in a City vehicle unless otherwise approved in advance by the department head.
- No personal use of City-provided vehicles is allowed without the prior, specific approval of the Department Director.
- All maintenance and use records for City vehicles must be completed as directed by the employee's supervisor.
- Report any broken, missing, or worn parts, tires, etc., or any needed maintenance of City vehicles to the appropriate supervisor immediately.
- All drivers must be eligible for coverage under the City's insurance policy.
- Drivers covered by Department of Transportation (DOT) regulations must comply with the DOT regulations at all times.
- At no time may an employee under the influence of alcohol or with a presence in the system of illegal drugs drive a City vehicle or a personal vehicle while conducting City business.
- Employees involved in an accident while operating a City vehicle, or while operating a personal vehicle on City business, must immediately notify the proper law enforcement agency (if applicable) and the appropriate supervisor, Department Head, and/or City Administrator. Accident reports, along with any law enforcement report, must be filed by the employee with the City Administrator.

The City may, at any time, check the driving record of a City employee who drives as part of the job duties to determine that the necessary qualifications are maintained as a City driver. Employees must cooperate in giving the City whatever authorization is required for this purpose.

The above is not a complete and exhaustive list of vehicle use policies. Violations of any of the specific items listed, as well as the improper, careless, negligent, destructive, unauthorized, or unsafe use or operation of a vehicle, may result in loss of driving privilege or disciplinary action.

PROPOSED

CHAPTER 5 DISCIPLINE, APPEALS and GRIEVANCES

Section 5.1 **Discipline**

The City's discipline policy emphasizes the employee's responsibility for the consequences of his or her own behavior, with a focus on communicating expectations for changes in behavior and needed improvement. It also emphasizes that the disciplinary process should be fair to both the employee and the City and as consistent among employees and as appropriate to the individual situation as is practicable. The City's discipline policy and procedures apply to all City employees, except Council appointees and contractual employees, unless otherwise specifically stated.

Employees may be disciplined or discharged at any time and for any or no reason at the discretion of the City. The policy and procedures are only guidelines for supervisory actions; they are not intended to be inclusive of every possible situation. Furthermore, nothing in the policy is meant to imply that disciplinary steps or action must be taken in any particular order. No employee is entitled to progressive discipline.

Section 5.2 **Grounds for Disciplinary Action**

Every employee is expected to consistently maintain satisfactory performance standards. Continuing performance deficiencies, unlike the isolated violations noted in the subsequent sections of this chapter, should first be addressed by the mutually cooperative efforts of the supervisor and employee. Those efforts include but are not limited to:

- An analysis of the problem;
- A determination of needed changes and assistance; and
- Implementation of a corrective plan of action and establishment of achievement dates.

If performance standards are not met within a reasonable period of time, the employee, depending upon the reasons for failure, may be transferred, demoted, or terminated.

The following types of conduct are unacceptable and may be cause for discipline up to and including termination, depending upon the facts and circumstances of each case. The examples given below are typical, but not all-inclusive:

1. Unsatisfactory attendance is exemplified by, but is not limited to, the following violations:
 - Unexcused absence or tardiness; Failure to give notice of an absence or tardiness to the supervisor thirty (30) minutes before starting time, or as may be prescribed by departmental policy;
 - Separate absences or days of tardiness which exceed the average absences of days of tardiness of the employee's work group and which lack sufficient justification;
 - Failure to notify supervisor before leaving; or failure to return to work after any authorized leave of absence;

- Unscheduled absences in conjunction with weekends, holidays or other scheduled time off;
- Absence or tardiness that causes disruption of services; or excessive amounts of time off the job, regardless of the reason.

2. Abandonment occurs when an employee, without authorization, is absent from the job, or refuses a legitimate order to report to work, for two (2) consecutive workdays. The employee is deemed to have abandoned his/her job and may be terminated. Any unauthorized leave shall be unpaid.

3. Insubordination, including an inability or unwillingness to perform assigned work satisfactorily is exemplified by, but is not limited to, the following violations:

- Failure to follow routine written or verbal instructions;
- Arguing over assignments or instructions;
- Disrespectful or challenging conduct towards supervisor;
- An accumulation of other deficiencies indicating the employee's continuing failure to adequately perform in a productive, efficient, and competent manner;
- Failure or refusal to follow the lawful and specific orders or instructions of a supervisor or higher authority; and/or
- Pursuit of a denied request to a higher authority without revealing the lower-level disposition/failure to exhaust chain of command without excuse.

4. Indifference toward work is exemplified by, but is not limited to, the following violations:

- Inattention, inefficiency, loafing, sleeping, carelessness, or negligence;
- Reading social media or unauthorized material, playing games, watching television, movies or other non-work-related video content, or otherwise engaging in entertainment while on the job and/or in view of the public.
- Failure to remain at one's workstation without notifying the supervisor, leaving work without permission, or taking more time than allowed for meal or rest break periods;
- Performance of personal business on work time;
- Interference with the work of others; or
- Discourteous or irresponsible treatment of the public or other employees.

5. Sabotage is exemplified by, but is not limited to, the following violations:

- Deliberate damage to or destruction of City equipment or property;
- Defacing of City property;
- Unauthorized alteration, removal, destruction, or disclosure of City records (this conduct may also violate criminal laws);
- Advocacy of or participation in unlawful trespass or seizure of City property;
- Encouraging or engaging in slowdowns, sit-ins, strikes, or other concerted actions or efforts to limit or restrict employees from working;
- Encouraging City employees to disobey provisions of these rules and regulations, City ordinances, or other laws;
- Interference with the public use of or access to City services, properties, or buildings;
- Interference with the operations of City government; or

- Threats to commit any act of sabotage as defined in this subparagraph.

6. Safety violations are exemplified by, but are not limited to, the following violations:

- Failure to follow City or departmental safety rules and regulations;
- Failure to use required safety apparel;
- Removal or circumvention of a safety device;
- Lifting in a manner which may cause injury;
- Operations of a vehicle or other equipment in an unsafe, negligent, or careless manner;
- Smoking in a prohibited area;
- Endangering of one's own safety or that of others by careless or irresponsible actions or negligence;
- Failure to immediately report an on-the-job injury, vehicle accident, or unsafe working condition;
- Failure of a supervisor to remove from the workplace or to assist to a safe location an employee whose mental capabilities are impaired due to injury, illness, alcohol or drug use, or emotional distress; or
- Failure to maintain an insurable driving record acceptable to the City.

7. Dishonesty is exemplified by, but is not limited to, the following violations:

- Acceptance of money or anything of value from a person subject to the regulatory decision or supervision of the employees;
- Failing to be honest and truthful to supervisors when questioned;
- Cheating, forging, or falsification of official City reports or records;
- False reporting of the reason for an absence, paid or unpaid; or
- Other falsifying action detrimental to the City, City employees, or others.

8. Theft, regardless of item value, is exemplified by, but is not limited to, the following violations:

- Unauthorized taking of City property, City supplies or the property of others;
- Unauthorized use of City or employee funds;
- Using or authorizing the use of City equipment, supplies, or employee services for other than official City business, including the unauthorized use of long distance or pay telephone services (including "900" toll calls); or
- Using or authorizing the use of City equipment or employee services without proper authority.

9. Abuse of drugs or alcohol is exemplified by, but is not limited to, the following violations:

- The manufacture, distribution, dispensing, possession, sale, purchase or consumption of drugs or alcohol during working hours, work breaks, lunch period, in a City vehicle or at any time while the employee is on City property;
- Entering City property or reporting to work unable to perform duties in an effective and safe manner due to the ingestion, inhalation or injection of a drug or ingestion and/or consumption of an alcoholic beverage;
- Employees may use legally prescribed drugs or over the counter medicines but must not use any drugs or medicines that impair his/her ability to perform the essential functions of his/her job safely and satisfactorily. Employees shall report to HR when an employee takes any medication that might impair their ability to

- perform the essential functions of his/her job;
- Criminal acts involving the use of illegal drugs or alcohol while off-duty are grounds for termination.

10. Disturbance is exemplified by, but is not limited to, the following violations:

- Fighting or boisterous conduct;
- Deliberate causing of physical injury to another employee or citizen;
- Use of profane, abusive, threatening, or loud and boisterous language;
- Harassment, as defined by the Texas Penal Code, or intimidation;
- Unlawful harassment, violation of Inappropriate conduct or equal employment opportunity policies;
- Spreading of false reports; or
- Other disruption of the harmonious relations among employees or between employees and the public.

11. Abuse of City property is exemplified by, but is not limited to, the following violations:

- Intentional, careless, or negligent damage or destruction of City equipment or property;
- Waste of materials or negligent loss of tools or materials;
- Improper maintenance of equipment; or
- Damage caused by use of tools or equipment for purposes other than that for which the tool or equipment was intended.

12. Misconduct is any criminal offense or immoral conduct, during or off working hours, which, on becoming public knowledge, could have an adverse effect on the City or the confidence of the public in City government. "Criminal offense" means any act constituting a violation of law and/or resulting in charges being filed, arrest, or confinement.

13. Violation of the City's Inappropriate Conduct and Prohibited Harassment policy.

14. An employee shall maintain high standards of moral conduct in his personal affairs and shall not be a participant in any incident which tends to or does impair his ability to perform as a City employee or cause the City to be brought into disrepute.

15. An employee shall notify his/her immediate supervisor of all traffic violations, arrest and/or convictions within twenty-four hours of any offense.

16. Except for sworn peace officers and those licensed by the State of Texas to carry a handgun, no employee of the City, shall carry a handgun or any other firearm into any City building or portion of a building, or any City vehicle.

17. Engaging in conflicts of interest could compromise the appearance of professionalism and impartiality necessary to public service. Examples of prohibited conduct that could constitute an improper conflict of interest are:

- No employee shall accept any gift, or favor from any citizen, person, firm, group or corporation that does business with the City or that might reasonably be expected by the donor to result in favorable or special treatment in the performance of the employee's official duties.

- No employee shall use his/her official position to secure or grant benefits, privileges, or special consideration to himself/herself or others beyond that which is available to every other citizen, person, firm, group, or corporation.
- No employee shall transact any business on behalf of the City in his/her official capacity with any business entity with which he/she is an officer, agent, or member, or in which he/she owns directly or indirectly an interest.
- No employee shall accept other employment or engage in outside activities incompatible with the full and proper discharge of his/her duties and responsibilities with the City, or which might impair his/her independent judgment in the performance of his/her public duty.
- No employee shall receive any fee or compensation for his/her services as an officer or employee of the City from any source other than the City, except as may otherwise be provided by law. This shall not prohibit his/her performing the same type of other services for a private organization that he/she performs for the City if there is no conflict with his/her City duties and responsibilities.

Section 5.3 **Types of Disciplinary Action**

In making a decision as to what discipline should be recommended, the supervisor should consider such factors as the type and severity of the offense or offenses, the employee's work record, and any mitigating circumstances which may be relative to the situation.

The following disciplinary actions are not exclusive and may be initiated against an employee for violations of these Policies and/or City or departmental rules and regulations.

Verbal Counseling

Verbal counseling is best suited for a minor rule infraction or incident of substandard performance. Verbal counseling should identify violations and indicate areas needing improvement. A written record of this warning shall be maintained in the employee's personnel file.

Written Reprimand

A written reprimand is a formal warning of an infraction that may result in suspension, demotion, or termination should the violation recur. Both the supervisor and the employee should sign the written reprimand. Included in the written reprimand should be a statement of what changes in behavior are expected, when the next evaluation will be held and what penalty will be imposed if no changes are made by the employee. Copies of the written reprimand and all supporting documentation, if any, will become part of the employee's personnel file. The employee shall be given the opportunity to respond in written form to the written reprimand.

Suspension

A suspension is to bring about a change in behavior and results in time off without pay. The employee should be encouraged to reflect on his/her behavior during the suspension and to decide whether he/she wishes to correct the offending behavior or terminate his/her employment.

A Department Head may suspend an employee without pay for a period of not less than one (1) hour nor more than ten (10) working days. Prior to suspending an employee, a Department Head shall confer with the City Administrator. Suspension for more than ten (10) working days requires the written approval of the City Administrator. A suspension becomes a permanent part of the employee's personnel file.

Demotion

A Department Head may demote an employee for a disregard or violation of these Policies and/or any City or departmental rule or regulation, or for repeated refusal or inability to improve performance. Prior to demoting an employee, the Department Head shall confer with the City Administrator regarding the proposed demotion. Demotions may be either permanent or for a predetermined specified period of time and shall result in a reduction of salary. The demotion becomes a permanent part of the employee's personnel file.

Termination

An employee may be dismissed from employment at any time for any reason. The City Administrator must ratify any termination of an employee. The ratification will take place as soon as possible. An employee is not entitled to progressive discipline. For example, the City is not required to provide an employee with verbal counseling or a written reprimand before suspending, demoting, or terminating the employee.

Section 5.4 **Disciplinary Procedures**

Any disciplinary action, with the exception of oral reprimand/employee counseling, shall be presented in written form to the employee and the City Administrator specifying:

- The type of disciplinary action taken, i.e., written reprimands, suspension, or demotion;
- The specific rule violated;
- The specific incident, including date(s), if applicable, causing the action;
- A written or verbal response from employee regarding the allegations against him/her, if any;
- The employee's right to appeal to a specific office within a specified time; and
- The finality of the action if the employee fails to appeal within the specified time.

No discipline above oral reprimand/counseling shall be administered without prior approval by the City Administrator.

Section 5.5 **Appeals of Disciplinary Action**

An employee may appeal the following disciplinary actions to the Department Head if the discipline was imposed by a supervisor of lesser rank than the Department Head: a) Verbal Counseling b) Written reprimands. The decision of the Department Head will be final and non-appealable. If the Department Head makes the initial decision, no appeal is available.

The City Administrator has the authority to appoint, suspend or terminate any City employee.

The following actions may be appealed to the City Administrator: suspension, demotion and terminations. The appeal must be submitted to the City Administrator.

In order to appeal disciplinary actions, an employee must submit a written request for an appeal within three (3) business days, to the City Administrator. The decision of the City Administrator is final and no further appeal is available.

The appeal of disciplinary action will be an informal process wherein an employee will be given an opportunity to inform the City Administrator the action was not appropriate. The hearing will be confined to consideration of the reasons for the disciplinary action. If the reasons for the action have not yet been reduced to writing, they will be presented to the employee at least three (3) days prior to the hearing. The sole purpose of the hearing is to allow the employee an opportunity to respond to allegations of misconduct. It is not a formal evidentiary hearing.

Any appeal decision is final and non-appealable.

The procedures as set forth herein are intended to be used as guidelines only and are not to be interpreted as giving any employee substantive or procedural due process. All employees serve the City on an at-will basis. These guidelines do not alter the at-will relationship between the City and any employee.

Section 5.6 **Grievance Procedures**

Definition of Grievance. Employee complaints of inconsistent treatment, interpretation and/or application of City or departmental policies, procedures, or practices; and retaliation.

Any employee wishing to submit a complaint or grievance must first discuss the grievance with the employee's supervisor. If the employee's supervisor is a Department Head, the employee should first discuss the grievance with the Department Head in an effort to resolve the matter informally.

If the matter is not resolved to the employee's satisfaction, the employee may submit the grievance in writing on or within seven (7) calendar days after the discussion with the supervisor.

An employee still dissatisfied after conferring with the employee's Department Head may present the grievance to the City Administrator within three (3) business days of receipt of the Department Head's decision. The City Administrator's decision is final.

If an employee is complaining about the City Administrator, the employee must submit his/her grievance to the City Council within three business days for its consideration.

If the City Administrator has a complaint, they may submit their grievance to the Council for its consideration not less than three business days of the desire to have the grievance considered by the City Council.

CHAPTER 6 PERSONNEL RECORDS

Section 6.1 **Personnel Files and Records**

The City of Parker will request, use and retain only that personal information about employees that is required for business or legal reasons. The confidentiality of all personal information in City records and files will be protected, preserved, and maintained for all City employees in compliance with State and Federal laws.

Employees have access to personal information in his/her personnel files and will have the right to correct inaccurate information or express, in writing, disagreement with the accuracy of information maintained.

PROPOSED

CHAPTER 7 SAFETY

Section 7.1 **Safe Working Conditions**

It is the policy of the City to make every effort to provide healthy and safe working conditions for all its employees.

1. Employees will follow all established safety regulations and use all safety equipment provided by each department.
2. Each department head is responsible for reviewing all work procedures and enforcing all necessary safety rules and providing any safety equipment necessary to provide a safe working environment.
3. Employees shall immediately report any accidents or injuries occurring on the job to their supervisor. The supervisor shall take all necessary action to ensure safe transportation and/or treatment of the injured. The supervisor shall then notify the City Administrator's Office of the incident and shall file a written accident report with the Administration Department.
4. Employees shall not be compelled by orders of a supervisor to commit acts that are unlawful or pose unusual and unnecessary risk to the health or life of the employee.

Safety is important to the City and to you. Failure to follow safety rules is grounds for discipline up to and including termination.

Section 7.2 **Driving Record Checks**

An employee required to drive a City vehicle or personal vehicle as a regular part of their job will have their driving record reviewed from time to time. In addition, any and all traffic accidents, moving violations, convictions (including probated sentences), and/or license suspensions, whether occurring on or off the job, must be reported to your immediate supervisor within twenty-four hours of occurrence and the supervisor must immediately report it to the Department Head and/or the City Administrator. In order to ensure the safety of all employees and the public, employees may be forbidden to operate street vehicles based on a case-by-case review of driving records. If driving is an essential function of the job, this may result in termination.

An employee charged with, but not convicted of, any major moving violations including D.W.I. or D.U.I., may be removed from driving pending the resolution of the alleged violation or terminated if the circumstances warrant. If the employee is not lawfully authorized to drive and driving is an essential job function, the employee may be terminated.

PROPOSED

CHAPTER 8 COMPENSATION

Section 8.1 **Pay Days**

The City of Parker pays employees bi-weekly. Payroll is completed by the Friday following the two-week pay period ending on the previous Friday at 11:59 p.m.

If the payday falls on a holiday, payroll will be issued on the last working day preceding the holiday.

Section 8.2 **Overtime Pay**

The Fair Labor Standards Act defines “exempt” employees. Exempt employees are paid to do a job and are not required to be compensated for overtime.

Vacation, Sick, Holiday, and Bereavement leave does not count as “hours worked” for purposes of an employee reaching the overtime threshold.

Nonexempt employees may not work overtime (more than 40 hours per week, except for police officers and firefighters) without prior approval by their supervisor. Any nonexempt employee who works overtime without prior supervisory approval shall be disciplined, up to and including termination. Police officers and firefighters are subject to the 7k partial overtime exemption from overtime.

Section 8.3 **Longevity Pay**

Regular, full-time employees are eligible to receive longevity pay beginning November 2023. Longevity pay is calculated from date of hire through the end of the fiscal year at the rate of \$4.00 per month per year of service. Payment of longevity will be during second half of November each year. An employee who terminates employment with the City either voluntarily or involuntarily before November 15 will not be paid the longevity pay for the previous years' service.

Section 8.4 **Final Pay Upon Separation**

Upon final separation, an employee shall be paid his or her last paycheck on the next regularly scheduled payday.

Section 8.5 **Travel and Subsistence Allowance**

Statement of Policy

When employees of the City are required to travel on official business, the City will pay reasonable amounts for transportation, meals, and lodging. An employee is expected to show good judgment and an appreciation for the economy when incurring travel expenses.

Expense limits established by these regulations are limits, and not allowances or authorization to spend that much if less would be adequate.

General

Travel expenses must be itemized on a travel expense form, which must be forwarded to the Finance Director within two working days after returning from a trip. Paid bills for lodging and receipts for air or rail fares are required to be attached to the travel expense form if such expenses have been incurred. The City shall pay actual registration fees which shall be based upon a copy of the official conference brochure indicating such fees.

Meal Allowance

Employees are reimbursed for meals while traveling on City business according to the current GSA schedule and rates provided by the U.S. General Services Administration or its successor.

Transportation

The City may purchase tickets in advance for employees traveling by common carrier. All employees shall travel in economy class where such services are available.

Municipal owned vehicles may be used for out-of-City travel. All expenses incurred for operation of such vehicles must be documented by receipts attached to the expense report. Employees who, with authorization from their Department Head, use their personal vehicles for official business will be reimbursed for mileage at the current IRS mileage reimbursement rates.

Receipts must be attached to the expense report to claim reimbursement for all transportation costs. If receipts were not available for ferry, bridge, road and parking tolls, and taxicab fares, these items can be itemized with the reason the receipts were not available. Reimbursements for those unreceipted costs will be determined on a case-by-case basis.

Lodging

An employee is expected to make hotel or motel reservations well in advance whenever possible and to take other actions to insure that lodging is secured at moderate rates.

If an employee is to attend a formal, organized meeting or conference, he/she may stay at the hotel where the meeting is to be held unless it is within a 50-mile radius of City hall. The City, in all cases, will pay no more than the regular single room rate.

Non- Allowable Expenses

Expenses or charges for the following will normally not be reimbursed and must be paid for by the employee:

- In-hotel pay television and movies;
- Dry cleaning and laundry;
- Health club and spas;
- Expenses of a spouse;
- Alcoholic beverages;
- Personal long distance telephone calls; and
- Other items of a personal nature.

Section 8.6 **Attendance and Work Hours**

Regular Work Hours

Nonexempt employees of the City, except for Police Department Personnel, normally work 40 hours in a seven-day workweek. Exempt employees may be required to work in excess of 40 hours in certain weeks.

The work week for most City employees begins at 12:00 a.m. on Saturday and ends at 11:59 p.m. on Friday. With approval of the City Administrator, individual departments may be permitted to set a work week that differs.

The City has declared a 14-day work period for Police Personnel under the 7K partial overtime exemption. For police officers, overtime is paid for time worked in excess of 80 hours in a 14-day work period.

Adjustment to Work Hours

In order to assure the continuity of City services, it may be necessary for Department Heads to establish other operating hours for their departments. Work hours and work shifts must be arranged to provide continuous service to the public. Employees are expected to cooperate when asked to work overtime or a different schedule. Acceptance of work with the City includes the employee's acknowledgement that changing shifts or work schedules may be required and indicates that the employee will be available to do such work.

On-Call and Call Back Pay

On-call status is not considered time worked. On-call employees called back to the workplace will be paid at their overtime rate of pay for actual hours worked or a minimum of two (2) hours, whichever is greater for each call-back within the same 24 hours after their regularly scheduled working hours or on a regular day off. Continuing work on a call-back that extends beyond the 2-hour minimum and into a day off does not entitle the employee to additional premium pay. An employee who is on call must be able to reach City Hall within one hour. Travel time to and from a call-back is compensable under this policy. On-call employees who do not return to the workplace but who handle a workplace issue by phone will be paid for actual time spent on the phone. Employees are on-call for one work week at a time and receive a stipend for each week they are on-call week.

Attendance/Time Records

Employees are expected to be at their workstations and ready to work at their scheduled start time. Employees are required to accurately record the number of hours worked each day. Employees' meal breaks are automatically deducted, and the employee must affirm that he/she took a meal break and was relieved of his/her duties. Meal breaks for police personnel are not deducted. Employees are required to sign the time sheets and affirm the work time reported is accurate.

Attendance and Punctuality

Regular and reliable in-person attendance is an essential job function.

To maintain a safe and productive work environment, the City expects employees to be

reliable and punctual in reporting to work. Absenteeism and tardiness are disruptive and place a burden on the City and on co-workers.

Either may lead to disciplinary action, up to and including termination of employment.

In most instances, an employee who fails to properly notify the supervisor in advance of an absence or tardiness will be subject to disciplinary action up to and including termination. An employee who fails to notify the City of an absence of three days or more may be presumed to have voluntarily resigned from employment.

Regular and reliable on-time attendance is required. Accordingly, employees with unscheduled and/or unapproved tardies and absences, if more often than infrequent, will face discipline.

Generally, if an employee has two or more tardies within 6 months, he will receive a reprimand; if he has 3 or more tardies within a twelve-month period, he will receive a written reprimand and if he has more than 4 in a 12-month period, he will be suspended and/or terminated.

Generally, if an employee has an unscheduled and unexcused absence, and does not provide a doctor's note, he will generally receive a reprimand. If he has more than one unscheduled and unexcused absence in a 12-month period, he will be suspended without pay. If he has more than 2 unexcused and unscheduled absences within a twelve-month period he will likely be terminated.

Section 8.7 **Clocking In & Out for Employees**

The Fair Labor Standards Act (FLSA) requires employers to keep records on wages and hours worked. The City of Parker uses Time and Attendance tracking software. Employees may use an application for their phone to clock in and out or may enter their hours worked through the software available on their work computer.

The FLSA requires employers to pay non-exempt employees for all hours worked, so it is important for employees to clock in and clock out or enter time appropriately. Employees should record hours worked by clocking in or recording the time immediately prior to beginning work and clocking out from their work site or recording the time upon finishing work before leaving for the day. Early or late clocking in/out or time recording will not be permitted unless the employee is actually working.

Rounding

It is permissible to round the employee's start time and stop time under the FLSA when used in such a manner that it will not result, over a period of time, in the failure to compensate properly for all hours actually worked by non-exempt employees. The City of Parker's timekeeping system records time to the nearest quarter of an hour (15 minutes). The City will ensure that the employees are adequately compensated for all hours worked.

Section 8.8 **Breaks**

The City may allow rest breaks as authorized by an employee's immediate supervisor during the course of each workday to prevent undue fatigue.

Rest Breaks

Full-time employees may, depending on individual departmental work schedules and the discretion of the supervisor, take up to two fifteen-minute, paid breaks each day, one during the first part of the workday and the other during the latter part of the workday. Breaks may not be combined. Time spent on rest breaks will be compensated as hours worked. An employee is expected to be punctual in starting and ending breaks and will be subject to disciplinary action for tardiness.

Meal Periods

Full-time employees are normally provided with a one-hour unpaid meal break near the middle of the workday. Employees will be relieved from work responsibilities during unpaid meal breaks. Employees may not extend meal breaks beyond their assigned period without permission from supervisor.

Lactation Break

Nursing mothers will be provided with reasonable unpaid break time to express breast milk for up to one year after the birth of a child in accordance with applicable law. If an employee needs time beyond the usual lunch and break times, the employee may use Vacation leave. Employees and supervisors are expected to agree, in advance, upon a break schedule and how the time will be counted or made up. A private room will be provided for nursing mothers to use. Employees who have a private office may use it if they prefer.

Supervisor Responsibility

Supervisors are responsible for scheduling the time for employee rest and lactation breaks and should take into consideration the workload and nature of the job performed. Whenever necessary, the supervisor may change the frequency and length of rest breaks.

Practices Not Permitted

The following practices are not permitted uses of rest breaks:

- combining two daily breaks into one thirty (30) minute rest break;
- "banking" break period time from day to day;
- saving break period time to extend lunch periods or shorten the scheduled workday; or
- requesting overtime pay for work performed during break period time.

CHAPTER 9 BENEFITS

Section 9.1

Holidays

The City of Parker observes the following days as paid holidays:

| | |
|------------------|---------------------------|
| New Year's Day | Thanksgiving Day |
| Good Friday | Friday after Thanksgiving |
| Memorial Day | Christmas Eve |
| Independence Day | Christmas Day |
| Labor Day | Day after Christmas |

Full-time employees shall be paid for official paid City holidays providing the employee is not on an unpaid leave of absence immediately preceding or following the holiday.

Police Department full-time employees required to work on a holiday will be paid 8 hours for the holiday at their regular rate of pay, in addition to the hours worked. If a holiday and an employee's regularly scheduled day off occur on the same day, the employee will be paid 8 hours for the holiday at the regular rate of pay.

If a holiday occurs on a Saturday, the preceding Friday shall be observed as the holiday. If the holiday falls on a Sunday, the following Monday shall be observed as the holiday.

A holiday does not count towards compensable hours of work. Stated another way, holiday hours do not count as "hours worked" for purposes of reaching the overtime threshold.

Section 9.2

Vacation

Vacation leave refers to the allocation of time employees can take off work and still be paid regular wages. Regular full-time employees accrue vacation leave each pay period as follows:

| <u>Consecutive Months of Service</u> |
|--------------------------------------|
| 0 - 60 |
| 61 - 120 |
| Over 120 months |

| <u>Accrual Rate Based on 26 Pay Periods Per Year</u> |
|--|
| 4.61 hours per pay period – 120 hours per year |
| 6.15 hours per pay period – 160 hours per year |
| 7.69 hours per pay period – 200 hours per year |

Vacation is accrued per pay period with a maximum accrual cap equal to the yearly accrual rate plus 40 hours. Employees do not accrue additional vacation leave until the vacation balance is reduced below his/her maximum accrual cap.

Vacation leave shall be used in one (1) hour increments, up to a maximum of two (2) weeks consecutively unless prior approval from the City Administrator has been granted.

If you are eligible for vacation leave, you must submit a request in advance of your requested time off to obtain approval from your supervisor.

Vacation does not count towards compensable hours of work. Stated another way, vacation hours do not count as “hours worked” for purposes of reaching the overtime threshold.

Upon separation, an employee who voluntarily resigns after working more than one year shall be paid seventy-five percent (75%) of the value of their accrued Vacation leave, up to a maximum of the employee’s current annual accrual rate plus 40 hours. No payout will occur if you have worked less than one year.

Section 9.3 **Sick Leave**

Employees who are employed as of January 1 of each year shall receive 40 hours in their sick leave bank. Sick leave shall be used in one (1) hour increments. You may use vacation leave for any sick or personal time needs that exceed available sick leave.

Employees who have sick leave hours remaining at the end of the year will have those remaining hours converted to Emergency leave. Sick leave is not paid out upon separation.

Section 9.4 **Emergency Leave**

As additional income security, rather than losing sick leave hours, you may “bank” additional hours into an “Emergency Leave account.” You may use your Emergency Leave for your own medically related absence of 5 consecutive days or greater. An employee may not use Emergency Leave until sick leave is exhausted. Once Sick Leave is exhausted and you have been absent for medical reasons for more than four days, deductions will come from your Emergency Account until exhausted. When Emergency Leave is exhausted, an employee may use Vacation to cover any additional absences. If no leave is available, absences will be unpaid.

Any balance in an Emergency Leave account as of the effective date of this policy will remain available to be used as set forth in this policy; as of the effective date of this policy, Vacation leave will not roll over to Emergency Leave. Emergency Leave is not paid out upon separation.

Section 9.5 **Leave Donation**

From time to time an employee may have extraordinary circumstances requiring leave that exceeds their accumulated Vacation and Sick leave. Employees may donate Vacation leave to such an employee by notifying Human Resources in writing of the amount of Vacation they wish to donate to such an employee. An employee may receive donated leave only for their own serious health condition or to care for an immediate family member who has a serious health condition, and only after all leaves have been exhausted.

Section 9.6 **Bereavement Leave**

Bereavement leave with pay for a period not to exceed three days (24 hours) per occurrence will be given to any regular, full-time employee in case of death in the immediate family.

“Immediate family members” are defined as an employee’s spouse, domestic partner, parents, stepparents, siblings, children, stepchildren, grandparents, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild.

If there is a death in the family, the employee should request leave in advance or as soon as possible to his/her immediate supervisor. The supervisor should obtain permission for its use through the supervisor’s chain of command.

An employee may be required to provide proof of death/funeral/family relationship in support of bereavement leave. Bereavement leave is paid at the employee’s base rate at the time of absence. It does not include overtime or any special forms of compensation. Paid time off for bereavement leave is not counted as hours worked for purposes of determining overtime.

Employees who wish to attend funerals for other than immediate family must use Vacation leave.

Section 9.7 **Jury Duty Leave**

The City provides paid leave to regular full-time employees required to serve on jury duty requested to testify as a witness by the City in a City-related civil, criminal, legislative, or administrative proceeding. Court appearances for testimony, investigation, and court preparation as a result of official duties as a City employee (e.g., police, fire, inspections, animal control, etc.) are compensated as actual hours worked and are not classified as paid leave. Employees will receive regular pay during jury service for up to two weeks; absences for longer periods of time will be handled on a case-by-case basis.

The employee must provide documentation of the requirement for jury duty, subpoena compliance, etc., with the leave request, along with supporting documentation to their supervisor as soon as possible so that arrangements can be made to accommodate the absence. Employees must maintain daily contact with their supervisor for the duration of the absence.

An employee who is on jury duty typically must report for work for the remainder of the day upon completion of court or jury service, or request approval for use of Vacation leave. Any payment for jury duty received by the employee may be retained by the employee.

Jury duty leave is paid at the employee’s base rate at the time of leave and does not include overtime or any other special forms of compensation.

Section 9.8 **Military Leave**

Employees shall be eligible for paid military leave in accordance with state and federal laws for military duty for a maximum of fifteen (15) days per fiscal year. If your reserve unit is called to active duty, your leave will be for the length of that active duty but will be unpaid beyond the three-week annual leave. While on leave, you may use your available Vacation. You will be asked to submit a copy of the order, directive, notice, or other document that requires you to report for duty when requesting leave.

While you are on military leave, your benefits will continue for up to 24 months. You will continue to be responsible for your portion of the premium for leaves of 30 days or less, and for longer leaves, you will be responsible for the entire premium.

Pay and benefits return to normal when you return to work within 10 days of release from active duty, or as agreed to with your supervisor. The City complies with all state and federal laws relating to employees in reserve or active military service and does not discriminate against employees who served in the military.

Section 9.9 **Workers' Compensation**

Eligibility for Workers' Compensation

If you are injured as a direct result of the duties performed in the course of your employment with the City, you may be eligible to receive Workers' Compensation benefits under the Workers' Compensation Insurance plan. Such a plan is required under state law and covers the cost of hospitalization, physician fees, drugs, treatment, and other related expenses. See Section 9.6.

Workers' compensation is designed to cover the costs associated with injuries resulting from identifiable and specific accidents or injuries occurring during the course and scope of one's employment. It is not designed to cover ordinary diseases of life. All employees are covered by workers' compensation insurance.

An employee injured on the job may be eligible for workers' compensation benefits, which may cover the cost of hospitalization, doctors, treatment, prescription drugs and other related expenses, to include possible partial salary continuation.

Injuries not directly related to or caused by a specific accident or incident that occurred in the performance of the employee's job duties for the City, injuries occurring while an employee or volunteer is working or volunteering for an employer or organization other than the City, and/or injuries occurring during self-employment, are not covered under the City's workers' compensation plan.

Accident and Injury Reporting Procedures

1. **Medical Attention.** When an employee is injured on the job, the City's first priority is to ensure that the employee gets timely medical attention. The employee must immediately report the circumstances of the accident and/or injury to the supervisor who will direct the employee to seek medical treatment, if necessary, from the Approved Doctor List (ADL) referred to by Human Resources
2. **Reporting and Documentation.** The employee's supervisor is responsible for notifying Human Resources immediately upon being made aware of an employee's involvement in an accident or injury. This timely notification is critical.

The employee's supervisor will initiate a thorough investigation into the cause and circumstances of the accident causing the injury, including interviewing all witnesses and preparing a detailed written report explaining the facts of the accident that occurred. The supervisor must submit the City's Accident Report, First Report of Injury or Illness and any

other related information to the City Administration no later than the next business day after the injury was reported or no later than 9 a.m. on Monday for injuries occurring over the weekend. If the employee's supervisor has reason to believe that an injury has been reported that is not directly related to or caused by a specific accident or incident occurring in the performance of the employee's assigned job duties, the supervisor must advise the City Administration of these circumstances.

The decision of whether or not an injury will be covered by workers' compensation will be made by the Worker's Compensation Carrier and not by the City.

If the employee's treating physician recommends convalescence at home, the employee is required to contact the supervisor each day during the time away from work. For every doctor's office visit, the employee is required to obtain from his doctor a completed Work Status Report, which includes the employee's diagnosis, when the employee is expected to be able to return to work, the employee's restrictions and the date of the employee's next appointment.

It is the employee's responsibility to ensure that a copy of the Work Status Report is forwarded to Human Resources and to the supervisor. Failure to report to Human Resources as required may result in disciplinary action, up to and including termination of employment.

Returning to Work

The employee is to return to work immediately after treatment unless the employee's physician will permit neither regular duty nor modified duty. The employee must have a written release from the doctor to return to work and the release must specify any restrictions. The City does not guarantee the availability of a modified duty opportunity. However, the employee must accept any modified duty assignment that is offered, including an assignment in another department.

All modified duty assignments must be approved by the City Administrator to ensure compliance with the City's policies, the physician's restrictions/release and with the Americans with Disabilities Act (ADA,) the Americans with Disabilities Act as Amended (ADAAA).

Maximum Time Limits

Subject to other restrictions, limitations and earlier terminations as applicable in particular circumstances, the City will hold open an employee's position following an injury that occurred while performing official job duties or conducting City business, for a reasonable time period if holding the position does not result in undue hardship on the City, generally not to exceed six months.

The City Administrator will engage in discussions of any reasonable accommodations that may assist the employee in performing the essential functions of the job. At the end of the reasonable period of time, should the employee still be unable for any reason to perform the essential duties of the job, with or without accommodation, the employee's position may be filled and the employee may be considered for a vacant position for which the employee is qualified and released from the physician to perform.

If no vacant position is available for which the employee is qualified, if not selected to fill the vacant position or if the employee declines to accept another position, employment with the

City will be terminated.

Section 9.10 **Unpaid Leave of Absence**

If you are a regular, full-time employee, you may request an unpaid leave of absence by submitting a written request to your Department Head.

You may be given an unpaid leave of absence for illness or inability to work or any other legitimate purpose approved by the Department Head. Unpaid leaves of absence may be approved only after Vacation and Sick leave has been exhausted.

The Department Head may approve an unpaid leave of absence of up to two (2) weeks in duration. The City Administrator and the Department Head must approve an unpaid leave of absence beyond two weeks. An unpaid leave of absence may not exceed 30 days, unless an additional application is requested by the employee and approved by the City Administrator.

During an approved unpaid leave of absence, the City will continue to pay its usual contributions toward your benefits; however, you will still be responsible for paying any benefit premiums that would normally be deducted from your paycheck. Please make arrangements with Administration for paying these premiums prior to your leave.

Section 9.11 **Group Medical Plan**

The City makes comprehensive group medical coverage available to every regular full-time employee and pays the premium toward such single coverage for as long as an employee is eligible and enrolled. Newly hired employees should enroll themselves and their eligible dependents (if desired) for medical coverage within 30 days of hire. Once enrolled, an employee and his/her dependents are covered effective the first of the month after the employee's date of employment.

Any premium for dependent coverage will be deducted from your paycheck; employees in a non-pay status will have to pay premiums to the City in order to maintain coverage.

Specific and complete details of the City's medical plan are available in plan booklets supplied to you by Administration.

Section 9.12 **Group Life Insurance**

Group life insurance coverage in the amount of \$50,000, including accidental death and dismemberment coverage, is provided to all regular, full-time employees. The City pays the full premiums for the employee for the provided amount. Employees may elect and pay for additional optional coverage. For further information, refer to the Group Life Insurance Policy.

Section 9.13 **Long Term Disability**

Long-term disability coverage is provided to all regular, full-time employees. The City pays the full premium for full-time employees. For further information, refer to the Long-Term Disability information available from Human Resources.

Section 9.14 **Dental Insurance**

Dental insurance is available to regular full-time employees and their dependents, if desired. The City pays the premium for single coverage. Premiums for dependent coverage will be deducted from your paycheck.

Specific and complete details of the City's dental plan are available in plan booklets supplied to you by Administration.

Section 9.15 **Texas Municipal Retirement System**

The City of Parker is a member of the Texas Municipal Retirement System (TMRS). Participation in the system is mandatory for all regular, full-time employees. There is no maximum age for participation in TMRS. Beginning January 1, 2024, employees contribute 7% of their gross income, which is not taxable until withdrawn. The City contributes on your behalf at a rate of 2:1 (14%).

The purpose of the retirement system is to provide adequate and dependable retirement benefits for employees retiring from Texas Municipalities. Each member City chooses from various TMRS options to tailor its retirement plan to meet local needs and circumstances. Policy Manuals detailing this plan are available at www.TMRS.com.

Section 9.16 **Social Security**

The City of Parker does not participate in Social Security (unless you are a part-time or seasonal employee). If you retire under both Social Security and a local government retirement plan such as TMRS, with a City that does not participate in Social Security, your Social Security benefit may be lowered or offset. For more information, contact your local Social Security office.

Section 9.17 **Medicare**

Employees hired after April 1, 1986 are required to make a contribution toward Medicare equal to 1.45% of gross pay. The City matches the employee's contribution with an amount equal to the employee's contribution.

Section 9.18

Continuation of Group Medical Benefits

The Consolidated Omnibus Budget Reconciliation Act (COBRA), provides that all employees are eligible to continue their group insurance for a maximum of eighteen (18) months when employment is terminated due to resignation, retirement, reduction in employees, reduction of work hours, or dismissal for reasons other than gross misconduct. The law also entitles dependents of a covered employee to continue their group insurance coverage for a maximum of eighteen (18) months upon the separation of a covered employee or a reduction in such employee's hours of employment; and up to thirty-six (36) months upon the death of a covered employee, divorce or legal separation, when dependent children are no longer "eligible dependent" under the definition in the policy, or when the employee becomes Medicare eligible. The employee or dependent must request continuation of coverage and must pay the full cost of coverage.

Section 9.19

Inclement Weather and Emergency Conditions

The City will make every effort to maintain normal working hours through inclement weather. Except for extraordinary circumstances, City offices DO NOT CLOSE, although City facilities may be closed to the public. All City employees, whether exempt or nonexempt, are expected to make a sincere effort to report to work during inclement weather conditions or other emergency situations.

1. **Employee.** If an employee determines that the weather conditions constitute a danger to life and/or property, the employee must notify the immediate supervisor and/or Department Head and make arrangements to report to work if weather conditions improve. If conditions do not improve, Vacation leave or leave without pay will be utilized.
2. **Department Head.** The Department Head is responsible for seeing that City services are staffed while City offices are open for business during inclement weather or emergency conditions. Any City service that cannot be provided during inclement weather or other emergency conditions must be immediately reported to the City Administrator.
3. **City Administrator.** When weather or other conditions are such that the City Administrator or designee declares certain City offices/departments officially closed, all affected personnel, i.e., those non-essential employees who were scheduled to work during the time of closure, will be paid for their scheduled hours when the office/department is closed. On days when the weather worsens as the day progresses, the City may decide to close early. In such cases, a decision and announcement will be made by the City Administrator or designee at the appropriate time. Employees will only be paid for time worked when the office/department closes early and may utilize Vacation leave or leave without pay for the remainder of the day.
4. **Essential Personnel.** Essential personnel must report to work even when other City offices/departments are officially closed due to weather or other type of extraordinary circumstances. Essential personnel required to be on the job regardless of adverse weather or other conditions are designated by the Department Head and/or the City Administrator. Nonexempt essential personnel shall receive 1.5 times their regular rate of pay for actual hours worked during inclement weather or emergency conditions. Essential personnel who

fail to report to work may be subject to disciplinary action up to and including termination of employment.

Section 9.20 **Quarantine Leave**

In accordance with Local Government Code 180.008, this paid quarantine leave policy applies to peace officers who are employed or appointed by the City and ordered to quarantine or isolate due to a possible or known exposure to a communicable disease while on duty.

Definitions:

- (1) "Health authority" means a physician appointed by the county health department to administer state and local laws relating to public health within the City's jurisdiction.
- (2) "Paid quarantine leave" means: (1) all employment benefits and compensation, including leave accrual, pension benefits, and health benefit plan benefits provided by the City; and (2) if applicable, reimbursement for reasonable costs related to the quarantine, including lodging, medical, and transportation costs.
- (3) "Peace officer" means police officers licensed by the Texas Commission on Law Enforcement and employed by the City.

Quarantine Leave:

A City of Parker peace officer who is ordered to quarantine or isolate by the person's supervisor or the county's health authority due to a possible or known exposure to a communicable disease while on duty is entitled to receive paid quarantine leave for the duration of the leave.

No Reduction in Compensation and Benefits

The City will not reduce a peace officer's sick leave balance, vacation leave balance, holiday leave balance, or other paid leave balance in connection with paid quarantine leave taken in accordance with this policy.

EMPLOYEE ACKNOWLEDGMENT FORM

The Personnel Policy Manual describes important information about the City of Parker, and I understand that I should consult Human Resources regarding any questions. I acknowledge that there is no specified duration of employment and employment is at-will. Accordingly, either I and/or the City of Parker may terminate employment with or without cause at any time.

Since the information, policies, and benefits described here are necessarily subject to change, I acknowledge that revisions may occur, except to the City's policy of employment-at-will. All such changes will be communicated through official notices, and I understand that revised information may supersede, modify, or eliminate existing policies.

Furthermore, I acknowledge that this manual is not a contract of employment. I have received the manual, and I understand that it is my responsibility to read and comply with the policies contained therein and any revisions made to it. I also understand that it is my responsibility to keep this manual updated with future official notices relative to revised information and shall return this manual to the personnel department upon termination of my employment with the City of Parker.

Employee's Signature

Date

Employee's Name (Typed or Printed)



Council Agenda Item

| | | |
|----------------------------------|---|------------------------------------|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | Council |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey for Mayor Pettle |
| Estimated Cost: | Date Prepared: | March 20, 2025 |
| Exhibits: | <u>Proposed Personnel Policy Manual</u> | |

AGENDA SUBJECT

PROPOSED PERSONNEL POLICY MANUAL

SUMMARY

Please review information provided and be prepared to discuss.

POSSIBLE ACTION

City Council may approve, deny, or direct staff to take appropriate action.

Inter – Office Use

| Approved by: | Enter Text Here | | |
|-----------------------------|--------------------------|-------|----------------------------|
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/27/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ xx /2025 |



Council Agenda Item

| | | |
|----------------------------------|------------------------|-------------------|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | Council |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey |
| Estimated Cost: | Date Prepared: | March 20, 2025 |
| Exhibits: | <u>None</u> | |

AGENDA SUBJECT

THURSDAY, APRIL 3, 2025 - LAST DAY TO REGISTER TO VOTE FOR THE MAY 3, 2025, GENERAL ELECTION

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, APRIL 9, 2025, 5 PM
2025 PWC'S CANDIDATES NIGHT – THURSDAY, APRIL 17, 2025, 7 PM – VICTORY CHURCH – 6301 E. PARKER ROAD

NATIONAL PRESCRIPTION DRUG TAKE BACK - SATURDAY, APRIL 26, 2025, 10AM-2PM
GENERAL ELECTION

REMINDER – MAY 3, 2025 – GENERAL ELECTION (EV AND ED INFO)

| Sunday (Domingo) | Monday (Lunes) | Tuesday (Martes) | Wednesday (Miércoles) | Thursday (Jueves) | Friday (Viernes) | Saturday (Sábado) |
|--|---|---|---|---|---|---|
| April 20 No Voting (20 de abril) (Sin votar) | April 21 No Voting (21 de abril) (Sin votar) | April 22 Early Voting (22 de abril) (Votación adelantada) 8 am – 5 pm | April 23 Early Voting (23 de abril) (Votación adelantada) 8 am – 5 pm | April 24 Early Voting (24 de abril) (Votación adelantada) 8 am – 5 pm | April 25 Early Voting (25 de abril) (Votación adelantada) 8 am – 5 pm | April 26 Early Voting (26 de abril) (Votación adelantada) 8 am – 5 pm |
| April 27 No Voting (27 de abril) (Sin votar) | April 28 Early Voting (28 de abril) (Votación adelantada) 7am - 7pm | April 29 Early Voting (29 de abril) (Votación adelantada) 7am - 7pm | April 30 (30 de abril) | May 1 (1 de mayo) | May 2 (2 de mayo) | May 3 Election Day (3 de mayo) (Día de elección) 7am – 7pm |

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

| | | | |
|-----------------------------|--------------------------|-------|------------------------------|
| Approved by: | Enter Text Here | | |
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/27/2025 via Municipode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ xx /2025 |



Council Agenda Item

| | | |
|----------------------------------|---|-------------------|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | City Secretary |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey |
| Estimated Cost: | Date Prepared: | February 24, 2025 |
| Exhibits: | <u>Proposed Minutes</u> | |

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR FEBRUARY 25, 2025. [SPECIAL MEETING - PERSONNEL POLICY MANUAL WORKSHOP AND MEETING {RESCHEDULED}]

SUMMARY

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

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

| Inter – Office Use | | | |
|--------------------------------|--------------------------|-------|-------------------------|
| Approved by: | Enter Text Here | | |
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/13/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/27/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ XX /2025 |



MINUTES
CITY COUNCIL MEETING
FEBRUARY 25, 2025

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Lee Pettle called the meeting to order at 5:00 p.m.

Councilmembers Todd Fecht, Randy Kercho, Terry Lynch, Amanda Noe, and Buddy Pilgrim were present.

Staff Present: Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, Interim City Attorney Catherine Clifton, Public Works Director Gary Machado, Police Chief Kenneth Price, and Police Sgt. Ralph Burdick

WORKSHOP (5:00 – 6:00 PM)

1. PROPOSED PERSONNEL POLICY MANUAL

[Proposed Personnel Policy Manual](#)

City Council, Interim City Attorney Clifton, Finance/HR Director Savage and other City Staff discussed the Proposed Personnel Policy Manual hyperlinked above.

Additional discussion is planned to continue at a future City Council workshop.

Mayor Pettle adjourned the workshop at 6:01 p.m.

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Pro Tem Todd Fecht and Councilmembers Randy Kercho, Terry Lynch, Amanda Noe, and Buddy Pilgrim were present.

Staff Present: Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, Interim City Attorney Catherine Clifton, Public Works Director Gary Machado, Fire Chief Justin Miller (arrived @ 6:57 p.m.), Police Chief Kenneth Price (left @ 6:08 p.m. and retuned @ 6:51 p.m.), and Police Sgt. Ralph Burdick (left @ 6:08 p.m. and retuned @ 6:51 p.m.)

INDIVIDUAL CONSIDERATION ITEMS (1 of 2)

2. ADMINISTER OATH OF OFFICE TO NEWLY APPOINTED OFFICIAL.
[POSTPONED 2025 0204]

MAYOR – COUNCILMEMBER

Mayor Pettle stated appointed Councilmember Lynch submitted her Zoning Board of Adjustment (ZBA) resignation and was administered her Oaths, 1) Statement of Appointed Officer, and 2) The State of Texas Oath of Office Wednesday, February 12, 2025. (See Exhibit 1 – Terry Lynch's ZBA resignation and Oaths, dated Tuesday, February 12, 2025.)

Mayor Pettle ceremoniously administered the Oaths of Office to newly appointed Councilmember Terry Lynch. Councilmember Lynch took her respective seat at the dais.

City Council, Staff, and residents welcomed Mrs. Lynch.

EXECUTIVE SESSION (6:05 – 7:00 PM) – Pursuant to the provision of Chapter 551, Texas Government Code the City Council may hold a closed meeting.

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

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.

Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter (Open Meetings Act).

Mayor Lee Pettle recessed the meeting to Executive Session at 6:05 p.m.

CONVENE SPECIAL MEETING.

Mayor Lee Pettle reconvened the meeting at 7:07 p.m.

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

No action was taken.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Billy Barron led the pledge.

TEXAS PLEDGE: Susan Medrano led the pledge.

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

Billy Barron, 6707 Overbrook Drive, said he was present on behalf of Brooks Farm Homeowner Association (HOA). Mr. Barron said the HOA supports proposed Buckingham Lot Venture, LTD, the association has no issues with the proposed lot size, as the property is in the city's Extra-Territorial Jurisdiction (ETJ), and they feel this is a good use of the property. Finally, Mr. Barron voiced concern regarding item

#8, Buckingham Lot Venture, LTD, failing to pass and this development being turned down.

Michael White, 4301 Dover Drive, voiced his concern about the condition of Lewis Lane. Mr. White said the potholes need to be repaired.

Emily White, 4301 Dover Drive, said Lewis Lane is a very dangerous road. Mrs. White indicated vehicle drivers, including school buses, were driving on the wrong side of the road to miss potholes. Mrs. White said the road is horrible.

Cindy Meyer, 6618 Estados Drive, said she is not against the proposed Buckingham Lot Venture, LTD development agreement, but she does have drainage concerns. Ms. Meyer said varying elevations, adding impervious materials used for driveways, pool decks, etc., and the water runoff will affect the Moss Ridge Subdivision. The subdivision already has issues, including small storm sewers and runoff from McCreary Road, among other things. Ms. Meyer asked that drainage issues be addressed.

Susan Medrano, 4406 Dover Drive, said she supported comments made earlier regarding Lewis Lane. She said Lewis Lane is hazardous and unsafe. Ms. Medrano asked that the road conditions be addressed while the cities of Lucas and Parker are working on the interlocal agreement (ILA). Ms. Medrano also voiced concerns about City Council considering any city administrator reporting to council and not the mayor. She said she has watched the City Council meetings and "there is zero chance she would work for Council collectively or individually". Ms. Medrano asked that any change to the city organizational structure be placed on the election ballot for residents to decide.

Richard O. Lavender, 6810 Overbrook Drive, noted concerns about the zip code and requested the City of "Parker join Murphy and Fairview and 48 other cities in the United States in obtaining our own city zip code." (See Exhibit 2 – Richard O. Lavender's letter, dated February 18, 2025.)

Steve Loyd, 6308 Northridge Parkway, expressed concern about Lewis Lane. (See Exhibit 3 – Steve Loyd's email, dated February 24, 2025.)

ITEMS OF COMMUNITY INTEREST

Mayor Pettle reviewed the upcoming Community Interest items below:

3. NOISE COMMITTEE – MARCH 5, 2025, 2 PM

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, MARCH 12, 2025, 5 PM

THURSDAY, APRIL 3, 2025 - LAST DAY TO REGISTER TO VOTE FOR THE MAY 3, 2025, GENERAL ELECTION

2025 CANDIDATES NIGHT – THURSDAY, APRIL 17, 2025, 7 PM – VICTORY CHURCH – 6301 E. PARKER ROAD

NATIONAL PRESCRIPTION DRUG TAKE BACK - SATURDAY, APRIL 26, 2025, 10AM-2PM

GENERAL ELECTION

REMINDER – MAY 3, 2025 – GENERAL ELECTION (EV AND ED INFO)

| Sunday (Domingo) | Monday (Lunes) | Tuesday (Martes) | Wednesday (Miércoles) | Thursday (Jueves) | Friday (Viernes) | Saturday (Sábado) |
|---|---|--|--|--|--|--|
| April 20 No Voting (20 de abril) (Sin votar) | April 21 No Voting (21 de abril) (Sin votar) | April 22 Early Voting (22 de abril) (Votación adelantada) | April 23 Early Voting (23 de abril) (Votación adelantada) | April 24 Early Voting (24 de abril) (Votación adelantada) | April 25 Early Voting (25 de abril) (Votación adelantada) | April 26 Early Voting (26 de abril) (Votación adelantada) |
| | | 8 am – 5 pm |

| | | | | | | |
|---|--|--|---------------------------|----------------------|----------------------|---|
| April 27 No Voting (27 de abril) (Sin votar) | April 28 Early Voting (28 de abril) (Votación adelantada) | April 29 Early Voting (29 de abril) (Votación adelantada) | April 30 (30 de abril) | May 1 (1 de mayo) | May 2 (2 de mayo) | May 3 Election Day (3 de mayo) (Día de elección) |
| | 7am - 7pm | 7am - 7pm | | | | 7am – 7pm |

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

4. APPROVAL OF MEETING MINUTES FOR FEBRUARY 4, 2025. [JOINT CC/P&Z COMP PLAN WORKSHOP AND REGULAR MEETING]
5. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-835, AUTHORIZING CONTINUED PARTICIPATION WITH THE ATMOS CITIES STEERING COMMITTEE; AND AUTHORIZING THE PAYMENT OF FIVE CENTS PER CAPITA TO THE ATMOS CITIES STEERING COMMITTEE TO FUND REGULATORY AND RELATED ACTIVITIES RELATED TO ATMOS ENERGY CORPORATION.

MOTION: Councilmember Lynch moved to approve consent agenda items 4 and 5. Councilmember Kercho seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Pilgrim voting for the motion. Motion carried 5-0.

INDIVIDUAL CONSIDERATION ITEMS (2 of 2)

6. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-833 APPOINTING THE 2024-2025 MAYOR PRO TEM. [REMAINDER OR MAYOR PRO TEM REED'S TERM - RES. NO. 2024-792] [POSTPONED 2025 0204]

Councilmember Noe nominated Councilmember Todd Fecht. Councilmember Lynch seconded.

Mayor Pettle asked Councilmember Fecht if he was willing to serve. Councilmember Fecht agreed to serve.

MOTION: Councilmember Noe moved to approve Resolution No. 2025-833 appointing Councilmember Todd Fecht to the 2024-2025 Mayor Pro Tem. [Remainder of Mayor Pro Tem Reed's term – Res. No. 2024-792.] Councilmember Lynch seconded with

Councilmembers Fecht, Lynch, Noe, and Pilgrim voting for the motion and Councilmember Kercho voting against the motion. Motion carried 4-1.

7. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-834 ON UPDATING THE INVESTMENT COMMITTEE. [POSTPONED 2025 0204]

Mayor Pettle explained the Investment Committee required training.

Councilmember Lynch nominated Councilmember Buddy Pilgrim. Councilmember Kercho seconded.

Mayor Pettle asked Councilmember Pilgrim if he was willing to serve and undergo the necessary training. Councilmember Pilgrim agreed to serve and fulfill the training requirements.

MOTION: Councilmember Lynch moved to approve Resolution No. 2025-834 updating the Investment Committee to include Buddy Pilgrim. Councilmember Kercho seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Pilgrim voting for the motion. Motion carried 5-0.

8. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION 2025-831 APPROVING AN AGREEMENT BETWEEN THE CITY OF PARKER AND BUCKINGHAM LOT VENTURE, LTD., AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT AND TAKE ALL ACTION NECESSARY TO COMPLY WITH THIS RESOLUTION; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE (BUCKINGHAM ESTATES). [POSTPONED 2025 0204; UPDATED 2025 0218]

Developers John Arnold (and Neil Stenberg in the audience), with Skorburg Company, 8214 Westchester Drive, Suite 900, Dallas, Texas 75225 reviewed the Buckingham Lot Venture, LTD. and requested City Council approve the development agreement (See Exhibit 4 – Skorburg Company PowerPoint, dated February 18, 2025 [which was canceled due to inclement weather and rescheduled for February 25, 2025]).

MOTION: Councilmember Pilgrim moved to approve Resolution No. 2025-831 approving an agreement between the City of Parker and Buckingham Lot Venture, LTD., authorizing the mayor to execute the agreement and take all action necessary to comply with this Resolution; providing a savings clause; and providing an effective date (Buckingham Estates). Councilmember Noe seconded with Councilmembers Kercho, Lynch, Noe, and Pilgrim voting for the motion and Councilmember Fecht voting against the motion. Motion carried 4-1.

9. CONSIDERATION AND/OR ANY APPROPRIATE ACTION, ACCEPTING THE 2024 RACIAL PROFILING REPORT AND THE 2024 PARKER PD ANNUAL REPORT.

Police Chief Price reviewed the 2024 Racial Profiling report.

Mayor Pettle said the Police Department (PD) did an excellent job on the report and noted Parker PD received no complaints.

MOTION: Councilmember Lynch moved to approve the 2024 Racial Profiling Report as presented. Councilmember Noe seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Pilgrim voting for the motion. Motion carried 5-0.

Police Sgt. Burdick reviewed the 2024 Annual Report, stating PD Support Service Manager Michelle Hsieh also assisted with creating/compiling the report.

Mayor Pettle noted again this was also an excellent report and PD received no complaints.

MOTION: Councilmember Noe moved to approve the 2024 Parker PD Annual Report, as presented. Councilmember Lynch seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Pilgrim voting for the motion. Motion carried 5-0.

10. DISCUSSION AND/OR CONSIDERATION REGARDING THE USE OF CITY RESOURCES TO REPAIR PORTIONS OF LEWIS LANE BETWEEN PARKER ROAD AND THE LEWIS LANE LIFT STATION. [POSTPONED 2025 0204]

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

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

Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter (Open Meetings Act).

Mayor Lee Pettle recessed the meeting to Executive Session at 8:15 p.m.

CONVENE SPECIAL MEETING.

Mayor Lee Pettle reconvened the meeting at 8:32 p.m.

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

No action was taken.

Several incomplete motions were made by Councilmember Pilgrim, seconded by Mayor Pro Tem Fecht, and withdrawn.

MOTION: Councilmember Pilgrim moved to have City Council authorize the expenditure of up to \$15,341.39 with Anderson Asphalt and Concrete Paving, LLC, for the specific repair of portions of Lewis Lane between Parker Road and the Lewis Lane lift station with the knowledge that those sections of road are not within the city limits of Parker and that this is being done for the public good of Parker citizens and with consideration on the timing also taking into account the negotiations that are going on between our City Engineer and City Attorney and the City of Lucas. Mayor Pro Tem Fecht seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Pilgrim voting for the motion. Motion carried 5-0.

ROUTINE ITEMS

11. UPDATE(S):

FM2551

Public Works Director Machado said Texas Department of Transportation (TxDot) is behind schedule on the FM 2551 project due to weather delays. TxDot is currently moving pipes and updates will be placed on the city's website under "News" as the updates are made available.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

Councilmember Pilgrim said there has been no action on the sewer/wastewater treatment plant appeal. Mr. Pilgrim noted a new judge has been appointed as the former judge has been appointed to appellate court. There has also been no movement on the MUD.

PROJECTS IN PROGRESS

ENGINEERING REQUEST FOR QUALIFICATIONS (RFQs) REVIEW

Councilmember Noe said she and committee members, Finance/HR Director Grant Savage and Public Works Director Gary Machado, started the review and they are sorting the submittals. They plan to score the submittals and put the information into an Excel spreadsheet for review and analysis. Mrs. Noe said it was a work in progress.

NOISE COMMITTEE

Councilmember Kercho noted the next Noise Committee meeting is next Wednesday, March 5, 2025, at 2 p.m. at City Hall. Mr. Kercho reminded everyone that the meeting is open to the public and they are currently reviewing other cities' ordinances. Specifically, how other cities handle their noise complaints and how we can apply that to the City of Parker.

CHAPARRAL INTERSECTION [with Springhill Estates (Allen Heights)]

Police Chief Price related the first week's data City Council requested, stating there were 24,000 vehicles moving through the intersection in seven (7) days. Chief Price said he needs to do a much broader study to capture the necessary information on how a 4-way stop sign would affect the traffic at the intersection. There was some discussion of using a temporary 4-way stop to determine effectiveness and Public Works Director Machado would relay results to the City of Allen.

POST OFFICE

Councilmember Lynch reviewed the city zip code information and requested City Council give authorization to pursue its own zip code along with the other cities applying through Congress (HB 8753). Mrs. Lynch said cities like Murphy were working with Congressman Keith Self and she would keep City Council updated.

NEWSLETTER

Mayor Pettle noted the next city newsletter is in progress and the Newsletter Committee plans to have the newsletter out soon.

DUBLIN ROAD WATERLINES

The city's waterline replacement project is underway on Dublin Road. The contractor is starting on both the north and south portions of Dublin Road within Parker, and they plan to meet in the middle. The work should take approximately 90 days to complete. When this portion of the project is completed, it will come back to City Council to decide whether to authorize phase 2, 3 or 4.

ANY ADDITIONAL UPDATES

None

MONTHLY/QUARTERLY REPORTS

City Council accepted the reports hyperlinked below:

[January 2025 - Building Permit/Code Report](#)

[January 2025 – Court Report](#)

[January 2025 - Finance \(monthly financials\) Report](#)

[Investment 4th Qtr. Report 2024](#)

[Fire 4th Qtr. 2024 & 1st Qtr. \(Jan. – Feb.\) 2025 Report](#)

[January 2025 – Republic Services Inc., dba Allied Waste Services of Plano](#)

DONATION(S)**12. ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF FOR THE RECORD (Each valued at between \$0 - \$1,000 [RES. NO. 2024-801])**

American National Bank of Texas donated a 6-pack of cookies from Crumbl with a value of \$22.99 to City Staff.

Maryam Boroujerdi & Mohammad Massoudi donated 1 dozen Nothing Bundt Cakes Bundtnis valued at \$28 to City Staff.

Mayor Pettle, on behalf of herself, City Council, and City Staff, thanked the donors for their kind and generous donation.

FUTURE AGENDA ITEMS**13. FUTURE AGENDA ITEMS**

Mayor Pettle asked if there were any items to be added to the future agenda.

Hearing no requests, Mayor Pettle encouraged everyone to email her any requests. She noted the next regularly scheduled meeting would be Tuesday, March 4, 2025.

ADJOURN

Mayor Pettle adjourned the meeting at 8:59 p.m.

APPROVED:

Mayor Lee Pettle

ATTESTED:

Approved on the 1st day
of April, 2025.

Patti Scott Grey, City Secretary

RECEIVED

FEB 12 2025

BY CITY SECRETARY
CITY OF PARKER

February 12, 2025

RE: Resignation from Zoning Board of Adjustment

Dear Ms. Grey

This letter serves as my formal resignation from the alternate member position of the City of Parker's Zoning Board of Adjustment, effective immediately.

Respectfully,

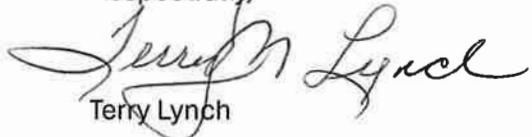

Terry Lynch

Exhibit 1



In the name and by the authority of
The State of Texas
OATH OF OFFICE

I, Terry Lynch, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of Councilmember, City of Parker, Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

A handwritten signature in blue ink that reads "Terry M. Lynch".

Signature of Officer

.....
 State of Texas)
 County of Collin)

Sworn to and subscribed before me this 12 day of February, 2025.

A handwritten signature in blue ink that reads "Lee Pettle".

Signature of Notary Public or Other
 Officer Administering Oath

LEE Pettle
 Printed or Type Name



CITY OF PARKER, COLLIN COUNTY, TEXAS

Term Expires: May 2025



STATEMENT OF APPOINTED OFFICER

(Pursuant to Tex. Const. art. XVI, §1(b), amended 2001)

I, Terry Lynch, do solemnly swear (of affirm) that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment for the giving or withholding of a vote at the election at which I was elected or as a reward to secure my appointment or confirmation, whichever the case may be so help me God.

COUNCILMEMBER

Title of Position to Which Elected Appointed

Execution

UNDER PENALTIES OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING STATEMENT AND THAT THE FACTS STATED THEREIN ARE TRUE.

Date February 12, 2025

A handwritten signature in blue ink that reads "Terry Lynch". Below the signature, the text "Signature of Officer" is printed in a smaller, sans-serif font.

CITY OF PARKER, COLLIN COUNTY

Appointment February 4, 2025
Term Expires May 2025

**Richard O.
Lavender**

2-18-25

To Mayor Lee Pettle and the Parker City Council:

This is a request that Parker join Murphy and Fairview and 48 other cities in the United States in obtaining our own city zip code.

Reference: Cole Sullivan Channel 8 WFAA.com "Boomtown" and Murphy City Manager Aretha Adams regarding HR 8753.

This bill has passed the house and is waiting in the senate; therefore Parker still could be added to the zip code bill.

Having a Parker zip code would generate more sales tax revenue and make it easier to do business on the internet; but immediate action is necessary on your part.

Yours very truly,



Richard

Exhibit 2

Patti Grey

From: Steve Loyd [REDACTED]
Sent: Monday, February 24, 2025 5:19 PM
To: Patti Grey
Subject: Fwd: Parker events week of 2/25, Lewis Road

Exhibit 3

Please forward this email to all City Council members for the meeting on the 25th.

Hello Lee, I see the paving of Lewis Road is on the docket tonight. Sorry I can not attend on Tuesday nights. We have had several email exchanges about the Lewis road issue's over the last several months. It's gone on way too long now. Asking you again to please do your best to resolve this major problem and get it fixed. It was good to see some of the potholes were filled in, but we know that is only temporary and a complete new paving job is required to solve the problem. As you may already know all the entrance roads into Southridge, and Parker Lake are a mess. Why they tore up the entrance to Curtis off Dillehay is beyond me. They haven't done anything to repair so that is also a mess. Appreciate your efforts on all of this but it's time to get things moving. Regards, Steve Loyd 6308 Northridge Pkwy

On Sun, Feb 16, 2025 at 11:13 PM Lee Pettle [REDACTED] wrote:
Events in Parker the week of 2/16/25:

Tuesday 2/18/25 at 5:00 pm at City Hall: workshop on Parker personnel manual. Continuing review of proposed manual by Council and staff. Open to all.

Tuesday 2/18/25 at 6:00 pm at City Hall: ballot draw for those running for Parker City Council member: Joe Cordina, Todd Fecht, Amanda Noe, Darrel Sharpe, Colleen Halbert and Roxanne Bogdan. Candidates draw for place on ballot.

Tuesday 2/18/25 at 6:10 pm at City Hall: swearing in of new Council Member Terry Lynch who was appointed to fill the remainder of Jim Reed's term as he has resigned. Open to all.

Tuesday 2/18/25 at 6:15 pm at City Hall: Closed executive session for Council on pending or proposed litigation, personnel issues, legal issues and legal advice.

Tuesday 2/18/25 at 7:00 pm at City Hall: City Council meeting. Items to be considered are: 2/4/25 meeting minutes; Atmos Cities steering committee participation; appointment of a Mayor Pro Tem; appointment of Investment Committee member; development agreement of ETJ land with

Buckingham Lot Venture; annual racial report; and paving of Lewis Lane. Updates of works in progress will also be given. Open to all.

Wednesday 2/19/25 at 9:00 am at City Hall: Parker Municipal Court which hears class C misdemeanor offenses and traffic offenses. Open to all.

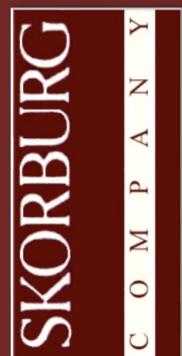
That is all I have for this week. Please watch the city's website as this may change due to the weather. We want all our residents to be safe!

If questions or comments, let me know. I am happy to answer your questions or hear your comments. Some of our greatest things have come from citizens' ideas.

Lee

--

Steve Loyd



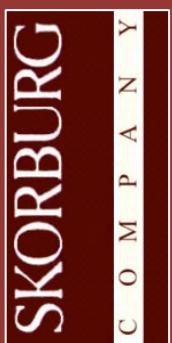
Buckingham Estates

City Council Meeting

February 18, 2025

Contents

- Skorburg Company Background
- Subject Property
- Development Plan
- Home Building Partners

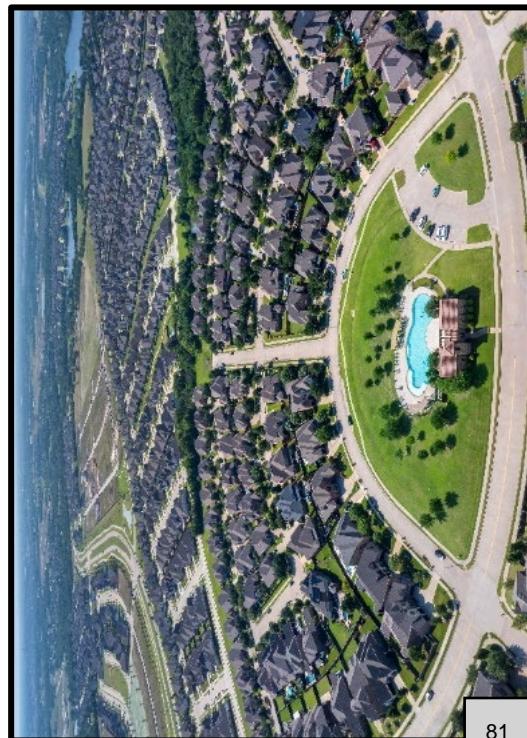
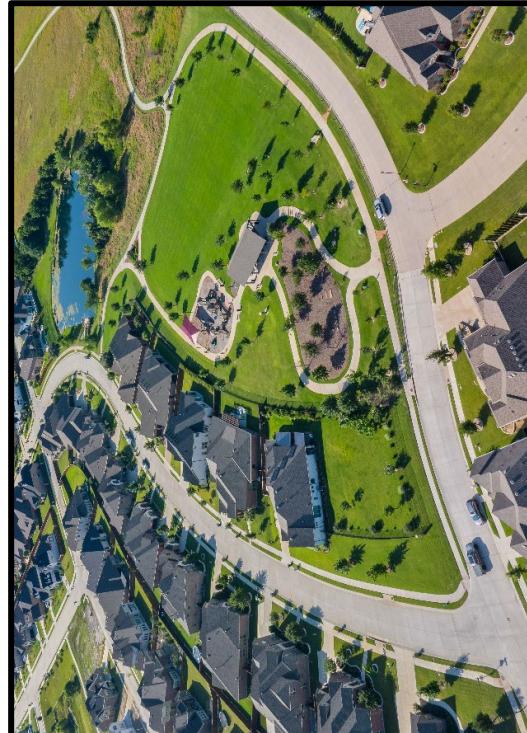
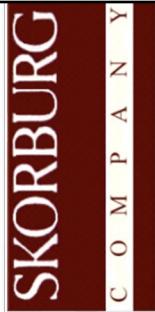
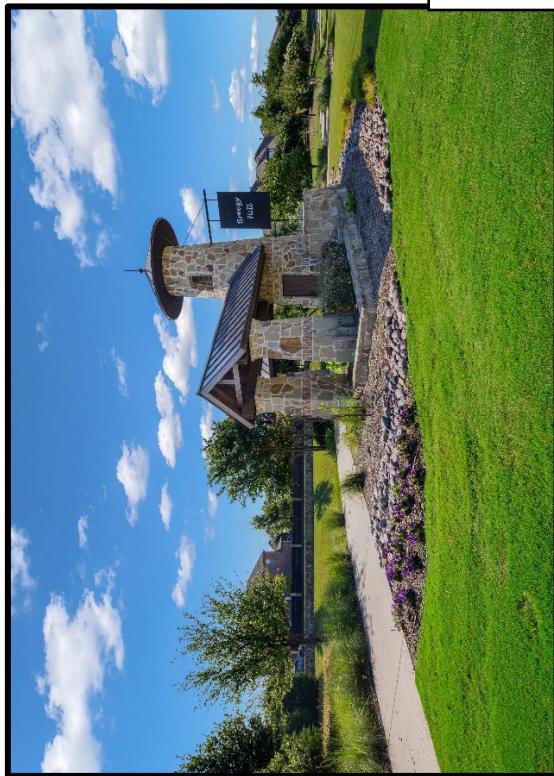
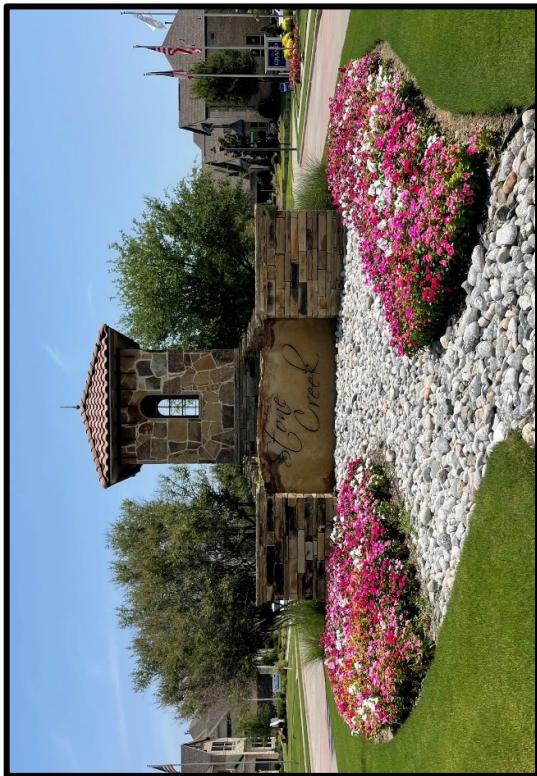




Skorburg Company Background

The Skorburg Company

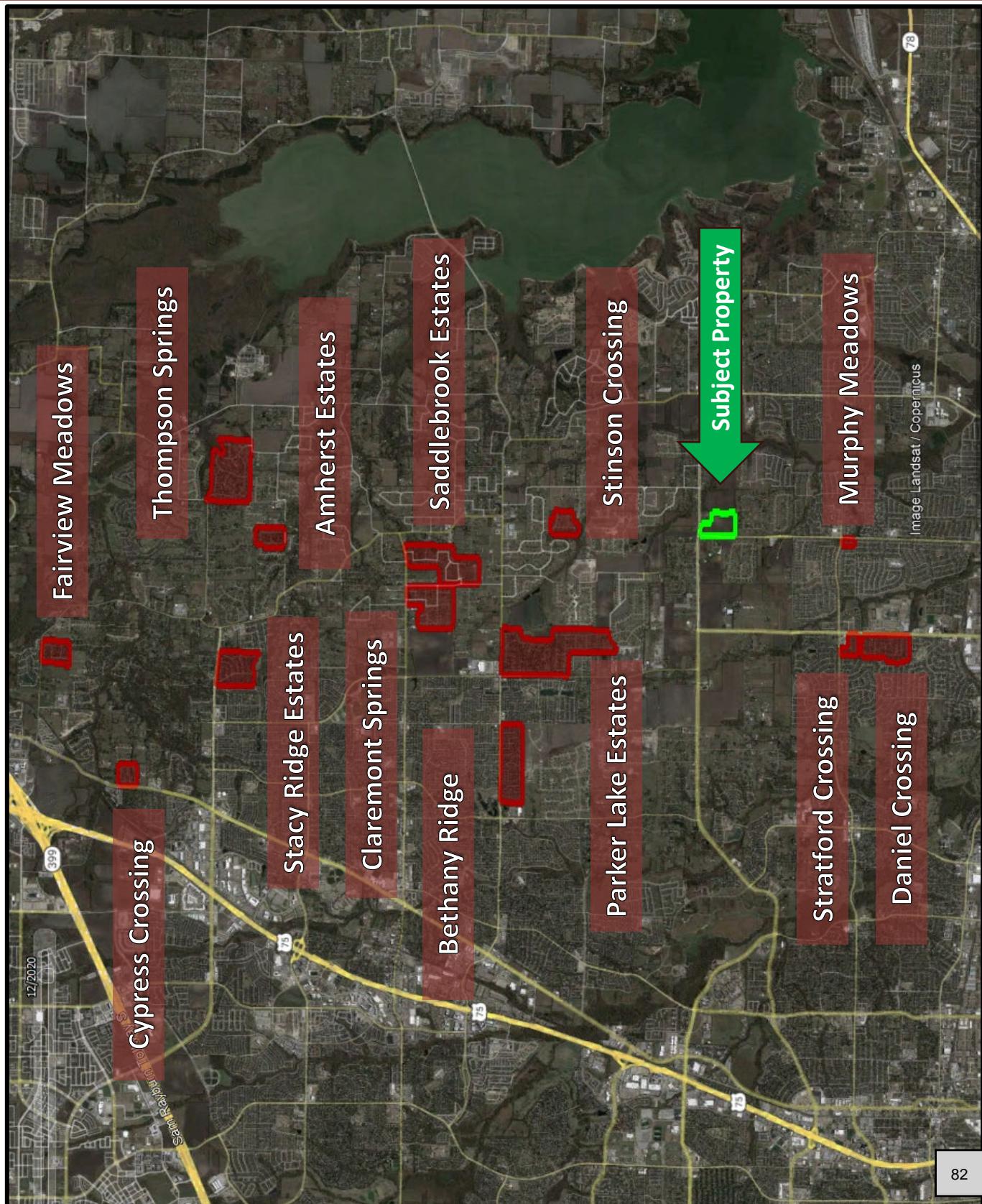
- Local, privately owned development firm with 40 years of experience
- Over 120 development projects in more than 33 different cities around DFW metroplex
- Over 25 current projects in active development or build out
- Reputation for building high-quality, long-lasting communities
- Projects range from small, infill locations to 800-acre multi-phase master planned communities



Skorburg Projects in the Area

Meeting Date: 04/01/2025 Item 3.

- Parker Lakes Estates (Parker, TX)
- Cypress Crossing (Fairview, TX)
- Fairview Meadows (Fairview, TX)
- Thompson Springs (Fairview, TX)
- Stacy Ridge Estates (Allen, TX)
- Bethany Ridge (Allen, TX)
- Amherst Estates (Lucas, TX)
- Saddlebrook Estates (Lucas, TX)
- Claremont Springs (Lucas, TX)
- Stinson Crossing (Lucas, TX)
- Stratford Crossing (Murphy, TX)
- Daniel Crossing (Murphy, TX)
- Murphy Meadows (Murphy, TX)



Parker Lake Estates – Parker, TX

Parker Lake Estates Overview

Location: East of Angel Pkwy

Size: +/- 282 Acres

Zoning: 278 – 1 to 2 Acre Lots

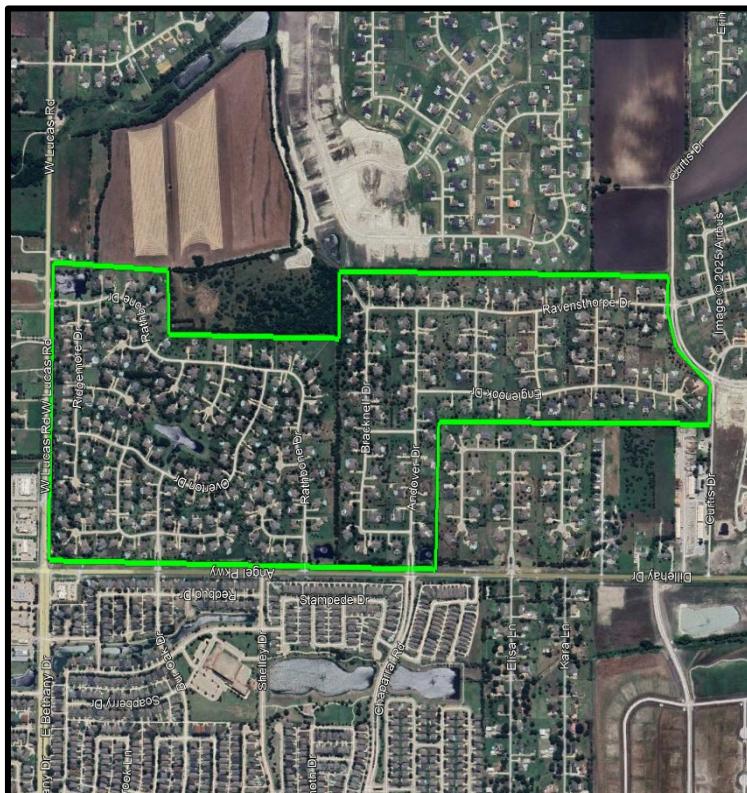
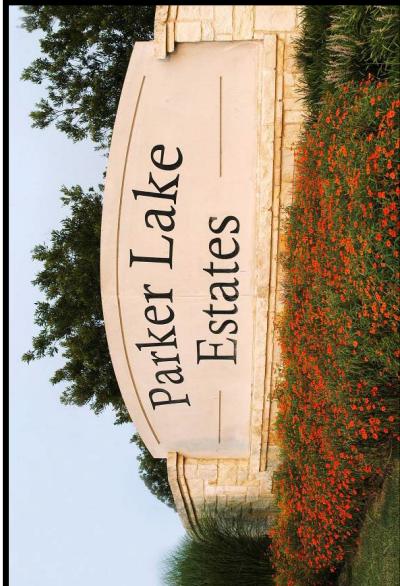
Builders: Highland Homes
Paul Taylor Homes

Status: Successfully entitled and closed in 2001. Fully built out.

Meeting Date: 04/01/2025 Item 3.

PAUL TAYLOR
Home

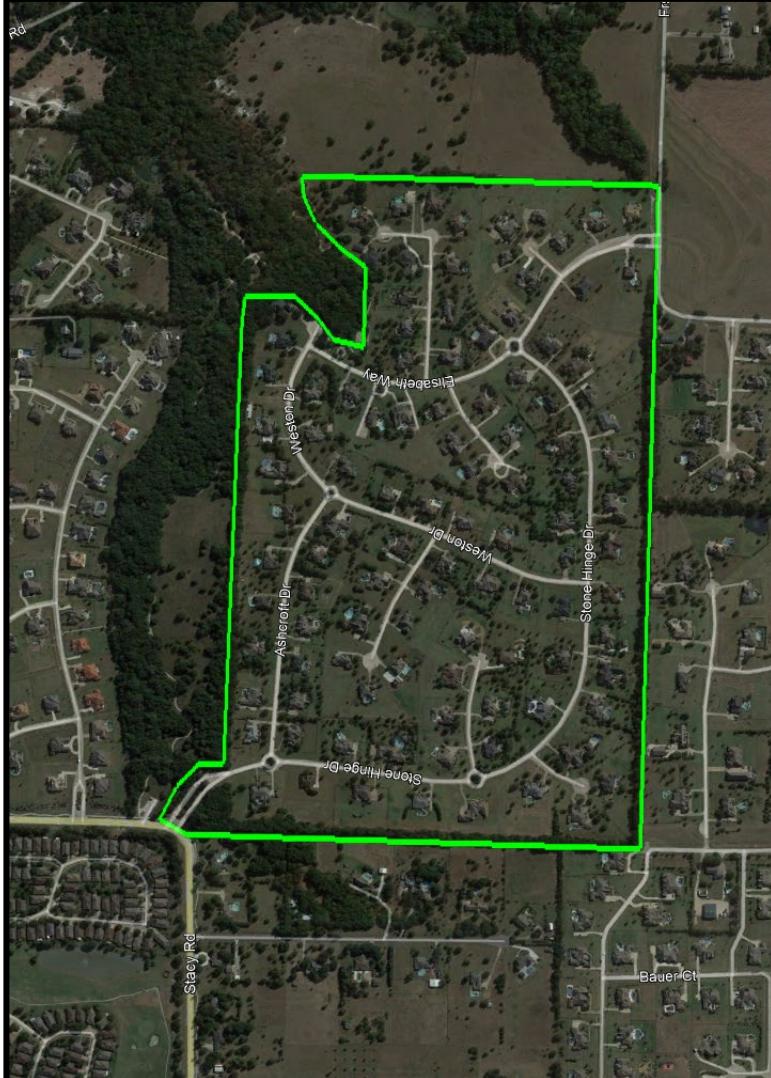
HIGHLAND
HOMES



Thompson Springs – Fairview, TX

Thompson Springs Overview

| | |
|------------------|---|
| Location: | East of Angel Pkwy |
| Size: | +/- 165 Acres |
| Zoning: | 106 – 1 Acre Lots |
| Builders: | Drees Homes Paul Taylor Homes Grand Homes |
| Status: | Successfully entitled and closed in of 2006. Fully built out. |



Meeting Date: 04/01/2025 Item 3.

PAUL TAYLOR
Homes



Saddlebrook Estates – Lucas, TX

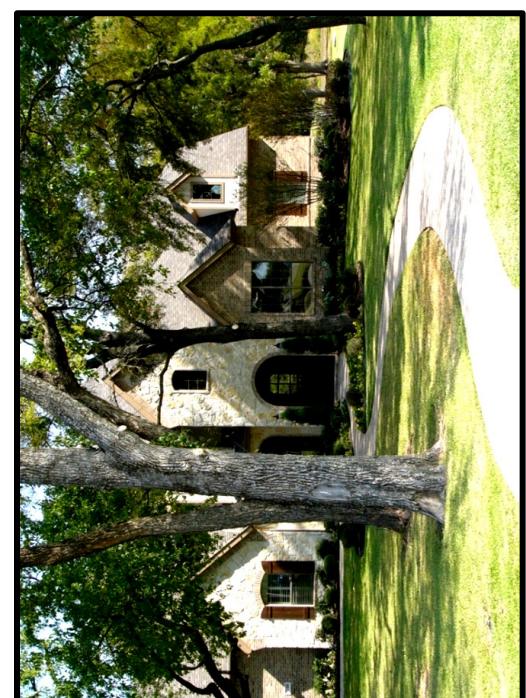
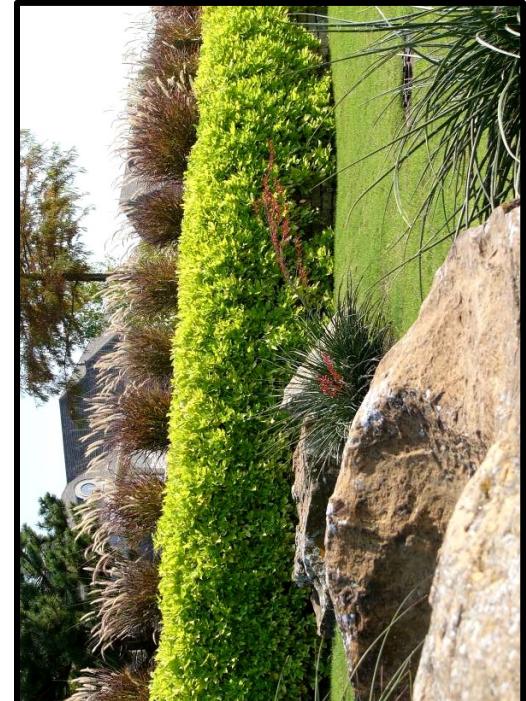
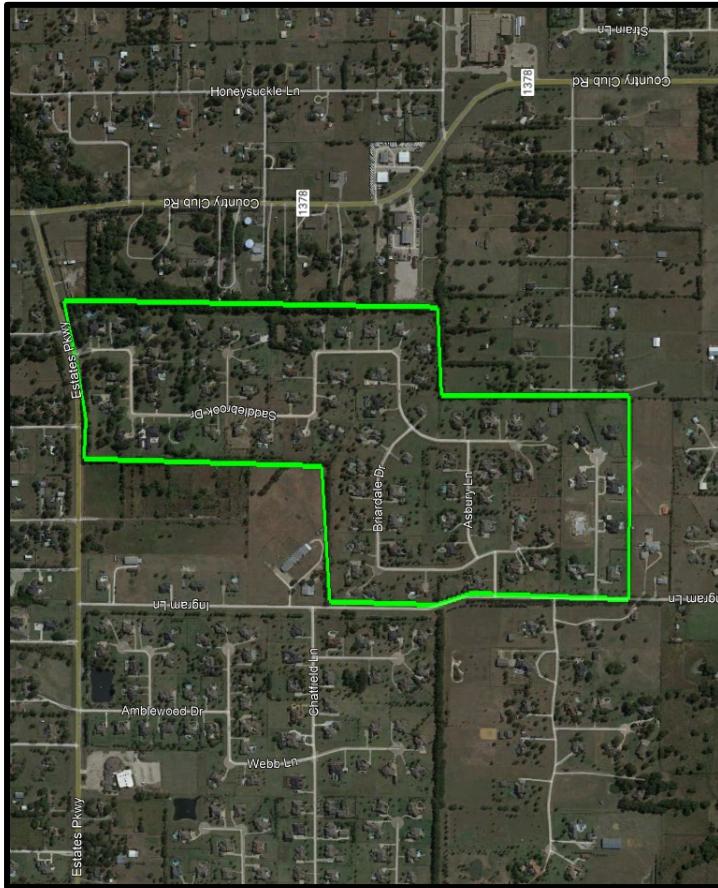
Saddlebrook Estates Overview

| | |
|------------------|--|
| Location: | South of Estates Pkwy |
| Size: | +/- 120 Acres |
| Zoning: | 67 – 1.5 to 2 Acre Lots |
| Builders: | Drees Homes Paul Taylor Homes |
| Status: | Successfully entitled and closed in 2006. Fully built out. |

Meeting Date: 04/01/2025 Item 3.

PAUL TAYLOR
Homes

Drees
HOMES



Amherst Estates – Lucas, TX

Amherst Estates Overview

Location: North of Frst Grv Rd

Size: +/- 40 Acres

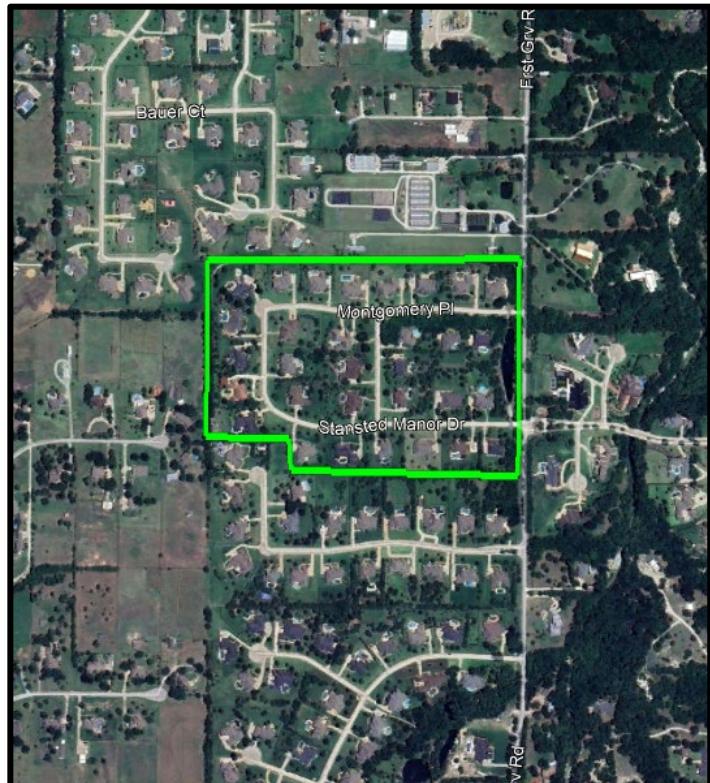
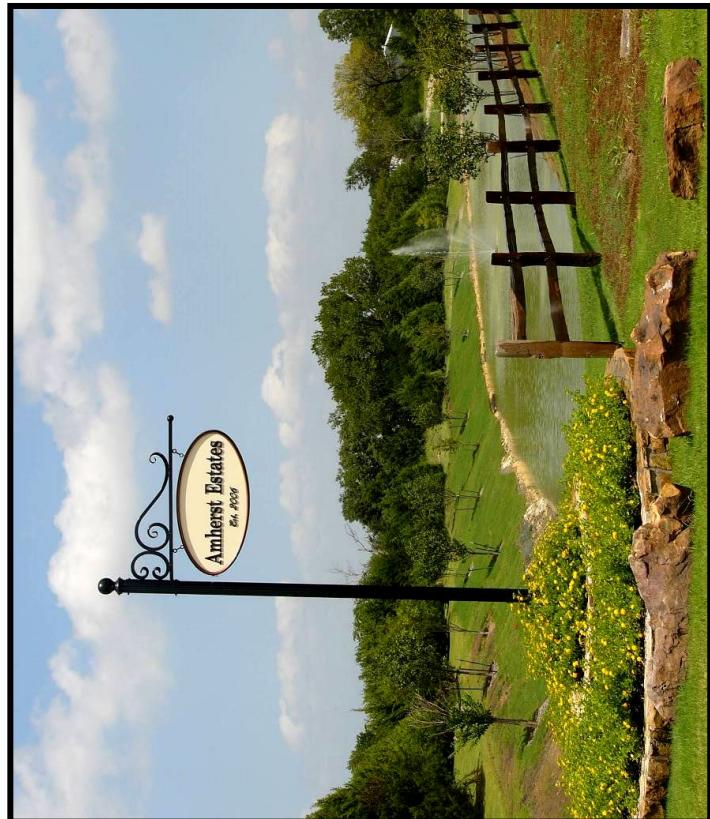
Zoning: 31 – 1 Acre Lots

Builders: Paul Taylor Homes

Status: Successfully entitled and closed in 2006. Fully built out.

Meeting Date: 04/01/2025 Item 3.

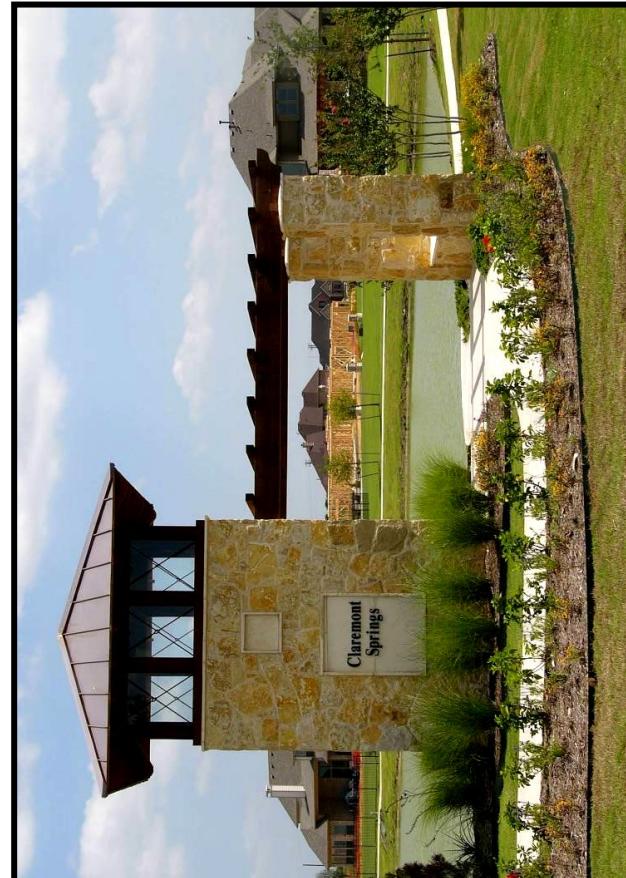
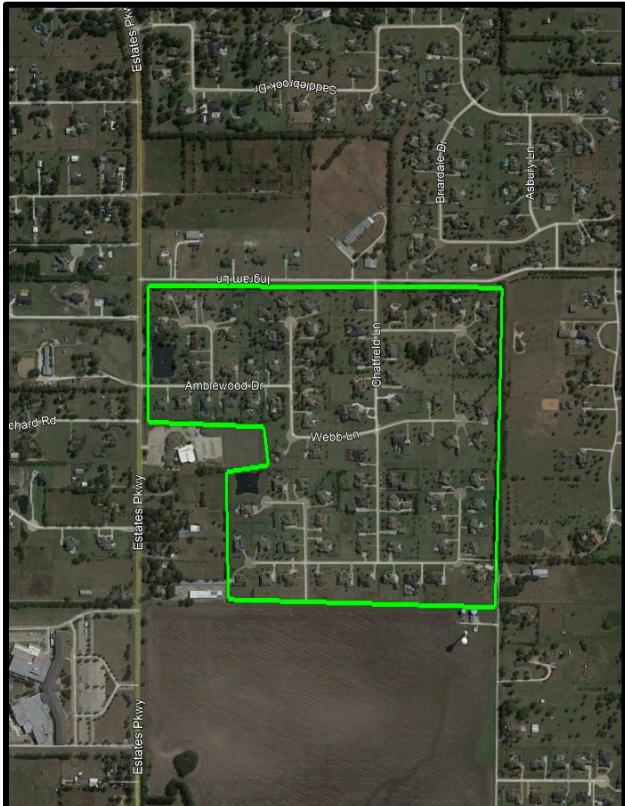
PAUL TAYLOR
Home.com



Claremont Springs – Lucas, TX

Claremont Springs Overview

| | |
|------------------|---|
| Location: | South of Estates Pkwy |
| Size: | +/- 120 Acres |
| Zoning: | 87 – 1 to 1.5 Acre Lots |
| Builders: | Paul Taylor Homes Windsor Homes |
| Status: | Successfully entitled and closed in 2006. Fully built out. |



Las Brisas at Sunnyvale, TX

Las Brisas at Stoney Creek

Overview

Location: Southeast Corner of Hounsel Ln & Nance Rd

Size: +/- 110.75 Acres

Zoning: 82 – 1 Acre Lots

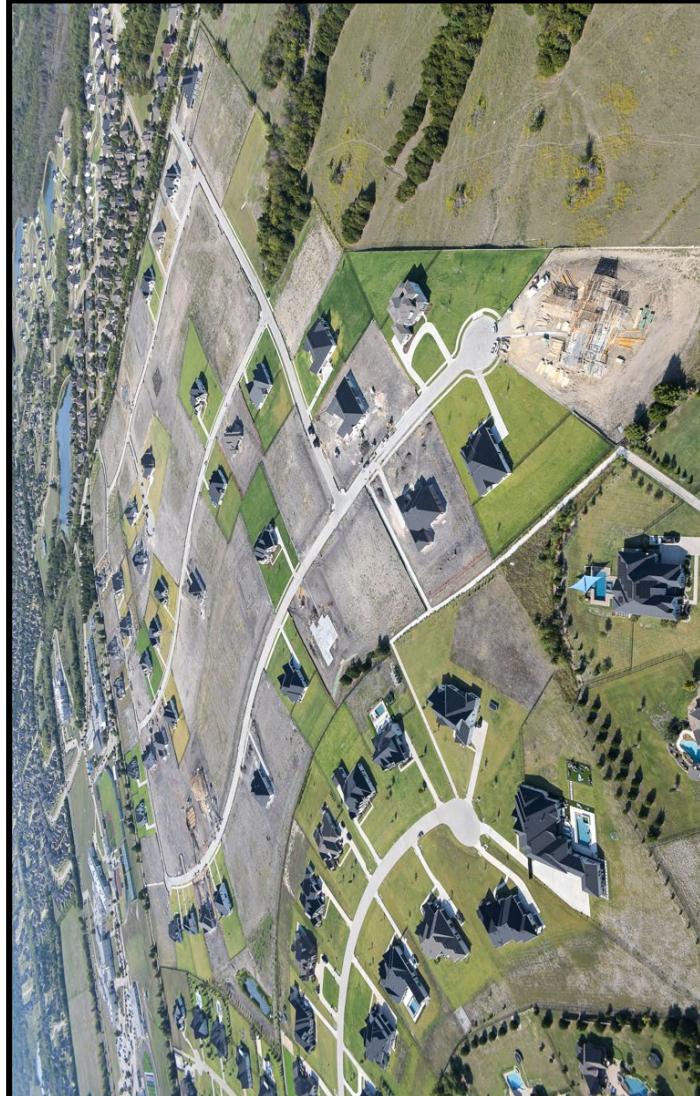
Builders:
Windsor Homes
Drees Homes
Kindred Homes

Home Prices: \$780K - \$1.1M

Status: Successfully entitled and closed in December 2021. Currently selling homes.



Meeting Date: 04/01/2025 Item 3.



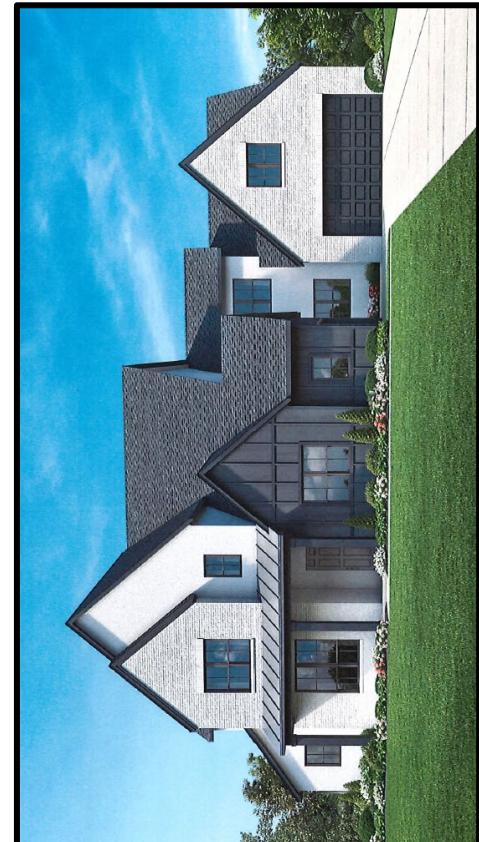
Ridge Pointe Estates—McLendon-Chisolm, TX

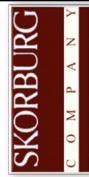


Ridge Pointe Estates Overview

| | |
|------------------|---|
| Location: | Northwest Corner of FM 550 & Chapel Hill Ln |
| Size: | +/- 99.54 Acres |
| Zoning: | 83 – 1 Acre Lots |
| Builders: | Windsor Homes Toll Brothers |
| Status: | Successfully entitled and closed in May 2024. Currently under construction. |

Meeting Date: 04/01/2025 Item 3.

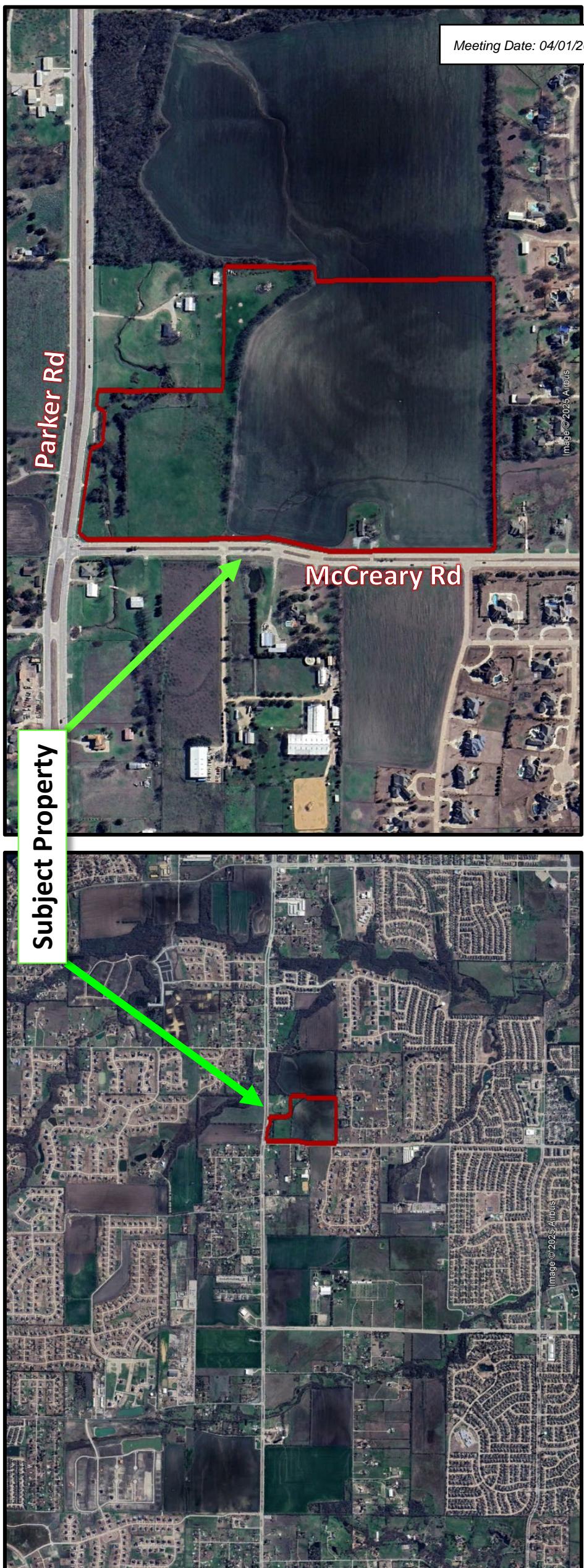




Subject Property

Subject Property

Location



Subject Property

Subject Property Overview

Meeting Date: 04/01/2025 Item 3.

► Location: Southeast Corner of Parker Rd & McCreary Rd

► Size: +/- 50.278 Acres



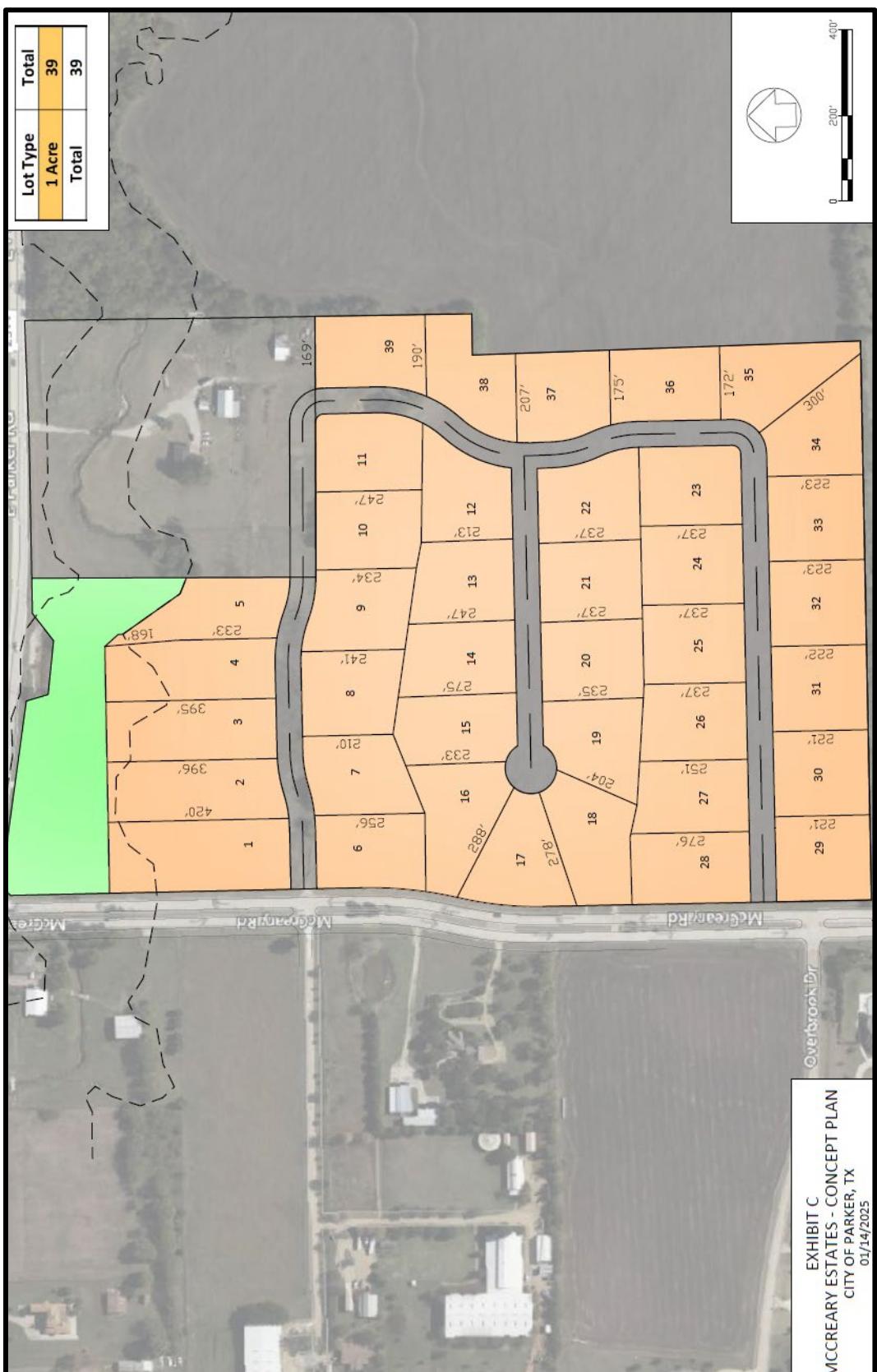


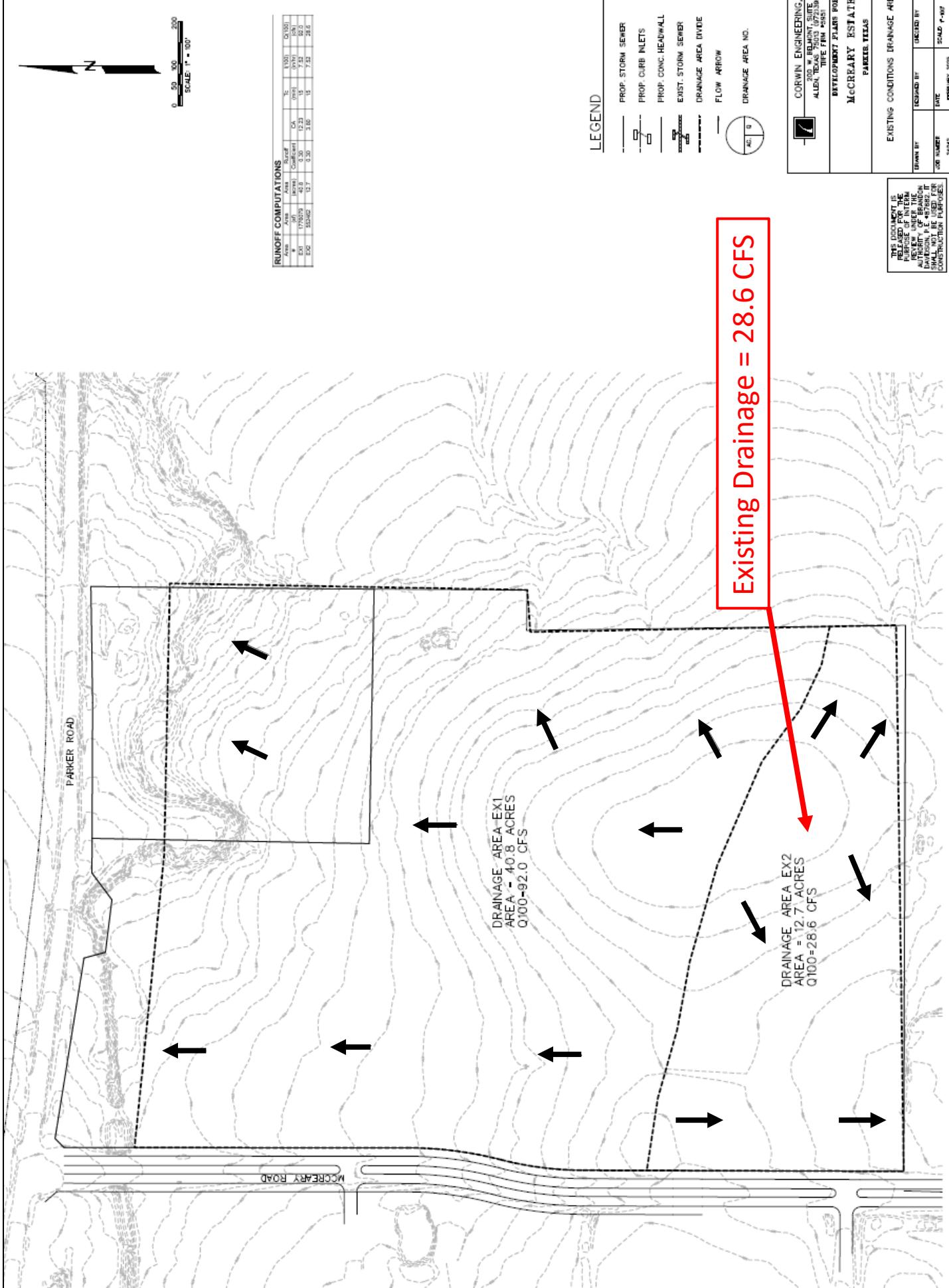
Development Plan

Buckingham Estates

Development Plan

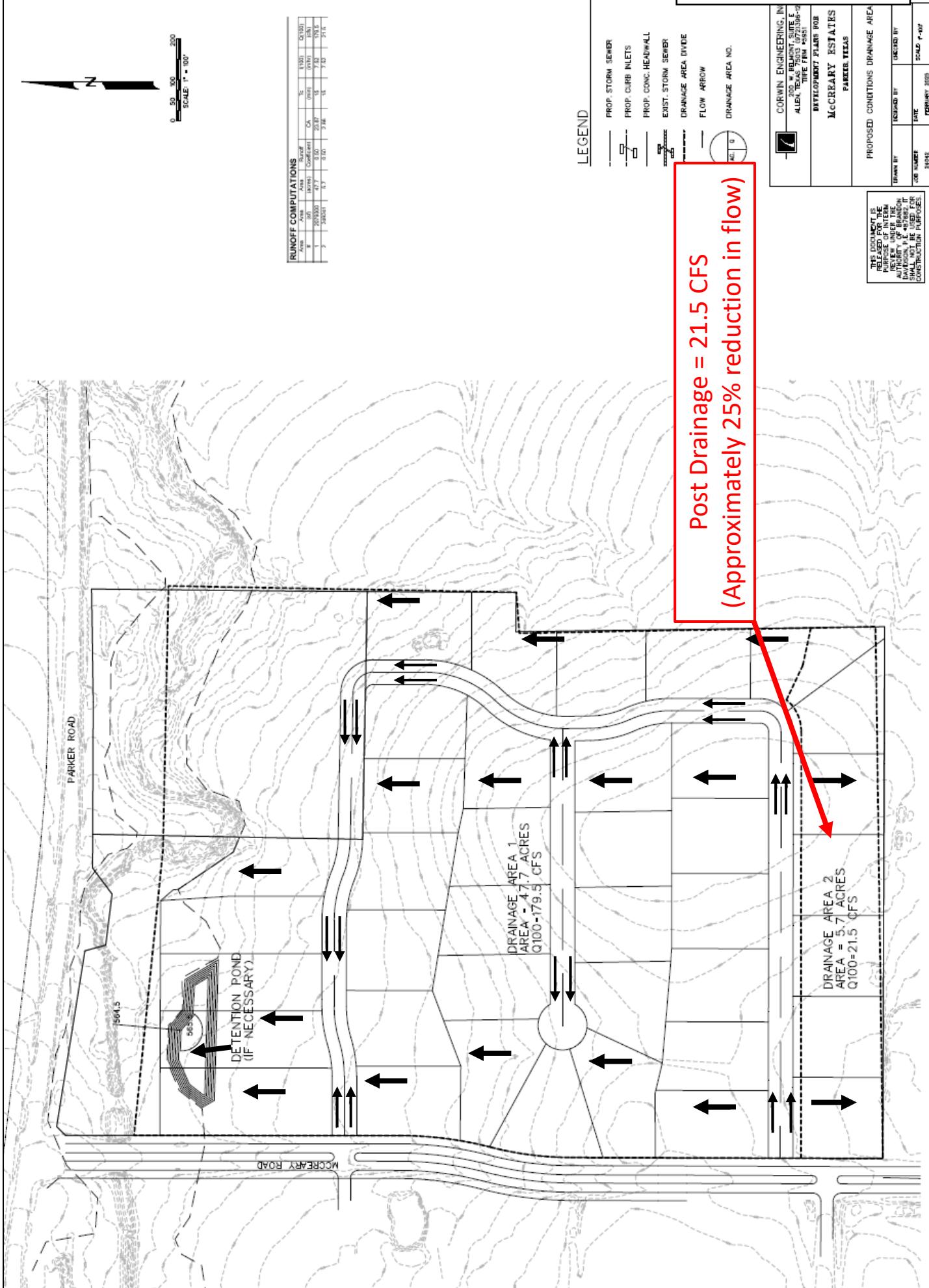
- 39 – Single Family Lots
- 1 AC (43,560 SF) – Min. Lot Size
- 3,000 SF – Min. Home Size
- HOA Maintained Perimeter
Landscaping/Fencing and
Common area Drainage





Existing Drainage

Post Drainage





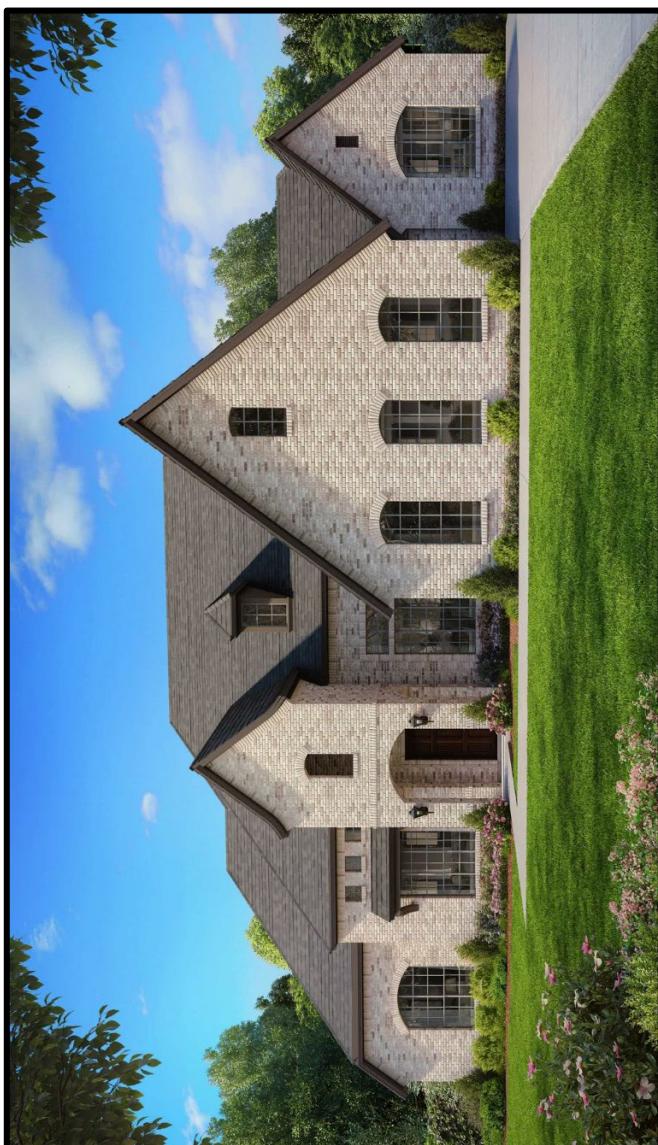
Home Building Partners



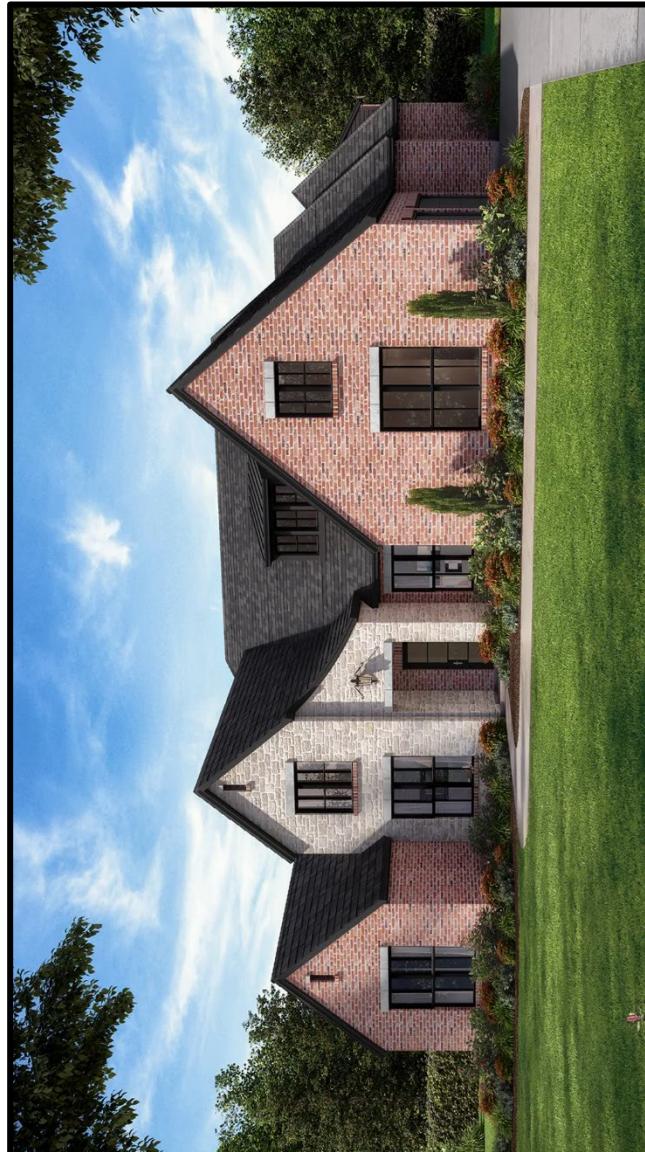
Projected Home Square Foot Range – 3,200 SF – 5,100 SF

Projected Home Price Starting At – \$1,200,000

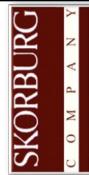












Thank you.
We Would Appreciate
Your Support of
This Exciting Project.



Council Agenda Item

| | | |
|----------------------------------|---|-------------------|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | City Secretary |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey |
| Estimated Cost: | Date Prepared: | March 10, 2025 |
| Exhibits: | <u>Proposed Minutes</u> | |

AGENDA SUBJECT

APPROVAL OF MEETING MINUTES FOR MARCH 4, 2025. [REGULAR MEETING - PERSONNEL POLICY MANUAL WORKSHOP AND MEETING]

SUMMARY

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

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

| Approved by: | Enter Text Here | | |
|--------------------------------|--------------------------|-------|-------------------------|
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/27/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ XX /2025 |



MINUTES
CITY COUNCIL MEETING
MARCH 4, 2025

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Lee Pettle called the meeting to order at 5:01 p.m. Mayor Pro Tem Todd Fecht and Councilmembers Randy Kercho, Terry Lynch, Amanda Noe, and Buddy Pilgrim were present.

Staff Present: Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, Interim City Attorney Catherine Clifton, Public Works Director Gary Machado, and Police Chief Kenneth Price

WORKSHOP (X:00 – X:00 PM)

1. PROPOSED PERSONNEL POLICY MANUAL

[Proposed Personnel Policy Manual](#)

City Council, Interim City Attorney Clifton, Finance/HR Director Savage and other City Staff discussed the Proposed Personnel Policy Manual hyperlinked above.

Additional discussion is planned to continue at a future City Council workshop.

Mayor Pettle adjourned the workshop at 6:02 p.m.

CALL TO ORDER – Roll Call and Determination of a Quorum

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

Mayor Lee Pettle called the meeting to order at 6:02 p.m. Mayor Pro Tem Todd Fecht and Councilmembers Randy Kercho, Terry Lynch, Amanda Noe, and Buddy Pilgrim were present.

Staff Present: Asst. City Administrator/City Secretary Patti Scott Grey, Finance/Human Resources Director Grant Savage, Interim City Attorney Catherine Clifton, Public Works Director Gary Machado (left 6:06 p.m. and returned 7:05 p.m.), Fire Chief Justin Miller (arrived @ 6:55 p.m.), and Police Chief Kenneth Price (left at 6:06 p.m. and returned 7:10 p.m.)

EXECUTIVE SESSION (6:00 – 7:00 PM) - Pursuant to the provisions of Chapter 551, Texas Government Code, Vernon's Texas Codes Annotated the City Council may hold a closed meeting.

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

Government Code Section 551.074 Personnel—To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

Government Code Section 551.071(1)—Consultation with City Attorney concerning Pending or Contemplated Litigation.

Government Code Section 551.071(2) – Consultation with Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter (Open Meetings Act).

Mayor Lee Pettle recessed the regular meeting to Executive Session at 6:04 p.m.

RECONVENE REGULAR MEETING.

Mayor Lee Pettle reconvened the meeting at 7:06 p.m.

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

No action was taken.

PLEDGE OF ALLEGIANCE

AMERICAN PLEDGE: Darryl Sharpe led the pledge.

TEXAS PLEDGE: Colleen Halbert led the pledge.

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

Susan Medrano, 4406 Dover Drive, voiced concerns regarding City Council's appointment of Councilmember Todd Fecht to Mayor Pro Tem due to his meeting attendance and his handling of the Noise Committee. Ms. Medrano stated she also feels City Council discussions regarding Lewis Lane paving and repair should be public.

ITEMS OF COMMUNITY INTEREST

Mayor Pettle reviewed the upcoming Community Interest items below:

2. NOISE COMMITTEE -MARCH 5, 2025, 2 PM

PARKS AND RECREATION COMMISSION (P&R) – WEDNESDAY, MARCH 12, 2025, 5 PM

THURSDAY, APRIL 3, 2025 - LAST DAY TO REGISTER TO VOTE FOR THE MAY 3, 2025, GENERAL ELECTION

2025 PWC'S CANDIDATES NIGHT – THURSDAY, APRIL 17, 2025, 7 PM – VICTORY CHURCH – 6301 E. PARKER ROAD

NATIONAL PRESCRIPTION DRUG TAKE BACK - SATURDAY, APRIL 26, 2025, 10AM-2PM

GENERAL ELECTION

REMINDER – MAY 3, 2025 – GENERAL ELECTION (EV AND ED INFO)

| Sunday (Domingo) | Monday (Lunes) | Tuesday (Martes) | Wednesday (Miércoles) | Thursday (Jueves) | Friday (Viernes) | Saturday (Sábado) |
|---------------------|-------------------|---------------------|--------------------------|----------------------|---------------------|----------------------|
|---------------------|-------------------|---------------------|--------------------------|----------------------|---------------------|----------------------|

| | | | | | | |
|---|--|--|--|--|--|--|
| April 20 No Voting (20 de abril) (Sin votar) | April 21 No Voting (21 de abril) (Sin votar) | April 22 Early Voting (22 de abril) (Votación adelantada) | April 23 Early Voting (23 de abril) (Votación adelantada) | April 24 Early Voting (24 de abril) (Votación adelantada) | April 25 Early Voting (25 de abril) (Votación adelantada) | April 26 Early Voting (26 de abril) (Votación adelantada) |
| | | 8 am – 5 pm |
| April 27 No Voting (27 de abril) (Sin votar) | April 28 Early Voting (28 de abril) (Votación adelantada) | April 29 Early Voting (29 de abril) (Votación Adelantada) | April 30 (30 de abril) | May 1 (1 de mayo) | May 2 (2 de mayo) | May 3 Election Day (3 de mayo) (Día de elección) |
| | 7am - 7pm | 7am - 7pm | | | | 7am – 7pm |

INDIVIDUAL CONSIDERATION ITEMS

3. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON THE ANNUAL AUDIT REPORT.

Finance/Human Resources Director Savage introduced Susan LaFollet and Tung Pham with Vail & Park, P.C., 11500 State Highway 121, Suite 410, Frisco, TX 75035. Ms. LaFollett, with Mr. Pham's assistance, reviewed the audit presentation PowerPoint and responded to questions. (See Exhibit 1 – Vail & Park, P.C. PowerPoint, dated March 4, 2025.).

MOTION: Councilmember Lynch moved to accept the Annual Financial Report of the City of Parker, Texas for the year ending September 30, 2024, as presented. Councilmember Noe seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Pilgrim for the motion. Motion carried 5-0.

4. CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-836 MAKING APPOINTMENTS TO THE ZONING BOARD OF ADJUSTMENT (ZBA).

MOTION: Councilmember Noe moved to approve Resolution No. 2025-836 making appointments to the Zoning Board of Adjustment (ZBA), appointing Dawn R. Hedlund to ZBA Alternate One (1). Mayor Pro Tem Fecht seconded with Councilmembers Fecht, Kercho, Lynch, Noe, and Pilgrim for the motion. Motion carried 5-0.

ROUTINE ITEMS

5. UPDATE(S):

FM2551

Public Works Director Machado said Texas Department of Transportation (TxDOT) is behind schedule due to the weather, but the project is moving forward. Mr. Machado said he would continue to post information on the City website, www.parkertexas.us "News" section, as the information is made available.

PUMP STATION WATER CONNECTION

Public Works Director Machado said the pump station connection work was originally set to start March 13, 2025 but has been rescheduled to start on March 20, 2025. Mr. Machado noted the contractor has encountered difficulties due to rock at the location.

DUBLIN WATER LINES

Public Works Director Machado said the water lines are being put under the road. Mr. Machado noted the project will be messy and affect traffic during construction. He said he expected the project to take approximately 90 days to complete.

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)

Councilmember Pilgrim said the Wastewater Treatment Plant (WWTP) has been assigned to a new judge and an order has been sent to expedite files being sent from TCEQ. Mr. Pilgrim said no action is expected before January 2026 and no action has been taken on the Municipal Utility District (MUD).

ENGINEERING REVIEW

Councilmember Noe said the committee is working on various review categories. She said work is in progress, but this may take some time to complete.

NOISE COMMITTEE

Councilmember Kercho said the next Noise Committee meeting is scheduled for March 5, 2025 at 2:00 p.m. and open to the public. The committee is currently reviewing other cities' ordinances, and they feel they are making progress.

LEWIS LANE

Public Works Director Machado said the patch should be completed by the end of this week. The interlocal agreement (ILA) between the cities of Parker and Lucas is progressing.

CHAPARRAL (AND SPRINGHILL) INTERSECTION

Police Chief Price said the information gathering for the requested report is in progress and he hoped to email it to City Council this week. He said he would like to do more research on this intersection and there are ongoing meetings with the City of Allen.

POST OFFICE/ZIP CODE

Councilmember Lynch said she has started the process of getting the City of Parker included in the bill (HB 8753) before Congress and discussed the issue with Congress Representatives Keith Self's and Lauren Boebert's offices.

ANY ADDITIONAL UPDATES

None

DONATION(S)

6. ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF FOR THE RECORD (Each valued at between \$0 - \$1,000 [RES. NO. 2024-801])

Dana Davies donated snacks valued at \$30 to the Police Department.

The Parker Women's Club donated cookies valued at \$25 cookies to the Fire Department and City Hall Staff.

Mayor Pettle, on behalf of herself, City Council, and City Staff, thanked the donors for their kind and generous donation.

FUTURE AGENDA ITEMS

7. FUTURE AGENDA ITEMS

Mayor Pettle asked if there were any items to be added to the future agenda.

Hearing no requests, Mayor Pettle encouraged everyone to email her any requests. She noted the next regularly scheduled meeting would be Tuesday, March 18, 2025.

ADJOURN

Mayor Pettle adjourned the meeting at 8:04 p.m.

PROPOSED

APPROVED:

Mayor Lee Pettle

Approved on the 1st day
of April, 2025.

Patti Scott Grey, City Secretary

City of Parker, Texas

FY2024 Audit Results

Presented by:

Susan LaFollett – Principal

March 4, 2025



Exhibit I

Agenda

- Objectives and Scope of Audit
- Annual Financial Report
- Overview of Audit Results
- Financial Highlights
- Management Recommendations
- Required Governance Communications Letter
- Closing Remarks/Q&A

Objectives and Scope of Audit

- Objectives:
 - Conduct an audit in accordance with generally accepted auditing standards and *Government Auditing Standards*.
 - Plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.
 - We performed a risk assessment to determine the nature, extent and timing of our substantive audit procedures.
- Full scope audit:
 - Governmental Activities
 - Business-type Activities
 - Each Major-Fund

Annual Financial Report

- Table of Contents:
 - Independent Auditor's Report (pgs. 1-3)
 - Management's Discussion and Analysis (pgs. 5-16)
 - Government-Wide Financial Statements (pgs. 17-21)
 - Fund Financial Statements (pgs. 22-29)
 - Notes to Financial Statements (pgs. 31-64)
 - Required Supplementary Information (pgs. 65-73)
 - Other Supplementary Information (pgs. 75-79)
 - Compliance and Internal Control Section (pgs. 81-84)

Overview of Audit Results

- We issued two auditor's reports including:
 - Independent Auditor's Report on the Financial Statements – Unmodified Opinion (pages 1-3)
 - All standard language, "clean" opinion.
 - Independent Auditor's Report on Internal Control over Financial Reporting and on Compliance and Other Matters based on an Audit of Financial Statements Performed in accordance with *Government Auditing Standards* (pages 83-84)
 - All standard language, no material weaknesses, significant deficiencies, or other control matters were identified.

Financial Highlights

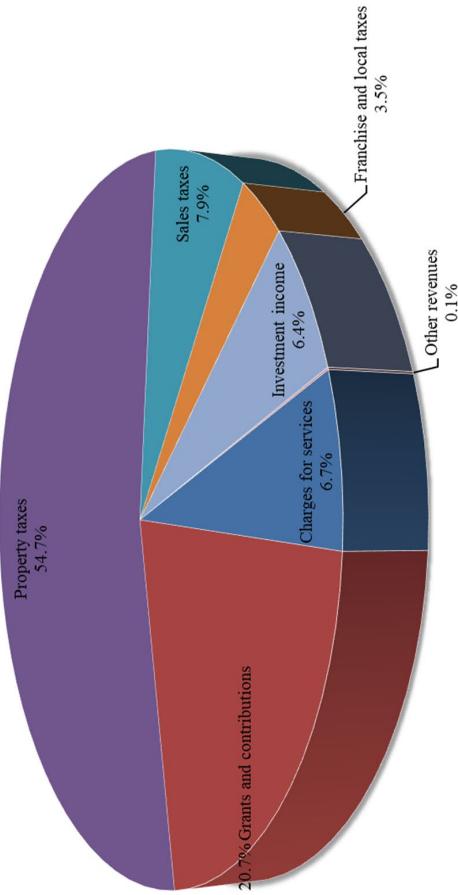
Government-Wide Financial Statements

- Full Accrual Basis:

- Net position of the City is \$73,566,355 (pg. 19) at FY24.
- Overall, net position of the City increased by \$6,065,198 (pg. 21) or 9%.
- Unrestricted net position of the City is \$17,906,089 (pg. 19) at FY24.

Financial Highlights – Governmental Activities

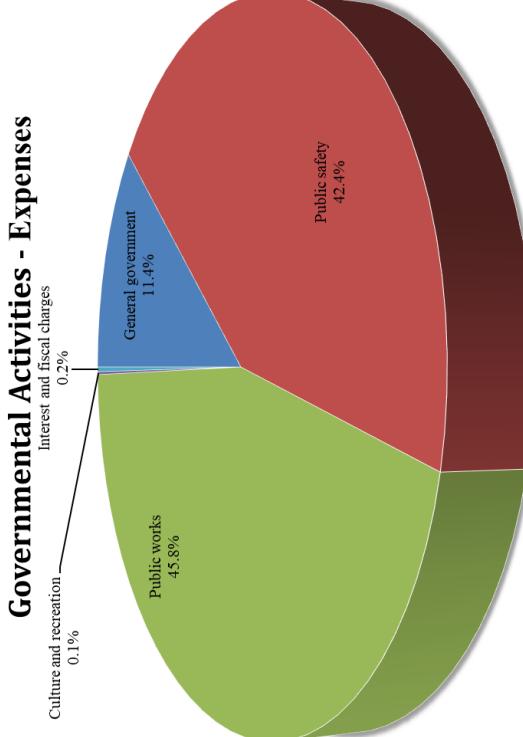
Governmental Activities - Revenues



- ❖ Governmental activities revenue totaled \$10,076,606, which is an increase of \$1,087,635 or 12%, attributable to:
 - Sales tax - \$418,946 (110%) increase from the PY
 - Property taxes - \$640,824 (13%) increase from the PY.
 - Investment income - \$286,918 (80%) increase from the PY.

Financial Highlights – Governmental Activities

8



- ❖ Governmental activities expenses totaled \$7,111,258 which is an increase of \$743,196 or 12%, attributable to:
 - Public works expense increased by \$108,239 due to ongoing projects within the City and increased personnel costs.
 - ❖ Largest functional expense is public works of \$3,259,449

Financial Highlights: Fund Statements – General Fund

- General Fund unassigned fund balances (pg. 22):
 - \$6,871,839 at FY23
 - \$8,454,611 at FY24
 - Increase of \$1,582,772
 - These funds can be used to meet the City's ongoing obligations.
 - Balances represents 25 months reserves at FY24.
 - 3 to 6 months reserves are optimal.

Financial High-lights: General Fund Budget to Actual

- General Fund revenues (pg. 65):
 - Final budget \$6,596,878
 - Actual \$7,474,674
 - Positive variance of \$877,796
- General Fund expenditures (pg. 65):
 - Final budget \$4,951,339
 - Actual \$4,106,177
 - Positive variance of \$845,162
- General Fund other financing sources (uses) (pg. 65):
 - Final budget \$(1,782,500)
 - Actual \$(1,782,500)
 - No variance
- Net Change in fund balances \$1,722,958

Financial Highlights: Fund Statements – Water & Sewer

- Water & Sewer Fund unrestricted net position (pg. 27):
 - \$6,812,642 at FY23
 - \$7,568,396 at FY24
 - Increase of \$3,105,857
- Total net position increased by \$3,019,850 (pg. 28) or 11%.

Required Governance Communications Letter

- Miscellaneous matters discussed in this letter (unbound):
 - Corrected misstatements -
 - All recommended adjustments were accepted by the City – see list at Attachment I
 - Uncorrected misstatements (not material) -
 - All passed adjustments were accepted by the City – see list at Attachment II – these are not material but just used as a way to track differences and communicate them to the City.

Recommendations

- Management Recommendations:

- **Coronavirus State and Local Fiscal Recovery Funds** – We noted the City is planning to spend the funds during FY25. We recommend that the City continue to monitor the expense of these funds to ensure that costs incurred are allowable, per the OMB Compliance Supplement. Additionally, expenditures in excess of \$750,000 in a fiscal year will require a Single Audit or Alternative exam.
- **Sanitation Fund Net Position** – The Sanitation Fund's ending net position stands at \$12,773. We recommend that the City closely monitor this fund to prevent the net position from turning negative.

Thank You

- We would like to thank:

- Grant Savage, *Finance Director*
- Patti Grey, *Assistant City Administrator*

They were very responsive to our audit requests, and it was a pleasure to work with them on this audit.

- Questions or Comments?

Contact Us

- Vail & Park, P.C.
- Address: 118 Cottonbelt Road, Tom Bean, TX 75489
- Contact: Susan K. LaFollett
- Office: (903) 546-6975
- Email: susan.lafollett@vailcpas.com





Council Agenda Item

| | | |
|----------------------------------|---|--|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | Council |
| Fund Balance-before expenditure: | Prepared by: | City Secretary Scott Grey for Interim City Attorney Clifton |
| Estimated Cost: | Date Prepared: | March 28, 2025 |
| Exhibits: | <ol style="list-style-type: none"> 1. <u>Proposed Resolution</u> 2. <u>Exhibit A: Prosecutor Fee Schedule</u> | |

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-837 OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPROVING A PROSECUTOR FEE SCHEDULE.

SUMMARY

The prosecuting attorney has historically received a monthly fee to cover all prosecutorial duties. The proposed fee schedule attempts to provide appropriate compensation for the occasional additional duties required of the prosecutor.

POSSIBLE ACTION

City Council may approve, deny, or direct staff to take appropriate action.

Inter – Office Use

| Approved by: | Enter Text Here | | |
|--------------------------------|--------------------------|-------|-------------------------|
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/28/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/28/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ <i>xx</i> /2025 |

RESOLUTION NO. 2025-837
(Prosecutor Fee Schedule)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPROVING A PROSECUTOR FEE SCHEDULE.

WHEREAS, the City of Parker has a municipal court established under the Texas Government Code; and

WHEREAS, the City of Parker does not have need for a full-time prosecutor and therefore has appointed part-time prosecutors during the years of the operation of the court; and

WHEREAS, the City Council desires to offer appropriate and competitive compensation for the prosecutorial tasks; and

WHEREAS, the City Council has determined that it is in the best interests of the City of Parker to adopt a Prosecutor Fee Schedule;

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

SECTION 1. The City Council of the City of Parker, Texas hereby adopts the Prosecutor Fee Schedule attached hereto as Exhibit A.

SECTION 2. This resolution shall be effective upon its passage.

DULY RESOLVED by the City Council of the City of Parker, Texas on this the 1st day of April, 2025.

APPROVED:

ATTEST:

Lee Pettle, Mayor

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Catherine Clifton, Interim City Attorney

City of Parker
Prosecutor Fee Schedule

The prosecutor is paid a set fee of \$600 month for once-per-month docket call, preparation for docket call, and associated communications with the court. Additional prosecutorial work required is compensated in accordance with the following.

| Task | Fee |
|-----------------------|-------|
| Written motions | \$400 |
| Briefing | \$600 |
| Trial preparation | \$600 |
| Trial | \$600 |
| Appeal/ Trial de novo | \$600 |

Additional work to conduct research or provide information to staff or council will be billed at the hourly rate of \$200/hour in increments of .1 hours, with a minimum of .2 hours.

Invoices should be directed to the Finance Director and indicate the defendant and case number for which additional work is done.



Council Agenda Item

| | | |
|----------------------------------|--|--|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | Council |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey for Interim City Attorney Clifton |
| Estimated Cost: | Date Prepared: | March 13, 2025 |
| Exhibits: | 1. <u>Proposed Resolution</u> 2. <u>ILA</u> | |

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-818 APPROVING AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF ST. PAUL AND THE CITY OF PARKER PROVIDING MUNICIPAL COURT SERVICES.

SUMMARY

This interlocal agreement will allow Parker's municipal court to process any citations issued by the City of St. Paul. St. Paul has one code enforcement officer with the authority to issue citations. Under the agreement, St. Paul will compensate Parker for the provisions of court services and reimburse Parker for any prosecution fees for services beyond the routine docket call.

POSSIBLE ACTION

City Council may approve or deny the resolution, or direct staff to take appropriate action.

| Inter – Office Use | | | |
|-----------------------------|--------------------------|-------|----------------------------|
| Approved by: | Enter Text Here | | |
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/27/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ xx /2025 |

RESOLUTION NO. 2025-818*(Interlocal Agreement for Court Services with St. Paul)***A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER,
COLLIN COUNTY, TEXAS, PROVIDING FOR THE EXECUTION OF AN
INTERLOCAL AGREEMENT (“AGREEMENT”) FOR COMBINED
COURT SERVICES BETWEEN THE CITY OF PARKER AND THE CITY
OF ST. PAUL.**

WHEREAS, the City of Parker (“City”) and the City of St. Paul, (collectively, the “Parties”) have the power and authority to enter into this Agreement in accordance with Texas Government Code Section 29.003; and

WHEREAS, the boundaries of the City of St. Paul is within one-half mile of the City of Parker; and

WHEREAS, the City of St. Paul finds it necessary to have Court services for the effective operations of the city (“Agreement”); and

WHEREAS, the City of Parker operates an existing municipal court, authorized under the laws of the State of Texas; and

WHEREAS, the City Council finds this agreement to be in the best interests of the City of Parker; and

WHEREAS, this Agreement is authorized by and in conformance with Chapter 791 of the Texas Government Code, the Interlocal Cooperation Act;

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

SECTION 1. The recitals contained in the preamble of this Resolution are incorporated into the body of this Resolution as if set out fully herein.

SECTION 2. The Mayor is hereby authorized to execute the Agreement, attached hereto as Exhibit A, and all other necessary and related documents in connection therewith on behalf of the City of Parker.

SECTION 3. All provisions of any and all resolutions of the City of Parker found to be in conflict with the provisions of this Resolution be, and the same are hereby, repealed to the extent of the conflict, and all other provisions of the resolutions of the City of Parker not in conflict with the provisions of this Resolution shall remain in full force and effect.

SECTION 4. This Resolution shall take effect immediately from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER,
COLLIN COUNTY, TEXAS, THIS 1st DAY OF APRIL, 2025.**

PARKER:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:

Catherine Clifton, Interim City Attorney

EXHIBIT A

INTERLOCAL AGREEMENT FOR COMBINED MUNICIPAL COURT SERVICES

Proposed

**INTERLOCAL AGREEMENT FOR COMBINED
MUNICIPAL COURT SERVICES FOR THE CITY OF
PARKER AND THE TOWN OF ST. PAUL**

THE STATE OF TEXAS §
§
COUNTY OF COLLIN §

THIS (“AGREEMENT”), is made and entered into by the CITY OF PARKER, TEXAS a Type-A General Law municipal corporation, (“Parker”), and the TOWN OF ST. PAUL, TEXAS, a Type-A General Law municipal corporation, (“St. Paul”), and each acting by and through its duly appointed and authorized mayors:

WITNESSETH:

WHEREAS, Texas Government Code § 29.003(i) allows for agreements between neighboring municipalities regarding jurisdiction of cases in municipal courts; and

WHEREAS, the Parker and St. Paul recognize the joint benefits of a combined municipal court system; and,

WHEREAS, St. Paul is desirous of joining Parker by combining municipal court services to provide a more effective and efficient delivery of this key public service; and

WHEREAS, Parker has the facilities available to perform the municipal court services for both cities; and

WHEREAS, Parker and St. Paul desire to enter into this Agreement to combine municipal court services to deliver this key public service at the highest level possible for both communities in accordance with the terms and conditions set forth herein; and

WHEREAS, all payments for municipal court services to be made hereunder shall be made from current revenues available to the paying party; and

WHEREAS, Parker and St. Paul have concluded that this Agreement fairly compensates the performing party for the municipal court services being provided hereunder; and

WHEREAS, Parker and St. Paul believe that this Agreement is in the best interests of Parker and St. Paul; and

WHEREAS, this Agreement is approved by the governing bodies of Parker and St. Paul; and

WHEREAS, this Agreement is authorized by and in conformance with Chapter 791 of the Texas Government Code, the Interlocal Cooperation Act (the “Act”).

**NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND
CONSIDERATION PROVIDED FOR HEREIN, THE RECEIPT AND SUFFICIENCY OF WHICH
ARE HEREBY CONFIRMED, THE CITY OF PARKER AND THE TOWN ST. PAUL HEREBY
AGREE TO THE FOLLOWING:**

Section 1. All matters stated above are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

Section 2. **Term.** This Agreement shall be for an initial term of five (5) years commencing on April 1, 2025, and ending March 31, 2030, (the “Initial Term”) and may be extended thereafter by mutual consent of the parties hereto for two successive five (5) year terms. (The renewal terms shall be referred to as the “First Renewal Term” and “Second Renewal Term”, respectively).

Section 3. **Scope of Services to be provided by Parker.** Parker hereby agrees to provide St. Paul the following equipment, services, personnel, and facilities:

- a. Commencing April 1, 2025, Parker will provide municipal court services at the Parker City Hall. The Municipal Judge will be jointly appointed by both Parker and St. Paul and will continue the current practice for municipal court proceedings. Parker will provide the necessary facilities, security, administrative oversight, financial management, general court staffing and other employees to properly supervise and operate the combined municipal court facility. Municipal court services shall include at a minimum, but not necessarily be limited to, the following:
 - 1. enforcement of Class C misdemeanor criminal laws and ordinance violations which occur in St. Paul including the interpretation, application and enforcement of St. Paul ordinances and state law;
 - 2. maintenance of all citations and other applicable records related to citations issued in St. Paul;
 - 3. completion of reports on convictions and submission to the State of Texas or other reports as required or agreed upon;
 - 4. informing all defendants of citations issued in St. Paul of their legal options under the laws of the State of Texas;
 - 5. providing Municipal Court judicial services including trials, property hearings, arraignments, warrant issuance, juror notification, setting of bonds, other judicial proceedings and magistrate services;
 - 6. providing financial reports to St. Paul and other reports as required by external audit firms as required by Generally Accepted Accounting Principles (GAAP) to be used by St. Paul for compliance with GAAP.
- b. All Human Resource services necessary for the recruitment, screening, employment, and training of all personnel required to provide municipal court services for Parker and St. Paul, including providing all employee policies and procedures and the administration thereof shall be provided by Parker.
- c. Parker shall provide St. Paul access to any and all of St. Paul’s court financial or court case related documentation.
- d. Parker shall provide payment to St. Paul on a semi-annual basis for municipal court revenues due to St. Paul by check or electronic transfer, to be determined by Parker. Parker shall provide to St. Paul any and all related financial reports relating to the collection and payment of such revenue as may be requested by St. Paul and necessary for auditing functions.

- e. Parker shall contract for and pay directly to the contractor all costs associated with prosecution services for Parker related court actions.
- f. Parker agrees to perform all services under this agreement in a good and workmanlike manner, and in accordance with all applicable laws and regulations.

Section 4.

St. Paul Obligations. St. Paul agrees to perform the following:

- a. Pay the sum of \$7,000.00 to Parker for municipal court services for the first year.
- b. In order to ensure the combined municipal court system functions in a workmanlike manner, and in accordance with all applicable laws and regulations, budget an annual sum to be determined based on agreed upon needs for court security and court technology to be paid for from the court technology and court security funds held by St. Paul.
- c. St. Paul will reimburse the City of Parker for amounts paid to the contract prosecutor for costs associated with prosecution services for St. Paul related court actions, as shown on the Prosecutor Fee Schedule attached as Exhibit A. The fee schedule is subject to change annually. Docket calls and pleas will be included in municipal court services in 4.a., above.

Section 5.

Payments for Services Performed. All payments for municipal court services shall be paid by St. Paul in four (4) equal installments due on the 15th day of each March, June, September, and December beginning March 2025 and continuing thereafter throughout the term of the Agreement. Reimbursements for contracted services will be paid within 30 days of receipt of invoice.

In the event the St. Paul City Council fails or refuses to approve the annual payment amount by September 30 of the preceding fiscal year, the Agreement shall be deemed to be canceled effective at the end of the then-current fiscal year of Parker.

Section 6.

Cancelation

- a. St. Paul shall have the right to terminate, based on the provisions of this Agreement, if Parker breaches any of its terms or fails to perform any of the obligations it imposes, and then fails to cure the breach or failure within thirty (30) days following written notice from St. Paul. If the Agreement is terminated under this paragraph, Parker shall be entitled to retain money already received prorated to the period from the last payment until the date of termination and shall refund the remainder to St. Paul.
- b. After the initial twenty-four (24) months of this agreement, all parties shall have the right to terminate this Agreement by giving written notice at least three (3) months prior to the subsequent Fiscal Year, October 1. All payments by St. Paul to Parker shall continue until the cancelation date or as mutually agreed to by both parties.

Section 7.

Notices

PARKER
City Administrator

ST. PAUL
Town Administrator/Secretary

5700 Parker Road
Parker, TX

2505 Butscher's Block
St. Paul, Texas 75098

Section 8. **Dispute Resolution.** Immediate performance complaints or concerns should be addressed by communicating the problem to the City Administrator. Any issues not resolved hereunder may be referred to the respective governing bodies for resolution and if necessary, the parties hereby agree to the appointment of a court-certified (certified in Collin County) Mediator to assist in resolving said dispute as a prerequisite to the filing of any lawsuit over such issues.

Section 9. **Venue.** Venue for any legal dispute arising pursuant to this Agreement shall lie in Collin County, Texas. No litigation shall be commenced prior to both parties' completion of mediation in accordance with Section 8.

Section 10. **Independent contractor.** All parties mutually agree that Parker is an independent contractor, and shall have exclusive control of performance hereunder, and that employees of Parker in no way are to be considered employees of St. Paul. The employment rights of Parker personnel assigned under this agreement will not be abridged.

Section 11. **Indemnification.** To the extent allowed by law, Parker hereby agrees to indemnify and otherwise hold harmless St. Paul, its officers, agents and employees in both public and private capacity against all liability claims, suits, demands, losses, damages, attorney fees, including all expense of litigation or settlement, or causes of action of any kind which may arise by reason of injury to or death of any person or for a loss of, damage to, or loss of the use of any property arising out of or in any way connected to Parker's performance of municipal court services under this agreement including any intentional or negligent acts or omissions of Parker's officials, officers, agents or employees relating to or arising out of the performance of the municipal court.

Parker and St. Paul each agree to accept full responsibility for the actions of their own officers, agents and employees in the operation of the municipal court, and to the extent allowed by law each party hereby agrees to indemnify and otherwise hold harmless the other party, its officers, agents and employees in both public and private capacity against all liability claims, suits, demands, losses, damages, attorney fees, including all expense of litigation or settlement, or causes of action of any kind which may arise by reason of injury to or death of any person or for a loss of, damage to, or loss of the use of any property arising out of or in any way connected to the intentional or negligent acts or omissions of that party, its officers, agents or employees, in the operation of the municipal court under this Agreement.

It is expressly understood and agreed that, in the execution of this Agreement, Parker and St. Paul do not waive, nor shall be deemed hereby to waive any immunity or defense that would otherwise be available to or against claims arising in the exercise of governmental functions relating hereto or otherwise. By entering into this Agreement, Parker and St. Paul do not create any obligations express or implied, other than those set forth herein, and this Agreement shall not create any rights in any parties not signatory hereto.

Section 12. **City Hall Facility.** If the municipal court services located at the Parker City Hall is damaged due to a natural or a manmade disaster and is unusable, Parker will have a contingency plan to continue to provide the services under this Agreement at another facility within Collin County.

Section 13. **Annual Review.** Annually, this Agreement will be reviewed by both parties for needed clarification and or revisions. This Agreement may only be modified, changed or altered at any time, upon mutual agreement of the parties, provided that any such modification, change and/or alteration be reduced to writing, and approved by the governing bodies of Parker and St. Paul.

Section 14. This Agreement has been approved by the governing bodies of Parker and St. Paul respectively. The execution of this Agreement has been authorized by an act of the governing bodies of Parker and St. Paul at a duly called and posted meeting. This Agreement shall become effective upon the date approved by the Parker City Council following approval of the St. Paul City Council (the "Effective Date").

IN WITNESS WHEREOF, we have hereunto set our hands this the 10th day of March 2025.

CITY OF ST. PAUL, TEXAS

~~Kent Swanner~~
By: Kent Swanner, Mayor
Town of St. Paul

ATTEST:

Scott Albert
Scott Albert
Town Secretary
Town of St. Paul

APPROVED AS TO FORM:

CMC-Coy
Clark McCoy
Town Attorney
Town of St. Paul

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of March, 2025.

CITY OF PARKER, TEXAS

By: Lee Pettle, Mayor
City of Parker

ATTEST:

Patti Scott Grey
City Secretary
City of Parker

APPROVED AS TO FORM:

Catherine Clifton
Interim City Attorney
City of Parker



Council Agenda Item

| | | |
|----------------------------------|------------------------|--|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | Council |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey for Interim City Attorney Clifton |
| Estimated Cost: | Date Prepared: | March 28, 2025 |
| Exhibits: | <u>None</u> | |

AGENDA SUBJECT

CONSIDER AND DISCUSS PROCEDURES FOR COUNCIL APPOINTMENTS.

SUMMARY

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

| Inter – Office Use | | | |
|-----------------------------|--------------------------|-------|----------------------------|
| Approved by: | Enter Text Here | | |
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/27/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ XX /2025 |



Council Agenda Item

| | | |
|----------------------------------|--|--|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | City Council |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey for Interim City Attorney Clifton |
| Estimated Cost: | Date Prepared: | March 28, 2025 |
| Exhibits: | <u>Proposed Resolution</u> | |

AGENDA SUBJECT

CONSIDERATION AND/OR ANY APPROPRIATE ACTION ON RESOLUTION NO. 2025-838 APPOINTING A MAYOR PRO TEM.

SUMMARY

POSSIBLE ACTION

City Council may approve, deny, or direct staff to take appropriate action.

Inter – Office Use

| Approved by: | Enter Text Here | | |
|-----------------------------|--------------------------|-------|-------------------------|
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/28/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/28/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/28/2025 |

RESOLUTION NO. 2025-838
(Appointment of Mayor Pro Tem)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, APPOINTING A MEMBER OF THE CITY COUNCIL TO SERVE AS MAYOR PRO TEM.

WHEREAS, the Texas Local Government Code requires that the governing body of a general law municipality to elect a member of the City Council to serve as Mayor Pro Tem for a term of one year or until another is appointed;

WHEREAS, if the Mayor fails, is unable, or refuses to act, the Mayor Pro Tem shall perform the Mayor's duties and is entitled to receive the fees and compensation prescribed for the Mayor;

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

SECTION 1. The City Council of the City of Parker, Texas hereby appoints _____ to serve as Mayor Pro Tem for the remainder of the current term or until another is appointed.

SECTION 2. In the event that the Mayor fails, is unable, or refuses to act, the Mayor Pro Tem shall perform the Mayor's duties and is entitled to receive the fees and compensation prescribed for the Mayor.

DULY RESOLVED by the City Council of the City of Parker, Texas on this the 1st day of April, 2025.

APPROVED:

Lee Pettle, Mayor

ATTEST:

Patti Scott Grey, City Secretary

APPROVED AS TO FORM:

Catherine Clifton, Interim City Attorney



Council Agenda Item

| | | |
|----------------------------------|---|--|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | Council |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey for Interim City Attorney Clifton |
| Estimated Cost: | Date Prepared: | March 21, 2025 |
| Exhibits: | <ol style="list-style-type: none"> 1. <u>Ord. No. 412 (Special Activities District)</u> 2. <u>§ 156.36 SPECIAL ACTIVITIES DISTRICT. (Hyperlinked – Click on link.)</u> 3. (Ord. 483, passed 6-6-2000; Am. Ord. 820, passed 8-2-2022) [Full ordinances attached as well.] | |

AGENDA SUBJECT

DISCUSS AND CONSIDER REFERRAL OF THE SPECIAL ACTIVITIES DISTRICT ORDINANCE TO THE PLANNING AND ZONING (P&Z) COMMISSION FOR REVIEW AND RECOMMENDATIONS FOR UPDATE/REVISION.

SUMMARY

This item provides for council to consider referring Ordinance No. 412, codified as §156.36 of the Parker Code of Ordinances, to the Planning and Zoning Commission for review and recommendation as to whether update or revision is necessary.

POSSIBLE ACTION

City Council may direct staff or P&Z to take appropriate action.

| Inter – Office Use | | | |
|-----------------------------|--------------------------|-------|----------------------------|
| Approved by: | Enter Text Here | | |
| Department Head/ Requestor: | | Date: | |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/28/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ xx /2025 |

NO. 412

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, AMENDING ORDINANCE NO. 242A, COMPREHENSIVE ZONING ORDINANCE, BY AMENDING SECTION 5, SCHEDULE OF DISTRICT REGULATIONS ADOPTED, SUBSECTION D., SPECIAL ACTIVITIES DISTRICT, IN ITS ENTIRETY, AND PROVIDING FOR DEFINITIONS, CONFLICTS, SEVERABILITY, PUBLICATION, AND AN EFFECTIVE DATE.

WHEREAS, the Parker City Council and the Parker Planning and Zoning Commission have held public hearings related to the Special Activities District zoning classification; and

WHEREAS, the Parker City Council finds that it is in the best interests of the citizens of Parker to establish additional detailed regulations and a review procedure regarding the Special Activities District; and

WHEREAS, the regulations adopted by this ordinance will promote the health, safety, and welfare of Parker's citizens.

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

SECTION 1. AMENDMENT TO SECTION 5.D. SPECIAL ACTIVITIES DISTRICT (SURROUNDING SOUTHFORK RANCH).

- A. Section 5.D is hereby replaced in its entirety by the following:
- D. **SPECIAL ACTIVITIES DISTRICT.**

1. The purpose of the Special Activities District is to provide for tourist-related commercial uses that are integrated through site planning and architectural design guidelines. A concept plan shall be required for all land to be zoned Special Activities District, and shall be approved at the time such district is approved and attached to the ordinance establishing a Special Activities District, in accordance with the provisions in Subsection 8. A site plan shall be required for all new construction for land zoned Special Activities District, and shall conform in all respects to the concept plan, in accordance with the provisions in Subsection 9. The acreage of a Special Activities District shall be not less than 175 acres.
2. The following uses shall be permitted of right or by conditional use permit in the Special Activities District.

a. Permitted Uses. The following uses shall be allowed in a Special Activities District, provided however, that these uses may be restricted by the City Council in the ordinance creating the district:

- (1) Hotel, not to exceed one facility limited to not more than 100 units
- (2) Motel, not to exceed one facility limited to not more than 25 units
- (3) Bed and Breakfast Establishments, not to exceed one facility limited to not more than 25 units
- (4) Ranching Uses
- (5) Local Retail Uses for neighborhood or tourist shopping facilities which provide limited service for the convenience of residents of the neighborhood or tourists, such as but not limited to the following types of establishments (not to exceed 5,000 square feet in the aggregate):
 - Arts and crafts galleries,
 - Photography studio,
 - Retail shops for clothing and souvenirs, gourmet foods, antiques, or florist shops
- (6) Cafes, Restaurants, and Catering facilities, excluding fast food restaurants or drive-throughs (not to exceed one facility limited to 400 square feet in area)
- (7) Dinner Playhouse (one)
- (8) Farmer's Market (one)
- (9) Conference or events facilities, including associated food catering facilities (one, not to exceed 30,000 square feet)
- (10) Indoor or outdoor special events, such as the following:
 - Rodeos, livestock exhibitions, auctions
 - Tennis Club or Golf Course
 - Single family residence for on site caretaker or staff (one)
- (11) Facilities for the mixing of personal care products from natural and raw agricultural products, such as e.g., an aloe vera products mixing facility. This use does not include any animal processing, raw material processing, uses which emit odors, or heavy manufacturing or industrial uses
- (12) One Private Club for the serving of alcoholic beverages, where properly permitted by the Texas Alcoholic Beverages Commission, and where such facility is not less than 300 feet from a church, public school, or public hospital, which distance shall be measured in accordance with the Texas Alc. Bev. Code §109.33(b).

City Council shall have full legislative discretion in determining whether these uses are consistent with adjacent land uses, and shall have discretion to impose such conditions as may be necessary to protect adjacent land uses and insure compatibility.

b. Conditional Uses.

All uses listed as conditional uses under Section 5.E. shall be permitted in accordance with the provisions of that Section.

c. Temporary Outdoor Uses. The following temporary use may be allowed upon application for and issuance of a permit from the City Building Official or other designated official:

Seasonal fireworks displays. Request for a use permit for a seasonal fireworks display shall be accompanied by a properly issued permit from the Fire Marshall, and may only be denied in times of drought or when the safety of the public is endangered by the activity. Fireworks displays shall be limited to no more than three (3) per year. No fireworks display shall occur after the hour of 11:00 p.m., except on the night of December 31st, when fireworks displays may occur not later than 1:00 a.m., January 1st.

d. Accessory Uses. The following accessory uses are permitted.

- (1) Restaurants, travel agencies, gift shops and other uses customarily associated with a hotel, where such uses are contained within the hotel structure.
- (2) Concession activities or stands in association with rodeos or other outdoor events. Provided, however, that such activities shall be conducted in temporary structures which shall not remain standing after the ending date of the rodeo or other outdoor events.
- (3) Club houses associated with golf courses, provided that such structures must observe area and dimensional requirements.
- (4) Offices integrated with other permitted uses.

e. Prohibited Uses. The following uses shall be prohibited:

- (1) Sexually oriented businesses, including adult bookstores, adult theaters, nude modeling or photography studios, adult dancing or entertainment at private clubs.
- (2) Strip commercial development or shopping centers.

3. Area and Dimensional Requirements.

Unless otherwise established by the City Council in the ordinance establishing the district consistent with public health and safety, the following area and dimensional standards shall apply.

- a. Building setbacks.
 - (1) Structures shall be set back three-hundred feet from any major roadway, including FM 2551, FM 2514, Parker Road, and such other roads as the City may from time to time designate, or as otherwise designated by ordinance.
 - (2) Facilities for the mixing of personal care products shall be set back 100' from other structures.
 - (3) Structures in the district shall be set back 100' from district boundaries.
- b. Height limitations (measured from grade).
 - (1) Buildings for Hotel use shall not exceed (3) stories to a maximum of fifty (50) feet.
 - (2) Conference or events facilities shall not exceed fifty (50) feet.
 - (3) Facilities for the mixing of personal care products shall not exceed fifty (50) feet, measured from grade.
 - (4) Buildings for all other uses shall not exceed two (2) stories or thirty (30) feet.
 - (5) Retail uses shall be limited to the first floor of any building.
 - (6) Height limitations for all other uses, including agricultural, shall be fifty (50) feet.

4. Parking Regulations.

Off-street parking shall be required for all new construction, based on the following standards:

- a. Where necessary for fire safety purposes, specially designated fire or traffic lanes may be required by the Fire Chief or the Building Official. The designated area shall be kept clear of all parking, storage and other obstructions at all times.
- b. Accessible parking shall be provided as required by state and federal standards.
- c. Overflow parking for special events or recreational activities of a short-term, non-permanent nature may be located on grassy areas.

5. Design Elements.

- a. Facade Treatments and Colors shall conform to the following, subject to any exceptions which may be approved by City Council for the concept plan:
 - (1) All buildings must be constructed in uniform rural style. No modern or post-modern styles will be permitted. New construction shall be consistent with any existing buildings in the district.
 - (2) Colors of building materials must be neutrals, white or earth tones such as are consistent with adjacent buildings.
 - (3) Painted metal building materials, stucco, stone, concrete, wood, or brick may be allowed where they are provided for in the ordinance establishing the district or on an approved site plan.
 - (4) Concrete block surfaces, or synthetic stucco finishes (e.g., EIFS) shall not be permitted.
- b. Sidewalks shall be installed in accordance with state or federal statutes.
- c. Light fixtures located in parking areas may not be directed or placed so that the illumination circle falls outside the district boundary, and

fixtures and their supports shall not exceed fifty (50) feet in height. The primary luminous element of any light shall not be visible outside district boundaries.

d. Signs shall meet the following standards:

- (1) Monument style signs, constructed of the same or similar materials as other improvements on the property, and no more than five (5) feet high from the ground are permitted in this district. Total size of the sign shall not exceed thirty-two (32) square feet.
- (2) No neon or illumination elements are allowed on sign surfaces, provided, however, that the signs may be backlit illuminated from a light installed on the ground, and designed to shine upwards only on the face of the sign.
- (3) Signs shall be placed only at driveway entrances and shall not be allowed on buildings.
- (4) All other signs, including temporary signs for directions or events shall be permitted in accordance with the regulations contained in the City's sign ordinance, Ordinance No. 350, or as the same may be amended. Illuminated signs, as they are defined in the sign ordinance, are specifically not allowed in this district. No rotating, blinking or flashing lights are allowed in the District.

e. Loading Zones and Storage. Loading zones shall be located as required by the City's Building Code.

6. Open Space Requirements.

Open space must constitute 40% of the gross area covered by the site plan, and such additional open space, if any, as per any approved Concept Plan for the site.

7. Concept Plan Required.

a. The City Council may, after receiving the report of the Planning Commission, approve by ordinance the creation of a special activities district based upon a concept plan prepared in accordance with provisions of this subchapter and processed in accordance with the

procedures for establishing zoning districts. The approved plan shall be made part of the ordinance establishing the district. Any amendments to a concept plan must be in harmony with the plan for the entire district and must be approved by the City Council by ordinance. An amendment to a council approved plan will be considered an amendment to the Special Activities zoning district and be processed in accordance with zoning amendment procedures. The Council shall have full legislative discretion in its consideration of any type of plan.

b. In determining whether a Special Activities District should be established and the concept plan should be approved, the Commission in making its recommendations and the Council in making its decision shall consider the following criteria:

- (1) The plan of development is consistent with the future land use policies and map in the City of Parker Comprehensive Plan.
- (2) Proposed uses and project design are compatible with existing and planned adjoining uses.
- (3) Adequate public facilities, including open space, will be provided in a timely manner to support each phase of the development.
- (4) Proposed uses and development standards are consistent with the purposes and standards of these District regulations.
- (5) The proposed timing of development is consistent with the overall growth and development of the City.

The ordinance establishing a Special Activities District shall set forth the following provisions. The general concept plan shall be incorporated as an exhibit to the ordinance.

- (1) a statement as to the purpose and intent of the district;
- (2) general land uses and acreage of each use authorized in the district, by use category, the location of such uses, the residential densities and non-residential intensities associated with phases of the project, in conformance with the approved concept plan;

- (3) general conditions and standards applicable to development within the district; and
- (4) required dedications or public improvements, if any.

8. **Site Plan Required.** A site plan shall be required for all new construction, exterior remodeling, or additions to any structure which exceed 10% of either the structure's size or assessed value for tax purposes, in a Special Activities District. No building permit shall be issued for a development subject to site plan review until such site plan has been approved in accordance with this section.

- A. Application. The property owner or designated representative may initiate site plan review by filing an application with the City Administrator, and submitting the required review fee and five (5) copies of the site plan and related documents.
- B. Contents of Application. Applications shall contain drawings to scale to indicate:
 - (1) The location of existing and anticipated new structures on the subject property and adjoining property.
 - (2) Landscaping and fencing, setback areas, uses of landscaping and walls or fences for screening purposes, and landscaping of parking areas, if applicable.
 - (3) Design of ingress and egress to minimize interference with traffic flow on abutting streets.
 - (4) Height of all structures.
 - (5) Proposed uses for all structures.
 - (6) The location and types of all signs including lighting and heights.
 - (7) Facade elevations of each building, including descriptions of materials and colors for finishes.
- C. Standards. The site plan shall conform to the concept plan, all district regulations, all additional requirements of the ordinance creating the district, and any supplemental or special regulations

applicable to the particular use.

D. Decision on Site Plan and Appeal. The City Council, shall designate the official responsible for review and action in the ordinance creating the district. The official so designated may approve, approve with conditions, or deny the site plan. Appeals from denial of administrative site plan shall be to the Board of Adjustment, and shall be made within 15 days. Procedures governing such appeal shall be in accordance with Section 12 of the Comprehensive Zoning Ordinance.

SECTION 2. AMENDING SECTION 1.D., DEFINITIONS

Section 1.D is hereby amended by adding the following:

Concept Plan. A plan which describes the proposed development within a site or zoning district, describing the nature and extent of land uses to be developed, the approximate location of such uses, and the configuration of such land uses to the overall site.

Fast Food Restaurant. An establishment whose principal business is the sale of prepared or rapidly prepared food directly to the customer in a ready-to-consume state for consumption either within the restaurant building, in cars on the premises, or off the premises.

Open Space. An outdoor or unenclosed area designed and accessible for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities, driveways, utility, or service areas.

Ranching Uses. Uses and associated structures which relate to the production, keeping or maintenance, for sale, lease, or personal use, of livestock, including beef cattle, horses, ponies, mules, or goats.

Site Plan. The development plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and building; signs and lighting; berms, buffers, and screening devices; surrounding development, and any other information that reasonably may be required in order than an informed decision can be made by the approving authority.

Sexually Oriented Business. A sex parlor, nude studio, modeling studio, love parlor, adult bookstore, adult movie theater, adult video arcade, adult movie arcade, adult video store, adult motel, or other commercial enterprise the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer.

Shopping Center. A group or cluster of stores, buildings, or commercial establishments divided for separate commercial or service facilities, but planned, constructed, and managed as a total entity, with customer and employee parking provided on-site, whether or not the space is leased or sold in fee to each separate commercial facility, and which may contain additional uses such as offices or service establishments.

Strip Commercial Development. Commercial or retail uses, usually one-story high and one-store deep, and sharing internal walls.

SECTION 3. CONFLICTS.

All ordinances and provisions of the City of Parker, Texas, that are in conflict with this Ordinance shall be and the same are hereby repealed, and all ordinances and provisions of ordinances of said City not so repealed are hereby retained in full force and effect.

SECTION 4. SEVERABILITY.

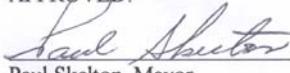
It is the intent of the City Council that each paragraph, sentence, subdivision, clause, phrase or section of this Ordinance be deemed severable, and should any paragraph, sentence, subdivision, clause, phrase, or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to effect the validity of those provisions of this Ordinance left standing, nor the validity of the Code of Ordinances as a whole.

SECTION 5. EFFECTIVE DATE.

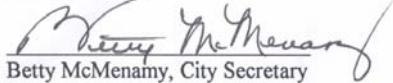
This ordinance shall be effective from and after its adoption.

ADOPTED this 26 day of November, 1996 by the Parker City Council.

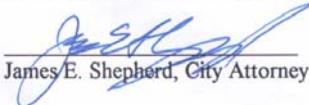
APPROVED:


Paul Skelton, Mayor

ATTEST:


Betty McMenamy, City Secretary

APPROVED AS TO FORM:


James E. Shepherd, City Attorney

ORDINANCE NO. 820
(Amending Chapter 156: Zoning)

**AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS,
 REPEALING AND REPLACING THE CITY OF PARKER CODE OF
 ORDINANCES, CHAPTER 156, ENTITLED ZONING; PROVIDING A
 REPEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING
 FOR CODIFICATION; PROVIDING FOR PENALTIES; AND PROVIDING
 FOR PUBLICATION AND AN EFFECTIVE DATE.**

WHEREAS, the City of Parker, Texas (“City”) is a Type-A, General Law municipality located in Collin County, Texas with the rights and privileges thereto; and

WHEREAS, the City Council has undertaken a review of the City’s Zoning regulations, codified as Chapter 156 of the City’s Code of Ordinances, has received the review and recommendations of City Staff, has received the review and report of the Planning and Zoning Commission, has given lawful public notice and held public hearings pursuant to Texas Local Government Code Section 211.006 to provide the opportunity for the citizens to comment; and

WHEREAS, the City finds the amendments to the Zoning Regulations are in the best interest of the citizens of Parker, and necessary to protect the health, safety, and welfare of residents and property owners alike, and finds all procedural requirements to amend the Zoning Regulations have been met; and

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

Section 1. Findings of Fact

The recitations contained in the preamble of this Ordinance are hereby found to be true and correct legislative and factual findings of the City Council of Parker, Texas, and are hereby approved and incorporated into the body of this Ordinance as if copied herein in their entirety.

Section 2. Adoption of Amended Zoning Regulations

The City Council hereby repeals the existing Chapter 156 “Zoning” of the Code of Ordinances and replaces it in its entirety with the provisions in Exhibit A, Chapter 156 “Zoning,” attached hereto and made a part hereof for all intents and purposes.

Section 3. Savings Clause

If any article, paragraph, sentence, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to invalid, illegal, or unconstitutional, and shall not affect the validity of Ordinance as a whole.

Section 4. Repealer

In the case of any conflict between other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance shall control. Specifically, the previous version of Chapter 156: Zoning is repealed in its entirety.

Section 5. Proper Notice and Meeting

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice was also provided as required by Chapter 52 of the Texas Local Government Code.

Section 6. Codification

The City Secretary is hereby directed to record and publish the attached Exhibit A in the City's Code of Ordinances.

Section 7. Penalty

Any person found violating the provisions of this Ordinance, upon conviction, shall be subject to the penalties set out in Exhibit A. Each day that a provision of this Ordinance is violated shall constitute a separate and distinct offense.

Section 14. Publication and Effective Date

In accordance with Section 52.011 of the Local Government Code, the caption this Ordinance shall be published in every issue of the official newspaper of the City for two (2) days within a period of ten (10) days from the passage of this Ordinance. This Ordinance shall become effective the day following its second day of publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF PARKER, COLLIN COUNTY, TEXAS, THIS 2ND DAY OF AUGUST 2022.



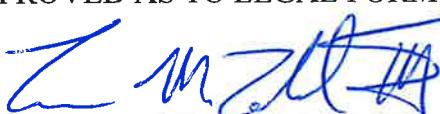

Lee Pettle, Mayor

ATTEST:



Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:



Lawrence M. Lansford, III, City Attorney



Remit Payments (with Acct Number) to:
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Order Confirmation

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| Payment Method: | Check/Money Order | Payment Amount: | \$0.00 |
| Ad Order #: | 0001828797 | Total Amount: | \$224.30 |
| Ad Number: | 0001828797-01 | Amount Due: | \$224.30 |
| Color: | | Ad Size: | 2 X 21.00 Li |

Ad Content

Public Hearing Notice for Consideration of Amendments to Zoning Regulations
 Pursuant to Texas Local Government Code Chapter 21, there will be a public hearing by the City of Parker's City Council concerning proposed amendments to the City's zoning regulations at a scheduled meeting on Tuesday, August 2, 2022 beginning at 7:00 p.m., followed by discussion and potential action on the proposed ordinance by the Council. The Public Hearing will be held at the Parker City Hall, 5700 E. Parker Road, Parker, Texas 75002. Contact Public Works Director Gary Machado at (972) 442-6811 for more information or to comment regarding the proposed Amendments to Zoning Regulations at any time before the public hearing.

| Run Dates | Product | Placement/Classification - Position |
|--|---------------------|--|
| Publish Date: 07/14/2022 Stop Date: 07/14/2022 | Dallas Morning News | Legals Bids Notices - LN Legal Notices |
| Publish Date: 07/14/2022 Stop Date: 07/20/2022 | DallasNews.com | Legals Bids Notices - LN Legal Notices |

Patti Grey

From: Patti Grey
Sent: Monday, July 25, 2022 2:39 PM
To: Max Tezkal
Subject: Ord. No. 820 - Amending Chapter 156: Zoning - Monday, August 8, 2022 and Tuesday, August 9, 2022
Importance: High

Max,

I need to publish the following . . . Monday, August 8, 2022 and Tuesday, August 9, 2022. Please forward a proof to review with cost estimate.

CITY OF PARKER, TEXAS
ORDINANCE NO. 820
(Amending Chapter 156: Zoning)

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, REPEALING AND REPLACING THE CITY OF PARKER CODE OF ORDINANCES, CHAPTER 156, ENTITLED ZONING; PROVIDING A REPLEALER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR PENALTIES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Thank you for assistance.

Patti Scott Grey, CMC, CAMC
Asst. City Administrator/City Secretary



City of Parker, Texas
5700 East Parker Road
Parker, TX 75002
972.442.6811 x235
972.442.2894 (Fax)
www.parkertexas.us
PGrey@parkertexas.us

"The City Secretary believes in being responsive to our citizens with professional knowledge, courtesy and timely service."

"Serving Citizens Today and Tomorrow, While Preserving the Records of the Past"

ATTENTION PUBLIC OFFICIALS!

A "Reply to All" of this e-mail could lead to violations of the Texas Open Meetings Act. Please reply only to the sender.



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Order Confirmation

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| Ad Order #: | 0001830009 | PO Number: | |
| Sales Rep: | Max (Mert) Tezkol | Order Taker: | Max (Mert) Tezkol |
| Net Amount: | \$365.40 | Tax Amount: | \$0.00 |
| Payment Method: | Check/Money Order | Payment Amount: | \$0.00 |
| | | Total Amount: | \$365.40 |
| Amount Due: | | | \$365.40 |

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Ad Number: 0001830009-01

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CITY OF PARKER, TEXAS
ORDINANCE NO. 820
(Amending Chapter 156: Zoning)
AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, REPEALING AND REPLACING THE CITY OF PARKER CODE OF ORDINANCES, CHAPTER 156, ENTITLED ZONING; PROVIDING A REPLEAVER CLAUSE; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR PENALTIES; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

Run Dates

Publish Date: 08/08/2022 Stop Date: 08/09/2022
Publish Date: 08/08/2022 Stop Date: 08/15/2022

Product

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AFFIDAVIT OF PUBLICATION

STATE OF TEXAS

COUNTY OF DALLAS

Before me, a Notary Public in and for Dallas County, this day personally appeared Mert Tezkol, advertising Representative for The Dallas Morning News, being duly sworn by oath, states the attached advertisement of

CITY OF PARKER AD# 1830009
was published in The Dallas Morning News

DATE PUBLISHED

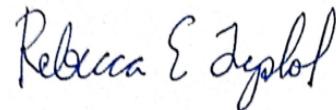
August 8, 2022

August 9, 2022



Mert Tezkol

August 9, 2022



(Notary Public)

BOOKMARK CHAPTER 156: ZONING

Section

General Provisions

- [156.01](#) Definitions
- [156.02](#) Minimum requirements

Zoning Map; Districts

- [156.15](#) Use districts established
- [156.16](#) Official zoning map
- [156.17](#) Interpretation of district boundaries
- [156.18](#) Newly annexed territory

District Uses and Requirements

- [156.30](#) Application of regulations
- [156.31](#) Agricultural-open space district
- [156.32](#) Single-family residential district
- [156.33](#) Single-family transitional district
- [156.34](#) Manufactured housing district
- [156.35](#) Planned residential development district
- [156.36](#) Special activities district
- [156.37](#) Supplementary zoning regulations

Nonconforming, Conditional, and Special Uses

- [156.50](#) Nonconforming uses
- [156.51](#) Conditional uses
- [156.52](#) Special use permits

Administration and Enforcement

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

- [156.99](#) Penalty

GENERAL PROVISIONS

BOOKMARK § 156.01 DEFINITIONS.

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

ACCESSORY DWELLING. An ACCESSORY BUILDING that is a separate dwelling for immediate family, hired help, or used as guest quarters.

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

ADMINISTRATOR. The person responsible for administration of city ordinances;
ORDINANCE ADMINISTRATOR.

AGRICULTURE. The practice of farming and ranching; including:

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

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

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

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

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

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

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

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

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

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

CITY COUNCIL. The City Council of this city.

COMMISSION. The Planning and Zoning Commission of the city.

COMPREHENSIVE ZONING ORDINANCE. This chapter, and as hereafter amended.

CONCEPT PLAN. The development plan for one or more lots that shows the existing and proposed conditions of the development, including lot lines; landscaping; open spaces; means of ingress, egress, and circulation; berms, Buffer Yards, and screening devices; surrounding roadways; basic drainage information; and any other information required so an informed decision can be made by the City.

CONDITIONAL USE. A use that requires a variance from an existing ordinance as approved through a formal application process.

CONSTRUCTION PLAN. A plan for new construction or for additions to any structure submitted in application for a building permit.

DEVELOPMENT. The process of converting land to a new purpose by constructing buildings or making use of its resources.

EMPLOYEE. A person who receives a wage, salary, or percentage of profits related to the home occupation and whose place of work is at the residence.

ETJ. Extraterritorial jurisdiction.

HOME OCCUPATION. Commercial non-agricultural activity within the home or on the grounds that does not involve more than one other unrelated person, client visitation without appointment, operation of commercial trucks, or signage or outside storage of business-related equipment or materials.

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

COMPREHENSIVE PLAN. A plan and associated maps showing the existing and proposed land uses within the city and its extraterritorial jurisdiction (ETJ).

LOT COVERAGE. Area of a lot covered by buildings usually expressed as a percentage.

GROSS (SITE) AREA. The total area of a tract of land, including rights-of-way and dedicated easements.

LOT SIZE. Area enclosed by the metes and bounds of a given lot.

OFFENSIVE TRADE ACTIVITY. Any activity prohibited by federal or state law or city ordinance and not authorized by a special use permit.

OFFICER. A person referred to in this chapter by title means the person employed or appointed by the city to that position, or his or her duly authorized representative.

OPEN SPACE. An outdoor area for outdoor living, recreation, pedestrian access, or landscaping, but excluding parking facilities.

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

RECREATIONAL EQUIPMENT. Items of person use and enjoyment other than automotive vehicles and trucks, specifically including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles or trucks), motorized dwellings/RVs, tent trailers, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

SINGLE-FAMILY RESIDENCE. A one family detached dwelling.

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

STRUCTURE. Anything that is constructed that emanates above the ground, or descends below ground, considered either permanent or temporary.

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

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

VARIANCE. A legal modification from city ordinances, granted to relieve hardship conditions existing within a single piece of property other than financial and not of the applicant's making.

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

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

§ 156.02 MINIMUM REQUIREMENTS.

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

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

ZONING MAP; DISTRICTS

§ 156.15 USE DISTRICTS ESTABLISHED.

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

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

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

§ 156.16 OFFICIAL ZONING MAP.

(A) *Official Zoning Map.*

(1) The city is hereby divided into use districts, as shown on the Zoning Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this chapter. The Zoning Map shall be identified by the signature of the Mayor attested by the City Secretary and bearing the seal of the city under the following words: "This is to certify that this is the Zoning Map referred to in Section 1B of Ordinance Number 403 of the city as amended." If, in accordance with the provisions of this chapter, the city's Comprehensive Plan, and Tex. Loc. Gov't Code, Chapter 211, as amended, changes are made in district boundaries or other matter portrayed on the Zoning Map, then the amendment as approved by the City Council shall be reflected on the Zoning Map, which may also be known as the "Zoning Map."

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

(B) *Replacement of official Zoning Map.*

(1) In the event that the Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Council may, by

ordinance, adopt a new Zoning Map, which shall supersede the prior Zoning Map. The new Zoning Map may correct drafting or other errors or omissions in the prior Zoning Map, but no such correction shall have the effect of amending the original Zoning Map or any subsequent amendment thereof. The new Zoning Map shall be identified by the signature of the Mayor, attested by the City Secretary, and bearing the seal of the city and date under the following words: "This is to certify that this Zoning Map supersedes and replaces the Zoning Map originally adopted by the city on the day of December 2, 1980."

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

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

§ 156.17 INTERPRETATION OF DISTRICT BOUNDARIES.

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

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

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

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

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

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

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

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

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

§ 156.18 NEWLY ANNEXED TERRITORY.

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

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

DISTRICT USES AND REQUIREMENTS

§ 156.30 APPLICATION OF REGULATIONS.

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

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

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

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

 § 156.31 AGRICULTURAL-OPEN SPACE DISTRICT.

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

(B) *Uses; A-O.*

(1) *Permitted uses.*

- (a) Barn or stable for keeping private animal stock;
- (b) Agriculture;
- (c) Farm;
- (d) Pasture;
- (e) Single-family residence;
- (f) Home Occupation; and
- (g) Accessory Buildings.

(2) *Conditional uses; special use permit required.*

The following uses require filing an application for a special use permit, with subsequent hearing by Planning & Zoning Commission after which approval is required by City Council:

- (a) Tower structures exceeding 25 feet in height;
- (b) Golf course;
- (c) Accessory Dwelling;
- (d) Rodeo;
- (e) Grain elevator;
- (f) Common stables; and
- (g) Riding academy.

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

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

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

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

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

 § 156.32 SINGLE-FAMILY RESIDENTIAL DISTRICT.

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

(B) *Uses; SF.*

(1) *Permitted uses.*

- (a) Single-Family Residence;
- (b) Accessory Buildings; and
- (c) Home Occupation.

(2) *Conditional uses; special use permit required.*

The following uses require filing an application for a special use permit, with subsequent hearing by Planning & Zoning Commission after which approval is required by City Council:

(a) Accessory Dwelling;

(b) Boarding and activities involving large animals.

(C) *Lot size requirements; SF.*

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

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

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

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

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

In this formula, R shall be greater than or equal to 40 feet.

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

(D) *Buffer Yards; SF.* Buffer Yards are not required for the single-family zoning classification.

(1) The Buffer Yard shall be included as a part of the property to be maintained by the homeowner's association, or owner of the lot.

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

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

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

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

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

(F) *Building regulations; SF.*

(1) *Single-family residence.*

(a) *Minimum living space.* There shall be a minimum of 2,500 square feet of air-conditioned living space.

(b) *Building materials.*

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

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

3. *Brick or stone; alternatives.* Approved masonry products for elevations may be permitted in lieu of brick or stone, with the approval of the Building Official that these materials and their application conform to the requirements of the International Residential Code, and other pertinent ordinances in the city.

(c) *Maximum height.*

1. The maximum height for the primary residence shall be two stories above the finished foundation elevation, not to exceed 45 feet above finished foundation elevation, excluding architectural treatment elements.

2. Architectural treatment elements are not to exceed 50 feet above finished foundation elevation.

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

(3) *Accessory Dwellings.* Accessory Dwellings may be constructed only after the issuance of a special use permit.

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

(b) *Building materials.*

Same requirements as primary residence.

(c) *Maximum height.* The maximum height for any accessory buildings shall be two stories above the finished foundation elevation, not to exceed the height of the primary residence.

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

(H) *Fences; SF.*

(1) *General restrictions.*

(a) All perimeter fencing shall not exceed six feet in height. All fences shall be of open construction and not solid or near-solid fabric or surfacing, except for parcels of land that are side or rear adjacent to the following roads: Parker Road, Dillehay Drive (FM 2551), and Hogge Drive (FM 2551) on which a solid or near-solid fence constructed of wood, masonry, or wrought iron is permitted along the roadway. Open construction shall mean that each fence panel, when viewed from an elevation perspective at a perpendicular to that elevation, shall be constructed of materials that allow at least 50% of the surface area of each panel to provide for an open unobstructed view.

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

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

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

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

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

(4) *Inspection and maintenance.* When any fence is completed, it must be inspected. The Building Inspection Department shall be notified upon completion of the fence. The Building Official will approve the fence if it complies with the provisions of this section, or it will be rejected. All fences constructed under the provisions of this section shall be maintained so as to

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

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

(5) *Materials.*

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

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

(6) *Certain locations, construction prohibited.*

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

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

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

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

 § 156.33 SINGLE-FAMILY TRANSITIONAL DISTRICT.

(A) *Applicability.* The Single-Family Transitional District (SFT) zoning classification is closed and not available for applications. The regulations concerning this zoning classification remain applicable to existing SFT zoned properties within the City.

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

(C) *Uses; SFT.*

(1) *Permitted uses.*

- (a) Single-Family Residence;
- (b) Accessory Buildings; and
- (c) Home Occupation.

(2) *Conditional uses; special use permit required.*

The following uses require filing an application for a special use permit, with subsequent hearing by Planning & Zoning Commission after which approval is required by City Council:

- (a) Accessory Dwelling;

- (b) Boarding and activities involving large animals.

(D) *Lot size requirements; SFT.*

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

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

(3) *Maximum lot coverage.* The maximum lot coverage by all above-ground Structures shall be no more than 20%.

- (a) 1-acre lot: 8,712 square feet maximum;

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

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

(5) *Special provisional lot sizes.*

- (a) Minimum lot size within the city limits after January 1, 1999 shall be two acres. These lots are included in the average lot size calculation in paragraph (C)(1) above.
- (b) Lots adjacent to platted lots within the city limits on or before January 1, 1999 shall be a minimum of two acres or not less than the smallest adjacent platted lot, whichever is less.

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

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

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

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

In this formula, R shall be greater than or equal to 40 feet.

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

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

(E) *Buffer Yards; SFT.* For those lots adjacent to another city or its ETJ in which the adjacent lot areas are (or are expected to be) less than 3/4 acre per lot, the setback requirement shall be modified as follows: An additional side or rear setback of 50 feet, in addition to the setbacks required below, shall be required providing a Buffer Yard to compensate for the differences in lot sizes. This Buffer Yard setback shall contain at least 1 tree per 20 linear feet. If hardy native or adapted trees currently are growing in the area of this Buffer Yard setback, retention of these trees is preferred over planting new trees. Each planted tree shall be a native or adapted species and of a variety normally considered hardy for the area. New trees shall be from the required tree list. All Buffer Yard plantings must be completed prior to a certificate of occupancy being issued for the lot.

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

- (1) *Front setback.* The minimum front setback for any structures on the lot shall be in accordance with the following listed distances, measured in feet from the closest point of the front property line. No two adjacent houses shall have the same front building line. The front building line of all adjacent houses shall vary by at least five feet.
 - (a) 1-acre lot: 50 feet;
 - (b) 1.5-acre lot: 75 feet; and
 - (c) 2-acre lot: 100 feet.
- (2) *Side setback.* The minimum side setback shall be in accordance with the following listed distances, measured in feet from the closest point of the side property line.

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

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

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

(4) *Rear setback.*

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

(G) *Building regulations; SFT.*

(1) *Single-Family Residence.*

(a) *Minimum living space.* There shall be a minimum of 2,500 square feet of air-conditioned space.

(b) *Building materials.*

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

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

3. *Brick or stone; alternatives.* Approved masonry products for elevations may be permitted in lieu of brick or stone, with the approval of the Building Official that these materials and their application conform to the requirements of the International Residential Code, and other pertinent ordinances in the city.

(c) *Maximum height.*

1. The maximum height for the primary residence shall be two stories above the finished foundation elevation, not to exceed 45 feet above finished foundation elevation to top of roof peak, excluding architectural treatment elements.

2. Architectural treatment elements are not to exceed 50 feet above finished foundation elevation.

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

(3) *Accessory Dwellings.* Accessory Dwellings may be constructed only after the issuance of a special use permit.

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

(b) *Building materials. Same requirements as the primary residence.*

(c) *Maximum height.* The maximum height for any Accessory Buildings shall be two stories above the finished foundation elevation, not to exceed the height of the primary residence.

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

(I) *Fences; SFT.*

(1) *General restrictions.*

(a) All perimeter fencing shall not exceed 6 feet in height. All fences shall be of open construction and not solid or near-solid fabric or surfacing, except for parcels of land that are side or rear adjacent to the following roads: Parker Road, Dillehay Drive (FM 2551), and Hogge Drive (FM 2551) on which a solid or near-solid fence constructed of wood, masonry, or wrought iron is permitted along the roadway. Open construction shall mean that each fence panel, when viewed from an elevation perspective at a perpendicular to that elevation, shall be constructed of materials that allow at least 50% of the surface area of each panel to provide for an open unobstructed view.

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

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

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

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

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

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

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

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

(5) *Materials.*

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

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

(6) *Certain locations, construction prohibited.*

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

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

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

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

§ 156.34 MANUFACTURED HOUSING DISTRICT.

(A) *Purpose; MH.*

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

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

(B) *Principal permitted uses; MH.*

(1) (a) Individually owned manufactured homes and lots in an approved manufactured housing district subdivision; and

(b) Commercial manufactured home parks providing, either on a rental or as an outright sale, lots for placement of manufactured homes with utilities for those manufactured homes.

(2) Supporting service facilities for the exclusive use of the residents will be permitted within the manufactured home park.

(C) *General provisions; MH.*

(1) *Mobile homes constructed prior to June 15, 1976.* No mobile home may be installed for use or occupancy as a residential dwelling unit within the city, effective the date of this chapter. Any mobile home previously legally permitted and used or occupied as residential dwelling unit within the city is deemed a nonconforming use. A permit for that legal nonconforming use and occupancy shall be granted for a lawful nonconforming mobile home within the city, so long as a replacement is a HUD- Code manufactured home.

(2) *No HUD-Code manufactured homes constructed on or after June 15, 1976.* No HUD- Code manufactured homes (constructed on or after June 15, 1976) shall be permitted in the city as a residential dwelling, or otherwise, unless the installation is within a manufacturing housing district approved by the city. An application to install a new HUD-Code manufactured home for use and occupancy as a residential dwelling is deemed approved and granted unless the city denies the application in writing, within 45 days of the receipt of the application, setting forth the reason for denial.

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

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

(5) Individual manufactured home lots and subdivisions.

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

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

(6) Commercial manufactured home parks.

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

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

(b) *Park and lot size requirements.*

1. *Minimum park size.* A site to be developed as a manufactured home park shall have a minimum area of 10 acres.

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

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

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

1. *Streets.*

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

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

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

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

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

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

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

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

(f) *Access.*

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

2. Each emergency access easement shall have a clear, unobstructed width in compliance with city ordinances on street and road design, shall connect to a dedicated public street, or shall have a turnaround radius with a minimum of at least 40 feet in radius of paving. Corners of intersecting streets shall have sufficient turning area to permit free movement of emergency vehicles.

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

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

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

(j) *Electric and telephone service.* All distribution and service lines of electrical, telephone, television, and other wire-carrier type utilities shall be underground, except that the

system of supply lines for multiple subdivision service by utilities may be overhead. Transformers, amplifiers, or similar devices associated with the underground lines shall be located upon the ground or below the ground level. Where the underground installation of these facilities is not a standard practice of the utilities involved, the subdivider or developer shall make all arrangements for payments associated with the nonstandard installation.

(k) *Drainage and soil protection.*

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

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

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

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

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

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

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

(n) *Firefighting.*

1. Approaches to all manufactured homes shall be kept clear for firefighting.

2. The owner or agent of a manufactured home park shall be responsible for the instruction of his or her staff in the use of the park fire protection equipment and in their specific duties in the event of a fire. The owner shall provide standard city fire hydrants located within 300 feet of all manufactured home spaces, measured along the driveways or streets.

3. The owner or agent of a manufactured home park shall be responsible for maintaining the entire area of the park free of dry brush, leaves, and weeds.

4. The owner or agent of a manufactured home park shall provide an adequate system of collection and safe disposal of rubbish, approved by the Fire Marshal.

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

1. The minimum front yard setback shall be 75 feet from the nearest corner of the manufactured home to the front line of the manufactured home space.

2. No manufactured home shall be closer than 75 feet to the outer perimeter property line. If the manufactured housing district is adjacent to a non-manufactured housing district, the setback from the outer perimeter property line shall be at least the setback of the adjacent district, if the setback of the adjacent district is greater than 25 feet.

3. Other structures on each manufactured home space must be placed to the back of the manufactured home space and must be a minimum of 75 feet away from any line of the manufactured home space.

4. The minimum distance between manufactured homes at any point shall be 75 feet.

5. The average vertical clearance height of the manufactured home frame above the finished ground elevation shall not exceed 3 feet.

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

(q) *Community buildings and service facilities.*

1. *Structural and other requirements for buildings.*

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

b. All rooms containing sanitary or laundry facilities shall:

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

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

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

2. *Sanitary facilities.*

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

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

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

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

(r) *Storage facilities.* Storage facilities with a minimum size of 200 square feet per manufactured home space shall be provided on the space, or in compounds located within 100 feet of each space. Wherever provided, storage facilities shall be faced with masonry, porcelainized enamel, baked enamel, steel, or other material equal in fire resistance, durability, and appearance. All storage facilities shall be anchored to a concrete slab.

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

(t) *Recreational areas.* Every manufactured home park shall have at least 1 visibly identifiable recreation area for the benefit and use of its residents. Not less than 5% of the gross

site area of the manufactured home park shall be devoted to recreational facilities. Playground space shall be protected from traffic, thoroughfares, and parking areas. This space shall be maintained in a sanitary condition and free of safety hazards. Lighting must be provided for all recreation areas.

(u) *Water system.*

1. *Supply.*

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

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

2. *Connections.*

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

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

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

(v) *Electrical utilities.*

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

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

(w) *Sewage or wastewater facilities.*

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

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

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

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

3. An adequate and safe sewage system shall be provided for conveying sewage to the treatment plant. The sewer system shall be constructed in accordance with applicable local and

state health regulations. Effluents from sewage treatment facilities shall not be discharged into any waters of the state except with prior approval of the State Natural Resource Conservation Commission.

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

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

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

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

(x) *Fuel supply and storage.*

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

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

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

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

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

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

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

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

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

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

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

2. *Anchors.*

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

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

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

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

- a. Spaced at 10-foot intervals on both frame rails with end ones no farther than 5 feet from end of manufactured home.
- b. Footings of solid concrete 16 inches by 16 inches by 4 inches (16 x 16 x 4).
- c. Piers of standard 8 inches by 8 inches by 16 inches (8 x 8 x 16) of solid concrete.
- d. Treated trim shingles may be used for leveling.
- e. Pier or footing designs equivalent to the above when approved by the City Engineer.

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

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

(bb) *Responsibilities of park management.*

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

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

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

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

2. *Information to Tax Assessor-Collector.* The licensee or agent shall furnish to the Tax Assessor-Collector for the city, no later than January 10 and July 10 of each year, a list of all manufactured home residents in the park on the last day of the preceding month. The register shall provide information on the make, length, width, year of manufacture, and identification number of the manufactured home, the address or location description of the manufactured home within the park, and information on manufactured homes which have moved out of the park since the last report including the foregoing data plus the departure dates of each manufactured home and, if known, its destination. These lists shall be prepared using forms provided by the Tax Assessor-Collector for the city.

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

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

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

(dd) *Inspections.*

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

2. *Authority to inspect.* The Mayor or the Mayor's designee, the Fire Marshal or his or her designee, the Tax Assessor-Collector, and the Water Superintendent shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting or

investigating conditions relating to the enforcement of this section. They shall have the power and authority in discharging their official duties to inspect the register containing a record of all residents of the manufactured home park.

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

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

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

§ 156.35 PLANNED DEVELOPMENT DISTRICT.

(A) The purpose of Planned Development (PD) is to provide an alternative zoning district to ensure flexible, innovative developments under controlled conditions which preserve the natural features of individual tracts and encourage developers to provide for open space in all areas not otherwise attainable under conventional base zoning districts.

(B) *Review Procedure:* The following procedure shall be used for PDs:

a. Step 1: Pre-Application Activities.

i. *Pre-Application Conference.* A pre-application conference is required to be held. In addition, the applicant shall include a concept/schematic plan for review by the Director to help determine whether or not a proposed PD is the appropriate procedure for the applicant and the city. The concept/schematic plan shall include at a minimum the following:

1. Proposed uses;
2. Number and type of units;
3. Floor area of all buildings;
4. Floor area of each use for mixed-use buildings (if applicable);
5. Proposed parking capacity and configuration;
6. General site planning layout and phasing; and
7. Summary of proposed deviations from the City's Code of Ordinance standards and a description of compensating public benefits achieved through the PD process.

b. Step 2: Application Submittal and Processing.

i. *Generally.*

1. The PD application shall be submitted and accepted, and may be revised or withdrawn.
2. An application for rezoning to a PD shall include a PD plan.

ii. *PD Plan.*

1. *Generally.*

- a. The PD Plan establishes the development regulations for a planned development and specifically identifies where there are deviations from the Code of Ordinances.
- b. The PD Plan shall include a development plan map.
- c. Unless specifically modified by the PD Plan, the PD shall comply with all standards in the Code of Ordinances, as amended.
- d. Where the applicant is proposing deviations from the zoning provisions of the Code of Ordinances, the applicant shall specify both the existing regulations and the wording of each corresponding substitution, as proposed. The proposed PD district shall represent a quality development when weighed overall against the standards in the Code or the alternative regulations proposed by the applicant.
- e. The PD plan shall be reviewed by the Director of Public Works and the Planning and Zoning Commission, whose recommendations are forwarded to the City Council for review and approval.
- f. Approval of the PD plan is required prior to approval of a development permit in a PD zoning district.

2. *Public Benefits to be Provided.* When an applicant is proposing deviations from the zoning provisions of this Code to establish a PD zoning district, the applicant shall demonstrate how the proposed PD zoning district will generally provide public benefits to justify the increased flexibility offered by the city through the PD procedure.

- iii. *Concurrent Comprehensive Plan Amendment Review.* A comprehensive plan amendment application may be reviewed concurrently with a PD application.
- iv. *Concurrent Subdivision Review.* A subdivision application submitted under Chapter 155 may be reviewed concurrently with a PD application. A preliminary plat for a PD shall only be approved following approval of the rezoning to PD.

c. Step 3: Staff Review and Action. The Director of Public Works shall review the PD application and prepare a staff report and recommendation in accordance with the approval criteria below.

d. Step 4: Scheduling and Notice of Public Meetings/Hearings. The PD application shall be scheduled for public hearings before the Planning and Zoning Commission and City Council, and noticed in accordance with applicable law.

e. Step 5: Review and Decision.

- i. *Planning and Zoning Commission Review and Recommendation.* The Planning and Zoning Commission shall review the PD application in accordance with the approval criteria below, and shall forward its recommendation to the City Council.
- ii. *City Council Review and Decision.*

1. The City Council may review and approve, approve with conditions, or deny the PD application in accordance with the approval criteria below.
2. If the Planning and Zoning Commission recommends denial of the PD application, the rezoning shall become effective only by a three-fourths vote of all members of the City Council.
3. The City Council may also remand the PD application back to the Director of Public Works or the Planning and Zoning Commission for further consideration.
4. If the City Council remands the PD application back to the Director of Public Works or Planning and Zoning Commission, additional public hearings will be required before final adoption.

iii. *Protest Procedure.*

1. The rules governing amendment over protest are contained in Texas Local Government Code, Chapter 211. The Director of Public Works may prescribe forms for protest petitions.
2. Property owners within 200 feet of a proposed rezoning, as indicated on the most recently approved city tax roll, may file a written protest against the rezoning. If written protests are received by owners of 20 percent or more of the area within 200 feet of the proposed rezoning, approval shall require three-fourths vote of the City Council for a rezoning to become effective. In such case, a supermajority vote shall not be required by the Planning and Zoning Commission.

f. Step 6: Post-Decision Actions and Limitations.

- i. *Adoption of a Planned Development District.* At the time a PD zoning document is approved by the City Council, it becomes an integral part of this Code for that PD district established by the city on the property. All future development within the adopted PD district shall thereafter be in conformity with the PD zoning document for that property.
- ii. *Future Development.* Upon adoption of the PD district, the applicant may proceed with the development of the property in accordance with the PD zoning document and, the PD development standards document by applying for preliminary and final plat(s) approval in accordance with the phasing plan in the PD district.
- iii. *Administration and Enforcement.*
 1. While ownership of a project may subsequently be transferred (in whole or in part), PD zoning will continue to be implemented and maintained on the total acreage of the PD district. It is the responsibility of the owner to notify all prospective purchasers of the existence of the PD district and the PD development plan.
 2. In the event that the applicant has failed to comply with the conditions adopted by the City Council in conjunction with the approved PD zoning document, the city may enforce the conditions of the PD under applicable law.
- iv. *Amendments to a Planned Development.*
 1. *Generally.*

- a. The applicant or its successors may request amendments to the PD zoning document and or PD development standards document.
- b. Amendments to the approved PD documents shall be delineated as major or minor amendments, according to the criteria set forth in this subsection.
- c. Amendments to the approved PD documents will not affect development units not included in the proposed amendment.
- d. Upon receipt of a PD amendment application, the Director shall determine if the proposed amendment constitutes a major or minor amendment subject to the criteria in subsections 2 and 3 below.

2. *Major Amendments.*

- a. An amendment will be deemed major if it involves any one of the following:
 - i. A change in the overall PD district boundary;
 - ii. A significant change to the approximate boundary of one or more development unit(s) from that approved in the PD district, as determined by the Director of Public Works. A change to an individual development unit generally shall be deemed to be significant if it represents a 10 percent increase to the approximate gross area of the development unit as approved in the PD district;
 - iii. An increase of 10 percent or more of the approved number of projected dwelling units or gross leasable area (GLA) for an individual development unit;
 - iv. Any change in land use or density that is likely to negatively impact or burden public facilities and utilities infrastructure as determined by the Director of Public Works;
 - v. Any change in land use or density that is likely to negatively impact or burden mobility adjacent to the PD district or to the overall major street system; or
 - vi. Any other proposed change to the development plan, which substantively alters one or more components of the PD district.
- b. If the Director of Public Works determines the amendment to be major, the amendment request shall be processed under the rezoning procedure described in Subsection 156.35(b).

3. *Minor Amendments.*

- a. Amendments not meeting one or more of the criteria listed above for major amendments shall be considered minor. If the Director of Public Works determines the amendment to be minor, the Director may administratively act on the

amendment and attach stipulations or conditions of approval thereto, to protect the public health, safety, and welfare.

- b. At least 15 days prior to consideration of a requested minor amendment by the Director of Public Works, notice of the proposed minor amendment shall be mailed to each owner of property wholly or partly within 200 feet of the affected development unit(s) to which the amendment relates.
- c. If written protest to any minor amendment is received from any notified property owner within 10 days of the notification mailing date and such protest cannot be resolved, then the minor amendment shall be reclassified as a major amendment. No additional application shall be required; however, all provisions governing major amendments shall then apply.
- d. If written protest is not received as described above, the Director of Public Works shall render a decision on the minor amendment request.
- e. The Director's decision shall be final unless appealed to the Planning and Zoning Commission in Subsection 4 below.

4. *Administrative Decision Appeals.*

- a. The applicant or a property owner within 200 feet may appeal an action or decision by the Director of Public Works on minor amendments to the Planning and Zoning Commission within 10 days from the date of the Director's decision.
- b. Appeals shall be in writing on a form provided by the Director of Public Works and shall include only the specific items being appealed.

g. *Rezoning to PD Approval Criteria.* In reviewing a proposed rezoning to a PD district, the Planning and Zoning Commission and City Council shall consider the general approval criteria in Chapter 156 and whether and to what extent the proposed PD district:

- i. Complies with the goals of the Comprehensive Plan;
- ii. Complies with this Code, except where modifications are expressly authorized through the PD zoning document, the PD development standards document, and in the PD development plan map;
- iii. Provides a greater level of building design quality, community amenities, and connectivity than would be required if the project were not being developed in a PD district;
- iv. In the case of proposed residential development, that the development will promote compatible buildings and uses and that it will be compatible with the character of the surrounding area;
- v. In the case of proposed non-residential uses or mixed-uses, that such development will be appropriate in area, location, and overall planning for the purpose intended; and

vi. The provisions for public facilities such as schools, fire protection, law enforcement, water, wastewater, streets, public services and parks are adequate to serve the anticipated population within the PD district.

(C) *Planned Development Standards.*

- a. Unless specifically modified by the PD Plan during the rezoning to PD procedure established above, the PD shall comply with all standards of this Code, as amended.
- b. Where the PD standards conflict with the standards in this Code, the regulations of the approved PD Plan shall control.

(D) Before a Final Plat is approved, capital improvement fees currently due shall be escrowed with the City in accordance with the Capital Improvement fee ordinances.

§ 156.36 SPECIAL ACTIVITIES DISTRICT.

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

(B) *Concept plan; SA.*

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

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

- (a) The plan of development is consistent with the future land use policies and map in the city's Comprehensive Plan;
- (b) The proposed uses and project design are compatible with existing and planned adjoining uses;
- (c) Adequate public facilities, including open space, will be provided in a timely manner to support each phase of the development;
- (d) The proposed uses and development standards are consistent with the purposes and standards of these zoning regulations; and
- (e) The proposed timing of the development is consistent with the overall growth and development of the city.

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

- (a) A statement as to the purpose and intent of the district;
- (b) The general land uses and acreage of each use authorized in the district, by use category, the location of these uses, the residential densities and nonresidential densities associated with phases of the project, in conformance with the approved site plan;
- (c) General conditions and standards applicable to development within the district; and
- (d) Required dedications or public improvements, if any.

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

- (a) *Application.* The property owner or designated representative may initiate site plan review by filing an application with the City Administrator and submitting the required review fee and five copies of the site plan and related documents.
- (b) *Contents of application.* Applications shall contain drawings to scale to indicate:
 1. The location of existing and anticipated new structures on the subject property and adjoining property;
 2. Landscaping and fencing, setback areas, uses of landscaping and walls or fences for screening purposes, and landscaping of parking areas, if applicable;
 3. The design of ingress and egress to minimize interference with traffic flow on abutting streets;
 4. The height of all structures;
 5. The proposed uses for all structures;
 6. The location and types of all signs including lighting and heights; and
 7. The facade elevations of each building, including descriptions of materials and colors for finishes.
- (c) *Standards.* The site plan shall conform to all zoning regulations, all additional requirements of the ordinance creating the district, and any supplemental or special regulations applicable to the particular use.
- (d) *Decision on site plan and appeal.* The City Council shall designate the official responsible for review and action in the ordinance creating the district. The official so designated may approve, approve with conditions, or deny the site plan. Appeals from denial of administrative site plan shall be to the Zoning Board of Adjustment, and shall be made within 15 days. Procedures governing the appeal shall be in accordance with § 156.68.

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

- (1) *Permitted uses.*
 - (a) The following uses shall be allowed in a special activities district; provided, however, that these uses may be restricted by the City Council in the ordinance creating the district:
 1. Hotel;
 2. Motel;
 3. Bed and breakfast establishments;
 4. Retail and service uses:
 - a. Arts and crafts galleries;
 - b. Photography studio;
 - c. Retail shops for clothing and souvenirs, gourmet foods, antiques, or florist shops;

and

- d. Cafes, restaurants, and catering facilities, excluding fast food restaurants or drive-throughs.
- 5. Dinner playhouse;
- 6. Farmers' market;
- 7. Conference or events facilities;
- 8. Indoor or outdoor special events, such as the following: rodeos, livestock exhibitions, and auctions;
- 9. Tennis club or golf course;
- 10. Single-family residence for on-site caretaker or staff;
- 11. Facilities for the mixing of personal care products from natural and raw agricultural products, such as an aloe vera products mixing facility. This use does not include any animal processing, raw material processing, uses which emit odors, or heavy manufacturing or industrial uses; and
- 12. Private club for the serving of alcoholic beverages, where properly permitted by the State Alcoholic Beverages Commission, and where the facility is not less than 300 feet from a church, public school, or public hospital. Only one private club shall be approved per site plan.

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

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

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

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

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

(b) Strip commercial development or shopping centers.

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

(1) *Building setbacks.*

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

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

(c) Buildings shall have the following setbacks.

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

| | | |
|-----------|----------|---------|
| Side yard | 100 feet | 50 feet |
|-----------|----------|---------|

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

(2) *Height limitations.*

(a) Buildings for hotel use only may be three stories, not to exceed 35 feet.

(b) Buildings for all other uses shall not exceed one story, or 18 feet.

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

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

(1) Where necessary for fire safety purposes, specially designated fire or traffic lanes may be required by the Fire Chief or the Building Official. The designated area shall be kept clear of all parking, storage, and other obstructions at all times.

(2) For parking areas which are hard surfaced, parking areas shall be subdivided into smaller lots. No more than 100 spaces shall be included in a single lot area. Accessible parking shall be provided as required by state and federal standards.

(3) Overflow parking for special events or recreational activities of a short-term, non-permanent nature may be located on grassy areas.

(F) *Design elements; SA.*

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

(a) Wood materials;

(b) Overhangs and colonnades;

(c) Canopies are required, projecting from colonnades;

(d) All buildings must be constructed in uniform rural style, as that term is defined by the city. No modern or post-modern styles will be permitted. New construction shall be consistent with any existing buildings in the district;

(e) Colors of building materials must be neutrals, earth tones, or as are consistent with adjacent buildings. Any deviation from this standard must be approved by the City Council on the site plan;

(f) Shingle or tile roofs;

(g) Painted metal building materials, stucco, stone, or brick may be allowed where they are provided for in the ordinance establishing the district or on an approved site plan; and

(h) Prohibited building materials, which may not be permitted on a site plan: concrete or concrete block surfaces.

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

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

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

(a) Monument style signs, constructed of the same or similar materials as other improvements on the property, and no more than five feet high from the ground, are permitted in this district. Total size of the sign shall not exceed 32 square feet.

(b) No illumination elements are allowed on sign surfaces; provided, however, that the signs may be backlit or illuminated from a light installed on the ground, and designed to shine upwards only on the face of the sign.

(c) Signs shall be placed only at driveway entrances and shall not be allowed on buildings.

(d) Temporary signs for directions or events shall be permitted in accordance with the regulations contained in § [153.05](#), or as the same may be amended. Illuminated signs, as they are defined in [Chapter 153](#) of this code, are specifically not allowed in this district.

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

(G) *Landscaping requirements; SA.*

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

(2) Parking lots shall be landscaped as follows.

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

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

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

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

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

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

§ 156.37 SUPPLEMENTARY ZONING REGULATIONS.

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

(A) *Visibility at intersections in all districts.* On a corner lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vehicle drivers' vision at intersections.

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

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

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

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

(2) The practice of Agriculture includes the following activities:

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

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

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

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

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

(1) *Front yard.* A yard facing and abutting a street and extending across the full width of the front of the lot and having a minimum horizontal depth measured from the front property line equal to the depth of the minimum front yard specified for the district in which the lot is located. The required yard line represents the line in front of which no building or structure may be erected. Balconies, decks, and marquees located more than eight feet from the ground may project up to six feet into the required front yard.

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

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

(H) *Use of recreational equipment.*

(1) No Recreational Equipment shall be used for living, sleeping, or housekeeping purposes for more than:

(a) 21 days (consecutive or non-consecutive) in any 30-day period not to exceed a total of 63 days in a 12 month period.

(2) Recreational Equipment must be parked or stored on a residential lot or in a location approved for such use.

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

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

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

(L) *Off-street parking.*

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

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

(b) School (public or private):

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

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

(2) *Residential.*

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

(b) Recreational vehicles and equipment (including, but not limited to, recreational vehicles, motor homes, travel trailers, pickup campers, boats and boat trailers, horse or stock trailers, and similar equipment).

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

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

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

(d) Farm equipment.

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

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

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

(M) *Home occupation.*

(1) No residential structure, and/or lot in any Parker zoning district, except SA - Special Activities, may be used for business purposes, unless and except in cases meeting the strict wording of the home occupation definition.

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

(a) There shall be not more than one employee who does not reside permanently at the residence. Staging or gathering of employees at the residence for work assignments away from the residence is not allowed.

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

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

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

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

(f) All home occupations must comply with the city nuisance ordinance.

(g) No traffic shall be generated by a home occupation in greater volumes than normally expected for the zoning classification of that neighborhood.

(N) *Accessory Buildings. See Definition*

(1) Accessory buildings shall be constructed of materials similar in appearance to the main dwelling or with any of the following exterior materials:

(a) Brick, pre-finished metal, wood siding or simulated wood, masonry products, Portland cement plaster, stucco or exposed aggregate concrete.

(b) Corrugated sheet metal siding and roofing are expressly prohibited.

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

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

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

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

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

(4) Maximum height.

(a) The maximum height of an accessory building is measured from the peak of the roof of the accessory building to finished foundation elevation.

(b) The maximum height shall be 40 feet, or the height of the peak of the roof of the main dwelling, whichever is lower.

(c) The maximum height of a sidewall of an accessory building shall not exceed 20 feet.

(5) Additional requirements.

(a) The building area of an accessory building shall not exceed the lesser of 2,500 square feet or 3% of the lot area.

(b) The applicant shall submit a fully dimensioned site plan, showing the location and the dimensions of the accessory building, the property lines, easements and all structures within 100 feet of the property line. The sketch shall include a depiction of the size and location of all doors in the accessory building.

(c) Accessory buildings of any size used to shelter animals shall be at least 100 feet from the primary dwelling of adjacent residents on contiguous lots.

(d) No accessory building shall be closer to the front of the lot than the dwelling on an adjacent lot. This rule is waived if the residence on the adjacent lot is at least 200 feet from the proposed accessory building.

(e) Lots of less than two acres are limited to one accessory building. Lots greater than two acres are limited to one accessory building per acre. A variance is required for more than two accessory buildings per lot, or one accessory building larger than 2,500 square feet.

(6) Usage and occupancy. Accessory buildings shall not be used for accessory dwellings, unless converted in accordance with all provisions governing accessory dwellings.

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

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

(O) *Accessory dwellings. See definition*

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

(2) Detached dwellings.

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

(b) Detached dwellings must be designed, constructed, and used for single family use, not multi-family use.

(c) Detached dwellings may not be larger than 2500 square feet of living space, or 25% of the living space of the primary residence, whichever area is less.

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

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

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

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

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

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

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

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

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

- (a) The attached dwelling may be constructed on a lot of one acre or larger.
- (b) The attached dwelling must be architecturally designed and constructed to be incorporated into the structure of the primary residence, connected by an enclosed walkway, or other means of attachment as approved in the SUP for the dwelling.
- (c) The front of the attached dwelling must not be located a distance greater than 20 feet from the rear or side of the primary dwelling.
- (4) General conditions for accessory dwellings.
 - (a) No accessory dwelling, either attached or detached, may be rented or leased to third parties by the owners or residents of the primary residence. The owners of the primary residence may not live in the accessory dwelling, and rent to third parties the primary residence.
 - (b) No portion of a garage, bonus room, cabana, accessory, or any other structure on the property may be used as a dwelling for any person other than the occupants of the primary residence, and their family members of the first or second degree of affinity or consanguinity, other than as a short term (no longer than one month) guest room.
 - (c) An attached or detached dwelling may be provided, without monetary charge, to domestic or agricultural workers providing services to the residents of the primary residence or for farm and livestock care on the property.
 - (d) There must be a fire hydrant within 450 feet of a detached dwelling, or an 8-inch water line must be laid.

(P) *Storage units and construction containers.*

- (1) Temporary storage units and trash containers.
 - (a) No shipping containers, PODS, or trash containers may be located on residential lots for more than 30 days. A lot owner may apply to the city for a permit for a longer period of use. The City Administrator or his/her designee may issue a permit for an additional time period, not to exceed 60 days.
 - (b) Temporary storage units and trash containers must not be in the right-of-way or public easement.
- (2) Construction storage and trash containers.
 - (a) Storage and trash containers, or other containers in use for a permitted construction project, must be removed within 10 days of the project completion or issuance of a CO (certificate of occupancy).
 - (b) Construction storage units and trash containers must not be in the right-of-way or public easement.
- (3) Non-temporary storage units.
 - (a) Shipping containers, PODS, railroad cars, or transportation storage equipment may not be located on a residential lot in a permanent manner.
 - (b) Storage sheds of less than 200 square feet of floor area are allowed on residential properties. Not more than one per acre will be allowed. The shed must be placed behind the rear building line of the principal dwelling, and, on a corner lot, no closer to the street than the main dwelling. Building setbacks do not apply to storage sheds described in this division (P)(3).
- (4) Non-temporary trash containers. All non-temporary trash containers require an SUP, must be screened on all four sides, with access on one side, and must be out of the right-of-way and/or city easement.
- (5) Portable toilets.
 - (a) Portable toilets are required for permitted construction projects, and must be removed within 10 days of the project completion or CO.

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

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

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

NONCONFORMING, CONDITIONAL, AND SPECIAL USES

§ 156.50 NONCONFORMING USES.

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

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

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

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

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

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

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

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

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

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

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

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

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

(H) *Damage or destruction.*

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

(2) Dwellings may be restored or reconstructed provided that the reconstruction or restoration is at least to the same size and quality as the damaged or destroyed dwelling.

(I) *Repairs and maintenance.*

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

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

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

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

§ 156.51 CONDITIONAL USES.



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

(B) These uses include:

- (1) Community building; meeting or recreational;
- (2) Temporary signs;
- (3) Public library;
- (4) Municipal service facilities and buildings;
- (5) Parks, playfields, and playgrounds;
- (6) Public swimming pool;
- (7) Temporary structure (construction, real estate, and the like);

- (8) Church;
- (9) School; and
- (10) Guest ranches or party pavilions; parking areas.

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

 § 156.52 SPECIAL USE PERMITS.

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

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

(C) *Approval responsibility.*

(1) The Planning and Zoning Commission shall have the initial responsibility for recommending all special use permits required for the conditional uses.

(2) The City Council shall have the final authority for approval or denial of all special use permits.

(3) The following procedures shall be complied with prior to the approval or denial of any special use permit.

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

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

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

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

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

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

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

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

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

(b) The proposed use is in harmony with the purpose and intent of this chapter; and

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

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

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

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

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

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

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

ADMINISTRATION AND ENFORCEMENT

§ 156.65 CONSTRUCTION; SITE PLAN REQUIRED.

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

(B) *Purpose.* The purpose of the site plan is to ensure compliance with this chapter and to assist in the orderly and harmonious development of the city, to protect and enhance the general welfare, and to help prevent the impairment or depreciation of land values and development by the erection of structures, additions, or alterations thereto without proper attention to site planning and preserving the intent of this chapter.

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

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

(1) The location of all structures on the subject property and adjoining property;

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

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

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

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

§ 156.66 ADMINISTRATION AUTHORITY.

(A) The Building Official, City Planner, City Engineer, City Administrator, or other administrative official of the city shall be designated Administrator by the City Council to administer the provisions of this chapter.

(B) If the Administrator shall find, or if any person files with him or her a complaint in writing alleging that any of the provisions of this chapter are being violated, he or she shall immediately investigate and when necessary give written notice to the person responsible to cease those violations forthwith.

(C) Notice may be delivered in person, by mail, or by certified mail to a violator or to any occupant of property where a violation is occurring.

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

§ 156.67 BOARD OF ADJUSTMENT.

(A) *Establishment.* There is hereby created a Board of Adjustment which shall be organized, appointed, and function as follows.

(B) *Organization.*

(1) The Board of Adjustment shall consist of five members who are residents of the city, each to be appointed by resolution of the City Council for a two-year term and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member whose place becomes vacant for any cause, in the same manner as the original appointment was made. The City Council may provide for the appointment of two alternate members of the Board who shall serve in the absence of one or more of the regular members when requested to do so by the Mayor or City Secretary, as the case may be. All cases to be heard by the Board of Adjustment will always be heard by a minimum number of four members. The alternate members, when appointed, shall serve for a two-year term, and any vacancy shall be filled in the same manner, and they shall be subject to removal the same as the regular members.

(2) The person acting as Ordinance Administrator for the city shall be an ex-officio member of the Board of Adjustment without power of vote, and as an ex-officio member of the Board shall set up and maintain a separate file for each application for appeal and variance received and

shall record therein the names and addresses of all persons, firms, and corporations to whom notices are mailed, including the date of mailings and the person by whom the notices were delivered to the mailing clerk, post office, or mail box, and further keep a record of all notices published as required herein. All records and files herein provided for shall be permanent and official files and records of the city.

(3) The Board shall forthwith notify in writing the City Council, the Commission, and the City Building Inspector of each decision, interpretation, and variance granted under the provisions of this chapter.

(4) The terms of the Zoning Board of Adjustment members and alternates shall commence December 1 of the two-year term, and shall expire on November 30.

(C) Operational procedure.

(1) The Board of Adjustment shall adopt rules to govern its proceedings; provided, however, that the rules are not inconsistent with this chapter or state law. Meetings of the Board shall be held at the call of the chairperson and at other times as the Board may determine. The chairperson, or in his or her absence, the acting chairperson, may administer oath and compel the attendance of witnesses.

(2) All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating that fact, and shall keep record of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

(3) Appeals to the Board may be made in writing by any person aggrieved or by any municipal officer, department, or board affected by any decision of the designated Administrator. The appeal shall be filed with the Board by the Administrator within 15 days after the original decision rendered by the Administrator. The appeal shall be accompanied by all papers constituting the record pertaining to that appeal. Formal notice of the appeal shall be issued by the Administrator, this notice to specify the grounds upon which the appeal is made.

(4) Appeal shall stay all proceedings in furtherance of the action appealed from unless the Administrator from whom the appeal is taken certified to the Board, after the notice of appeal shall have been filed with him or her, that by reason of facts stated in the certificate, a stay would, in his or her opinion, cause imminent peril to life or property. In these cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or a court of record on application, on notice to the Administrator from whom the appeal is taken, and on due cause shown.

(5) Upon notice of appeal being given to the Administrator and before the appeal shall be construed as having been perfected, the applicant must file with the notice of appeal to the Board an amount of money estimated by Administrator to be sufficient to mail and publish all notices required herein, that amount in no case to be less than \$25.

(6) No appeal to the Board for the same or related variance on the same piece of property shall be allowed prior to the expiration of six months from the previous ruling by the Board on any appeal to that body unless other property in the immediate vicinity has, within that six-month period, been changed or acted on by the Board or City Council so as to alter the facts and conditions on which the previous Board action was based. Such a change of circumstances shall permit the rehearing of an appeal by the Board prior to the expiration of the six-month period, but those conditions shall in no way have any force in law to compel the Board, after a hearing, to grant a subsequent appeal. The subsequent appeal shall be considered entirely on its merits and the peculiar and specific conditions related to the property on which the appeal is brought.

(7) At a public hearing relative to any appeal, any interested party may appear in person or by agent or by attorney. The burden of proof shall be on the applicant to establish the necessary facts to warrant favorable action of the Board on any appeal. Any variance granted or authorized by the Board under the provisions of this chapter shall authorize the issuance of a building permit or a certificate of occupancy, as the case may be, for a period of 180 days from the date of the favorable action of the Board, unless the Board shall have in its action approved a longer period of time and has so shown that specific longer period of time in the minutes of its action. If the building permit or certificate of occupancy shall not have been applied for within the 180-day period or extended period as the Board may have specifically granted, then the variance shall be deemed to have been waived and all rights thereunder terminated. This termination and waiver shall be without prejudice to a subsequent appeal, and the subsequent appeal shall be subject to the same regulations and requirements for hearing as herein specified for the original appeal.

(D) *Actions of the Board.*

(1) In exercising its powers, the Board of Adjustment may, on conformity with the provisions of the statutes of this state as existing or hereafter amended, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and make such an order, requirement, decision, or determination as ought to be made, and shall have all the powers of the Administrator from whom the appeal is taken. The Board shall have the power to impose reasonable conditions to be complied with by the applicant.

(2) The concurring vote of four members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this chapter, or to effect any variance in this chapter.

(E) *Notice of hearing before the Board required.* The Board of Adjustment shall hold a public hearing on all appeals made to it, and written notice of the public hearing shall be sent to the applicant and all other persons who are owners of real property lying within 200 feet of the property on which the appeal is made. This notice shall be given not less than 10 days nor more than 30 days before the date set for the hearing to all above-mentioned owners who have rendered their property for city taxes as the ownership appears on the last city tax roll. The notice may be served by depositing the same, properly addressed and postage paid, in the U.S. post office. Notice shall be given by publishing the same in official publication of the city at least 10 days and not more than 30 days prior to the date set for the hearing, which shall state the time and place of the hearing.

(F) *Authority of the Board.*

(1) A variance is an authorization by the Board of Adjustment granting relief and doing substantial justice in the use of the applicant's property by a property owner where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship.

(2) When, in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following variances to the regulations herein established and take action relative to the continuance or discontinuance of a nonconforming use.

(3) (a) A variance may be granted an applicant when the Board finds:

1. There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to that land or

building and do not apply generally to lands or buildings in the same district or neighborhood, and that those circumstances or conditions are such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land or building;

2. The granting of the variance will not be detrimental to the public welfare or injurious to the property or improvements in the zone or neighborhood in which the property is located;

3. The granting of the variance is necessary for the reasonable use of the land or building, and the variance as granted by the Board is the minimum variance that will accomplish this purpose; and

4. The literal enforcement and strict application of the provisions of this chapter will result in an unnecessary hardship inconsistent with the general provisions and intent of this chapter, and in granting the variance the spirit of the chapter will be preserved and substantial justice done.

(b) The Board may, after public notice and hearing and subject to the conditions and safeguards herein contained, vary or adapt the strict application of any of the terms of this chapter under the power and authority herein granted.

(c) In granting any variance under the provisions of this chapter, the Board may designate conditions in connection therewith which, in its opinion, will secure substantially the purpose and intent of this chapter.

(4) The Board may:

(a) Hear and decide appeals where it is alleged there is error on any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this chapter;

(b) Interpret the intent of the Zoning Map where uncertainty exists because the physical features on the ground vary from those on the Zoning Map and none of the rules set forth herein apply;

(c) Initiate on its motion, or cause to be presented by interested property owners, action to bring about the discontinuance of a nonconforming structure or use under any plan whereby full value of the structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this chapter;

(d) Permit the change of occupancy from one nonconforming use to another nonconforming use when the extent of the second nonconforming use is found to be less detrimental to the environment than the first;

(e) Permit the enlargement of a nonconforming use only when the enlargement will not prolong the life of the nonconforming use. A specific period of time for the return to conformity can be required;

(f) Permit the reconstruction of a nonconforming structure or building on the lot or tract occupied by that building; provided the reconstruction does not, in the judgment of the Board, prevent the return of the property to a conforming use or increase the nonconformity of a nonconforming structure;

(g) Require the vacation and demolition of a nonconforming structure which is deemed to be obsolete, dilapidated, or substandard; and

(h) Permit variance of the front yard, side yard, rear yard, lot width, lot depth, coverage, minimum setback standards, off-street parking, or off-street loading regulations where the literal enforcement of the provisions of this chapter would result in an unnecessary hardship, and where the variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same district by being of such a restricted area, shape, or slope that it cannot be

developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standard established by this chapter shall not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor shall a modification be granted to permit any person a privilege in developing a parcel of land not permitted by this chapter to other parcels of land in the district.

(G) *Appeals from the Board.* Any person or persons, or any board, taxpayer, department, board, or bureau of the city aggrieved by any decision of the Board of Adjustment, may seek review by a court of record of that decision, in the manner provided by the laws of this state. (Ord. 483, passed 6-6-2000; Am. Ord. 604, passed 10-10-2006; Am. Ord. 709, passed 2-4-2014) Penalty, see § [156.99](#)

 **§ 156.68 APPEALS; BOARD AND COUNCIL RESPONSIBILITIES.**

(A) It is the intent of this chapter that all questions of interpretation and enforcement shall be first presented to the Ordinance Administrator in writing and that these questions shall be presented to the Board only on appeal from the decision of Ordinance Administrator, and that recourse from the decisions of the Board shall be to the courts as provided by law.

(B) It is further the intent of this chapter that the duties of the City Council in connection with this chapter shall not include hearing and deciding questions of interpretation that may arise. The procedure for deciding those questions are stated herein.

(C) Under this chapter, the City Council shall have only the following duties:

- (1) Considering and adopting or rejecting proposed amendments or the repeal of this chapter, as provided by law;
- (2) Establishing a schedule of fees and charges as stated in § [156.69](#) below;
- (3) Appointing members of a Board and designating an Ordinance Administrator; and
- (4) Hearing appeals on and approving or rejecting special use permits.

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

 **§ 156.69 FEES, CHARGES, AND EXPENSES; ESTABLISHMENT.**

(A) The City Council shall establish from time to time by resolution or ordinance a schedule of fees, charges, and expenses and a collection procedure for building permits, certificates of compliance, appeals, and other such matters pertaining to this chapter. The schedule of fees shall be posted in the office of the Ordinance Administrator and may be altered or amended only by the City Council.

(B) Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

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

 **§ 156.70 AMENDMENT.**

(A) The regulations, restrictions, and boundaries set forth in this chapter may from time to time be amended, supplemented, changed, modified, or repealed upon initiation by the Commission, the City Council, or by a petition of a property owner or owners or their authorized agents, submitted to the City Administrator; provided however, that no such action may be taken until:

- (1) The question has been referred to the Commission for consideration and public hearing on the question and its recommendation received; and
- (2) A public hearing has been held in relation thereto, before the City Council, at which parties in interest and citizens shall have an opportunity to be heard.

(B) At least 10 days but not more than 30 days prior to the hearings, notice of the time and place of these hearings and description of the proposed change shall be published in a newspaper of general circulation in the city and on the City website.

(C) When a proposed amendment affects the zoning classification or redistricting of property, the Commission shall give written notice to property owners within a distance of at least 200 feet from the boundaries of the subject property, at least 10 days prior to the hearing date. In case of a written protest against the change, signed by the owners of 20% or more either of the area of the lots or land included in the proposed change, or of the lots or land immediately adjoining the same and extending 200 feet therefrom, then the amendments shall not become effective except by the favorable vote of at least 3/4 of all members of the City Council.

(D) The same procedure for notifying property owners as provided in division (C) above shall be followed by the City Council for hearings on proposed amendments that affect the zoning classification, redistricting petitions, and for special use permit applications, except that the City Council may notify all property owners of record within the city, as shown on the current tax roll, by letter at least 10 days before the hearing.

(E) If a petition for redistricting is denied either by the Commission or by the City Council, another petition for reclassification of the same property or any portion thereof shall not be filed within a period of one year from the date of final denial, except with permission of the Commission or upon initiation by the Commission or City Council.

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

§ 156.71 PLANNING AND ZONING COMMISSION MEETINGS.

All meetings of the Commission shall be open to the public. The Commission shall keep the minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating that fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Administrator and shall be a public record.

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

Cross-reference:

Planning and Zoning Commission, see § [150.02](#)

§ 156.99 PENALTY.

(A) Any person who shall violate any provision of this chapter for which no other penalty is provided shall, upon conviction thereof, be subject to penalties as provided in § [10.99](#) of this code.

(B) (1) Any person, firm, or corporation who violates or fails to comply with the requirements of this chapter or who builds or alters any building in violation of any plan or statement submitted and approved hereunder, shall be guilty of a misdemeanor and shall be liable to a fine of not more than \$2,000 for each offense. Each day the violation shall be permitted to exist shall constitute a separate offense.

(2) Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

(Ord. 483, passed 6-6-2000; Ord. 508, passed 7-10-2001; Am. Ord. 562, passed 2-8-2005; Am. Ord. 737, passed 7-20-2016)

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Ord. 705

City of Parker

Comprehensive

Zoning Ordinance

2000

Prepared by the Parker Planning & Zoning Commission, and the Parker City Council.

Adopted on June 6, 2000

CITY OF PARKER

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CITY OF PARKER

ORDINANCE NO. 483

CITY OF PARKER, TEXAS

AMENDED COMPREHENSIVE ZONING ORDINANCE

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS AMENDING AND RESTATING ORDINANCE NO. 242A, AS AMENDED; ESTABLISHING COMPREHENSIVE ZONING REGULATIONS; DEFINING TERMS; PROVIDING FOR SPECIAL AND GENERAL PROVISIONS; PROVIDING FOR THE FOLLOWING DISTRICTS: AGRICULTURAL/OPEN-SPACE, MANUFACTURED HOUSING, SINGLE-FAMILY RESIDENTIAL, SINGLE-FAMILY TRANSITIONAL, PLANNED RESIDENTIAL DEVELOPMENT, AND SPECIAL ACTIVITIES; PROVIDING ZONING IN NEWLY ANNEXED TERRITORY; PROVIDING FOR USE OF LAND AND BUILDINGS; ADOPTING AREA AND HEIGHT REGULATIONS; RESTRICTING USE OF ACCESSORY BUILDINGS; PROVIDING FOR MISCELLANEOUS REQUIREMENTS; ALLOWING SPECIAL USE PERMITS; RECOGNIZING NON-CONFORMING STRUCTURES AND USES AND ESTABLISHING RESTRICTIONS THAT PERTAIN THERETO; PROVIDING FOR PROCEDURES FOR ADMINISTRATION OF ZONING REGULATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

SECTION 1. GENERAL ENACTMENT

WHEREAS, Chapter 211, Texas Local Government Code empowers the City of Parker ("City") to enact a Comprehensive Zoning Ordinance to protect the health, safety and general welfare of its citizens and to provide for its administration, enforcement, and amendment; and

WHEREAS, Chapter 211 of the Texas Local Government Code grants cities express authority to enact regulations protecting and preserving places and areas of historical, cultural, or architectural importance and significance; and

WHEREAS, the Planning and Zoning Commission ("Commission") was appointed to recommend the boundaries of zoning areas and appropriate regulations to be enforced therein; and

WHEREAS the Commission and City Council desire to prevent the ill effects of urbanization; and

CITY OF PARKER

WHEREAS the Commission and City Council desire to conserve property values within the City; and

WHEREAS, the Commission and the City Council have determined that there exists need for amendments and additions to the Comprehensive Zoning Ordinance of the City; and

WHEREAS, the City is primarily agricultural and residential in nature with limited commercial activities, many of which were in existence at the time of incorporation and now are non-conforming uses;

WHEREAS, the City is bordered by the cities of Plano and Allen, and within close proximity of the cities of Richardson, Garland, McKinney and Dallas which have a highly developed number of business, commercial and industrial establishments, together with apartment or multiple dwelling units, making it unnecessary that any portion of the City be zoned for anything other than primarily residential; and

WHEREAS, the City is relatively flat with no storm sewers causing slow drainage in many portions of the City; and

WHEREAS, there is limited sanitary sewer system service within the corporate limits of the City and every dwelling within the City is connected to a septic system, which could create a health hazard unless septic tanks are widely separated in order that the effluent from said septic tanks can be absorbed into the soil; and

WHEREAS, open spaces around buildings act as a natural fire barrier that aids the Parker Volunteer Fire Department; and

WHEREAS, in public hearings, the citizens have expressed their desire to maintain and enhance the overall environment by providing for open spaces, preservation of natural terrain features, architectural controls, and landscape regulations in order to preserve the City's small, quiet, semi-rural neighborhoods; and

WHEREAS, the Commission has divided the City into districts and has prepared regulations pertaining to such districts designed to lessen congestion in the streets; to secure safety from fire, panic, and other dangers; to promote health and general welfare; to provide adequate clean air; to prevent the overcrowding of land and abutting traffic ways; to avoid undue concentrations of the population; and to establish zones where family values, and the blessing of quiet seclusion make the area a sanctuary for people; and

WHEREAS, the City desires through this ordinance to provide an attractive, orderly, and unique environment for all its citizens and visitors; and

WHEREAS, the Commission and City Council, in compliance with the laws of the State of Texas, and the ordinances of the City, have given the requisite notices by

CITY OF PARKER

publication and otherwise, and after holding public hearings and affording full and fair hearing to all property owners in the City, and in the exercise of its legislative discretion, have concluded that these regulations pertaining to Zoning should be adopted, and that the Zoning Ordinance of the City should be amended and restated as follows:

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

CITY OF PARKER

SECTION 2. DEFINITIONS

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

ACCESSORY USE, ACCESSORY STRUCTURE, OR ACCESSORY BUILDING: A use or structure which is clearly incidental and secondary to the primary use and which does not change the character thereof, including, but not limited to stables, barns, swimming pool, detached garages, bathhouses, greenhouses, tool sheds, and portable buildings over 100 sq. ft. floor area.

ADMINISTRATOR: The administrative officer responsible for administration of this ordinance; Ordinance Administrator

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

BARN: A structure used for shelter of animals or storage of agricultural products and/or equipment.

BASEMENT: A story partly underground and having at least one-half of its height below the average level of the adjoining ground. A basement shall be counted as a story if subdivided and used for dwelling purposes.

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

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

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

BUILDING AREA: The building area of the lot is the gross area covered by the buildings or structures when placed on the lot.

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

CITY OF PARKER

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

CITY COUNCIL: The City Council of Parker, Collin County, Texas.

COMMISSION: The Planning and Zoning Commission of The City.

COMPREHENSIVE ZONING ORDINANCE: This ordinance, and as hereinafter amended.

CONCEPT PLAN: The development plan for one or more lots on which is shown the existing and proposed conditions of the development including lot lines, landscaping, open spaces, means of ingress, egress and circulation; berms, buffers, and screening devices; surrounding roadways; basic drainage information; and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

CONDITIONAL USE: A use which requires an application to be filed with the city which is processed in the same manner as a zoning application.

CONSTRUCTION PLAN: A plan for new construction or for additions to any structure submitted in application for a Building Permit.

COVERAGE: Percentage of a lot that is covered by buildings.

CURVILINEAR STREET: (see subdivision regulations)

ETJ: Extra-Territorial Jurisdiction

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

LAND USE PLANNING MAP: A map showing the land uses proposed (or existing) within the City and its extra-territorial jurisdiction(ETJ), also known as the "Planning Map".

LOT COVERAGE, see coverage

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

LOT, NET: Lot size determined by the metes and bounds of a given lot. Unless stated otherwise, all lot sizes shall be net, not gross.

CITY OF PARKER

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

NOXIOUS: Noxious as used in this ordinance shall mean conduct which generates noise, odor, fumes, vibration, or any other condition, visible, obnoxious, or detrimental to abutting or adjacent properties.

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

OFFENSIVE TRADE ACTIVITY: Any trade activity not customarily carried on in a Dwelling unit or accessory building by a member of the occupant's family, being incidental to the primary occupancy of the home as a Dwelling and not authorized by a Special Use Permit.

OFFICER: A person referred to in this Ordinance by title means the person employed or appointed by the City to that position, or his duly authorized representative.

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

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

PERMITTED USE: A use specifically allowed in one or more of the various districts without the necessity of obtaining a Special Use Permit.

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

SINGLE-FAMILY RESIDENCE: A one-family detached Dwelling.

STORY: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between such floor and the ceiling above it.

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

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

SUBDIVISION: The division of a lot, tract or parcel of land situated within the

CITY OF PARKER

corporate limits or within the City's statutory extra-territorial jurisdiction into two or more parts, lots or sites for the purpose whether immediate or future of sale, division of ownership, or building development including re-subdivision. Subdivision of land does not include the division of land for agricultural purposes in parcels or tracts of twenty-five (25) acres or more.

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

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

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

CITY OF PARKER

SECTION 3. ESTABLISHMENT OF USE DISTRICTS

A. DIVISION OF CITY INTO USE DISTRICTS

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

- AO Agricultural/Open Space
- MH Manufactured Housing
- SF Single-Family Residential
- SFT Single-Family Transitional
- PRD Planned Residential Development
- SA Special Activities

CITY OF PARKER

SECTION 4. AGRICULTURAL/OPEN SPACE

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CITY OF PARKER

A. PURPOSE

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

B. USES

1. PERMITTED USES

- Barn or stable for keeping private animal stock
- Agriculture
- Farm
- Pasturage
- Single-Family Residence
- Home Occupation
- Accessory Buildings

2. CONDITIONAL USES (SPECIAL USE PERMIT REQUIRED)

The following uses may be applied for by filing a request for a Special Use Permit and upon notice of hearing and receiving approval of Council in their discretion.

- Tower structures exceeding 25' in height.
- Golf course
- Accessory Dwelling
- Rodeo
- Grain elevator
- Common stables
- Riding academy (private)

C. BUILDING SETBACKS

No Structure shall be constructed within 100 feet of any property line.

D. SPECIAL REQUIREMENTS

Any single Building constructed within this A-O District shall conform to all area requirements and building regulations as required by the Single Family Residential District (SF), unless otherwise specified in this Classification.

No Mobile Homes or HUD-Code Manufactured Homes shall be permitted.

No property qualifies for A-O District unless it has five acres in contiguous tracts under single ownership.

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CITY OF PARKER

A. PURPOSE

The purpose of this classification is to provide for Single-Family Residential development that is most consistent with the general desires of the community.

B. USES

1. PERMITTED USES

- Single-Family Residence
- Accessory Buildings
- Home Occupation

2. CONDITIONAL USES (SPECIAL USE PERMIT REQUIRED)

The following uses may be applied for by filing a request for a Special Use Permit and upon notice of hearing and receiving approval of Council in their discretion.

- Accessory Dwelling
- Large Animal Activities
- Large Animals other than horses or cattle on premises

C. LOT SIZE REQUIREMENTS

1. MINIMUM LOT SIZE

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

2. MAXIMUM LOT COVERAGE

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

3. NON-RESIDENTIAL STRUCTURES MAXIMUM LOT COVERAGE

No more than ten percent (10%) of the total lot area may be accessory buildings.

4. MINIMUM LOT WIDTH AT FRONT LOT LINE

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

The width (W) shall be at least

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

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

5. MINIMUM LOT DEPTH

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

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D. BUFFERYARDS

Bufferyards are not required for the Single Family Zoning classification. If a bufferyard is to be incorporated into the development, the following conditions shall apply:

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

The bufferyard shall be included as a part of the property to be maintained by the , homeowners association, or owner of the lot.

E. BUILDING SETBACKS

The following setbacks are the minimum requirements. Distances indicated are exclusive of public or private motor vehicle easements or rights-of-way.

1. FRONT SETBACK

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

2. SIDE SETBACK

The minimum side setback shall be 40 feet from the closest point of the side property line.

3. SIDE SETBACK AT CORNER

The minimum side setback for any structures on a lot located on a corner shall be the same as the front setback on the side closest to the adjacent street.

2 acre lots 100 feet.

4. REAR SETBACK

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

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F. BUILDING REGULATIONS**1. SINGLE-FAMILY RESIDENCE****a) Minimum Living Space**

There shall be a minimum of 2,500 sq. ft. air-conditioned living space.

b) Building Materials**(1) First Floor Elevation**

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

(2) Total Elevation

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

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

c) Maximum Height

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

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

2. ACCESSORY BUILDINGS**a) Building Materials**

Accessory Building shall be designed and constructed in keeping with the general architecture and appearance of the development.

No Accessory Buildings with galvanized corrugated metal siding or roofing shall be permitted. Delta type (pre-finished metal siding) is permitted.

b) Location of Accessory Building

No Accessory Building shall be constructed on a corner lot adjacent to a thoroughfare or collector street without approval from the Zoning Board of Adjustment.

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Accessory Buildings must be located behind the rear building line of the principal residence.

Accessory Buildings shall be at least 30' from any side property line and 30' from the rear property line.

Barns must be located a distance of 100' or more from the principal residence unit on any adjoining property.

c) Maximum Height

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

d) Usage and Occupancy

Accessory Buildings may not be sold for occupancy or use which is distinct or otherwise separate from the sale of the entire property, including the main building unit.

e) Number of Buildings

Number of Accessory Buildings permitted without a variance shall be one per acre.

3. ACCESSORY DWELLINGS

Accessory Buildings to be used for living purposes may be constructed only after the issuance of a Special Use Permit.

a) Minimum Living Space

There is no minimum living space requirement.

b) Building Materials

(1) First Floor Elevation

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

(2) Total Elevation

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

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

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c) Maximum Height

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

G. GARAGES

No garage shall open to the front of a Lot or to the side street in a corner Lot.

H. TREES AND DRAINAGE

1. EXISTING TREES & DRAINAGE

All existing trees and drainage ways shall be noted on the conceptual site plan submitted with the zoning application. Trees to be added or removed shall be designated on the Site Plan. A separate Landscaping Plan may be submitted with this conceptual plan.

2. TREE PLANTINGS

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

I. FENCES

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

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

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

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

1. CHAIN LINK FENCING

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

2. PRIVACY FENCING

Privacy fences are permitted around swimming pool areas, subject to the following:

A. The fence must be built with the finished side facing the exterior of the lot.

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

3. INSPECTION AND MAINTENANCE

When any fence is completed, it must be inspected. The building inspection department shall be notified upon completion of the fence. The chief building official will issue a card of acceptance if the fence complies with the provisions of this article, or it will be rejected. All fences constructed under the provisions of this article shall be maintained so as to comply with the requirements of this article at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of such fence when installed and accepted as provided herein, and shall be maintained as follows:

- A. Such fence shall not be out of vertical alignment more than 20 percent.
- B. All damaged, removed or missing portions of such fence shall be replaced or repaired with comparable materials of a comparable color to the remaining portions of such fence.

4. MATERIALS

A. Permitted Materials: Materials permitted are wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite, barbed wire or other materials approved by the building official for exterior exposure as fence material.

B. Prohibited Materials: Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood or any other similar material manufactured for other uses.

5. CERTAIN LOCATIONS, CONSTRUCTION PROHIBITED

A. Within Easements: No fence shall be located within any easement except by prior written approval of those agencies having interest in such easement.

B. Electric Fences: No fence erected shall be electrically charged in a manner to be dangerous to humans.

6. SWIMMING POOL ENCLOSURES

A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

J. ANIMAL RESTRICTIONS

1. It shall be unlawful for a person to keep any swine within the City limits.
2. It shall be unlawful for any person to keep large animals on any premises except as follows, or to keep any large animals on any premises in an unsanitary condition.

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The minimum lot size for large animals is 1.8 net acres. For each lot, the portion of the lot in excess of 1/2 acre is determined to be the "net grazing area". A person may keep large animals in accordance with the following:

- a). One (1) large animal per 1/2 acre of net grazing area - when each animal is provided a fully enclosed stall inside a barn, suitable for the large animal's care and feeding.
- b). One (1) large animal per acre of net grazing area when no fully enclosed stall is provided for the large animal.
- c). Two miniature horses shall be considered the same as one large animal.

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CITY OF PARKER

A. PURPOSE

The purpose of this classification is to provide for the gradual transition from the smaller lot sizes in neighboring cities to the larger lot sizes preferred by most City residents. This classification also provides for a landscaped bufferyard between cities.

B. USES

1. PERMITTED USES

- Single-Family Residence
- Accessory Buildings
- Home Occupation

2. CONDITIONAL USES (SPECIAL USE PERMIT REQUIRED)

The following uses may be applied for by filing a request for a Special Use Permit and upon notice of hearing and receiving approval of Council in their discretion.

- Accessory Dwelling
- Large Animal Activities
- Large Animals other than horses or cattle on premises

C. LOT SIZE REQUIREMENTS

1. AVERAGE LOT SIZE

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

2. MINIMUM LOT SIZE

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

3. MAXIMUM LOT COVERAGE

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

| | |
|------------|----------------------------|
| 1 acre lot | 8,712 square feet maximum |
| 1 ½ acre | 13,068 square feet maximum |
| 2 acre | 17,424 square feet maximum |

4. NON-RESIDENTIAL STRUCTURES MAXIMUM LOT COVERAGE

No more than ten percent (10%) of the total lot area may be accessory buildings.

5. SPECIAL PROVISIONAL LOT SIZES

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

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

6. MINIMUM LOT WIDTH AT FRONT LOT LINE

| | |
|----------|-----------------------------|
| 1 acre | 100 feet on straight street |
| 1 ½ acre | 150 feet on straight street |
| 2 acre | 200 feet on straight street |

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

The width shall be at least

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

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

7. MINIMUM LOT DEPTH

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

| | |
|----------|----------|
| 1 acre | 150 feet |
| 1 ½ acre | 225 feet |
| 2 acre | 300 feet |

D. BUFFERYARDS

For those Lots adjacent to another city or its ETJ in which the adjacent lot areas are (or, are expected to be) less than $\frac{1}{2}$ acre per lot, the setback requirement shall be modified as follows: An additional side or rear setback of 50' (in addition to the setbacks required above) shall be required providing a buffer to compensate for the differences in lot sizes. This bufferyard setback shall contain at least 1 tree per 20 linear feet in order to calculate the total number of trees. If hardy native or adapted trees currently are growing in the area of this bufferyard setback, retention of these trees is preferred over transplanting new trees in the bufferyard. Each planted tree shall be a native or adapted species and of a variety normally considered hardy for the type of soil contained in the bufferyard. Naturally grouped plantings are recommended. New trees shall be from the required tree list. All bufferyard plantings must be incorporated into the lot or adjacent area prior to a certificate of occupancy being issued for said lot.

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E. BUILDING SETBACKS

The following setbacks are the minimum requirements. Distances indicated are exclusive of public or private motor vehicle easements or rights-of-way.

1. FRONT SETBACK

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

| | |
|-----------------|-----------|
| 1 acre lots | 50 feet. |
| 1 1/2 acre lots | 75 feet. |
| 2 acre lots | 100 feet. |

2. SIDE SETBACK

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

| | |
|----------------|---------|
| 1 acre lot | 25 feet |
| 1 1/2 acre lot | 25 feet |
| 2 acre lot | 40 feet |

3. SIDE SETBACK AT CORNER

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

| | |
|-----------------|----------|
| 1 acre lots | 50 feet. |
| 1 1/2 acre lots | 75 feet. |
| 2 acre lots | 75 feet. |

4. REAR SETBACK

| | |
|------------------------|---------|
| Minimum 1 acre lot | 30 feet |
| Minimum 1 1/2 acre lot | 50 feet |
| Minimum 2 acre lot | 50 feet |

CITY OF PARKER

F. BUILDING REGULATIONS**1. SINGLE-FAMILY RESIDENCE****a) Minimum Living Space**

There shall be a minimum of 2,500 sq. ft. air-conditioned space.

b) Building Materials**(1) First Floor Elevation**

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

(2) Total Elevation

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

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

c) Maximum Height

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

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

2. ACCESSORY BUILDINGS**a) Building Materials**

Accessory Buildings shall be constructed of materials in keeping with the general architecture and appearance of the development.

No accessory buildings with galvanized corrugated metal siding or roofing shall be permitted. Delta type (pre-finished metal siding) is permitted.

b) Location of Accessory Buildings

No Accessory Building shall be constructed on a corner lot adjacent to a thoroughfare or collector street without approval from the Zoning Board of Adjustment.

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Accessory Buildings must be located behind the rear building line of the principal residence.

Accessory Buildings shall be at least 30' from any side property line and 30' from the rear property line.

Barns must be located a distance of 100' or more from the principal residence unit on any adjoining property.

c) Maximum Height

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

d) Usage and Occupancy

Accessory Buildings may not be sold for occupancy or use which is distinct or otherwise separate from the sale of the entire property, including the main building unit.

e) Number of Buildings

Number of Accessory Buildings permitted without a variance shall be one per acre.

3. ACCESSORY DWELLINGS

Accessory Buildings to be used for living purposes may be constructed only after the issuance of a Special Use Permit.

a) Minimum Living Space

There is no minimum living space requirement.

b) Building Materials

(1) First Floor Elevation

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

(2) Total Elevation

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

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

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c) Maximum Height

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

G. GARAGES

No garage shall open to the front of a Lot or to the side street in a corner Lot.

H. TREES AND DRAINAGE

1. EXISTING TREES & DRAINAGE

All existing trees and drainage ways shall be noted on the conceptual site plan submitted with the zoning application. Trees to be added or removed shall be designated on the Site Plan. A separate Landscaping Plan may be submitted with this conceptual plan.

2. TREE PLANTINGS

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

I. FENCES

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

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

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

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

1. CHAIN LINK FENCING

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

2. PRIVACY FENCING

Privacy fences are permitted around swimming pool areas, subject to the following:

A. The fence must be built with the finished side facing the exterior of the lot.

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

3. INSPECTION AND MAINTENANCE

When any fence is completed, it must be inspected. The building inspection department shall be notified upon completion of the fence. The chief building official will issue a card of acceptance if the fence complies with the provisions of this article, or it will be rejected. All fences constructed under the provisions of this article shall be maintained so as to comply with the requirements of this article at all times. Fences shall be maintained by the owner or person in charge of the property in as near as possible the condition of such fence when installed and accepted as provided herein, and shall be maintained as follows:

- A. Such fence shall not be out of vertical alignment more than 20 percent.
- B. All damaged, removed or missing portions of such fence shall be replaced or repaired with comparable materials of a comparable color to the remaining portions of such fence.

4. MATERIALS

A. Permitted Materials: Materials permitted are wood, concrete, masonry, chain link, wrought iron, metal tubing, vinyl, fiberglass composite, barbed wire or other materials approved by the building official for exterior exposure as fence material.

B. Prohibited Materials: Materials prohibited are razor ribbon, sheet metal, corrugated steel and fiberglass panel, plywood or any other similar material manufactured for other uses.

5. CERTAIN LOCATIONS, CONSTRUCTION PROHIBITED

A. Within Easements: No fence shall be located within any easement except by prior written approval of those agencies having interest in such easement.

B. Electric Fences: No fence erected shall be electrically charged in a manner to be dangerous to humans.

6. SWIMMING POOL ENCLOSURES

A building permit is required for the construction of all swimming pools, and all pools and their associated safety fences shall be built according to the building code.

J. ANIMAL RESTRICTIONS

1. It shall be unlawful for a person to keep any swine within the City limits.
2. It shall be unlawful for any person to keep large animals on any premises except as follows, or to keep any large animals on any premises in an unsanitary condition.

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The minimum lot size for large animals is 1.8 net acres. For each lot, the portion of the lot in excess of 1/2 acre is determined to be the "net grazing area". A person may keep large animals in accordance with the following:

- a). One (1) large animal per 1/2 acre of net grazing area - when each animal is provided a fully enclosed stall inside a barn, suitable for the large animal's care and feeding.
- b). One (1) large animal per acre of net grazing area when no fully enclosed stall is provided for the large animal.
- c). Two miniature horses shall be considered the same as one large animal.

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A. PURPOSE

1. The Manufactured Housing District is designated in order to provide an adequately controlled area for the placement of Manufactured Homes, and to assure an environment suitable for family living. The terms "HUD-Code Manufactured Home", "Mobile Home", "Manufactured Housing" and "Recreational Vehicle" as used herein are as defined in Article 5221f of the Tex. Rev. Civ. Stat. Ann., as amended.
2. Any violations of the provisions of the Manufactured Housing District Ordinance passed September 19, 1995 which occurred prior to the date of any amendments to this Zoning Ordinance are not waived or released by such amendments. The provisions of this Zoning Ordinance in effect on the date of any violation of this Ordinance shall be interpreted as still being in effect on the date any violation is prosecuted. Further, no amendments to this Ordinance shall waive, accept, or approve any non-conforming use which existed immediately prior to September 19, 1995, the date the preceding Manufactured Housing District Ordinance was enacted. Any non-conforming use on the date this Manufactured Housing District Ordinance was originally passed by the City of Parker is a non-conforming use solely for the size of the tract, the number of mobile homes, and/or manufactured homes, located on the manufactured housing tracts, and/or the mobile home tracts on the date this Ordinance was passed. No additional manufactured housing or mobile homes are permitted without strict compliance with this Ordinance.

B. PRINCIPAL PERMITTED USES

- Individually-owned Manufactured Homes and Lots in an approved Manufactured Housing District subdivision.
- Commercial Manufactured Home parks providing, either on a rental or as an out-right sale, Lots for placement of Manufactured Homes with utilities for those Manufactured Homes.

Supporting service facilities for the exclusive use of the residents will be permitted within the Manufactured Home park.

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C. GENERAL PROVISIONS

1. MOBILE HOMES (CONSTRUCTED PRIOR TO JUNE 15, 1976)

No mobile home may be installed for use or occupancy as a residential dwelling unit within the City of Parker, effective the date of this Ordinance. Any mobile home previously legally permitted and used or occupied as residential dwelling unit within the City is deemed a non-conforming use. A permit for such legal non-conforming use and occupancy shall be granted for a lawful non-conforming mobile home within the City of Parker, so long as a replacement is a HUD-Code Manufactured Home.

2. NO HUD-CODE MANUFACTURED HOMES (CONSTRUCTED ON OR AFTER JUNE 15, 1976)

No HUD-Code Manufactured Homes (constructed on or after June 15, 1976) shall be permitted in the City of Parker as a residential dwelling, or otherwise, unless the installation is within a manufacturing housing district approved by the City. An application to install a new HUD-Code manufactured home for use and occupancy as a residential dwelling is deemed approved and granted unless the City of Parker denies the application in writing, within 45 days of the receipt of the application, setting forth the reason for denial.

3. RECREATIONAL VEHICLES.

No Recreational Vehicle may be installed, used, or occupied as a residential dwelling within the corporate limits of Parker, Texas.

4. WASTEWATER REQUIREMENTS.

All wastewater connections, septic systems, plumbing, and drainage shall meet the highest standards of federal, state and county regulations adopted above.

5. INDIVIDUAL MANUFACTURED HOME LOTS AND SUBDIVISIONS

(i) Any individual desiring to place a Manufactured Home on a Lot within the area designated as a Manufactured Housing District may do so without meeting the requirements of a commercial Manufactured Home park except for structural protection, under the condition that the Manufactured Home be placed on a Lot of no less than one (1) acre and that all other applicable provisions of the Single Family Residential District (S-F) regulations are met (e.g. use, setbacks, building code requirements). The conditions set forth for structural protection of Manufactured Homes in Manufactured Home parks will apply to individual Manufactured Home Lots.

(ii) Individual Manufactured Home Lots and subdivisions shall comply with all requirements of the City's subdivision and other ordinances.

6. COMMERCIAL MANUFACTURED HOME PARKS

a) Site Plan Required

All applications for development of a Manufactured Home Park or Manufactured Housing District Subdivision shall be accompanied by a site plan and construction plans (12 copies) drawn to scale, acceptable to the City Engineer, complying with the requirements of the Subdivision Ordinance. A preliminary and final plat are required on all Manufactured Home Parks. The boundary survey shall be prepared by a Registered Professional Land Surveyor and layout and design shall be prepared by a Registered

CITY OF PARKER

Professional Engineer. The Manufactured Home park shall comply with the design and construction requirements of the City's subdivision ordinance regarding supporting data, drainage, paving, and utility facilities. The site plan and construction plans shall show:

- (a) The area and dimensions of the tract of land, with identification of location and boundaries
- (b) The number, location, and size of all Manufactured Home spaces
- (c) The location and specifications of sewer lines and riser pipes
- (d) The location and specifications of water lines and service connections
- (e) The location and details of lighting, electrical and gas systems
- (f) The location and specifications of all Buildings constructed or to be constructed within the park
- (g) Existing and proposed topography
- (h) The location of fire mains, including the size, the hydrants, and any other equipment which may be provided
- (i) Proposed pavement section
- (j) Proposed storm drainage facilities, with calculations
- (k) Proposed wastewater treatment facilities.

b) Park & Lot Size Requirements

(1) Minimum Park Size

A site to be developed as a Manufactured Home Park shall have a minimum area of ten (10) acres.

(2) Minimum Manufactured Home Lot Size

Each Manufactured Home space shall have a minimum area of one (1) acre exclusive of any floodplain or easements; however, no Manufactured Home space shall have dimensions less than eighty (80) feet on the narrow dimension nor one hundred (100) feet on the long dimension, not including off-street parking required.

c) Temporary Hookups

No temporary hookups will be permitted. Power, water, and sewer service must be supplied to every Lot.

d) Streets, Parking, and Traffic

(1) Streets

An internal street system (which shall also be drainage, utility, fire, and emergency access easement) shall provide access to each Manufactured Home space. Such internal street system shall comply with Subdivision Ordinance requirements regarding streets including construction requirements.

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

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(2) Tenant Parking

Tenants shall be provided with at least three (3) off-street parking spaces for each Manufactured Home space. Each parking space shall be hard surfaced and located so as to eliminate interference with access to parking areas provided for either Manufactured Homes or for public parking in the Manufactured Home Park.

(3) Visitor and Supplemental Parking

In addition to parking spaces required for each Manufactured Home unit, there shall be provided for the Manufactured Home Park:

- One visitor space for every four (4) Manufactured Home spaces, and
- One supplemental parking or vehicle storage space for every two (2) Manufactured Home spaces for the parking or storage of boats, recreational vehicles, and similar vehicles or equipment.

These visitor and supplemental spaces may be located anywhere within the Manufactured Home community provided that no Manufactured Home space shall be situated further than one hundred fifty (150) feet from a visitor space.

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

(4) General Parking Space Size

Each parking space will be not less than seventeen (17) feet by ten-(10) feet.

e) Signs

All signage will comply with the City Sign ordinance. Private streets shall indicate that they are private.

f) Access

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

Each emergency access easement shall have a clear, unobstructed width in compliance with City ordinances on street and road design, shall connect to a dedicated public street, or shall have a turn-around radius with a minimum of at least forty (40) feet in radius of paving. Corners of intersecting streets shall have sufficient turning area to permit free movement of emergency vehicles.

g) Walkways

Designated, paved walkways will be provided on both sides of roadways or streets.

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h) Numbering

Within each Manufactured Home Park, all streets shall be named, and Manufactured Homes numbered in a logical and orderly fashion according to the City's numbering system. Street signs shall be of a color and size conforming with those on public streets. These signs and numbers shall be of standard size and placement to facilitate location by emergency vehicles.

i) Intersections

Street lighting within the Manufactured Home Park shall be provided along all emergency access easements. Light standards shall have a height not to exceed twenty (20) feet and spacing to insure an average illumination level of not less than 1.0 foot-candles.

j) Electric and Telephone Service

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

k) Drainage and Soil Protection

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

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

No portion of any Lot shall be located below the 100 year flood plain. Drainage facilities shall comply with the City Subdivision Regulations.

l) Fire Safety

(a) Storage and handling of flammable gasses and liquids:

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

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

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m) Water Supply Facilities

Water supply facilities for fire protection service shall meet the minimum requirements of the Key Rate Schedule for a standard City as last adopted by the State Board of Insurance of Texas and the minimum requirements of the City.

n) Fire Fighting

- (a) Approaches to all Manufactured Homes shall be kept clear for fire fighting.
- (b) The owner or agent of a Manufactured Home Park shall be responsible for the instruction of his/her staff in the use of the park fire protection equipment and in their specific duties in the event of a fire. The owner shall provide standard City fire hydrants located within three hundred (300) feet of all Manufactured Home spaces, measured along the driveways or streets.
- (c) The owner or agent of a Manufactured Home Park shall be responsible for maintaining the entire area of the park free of dry brush, leaves and weeds.
- (d) The owner or agent of a Manufactured Home Park shall provide an adequate system of collection and safe disposal of rubbish, approved by the Fire Marshall.

o) Manufactured Home Spacing Standards

In order to provide adequate separation of Manufactured Homes and of other Buildings and Structures for the purposes of safety against the hazards of fire and explosion, and to promote structural safety in the placement of Manufactured Homes, on their respective sites, the following spacing standards shall apply:

- (a) The minimum front yard setback shall be seventy five (75) feet from the nearest corner of the Manufactured Home to the front line of the Manufactured Home space.
- (b) No Manufactured Home shall be closer than seventy five (75) feet to the outer perimeter property line. If the Manufactured Housing District is adjacent to a non Manufactured Housing District, the setback from the outer perimeter property line shall be at least the setback of the adjacent district, if the setback of the adjacent district is greater than twenty five feet.
- (c) Other structures on each Manufactured Home space must be placed to the back of the Manufactured Home space and must be a minimum of seventy five (75) feet away from any line of the Manufactured Home space.
- (d) The minimum distance between Manufactured Homes at any point shall be seventy five (75) feet.
- (e) The average vertical clearance height of the Manufactured Home frame above the finished ground elevation shall not exceed three (3) feet.

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p) Landscaping

The park will provide attractively and esthetically designed and installed screening and landscaping to assure privacy and suitable environments for Manufactured Home occupants. The proposed screening and landscape plan shall be submitted for review and approval by the City. Landscaping areas will be not less than five (5%) percent of the gross site area.

q) Community Buildings and Service Facilities

(1) Structural and Other Requirements for Buildings

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

All rooms containing sanitary or laundry facilities shall:

- * Have sound-resistant walls extending to the ceiling between male and female sanitary facilities. Walls and partitions around showers, lavatories, and other plumbing fixtures shall be constructed of dense, nonabsorbent, waterproof materials or covered with moisture resistant materials.
- * Have as least one window or skylight facing directly to the outdoors. The minimum aggregate gross area of windows for each required room shall not be less than ten (10%) percent of the floor area served by them.
- * Have at least one window which can be opened easily or have a mechanical device which will adequately ventilate the room.

(2) Sanitary Facilities

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

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

(3) Lighting

Illumination level shall be maintained as follows:

- * General seeing tasks: At least five (5) foot candles.
- * Laundry Room work area: At least forty (40) foot candles.
- * Toilet room in front of mirrors: At least forty (40) foot candles.
- * Pedestrian walkways: At least five (5) foot candles.
- * Visitor and supplemental parking areas: At least five (5) foot candles.
- * Recreation Areas: At least five (5) foot candles.

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r) Storage Facilities

Storage facilities with a minimum size of two (200) hundred square feet per Manufactured Home space, shall be provided on the space, or in compounds located within one hundred (100) feet of each space. Wherever provided, storage facilities shall be faced with masonry, porcelanized enamel, baked enamel, steel, or other material equal in fire resistance, durability, and appearance. All storage facilities shall be anchored to a concrete slab.

s) Incinerators

Incinerators will be specifically prohibited. Incineration of trash and garbage will be prohibited.

t) Recreational Areas

Every Manufactured Home Park shall have at least one (1) visibly identifiable recreation area for the benefit and use of its residents. Not less than five (5%) percent of the gross site area of the Manufactured Home Park shall be devoted to recreational facilities. Playground space shall be protected from traffic, thoroughfares, and parking areas. Such space shall be maintained in a sanitary condition and free of safety hazards. Lighting must be provided for all recreation areas.

u) Water System

(1) Supply

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

The Manufactured Home Park shall have a compound commercial water meter from the City, regardless of the distribution of the water within the Manufactured Home Park.

(2) Connections

The water supply system shall be connected by pipes to all Manufactured Homes, buildings, and other facilities requiring water. All water piping, fixtures, and other equipment shall be constructed and maintained in accordance with State and City of Parker regulations and requirements.

All water line mains will be eight (8) inches or larger.

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

v) Electrical Utilities

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

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Power distribution lines shall be located underground. All power distribution lines, individual electrical connections and grounding of the Manufactured Homes and equipment shall comply with the City ordinances, as applicable.

w) Sewage or Wastewater Facilities

- (a) An approved sewage treatment system shall be provided to meet the minimum City, State, and County requirements. A connection to municipal sanitary sewage service shall be required if access to a sanitary sewer line is available to the site, at the landowners cost. On-site sewage/wastewater treatment and disposal systems will be approved. Spray effluent shall not be used for any treatment facility.
- (b) All requirements of the County, City and the State of Texas as to sanitation, water quality preservation and pollution will be met. Where any such statutes or regulations are in conflict, the more restrictive statute or regulation shall apply, as determined by the Building Inspector of the City of Parker, subject to the review and approval of the Mayor. Unless otherwise stated in such regulations, each residential unit within a Manufactured Housing District shall be connected to either:
 - a) an approved septic system, either for the individual unit, or a group of units, which shall be designed and shall operate to treat an average of 250 gallons of wastewater per day from each unit, and shall further be designed to appropriately treat wastewater discharged at peak times of the days and evenings; or
 - b) in the event a sanitary sewer line is available for use by a manufactured housing district, all residential units located lawfully within the Manufactured Housing District shall be connected to the sanitary sewer line.
- (c) An adequate and safe sewage system shall be provided for conveying sewage to the treatment plant. The sewer system shall be constructed in accordance with applicable local and State health regulations. Effluents from sewage treatment facilities shall not be discharged into any waters of the State except with prior approval of the Texas Natural Resource Conservation Commission.
- (d) Sewage or Wastewater Connections (where public sanitary sewer system is available)

All materials used for sewer connections shall be in accordance with the City ordinances, as applicable.

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

The sewer connection to the Manufactured Home from the sewer riser pipe and any other sewer connections shall be in accordance with the requirements of the City ordinances, as applicable.

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

x) Fuel Supply and Storage

- (a) Natural gas piping systems shall be installed underground and maintained in accordance with applicable ordinances and regulations governing such systems. Each Manufactured Home space provided with piped gas shall have a cap on the outlet when not in use to prevent accidental discharge of gas and shall be in accordance with applicable City ordinances.
- (b) Liquefied petroleum gas systems shall be installed only if an available natural gas system is more than one thousand (1,000) feet from the Manufactured Home Park. The liquefied petroleum gas systems shall be maintained in accordance with applicable ordinances of the City and regulations of the Texas Railroad Commission pertaining thereto.

y) Refuse Handling and Collections

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

(1) Storage Facilities

One or both of the following systems shall be used:

- a) If refuse is gathered at the individual Manufactured Home spaces, it shall be stored in fly-tight, watertight, rodent-proof containers, which shall be located at each manufactured home site. Containers for this use shall be provided by the park in sufficient number and capacity to properly store all refuse.
- b) In lieu of storage at individual sites, centrally located refuse containers, appropriately screened, and having a capacity of three (3) cubic yards or larger may be provided. Such containers shall be so designed as to prevent spillage or container deterioration, and to facilitate cleaning around them.

(2) Removal

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

z) Insect and Rodent Control

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

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aa) Structural Protection

Anchorage of Manufactured Homes: To insure against natural hazards such as tornadoes, high winds, and electrical storms, anchorage at each Manufactured Home shall be provided according to the following schedule:

(1) Ties

For each Manufactured Home space designed to accommodate the length of unit shown, frame ties shall be provided in the number indicated:

| <u>Length</u> | <u>Number of Ties</u> |
|---------------|-----------------------|
| Up to 30 feet | 2 per side |
| 30 to 50 feet | 3 per side |
| 50 to 70 feet | 4 per side |
| Over 70 feet | 5 per side |

In addition, over-the-unit ties shall be provided as close to each end as possible with straps at stud and rafter locations.

(2) Anchors

Soil tests shall be made to assure that the following types of anchorage will withstand three thousand seven hundred fifty (3,750 lbs.) pounds of pull per ten (10) foot length of Manufactured Home.

(1) Cross-section: Auger or dead man, six (6) inches in diameter, arrowhead eight (8) inches.

(2) Depth: Auger or arrowhead four (4) feet, dead man five (5) feet.

Anchor rod shall be at least five-eighths (5/8) inch in diameter with welded eye at tip, and shall be hooked into concrete when used in dead man anchors:

Anchors in slabs shall equal above in pull resistance.

(3) Connectors

Connectors of the following design minimums shall be used:

* Galvanized or stainless steel cable: Three-eighths (3/8) inch of seven strands of seven wires each (7x7).

* Galvanized aircraft cable: One-quarter (1/4) inch seven strands of nineteen wires each (7x19).

* Steel strap: One and one-quarter (1-1/4) inch by thirty-five thousandths of an inch (.035) galvanized with tensioning device.

* Cable ends: Secured by two (2) u-bolt clamps.

*Steel rods: Five-eighths (5/8) inch with ends welded and closed to form an eye.

*Turnbuckles: Five-eighths (5/8) inch drop forged with closed eyes, or other tensioning devices of equivalent strength.

(4) Piers and Footings

The location and design of piers and footings shall satisfy the following standards:

* Spaced at ten (10) foot intervals on both frame rails with end ones no further than five (5) feet from end of Manufactured Home.

* Footings of solid concrete sixteen inches by sixteen inches by four inches (16 x 16 x 4).

* Piers of standard eight inches by eight inches by sixteen inches (8 x 8 x 16) of solid concrete.

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- * Treated trim shingles may be used for leveling.
- * Pier or footing designs equivalent to the above when approved by the City Engineer.

(5) Permanent Structures

Park Buildings, Patio Awnings, and Cabana Roofs: All permanent park buildings, patio awnings, and cabana roofs hereafter constructed and all extensions to existing structures shall comply with applicable ordinances of the City.

(6) General Application

These provisions for structural protection shall also apply to individual Manufactured Home Lots.

bb) Responsibilities of Park Management

The licensee, or his agent, of every Manufactured Home Park located within the corporate limits of the City shall operate and maintain the park in compliance with these regulations and with all other applicable ordinances of the City. He shall provide adequate supervision to maintain the Park, its facilities, and equipment in good repair and in a clean and sanitary condition.

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

(1) Registration

All Information Required: The licensee or agent shall maintain a register of park occupancy which shall contain the following information:

- * Name and address of park residents;
- * Manufactured Home registration data including make, length, width, year of manufacture, and identification number;
- * Location of each Manufactured Home within the park by space or lot number and street address;
- * Dates of arrival and departure.

(2) Information to Tax Assessor-Collector

The licensee or agent shall furnish to the Tax Assessor-Collector for the City, no later than January 10th and July 10th of each year, a list of all Manufactured Home residents in the park on the last day of the preceding month. The register shall provide information on the make, length, width, year of manufacture and identification number of the Manufactured Home; the address or location description of said Manufactured Home within the park; and information on Manufactured Homes which have moved out of the park since the last report including the foregoing data plus the departure dates of each Manufactured Home and, if known, its destination. Said lists shall be prepared using forms provided by the Tax Assessor-Collector for the City.

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cc) Responsibilities of Owner/Agent

The Owner/Agent shall ensure that every occupant of a space in a Manufactured Home Park located within the corporate limits of the City shall maintain their manufactured home space, its facilities and equipment in good repair and in a clean sanitary condition. He/she shall be responsible for proper placement of his/her manufactured home in its Manufactured Home space and proper installation of all utility connections in accordance with the instructions of the Park Management.

(1) Skirting and Additions

Fire resistant skirting with the necessary vents, screens and/or openings shall be required on all Manufactured Homes in Manufactured Home Parks and shall be installed within ten (10) days after emplacement of the Manufactured Home. Skirting, porches, awnings, and other additions, when installed, shall be maintained in good repair.

(2) Prohibition of Storage Under Homes

The use of space immediately underneath a Manufactured Home for storage shall be prohibited.

dd) Inspections

(1) Inspections by Public Officials

The mayor or his designee and the Fire Marshal or his designee, are hereby authorized and directed to make such inspections as are necessary to determine compliance with these regulations.

(2) Authority to Inspect

The Mayor or the Mayor's designee, the Fire Marshal or his designee, the Tax Assessor-Collector, and the Water Superintendent shall have the power to enter at reasonable times upon any private or public property for the purpose of inspecting or investigating conditions relating to the enforcement of these regulations. They shall have power and authority in discharging their official duties to inspect the register containing a record of all residents of the Manufactured Home Park.

(3) Access to Premises

It shall be the duty of every occupant of a Manufactured Home Park to give the licensee, his agent, or authorized employee access to any part of such park at reasonable times for the purpose of making repairs or alterations as are necessary to effect compliance with these regulations.

D. NON-CONFORMING MANUFACTURED HOUSING PARKS

Any Manufactured Home Park in existence at the time of the addition of the Manufactured Housing District to the City's Zoning Ordinances (September 19, 1995), which does not meet the regulations as set forth herein, shall not be enlarged in size or number of units in place, extended in land area or number of units, or improved, unless the enlargement, extension or improvement complies with all regulations contained herein.

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SECTION 8. PLANNED RESIDENTIAL DEVELOPMENT

A. PLANNED RESIDENTIAL DEVELOPMENT DISTRICTS (PRD) or (PRD1) 48

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**A. PLANNED RESIDENTIAL DEVELOPMENT DISTRICTS (PRD)
OR (PRD1)**

This zoning classification is closed and not available for zoning applications.

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SECTION 9. SPECIAL ACTIVITIES

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A. PURPOSE

The purpose of the Special Activities District is to provide for tourist-related commercial uses that are integrated through site planning and architectural design guidelines. A site plan shall be required for all land to be zoned Special Activities District and shall be approved at the time such district is approved and attached to the ordinance establishing a Special Activities District, in accordance with the provisions in Subsection 8. A site plan shall be required for all new construction for land zoned Special Activities District and shall conform in all respects to the site plan, in accordance with the provisions in Subsection 9. The acreage of a Special Activities District shall be not less than 175 acres.

B. CONCEPT PLAN

1. PROCEDURES

The City Council may, after receiving the report of the Commission, approve by ordinance the creation of a special activities district based upon a Concept Plan prepared in accordance with provisions of this subchapter and processed in accordance with the procedures for establishing zoning districts. The approved plan shall be made part of the ordinance establishing the district. Any amendments to a Concept Plan must be in harmony with the plan for the entire district and must be approved by the City Council by ordinance. An amendment to a council approved plan will be considered an amendment to the Special Activities zoning district and be processed in accordance with zoning amendment procedures. The City Council shall have full legislative discretion in its consideration of any type of plan.

2. CRITERIA

In determining whether a Special Activities District should be established and the Concept Plan should be approved, the Commission in making its recommendations and the City Council in making its decision shall consider the following criteria:

- (i) The plan of development is consistent with the future land use policies and map in the City Comprehensive Plan.
- (ii) Proposed uses and project design are compatible with existing and planned adjoining uses.
- (iii) Adequate public facilities, including open space, will be provided in a timely manner to support each phase of the development.
- (iv) Proposed uses and development standards are consistent with the purposes and standards of these District regulations.
- (v) The proposed timing of development is consistent with the overall growth and development of the City.

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3. DESIGNATION

The ordinance establishing a Special Activities District shall set forth the following provisions. The general site plan shall be incorporated as an exhibit to the ordinance.

- (i) a statement as to the purpose and intent of the district
- (ii) general land uses and acreage of each use authorized in the district, by use category, the location of such uses, the residential densities and non-residential intensities associated with phases of the project, in conformance with the approved site plan
- (iii) general conditions and standards applicable to development within the district and
- (iv) required dedications or public improvements, if any.

4. SITE PLAN

A site plan shall be required for all new construction, exterior remodeling, or additions to any Structure which exceed 10% of either the Structure's size or assessed value for tax purposes, in a Special Activities District. No building permit shall be issued for a development subject to site plan review until such site plan has been approved in accordance with this section.

a) Application

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

b) Contents of Application

Applications shall contain drawings to scale to indicate:

- (i) The location of existing and anticipated new Structures on the subject property and adjoining property
- (ii) Landscaping and fencing, setback areas, uses of landscaping and walls or fences for screening purposes, and landscaping of parking areas, if applicable
- (iii) Design of ingress and egress to minimize interference with traffic flow on abutting streets
- (iv) Height of all Structures
- (v) Proposed uses for all Structures
- (vi) The location and types of all signs including lighting and heights
- (vii) Facade elevations of each Building, including descriptions of materials and colors for finishes.

c) Standards

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

d) Decision on Site Plan and Appeal

The City Council shall designate the official responsible for review and action in the ordinance creating the district. The official so designated may approve, approve with

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conditions, or deny the site plan. Appeals from denial of administrative site plan shall be to the Zoning Board of Adjustment, and shall be made within 15 days. Procedures governing such appeal shall be in accordance with Section 12 of the Comprehensive Zoning Ordinance.

C. USES

The following uses shall be permitted of right or by Special Use Permit in the Special Activities District.

1. PERMITTED USES

The following uses shall be allowed in a Special Activities District, provided however, that these uses may be restricted by the City Council in the ordinance creating the district:

- (i) Hotel
- (ii) Motel
- (iii) Bed and Breakfast Establishments
- (iv) Retail and Service Uses:
 - Arts and crafts galleries
 - Photography studio
 - Retail shops for clothing and souvenirs, gourmet foods, antiques, or florist shops
 - Cafes, Restaurants, and Catering facilities, excluding fast food restaurants or drive-thru's
- (v) Dinner Playhouse
- (vi) Farmers' Market
- (vii) Conference or events facilities
- (viii) Indoor or outdoor special events, such as the following:
 - Rodeos, livestock exhibitions, auctions
- (ix) Tennis Club or Golf Course
- (x) Single family residence for on site caretaker or staff
- (xi) Facilities for the mixing of personal care products from natural and raw agricultural products, such as e.g., an aloe vera products mixing facility. This use does not include any animal processing, raw material processing, uses which emit odors, or heavy manufacturing or industrial uses
- (xii) Private Club for the serving of alcoholic beverages, where properly permitted by the Texas Alcoholic Beverages Commission, and where such facility is not less than 300 feet from a church, public school, or public hospital. Only one private club shall be approved per site plan.

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

2. CONDITIONAL USES.

All uses listed as conditional uses in the S-F district may be requested in accordance with the provisions of that Section.

3. TEMPORARY OUTDOOR USES

The following temporary use may be allowed upon application for and issuance of a Special Use Permit from the City Building Official or other designated official:

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a) Seasonal Fireworks Displays

Request for a Special Use Permit for a seasonal fireworks display shall be accompanied by a properly issued permit from the Fire Marshall, and may only be denied in times of drought or when the safety of the public is endangered by the activity. Fireworks displays shall be limited to no more than four (4) per year, including one each for Independence Day weekend and New Year's Eve.

4. PROHIBITED USES

The following uses shall be prohibited:

- Sexually oriented businesses, including adult bookstores, adult theaters, nude modeling or photography studios, adult dancing or entertainment at private clubs.
- Strip commercial development or shopping centers.

D. AREA AND DIMENSIONAL REQUIREMENTS

1. BUILDING SETBACKS

Structures shall be set back from existing residential structures on or adjacent to the property zoned as Special Activities District a minimum of three-hundred (300) feet, measured from roof overhang to roof overhang. Structures shall be set back three-hundred feet from any major roadway, including FM 2551, FM 2514, Park Boulevard, and such other roads as the City may from time to time designate.

Enclosures such as outdoor or rodeo arenas, riding areas, or similar outdoor uses which do not require the construction of a Building, shall be set back one-hundred feet from all roadways.

Buildings shall have the following setbacks:

| | From Roadway | From Buildings |
|----------------|---------------------|-----------------------|
| (a) Front Yard | 300' | 100' |
| (b) Rear Yard | 150' | 50' |
| (c) Side Yard | 100' | 50' |

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

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2. HEIGHT LIMITATIONS.

- (i) Buildings for Hotel use only may be three (3) stories, not to exceed thirty-five (35) feet.
- (ii) Buildings for all other uses shall not exceed one (1) story, or eighteen (18) feet.
- (iii) Where new Buildings are constructed on property which has existing Buildings on the date the property is zoned Special Activities district, new construction shall not exceed the height of the existing Buildings, or three stories, whichever is less. In this instance, City Council may modify the height limitation in paragraph (ii), above, if existing Buildings are higher than the buildings existing on the property when the district is created.

E. PARKING REGULATIONS

Off-street parking shall be required for all new construction, based on the following standards:

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

F. DESIGN ELEMENTS

- 1. Facade Treatments and Colors shall conform to the following, subject to any exceptions which may be approved by City Council on the site plan:
 - (i) Wood materials
 - (ii) Overhangs and colonnades
 - (iii) Canopies are required, projecting from colonnades.
 - (iv) All Buildings must be constructed in uniform rural style, as that term is defined by the City. No modern or post-modern styles will be permitted. New construction shall be consistent with any existing Buildings in the district.
 - (v) Colors of building materials must be neutrals, earth tones or as are consistent with adjacent Buildings. Any deviation from this standard must be approved by the City Council on the site plan.
 - (vi) Shingle or tile roofs
 - (vii) Painted metal Building materials, stucco, stone, or brick may be allowed where they are provided for in the ordinance establishing the district or on an approved site plan.
 - (viii) Prohibited building materials, which may not be permitted on a site plan: concrete or concrete block surfaces, or synthetic stucco finishes (e.g., EIFS).
- 2. Sidewalks shall be installed in accordance with state or federal statutes.

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3. Light fixtures located in parking areas must not exceed fifteen (15) feet in height, and may not be directed or placed so that the illumination circle falls outside the district boundary, provided, however, that fixtures for outdoor sporting events may not exceed thirty (30) feet in height.
4. Signs shall meet the following standards:
 - (i) Monument style signs, constructed of the same or similar materials as other improvements on the property, and no more than five (5) feet high from the ground are permitted in this district. Total size of the sign shall not exceed thirty-two (32) square feet.
 - (ii) No neon or illumination elements are allowed on sign surfaces, provided, however, that the signs may be backlit illuminated from a light installed on the ground, and designed to shine upwards only on the face of the sign.
 - (iii) Signs shall be placed only at driveway entrances and shall not be allowed on Buildings.
 - (iv) Temporary signs for directions or events shall be permitted in accordance with the regulations contained in the City's sign ordinance, Ordinance No. 350, Section 2, or as the same may be amended. Illuminated signs, as they are defined in the sign ordinance, are specifically not allowed in this district.
5. Loading Zones and Storage. All loading and unloading shall be conducted at the rear of any Building or Structure. Loading zones shall be placed on the property as required by the City's Building Code. No outdoor storage is allowed, unless approved by City Council on the Site Plan and where due to the nature of the items being stored, it is necessary to keep them outside.

G. LANDSCAPING REQUIREMENTS

1. Open space must constitute 40% of the gross area covered by the site plan.
2. Parking Lots shall be landscaped as follows:
 - (i) Landscaping requirements may be waived or modified by the City Council at the site plan stage if a finding is made that the site plan provides sufficient permeable surfaces and adequately addresses the drainage and visual impacts of impermeable surfaces.
 - (ii) There shall be a minimum of one (1) tree planted in the parking area for each four hundred (400) square feet or fraction thereof of hard surfaced area. Trees shall be a minimum of a four (4) inch caliper, and shall be conifers or hardwoods.
 - (iii) The perimeter of all parking areas should be effectively screened to a minimum depth of fifteen feet from streets, driveways, drop-off areas, buildings and open spaces.
 - (iv) An area equal to 15 % of the total size of the parking Lot must be landscaped and permeable, exclusive of perimeter plantings.

H. MANUFACTURED HOUSING LIMITATIONS

No Mobile Homes or HUD-Code Manufactured Homes shall be permitted.

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SECTION 10. PROVISIONS FOR OFFICIAL ZONING MAP**A. OFFICIAL ZONING MAP**

The City is hereby divided into use districts, as shown on the Zoning Map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this ordinance. The Zoning Map shall be identified by the signature of the Mayor attested by the City Secretary and bearing the seal of the City under the following words: "This is to certify that this is the Zoning Map referred to in Section 1B of Ordinance Number 403 of the City as amended." If, in accordance with the provisions of this ordinance, the City's Comprehensive Plan, and Charter 211 of the Texas Local Government Code, as amended, changes are made in district boundaries or other matter portrayed on the Zoning Map, then the amendment as approved by the City Council, shall be reflected on the Zoning Map, which may also be known as the "Zoning Map".

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

B. REPLACEMENT OF OFFICIAL ZONING MAP

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

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

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SECTION 11. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES**A. UNCERTAIN BOUNDARIES**

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

1. Boundaries indicated as approximately following the center lines of streets or highways shall be construed to follow such center lines;
2. Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines;
3. Boundaries indicated as approximately following City Limits lines shall be construed as following such City Limits lines.
4. Boundaries indicated as approximately following the center lines of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines.
5. Boundaries indicated as parallel to or as extensions of features indicated in subsection (1) through (4) above shall be so construed. Distances not specifically indicated on the Zoning Map shall be determined by the scale of the map.
6. Where physical or cultural features existing on the ground are at variance with those shown on the Zoning Map, or in other circumstances not covered by sub-sections 1 through 5 above, the Board shall interpret the district boundaries.
7. Where a district boundary line divides a lot which was in single ownership at the time of passage of this ordinance, the board may permit the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the district line into the remaining portion of the lot.

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SECTION 12. APPLICATION OF DISTRICT REGULATIONS

A. UNIFORMITY

The regulations set by this ordinance within each use district shall be minimum regulations and shall apply uniformly to each class or kind of Structure or land, except as hereinafter provided.

1. No Building, Structure, or land shall hereafter be used or occupied, and no Building or Structure or part thereof shall hereafter be erected, constructed, reconstructed, moved or structurally altered except in conformity with all the regulations herein specified for the district in which it is located.
2. No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building or use for the purpose of complying with this ordinance, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building or use.

B. NEWLY ANNEXED TERRITORY

Any territory hereafter annexed to the City shall be annexed in accordance with the zoning designation indicated in the current City of Parker Land Use Plan. The owner of such territory may apply after annexation for new zoning under the procedures in this ordinance.

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SECTION 13. NON-CONFORMING USES

Except as hereinafter specified, any use, Building, or Structure existing at the time of the enactment of this ordinance may be continued, even though such use, Building or Structure may not conform with the provisions of this ordinance for the district in which it is located; provided, however, that this section shall not apply to any use, Building, or Structure established in violation of any ordinance previously in effect in the City, unless said use, Building or Structure now conforms with this ordinance.

A. CONDITIONAL USES

Any use existing on the effective date of Ordinance 242A which is listed as a conditional use in the use district where it is located shall remain a non-conforming use until a Special Use Permit is obtained as provided in this Ordinance.

B. ALTERATION OF NON-CONFORMING USES

No existing Building or premises devoted to a use that is not permitted by this ordinance in the use district in which such Building or premises is located shall be enlarged or improved, except when required to do so by law or written order, unless the use thereof is changed to a use that is permitted in the district in which such Building or premise is located, and except as follows:

1. When authorized by the City Council in accordance with the provisions of this ordinance, the substitution for a non-conforming use of another non-conforming use, or an extension of a non-conforming use, may be made.
2. Whenever a non-conforming use has been changed to a conforming use, such use shall not thereafter be changed to a non-conforming use.
3. When authorized by the City Council in accordance with the provisions of this ordinance, enlargement or completion of a Building devoted to a non-conforming use may be made upon the Lot occupied by such Building, where such extension is necessary and incidental to the existing use of such Building and does not exceed twenty-five (25%) percent of its area of non-conformity, as measured by the square footage of the Building or land area.
4. When authorized by the City Council in accordance with the provisions of this ordinance, a non-conforming use may be extended throughout those parts of a building which were manifestly designed or arranged for such use prior to the date on which such use of said Building became non-conforming, if no structural alterations, except those required by law, are made therein.

C. CESSATION OF USE OF BUILDING OR LAND

For the purposes of the succeeding subsections, a use shall be deemed to have ceased when it has been discontinued for twelve (12) months whether with the intent to abandon said use or not.

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1. No Building or Structure which was originally designed for a non-conforming use shall again be put to a non-conforming use, where such use has ceased for six (6) months or more.
2. No Building or Structure which was not originally designed for a non-conforming use shall again be put to a non-conforming use, where such use has ceased for six (6) months or more.

D. CONSTRUCTION APPROVED PRIOR TO ORDINANCE

Nothing herein shall be construed to require any change in the overall plans, construction, or designated use of any development, Structure, or part thereof, where official approval and the required building permits were granted before the enactment of this ordinance, or any amendment thereto where construction thereof, conforming with such plans, shall have been started prior to the effective date of this ordinance or such amendment, and where such construction shall have been completed in a normal manner within the subsequent six (6) months period, with no interruption, except for reasons beyond the builder's control.

E. UNSAFE BUILDINGS, REPAIR OF

Nothing in this ordinance shall be construed to prohibit the strengthening or repair of any part of any Building or Structure declared unsafe by proper authority.

F. NON-CONFORMING SIGNS

All non-conforming signs, billboards, or commercial advertising Structures may be continued only for a period of one (1) year from the adoption of this ordinance, unless in violation of other ordinances or shorter periods are provided for in other ordinances.

G. DAMAGE OR DESTRUCTION

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

Dwellings may be restored or reconstructed provided that the reconstruction or restoration is at least to the same size and quality as the damaged or destroyed Dwelling.

H. REPAIRS AND MAINTENANCE

1. A non-conforming Structure may be repaired and maintained as necessary to keep it in sound condition but no structural alterations shall be made unless required by law or ordinance or unless authorized by the Council.

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2. Except as otherwise provided in this ordinance, the total structural repairs and alterations that may be made to a non-conforming Structure shall not exceed fifty (50%) percent of its appraised value for tax purposes. This restriction on rebuilding does not apply to Accessory Dwellings or Single Family Residences.

I. MOVING OF NON-CONFORMING STRUCTURE OR BUILDING

No non-conforming Building or Structure shall be moved in whole or in part to any other location on the Lot, or on any other Lot, unless every portion of such Building or Structure is made to conform to all the regulations of the district where relocated.

J. CONDITIONAL USES (ALL DISTRICTS)

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

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

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SECTION 14. SUPPLEMENTARY DISTRICT REGULATIONS

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

A. VISIBILITY AT INTERSECTIONS IN ALL DISTRICTS

On a corner Lot in any district, nothing shall be erected, placed, planted, or allowed to grow in such a manner as materially to impede vehicle drivers' vision at intersections.

B. FENCES, WALLS, AND HEDGES

Notwithstanding other provisions of this ordinance, fences, walls, and hedges may be permitted in any required yard, or along the edge of any yard, provided that such fences, walls, or hedges, along Lot lines at street intersections do not impair visibility at the intersection within an area defined by lines of joining points located twenty (20) feet back from the intersection of all curb lines extended.

C. OFFENSIVE TRADE ACTIVITY

No offensive trade activity shall be carried on upon any Lot or shall anything be done which may be or become an annoyance or nuisance. No Lot shall be used or maintained as a dumping ground for rubbish.

D. LOT MAINTENANCE

In all districts, Lots shall be maintained in such manner as to be free and clear of debris. All vegetation except for regularly cultivated crops, trees, or shrubbery which exceeds twelve (12) inches in height shall be presumed to be objectionable and unsightly. Regularly cultivated crops shall not be allowed to grow within the right of way of any public street or easement but shall be kept mowed. It shall be the duty of any person owning, claiming, occupying, or having supervision or control of any real property to cut and remove all such weeds, brush or other objectionable or unsightly matter as often as may be necessary; provided that the removing and cutting same at least once in every thirty (30) days shall be deemed a compliance with this ordinance and to use every precaution to prevent the same growing on such premises to become a nuisance.

E. EXCEPTIONS TO HEIGHT-REGULATIONS

The height limitations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

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F. STRUCTURES TO HAVE ACCESS

Every Building erected or moved shall be on a Lot with direct access on a public street, or with access to a municipally-approved street.

All Structures shall be so located on Lots as to provide safe and convenient access for servicing, fire protection, and required on-site parking.

G. YARD DEFINITIONS

Yards as required in this ordinance are open spaces on the Lot on which a Building is situated and which are open and unobstructed to the sky, except as herein provided.

1. Front yard. A yard facing and abutting a street and extending across the full width of the front of the Lot and having a minimum horizontal depth measured from the front property line equal to the depth of the minimum front yard specified from the district in which the Lot is located. The required yard line represents the line in front of which no Building or Structure may be erected. Balconies, decks and marquees located more than eight (8) feet from the ground may project up to six (6) feet into the required front yard.
2. Rear yard. A yard extending across the full width of the Lot between the side Lot lines and having a minimum depth measured from the rear Lot line as specified for the district in which the Lot is located. There shall be no intrusion into the rear yard by stairways, balconies or other Building extensions to more than four (4) feet.
3. Side yard. A yard located on a Lot extending from the required rear yard to the required front yard and having a minimum width measured from the side Lot line as specified for the district in which the Lot is located.

H. USE OF MAJOR RECREATIONAL EQUIPMENT

For purposes of these regulations, major recreational equipment is defined as including boats and boat trailers, travel trailers, pick-up campers or coaches (designed to be mounted on automotive vehicles), motorized Dwellings, tent trailers, and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not. No such equipment shall be used for living, sleeping, or housekeeping purposes when parked or stored on a residential Lot or in any location not approved for such use.

I. PARKING AND STORAGE OF CERTAIN VEHICLES

Automotive vehicles or trailers bearing license plates or state motor vehicle inspection stickers which are more than three (3) months out of date shall not be parked or stored on any residentially designated property except in completely enclosed Buildings or covered with protective cloth specifically made for such use.

J. PARKING OF LARGE VEHICLES

No vehicle larger than that of a two (2) ton capacity shall be parked upon any lot or premises in a residentially zoned district.

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K. DISTRICT CHANGES

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another district of a different classification or when boundaries or districts are changed as a result of annexation of new territory or changes in the regulations or restrictions of this ordinance the foregoing provisions shall also apply to any non-conforming uses existing therein which may so become non-conforming.

L. OFF-STREET PARKING

Off-street parking must be provided for all non-residential uses in accordance with the following schedule:

1. Church: One (1) space for each four (4) fixed seats in the sanctuary or auditorium or one (1) space for each twenty-eight (28) square feet in the sanctuary or auditorium if fixed seats are not provided.
2. School (public or private):
 - 1-1/2 spaces for each kindergarten/elementary school classroom;
 - 3-1/2 spaces for each junior high/middle school classroom;
 - 9-1/2 spaces for each senior high school classroom.
3. Private recreational facilities, country club or golf course: One (1) space for each one hundred (100) square feet of floor area and five (5) spaces for each golf green.
4. All other non-residential uses: One (1) space for each two hundred (200) square feet of floor area.

M. HOME OCCUPATION

Use of a residential property for business activity is allowed only under the following conditions.

There shall be only one employee other than the occupants of the residence. A person who receives a wage, salary or percentage of profits directly related to the home occupation shall be considered an employee. This definition shall not include the coordination or supervision of employees who do not regularly visit the house for purposes related to the business.

No signage, raw materials, finished goods, or equipment relevant to the business shall be visible from the street or adjacent properties.

No building alterations shall be allowed that will alter the residential character of the property.

No offensive noise, illumination, vibration, smoke, electrical interference, dirt, odors or heat in excess of those normally found in residential areas are restricted. No toxic, explosive, flammable, combustible, corrosive, radioactive, or other hazardous materials shall be used or stored on the site for business purposes.

No traffic shall be generated by a home occupation in greater volumes than normally expected in a residential neighborhood, and any need for parking must be accommodated within the required off-street parking for the residence or along the street frontage for the lot.

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SECTION 15. SITE PLAN

A Site Plan shall be required for all new construction, exterior remodeling, or additions to any Structure. No building permit shall be issued for a development subject to Site Plan review until such Site Plan has been approved in accordance with this section.

A. PURPOSE

The purpose of the Site Plan is to insure compliance with this ordinance and to assist in the orderly and harmonious development of the City, to protect and enhance the general welfare, and to help prevent the impairment or depreciation of land values and development by the erection of Structures, additions, alterations thereto without proper attention to site planning and preserving the intent of this ordinance.

B. APPLICATION

The property owner or designated representative may initiate Site Plan review by filing an application with the City Administrator, and submitting the required review fee and five (5) copies of the Site Plan and related documents.

C. CONTENTS OF APPLICATION

Applications shall contain drawings to scale to indicate:

1. The location of all Structures on the subject property and adjoining property
2. Landscaping and fencing, setback areas, uses of landscaping and walls or fences for screening purposes, and landscaping of parking areas
3. Design of ingress and egress to minimize interference with traffic flow on abutting streets
4. Height of all Structures
5. Proposed uses for all Structures
6. The location and types of all signs including lighting and heights
7. Facade elevations of each Building, including descriptions of materials and colors for finishes.

D. STANDARDS

The Construction Plan shall conform to the concept plan, all district regulations, all additional requirements for the ordinance creating the district, and any supplemental or special regulations applicable to the particular use.

E. DECISION ON SITE PLAN AND APPEAL

The City Council, the Building Official, or other official as may be designated by the City Council, shall review and approve, approve with conditions, or deny the site plan. Appeals from denial of site plan shall be to the Board of Adjustment, made within 15 days. Procedures will be in accordance with Section 10 of the Comprehensive Zoning Ordinance.

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SECTION 16. ADMINISTRATION AND ENFORCEMENT, BUILDING PERMITS, CERTIFICATES OF COMPLIANCE AND OCCUPANCY

A. ADMINISTRATION AND ENFORCEMENT

The Building Official, City Planner, City Engineer, City Administrator, or other administrative official of the City shall be designated Administrator by the City Council to administer the provisions of this ordinance.

If the Administrator shall find, or if any person files with him a complaint in writing alleging that any of the provisions of this ordinance are being violated, he shall immediately investigate and when necessary give written notice to the person responsible to cease such violations forthwith.

Notice may be delivered in person, by mail, or by certified mail to a violator or to any occupant of property where violation is occurring.

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SECTION 17. SPECIAL USE PERMITS

A. PURPOSE

The purpose of the regulations described by this section is to allow the compatible and orderly development within the City of uses which may be suitable only in certain locations in a designated district if developed in a specific way or only for a limited period of time.

A Special Use Permit is required for all Conditional Uses. A Special Use Permit may have a specified time limitation attached and may impose conditions other than those which are specifically set forth in this ordinance.

B. APPROVAL RESPONSIBILITY

The Planning and Zoning Commission shall have the initial responsibility for recommending all Special Use Permits required for the "Conditional Uses."

The City Council shall have the final authority for approval or denial of all Special Use Permits.

The following procedures shall be complied with prior to the approval or denial of any Special Use Permit.

1. Application concerning Special Use Permits for those uses which are conditional in any district shall be submitted to the Administrator in writing and be automatically referred to the Commission for a public hearing on same. The Administrator shall investigate conditions, arrange hearing notification, and obtain any expert advice needed to achieve agreement between the applicant and the City.
2. After receiving an application for a Special Use Permit, notification of such request by mail shall be made to all owners of real property located within two hundred (200) feet of the property on which application has been made. The names and addresses of the affected parties shall be supplied by the applicant.
3. After a public hearing, the Commission may recommend an application for a Special Use Permit not be approved, if the proposed use fails to meet one of the criteria set forth in Paragraph C. In recommending a Special Use Permit be approved, the Commission, on the basis of recommendations from the Administrator, may impose requirements and conditions with respect to locations, construction, maintenance, and operation, in addition to those expressly stipulated in the Ordinance for the particular use, as they deem necessary for the protection of adjacent properties and the public interest.
4. When application has been denied by the Commission, applicant may appeal for a hearing before the City Council.
5. Appeals From Decisions of the Commission. Any person or persons, jointly or severally, aggrieved by a decision of the Commission, may present the City Council a petition, duly verified, setting forth that such decision is unjust, in whole or in part, specifying the

CITY OF PARKER

grounds of injustice. Such petition shall be presented to the body within ten (10) days after the final decision of the Commission and not thereafter.

C. PREREQUISITES FOR APPROVAL BY CITY COUNCIL

1. No Structure or property in any district shall be used for a use listed as a "Conditional Use" without first having obtained a Special Use Permit for such use from the City Council.
2. The City Council, after receipt of report and recommendation of the Commission, may permit a conditional use subject to appropriate conditions and safeguards, when, after public notice and a hearing, the City Council finds:
 - a. That the proposed use meets all the minimum standards established in this ordinance for this type of use.
 - b. That the proposed use is in harmony with the purpose and intent of this ordinance.
 - c. That the proposed use will not be detrimental to the health, welfare, and safety of the surrounding neighborhood or its occupants, nor be substantially or permanently injurious to neighboring property.
 - d. Each use permitted by the City Council shall be evidenced by a duly adopted ordinance granting such Special Use Permit and containing such conditions as may be prescribed by the City Council.
 - e. The City Council may impose additional reasonable restrictions or conditions to carry out the spirit and intent of this ordinance and to mitigate adverse effects of the proposed use. These requirements may include, but are not limited to, increased open space, loading and parking requirements, suitable landscaping, and additional improvements such as drainage, trails, and fencing.
 - f. Prior to any public hearing before the City Council for a Special Use Permit, notification shall be made by mail to all property owners within two hundred (200) feet of the property on which the application was made.

D. APPLICATION FILING PROCEDURE

Application shall be made by property owner or certified agent thereof to the Administrator on a form prescribed for this purpose by the City. Application shall be accompanied by drawings as provided herein. Granting a Special Use Permit does not exempt the applicant from complying with requirements of the Building Code or other ordinances.

E. DEVELOPMENT & TIME LIMITS

Following the issuance of a Special Use Permit, the Building Official shall insure that if the development is undertaken, it is commenced in compliance with said permit within one (1) year. If said development is not commenced within one year of issuance of the applicable Special Use Permit, said Special Use Permit shall expire without notice.

CITY OF PARKER

SECTION 18. BOARD OF ADJUSTMENT

THERE IS HEREBY CREATED A BOARD OF ADJUSTMENT WHICH SHALL BE ORGANIZED, APPOINTED AND FUNCTION AS FOLLOWS:

A. ORGANIZATION OF BOARD OF ADJUSTMENT

1. The Board of Adjustment shall consist of five (5) members who are residents of the City, each to be appointed by resolution of the City Council for a term of two (2) years and removable for cause by the appointing authority upon written charges and after public hearing. Vacancies shall be filled for the unexpired term of any member, whose place becomes vacant for any cause in the same manner as the original appointment was made. The City Council may provide for the appointment of two (2) alternate members of the Board who shall serve in the absence of one (1) or more of the regular members when requested to do so by the Mayor or City Secretary, as the case may be. All cases to be heard by the Board of Adjustment will always be heard by a minimum number of four (4) members. The alternate members, when appointed, shall serve for the same period as the regular members, which is for a term of two (2) years; and any vacancy shall be filled in the same manner and they shall be subject to removal the same as the regular members.
2. The person acting as Ordinance Administrator for the City shall be an ex-officio member of the Board of Adjustment without power of vote and as an ex-officio member of such Board shall set up and maintain a separate file for each application for appeal, and variance received and shall record therein the names and addresses of all persons, firms and corporations to whom notices are mailed, including the date of mailings and the person by whom such notices were delivered to the mailing clerk, Post Office or mail box and further keep a record of all notices published as required herein. All records and files herein provided for shall be permanent and official files and records of the City.
3. The Board shall forthwith notify in writing the City Council, the Commission and the City Building Inspector of each decision, interpretation and variance granted under the provisions of this ordinance.

B. OPERATIONAL PROCEDURE

1. The Board shall adopt rules to govern its proceedings provided however that such rules are not inconsistent with this ordinance or State Law. Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine. The Chairman, or in his absence, the Acting Chairman, may administer oath and compel the attendance of witnesses.
2. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions all of which shall be immediately filed in the office of the Board and shall be a public record.
3. Appeals to the Board may be made in writing by any person aggrieved or by any municipal officer, department, or board affected by any decision of the Administrator.

CITY OF PARKER

Such appeal shall be filed with the Board by the Administrator within fifteen (15) days after the original decision rendered by the Administrator. The appeal shall be accompanied by all papers constituting the record pertaining to such appeal. Formal notice of the appeal shall be issued by the Administrator, such notice to specify the grounds upon which the appeal is made.

4. Appeal shall stay all proceedings in furtherance of the action appealed from unless the officer from whom the appeal is taken certified to the Board after the notice of appeal shall have been filed with him, that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property. In such cases, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board or a court of record on application, on notice to the officer from whom the appeal is taken and on due cause shown.
5. Upon notice of appeal being given to the Administrator and before such appeal shall be construed as having been perfected, the applicant must file with such notice of appeal to the Board an amount of money estimated by Administrator to be sufficient to mail and publish all notices required herein, such amount in no case to be less than twenty-five (\$25.00) dollars.
6. No appeal to the Board for the same or related variance on the same piece of property shall be allowed prior to the expiration of six (6) months from the previous ruling by the Board on any appeal to such body unless other property in the immediate vicinity has, within the said six (6) months period, been changed or acted on by the Board or City Council so as to alter the facts and conditions on which the previous Board action was based. Such change of circumstances shall permit the rehearing of an appeal by the Board prior to the expiration of six (6) months period, but such conditions shall in no wise have any force in law to compel the Board, after a hearing, to grant a subsequent appeal. Such subsequent appeal shall be considered entirely on its merits and the peculiar and specific conditions related to the property on which the appeal is brought.
7. At a public bearing relative to any appeal, any interested party may appear in person or by agent or by attorney. The burden of proof shall be on the applicant to establish the necessary facts to warrant favorable action of the Board on any appeal. Any variance granted or authorized by the Board under the provisions of this ordinance shall authorize the issuance of a Building Permit or a Certificate of Occupancy, as the case may be, for a period of one hundred eighty (180) days from the date of the favorable action of the Board, unless said Board shall have in its action approved a longer period of time and has so shown such specific longer period of time in the minutes of its action. If the building permit and/or Certificate of Occupancy shall not have been applied for within said one hundred eighty (180) day period or such extended period as the Board may have specifically granted, then the variance shall be deemed to have been waived and all rights thereunder terminated. Such termination and waiver shall be without prejudice to a subsequent appeal and such subsequent appeal shall be subject to the same regulations and requirements for hearing as herein specified for the original appeal.

C. ACTIONS OF THE BOARD

1. In exercising its powers, the Board may, on conformity with the provisions of the Statutes of the State of Texas as existing or hereafter amended, reverse or affirm, wholly or partly,

CITY OF PARKER

or may modify the order, requirement, decision or determination appealed from and make such order, requirement decision or determination as ought to be made and shall have all the powers of the Officer from whom the appeal is taken. The Board shall have the power to impose reasonable conditions to be complied with by the applicant.

2. The concurring vote of four (4) members of the Board shall be necessary to reverse any order, requirement, decision or determination of any such administrative official, or to decide in favor of the applicant on any matter upon which it is required to pass under this ordinance or to effect any variance in said ordinance.
3. Any person or persons, jointly or severally aggrieved by any decision of the Board, or any taxpayer or any officer, department or board of the municipality may present to a court of record (District Court) a petition, duly verified, setting forth that such decision is illegal, in whole or in part, specifying the grounds of illegality. Such petition shall be presented to the court within ten (10) days after the filing of the decision in the office of the Board and not thereafter.

D. NOTICE OF HEARING BEFORE THE BOARD REQUIRED

The Board shall hold a public hearing on all appeals made to it and written notice of such public hearing shall be sent to the applicant and all other persons who are owners of real property lying within two hundred (200) feet of the property on which the appeal is made. Such notice shall be given not less than ten (10) days nor more than thirty (30) days before the date set for hearing to all such owners who have rendered their said property for city taxes as the ownership appears on the last city tax roll. Such notice may be served by depositing the same, properly addressed and postage paid, in the United States Post Office. Notice shall be given by publishing the same in official publication of the City at least ten (10) days nor more than thirty (30) days prior to the date set for hearing, which shall state the time and place of such hearing.

E. JURISDICTION OF THE BOARD

1. A variance is an authorization by the Board granting relief and doing substantial justice in the use of the applicant's property by a property owner where, owing to special conditions, a literal enforcement of the provisions of the ordinance will result in unnecessary hardship.
2. When, in its judgment, the public convenience and welfare will be substantially served and the appropriate use of the neighboring property will not be substantially or permanently injured, the Board may, in specific cases, after public notice and public hearing, and subject to appropriate conditions and safeguards, authorize the following variances to the regulations herein established and take action relative to the continuance or discontinuance of a non-conforming use.
3. Variances:
 - a. A variance may be granted an applicant when the Board finds:
 - I) That there are special circumstances or conditions applying to the land or Building for which the variance is sought, which circumstances or conditions are peculiar to such land or Building and do not apply generally to lands or Buildings in the same district or neighborhood, and that said circumstances or conditions are such

CITY OF PARKER

that the strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of such land or Building; and

- 2) that the granting of such variance will not be detrimental to the public welfare or injurious to the property or improvements in such zone or neighborhood in which the property is located; and
- 3) That the granting of the variance is necessary for the reasonable use of the land or Building and that the variance as granted by the Board is the minimum variance that will accomplish this purpose; and
- 4) That the literal enforcement and strict application of the provisions of this ordinance will result in an unnecessary hardship inconsistent with the general provisions and intent of this ordinance and that in granting such variance the spirit of the ordinance will be preserved and substantial justice done; and

- b. The Board may, after public notice and hearing and subject to the conditions and safeguards herein contained, vary or adapt the strict application of any of the terms of this ordinance under the power and authority herein granted.
- c. In granting any variance under the provisions of this ordinance the Board may designate such conditions in connection therewith which, in its opinion, will secure substantially the purpose and intent of this ordinance.
- d. To hear and decide appeals where it is alleged there is error on any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this ordinance.
- e. Interpret the intent of the Zoning Map where uncertainty exists because the physical features on the ground vary from those on the Zoning Map and none of the rules set forth herein apply.
- f. Initiate on its motion, or cause to be presented by interested property owners, action to bring about the discontinuance of a non-conforming Structure or use under any plan whereby full value of the Structure can be amortized within a definite period of time, taking into consideration the general character of the neighborhood and the necessity for all property to conform to the regulations of this ordinance.
- g. Permit the change of occupancy from one non-conforming use to another non-conforming use when the extent of the second non-conforming use is found to be less detrimental to the environment than the first.
- h. Permit the enlargement of a non-conforming use only when the enlargement will not prolong the life of the non-conforming use. A specific period of time for the return to conformity can be required.
- i. Permit the reconstruction of a non-conforming Structure or Building on the Lot or tract occupied by such Building, provided such reconstruction does not, in the judgment of the Board, prevent the return of such property to a conforming use or increase the non-conformity of a non-conforming Structure.
- j. Require the vacation and demolition of a non-conforming Structure which is deemed to be obsolete, dilapidated, or substandard.
- k. Permit such variance of the front yard, side yard, rear yard, Lot width, Lot depth, coverage, minimum setback standards, off-street parking or off-street loading regulations where the literal enforcement of the provisions of this ordinance would result in an unnecessary hardship, and where such variance is necessary to permit a specific parcel of land which differs from other parcels of land in the same district by being of such restricted area, shape or slope that

CITY OF PARKER

it cannot be developed in a manner commensurate with the development permitted upon other parcels of land in the same district. A modification of the standard established by this ordinance shall not be granted to relieve a self-created or personal hardship, nor for financial reason only, nor shall such modification be granted to permit any person a privilege in developing a parcel of land not permitted by this ordinance to other parcels of land in the district.

F. APPEALS FROM THE BOARD OF ADJUSTMENT

Any person or persons, or any board, taxpayer, department, board or bureau of the City aggrieved by any decision of the Board may seek review by a court of record of such decision, in the manner provided by the laws of this state.

CITY OF PARKER

SECTION 19. RESPONSIBILITIES OF THE ADMINISTRATOR, BOARD OF ADJUSTMENT, AND CITY COUNCIL ON MATTERS OF APPEAL

1. It is the intent of this ordinance that all questions of interpretation and enforcement shall be first presented to the Ordinance Administrator in writing and that such questions shall be presented to the Board only on appeal from the decision of Ordinance Administrator, and that recourse from the decisions of the Board shall be to the courts as provided by law.
2. It is further the intent of this ordinance that the duties of the City Council in connection with this ordinance shall not include hearing and deciding questions of interpretation that may arise. The procedure for deciding such questions are stated herein.
3. Under this ordinance, the City Council shall have only the duties:
 - a. of considering and adopting or rejecting proposed amendments or the repeal of this ordinance, as provided by law
 - b. of establishing a schedule of fees and charges as stated in Section 20 below
 - c. of appointing members of a Board and designating an Ordinance Administrator and
 - d. of hearing appeals on and approving or rejecting Special Use Permits.

CITY OF PARKER

SECTION 20. SCHEDULE OF FEES, CHARGES AND EXPENSES

1. The City Council shall establish from time to time by resolution or ordinance a schedule of fees, charges, and expenses and a collection procedure for Building Permits, Certificates of Compliance, appeals and other such matters pertaining to this ordinance. The schedule of fees shall be posted in the office of the Ordinance Administrator and may be altered or amended only by the City Council.
2. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

CITY OF PARKER

SECTION 21. AMENDMENTS

1. The regulations, restrictions, and boundaries set forth in this ordinance may from time to time be amended, supplemented, changed, modified or repealed upon initiation by the Commission, the City Council, or by a petition of a property owner or owners or their authorized agents, submitted to the City Administrator, provided however, that no such action may be taken until:
 - a. The question has been referred to the Commission for consideration and public hearing on the question and their recommendation received; and until
 - b. A public hearing has been held in relation thereto, before the City Council at which parties in interest and citizens shall have an opportunity to be heard.
2. At least ten (10) days nor more than thirty (30) days prior to the hearings, notice of the time and place of such hearings and description of proposed change shall be published in a newspaper of general circulation in the City.
3. When a proposed amendment affects the zoning classification or redistricting of property, the Commission shall give written notice to property owners within a distance of at least two hundred (200) feet from the boundaries of the subject property, at least ten (10) days prior to the hearing date. In case of a written protest against such change, signed by the owners of twenty percent (20%) or more either of the area of the Lots or land included in such proposed change, or of the Lots or land immediately adjoining the same and extending two hundred (200) feet therefrom, then such amendments shall not become effective except by the favorable vote of at least three-fourths (3/4) of all members of the City Council.
4. The same procedure for notifying property owners as provided in Paragraph C above shall be followed by the City Council, for hearings on proposed amendments that affect the zoning classification, redistricting petitions and for Special Use Permit Applications, except that the City Council may notify all property owners of record within the City (as shown on the current tax roll) by letter at least ten (10) days before such hearing.
5. If a petition for redistricting is denied either by the Commission or by the City Council another petition for reclassification of the same property or any portion thereof shall not be filed within a period of one (1) year from date of final denial, except with permission of the Commission or upon initiation by the Commission or City Council.

CITY OF PARKER

**SECTION 22. MEETINGS OF PLANNING AND ZONING
COMMISSION**

All meetings of the Commission shall be open to the public. The Commission shall keep the minutes of their proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicate such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Administrator and shall be a public record.

CITY OF PARKER

SECTION 23. PROVISIONS OF ORDINANCE DECLARED TO BE MINIMUM REQUIREMENTS

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

CITY OF PARKER

SECTION 24. REPEAL OF CONFLICTING ORDINANCES

All ordinances or parts of ordinances in conflict with this ordinance or inconsistent with the provisions of this ordinance are hereby repealed to the extent necessary to give this ordinance full force and effect. All ordinances and provisions of ordinances of said City not so repealed are hereby retained in full force and effect.

CITY OF PARKER

SECTION 25. SEVERABILITY

It is the intent of the City Council that each paragraph, sentence, sub-division, clause, phrase or section of this Ordinance be deemed severable, and should any paragraph, sentence, sub-division, clause, phrase, or section be declared invalid or unconstitutional for any reason, such declaration of invalidity or unconstitutionality shall not be construed to effect the validity of those provisions of this Ordinance left standing, nor the validity of the Code of Ordinances as a whole.

CITY OF PARKER

SECTION 26. PENALTY CLAUSE

Any person, firm or corporation who violates or fails to comply with the requirements of this ordinance or who builds or alters any Building in violation of any plan or statement submitted and approved hereunder, shall be guilty of a misdemeanor and shall be liable to a fine of not more than Two Thousand Dollars (\$2,000.00) for each offense. Each day such violation shall be permitted to exist shall constitute a separate offense.

Nothing herein contained shall prevent the City from taking such other lawful action as is necessary to prevent or remedy any violation.

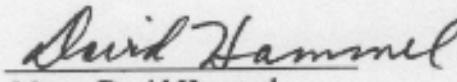
CITY OF PARKER

SECTION 27. EFFECTIVE DATE

This ordinance shall be effective from and after its adoption.

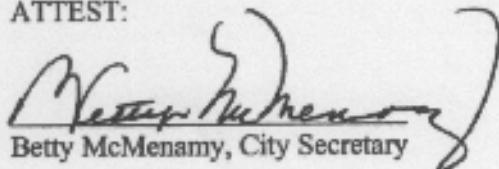
ADOPTED this 6th day of June, 2000 by the Parker City Council.

APPROVED:



Mayor David Hammel

ATTEST:



Betty McMenamy, City Secretary

Acc 482

Plano Star Courier

AFFIDAVIT OF LEGAL NOTICE

I, Daria Bishop, Account Representative of the Plano Star Courier, a newspaper printed in the English language in Collin County, State of Texas, do hereby certify that this notice was published in the Plano Star Courier on the following dates, to-wit

June 18, 2000

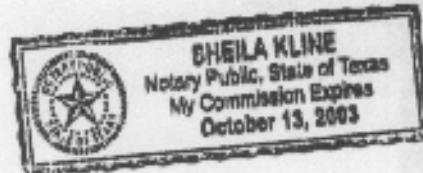
Daria Bishop

Account Representative of the Plano Star Courier

Subscribed and sworn to this
19 day of June 2000

Sheila Kline

Notary Public, Collin County, Texas



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Notice

Anyone knowing the whereabouts of Eugene Roy Camanga please contact Paulette R. Irons at (504) 568-6800.

COMPETITIVE SEALED BIDS will be received by the City of Plano Purchasing Division for the following:

**C159-00
OVERHEAD DOOR & GATE INSPECTION & PREVENTIVE MAINTENANCE (ANNUAL CONTRACT W/ RENEWALS)**
Due: 07/05/00 @ 3:00 PM

Documents may be obtained from: CITY OF PLANO PURCHASING DIVISION, 1520 AVENUE K, #370, PLANO, TX 75074 (972-941-7557)

SPECIAL AUCTION INVITATION!

DIAMOND JEWELRY, BANKRUPTCY
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CITY OF PARKER**ORDINANCE NO. 483****CITY OF PARKER, TEXAS****AMENDED
COMPREHENSIVE ZONING ORDINANCE**

AN ORDINANCE OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS AMENDING AND RESTATING ORDINANCE NO. 242A, AS AMENDED; ESTABLISHING COMPREHENSIVE ZONING REGULATIONS; DEFINING TERMS; PROVIDING FOR SPECIAL AND GENERAL PROVISIONS; PROVIDING FOR THE FOLLOWING DISTRICTS: AGRICULTURAL/OPEN-SPACE, MANUFACTURED HOUSING, SINGLE-FAMILY RESIDENTIAL, SINGLE-FAMILY TRANSITIONAL, PLANNED RESIDENTIAL DEVELOPMENT, AND SPECIAL ACTIVITIES; PROVIDING ZONING IN NEWLY ANNEXED TERRITORY; PROVIDING FOR USE OF LAND AND BUILDINGS; ADOPTING AREA AND HEIGHT REGULATIONS; RESTRICTING USE OF ACCESSORY BUILDINGS; PROVIDING FOR MISCELLANEOUS REQUIREMENTS; ALLOWING SPECIAL USE PERMITS; RECOGNIZING NON-COMFORMING STRUCTURES AND USES AND ESTABLISHING RESTRICTIONS THAT PERTAIN THERETO; PROVIDING FOR PROCEDURES FOR ADMINISTRATION OF ZONING REGULATIONS; PROVIDING FOR ENFORCEMENT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALING CLAUSE; PROVIDING A PENALTY OF A FINE NOT TO EXCEED THE SUM OF TWO THOUSAND DOLLARS (\$2,000.00) FOR EACH OFFENSE; AND PROVIDING AN EFFECTIVE DATE.

ADOPTED this 6th day of June, 2000 by the Parker City Council.

APPROVED:

/s/ Mayor David Hammel

ATTEST:

/s/ Betty McMenamy



Council Agenda Item

| | | |
|----------------------------------|---|--|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | Council |
| Fund Balance-before expenditure: | Prepared by: | ACA/CS Scott Grey for Interim City Attorney Clifton |
| Estimated Cost: | Date Prepared: | March 21, 2025 |
| Exhibits: | <u>Res. No. 2024-802, passed and approved July 2, 2024, with FY 23-24 – FY 28-29 Capital Improvement Plan</u> | |

AGENDA SUBJECT

DISCUSSION AND GIVE STAFF DIRECTION ON CAPITAL IMPROVEMENT PLAN (CIP)
– (TIME PERMITTING)

SUMMARY

Please review information provided and be prepared to discuss.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

| Inter – Office Use | | | |
|-----------------------------|--------------------------|-------|----------------------------|
| Approved by: | Enter Text Here | | |
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/28/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ XX /2025 |

RESOLUTION NO. 2024-802
(FY 23-24 - FY 28-29 Capital Improvement Plan)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PARKER, COLLIN COUNTY, TEXAS, UPDATING THE CAPITAL IMPROVEMENT PLAN AS ATTACHED HERETO AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Parker desires a capital improvement plan that provides a six year forecast of the City of Parker's capital project needs and estimated costs for current and future projects; and

WHEREAS, the City of Parker adopted a FY 23-24 — FY 28-29 Capital Improvement Plan ("CIP") providing a six-year forecast of the City of Parker's capital project needs and estimated costs for current and future projects, on April 23, 2024; and

WHEREAS, the Capital Improvement Plan is intended to be a living document to be reviewed and updated at least annually during the budget process; and

WHEREAS, the City Council of the City of Parker, Texas has reviewed and approves Exhibit "A" as the updated Capital Improvement Plan.

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

SECTION 1. The updated FY 23-24 - FY 28-29 Capital Improvement Plan attached hereto as Exhibit "A," is hereby adopted.

SECTION 2. All provisions of the resolutions of the City of Parker, Texas, in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

SECTION 3. Should any word, sentence, paragraph, subdivision, clause, phrase, or section of this resolution be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said resolution which shall remain in full force and effect.

SECTION 4. This Resolution shall become effective immediately from and after its passage.

DULY RESOLVED AND ADOPTED by the City Council of the City of Parker, Texas, on this the 2nd day of July, 2024.

RESOLUTION No. 2024-802
 (FY 23/24 - 28-29 Capital Improvement Plan)

DULY RESOLVED AND ADOPTED by the City Council of the City of Parker, Texas, on this the 2nd day of July, 2024.



CITY OF PARKER:


Lee Pettle

Lee Pettle, Mayor

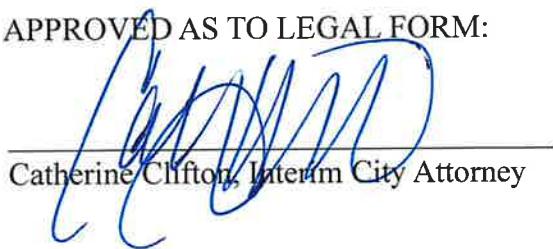
ATTEST:



Patti Scott Grey

Patti Scott Grey, City Secretary

APPROVED AS TO LEGAL FORM:



Catherine Clifton, Interim City Attorney

EXHIBIT "A"

FY 23-24 - FY 28-

RESOLUTION No. 2024-802
(FY 23/24 - 28-29 Capital Improvement Plan)



City of Parker Texas Capital Improvement Plan FY23-24 - FY28-29

07/02/24 Revision

Adopted 04/23/24

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Introduction

The Parker Capital Improvement Plan (CIP) provides a six-year view into the city's proposed and approved capital expenditures. The CIP is envisioned to be a living document which is updated annually to reflect capital needs and expenditure additions/deletions and/or changes in costs and serve as a point of reference during the city's annual budgeting process. Ultimately, the plan encourages careful project planning and design to avoid costly mistakes and to help Parker reach desired community objectives within its fiscal capacity.

A well-planned maintained and executed capital plan is a wise investment that will enable the city to:

- maximize use of municipal assets
- lower maintenance and replacement costs
- enhance efficiencies in vehicles and equipment
- decrease future expenditures through proactive maintenance and replacement of equipment, facilities, and infrastructure
- assist in identifying the alternative means to finance capital needs and weigh the impact on the City's tax rates against its proposed capital needs
- maintain the attractiveness of Parker as a place to live

The CIP is updated annually to address:

- progress made toward the planned projects, including funding options
- updating the six-year projections
- keeping current with changing information and priorities relating to the city's needs

Adequate funding of capital needs presents many small cities with significant challenges, and Parker is no exception. With appropriate planning and careful use of resources, the City of Parker can address many of its most pressing needs affordably and sustainably.

This plan was developed in close collaboration with the Mayor, City Administrator, Finance Director, City Attorney, Department Directors, City Engineer, and City Council. The effort could only come to fruition with these stakeholders' deep engagement.

Capital Planning Process Goals and Objectives

The Capital Planning Process seeks the following objectives:

- to maintain Parker's physical assets by providing funding in the annual operating budget to protect its capital investments and minimize future maintenance and replacement costs

- to pursue a preventive maintenance program as a cost-effective approach to protecting its capital investments and maximizing the useful life of its capital assets including the procurement of outside services where city staff capacity or expertise appears insufficient to perform such preventative maintenance
- to identify and preserve the infrastructure and equipment needed to achieve exemplary levels of public services and quality of life possible by annually updating the six-year Capital Improvement Plan to ensure adequate investment in the City's capital assets

Definition of a Capital Asset

Capital assets for purposes of the CIP are defined in Resolution 2022-706. Capital assets are real or personal property that have a value equal to or greater than the capitalization threshold defined and have an estimated life of longer than one year. Capital assets include land, land improvements, buildings and building improvements, machinery and equipment, computer equipment, vehicles and heavy equipment, infrastructure, and construction in progress.

Per Resolution 2022-706, capitalization thresholds and estimated useful lives of capital asset categories are as follows:

| Asset Description | Capitalization Threshold | Estimated Useful Lives |
|-----------------------------------|--------------------------|------------------------|
| Land | \$1 | |
| Land Improvements | \$12,500 | 20 Yrs |
| Buildings & Building Improvements | \$25,000 | 30 Yrs - 40 Yrs |
| Vehicles and equipment | | |
| • Computer Equipment | \$25,000 | 3 Yrs – 10 Yrs |
| • Vehicles & Heavy Equipment | \$1 | 5 Yrs – 20 Yrs |
| • Machinery & Equipment | \$2,500 | 5 Yrs – 10 Yrs |
| Infrastructure | \$25,000 | 20 Yrs |

Donated capital assets are recorded at their estimated fair market value at the time of acquisition plus ancillary charges. Assets acquired with grant funds will be capitalized based on the grant agreement.

Water and Sewer assets are capitalized and have useful lives based upon the underlying asset type (primarily building & building improvements, infrastructure, and machinery & equipment)

The Capital Improvement Plan will address capital projects with a cost of \$25,000 or greater. Other projects affecting these assets will be included in total.

Capital Improvements Planning Process

The annual capital planning process is a process by which the city identifies the need to acquire new capital assets, repair or replace existing assets, and the proposed financing of each. It is an

annual process conducted with the Mayor, City Administrator, Finance Director, City Attorney, Department Directors, City Engineer, and City Council. The process includes the following steps:

- conduct an annual review of the capital asset requirements of the city as well as proposals addressing the needs of the city's infrastructure and/or the acquisition and maintenance of capital assets
- review proposals for possible approval by City Council
- make recommendations and consider project scope and funding regarding the above
- review in conjunction with the Annual budgeting process
- staff prepares and presents an annual summary
- update the Capital Improvement Plan based on the annual review

Approved projects are those that have been approved by City Council by its adoption of a resolution. Approved projects include the Council-adopted resolution number. Proposed costs reflect an estimation of the total costs to be incurred for each Capital Project. Once a project is approved and if bids received by the City exceed the proposed estimate by more than 10%, the project may not commence prior to re-consideration and approval by City Council and/or its citizens, if so required.

The CIP may be used for identifying potential funding needs, sources, and re-allocations. It is a tool to help monitor our progress in achieving our stated goals and report on completion success. It is a template to communicate an overall scope of the city's future project needs.

The CIP is a living plan, as such, proposals as well as approved capital expenditures are subject to change based on new service delivery needs, special financing opportunities, emergency needs, compliance with unfunded mandates, and changing economic conditions. Every effort is made to make the six-year plan as accurate, thorough, and predictable as possible.

References to "Fund XX" in the Project Schedules refer to particular accounting funds maintained by the City. They are largely funded by the City's existing revenue sources inclusive of ad valorem taxes, sales taxes and water and wastewater fees. Other funding references are generally from external sources stemming typically from Federal, State, or County funds made available to municipalities.

Current Fiscal Year Approved & Proposed Capital Projects (FY23-24)

The following schedule reflects both Approved & Proposed Projects targeted for expenditures during the current fiscal year as identified in the Annual CIP Process. This inventory of the upcoming year's approved & proposed capital projects is a tool to be used in budget planning, staff resourcing, and a way to monitor the implementation of the Capital Plan. See "Capital Improvement Planning Process" for a description of Approved and Proposed.

Current Year Capital Projects

| Category | Project | Status | Proposed Costs | Funding Source | Grant \$ | Grant Source |
|---|---|-------------|-------------------------|----------------|----------|--------------|
| <i>Buildings and Improvements</i> | | | | | | |
| Water Department Building | Design and construct the Water Department Building located at the Dillehay Pump Station | IN DESIGN | 1,200,000 | Fund 62 | | |
| City Facilities | Evaluate, design, and construct/or renovate existing facilities to provide for needs of the city. | IN PLANNING | TBD ¹ | Fund 65 | | |
| | <i>Buildings & Improvements Total</i> | | <i>1,200,000</i> | | | |
| <i>Vehicles and Equipment</i> | | | | | | |
| Police and Public Works | Replace Police and DPW Vehicles with Leased vehicles (Included in FY23-24 Budget) | IN PROGRESS | 120,000 | Fund 22 | | |
| Police | Tasers, In-Car and Body Worn Cameras (Resolution 2024-782, approved 2/20/2024) \$213,688.73 total spread evenly over 5 years) | IN PROGRESS | 42,738 | Fund 01 | | |
| ALL | Other Vehicles & Equipment <\$25k (Included in FY23-24 Budget) | IN PROGRESS | 16,500 | Fund 22 | | |
| ALL | Other Computer Equipment < \$25k (Included in FY23-24 Budget) | IN PROGRESS | 105,000 | Fund 28 | | |
| | <i>Vehicles & Equipment Total</i> | | <i>284,238</i> | | | |
| <i>Infrastructure</i> | | | | | | |
| <i>Streets</i> | | | | | | |
| <i>Maintenance (Patch)</i> | | | | | | |
| Annual Street Maintenance | Based on City staff and engineering Street Maintenance Assessment | IN PLANNING | 129,796 | Fund 61 | | |
| Patch portions of Curtis Road, Dublin Road, Lewis Lane and Moss Ridge | Asphalt on Curtis Road (Dillehay to Southridge Pkwy). Repair asphalt roadway on Dublin Road S-curve between Creekside and Edgewater. Repair a portion of Asphalt roadway on Lewis Lane. Replace selected concrete panels on Moss Ridge. (Approved Res No 2024-779 3/19/2024) | IN PROGRESS | 250,204 | Fund 61 | | |
| | <i>Subtotal</i> | | <i>380,000</i> | | | |

Current Year Capital Projects

| Repair | | | | | | |
|-------------------------------|--|---------------------------------|------------------|----------------|------------------|--|
| Lewis Lane (ALL) | Complete jurisdiction analysis and obtain written agreement on the responsibilities of entities. | IN PLANNING | | Fund 61 | | |
| Gray Lane | PCI 25; 2211'x19' Remix | IN PLANNING | 677,249 | Fund 61 | | |
| | <i>Subtotal</i> | | 677,249 | | | |
| | <i>Streets Total</i> | | 1,057,249 | | | |
| Drainage | | | | | | |
| Annual Drainage Maintenance | Based on City Staff and Engineering Drainage Maintenance Assessment | IN PLANNING | | Fund 63 | | |
| | <i>Drainage Total</i> | | - | | | |
| Water and Sewer System | | | | | | |
| Dillehay / FM2551 | Replacing and relocating FM2551/Dillehay Water Lines (Various Approvals - see project detail) | IN PROGRESS | 1,200,000 | CC Funds | 1,200,000 | |
| Dublin Road Water Lines Eng | Design new Water Infrastructure plan for Dublin Road (North and South) | IN PLANNING | 252,000 | ARPA | 252,000 | |
| Dublin Road- South Water Line | Remove and replace existing water lines along Dublin Road- South | IN PLANNING | 1,200,000 | ARPA & Fund 62 | 912,598 | |
| Water Impact Fee Study | 2023-2033 Water Impact Fee Analysis (Approved Res No 2023-734 6/6/2023) | COMPLETE (With REVIEW in 6 mo.) | 24,368 | Fund 60 | | |
| NTMWD Delivery Point No.2 | Connecting the lines from Dillehay (Central) Pump Station to NTMWD | IN PLANNING | TBD | Fund 62 | | |
| | <i>Water & Sewer System Total</i> | | 2,676,368 | | 2,364,598 | |
| | <i>Total All</i> | | 5,217,855 | | | |
| | <i>Government (General) Funds</i> | | 1,341,487 | | | |
| | <i>Proprietary (Water & Sewer) Funds</i> | | 3,876,368 | | 2,364,598 | |

¹ The city has \$976,635 allocated in the facilities fund (Fund 65) as of Sept. 30, 2023. Capital allocations toward city facility projects are contingent upon project scope and estimated cost and will ultimately be refined based on contractor bids.

Capital Project Schedule (FY23-24 through FY28-29)

The FY23-24 through FY28-29 Capital Project Schedule is a working document that aims to identify all known proposed capital expenditures which may arise over the next six years. Early identification allows more time to weigh their expected benefits against their costs and to consider financing alternatives. Projects are listed in these categories: Facilities, Vehicles and Equipment, Streets, Drainage, Water Infrastructure, Parks and Public Spaces. While this schedule cannot possibly identify all possible future capital needs, it can allow the city to forecast, prioritize and schedule planned capital expenditures over a six-year horizon.

The Capital Project Schedule incorporates the Current Fiscal Year Approved & Proposed Capital Projects schedule in addition to potential capital needs over the following five-year period. Overall, it presents a six-year view of Approved & Proposed Capital Projects and the associated individual and cumulative estimated costs. See “Capital Improvement Planning Process” for description of Approved and Proposed.

Capital Project Schedule

| <i>Buildings and Improvements</i> | | | | | | | | | | | | |
|--|--|-----------------------|----------------|----------------|----------------|----------------|----------------|--------------------|-------------------------|---------------------------|-------------------------------|--|
| Building | Project | Proposed Costs | | | | | | | Potential Source | Potential Grant \$ | Potential Grant Source | |
| | | FY23-24 | FY24-25 | FY25-26 | FY26-27 | FY27-28 | FY28-29 | Grand Total | | | | |
| Water Department Building | Design and construct the Water Department Building located at the Dillehay Pump Station | 1,200,000 | | | | | | 1,200,000 | Fund 62 | | | |
| City Facilities | Evaluate, design, and construct and/or renovate existing facilities to provide for needs of city. | | | | | | | - | Fund 65 | | | |
| Annual Building Maintenance | Based on Facilities Maintenance Assessment | | | | | | | - | Fund 65 | | | |
| | <i>Building & Improvements Total</i> | 1,200,000 | - | - | - | - | - | 1,200,000 | | | | |
| <i>Vehicles and Equipment</i> | | | | | | | | | | | | |
| Department | Project | Proposed Costs | | | | | | | Potential Source | Potential Grant \$ | Potential Grant Source | |
| | | FY23-24 | FY24-25 | FY25-26 | FY26-27 | FY27-28 | FY28-29 | Grand Total | | | | |
| Police and Public Works | Replace Police and DPW Vehicles with Leased vehicles | 120,000 | 130,000 | 150,000 | 150,000 | 160,000 | 160,000 | 870,000 | Fund 22 | | | |
| Public Works | Add Dump truck | | | | 150,000 | | | 150,000 | Fund 01 | | | |
| Police | Tasers, In-Car and Body Worn Cameras (Approved Res No 2024-782, 2/20/2024) \$213,688.73 total spread evenly over 5 years) | 42,738 | 42,738 | 42,738 | 42,738 | 42,738 | | 213,690 | Fund 01 | | | |
| Fire | Replace 2002 Smeal Fire Truck-Pumper (02-811) Approved Res No 2023-755 9/19/2023 w/delivery est 605 Days | | | 875,293 | | | | 875,293 | Fund 22 | | | |
| Fire | Replace 2010 Ford F-750 Brush Truck (10-811) Approved Res No 2023-754 8/15/2023 delivery w/ 23-24 mo. | | 180,000 | | | | | 180,000 | Fund 22 | | | |

Capital Project Schedule

| | | | | | | | | | | | |
|------|--|----------------|------------------|----------------|----------------|----------------|----------------|------------------|---------|--|--|
| Fire | Replace 2016 Ford F-250 (16-812) | | | 60,000 | | | | 60,000 | Fund 22 | | |
| ALL | Other Vehicles & Equipment <\$25k (Included in FY23-24 Budget) | 16,500 | 12,000 | 18,000 | | 12,000 | 12,000 | 70,500 | Fund 22 | | |
| ALL | Other Computer Equipment < \$25k (Included in FY23-24 Budget) | 105,000 | | | | | | 105,000 | Fund 28 | | |
| | Vehicle & Equipment Total | 284,238 | 1,240,031 | 270,738 | 342,738 | 214,738 | 172,000 | 2,524,483 | | | |

Infrastructure

| Street Segment | Expenditure | Proposed Costs | | | | | | | Potential Source | Potential Grant \$ | Potential Grant Source |
|----------------|-------------|----------------|---------|---------|---------|---------|---------|-------------|------------------|--------------------|------------------------|
| | | FY23-24 | FY24-25 | FY25-26 | FY26-27 | FY27-28 | FY28-29 | Grand Total | | | |

Streets

| Maintenance (Patch) | | | | | | | | | | | |
|---|---|----------------|----------------|----------------|----------------|----------------|----------------|------------------|---------|--|--|
| Annual Street Maintenance | Based on City staff and engineering Street Maintenance Assessment | 129,796 | 380,000 | 380,000 | 380,000 | 380,000 | 380,000 | 2,029,796 | Fund 61 | | |
| Patch portions of Curtis Road, Dublin Road, Lewis Lane and Moss Ridge | Asphalt on Curtis Road (Dillehay to Southridge Pkwy). Repair asphalt roadway on Dublin Road S-curve between Creekside and Edgewater. Repair a portion of Asphalt roadway on Lewis Lane. Replace selected concrete panels on Moss Ridge. (Approved Res No 2024-779 3/19/2024) | 250,204 | | | | | | 250,204 | Fund 61 | | |
| | Subtotal | 380,000 | 380,000 | 380,000 | 380,000 | 380,000 | 380,000 | 2,280,000 | | | |

Repairs

| | | | | | | | | | | | |
|--|---|--|-----------|--|-----------|--|--|-----------|---------|--|--|
| Dublin Road South (Betsy to South Limit) | Remix straight segments 5300'x22', Reconstruct S-Curve 600'x22', Asphalt w/ Glas Pave | | 1,785,950 | | | | | 1,785,950 | Fund 61 | | |
| Dublin Road North (Parker to Betsy) | Remix complete section. 7957'x22', Asphalt w/ Glas Pave | | | | 2,985,223 | | | 2,985,223 | Fund 61 | | |

Capital Project Schedule

| | | | | | | | | | | | | |
|--|--|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|-----------|---------|--|--|
| Lewis Lane (ALL) | Complete jurisdiction analysis and obtain written agreement on the responsibilities of entities. | | | | | | | | - | Fund 61 | | |
| Lewis Lane (ALL) | PCI 40, 4,740 est total (reconstruct) | | 2,472,503 | | | | | | 2,472,503 | Fund 61 | | |
| Church Ln | PCI 20; 2,172' (reconstruct) | | | 1,212,277 | | | | | 1,212,277 | Fund 61 | | |
| Gray Ln | PCI 25; 2211'x19' (remix) | 677,249 | | | | | | | 677,249 | Fund 61 | | |
| Donihoo Ln | PCI 35; 2,037' (reconstruct) | | | | 1,216,514 | | | | 1,216,514 | Fund 61 | | |
| Hackberry Ln (Donihoo to Pecan Orchard) | PCI 40; 1,763' (reconstruct) | | | | 1,052,879 | | | | 1,052,879 | Fund 61 | | |
| Hackberry Ln (Pecan Orchard to Cul de Sac) | PCI 40; 1,674' (reconstruct) | | | | | 1,069,708 | | | 1,069,708 | Fund 61 | | |
| Ranchview Ln | PCI 40; 1,002' (remix) | | 328,358 | | | | | | 328,358 | Fund 61 | | |
| Woodcreek | PCI 40; 668' (remix) | | 218,952 | | | | | | 218,952 | Fund 61 | | |
| Kara Lane | PCI 45, 2,606' (ovelay) | | | | 469,691 | | | | 469,691 | Fund 61 | | |
| Pecan Orchard Ln | PCI 50; 2,234' (remix) | | | 783,298 | | | | | 783,298 | Fund 61 | | |
| Wagon Wheel | PCI 50; 1.676' (remix) | | | | | 672,799 | | | 672,799 | Fund 61 | | |
| Sycamore Ln | PCI 55; 5,319' (reconstruct) | | | | | | 3,636,834 | 3,636,834 | Fund 61 | | | |
| | Subtotal | 677,249 | 4,805,762 | 1,995,575 | 5,254,615 | 2,212,198 | 3,636,834 | 18,582,233 | | | | |
| | Streets Total | 1,057,249 | 5,185,762 | 2,375,575 | 5,634,615 | 2,592,198 | 4,016,834 | 20,862,233 | | | | |

Drainage

| | | | | | | | | | | | | |
|-----------------------------|---|--|--|--|--|--|--|--|---|---------|--|--|
| Annual Drainage Maintenance | Based on City Staff and Engineering Drainage Maintenance Assessment | | | | | | | | - | Fund 63 | | |
|-----------------------------|---|--|--|--|--|--|--|--|---|---------|--|--|

Capital Project Schedule

| | | | | | | | | | | | |
|---------------------------|--|------------------|------------------|------------------|------------------|------------------|------------------|-------------------|---------|--|--|
| Dublin Road South S-Curve | Engineering Study and construction of a drainage improvement for S-Curve | | 250,000 | | | | | 250,000 | Fund 63 | | |
| | Drainage Total | - | 250,000 | - | - | - | - | 250,000 | | | |
| | Infrastructure Total | 1,057,249 | 5,435,762 | 2,375,575 | 5,634,615 | 2,592,198 | 4,016,834 | 21,112,233 | | | |

Water and Sewer Systems

| Project | Expenditure | Proposed Costs | | | | | | | Potential Source | Potential Grant \$ | Potential Grant Source |
|-------------------------------------|---|------------------|---------|------------------|------------------|----------------|---------|------------------|------------------|--------------------|------------------------|
| | | FY23-24 | FY24-25 | FY25-26 | FY26-27 | FY27-28 | FY28-29 | Grand Total | | | |
| FM2551 / Dillehay | Replacing and relocating FM2551/Dillehay Water Lines (Various Approvals - see project detail) | 1,200,000 | | | | | | 1,200,000 | CC Funds | 1,200,000 | CC Funds |
| Dublin Road Water Lines Engineering | Design new Water Infrastructure plan for Dublin Road (North and South) | 252,000 | | | | | | 252,000 | ARPA | 252,000 | ARPA |
| Dublin Road – South Water Lines | Remove and replace existing water lines along Dublin Road - South | 1,200,000 | | | | | | 1,200,000 | ARPA & Fund 62 | 971,553 | ARPA |
| Dublin Road North Water Lines | Replacing Dublin Road – North Water Lines | | | 1,373,880 | | | | 1,373,880 | Fund 62 | | |
| Water Impact Fee Study | 2023-2033 Water Impact Fee Analysis Approved Res No 2023-734 6/6/2023 | 24,368 | | | | | | 24,368 | Fund 60 | | |
| NTMWD Delivery Point No. 2 | Connecting the lines from Dillehay (Central) Pump Station to NTMWD | TBD | | | | | | - | Fund 60 | | |
| Bois D' Arc Lane | 8-inch Water Line | | | | 415,916 | | | 415,916 | Fund 62 | | |
| Elevated Storage Tank | Design and Build 2 nd Water Tower at Chaparral | | | 5,016,250 | | | | 5,016,250 | Fund 62 | | |
| | Water & Sewer Total | 2,676,368 | - | 1,373,880 | 5,016,250 | 415,916 | - | 9,482,414 | | 2,423,553 | |

Capital Project Schedule

Capital Project Schedule Summary

| | Proposed Costs | | | | | | | From Other Sources |
|--|------------------|------------------|------------------|-------------------|------------------|------------------|-------------------|--------------------|
| | FY23-24 | FY24-25 | FY25-26 | FY26-27 | FY27-28 | FY28-29 | Grand Total | |
| Buildings and Improvements¹ | 1,200,000 | - | - | - | - | - | 1,200,000 | - |
| Vehicles and Equipment | 284,238 | 1,240,031 | 270,738 | 342,738 | 214,738 | 172,000 | 2,524,483 | - |
| Infrastructure (Streets & Drainage) | 1,057,249 | 5,435,762 | 2,375,575 | 5,634,615 | 2,592,198 | 4,016,834 | 21,112,233 | - |
| Water and Sewer Systems | 2,676,368 | - | 1,373,880 | 5,016,250 | 415,916 | - | 9,482,414 | 2,423,553 |
| Total ALL | 5,217,855 | 6,675,793 | 4,020,193 | 10,993,603 | 3,222,851 | 4,188,834 | 34,319,130 | 2,423,553 |
| From Other Sources | 2,423,553 | | | | | | | |
| Government (General) Funds | 1,341,487 | 6,675,793 | 2,646,313 | 5,977,353 | 2,806,936 | 4,188,834 | 23,636,716 | |
| Proprietary (Water & Sewer) Funds | 3,876,368 | - | 1,373,880 | 5,016,250 | 415,916 | - | 10,682,414 | 2,423,553 |
| From Other Sources | 2,423,553 | | | | | | | |

¹ Totals shown reflect estimates for the Water Department Building and assumes the funding source to be the Proprietary Fund.

Fund 65 (Capital Facilities Fund) has a balance of \$976,635 as of September 30, 2023. The total cost of future municipal facilities (which may be partially funded by fund 65) is TBD and not reflected in this table.

Capital Projects

Building and Improvement Projects

There are several municipal facility capital projects currently under consideration and planning. The following section provides an overview of these proposed projects.

Project: New Water Department Building at the Dillehay Pump Station

Status: Proposed - In Planning/Design - Construction planned for FY23-24

Department: Public Works Water Department

Project Scope: This project scope is to design and build a new Water Department Facility located on the same property as the new Dillehay pump station. The building is envisioned to be a 12,000 sqft. metal building with a brick façade. The building will have an enclosed office space within the larger building and several large garage doors to allow for equipment maintenance. - The scope of work for FY23-24 is to complete the design and construction of the building.

Background: The water department personnel have been operating out of the Old Parker Fire Station and the old white metal garage building (located adjacent to the old fire station). These buildings have offices, restrooms, work benches, tools and equipment, storage, and work facilities. The buildings have reached the end of their useful life and are not fit for reuse or renovation. The Old Fire Station is a metal building with a brick façade that was built in 1982. The old white garage is of similar vintage and is showing signs of age. Relocating the water department offices, storage, and shop facilities to the location near the Dillehay pump station will enable these buildings to be vacated, allowing for their demolition, making way for alternative uses of the land.

Funding: This is a project for administration of our Water System. Funding may be from Fund 62 (Utility Construction Fund).

Timeline: The project should commence imminently.

Project: City Facilities**Status:** Under Review**Department:** All City Government

Project Scope: After the departmental needs have been reviewed and prioritized, funding options identified, and a plan of action defined for proceeding, the next steps can begin.

Background:

The Parker Police Department has operated out of a portable building for several years. The building was purchased in February 2024 eliminating the monthly rent.

Parker City Hall is challenged to meet the space needs of the Parker Administrative Staff and the Council and Municipal Court Chambers. The space lacks proper ADA accessibility, sufficient parking, and has constrained meeting, office, and storage space.

Several options have been considered over the years and in the recent past voters have rejected proposals on two separate occasions. For the last several years, the city has allocated funds to a Facilities Fund for the purpose of addressing these needs. The balance as of September 30, 2023, was \$976,635.

Funding: This project may be funded through the Capital Facilities Fund (Fund 65).

Timeline: TBD

Building and Improvement Maintenance

Parker owns a portfolio of at least 7 buildings of various ages, as noted below, providing the most recent dates of assessment and/or replacement.

| Facility | Address | PCA 360 Audit | Roof Assessed | Roof last Replaced | HVAC Replaced | Septic Replaced | Generators Replaced |
|---------------------------------|---------------------|----------------------|----------------------|---------------------------|----------------------|------------------------|----------------------------|
| Parker City Hall | 5700 E. Parker Road | | 2022 | | 2015-2018 | | |
| Parker Fire Department | 5700 E. Parker Road | | 2022 | | 2008 | 2023 | 2009 |
| Parker Police Dept. | 5700 E. Parker Road | | N/A | | 2014 | | |
| Parker Water Dept. | 5700 E. Parker Road | | 2022 | | 2020 | | |
| East Water Storage Facility | Parker Road | | | | | | 2007 |
| Central Water Storage Facility | Dillehay | | | 2021 | 2020-2021 | | 2021 |
| Elevated Water Storage Facility | 5700 E. Parker Road | | | | | | |
| Record Storage Building | 5700 E. Parker Road | | | | | | |

Infrastructure Projects (Streets and Drainage)

Infrastructure Capital Improvement planning is driven by the mission to provide a safe and reliable street and drainage system for residents and visitors. The plan considers both scheduled maintenance and repair of poor streets and other surface drainage issues.

Streets identified in the 2021 Street Condition Survey with a rating of below fair condition are included in the infrastructure projects. For each street, additional information, including average daily traffic, number of properties on the street, other areas utilizing the street, alternate route available, drainage conditions, and previous work on the street, was reviewed by the CIP team.

Many of the projects for streets, drainage, and water are interrelated and are considered as one within the Capital Improvement Plan for specific projects. Below is a recap of projects grouped by the major project.

Street maintenance refers to patching portions of asphalt or concrete. Street repair refers to one of three methods to renovate a large section or complete street. They include:

| | |
|-------------|---|
| Reconstruct | 12' flexbase material, 1.5" asphalt, glass pave, and 2" asphalt |
| Remix | remix existing roadbed w/ cement, placing 1" asphalt with glass pave and 1.5" asphalt |
| Overlay | 2" overlay with glass pave between existing and new |

Project: FM2551 (from FM2514 to FM2170)

Status: Approved - IN PROGRESS

Department: Public Works Water Department

Project Scope: Reconstruction and widening of FM2551 from 2 lanes to a 6-lane thoroughfare. TXDOT has oversight of the construction. The city is responsible for the movement of water lines and utilities and providing input to project managers for the safety of residents.

Background: The continued local housing growth and development has resulted in a significant increase in the traffic volume on this road during recent years. Dillehay (2551) has been planned for expansion at both the county and state levels for quite some time. The scheduled

widening of the road is taking place now. Parker has an obligation to fund the water infrastructure portion of the project.

Funding: Collin County has committed to provide \$1,200,000 in funding for this project and the city has entered into Interlocal Agreements to aid in performing the work needed. Our city engineer, Birkhoff & Assoc. has been contracted to perform the engineering services related to the movement of utilities.

Timeline: Construction Start: Fall 2023. End: Summer 2026

Project: Dublin Road – South (Betsy to South City Limit)

Status: Proposed – IN DESIGN

Department: Public Works

Project Scope: This project estimate includes the replacement of the road surface, addressing a critical S-Curve, and replacement of a water line. This is a multi-year project. The first phase of this project is to replace the water lines, which may include an engineering study and acquiring right of way on some properties. Drainage improvement needs for the S-Curve will be determined and addressed. Right-of-way study will be completed as needed.

Background: The Street Condition Survey identified the majority of this street with a very poor rating of 30.

This is a significant collector street for subdivisions and private streets in the southern portion of Dublin Road. In addition, many people take this street to travel north and south as an alternative to FM2551 (Murphy Rd). A traffic study in 2021 showed an average traffic volume of 1,456 vehicles per day.

A city water line lies along and under this street. These lines are aging and undersized and need to be replaced. Such replacement should be coordinated with the reconstruction of the road. The current roadway is approximately 20' wide. The width of this street may be increased to 22'-24' wherever possible. The street has an S-curve that experiences accidents with drivers running off the street. The design will consider options to improve the safety of the road. A drainage review will also be performed to determine that the streets will include proper drainage after construction.

Funding: This street project may be funded with money from Capital Street Construction Fund (Fund 61), drainage costs may be funded from the Capital Drainage Fund (Fund 63), and the

Water Line is projected to be funded using available American Rescue Plan Act of 2021 (ARPA) funds.

Timeline: This project should commence imminently after the water lines are replaced, and the necessary drainage study is complete. The S-Curve drainage plan should be implemented in conjunction with the road reconstruction project.

Project: Dublin Road – North (Parker Road to Betsy)

Status: Proposed – IN PLANNING

Department: Public Works

Project Scope: This project includes replacing the road surface and water lines. It will mirror that of South Dublin Road.

Background: The Street Condition Survey identified this street to have a poor rating of 45-50.

This is a significant collector street for subdivisions and streets in the northern portion of Dublin Road. In addition, many people take this street for traveling north and south as an alternative to FM2551. A traffic study in 2021 showed an average traffic volume of 1,640 vehicles per day.

In 2020, maintenance was performed on the street, providing important stabilization in areas that were in poor condition. However, the street has shown early signs of wear that need to be addressed.

A city water line lies along and under this street. These lines are aging and undersized. These lines need to be replaced. Such replacement should be coordinated with the reconstruction of the road. The current roadway is approximately 20' wide. The width of this street may be increased to 22'-24' wherever possible. The street has an S-curve that experiences accidents with drivers running off the street. The design will consider options to improve the safety of the road. A drainage review will also be performed to determine that the streets will include proper drainage after construction.

Funding: This street project may be funded with money from Capital Street Construction Fund (Fund 61), drainage costs may be funded from the Capital Drainage Fund (Fund 63), and the Water Line may be funded through the Utility Construction Fund (Fund 62).

Timeline: Target of FY25-26 for water lines and FY26-27 for the road.

Project: Lewis Lane

Status: Proposed

Department: Public Works

Project Scope: The goal for FY23-24 is to complete a jurisdiction analysis and perform maintenance on southern portions of Lewis Lane.

The portions that are within Parker's responsibility will be targeted for reconstruction in future years working with Lucas and Collin County to coordinate their segments at the same time. A drainage review will be performed prior to commencing work to ensure no significant drainage issues need to be addressed.

Background: The Street Condition Survey rated the total of Lewis Lane with a 40 PCI rating, one in poor condition. This is a collector street with increasing populations from residents in subdivisions within Parker and Lucas. In addition, this street is a north/south alternative for FM2551 (Dillehay)

This street is the responsibility of multiple entities (Parker, Lucas, and Collin County). The Developer of Kings Crossing reconstructed a portion of the street (Kings Crossing Phase 3N to Phase 3S) in 2022. The remaining portions of the street are maintained by adding asphalt to patches, which deteriorate when rains occur.

Funding: This project may be paid through the Capital Street Construction Fund (Fund 61).

Timeline: Target dates to complete jurisdiction analysis and first segment in FY23-24 with the remaining portion of road FY24-25.

Project: Gray Lane

Status: Proposed - IN PLANNING

Department: Public Works

Project Scope: Road reconstruction

Background: Gray Lane was evaluated by the Street Condition Survey with a very poor rating of 25

Funding: This project may be paid through the Capital Street Construction Fund (Fund 61).

Timeline: Target FY23-24

Water and Sewer System Projects

Water Improvement planning is driven by the need to maintain our water systems in working condition, providing safe and sufficient water for residents as needed. Water improvements include the needs of our water lines, standalone or interconnected with storage tanks, valves, hydrants, and water towers.

The city has several water infrastructure projects in the planning stage. The goal of these projects is to continue to provide a water distribution system that meets the necessary volume and peak demand projections associated with future growth projections of our city. The projects scoped here are derived from the Water Impact Fee Report 2023-2033 .

Water infrastructure improvements connected to streets are identified in the Infrastructure Projects above.

Project: Water Impact Fee Study

Status: Approved - COMPLETE (with pending request by City Council to review in 6 months)

Department: Water Utility Department

Project Scope: The city contracted with our city engineer to assist City staff in providing a 2023-2033 Impact Fee Analysis to provide the Capital Improvement Plan of the water distribution system and a Water Impact Fee Study outlining Capital Improvements of the system and a calculation of the Water Impact Fee.

Background: The City of Parker owns and operates their water distribution system comprised of pump stations, ground storage reservoirs, elevated storage tanks, and pipeline infrastructure. This system is being improved and expanded to meet the needs of the water demands imposed by the current residents and future residents of Parker. Chapter 395 of the Texas Local Government Code requires that political subdivisions create a Capital Improvement Plan and its costs if it wishes to impose “impact fees” on new development.

The Water Impact Fee Report 2023-2033 was completed and on December 19, 2023, the council approved Ordinance 862.

Funding: This is a Water System project. The costs of this project may be paid through the Utility Impact Fee Fund (Fund 60)

Timeline: Target FY23-24 (1st Quarter)

Project: NTMWD Delivery Point #2

Status: Approved - IN PROGRESS

Department: Water Utility Department

Project Scope: Attach the Central Pump Station to the NTMWD delivery point. The bulk of this work has already been completed. This is to make the final connection.

Background: The city completed construction of the Central Pump Station in FY22-23. For the station to be fully operational, it must be attached to the NTMWD delivery point.

Funding: This is a Water System project. These funds are part of the Utility Construction Fund (Fund 62).

Timeline: contingent upon completion of a NTMWD contract amendment.

Project: Build a Secondary Elevated Water Tower at Chaparral Road

Status: Proposed - targeting FY26-27

Department: Water Utility Department

Project Scope: To construct a secondary elevated water tower and 16" water pipe infrastructure to connect to the existing water distribution system.

Background: The Water Impact Fee Report 2023-2033 recommends constructing a secondary water tower to meet the projected water demand of residents based on future growth projections.

An Elevated storage tank within the Parker water distribution system is required by TCEQ to maintain system pressure. The Parker secondary elevated storage tank is expected to be sized to meet the maximum hourly demand working in conjunction with the pump stations, while maintaining system pressures.

The City currently has one 1.0-MG elevated storage tank located on Parker Road, adjacent to City Hall, with a high water level at 800-ft MSL. The Chaparral Elevated Storage Tank and water line project would consist of constructing an elevated storage tank with approximately 385 linear feet of 16-inch waterline connected between the new elevated tank and the existing 16-inch waterlines. The utilized capacity during the CFR period was calculated to be 63.0%

Funding: This project may be funded through the Utility Impact Fee Fund (Fund 60) and Utility Construction Fund (Fund 62)

Timeline: Commence construction on or before FY26-27.

Reference Reports for Capital Needs

| Category | Plan Reference Title | Last Updated |
|----------------------------|---|-----------------------------|
| City Vision | Comprehensive Plan | In revision |
| Buildings and Improvements | Facilities Maintenance Plan | (update annually) |
| Infrastructure | Street Maintenance Plan | (update annually) |
| Infrastructure | Street Condition Survey | 2021 (update every 5 years) |
| Infrastructure | Drainage Maintenance Plan | (update annually) |
| Water and Sewer System | Water Impact Fee Report 2023-2033 | 2023 (update every 5 years) |
| Vehicles and Equipment | Equipment Capital Replacement Schedule | 2023 (update annually) |
| Vehicles and Equipment | Technology Replacement Schedule | (update annually) |

Financing the CIP

CIP Projects are funded through general fund revenues and other resources available to the City. Funding considerations go beyond individual projects. The city's funding strategies will consider several variables, including amounts available in project funds, other City needs, debt, and the impact on taxpayers. Below, we will address the city's sources of funds and current funding.

Sources of Funds

Operational Revenue: Revenues generated in the

- Government (General) Fund through ad valorem taxes, sales taxes or fees.
- Proprietary (Water & Sewer) Fund primarily through water & wastewater revenues.

Local Sales Tax – The city charges a 2% Sales Tax. The General Fund receives a 1% sales tax. In May 2023, the voters elected to adopt a 1% sales tax dedicated to repairing and maintaining existing city streets in accordance with Chapter 327 of the Texas Tax Code. The new tax went into effect on October 1, 2023. These revenues are directly applied to the Street Maintenance Fund. This tax expires after four years unless a new election is held to reauthorize the tax.

Impact Fees – The city charges a **Water Impact Fee** on new Single-Family Residences based on a Water Impact Fee Study. New residential homes pay a fee based on the size of their water meter. The use of these funds is restricted to financing capital improvements required by new developments in accordance with Chapter 395 of the Texas Local Government Code.

Developer Contributions: Contributions of capital infrastructure in conjunction with new development in the city.

Intergovernmental: Funds supplied through other governmental agencies such as TxDOT, Collin County, State, and/or Federal government.

Other Grants and Donations: Funds received from other organizations and individuals.

Bonds: Bonds refer to debts of the City arising from Municipal Bonds issued by the City.

There are different kinds of borrowing, each with its advantages and disadvantages.

- **General Obligation Bonds (GO):** Debt instruments authorized by a positive vote among registered voters.
- **Certificates of Obligation (CO):** Debt instruments authorized by a positive vote of City Council.

- **Revenue Bonds:** Debt instruments, the repayment of which depends on the revenue stream generated by the city's water & wastewater system.

Current Funding

Government (General) Funds are supported from several sources, which include:

Transfers: The city has established a pay-as-you-go approach to addressing capital needs using special funds. A portion of the city's General Fund and Proprietary Fund Operational Revenues are allocated each year to these funds during the annual budgeting process. They can only be used for the purpose specified without subsequent city council approval. Funds to which transfers are made include:

| Funds | | |
|-------|----------------------------------|---|
| # | Title | Purpose |
| 22 | Equipment Replacement Fund | Equipment Replacement Fund - Purchase or lease of city vehicles |
| 24 | Technology Replacement Fund | Replacement of existing technology equipment |
| 61 | Capital Street Construction Fund | Construction or maintenance of street projects. |
| 63 | Capital Drainage Fund | Construction or maintenance of drainage-related improvements. |
| 65 | Capital Facilities Fund | Land acquisition, construction, renovation, and equipping of city facilities. |

Sales Tax: This includes the 1% sales tax dedicated for street repair and maintenance. These amounts are directly reported to the Street Construction Fund. The city anticipates approximately \$380,000 in fiscal 2023-24.

Proceeds from the sale of city property within these funds are directly allocated to these funds. The equipment replacement fund reflects \$140,000 proceeds from the sale of city property.

Proprietary Funds (Water/Wastewater)

Utility Impact Fees Fund (Fund 60): This fund is funded by the Water Impact Fees from New Single Family Residential homes. As of September 30, 2023, the Utility Impact Fees Fund had a balance of \$2,024,621

Utility Construction Fund (Fund 62): This fund was initially funded from the \$6,075,000 proceeds of the 2018 combination tax and revenue bond plus interest earned to construct facilities needed for water services operations. The balance in this fund at September 30, 2023 is \$506,000. Future additions to this fund may come from revenues collected in anticipation of future capital needs, debt from the sale of revenue bonds, and grants as may become available.

American Rescue Plan Act of 2021 (ARPA): The provisions of this act provided supplemental funds to the city in FY21 and FY22. These funds can only be used for specified purposes, including investment in water infrastructure. *Funding must be obligated by the end of calendar year 2024 and expended by the end of calendar year 2026.* As of September 30, 2023, the City has \$1,223,553 of these funds to be allocated for qualified capital projects. City Council has the authority to spend these funds within the authority of the act.

County Funds: The city has an agreement to receive funds from Collin County for purpose of the 2551/Dillehay Project. For more information, refer to that project.

Existing Debt Obligations

| <i>Bond</i> | <i>Interest Rate</i> | <i>Maturity</i> | <i>Original Balance</i> | <i>Outstanding Balance</i> | <i>Remaining Principal + Interest</i> |
|--|----------------------|-----------------|-------------------------|----------------------------|---------------------------------------|
| Government Activities (General Fund) | | | | | |
| 2015 Certificate of Obligation | 2.09% | 2025 | 1,485,000 | 320,000 | 326,688 |
| 2019 General Obligation Refinancing Bond | 3.00% | 2028 | 1,285,000 | 585,000 | 624,285 |
| Total | | | 2,770,000 | 905,000 | 950,973 |
| Business Type Activities (Water/Wastewater) | | | | | |
| 2018 Combination Tax &Revenue Bond | 3.00-4.00% | 2038 | 6,075,000 | 5,755,000 | 7,786,050 |
| 2019 General Obligation Refinancing Bond | 3.00% | 2028 | 1,200,000 | 540,000 | 596,540 |
| Total | | | 7,275,000 | 6,295,000 | 8,382,590 |
| Total Long-Term Debt | | | 10,045,000 | 7,200,000 | 9,333,563 |

Balances as of September 30, 2023

Long Term Debt

The Capital Plan is a means for identifying projects that may be accomplished through the use of debt financing.

Long-term debt is an important financing source for capital projects that cannot be accommodated within the annual operating budget. The Capital Plan is a means for identifying projects that are candidates for debt financing.

The amount of annual debt service to be authorized is an important consideration in determining options for long term debt. Best practices recommend that annual debt service should range from 2% of operating revenues at the low end to no more than 10% of operating revenues at the high end. Below is the current year debt ratio calculation.

Debt Ratio Calculations

| Bond | | FY23-24 | | |
|--|--|----------------|-------------------|------------|
| | | Debt Service | Budgeted Revenues | Debt Ratio |
| Government Activities (General Fund) | | | | |
| 2015 Certificate of Obligation | | 165,016 | | |
| 2019 General Obligation Refinancing Bond | | 170,256 | | |
| Total | | 335,272 | 9,388,506 | 4% |
| Business Type Activities (Water/Wastewater) | | | | |
| 2018 Combination Tax & Revenue Bond | | 395,950 | | |
| 2019 General Obligation Refinancing Bond | | 158,994 | | |
| Total | | 554,944 | 6,639,678 | 8% |

Another factor when considering adding debt is the impact on the city bond rating. The current city rating from [S&P Global rating is AA+](#)

Projected Cash Needs

Below is a recap of the projected cash needs over the CIP period. These projections identify the point at which additional funds may be needed.

General Fund

| | | Budget | Projected Before Capital Improvements | | | | | |
|--------------------------|---------------------------|------------------|---------------------------------------|------------------|--------------------|--------------------|--------------------|--|
| | | FY23-24 | FY24-25 | FY25-26 | FY26-27 | FY27-28 | FY28-29 | |
| <i>CIP Fund Activity</i> | | | | | | | | |
| | Sales Tax - Street Mtce * | 380,000 | 380,000 | 380,000 | 380,000 | 380,000 | 380,000 | |
| | Other Receipts | 165,000 | - | - | - | - | - | |
| | CIP Plan Projects ** | (1,341,487) | (6,675,793) | (2,646,313) | (5,977,353) | (2,806,936) | (4,188,834) | |
| | Net Activity | (796,487) | (6,295,793) | (2,266,313) | (5,597,353) | (2,426,936) | (3,808,834) | |
| | Beginning CIP Funds | 3,350,660 | 4,379,173 | (91,620) | (532,933) | (4,305,286) | (4,907,222) | |
| | Transfers to CIP | 1,825,000 | 1,825,000 | 1,825,000 | 1,825,000 | 1,825,000 | 1,825,000 | |
| | Ending CIP Funds | 4,379,173 | (91,620) | (532,933) | (4,305,286) | (4,907,222) | (6,891,056) | |

*Values are based on an estimate of sales tax revenues

** Expenditures exclude potential expenditures for Police and/or City administrative facilities, general or road related drainage improvements, overruns, contingencies and emergencies.

Proprietary Funds

| | | | <i>Projected</i> | | | | | |
|---------------------------|--|-------------|------------------|----------------|----------------|----------------|----------------|----------------|
| | | | <i>FY23-24</i> | <i>FY24-25</i> | <i>FY25-26</i> | <i>FY26-27</i> | <i>FY27-28</i> | <i>FY28-29</i> |
| CIP Activity | | | | | | | | |
| Water Impact Fee Receipts | | 75,000 | - | | | | | |
| Grants | | 2,423,553 | - | | | | | |
| CIP Plan Projects * | | (3,876,368) | - | (1,373,880) | (5,016,250) | (415,916) | | - |
| Net Activity | | (1,377,815) | - | (1,373,880) | (5,016,250) | (415,916) | | - |
| Cumulative Net Need | | (1,377,815) | (1,377,815) | (2,751,695) | (7,767,945) | (8,183,861) | (8,183,861) | |

- Project expenditures exclude connection fee at Dillehay Pump Station

Refer to Appendix B for a projection of the activity and fund balances for the Plan period and recap of assumptions used in producing the projections.

Capital Planning Cycle

The Capital Planning Cycle is held in coordination with the Annual Budget Cycle.

In anticipation of the annual budget cycle the Mayor, City Council, and Staff will make the necessary updates to the CIP.

Summary

Approved and proposed projects, which an estimated cost has been assigned, totals (pg 13) \$32 million, net of grants and other outside sourced funds. Projects which have not been assigned an estimated cost includes funds needed for addressing the Police and/or Administrative facilities; Drainage Issues both of a general nature and/or those associated with street repairs; potential costs associated with connecting Dillehay Pump Station to NTMWD line and also exclude any potential contingencies, overruns or emergency needs that may arise. These excluded items could conceivably amount to \$15 million plus in additional costs bringing total funds needed to address all currently requested capital projects to \$47 million over a six-year period. Excluding the non-costed projects and utilizing the projected revenues and assumptions within this Plan and maintaining General Fund reserves of one year of operating costs the City would fall short by approximately \$12 million of having the resources to fund the listed Projects. If the non-costed Projects of conceivably \$15 million plus was added, it would bring the total potential short fall to \$27 million of which \$5 million would be attributable to the Proprietary Fund and \$22 million to the General Fund.

Appendix A

Capital Assets per the Audited Financial Statements as of September 30, 2023.

A summary of changes in governmental activities capital assets for the year end was as follows:

| | Beginning Balances | Increases | Decreases/ Reclassifications | Ending Balances |
|---|-----------------------|---------------------|---------------------------------|----------------------|
| Capital assets, not being depreciated: | | | | |
| Land | \$ 843,484 | \$ - | \$ - | \$ 843,484 |
| Construction in progress | 77,176 | - | - | 77,176 |
| Total capital assets not being depreciated | 920,660 | - | - | 920,660 |
| Capital assets, being depreciated/amortized: | | | | |
| Land improvements | 212,367 | - | - | 212,367 |
| Buildings and improvements | 2,616,328 | - | - | 2,616,328 |
| Vehicles and equipment | 3,631,707 | 241,928 | - | 3,873,635 |
| Infrastructure | 53,208,149 | 1,537,749 | - | 54,745,898 |
| Right-to-use leased assets | 277,248 | 85,891 | - | 363,139 |
| Total capital assets, being depreciated/amortized | 59,945,798 | 1,865,568 | - | 61,811,367 |
| Less accumulated depreciation/amortization: | | | | |
| Land improvements | (113,890) | (10,618) | - | (124,508) |
| Buildings and improvements | (1,035,221) | (61,183) | - | (1,096,404) |
| Vehicles and equipment | (2,541,487) | (433,431) | - | (2,974,918) |
| Infrastructure | (24,771,189) | (2,032,338) | - | (26,803,527) |
| Right-to-use leased assets | (196,856) | (51,173) | - | (248,029) |
| Total accumulated depreciation/amortization | (28,658,643) | (2,588,743) | - | (31,247,386) |
| Net capital assets being depreciated/amortized | 31,287,155 | (723,175) | - | 30,563,981 |
| Governmental Capital Assets | \$ 32,207,815 | \$ (723,175) | \$ - | \$ 31,484,641 |

A summary of changes in business-type activities capital assets for the year end was as follows:

| | Beginning Balances | Increases | Decreases/ Reclassifications | Ending Balances |
|--|-----------------------|---------------------|---------------------------------|----------------------|
| Capital assets, not being depreciated: | | | | |
| Land | \$ 323,666 | \$ - | \$ - | \$ 323,666 |
| Construction in progress | 6,140,345 | 59,922 | - | 6,200,267 |
| Total capital assets not being depreciated | <u>6,464,011</u> | <u>59,922</u> | <u>-</u> | <u>6,523,933</u> |
| Capital assets, being depreciated: | | | | |
| Water and sewer system | 23,752,566 | 1,628,831 | - | 25,381,397 |
| Vehicles and equipment | 162,131 | - | - | 162,131 |
| Total capital assets being depreciated | <u>23,914,697</u> | <u>1,628,831</u> | <u>-</u> | <u>25,543,528</u> |
| Less accumulated depreciation | | | | |
| Water and sewer system | (6,831,792) | (642,345) | - | (7,474,137) |
| Vehicles and equipment | (159,749) | (2,567) | - | (162,316) |
| Total accumulated depreciation | <u>(6,991,541)</u> | <u>(644,912)</u> | <u>-</u> | <u>(7,636,453)</u> |
| Net capital assets being depreciated | <u>16,923,156</u> | <u>983,919</u> | <u>-</u> | <u>17,907,075</u> |
| Total Capital Assets | <u>\$ 23,387,167</u> | <u>\$ 1,043,841</u> | <u>\$ -</u> | <u>\$ 24,431,008</u> |

Appendix B

Below is a projection of the General Fund activity for the Plan period and recap of assumptions used. No growth in the number of homes, assessed home value, or average home value was assumed with the intent to provide a conservative future fund projection.

| | | Budget | | Projected Before Capital Improvements | | | |
|---|--|----------------|----------------|--|----------------|----------------|----------------|
| | | FY23-24 | FY24-25 | FY25-26 | FY26-27 | FY27-28 | FY28-29 |
| <i>General Fund Financial Activity</i> | | | | | | | |
| Revenues | | 6,983,356 | 6,997,174 | 6,850,073 | 6,906,032 | 6,963,945 | 6,921,990 |
| Expenditures | | 5,148,923 | 5,358,197 | 5,409,607 | 5,674,692 | 5,952,897 | 6,142,979 |
| Expenditures | | 1,834,433 | 1,638,977 | 1,440,466 | 1,231,340 | 1,011,048 | 779,010 |
| Transfers In | | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 | 30,000 |
| Transfers Out | | (1,825,000) | (1,825,000) | (1,825,000) | (1,825,000) | (1,825,000) | (1,825,000) |
| Net Change in Fund Balance (Before CIP Activity) | | 39,433 | (156,023) | (354,534) | (563,660) | (783,952) | (1,015,990) |
| <i>General Fund Balance</i> | | | | | | | |
| Non Restricted Funds | | 6,904,507 | 6,748,484 | 6,393,949 | 5,830,289 | 5,046,337 | 4,030,347 |
| Expenses) | | 5,148,923 | 5,358,197 | 5,409,607 | 5,674,692 | 5,952,897 | 6,142,979 |
| Projected Growth | | | | | | | |
| # New Properties | | - | - | - | - | - | - |
| Assessed Value | | 0% | 0% | 0% | 0% | 0% | 0% |
| Average Home Value | | 0% | 0% | 0% | - | - | - |
| Expenses | | 5% | 5% | 5% | 5% | 5% | 5% |
| Other Revenues | | 3% | 3% | 3% | 3% | 3% | 3% |
| <i>Values and Related Tax</i> | | | | | | | |
| Assessed Value | | 1,698,917,381 | 1,698,917,381 | 1,698,917,381 | 1,698,917,381 | 1,698,917,381 | 1,698,917,381 |
| Average Home Value | | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 | 1,000,000 |
| Average Home Tax Burden | | 3,227 | 3,210 | 3,092 | 3,092 | 3,092 | 3,031 |
| % Change | | | | | | | |
| Tax Rate (NNR Projected) | | 0.322680 | 0.321036 | 0.309188 | 0.309174 | 0.309151 | 0.303121 |
| M&O | | 0.302978 | 0.303121 | 0.303121 | 0.303121 | 0.303121 | 0.303121 |
| I&S (adjusted w/ debt) | | 0.019702 | 0.017915 | 0.006067 | 0.006053 | 0.006030 | - |

Proprietary Fund activity for the Plan period and recap of assumptions used.

| | | Projected | | | | | |
|---|--|--|------------|------------|------------|------------|------------|
| | | FY23-24 | FY24-25 | FY25-26 | FY26-27 | FY27-28 | FY28-29 |
| Proprietary Fund Financial Activity | | <i>Projected before Capital Improvements</i> | | | | | |
| Revenues | | 6,008,200 | 6,571,580 | 7,189,988 | 7,868,880 | 8,614,257 | 9,432,720 |
| Water & Sewer | | 5,432,200 | 5,975,420 | 6,572,962 | 7,230,258 | 7,953,284 | 8,748,612 |
| Sanitation | | 576,000 | 596,160 | 617,026 | 638,621 | 660,973 | 684,107 |
| Expenses | | 5,265,717 | 5,792,289 | 6,371,518 | 7,008,669 | 7,709,536 | 8,480,490 |
| Operating Income | | 742,483 | 779,291 | 818,470 | 860,210 | 904,721 | 952,230 |
| Non-Operating Revenue(Expense) | | | | | | | |
| Income Before Transfers | | 742,483 | 779,291 | 818,470 | 860,210 | 904,721 | 952,230 |
| Capital Contributions | | | | | | | |
| Transfers | | (80,000) | (80,000) | (80,000) | (80,000) | (80,000) | (80,000) |
| Change in Net Position | | 662,483 | 699,291 | 738,470 | 780,210 | 824,721 | 872,230 |
| Change in Net Investment In Capital Assets | | | | | | | |
| Net Change in Net Position (Restricted) | | 662,483 | 699,291 | 738,470 | 780,210 | 824,721 | 872,230 |
| Net Position (Restricted & Unrestricted) | | | | | | | |
| Ending | | 9,598,526 | 10,297,817 | 11,036,287 | 11,816,498 | 12,641,219 | 13,513,449 |
| Minimum Fund Balance (12 Mo Expenses) | | 5,265,717 | 5,792,289 | 6,371,518 | 7,008,669 | 7,709,536 | 8,480,490 |
| Remaining Funds | | 4,332,809 | 4,505,529 | 4,664,770 | 4,807,828 | 4,931,682 | 5,032,959 |
| Projected Growth | | | | | | | |
| Revenues | | | 3.5% | 3.5% | 3.5% | 3.5% | 3.5% |
| Water Rates | | | 10.0% | 10.0% | 10.0% | 10.0% | 10.0% |
| Expenses | | | 5.0% | 5.0% | 5.0% | 5.0% | 5.0% |
| Average Home Usage | | | | | | | |
| Purchased Water Usage | | | | | | | |
| Purchased Water Cost | | | | | | | |
| Depreciation | | | | | | | |
| Debt Service | | 556,478 | 554,945 | 552,645 | 551,755 | 551,452 | 550,539 |

Revision History

| | |
|--------------|-----------------|
| Revision 1.0 | Initial Release |
|--------------|-----------------|

From: [Randy Kercho](#)
To: [Patti Grey](#); [Amanda Noe](#)
Cc: [Lee Pettle](#)
Subject: Capital Improvement Plan
Date: Sunday, August 11, 2024 2:13:18 PM
Attachments: [CIP Revision 7_2_24.docx](#)
[CIP Revision 7_2_24 PDF.pdf](#)

Patti,

Attached is what I hope is a good copy of the CIP that you can use. It should state the copy is that of the Revised Plan on 7/2/24 which shows an adoption date of 4/23/24 and the footers on subsequent pages should reflect the revision date of 7/2/24. If what comes across to you shows that - then we are good to go.

I attached a Word & PDF version of it.

Randy



Council Agenda Item

| | | |
|----------------------------------|------------------------|---|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | Council |
| Fund Balance-before expenditure: | Prepared by: | City Secretary Scott Grey for Mayor Pettle |
| Estimated Cost: | <i>Date Prepared:</i> | March 20, 2025 |
| Exhibits: | <u>None</u> | |

AGENDA SUBJECT

UPDATE(S):

FM2551
 TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ)
 ENGINEERING REVIEW
 NOISE COMMITTEE
 LEWIS LANE
 CHAPARRAL INTERSECTION
 POST OFFICE/ZIP CODE
 DUBLIN ROAD WATERLINES
 NEWSLETTER
 DUBLIN PUMP STATION CONNECTION
 ANY ADDITIONAL UPDATES

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

| Approved by: | Enter Text Here | | |
|--------------------------------|--------------------------|-------|-------------------------|
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/28/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ xx /2025 |



Council Agenda Item

| | | |
|----------------------------------|------------------------|--|
| Budget Account Code: | Meeting Date: | See above. |
| Budgeted Amount: | Department/ Requestor: | City Council |
| Fund Balance-before expenditure: | Prepared by: | City Secretary Scott Grey for Mayor Pettle |
| Estimated Cost: | Date Prepared: | March 20, 2025 |
| Exhibits: | <u>None</u> | |

AGENDA SUBJECT

ACCEPTANCE OF DONATION(S) FOR POLICE, FIRE, AND CITY STAFF FOR THE RECORD (Each valued at between \$0 - \$1,000 [RES. NO. 2024-801])

Maryam Boroujerdi & Mohammad Massoudi donated 1 dozen Nothing Bundt Cakes Bundtinis valued at \$28 to City Staff.

Troy & Melissa Tierce donated a brownie tray valued at \$20 to the Police Department.

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

| Inter – Office Use | | | |
|--------------------------------|--------------------------|-------|-------------------------|
| Approved by: | Enter Text Here | | |
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/27/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ xx /2025 |



Council Agenda Item

| | |
|----------------------------------|---|
| Budget Account Code: | Meeting Date: See above. |
| Budgeted Amount: | Department/ Requestor: City Council |
| Fund Balance-before expenditure: | Prepared by: ACA/CS Scott Grey |
| Estimated Cost: | Date Prepared: March 20, 2025 |
| Exhibits: | Future Agenda Items – Work in Progress |

AGENDA SUBJECT

FUTURE AGENDA ITEMS

SUMMARY

Please review information provided.

POSSIBLE ACTION

City Council may direct staff to take appropriate action.

Inter – Office Use

| Approved by: | Enter Text Here | | |
|--------------------------------|--------------------------|-------|-------------------------|
| Department Head/ Requestor: | <i>Patti Scott Grey</i> | Date: | 03/27/2025 |
| Interim City Attorney: | <i>Catherine Clifton</i> | Date: | 03/28/2025 via Municode |
| Mayor | <i>Lee Pettle</i> | Date: | 03/ XX /2025 |

FUTURE AGENDA ITEMS

| | ITEM DESCRIPTION | CONTACT | Notes |
|--------------------------------|---|-----------------|---|
| 2025 | | | |
| Feb(Mar), May (July), Aug, Nov | Fire Department Quarterly Report | Miller | 4th Qtr - 2025 0225 CC Agenda - Done |
| Feb(Mar), May (July), Aug, Nov | Investment Quarterly Report | Savage | 4th Qtr 2024 - 2025 0225 CC Agenda - Done |
| | | | |
| | Mayor Pettle 2025 0324 Update | | Mayor Pettle 2025 0324 Update |
| April 1, 2025 | St Paul ILA | Clifton | |
| April 1, 2025 | Board/Commission appointments if not done | (Grey) Hull | P&Z - 2024 1217; ZBA (2025 0121; 0304); P&R (TBD) |
| April 1, 2025 | Resolution for Nominating procedures | Clifton | |
| April 1, 2025 | Pro Tem (CC advise) | Clifton | |
| April 1, 2025 | Dublin Road Water lines, phase 2 | Machado | |
| April 1, 2025 | Refer to P and Z zoning codes for SAD | Pettle/Kercho | |
| April 1, 2025 | Emergency Services District if ready | Clifton/Miller | |
| April 1, 2025 | Speed Limit on Chaparral (east to west) | Clifton/Price | |
| April 1, 2025 | Public Works building | Clifton/Machado | |
| April 1, 2025 | Records Retention Policy | Clifton/Grey | |
| April 1, 2025 | Annual records review | Clifton/Grey | |

FUTURE AGENDA ITEMS

| | ITEM DESCRIPTION | CONTACT | Notes |
|---------------|--|----------------|-------------------------------|
| April 1, 2025 | Any Plats ready | Machado | |
| April 1, 2025 | Any other ILAs ready | Clifton | |
| April 1, 2025 | Any resolutions ready | Clifton | |
| April 1, 2025 | Any NTMWD or water issues necessary (conservation plan, etc) | Clifton | |
| April 1, 2025 | Discussion on CIP plan, if time | Council | |
| | Mayor Pettle 2025 0324 Update | | Mayor Pettle 2025 0324 Update |
| TBD | Reception | | |
| | Mayor Pettle 2025 0324 Update | | Mayor Pettle 2025 0324 Update |
| | Presentation: | | |
| TBD | Justin Miller, FD on ESD | Miller | |
| TBD | Town Hall | | |
| | Workshop | | |
| April 1, 2025 | Personnel Manual | Council/Staff | |
| | Mayor Pettle 2025 0324 Update | | Mayor Pettle 2025 0324 Update |
| | Workshops: | | |
| TBA | city protocols | | |
| TBA | Comp plan with P and Z in progress | | 2025 0204 Workshop |

FUTURE AGENDA ITEMS

| | ITEM DESCRIPTION | CONTACT | Notes |
|-----|--|-------------------------|---|
| TBA | Departmental Reports | | |
| TBA | Training for Council, Boards/Commissions (Catherine) | | |
| TBA | Zoning Codes (SAD, Commercial/retail) | | |
| TBA | Public Works | | |
| TBA | Police | | |
| TBA | Personnel Manual | | 2024 1217 Workshop 1 (pgs 1-7); 2025 0107 (8-15); 2025 0121 (Sec. 1.8-2.1 [Medical Issues /ADA to social media]; 2025 0225; 2025 0304 |
| TBA | CIP | | |
| | Mayor Pettle 2025 0324 Update | | Mayor Pettle 2025 0324 Update |
| | Updates: | | |
| | 2551 | Machado | |
| | TCEQ | Mayor Pettle/CM Pilgrim | |
| | Engineering review (on agenda) | CM Noe/Machado/Sava | |
| | Noise Committee | CM Kercho | |
| | Lewis Lane (on agenda) | Clifton/Machado | |
| | Chaparral Intersection | Clifton/Machado/Prince | |
| | Post Office/zip code | Lynch | 2025 0218 Letter from Parker resident |

FUTURE AGENDA ITEMS

| | ITEM DESCRIPTION | CONTACT | Notes |
|---------------|--|-----------------|---|
| | Water lines on Dublin Road | Clifton/Machado | |
| | Newsletter | | |
| | Mayor Pettle 2025 0324 Update | | Mayor Pettle 2025 0324 Update |
| | Future Agenda Items | | |
| TBD | Southridge gate 2025 | | |
| TBD | Procedural Manual | | |
| April 1, 2025 | Personnel Manual | | 2024 1217 Workshop 1 (pgs 1-7); 2025 0107 (8-15); 2025 0121 (Sec. 1.8-2.1 [Medical Issues /ADA to social media]; 2025 0225; 2025 0304 |
| TBD | Procedures for Presentations | | |
| TBD | Procedures for agendas | | |
| TBD | Procedures for Council i.e. green cards, time limits, etc. | | |
| TBD | Employment :Required time with city for paid training | | |
| TBD | water impact fees (July 2025) | | |
| TBD | CIP updates (April/May 2025) | | |
| TBD | Microphones for Council Chambers, if not done | | |
| TBD | Public Works Building | | |
| TBD | Records retention policy | | |

FUTURE AGENDA ITEMS

| | ITEM DESCRIPTION | CONTACT | Notes |
|-----|--|----------------|--------------|
| TBD | Annual records review | | |
| TBD | Any plats | | |
| TBD | Any ILAs needed | | |
| TBD | St Paul ILA/agreement | | |
| TBD | Attorney appointment | | |
| TBD | City Administrator appointment | | |
| TBD | Sign ordinance revisions consideration | | |
| TBD | Noise Ordinance | | |
| TBD | Board/Commission appointments | | |
| TBD | Engineering RFQs, if not done | | |
| TBD | CCN Wylie when ready if needed | | |
| TBD | Randy Kercho if needed | | |
| TBD | Post office/zip code | | |
| TBD | Emergency Services District | | |