



Zoning Application

Anticipated Meeting Date: _____

P&Z: _____

City Council: _____

Application Type:

- Initial Zoning (Newly Annexed Property)
- Rezoning (Property Currently Zoned)
- Planned Development (PD)
- Conditional Use Permit (CUP)

Applicant Name: _____ Phone #: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Email: _____

Fax #: _____

Property Information

Physical Location of Property: _____
(General Location – approximate distance to nearest existing street corner)

Lot: _____ Block: _____

Current Zoning: _____

Current Legal Description of Property: _____

Acres: _____ Lots: _____ Units: _____

Property Owner: _____ Phone #: _____

Mailing Address: _____

City: _____ State: _____ Zip: _____

Email: _____

Fax #: _____

SUBMITTAL DEADLINE: 30 DAYS PRIOR TO P&Z MEETING DATE. All zoning applications must be advertised in the newspaper, and notices must be mailed to all property owners within 200 feet of the subject property. Please contact City staff for all submittal deadlines.

All applications must be COMPLETE before they will be scheduled for P&Z agenda. It is the applicant's responsibility to be familiar with, and to comply with, all City submittal requirements (in the Zoning & Subdivision Ordinances, and any separate submittal policies, requirements and/or checklists that may be obtained from City staff), including the number of plans to be submitted, application fees, etc. Please contact City staff in advance for submittal requirements.

All application materials must be delivered to the Community Development Department. Failure to submit all materials to the Community Development Department may result in delays scheduling the zoning application for a P&Z agenda. The City will invoice the applicant for all consulting fees (by City's Engineer, Attorney, etc.) above and beyond the initial fee schedule incurred for City review of this project.

Notice of Public Records: These records may become subject to public view under the Texas Public Information Act unless they are subject to an exception established in writing by the applicant at the time of filing.

I hereby certify that I am the Owner, or the duly authorized agent of the Owner (proof of authorization attached), for the purposes of this application, and that all information submitted herein is complete, true and correct to the best of my knowledge. I understand that submitting this application does not constitute approval, and incomplete applications will result in delays and possible denial.

Signed: _____ Title: _____ Date: _____

SUBSCRIBED AND SWORN TO before me, this the _____ day of _____, _____

Notary Public in and for the State of Texas: _____

[seal] _____ My Commission Expires On: _____

Community Development Department
 Physical: 101 East Aimee Street Mailing: PO Box 826
 Phone: 972-564-7386 Fax: 972-552-1538

**Planning Services Fee Schedule
(In effect February 1, 2008)**

Annexation Fee	None
Zoning Change	\$400
Zoning Change (Planned Developments)	
0 to 5 acres	\$400 + \$20/acre
5 to 20 acres	\$700 + \$20/acre
20 to 50 acres	\$1000 + \$20/acre
50 + acres	\$1300 + \$20/acre
Planned Development Amendment (Project Text only)	\$400 + \$20/acre
Planned Development Amendment (Concept Plan only)	\$700 + \$20/acre
Planned Development Amendment (Project text and concept plan)	\$1100 + \$20/acre
Conditional Use Permit (without site plan)	\$400
Conditional Use Permit (with site plan)	Same as zone change for Planned Developments
Site Plan (new and amended)	\$500 + \$20/acre
Site Plan (new and amended with engineering review)	\$1000 + \$20/acre
Civil Engineering Plans	\$1000 + \$20/acre
Renewal of Expired Civil Engineering Plans	\$500 + \$20/acre
Flood Study Review	\$500 (per review)
Traffic Impact Analysis without Modeling	\$500 (per review)
Traffic Impact Analysis with Modeling	\$1500 (per review)
Engineering/Inspection Fee	3% of public improvements construction costs (collected at time of engineering and public works pre-construction meeting. Project engineer must submit a sealed document indicating the cost of public improvements to the City Engineer.
Preliminary Plat	\$250 + \$15/lot

Final Plat	\$300 + \$20/lot
Replats	\$350 + \$20/lot
Minor Plat	\$300 + \$20/lot
Development Plat	\$300 + \$20/lot
Amended Plat	\$300 + \$20/lot
Vacating Plat	\$300
Waiver to Subdivision Regulations	\$250
Subdivision Name Change after Plat Recorded	\$500
Street Name Change after Plat Recorded	\$300 + Sign Costs
Recording Fees	\$50.00 per sheet (not per page) plus \$16.00 for 1st page of the Tax Certificate and \$4.00 each additional or part of page. Please make check payable to Laura Hughes, County Clerk.
BOA Application	\$500
Zoning Verification Letter (available in City format only)	\$25 Each
Comprehensive Plan/Zoning Ordinance/Subdivision Regulations/EDS:	
Paper Copy	\$75
CD	\$25
Color Maps – 11 x 17	\$5
All large maps-black and white	\$25
All large maps-color	\$50



Schedule of Development Application Deadlines - 2014
Community Development Department

Filing Deadline	P&Z Meeting Date	City Council Meeting Date
December 4, 2013	January 2, 2014	January 7, 2014
January 6	February 6	February 18
February 3	March 6	March 18
March 3	April 3	April 15
March 31	May 1	May 20
April 28	June 5	June 17
June 2	July 10	July 15
June 30	August 7	August 19
August 1	September 4	September 16
September 1	October 2	October 21
September 29	November 6	November 18
November 3	December 4	December 16
December 1, 2014	January 8, 2015	January 20, 2015

- All development applications are heard by both the Planning and Zoning (P&Z) Commission and City Council.
- Application submittal deadlines are 3pm on the date listed.
- Submission of plans by a particular submittal date does not guarantee automatic scheduling for a specific P&Z Commission meeting date.
- The P&Z Commission meets on the 1st Thursday each month at 6:30 pm in the Council Chambers, City Hall, 101 East Main Street, Forney, Texas.
- P&Z and City Council meetings are subject to cancellation at the discretion of the P&Z Commission and City Council.
- For questions contact Rashad Jackson, Planner at 972-564-7386 or e-mail at rjackson@cityofforney.org.



Community Development Department

STAFF STRONGLY RECOMMENDS A P RE-DEVELOPMENT MEETING BEFORE THE SUBMITTAL OF ANY APPLICATION FOR ZONING, REZONING, CONDITIONAL USE PERMIT (CUP), OR FOR A TEXT AMENDMENT TO A PROVISION(S) OF THE ZONING ORDINANCE.

Applications shall contain the following (all required items/information must be received by the Community Development Department in order for a concept plan or site plan application to be considered complete – incomplete submissions will not be reviewed until all deficient items and information have been received).

- An application form available in the Community Development Department.
- Verification that all taxes and assessments on the subject property have been paid.
- Payment of the appropriate fee.
- An accurate metes and bounds description of the subject property (or other suitable legal description).
- A survey (i.e., drawing) exhibit and other appropriate exhibits (i.e., site plans, maps, architectural elevations, information about proposed uses, etc.).
- A concept plan shall also be submitted along with any zoning request involving a Conditional Use Provision (CUP) request or the formation of a Planned Development (PD) district.

CONCEPT PLAN SUBMISSION REQUIREMENTS:

- **20 FOLDED** copies of the concept plan on 24" x 36" sheet, and drawn to a known engineering scale that is large enough to be clearly legible.
- **2** copies each (11" x 17" and 8.5" x 11") of the concept plan.
- **1** electronic copy (disk or CD) in **DWF** of the concept plan.
- **4** copies of the general layout for the required public improvements (water, wastewater, grading/storm drainage, streets, water quality, alleys, fire lanes and hydrants, etc.).
- Landscaping and irrigation plans (if necessary).
- Building façade (elevation) plans drawn to scale (if necessary).
- Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Community Development Department.

Procedures and Submission Requirements For Concept Plan Approval - Submission of an application for concept plan approval shall be preceded by a pre-application conference with the City. The concept plan shall be prepared by a qualified civil engineer, land planner, architect or surveyor, at a scale no smaller than one inch equals two hundred feet (1" = 200') and on sheets twenty-four inches by thirty-six inches (24" x 36"), and it shall show the following:

Community Development Department

1. A title block within the lower right hand corner of the concept plan with the proposed name of the project/subdivision, the name and address of the owner/developer and the land planner, engineer architect or surveyor responsible for the design or survey, the scale of the drawing (both written and graphic scale), the date the drawing was prepared, total site acreage, and the location of the property according to the abstract and survey records of Kaufman County, Texas;
2. A vicinity or location map that shows the location of the proposed development within the City (or its ETJ) and in relationship to existing roadways;
3. The boundary survey limits of the tract and scaled distances with north clearly indicated;
4. The names of adjacent subdivisions (or the name of the owners of record and recording information for adjacent parcels of unplatted land), including parcels on the other sides of roads, creeks, etc. The concept plan shall include a depiction of all contiguous holdings of the property owners, the existing/proposed uses of the subject property, a general arrangement of future land uses, including the approximate number of lots and any residential uses anticipated, and a generalized circulation plan for the subject property;
5. The existing zoning and existing/proposed uses on adjacent land; the location, width and names of all existing or platted streets or other public ways within or adjacent to the tract; any existing easements (with recording information); existing buildings; railroad rights-of-way; topography (contours at five-foot intervals) with existing drainage channels or creeks (including the 100-year flood plain, if applicable); any other important natural features (such as rock outcroppings, caves, wildlife habitats, etc.); all substantial natural vegetation; and adjacent political subdivisions, corporate limits, and/or school district boundaries;
6. Proposed strategies for tree preservation (showing individual trees or tree masses that will be preserved, and the techniques that will be used to protect them during construction);
7. The layout and width (right-of-way lines) of existing and proposed thoroughfares, collector streets and/or intersections, and a general configuration of proposed streets, lots and blocks, including proposed median openings and left turn lanes on future divided roadways (existing and planned driveways on the opposite side of divided roadways must also be shown for coordination and sharing of future median openings);
8. A general arrangement of land uses and buildings, including but not limited to proposed nonresidential and residential densities; building heights, square footages, massing, orientation, loading/service areas, recycling containers, compactors and dumpster enclosures, pedestrian walkways, and parking areas; any proposed sites for parks, schools, public facilities, public or private open space; flood plains/drainageways; and other pertinent development related features; and
9. The phasing of development (the anticipated order of development for the overall property).

APPROVAL PROCESS AND REVISIONS:

Pre-Application Conference - The applicant(s) shall avail themselves of the advice and assistance of the City officials, and shall consult early and informally with the staff before preparing a concept plan in order to save time, money and to avoid potential unnecessary delays.

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City Staff Review - Upon official submission of a complete application for concept plan, the City shall commence technical review of the development proposal by forwarding a copy of the application to development review team members (such as the City Manager, City Engineer, Planning Director, Building Official, Fire Chief, etc.). Development review team members shall review the application and shall ascertain its compliance with these and other applicable City regulations. Following City staff review of the plan and supporting documents, and following discussions with the applicant on any revisions deemed advisable and the kind and extent of improvements to be installed, the applicant shall resubmit additional copies of the corrected plan no later than ten (10) calendar days prior to the Planning and Zoning Commission meeting. Failure to resubmit corrected copies of the plan back to the City in time shall be cause for the staff to forward the plan application to the Commission as it was originally submitted rather than the corrected version (corrected copies of the plan resubmitted to the City less than ten days prior to the meeting date shall not be accepted or forwarded to the Commission). If, upon re-submission of the corrected plan to the City, the staff determines that the application is still incomplete or not correct (i.e., not ripe for consideration), the plan application shall be subject to denial.

Action By the Planning and Zoning Commission and the City Council - All concept plan applications shall be reviewed by the Planning and Zoning Commission, and if in conformance with the provisions of this Ordinance and all other applicable regulations and codes of the City, they shall then be considered for approval by the City Council.

The staff shall schedule consideration of the concept plan on the regular agenda of the Planning and Zoning Commission within thirty (30) calendar days after the submission is received (or, in the case of an incomplete submission, after the submission is deemed complete). The Planning and Zoning Commission shall review the concept plan and shall recommend approval, approval subject to certain conditions, or disapproval of the concept plan or site plan. If the Planning and Zoning Commission recommends approval (with or without conditions) of the plan, then it will be forwarded to the City Council for consideration. If the Planning and Zoning Commission recommends disapproval of a plan application, the Commission shall state such disapproval and the reasons therefore. The applicant or property owner may appeal such decision to City Council by filing a written Notice of Appeal to the staff no later than ten (10) calendar days after the date upon which the Commission denied the application. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The City Council shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date upon which the Notice of Appeal was filed. The City Council may change the decision of the Commission by a three-quarters (3/4) vote of the full City Council. The City Council may also, where appropriate, remand the concept plan application back to the Commission for reconsideration if it believes that there is a compelling reason to do so (such as the introduction of significant new facts or testimony, etc.). The City Council shall determine final approval or disapproval of all concept plan applications.

ZONING CASE PRESENTATION

The following suggestions are provided to assist in preparing your presentation before the Planning and Zoning Commission and City Council.

1. **Be brief and concise.** Use only the amount of time necessary to clearly state the facts related to the request. City Council allots 15 minutes to hear each side, pro or con, of a request. Therefore, you and those speaking on your behalf have a total of 15 minutes to present your case. An additional 2 minutes is allowed for rebuttal by the applicant. The

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Planning and Zoning Commission allots 20 minutes for the applicant to present the case, and the opposition also has 20 minutes to speak.

2. **Avoid repetition.** If you want to have other people speak on behalf of your request, each should have something to contribute to consideration of your case. It is preferable to have one spokesman, if possible, with others available to help answer questions and provide technical information.
3. **Section 10** sets forth that no change shall be made in these regulations or in the boundaries of the zoning district except:
 - To correct any error in the regulations or map, or
 - To recognize changed or changing conditions or circumstances in a particular locality, or
 - To recognize changes in technology, the style of living, or manner of conducting business.

In making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council shall consider the following factors:

- Whether the uses permitted by the proposed zoning change will be appropriate in the immediate area concerned, and their relationship to the general area and to the City as a whole;
- Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers and other utilities to the area;
- The amount of vacant land currently classified for similar development in the vicinity and elsewhere in the City, and any special circumstances which may make a substantial part of such vacant land unavailable for development;
- The recent rate at which land is being developed in the same zoning classification as the request, particularly in the vicinity of the proposed change;
- How other areas designated for similar development will be, or are likely to be, affected if the proposed amendment is approved; and,
- Any other factors which will substantially affect the public health, safety, morals or general welfare.

Presentations should keep these points in mind.

4. **Describe anticipated impacts**, negative and positive, of the requested zoning and proposed use on existing development and public facilities.
5. **Explain** what efforts (and results of meetings, if any were held) have been made between the applicant and nearby property owners to discuss the application.
6. **Visual aids** such as slides, maps, plans and photographs may be used to enhance your presentation. Make sure that they are clear and easy to view from a distance.

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4. **Describe anticipated impacts**, negative and positive, of the requested zoning and proposed use on existing development and public facilities.
5. **Explain** what efforts (and results of meetings, if any were held) have been made between the applicant and nearby property owners to discuss the application.
6. **Visual aids** such as slides, maps, plans and photographs may be used to enhance your presentation. Make sure that they are clear and easy to view from a distance.



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Each application for site plan approval shall contain the following (all required items/information must be received by the Community Development Department in order for a site plan application to be considered complete – incomplete submissions will not be reviewed until all deficient items and information have been received).

- An application form available in the Community Development Department.
- Verification that all taxes and assessments on the subject property have been paid.
- Payment of the appropriate fee.
- An accurate metes and bounds description of the subject property (or other suitable legal description).
- A survey (i.e., drawing) exhibit and other appropriate exhibits (i.e., site plans, maps, architectural elevations, information about proposed uses, etc.).

SITE PLAN SUBMISSION REQUIREMENTS:

- **20 FOLDED** copies of the site plan on 24" x 36" sheet, and drawn to a known engineering scale that is large enough to be clearly legible.
- **4** sets of the general layout for the required public improvements (water, wastewater, grading/storm drainage, streets, water quality, alleys, fire lanes and hydrants, etc.).
- Landscaping and irrigation plans (if necessary).
- Building façade (elevation) plans drawn to scale (if necessary).
- Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Community Development Department.
- Once DRC comments are addressed, additional copies will be required.

Procedures and Submission Requirements For Site Plan Approval - Submission of an application for site plan approval shall be preceded by a pre-application conference with the City. The site plan shall be prepared by a qualified civil engineer, land planner, architect or surveyor, at a scale no smaller than one inch equals two hundred feet (1" = 200') and on sheets twenty-four inches by thirty-six inches (24" x 36"), and it shall show the following:

1. A title block within the lower right hand corner of the site plan with the proposed name of the project/subdivision, the name and address of the owner/developer and the land planner, engineer architect or surveyor responsible for the design or survey, the scale of the drawing (both written and graphic scale), the date the drawing was prepared, total site acreage, and the location of the property according to the abstract and survey records of Kaufman County, Texas;
2. A vicinity or location map that shows the location of the proposed development within the City (or its ETJ) and in relationship to existing roadways;
3. The boundary survey limits of the tract and scale distances with north clearly indicated;

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4. The names of adjacent subdivisions (or the name of the owners of record and recording information for adjacent parcels of unplatted land), including parcels on the other sides of roads, creeks, etc. The site plan shall include a depiction of all contiguous holdings of the property owners, the existing/proposed uses of the subject property, a general arrangement of future land uses, including the approximate number of lots and any residential uses anticipated, and a generalized circulation plan for the subject property;
5. The existing zoning and existing/proposed uses on adjacent land; the location, width and names of all existing or platted streets or other public ways within or adjacent to the tract; any existing easements (with recording information); existing buildings; railroad rights-of-way; topography (contours at five-foot intervals) with existing drainage channels or creeks (including the 100-year flood plain, if applicable); any other important natural features (such as rock outcroppings, caves, wildlife habitats, etc.); all substantial natural vegetation; and adjacent political subdivisions, corporate limits, and/or school district boundaries;
6. Proposed strategies for tree preservation (showing individual trees or tree masses that will be preserved, and the techniques that will be used to protect them during construction);
7. The layout and width (right-of-way lines) of existing and proposed thoroughfares, collector streets and/or intersections, and a general configuration of proposed streets, lots and blocks, including proposed median openings and left turn lanes on future divided roadways (existing and planned driveways on the opposite side of divided roadways must also be shown for coordination and sharing of future median openings);
8. A general arrangement of land uses and buildings, including but not limited to proposed nonresidential and residential densities; building heights, square footages, massing, orientation, loading/service areas, recycling containers, compactors and dumpster enclosures, pedestrian walkways, and parking areas; any proposed sites for parks, schools, public facilities, public or private open space; flood plains/drainageways; and other pertinent development related features; and
9. The phasing of development (the anticipated order of development for the overall property).

APPROVAL PROCESS AND REVISIONS:

Pre-Application Conference - The applicant(s) shall avail themselves of the advice and assistance of the City officials, and shall consult early and informally with the City Planner and other applicable administrative officers before preparing a site plan in order to save time, money and to avoid potential unnecessary delays.

City Staff Review - Upon official submission of a complete application for site plan, the City shall commence technical review of the development proposal by forwarding a copy of the application to development review team members (such as the City Manager, City Engineer, City Planner, Building Official, Fire Chief, etc.). Development review team members shall review the application and shall ascertain its compliance with these and other applicable City regulations. Following City staff review of the plan and supporting documents, and following discussions with the applicant on any revisions deemed advisable and the kind and extent of improvements to be installed, the applicant shall resubmit additional copies of the corrected plan to the City Planner no later than ten (10) calendar days prior to the Planning and Zoning Commission meeting. Failure to resubmit corrected copies of the plan back to the City in time

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shall be cause for the City Planner to forward the plan application to the Commission as it was originally submitted rather than the corrected version (corrected copies of the plan resubmitted to the City less than ten days prior to the meeting date shall not be accepted or forwarded to the Commission). If, upon re-submission of the corrected plan to the City, the City Planner determines that the application is still incomplete or not correct (i.e., not ripe for consideration), the plan application shall be subject to denial.

Action By the Planning and Zoning Commission and the City Council - All site plan applications shall be reviewed by the Planning and Zoning Commission, and if in conformance with the provisions of this Ordinance and all other applicable regulations and codes of the City, they shall then be considered for approval by the City Council.

The City Planner shall schedule consideration of the site plan on the regular agenda of the Planning and Zoning Commission within thirty (30) calendar days after the submission is received (or, in the case of an incomplete submission, after the submission is deemed complete). The Planning and Zoning Commission shall review the site plan and shall recommend approval, approval subject to certain conditions, or disapproval of the site plan or site plan. If the Planning and Zoning Commission recommends approval (with or without conditions) of the plan, then it will be forwarded to the City Council for consideration. If the Planning and Zoning Commission recommends disapproval of a plan application, the Commission shall state such disapproval and the reasons therefore. The applicant or property owner may appeal such decision to City Council by filing a written Notice of Appeal to the City Planner no later than ten (10) calendar days after the date upon which the Commission denied the application. The Notice of Appeal shall set forth in clear and concise fashion the basis for the appeal. The City Council shall consider the appeal at a public meeting no later than thirty (30) calendar days after the date upon which the Notice of Appeal was filed. The City Council may change the decision of the Commission by a three-quarters (3/4) vote of the full City Council. The City Council may also, where appropriate, remand the site plan application back to the Commission for reconsideration if it believes that there is a compelling reason to do so (such as the introduction of significant new facts or testimony, etc.). The City Council shall determine final approval or disapproval of all site plan applications.



Residential Screening Plan Requirements

Community Development Department

GENERAL STANDARDS:

The following criteria and standards shall apply to screening walls and fences:

1. Where subdivisions are platted so that the rear or side yards of single-family or two-family residential lots are adjacent to an arterial thoroughfare (greater than sixty feet (60') in right-of-way width on the Thoroughfare Plan); a four (4) lane collector street; are separated from a thoroughfare by an alley; or back up to a collector or residential street, the developer shall provide, at his sole expense, screening according to the following alternatives and standards. All screening shall be adjacent to the right-of-way or property line and fully located on the private lot(s), including columns and decorative features. All forms of screening shall conform to the requirements of City ordinances and/or policies that govern sight distance for traffic safety.
2. Screening shall be provided in accordance with, and shall be constructed to, standards and criteria as set forth in the City's EDS and/or other related City code(s)/policy(s).
3. A maintenance easement five feet (5') in width shall be dedicated to the City on the private lot side and adjacent to the screening wall.
4. The screening wall shall be installed prior to the final acceptance of the subdivision. Landscape materials may be installed after the subdivision is accepted, upon approval of the City Manager (or designee), but in no case later than six (6) months following acceptance of the subdivision.
5. All plants (e.g., trees, shrubs, ground cover) shall be living and in sound, healthy, vigorous and growing condition, and they shall be of a size, fullness and height that are customary for their container/ball size (as per the latest edition of the "American Standard for Nursery Stock", by the American Association of Nurserymen, as may be amended).
6. All masonry, steel and/or aluminum screening wall/fence plans and details must be designed and sealed by a registered professional engineer, and must be approved by the City Planner.
7. Required wall heights, including spans between columns, shall be from at least six feet (6') and no more than eight feet (8'). Decorative columns, pilasters, stone caps, and other features may exceed the maximum eight-foot (8') height by up to eighteen inches (i.e., total maximum height of nine and one-half feet (9.5')), provided that such taller elements comprise no more than ten percent (10%) of the total wall length (in elevation view).
8. Screening fences/walls shall not be constructed parallel to and within any portion of a utility easement.

SCREENING PLAN SUBMISSION REQUIREMENTS:

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All masonry, steel and/or aluminum screening wall/fence plans and details must be designed and sealed by a registered professional engineer and shall contain the following minimum information:

- **5 FOLDED** copies of the screening plan on 24" x 36" sheet, and drawn to a known engineering scale of 1" = 100'.
- **2** copies each (11" x 17" and 8.5" x 11") of the screening plan.
- **1** electronic copy (disk or CD) in **DWF** of the screening plan.
- Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Community Development Department.



Building Facade (Elevation) Requirements

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Masonry Construction

This term shall be construed to mean that form of construction composed of brick, stone, decorative concrete block or tile, or other similar building units or materials (or combination of these materials) laid up unit by unit and set in mortar, and shall exclude wall area devoted to doors and windows. As applicable to meeting the minimum requirements for the exterior construction of buildings within each zoning district, this term shall include the following materials:

1. **Hard fired brick** (kiln fired clay or slate material, can include concrete brick if it is to the same ASTM standard for construction as typical hard fired clay brick; severe weather grade; minimum thickness of three inches when applied as a veneer; shall not include unfired or under fired clay, sand or shale brick);
2. **Stone** (includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all-weather stone that is customarily used in exterior building construction; may also include cast- or manufactured-stone product, provided that such product yields a highly textured, stone-like appearance, its coloration is integral to the masonry material and shall not be painted on, and it is demonstrated to be highly durable and maintenance-free; natural or man-made stone shall have a minimum thickness of three and five-eighths inches when applied as a veneer);
3. **Decorative concrete block** (highly textured finish, such as split-face, indented, hammered, fluted, ribbed or similar architectural finish; coloration shall be integral to the masonry material and shall not be painted on; minimum thickness of three and five-eighths inches when applied as a veneer; shall not include lightweight or featherweight concrete block or cinder block units); *does not qualify as "masonry construction" in the CBD and CBT zoning districts;*
4. **Concrete pre-cast or tilt-wall panels** (only allowed if a highly textured, architectural finish which is at least as textured in appearance and physically as face brick or stone; can be brick-like or stone-like in appearance; coloration shall be integral to the masonry material and shall not be painted on; shall not include smooth, untextured or inadequately textured finishes); *does not qualify as "masonry construction" in the CBD and CBT zoning districts;* and
5. **Glass blocks or tiles** (of the type customarily used in exterior building construction; shall not comprise more than 30% of any exterior wall surface, nor more than 20% of the building's total exterior on all wall surfaces combined; shall not be highly reflective or mirror-like finish); *does not qualify as "masonry construction" in the CBD and CBT zoning districts.*

The following materials shall not qualify nor be defined as "masonry construction" in meeting the minimum requirements for the exterior construction of buildings, unless specifically approved by the City Council on an approved site plan for single-family attached, multi-family, institutional, office, retail, commercial, industrial, or other non-residential structures. All single-family detached residential construction must adhere to the section as applicable:

6. **Stucco**, exterior plaster, adobe or mortar wash surface material;
7. **Exterior insulation and finish system (EIFS)**, acrylic matrix, synthetic plaster, or

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other similar synthetic material;

8. **Cementitious fiber board** siding (such as “Hardy Plank”, Hardy Board”, etc.);
9. **PVC** or other plastic-based siding material;
10. **Lightweight or featherweight concrete blocks** or cinder blocks; or
11. Any other cementitious product not listed above.

SUBMISSION REQUIREMENTS:

Façade Plans shall be prepared by a person knowledgeable in architectural building design (e.g., licensed architect) and shall contain the following minimum information:

A color and materials sample board shall be submitted along with the Façade Plan.

- Title block (located in the lower right hand corner) containing the proposed subdivision name with block and lot number, and preparation date.
- Scale (appropriate for level of detail).
- Legend, if abbreviations or symbols are used.
- Name, address and phone number of owner, applicant, and surveyor.
- Elevations of all four sides labeled North, East, South, and West with the front elevation designated as such.
- Designate color and materials location on elevations.
- Building outline with north arrow.
- Materials calculations table showing for each elevation.
 - Total surface area of each elevation
 - List of materials (including glazing) with square footage of each material per elevation and percentage of each material per elevation
- Building dimensions (if multiple heights are used, provide dimension for each)
- Provide estimated allowable wall mounted signage size for each elevation (show as a dashed box on the elevation)
- Add the following notes:
 - “This Façade Plan is for conceptual purposes only. All building plans require review and approval of the Building Inspection Department”
 - "All mechanical units shall be screened from public view"
 - “When permitted, exposed utility boxes and conduits shall be painted to match the building”
 - "All signage areas and locations are subject to approval by the Building Inspection Department"
 - “Roof access shall be provided internally, unless otherwise permitted by the Building Official”
- Cross sections of sight lines may be requested to verify screening of mechanical units.

Building Façade (Elevation) Requirements

Community Development Department

- Additional information as requested by staff to clarify the proposed development and compliance with minimum development requirements

ELEVATION PLAN SUBMISSION REQUIREMENTS:

- **5 FOLDED** copies of the Elevation Plan on 24" x 36" sheet and drawn to a known engineering scale that is large enough to be clearly legible.
- **2** copies each (11" x 17" and 8.5" x 11") of the Elevation Plan.
- **1** electronic copy (disk or CD) in **DWF** of the Elevation Plan.
- Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Community Development Department.



Landscape Plan Requirements

Community Development Department

GENERAL STANDARDS:

The following criteria and standards shall apply to landscape materials and installation:

- All required landscaped open areas shall be completely covered with living plant material. Landscaping materials such as wood chips and gravel may be used under trees, shrubs and other plants, but shall not comprise a significant portion of the total landscaped area.
- Plant materials shall conform to the standards of the approved plant list for the City of Forney (see Section 50 of the Comprehensive Zoning Ordinance for the approved plant list) and the current edition of the "American Standard for Nursery Stock" (as amended), published by the American Association of Nurserymen. Grass seed, sod and other material shall be clean and reasonably free of weeds and noxious pests and insects.
- Trees shall have an average spread of crown of greater than fifteen feet (15') at maturity. Trees having a lesser average mature crown of fifteen feet (15') may be substituted by grouping the same so as to create the equivalent of fifteen feet (15') of crown spread. Large trees shall be a minimum of three inches (3") in caliper (measured six inches (6") above the ground) and seven feet (7') in height at time of planting. Small trees shall be a minimum of one and one-half inch (1.5") in caliper and five feet (5') in height at time of planting.
- Shrubs not of a dwarf variety shall be a minimum of two feet (2') in height when measured immediately after planting. Hedges, where installed for screening purposes, shall be planted and maintained so as to form a continuous, unbroken, solid visual screen which will be six feet (6') high within three (3) years after time of planting (except for parking lot/headlight screens, which shall form a continuous, solid visual screen three feet high within two years after planting).
- Vines not intended as ground cover shall be a minimum of two feet (2') in height immediately after planting and may be used in conjunction with fences, screens, or walls to meet landscape screening requirements as set forth.
- Grass areas shall be sodded, plugged, sprigged, hydro-mulched and/or seeded, except that solid sod shall be used in swales, earthen berms or other areas subject to erosion.
- Ground covers used in lieu of grass in whole and in part shall be planted in such a manner as to present a finished appearance and reasonably completed coverage within one (1) year of planting.
- All required landscaped areas shall be equipped with an automatic, underground irrigation system with freeze- and moisture sensors to prevent watering at inappropriate times. Landscaped areas having less than ten (10) square feet in area may be irrigated by some other inconspicuous method. If appropriate xeriscape planting techniques are utilized, the City Council may waive the requirement for an underground irrigation system at the time of site plan approval. However, the landscaping shall be required to be maintained in a healthy, living and growing condition, and any irrigation devices shall not be visible from public streets or walkways.

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- Earthen berms shall have side slopes not to exceed 33.3 percent (three feet (3') of horizontal distance for each one foot (1') of vertical height). All berms shall contain necessary drainage provisions as may be required by the City's Engineer.

SUBMISSION REQUIREMENTS:

Landscaping plans shall be prepared by a person knowledgeable in plant material usage and landscape design (e.g., landscape architect, landscape contractor, landscape designer, etc.) and shall contain the following minimum information:

- Minimum scale of one inch (1") equals fifty feet (50'); show scale in both written and graphic form.
- Location, size and species of all trees to be preserved (do not use "tree stamps" unless they indicate true size and location of trees).
- Location of all plant and landscaping material to be used, including plants, paving, benches, screens, fountains, statues, earthen berms, ponds (to include depth of water), topography of site, or other landscape features
- Species and common names of all plant materials to be used
- Size of all plant material to be used (container size, planted height, etc.)
- Spacing of plant material where appropriate
- Layout and description of irrigation, sprinkler, or water systems including location of water sources
- Description of maintenance provisions
- Name and address of the person(s) responsible for the preparation of the landscape plan
- North arrow/symbol, and a small map showing where the property is located
- Date of the landscape plan

LANDSCAPE PLAN SUBMISSION REQUIREMENTS:

- **5 FOLDED** copies of the landscape plan on 24" x 36" sheet, and drawn to a scale of 1" = 100'.
- **5** copies each (11" x 17" and 8.5" x 11") of the landscape plan.
- **1** electronic copy (disk or CD) in **DWF** of the landscape plan.
- Any additional information/materials (such as plans, maps, exhibits, legal description of property, information about proposed uses, etc.) as deemed necessary by the Community Development Department.



CUP -- CONDITIONAL USE PROVISIONS

34b.1 PURPOSE AND INTENT:

- A. **Nature of Conditional Use** - A conditional use is a land use which, because of its unique nature, is compatible with the permitted land uses in a given zoning district only upon a determination that the external effects of the use in relation to the existing and planned uses of adjoining property and the neighborhood can be mitigated through imposition of certain standards and conditions. This Section sets forth the standards used to evaluate proposed conditional uses and the procedures for approving conditional use provision applications.
- B. **Permit Required** - No conditional use shall be established and no building permit shall be issued for any use designated as a conditional use within any zoning district until a conditional use provision (CUP) is issued in accordance with the provisions of this Section. An application for a conditional use provision shall be accompanied by a concept plan or a detailed site plan prepared in the manner described in Section 12. The concept plan or site plan shall illustrate the proposed use to be established, its relationship to adjoining properties, and how it meets the approval standards set forth in Section 34b.5.

34b.2 STATUS OF CONDITIONALLY PERMITTED USES:

The following general rules apply to all conditional uses:

- A. The designation of a use in a zoning district as may be permitted by CUP in Section 37 (Use Charts) of this Ordinance does not constitute an authorization or assurance that such use will be approved.
- B. Approval of a conditional use provision shall authorize only the particular use for which the CUP is issued.
- C. No use authorized by a conditional use provision shall be enlarged, extended or relocated, nor may the number of dwelling units be increased, unless an application is made for approval of a new conditional use provision in accordance with the procedures set forth in this Section and Section 10 of this Ordinance.
- D. Development of the use shall not be carried out until the applicant has secured all the permits and approvals required by these zoning regulations, the City Code of Ordinances, and any permits that may be required by regional, State or Federal agencies.

34b.3 APPLICATION FOR CONDITIONAL USE PROVISION:

- A. **Application Requirements** - An application for a conditional use provision may be submitted by the property owner or by the property owner's designated

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representative to the City. The application shall be accompanied by a concept plan or site plan prepared in accordance with the requirements of Section 12. If a base zoning district amendment is required or requested, such rezoning application shall accompany the application for a conditional use provision.

- B. **Subdivision Approval** - If the proposed use requires a division of land, an application for subdivision approval shall be submitted in conjunction with the application for a conditional use provision (see Subdivision Ordinance). Approval of the conditional use provision shall not become effective until final approval of the subdivision application provided that, if the land is to be divided and developed in phases, the approval of the conditional use provision shall take effect upon final plat approval of the phase of the subdivision containing the property on which the conditional use is to be located.

34b.4 PROCEDURES FOR CONDITIONAL USE PERMITS:

- A. **Planning & Zoning Commission Recommendation** - Upon receipt of the recommendation from the Director of Planning, the Planning and Zoning Commission shall conduct a public hearing in order to formulate its recommendations to the City Council on the conditional use provision application. Following the public hearing, the Planning and Zoning Commission shall recommend approval, approval subject to modification, or denial of the proposal to the City Council in accordance with Section 10. If the appropriateness of the use cannot be assured at the location, the Planning and Zoning Commission shall recommend denial of the application as being incompatible with existing uses or with other uses permitted by right in the district.
- B. **City Council Action** - The City Council shall be the final decision-maker on applications for conditional use provisions. Following a public hearing and in consideration of the Planning and Zoning Commission's recommendations, the City Council shall approve, modify or deny the proposal for a conditional use provision in accordance with Section 10. If the appropriateness of the use cannot be assured at the location, the application for conditional use provision shall be denied as being incompatible with existing uses or with other uses permitted by right in the district.

34b.5 STANDARDS:

- A. **Factors for Consideration** - When considering applications for a conditional use provision, the Planning and Zoning Commission in making its recommendation and the City Council in rendering its decision on the application shall, on the basis of the concept plan/site plan and other information submitted, evaluate the impact of the conditional use on, and the compatibility of the use with, surrounding properties and neighborhoods to ensure the appropriateness of the use at a particular location. The Planning and Zoning Commission and the City Council shall specifically consider the extent to which:
1. The proposed use at the specified location is consistent with the goals, objectives and policies contained in the adopted Comprehensive Plan;
 2. The proposed use is consistent with the general purpose and intent of the applicable zoning district regulations;

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3. The proposed use meets all supplemental standards specifically applicable to the use as set forth in Article V of this Ordinance;
 4. The proposed use is compatible with and preserves the character and integrity of adjacent development and neighborhoods and, as required by the particular circumstances, includes improvements or modifications either on-site or within the public rights-of-way to mitigate development-related adverse impacts, including but not limited to:
 - a. Adequate ingress and egress to property and proposed structures thereon with particular reference to vehicular and pedestrian safety and convenience, and access in case of fire;
 - b. Off-street parking and loading areas;
 - c. Refuse and service areas;
 - d. Utilities with reference to location, availability, and compatibility;
 - e. Screening and buffering, features to minimize visual impacts, and/or setbacks from adjacent uses;
 - f. Control of signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;
 - g. Required yards and open space;
 - h. Height and bulk of structures;
 - i. Hours of operation;
 - j. Exterior construction material and building design; and
 - k. Roadway adjustments, traffic control devices or mechanisms, and access restrictions to control traffic flow or divert traffic as may be needed to reduce or eliminate development-generated traffic on neighborhood streets.
 5. The proposed use is not materially detrimental to the public health, safety, convenience and welfare, or results in material damage or prejudice to other property in the vicinity.
- B. **Conditions** - In approving the application, the Planning and Zoning Commission may recommend, and the City Council may impose, such additional conditions (e.g., hours of operation, etc.) as are reasonably necessary to assure compliance with these standards and the purpose and intent of this Section, in accordance with the procedures in Section 10. Such additional conditions shall exceed the minimum standards contained herein or in any other applicable City code or ordinance, and they cannot, in effect, relax or grant relief from any of the City's minimum standards (see Subsection C below). Any conditions imposed shall be set forth in the

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ordinance approving the conditional use, and shall be incorporated into or noted on the concept plan or site plan for final approval. The City Manager (or his/her designee) shall verify that the plan incorporates all conditions set forth in the ordinance authorizing the conditional use, and shall sign the plan to indicate final approval. The City shall maintain a record of such approved conditional uses and the site plans and conditions attached thereto.

- C. **Prohibition on Waivers and Variances** - The foregoing additional conditions (i.e., standards of development for the CUP) shall not be subject to variances that otherwise could be granted by the Board of Adjustments, nor may conditions imposed by the City Council subsequently be waived or varied by the BOA. In conformity with the authority of the City Council to authorize conditional uses, the City Council may waive or modify specific standards otherwise made applicable to the use by this Ordinance, to secure the general objectives of this section; provided, however, that the City Council shall not waive or modify any approval factor set forth in Subsection A of this Section.

34b.6 EXPIRATION AND EXTENSION:

- A. A conditional use provision may be rescinded by the City Council, on its own motion and at its discretion, for failure to commence development or for failure to extend the time for performance for the concept plan or site plan approved along with the CUP ordinance (see Sections 10 and 12).

34b.7 AMENDMENT:

- A. No proposed or existing building, premise or land use authorized as a conditional use may be established, enlarged, modified, structurally altered, or otherwise changed from that approved in the conditional use provision, unless such amendment is authorized in accordance with the standards and procedures set forth in this section, and the conditional use provision and approved concept plan or site plan are amended accordingly.

34b.8 OTHER REGULATIONS:

- A. The Board of Adjustments shall not have jurisdiction to hear, review, reverse, or modify any decision, determination, or ruling with respect to the specific land use designated by any conditional use provision.

34b.9 USE REGULATIONS:

- A. Uses allowed by CUP are specified in Section 37 (Use Charts).

SECTION 42 EXTERIOR CONSTRUCTION AND DESIGN REQUIREMENTS

42.1 DEFINITIONS:

For the purpose of this Ordinance, the following definitions shall apply:

- A. Masonry Construction – This term shall be construed to mean that form of construction composed of brick, stone, decorative concrete block or tile, or other similar building units or materials (or combination of these materials) laid up unit by unit and set in mortar, and shall exclude wall area devoted to doors and windows. As applicable to meeting the minimum requirements for the exterior construction of buildings within each zoning district, this term shall include the following materials:
1. **Hard fired brick** (kiln fired clay or slate material, can include concrete brick if it is to the same ASTM standard for construction as typical hard fired clay brick; severe weather grade; minimum thickness of three inches when applied as a veneer; shall not include unfired or underfired clay, sand or shale brick);
 2. **Stone** (includes naturally occurring granite, marble, limestone, slate, river rock, and other similar hard and durable all-weather stone that is customarily used in exterior building construction; may also include cast- or manufactured-stone product, provided that such product yields a highly textured, stone-like appearance, its coloration is integral to the masonry material and shall not be painted on, and it is demonstrated to be highly durable and maintenance-free; natural or man-made stone shall have a minimum thickness of three and five-eighths inches when applied as a veneer);
 3. **Decorative concrete block** (highly textured finish, such as split-face, indented, hammered, fluted, ribbed or similar architectural finish; coloration shall be integral to the masonry material and shall not be painted on; minimum thickness of three and five-eighths inches when applied as a veneer; shall not include lightweight or featherweight concrete block or cinder block units); *does not qualify as "masonry construction" in the CBD and CBT zoning districts;*
 4. **Concrete pre-cast or tilt-wall panels** (only allowed if a highly textured, architectural finish which is at least as textured in appearance and physically as face brick or stone; can be brick-like or stone-like in appearance; coloration shall be integral to the masonry material and shall not be painted on; shall not include smooth, untextured or inadequately textured finishes); *does not qualify as "masonry construction" in the CBD and CBT zoning districts;* and
 5. **Glass blocks or tiles** (of the type customarily used in exterior building construction; shall not comprise more than 30% of any exterior wall surface, nor more than 20% of the building's total exterior on all wall surfaces combined; shall not be highly reflective or mirror-like finish); *does not qualify as "masonry construction" in the CBD and CBT zoning districts.*

The following materials shall not qualify nor be defined as "masonry construction" in meeting the minimum requirements for the exterior construction of buildings, unless specifically approved by the City Council on an approved site plan for single-family attached, multi-family, institutional, office, retail, commercial, industrial, or other non-residential structures. All single-family detached residential construction must adhere to the section as applicable.

6. Stucco, exterior plaster, adobe or mortar wash surface material;
 7. Exterior insulation and finish system (EIFS), acrylic matrix, synthetic plaster, or other similar synthetic material;
 8. Cementitious fiber board siding (such as "Hardy Plank", Hardy Board", etc.);
 9. PVC or other plastic-based siding material;
 10. Lightweight or featherweight concrete blocks or cinder blocks; or
 11. Any other cementitious product not listed above.
- B. Standard Masonry Construction – See "Masonry Construction".
- C. Original Townsite Area – In that area generally thought of as the City's original development and business area, certain standards specifically cited within the Zoning Ordinance, and possibly within other applicable City Codes, may differ from those required in newly developing areas of the City due to the original townsite's unique character and history (see the CBD and CBT zoning districts for development and redevelopment standards).

42.2 MINIMUM EXTERIOR CONSTRUCTION STANDARDS:

The standards and criteria contained within this subsection are deemed to be minimum standards and shall apply to all new building construction occurring within the City. (See subsection D for exceptions.)

A. Single-Family and Duplex Residential:

1. All single-family and duplex homes shall be of exterior fire-resistant construction, and shall have a minimum of 90% masonry construction, more-or-less equally distributed around all sides of the home, for the first story of the structure, and a minimum of 75% masonry construction, more-or-less equally distributed around all sides, for any additional story above the first floor.
2. Within the City of Forney's original townsite area (where neighborhood compatibility is an issue), all new single-family and duplex homes shall have a minimum of 50% standard masonry construction and at least an additional 30% cementitious fiber board "simulated wood siding", or other cementitious siding material, such that at least 80% of the total exterior surface of the home is covered with durable, low maintenance, masonry-like materials. The design and coloration of the home's exterior shall be, to the greatest extent possible, compatible with other nearby homes along the street, and shall complement and enhance the overall appearance of the neighborhood.
3. Areas of a home's façade that are devoted to windows, doors, covered porches or patios that have a minimum size of four feet (4') deep and eight feet (8') wide (i.e., 32 square feet), chimneys, breezeways or courtyards shall not be counted as "wall surface" when calculating the masonry requirement.

4. Concrete, concrete block or metal exterior construction is not permitted on any single-family or duplex residential structure.
5. Roof materials for a single-family or duplex structure shall be comprised of an architectural, laminated, dimensional composition shingle (30-year minimum), flat pan standing seam metal roofing (only with a factory baked-on muted color finish; no bright colors or natural-colored metal roofing allowed), or terra cotta or slate tile in muted colors. Minimum roof pitch shall be at least 8:12, unless otherwise stated in the applicable zoning district or PD ordinance.
6. All chimney stacks shall be 100 percent masonry. Masonry shall be construed to mean that form of construction composed of brick or stone, or combination of these two materials, synthetic stone/masonry, stucco or cementacious board.
7. The elevation of a single family or duplex structure (including any garage) facing the street shall contain at least one section of at least twenty (20%) percent of the total street elevation that is offset at least two (2) feet from the remainder of the street elevation. The plate line of the exterior wall facing the street shall contain at least one section of at least twenty (20%) percent of the total street elevation that is at least one (1) foot higher than the remainder of the plate line of the exterior wall facing the street.

B. Multi-Family and Single-Family Attached Residential:

1. All multi-family and single-family attached residential dwelling units shall be of exterior fire-resistant construction, and shall have a minimum of 90% masonry construction, more-or-less equally distributed around all sides of the home/building, for the first story of the structure, and a minimum of 75% masonry construction, more-or-less equally distributed around all sides, for any additional story above the first floor.
2. Areas of a façade that are devoted to windows, doors, covered porches or patios that have a minimum size of four feet (4') deep and eight feet (8') wide (i.e., 32 square feet), chimneys, breezeways or courtyards shall not be counted as "wall surface" when calculating the masonry requirement.
3. Concrete, concrete block, or metal exterior construction is not permitted on any multi-family or single-family attached residential structure.
4. Roof materials for a multi-family or single-family attached structure shall be comprised of laminated, dimensional composition shingle (25-year minimum), flat pan standing seam metal roofing (only with a factory baked-on muted color finish; no bright colors or natural-colored metal roofing allowed), or terra cotta or slate tile in muted colors. Minimum roof pitch shall be at least 6:12, unless otherwise stated in the applicable zoning district or PD ordinance, and except for "Santa Fe" (with a flat roof and highly articulated parapet that conceals the roof and any roof-mounted equipment), "Texas ranch house" (with low pitched roofs, large eaves/overhangs, rambling design), or other uniquely styled architecture.

C. Non-Residential and Institutional Buildings:

1. All non-residential and institutional buildings in any zoning district except LI shall have a minimum of 90% masonry construction, more-or-less equally distributed around all sides of the building, for the first story (i.e., below the first floor ceiling

plate), and a minimum of 80% for any story above one. In the LI zoning district only, any exterior façade of a non-residential or institutional building that faces, or is visible from, a public street shall have a minimum of 90% masonry construction, and all other façades shall be comprised of not less than 50% masonry construction.

2. Areas of a façade that are devoted to windows, doors, covered porches or stoops, breezeways or courtyards shall not be counted as “wall surface” when calculating the masonry requirement.
3. Metal exterior construction is prohibited on any non-residential structure or institutional structure which is located within any residential zoning district, save and except the following:
 1. Structures located on a through lot that both front and back onto a public street, with a rear façade located more than 1,000 feet from the public street, may use exterior construction on the rear façade upon approval of the Site Plan; and
 2. Structures within any non-residential zoning district may use metal on up to twenty percent (20%) of the façade as architectural accents upon approval of the Site Plan.

The use of any type of metal for exterior building construction shall be clearly shown on the Site Plan and shall only be allowed with Site Plan approval. The exterior finish of metal used in exterior construction shall be of a permanent, maintenance free nature such as a baked-on finish unless approved otherwise on the Site Plan. The use of corrugated, galvanized, aluminum-coated, zinc-coated, unfinished, or similar metal surfaces shall be prohibited unless approved otherwise on the Site Plan.

4. Any roof materials for a non-residential or institutional structure that are visible from a public street shall be comprised of laminated, dimensional composition shingle (25-year minimum), flat pan standing seam metal roofing (only with a factory baked-on muted color finish; no bright colors or natural-colored metal roofing allowed), or terra cotta or slate tile in muted colors. Minimum roof pitch shall be at least 6:12, unless otherwise stated in the applicable zoning district or PD ordinance, and except for flat-roofed structures that shall have a highly articulated parapet that conceals the roof and any roof-mounted equipment.
- D. Exemptions: The following structures are exempt from the masonry construction requirements outlined within this subsection:
1. Barns on property of one acre or more, provided that such barns are used solely for agricultural purposes (as distinguished from commercial purposes);
 2. Mobile homes and HUD-Code manufactured homes otherwise lawfully existing as of August 19, 2003 (the effective date of this Ordinance);
 3. Historic structures (with an “H” zoning designation);
 4. Accessory building in a single-family, duplex or single-family attached zoning district that has equal to or less than two hundred twenty-five (225) square feet of floor area;

5. Accessory building (of any size) in the Agricultural (AG) zoning district, or in a single-family, duplex or single-family attached zoning district that is within the City's original townsite area (shall be constructed of the same materials, colors and finishes as the main building on the lot, tract or site);
6. Temporary construction buildings, field offices, sales offices and temporary classroom or storage buildings for a public school only (provided that such facilities are legally permitted by the City for a specific period of time, and provided that they are completely removed from the premises upon expiration of the permit or upon completion of construction, whichever occurs first); and
7. Residential and non-residential structures legally in existence as of August 19, 2003 (the effective date of this Ordinance), and any additions to such structures that do not cumulatively exceed 20% of the original building size (as it existed on August 19, 2003). Such additions shall be allowed to be constructed of the same exterior materials as the original building.

E. Accessory Buildings:

1. In the Agricultural ("AG") zoning district, or in a single-family, duplex or single-family attached zoning district that is within the City's original townsite area – See Subsection D.5. under "Exceptions" above.
2. In a single-family, duplex or single-family attached zoning district (but not within the City's original townsite area) – Accessory buildings that have over two hundred twenty-five (225) square feet of floor area shall conform to the minimum exterior construction standards for the main building on the lot, tract or site, and shall be compatible in exterior finishes and colors as the main building.
3. In a multi-family or non-residential zoning district – Accessory buildings (any size) shall conform to the minimum exterior construction standards for the main building on the lot, tract or site, and shall be architecturally compatible in design and constructed of the same exterior finishes and colors as the main building.

F. Alternative Exterior Materials:

1. All written requests for alternative exterior building materials (including roof pitch and materials) shall be clearly noted and described in detail on a color façade plan that is submitted along with the site plan (for multi-family, single-family attached and non-residential structures only). The City may require submission of an actual sample(s) of the proposed exterior finish material(s) along with the façade plan and the site plan.
2. The Planning & Zoning Commission may recommend, and the City Council may approve, an alternative exterior construction material(s) if it is determined to be equivalent or better than the exterior materials otherwise required by this Subsection and by the City's Building Code as part of the site plan approval process.
3. Consideration for exceptions to the above exterior construction requirements shall be based only upon the following:
 - (1) Architectural design, creativity and innovation;
 - (2) Compatibility with surrounding structures;

- (3) Relative ease of maintenance of the material(s);
- (4) Long-term durability and weather-resistance of the material(s); and
- (5) Long-term stability in property value due to the high quality of the material(s).