1945 E. Jackson Road Carrollton, TX 75006



## **REGULAR WORKSESSION & MEETING**

Tuesday, May 20, 2025

5:45 PM

**CITY HALL, 2nd Floor** 

# **City Council**

Mayor Steve Babick
Mayor Pro Tem Richard Fleming
Deputy Mayor Pro Tem Christopher Axberg
Councilmember Jason Carpenter
Councilmember Andrew Palacios
Councilmember Nancy Cline
Councilmember Daisy Palomo
Councilmember Rowena Watters

## \*\*\*PRE-MEETING / EXECUTIVE SESSION\*\*\*

## 5:45 P.M. - COUNCIL BRIEFING ROOM

- 1. Receive information and discuss Agenda.
- **2.** Council will convene in **Executive Session** pursuant to Texas Government Code:
  - Section 551.071 for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
- **3.** Council will <u>reconvene in open session</u> to consider action, if any, on matters discussed in the Executive Session.

## \*\*\*WORKSESSION\*\*\*

- 4. Discuss Parks, Recreation And Open Space Master Plan.
- 5. Discuss Parks And Recreation Updates To City Ordinance.
- **6.** Mayor And Council Reports And Information Sharing.

## \*\*\*REGULAR MEETING 7:00 PM\*\*\*

**INVOCATION - Councilmember Daisy Palomo** 

PLEDGE OF ALLEGIANCE - Mayor Pro Tem Fleming

## **PRESENTATIONS**

7. Present A Proclamation Recognizing National Public Works Week.

#### **PUBLIC COMMENT**

8.

Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

## **CONSENT AGENDA**

(\*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)

### **MINUTES**

\*9.

Consider Approval Of The May 6, 2025 Regular Meeting Minutes.

## **CONTRACTS & AGREEMENTS**

\*10. Consider Authorizing The City Manager To Enter Into An Agreement With

Freeit Data Solutions, Through Texas DIR Purchasing Cooperative, For Backup Solution Annual Support And Maintenance Renewal In An

Amount Not To Exceed \$100,000.00.

\*11. Consider Authorizing The City Manager To Approve A Contract With 3D

Paving & Contracting, LLC For Whitlock Addition Street Reconstruction Ph

2 Project In An Amount Not To Exceed \$5,519,886.00.

\*12. Consider Authorizing the City Manager To Enter Into An Agreement With

Teague Nall And Perkins, Inc. Pursuant to RFQ 25-035 For Real Estate And Right-Of-Way Management Consulting Services In An Amount Not To Exceed \$150,000.00 Annually, For A Three-Year Total Contract Not To

Exceed \$450,000.00.

*13.	Consider Authorizing The City Manager To Approve A Contract For The				
	Purchase Of Two Ford F-250 Trucks From Sam Pack Five Star Ford Through				
An Interlocal Agreement With The BuyBoard Purchasing Cooperative					
Amount Not To Exceed \$134,777.72.					

- \*14. Consider Authorizing The City Manager To Approve A Contract For The Purchase Of One Ford E-450 Transit Van From Silsbee Ford Through An Interlocal Agreement With The State Of Texas Purchasing Cooperative In An Amount Not To Exceed \$126,666.10.
- \*15. Consider Authorizing The City Manager To Approve A Contract For The Purchase Of One F-250 Truck From Silsbee Ford Through An Interlocal Agreement With The TIPS Purchasing Cooperative In An Amount Not To Exceed \$112,984.85.
- \*16. Consider Authorizing The City Manager To Approve A Contract For The Purchase Of One Valve Maintenance Trailer From E.H.Wallachs Products Through An Interlocal Agreement With The BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$99,551.00.
- \*17. Consider Authorizing The City Manager To Execute An Amendment To The Contract with Global Payments Direct, Inc. And Its Subsidiary OpenEdge, LLC As A Sole Source Provider For Gateway And Credit Card Processing Services For Municipal Court Extending The Term For An Additional Three Years, For A Total Renewal Amount of \$300,000.00, Increasing the Total Contract To An Amount Not To Exceed \$550.000.00.

### **ORDINANCES**

\*18. Consider An Ordinance of the City Council of the City of Carrollton, Texas, Authorizing the Issuance of "City of Carrollton, Texas, General Obligation Bonds, Series 2025"; Levying a Continuing Direct Annual Ad Valorem Tax for the Payment of Said Bonds; Resolving Other Matters Incident and Related to the Issuance, Sale, Payment, and Delivery of Said Bonds; Establishing Procedures for the Sale and Delivery of the Bonds; Delegating Matters Relating to the Sale and Issuance of the Bonds to Authorized City Representatives; and Providing for an Effective Date.

\*19.

Consider An Ordinance Of The City Council Of The City Of Carrollton, Texas, Amending Chapter 133 Of The City Of Carrollton Code Of Ordinances By Revising And Adding Definitions, Revising Prohibited Activities In Parks, Revising Restrictions On The Use Of Motor Vehicles Within Parks, Revising Restrictions Regarding Alcohol In Parks, Creating A Parks Permit Process, Creating A Historic Landmark and Designation Process, And Creating An Adaptive Sports Accessibility Program.

### RESOLUTIONS

\*20. Consider A Resolution Accepting The Investment Officer's Quarterly Report

For Second Quarter Ended March 31, 2025.

\*21. Consider A Resolution Authorizing The City Manager To Enter Into A

Three-Year Contract Agreement With Southern Petroleum Laboratories, Inc. For Industrial Pretreatment Sampling And Analysis Services In An Amount Not To Exceed \$130,000.00 Annually, For A Total Amount Not To Exceed

\$390,000.00.

## **OTHER BUSINESS**

\*22. Consider Funding Of Community Juneteenth Event.

## **PUBLIC HEARING - INDIVIDUAL CONSIDERATION**

23. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To

Establish A Special Use Permit To Allow An Electricity Regulating Substation On An Approximately 9.11-Acre Lot For The (O-2) Office District And Located At The Southeast Corner Of King Arthur Boulevard And Old Denton Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP

2025-044 Oncor Substation.

24. Hold A Public Hearing To Consider An Ordinance Amending the Zoning On A

1.85-Acre Tract Zoned (LI) Light Industrial District With SUP-385 And Located At 1200 West Jackson Road To Establish A Planned Development District To Allow A Canopy Encroachment Into The Front Building Setback, To Create Development Standards. And To Provide Conceptual Plans:

Amending The Official Zoning Map Accordingly. Case No. PLZ 2025-061

Fujifilm.

25.

Hold A Public Hearing To Consider An Ordinance Amending The Text Of Various Sections Of The Comprehensive Subdivision Ordinance (CSO) To Amend, Add Or Delete Content And To Improve The General Organization Of The Amended Sections, Including Amendments To Article III. Procedures For Plat Approval, Section A. Procedures; Article IV. Administrative Plat; Article V. Preliminary Plat; Article VI. Final Plat, Section B. General Provisions; Article VIII. Miscellaneous Plats And Abandonments; And Article XI. Construction And Improvements, Section F. Screening Walls. Case No. PLST 2025-004 Comprehensive Subdivision Ordinance Text Amendments.

26.

Hold A Public Hearing To Consider An Ordinance Amending The Text Of The Comprehensive Zoning Ordinance (CZO) To Amend, Add Or Delete Content And To Improve The General Organization Of The Amended Sections, Including Amendments To Article 00.6. Table of Contents; Article II. Zoning Districts: Article V. Uses Of Land And Structures: Article XVII. (IP) Industrial Park; Article XVIII. (LI, HI) Light Industrial And Heavy Industrial Districts; Article XXIV. Off-Street Parking, Loading And Stacking **Regulations:** Article XXVIII. **Special Conditions** And **Development** Standards; And Article XXXIV. Definitions. Case No. PLZT 2024-144 Comprehensive Zoning Ordinance Text Amendments.

### **PUBLIC FORUM**

27.

Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

# REGULAR WORKSESSION & MEETING

### **ADJOURNMENT**

CERTIFICATE - I certify that the above agenda giving notice of meeting was posted on the bulletin board at the City Hall of Carrollton, Texas on the 16th day of May 2025 at 12:00pm.

Chloe Sawatzky
Chloe Sawatzky, City Secretary

This building is wheelchair accessible. For accommodations or sign interpretive services, please contact City Secretary's Office at least 72 hours in advance at 972-466-3001. Opportunities and services are offered by the City of Carrollton without regard to race, color, age, national origin, religion, sex or disability.

Pursuant to Section 551.071 of the Texas Government Code, the City Council reserves the right to consult in a closed meeting with its attorney and to receive legal advice regarding any item listed on this agenda. Further, the Texas Open Meetings Act, codified in Chapter 551 of the Texas Government Code, does not require an agenda posting where there is a gathering of a quorum of the City Council at a regional, state or national convention or workshop, social function, convention, workshop, ceremonial event or press conference. The City Secretary's Office may occasionally post agendas for social functions, conventions, workshops, ceremonial events or press conference; however, there is no legal requirement to do so and in the event a social function, convention, workshop, ceremonial event or press conference is not posted by the City Secretary's Office, nothing shall preclude a quorum of the City Council from gathering as long as "deliberations" within the meaning of the Texas Open Meetings Act do not occur.

FIREARMS PROHIBITED at City Council meetings pursuant to Texas Penal Code Sections 46.035(c) and 30.05.



1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7205

Agenda Date: 5/20/2025 Version: 1 Status: Work Session

In Control: City Council File Type: Work Session Item

Agenda Number: 4.

CC MEETING: May 20, 2025

**DATE:** May 6, 2025

TO: Erin Rinehart, City Manager

FROM: Scott Whitaker, Parks and Recreation Director

Chrystal Davis, Assistant City Manager

Discuss Parks, Recreation And Open Space Master Plan.



1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7209

Agenda Date: 5/20/2025 Version: 1 Status: Work Session

In Control: City Council File Type: Work Session Item

Agenda Number: 5.

CC MEETING: May 20, 2025

**DATE:** May 6, 2025

TO: Erin Rinehart, City Manager

FROM: Scott Whitaker, Parks and Recreation Director

Chrystal Davis, Assistant City Manager

Discuss Parks And Recreation Updates To City Ordinance.



1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 5231

Agenda Date: Version: 1 Status: Work Session

In Control: City Council File Type: Work Session Item

Agenda Number: 6.

Mayor And Council Reports And Information Sharing.



1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7222

Agenda Date: 5/20/2025 Version: 1 Status: Presentations

In Control: City Council File Type: Presentations

Agenda Number: 7.

**CC MEETING: May 20, 2025** 

**DATE:** May 15, 2025

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Present A Proclamation Recognizing National Public Works Week.



1945 E. Jackson Rd Carrollton TX 75006

## Agenda Memo

Agenda Date: Version: 1 Status: Public Forum

In Control: City Council File Type: Public Forum

Agenda Number: 8.

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1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7221

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type: Minutes

Agenda Number: \*9.

**CC MEETING: May 20, 2025** 

**DATE:** May 15, 2025

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider Approval Of The May 6, 2025 Regular Meeting Minutes.

## CARROLLTON CITY COUNCIL REGULAR MEETING AND WORKSESSION MAY 6, 2025

The City Council of the City of Carrollton, Texas convened in a Regular Meeting and Worksession on Tuesday, May 6, 2025 at 5:45 p.m. with the following members present: Mayor Steve Babick, Mayor Pro Tem Richard Fleming, Deputy Mayor Pro Tem Christopher Axberg, Councilmembers Nancy Cline, Jason Carpenter, Andrew Palacios, Daisy Palomo, and Rowena Watters. Also present were City Manager Erin Rinehart, Assistant City Manager Chrystal Davis, Assistant City Manager Shannon Hicks, City Attorney Meredith Ladd and City Secretary Chloe Sawatzky.

## 5:45 P.M. - COUNCIL BRIEFING ROOM

### \*\*\*PRE-MEETING \*\*\*

Mayor Babick called the meeting to order at 5:45 p.m. He advised that Executive Session would be convened at this time.

## 1. Receive information and discuss Agenda.

Agenda items were reviewed. Staff responded to Council's questions.

## \*\*\*EXECUTIVE SESSION\*\*\*

- 2. Council convened at 5:45 p.m. into Executive Session pursuant to Texas Government Code:
  - Section 551.071 for private consultation with the City Attorney to seek legal advice with respect to pending and contemplated litigation and including all matters on this agenda to which the City Attorney has a duty under the Texas Rules of Discipline and Professional Conduct regarding confidential communication with the City Council.
- 3. Council reconvened at 6:07 p.m. into Open Session to consider action, if any, on matters discussed in the Executive Session. No action was taken.

### \*\*\*WORKSESSION\*\*\*

Worksession began at 6:07 p.m. with Item 1. Item 4 followed.

## 4. Receive Legislative Update.

Larry Gonzalez, City of Carrollton legislative consultant presenting via videoconference, presented this update on the 89th Texas State Legislative Session. Current status of the following was reviewed:

- HB134: Re: sources of sales tax
- HB3187/SB1557: Re: powers of regional transportation authorities (DART funding)
- HB3169: Re: tax revenue from hotel and convention center projects
- SB673: Re: regulation of accessory dwelling units by political subdivisions
- HB1585: Re: areas of operation of housing financing corporations and exemption from certain taxes

- HB2695: Re: the use of social media in furtherance of an offense involving the delivery of a controlled substance; increasing criminal penalties
- SB878: Re: limitations on use of public money for certain economic development agreements or programs (Chapters 380 and 381 agreements)
- HB19: Re: issuance and repayment of debt by local governments
- SB924: Re: entities that provide cable services or video services
- SB1567: Re: authority of home-rule municipalities to regulate the occupancy of dwelling units

Discussion followed regarding the status of bills related to municipal elections being moved from May to November. Mr. Gonzales will provide an update. He will also confirm population limit in SB673.

## 5. Discuss LEED For Cities Gold Certification and Program.

Cory Heiple, Director of Environmental Services, presented this item. He advised that the City of Carrollton has been awarded the LEED For Cities Gold Certification. He advised that LEED is short for Leadership in Energy and Environmental Design. It was developed by the U.S. Green Building Council (USGBC). The certification program evaluates sustainability and resilience of cities based on data-driven performance across key categories. The recognition plaque will be presented later in the meeting.

Mr. Heiple explained that the city's efforts toward this certification began with the adoption of the City of Carrollton Sustainability Plan. Carrollton certified the entire city, 37 square miles, and it is one of only 140 U.S. cities that have already certified. He added that the process began with a grant from Bank of America and certification was accomplished with contributions from 20 city employees in 10 departments. Ten prerequisites were met and a minimum of 31 credits were required. Carrollton received 68 out of a possible 110 credits resulting in the Gold Certification. A 230-page report prepared by city staff was submitted to USGBC. He noted that the report includes potential areas of improvement (i.e., water usage.)

Mr. Heiple said that the case study is available on the USGBC website. Councilmember Carpenter inquired whether the Gold Certification is typical. Mr. Heiple advised that Silver Certification is more common.

# 6. Receive A Briefing On The Frankford Road Traffic Study Results And Recommendations.

Jonathan Wheat, Director of Engineering, presented this item. He advised that design is underway for the Frankford Road construction project located on the west side of Carrollton that includes 13 lanemiles of roadway. He advised the traffic study is complete and includes a recommendation to improve traffic at the Old Denton and Frankford interchange with a median shift that will provide extra stacking to turn left onto Old Denton. A temporary lane in the median will be created during construction in order to maintain four lanes of traffic as it is now. Mr. Wheat added that landscaping in the median will be replaced after construction. He noted that water and sewer in this area will be upgraded as part of the project.

In response to Councilmember Carpenter's question, Mr. Wheat advised that the traffic signal will be revised appropriately for the roadway changes. Mayor Babick stated that this project is part of the

2022 bond project and Denton County is subsidizing the project with \$7.8 million. Mr. Wheat stated that the first section of the project should be bid later this year with construction starting early next year.

Item 9 was addressed next.

## 7. Receive Update On LIV Golf Dallas 2025.

At the conclusion of the Regular Meeting the Work Session was reconvened at 8:06 p.m. with Item 7.

Christopher Szymczyk, Economic Development Manager, provided an update on the 2024 LIV Golf Tournament. He advised a few changes have occurred from the previous presentation to Council. He advised that on March 20<sup>th</sup> the Texas Event Trust Fund approved the City's application for funding in the amount of \$83,549. On May 2<sup>nd</sup>, the Governor's Office issued its guidelines regarding sources of funding for local shares, stating the funds can come from other sources.

James Clark, Vice President of Outlyr and Tournament Director, was present for questions. He advised that Outlyr will pay the City's portion that will then be paid to the state. As a result, the City will incur no financial risk for the tournament.

Councilmember Palomo asked about the school district being a benefactor of the tournament given the date (June) being after school is out for the year. Mr. Clark responded that he has a meeting with the principals this week to discuss it.

## 8. Receive A Briefing On The Floodplain Management And Mapping Project.

Jonathan Wheat, Director of Engineering, provided a brief update on the Floodplain Management Mapping Project. He stated that the Upper Indian Creek and Furneau Creek maps have been approved. He also reviewed the updated floodplain webpage on the City website.

Council Meeting concluded at 8:23 p.m.

## 9. Mayor And Council Reports And Information Sharing.

Council reviewed their recent activities and upcoming events.

Mayor Babick adjourned the Work Session at 7:01 p.m. following Item 9 to convene the Regular Meeting.

## \*\*\*REGULAR MEETING 7:00 P.M.\*\*\*

Mayor Babick called the Regular meeting to order at 7:09 p.m.

**INVOCATION** – Deputy Mayor Pro Tem Christopher Axberg.

PLEDGE OF ALLEGIANCE – Mayor Pro Tem Richard Fleming

**PRESENTATIONS** 

## 10. Present A Proclamation Naming May As Building Safety Month in Carrollton.

Mayor Babick read a proclamation recognizing May 2025 as Building Safety Month. He recognized the work done by the Development Services staff to ensure building safety in the City of Carrollton. The proclamation was presented to Brett King, Director of Development Services. Mr. King introduced other staff members, Thomas Wood, Senior Plans Examiner, and Oscar Frayre, Permit Technician.

# 11. Present LEED For Cities Gold-Level Certification Plaque To Mayor Steve Babick And Certificates To City Staff.

Jonathan Kraatz, Executive Director for the U.S. Green Building Council, Texas Chapter, provided a brief review of the process involved for the City to be granted the LEED Gold Certification. The plaque was presented to Mayor Babick and Cory Heiple, Environmental Services Director. Individual certificates were provided to City staff recognizing them for their contributions toward Carrollton receiving the LEED recognition.

In addition, Mayor Babick recognized Mr. Heiple and Ms. Novella Lando, Transportation Engineer, with Outstanding Performance Awards for their contributions toward the Sustainability Plan and the LEED Gold Certification. Mr. Heiple offered comments of appreciation and recognition for the staff, Council, and City leadership for their contributions.

## **PUBLIC COMMENT**

12. Hearing of any citizen/visitor on items listed on the regular meeting agenda. Citizens wishing to address the Council regarding items not on the posted agenda will be called to speak during the Public Forum.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Mayor Babick opened the public comment period for Consent Items 13-21 and Item 26.

Mary Forbes, 3000 Silverado Dr., spoke opposed to short-term rentals. [Item 26.] Joahim Morales, 2743 Timberleaf, spoke in support of short-term rental. [Item 26.] John Castaldi, 1425 Indian Springs, spoke in opposition to short term rentals. [Item 26.]

Public comment period was closed.

### **CONSENT AGENDA**

(\*All items marked with a single asterisk are part of a Consent Agenda and require no deliberation by the Council. Each Council member has the prerogative of removing an item from this agenda so that it may be considered separately. Contracts and agreements are available in the City Secretary's Office.)

Councilmember Palomo moved to approve Consent Agenda Items 13-21; second by Mayor Pro Tem Fleming. The motion was approved with a unanimous 7-0 vote.

### **MINUTES**

- \*13. Consider Approval Of The February 18, 2025 Regular Meeting Minutes.
- \*14. Consider Approval Of The April 15, 2025 Regular Meeting Minutes.

### **CONTRACTS & AGREEMENTS**

- \*15. Consider Authorizing The City Manager To Enter Into An Agreement With Siddons-Martin Emergency Group For The Purchase Of Fire Tools, Equipment, And Mounting Hardware Through an Inter-Local Agreement With Buy-Board In An Amount Not To Exceed \$59,000.00.
- \*16. Consider Authorizing The City Manager To Approve A Contract With Ratliff Hardscape Ltd. For Phase 2 Of The Plano Parkway Park Project In An Amount Not To Exceed \$919,930.00.
- \*17. Consider Authorizing The City Manager To Execute A Change Order To The Contract With Dallas Harmony Construction, LLC For Additional Repairs At Rosemeade Recreation Center Increasing The Contract By \$9,970.00, For A New Total Amount Not To Exceed \$411,970.00.
- \*18. Consider Authorizing The City Manager To Purchase Licensing And Maintenance From Harris Computer Systems In The Amount Of \$114,894.81 For A Two-Year Amount Not To Exceed \$247,023.84.

### RESOLUTIONS

- \*19. Consider A Resolution Authorizing The City Manager To Execute An Amendment To The Contract With Axon Enterprise, Inc, For Additional Tasers, Body Cameras And Software Licensing Services Increasing The Annual Expenditure To An Amount Not to Exceed \$595,549.00 For A Revised Contract Amount Not To Exceed \$5,622,294.
- \*20. Consider A Resolution Authorizing The City Manager To Negotiate And Execute A Professional Services Contract With Parkhill, Smith And Cooper, Inc. (DBA Parkhill), For Architectural And Engineering Services Related To The Oak Creek Tennis Center Addition Project In An Amount Not To Exceed \$643,000.00.
- \*21. Consider A Resolution Authorizing The City Manager To Negotiate And Execute An Economic Development Incentive Agreement With UEP, Inc., Establishing A Program Of Grants To The Company For Its Expansion At 2323 McDaniel Drive, In Amounts Equal To Fifty Percent (50%) Of Taxes Paid To The City On The Assessed New Value

Of Real Property And Business And Personal Property For A Maximum Term Of Five (5) Years, For A Total Incentive Amount Not To Exceed \$1,559,868.

### PUBLIC HEARING - INDIVIDUAL CONSIDERATION

22. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Amend SUP-417 Allowing A Used Car Dealer To Modify The Special Conditions, Restrictions, And Regulations, By Removing The SUP Expiration Date On An Approximately 3-Acre Tract Zoned (LI) Light Industrial District And Located At 3228 And 3232 Skylane Drive; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2025-053 SUP-417 Amendment.

Loren Shapiro, Planning Manager, advised this is a staff initiated request to remove the expiration date on a Special Use Permit for used auto sales. He provided a location/zoning map, noting that there are currently several other SUPs in place for used auto sales in the area. Mr. Shapiro explained that the City no longer issues Special Use Permits with expiration dates.

Mayor Babick opened and closed the public hearing with no one wishing to speak.

# Councilmember Cline moved to approve Item 22; second by Councilmember Palomo. The motion was approved with a unanimous vote of 7-0.

23. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Amusement Arcade (Excluding Adult Arcade) In An Approximately 3,400 Square Foot Space Zoned PD-45 For The (O-2) Office District And Located At 1012 Mac Arthur Drive, Suite 124; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2024-183 Claw Mania Kingdom Arcade.

Loren Shapiro, Planning Manager, advised this is an Arcade Special Use Permit request for a 3,400 square foot suite that will include 100 claw-type arcade machines. A location/zoning map was provided. He added that last month, the Council approved a zoning change for this site to Local Retail (LR-2). A conceptual site plan was provided. The hours of operation will be 11 a.m. to 10 p.m. Staff is recommending approval. Mr. Shapiro stated that one comment card in opposition was received.

Mayor Babick opened the public hearing with no one wishing to speak.

# Councilmember Palacios moved to approve Item 23; second by Councilmember Cline. The motion was approved with a unanimous vote of 7-0.

24. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow A Tattoo Parlor On An Approximately 0.9579-Acre Tract Zoned PD-045 For The (LR-2) Local Retail District And Located At 1016 West Trinity Mills Road, Suite 128; Amending he Official Zoning Map Accordingly. Case No. PLSUP 2024-196 Tattoo Parlor.

Loren Shapiro, Planning Manager, presented this item. He provided a conceptual floor plan that reflected Suite No. 128 as the location for this Specific Use Permit request. He advised that "microblading" is the primary use for this tattoo parlor. The hours of operation will be Tuesday-Saturday, 10

a.m. until 5:00 p.m. Mr. Shapiro advised that one comment card was received in support and one was received in opposition. Staff is recommending approval.

Councilmember Carpenter inquired as to why there is a distinction for a tattoo parlor with "microblading". Mr. Shapiro stated it is a type of tattoo. If approved, other tattoo parlors without "microblading" could operate there under this SUP in the future as well.

Deputy Mayor Pro Tem Axberg inquired whether there is an age restriction in the stipulations. Mr. Shapiro responded there is not an age restriction.

Mayor Babick opened and closed the public hearing with no one wishing to speak.

# Councilmember Palomo moved to approve Item 24; second by Councilmember Carpenter. The motion was approved with a unanimous vote of 7-0.

25. Hold A Public Hearing To Consider An Ordinance Amending Article V. Use Of Land And Structures By Adding A New Section D To Provide An Interim Prohibition Of The Application Or Issuance Of Special Use Permits For "Short-Term Rental" And "Bed And Breakfast" Uses In All Applicable residential Districts. PLZT 2025-074 CZO Text Amendments - STR and B&B Interim Prohibition.

Loren Shapiro, Planning Manager, stated this is an amendment to Article 5 of the Zoning Ordinance. Staff is presenting this for consideration due to an increase in resident property concerns regarding transient and vacation rental uses that infringe on the property rights of neighbors in the City of Carrollton. The City has had numerous speakers attend public meetings to express concerns about the increase in health, safety, and nuisance issues related to short-term rentals and bed and breakfasts. He stated that residents have stated that short-term rentals (STRs) and bed and breakfasts (B&Bs) disrupt their use of property due to unreasonable noise, excessive trash, disorderly conduct, and parking. Additionally, residents have stated that some STR and B&B occupants are less concerned than long-term residents with the impact of conduct at STR and B&B property on neighbors, due to the temporary nature of their occupancy and lack of community with the neighborhood.

Mr. Shapiro stated that in response to these concerns, City staff is recommending enacting a one-year prohibition on STRs and B&Bs process through a Special Use Permit (SUP). Seven items would be amended under Article 5. He reviewed the following:

The imposition of the prohibition will still allow the uses to operate under the following conditions.

a. Subject to Article 21 on Special Use Permits and Article 22 on Nonconformity, STRs and B&Bs are prohibited in dwelling units, dwellings, and residences. For purposes of this subsection only, nonconforming uses include those operating as an STR or B&B prior to February 7, 2023, pursuant to Ordinance No. 4127.

What does this mean?

New STRs and B&Bs are prohibited through the SUP process in dwelling units, dwellings and residences (including in residential districts).

b. Any STR or B&B that has been in operation subsequent to February 7, 2023, and prior to May 6, 2025, but has not received a special use permit, as anticipated in Ordinance

No. 4127, may be eligible to continue operating upon receipt of a temporary permit pursuant to the provisions of Chapter 100 of the Carrollton Code of Ordinances.

What does this mean?

This impacts operating STRs and B&Bs that do not have a Special Use Permit approved but have submitted a complete Planning application for an SUP requesting the use, since February 7, 2023 but before May 6, 2025. In this instance an operator would need to acquire a temporary permit during the one year prohibition period, subject to new interim permitting requirements that will be adopted in the City Code of Ordinances (Chapter 100).

c. An STR or B&B that has received a Special Use Permit or an STR or B&B that has non-conforming status, pursuant to Ordinance No. 4127, may continue to operate, as long as the operator remains in compliance with Chapter 97 of the Carrollton Code of Ordinances.

What does this mean?

STRs and B&Bs with non-conforming status may continue as long as the operations are in compliance with the current standards – Chapter 97 of the Code of Ordinances.

Mr. Shapiro stated that the one-year interim prohibition is necessary to provide interim provisions while prohibiting the application or issuance of a special use permit for short term rentals or bed and breakfasts, for approximately one year. The temporary restrictions would expire on May 5, 2026. An interim temporary permitting process will be in place during the prohibition period. The City shall conduct public outreach, collect data, and analyze information to determine permanent recommendations, due to community concerns about health and safety.

Councilmember Palomo inquired about "notice" to the neighbors under this proposal. City Attorney Meredith Ladd responded that there would be no SUP process so no notice would be given.

Mayor Babick opened the public hearing.

John Castaldi, 1425 Indian Springs, spoke in opposition to short term rentals.

Dave Watters, 2917 Cambridgeshire Dr, spoke in support of this item without the interim permitting process included.

Cards from residents in support but not speaking were received from:

Rick Jackson Kyle Teague Jim Wilson Patty Wilson

Mayor Babick closed the public hearing.

Councilmember Carpenter and Deputy Mayor Pro Tem Axberg spoke in favor.

Councilmember Carpenter moved to approve Agenda Item 25; second by Mayor Pro Tem Fleming. The motion was approved with a unanimous vote of 7-0.

### **ORDINANCES**

26. Consider An Ordinance Establishing Title IX, Chapter 100. - Temporary Short-Term Rental And Bed And Breakfast Permit During Interim Prohibition To Regulate Short-Term Rental And Bed And Breakfast Uses.

Councilmember Palacios moved to approve Agenda Item 26; second by Councilmember Carpenter. The motion was approved with a vote of 6-1. Councilmember Cline voted in opposition.

### **PUBLIC FORUM**

27. Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.

Mayor Babick opened the public forum.

Bob Ellerd, 1404 Brookside Dr: spoke requesting the carport design standards be revised

<u>Robert Houston, 1208 North Scope:</u> spoke requesting an increase in the amount of property tax exemption for homeowners over the age of 65.

There being no other speakers, Mayor Babick closed the public forum.

The Regular Meeting concluded at 8:03 p.m. Mayor Babick continued the Work Session with Item 7.

Council Meeting concluded at 8:23 p.m. following Work Session Item 8.

**ADJOURNMENT -** Mayor Babick adjourned the meeting at 8:23 p.m.

ATTEST:		
Chloe Sawatzky, City Secretary	Steve Babick, Mayor	



1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7190

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type:

Contracts/Agreements

Agenda Number: \*10.

CC MEETING: May 20, 2025

**DATE:** April 29, 2025

TO: Erin Rinehart, City Manager

**FROM:** Chris Chiancone, Chief Information Officer Chrystal Davis, Assistant City Manager

Consider Authorizing The City Manager To Enter Into An Agreement With Freeit Data Solutions, Through Texas DIR Purchasing Cooperative, For Backup Solution Annual Support And Maintenance Renewal In An Amount Not To Exceed \$100,000.00.

### **BACKGROUND:**

The City of Carrollton utilizes a next generation backup solution that stores our backups in an immutable (immune to ransomware) format and provides the City with reliable and tested restoration services. This solution also backs up our cloud environments and provides additional layers of security by scanning backups continuously for potential malicious files so that in the event of an attack such as ransomware, the restoration of data wouldn't result in restoring the malicious attack item.

The IT Department shopped the cooperative agreements to source the best pricing for this renewal. The best price and value was received from Freeit Data Solutions.

### FINANCIAL IMPLICATIONS:

The funds for these items are budgeted in the following Information Technology account:

ACCTG UNIT ACCOUNT BUDGET AMOUNT 151001 61350 \$100,000.00

A 10% contingency is built in due to the criticality of this product.

### STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends Council authorize the contract with Freeit Data Solutions for Backup Solution Support and Maintenance Renewal in the amount not to exceed \$100,000.00.



1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7204

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type:

Contracts/Agreements

Agenda Number: \*11.

CC MEETING: May 20, 2025

**DATE:** May 6, 2025

TO: Erin Rinehart, City Manager

**FROM:** Jonathan Wheat, P.E., Director of Engineering Shannon Hicks, P.E., Assistant City Manager

Consider Authorizing The City Manager To Approve A Contract With 3D Paving & Contracting, LLC For Whitlock Addition Street Reconstruction Ph 2 Project In An Amount Not To Exceed \$5,519,886.00.

### **BACKGROUND:**

This contract will provide for the reconstruction of five (5) streets in the Whitlock Addition Subdivision including Noble Avenue, E Alan Avenue, Norris Street, Faye Avenue, portions of Homer Street, and associated alleys. The project consists of approximately 6,000 LF of residential street pavement, 2,000 LF of alley pavement, and 530 LF of storm pipe. This project was a part of the 2018 Bond Election.

The duration of construction is 480 calendar days. Construction will be performed such that all of the streets will not be under construction at one time. Project signs will be placed at the entrances to the subdivision while it is under construction. All residents will be notified in writing regarding the construction schedule prior to the start of construction. Also, a neighborhood meeting with the homeowners and the contractor will be held prior to construction. Additional handouts will be distributed as required during the project.

### FINANCIAL IMPLICATIONS:

Twelve (12) bids were received on April 28, 2025. The low bid was submitted by Garrett Shields Infrastructure but was rejected for not complying with the bid instructions. The maximum bid amount for Project Mobilization/Demobilization was set at 5% of the contract amount. The bid submitted by Garrett Shields Infrastructure provided a mobilization cost that is 6.7% of their total fee. Because of this violation this bid has been rejected. The next lowest qualified bid, in the amount of \$5,259,886.00, was submitted by 3D Paving & Contracting, LLC. The Engineer's Estimate for the project was

\$6,484,016.70. 3D Paving & Contracting, LLC has performed several projects in Carrollton, most recently the Study & Jackson Rd Street Replacements. Funding is available in Account Unit 854460 (Streets Consolidated).

With this neighborhood reconstruction staff recommends the inclusion of a construction contingency. The construction contingency provides an expedient manner to accommodate unforeseen costs and minor additions in work common in all construction projects. Examples include unexpected conditions discovered during construction, and changes to design that were not possible during plan generation. All charges against contingency must be supported by detailed pricing information and approved by the City through a formal change order. However, having advanced Council authorization ensures that work progress is not impeded. The typical construction contingency for a project of this magnitude is 5% of the total contract amount. The construction contingency for the Whitlock Addition Street Reconstruction Ph 2 is recommended at 5% (original contract amount) or \$260,000.

### IMPACT ON COMMUNITY SUSTAINABILITY:

This project will support the City Council's strategic objectives and vision of building a community that families and businesses want to call home by:

Sustaining quality of life - Improvements in the subdivision should improve the appearance of the neighborhood which should promote residents to provide better upkeep of properties in the neighborhood.

Sustaining day-to-day operations - The replacement of substandard street pavement, water and sewer lines should reduce the need for non-scheduled or emergency repairs.

#### STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends award of the construction contract for the Whitlock Addition Street Reconstruction Ph 2 Project to 3D Paving & Contracting, LLC in the amount of \$5,519,886.00 (\$5,259,886.00 original proposal and \$260,000 (3%) construction contingency).

<b>Event Number</b>	ENG2025-03 Addendum 3	Organization	City of Carrollton Purchasing
<b>Event Title</b>	Whitlock Addition Street Reconstruction Ph	Workgroup	Engineering
<b>Event Description</b>	Improvement limits are within the Whitloc	Event Owner	Sandra Quiros
<b>Event Type</b>	Low Bid	Email	sandra.quiros@cityofcarrollton.com
Issue Date	4/9/2025 07:30:02 AM (CT)	Phone	
Close Date	4/28/2025 02:00:00 PM (CT)	Fax	

Responding Supplier	City	State	Response Submitted	<b>Lines Responded</b>	Response Total	
Garret Shields Infrastructure	Garland	TX	4/28/2025 01:02:36 PM (CT)	50	\$4,437,430.00	Rejected
3D Paving & Contracting Llc	coppell	TX	4/28/2025 10:26:49 AM (CT)	50	\$5,259,886.00	
McMahon Contracting L.P.	Grand Prairie	TX	4/28/2025 01:45:16 PM (CT)	50	\$5,410,052.17	
KIK Underground LLC	Lewisville	TX	4/28/2025 12:27:29 PM (CT)	50	\$5,423,199.55	
HQS Construction, LLC	Plano	TX	4/28/2025 01:33:01 PM (CT)	50	\$5,459,786.00	
Ratliff Hardscape, Ltd	Lewisville	TX	4/28/2025 12:19:05 PM (CT)	50	\$5,541,757.00	
Jim Bowman Construction Con	ու Plano	TX	4/28/2025 11:44:31 AM (CT)	50	\$5,975,836.25	
Tiseo Paving Company	Dallas	TX	4/28/2025 12:35:09 PM (CT)	50	\$6,057,343.05	
Aushill Construction, LLC	Plano	TX	4/28/2025 01:40:43 PM (CT)	50	\$6,080,470.00	
Apple Pavement Services	Dallas	TX	4/25/2025 08:12:20 PM (CT)	50	\$6,103,015.00	
Axis Contracting, Inc.	Dallas	TX	4/28/2025 10:35:02 AM (CT)	50	\$6,262,542.40	
Camino Construction	Lewisville	TX	4/28/2025 10:19:16 AM (CT)	50	\$7,500,089.00	

Please note: Lines Responded and Response Total only includes responses to specification. No alternate response data is included.

## Attachment A: Location Map





1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7211

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type:

Contracts/Agreements

Agenda Number: \*12.

CC MEETING: May 20, 2025

DATE: May 7, 2025

TO: Erin Rinehart, City Manager

FROM: Jonathan Wheat, P.E., Director-Engineering Shannon Hicks, P.E., Assistant City Manager

Consider Authorizing the City Manager To Enter Into An Agreement With Teague Nall And Perkins, Inc. Pursuant to RFQ 25-035 For Real Estate And Right-Of-Way Management Consulting Services In An Amount Not To Exceed \$150,000.00 Annually, For A Three-Year Total Contract Not To Exceed \$450,000.00.

## **BACKGROUND:**

The agreement with Teague Nall and Perkins ("TNP") is to provide as-needed Real Estate and Right-of-Way ("ROW") Management services. TNP will oversee the acquisition of real estate, primarily right-of-way and easement purchases, and will coordinate all necessary steps to complete transactions efficiently and in compliance with applicable laws and regulations.

On February 14, 2025, the City issued a request for qualifications (RFQ) for these services. Notifications were posted online, previous and interested vendors were contacted, as well as advertisements placed in the Dallas Morning News. Submissions were due on March 4, 2025. Twelve (12) vendors submitted qualification packets.

The Engineering Department reviewed and evaluated the submissions, ultimately selecting Teague Nall and Perkins based on criteria related to qualifications on similar projects, references and cost. The award will be for a one-year initial term. The award also includes two additional one-year renewal options, if mutually agreed upon by the City and the vendor, for a potential three-year total contract not to exceed \$450,000.00.

#### FINANCIAL IMPLICATIONS:

The services on RFQ #25-035 will be purchased from budgeted funds for various cost centers and amounts as required by capital projects and other departments. The accounts include, but are not

limited to, Streets (854460), Drainage (854560), Utilities (855160), Parks (854360), and Public Safety (854155).

## IMPACT ON COMMUNITY SUSTAINABILITY:

This project supports and aligns with the City Council's goals and objectives to manage infrastructure with fiduciary care.

## STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommend that City Council authorize the City Manager to enter into an agreement with Teague Nall and Perkins, Inc. pursuant to RFQ #25-035 for Real Estate and Right-of-Way Management Consulting Services in an amount not to exceed \$ 150,000.00 annually, for a three-year total of \$450,000.00.



1945 E. Jackson Rd Carrollton TX 75006

# **Agenda Memo**

File Number: 7217

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type:

Contracts/Agreements

Agenda Number: \*13.

CC MEETING: May 20, 2025

**DATE:** May 14, 2025

TO: Erin Rinehart, City Manager

FROM: Dwayne Bianco, Fleet and Facilities Director

Shannon Hicks, Assistant City Manager

Consider Authorizing The City Manager To Approve A Contract For The Purchase Of Two Ford F-250 Trucks From Sam Pack Five Star Ford Through An Interlocal Agreement With The BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$134,777.72.

#### **BACKGROUND:**

Fleet Services is recommending the purchase of two vehicles assigned to the Parks Department. The recommended purchase will consist of two Ford F-250 pickup trucks. The current vehicles in the fleet will be retired per Fleet's policy on age and maintenance. The average expected life span of these types of vehicles is ten years. The vehicles being replaced are both ten years old.

These trucks are used daily for transporting staff and towing trailers and equipment to and from job sites. Vehicles such as these are the basic backbone of the City's fleet. The recommended replacements are being made after discussions with operators and managers to properly align vehicle specifications with current business needs.

Staff recommends purchasing the vehicles with the bid from Sam Pack Five Star Ford through the BuyBoard cooperative purchasing agreement. This cooperative purchasing entity meets all state of Texas competitive bidding requirements. Use of cooperative purchasing agencies is allowed under Texas state law.

#### FINANCIAL IMPLICATIONS:

The trucks will be purchased from budgeted funds from the Fleet Replacement Fund.

**QUOTE:** 

Sam Pack Five Star Ford (via BuyBoard)

Ford F-250 Trucks (2) \$122,525.20 Contingency funds (if needed) \$12,252.52 Total \$134,777.72

## IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as these ensures that City employees have the resources necessary to do their job, which is a City Council strategic goal.

# STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to approve a contract for the purchase of two F-250 trucks from Sam Pack Five Star Ford in an amount not to exceed \$134,777.72 through an interlocal agreement with the BuyBoard purchasing cooperative. This amount includes a 10% contingency, if needed.

# **Carrollton Fleet Replacement Schedule May FY 24-25**

May 20, 2025	
Units Purchased	37
Purchases under 50k not needing council approval	12
Units Currently Being Presented to Council	5
Deferred Units	10
Approved ATB's*	8
Remaining Purchases Needed	9
Total	73

<sup>\*</sup>Addition to Base units are included in Total of 73



1945 E. Jackson Rd Carrollton TX 75006

# **Agenda Memo**

File Number: 7218

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type:

Contracts/Agreements

Agenda Number: \*14.

CC MEETING: May 20, 2025

**DATE:** May 14, 2025

TO: Erin Rinehart, City Manager

**FROM:** Dwayne Bianco, Fleet and Facilities Director Shannon Hicks, Assistant City Manager

Consider Authorizing The City Manager To Approve A Contract For The Purchase Of One Ford E-450 Transit Van From Silsbee Ford Through An Interlocal Agreement With The State Of Texas Purchasing Cooperative In An Amount Not To Exceed \$126,666.10.

#### **BACKGROUND:**

Fleet Services recommends the purchase of one Ford F-450 Transit van to replace the SWAT Rapid Deployment equipment van for the Police Department. The current unit is a 2005 Ford E-450, and it will be replaced based on the Fleet Replacement policy on age and maintenance.

The replacement unit will be built with specialty lighting, shelving and storage to carry the necessary tools and equipment to react quickly to regional emergency on-scene crime issues.

#### FINANCIAL IMPLICATIONS:

The vehicle will be purchased using previously approved budget funds in the Fleet Replacement Budget.

## **QUOTE:**

Silsbee Ford (via State of Texas Purchasing Cooperative): \$115,151.00
Contingency if needed: \$11,515.10
Total: \$126,666.10

## IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as these ensures that City employees have the resources necessary to do their job, which is a City Council strategic goal.

File Number: 7218

# STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommend City Council authorize the City Manager to approve a contract for the purchase of one Ford E-450 Transit van from Silsbee Ford in an amount not to exceed \$126,666.10 through an interlocal agreement with the State of Texas purchasing cooperative. This amount includes a 10% contingency if needed.

# **Carrollton Fleet Replacement Schedule May FY 24-25**

May 20, 2025	
Units Purchased	37
Purchases under 50k not needing council approval	12
Units Currently Being Presented to Council	5
Deferred Units	10
Approved ATB's*	8
Remaining Purchases Needed	9
Total	73

<sup>\*</sup>Addition to Base units are included in Total of 73





1945 E. Jackson Rd Carrollton TX 75006

# **Agenda Memo**

File Number: 7219

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type:

Contracts/Agreements

Agenda Number: \*15.

CC MEETING: May 20, 2025

**DATE:** May 14, 2025

TO: Erin Rinehart, City Manager

**FROM:** Dwayne Bianco, Fleet and Facilities Director Shannon Hicks, Assistant City Manager

Consider Authorizing The City Manager To Approve A Contract For The Purchase Of One F-250 Truck From Silsbee Ford Through An Interlocal Agreement With The TIPS Purchasing Cooperative In An Amount Not To Exceed \$112,984.85.

#### **BACKGROUND:**

Fleet Services is recommending the purchase of one vehicle assigned to the Animal Services Department. The recommended purchase will consist of one Ford F-250 pickup truck with a Hartstra service body. The current vehicle in the fleet will be retired per Fleet's policy on age, mileage and maintenance. The average expected life span of these types of vehicles is seven years. The vehicle being replaced eight years old.

These trucks are used daily for transporting staff, towing trailers and equipment and animal control patrol around the City. Vehicles such as these are the basic backbone of the City's fleet. The recommended replacement is being made after discussions with operators and managers to properly align vehicle specifications with current business needs.

Staff recommends purchasing the vehicle with the bid from Silsbee Ford through the TIPS cooperative purchasing agreement. This cooperative purchasing entity meets all state of Texas competitive bidding requirements. Use of cooperative purchasing agencies is allowed under Texas state law.

#### FINANCIAL IMPLICATIONS:

The truck will be purchased from budgeted funds from the Fleet Replacement Fund. The amount requested includes a 10% contingency fee for unforeseen price increases.

#### **QUOTE:**

Silsbee Ford (via TIPS)

 Animal Services Trucks (1)
 \$102,713.50

 Contingency Fee
 \$10,271.35

 Total
 \$112,984.85

## IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing vehicles such as this ensures that City employees have the resources necessary to do their job, which is a City Council strategic goal.

# STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to approve a contract for the purchase of one truck from Silsbee Ford in an amount not to exceed \$112,984.85 through an interlocal agreement with the TIPS purchasing cooperative.



# **Carrollton Fleet Replacement Schedule May FY 24-25**

May 20, 2025	
Units Purchased	37
Purchases under 50k not needing council approval	12
Units Currently Being Presented to Council	5
Deferred Units	10
Approved ATB's*	8
Remaining Purchases Needed	9
Total	73

<sup>\*</sup>Addition to Base units are included in Total of 73



1945 E. Jackson Rd Carrollton TX 75006

# **Agenda Memo**

File Number: 7220

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type:

Contracts/Agreements

Agenda Number: \*16.

CC MEETING: May 20, 2025

**DATE:** May 14, 2025

TO: Erin Rinehart, City Manager

**FROM:** Dwayne Bianco, Fleet and Facilities Director Shannon Hicks, Assistant City Manager

Consider Authorizing The City Manager To Approve A Contract For The Purchase Of One Valve Maintenance Trailer From E.H.Wallachs Products Through An Interlocal Agreement With The BuyBoard Purchasing Cooperative In An Amount Not To Exceed \$99,551.00.

#### **BACKGROUND:**

Fleet Services is recommending the purchase of one valve maintenance trailer for Public Works Department from E.H. Wachs valve maintenance supply. The trailer being replaced is used to do preventative maintenance on the thousands of water valves throughout the city. This trailer is being replaced based on the age, hours and maintenance. These trailers have an average life expectancy of 7 years. The trailer being replaced is 8 years old.

#### FINANCIAL IMPLICATIONS:

These units will be purchased from E.H. Wachs with budgeted funds through an interlocal purchasing agreement with BuyBoard purchasing cooperative. Use of purchasing cooperative agencies is allowed under Texas state law.

# **QUOTES:**

E.H. Wallace LX-VMT Trailer (via BuyBoard) \$ 90,500.95 Contingency (if needed) \$ 9,050.05 Total \$ 99,551.00

ACCOUNT UNIT ACCOUNT BUDGET AMOUNT

Water Fund Mobile Equipment \$ 99,951.00

File Number: 7220

## IMPACT ON COMMUNITY SUSTAINABILITY:

Purchasing equipment such as this ensures that City employees have the resources necessary to do their job, which is a Council strategic goal.

## STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council authorize the City Manager to enter into a contract for the purchase of one LX-VMT trailer from E.H. Wachs through an interlocal agreement with the BuyBoard purchasing cooperative in an amount not to exceed \$99,551.00. This amount contains 10% contingency if needed.



# **Carrollton Fleet Replacement Schedule May FY 24-25**

May 20, 2025	
Units Purchased	37
Purchases under 50k not needing council approval	12
Units Currently Being Presented to Council	5
Deferred Units	10
Approved ATB's*	8
Remaining Purchases Needed	9
Total	73

<sup>\*</sup>Addition to Base units are included in Total of 73



1945 E. Jackson Rd Carrollton TX 75006

# **Agenda Memo**

File Number: 7210

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type:

Contracts/Agreements

Agenda Number: \*17.

CC MEETING: May 20, 2025

**DATE:** May 2, 2025

TO: Erin Rinehart, City Manager

**FROM:** Diana K. Vaughn, Chief Financial Officer Chrystal K. Davis, Assistant City Manager

Consider Authorizing The City Manager To Execute An Amendment To The Contract with Global Payments Direct, Inc. And Its Subsidiary OpenEdge, LLC As A Sole Source Provider For Gateway And Credit Card Processing Services For Municipal Court Extending The Term For An Additional Three Years, For A Total Renewal Amount of \$300,000.00, Increasing the Total Contract To An Amount Not To Exceed \$550,000.00.

#### **BACKGROUND:**

The Municipal Court Department utilizes Incode, a Tyler Technologies, Inc solution, to provide full court case management and payment processing services critical to the department's operations. The Municipal Court collects approximately \$2.0 to \$2.3 million in fees through Incode's online and in person payment solutions via credit card payments.

In 2023, staff received council authorization to purchase five years of gateway and credit card processing services for Municipal Court from Global Payments Direct, Inc. (Global Payments) and its Subsidiary OpenEdge, LLC (OpenEdge) as a sole source provider in an amount not to exceed \$250,000. In the first year, staff processed 7,632 transactions, costing \$69,422. Currently, in year two, staff projects fees to more than double due to rate increases charged by the credit card companies (Visa, MasterCard, American Express), which are passed on to the City. Staff requested a rate analysis review seeking a reduction in the rates that Global Payments can control. Global Payments has provided a proposal offering amended rates that requires a 36-month term extension from the date of execution of the amendment. Staff projects fees of approximately \$150,000 to complete the current year and then fees of up to \$100,000 annually with the amended rates for the next 36-month term.

#### FINANCIAL IMPLICATIONS:

Credit card fees are budgeted for the cost center and amount as listed below.

COST CENTER LINE ITEM BUDGET AMOUN
------------------------------------

141001 61805 \$ 150,000.00

## IMPACT ON COMMUNITY SUSTAINABILITY:

This project supports and aligns with the City Council's goals and objectives to leverage technology to improve our effectiveness and efficiency.

## STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends authorizing the City Manager to execute an amendment to the contract with Global Payments Direct, Inc. And Its Subsidiary OpenEdge, LLC as a sole source provider for gateway and credit card processing services for Municipal Court extending the term for an additional three years, for a total renewal amount of \$300,000.00, increasing the total contract to an amount not to exceed \$550,000.00.



1945 E. Jackson Rd Carrollton TX 75006

# **Agenda Memo**

File Number: 7200

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type: Ordinances

Agenda Number: \*18.

**CC MEETING: May 20, 2025** 

**DATE:** April 25, 2025

TO: Erin Rinehart, City Manager

FROM: Diana K. Vaughn, CFO

Chrystal Davis, Assistant City Manager

Consider An Ordinance of the City Council of the City of Carrollton, Texas, Authorizing the Issuance of "City of Carrollton, Texas, General Obligation Bonds, Series 2025"; Levying a Continuing Direct Annual Ad Valorem Tax for the Payment of Said Bonds; Resolving Other Matters Incident and Related to the Issuance, Sale, Payment, and Delivery of Said Bonds; Establishing Procedures for the Sale and Delivery of the Bonds; Delegating Matters Relating to the Sale and Issuance of the Bonds to Authorized City Representatives; and Providing for an Effective Date.

#### **BACKGROUND:**

The City plans to issue General Obligation Bonds, Series 2025 (the "Bonds") the week of June 9th via a competitive sale. The Bonds will be issued to fund approximately \$33,000,000 of capital projects approved by voters at the November 2022 election and pay the cost of issuing the Bonds. Funds are estimated to be allocated for street improvements in the amount of \$26,300,000; park improvements in the amount of \$5,700,000; and public safety improvements in the amount of \$1,000,000. Estimated costs of issuing the Bonds is \$375,000.

#### FINANCIAL IMPLICATIONS:

Issuance of the Bonds will assist the City in the continuation of the capital improvement program. The Bonds are tax-supported debt and will be subject to arbitrage law. All costs of issuance will be paid from the proceeds from the issuance of the Bonds.

#### IMPACT ON COMMUNITY SUSTAINABILITY:

This bond issuance supports and aligns with the City Council's goals and objectives to properly manage infrastructure with fiduciary care and improves the City's financial position and sustainability.

File Number: 7200

## STAFF RECOMMENDATION/ACTION DESIRED:

Consider An Ordinance of the City Council of the City of Carrollton, Texas, Authorizing the Issuance of "City of Carrollton, Texas, General Obligation Bonds, Series 2025"; Levying a Continuing Direct Annual Ad Valorem Tax for the Payment of Said Bonds; Resolving Other Matters Incident and Related to the Issuance, Sale, Payment, and Delivery of Said Bonds; Establishing Procedures for the Sale and Delivery of the Bonds; Delegating Matters Relating to the Sale and Issuance of the Bonds to Authorized City Representatives; and Providing for an Effective Date.

ORDINANCE NO.	
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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE ISSUANCE OF "CITY OF CARROLLTON, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2025"; LEVYING A CONTINUING DIRECT ANNUAL AD VALOREM TAX FOR THE PAYMENT OF SAID BONDS; RESOLVING OTHER MATTERS INCIDENT AND RELATED TO THE ISSUANCE, SALE, PAYMENT, AND DELIVERY OF SAID BONDS; ESTABLISHING PROCEDURES FOR THE SALE AND DELIVERY OF THE BONDS; DELEGATING MATTERS RELATING TO THE SALE AND ISSUANCE OF THE BONDS TO AUTHORIZED CITY REPRESENTATIVES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Carrollton, Texas (the "City Council"), hereby finds and determines that general obligation bonds approved and authorized to be issued at an election held on November 8, 2022 (the "Election") should be authorized to be issued at this time;

WHEREAS, a summary of the general obligation bonds authorized at the Election, including the principal amounts authorized and the amounts heretofore issued follows:

			Amounts	Amount	
Election		Amount	Previously	Being	Unissued
Date	Purpose	Authorized (\$)	Applied (\$)	Applied (\$)	Balance (\$)
11-8-2022	Street Improvements/Traffic Flow	102,450,000	30,995,000	*	*
11-8-2022	Public Safety Facilities	8,800,000	-	*	*
11-8-2022	Parks & Recreation Facilities	18,900,000	10,000,000	*	*
11-8-2022	Animal Shelter Facilities Improvements	4,800,000	-	*	*
11-8-2022	Trail Improvements	2,000,000	1,700,000	*	*

<sup>\*</sup> amounts to be provided in the Pricing Certificate (hereinafter referenced)

WHEREAS, the amounts being issued pursuant to this Ordinance and the amounts of unissued balances remaining to be issued subsequent to the issuance of the general obligation bonds issued pursuant to this Ordinance shall be provided in the Pricing Certificate;

**WHEREAS,** pursuant to Section 1371.001(4)(A), Texas Government Code, the City is an "issuer" for purposes of Texas Government Code, Chapter 1371, as amended; and

WHEREAS, the City Council shall, by this Ordinance, in accordance with the provisions of Texas Government Code, Chapter 1371, delegate to a Pricing Officer (hereinafter designated) the authority to determine certain terms, conditions, and other provisions of the bonds issued pursuant to this Ordinance, including the principal amount of bonds to be issued and the terms of sale thereof; and

WHEREAS, the City Council hereby finds and determines that (i) it is a public purpose and in the best interests of the City to authorize the issuance of the Bonds (hereinafter defined), in one or more series, for the purposes authorized by the Election and (ii) the terms of such Bonds shall be included in one or more pricing certificates (each a "Pricing Certificate") to be executed by the Pricing Officer, all in accordance with the authority conferred by Texas Government Code, Section 1207.007, as amended, and Texas Government Code, Chapter 1371, as amended;

# NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CARROLLTON, THAT:

# **SECTION 1**

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

# **SECTION 2**

Authorization - Series Designation - Principal Amount - Purpose - Bond Date. General obligation bonds of the City shall be and are hereby authorized to be issued, from time to time, in one or more series in the aggregate principal amount set forth in the Pricing Certificate to be designated and bear the title "CITY OF CARROLLTON, TEXAS GENERAL OBLIGATION BONDS, SERIES 2025", or such other designation as specified in the Pricing Certificate (herein referred to as the "Bonds"), to provide funds for the following purposes, all as provided in the Pricing Certificate and in accordance with the authority conferred by and in conformity with the Constitution and laws of the State of Texas, including Texas Government Code, Chapters 1331 and 1371, as amended:

- (1) for permanent public improvements and public purposes, to wit:
  - (A) designing, acquiring, constructing, maintaining, renovating, improving, repairing, extending, expanding, and enhancing streets, including thoroughfares, alleys, sidewalks, bridges, intersections, screening walls, and other public ways, participation in joint projects with federal, state, and local public entities and agencies, computerized signalization and monitoring equipment and other traffic controls, grade separations, street lighting, necessary or incidental utility relocation, and drainage improvements in connection with the foregoing and the purchase of land, easements, rights-of-way, and other real property interests necessary therefor,
  - (B) acquiring, constructing, improving, expanding, and equipping public safety facilities, including any needed land and rights-of-way therefor,
  - (C) renovating, constructing, developing, improving, expanding, furnishing, equipping park and recreational facilities, and acquiring any needed land and rights-of-way for park improvements, and
  - (D) designing, acquiring, constructing, renovating, improving, and equipping the City trails, including the trails at T.C. Rice Park (including passive and open space improvements), and acquiring lands, interests in lands, and rights-of-way related thereto (or as otherwise provided in the Pricing Certificate), and
- (2) to pay the costs and expenses of issuance.

# **SECTION 3**

Bond Date - Fully Registered Obligations - Terms. The Bonds shall be dated (the "Bond Date") as provided in the Pricing Certificate. The Bonds shall be issued as fully registered obligations, without coupons, and the Bonds (other than the Initial Bond(s), as defined and referenced in Section 9 hereof) shall be in denominations of \$5,000 or any integral multiple (within a Stated Maturity) thereof, shall be lettered "R" and numbered consecutively from one (1) upward and principal shall become due and payable on a date certain in each of the years and in amounts (the "Stated Maturities") and bear interest at the rate(s) per annum in accordance with the details of the Bonds as set forth in the Pricing Certificate.

The Bonds shall bear interest on the unpaid principal amounts from the date specified in the Pricing Certificate at the rate(s) per annum shown in the Pricing Certificate (calculated on the basis of a 360-day year consisting of twelve 30-day months). Interest on the Bonds shall be payable in each year, on the dates, and commencing on the date, set forth in the Pricing Certificate.

# **SECTION 4**

# Delegation of Authority to Pricing Officer.

- As authorized by Texas Government Code, Chapter 1371, as amended, the City's Chief (a) Financial Officer or City Treasurer (either, a "Pricing Officer") is hereby authorized to act on behalf of the City in selling and delivering the Bonds, from time to time, and carrying out the other procedures specified in this Ordinance, including determining whether the Bonds shall be issued in one or more series, and determining the terms, conditions, and other provisions of the Bonds; determining the aggregate principal amount of each series of Bonds, the aggregate principal amount to be issued, and the amounts to be issued from each proposition; determining the date of each series of the Bonds, any additional or different designation or title by which the Bonds shall be known; the price at which the Bonds of each series will be sold; the manner of sale (negotiated, privately placed or competitively bid); the years in which the Bonds will mature and the principal amount to mature in each year; the rate of interest to be borne by each such maturity; the date from which interest on the Bonds will accrue; the interest payment dates, the record date, and the price and terms upon and at which the Bonds shall be subject to redemption prior to maturity, including any mandatory redemption provisions; determination of the use of a book-entry-only securities clearance, settlement, and transfer system; designation of a paying agent/registrar (the "Paying Agent/Registrar"); whether to procure and, if so, the terms of any bond insurance applicable to the Bonds; the designation of one or more funds for the payment of the Bonds; and all other matters relating to the issuance, sale, and delivery of the Bonds, including any modification of the defeasance provisions contained in Section 13 hereof, the continuing disclosure undertaking contained in Section 32 hereof or such other provisions as may be required by the purchasers of the Bonds, all of which shall be specified in the Pricing Certificate, provided that the Bonds to be issued, prior to delivery, must have been rated by a nationally recognized rating agency for municipal securities in one of the four highest rating categories for long term obligations and:
  - (1) the aggregate original principal amount of the Bonds shall not exceed \$33,000,000;

- (2) the true interest cost rate for the Bonds shall not exceed 6.50%; and
- (3) the maximum maturity for the Bonds shall not exceed August 15, 2040.
- (b) The delegation made hereby shall expire if not exercised by the Pricing Officer within 180 days of the date hereof (the "Expiration Date"). Bonds sold pursuant to a Purchase Contract (hereinafter defined) executed on or before the Expiration Date may be delivered after such date. The Pricing Officer may exercise such delegation on more than one occasion during such time period. Bonds shall be sold to the purchaser(s)/underwriter(s) named in the Pricing Certificate (the "Purchasers"), at such price and with and subject to such terms as set forth in the Pricing Certificate and the Purchase Contract and may be sold by negotiated or competitive sale or by private placement. The Pricing Officer is hereby delegated the authority to designate the Purchasers, which delegation shall be evidenced by the execution of the Pricing Certificate.

The Pricing Certificate is hereby incorporated into and made a part of this Ordinance. Any finding, determination, or election made by a Pricing Officer relating to the issuance and sale of the Bonds and the execution of the Pricing Certificate and the Purchase Contract in connection therewith shall have the same force and effect as a finding, determination, or election made by the City Council.

To the extent that any of the terms and conditions or other matters determined by a Pricing Officer pursuant to the authority conferred by this Ordinance require or necessitate a change or modification in the text or form of this Ordinance to conform to such terms and conditions or other matters, the Pricing Officer is authorized to effect such change or modification.

# **SECTION 5**

Terms of Payment - Paying Agent/Registrar. The principal of, premium, if any, and the interest on the Bonds, due and payable by reason of maturity, redemption, or otherwise, shall be payable only to the registered owners or holders of the Bonds (hereinafter called the "Holders") appearing on the registration and transfer books maintained by the Paying Agent/Registrar, and the payment thereof shall be in any coin or currency of the United States of America, which at the time of payment is legal tender for the payment of public and private debts, and shall be without exchange or collection charges to the Holders.

The selection and appointment of the Paying Agent/Registrar for the Bonds shall be as provided in the Pricing Certificate. Books and records relating to the registration, payment, exchange, and transfer of the Bonds (the "Security Register") shall at all times be kept and maintained on behalf of the City by the Paying Agent/Registrar, all as provided herein, in accordance with the terms and provisions of a "Paying Agent/Registrar Agreement," substantially in the form attached hereto as **Exhibit B** and such reasonable rules and regulations as the Paying Agent/Registrar and the City may prescribe. The Pricing Officer is hereby authorized to execute and deliver such Paying Agent/Registrar Agreement in connection with the delivery of the Bonds. The City covenants to maintain and provide a Paying Agent/Registrar at all times until the Bonds are paid and discharged, and any successor Paying Agent/Registrar shall be a commercial bank, trust company, financial institution, or other entity qualified and authorized to serve in such

capacity and perform the duties and services of Paying Agent/Registrar. Upon any change in the Paying Agent/Registrar for the Bonds, the City agrees to promptly cause a written notice thereof to be sent to each Holder by United States mail, first class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

The Bonds shall be payable at their Stated Maturities or upon their earlier redemption, only upon the presentation and surrender of the Bonds to the Paying Agent/Registrar at its designated offices provided in the Pricing Certificate (the "Designated Payment/Transfer Office"); provided, however, while a Bond is registered to Cede & Co., the payment thereof upon a partial redemption of the principal amount thereof may be accomplished without presentation and surrender of such Bond. Interest due on the Bonds shall be paid by the Paying Agent/Registrar to the Holders whose names appears in the Security Register at the close of business on the "Record Date" (which shall be set forth in the Pricing Certificate) and such interest payments shall be made (1) by check dated as of the interest payment date, sent United States mail, first class postage prepaid, to the address of the Holder recorded in the Security Register or (2) by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder. If the date for the payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the Designated Payment/Transfer Office of the Paying Agent/Registrar is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to be closed; and payment on such date shall have the same force and effect as if made on the original date payment was due.

In the event of a non-payment of interest on one or more maturities of the Bonds on a scheduled payment date, and for at least thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such past due interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each Holder of the Bonds appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

## **SECTION 6**

Registration - Transfer - Exchange of Bonds - Predecessor Bonds. A Security Register relating to the registration, payment, and transfer or exchange of the Bonds shall at all times be kept and maintained by the City at the Designated Payment/Transfer Office of the Paying Agent/Registrar, as provided herein and in accordance with the provisions of the Paying Agent/Registrar Agreement and such rules and regulations as the Paying Agent/Registrar and the City may prescribe. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name and address of each and every Holder of the Bonds issued under and pursuant to the provisions of this Ordinance, or if appropriate, the nominee thereof. Any Bond may be transferred or exchanged for Bonds of like maturity, and amount and in authorized denominations upon the Security Register by the Holder, in person or by his duly authorized agent, upon surrender

of such Bond to the Paying Agent/Registrar at its Designated Payment/Transfer Office for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender for assignment or transfer of any Bond (other than the Initial Bond(s) authorized in Section 9 hereof) for transfer at the Designated Payment/Transfer Office of the Paying Agent/Registrar, one or more new Bonds, executed on behalf of and furnished by the City, shall be registered and issued to the assignee or transferee of the previous Holder; such Bonds to be of authorized denominations, of like Stated Maturity, and of a like aggregate principal amount as the Bond or Bonds surrendered for transfer.

At the option of the Holder, Bonds (other than the Initial Bond(s) authorized in Section 9 hereof) may be exchanged for other Bonds of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Bonds surrendered for exchange, upon surrender of the Bonds to be exchanged at the Designated Payment/Transfer Office of the Paying Agent/Registrar. Whenever any Bonds are surrendered for exchange, the Paying Agent/Registrar shall register and deliver new Bonds, executed on behalf of and furnished by the City, to the Holder requesting the exchange.

All Bonds issued upon any such transfer or exchange of Bonds shall be delivered to the Holders at the Designated Payment/Transfer Office of the Paying Agent/Registrar or sent by United States mail, first class postage prepaid, to the Holders, and, upon the registration and delivery thereof, the same shall be the valid obligations of the City, evidencing the same obligation to pay and entitled to the same benefits under this Ordinance, as the Bonds surrendered in such transfer or exchange.

All transfers or exchanges of Bonds pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment by the Holder requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Bonds cancelled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be "Predecessor Bonds," evidencing all or a portion, as the case may be, of the same obligation to pay evidenced by the new Bond or Bonds registered and delivered in the exchange or transfer therefor. Additionally, the term "Predecessor Bonds" shall include any mutilated, lost, destroyed, or stolen Bond for which a replacement Bond has been issued, registered, and delivered in lieu thereof pursuant to the provisions of Section 12 hereof, and such new replacement Bond shall be deemed to evidence the same obligation as the mutilated, lost, destroyed, or stolen Bond.

Neither the City nor the Paying Agent/Registrar shall be required to transfer or exchange any Bond called for redemption, in whole or in part, within forty-five (45) days of the date fixed for the redemption of such Bond; provided, however, such limitation on transferability shall not be applicable to an exchange by the Holder of the unredeemed balance of a Bond called for redemption in part.

## **SECTION 7**

<u>Book-Entry-Only Transfers and Transactions</u>. Notwithstanding the provisions contained in Sections 5 and 6 hereof relating to the payment and transfer/exchange of the Bonds, the City hereby approves and authorizes the use of "Book-Entry-Only" securities clearance, settlement, and transfer system provided by The Depository Trust Company ("DTC"), a limited purpose trust company organized under the laws of the State of New York, in accordance with the requirements and procedures identified in the current DTC Operational Arrangements memorandum, as amended, the Blanket Issuer Letter of Representations, by and between the City and DTC, and the Letter of Representation from the Paying Agent/Registrar to DTC (collectively, the "Depository Agreement") relating to the Bonds.

In the event the Pricing Officer elects to utilize DTC's "Book-Entry-Only" System, which election shall be made by the Pricing Officer in the Pricing Certificate, pursuant to the Depository Agreement and the rules of DTC, the Bonds shall be deposited with DTC who shall hold said Bonds for its participants (the "DTC Participants"). While the Bonds are held by DTC under the Depository Agreement, the Holder of the Bonds on the Security Register for all purposes, including payment and notices, shall be Cede & Co., as nominee of DTC, notwithstanding the ownership of each actual purchaser or owner of each Bond (the "Beneficial Owners") being recorded in the records of DTC and DTC Participants.

In the event DTC determines to discontinue serving as securities depository for the Bonds or otherwise ceases to provide book-entry clearance and settlement of securities transactions in general or the City determines that DTC is incapable of properly discharging its duties as securities depository for the Bonds, the City covenants and agrees with the Holders of the Bonds to cause Bonds to be printed in definitive form and provide for the Bond certificates to be issued and delivered to DTC Participants and Beneficial Owners, as the case may be. Thereafter, the Bonds in definitive form shall be assigned, transferred, and exchanged on the Security Register maintained by the Paying Agent/Registrar, and payment of such Bonds shall be made in accordance with the provisions of Sections 5 and 6 hereof.

## **SECTION 8**

Execution - Registration. The Bonds shall be executed on behalf of the City by the Mayor or Mayor Pro Tem under the City's seal reproduced or impressed thereon and countersigned by the City Secretary. The signature of said officials on the Bonds may be manual or facsimile. Bonds bearing the manual or facsimile signatures of individuals who are or were the proper officials of the City on the date of the adoption of this Ordinance shall be deemed to be duly executed on behalf of the City, notwithstanding that such individuals or either of them shall cease to hold such offices at the time of delivery of the Bonds to the Purchasers and with respect to Bonds delivered in subsequent exchanges and transfers, all as authorized and provided in Chapter 1201, Texas Government Code, as amended.

No Bond shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Bond either a certificate of registration substantially in the form provided in **Exhibit A** hereto, executed by the Comptroller of Public

Accounts of the State of Texas, or his or her duly authorized agent, or a certificate of registration substantially in the form provided in **Exhibit A** hereto, manually executed by an authorized officer, employee or representative of the Paying Agent/Registrar, and either such certificate duly signed upon any Bond shall be conclusive evidence, and the only evidence, that such Bond has been duly certified, registered, and delivered.

## **SECTION 9**

Initial Bond(s). The Bonds herein authorized shall be initially issued either:

- (1) as a single fully registered bond in the aggregate principal amount of the Bonds with principal installments to become due and payable as provided in the Pricing Certificate and numbered T-1, or
- (2) as multiple fully registered bonds, being one bond for each year of maturity in the applicable principal amount and denomination and to be numbered consecutively from T-1 and upward (hereinafter called the "Initial Bond(s)") and, in either case, the Initial Bond(s) shall be registered in the name of the Purchasers or the designee thereof.

The Initial Bond(s) shall be the Bonds submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas, and delivered to the Purchasers. Any time after the delivery of the Initial Bond(s), the Paying Agent/Registrar, pursuant to written instructions from the Purchasers, or the designee thereof, shall cancel the Initial Bond(s) delivered hereunder and exchange therefor definitive Bonds of authorized denominations, Stated Maturities, principal amounts and bearing applicable interest rates for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the Purchasers, or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require.

# SECTION 10

Form of Bonds. The Bonds, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Registration Certificate of Paying Agent/Registrar, and the form of Assignment to be printed on each of the Bonds, shall be substantially in the forms set forth in **Exhibit A** hereto with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and, with the Bonds to be completed and modified with the information set forth in the Pricing Certificate, may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including insurance legends on insured Bonds and any reproduction of an opinion of counsel) thereon as may, consistently herewith, be established by the City or determined by the Pricing Officer.

The Pricing Certificate(s) shall set forth the final and controlling forms and terms of the Bonds. Any portion of the text of any Bonds may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Bond.

The definitive Bonds and the Initial Bond(s) shall be printed, lithographed, engraved, typewritten, photocopied, or otherwise reproduced in any other similar manner, all as determined by the officers executing such Bonds as evidenced by their execution thereof.

# **SECTION 11**

Levy of Taxes. To provide for the payment of the "Debt Service Requirements" of the Bonds, being (1) the interest on the Bonds and (2) a sinking fund for their redemption at maturity or a sinking fund of 2% (whichever amount is the greater) there is hereby levied, and there shall be annually assessed and collected in due time, form, and manner, a tax on all taxable property in the City, within the limitations prescribed by law, sufficient to pay the Debt Service Requirements of the Bonds as the same becomes due and payable; and such tax hereby levied on each one hundred dollars' valuation of taxable property in the City for the payment of the Debt Service Requirements of the Bonds shall be at a rate from year to year as will be ample and sufficient to provide funds each year to pay the principal of and interest on said Bonds while Outstanding (hereinafter defined); full allowance being made for delinquencies and costs of collection; the taxes levied, assessed, and collected for and on account of the Bonds shall be accounted for separate and apart from all other funds of the City and shall be deposited to the credit of a "Special 2025 General Obligation Bond Account" (the "Interest and Sinking Fund") maintained on the records of the City and deposited in a special fund maintained at an official depository of the City's funds; and such tax hereby levied, and to be assessed and collected annually, is hereby pledged to the payment of the Bonds.

PROVIDED, however, in regard to the payment to become due on the Bonds prior to the tax delinquency date next following the annual assessment of taxes levied which next follows the Bond Date, if any, sufficient current funds will be available and are hereby appropriated to make such payments; and the Mayor, Mayor Pro Tem, City Manager, Assistant City Manager, Chief Financial Officer, City Treasurer, and City Secretary of the City, individually or jointly, are hereby authorized and directed to transfer and deposit in the Interest and Sinking Fund such current funds which, together with the accrued interest, if any, received from the Purchaser, will be sufficient to pay the payments due on the Bonds prior to the tax delinquency date next following the annual assessment of taxes levied which next follows the Bond Date.

The Mayor, Mayor Pro Tem, City Manager, Assistant City Manager, Chief Financial Officer, City Treasurer, and City Secretary of the City, individually or jointly, are hereby authorized and directed to cause to be transferred to the Paying Agent/Registrar for the Bonds, from funds on deposit in the Interest and Sinking Fund, amounts sufficient to fully pay and discharge promptly each installment of interest and principal of the Bonds as the same accrues or matures or comes due by reason of redemption prior to maturity; such transfers of funds to be made in such manner as will cause collected funds to be deposited with the Paying Agent/Registrar on or before each principal and interest payment date for the Bonds.

# **SECTION 12**

<u>Mutilated – Destroyed - Lost and Stolen Bonds</u>. In case any Bond shall be mutilated, or destroyed, lost, or stolen, the Paying Agent/Registrar may execute and deliver a replacement Bond of like form and tenor, and in the same denomination and bearing a number not contemporaneously outstanding, in exchange and substitution for such mutilated Bond; and with respect to a lost, destroyed, or stolen Bond, a replacement Bond may be issued only upon the approval of the City and after:

- (1) the filing by the Holder with the Paying Agent/Registrar of evidence satisfactory to the Paying Agent/Registrar of the destruction, loss, or theft of such Bond, and of the authenticity of the ownership thereof and
- (2) the furnishing to the Paying Agent/Registrar of indemnification in an amount satisfactory to hold the City and the Paying Agent/Registrar harmless.

All expenses and charges associated with such indemnity and with the preparation, execution and delivery of a replacement Bond shall be borne by the Holder of the Bond mutilated, destroyed, lost, or stolen.

Every replacement Bond issued pursuant to this Section shall be a valid and binding obligation of the City, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Bonds; notwithstanding the enforceability of payment by anyone of the destroyed, lost, or stolen Bonds.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost, or stolen Bonds.

## **SECTION 13**

# Satisfaction of Obligation of City.

(a) If the City shall pay or cause to be paid, or there shall otherwise be paid to the Holders, the principal of, premium, if any, and interest on the Bonds, at the times and in the manner stipulated in this Ordinance, then the pledge of taxes levied under this Ordinance and all covenants, agreements, and other obligations of the City to the Holders shall thereupon cease, terminate, and be discharged and satisfied.

Bonds or any principal amount(s) thereof shall be deemed to have been paid within the meaning and with the effect expressed above in this Section when:

(1) money sufficient to pay in full such Bonds or the principal amount(s) thereof at maturity or to the redemption date therefor, together with all interest due thereon, shall have been irrevocably deposited with and held in trust by the Paying Agent/Registrar, or an authorized escrow agent, or

(2) Government Securities (hereinafter defined) shall have been irrevocably deposited in trust with the Paying Agent/Registrar, or an authorized escrow agent, which Government Securities have been certified by an independent accounting or consulting firm to mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money, together with any moneys deposited therewith, if any, to pay when due the principal of and interest on such Bonds, or the principal amount(s) thereof, on and prior to the Stated Maturity thereof or (if notice of redemption has been duly given or waived or if irrevocable arrangements therefor acceptable to the Paying Agent/Registrar have been made) the redemption date thereof.

The City covenants that no deposit of moneys or Government Securities will be made under this Section and no use made of any such deposit which would cause the Bonds to be treated as "arbitrage bonds" within the meaning of Section 148 of the Internal Revenue Code of 1986, as amended, or regulations adopted pursuant thereto.

(b) Any moneys so deposited with the Paying Agent/Registrar, or an authorized escrow agent, and all income from Government Securities held in trust by the Paying Agent/Registrar, or an authorized escrow agent, pursuant to this Section which is not required for the payment of the Bonds, or any principal amount(s) thereof, or interest thereon with respect to which such moneys have been so deposited shall be remitted to the City or deposited as directed by the City. Furthermore, any money held by the Paying Agent/Registrar for the payment of the principal of and interest on the Bonds and remaining unclaimed for a period of three (3) years after the Stated Maturity, or applicable redemption date, of the Bonds such moneys were deposited and are held in trust to pay shall upon the request of the City be remitted to the City against a written receipt therefor. Notwithstanding the above and foregoing, any remittance of funds from the Paying Agent/Registrar to the City shall be subject to any applicable unclaimed property laws of the State of Texas.

Unless otherwise provided by the Pricing Certificate, the term "Government Securities", as used herein, means:

- (1) direct noncallable obligations of the United States of America, including obligations the principal of and interest on which are unconditionally guaranteed by the United States of America,
- (2) noncallable obligations of an agency or instrumentality of the United States, including obligations unconditionally guaranteed or insured by the agency or instrumentality and, on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent,
- (3) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date of their acquisition or purchase by the City, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and

(4) any other securities or obligations authorized under applicable law to defease obligations such as the Bonds.

The City reserves the right, subject to satisfying the requirements of (a)(1) and (a)(2) above, to substitute other Government Securities for the Government Securities originally deposited, to reinvest the uninvested moneys on deposit for such defeasance and to withdraw for the benefit of the City moneys in excess of the amount required for such defeasance.

Upon such deposit as described above, such Bonds shall no longer be regarded to be Outstanding or unpaid. Provided, however, the City has reserved the option, to be exercised at the time of the defeasance of the Bonds, to call for redemption, at an earlier date, those Bonds which have been defeased to their maturity date, if the City:

- (1) in the proceedings providing for the firm banking and financial arrangements, expressly reserves the right to call the Bonds for redemption;
- (2) gives notice of the reservation of that right to the Holders of the Bonds immediately following the making of the firm banking and financial arrangements; and
- (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

## **SECTION 14**

Ordinance a Contract - Amendments - Outstanding Bonds. This Ordinance shall constitute a contract with the Holders from time to time, be binding on the City, and shall not be amended or repealed by the City so long as any Bond remains Outstanding except as permitted in this Section and in Section 30 hereof; provided, however, that the City may, without the consent of or notice to any Holders, from time to time and at any time, amend this Ordinance or any provision in the Pricing Certificate in any manner not detrimental to the interests of the Holders, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the consent of Holders who own a majority of the aggregate of the principal amount of the Bonds then Outstanding, amend, add to, or rescind any of the provisions of this Ordinance or any provision in the Pricing Certificate; provided that, without the consent of all Holders of Outstanding Bonds, no such amendment, addition, or rescission shall:

- (1) extend the time or times of payment of the principal of, premium, if any, and interest on the Bonds, reduce the principal amount thereof, the redemption price, or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, premium, if any, or interest on the Bonds,
- (2) give any preference to any Bond over any other Bond, or
- (3) reduce the aggregate principal amount of Bonds required to be held by Holders for consent to any such amendment, addition, or rescission.

The term "Outstanding" when used in this Ordinance with respect to Bonds means, as of the date of determination, all Bonds theretofore issued and delivered under this Ordinance, except:

- (1) those Bonds cancelled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;
- (2) those Bonds deemed to be duly paid by the City in accordance with the provisions of Section 13 hereof; and
- (3) those mutilated, destroyed, lost, or stolen Bonds which have been replaced with Bonds registered and delivered in lieu thereof as provided in Section 12 hereof.

# **SECTION 15**

# Covenants to Maintain Tax-Exempt Status.

- (a) <u>Definitions</u>. When used in this Section, the following terms have the following meanings:
  - "Closing Date" means the date on which the Bonds are first authenticated and delivered to the initial purchasers against payment therefor.
  - "Code" means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.
  - "Computation Date" has the meaning set forth in Section 1.148-1(b) of the Regulations.
  - "Gross Proceeds" means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Bonds.
  - "Investment" has the meaning set forth in Section 1.148-1(b) of the Regulations.
  - "Nonpurpose Investment" means any investment property, as defined in Section 148(b) of the Code, in which Gross Proceeds of the Bonds are invested and which is not acquired to carry out the governmental purposes of the Bonds.
  - "Rebate Amount" has the meaning set forth in Section 1.148-1(b) of the Regulations.
  - "Regulations" means any proposed, temporary, or final Income Tax Regulations issued pursuant to Sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Bonds. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary, or final Income Tax Regulation designed to supplement, amend, or replace the specific Regulation referenced.

- "Yield" of (1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations and (2) the Bonds has the meaning set forth in Section 1.148-4 of the Regulations.
- (b) Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction, or improvement of which is to be financed (or refinanced) directly or indirectly with Gross Proceeds) in a manner which if made or omitted, respectively, would cause the interest on any Bond to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Bond, the City shall comply with each of the specific covenants in this Section.
- (c) <u>No Private Use or Private Payments</u>. Except as permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Bonds:
  - (1) exclusively own, operate, and possess all property the acquisition, construction, or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Bonds, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed, or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department, and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and
  - (2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Bonds or any property the acquisition, construction, or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.
- (d) <u>No Private Loan.</u> Except to the extent permitted by Section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Bonds to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be "loaned" to a person or entity if:
  - (1) property acquired, constructed, or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes;
  - (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output, or similar contract or arrangement; or

- (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed, or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.
- (e) Not to Invest at Higher Yield. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Bonds directly or indirectly invest Gross Proceeds in any Investment (or use Gross Proceeds to replace money so invested), if as a result of such investment the Yield from the Closing Date of all Investments acquired with Gross Proceeds (or with money replaced thereby), whether then held or previously disposed of, exceeds the Yield of the Bonds.
- (f) Not Federally Guaranteed. Except to the extent permitted by Section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Bonds to be federally guaranteed within the meaning of Section 149(b) of the Code and the Regulations and rulings thereunder.
- (g) <u>Information Report</u>. The City shall timely file the information required by Section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.
- (h) <u>Rebate of Arbitrage Profits</u>. Except to the extent otherwise provided in Section 148(f) of the Code and the Regulations and rulings thereunder:
  - (1) The City shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures, and investments thereof) and shall retain all records of accounting for at least six (6) years after the day on which the last outstanding Bond is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Bonds with other money of the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.
  - (2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in Section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Bonds until six years after the final Computation Date.
  - (3) As additional consideration for the purchase of the Bonds by the Purchasers and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the Holders thereof for federal income tax purposes, the City shall pay to the United States from an appropriate fund, or if permitted by applicable Texas statute, regulation, or opinion of the Attorney General of the State of Texas, the Interest and Sinking Fund, the

amount that when added to the future value of previous rebate payments made for the Bonds equals:

- (A) in the case of a Final Computation Date as defined in Section 1.148-3(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and
- (B) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date.

In all cases, the rebate payments shall be made at the times, in the installments, to the place, and in the manner as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by Section 148(f) of the Code and the Regulations and rulings thereunder.

- (4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.
- (i) <u>Not to Divert Arbitrage Profits</u>. Except to the extent permitted by Section 148 of the Code and the Regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Bonds, enter into any transaction that reduces the amount required to be paid to the United States pursuant to subsection (h) of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Bonds not been relevant to either party.
- (j) <u>Elections</u>. The City hereby directs and authorizes the Mayor, Mayor Pro Tem, City Manager, Assistant City Manager, Chief Financial Officer, City Treasurer, and City Secretary of the City, individually or jointly, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as one or more of such persons deems necessary or appropriate in connection with the Bonds, in the Certificate as to Tax Exemption, or similar or other appropriate certificate, form, or document.
- (k) <u>Bonds Not Hedge Bonds</u>. With respect to the new capital projects being financed with the proceeds of the Bonds, the City reasonably expects to spend at least 85% of the spendable proceeds of such Bonds within three (3) years after such Bonds are issued, and (2) not more than 50% of the proceeds of the Bonds allocable to the capital projects financed with proceeds of the Bonds will be invested in Nonpurpose Investments having a substantially guaranteed Yield for a period of four (4) years or more.

#### **SECTION 16**

<u>Sale of Bonds – Official Statement</u>. The Bonds may be sold to the Purchasers pursuant to a bond purchase agreement in the event of a negotiated sale, a letter agreement, or purchase letter in the event of a private placement, or the terms of a notice of sale in the event of a competitive sale, as applicable (the "Purchase Contract"), the terms and provisions of which Purchase Contract shall be determined by the Pricing Officer. The Pricing Officer is hereby authorized and directed to execute the Purchase Contract for and on behalf of the City, as the act and deed of the City Council, and to make a determination as to whether the terms are in the City's best interests, which determination shall be final and incontestable.

With regard to the terms and provisions of said Purchase Contract, the Pricing Officer is hereby authorized to come to an agreement with the Purchasers on the following, among other matters:

- (1) The terms, provisions and other details of the Bonds, including matters related to the offering and sale of the Bonds by the Purchaser;
- (2) Matters related to an Official Statement or similar disclosure document (and, if appropriate, any Preliminary Official Statement) relating to the Bonds and the City's agreement to provide information in accordance with the Rule (defined herein), if applicable;
- (3) A security or good faith deposit for the Bonds, if any; and
- (4) Such other terms, conditions, representations, and provisions as the Pricing Officer determines to be necessary and advisable.

The Mayor and City Secretary of the City are further authorized and directed to deliver for and on behalf of the City copies of a Preliminary Official Statement and a final Official Statement, prepared in connection with the offering of the Bonds, and such Official Statement in the form and content approved and deemed final by the Pricing Officer shall be deemed to be approved by the City Council of the City and shall constitute the Official Statement authorized for distribution and use by the Purchasers.

	<b>SECTION 17</b>
[Reserved].	
	SECTION 18
[Reserved].	

#### **SECTION 19**

Control and Custody of Bonds. The Mayor shall be and is hereby authorized to take and have charge of all necessary ordinances, resolutions, orders, and records, including the definitive Bonds and the Initial Bond(s), pending the investigation and approval of the Initial Bond(s) by the Attorney General of the State of Texas, and the registration of the Initial Bond(s) to the Comptroller of Public Accounts and the delivery thereof to the Purchasers.

Furthermore, the Mayor, Mayor Pro Tem, City Manager, Assistant City Manager, Chief Financial Officer, City Treasurer, and City Secretary of the City, any one or more of said officials, are hereby authorized and directed to furnish and execute such documents and certifications relating to the City and the issuance of the Bonds, including a certification as to facts, estimates, circumstances, and reasonable expectations pertaining to the use, expenditure, and investment of the proceeds of the Bonds, as may be necessary for the issuance of the Bonds, the approval of the Attorney General, the registration by the Comptroller of Public Accounts, and the delivery of the Bonds to the Purchasers and, together with the City's financial advisor, bond counsel and the Paying Agent/Registrar, make the necessary arrangements for the delivery of the Initial Bond(s) to the Purchasers and the initial exchange thereof for definitive Bonds.

#### **SECTION 20**

<u>Proceeds of Sale</u>. The proceeds of sale shall be applied in accordance with instructions provided by the Pricing Officer.

Pending expenditure for authorized projects and purposes, such proceeds of sale deposited to the construction fund may be invested in authorized investments in accordance with the provisions of Texas Government Code, Chapter 2256, including guaranteed investment contracts permitted in Texas Section 2256.015, et seq, and any investment earnings realized may be expended for such authorized projects and purposes or deposited in the Interest and Sinking Fund as shall be determined by the Pricing Officer. Any excess bond proceeds issued for new money purposes, including investment earnings, remaining after completion of all authorized projects or purposes shall be deposited to the credit of the Interest and Sinking Fund.

#### **SECTION 21**

Notices to Holders-Waiver. Wherever this Ordinance provides for notice to Holders of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and sent by United States mail, first class postage prepaid, to the address of each Holder appearing in the Security Register at the close of business on the business day next preceding the mailing of such notice.

In any case in which notice to Holders is given by mail, neither the failure to mail such notice to any particular Holders, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Bonds. Where this Ordinance or the Pricing Certificate provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and

such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

#### **SECTION 22**

<u>Cancellation</u>. All Bonds surrendered for payment, redemption, transfer, exchange, or replacement, if surrendered to the Paying Agent/Registrar, shall be promptly cancelled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already cancelled, shall be promptly cancelled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation any Bonds previously certified or registered and delivered which the City may have acquired in any manner whatsoever, and all Bonds so delivered shall be promptly cancelled by the Paying Agent/Registrar. All cancelled Bonds held by the Paying Agent/Registrar shall be returned to the City.

#### **SECTION 23**

Bond Counsel Opinion. The obligation of the Purchasers to accept delivery of the Bonds is subject to being furnished a final opinion of Orrick, Herrington & Sutcliffe LLP, Austin, Texas, approving the Bonds as to their validity, said opinion to be dated and delivered as of the date of delivery and payment for the Bonds. A true and correct reproduction of said opinion is hereby authorized to be printed on the Bonds, or an executed counterpart thereof is hereby authorized to be either printed on definitive printed obligations or deposited with DTC along with the global certificates for the implementation and use of the Book-Entry-Only System used in the settlement and transfer of the Bonds. In accordance with the City of Carrollton City Charter § 2.13, the City Attorney has engaged Orrick, Herrington & Sutcliffe LLP as the Bond Counsel, for the purposes of this Ordinance and the issuance of the Bonds.

#### **SECTION 24**

<u>CUSIP Numbers</u>. CUSIP numbers may be printed or typed on the definitive Bonds. It is expressly provided, however, that the presence or absence of CUSIP numbers on the definitive Bonds shall be of no significance or effect as regards the legality thereof, and neither the City nor attorneys approving the Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed or typed on the definitive Bonds.

#### **SECTION 25**

Benefits of Ordinance. Nothing in this Ordinance or the Pricing Certificate, expressed or implied, is intended or shall be construed to confer upon any person other than the City, the Paying Agent/Registrar and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance, or any provision hereof or the Pricing Certificate, this Ordinance and all of its provisions and the Pricing Certificate being intended to be and being for the sole and exclusive benefit of the City, the Paying Agent/Registrar, and the Holders.

#### **SECTION 26**

<u>Inconsistent Provisions</u>. All ordinances or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance or the Pricing Certificate, are hereby repealed to the extent of such conflict, and the provisions of this Ordinance and the Pricing Certificate shall be and remain controlling as to the matters contained herein and therein.

#### **SECTION 27**

Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

#### **SECTION 28**

<u>Effect of Headings</u>. The Section headings herein are for convenience of reference only and shall not affect the construction hereof.

#### **SECTION 29**

<u>Construction of Terms</u>. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine, or neuter gender shall be considered to include the other genders.

#### **SECTION 30**

<u>Severability</u>. If any provision of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstances shall nevertheless be valid, and the City Council of the City hereby declares that this Ordinance would have been enacted without such invalid provision.

#### **SECTION 31**

[Reserved].

#### **SECTION 32**

<u>Continuing Disclosure Undertaking</u>. The Pricing Officer is hereby authorized to determine whether a continuing disclosure undertaking is required in connection with the issuance of the Bonds. To the extent it is determined that an undertaking under the Rule is required, this Section 32 shall apply.

(a) <u>Definitions</u>. As used in this Section, the following terms have the meanings ascribed to such terms below:

"Financial Obligation" means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned

debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that "financial obligation" shall not include municipal securities as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time.

"SEC" means the United States Securities and Exchange Commission.

- (b) Annual Reports. The City shall provide annually to the MSRB:
  - (1) within six (6) months after the end of each fiscal year of the City beginning in the year stated in the Pricing Certificate, financial information and operating data with respect to the City of the general type included in the final Official Statement approved by the Pricing Officer and described in the Pricing Certificate, and
  - (2) if not provided as part such financial information and operating data, audited financial statements of the City, when and if available. Any financial statements to be provided shall be:
    - (A) prepared in accordance with the accounting principles described in the Pricing Certificate, or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and in substantially the form included in the Official Statement, and
    - (B) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within twelve (12) months after any such fiscal year end, then the City shall file unaudited financial statements within such twelve-month period and audited financial statements for the applicable fiscal year, when and if the audit report on such statements becomes available.

If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document available to the public on the MSRB's Internet Web site or filed with the SEC.

(c) <u>Notice of Certain Events</u>. The City shall provide notice of any of the following events with respect to the Bonds to the MSRB in a timely manner and not more than ten (10) business days after occurrence of the event:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership, or similar event of the City, which shall occur as described below;
- (13) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of its assets, other than in the ordinary course of business, the entry into of a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
- (15) Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and
- (16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the City, any of which reflect financial difficulties.

For these purposes (i) any event described in the immediately preceding paragraph (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City and (ii) the City intends the words used in the immediately preceding paragraphs (15) and (16) in this Section to have the meanings ascribed to them in SEC Release No. 34-83885, dated August 20, 2018.

The City shall notify the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such Section.

- (d) <u>Filings with the MSRB</u>. All financial information, operating data, financial statements, notices, and other documents provided to the MSRB in accordance with this Section shall be provided in an electronic format prescribed by the MSRB and shall be accompanied by identifying information as prescribed by the MSRB.
- (e) <u>Limitations, Disclaimers, and Amendments</u>. The City shall be obligated to observe and perform the covenants specified in this Section while, but only while, the City remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the City in any event will give the notice required by subsection (c) hereof of any Bond calls and defeasance that cause the City to be no longer such an "obligated person."

The provisions of this Section are for the sole benefit of the Holders and beneficial owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH

BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall constitute a breach of or default under this Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

Notwithstanding anything to the contrary in this Ordinance, the provisions of this Section may be amended by the City from time to time to adapt to changed circumstances resulting from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if:

(1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and

#### (2) either:

- (A) the Holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the Outstanding Bonds consent to such amendment, or
- (B) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Holders and beneficial owners of the Bonds.

The provisions of this Section may also be amended from time to time or repealed by the City if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction determines that such provisions are invalid, but only if and to the extent that reservation of the City's right to do so would not prevent underwriters of the initial public offering of the Bonds from lawfully purchasing or selling Bonds in such offering. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided pursuant to subsection (b) hereof an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

#### **SECTION 33**

<u>Municipal Bond Insurance</u>. The Bonds may be sold with payment of all or any portion of the principal of and interest thereon being insured by a municipal bond insurance provider authorized to transact business in the State of Texas. The Pricing Officer is hereby authorized to

make the selection of municipal bond insurance (if any) for the Bonds and make the determination of the provisions of any commitment therefor.

#### **SECTION 34**

<u>Further Procedures</u>. Any one or more of the Mayor, Mayor Pro Tem, City Manager, Assistant City Manager, Chief Financial Officer, City Treasurer, and City Secretary, are hereby expressly authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and on behalf of the City all agreements, instruments, certificates, or other documents, whether mentioned herein or not, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance and the issuance of the Bonds. In addition, prior to the initial delivery of the Bonds, the Mayor, Mayor Pro Tem, City Manager, Assistant City Manager, Chief Financial Officer, City Treasurer, City Secretary, or Bond Counsel to the City are each hereby authorized and directed to approve any technical changes or corrections to this Ordinance or to any of the documents authorized and approved by this Ordinance:

- (1) in order to cure any technical ambiguity, formal defect, or omission in the Ordinance or such other document; or
- (2) as requested by the Attorney General of the State of Texas or his representative to obtain the approval of the Bonds by the Attorney General and if such officer or counsel determines that such ministerial changes are consistent with the intent and purpose of the Ordinance, which determination shall be final.

In the event that any officer of the City whose signature shall appear on any document shall cease to be such officer before the delivery of such document, such signature nevertheless shall be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

#### **SECTION 35**

<u>Public Meeting</u>. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551 of the Government Code, as amended.

### **SECTION 36**

<u>Effective Date</u>. This Ordinance shall take effect and be in full force immediately from and after its adoption on the date hereof in accordance with the provisions of Texas Government Code, Section 1201.028.

[remainder of page left blank intentionally]

# **DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas, this 20th day of May, 2025.

### CITY OF CARROLLTON, TEXAS

ATTEST:	Steve Babick, Mayor
Chloe Sawatzky, City Secretary	
(City Seal)	
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
Meredith A. Ladd, City Attorney	Diana K. Vaughn, CFO

#### EXHIBIT A FORM OF BOND

#### (a) Form of Definitive Bond.

REGISTERED NO. R			PRIN	NCIPAL AMOUNT
		ED STATES OF AM STATE OF TEXAS		
		OF CARROLLTON,		
	GENERAL O	BLIGATION BOND	, SERIES 2023	
Bond Date:	Interest Rate:	Stated Maturity:	CUSIP No.:	Delivery Date:
Registered Owner:				
Principal Amount:				DOLLARS

The City of Carrollton (hereinafter referred to as the "City"), a body corporate and political subdivision in the Counties of Dallas, Denton, and Collin, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the Registered Owner named above, or the registered assigns thereof, on the Stated Maturity date specified above, the Principal Amount hereinabove stated [(or so much thereof as shall not have been paid upon prior redemption)], and to pay interest on the unpaid principal amount hereof from the interest payment date next preceding the "Registration Date" of this Bond appearing below (unless this Bond bears a Registration Date as of an interest payment date, in which case it shall bear interest from such date, or unless the Registration Date of this Bond is prior to the initial Interest Payment Date (as hereinafter defined), in which case it shall bear interest from the Delivery Date specified above) at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such and \_\_\_\_\_ in each year, commencing interest being payable on (each an "Interest Payment Date"), until maturity [or prior redemption]. Principal of this Bond is payable at its Stated Maturity [or redemption] to the registered owner hereof, upon presentation and surrender, at the Designated Payment/Transfer Office of the Paying Agent/Registrar executing the registration certificate appearing hereon, or its successor[; provided, however, while this Bond is registered to Cede & Co., the payment of principal upon a partial redemption of the principal amount hereof may be accomplished without presentation and surrender of this Bond]. Interest is payable to the registered owner of this Bond (or one or more Predecessor Bonds, as defined in the Ordinance hereinafter referenced) whose name appears on the "Security Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date", which is the day of the month next preceding each Interest Payment Date, and interest shall be paid by the Paying Agent/Registrar by check sent United States mail, first class postage prepaid, to the address of the registered owner recorded in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. If the date for the payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, a legal holiday, or a day on which banking

institutions in the city where the Designated Payment/Transfer Office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due. All payments of principal of, premium, if any, and interest on this Bond shall be without exchange or collection charges to the owner hereof and in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This Bond is one of the series specified in its title issued in the aggregate principal amount of \$\_\_\_\_\_ (herein referred to as the "Bonds") for the purposes of providing funds:

- (1) for permanent public improvements and public purposes, to wit:
  - [applicable purposes from Section 2 of the Ordinance to be inserted from Pricing Certificate], and
- (2) to pay the costs and expenses of issuance, under and in strict conformity with the Constitution and laws of the State of Texas, including Texas Government Code, Chapters 1331 and 1371, as amended, and pursuant to an Ordinance adopted by the City Council of the City (herein referred to as the "Ordinance").

[The Bonds maturing on the dates hereinafter identified (the "Term Bonds") are subject to mandatory redemption prior to maturity with funds on deposit in the Interest and Sinking Fund established and maintained for the payment thereof in the Ordinance, and shall be redeemed in part prior to maturity at the price of par and accrued interest thereon to the date of redemption, and without premium, on the dates and in the principal amounts as follows:

Term Bonds due Redemption Date		Principal Amount	Term Bonds due Redemption Date		Principal Amount
***	*			*	

\* Stated Maturity.

The particular Term Bonds of a Stated Maturity to be redeemed on each redemption date shall be chosen by lot by the Paying Agent/Registrar; provided, however, that the principal amount of Term Bonds for a Stated Maturity required to be redeemed on a mandatory redemption date may be reduced, at the option of the City, by the principal amount of Term Bonds of like Stated Maturity which, at least fifty (50) days prior to a mandatory redemption date,

- (1) shall have been acquired by the City at a price not exceeding the principal amount of such Term Bonds plus accrued interest to the date of purchase thereof, and delivered to the Paying Agent/Registrar for cancellation, or
- (2) shall have been redeemed pursuant to the optional redemption provisions appearing below and not theretofore credited against a mandatory redemption requirement.]

[The Bonds maturing on and after	, may be redeemed prior to their Stated
Maturities, at the option of the City, in whole or in par	t in principal amounts of \$5,000 or any
integral multiple thereof (and if within a Stated Maturity	by lot by the Paying Agent/Registrar), on
, or on any date thereafter, at the reder	mption price of par, together with accrued
interest to the date of redemption.	

At least thirty (30) days prior to the date fixed for any redemption of Bonds, the City shall cause a written notice of such redemption to be sent by United States mail, first class postage prepaid, to the registered owners of each Bond to be redeemed, in whole or in part, at the address shown on the Security Register and subject to the terms and provisions relating thereto contained in the Ordinance. If a Bond (or any portion of its principal sum) shall have been duly called for redemption and notice of such redemption duly given, then upon such redemption date such Bond (or the portion of its principal sum to be redeemed) shall become due and payable, and interest thereon shall cease to accrue from and after the redemption date therefor; provided moneys for the payment of the redemption price and the interest on the principal amount to be redeemed to the date of redemption are held for the purpose of such payment by the Paying Agent/Registrar. Any notice given shall be conclusively presumed to have been duly given, whether or not the registered owner receives such notice.

In the event a portion of the principal amount of a Bond is to be redeemed and the registered owner is someone other than Cede & Co., payment of the redemption price of such principal amount shall be made to the registered owner only upon presentation and surrender of such Bond to the Designated Payment/Transfer Office of the Paying Agent/Registrar, and a new Bond or Bonds of like maturity and interest rate in any authorized denominations provided by the Ordinance for the then unredeemed balance of the principal sum thereof will be issued to the registered owner, without charge. If a Bond is selected for redemption, in whole or in part, the City and the Paying Agent/Registrar shall not be required to transfer such Bond to an assignee of the registered owner within forty-five (45) days of the redemption date therefor; provided, however, such limitation on transferability shall not be applicable to an exchange by the registered owner of the unredeemed balance of a Bond redeemed in part.

With respect to any optional redemption of the Bonds, unless certain prerequisites to such redemption required by the Ordinance, if any, have been met and moneys sufficient to pay the redemption price of the Bonds to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice may state that said redemption is conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for redemption or that the City retains the right to rescind such notice at any time on or prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption notice. If such prerequisites to the redemption are not satisfied, sufficient moneys are not received or notice is rescinded, such notice shall be of no force and effect, the City shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.]

[The Bonds are not subject to redemption prior to maturity.]

The Bonds are payable from the proceeds of an ad valorem tax levied, within the limitations prescribed by law, upon all taxable property in the City. Reference is hereby made to the Ordinance, a copy of which is on file in the Designated Payment/Transfer Office of the Paying Agent/Registrar, and to all of the provisions of which the owner or holder of this Bond by the acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied for the payment of the Bonds; the terms and conditions relating to the transfer or exchange of this Bond; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the holders; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Bond may be discharged at or prior to its maturity [or redemption], and deemed to be no longer Outstanding thereunder; and for other terms and provisions contained therein. Capitalized terms used herein and not otherwise defined have the meanings assigned in the Ordinance.

This Bond, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register only upon its presentation and surrender at the Designated Payment/Transfer Office of the Paying Agent/Registrar, with the Assignment hereon duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by, the registered owner hereof, or his duly authorized agent. When a transfer on the Security Register occurs, one or more new fully registered Bonds of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued by the Paying Agent/Registrar to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, shall treat the registered owner whose name appears on the Security Register:

- (1) on the Record Date as the owner entitled to payment of interest hereon,
- (2) on the date of surrender of this Bond as the owner entitled to payment of principal at the Stated Maturity[, or its redemption, in whole or in part], and
- (3) on any other date as the owner for all other purposes, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary.

In the event of nonpayment of interest on a Bond on a scheduled payment date and for at least thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first class postage prepaid, to the address of each registered owner of a Bond appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, recited, represented, and declared that the City is a body corporate and political subdivision duly organized and legally existing under and by virtue of the

Constitution and laws of the State of Texas; that the issuance of the Bonds is duly authorized by law; that all acts, conditions, and things required to exist and be done precedent to and in the issuance of the Bonds to render the same lawful and valid obligations of the City have been properly done, have happened, and have been performed in regular and due time, form, and manner as required by the Constitution and laws of the State of Texas, and the Ordinance; that the Bonds do not exceed any Constitutional or statutory limitation; and that due provision has been made for the payment of the principal of and interest on the Bonds by the levy of a tax as aforestated. In case any provision in this Bond shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby. The terms and provisions of this Bond and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, the City Council of the City has caused this Bond to be duly executed under the official seal of the City.

CITY OF CARROLLTON, TEXAS

COUNTERSIGNED:	Mayor
City Secretary	
City Secretary	
(SEAL)	
· /	emptroller of Public Accounts to appear on Initial
Bond(s) only.	
	N CERTIFICATE OF F PUBLIC ACCOUNTS
OFFICE OF THE COMPTROLLER	
OF PUBLIC ACCOUNTS	( REGISTER NO
THE STATE OF TEXAS	

I HEREBY CERTIFY that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS m	y signature and seal of of	fice this	<b>-</b> •
(SEAL)			
		Comptroller of of the State of	Public Accounts Fexas
(c) <u>Form</u>	of Certificate of Paying A	Agent/Registrar to appear on I	Definitive Bonds only.
<u>F</u>	REGISTRATION CERTI	FICATE OF PAYING AGEN	NT/REGISTRAR
above under the entitled and do of the State of	the provisions of the with esignated series originally	hin-mentioned Ordinance; the y delivered having been appr	f the Registered Owner shown e bond or bonds of the above oved by the Attorney General ounts, as shown by the records
	ed office of the Paying Ansfer Office for this Bond		is the Designated
Registration I	Date:	as Paying Agen	nt/Registrar ,
(d) Form	of Assignment.	By:Authorize	ed Signature
		ASSIGNMENT	
	OR VALUE RECEIVED write name, address, and	the undersigned hereby sells zip code of transferee):	, assigns, and transfers unto
(Social Secur	ity or other identifying nu	umber:	ights thereunder, and hereby
attorney to tra		the books kept for registration	

DATED: _	
Signature guaranteed:	NOTICE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Bond in every particular.
Initial Bond shall be modified as follows	
Heading and paragraph one shall be ame	
NO. T-1	\$
ST CITY	STATES OF AMERICA FATE OF TEXAS OF CARROLLTON IGATION BOND, SERIES 2025
Bond Date:	
Registered Owner:	
Principal Amount:	DOLLARS
subdivision in the Counties of Dallas, I acknowledges itself indebted to and here or the registered assigns thereof,	r referred to as the "City"), a body corporate and political Denton, and Collin, State of Texas, for value received, by promises to pay to the registered owner named above, the Principal Amount hereinabove stated on n principal installments in accordance with the following
	Principal Interest
Maturity <u>Ins</u>	tallment (\$) Rate (%)
(Information to be	inserted from Pricing Certificate).
on the unpaid principal installments here specified above computed on the basis o being payable on and an "Interest Payment Date"), until matur	have been redeemed prior to maturity) and to pay interest of from the at the per annum rates of interest f a 360-day year of twelve 30-day months; such interest in each year, commencing (each, rity [or prior redemption]. Principal installments of this [or on a redemption date] to the registered owner hereof (the "Paying Agent/Registrar"), upon

presentation and surrender, at its designated offices in "Designated Payment/Transfer Office"). Interest is payable to the registered owner of this Bond whose name appears on the "Security Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date," which is the day of the month next preceding each Interest Payment Date, and interest shall be paid by the Paying Agent/Registrar by check sent United States mail, first class postage prepaid, to the address of the registered owner recorded in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the registered owner. All payments of principal of, premium, if any, and interest on this Bond shall be without exchange or collection charges to the registered owner hereof and in any coin or currency of the United States of America, which at the time of payment is legal tender for the payment of public and private debts. If the date for the payment of the principal of or interest on the Bonds shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the Designated Payment/Transfer Office of the Paying Agent/Registrar is located are authorized by law or executive order to be closed, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to be closed; and payment on such date shall have the same force and effect as if made on the original date payment was due.

## EXHIBIT B FORM OF PAYING AGENT/REGISTRAR AGREEMENT

#### PAYING AGENT/REGISTRAR AGREEMENT

THIS AGREEMENT is entered into as of, 2025 (this "Agreement"), by and between, a banking association duly organized and existing under the laws of the United States of America, or its successors (the "Bank") and the City of Carrollton, Texas (the "Issuer"),
RECITALS
WHEREAS, the Issuer has duly authorized and provided for the issuance of its "City of Carrollton, Texas General Obligation Bonds, Series 2025" (the "Securities"), dated [], 2025, such Securities scheduled to be delivered to the initial purchasers thereof on or about [], 2025; and

WHEREAS, the Issuer has selected the Bank to serve as Paying Agent/Registrar in connection with the payment of the principal of, premium, if any, and interest on said Securities and with respect to the registration, transfer, and exchange thereof by the registered owners thereof; and

WHEREAS, the Bank has agreed to serve in such capacities for and on behalf of the Issuer and has full power and authority to perform and serve as Paying Agent/Registrar for the Securities;

**NOW, THEREFORE**, it is mutually agreed as follows:

### ARTICLE 1. APPOINTMENT OF BANK AS PAYING AGENT AND REGISTRAR

Section 1.01 Appointment. The Issuer hereby appoints the Bank to serve as Paying Agent with respect to the Securities, and, as Paying Agent for the Securities, the Bank shall be responsible for paying on behalf of the Issuer the principal, premium (if any), and interest on the Securities as the same become due and payable to the registered owners thereof; all in accordance with this Agreement and the "Authorizing Document" (hereinafter defined). The Issuer hereby appoints the Bank as Registrar with respect to the Securities and, as Registrar for the Securities, the Bank shall keep and maintain for and on behalf of the Issuer books and records as to the ownership of said Securities and with respect to the transfer and exchange thereof as provided herein and in the Authorizing Document.

The Bank hereby accepts its appointment and agrees to serve as the Paying Agent and Registrar for the Securities.

**Section 1.02** <u>Compensation</u>. As compensation for the Bank's services as Paying Agent/Registrar, the Issuer hereby agrees to pay the Bank the fees and amounts set forth in **Annex A** attached hereto.

In addition, the Issuer agrees to reimburse the Bank upon its request for all reasonable expenses, disbursements, and advances incurred or made by the Bank in accordance with any of the provisions hereof (including the reasonable compensation and the expenses and disbursements of its agents and counsel).

### ARTICLE 2. DEFINITIONS

**Section 2.01** <u>Definitions</u>. For all purposes of this Agreement, except as otherwise expressly provided or unless the context otherwise requires:

"Acceleration Date" on any Security means the date, if any, on and after which the principal or any or all installments of interest, or both, are due and payable on any Security which has become accelerated pursuant to the terms of the Security.

"Authorizing Document" means the resolution, order, or ordinance of the governing body of the Issuer pursuant to which the Securities are issued, as the same may be amended or modified, including any pricing certificate related thereto, certified by the secretary or any other officer of the Issuer and delivered to the Bank.

"Bank Office" means the designated office of the Bank at the address shown in Section 3.01 hereof. The Bank will notify the Issuer in writing of any change in location of the Bank Office.

"Holder" and "Security Holder" each means the Person in whose name a Security is registered in the Security Register.

"Person" means any individual, corporation, partnership, joint venture, association, joint stock company, trust, unincorporated organization, or government, or any agency or political subdivision of a government.

"Predecessor Securities" of any particular Security means every previous Security evidencing all or a portion of the same obligation as that evidenced by such particular Security (and, for the purposes of this definition, any mutilated, lost, destroyed, or stolen Security for which a replacement Security has been registered and delivered in lieu thereof pursuant to Section 4.06 hereof and the Authorizing Document).

"Redemption Date", when used with respect to any Security to be redeemed, means the date fixed for such redemption pursuant to the terms of the Authorizing Document.

"Responsible Officer", when used with respect to the Bank, means the Chairman or Vice-Chairman of the Board of Directors, the Chairman or Vice-Chairman of the Executive Committee of the Board of Directors, the President, any Vice President, the Secretary, any Assistant Secretary, the Treasurer, any Assistant Treasurer, the Cashier, any Assistant Cashier, any Trust Officer or Assistant Trust Officer, or any other officer of the Bank customarily performing functions similar to those performed by any of the above

designated officers and also means, with respect to a particular corporate trust matter, any other officer to whom such matter is referred because of his knowledge of and familiarity with the particular subject.

"Security Register" means a register maintained by the Bank on behalf of the Issuer providing for the registration and transfers of Securities.

"Stated Maturity" means the date specified in the Authorizing Document the principal of a Security is scheduled to be due and payable.

**Section 2.02** Other Definitions. The terms "Bank," "Issuer," and "Securities (Security)" have the meanings assigned to them in the recital paragraphs of this Agreement. The term "Paying Agent/Registrar" refers to the Bank in the performance of the duties and functions of this Agreement.

## ARTICLE 3. PAYING AGENT

**Section 3.01** <u>Duties of Paying Agent</u>. As Paying Agent, the Bank shall pay, provided adequate collected funds have been provided to it for such purpose by or on behalf of the Issuer, on behalf of the Issuer the principal of each Security at its Stated Maturity, Redemption Date, or Acceleration Date, to the Holder upon surrender of the Security to the Bank at the following address:


As Paying Agent, the Bank shall, provided adequate collected funds have been provided to it for such purpose by or on behalf of the Issuer, pay on behalf of the Issuer the interest on each Security when due, by computing the amount of interest to be paid each Holder and making payment thereof to the Holders of the Securities (or their Predecessor Securities) on the Record Date (as defined in the Authorizing Document). All payments of principal and/or interest on the Securities to the registered owners shall be accomplished by:

- (a) the issuance of checks, payable to the registered owners, drawn on the paying agent account provided in Section 5.05 hereof, sent by United States mail, first class postage prepaid, to the address appearing on the Security Register, or
- (b) such other method, acceptable to the Bank, requested in writing by the Holder at the Holder's risk and expense.

**Section 3.02** Payment Dates. The Issuer hereby instructs the Bank to pay the principal of and interest on the Securities on the dates specified in the Authorizing Document.

## ARTICLE 4. REGISTRAR

Section 4.01 Security Register - Transfers and Exchanges. The Bank agrees to keep and maintain for and on behalf of the Issuer at the Bank Office books and records (herein sometimes referred to as the "Security Register") for recording the names and addresses of the Holders of the Securities, the transfer, exchange, and replacement of the Securities and the payment of the principal of and interest on the Securities to the Holders and containing such other information as may be reasonably required by the Issuer and subject to such reasonable regulations as the Issuer and the Bank may prescribe. All transfers, exchanges, and replacements of Securities shall be noted in the Security Register.

Every Security surrendered for transfer or exchange shall be duly endorsed or be accompanied by a written instrument of transfer, the signature on which has been guaranteed by an officer of a federal or state bank or a member of the Financial Industry Regulatory Authority, such written instrument to be in a form satisfactory to the Bank and duly executed by the Holder thereof or his agent duly authorized in writing.

The Bank may request any supporting documentation it feels necessary to effect a re-registration, transfer, or exchange of the Securities.

To the extent possible and under reasonable circumstances, the Bank agrees that, in relation to an exchange or transfer of Securities, the exchange or transfer by the Holders thereof will be completed and new Securities delivered to the Holder or the assignee of the Holder in not more than three (3) business days after the receipt of the Securities to be cancelled in an exchange or transfer and the written instrument of transfer or request for exchange duly executed by the Holder, or his duly authorized agent, in form and manner satisfactory to the Paying Agent/Registrar.

**Section 4.02** Securities. The Issuer shall provide additional Securities when needed to facilitate transfers or exchanges thereof. The Bank covenants that such additional Securities, if and when provided, will be kept in safekeeping pending their use and reasonable care will be exercised by the Bank in maintaining such Securities in safekeeping, which shall be not less than the care maintained by the Bank for debt securities of other governments or corporations for which it serves as registrar, or that is maintained for its own securities.

**Section 4.03** Form of Security Register. The Bank, as Registrar, will maintain the Security Register relating to the registration, payment, transfer, and exchange of the Securities in accordance with the Bank's general practices and procedures in effect from time to time. The Bank shall not be obligated to maintain such Security Register in any form other than those which the Bank has currently available and currently utilizes at the time.

The Security Register may be maintained in written form or in any other form capable of being converted into written form within a reasonable time.

**Section 4.04** <u>List of Security Holders</u>. The Bank will provide the Issuer at any time requested by the Issuer, upon payment of the required fee, a copy of the information contained in the Security

Register. The Issuer may also inspect the information contained in the Security Register at any time the Bank is customarily open for business, provided that reasonable time is allowed the Bank to provide an up-to-date listing or to convert the information into written form.

The Bank will not release or disclose the contents of the Security Register to any person other than to, or at the written request of, an authorized officer or employee of the Issuer, except upon receipt of a court order or as otherwise required by law. Upon receipt of a court order and prior to the release or disclosure of the contents of the Security Register, the Bank will notify the Issuer so that the Issuer may contest the court order or such release or disclosure of the contents of the Security Register.

**Section 4.05** Return of Cancelled Securities. The Bank will, at such reasonable intervals as it determines, surrender to the Issuer, all Securities in lieu of which or in exchange for which other Securities have been issued, or which have been paid.

**Section 4.06** Mutilated, Destroyed, Lost or Stolen Securities. The Issuer hereby instructs the Bank, subject to the provisions of the Authorizing Document, to deliver and issue Securities in exchange for or in lieu of mutilated, destroyed, lost, or stolen Securities as long as the same does not result in an over-issuance.

In case any Security shall be mutilated, destroyed, lost or stolen, the Bank may execute and deliver a replacement Security of like form and tenor, and in the same denomination and bearing a number not contemporaneously outstanding, in exchange and substitution for such mutilated Security, or in lieu of and in substitution for such mutilated, destroyed, lost, or stolen Security, only upon the approval of the Issuer and after:

- (a) the filing by the Holder thereof with the Bank of evidence satisfactory to the Bank of the destruction, loss or theft of such Security, and of the authenticity of the ownership thereof, and
- (b) the furnishing to the Bank of indemnification in an amount satisfactory to hold the Issuer and the Bank harmless.

All expenses and charges associated with such indemnity and with the preparation, execution and delivery of a replacement Security shall be borne by the Holder of the Security mutilated, destroyed, lost, or stolen.

Section 4.07 <u>Transaction Information to Issuer</u>. The Bank will, within a reasonable time after receipt of written request from the Issuer, furnish the Issuer information as to the Securities it has paid pursuant to Section 3.01, Securities it has delivered upon the transfer or exchange of any Securities pursuant to Section 4.01, and Securities it has delivered in exchange for or in lieu of mutilated, destroyed, lost, or stolen Securities pursuant to Section 4.06.

## ARTICLE 5. THE BANK

**Section 5.01** <u>Duties of Bank</u>. The Bank undertakes to perform the duties set forth herein and agrees to use reasonable care in the performance thereof.

#### Section 5.02 Reliance on Documents, Etc.

- (a) The Bank may conclusively rely, as to the truth of the statements and correctness of the opinions expressed therein, on certificates or opinions furnished to the Bank.
- (b) The Bank shall not be liable for any error of judgment made in good faith by a Responsible Officer, unless it shall be proved that the Bank was negligent in ascertaining the pertinent facts.
- (c) No provisions of this Agreement shall require the Bank to expend or risk its own funds or otherwise incur any financial liability for performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if it shall have reasonable grounds for believing that repayment of such funds or adequate indemnity satisfactory to it against such risks or liability is not assured to it.
- (d) The Bank may rely and shall be protected in acting or refraining from acting upon any resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order, bond, note, security, or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or parties. Without limiting the generality of the foregoing statement, the Bank need not examine the ownership of any Securities, but is protected in acting upon receipt of Securities containing an endorsement or instruction of transfer or power of transfer which appears on its face to be signed by the Holder or an agent of the Holder. The Bank shall not be bound to make any investigation into the facts or matters stated in a resolution, certificate, statement, instrument, opinion, report, notice, request, direction, consent, order, bond, note, security, or other paper or document supplied by the Issuer.
- (e) The Bank may consult with counsel, and the written advice of such counsel or any opinion of counsel shall be full and complete authorization and protection with respect to any action taken, suffered, or omitted by it hereunder in good faith and in reliance thereon.
- (f) The Bank may exercise any of the powers hereunder and perform any duties hereunder either directly or by or through agents or attorneys of the Bank.
- (g) The Bank is also authorized to transfer funds relating to the closing and initial delivery of the Securities in the manner disclosed in the closing memorandum or letter as prepared by the Issuer, Issuer's financial advisor, or other agent. The Bank may act on a facsimile or e-mail transmission of the closing memorandum or letter acknowledged by the Issuer, the Issuer's financial advisor, or other agent as the final closing memorandum or letter. The Bank shall not be liable for any losses, costs, or expenses arising directly or indirectly from the Bank's reliance upon and compliance with such instructions.

**Section 5.03** Recitals of Issuer. The recitals contained herein with respect to the Issuer and in the Securities shall be taken as the statements of the Issuer, and the Bank assumes no responsibility for their correctness.

The Bank shall in no event be liable to the Issuer, any Holder or Holders of any Security, or any other Person for any amount due on any Security from its own funds.

**Section 5.04** May Hold Securities. The Bank, in its individual or any other capacity, may become the owner or pledgee of Securities and may otherwise deal with the Issuer with the same rights it would have if it were not the Paying Agent/Registrar, or any other agent.

Section 5.05 Moneys Held by Bank - Paying Agent Account/Collateralization. A paying agent account shall at all times be kept and maintained by the Bank for the receipt, safekeeping, and disbursement of moneys received from the Issuer under this Agreement for the payment of the Securities, and money deposited to the credit of such account until paid to the Holders of the Securities shall be continuously collateralized by securities or obligations which qualify and are eligible under both the laws of the State of Texas and the laws of the United States of America to secure and be pledged as collateral for paying agent accounts to the extent such money is not insured by the Federal Deposit Insurance Corporation. Payments made from such paying agent account shall be made by check drawn on such account unless the owner of the Securities shall, at its own expense and risk, request an alternative method of payment.

Subject to the applicable unclaimed property laws of the State of Texas, any money deposited with the Bank for the payment of the principal of, premium (if any), or interest on any Security and remaining unclaimed for three (3) years after final maturity of the Security has become due and payable will be held by the Bank and disposed of only in accordance with Title 6 of the Texas Property Code, as amended. The Bank shall have no liability by virtue of actions taken in compliance with this provision.

The Bank is not obligated to pay interest on any money received by it under this Agreement.

This Agreement relates solely to money deposited for the purposes described herein, and the parties agree that the Bank may serve as depository for other funds of the Issuer, act as trustee under indentures authorizing other bond transactions of the Issuer, or act in any other capacity not in conflict with its duties hereunder.

**Section 5.06** <u>Indemnification</u>. To the extent permitted by law, the Issuer agrees to indemnify the Bank for, and hold it harmless against, any loss, liability, or expense incurred without negligence or bad faith on its part, arising out of or in connection with its acceptance or administration of its duties hereunder, including the cost and expense against any claim or liability in connection with the exercise or performance of any of its powers or duties under this Agreement.

**Section 5.07** Interpleader. The Issuer and the Bank agree that the Bank may seek adjudication of any adverse claim, demand, or controversy over its person as well as funds on deposit, in either a Federal or State District Court located in the state and county where the administrative office of

the Issuer is located, and agree that service of process by certified or registered mail, return receipt requested, to the address referred to in Section 6.03 of this Agreement shall constitute adequate service. The Issuer and the Bank further agree that the Bank has the right to file a Bill of Interpleader in any court of competent jurisdiction in the State of Texas to determine the rights of any Person claiming any interest herein.

**Section 5.08** <u>DTC Services</u>. It is hereby represented and warranted that, in the event the Securities are otherwise qualified and accepted for "Depository Trust Company" services or equivalent depository trust services by other organizations, the Bank has the capability and, to the extent within its control, will comply with the "Operational Arrangements", which establishes requirements for securities to be eligible for such type depository trust services, including, but not limited to, requirements for the timeliness of payments and funds availability, transfer turnaround time, and notification of redemptions and calls.

## ARTICLE 6. MISCELLANEOUS PROVISIONS

- **Section 6.01** <u>Amendment</u>. This Agreement may be amended only by an agreement in writing signed by both of the parties hereto.
- **Section 6.02** <u>Assignment.</u> This Agreement may not be assigned by either party without the prior written consent of the other.
- **Section 6.03** Notices. Any request, demand, authorization, direction, notice, consent, waiver, or other document provided or permitted hereby to be given or furnished to the Issuer or the Bank shall be mailed or delivered to the Issuer or the Bank, respectively, at the addresses shown on the signature page(s) hereof.
- **Section 6.04** <u>Effect of Headings</u>. The Article and Section headings herein are for convenience of reference only and shall not affect the construction hereof.
- **Section 6.05** <u>Successors and Assigns</u>. All covenants and agreements herein by the Issuer shall bind its successors and assigns, whether so expressed or not.
- **Section 6.06** <u>Severability</u>. In case any provision herein shall be invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired thereby.
- Section 6.07 Merger, Conversion, Consolidation, or Succession. Any corporation or association into which the Bank may be merged or converted or with which it may be consolidated, or any corporation or association resulting from any merger, conversion, or consolidation to which the Bank shall be a party, or any corporation or association succeeding to all or substantially all of the corporate trust business of the Bank shall be the successor of the Bank as Paying Agent under this Agreement without the execution or filing of any paper or any further act on the part of either parties hereto.

**Section 6.08** <u>Benefits of Agreement</u>. Nothing herein, express or implied, shall give to any Person, other than the parties hereto and their successors hereunder, any benefit or any legal or equitable right, remedy, or claim hereunder.

**Section 6.09** Entire Agreement. This Agreement and the Authorizing Document constitute the entire agreement between the parties hereto relative to the Bank acting as Paying Agent/Registrar and if any conflict exists between this Agreement and the Authorizing Document, the Authorizing Document shall govern.

**Section 6.10** Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and all of which shall constitute one and the same Agreement.

Section 6.11 <u>Termination</u>. This Agreement will terminate (1) on the date of final payment of the principal of and interest on the Securities to the Holders thereof or (2) may be earlier terminated by either party upon sixty (60) days written notice; provided, however, an early termination of this Agreement by either party shall not be effective until (a) a successor Paying Agent/Registrar has been appointed by the Issuer and such appointment accepted and (b) notice has been given to the Holders of the Securities of the appointment of a successor Paying Agent/Registrar. However, if the Issuer fails to appoint a successor Paying Agent/Registrar within a reasonable time, the Bank may petition a court of competent jurisdiction within the State of Texas to appoint a successor. Furthermore, the Bank and the Issuer mutually agree that the effective date of an early termination of this Agreement shall not occur at any time which would disrupt, delay, or otherwise adversely affect the payment of the Securities.

Upon an early termination of this Agreement, the Bank agrees to promptly transfer and deliver the Security Register (or a copy thereof), together with the other pertinent books and records relating to the Securities, to the successor Paying Agent/Registrar designated and appointed by the Issuer.

The provisions of Section 1.02 and of Article Five shall survive and remain in full force and effect following the termination of this Agreement.

Section 6.12 Statutory Verifications. The Bank makes the following representations and covenants pursuant to Chapters 2252, 2271, 2274, and 2276, Texas Government Code, as heretofore amended (the "Government Code"), in entering into this Agreement. As used in such verifications, "affiliate" means an entity that controls, is controlled by, or is under common control with the Bank within the meaning of Securities and Exchange Commission Rule 405, 17 C.F.R. § 230.405, and exists to make a profit. Liability for breach of any such verification during the term of this Agreement shall survive until barred by the applicable statute of limitations and shall not be liquidated or otherwise limited by any provision of this Agreement, notwithstanding anything in this Agreement to the contrary.

(a) <u>Not a Sanctioned Company</u>. The Bank represents that neither it nor any of its parent company, wholly- or majority-owned subsidiaries, and other affiliates is a company identified on a list prepared and maintained by the Texas Comptroller of Public Accounts under Section

- 2252.153 or Section 2270.0201, Government Code. The foregoing representation excludes the Bank and each of its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, that the United States government has affirmatively declared to be excluded from its federal sanctions regime relating to Sudan or Iran or any federal sanctions regime relating to a foreign terrorist organization.
- (b) <u>No Boycott of Israel</u>. The Bank hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott Israel and will not boycott Israel during the term of this Agreement. As used in the foregoing verification, "boycott Israel" has the meaning provided in Section 2271.001, Government Code.
- (c) <u>No Discrimination Against Firearm Entities</u>. The Bank hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association and will not discriminate against a firearm entity or firearm trade association during the term of this Agreement. As used in the foregoing verification, "discriminate against a firearm entity or firearm trade association" has the meaning provided in Section 2274.001(3), Government Code.
- (d) No Boycott of Energy Companies. The Bank hereby verifies that it and its parent company, wholly- or majority-owned subsidiaries, and other affiliates, if any, do not boycott energy companies and will not boycott energy companies during the term of this Agreement. As used in the foregoing verification, "boycott energy companies" has the meaning provided in Section 2276.001(1), Government Code.
- **Section 6.13** <u>Abortion Prohibition</u>. Texas Government Code Section 2273.003 prohibits certain transactions between a governmental entity and an abortion provider or affiliate of the provider. The Bank represents and warrants to the Issuer that it is not an abortion provider or affiliate of the provider.
- **Section 6.14.** Exemption From Section 2252.908, Texas Government Code. The Bank hereby warrants and represents to the Issuer that it is a publicly traded business entity or a wholly owned subsidiary of such a business entity.
- **Section 6.15** Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Texas.

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IN WITNESS WHEREOF, the parties I first above written.	nereto have executed this Agreement as of the day an	d year
	By:	
	Title:Address:	

### CITY OF CARROLLTON, TEXAS

By:		
	and Pricing Officer	
Address	s: 1945 E. Jackson Road	

Carrollton, Texas 75006



### **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

### **Agenda Memo**

File Number: 7208

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type: Ordinances

Agenda Number: \*19.

**CC MEETING: May 20, 2025** 

**DATE:** May 6, 2025

TO: Erin Rinehart, City Manager

FROM: Heather Smith, Parks and Recreation Manager

Chrystal Davis, Assistant City Manager

Consider An Ordinance Of The City Council Of The City Of Carrollton, Texas, Amending Chapter 133 Of The City Of Carrollton Code Of Ordinances By Revising And Adding Definitions, Revising Prohibited Activities In Parks, Revising Restrictions On The Use Of Motor Vehicles Within Parks, Revising Restrictions Regarding Alcohol In Parks, Creating A Parks Permit Process, Creating A Historic Landmark and Designation Process, And Creating An Adaptive Sports Accessibility Program.

#### **BACKGROUND:**

An amendment to Chapter 133 of the City's Municipal Code (Parks and Recreation) is proposed to incorporate necessary updates that improve clarity, consistency, and alignment across City policies related to parks, recreation, and related programming. Key revisions include updated restrictions on alcohol use, clarification of prohibited activities, and the establishment of new processes for Park Permits, Historical Landmarks and Designations, and Adaptive Sports Accessibility Program. The proposed amendment also includes updated terminology, corrections to grammatical inconsistencies, and additions to the list of defined terms.

Content related to Historical Designations, previously addressed in the Comprehensive Zoning Ordinance (CZO), is being relocated to this chapter. These provisions were removed from the CZO, as they are not zoning-related. Since Historical Designations are reviewed by the Museum and Historic Advisory Committee, placing them within the Parks and Recreation Chapter provides a more appropriate and functional alignment. This move also supports continued recognition and preservation of historically significant sites, structures, places, events, etc.

The amendment further aligns Chapter 133 with other chapters of the Municipal Code and with the Texas Penal Code, especially in areas related to definitions, alcohol regulations, and special event permitting. These changes are meant to streamline enforcement and promote consistent policy

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application across departments.

Finally, a new section is proposed to address Adaptive Sports Program partnerships, reflecting the City's ongoing commitment to inclusivity and accessible recreational opportunities for individuals with physical and cognitive disabilities.

These amendments are also recommended by both the Museum and Historic Advisory Committee and Parks and Recreation Advisory Board.

#### FINANCIAL IMPLICATIONS:

These changes do not have a direct impact on revenues or expenditures and can be implemented within the scope of the current and proposed budgets.

#### IMPACT ON COMMUNITY SUSTAINABILITY:

The proposed amendments support the City Council's goals of enhancing quality of life, preserving community character, and promoting inclusivity. By updating policies, adding Adaptive Sports Programs, and relocating Historical Designations, the City strengthens accessibility, cultural preservation, and alignment with state and local regulations-key components of Carrollton's 2025 Sustainability Plan.

#### STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommend approval of the proposed amendments to Chapter 133 to improve clarity, incorporate Historical Designations, add Adaptive Sports provisions, and align policies with the Texas Penal Code and other city ordinances.

ORDINANCE NO.	
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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING CHAPTER 133 OF THE CITY OF CARROLLTON CODE OF ORDINANCES OF THE CITY BY REVISING AND ADDING DEFINITIONS; REVISING PROHIBITED ACTIVITIES IN PARKS; REVISING RESTRICTIONS ON THE USE OF MOTOR VEHICLES WITHIN PARKS; REVISING RESTRICTIONS REGARDING ALCOHOL IN PARKS; CREATING A PARKS PERMIT PROCESS; CREATING A HISTORIC LANDMARK AND HISTORIC DESIGNATION PROCESS; CREATING AN ADAPTIVE SPORTS ACCESSIBILITY PROGRAM; PROVIDING FOR PENALTY, SAVINGS, REPEALER, AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the City of Carrollton, Texas (the "City") is a Home-Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

**WHEREAS**, Section 54.004 of the Texas Local Government Code provides that a home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

**WHEREAS**, the City Council finds it necessary to amend Chapter 133 of the Code of Ordinances to better reflect the current needs and priorities of the community regarding the use, management, and accessibility of City parks; and

**WHEREAS**, the City Council recognizes the importance of regulating alcohol use in parks to ensure public safety; and

**WHEREAS**, the establishment of a parks permit process is necessary to regulate the use of public park facilities for parks events; and

**WHEREAS**, the relocation the historic landmark and historic designation process to Parks and Recreation provides for a central location for regulations related to Parks consistent with other Parks and Recreation programs; and

**WHEREAS**, the City Council desires to enhance park access for all residents by establishing an adaptive sports accessibility program to ensure inclusive recreational opportunities for persons with disabilities; and

**WHEREAS**, the City Council has determined that these amendments are in the best interest of the health, safety, and welfare of the residents of the City of Carrollton.

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

#### **SECTION 1**

Chapter 133, <u>Parks and Recreation</u>, of Title XIII, of the Carrollton Code of Ordinances is amended to read as follows:

"CHAPTER 133. - PARKS AND RECREATION

#### **GENERAL PROVISIONS**

#### Sec. 133.01. Short title.

This chapter shall be commonly known and cited as the Parks and Recreation Code.

#### Sec. 133.02. Definitions.

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

Association. A group of sports coaches, players, volunteers, and board members who represent a specific sport.

*Director*. The Parks and Recreation Director or their designee.

*League*. An organization that provides sports programming for people who participate in a specific sport.

*Loiter.* The walking around aimlessly without apparent purpose; lingering; hanging around; lagging behind; the idle spending of time; delaying; or sauntering and moving about where such conduct is not due to physical defects or conditions.

*Organized game*. Any sporting event where two teams are playing each other and may have uniforms, officials, or spectators present.

*Park*. A park, reservation, playground, recreation center or any area in the city owned or used by the city, and devoted to active or passive recreation, including all planted medians, parkways, triangles and traffic circles maintained by the city.

*Person.* Any person, firm, partnership, corporation, association, company or organization of any kind.

*Vehicle.* Any conveyance employing wheel, track, laying devices, runners, fans or propellers, whether motor-powered, animal-drawn or self-propelled. The term shall include trailers of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city.

Bet. An agreement to win or lose something of value solely or partially by chance.

*Thing of value*. Any benefit, but does not include an unrecorded and immediate right of replay not exchangeable of value as defined in Texas Penal Code Sec. 47.01.

*Firearm.* As defined by the Texas Penal Code, as amended.

Archery Equipment. A bow, longbow, compound bow, recurved bow, crossbow or other device which by means of a drawn or stretched line or chord may be employed to discharge an arrow or projectile at a velocity which, if shot at a person or animal, may cause injury.

*Airgun*. Air rifle or air pistol, bb gun, or other instrument, by whatever name known, which by means of compressed air, compressed gas, springs, or by any other means is capable of discharging shots, pellets, or any solid object.

*Fireworks*. Any sparkler, squib, rocket, firecracker, roman candle, torpedo, fire balloon, star shell, cannon cracker, or any other substance in whatever combination by designated name used to obtain a visible or audible pyrotechnic display, including all articles or substances within the commonly accepted meaning of the term fireworks, whether herein specifically designated and defined or not.

Special Event Permit. As referenced in chapter 117 of this Code of Ordinances.

Park Permit. As referenced in section 20 of this chapter.

Alcohol Use. As referenced in section 19 of this chapter.

Park Board. As referenced in chapter 34 of this Code of Ordinances.

Museum and Historic Advisory Committee. As referenced in chapter 34 of this Code of Ordinances.

Secs. 133.03—133.14. Reserved.

**RULES AND REGULATIONS** 

#### Sec. 133.15. Promulgation and posting of rules and regulations.

The Parks and Recreation Director shall recommend to the City Manager such rules and regulations as it deems best for the management of the public parks, and where these rules have been adopted for a specific park area and posted in a manner sufficiently to be seen by an ordinarily observant person within the specific park so regulated, any person found guilty of violating these rules shall be guilty of a misdemeanor.

#### Sec. 133.16. Certain activities prohibited.

Within the limits of any public parks, it shall be unlawful for any person or persons to do any of the acts hereinafter specified, except as may be otherwise provided or by written agreement or permit issued by the city:

- (A) To hitch, fasten, lead, drive or let loose any animal, reptile or fowl of any kind, provided that this shall not apply to dogs when led by a cord or chain, not more than six feet long, except in designated areas.
- (B) To ride or drive any horse or other animal, except in designated areas. To ride, drive or go at a rate of speed faster than speed limits as posted on standard traffic signs, upon any bicycle, motorcycle, automobile or any other vehicle whatsoever, upon any drive or street in any park of the city, or to ride or drive any motorcycle, automobile or other motorized vehicle upon any walk in that park, except in designated areas.
- (C) To carry or discharge any firearm, firecrackers, rockets, torpedoes or any other fireworks, airguns, BB guns, bow and arrows, slingshots; or hit golf balls except in designated areas. other than a handgun carried by a person not otherwise prohibited by law from carrying a handgun, air gun, or fireworks. This section does not apply to a law enforcement peace officer when acting in the performance of an official duty.

- (D) To discharge any firearm, air gun, or fireworks; or hit golf balls, except in designated areas. This section does not apply to a law enforcement peace officer when acting in the performance of an official duty.
- (E) To damage, cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus, or property; or to pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or to mark or write upon, paint or deface any building, monument, fence, bench or other structure.
- (F) To cut or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer.
- (G) To swim, to bathe, wade in or pollute the water of any fountain, pond, lake or stream.
- (H) To make or kindle a fire, except in picnic stoves, braziers, fire pits or designated areas provided for that purpose.
- (I) To wash dishes or to empty salt water or other waste liquids elsewhere than in sinks provided for those purposes.
- (J) To leave garbage, cans, bottles, papers or other refuse elsewhere than in receptacles provided therefor.
- (K) To participate or engage in any activity on any public park area when that activity will create a danger to the public or may be considered a public nuisance. The Parks and Recreation Board or the Director may designate particular locations within park areas for specific activities. Overnight camping is prohibited on any park property, except by special permit issued by the Director of Parks and Recreation.
- (L) To play or bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device, for money, chips, shells, credit or any other representative of value, or to maintain or exhibit any gambling table or other instrument of gambling or gaming for the purpose of betting.
- (L) To possess or consume any alcoholic beverage except as allowed on the municipal golf course or as referenced in chapter 117 of the Code of Ordinances. TABC licensing laws must be adhered to.
- (M) To use or speak any threatening, abusive, insulting or indecent language in any of the public parks, and no person shall commit, in any public parks, any obscene, lewd or indecent act or create any nuisance.
- (N) To disturb the peace or disrupt in any manner any picnic, meeting, service, concert, exercise or exhibition.
- (O) To distribute, post, place or erect any advertising handbill, circular, bill, notice, paper or other advertising device without prior permission of the Parks and Recreation Department.
- (P) To sell or offer for sale any food, drinks, confections, merchandise or services, unless that person has a written agreement or a permit issued by the Parks and Recreation Department.

- (Q) To practice, carry on, conduct or solicit for any trade, occupation, business or profession or to circulate any petition of whatsoever kind or character without approval of the Parks and Recreation Department.
- (R) To remain, stay or loiter in any public park between the hours of 10:30 p.m. and 5:00 a.m. of the following day or remain, stay or loiter in any park in other than open hours if posted as open other than 5:00 a.m. to 10:30 p.m. of the same day, except by special permit issued by the Director of Parks and Recreation.
- (S) For any person over the age of six years to use the restrooms and washrooms designated for the opposite sex.
- (S) To remain, stay or loiter on any piece, part or portion of a park after receiving notice that said piece, part or portion has been reserved by the Parks and Recreation Department for the use or benefit of another.
  - (1) In this division, "notice" of reservation must be in writing, must reflect the name of the person for whom the piece, art or portion of the property is reserved, the date and time that the reservation is effective, and must bear the signature or initials of the Director or his designee. Reservation documentation must clearly state time and date, including set up and clean up time, and must be issued by the city.
  - (2) It is a defense to prosecution that the person is remaining, staying or loitering on the piece, part or portion of a park that has been reserved at the invitation of the person for whose use or benefit the piece, part or portion has been reserved.

#### Sec. 133.17. Use of commercial vehicles.

All vehicles used for the purpose of transporting freight and merchandise, or brick, stone or gravel, and all those commonly known as floats, moving wagons, express or delivery wagons are prohibited from entering upon or being driven through any of the public parks of the city, except by special permission of the Director of Parks and Recreation written agreement or permit issued by the city subject to appropriate conditions and safeguards.

# Sec. 133.18. Motor vehicles; traffic and parking restrictions.

- (A) No vehicle shall be driven over or across the curbs, sidewalks, grass or lawn within any park area unless signs permit.
- (B) No vehicle shall be parked in the greenbelt areas adjacent to alleyways. Parking is to be done in areas set aside for this purpose only. In areas having no parking set aside, all parking will take place outside of the boundary or curb line, where existing.
- (C) Where parking stalls have been designated all vehicles shall be parked on those lots within and between the lines designating a single vehicle parking space and not otherwise.
- (D) here parking lots or areas within public parks of the city have been designated for head in parking to front on a visible parking line without delineated single vehicle spaces, the front of the vehicle shall be placed on the parking line and as near as practicable to side of the last parked vehicle in line.
- (E) No vehicle shall be parked or left behind any other vehicle in the parking line or back of the parking line in any manner so as to obstruct, block or hinder ingress or egress from the line.

- (E) No vehicle, except the city fleet, shall be parked or remain parked on any park property between the hours of 10:30 p.m. and 5:00 a.m.
- (F) Officers of the Police Department shall issue to violators of this section traffic tickets or notices to answer to charges in the manner prescribed by the applicable ordinances, and the case shall proceed in accordance with such applicable sections. Where a vehicle is parked or left in violation of this section in a manner as to obstruct or block traffic and the owner or operator of the vehicle cannot be found, police officers may move the vehicle so that traffic will not be impeded.
- (G) No variation to the requirements of this section shall be allowed except by special permit issued by the Director of Park and Recreation written agreement or permit issued by the city.
- (H) Culpable mental state not required. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this section.
- **Sec. 133.19. Reserved Alcohol in parks.** Permitted only with a Park permit at Indian Creek Golf Course, Crosby Recreation Center, Carrollton Senior Center, A.W. Perry Homestead, or as permitted in Chapters 117 or 130.26 of the Code of Ordinances.

#### Sec. 133.20. Reserved Park Permit.

Park permits are required when an exemption for use of property or specific use is requested within the city Parks system. Permit applications can be received through the Parks and Recreation Administrative Office, and approval is granted by the Parks and Recreation Director. Park permit fees are in addition to other fees as outlined in chapter 31 of this Code of Ordinance. Permit applications must be submitted at least 30 days prior to use.

#### Park Permits are required for the following:

- (A) An exemption for use of property which requires written approval from the city as referenced within this chapter and does not necessitate a special event permit as referenced in Chapter 117.
- (B) Specialty equipment such as or similar to bounce houses, portable cooking trailers or stoves, any items requiring stakes, barrels or other items to tether objects.
- (C) Priority or exclusive use to areas that are not listed within Chapter 31. G of this Code of Ordinance.
- (D) Operate a business when not approved by another written agreement or Special Event Permit such as photography, fitness classes, private lessons or training camps or the like.

## Sec. 133.21. Reserved Historic Designation

The City Council of Carrollton hereby declares that as a matter of public policy the protection, enhancement, and perpetuation of designations of historical and cultural importance and significance are necessary to promote the economic, cultural, educational, and general welfare of the public and that such designations represent the unique confluence of time and place that

shaped the identity of generations of citizens, both collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage.

The designation of an historic landmark and/or historic district is intended to:

- 1. Protect and enhance the landmarks and areas which represent distinctive elements of Carrollton's historic, architectural, and cultural heritage
- 2. Protect and enhance Carrollton's attractiveness to residents, visitors and tourists
- 3. Support the harmonious, orderly, and efficient growth and development of the community
- 4. Promote, maintain and stimulate economic prosperity and the general welfare of the community, and
- 5. Encourage stabilization, restoration, and improvements of properties and their values.
- 6. Educate Carrollton residents and visitors about Carrollton's history.

## (A) HISTORIC PRESERVATION OFFICER: (Also referred to as the "HPO")

The City Manager or their designee shall appoint a qualified city official or staff person of the City of Carrollton to serve as a Historic Preservation Officer. This officer shall administer this ordinance in accordance with CZO Article XX.3.

# (B) MUSEUM AND HISTORIC PRESERVATION STAFF LIAISON: (Also referred to as the "MHPL")

The City Manager or their designee shall appoint a staff person from the city to serve as Museum and Historic Preservation Staff Liaison. This person shall coordinate with various departments and city personnel to aid in the preservation and education of Carrollton's history. The MHPL shall meet with and serve as staff liaison to the Museum and Historic Advisory Committee at their regular meetings and advise them on matters regarding the A.W. Perry Homestead Museum, historical designations and landmarks, other Carrollton history issues as well as the administration of this ordinance.

The MHPL may advise and assist the HPO in historical research, documents, and recommendations, but shall not be responsible for items related to planning and zoning laws.

This officer shall also provide assistance to applicants as pertained to the A.W. Perry Homestead, Carrollton history, and markers unrelated to zoning laws and shall coordinate the city's historic preservation activities with those of federal and state agencies, and with local, state and federal preservation organizations with the HPO as needed.

# (C) MUSEUM AND HISTORIC ADVISORY COMMITTEE: (Also referred to as "the Committee" and "MHAC")

The Museum and Historic Advisory Committee shall conduct meetings as established in Chapter 34 of this Code of Ordinances.

#### (E) APPLICATION FOR HISTORIC DESIGNATION:

Application for a designation for a historic landmark may be submitted if the landmark has received National or State historical recognition or satisfies at least 2 points within the below criteria. Source verification is required for all information pertaining to claims of significance.

Designations requiring a marker or text panel at a particular location, the applicant must be sole owner or have written permission granting approval for application from current property owner(s), any persons named in the application, or any other company, corporation or individual who may have a say or right of objection to the designation.

#### 1. Definitions:

Age: Most topics must date back at least 50 years, although historic events may be marked after 30 years. The city may waive age requirements for topics of overwhelming importance.

*Historical significance:* A topic is considered to have historical significance if it had influence, effect, or impact on the course of history or cultural development; age alone does not determine significance.

#### 2. Criteria:

## a. Structures

- i. Possesses significance in history, architecture, archeology or culture
- ii. Embodies the distinctive characteristics of a type, period, style or method of architecture or construction
- iii. Represents the work of a significant builder or craftsman
- iv. Possesses high artistic values
- v. Has yielded, or is reasonably likely to yield, information important to history or prehistory

#### b. Location

- i. Place of an established and familiar feature of the community
- ii. Possesses significance in history, architecture, archeology or culture
- iii. Possesses high artistic values
- iv. Has yielded, or is reasonably likely to yield, information important to history or prehistory

## c. Event

- i. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state or national history
- ii. Has yielded, or is reasonably likely to yield, information important to history or prehistory
- d. Person person's death date must fall within the age requirements
  - i. Is associated with the life of a person or persons significant to the community by positively contributing to the community's quality of life, growth, and/or prosperity.
  - ii. Represents and/or contributes to a significant and distinguishable entity whose components may lack individual distinction
- iii. Has yielded, or is reasonably likely to yield, information important to history or prehistory

#### (F) PROCESS FOR APPROVAL OF HISTORIC DESIGNATION:

MHAC shall discuss applications during the next scheduled meeting when the completed application is received no less than 10 days from the scheduled meeting.

- a. MHAC shall send approved recommendations to City Council, and a report containing the following information, as applicable:
  - i. An explanation of the significance of the nomination as it relates to the Criteria for Designation
  - ii. An explanation of the integrity and authenticity of historic character of the nominated designation.
- iii. Recommendation for location of displaying designation information e.g., in the form of historical marker, educational panel, website viewing or the like.
- iv. Testimony or evidence received by MHAC as part of the application.
- b. Upon approval from City Council, the designation shall be recorded as a resolution and noted as recommended by MHAC.
- c. Text, manufacturing, and placement for designation display shall be decided and approved by MHPL.

## (G) REMOVING A DESIGNATION:

A designation for a historic claim may be removed in the same manner and by the same process by which it was enacted.

(H) HISTORIC DISTRICT – Historic Preservation Overlay District shall function as outlined in the CZO Article XX.3 of this Code of Ordinance.

Secs. 133.19 22—133.29. Reserved.

## ATHLETIC ACTIVITIES

## Sec. 133.30. Purpose.

This subchapter is hereby adopted to serve as a guide for the comprehensive and effective usage of athletic/recreational facilities owned, leased, scheduled or otherwise controlled by the city.

## Sec. 133.31. Responsibility of Parks and Recreation Board.

It shall be the responsibility of the Parks and Recreation Board to:

- (A) Act in accordance with Chapter 34 of the City this Code of Ordinances;
- (B) Periodically audit and review the effectiveness of this ordinance;
- (C) Evaluate problems encountered by users and/or requesters of facilities; and
- (D) Recommend changes to this ordinance to the City Council at those times as it or the Council deems necessary.

## Sec. 133.32. General policies and guidelines Youth Associations.

- (A) The Recognized Youth Associations within the City of Carrollton are as follows:
  - (1) Carrollton Aqua Racers;
  - (2) Carrollton Farmers Branch Baseball Association;
  - (3) Carrollton Farmers Branch Girls Softball Association;
  - (4) Carrollton Farmers Branch Soccer Association; and
  - (5) Carrollton Youth Football League.
- (B) Associations desiring the use of city facilities must agree to and sign a facility use agreement and their association must be located within the City of Carrollton corporate limits.
- (C) All associations must be recognized by the state of Texas as a non-profit organization.
- (D) Eligibility requirements for youth sports participants:
  - (1) Youth eligibility is regulated by each individual association's organizational rules, but must allow for all Carrollton residents.
- (E) All associations or teams playing on city fields must submit the following annually:
  - (1) Contact information of all board members in the association.
  - (2) Master schedule of all games to be played including dates, times, facilities, and teams are due to the city electronically one week prior to first scheduled game.
  - (3) All rosters that include the listing of the city of residence for each participant.
  - (4) Proof of non-profit status.
  - (5) All associations must submit a copy of bylaws and all bylaws must be in harmony with the policies of the city.
  - (6) Insurance: All associations or organizations must provide (and keep in force for the duration of the playing season) general liability insurance of the occurrence type written by an insurance company acceptable to the city. This insurance must have insurance limits of not less than \$1,000,000.00 CSL (combined single limit). The insurance certificate must list the city as an Additional insured with a notice of cancellation clause of not less than 30 days. Insurance certificate must be on file prior to any practices or games.
- (F) Any participant of an association shall have the right to request and receive a report of all revenues, expenses, and any other financial information from any association using city facilities for leagues, tournaments, or concessions.
  - (1) All associations must submit an annual report to the city to include all of the above information along with a copy of their most recent tax return.
- (G) The city may terminate the use of city facilities for any failure to comply with established policies.
- (H) Facility use guidelines
  - (1) Closed fields.

- (a) A closed field will be any field that is not open due to a determination made by the Director,
- (b) The Director is authorized to close any athletic field for inclement weather, maintenance requirements, or to protect the playing surface from damage.
- (c) In most cases, the city will update the rainout line and lock gates for closed fields.
- (d) No association shall provide maintenance on any field unless authorized in advance and in writing by the Director.
- (e) If there has been rain before a weekday game, coaches may check the rainout line after 4:00 p.m. to verify whether facilities are playable. Some decisions may be made as late as 6:00 p.m. in extreme cases.
- (f) Prior to each season, the city may designate rest days for maintenance during that season.
- (g) If fields are damaged during a closure for any reason, the repair of damages will be charged to the person responsible for the field rental.

## (2) Parking.

- (a) All participants must park in designated areas.
- (b) Motorized vehicles are prohibited on walkways, grass and trails.
- (c) All vehicles are subject to ticketing and/or towing at the owner's expense.

#### (3) Practices.

- (a) Rosemeade practice fields are available for teams under nine years of age that are registered with a recognized youth baseball, softball or soccer association. Each team is limited to one hour per week and space is available to be reserved Monday Friday evenings during the spring and fall seasons.
- (b) All teams, other than those described in H(3)(i) of this section, must request a permit and pay for any practice time on or in city athletic facilities. It is unlawful for any team or association to conduct organized practices on any athletic field without the required permit.
- (c) Practice fields in neighborhood parks shall not require a permit. They are first come, first served. There shall be no organized games on neighborhood practice fields.
- (d) Each Recognized Youth Association will be allotted one free week of practices/scrimmages the week prior to their regular season(s). Associations are responsible for scheduling teams and communicating their facility needs with the city no less than one week in advance.
- (e) Due to the specialized nature of their sports, Carrollton Youth Football and Carrollton Aqua Racers will be provided access to facilities for practice. Practice schedules must be provided to the city by the association no less than one week in advance.

## (4) Make-up games.

- (a) All league make-up games and non-scheduled games must be approved in advance by the city. Notice of make-up games must be provided at least 48 hours in advance. No game shall be rescheduled for any reason other than inclement weather or electrical failures. Any other reason for rescheduling must be submitted in writing for review and approval by the Director.
- (b) All associations wanting to extend the season from its original request must submit a request in writing to the city.
- (c) Granting or denying the association's request shall be within the discretion of the city.

## (5) Keys.

- (a) The president of each association must submit a key request to the parks office for review and approval by the Director.
- (b) Keys need to be returned at the end of each season.
- (c) Lost keys may result in a complete changing of the locks at the association's expense and loss of key privileges.

#### (6) Litter removal.

(a) All associations and individual user-groups are responsible for cleaning up playing surface and surrounding areas of athletic complexes. Failure to comply may result in loss of playing privileges. Absolutely no glass containers shall be allowed at any park.

## (7) Lights.

- (a) Access will be given to two specified board members to control lights using the Musco Control Link System at designated facilities during league games only.
- (b) Any association that abuses the use of the lights will lose access to the Musco Control Link System.

# (8) Concessions.

- (a) Recognized Youth Associations may operate their designated concession stands on a schedule determined by the Director. If the association chooses not to operate the stand during league games, tournaments or special events, the city may operate the concession stand in whatever manner the Director deems appropriate.
- (b) In the case where associations share a concession stand, the two associations must come to an agreement amongst themselves. In cases in which there is no agreement, the city may operate the concession stand in whatever manner the Director deems appropriate. Game days supersede practices when deciding who will have use of the stand.
- (c) All concession stands must meet the city's Environmental Services Department Guidelines.
- (d) All associations are responsible for the cleanliness of each stand they operate. Failed Health inspections may result in loss of rights to operate.

- (e) All associations are required to purchase all soft drink supply from the city's current contracted vendor unless otherwise approved by the city.
- (f) The city may supply water, electricity, and make needed repairs to the concession stand. If the city finds the concession stand dirty from food or other items, the association will be charged \$25.00 per hour for each employee needed to clean the facility.
- (g) All associations must collect and remit all applicable sales tax for items sold on city property.
- (h) Failure to comply with State law, the Carrollton Code of Ordinances, or park rules established by the city may result in the loss of rights to operate.

## (9) Field maintenance.

(a) No association shall provide any type of field maintenance, including the use of any product for drying infields and marking lines, unless a written request is submitted and approved by the Director.

## (10) Alcohol in parks.

- (a) It is unlawful to possess or consume alcoholic beverages within any city park or athletic/recreation facility.
- (11 10) Scoreboard control boxes.
  - (a) Control boxes will be available to each association throughout each season.
  - (b) If an association loses or damages the control boxes, that association will reimburse the city for replacement parts or repairs, including wires and inserts to boxes.
- $(\frac{12}{11})$  Goal posts.
  - (a) All goal posts shall remain secured in the ground at all times. No association or any user-group is permitted to move goal posts without express approval from the Director. Failure to comply may result in loss of rights to use the facility.
  - (b) Tape is not permitted as a method of securing nets to soccer goal posts.
- (13 12) Coaches certification for recognized youth associations.
  - (a) Each association is responsible for having all coaches certified through a state or national organization, or through the city's certification program. The association is responsible for all costs of the certification.
  - (b) Certifications must include a minimum of \$1,000,000.00 of liability insurance and background checks.
  - (c) Each association shall submit rosters of certified coaches to the city.
- (14 13) Criminal history background checks for recognized youth associations.
  - (a) All recognized youth associations are required to conduct criminal history background checks on all coaches and volunteers associated with any team or association.
- (15 14) Age cut-off.

- (a) All associations set age cut-off dates in conjunction with their governing body or parent organization.
- (b) All participants are placed in age divisions based on their age as of the current year of each date set by the association by laws.
- (c) Dates can be changed subject to approval by the city.
- (16 15) Facility allocation.
  - (a) Primary facilities used by recognized youth associations for league games
    - (i) Carrollton Farmers Branch Youth Soccer
       Veterans Soccer Complex Fields A-E and R.E. Good Soccer Complex Fields 1-5
    - (ii) Carrollton Farmers Branch Baseball AssociationMeinnish McInnish Baseball Fields 6-9, and 12-15
    - (iii) Carrollton Farmers Branch Girls Softball Josey Ranch Fields 1-4
    - (iv) Carrollton Youth FootballJosey Ranch Field 5 and Thomas Football Field 3
    - (v) Carrollton Aqua Racers

      Rosemeade Rainforest Aquatic Complex
  - (b) The Director may make changes to the allocations based on registration numbers for each association.
- (I) Scheduling/reservations.
  - (1) The Director will make final decisions regarding permit issuance, scheduling, and field allocation.
  - (2) All season requests must be made in writing by each association and submitted to the city no later than one month prior to opening day of each season. Requests must include the following information:
    - (a) Specific facilities being requested
    - (b) Beginning and ending dates of season
    - (c) Estimated days and times each facility is needed
  - (3) All associations must submit game schedules to the city no less than one week prior to opening day each season.
  - (4) All city programs or events scheduled by the city have first priority on any athletic facility.
  - (5) All Recognized Youth Associations will have second priority on any athletic facility listed in this subsection.

- (6) All primary seasons will have priority over secondary or off-season sports. Each association must designate primary season.
- (7) All other user-groups must obtain a permit from the Director. Individual teams of associations must obtain and pay for field use.
- (8) The Director may restrict any reservation length, time, and/or frequency.
- (9) All playoff dates must be submitted as part of the season schedule.
- (10) Failure to meet required deadlines could result in loss of priority use or use of facilities.

## (J) Tournaments.

- (1) Each association may hold one tournament per year with no field rental charge.
- (2) The city may host any regional, state, or national tournament which would take precedence over any other tournament.
- (3) Tournament requests follow the same guidelines stated in this subsection.

# (K) Clinics or camps.

- (1) Any clinic or camp request must be submitted to the city for approval.
- (2) The clinic or camp host will pay field rental fees and a negotiated fee from sales or gate fees.
- (3) Clinics and camps are secondary to all league play

#### (L) Vendor fee.

(1) A negotiated fee will be paid to the city when money is taken for goods or services on city owned park property.

#### (M) Field rentals.

(1) Any person who does not sign a facility use agreement may rent fields based on availability in accordance with the policies and guidelines (except insurance and audit requirements) and after paying the fees in accordance with Chapter 31 of the city's comprehensive fee schedule and signing a field rental agreement. All field rentals must be approved by the Director. A field rental permit issued by the Director must be shown if asked for by a representative of the city.

## (N) Annual meeting.

(1) Upon request by the Director, each Recognized Youth Association shall meet with the city staff to review city ordinances and discuss expectations and field closures for the upcoming season/year.

# Sec. 133.33. Reserved Adaptive Sports Accessibility Program.

(A) Purpose. The Adaptive Sports Accessibility Program (ASAP) provides structured facility usage for approved adaptive sports organizations, ensuring consistent, high-quality programming for individuals with disabilities. Facilities may include indoor venues or outdoor sports fields.

(B) Eligible Organizations. Applicants must demonstrate a commitment to adaptive sports and serve individuals with disabilities. Applicants will be approved by the Parks and Recreation Director based on program sustainability, demonstrated need, and community impact.

# (C) Criteria for Participation.

- a. Be a registered 501(c)(3) non-profit or have equivalent charitable status.
- b. Demonstrate a history of providing adaptive sports programming.
- c. Serve a population that includes individuals with physical, intellectual, developmental, visual, or hearing disabilities.
- d. Provide proof of liability insurance and safety protocols, including emergency action plans and background checks for staff and volunteers.
- e. Provide and maintain a track record of community engagement and positive program impact.

## (D) Financial Support and Facility Usage.

- a. All fees considered will be given at the posted resident rate.
- b. The City will waive facility rental fees.
- c. A deposit is required and will be administered per standard procedures for Carrollton residents at the posted resident rate.
- d. Other posted fees, as referenced in Chapter 34 of this Code of Ordinances, shall be determined at the discretion of the City Manager or designee.
- e. Approved organizations shall make a good faith effort to secure grant funding, sponsorships, and financial support from corporate sponsors and local businesses to promote the program's sustainability. This effort will be a factor in the evaluation of initial applications and renewals for participation in ASAP.

### (E) Scheduling and Administration.

- a. Scheduling will be overseen through the Parks and Recreation Department.
- b. The Parks and Recreation Department will evaluate the program annually based on participation, community impact, and facility utilization.
- (F) Process for Approval. All organizations seeking participation in ASAP must submit a formal application to the Parks and Recreation Department, including proof of eligibility and compliance with the program criteria.
  - a. Application Submission. Organizations must submit a complete application, including required documentation and proof of eligibility.
  - b. Department Review. The Parks and Recreation Department will evaluate applications based on criteria such as community impact, sustainability, and adherence to program requirements.

## (G) Final Approval.

a. The City Manager or designee will grant final approval based on department assessment.

b. Approved organizations must enter into a formal agreement with the City outlining terms of facility use, compliance expectations, and reporting requirements.

## Secs. 133.33 34—133.36. Reserved.

## Sec. 133.37. Violation of provisions; refusal of scheduled usage of facilities.

Any person or group violating any provision of this subchapter or the rules and regulations adopted pursuant to this subchapter may be refused the scheduled usage of athletic/recreation facilities.

## Secs. 133.38—133.97. Reserved.

#### Sec. 133.98. Enforcement remedies.

- (A) *Officials*. The Director of Parks and Recreation, park attendants designated by the Director and the Police Department, shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.
- (B) *Ejectment*. The Director, park attendants designated by the Director and any member of the Police Department shall have the authority to eject from the park any person acting in violation of this chapter.
- (C) Seizure of property. The Director, park attendants staff designated by the Director or any member of the Police Department shall have the authority to seize and confiscate any property, thing or device in the park or used in violation of this chapter.

## Sec. 133.99. Penalty.

Any person or group violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 10.99.

## YOUTH PROGRAM STANDARDS OF CARE

#### Sec. 133-105. Definitions.

The following definitions apply to this article, in addition to the definitions outlined in the document.

Department. The Carrollton Parks & Recreation Department.

*Parent(s)*. One or both parents or other adult with legal custody and authority to enroll a child or children in the youth program.

*Participant.* A youth whose parent(s) have completed all required registration procedures and who is eligible for the youth program.

*Recreation supervisor*. The full-time department employee or his/her designated representative, who is responsible for the management of customer service and the facility including personnel, programs, space allocation and overseeing management, administration, and implementation of the youth program.

Program site. Crosby Recreation Center, 1610 East Crosby Road, Carrollton, TX 75006

*Recreation coordinator.* Serves as youth program camp manager, a full-time, professional employee of city who is responsible for overseeing implementation of the youth program.

*Camp coordinator.* A part-time or seasonal employee of city who is responsible for day to day operations of the youth program.

*Program staff.* City of Carrollton Parks and Recreation Department full-time, part-time, seasonal, and temporary staff, contract instructor or volunteer assigned responsibility for managing, administering, or implementing some or all portions of one or more Carrollton Parks and Recreation Department Youth Programs. This definition also includes Recreation Supervisor, Recreation Coordinator, and Camp Coordinator.

Youth. A child aged five to 12 years.

Youth program. The city children's recreation camp program.

Youth program manual. The notebook of policies, procedures, required forms, and organizational and programming information relevant to the youth program.

# Sec. 133-106. Purpose.

This article shall define the standard of care for the city's youth program.

Pursuant to Rule §745.115 of Title 40 of the Texas Administrative Code, this article allows the city to operate the youth program without adopting the state-prescribed daycare standards of care and licensing requirements.

THE CITY DECLARES ITS YOUTH PROGRAM IS NOT REQUIRED TO BE AND IS NOT LICENSED BY THE STATE OF TEXAS, AND THE YOUTH PROGRAM IS NOT A CHILD-CARE OPERATION AND WILL NOT BE ADVERTISED AS A CHILD-CARE FACILITY OR PROGRAM IN ACCORDANCE WITH STATE LAW.

## Sec. 133-107. Administration.

- (A) The governing body of the youth program is the City Council. Implementation of the Youth Program Standards of Care is the responsibility of the Parks and Recreation Department Director and the department employees. These standards of care will apply to the youth program. The program site will have available, for public and staff review, a current copy of the Youth Program Standards of Care. Parents of participants will be provided a current copy of the Youth Program Standards of Care during the youth program registration process. Criminal background checks and drug and alcohol screens will be conducted on prospective program staff in the same manner in which the city conducts screens of potential city employees. No person is allowed to be hired as staff for the youth program if the person fails to satisfy all city screening standards.
  - (1) Before a participant may be enrolled, a parent must sign registration forms that contain:
    - (a) Name, photograph, address, and home telephone number of the participant;
    - (b) Name, address, and telephone number of both parents who may need to be contacted during youth program hours;
    - (c) Alternate emergency contact information;

- (d) The names and telephone numbers of people to whom the participant may be released;
- (e) A statement of the participant's special problems or needs, including allergies;
- (f) Emergency medical authorization;
- (g) Proof of residency; and
- (h) A liability release that encompasses all personal injury, including death, and property damage resulting from participation in the youth program.
- (B) A monthly inspection report will be initiated by the Recreation Coordinator of youth program to confirm adherence to the Youth Program Standards of Care. Inspection reports will be sent to the Recreation Supervisor for review and kept on record for at least five years. The Recreation Supervisor will review the report and establish deadlines and criteria for compliance with the Youth Program Standards of Care. The Recreation Supervisor will make visual inspections of the youth program no less than twice during each youth program session.
- (C) Complaints regarding enforcement of the Youth Program Standards of Care will be directed to the Recreation Coordinator. The Recreation Coordinator will be responsible for taking the necessary steps to resolve the problems. Complaints not involving threats to life safety, regarding enforcement of the Youth Program Standards of Care and their resolution, will be recorded by the Recreation Supervisor. Complaints involving life safety as related to enforcement of the Youth Program Standards of Care will be addressed by the Recreation Supervisor and the complaint and resolution will be noted.
- (D) The Recreation Manager or designee will make an annual report to the Park Board on the overall status of the youth program and their compliance with the Youth Program Standards of Care.

#### Sec. 133-108. Standards of care.

- (A) Staff-participant ratio.
  - (1) The standard ratio of participants to Counselors will be no more than 20 to one. In the event a Counselor is unable to report to the site, a replacement will be assigned; and
  - (2) Each participant shall have a program staff who is responsible for him or her and who is aware of the participant's habits, interests, and any special needs as identified by the participant's parent during the registration process.

## (B) Discipline.

- (1) Program staff will be based on the best interests of participants;
- (2) There shall be no cruel, harsh, or physically administered punishment or treatment;
- (3) Program staff may use brief, supervised separation from the group if necessary;
- (4) As necessary, program staff will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised of specific problems or incidents;
- (5) A sufficient number and/or severe nature of discipline reports as detailed in the youth program manual may result in participant being suspended from the youth program; and

(6) In instances where there is a danger to participants or staff, the offending participant will be removed from the site as soon as possible.

## (C) Programming.

- (1) Program staff will attempt to provide activities for each group according to the participants' ages and appropriate to participants' health, safety, and well-being. The activities will be flexible and attempt to promote the participants' emotional, social, and mental growth;
- (2) Program staff will provide youth programs that include, but not limited to:
  - (a) Alternating active and passive activities;
  - (b) Opportunity for individual and group activities; and
  - (c) Outdoor time at frequent intervals when weather permits.
- (3) Program staff will be attentive and considerate of the safety of participants on field trips and during any transportation provided by the youth program;
- (4) During trips, program staff supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant;
- (5) Program staff must have a list of the participants in the group and must check the roll frequently; and
- (6) Program staff must have first aid supplies and a guide to first aid and emergency care available on field trips.

## (D) Communication.

- (1) The program site will have a telephone to allow contact by department personnel and for use in contacting the city or making emergency calls; and
- (2) The Recreation Coordinator will post the following telephone numbers adjacent to a telephone accessible to all youth program employees at the site:
  - (a) City ambulance or emergency medical services;
  - (b) Recreation Supervisor;
  - (c) Recreation Superintendent;
  - (d) City police department;
  - (e) City fire department;
  - (f) City Hall;
  - (g) Administrative Offices with Parks and Recreation Department; and
  - (h) The telephone number for the site itself.

## (E) Transportation.

(1) Before a participant may be transported to and from youth program activities. an authorization form, completed by the parent(s) of the participant, must be filed with the Recreation Coordinator

- (2) First aid supplies and a first aid and emergency care guide will be available in all youth program vehicles that transport children; and
- (3) All youth program vehicles used for transporting participants for field trips and other activities offered as part of the program during normal program hours must have available a 6-BC portable fire extinguisher which will be accessible to the program staff.

# (F) Safety.

- (1) Program staff will inspect the site daily to detect sanitation and safety concerns that might affect the health and safety of the participants;
- (2) Buildings. grounds, and equipment of and on the site will be inspected, cleaned, repaired, and maintained as needed to protect the health and safety of the participants;
- (3) Program staff must have first aid supplies and a guide to first aid and emergency care readily available at the site, during transportation to an off-site activity, and for the duration of any off-site activity;
- (4) Youth program air conditioners, electric fans, and heaters must be mounted out of the reach of participants or have safeguards that keep participants from being injured; and

#### (G) Fire.

- (1) In case of fire, danger of fire, explosion, or another emergency, the priority of program staff is to evacuate the participants to a designated safe area;
- (2) The site will have an annual fire inspection by the local fire department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Recreation Supervisor who will review and establish deadlines and criteria for compliance.
- (3) The site must have at least one fire extinguisher approved by the fire marshal readily available to all program staff. The fire extinguisher is to be inspected quarterly, and a quarterly report will be forwarded to the Recreation Supervisor who will keep the report on file for a minimum of five years. All program employees will be trained in the proper use of fire extinguishers; and
- (4) Fire drills will be initiated at the site during each month of the Program.

#### (H) Illness or injury.

- (1) A participant who is considered to be a health or safety concern to other participants or program staff will not be admitted to the youth program;
- (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and staff;
- (3) Program staff will follow plans to provide emergency care for injured participants with symptoms of acute illness as specified in the youth program manual; and
- (4) Program staff will follow the recommendation of the Texas Department of Health concerning the admission or re-admission of any participant after a communicable disease.

#### (I) Medication.

- (1) No medications will be allowed at Camp Wonder other than the following exceptions:
  - (a) Staff will administer an epinephrine pen for life threating situation if provided for the camper. Staff will be trained to administer the medication.
  - (b) Campers are not allowed to bring medicines to camp and administer themselves other than insulin and inhaler.

## (J) Toilet facilities.

- (1) The program site will have toilets located and equipped so participants can use them independently and program staff can supervise as needed;
- (2) An appropriate and adequate number of toilets and lavatories will be provided.

#### (K) Sanitation.

- (1) The program site must have adequate light, ventilation, and heat;
- (2) The youth program must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner; and
- (3) Program staff must properly dispose of garbage and debris from the program area daily.

## Sec. 133-109. Youth program staff.

- (A) Staff qualifications and responsibilities:
  - (1) Recreation Supervisor qualifications:
    - (a) Will be a full-time, professional employee of the department with a bachelor's degree in Recreation, Recreation Administration or related field;
    - (b) Responsible for supervising recreation programs, special events, facility activities, memberships, and maintenance;
    - (c) Recommends for hire, supervises, and evaluates Counselors;
    - (d) Must pass a background investigation including testing for illegal substances and alcohol in accordance with city hiring standards;
    - (e) Must be CPR/AED certified; and
    - (f) Must be certified in First Aid.
  - (2) Recreation Coordinator qualifications:
    - (a) Will be a full-time, professional employee of the department with a bachelor's degree in Recreation, Recreation Administration or related field;
    - (b) Working knowledge of recreation programming and facilities planning;
    - (c) Plans and evaluates the daily activities and weekly off-site activities of youth program; and program staff will report suspected child abuse to the Texas Department of Family; and
    - (d) Protective Services, in accordance with the Texas Family Code, telephone number, 1-800-252-5400;

- (e) Program staff will receive information related to child abuse identification and prevention, and how to report suspected abuse;
- (f) Must pass a background investigation including testing for illegal substances and alcohol in accordance with city hiring standards;
- (g) Must be CPR/AED certified; and
- (h) Must be certified in First Aid.
- (3) Camp Coordinator responsibilities:
  - (a) Administers the daily operations of the youth program in compliance with the Youth Program Standards of Care;
  - (b) Implements, monitors, and evaluates the daily activities and field trips of youth program;
  - (c) Serves as an immediate authority figure to counselors and participants in the absence of the Recreation Coordinator;
  - (d) Must be CPR/AED certified; and
  - (e) Must be certified in First Aid.
- (4) Counselor qualifications:
  - (a) Part-time or temporary employees of the city;
  - (b) Will be age 17 or older; however, each site will have at least one Counselor 18 years or older present at all times;
  - (c) Must pass a background investigation including testing for alcohol and illegal substances in accordance with city hiring standards;
  - (d) Must be CPR/AED certified;
  - (e) Must be First Aid certified.
  - (f) Counselor responsibilities:
    - (i) Be able to consistently exhibit competence, good judgment, and self-control when working with participants;
    - (ii) Relate to participants with courtesy, respect, tolerance, and patience;
    - (iii) Provide participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers;
    - (iv) Be responsible for knowing and follow all city and departmental standards, policies, and procedures that apply to the youth program; and
    - (v) Ensure that participants are released only to a parent or person on record as being authorized by the parent(s) for pickup. Youth program site will have a copy of the department approved plan to verify the identity of a person authorized to pick up a participant.
  - (g) Training and orientation:

- (i) The city will provide training orientation to Counselors in working with participants and for specific job responsibilities. Each Counselor will be provided with a youth program manual specific to the youth program;
- (ii) Counselors will be trained in appropriate procedures to handle emergencies;
- (iii) Counselors will receive training in pertinent city, department, and youth program policies and procedures; and
- (iv) Program staff will be required to sign an acknowledgment that they received the required training and are expected to conduct activities in accordance with training and the Youth Program Standards of Care."

## **SECTION 2**

Any person violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

# **SECTION 3**

All Ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance shall be and are hereby repealed.

## **SECTION 4**

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

## **SECTION 5**

All other provisions of the Carrollton Code of Ordinances not expressly amended as stated herein shall remain in full force and effect.

## **SECTION 6**

This Ordinance shall take effect from and after May 21, 2025.

PASSED AND APPROVED THIS 20th DAY OF MAY 2025.

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By:	
•	Steve Babick, Mayor

ATTEST:

Chloe Sawatky, City Secretary	
APPROVED AS TO FORM	APPROVED AS TO CONTENT
Meredith Ladd, City Attorney	Chrystal Davis, Asst. City Manager

ORDINANCE NO.	
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AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING CHAPTER 133 OF THE CITY OF CARROLLTON CODE OF ORDINANCES OF THE CITY BY REVISING AND ADDING DEFINITIONS; REVISING PROHIBITED ACTIVITIES IN PARKS; REVISING RESTRICTIONS ON THE USE OF MOTOR VEHICLES WITHIN PARKS; REVISING RESTRICTIONS REGARDING ALCOHOL IN PARKS; CREATING A PARKS PERMIT PROCESS; CREATING A HISTORIC LANDMARK AND HISTORIC DESIGNATION PROCESS; CREATING AN ADAPTIVE SPORTS ACCESSIBILITY PROGRAM; PROVIDING FOR PENALTY, SAVINGS, REPEALER, AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

**WHEREAS,** the City of Carrollton, Texas (the "City") is a Home-Rule municipality possessing the full power of local self-government pursuant to Article 11, Section 5 of the Texas Constitution, Section 51.072 of Texas Local Government Code and its Home Rule Charter; and

**WHEREAS**, Section 54.004 of the Texas Local Government Code provides that a home rule municipality may enforce ordinances necessary to protect health, life, and property and to preserve the good government, order, and security of the municipality and its inhabitants; and

**WHEREAS**, the City Council finds it necessary to amend Chapter 133 of the Code of Ordinances to better reflect the current needs and priorities of the community regarding the use, management, and accessibility of City parks; and

**WHEREAS**, the City Council recognizes the importance of regulating alcohol use in parks to ensure public safety; and

**WHEREAS**, the establishment of a parks permit process is necessary to regulate the use of public park facilities for parks events; and

**WHEREAS**, the relocation the historic landmark and historic designation process to Parks and Recreation provides for a central location for regulations related to Parks consistent with other Parks and Recreation programs; and

**WHEREAS**, the City Council desires to enhance park access for all residents by establishing an adaptive sports accessibility program to ensure inclusive recreational opportunities for persons with disabilities; and

**WHEREAS**, the City Council has determined that these amendments are in the best interest of the health, safety, and welfare of the residents of the City of Carrollton.

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

## **SECTION 1**

Chapter 133, <u>Parks and Recreation</u>, of Title XIII, of the Carrollton Code of Ordinances is amended to read as follows:

"CHAPTER 133. - PARKS AND RECREATION

#### **GENERAL PROVISIONS**

#### Sec. 133.01. Short title.

This chapter shall be commonly known and cited as the Parks and Recreation Code.

#### Sec. 133.02. Definitions.

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

Association. A group of sports coaches, players, volunteers, and board members who represent a specific sport.

*Director*. The Parks and Recreation Director or their designee.

*League*. An organization that provides sports programming for people who participate in a specific sport.

Loiter. The walking around aimlessly without apparent purpose; lingering; hanging around; lagging behind; idle spending of time; delaying; or sauntering and moving about where such conduct is not due to physical defects or conditions.

*Organized game.* Any sporting event where two teams are playing each other and may have uniforms, officials, or spectators present.

*Park*. A park, reservation, playground, recreation center or any area in the city owned or used by the city, and devoted to active or passive recreation, including all planted medians, parkways, triangles and traffic circles maintained by the city.

*Person.* Any person, firm, partnership, corporation, association, company or organization of any kind.

*Vehicle*. Any conveyance employing wheel, track, laying devices, runners, fans or propellers, whether motor-powered, animal-drawn or self-propelled. The term shall include trailers of any size, kind or description. Exception is made for baby carriages and vehicles in the service of the city.

Bet. An agreement to win or lose something of value solely or partially by chance.

*Thing of value*. Any benefit, but does not include an unrecorded and immediate right of replay not exchangeable of value as defined in Texas Penal Code Sec. 47.01.

*Firearm.* As defined by the Texas Penal Code, as amended.

Archery Equipment. A bow, longbow, compound bow, recurved bow, crossbow or other device which by means of a drawn or stretched line or chord may be employed to discharge an arrow or projectile at a velocity which, if shot at a person or animal, may cause injury.

*Airgun.* Air rifle or air pistol, bb gun, or other instrument, by whatever name known, which by means of compressed air, compressed gas, springs, or by any other means is capable of discharging shots, pellets, or any solid object.

*Fireworks*. Any sparkler, squib, rocket, firecracker, roman candle, torpedo, fire balloon, star shell, cannon cracker, or any other substance in whatever combination by designated name used to obtain a visible or audible pyrotechnic display, including all articles or substances within the commonly accepted meaning of the term fireworks, whether herein specifically designated and defined or not.

Special Event Permit. As referenced in chapter 117 of this Code of Ordinances.

Park Permit. As referenced in section 20 of this chapter.

Alcohol Use. As referenced in section 19 of this chapter.

Park Board. As referenced in chapter 34 of this Code of Ordinances.

Museum and Historic Advisory Committee. As referenced in chapter 34 of this Code of Ordinances.

#### Secs. 133.03—133.14. Reserved.

#### **RULES AND REGULATIONS**

## Sec. 133.15. Promulgation and posting of rules and regulations.

The Parks and Recreation Director shall recommend to the City Manager such rules and regulations as it deems best for the management of the public parks, and where these rules have been adopted for a specific park area and posted in a manner sufficiently to be seen by an ordinarily observant person within the specific park so regulated, any person found guilty of violating these rules shall be guilty of a misdemeanor.

## Sec. 133.16. Certain activities prohibited.

Within the limits of any public parks, it shall be unlawful for any person or persons to do any of the acts hereinafter specified, except as may be otherwise provided or by written agreement or permit issued by the city:

- (A) To hitch, fasten, lead, drive or let loose any animal, reptile or fowl of any kind, provided that this shall not apply to dogs when led by a cord or chain, not more than six feet long, except in designated areas.
- (B) To ride or drive any horse or other animal, except in designated areas. To ride, drive or go at a rate of speed faster than speed limits as posted on standard traffic signs, upon any bicycle, motorcycle, automobile or any other vehicle whatsoever, upon any drive or street in any park of the city, or to ride or drive any motorcycle, automobile or other motorized vehicle upon any walk in that park, except in designated areas.
- (C) To carry any firearm, other than a handgun carried by a person not otherwise prohibited by law from carrying a handgun, air gun, or fireworks. This section does not apply to a law enforcement peace officer when acting in the performance of an official duty.

- (D) To discharge any firearm, air gun, or fireworks; or hit golf balls, except in designated areas. This section does not apply to a law enforcement peace officer when acting in the performance of an official duty.
- (E) To damage, cut, break, injure, deface or disturb any tree, shrub, plant, rock, building, cage, pen, monument, fence, bench or other structure, apparatus, or property; or to pluck, pull up, cut, take or remove any shrub, bush, plant or flower; or to mark or write upon, paint or deface any building, monument, fence, bench or other structure.
- (F) To cut or remove any wood, turf, grass, soil, rock, sand, gravel or fertilizer.
- (G) To swim, to bathe, wade in or pollute the water of any fountain, pond, lake or stream.
- (H) To make or kindle a fire, except in picnic stoves, braziers, fire pits or designated areas provided for that purpose.
- (I) To wash dishes or to empty salt water or other waste liquids elsewhere than in sinks provided for those purposes.
- (J) To leave garbage, cans, bottles, papers or other refuse elsewhere than in receptacles provided therefor.
- (K) To participate or engage in any activity on any public park area when that activity will create a danger to the public or may be considered a public nuisance. The Parks and Recreation Board or the Director may designate particular locations within park areas for specific activities. Overnight camping is prohibited on any park property.
- (L) To bet at or against any game which is played, conducted, dealt or carried on with cards, dice or other device, for money, or to maintain or exhibit any gambling table or other instrument of gambling or gaming for the purpose of betting.
- (M) To use or speak any threatening, abusive, insulting or indecent language in any of the public parks, and no person shall commit, in any public parks, any obscene, lewd or indecent act or create any nuisance.
- (N) To disturb the peace or disrupt in any manner any picnic, meeting, service, concert, exercise or exhibition.
- (O) To distribute, post, place or erect any advertising handbill, circular, bill, notice, paper or other advertising device.
- (P) To sell or offer for sale any food, drinks, confections, merchandise or services.
- (Q) To practice, carry on, conduct or solicit for any trade, occupation, business or profession or to circulate any petition of whatsoever kind or character.
- (R) To remain, stay or loiter in any public park between the hours of 10:30 p.m. and 5:00 a.m. of the following day or remain, stay or loiter in any park in other than open hours if posted as open other than 5:00 a.m. to 10:30 p.m. of the same day.
- (S) To remain, stay or loiter on any piece, part or portion of a park after receiving notice that said piece, part or portion has been reserved by the Parks and Recreation Department for the use or benefit of another.
  - (1) Reservation documentation must clearly state time and date, including set up and clean up time, and must be issued by the city.

(2) It is a defense to prosecution that the person is remaining, staying or loitering on the piece, part or portion of a park that has been reserved at the invitation of the person for whose use or benefit the piece, part or portion has been reserved.

#### Sec. 133.17. Use of commercial vehicles.

All vehicles used for the purpose of transporting freight and merchandise, or brick, stone or gravel, and all those commonly known as floats, moving wagons, express or delivery wagons are prohibited from entering upon or being driven through any of the public parks of the city, except by written agreement or permit issued by the city subject to appropriate conditions and safeguards.

# Sec. 133.18. Motor vehicles; traffic and parking restrictions.

- (A) No vehicle shall be driven over or across curbs, sidewalks, grass or lawn within any park area unless signs permit.
- (B) No vehicle shall be parked in the greenbelt areas adjacent to alleyways. Parking is to be done in areas set aside for this purpose only. In areas having no parking set aside, all parking will take place outside of the boundary or curb line, where existing.
- (C) Where parking stalls have been designated all vehicles shall be parked on those lots within and between the lines designating a single vehicle parking space and not otherwise.
- (D) No vehicle, except the city fleet, shall be parked or remain parked on any park property between the hours of 10:30 p.m. and 5:00 a.m.
- (E) Officers of the Police Department shall issue to violators of this section traffic tickets or notices to answer charges in the manner prescribed by the applicable ordinances, and the case shall proceed in accordance with such applicable sections. Where a vehicle is parked or left in violation of this section in a manner as to obstruct or block traffic and the owner or operator of the vehicle cannot be found, police officers may move the vehicle so that traffic will not be impeded.
- (F) No variation to the requirements of this section shall be allowed except by written agreement or permit issued by the city.
- (G) Culpable mental state not required. Neither allegation nor evidence of a culpable mental state is required for the proof of an offense defined by this section.

## Sec. 133.19. Alcohol in parks.

Permitted only with a Park permit at Indian Creek Golf Course, Crosby Recreation Center, Carrollton Senior Center, A.W. Perry Homestead, or as permitted in Chapters 117 or 130.26 of the Code of Ordinances.

#### Sec. 133.20. Park Permit.

Park permits are required when an exemption for use of property or specific use is requested within the city Parks system. Permit applications can be received through the Parks and Recreation Administrative Office, and approval is granted by the Parks and Recreation

Director. Park permit fees are in addition to other fees as outlined in chapter 31 of this Code of Ordinance. Permit applications must be submitted at least 30 days prior to use.

Park Permits are required for the following:

- (A) An exemption for use of property which requires written approval from the city as referenced within this chapter and does not necessitate a special event permit as referenced in Chapter 117.
- (B) Specialty equipment such as or similar to bounce houses, portable cooking trailers or stoves, any items requiring stakes, barrels or other items to tether objects.
- (C) Priority or exclusive use to areas that are not listed within Chapter 31. G of this Code of Ordinance.
- (D) Operate a business when not approved by another written agreement or Special Event Permit such as photography, fitness classes, private lessons or training camps or the like.

# Sec. 133.21. Historic Designation

The City Council of Carrollton hereby declares that as a matter of public policy the protection, enhancement, and perpetuation of designations of historical and cultural importance and significance are necessary to promote the economic, cultural, educational, and general welfare of the public and that such designations represent the unique confluence of time and place that shaped the identity of generations of citizens, both collectively and individually, and produced significant historic, architectural, and cultural resources that constitute their heritage.

The designation of an historic landmark and/or historic district is intended to:

- 1. Protect and enhance the landmarks and areas which represent distinctive elements of Carrollton's historic, architectural, and cultural heritage
- 2. Protect and enhance Carrollton's attractiveness to residents, visitors and tourists
- 3. Support the harmonious, orderly, and efficient growth and development of the community
- 4. Promote, maintain and stimulate economic prosperity and the general welfare of the community, and
- 5. Encourage stabilization, restoration, and improvements of properties and their values.
- 6. Educate Carrollton residents and visitors about Carrollton's history.

## (A) HISTORIC PRESERVATION OFFICER: (Also referred to as the "HPO")

The City Manager or their designee shall appoint a qualified city official or staff person of the City of Carrollton to serve as a Historic Preservation Officer. This officer shall administer this ordinance in accordance with CZO Article XX.3.

# (B) MUSEUM AND HISTORIC PRESERVATION STAFF LIAISON: (Also referred to as the "MHPL")

The City Manager or their designee shall appoint a staff person from the city to serve as Museum and Historic Preservation Staff Liaison. This person shall coordinate with various departments and city personnel to aid in the preservation and education of Carrollton's history. The MHPL shall meet with and serve as staff liaison to the Museum and Historic Advisory Committee at their regular meetings and advise them on matters regarding the A.W. Perry Homestead Museum, historical designations and

landmarks, other Carrollton history issues as well as the administration of this ordinance.

The MHPL may advise and assist the HPO in historical research, documents, and recommendations, but shall not be responsible for items related to planning and zoning laws.

This officer shall also provide assistance to applicants as pertained to the A.W. Perry Homestead, Carrollton history, and markers unrelated to zoning laws and shall coordinate the city's historic preservation activities with those of federal and state agencies, and with local, state and federal preservation organizations with the HPO as needed.

# (C) MUSEUM AND HISTORIC ADVISORY COMMITTEE: (Also referred to as "the Committee" and "MHAC")

The Museum and Historic Advisory Committee shall conduct meetings as established in Chapter 34 of this Code of Ordinances.

#### (E) APPLICATION FOR HISTORIC DESIGNATION:

Application for a designation for a historic landmark may be submitted if the landmark has received National or State historical recognition or satisfies at least 2 points within the below criteria. Source verification is required for all information pertaining to claims of significance.

Designations requiring a marker or text panel at a particular location, the applicant must be sole owner or have written permission granting approval for application from current property owner(s), any persons named in the application, or any other company, corporation or individual who may have a say or right of objection to the designation.

#### 1. Definitions:

Age: Most topics must date back at least 50 years, although historic events may be marked after 30 years. The city may waive age requirements for topics of overwhelming importance.

*Historical significance:* A topic is considered to have historical significance if it had influence, effect, or impact on the course of history or cultural development; age alone does not determine significance.

#### 2. Criteria:

## a. Structures

- i. Possesses significance in history, architecture, archeology or culture
- ii. Embodies the distinctive characteristics of a type, period, style or method of architecture or construction
- iii. Represents the work of a significant builder or craftsman
- iv. Possesses high artistic values
- v. Has yielded, or is reasonably likely to yield, information important to history or prehistory

#### b. Location

- i. Place of an established and familiar feature of the community
- ii. Possesses significance in history, architecture, archeology or culture
- iii. Possesses high artistic values
- iv. Has yielded, or is reasonably likely to yield, information important to history or prehistory

#### c. Event

- i. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state or national history
- ii. Has yielded, or is reasonably likely to yield, information important to history or prehistory
- d. Person person's death date must fall within the age requirements
  - i. Is associated with the life of a person or persons significant to the community by positively contributing to the community's quality of life, growth, and/or prosperity.
  - ii. Represents and/or contributes to a significant and distinguishable entity whose components may lack individual distinction
- iii. Has yielded, or is reasonably likely to yield, information important to history or prehistory

#### (F) PROCESS FOR APPROVAL OF HISTORIC DESIGNATION:

MHAC shall discuss applications during the next scheduled meeting when the completed application is received no less than 10 days from the scheduled meeting.

- a. MHAC shall send approved recommendations to City Council, and a report containing the following information, as applicable:
  - i. An explanation of the significance of the nomination as it relates to the Criteria for Designation
  - ii. An explanation of the integrity and authenticity of historic character of the nominated designation.
- iii. Recommendation for location of displaying designation information e.g., in the form of historical marker, educational panel, website viewing or the like.
- iv. Testimony or evidence received by MHAC as part of the application.
- b. Upon approval from City Council, the designation shall be recorded as a resolution and noted as recommended by MHAC.
- c. Text, manufacturing, and placement for designation display shall be decided and approved by MHPL.

## (G) REMOVING A DESIGNATION:

A designation for a historic claim may be removed in the same manner and by the same process by which it was enacted.

(H) HISTORIC DISTRICT – Historic Preservation Overlay District shall function as outlined in the CZO Article XX.3 of this Code of Ordinance.

#### Secs. 133. 22—133.29. Reserved.

#### ATHLETIC ACTIVITIES

## Sec. 133.30. Purpose.

This subchapter is hereby adopted to serve as a guide for the comprehensive and effective usage of athletic/recreational facilities owned, leased, scheduled or otherwise controlled by the city.

# Sec. 133.31. Responsibility of Parks and Recreation Board.

It shall be the responsibility of the Parks and Recreation Board to:

- (A) Act in accordance with Chapter 34 of this Code of Ordinances;
- (B) Periodically audit and review the effectiveness of this ordinance;
- (C) Evaluate problems encountered by users and/or requesters of facilities; and
- (D) Recommend changes to this ordinance to the City Council at those times as it or the Council deems necessary.

#### Sec. 133.32. Youth Associations.

- (A) The Recognized Youth Associations within the City of Carrollton are as follows:
  - (1) Carrollton Aqua Racers;
  - (2) Carrollton Farmers Branch Baseball Association;
  - (3) Carrollton Farmers Branch Girls Softball Association;
  - (4) Carrollton Farmers Branch Soccer Association; and
  - (5) Carrollton Youth Football League.
- (B) Associations desiring the use of city facilities must agree to and sign a facility use agreement and their association must be located within the City of Carrollton corporate limits.
- (C) All associations must be recognized by the state of Texas as a non-profit organization.
- (D) Eligibility requirements for youth sports participants:
  - (1) Youth eligibility is regulated by each individual association's organizational rules, but must allow for all Carrollton residents.
- (E) All associations or teams playing on city fields must submit the following annually:
  - (1) Contact information of all board members in the association.
  - (2) Master schedule of all games to be played including dates, times, facilities, and teams are due to the city electronically one week prior to first scheduled game.
  - (3) All rosters that include the listing of the city of residence for each participant.

- (4) Proof of non-profit status.
- (5) All associations must submit a copy of bylaws and all bylaws must be in harmony with the policies of the city.
- (6) Insurance: All associations or organizations must provide (and keep in force for the duration of the playing season) general liability insurance of the occurrence type written by an insurance company acceptable to the city. This insurance must have insurance limits of not less than \$1,000,000.00 CSL (combined single limit). The insurance certificate must list the city as an Additional insured with a notice of cancellation clause of not less than 30 days. Insurance certificate must be on file prior to any practices or games.
- (F) Any participant of an association shall have the right to request and receive a report of all revenues, expenses, and any other financial information from any association using city facilities for leagues, tournaments, or concessions.
  - (1) All associations must submit an annual report to the city to include all of the above information along with a copy of their most recent tax return.
- (G) The city may terminate the use of city facilities for any failure to comply with established policies.
- (H) Facility use guidelines
  - (1) Closed fields.
    - (a) A closed field will be any field that is not open due to a determination made by the Director,
    - (b) The Director is authorized to close any athletic field for inclement weather, maintenance requirements, or to protect the playing surface from damage.
    - (c) In most cases, the city will update the rainout line and lock gates for closed fields.
    - (d) No association shall provide maintenance on any field unless authorized in advance and in writing by the Director.
    - (e) If there has been rain before a weekday game, coaches may check the rainout line after 4:00 p.m. to verify whether facilities are playable. Some decisions may be made as late as 6:00 p.m. in extreme cases.
    - (f) Prior to each season, the city may designate rest days for maintenance during that season.
    - (g) If fields are damaged during a closure for any reason, the repair of damages will be charged to the person responsible for the field rental.
  - (2) Parking.
    - (a) All participants must park in designated areas.
    - (b) Motorized vehicles are prohibited on walkways, grass and trails.
    - (c) All vehicles are subject to ticketing and/or towing at the owner's expense.
  - (3) Practices.

- (a) Rosemeade practice fields are available for teams under nine years of age that are registered with a recognized youth baseball, softball or soccer association. Each team is limited to one hour per week and space is available to be reserved Monday Friday evenings during the spring and fall seasons.
- (b) All teams, other than those described in H(3)(i) of this section, must request a permit and pay for any practice time on or in city athletic facilities. It is unlawful for any team or association to conduct organized practices on any athletic field without the required permit.
- (c) Practice fields in neighborhood parks shall not require a permit. They are first come, first served. There shall be no organized games on neighborhood practice fields.
- (d) Each Recognized Youth Association will be allotted one free week of practices/scrimmages the week prior to their regular season(s). Associations are responsible for scheduling teams and communicating their facility needs with the city no less than one week in advance.
- (e) Due to the specialized nature of their sports, Carrollton Youth Football and Carrollton Aqua Racers will be provided access to facilities for practice. Practice schedules must be provided to the city by the association no less than one week in advance.

## (4) Make-up games.

- (a) All league make-up games and non-scheduled games must be approved in advance by the city. Notice of make-up games must be provided at least 48 hours in advance. No game shall be rescheduled for any reason other than inclement weather or electrical failures. Any other reason for rescheduling must be submitted in writing for review and approval by the Director.
- (b) All associations wanting to extend the season from its original request must submit a request in writing to the city.
- (c) Granting or denying the association's request shall be within the discretion of the city.

#### (5) Keys.

- (a) The president of each association must submit a key request to the parks office for review and approval by the Director.
- (b) Keys need to be returned at the end of each season.
- (c) Lost keys may result in a complete changing of the locks at the association's expense and loss of key privileges.

## (6) Litter removal.

- (a) All associations and individual user-groups are responsible for cleaning up playing surface and surrounding areas of athletic complexes. Failure to comply may result in loss of playing privileges. Absolutely no glass containers shall be allowed at any park.
- (7) Lights.

- (a) Access will be given to two specified board members to control lights using the Musco Control Link System at designated facilities during league games only.
- (b) Any association that abuses the use of the lights will lose access to the Musco Control Link System.

#### (8) Concessions.

- (a) Recognized Youth Associations may operate their designated concession stands on a schedule determined by the Director. If the association chooses not to operate the stand during league games, tournaments or special events, the city may operate the concession stand in whatever manner the Director deems appropriate.
- (b) In the case where associations share a concession stand, the two associations must come to an agreement amongst themselves. In cases in which there is no agreement, the city may operate the concession stand in whatever manner the Director deems appropriate. Game days supersede practices when deciding who will have use of the stand.
- (c) All concession stands must meet the city's Environmental Services Department Guidelines.
- (d) All associations are responsible for the cleanliness of each stand they operate. Failed Health inspections may result in loss of rights to operate.
- (e) All associations are required to purchase all soft drink supply from the city's current contracted vendor unless otherwise approved by the city.
- (f) The city may supply water, electricity, and make needed repairs to the concession stand. If the city finds the concession stand dirty from food or other items, the association will be charged \$25.00 per hour for each employee needed to clean the facility.
- (g) All associations must collect and remit all applicable sales tax for items sold on city property.
- (h) Failure to comply with State law, the Carrollton Code of Ordinances, or park rules established by the city may result in the loss of rights to operate.

## (9) Field maintenance.

(a) No association shall provide any type of field maintenance, including the use of any product for drying infields and marking lines, unless a written request is submitted and approved by the Director.

## (10) Scoreboard control boxes.

- (a) Control boxes will be available to each association throughout each season.
- (b) If an association loses or damages the control boxes, that association will reimburse the city for replacement parts or repairs, including wires and inserts to boxes.

#### (11) Goal posts.

- (a) All goal posts shall remain secured in the ground at all times. No association or any user-group is permitted to move goal posts without express approval from the Director. Failure to comply may result in loss of rights to use the facility.
- (b) Tape is not permitted as a method of securing nets to soccer goal posts.
- (12) Coaches certification for recognized youth associations.
  - (a) Each association is responsible for having all coaches certified through a state or national organization, or through the city's certification program. The association is responsible for all costs of the certification.
  - (b) Certifications must include a minimum of \$1,000,000.00 of liability insurance and background checks.
  - (c) Each association shall submit rosters of certified coaches to the city.
- (13) Criminal history background checks for recognized youth associations.
  - (a) All recognized youth associations are required to conduct criminal history background checks on all coaches and volunteers associated with any team or association.

# (14) Age cut-off.

- (a) All associations set age cut-off dates in conjunction with their governing body or parent organization.
- (b) All participants are placed in age divisions based on their age as of the current year of each date set by the association by laws.
- (c) Dates can be changed subject to approval by the city.
- (15) Facility allocation.
  - (a) Primary facilities used by recognized youth associations for league games
    - (i) Carrollton Farmers Branch Youth Soccer

Veterans Soccer Complex Fields A-E and R.E. Good Soccer Complex Fields 1-5

(ii) Carrollton Farmers Branch Baseball Association

McInnish Baseball Fields 6-9, and 12-15

(iii) Carrollton Farmers Branch Girls Softball

Josey Ranch Fields 1-4

(iv) Carrollton Youth Football

Josey Ranch Field 5 and Thomas Football Field 3

(v) Carrollton Aqua Racers

Rosemeade Rainforest Aquatic Complex

(b) The Director may make changes to the allocations based on registration numbers for each association.

- (I) Scheduling/reservations.
  - (1) The Director will make final decisions regarding permit issuance, scheduling, and field allocation.
  - (2) All season requests must be made in writing by each association and submitted to the city no later than one month prior to opening day of each season. Requests must include the following information:
    - (a) Specific facilities being requested
    - (b) Beginning and ending dates of season
    - (c) Estimated days and times each facility is needed
  - (3) All associations must submit game schedules to the city no less than one week prior to opening day each season.
  - (4) All city programs or events scheduled by the city have first priority on any athletic facility.
  - (5) All Recognized Youth Associations will have second priority on any athletic facility listed in this subsection.
  - (6) All primary seasons will have priority over secondary or off-season sports. Each association must designate primary season.
  - (7) All other user-groups must obtain a permit from the Director. Individual teams of associations must obtain and pay for field use.
  - (8) The Director may restrict any reservation length, time, and/or frequency.
  - (9) All playoff dates must be submitted as part of the season schedule.
  - (10) Failure to meet required deadlines could result in loss of priority use or use of facilities.

#### (J) Tournaments.

- (1) Each association may hold one tournament per year with no field rental charge.
- (2) The city may host any regional, state, or national tournament which would take precedence over any other tournament.
- (3) Tournament requests follow the same guidelines stated in this subsection.

# (K) Clinics or camps.

- (1) Any clinic or camp request must be submitted to the city for approval.
- (2) The clinic or camp host will pay field rental fees and a negotiated fee from sales or gate fees.
- (3) Clinics and camps are secondary to all league play

#### (L) Vendor fee.

(1) A negotiated fee will be paid to the city when money is taken for goods or services on city owned park property.

#### (M) Field rentals.

(1) Any person who does not sign a facility use agreement may rent fields based on availability in accordance with the policies and guidelines (except insurance and audit requirements) and after paying the fees in accordance with Chapter 31 of the city's comprehensive fee schedule and signing a field rental agreement. All field rentals must be approved by the Director. A field rental permit issued by the Director must be shown if asked for by a representative of the city.

## (N) Annual meeting.

(1) Upon request by the Director, each Recognized Youth Association shall meet with the city staff to review city ordinances and discuss expectations and field closures for the upcoming season/year.

# Sec. 133.33. Adaptive Sports Accessibility Program.

- (A) Purpose. The Adaptive Sports Accessibility Program (ASAP) provides structured facility usage for approved adaptive sports organizations, ensuring consistent, high-quality programming for individuals with disabilities. Facilities may include indoor venues or outdoor sports fields.
  - (B) Eligible Organizations. Applicants must demonstrate a commitment to adaptive sports and serve individuals with disabilities. Applicants will be approved by the Parks and Recreation Director based on program sustainability, demonstrated need, and community impact.

## (C) Criteria for Participation.

- a. Be a registered 501(c)(3) non-profit or have equivalent charitable status.
- b. Demonstrate a history of providing adaptive sports programming.
- c. Serve a population that includes individuals with physical, intellectual, developmental, visual, or hearing disabilities.
- d. Provide proof of liability insurance and safety protocols, including emergency action plans and background checks for staff and volunteers.
- e. Provide and maintain a track record of community engagement and positive program impact.

#### (D) Financial Support and Facility Usage.

- a. All fees considered will be given at the posted resident rate.
- b. The City will waive facility rental fees.
- c. A deposit is required and will be administered per standard procedures for Carrollton residents at the posted resident rate.
- d. Other posted fees, as referenced in Chapter 34 of this Code of Ordinances, shall be determined at the discretion of the City Manager or designee.
- e. Approved organizations shall make a good faith effort to secure grant funding, sponsorships, and financial support from corporate sponsors and local businesses

to promote the program's sustainability. This effort will be a factor in the evaluation of initial applications and renewals for participation in ASAP.

#### (E) Scheduling and Administration.

- a. Scheduling will be overseen through the Parks and Recreation Department.
- b. The Parks and Recreation Department will evaluate the program annually based on participation, community impact, and facility utilization.
- (F) Process for Approval. All organizations seeking participation in ASAP must submit a formal application to the Parks and Recreation Department, including proof of eligibility and compliance with the program criteria.
  - a. Application Submission. Organizations must submit a complete application, including required documentation and proof of eligibility.
  - b. Department Review. The Parks and Recreation Department will evaluate applications based on criteria such as community impact, sustainability, and adherence to program requirements.

#### (G) Final Approval.

- a. The City Manager or designee will grant final approval based on department assessment.
- b. Approved organizations must enter into a formal agreement with the City outlining terms of facility use, compliance expectations, and reporting requirements.

#### Secs. 133.34—133.36. Reserved.

#### Sec. 133.37. Violation of provisions; refusal of scheduled usage of facilities.

Any person or group violating any provision of this subchapter or the rules and regulations adopted pursuant to this subchapter may be refused the scheduled usage of athletic/recreation facilities.

#### Secs. 133.38—133.97. Reserved.

#### Sec. 133.98. Enforcement remedies.

- (A) Officials. The Director of Parks and Recreation, park attendants designated by the Director and the Police Department, shall, in connection with their duties imposed by law, diligently enforce the provisions of this chapter.
- (B) *Ejectment*. The Director, park attendants designated by the Director and any member of the Police Department shall have the authority to eject from the park any person acting in violation of this chapter.
- (C) Seizure of property. The Director, park staff designated by the Director or any member of the Police Department shall have the authority to seize and confiscate any property, thing or device in the park or used in violation of this chapter.

#### Sec. 133.99. Penalty.

Any person or group violating any provision of this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in section 10.99.

#### YOUTH PROGRAM STANDARDS OF CARE

#### Sec. 133-105. Definitions.

The following definitions apply to this article, in addition to the definitions outlined in the document.

Department. The Carrollton Parks & Recreation Department.

*Parent(s)*. One or both parents or other adult with legal custody and authority to enroll a child or children in the youth program.

*Participant.* A youth whose parent(s) have completed all required registration procedures and who is eligible for the youth program.

*Recreation supervisor*. The full-time department employee or his/her designated representative, who is responsible for the management of customer service and the facility including personnel, programs, space allocation and overseeing management, administration, and implementation of the youth program.

Program site. Crosby Recreation Center, 1610 East Crosby Road, Carrollton, TX 75006

*Recreation coordinator.* Serves as youth program camp manager, a full-time, professional employee of city who is responsible for overseeing implementation of the youth program.

*Camp coordinator.* A part-time or seasonal employee of city who is responsible for day to day operations of the youth program.

*Program staff.* City of Carrollton Parks and Recreation Department full-time, part-time, seasonal, and temporary staff, contract instructor or volunteer assigned responsibility for managing, administering, or implementing some or all portions of one or more Carrollton Parks and Recreation Department Youth Programs. This definition also includes Recreation Supervisor, Recreation Coordinator, and Camp Coordinator.

Youth. A child aged five to 12 years.

*Youth program.* The city children's recreation camp program.

Youth program manual. The notebook of policies, procedures, required forms, and organizational and programming information relevant to the youth program.

#### Sec. 133-106. Purpose.

This article shall define the standard of care for the city's youth program.

Pursuant to Rule §745.115 of Title 40 of the Texas Administrative Code, this article allows the city to operate the youth program without adopting the state-prescribed daycare standards of care and licensing requirements.

THE CITY DECLARES ITS YOUTH PROGRAM IS NOT REQUIRED TO BE AND IS NOT LICENSED BY THE STATE OF TEXAS, AND THE YOUTH PROGRAM IS NOT A

# CHILD-CARE OPERATION AND WILL NOT BE ADVERTISED AS A CHILD-CARE FACILITY OR PROGRAM IN ACCORDANCE WITH STATE LAW.

#### Sec. 133-107. Administration.

- (A) The governing body of the youth program is the City Council. Implementation of the Youth Program Standards of Care is the responsibility of the Parks and Recreation Department Director and the department employees. These standards of care will apply to the youth program. The program site will have available, for public and staff review, a current copy of the Youth Program Standards of Care. Parents of participants will be provided a current copy of the Youth Program Standards of Care during the youth program registration process. Criminal background checks and drug and alcohol screens will be conducted on prospective program staff in the same manner in which the city conducts screens of potential city employees. No person is allowed to be hired as staff for the youth program if the person fails to satisfy all city screening standards.
  - (1) Before a participant may be enrolled, a parent must sign registration forms that contain:
    - (a) Name, photograph, address, and home telephone number of the participant;
    - (b) Name, address, and telephone number of both parents who may need to be contacted during youth program hours;
    - (c) Alternate emergency contact information;
    - (d) The names and telephone numbers of people to whom the participant may be released;
    - (e) A statement of the participant's special problems or needs, including allergies;
    - (f) Emergency medical authorization;
    - (g) Proof of residency; and
    - (h) A liability release that encompasses all personal injury, including death, and property damage resulting from participation in the youth program.
- (B) A monthly inspection report will be initiated by the Recreation Coordinator of youth program to confirm adherence to the Youth Program Standards of Care. Inspection reports will be sent to the Recreation Supervisor for review and kept on record for at least five years. The Recreation Supervisor will review the report and establish deadlines and criteria for compliance with the Youth Program Standards of Care. The Recreation Supervisor will make visual inspections of the youth program no less than twice during each youth program session.
- (C) Complaints regarding enforcement of the Youth Program Standards of Care will be directed to the Recreation Coordinator. The Recreation Coordinator will be responsible for taking the necessary steps to resolve the problems. Complaints not involving threats to life safety, regarding enforcement of the Youth Program Standards of Care and their resolution, will be recorded by the Recreation Supervisor. Complaints involving life safety as related to enforcement of the Youth Program Standards of Care will be addressed by the Recreation Supervisor and the complaint and resolution will be noted.

(D) The Recreation Manager or designee will make an annual report to the Park Board on the overall status of the youth program and their compliance with the Youth Program Standards of Care.

#### Sec. 133-108. Standards of care.

#### (A) Staff-participant ratio.

- (1) The standard ratio of participants to Counselors will be no more than 20 to one. In the event a Counselor is unable to report to the site, a replacement will be assigned; and
- (2) Each participant shall have a program staff who is responsible for him or her and who is aware of the participant's habits, interests, and any special needs as identified by the participant's parent during the registration process.

#### (B) Discipline.

- (1) Program staff will be based on the best interests of participants;
- (2) There shall be no cruel, harsh, or physically administered punishment or treatment;
- (3) Program staff may use brief, supervised separation from the group if necessary;
- (4) As necessary, program staff will initiate discipline reports to the parent(s) of participants. Parents will be asked to sign discipline reports to indicate they have been advised of specific problems or incidents;
- (5) A sufficient number and/or severe nature of discipline reports as detailed in the youth program manual may result in participant being suspended from the youth program; and
- (6) In instances where there is a danger to participants or staff, the offending participant will be removed from the site as soon as possible.

#### (C) Programming.

- (1) Program staff will attempt to provide activities for each group according to the participants' ages and appropriate to participants' health, safety, and well-being. The activities will be flexible and attempt to promote the participants' emotional, social, and mental growth;
- (2) Program staff will provide youth programs that include, but not limited to:
  - (a) Alternating active and passive activities;
  - (b) Opportunity for individual and group activities; and
  - (c) Outdoor time at frequent intervals when weather permits.
- (3) Program staff will be attentive and considerate of the safety of participants on field trips and during any transportation provided by the youth program;
- (4) During trips, program staff supervising participants must have immediate access to emergency medical forms and emergency contact information for each participant;
- (5) Program staff must have a list of the participants in the group and must check the roll frequently; and

(6) Program staff must have first aid supplies and a guide to first aid and emergency care available on field trips.

#### (D) Communication.

- (1) The program site will have a telephone to allow contact by department personnel and for use in contacting the city or making emergency calls; and
- (2) The Recreation Coordinator will post the following telephone numbers adjacent to a telephone accessible to all youth program employees at the site:
  - (a) City ambulance or emergency medical services;
  - (b) Recreation Supervisor;
  - (c) Recreation Superintendent;
  - (d) City police department;
  - (e) City fire department;
  - (f) City Hall;
  - (g) Administrative Offices with Parks and Recreation Department; and
  - (h) The telephone number for the site itself.

#### (E) Transportation.

- (1) Before a participant may be transported to and from youth program activities. an authorization form, completed by the parent(s) of the participant, must be filed with the Recreation Coordinator
- (2) First aid supplies and a first aid and emergency care guide will be available in all youth program vehicles that transport children; and
- (3) All youth program vehicles used for transporting participants for field trips and other activities offered as part of the program during normal program hours must have available a 6-BC portable fire extinguisher which will be accessible to the program staff.

#### (F) Safety.

- (1) Program staff will inspect the site daily to detect sanitation and safety concerns that might affect the health and safety of the participants;
- (2) Buildings. grounds, and equipment of and on the site will be inspected, cleaned, repaired, and maintained as needed to protect the health and safety of the participants;
- (3) Program staff must have first aid supplies and a guide to first aid and emergency care readily available at the site, during transportation to an off-site activity, and for the duration of any off-site activity;
- (4) Youth program air conditioners, electric fans, and heaters must be mounted out of the reach of participants or have safeguards that keep participants from being injured; and

#### (G) Fire.

(1) In case of fire, danger of fire, explosion, or another emergency, the priority of program staff is to evacuate the participants to a designated safe area;

- (2) The site will have an annual fire inspection by the local fire department, and the resulting report will detail any safety concerns observed. The report will be forwarded to the Recreation Supervisor who will review and establish deadlines and criteria for compliance.
- (3) The site must have at least one fire extinguisher approved by the fire marshal readily available to all program staff. The fire extinguisher is to be inspected quarterly, and a quarterly report will be forwarded to the Recreation Supervisor who will keep the report on file for a minimum of five years. All program employees will be trained in the proper use of fire extinguishers; and
- (4) Fire drills will be initiated at the site during each month of the Program.

#### (H) Illness or injury.

- (1) A participant who is considered to be a health or safety concern to other participants or program staff will not be admitted to the youth program;
- (2) Illnesses and injuries will be handled in a manner to protect the health of all participants and staff;
- (3) Program staff will follow plans to provide emergency care for injured participants with symptoms of acute illness as specified in the youth program manual; and
- (4) Program staff will follow the recommendation of the Texas Department of Health concerning the admission or re-admission of any participant after a communicable disease.

#### (I) Medication.

- (1) No medications will be allowed at Camp Wonder other than the following exceptions:
  - (a) Staff will administer an epinephrine pen for life threating situation if provided for the camper. Staff will be trained to administer the medication.
  - (b) Campers are not allowed to bring medicines to camp and administer themselves other than insulin and inhaler.

#### (J) Toilet facilities.

- (1) The program site will have toilets located and equipped so participants can use them independently and program staff can supervise as needed;
- (2) An appropriate and adequate number of toilets and lavatories will be provided.

#### (K) Sanitation.

- (1) The program site must have adequate light, ventilation, and heat;
- (2) The youth program must have an adequate supply of water meeting the standards of the Texas Department of Health for drinking water and ensure that it will be supplied to the participants in a safe and sanitary manner; and
- (3) Program staff must properly dispose of garbage and debris from the program area daily.

#### Sec. 133-109. Youth program staff.

- (A) Staff qualifications and responsibilities:
  - (1) Recreation Supervisor qualifications:
    - (a) Will be a full-time, professional employee of the department with a bachelor's degree in Recreation, Recreation Administration or related field;
    - (b) Responsible for supervising recreation programs, special events, facility activities, memberships, and maintenance;
    - (c) Recommends for hire, supervises, and evaluates Counselors;
    - (d) Must pass a background investigation including testing for illegal substances and alcohol in accordance with city hiring standards;
    - (e) Must be CPR/AED certified; and
    - (f) Must be certified in First Aid.
  - (2) Recreation Coordinator qualifications:
    - (a) Will be a full-time, professional employee of the department with a bachelor's degree in Recreation, Recreation Administration or related field;
    - (b) Working knowledge of recreation programming and facilities planning;
    - (c) Plans and evaluates the daily activities and weekly off-site activities of youth program; and program staff will report suspected child abuse to the Texas Department of Family; and
    - (d) Protective Services, in accordance with the Texas Family Code, telephone number, 1-800-252-5400;
    - (e) Program staff will receive information related to child abuse identification and prevention, and how to report suspected abuse;
    - (f) Must pass a background investigation including testing for illegal substances and alcohol in accordance with city hiring standards;
    - (g) Must be CPR/AED certified; and
    - (h) Must be certified in First Aid.
  - (3) Camp Coordinator responsibilities:
    - (a) Administers the daily operations of the youth program in compliance with the Youth Program Standards of Care;
    - (b) Implements, monitors, and evaluates the daily activities and field trips of youth program;
    - (c) Serves as an immediate authority figure to counselors and participants in the absence of the Recreation Coordinator;
    - (d) Must be CPR/AED certified; and
    - (e) Must be certified in First Aid.

#### (4) Counselor qualifications:

- (a) Part-time or temporary employees of the city;
- (b) Will be age 17 or older; however, each site will have at least one Counselor 18 years or older present at all times;
- (c) Must pass a background investigation including testing for alcohol and illegal substances in accordance with city hiring standards;
- (d) Must be CPR/AED certified;
- (e) Must be First Aid certified.
- (f) Counselor responsibilities:
  - (i) Be able to consistently exhibit competence, good judgment, and self-control when working with participants;
  - (ii) Relate to participants with courtesy, respect, tolerance, and patience;
  - (iii) Provide participants with an environment in which they can feel safe, enjoy wholesome recreation activities, and participate in appropriate social opportunities with their peers;
  - (iv) Be responsible for knowing and follow all city and departmental standards, policies, and procedures that apply to the youth program; and
  - (v) Ensure that participants are released only to a parent or person on record as being authorized by the parent(s) for pickup. Youth program site will have a copy of the department approved plan to verify the identity of a person authorized to pick up a participant.

#### (g) Training and orientation:

- (i) The city will provide training orientation to Counselors in working with participants and for specific job responsibilities. Each Counselor will be provided with a youth program manual specific to the youth program;
- (ii) Counselors will be trained in appropriate procedures to handle emergencies;
- (iii) Counselors will receive training in pertinent city, department, and youth program policies and procedures; and
- (iv) Program staff will be required to sign an acknowledgment that they received the required training and are expected to conduct activities in accordance with training and the Youth Program Standards of Care."

#### **SECTION 2**

Any person violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

#### **SECTION 3**

All Ordinances or parts of Ordinances inconsistent or in conflict with this Ordinance shall be and are hereby repealed.

#### **SECTION 4**

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

#### **SECTION 5**

All other provisions of the Carrollton Code of Ordinances not expressly amended as stated herein shall remain in full force and effect.

#### **SECTION 6**

This Ordinance shall take effect from and after May 21, 2025.

#### PASSED AND APPROVED THIS 20th DAY OF MAY 2025.

#### CITY OF CARROLLTON, TEXAS

	By: Steve Babick, Mayor
ATTEST:	·
Chloe Sawatky, City Secretary	
APPROVED AS TO FORM	APPROVED AS TO CONTENT
Meredith Ladd, City Attorney	Chrystal Davis, Asst. City Manager



# **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7212

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type: Resolution

Agenda Number: \*20.

**CC MEETING: May 20, 2025** 

**DATE:** May 9, 2025

TO: Erin Rinehart, City Manager

**FROM:** Diana K. Vaughn, Chief Financial Officer Chrystal K. Davis, Assistant City Manager

Consider A Resolution Accepting The Investment Officer's Quarterly Report For Second Quarter Ended March 31, 2025.

#### **BACKGROUND:**

The City's Investment Policy and Chapter 2256, Government Code, the Public Funds Investment Act requires the Investment Officer to report to Council each quarter the investment transactions and strategy for the investment portfolio of the City. In compliance with this policy and fulfillment of Section 2256.023 Internal Management Reports of the "Public Funds Investment Act," the Investment Officer's Second Quarter Report is available for review at:

<a href="mailto:</a>\_<a href="mailto://www.cityofcarrollton.com/departments/departments-a-f/finance/treasury">mailto:</a>\_<a href="mailto://www.cityofcarrollton.com/departments/departments-a-f/finance/treasury">mailto://mailton.com/departments/departments-a-f/finance/treasury</a>\_<a href="mailton://mailton.com/departments-a-f/finance/treasury">mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury">mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury">mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury">mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury">mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury">mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury">mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury">mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury</a>><a href="mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton://mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton://mailton://mailton.com/departments-a-f/finance/treasury</a><a href="mailton://mailton://mailton://mailton://mai

#### FINANCIAL IMPLICATIONS:

This report provides all information related to all the securities investment transactions performed by the authorized investment officers for the second quarter ended March 31, 2025.

#### IMPACT ON COMMUNITY SUSTAINABILITY:

Investing funds in accordance with the Public Funds Investment Act standards improves the City's financial position and sustainability.

#### STAFF RECOMMENDATION/ACTION DESIRED:

Consider a resolution accepting the Investment Officer's Quarterly Report for second quarter ended March 31, 2025.

RESOLUTION NO.
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A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, ACCEPTING THE INVESTMENT OFFICER'S QUARTERLY REPORT AND INVESTMENT STRATEGIES FOR SECOND QUARTER ENDED MARCH 31, 2025, AND APPROVING SAID REPORT AS FULFILLMENT OF CHAPTER 2256, GOVERNMENT CODE, THE PUBLIC FUNDS INVESTMENT ACT; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

#### **SECTION 1**

The City of Carrollton hereby accepts the Investment Officer's Quarterly Report for Second Quarter ended March 31, 2025 and approves said report and investment strategies as a fulfillment of Chapter 2256, Government Code, the Public Funds Investment Act.

#### **SECTION 2**

The City Manager is hereby authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

#### **SECTION 3**

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

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas this 20th day of May, 2025.

	Steve Babick, Mayor
ATTEST:	
Chloe Sawatzky, City Secretary	
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
Meredith A. Ladd, City Attorney	Diana K. Vaughn, CFO



# **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7213

Agenda Date: 5/20/2025 Version: 1 Status: Consent Agenda

In Control: City Council File Type: Resolution

Agenda Number: \*21.

**CC MEETING: May 20, 2025** 

**DATE:** May 13, 2025

TO: Erin Rinehart, City Manager

**FROM:** Cory Heiple, Environmental Services Director Shannon Hicks, Assistant City Manager

Consider A Resolution Authorizing The City Manager To Enter Into A Three-Year Contract Agreement With Southern Petroleum Laboratories, Inc. For Industrial Pretreatment Sampling And Analysis Services In An Amount Not To Exceed \$130,000.00 Annually, For A Total Amount Not To Exceed \$390,000.00.

#### **BACKGROUND:**

The City of Carrollton pretreatment program is federally mandated by the Environmental Protection Agency (EPA) and requires periodic monitoring of industrial wastewater discharges from Carrollton industries to the sanitary sewer system. This agenda item seeks authorization to contract with Southern Petroleum Laboratories, Inc. for this sampling and laboratory analysis. Under the pretreatment program, the City of Carrollton must ensure consistent quality control, documentation, and legal defensibility of all field sampling and laboratory analyses.

Due to the EPA certification and technical services required for this program, laboratory selection is based on a comparison of multiple certified laboratories. Ranking criteria consist of analytical result accuracy as compared to known standards, technical accuracy and precision, turnaround times, quality of field services, and value. To meet program goals, staff recommends that Southern Petroleum Laboratories, Inc. be selected to conduct its wastewater monitoring.

#### FINANCIAL IMPLICATIONS:

This item is funded from the approved Environmental Services operational budget. The direct cost of sampling and analysis is fully recovered from the regulated industries including administrative fees to partially recover administrative costs.

COST CENTER LINE ITEM BUDGET AMOUNT

File Number: 7213

<u>COST CENTER</u> <u>LINE ITEM</u> <u>BUDGET AMOUNT</u>

261001 Environmental Services 61190 - Professional Services \$130,000.00

#### IMPACT ON COMMUNITY SUSTAINABILITY:

Compliance with the pretreatment program's monitoring requirements ensures that the discharges from the City's regulated industries conform to ordinance limits and prohibitions. This minimizes, if not prevents:

- Discharges of excessive oils and suspended solids, which could cause blockages in the sewer lines and consequent sanitary sewer overflows;
- Discharges of corrosives, toxics, and flammables that could damage the infrastructure and pose a life and safety risk;
- Interference with wastewater treatment and sludge quality at the treatment plant;
- Trinity River water quality impacts from pollutants that are not removed by treatment.

#### STAFF RECOMMENDATION/ACTION DESIRED:

Staff recommends City Council approval of a three-year contract with Southern Petroleum Laboratories for sampling and laboratory analysis, in an annual amount not to exceed \$130,000.00, for a total amount not to exceed \$390,000.00.

RESOLUTION NO.	
----------------	--

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A THREE-YEAR CONTRACT AGREEMENT WITH SOUTHERN PETROLEUM LABORATORIES, INC. FOR THE PURPOSE OF PROVIDING INDUSTRIAL PRETREATMENT SAMPLING AND ANALYSIS SERVICES; AND PROVIDING AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, THAT:

#### **SECTION 1**

The City Manager is authorized to enter into a contract agreement with Southern Petroleum Laboratories, Inc. in an annual amount not to exceed \$130,000.00, for a total amount not to exceed \$390,000.00.

#### **SECTION 2**

The City Manager is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

#### **SECTION 3**

This Resolution shall take effect upon passage.

**DULY PASSED AND APPROVED** by the City Council of the City of Carrollton, Texas this 20<sup>th</sup> day of May 2025.

	CITY OF CARROLLTON, TEXAS
ATTEST:	Steve Babick, Mayor
Chloe Sawatzky, City Secretary	
APPROVED AS TO FORM:	APPROVED AS TO CONTENT:
Meredith A. Ladd City Attorney	Cory Heiple Environmental Services Director



# **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

# **Agenda Memo**

File Number: 7223

Agenda Date: 5/20/2025 Version: 1 Status: Other Business

In Control: City Council File Type: Procedural Item

Agenda Number: \*22.

**CC MEETING: May 20, 2025** 

**DATE:** May 15, 2025

TO: Erin Rinehart, City Manager

FROM: Chloe Sawatzky, City Secretary

Consider Funding Of Community Juneteenth Event.



# **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7214

Agenda Date: 5/20/2025 Version: 1 Status: Public Hearing/Individual

Consideration

In Control: City Council File Type: Public Hearing

Agenda Number: 23.

**CC MEETING: May 20, 2025** 

**DATE:** May 14, 2025

TO: Erin Rinehart, City Manager

FROM: Loren Shapiro, AICP, Planning Manager

Shannon Hicks, Assistant City Manager

Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Electricity Regulating Substation On An Approximately 9.11-Acre Lot For The (O-2) Office District And Located At The Southeast Corner Of King Arthur Boulevard And Old Denton Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2025-044 Oncor Substation.

#### **BACKGROUND:**

This is a request for approval of a Special Use Permit (SUP) allowing an electricity regulating substation.

#### FINANCIAL IMPLICATIONS:

There are no financial implications on current or future operating budgets regarding this request.

#### STAFF RECOMMENDATION/ACTION DESIRED:

On May 1, 2025, the Planning and Zoning Commission recommended **APPROVAL** of the request. Staff recommends approval.

The attached ordinance reflects the action of the Commission.

#### RESULTS SHEET

Date: 05/20/25

Case No./Name: PLSUP 2025-044 Oncor Substation

#### STAFF STIPULATIONS AND RECOMMENDATIONS A.

Staff recommends **APPROVAL** of the Special Use Permit for an Electricity Regulating Substation and modifications to the landscape requirements with the following stipulations:

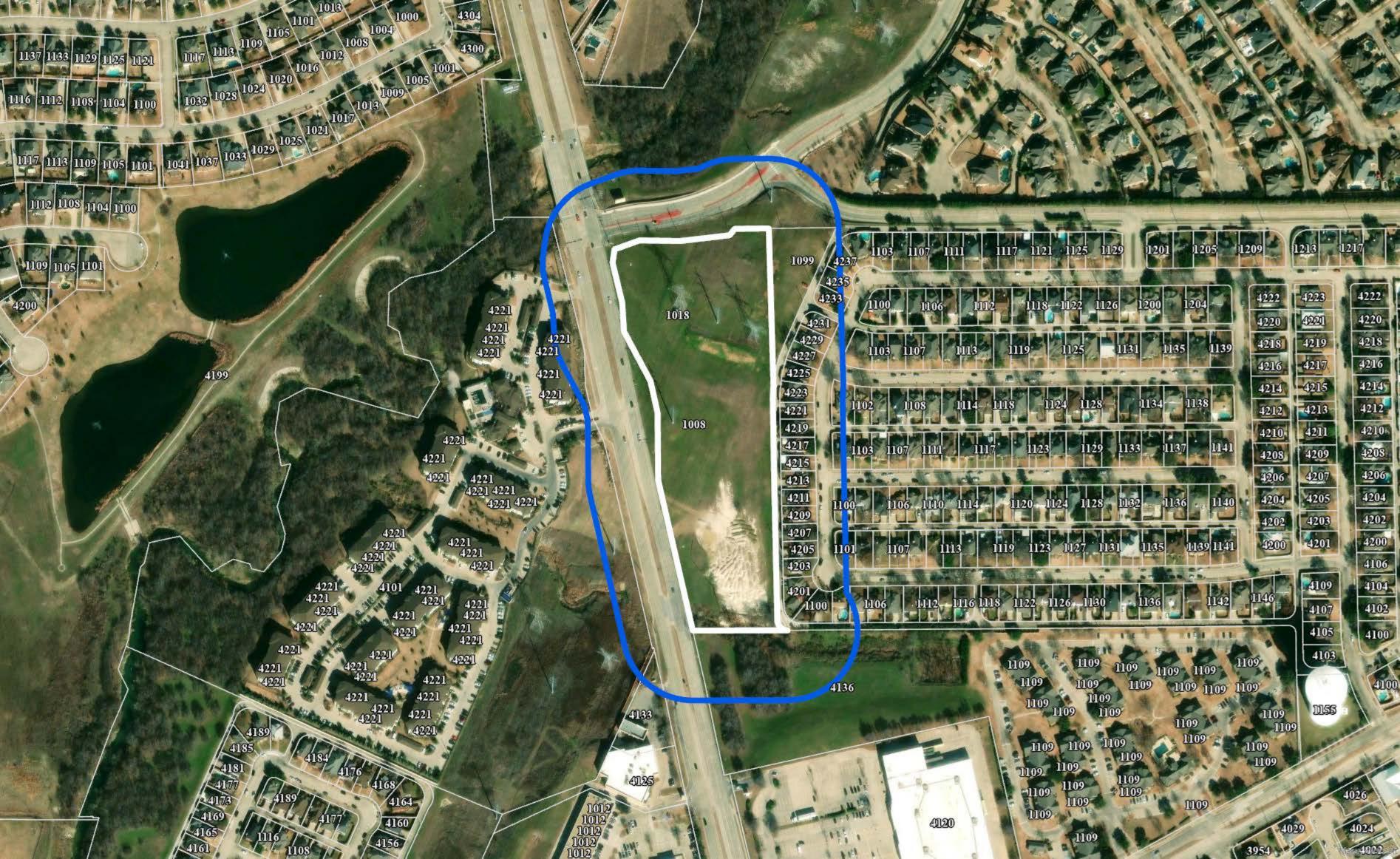
- 1. Permitted use: Electricity Regulating Substation and/or Electric Bulk Power Transmission and Control
- 2. A replat is required to develop the site.
- 3. Sixty (60) feet of right-of-way from the centerline of Old Denton Road will be required. A 15-foot-wide street easement adjacent to the right-of-way and along Old Denton Road shall be dedicated. Both the street easement and the right-of-way dedication mentioned will be required as a part of the platting process associated with the subject development.
- 4. The landscape buffer shall be a minimum of 20-feet-wide where the southern berm is located on the landscape plan. Elsewhere, the landscape buffer shall be an average of at least 15 feet with no less than 5 feet at any point along the right-of-way.
- 5. Silver Cloud Texas Sage shall be planted along the western property line, east and outside of the street easement, and within the proposed landscape buffer.
- 6. Buffalo sod shall be installed within the limits of disturbance associated with the development of the site.
- 7. A 3-foot-tall berm shall be required along the western property line, in accordance with the attached landscape plan.
- 8. An 8-foot-tall masonry wall surrounding the machinery and structures associated with the Electricity Regulating Substation and/or Electric Bulk Power Transmission and Control use is required.
- 9. Wrought iron gates shall be permitted.
- В. **P&Z ACTION** from P&Z meeting: 05/01/25

Result: **APPROVED** /w **Stipulations** /Vote: **7-0** (Kramer and Martin Absent)

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 06/03/25

Result: /Vote:





## APPLICANT'S NARRATIVE

Application Explanation and Description of Request or Project
The purpose of this Special Use Permit is to allow the construction of a new
Oncor Substation that will improve the reliability and service for the
current and future customers and meet growing demand in the area.

#### SPECIAL USE PERMIT

Case Coordinator: Emily Offer

#### **GENERAL PROJECT INFORMATION**

**SITE ZONING:** (O-2) Office

<u>SURROUNDING ZONING</u> <u>SURROUNDING LAND USES</u>

NORTH City of Lewisville Vacant

SOUTH PD-105 for the (LR-1) Local Retail Vacant

District

EAST PD-078 for the (SF-7/14) and (SF- Detached Single-Family Homes

PH) Single Family Residential

Districts

WEST PD-164 for the (MF-18) Multifamily Residential

Multifamily Residential District

**REQUEST:** Approve a Special Use Permit (SUP) to allow an Oncor "Electricity

Regulating Substation and/or Electric Bulk Power Transmission and Control" and allowing modifications to the landscape requirements

**PROPOSED USE:** Electricity Regulating Substation

**ACRES/LOTS:** Approximately 9.11-acres / 1 1ot

**LOCATION:** The southeast corner of King Arthur Boulevard and Old Denton Road

**HISTORY:** The proposed location is currently vacant and was purchased by Archie

Design + Construction Inc. in 2016.

Oncor's intent is to lease a portion of the property for a substation at the

southern end of the lot.

Oncor will be required to replat the property prior to developing the lot.

**COMPREHENSIVE** 

**PLAN:** 

Office - Medium Intensity and Residential - Single Family Detached

**TRANSPORTATION** Old Denton Road is classified as an (A8D) 8-Lane Arterial Divided and

**PLAN:** King Arthur Boulevard is classified as an (A6D) 6-Lane Arterial

Divided.

**OWNER:** Samuel Kim/ Archie Design + Construction Inc.

**REPRESENTED BY:** Rob Myers/ Kimley-Horn

#### **STAFF ANALYSIS**

#### REQUEST

This is a request for approval of a SUP to allow an Electricity Regulating Substation and/or Electric Bulk Power Transmission and Control and to allow modifications to the landscape requirements.

#### **ORDINANCE REQUIREMENTS**

Article V. of Carrollton's Comprehensive Zoning Ordinance (CZO) requires a SUP for a Electricity Regulating Substation and/or Electric Bulk Power Transmission and Control in the (O-2) Office District zoning district.

#### **ELEMENTS TO CONSIDER**

- 1. The substation will be located approximately 65 feet from the adjacent single family residential use.
- 2. The proposed masonry wall will be 8 feet in height while the proposed equipment and structures associated with the substation use will range from 7 feet in height to 65 feet in height.
- 3. Each SUP application is discretionary and must be evaluated as to its probable effect on the adjacent properties and the community welfare and may be approved or denied as the findings indicate appropriate.
- 4. The proposed substation will provide improved electric service for the city of Carrollton.
- 5. There will be a reduction in landscaping required for the subject site. Per the Comprehensive Zoning Ordinance, Article XXV, Section B.11. Alternate Landscape Plans, landscape requirement modifications are permitted in conjunction with the approval of a Special Use Permit when it is shown that the physical constraints of the property preclude strict compliance of this section.

Due to the location of existing high-voltage power lines and utilities, it is necessary to limit vegetation outside of these areas, but provide for screening along Old Denton Drive, buffering the substation, in addition to the 8-foot-tall wall.

- Silver Cloud Texas Sage shall be planted along the western property line, east and outside of the street easement, and within the proposed landscape buffer.
- o Buffalo sod shall be installed within the limits of disturbance associated with the development of the site (including along Old Denton Road).
- A 3-foot-tall berm shall be required along the western property line, in accordance with the attached landscape plan.

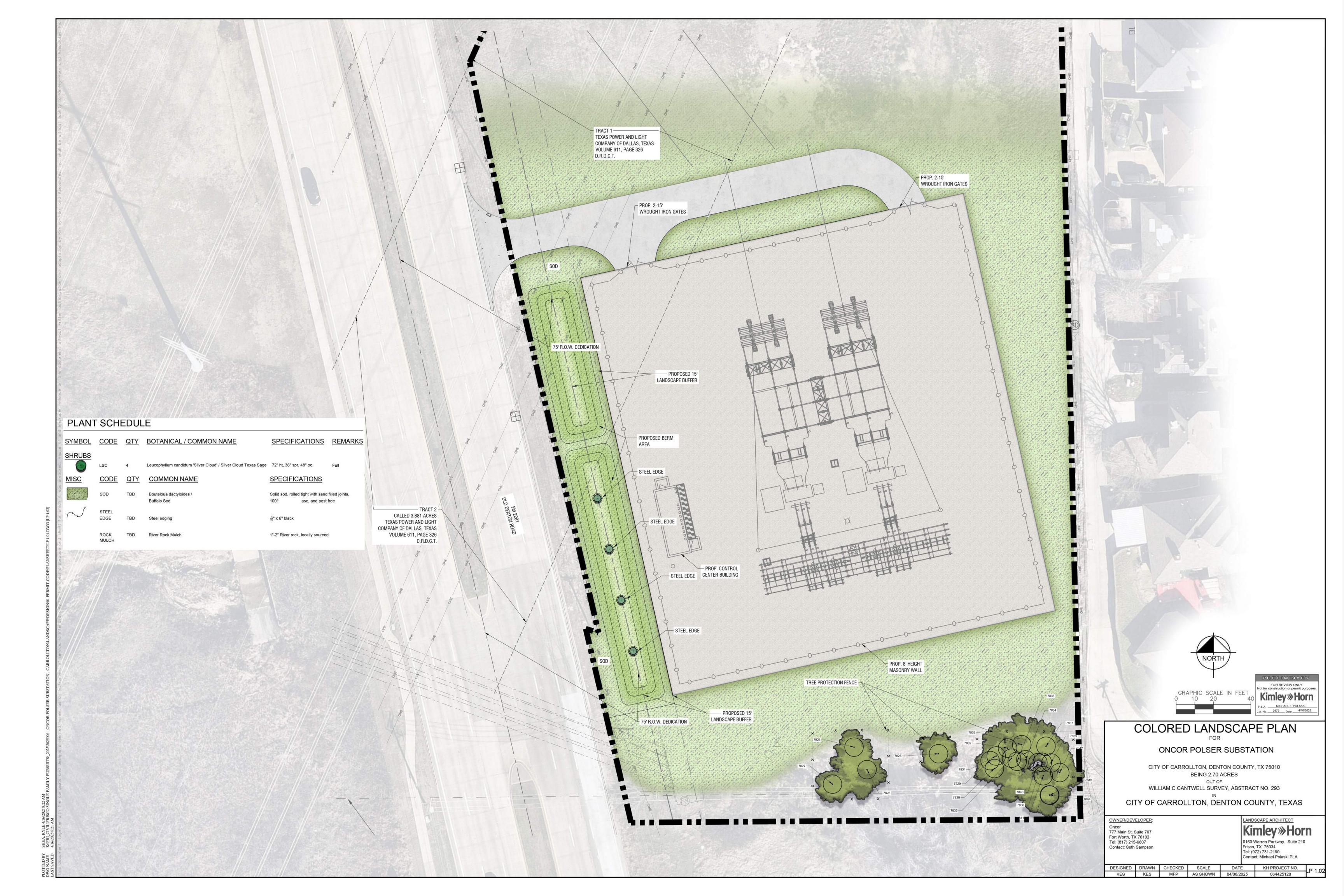
- 6. The landscape buffer shall be a minimum of 20-feet-wide where the southern berm is located on the landscape plan. Elsewhere, the landscape buffer shall be an average of at least 15 feet with no less than 5 feet at any point along the right-of-way.
- 7. Public comments were received in opposition to the request. Six were written and one was expressed at the Planning and Zoning Commission meeting.

#### PURPOSE OF THE SPECIAL USE PERMIT

The purpose of the Special Use Permit is to authorize and regulate uses which may be beneficial in a specific instance to the general welfare of the community yet ensure that such uses are not detrimental to surrounding property and are consistent with the stated purpose of the zoning district in which such uses are located regarding conditions of operation, location, arrangement, and construction.

#### **CONCLUSION**

Staff believes the use is appropriate for this location.









# DRAFT Minutes City of Carrollton Planning & Zoning Commission May 1, 2025 Briefing Session and Meeting

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, May 1, 2025 at 6:30 p.m. in the Council Chambers at City Hall.

#### **Commission Members Present:**

Scott Windrow, Chair Kathleen Foster, 1<sup>st</sup> Vice Chair Jim Doyle Mark Yarbrough John Powell Al Overholt Dave Hermon

#### **Commission Members Absent:**

Willadean Martin Greg Kramer, Vice Chair

#### **Staff Members Present:**

Loren Shapiro, Planning Manager Michael McCauley, Senior Planner Emily Offer, Senior Planner Meredith Ladd, City Attorney Lydia Tormos, Planning Technician Ed Green, Building Inspections Herb Cavanaugh, Fire Marshal John Romberger, Transportation Engineer Kanika Juneja, Asst. City Attorney Brett King, Director of Development Services

#### **Guests Present:**

Daisy Palomo, Council Observer

(*Note:* \* = *designation of a motion*)

4. Hold A Public Hearing To Consider An Ordinance Amending The Zoning To Establish A Special Use Permit To Allow An Electricity Regulating Substation On An Approximately 9.11-Acre Lot For The (O-2) Office District And Located At The Southeast Corner of King Arthur Boulevard And Old Denton Road; Amending The Official Zoning Map Accordingly. Case No. PLSUP 2025-044 Oncor Substation. Case Coordinator: Emily Offer.

Emily Offer, Senior Planner, presented this item. She stated this request is for an electrical substation. The equipment associated with the proposal is 65 feet from the nearest residential home. There will be an 8-foot perimeter wall built around the site and reduced landscaping. The landscape plan was described and conceptual elevation plans were provided. Ms. Offer advised that four comment cards in opposition were received. Staff recommended approval with stipulations.

Chair Windrow asked if the applicant is present and would like to speak. Seth Sampson, 777 Main St., Ft. Worth, explained the need for the substation, saying that by 2026 additional capacity will be needed. He said that construction should begin this winter and described the site and landscaping.

Commissioner Foster inquired about the amount of noise that might be emitted from the site. Mr. Sampson responded that on hot/humid days there possibly could be a hum heard from the transmission lines. He added that typically there are no complaints about the noise.

Commissioner Overholt asked specifically what the equipment shown in the drawings is. Mr. Sampson responded it is transformers and a small control house. Commissioner Overholt asked about the 65-foot tower on the drawings. Mr. Sampson advised the tower will connect the transformer to the lines.

Commissioner Doyle asked whether additional construction is a possibility on the northern end of the site. Mr. Sampson advised that there is not space for additional expansion at this site.

Chair Windrow opened the public hearing. He advised that four cards in opposition were received.

Speaking in opposition:

- Michelle Grantwest, 4233 Wild Cherry Dr., Carrollton
- \* Commissioner Powell moved to close the public hearing and approve Case No. PLSUP 2025-044 Oncor Substation; second by Commissioner Hermon. The motion was approved with a vote of 7-0, (Martin and Kramer absent).

# **PUBLIC COMMENTS (PAGE 1 OF 4)**

Name:	Zach weich & Anna Dignam
Address:	4205 wild Cherry prive
City, ST, ZIP:	Carrolton, tx, 75010
For your opinion by the Plannin	on of opposition or support on the proposed change to be considered as Zoning Commission or City Council, you next completely fill ign and date it and return it before end of business day of the prior aring.
I hereby reg	ster my: Support Opposition Planning
To Case No./	Name: PLSUP 2025 -044 on cor Substation
Comments:	we feel the substation would
De value	one property, create noise pollutions in eye sore, we struckly account
Signature:	32 e An Da Date: 4/21/25
Name:	Mrs. Hazel Beck
Address:	4231 Wild Cherry Dr.
City, ST, ZIP:	Carrollton TX 175010
out this form, sig	ADD 11 coor
I hereby regis	ter my: Support Opposition APR 2 4 2025
To Case No./N	ame: PLSUP 2025-044 City of Carrollton
Comments: _	
Signature:	dazel S. Beck Date: 04 30 3035

# **PUBLIC COMMENTS (PAGE 2 OF 4)**

Name:	BRUCE PLEGGE	NKUHLL
Address:	4237 WILD CHEI	ery DR
City, ST, ZIP:	CARROLLTON, TX	15010
by the Planning	n of opposition or support on the prop & Zoning Commission or City Cour gn and date it and return it before end	of business completely fill
I hereby regis	ster my: Support O	Planning City of Carroliton pposition
To Case No./I	Name: PLSVP 2025-09 EYE SORE AND WIS COF MY HOME!	14 ONCOR SUBSTATION LL REDUCE OPPOSE STRUMELY.
Signature:	B- Fly	Date: 4/23/25
Name:	Anne, Marshall	
Address:	4225 Wild Cherny	Dr.
City, ST, ZIP:	Carrollan IX To	2017
	of opposition or support on the prop & Zoning Commission or City Coun on and date it and return it before end ring.	of business accompletely fill
I hereby regist	ter my: 🗌 Support 🔀 Op	APR 2 4 2025
To Case No./N	ame: PLSUP 2025 - 040	City of Carrollton
Comments: (	oppose proposed che heath concerns, a ne value Pius in	700 - 1 - 1
Signature: _	Inne Marshall	Date: 4/22/25

# PUBLIC COMMENTS (PAGE 3 OF 4)

Name:Address:	Monica VELASCO 4217 Wild Choray Dr.
City, ST, ZIP:	Carrollton, 75010
by the Planning & out this form, sign to the public hear I hereby registed To Case No./N.  Comments:	
by the Planning out this form, so to the public he I hereby region To Case No./	MAI U3 2023
Signature:	2e e

## **PUBLIC COMMENTS (PAGE 4 OF 4)**

CARROLLTON TEXAS PLANNING & ZONING APPEARANCE CARD
Please complete this card and submit it to a city staff member prior to the beginning of the meeting.
Name Michelle Grantwest Phone 214 287. 5618 Date 5.1.25
Address 4233 Wild Cherry Dr City Carrollion Zip 75010
Public Hearing Agenda Item # 44
I wish to speak IN FAVOR of this item I wish to speak IN OPPOSITION to this item.
I do not wish to speak; however, please record my SUPPORT OPPOSITION.
Please identify the group or organization you represent, if any:

Please read and comply with the "Guidelines for Speaking at City Government Public Meetings."

PLANNING DEPARTMENT CITY OF CARROLLTON DATE: 05/20/2025 SPECIAL USE PERMIT NO. 518 DEVELOPMENT NAME: ONCOR SUBSTATION

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING SPECIAL USE PERMIT NUMBER 518 PROVIDING FOR AN ELECTRICITY REGULATING SUBSTATION AND/OR ELECTRIC BULK POWER TRANSMISSION AND CONTROL ON AN APPROXIMATELY 9.11-ACRE TRACT ZONED (O-2) OFFICE AND LOCATED AT THE SOUTHEAST CORNER OF KING ARTHUR BOULEVARD AND OLD DENTON ROAD; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, REPEALER, AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

**WHEREAS**, at a public hearing held on the First day of May 2025, the Planning & Zoning Commission considered and made recommendation on a certain request for a Special Use Permit (Case No. PLSUP 2025-044); and

**WHEREAS**, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

**WHEREAS**, the City Council conducted a public hearing on the Twentieth day of May 2025, at which all persons were given an opportunity to present testimony; and

**WHEREAS,** the City Council has determined the following amendment to the zoning laws to allow the requested use is not detrimental to the surrounding property, and is consistent with the purpose of the zoning district in which the above-described property is located; and

**WHEREAS**, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare:

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

#### Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

#### Section 2.

Special Use Permit Number 518 is hereby established for a 9.11-acre tract located at the southeast corner of King Arthur Boulevard and Old Denton Road, and being more generally depicted on Exhibit A, providing for the following:

#### I. Permitted Use

Electricity Regulating Substation and/or Electric Bulk Power Transmission and Control

#### II. Special Development Standards

Development shall be in accordance with the following special conditions, restrictions, and regulations:

- 1. Development shall be permitted in accordance with the attached Conceptual Site Plan, Conceptual Landscape Plan, and Conceptual Elevations depicted on Exhibits B, C, and D.
- 2. A replat is required to develop the site.
- 3. Sixty (60) feet of right-of-way from the centerline of Old Denton Road will be required. A 15-foot-wide street easement adjacent to the right-of-way and along Old Denton Road shall be dedicated. Both the street easement and the right-of-way dedication mentioned will be required as a part of the platting process associated with the subject development.
- 4. The landscape buffer shall be a minimum of 20-feet-wide where the southern berm is located on the landscape plan. Elsewhere, the landscape buffer shall be an average of at least 15 feet with no less than 5 feet at any point along the right-of-way.
- 5. Silver Cloud Texas Sage shall be planted along the western property line, east and outside of the street easement, and within the proposed landscape buffer.
- 6. Buffalo sod shall be installed within the limits of disturbance associated with the development of the site.
- 7. A 3-foot-tall berm shall be required along the western property line, in accordance with the attached landscape plan.
- 8. An 8-foot-tall masonry wall surrounding the machinery and structures associated with the Electricity Regulating Substation and/or Electric Bulk Power Transmission and Control use is required.
- 9. Wrought iron gates shall be permitted.

#### Section 3.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

#### Section 4.

Any person violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

Ord.	No.	

#### Section 5.

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

#### Section 6.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

#### Section 7.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance and the Official Zoning Map, as amended, shall remain in full force and effect.

#### Section 8.

This Ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Twentieth day of May 2025.

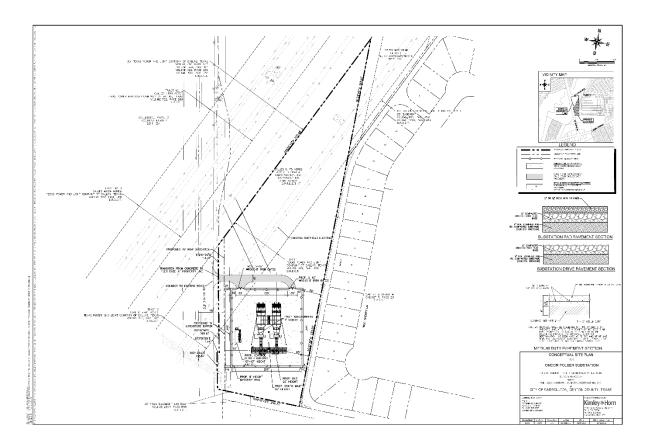
#### CITY OF CARROLLTON

ATTEST:	Ву:	Steve Babick, Mayor
Chloe Sawatzky City Secretary		
APPROVED AS TO FORM:		APPROVED AS TO CONTENT:
Meredith Ladd City Attorney		Emily Offer Senior Planner

# EXHIBIT A GENERAL DEPICTION



# EXHIBIT B CONCEPTUAL SITE PLAN



# EXHIBIT C CONCEPTUAL LANDSCAPE PLAN



# EXHIBIT D CONCEPTUAL ELEVATIONS







## **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

#### **Agenda Memo**

File Number: 7206

Agenda Date: 5/20/2025 Version: 1 Status: Public Hearing/Individual

Consideration

In Control: City Council File Type: Public Hearing

Agenda Number: 24.

**CC MEETING: May 20, 2025** 

**DATE:** May 12, 2025

TO: Erin Rinehart, City Manager

**FROM:** Loren Shapiro, AICP, Planning Manager Shannon Hicks, Assistant City Manager

Hold A Public Hearing To Consider An Ordinance Amending the Zoning On A 1.85-Acre Tract Zoned (LI) Light Industrial District With SUP-385 And Located At 1200 West Jackson Road To Establish A Planned Development District To Allow A Canopy Encroachment Into The Front Building Setback, To Create Development Standards, And To Provide Conceptual Plans: Amending The Official Zoning Map Accordingly. Case No. PLZ 2025-061 Fujifilm.

#### **BACKGROUND:**

This is a request for approval to establish a Planned Development (PD) to allow a proposed canopy addition to encroach into the front building setback along Crowley Drive.

Public comments were received in support of the request.

#### STAFF RECOMMENDATION/ACTION DESIRED:

On May 1, 2025, the Planning and Zoning Commission recommended approval of the request with stipulations.

Staff recommends APPROVAL with stipulations.

The attached ordinance reflects the action of the Commission.

#### RESULTS SHEET

Date: 05/20/25

Case No./Name: PLZ 2025-061 Fujifilm

#### A. STAFF STIPULATIONS AND RECOMMENDATIONS

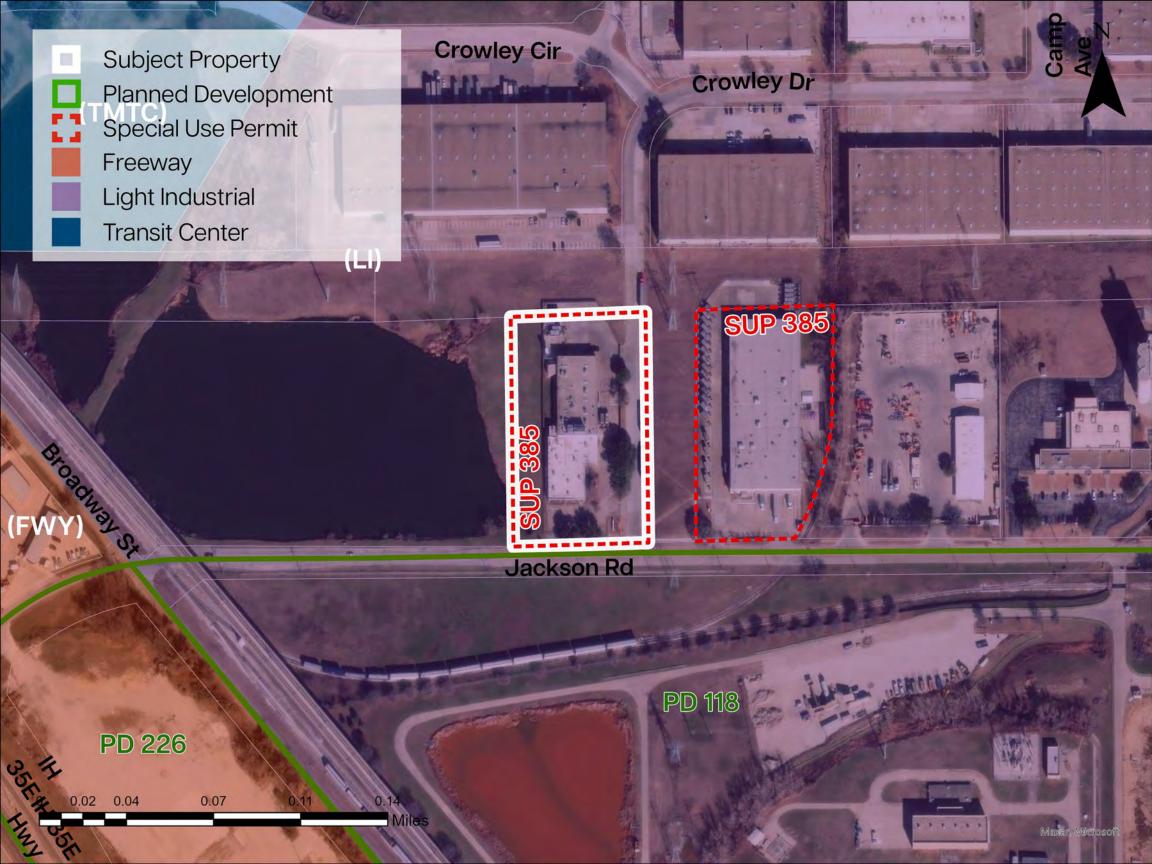
Staff recommends **APPROVAL** with the following stipulation:

- 1. Canopy addition shall be in general conformance with the attached conceptual exhibits.
- 2. The canopies shall be no less than 11 feet from the front property line along Crowley Drive.
- 3. The southern access gate shall have an Opticom Knox Key.
- **B. P&Z ACTION** from P&Z meeting: 05/01/25

Result: **APPROVED** /Vote: 7-0 (Martin and Kramer absent)

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 05/20/25

Result: /Vote:



# 1200 W Jackson Rd

 ${\color{blue}\mathsf{CARROLLTON}}_{\scriptscriptstyle\mathsf{TEXAS}}$ 



## APPLICANT'S NARRATIVE

Application Explanation and Description of Request or Project					
At 1200 W Jackson Rd. The property is currently developed, but our client intends to make additions, including constructing a canopy to cover their equipment and trucks.					
Currently, the property is zoned under a Specific Use Permit (SUP 385). However, we aim to change this status to a PD to accommodate the client's plans for the canopy. The existing zoning presents a conflict, as the proposed canopy overlaps with the side setback of the property. By applying for a PD, we hope to amend these details, allowing us to proceed with the canopy construction.					

#### **ZONING CHANGE**

Case Coordinator: Michael McCauley

#### **GENERAL PROJECT INFORMATION**

**SITE ZONING:** (LI) Light Industrial District with SUP-385 for Chemical Manufacturing

SURROUNDING ZONING
SURROUNDING LAND USES

NORTH (LI) Light Industrial District Texas Utilities Electric Company

SOUTH (LI) Light Industrial District Dallas Water Treatment Plant Across

W. Jackson Road

EAST (LI) Light Industrial District Chemical Manufacturing

WEST (LI) Light Industrial District City Park (Ken Good Park)

**REQUEST:** Establish a Planned Development to allow a canopy to encroach into

the front building setback along Crowley Drive

**PROPOSED USE:** Existing chemical manufacturing

**ACRES/LOTS:** Approximately 1.85 acres / 1 lot

**LOCATION:** 1200 W. Jackson Road

**HISTORY:** The property was initially platted in 1976.

SUP-385 was established for 1200 and 1300 W. Jackson Road.

**COMPREHENSIVE** 

PLAN:

PLAN:

Public/Semi-Public

**TRANSPORTATION** 

Jackson Road is designated as a (C4U) 4-Lane Undivided Collector

and Crowley Drive is designated as a local roadway.

**OWNER:** Fujifilm Ultra-Pure Solutions, Inc.

**REPRESENTED BY:** Jaffer Khalfan / Dynamic Engineering Consultants, PC

#### **STAFF ANALYSIS**

#### REQUEST

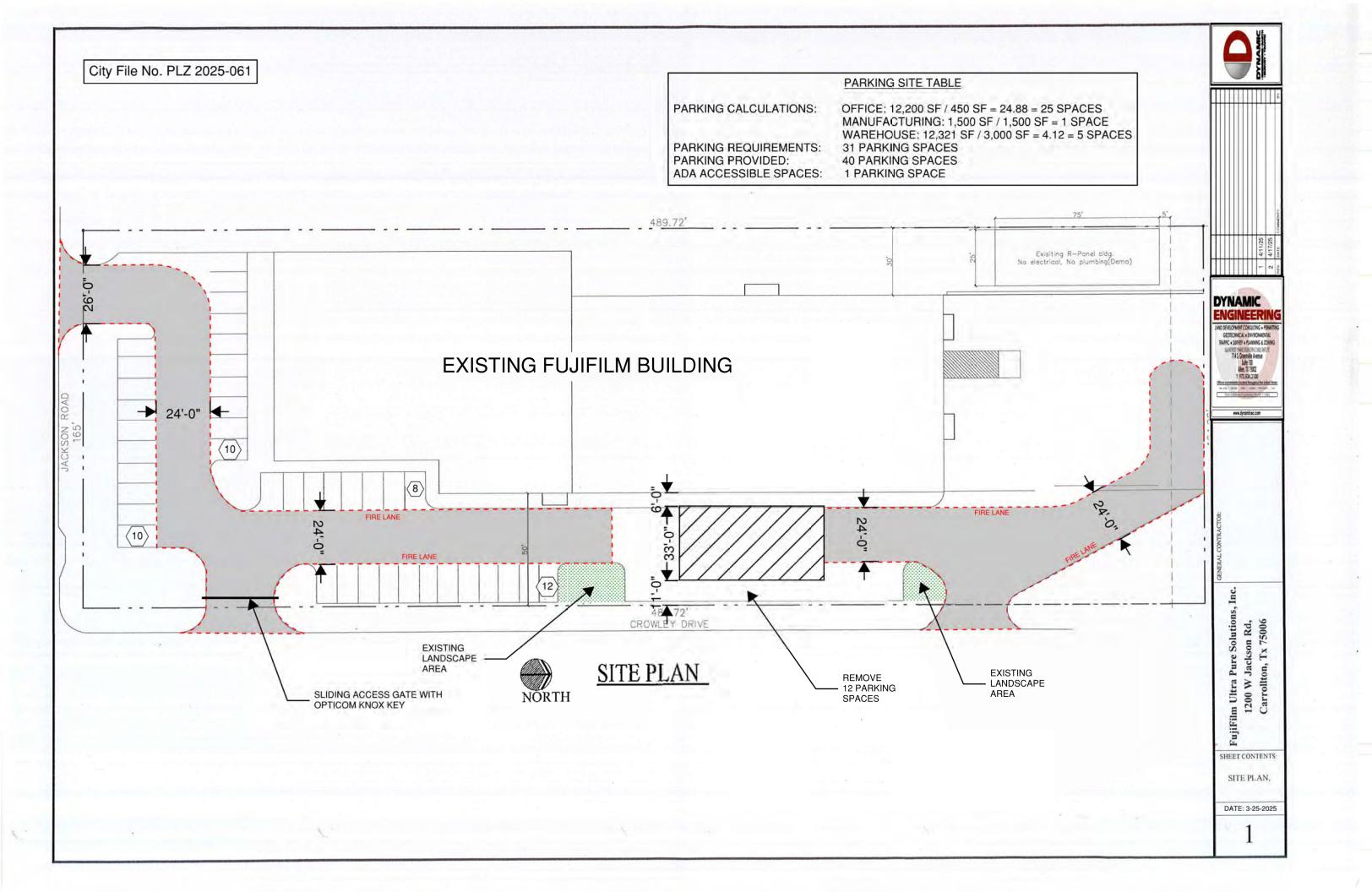
This is a request for approval to establish a Planned Development (PD) to allow a proposed canopy addition to encroach into the front building setback along Crowley Drive.

#### **ELEMENTS TO CONSIDER**

- 1. Per the applicant, the rezoning will allow the existing use to add a canopy for the offload area for the staff working around the isotainers (specialized containers designed for transporting bulk liquids and some dry bulk materials).
- 2. Per the applicant, the canopies will provide shade for the workers and the catwalks will provide a safer way to access the isotainers.
- 3. SUP-385 was initially adopted by the Council in 2010 allowing chemical manufacturing and amended in 2024 allowing modified conceptual plans.
- 4. The proposed PD should not have adverse impacts on the surrounding properties and area.
- 5. The concern and input of neighbors affected by a proposed use is a component of the zoning process.
- 6. Public comments were received.

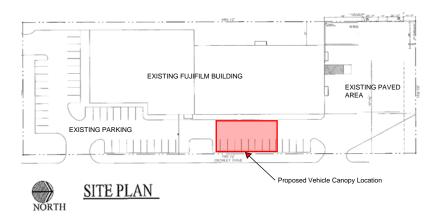
#### **CONCLUSION**

Staff believes the proposal should not adversely affect the surrounding properties or area.







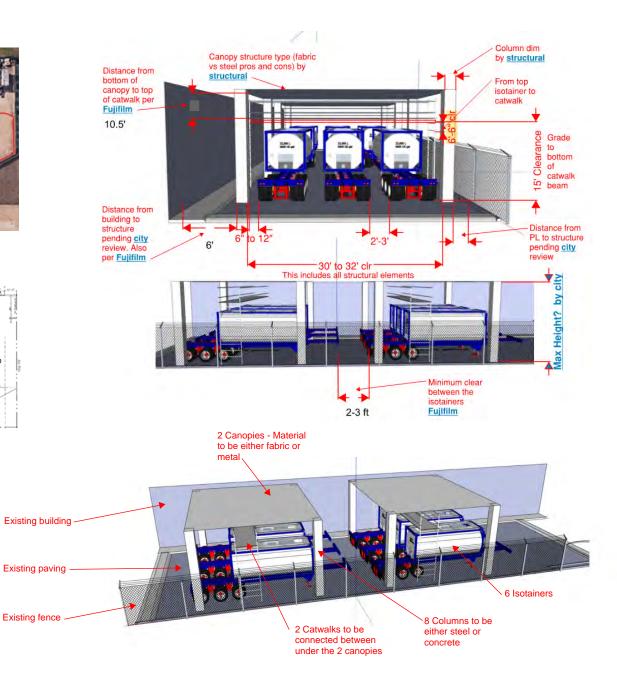


#### Proposal:

To provide canopies for the Offload Area for the staff working around the isotainers. The canopies will provide shade for the workers. The catwalks will provide a safer way to access the isotainers.

#### **Project Location:**

1200 W Jackson Rd, Carrollton, TX 75006



Concept of Proposal

WARE MALCOMB

Existing fence

Excerpt from Draft Minutes Planning & Zoning Commission Meeting of May 1, 2025

3. Hold A Public Hearing To Consider An Ordinance Amending The Zoning On A 1.85-Acre Tract Zoned (LI) Light Industrial District With SUP-385 And Located At 1200 West Jackson Road To Establish A Planned Development District To Allow A Canopy Encroachment Into The Front Building Setback, To Create Development Standards, And To Provide Conceptual Plans; Amending The Official Zoning Map Accordingly. Case No. PLZ 2025-061 Fujifilm. Case Coordinator: Michael McCauley.

Michael McCauley, Senior Planner, presented this item. He provided a location/zoning map and stated that the location is at the northwest corner of Jackson and Crowley. A depiction of the canopy was provided. Mr. McCauley stated that this request is to locate the canopy 11 feet from the front property line at Crowley rather than the required 25-foot setback. Staff is recommending approval with stipulations. There were no public comment cards received.

Chair Windrow asked if the applicant was present and wished to speak. Applicant Jafter Knalian, 714 S. Greenville Ave., Allen, Texas, was present for questions. He stated the addition of the canopy is for the workers' safety. Commissioner Overholt inquired about the height of the canopy. The applicant responded that it is not as high as the building.

Chair Windrow opened the public hearing. There were no speakers. He advised that cards were submitted in support from:

- Albert Yang, 2626 Cole Ave., Suite 501, Dallas, Texas
- Jon Cremers, 145 Spring Grove Dr., Waxahachie, Texas
- Natalie Chan, 10639 Stone Canyon Rd., Dallas, Texas
- Vivian Phan, 2104 Bluebonnet Dr., Richardson, Texas

\*Commissioner Foster moved to close the public hearing and approve Case No. PLZ 2025-061 Fujifilm with stipulations; second by Commissioner Powell. The motion was approved with a vote of 7-0, (Martin and Kramer absent).

## PUBLIC COMMENTS (1 OF 3)

Please complete this card and submit it to		nning of the meeting.
Name Jaffer Khalfan	Phone 512 - 113 - 4431	Date May 1
Address 714 S. Greenville	City Allen	Zip
I do not wish to speak; however, ple Please identify the group or organization y		OPPOSITION.
Please r	read and comply with the	

Please co	omplete this card and submit it to a city staff member prior to the beginning of the meeting.
Name _	AURERT YOUG Phone 310 920 505 Date 5/2/25
Address	2626 COUR AND SO City DAMES Zip 75204
<b>∠</b> I d	rish to speak IN FAVOR of this item I wish to speak IN OPPOSITION to this item.  o not wish to speak; however, please record my SUPPORT OPPOSITION.  entify the group or organization you represent, if any: MALLONGER SUPPORT OPPOSITION.

## PUBLIC COMMENTS (2 OF 3)

		staff member prior to the beginning of the meeting.
Name JON	(REMERS	Phone 972-896-2968 Date 5/1/25
Address 195 Sp	ing Grove Dr	City Waxahachie Zip 75165
I wish to speak		I wish to speak IN OPPOSITION to this item.
X I do not wish t	o speak; however, please re-	cord my SUPPORT OPPOSITION.
Please identify the gr	oup or organization you rep	present, if any: FUJ(F/LM)

Please complete this card and submit it to a city	staff member prior to the beginning of the meeting.
Name Natalie Chan	Phone 469-289-7226 Date 5/1/2025
Address 10639 Stone Canyon Rd	City Dallas Zip Tx
I wish to speak IN FAVOR of this item.  ✓ I do not wish to speak; however, please re-	I wish to speak IN OPPOSITION to this item cord my SUPPORT OPPOSITION.
Please identify the group or organization you rep	present, if any: Fujifilm

## PUBLIC COMMENTS (3 OF 3)

Please complete this card and submit it to	a city staff member prior to the beginning of the meeting.
Name VIVIAN PHAN	Phone 817 882 & 73 Date 5-1-2025
Address 2104 BLUEBONNET IDR	Phone 817 882 8073 Date 5-1-2025  City RICHARD80N Zip 75082
✓ I do not wish to speak; however, plea	em I wish to speak IN OPPOSITION to this item use record my SUPPORT OPPOSITION.
Please identify the group or organization yo	ou represent, if any: Fwii Alm

PLANNING DEPARTMENT CITY OF CARROLLTON

DATE: 05/20/25

#### PLANNED DEVELOPMENT NO. 229 FUJIFILM

ORDINANCE NUMBER
------------------

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS, AMENDING ITS COMPREHENSIVE ZONING ORDINANCE BY ESTABLISHING PLANNED DEVELOPMENT NUMBER 229 FOR THE (LI) LIGHT INDUSTRIAL DISTRICT ON APPROXIMATELY 1.85-ACRES LOCATED AT 1200 W. JACKSON ROAD TO ALLOW A CANOPY ENCROACHMENT INTO THE FRONT BUILDING SETBACK, TO CREATE DEVELOPMENT STANDARDS, AND TO PROVIDE CONCEPTUAL PLANS; AMENDING THE OFFICIAL ZONING MAP; PROVIDING PENALTY, SEVERABILITY, SAVINGS AND REPEALER CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

**WHEREAS**, at a public hearing held on the First day of May 2025, the Planning & Zoning Commission considered and made recommendation on a certain request for establishing a Planned Development District (Case No. PLZ 2025-061); and

**WHEREAS**, this change of zoning is in accordance with the adopted Comprehensive Plan of the City of Carrollton, as amended; and

**WHEREAS**, the City Council conducted a public hearing on the Twentieth day of May 2025, at which all persons were given an opportunity to present testimony; and

WHEREAS, this change of zoning will distinguish development standards specially applicable to the unique nature of the approximately 1.85-acre tract; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals, and general welfare.

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

#### Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

#### Section 2.

Planned Development Number 229, located on an approximately 1.85-acre tract located at 1200 W. Jackson Road, and generally depicted in Exhibit A, is hereby established to provide for the following:

#### Permitted Uses

Permitted uses shall be all principal and accessory uses which are allowed by right in the (LI) Light Industrial District, in accordance with Article V. of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations of the (LI) Light Industrial District and the Comprehensive Zoning Ordinance, as amended, and as provided in Section 4 below.

A Special Use Permit shall be required for all uses otherwise requiring a Special Use Permit in the (LI) Light Industrial District, in accordance with Article V. of the Comprehensive Zoning Ordinance, as amended. Such Special Use Permit shall be subject to the conditions established in Articles XXI. and XXXI. of the Comprehensive Zoning Ordinance, as amended, and shall be developed in accordance with all applicable regulations.

#### Section 3.

#### Special Development Standards

Development shall be in accordance with the following conditions, restrictions, and regulations:

- 1. The canopies shall be in general conformance with Exhibits B, "Conceptual Canopy Elevations," and C "Conceptual Site Plan;" provided, however, that:
  - a. The canopies shall be no less than eleven (11) feet from the front property line along Crowley Drive; and
  - b. The southern access gate shall have an Opticom Knox Key.
- 2. In the event there is any inconsistency between the text of this Ordinance and any conceptual plan, the text of this Ordinance shall control.

#### Section 4.

The Comprehensive Zoning Ordinance and the Official Map are hereby amended to reflect the action taken herein.

#### Section 5.

Any person violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

#### Section 6.

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

#### Section 7.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance, and the Official Zoning Map, as amended, shall remain in full force and effect.

#### Section 8.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

#### Section 9.

This Ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Twentieth day of May 2025.

#### CITY OF CARROLLTON

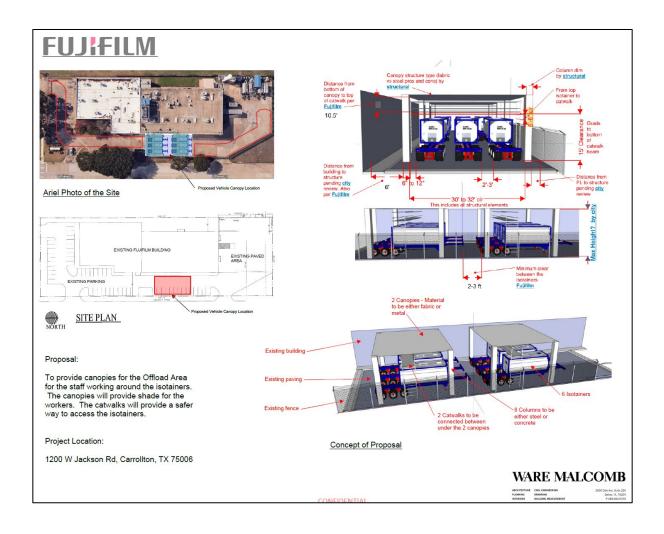
	By:	Steve Babick, Mayor
ATTEST:		
Chloe Sawatzky City Secretary		
APPROVED AS TO FORM:		APPROVED AS TO CONTENT:
Meredith Ladd City Attorney		Michael McCauley Senior Planner

## **EXHIBIT A**

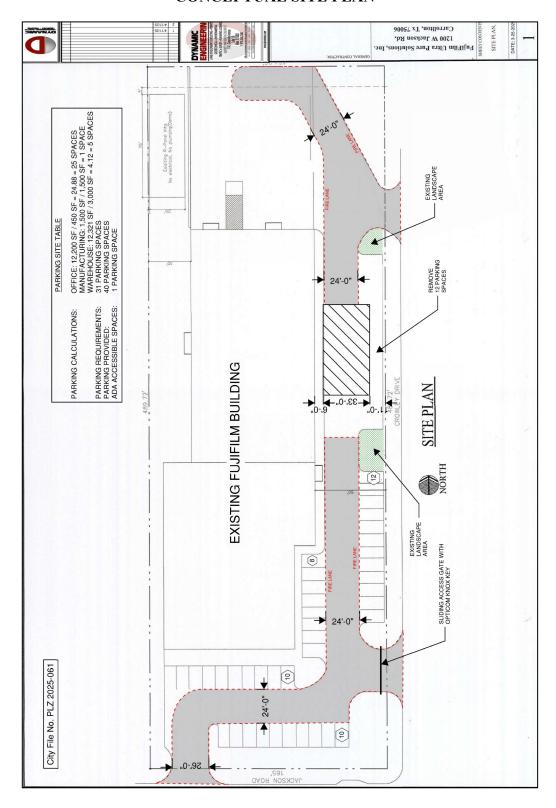
## **GENERAL DEPICTION**



# EXHIBIT B CONCEPTUAL CANOPY ELEVATIONS



# EXHIBIT C CONCEPTUAL SITE PLAN





## **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

#### **Agenda Memo**

File Number: 7207

Agenda Date: 5/20/2025Version: 1Status: Public Hearing/Individual

Consideration

In Control: City Council File Type: Public Hearing

Agenda Number: 25.

**CC MEETING: May 20, 2025** 

**DATE:** May 12, 2025

TO: Erin Rinehart, City Manager

**FROM:** Loren Shapiro, AICP, Planning Manager Shannon Hicks, Assistant City Manager

Hold A Public Hearing To Consider An Ordinance Amending The Text Of Various Sections Of The Comprehensive Subdivision Ordinance (CSO) To Amend, Add Or Delete Content And To Improve The General Organization Of The Amended Sections, Including Amendments To Article III. Procedures For Plat Approval, Section A. Procedures; Article IV. Administrative Plat; Article V. Preliminary Plat; Article VI. Final Plat, Section B. General Provisions; Article VIII. Miscellaneous Plats And Abandonments; And Article XI. Construction And Improvements, Section F. Screening Walls. Case No. PLST 2025-004 Comprehensive Subdivision Ordinance Text Amendments.

#### **BACKGROUND:**

This is a city-initiated request to consider proposed text amendments to the Comprehensive Subdivision Ordinance (CSO). The text changes reflect our annual review and any updates to development regulations.

No public comments were received.

#### STAFF RECOMMENDATION/ACTION DESIRED:

On March 6, 2025, the Planning and Zoning Commission recommended approval of the request.

Staff recommends APPROVAL.

The attached ordinance reflects the action of the Commission.

#### RESULTS SHEET

Date: 05/20/25

Case No./Name: PLST 2025-004 Comprehensive Subdivision Ordinance Text Amendments

#### A. STIPULATIONS AND RECOMMENDATIONS:

Staff recommends approval of the following CSO amendments:

- 1. Article III. Procedures For Plat Approval, Section A. Procedure.
  - 2. A plat application shall be considered formally filed with the City when the Planning Department has checked and verified that the plat is complete and compliant with all requirements. If the plat is incomplete or does not comply with all requirements, it shall be deemed not to have been submitted or filed until any and all deficiencies are corrected. The City Manager or Designee shall provide to the applicant a written confirmation of their determination, which shall provide the official date of filing and specify the meeting of the Planning and Zoning Commission scheduled for review of the plat. The plat shall then be placed on a printed Planning and Zoning Commission agenda and posted in conformance with all legal requirements. The Planning & Zoning Commission shall act on the plat within thirty (30) days after the plat is formally filed with the City or within thirty (30) days after referral by the City Manager or Designee as allowed by state law to the Planning & Zoning Commission, unless the applicant submits a written request for a thirty (30) day extension. If the applicant does not submit a written request for a thirty (30) day extension, the plat shall be considered approved if it is not disapproved by the Planning & Zoning Commission within such thirty (30) day period. (Ord. No. 1948, 10/19/93; Ord. No. 3301, 06/02/09)
- 2. Article IV. Administrative Plat, Section B. General Provisions.

#### 1. Authority:

Under Section 212.0065 of the Texas Local Government Code, authority is hereby delegated to the City Manager or their Designee to approve an Administrative Plat only where:

- a. The Administrative Plat includes four (4) or fewer lots; and
- b. The total area covered by the Administrative Plat does not exceed forty (40) acres; and
- c. Every lot created by the Administrative Plat has frontage on an existing paved street; and
- d. Every lot within the Administrative Plat can be established without the need for the creation of a new street or extension of municipal facilities; and

- e. The area covered by the Administrative Plat does not constitute a portion or a phase of an approved Preliminary Plat; and
- f. Each lot created by the Administrative Plat is in accordance with all requirements of the applicable zoning district, and with the requirements of this ordinance. The City Manager or their designee shall not have authority to grant any variance to the requirements of this ordinance; and
- g. Dedication of street or alley right-of-way, if applicable, occurs in accordance with the Transportation Plan and General Design Standards of the City of Carrollton.

#### 2. Procedure:

4.

Formal application for Administrative Plat approval shall be made by the subdivider to the Planning Department in the manner prescribed by the Planning and Zoning Commission. An application for approval of an Administrative Plat will be placed on the Development Review Committee agenda, in accordance with established deadlines set for all development cases. The City Manager or their Designee shall make the decision to approve or not to approve the Administrative Plat only after the Development Review Committee has reviewed the application, and within thirty (30) days of submittal of an application.

The City Manager or their Designee may, for any reason, elect to present an Administrative Plat to the Planning and Zoning Commission for action. Any Administrative Plat which the City Manager or their Designee refuses to approve shall be presented to the Planning and Zoning Commission, within thirty (30) days of such refusal, for action. Any Administrative Plat which is presented to the Planning and Zoning Commission shall be processed in accordance with the procedures set forth in Article III. of this ordinance.

The City Manager or their designee shall have no authority to grant a waiver or variance to this ordinance in approving an Administrative Plat. Any request for a waiver or variance to this ordinance shall be considered by the Planning and Zoning Commission in accordance with Article XII. of this ordinance.

#### 3. Article V. Preliminary Plat, Section B. General Provisions.

Co	entent:
q.	The City signature block:
	On the day of, 20, this Preliminary Plat was duly approved by the Planning & Zoning Commission of the City of Carrollton.
	Signed: Director of Development Services or their Designee

Signed:			
	Chairman		
]	Planning and Zoning Commission		

- 4. Article VI. Final Plat, Section B. General Provisions, 4. Content, d.
  - 5. Location/vicinity map. (Use a single line drawing. Do not use website maps.)
  - 6. All approved street names shall be shown.
  - 7. All abstract lines shall be shown and labeled.
  - 8. The location and dimension of any easement, designated by use, adjoining or abutting the subdivision.
  - 9. Description of the subdivision by metes and bounds shall be shown.
  - 10. Point of beginning or commencement shall reference an original abstract or existing subdivision property corner. Primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings, block numbers and similar data shall be referenced.
  - 11. The plat shall show the name of the subdivision, the names, addresses and phone numbers of the owner and engineer or surveyor, scale and location of the subdivision with reference to original land grant or survey, abstract number, and a north arrow depicting true or magnetic north, and noting whether true or magnetic north is used.
  - 12. Show the one-hundred-year flood plain limits based on ultimate watershed development, as determined by the City Engineer, or note that such property is not within the flood plain limits, if applicable. Finished floor elevations of two (2) feet above the one-hundred-year flood plain elevation shall be shown on the plat, where applicable.
  - 13. Location and description of monuments, which shall be placed at each corner of the boundary survey of the subdivision, shall be shown as described in Article XI, Sec. C.
  - 14. Lot numbers and block letters shall be shown. Lot numbers shall be sequential and orderly within a designated block. Land subdivided in stages over time shall provide phase numbers or letters.
  - 15. Address numbers shall be placed on the face of the plat, on the assigned lot, as assigned by the Fire Marshal, or their Designee.
  - 16. The square footage of all lots which are not rectangular shall be shown in a table.
  - 17. Certificates of the owner, surveyor and utility companies, a dedication statement, City signature block and other standard notes shall be placed on the final plat in accordance with Figure 1 (as applicable).
  - 18. Homeowners Agreement:

When a subdivision contains common areas, drainage ways, screening walls, retaining walls, or other facilities not located within the public right-of-way nor

subject to City maintenance, or if landscaping, sidewalks, or other amenities are provided within the public right-of-way for which a license agreement is required by the City, a homeowners agreement, as evidenced by the covenants identifying the association, shall be placed on the plat. Such homeowners agreement shall be approved as part of the Preliminary Plat process or during final or replat process.

The City Attorney will review the homeowner's agreement as to form.

The following six (6) statements shall appear on the face of the plat and in the homeowners agreement:

- a. The owner of fee simple title to every individual lot of land within the subdivision must be a member of the homeowner's association.
- b. The homeowner's association must have the authority to collect membership fees.
- c. The homeowner's association shall be responsible for the maintenance of all common areas, screening walls, and retaining walls.
- d. The homeowner's association must grant the City the right of access to common areas to abate any nuisances thereon, and attach a lien for the prorated cost of abatement upon each individual lot
- e. The homeowner's association shall indemnify and hold the City harmless from any and all costs, expenses, suits, demands, liabilities, damages, or otherwise including attorney's fees and costs of suit, in connection with the City's maintenance of common areas.
- f. The homeowner's association shall enter into a license agreement with the City of Carrollton, where additional right-of-way has been dedicated for the purpose of providing landscaping, additional areas for sidewalks, walls, or other amenities, and shall be responsible for the installation and maintenance of all landscape areas that are in the public right-of-way.

19. Homeowners association note, if required by Preliminary, Final or Replat approve	al:
--	-----

A homeowners association covenant has been	en approved by the City of Carrollton
and recorded in(volume and page)	Such homeowners association shall
be responsible for the maintenance of all com-	nmon areas and facilities and screening
walls, including retaining walls located in _	(lot and block number of common
area) _, or public right-of-way where a	license agreement with the City of
Carrollton is required, or otherwise identified	d on the plat. (Ord. No. 2029, 10/18/94)

#### FIGURE 1

#### **DEDICATION STATEMENT**

(to be used in all instances)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

THAT (OWNER'S NAME) ACTING HEREIN BY AND THROUGH ITS DULY AUTHORIZED OFFICERS, DOES HEREBY ADOPT THIS PLAT DESIGNATING THE HEREIN ABOVE DESCRIBED PROPERTY AS

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

WITNESS MY HAND THIS DA	AY OF, 20
Signature of Owner	Position in Corporation (if applicable)
Name of Corporation (if applicable)	Lien Holder (if applicable)

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

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

Signature of Owner (Ord. No. 2088, 07/18/95)

20. The title block shall be located on the lower right or left corner and contain the following content and chronological order below:

# CITY PROJECT CASE NUMBER PLAT TYPE SUBDIVISION NAME BLOCK LETTER OR NUMBER, AND LOT NUMBERS ACREAGE AND SQUARE FOOTAGE TRACT DESIGNATION, SURVEY NAME AND ABSTRACT NUMBER TOTAL NUMBER OF LOTS CITY, COUNTY AND STATE PREPARATION DATE AND REVISION DATES

5. Article VIII. Miscellaneous Plats And Abandonments, Section B. Amending Plat.

#### 2. Procedure:

Formal application for Amending Plat approval shall be made by the subdivider to the Planning Department in the manner prescribed by the City. An application for approval of an Amending plat will be placed on the Development Review Committee agenda, in accordance with established deadlines set for all development cases. The City Manager or their Designee responsible for approving plats shall make the decision to approve or not to approve the Amending Plat only after the Development Review Committee has reviewed the application, and within thirty (30) days of submittal of an application. (*Ord. No. 3301, 06/02/09*)

The City Manager or their Designee responsible for approving plats may, for any reason, elect to present an Amending Plat to the Planning and Zoning Commission for action. The City Manager or their Designee shall not disapprove the Amending Plat and shall be required to refer any plat which the person refused to approve to the Planning and Zoning Commission within thirty (30) days after the plat is filed. Any Amending Plat which is presented to the Planning and Zoning Commission shall be processed in accordance with the procedures set forth in Article III. of this ordinance. (Ord. No. 3301, 06/02/09)

The City Manager or their Designee responsible for approving plats shall have no authority to grant a waiver or variance to this ordinance in approving an Amending Plat. Any request for a waiver or variance to this ordinance shall be considered by the Planning and Zoning Commission in accordance with Article XII. of this ordinance. (Ord. No. 3301, 06/02/09)

#### 3. VALIDITY:

An Amending Plat is valid from the date of City Manager or their Designee approval. (Ord. No. 3944, 01/14/20)

6. Article XI. Construction And Improvements, Section F. Screening Walls.

The purpose of providing screening walls is to improve the appearance of subdivisions abutting public rights-of-way; preserve and promote the aesthetic appeal of surrounding neighborhoods; and provide a cohesive identity for each subdivision.

1. Lots Backing Upon a Freeway Frontage Road, Arterial Thoroughfare, or a Major or Residential Collector Street:

A screening wall shall be provided and maintained by the homeowners or property owners association or private property owner along the property line of any subdivision of single-family, mobile home or duplex lots where the rear of such lots abuts any freeway frontage road, or arterial thoroughfare, as such thoroughfare is identified on the Transportation Plan, or a major or residential collector street. This requirement shall also apply where such lots are separated from the freeway frontage road, arterial thoroughfare, or major or residential collector street by an alley. In such instance the screening wall shall be placed on the right-of-way line separating the alley, and freeway frontage road, arterial thoroughfare, or major or residential collector street.

The construction of such screening wall shall be the responsibility of the developer of the single-family, mobile home or duplex subdivision. Construction of the required screening wall shall occur subsequent to the final grading of the subdivision, but prior to formal acceptance of the subdivision by the city of Carrollton.

The provisions of this subsection shall also apply to mobile home parks. (*Ord. No. 1998, 07/05/94*)

2. Lots Siding Upon a Freeway Frontage Road or Arterial Thoroughfare:

Where a street within a single-family, mobile home or duplex subdivision must intersect a freeway frontage road or arterial thoroughfare, as identified on the Transportation Plan, in order to provide access into the subdivision, and where a single-family, mobile home or duplex lot sides to a freeway frontage road or arterial thoroughfare, a screening wall shall be provided by the developer and maintained by the homeowners association or private property owner along the side of the lot adjacent to such freeway frontage road or arterial thoroughfare where the screening wall would constitute a continuation of any existing or proposed screening wall.

Where two residential streets intersect with a freeway frontage road or arterial thoroughfare identified on the Transportation Plan, the Planning and Zoning Commission shall determine whether adequate distance exists between the residential streets such that the provision of a masonry screening wall would be

reasonable and appropriate. In making its determination, the Planning and Zoning Commission shall take into consideration the requirements of Title V., Chapter 53, of the Carrollton Code of Ordinances, otherwise known as the Visibility Obstructions Ordinance, and the provision of corner clips, as may be deemed necessary by the Director of Transportation to afford the adequate provision of roadway and intersection design or signalization.

The provisions of this subsection shall apply where the sides of such lots are separated from the freeway frontage road or arterial thoroughfare by an alley. In such instance the screening wall shall be placed on the right-of-way line separating the alley and freeway frontage road or arterial thoroughfare.

The provisions of this subsection shall also apply to mobile home parks.

#### 6. Maintenance:

All areas adjacent to any screening wall or fence, or areas adjacent to a public street or right-of-way, shall be maintained in a clean and orderly condition by the homeowners or property owners association or private property owner, free of debris and trash, in accordance with the applicable codes of the city of Carrollton.

The city of Carrollton shall maintain screening walls provided in accordance with subsections G(1), G(2), G(3), and G(4)(c) of this Section.

**B. P&Z RECOMMENDATION** from P&Z meeting: 03/06/25 Result: **APPROVED** /Vote: 8-0 (Yarbrough absent)

C. CC PUBLIC HEARING / ORDINANCE ACTION from CC meeting: 05/20/25 Result: /Vote:

#### STAFF ANALYSIS

#### **Proposed Comprehensive Subdivision Ordinance Amendments**

The recommended amendments:

- 1. Updates procedures regarding when plats are complete and accepted, and allowing written requests for a 30-day extension in the review process, in accordance to state law.
- 2. Changes to when a plat is deemed complete, who can approve an Administrative Plat, who can sign a Preliminary Plat, clearer description for a location/vicinity map and title block, how an applicant can request a plat review extension, who can approve an Administrative Plat, and who is responsible for installing and maintaining screening and retaining walls.

New text is <u>underlined</u> and removed wording is <u>struck through</u>. Explanation of amendments are in *italics*.

#### 1. Article III. Procedures.

2. A plat application shall be considered formally filed with the City when all required material has been submitted to the Planning Department, and the plat has been the Planning Department has checked and verified that the plat is complete and compliant with all requirements. If the plat is incomplete or does not comply with all requirements, it shall be deemed not to have been submitted or filed until any and all deficiencies are corrected. The City Manager or Designee shall provide to the applicant a written confirmation of their determination, which shall provide the official date of filing and specify the meeting of the Planning and Zoning Commission scheduled for review of the plat. The plat shall then be placed on a printed Planning and Zoning Commission agenda, posted in conformance with all legal requirements. The Planning & Zoning Commission shall act on the plat within thirty (30) days after the plat is formally filed with the City or within thirty (30) days after referral by the City Manager or Designee as allowed by state law to the Planning & Zoning Commission, unless the applicant submits a written request for a thirty (30) day extension. If the applicant does not submit a written request for a thirty (30) day extension, the plat shall be considered approved if it is not disapproved by the Planning & Zoning Commission within such thirty (30) day period. (Ord. No. 1948, 10/19/93; Ord. No. 3301, 06/02/09)

The amendment provides written procedures for when a plat is deemed complete and allows an applicant to request a written 30-day extension instead of withdrawing an application due to incompleteness.

#### 2. Article IV. Administrative Plat, Section B. General Provisions.

#### 1. Authority:

Under Section 212.0065 of the Texas Local Government Code, authority is hereby delegated to the Director of Planning City Manager or their or his or her Designee to approve an Administrative Plat only where:

- a. The Administrative Plat includes four (4) or fewer lots; and
- b. The total area covered by the Administrative Plat does not exceed forty (40) acres; and
- c. Every lot created by the Administrative Plat has frontage on an existing paved street; and
- d. Every lot within the Administrative Plat is able to be established without the need for the creation of a new street or extension of municipal facilities; and
- e. The area covered by the Administrative Plat does not constitute a portion or a phase of an approved Preliminary Plat; and
- f. Each lot created by the Administrative Plat is in accordance with all requirements of the applicable zoning district, and with the requirements of this ordinance. The <a href="Director of Planning">Director of Planning</a> City Manager or their designee shall not have authority to grant any variance to the requirements of this ordinance; and
- g. Dedication of street or alley right-of-way, if applicable, occurs in accordance with the Transportation Plan and General Design Standards of the City of Carrollton.

## 2. PROCEDURE:

Formal application for Administrative Plat approval shall be made by the subdivider to the Planning Department in the manner prescribed by the Planning and Zoning Commission. An application for approval of an Administrative Plat will be placed on the Development Review Committee agenda, in accordance with established deadlines set for all development cases. The Director of the Planning Department City Manager or their or his or her Designee shall make the decision to approve or not to approve the Administrative Plat only after the Development Review Committee has reviewed the application, and within thirty (30) days of submittal of an application.

The Director of the Planning Department City Manager or their or his or her Designee may, for any reason, elect to present an Administrative Plat to the Planning and Zoning Commission for action. Any Administrative Plat which the Director of Planning Department refuses to approve shall be presented to the Planning and Zoning Commission, within thirty (30) days of such refusal, for action. Any Administrative Plat which is presented to the Planning and Zoning Commission shall be processed in accordance with the procedures set forth in Article III. of this ordinance.

The Director of the Planning Department City Manager or their designee shall have no authority to grant a waiver or variance to this ordinance in approving an Administrative Plat. Any request for a waiver or variance to this ordinance shall be considered by the Planning and Zoning Commission in accordance with Article XII. of this ordinance.

The change allows the City Manager's Designee to approve Administrative Plats.

## 3. Article V. Preliminary Plat, Section B. General Provisions.

#### 4. Content:

	q. The City signature block:		
	On the day of, 20, this Preliminary Plat was duly approved by the Planning & Zoning Commission of the City of Carrollton.		
	Signed:  Director of Development Services  or their Designee  (Ord. No. 3271, 01/01/09)		
	Signed: Chairman Planning and Zoning Commission		
	This change allows someone other than the director of development services authorization to sign a Preliminary Plat.		
4.	Article VI. Final Plat, Section B. General Provisions, 4. Content. D2. Proposed Features.		
	10. The plat shall show a title including the name of the subdivision, the names, addresses a phone numbers of the owner and engineer or surveyor, scale and location of the subdivision with reference to original land grant or survey, abstract number, and a north arrodepicting true or magnetic north, and noting whether true or magnetic north is used.		
	14. Address numbers shall be placed on the face of the plat, on the assigned lot, as assigned by the Fire Marshal, or her their Designee.		
	17. Location/vicinity map. (Use a single line drawing. Do not use website maps.)		
	18. <mark>17.</mark> Homeowners Agreement:		
	When a subdivision contains common areas, drainage ways, screening walls, retaining walls, or other facilities not located within the public right-of-way nor subject to City maintenance, or if landscaping, sidewalks, or other amenities are provided within the public right-of-way for which a license agreement is required by the City, a homeowners agreement, as evidenced by the covenants identifying the association, shall be placed on the plat. Such homeowners agreement shall be approved as part of the Preliminary Plat process or during the Final or Replat process.		
	c. The homeowners association must shall be responsible for the maintenance of all common areas, screening walls and retaining walls.		
	19. 18. Homeowners association note, if required by Preliminary, Final or Replat approval:		
	A homeowners association covenant has been approved by the City of Carrollton and recorded in <u>(volume and page)</u> . Such homeowners association shall be responsible for the maintenance of all common areas and facilities and screening walls,		

including retaining walls located in \_\_\_\_(lot and block number of common area), or public

right-of-way where a license agreement with the City of Carrollton is required, or otherwise identified on the plat. (Ord. No. 2029, 10/18/94)

## FIGURE 1

## **DEDICATION STATEMENT**

(to be used in all instances)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

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

PLATTING ORDINANCES, RULES, REGULATIONS, AND RESOLUTIONS OF THE CITY OF CARROLLTON.		
WITNESS MY HAND THIS DAY O	F, 20	
Signature of Owner	Position in Corporation (if applicable)	
Name of Corporation (if applicable) Lie	n Holder (if applicable)	
If there is no lien holder, add the following s	tatement:	
To the best of my knowledge, there are no lie	ens against this property.	
Signature of Owner ( <i>Ord. No. 2088, 07/18/95</i> )		

This change allows a standard uniformity to a title block and the plat and removes unnecessary wording in the Dedication Statement.

20. The title block shall be located on the lower right or left corner and contain the following content and chronological order below:(see appendix):

CITY PROJECT CASE NUMBER
PLAT TYPE
SUBDIVISION NAME

BLOCK LETTER OR NUMBER, AND LOT NUMBERS
ACREAGE AND SQUARE FOOTAGE

TRACT DESIGNATION, SURVEY NAME AND ABSTRACT NUMBER

TOTAL NUMBER OF LOTS CITY, COUNTY AND STATE

PREPARATION DATE AND REVISION DATES

## 5. Article VIII. Miscellaneous Plats And Abandonments, Section B. Amending Plat.

## 2. Procedure:

Formal application for Amending Plat approval shall be made by the subdivider to the Planning Department in the manner prescribed by the City. An application for approval of an Amending Plat will be placed on the Development Review Committee agenda, in accordance with established deadlines set for all development cases. The City Manager or their Designee responsible for approving plats shall make the decision to approve or not to approve the Amending Plat only after the Development Review Committee has reviewed

the application, and within thirty (30) days of submittal of an application. (Ord. No. 3301, 06/02/09)

The City Manager or their Designee responsible for approving plats may, for any reason, elect to present an Amending Plat to the Planning and Zoning Commission for action. The City Manager or their Designee shall not disapprove the Amending Plat and shall be required to refer any plat which the person refused to approve to the Planning and Zoning Commission within thirty (30) days after the plat is filed. Any Amending Plat which is presented to the Planning and Zoning Commission shall be processed in accordance with the procedures set forth in Article III. of this ordinance. (Ord. No. 3301, 06/02/09)

The City Manager or their Designee responsible for approving plats shall have no authority to grant a waiver or variance to this ordinance in approving an Amending Plat. Any request for a waiver or variance to this ordinance shall be considered by the Planning and Zoning Commission in accordance with Article XII. of this ordinance. (Ord. No. 3301, 06/02/09)

## 3. VALIDITY:

An Amending Plat is valid from the date of City Manager or their Designee approval. (Ord. No. 3944, 01/14/20)

This change allows someone in addition to the City Manager to approve Amending Plats.

## 6. Article XI. Construction and Improvements, Section F. Screening Walls.

The purpose of providing screening walls is to improve the appearance of subdivisions abutting public rights-of-way; preserve and promote the aesthetic appeal of surrounding neighborhoods; and provide a cohesive identity for each subdivision.

1. Lots Backing Upon a Freeway Frontage Road, Arterial Thoroughfare, or a Major or Residential Collector Street:

A screening wall shall be provided and maintained by the homeowners or property owners association or private property owner along the property line of any subdivision of single-family, mobile home or duplex lots where the rear of such lots abuts any freeway frontage road, or arterial thoroughfare, as such thoroughfare is identified on the Transportation Plan, or a major or residential collector street. This requirement shall also apply where such lots are separated from the freeway frontage road, arterial thoroughfare, or major or residential collector street by an alley. In such instance the screening wall shall be placed on the right-of-way line separating the alley, and freeway frontage road, arterial thoroughfare, or major or residential collector street.

The construction of such screening wall shall be the responsibility of the developer of the single-family, mobile home or duplex subdivision. Construction of the required screening wall shall occur subsequent to the final grading of the subdivision, but prior to formal acceptance of the subdivision by the city of Carrollton.

The provisions of this subsection shall also apply to mobile home parks. (Ord. No. 1998, 07/05/94)

## 2. Lots Siding Upon a Freeway Frontage Road or Arterial Thoroughfare:

Where a street within a single-family, mobile home or duplex subdivision must intersect a freeway frontage road or arterial thoroughfare, as identified on the Transportation Plan, in order to provide access into the subdivision, and where a single-family, mobile home or duplex lot sides to a freeway frontage road or arterial thoroughfare, a screening wall shall be provided by the developer and maintained by the homeowners association or private property owner along the side of the lot adjacent to such freeway frontage road or arterial thoroughfare where the screening wall would constitute a continuation of any existing or proposed screening wall.

Where two residential streets intersect with a freeway frontage road or arterial thoroughfare identified on the Transportation Plan, the Planning and Zoning Commission shall determine whether adequate distance exists between the residential streets such that the provision of a masonry screening wall would be reasonable and appropriate. In making its determination, the Planning and Zoning Commission shall take into consideration the requirements of Title V., Chapter 53, of the Carrollton Code of Ordinances, otherwise known as the Visibility Obstructions Ordinance, and the provision of corner clips, as may be deemed necessary by the Director of Transportation to afford the adequate provision of roadway and intersection design or signalization.

The provisions of this subsection shall apply where the sides of such lots are separated from the freeway frontage road or arterial thoroughfare by an alley. In such instance the screening wall shall be placed on the right-of-way line separating the alley and freeway frontage road or arterial thoroughfare.

The provisions of this subsection shall also apply to mobile home parks.

## 6. Maintenance:

All areas adjacent to any screening wall or fence, or areas adjacent to a public street or right-of-way, shall be maintained in a clean and orderly condition by the <a href="https://homeowners.or.property-owners-association-or-private">homeowners or property-owners-association-or-private</a> property owner, free of debris and trash, in accordance with the applicable codes of the city of Carrollton.

The city of Carrollton shall maintain screening walls provided in accordance with subsections G(1), G(2), G(3), and G(4)(c) of this Section.

These changes expand the parties responsible for screening and retaining walls.

Excerpt from Minutes Planning & Zoning Commission Meeting of March 6, 2025

12. Hold A Public Hearing To Consider An Ordinance Amending The Text Of Various Sections Of The Comprehensive Subdivision Ordinance (CSO) To Amend, Add Or Delete Content And To Improve The General Organization Of The Amended Sections, Including Amendments To Article III. Procedures For Plat Approval, Section A. Procedures; Article VI. Final Plat, Section B. General Provisions; Article XI. Construction And Improvements, Section F. Screening Walls; Article IV. Administrative Plat; Article V. Preliminary Plat; And Article VIII. Miscellaneous Plats And Abandonments. Case No. PLST 2025-004 Comprehensive Subdivision Ordinance Text Amendments. Case Coordinator: Michael McCauley.

Michael McCauley presented this item. He advised this is a city-initiated request to consider proposed text amendments to the Comprehensive Subdivision Ordinance (CSO). The text changes are routine and reflect the staff's annual review plus any updates to development regulations. Specific amendments relate to the following:

- a. When a plat is considered formally filed with the city.
- b. 30-day extension allowance.
- c. Authority to approve an administrative plat.
- d. Proposed plat features.
- e. Responsibility for screening and retaining walls.
- f. Removing unnecessary verbiage.
- g. Providing a standard for title blocks on plats.

Mr. McCauley reviewed details of the proposed changes within the following articles:

Article III. Procedures For Plat Approval, Section A. Procedures

Article IV. Administrative Plat

Article V. Preliminary Plat

Article VI. Final Plat. Section B. General Provisions

Article VIII. Miscellaneous Plats And Abandonments

Article XI. Construction And Improvements, Section F. Screening Walls

Commissioner Overholt asked how the retaining wall provisions impact existing Homeowners Associations. Mr. McCauley responded that it is being reviewed. He added there are no changes for the existing HOAs, and this only applies to new residential subdivisions, not existing.

Commissioner Martin requested clarification regarding the proposed 30-day extension. Mr. McCauley said that the state allows extensions; however, the subdivision ordinance currently

does not. Commissioner Martin clarified with Mr. McCauley that if the city does not act on a plat within 30 days of it being accepted, it is automatically approved. Mr. McCauley concurred.

Commissioner Kramer asked whether specific language should be included in the retaining wall section that it only applies to new subdivisions. Mr. McCauley stated it is not needed.

Chair Windrow opened the public hearing. There were no speakers.

Commissioner Doyle asked about adding an effective date to the ordinance. Mr. McCauley responded that it is already provided in the ordinance.

\* Commissioner Kramer moved to close the public hearing and approve Case No. PLST 2025-004 Comprehensive Subdivision Ordinance Text Amendments as illustrated in the documents; second by Commissioner Doyle. The motion was approved with a vote of 8-0, (Yarbrough absent).

Ord. No	).
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## PLANNING DEPARTMENT CITY OF CARROLLTON

CSO TEXT AMENDMENTS DATE: 05/20/2025

ORDINAN	NCE NUMI	3ER

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ORDINANCE NUMBER 1949, OTHERWISE KNOWN AS THE COMPREHENSIVE SUBDIVISION ORDINANCE, BY AMENDING ARTICLE III. PROCEDURES FOR PLAT APPROVAL, SECTION A. PROCEDURES; ARTICLE IV. ADMINISTRATIVE PLAT; ARTICLE V. PRELIMINARY PLAT; ARTICLE VI. FINAL PLAT, SECTION B. GENERAL PROVISIONS; ARTICLE VIII. MISCELLANEOUS PLATS AND ABANDONMENTS; AND ARTICLE XI. CONSTRUCTION AND IMPROVEMENTS, SECTION F. SCREENING WALLS; PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

WHEREAS, at a public hearing held on the Sixth day of March 2025, the Planning & Zoning Commission considered and made recommendation on changes to the Comprehensive Subdivision Ordinance of the City of Carrollton (Case No. PLST 2025-004); and

**WHEREAS**, the City Council conducted a public hearing on the Twentieth day of May 2025, at which all persons were given an opportunity to present testimony; and

WHEREAS, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the subdivision laws would provide for and would be in the best interest of the health, safety, morals and general welfare.

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

## Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified, and incorporated into the body of this Ordinance as if copied in their entirety.

## Section 2.

Article III. Procedures For Plat Approval, Section A. Procedure, Subsection 2, is amended to read as follows:

"A plat application shall be considered formally filed with the City when the Planning Department has checked and verified that the plat is complete and compliant with all

requirements. If the plat is incomplete or does not comply with all requirements, it shall be deemed not to have been submitted or filed until any and all deficiencies are corrected. The City Manager or Designee shall provide the applicant with written confirmation of their determination, which shall provide the official date of filing and specify the meeting of the Planning and Zoning Commission scheduled for review of the plat. The plat shall then be placed on a printed Planning and Zoning Commission agenda and posted in conformance with all legal requirements. The Planning & Zoning Commission shall act on the plat within thirty (30) days after the plat is formally filed with the City or within thirty (30) days after referral by the City Manager or Designee as allowed by state law to the Planning & Zoning Commission, unless the applicant submits a written request for a thirty (30) day extension. If the applicant does not submit a written request for a thirty (30) day extension, the plat shall be considered approved if it is not disapproved by the Planning & Zoning Commission within such thirty (30) day period."

## Section 3.

Article IV. Administrative Plat, Section B. General Provisions, Subsections 1 and 2, is amended to read as follows:

## "1. Authority:

Under Section 212.0065 of the Texas Local Government Code, authority is hereby delegated to the City Manager or their Designee to approve an Administrative Plat only where:

- a. The Administrative Plat includes four (4) or fewer lots; and
- b. The total area covered by the Administrative Plat does not exceed forty (40) acres; and
- c. Every lot created by the Administrative Plat has frontage on an existing paved street; and
- d. Every lot within the Administrative Plat can be established without the need for the creation of a new street or extension of municipal facilities; and
- e. The area covered by the Administrative Plat does not constitute a portion or a phase of an approved Preliminary Plat; and
- f. Each lot created by the Administrative Plat is in accordance with all requirements of the applicable zoning district, and with the requirements of this ordinance. The City Manager or their designee shall not have authority to grant any variance to the requirements of this ordinance; and
- g. Dedication of street or alley right-of-way, if applicable, occurs in accordance with the Transportation Plan and General Design Standards of the City of Carrollton.

## 2. Procedure:

Ord.	No.
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Formal application for Administrative Plat approval shall be made by the subdivider to the Planning Department in the manner prescribed by the Planning and Zoning Commission. An application for approval of an Administrative Plat will be placed on the Development Review Committee agenda, in accordance with established deadlines set for all development cases. The City Manager or their Designee shall make the decision to approve or not approve the Administrative Plat only after the Development Review Committee has reviewed the application, and within thirty (30) days of submittal of an application.

The City Manager or their Designee may, for any reason, elect to present an Administrative Plat to the Planning and Zoning Commission for action. Any Administrative Plat which the City Manager or their Designee refuses to approve shall be presented to the Planning and Zoning Commission, within thirty (30) days of such refusal, for action. Any Administrative Plat which is presented to the Planning and Zoning Commission shall be processed in accordance with the procedures set forth in Article III. of this Ordinance.

The City Manager or their designee shall have no authority to grant a waiver or variance to this ordinance in approving an Administrative Plat. Any request for a waiver or variance to this ordinance shall be considered by the Planning and Zoning Commission in accordance with Article XII. of this ordinance."

#### Section 4.

Article V. Preliminary Plat, Section B. General Provisions, Subsection 4q. Content, is amended to read as follows:

'q. The C	City Signature Block:		
	e day of e Planning & Zoning Commis		, this Preliminary Plat was duly approved e City of Carrollton.
Sig	ned:	Services	
Sig	ned:		_
	Chairman		
	Planning and Zoning Cor	nmission	"

Section 5.

Article VI. Final Plat, Section B. General Provisions, 4.d., is amended to replace numbers 5 through 18, and Figure 1 Dedication Statement, as follows:

Ord.	No.	
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- "5. Location/vicinity map. (Use a single line drawing. Do not use website maps.)
- 6. All approved street names shall be shown.
- 7. All abstract lines shall be shown and labeled.
- 8. The location and dimension of any easement, designated by use, adjoining or abutting the subdivision.
- 9. Description of the subdivision by metes and bounds shall be shown.
- 10. Point of beginning or commencement shall reference an original abstract or existing subdivision property corner. Primary control points or descriptions and ties to such control points to which all dimensions, angles, bearings, block numbers and similar data shall be referenced.
- 11. The plat shall show the name of the subdivision, the names, addresses and phone numbers of the owner and engineer or surveyor, scale and location of the subdivision with reference to original land grant or survey, abstract number, and a north arrow depicting true or magnetic north, and noting whether true or magnetic north is used.
- 12. Show the one-hundred-year flood plain limits based on ultimate watershed development, as determined by the City Engineer, or note that such property is not within the flood plain limits, if applicable. Finished floor elevations of two (2) feet above the one-hundred-year flood plain elevation shall be shown on the plat, where applicable.
- 13. Location and description of monuments, which shall be placed at each corner of the boundary survey of the subdivision, shall be shown as described in Article XI, Sec. C.
- 14. Lot numbers and block letters shall be shown. Lot numbers shall be sequential and orderly within a designated block. Land subdivided in stages over time shall provide phase numbers or letters.
- 15. Address numbers shall be placed on the face of the plat, on the assigned lot, as assigned by the Fire Marshal, or his or her designee.
- 16. The square footage of all lots which are not rectangular shall be shown in a table.
- 17. Certificates of the owner, surveyor and utility companies, a dedication statement, City signature block and other standard notes shall be placed on the final plat in accordance with Figure 1 (As applicable).

## 18. Homeowners Agreement:

When a subdivision contains common areas, drainage ways, screening walls, retaining walls, or other facilities not located within the public right-of-way nor subject to City maintenance, or if landscaping, sidewalks, or other amenities are provided within the public right-of-way for which a license agreement is required by the City, a homeowners agreement, as evidenced by the covenants identifying the association, shall be placed on the plat. Such homeowner's agreement shall be approved as part of the Preliminary Plat process or during final or replat process.

The City Attorney will review the homeowner's agreement as to form.

Ord.	No.	
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The following six (6) statements shall appear on the face of the plat and in the homeowners agreement:

- a. The owner of fee simple title to every individual lot of land within the subdivision must be a member of the homeowner's association.
- b. The homeowner's association must have the authority to collect membership fees.
- c. The homeowner's association shall be responsible for the maintenance of all common areas, screening walls, and retaining walls.
- d. The homeowner's association must grant the City the right of access to common areas to abate any nuisances thereon, and attach a lien for the prorated cost of abatement upon each individual lot
- e. The homeowner's association shall indemnify and hold the City harmless from any and all costs, expenses, suits, demands, liabilities, damages, or otherwise including attorney's fees and costs of suit, in connection with the City's maintenance of common areas.
- f. The homeowner's association shall enter into a license agreement with the City of Carrollton, where additional right-of-way has been dedicated for the purpose of providing landscaping, additional areas for sidewalks, walls, or other amenities, and shall be responsible for the installation and maintenance of all landscape areas that are in the public right-of-way.
- 19. Homeowner's association note, if required by Preliminary, Final or Replat approval:

A homeowner's association covenant has been approved by the City of Carrollton and			
recorded in(volume and page) . Such home	eowner's association shall be		
responsible for the maintenance of all common areas and	d facilities and screening walls,		
including retaining walls located in(lot and block	number of common area)_, or		
public right-of-way where a license agreement with the City of Carrollton is required,			
or otherwise identified on the plat. (Ord. No. 2029, 10/18/94)			

20. The title block shall be located on the lower right or left corner and contain the following content and chronological order below:

CITY PROJECT CASE NUMBER
PLAT TYPE
SUBDIVISION NAME
BLOCK LETTER OR NUMBER, AND LOT NUMBERS
ACREAGE AND SQUARE FOOTAGE
TRACT DESIGNATION, SURVEY NAME AND ABSTRACT NUMBER
TOTAL NUMBER OF LOTS
CITY, COUNTY AND STATE
PREPARATION DATE AND REVISION DATES

## FIGURE 1

## **DEDICATION STATEMENT**

(to be used in all instances)

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS;

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

WITNESS MY HAND THIS	_ DAY OF	
Signature of Owner	Position	n in Corporation (if applicable

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Name of Corporation (if applicable)	Lien Holder (if applicable)
If there is no lien holder, add the followi	ng statement:
To the best of my knowledge, there are r	no liens against this property.
Signature of Owner"	

Section 6.

Article VIII. Miscellaneous Plats And Abandonments, Section B.2. Amending Plat, is amended to read as follows:

#### "2. Procedure:

Formal application for Amending Plat approval shall be made by the subdivider to the Planning Department in the manner prescribed by the City. An application for approval of an Amending plat will be placed on the Development Review Committee agenda, in accordance with established deadlines set for all development cases. The City Manager or their Designee responsible for approving plats shall make the decision to approve or not to approve the Amending Plat only after the Development Review Committee has reviewed the application, and within thirty (30) days of submittal of an application.

The City Manager or their Designee responsible for approving plats may, for any reason, elect to present an Amending Plat to the Planning and Zoning Commission for action. The City Manager or their Designee shall not disapprove the Amending Plat and shall be required to refer any plat which the person refused to approve to the Planning and Zoning Commission within thirty (30) days after the plat is filed. Any Amending Plat which is presented to the Planning and Zoning Commission shall be processed in accordance with the procedures set forth in Article III. of this Ordinance.

The City Manager or their Designee responsible for approving plats shall have no authority to grant a waiver or variance to this ordinance in approving an Amending Plat. Any request for a waiver or variance to this ordinance shall be considered by the Planning and Zoning Commission in accordance with Article XII. of this Ordinance.

## 3. VALIDITY:

An Amending Plat is valid from the date of City Manager or their Designee approval."

Section 7.

Article XI. Construction And Improvements, Section F. Screening Walls, is amended to read as follows:

"The purpose of providing screening walls is to improve the appearance of subdivisions abutting public rights-of-way; preserve and promote the aesthetic appeal of surrounding neighborhoods; and provide a cohesive identity for each subdivision.

1. Lots Backing Upon a Freeway Frontage Road, Arterial Thoroughfare, or a Major or Residential Collector Street:

A screening wall shall be provided and maintained by the homeowner's or property owner's association or private property owner along the property line of any subdivision of single-family, mobile home, or duplex lots where the rear of such lots abuts any freeway frontage road, or arterial thoroughfare, as such thoroughfare is identified on the Transportation Plan, or a major or residential collector street. This requirement shall also apply where such lots are separated from the freeway frontage road, arterial thoroughfare, or major or residential collector street by an alley. In such instance the screening wall shall be placed on the right-of-way line separating the alley, and freeway frontage road, arterial thoroughfare, or major or residential collector street.

The construction of such screening wall shall be the responsibility of the developer of the single-family, mobile home, or duplex subdivision. Construction of the required screening wall shall occur subsequent to the final grading of the subdivision, but prior to formal acceptance of the subdivision by the city of Carrollton.

The provisions of this subsection shall also apply to mobile home parks.

2. Lots Siding Upon a Freeway Frontage Road or Arterial Thoroughfare:

Where a street within a single-family, mobile home, or duplex subdivision must intersect a freeway frontage road or arterial thoroughfare, as identified on the Transportation Plan, in order to provide access into the subdivision, and where a single-family, mobile home, or duplex lot sides to a freeway frontage road or arterial thoroughfare, a screening wall shall be provided by the developer and maintained by the homeowner's association or private property owner along the side of the lot adjacent to such freeway frontage road or arterial thoroughfare where the screening wall would constitute a continuation of any existing or proposed screening wall.

Where two residential streets intersect with a freeway frontage road or arterial thoroughfare identified on the Transportation Plan, the Planning and Zoning Commission shall determine whether adequate distance exists between the residential streets such that the provision of a masonry screening wall would be reasonable and appropriate. In making its determination, the Planning and Zoning Commission shall take into consideration the requirements of Title V., Chapter 53, of the Carrollton Code of Ordinances, otherwise known as the Visibility Obstructions Ordinance, and the provision of corner clips, as may be deemed necessary by the Director of Transportation to afford the adequate provision of roadway and intersection design or signalization.

The provisions of this subsection shall apply where the sides of such lots are separated from the freeway frontage road or arterial thoroughfare by an alley. In such instance

the screening wall shall be placed on the right-of-way line separating the alley and freeway frontage road or arterial thoroughfare.

The provisions of this subsection shall also apply to mobile home parks.

## 6. Maintenance:

All areas adjacent to any screening wall or fence, or areas adjacent to a public street or right-of-way, shall be maintained in a clean and orderly condition by the homeowner's or property owner's association or private property owner, free of debris and trash, in accordance with the applicable codes of the city of Carrollton.

The city of Carrollton shall maintain screening walls provided in accordance with subsections G(1), G(2), G(3), and G(4)(c) of this Section."

## Section 8.

The Comprehensive Subdivision Ordinance is hereby amended to reflect the action taken herein.

## Section 9.

Any person, firm or corporation violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

## Section 10.

Ordinance Number 1849, otherwise known as the Comprehensive Subdivision Ordinance, as amended, shall remain in full force and effect.

## Section 11.

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton Code of Ordinances.

## Section 12.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

## Section 13.

This Ordinance shall become and be effective on and after its adoption and publication.

CITY OF CARROLLTON

PASSED AND APPROVED this the Twentieth day of May 2025.

City Attorney

ATTEST:	Ву:	Steve Babick, Mayor
Chloe Sawatzky City Secretary		
APPROVED AS TO FORM:		APPROVED AS TO CONTENT:
Meredith Ladd		Michael McCauley
City Attorney		Senior Planner



## **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

## **Agenda Memo**

File Number: 7215

Agenda Date: 5/20/2025 Version: 1 Status: Public Hearing/Individual

Consideration

In Control: City Council File Type: Public Hearing

Agenda Number: 26.

CC MEETING: May 20, 2025

**DATE:** May 14, 2025

TO: Erin Rinehart, City Manager

**FROM:** Loren Shapiro, AICP, Planning Manager Shannon Hicks, Assistant City Manager

Hold A Public Hearing To Consider An Ordinance Amending The Text Of The Comprehensive Zoning Ordinance (CZO) To Amend, Add Or Delete Content And To Improve The General Organization Of The Amended Sections, Including Amendments To Article 00.6. Table of Contents; Article II. Zoning Districts; Article V. Uses Of Land And Structures; Article XVII. (IP) Industrial Park; Article XVIII. (LI, HI) Light Industrial And Heavy Industrial Districts; Article XXIV. Off-Street Parking, Loading And Stacking Regulations; Article XXVIII. Special Conditions And Development Standards; And Article XXXIV. Definitions. Case No. PLZT 2024-144 Comprehensive Zoning Ordinance Text Amendments.

## **BACKGROUND:**

This is a city-initiated request to amend the text of the Comprehensive Zoning Ordinance (CZO).

## FINANCIAL IMPLICATIONS:

There are no financial implications on the current and future operating budgets regarding this request.

## STAFF RECOMMENDATION/ACTION DESIRED:

On April 3, 2025, the Planning and Zoning Commission recommended APPROVAL of the request. Staff recommends approval.

The attached ordinance reflects the action of the Commission.

## RESULTS SHEET

Date: 05/20/25

Case No./Name: PLZT 2024-144 CZO Text Amendments

## A. STIPULATIONS AND RECOMMENDATIONS

Staff recommends **APPROVAL** for the following amendments to the Comprehensive Zoning Ordinance (CZO):

The following is a markup version of the Comprehensive Zoning Ordinance (CZO) (new text in green and <u>underlined</u> and removed text <u>red and-struck through</u>):

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# Part II USE DISTRICTS

Article XIII.	RESERVED FOR FUTURE USE(NS) NEIGHBORHOOD SERVICE
	DISTRICT REGULATIONS (Ord. No; 05/06/25)
Article XVIII.	(LI <del>, HI</del> ) LIGHT INDUSTRIAL <del>AND HEAVY</del>
	INDUSTRIAL DISTRICTS REGULATIONS 18

# ARTICLE II. ZONING DISTRICTS

(Ord. No. 2835; 07/01/03), (Ord. No. \_\_\_\_; 05/06/25)

## SECTION A. ZONING DISTRICTS ESTABLISHED.

The City of Carrollton, Texas, is hereby divided into 35 types of districts. The use, height, area, and other regulations as set out herein are uniform in each district. The 35 districts established herein shall be known as:

<del>III</del>	Interior Helding Districts	0.2	Office Districts
	Interim Holding District;	O-2	Office District;
SF-12/20	Single-Family Residential District;	O-3	Office District;
SF-10/18	Single-Family Residential District;	O-4	Office District;
SF-8.4/18	Single-Family Residential District;	NS	Neighborhood Service District; (Ord. No.
SF-8.4/16	Single-Family Residential District;	4084 <del>, 06/21</del>	1/2022 repealed the (NS) Neighborhood Service
SF-7/16	Single-Family Residential District;	<del>District in i</del>	<del>ts entirety)</del>
SF-7/14	Single-Family Residential District;	LR-1	Local Retail District;
SF-6.5/12	Single-Family Residential District;	LR-2	Local Retail District;
SF-5/12	Single-Family Residential District;	LC	Light Commercial District;
SF-PH	Single-Family-Patio Home District;	HC	Heavy Commercial District;
SF-A	Single-Family-Attached Residential	C/W	Commercial/Warehouse District;
	District;	<u>IH</u>	Interim Holding District;
SF-TH	Single-Family Townhouse Residential	FWY	Freeway District;
	District;	I-35E	Interstate Overlay District;
D	Duplex Residential District;	LI	Light Industrial District;
	•	HI	Heavy Industrial District;
MF-12	Multi-Family Residential District;	<del>PD</del>	Planned Development District;
MF-15	Multi-Family Residential District;	TC	Transit Center District;
MF-18	Multi-Family Residential District;	CC	Corporate Commercial District;
MHP	Mobile Home Park Residential District;	GWY	Gateway Overlay District;
O-1	Office District;	HP	Historic Preservation Overlay District
	<b>,</b>	JBL	Josey-Belt Line Redevelopment
			Overlay District
		I-35E	Interstate Overlay District
		PD	Planned Development

(Ord. No. 1705, 05/07/91); (Ord. No. 1739, 10/01/91); (Ord. No. 1932, 08/17/93); (Ord. No. 2037, 11/15/94); (Ord. No. 2258, 04/15/97); (Ord. No. 2706, 07/16/02); (Ord. No. 2965, 04/19/05); (Ord. No. 3891, 12/11/18); (Ord. No. 4084, 06/21/2022 repealed the (NS) Neighborhood Service District in its entirety) (Ord. No. \_\_\_\_; 05/06/25) repealed (HI) Heavy Industrial District in its entirety)

## SECTION B. OFFICIAL ZONING MAP.

10. The existing zones or district boundaries are hereby re-established and district name designations are and shall be changed as follows:

## CHANGE OF ZONING DISTRICT NAME DESIGNATION

	FROM		ТО
(R-1)	Single-Family District	(SF-12/20)	Single-Family District
(R-2)	Single-Family District	(SF-10/18)	Single-Family District
(R-3)	Single-Family District	(SF-8.4/16)	Single-Family District
(R-4)	Single-Family District	(SF-7/14)	Single-Family District
(A)	Apartment District	(MF-18)	Multi-Family District
(GA)	Garden Apartment District	(MF-15)	Multi-Family District
(MF-1)	Multi-Family District	(MF-18)	Multi-Family District
(MF-2)	Multi-Family District	(MF-15)	Multi-Family District
(MF-3)	Multi-Family District	(MF-12)	Multi-Family District
(MF-15)	Multi-Family District	(MF-12)	Multi-Family District
(MF-20)	Multi-Family District	(MF-15)	Multi-Family District
(MF-25)	Multi-Family District	(MF-18)	Multi-Family District
(O)	Office District	(O-2)	Office District
(LR)	Local Retail District	(LR-2)	Local Retail District
<u>(NS)</u>	Neighborhood Services	<u>(LR-1)</u>	Local Retail District
(C)	Commercial District	(HC)	Heavy Commercial District
(I)	Industrial District	(LI)	Light Industrial District
<u>(HI)</u>	Heavy Industrial District	<u>(LI)</u>	<b>Light Industrial District</b>

(Ord. No. 1557, 07/11/89); (Ord. No. 1739, 10/01/91); (Ord. No. 4084, 06/21/2022 repealed the (NS) Neighborhood Service District in its entirety) (Ord. No. \_\_\_\_\_; 05/06/25 repealed (HI) Heavy Industrial District in its entirety)

# ARTICLE V. USE OF LAND AND STRUCTURES

(Ord. No. \_\_\_\_; 05/06/25)

## SECTION B. NEW AND UNLISTED USES.

1. Because of the large number of economic activities within the national economy, some uses have been identified herein under the broad heading of its relevant economic activity. For such uses that may not be specifically listed herein, reference shall be made to Part I of the North American Industry Classification System, United States, 20222017 (Ord. No. \_\_\_\_; 05/06/25) edition, for an interpretation. Article XXXIV. Definitions for uses listed herein override the North American Industrial Classification System descriptions. (Ord. No. 1670, 11/20/90); (Ord. No. 3331, 10/06/09)

			B (	Œ.		(CTS)			7													TOWN		TC	ى ن
Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(MHP)	(0-1) (0-2)	(0-3)	<del>(+-0)</del>	(LR-1)	(LR-2)	(00)	(כר)	(HC)	(C/W)	(FWY)	(17)	<del>(111)</del>	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills	Frankford TC
	- Permitted Use     [ ] - Prohibited Use		S-Sp TSP-T	ecial U									an Acce					Im - Pe	mitted	on Int	erim E	Basis (	Only		1
	*- Refer to Article XXXIV for definition		SDP -	Specia	l Dev	elopn	ent Pl	an		Т	- Permi	tted as	a Temp	orary U	se			_C - Cc	onditiona	l Use	(See A	ert. XX	(.1)		l
ACCESSOR	RY USES																								
0001	Accessory Use Located on a Separate Lot or Parcel from the Main Use*	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	SDP	s
<del>624120-</del> C002	Adult Daycare Home or Day Activity and Health Service Facility * (Ord, No. : 05/06/25)	Α	Α	А	А	А	А					Α					А			Α	А	Α	А	Α	Α
C0023	Amateur Radio/Television Towers (See Art. XXVIII) *	Α	Α	Α	А	А	Α	Α	Α	A	Α	Α	Α	Α	Α	Α	Α	Α	A						
C003 <u>4</u>	Automated Teller Machine (ATM) (Ord. No. 3943,							Α	А	A	А	А	А	А	Α	А	А	Α	A	Α	А	А	А	А	Α
441120	01/14/20) * Automobile or Light Load Truck Sales (Used) Accessory to New Automobile or Light Truck Sales Only (Ord. No. 3891, 12/11/18) *													Α	Α	А	А	Α	A						
81112	Automobile Paint and Body Shop (Aaccessory use to New Automobile or Light Truck Sales Only) (Ord. No. ;											А	AC	Α	Α	А	А	Α	A						П
5321	Automobile Equipment Rental and Leasing (incl. automobiles, motor vehicles, travel trailers) acc. to car dealers or Auto Paint and Body Shop												AC		Α	А	Α	Α	A						
8111	Automobile or Light Load Truck Repair Garage accessor/ use to New Automobile or Light Truck Sales Only (Ord. No. ; 05/06/25)											А	AC	А	А	А	А	А	A						
C004 <u>5</u>	Other Motor Vehicle Repair Garage *														Α	Α	Α	Α	A						
C00 <del>5</del> 6	Bus Parking or Storage (Accessory to an Institutional Use) *	А	Α	А	А	А	А	А	А	A	Α	А	А	А	А	А	А	А	A						
C006 <u>7</u>	Cabana, Pavilion or Gazebo *	Α	Α	А	А	А	А	А	А	A	Α	А	А	А	А	А	А	Α	A	Α	А	А	А	Α	А
811192	Car Wash, Full Service or Self Service or Automated	П				А						Α	AC	А	Α	А	А	Α	A						
C00 <del>7</del> 8	(Accessory Use, Max. 1 wash bay)  Canetaker or Night Watchman's Quarters, Dwelling *							A	A	A	A	A	A	AS	AS	A <u>S</u>	A	AS	A	-	-	-	-		*
<del></del>	Caretaker or Night Watchman's Quarters; Guard Tower, No-									- 11	- "		A	A	A	A	A	A	A			-			
0009	Dwelling * Carport *	А	А	А	А	А	А	А	А	A	s	s	A	A	A	A	A	A	A		А	Α	А		Α
0010	Drive-Through Windows (See Art. XXVIII) *		-	-	^	-	^	TSP-A	TODA	TSP	TSP-A	TSP-A	TSP-A	TSP-A	TSP-A	TSP-A	TSP-A	TSP-A	TSP		^	0			Ĥ
0011	Garage, Private (Residential) *	Α	Α	Α	А	А	Α	TOPE	TOP	101-	TOI A	TOP B	TOPE	TOI-B	TOP	TOPE	TOP A	TOI A	100		А	Α	А	Α	
0012	Guest House or Servant's Quarters (Ord. No. 1739,	Α	A	A	A	A	A														-	-		-	
0013	10/01/91) * Health and Fitness Center, Private or Public *	Ĥ	^	^	^	A	A	Α	А	A			А	Α	Α	Α	А	Α	A	Α	Α	Α	А	Α	Α
<del>0014</del>	Home Occupation (Ord. No. 3653; 12/09/14)	A	A	A	A	A	A	^	^	^			^	^		^	^	- "	^	A	A	A	A	A	^
		-	-	-	n	-	*							А			А		A				*		
C00 <del>15</del> 14 C00 <del>16</del> 15	Klosk, Food Sales and Service * Klosk, Informational *		А	А	А	А	А	А	A	A	А	A	A	A	A	A	A	A	A	A	A	A		A	A
C0010 <u>13</u>	NOSK, I HO Mattorial	_	_ ^		^		^	^	_ ^	n	_ ^			n	<u> </u>	_ ^	<u> </u>	ı n	n	^					<u> </u>
C00 <del>17</del> 16	Klosk, No Food Sales or Service *										Α	Α		Α	Α	Α	Α	Α	A	Α	Α	Α	Α	Α	Α
CO18 531311	Leasing or Management Office *	Γ				Α	Α																		
C00 <del>19</del> 17	Other Accessory Uses, NEC. *	s	s	s	s	s	s	s	s	S	s	s	s	s	s	s	s	s	5	s	s	s	s	SOP	s
C00 <del>20</del> 18	Outside Above Ground Storage of Flammable or Combustible Liquids or Hazardous Materials (Ord. No. 1705, 05/07/91; Ord. 3653; 12/09/14) *												А	А	Α	А	А	А	A						
C00 <del>21</del> 19	Outside Display <i>(See Art. XXVI)</i> *										Α	Α		Α	Α	Α	Α	Α	A	А	А	Α		Α	Α
C00 <del>22</del> 20	Outside Storage <i>(See Art. XXVI)</i> *													Α	Α	А	Α	Α	A						
C00 <del>23</del> 21	Parking, Garage Structure, Accessory (Ord. No. 3939, 12/13/19):(Ord. No. 3943, 01/14/20) *				Α	Α		Α	Α	A	Α	Α	Α	Α	Α	Α	Α	Α	A	Α	Α	Α	s	SOP	Α
C00 <del>24</del> 22	Parking, Surface, Accessory (Ord. No. 3939, 12/13/19); <i>(Ord. No. 3943, 01/14/20) *</i>	Α	Α	Α	Α	Α	Α	Α	Α	A	Α	Α	Α	Α	Α	Α	Α	Α	A	s	s	s	Α	s	Α
C00 <del>25</del> 23	Parsonage or Rectory, accessory to a place of worship only *	Α	Α	Α	Α	Α	Α	Α	Α	A	Α	Α	Α	Α	Α	Α	Α	Α	A				Α		
C00 <del>26</del> 24	Private Greenhouse or Nursery *	Α	Α	Α	Α	A	A	A	A	A	A	A		A	A	A	A	A	A	Ц			Ш		
C00 <del>27</del> 25	Registered and Licensed Child Care Homes or Listed Family Homes *	Α	Α	Α	Α	Α	Α					Α					Α			Α	Α	Α	Α	Α	Α
C00 <del>28</del> 26	Satellite Television Reception Dish	Α	Α	Α	Α	Α	Α	Α	Α	A	Α	Α	Α	Α	Α	Α	Α	Α	A	Α	Α	Α	Α	Α	Α
C00 <del>29</del> 27	Smoking Lounge (Accessory Use to a Full-Service Restaurant Only) (Ord. 4066, 04/05/2022; Ratified Ord.											s	s	s	s	s	s	s	s	s	s	s		s	s
C00 <del>30</del> 28	4085 06/21/2022) * Storage Building, Swimming Pool, Hot Tub or Sauna (Private)	Α	А	Α	Α	А	Α	Α	Α	A	А	Α	Α	А	Α	А	А	Α	A	А	А	Α	А	Α	Α
C00 <del>31</del> 29	Tennis Court, Lighted (Private)	s	s	s	s	Α	Α	Α	Α	A	Α	Α	Α	Α	Α	Α	Α	Α	A	Α	Α	Α	Α	Α	Α
C00 <del>32</del> 30	Tennis Court, Unlighted (Private)	Α	Α	Α	Α	Α	Α	Α	Α	A	А	Α	Α	А	Α	А	Α	Α	A	Α	Α	А	А	Α	Α

			HE (c)	HEO (C		(SLD)		_	7													TOWN		TC	10
Use Code	Type of Use	(H)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(D)	(ALL MF DISTRICTS)	(MHP)	(0-1) (0-2)	(0-3) (0-4)	(+-0)	(LR-1)	(LR-2)	(cc)	(LC)	(HC)	(C/W)	(FWY)	(11)	(HE)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills	Frankford T
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PRIMARY 1. RESIDEN																									
C101	Manufactured Homes/Mobile Homes *						•																		
C102	Multifamily Dwelling *					TSP						s					S			•	•	•	•	SDP	s
<u>C103</u>	Residential Loft * (Ord. No. ; 05/05/25)																			*					
<del>C103</del> <u>C104</u>	Single-Family Attached including Townhouses *			٠	٠																	٠	•	SOP	s
C104 <u>C105</u>	Single-Family Detached *	·	•																						
C105 C106	Duplex Dwelling *				•																				
2. GROUP Q		_	_			_	_										_			_	_	_	_	_	_
C201	Group Quarters, NEC. (excluding membership lodgings and residence halls) *	Ш				s		s	s	8	s	s		s								Ш			
C202	Membership Lodgings and Residence Halls, NEC.					s														Ш	Ш	Ш	s	Ш	
3. HOTELS	AND TRANSIENT LODGINGS	_	_			_														_	_	_	_	_	_
72111	Hotel, Full Service (Ord. No. 2656, 01/08/02; (Ord. No. 3265, 11/11/08) *											S	XC	S	s	S	S	s	S	٠	•	٠		SOP	S
72111	Hotel, Residence or Hotel Suites (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *	Щ	_			Ш						S	XC	s	s	s		s	6	Ш	Ш	Ш	Ш	Ш	
72111	Hotel, Limited Service (Ord. No. 2656, 01,08/02; Ord. No. 3265, 11/11/08) *	Ш										S	XC	S	s	S		S	5	٠	٠	٠		SDP	s
721191 <u>C301</u>	Short-Term Rental (Ord. No. 4127) *	L	s	s	s	_		s	s	9	s	s								·	Ш	٠	s	Ш	
<del>721191</del> <u>C302</u>	Bed and Breakfast (Ord. No. 4127) *		s	s	s																				
7212	Recreational Vehicle Parks & Recreational Camps	Щ				_	·							s	s	s		s	8	Ш	Ш	Ш	Ш	Ш	
7213	Rooming & Boarding Houses					s																			
4. GOVERNI	MENTAL SERVICES	_	_			_														_	_	_	_	_	_
92214	Prison, Jail or Other Correctional Institution																	S	5						
9211	Government Facilities *	<u>.</u>	•	•	•	٠	•	•	•	•	٠	•	•	•	•	•	•	•	٠	·	•	•	٠	•	•
5. EDUCATI																									
6111	Elementary & Secondary Schools, Public *	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	18P	TSP			TSP	-	
6111	Elementary & Secondary Schools, Private *	s	s	s	S	S	s	s	s	9	s	s	s	s	S	s	s	S	5	s	s	s	s	SDP	
6113	Colleges, Universities & Professional Schools	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	<del>TSP</del>						
6114	Business, Trade & Technical School (except Truck Driving Schools)							•	٠	•	•	٠	٠	٠	٠	٠	٠	٠	•	٠	٠	٠		SDP	٠
611519	Truck Driving Schools													s	s	s		s	s						
6116	Other Schools & Instruction							•	•	•	•	٠	٠	•	•	•	•	٠	•		s	s		SDP	s
6. RELIGIOL	S, CIVIC AND SOCIAL ORGANIZATIONS																							_	
8131	Place of Worship *	٠	٠	٠	•	•	•	•	•	•	•	٠	٠	•	•	•	•	٠	+				•		
8134	Civic & Social Organizations	1 7	1 7	Ī	1 7	1 7	. I	•		•	•	•	•		•	•		•			. 7	ı T	1 1	1 7	1 -

7. PERSONAL SERVIA  8121 Personal ( 621399 Massage  812199 Tattloo Pa  81233 Dry Clean  81233 Dry Clean  812910 Pet Care, ( 671 No. ( 67	Care Services *  Therapy Clinic * arlor, Piercing, and/or Permanent Makeup Service  105.06/251  Ining and Laundry Services, Minor * Ining, Major * Veterinary Services & Kernels (In Endosed Building d, No. 2302, 02.06.04)  Veterinary Services & Kennels (With Outside Runs	s	TSP - 1	pecial	Use Pe	e Plar	Requi	red	(F-0) (E-0)				an Accessa Tempo			(C/W)	(FWY)		ermitted onditiona				ř.	Irinity Mills IC
7. PERSONAL SERVIA  8121 Personal ( 621399 Massage  812199 Tattloo Pa  81233 Dry Clean  81233 Dry Clean  812910 Pet Care, ( 671 No. ( 67	* - Refer to Article XXXIV for definition  ICES  Care Services *  Therapy Clinic *  artior, Piercha, and/or Permanent Makeup Service  1.55.06.725)  Inlig and Laundry Services, Minor *  Inlig, Major *  Veterinary Services & Kennels (In Endosed Building of No. 2020: 07.66.04)  Veterinary Services & Kennels (With Outside Runs this Design Services)  phic Services	s	TSP - 1	Techni	ical Sit	e Plar	Requi	red an	•	T-	Permit	tted as	a Tempo	orary U	se •	•	•	_C - C	ondition	al Use			1)	)P •
8121   Personal (   621399   Massage     812199   Tattoo Pa (   621393   Dry Clean     81233   Dry Clean     812910   Pet Care,     81291   Pet Care,     81291   Pet Care,     81291   Cockemith     54143   Graphic D     54192   Photograf     81233   Linen and     72231   Food Serv     72232   Caterers     81220   Crematori     81221   Crematori     81221   Crematori     81221   Service     81222   Crematori     81221   Service     81223   Crematori     81221   Service     81223   Service     81224   Service     81225   Service     81226   Service     81227   Service     81228   Service     81229   Service     81229   Service     81221   Service     81229	Care Services *  Therapy Clinic * arlor, Piercha, and & Permanent Makeur Service, 1 05.006.25, ning, Major *  Veterinary Services & Kennels (in Endosed Building d. No. 2009.07.05.004)  ty Veterinary Services & Kennels (With Outside Runsths)  Design Services  phic Services	-						•	•	-						•	•	•	•	•	•		st	)P •
8121   Personal (   621399   Massage     812199   Tattoo Pa (   621393   Dry Clean     81233   Dry Clean     812910   Pet Care,     81291   Pet Care,     81291   Pet Care,     81291   Cockemith     54143   Graphic D     54192   Photograf     81233   Linen and     72231   Food Serv     72232   Caterers     81220   Crematori     81221   Crematori     81221   Crematori     81221   Service     81222   Crematori     81221   Service     81223   Crematori     81221   Service     81223   Service     81224   Service     81225   Service     81226   Service     81227   Service     81228   Service     81229   Service     81229   Service     81221   Service     81229	Care Services *  Therapy Clinic * arlor, Piercha, and & Permanent Makeur Service, 1 05.006.25, ning, Major *  Veterinary Services & Kennels (in Endosed Building d. No. 2009.07.05.004)  ty Veterinary Services & Kennels (With Outside Runsths)  Design Services  phic Services	-						•	•	-						•	٠	٠	•		•		St	)P •
812199   Massage     812199   Tattoo Pa     81231   Dry Clean     812312   Dry Clean     812910   Pet Care, Volvi / Zoz     812910   Pet Care, Volvi / Zoz     812911   Pet Care, Volvi / Zoz     81291   Potographic Date     81292   Photographic Date     81293   Linen and     72231   Food Serv     72232   Caterers     81220   Crematori     81221   Zoz     81221	Therapy Clinic * arlor, Pierring, and for Fermanent Makeur Service. 105,006,251 Inling and Laundry Services, Minor * Inling, Major * Veterinary Services & Kernels (In Endosed Building d. No. 2329, 02,06,041) It is a services & Kernels (With Outside Runs the Services & Kernels (With Outside Runs the Services & Kernels (With Outside Runs the Services)  Design Services	-						•	٠	•	٠			_		_								
812199	arlor, <u>Piercing, and/or Permanent Makeur Service</u> 105.007,251  Ining and Laundry Services, Minor *  Ining, Major *  Veterinary Services & Kennels (in Endosed Building of No. 2009; 07.06.04)  It Veterinary Services & Kennels (With Outside Runs this Design Services)  Design Services	-																	•					т
8123	ning and Laundry Services, Minor *  ning, Major *  Veterinary Services & Kernels (In Endosed Building d, No. 2809: 07.65.091)  Veterinary Services & Kennels (With Outside Runs hs  Design Services  phic Services	-										s												
812332   Dry Clean   Ret Care, k   Pet Care, k   Pet Care, k   Pet Care, k   Ret Care k   Ret	ning, Major * Veterinary Services & Kernels (In Endosed Building d. No. 2003: 07.66.04) Veterinary Services & Kennels (With Outside Runs his Design Services phic Services	-							1				XC		•				•				2	OP •
812910   Pet Care, \( \text{Care}\), \(	Veterinary Services & Kernds (In Endosed Building d. No. 2893: 07.08.04) Veterinary Services & Kennels (With Outside Runs his Design Services piphic Services	-												•	•	•		•	•					+
### STATES SERVICES  ### STATES  ### STATE	, Veterhary Services & Kennels (With Outside Runs hs Design Services yphic Services	s				1							хc	٠	•	٠	<b>-</b>		•				SI	OP .
561622 Locksmith 54143 Graphic D 54192 Photograp 81233 Linen and 72231 Food Serv 72232 Caterers 812220 Cemetary 812220 Cremator 81221 Food Serv 6001240 Cremator 5321 Automobil 5514 Business	ths Design Services uphic Services													•	•	•		•	•					
54192 Photograp  81233 Linen and  72231 Food Serv  72232 Caterers  812220 Cemetary  812210 Crematori  81221 Funeral H  C 701 Pet Day C  5321 Automobil  5614 Business	aphic Services				Т	Т					٠		хc	•	•		•		•	•	٠	•	st	OP •
81233 Linen and 72231 Food Serv 72232 Caterers 812220 Cernetary 812220 Crematori 81221 Funeral H C701 Pet Day C 83. BUSINESS SERVIC 5321 Automobil 5614 Business						t		•	•	•	•	•	XC	•	•	•	•	•	•	•	•	•		١.
72231 Food Serv. 72232 Caterers 812220 Cemetery 812220 Cremator. 81221 Funeral H. 85,01241 C 701 Pet Day C. 5321 Automobil 5614 Business Service	d Uniform Supply	-			Т	Т		•	•	+	٠	•	хс	•	•	•	•	٠	•	·	٠	•	st	OP •
72232 Caterers 812220 Cernetary 812220 Cremator 81221 Funeral H 25/01/241 C 701 Pet Day C 5321 Automobi 5614 Business :														•	•	•		٠	•					
812220 Cemetary 812220 Crematori 81221 Funeral H (0.50124) C 701 Pet Day C 5321 Automobi 5321 Business Sensity	vice Contractors	Г				П								•	•			•	•					Т
812220 Crematori 81221 Funeral H (2501/24) C 701 Pet Day C  8. BUSINESS SERVIC 5321 Automobil 5614 Business											•	•	•	•	•	•	٠	•	•	•	٠	•	st	OP •
81221 Funeral H	у	s	s	s	s	s	s	s	s	8	s	s			s	s	s	s	5					Т
5701/24) C 701 Pet Day C  8. BUSINESS SERVIC  5321 Automobil  5614 Business S	rium <i>(Ord. No. 2015, 09/06/94)</i>													s	s	s	s	s	8					
8. BUSINESS SERVIC 5321 Automobi automobil 5614 Business	Homes and Funeral Services (Ord. No, ')											•		•	•	•	s	•	•			s		L
5321 Automobi automobil 5614 Business S	Care (Ord. No. 4043, 12/07/2021) *																			•	٠	•	St	)P
5614 Business S	ile Equipment Rental and Leasing (includes													•	•	•								
	siles, motor vehicles, travel trailers) Support Services									•				•	•	•	·	•			٠		sı	OP (
5613 Employme	nent Service							•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	_	OP •
5324 Commerc	cial and Industrial Machinery Equipment <u>Sales</u> ,	Г														٠		٠					T	Т
Rental, an	end Leasing Support Services													•	•	•		•	•				+	+
	to Buildings and Dwellings	П												٠	•				•				T	$\top$
	: Research & Development Service							•	•	•	•	•	•	•	•	•	٠	•	•					
50000																								$\equiv$
	rap & Drain Vacuum Service					H												s	8				+	+
	oing Services er Goods Rental <i>(Ord. No. 2099, 09/05/95)</i>												Vo.	•	•	•		•	•				-	+
						H						٠	XC	٠	•	٠	·						+	+
																		s	•				+	+
C802 Mobile Co	Recycling Center *  ollection and Redemption Center *			1				TSP •							•			•					- 1	- 1

Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(VHP)	(0-1, 0-2)	(0-3) (0-4)	<del>(+-0)</del>	(LR-1)	(LR-2)	(20)	(ורכ)	(HC)	(c/w)	(FWY)	(rı)	( <del>III)</del>		Urban Core				Frankford TC
	- Permitted Use     [ ] - Prohibited Use     * - Refer to Article XXXIV for definition		S - Sp TSP - 1 SDP -	ecial l echnic Specia	al Sit	e Plan	Requ	ired		A ·	- Permit - Permit	ted as a	an Acces a Tempo	ssory Us orany Us	se se			Im - Pe _C - C	ermitted onditiona	on Int al Use	erim E (See #	Basis ( art. XX	Only (.1)		
O ADTE EN	TERTAINMENT, AND RECREATION																								
51213	Theater (excl. Adult Motion Picture/Theater) *											•	•	•	•	•	•	•	•	•	•	•		SDP	
7112	Arenas, Stadiums, Lighted Athletic Fields/Parks	П										s	s	s	s	s	s	s	6	s	s	s		SDP	s
7121	Museums, Historical Sites & Similar Institutions									•								•	•						
713120	Commercial Amusement, Indoor (excl. Amusement Arcades	Н						-		-	-	•	•	•	•	•	•	•			•	•		SDP	
7131	and Adult Uses) *											_	Ť	·		s	s	s	s	Ť	Ť	Ť			Ť
	Commercial Amusement, Outdoor (excl. Adult Uses) *																			_					
71312	Amusement Arcades (excl. Adult Arcades) *										S	S		S	S	S	s	S	6	S	S	S			s
71391	Golf Courses & Country Clubs	s	S	s	S	S	S	S	S	<del>5</del>	S	S	S	S	S	S	s	S	5	S	S	S		SPD	
71394	Eitness and Recreational Sports Center-Health/Fitness- Center (Private) (Ord. No. ; 05/06/25)	L				L			s	S	٠	٠	·	٠	٠	٠	٠	٠	٠	L				Ц	
<del>C901</del> <u>71394</u>	Fitness and Recreational Sports Center Health/Fitness- Center (Public) (Ord, No. ; 05/06/25)	s	s	s	s	s	s		•	•	•	•	•	٠	•	•	٠	٠	٠	٠	•	٠	•	SDP	•
<del>C902</del> <u>C901</u>	Event Centers and Reception Halls *							s	s	6		s	s	s	s	s	s	s	6	s	s	s		SDP	s
<del>C903</del> <u>C902</u>	Smoking Lounge ( <i>Ord. 4066, 04/05/2022, Ratified Ord.</i> 4085 6/21/2022) *											s						s	6	s	s	s		s	
712190	Parks *	٠	•	•	•	•	•	•	•	•	•	٠	•	•	•	•	•	•	•	•	•	•	•	SDP	•
71399	All Other Amusement & Recreation Uses & Activities (Ord. 4066, 04/05/2022, Ratified Ord. 4085 06/21/2022)											s	s	s	s	s	s	s	6	s	s	s		s	s
10. OFFICE		_				_							•												_
C1001	Office, Professional and General Administrative *							٠	•	*	•	•	•	•	•	•	٠	٠	•	•	•	٠		SDP	•
C1002	Office, Medical Services *	Г						•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		SDP	•
11. HEALTH	CARE AND SOCIAL ASSISTANCE												•												
622110	Hospital, General Medical and Surgical							s	s	6			•	•	•	•	٠	•	•						
<del>6222</del> <u>62221</u>	Psychiatric & Substance Abuse Hospitals	Г						s	s	8			s					s	8						
621910	Ambulance Services											•		•	•	•	s	•	•						
6231	Nursing Care Facilities (Skilled Nursing Facilities)	Г				s		s	s	S	s	s		s	s	s	s	s	S					$\vdash$	_
6232	Residential Intellectual & Developmental Disability, Mental					s		s	s	s	s	s		s											
6233	Health & Substance Abuse Facilities Continuing Care Retirement Communities & Assisted Living							•		•				•											7
6239	Facilities for the Elderly Other Residential Care Facilities					s		s	s	S	s	s		s											
	Other Residential Care Facilities  Community Home					•		3	3		3	3		3						F		F		$\vdash$	
6239- <u>C1101</u>			Ė	Ė	Ŀ	Ė	i							•										$\vdash$	
62411	Child, Youth, Elderly & Persons with Disabilities Services								•	*	٠	٠			•	•		•						$\vdash$	
62419	Other Individual & Family Services							٠	٠	+	٠	٠		٠	٠	٠		٠	•					$\vdash$	
62421	Community Food Services							•	•	•	٠	٠		•	•	•		٠	•					$\vdash$	
62422	Community Housing Services					s		s	S	6	S	S		s										$\vdash$	_
62423	Emergency & Other Relief Services					S		s	S	S	S	S		•	•	•		٠	•					$\Box$	
6243	Vocational Rehabilitation Services					L	Ш	٠	٠	+	٠	٠		٠	٠		·	٠	•	L				$\sqcup$	
6244	Child Day Care Service (includes State-defined "licensed child care centers" but not "registered & licensed child care homes" or "listed family homes") *							s	s	S	s	s	s	s	s	s	s	s	s						
						_	_				_								_	_				-	_
C1101 C1102	Personal Care Home *					s		s	s	S	s	s		s						ı					

			l <sub>e</sub>	e e		LS)																TOWN CENTE	T.	Τ
Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHE DISTRICTS)	(a)	(ALL MF DISTRICTS)	(MHP)	(0-1, 0-2)	(0-3) (0-4)	(0-4)	(LR-1)	(LR-2)	(00)	(27)	(HC)	(C/W)	(FWY)	(T)	(HE)	_			<b>-</b>   1 2 1 1 1	
			(ALL	(ALL		(ALL														Historic Square	Urban Core	Urban General	Urban Hringe Trinity N	
	- Permitted Use     [ ] - Prohibited Use     * - Refer to Article XXXIV for definition		TSP - 1	oecial U Fechnic Specia	al Site	e Plan	Requi	red		A - T -	Permit Permit	tted as tted as	an Acce a Temp	ssory U orary U	se se			Im - Pe _C - Co	mitted o	on Int I Use	erim E (See A	asis On rt. XX.1	y )	]
40 05747																								
441110	Automobile or Light Load Truck Sales (New)*													s	s	s	s	s	s					
441120	Automobile or Light Load Truck Sales (Used)*	_																s	•				т	_
4412 <del>-28</del>	Other Motor Vehicle Sales*													s	s	s		s	6					
C1201	Automobile, Motor Vehicle, and Watercraft Parts Sales*											s												_
44-45- <u>C1202</u>	Retail *										•	•	XC	•	•	•	•	•	•	•			SDF	P S
C1204 C1203	Smoke Shop Retailer (Ord. 4066, 04/05/2022, Ratified Ord.	_											XC		•	•				s	s	S	s	
452910 C1204	4085 06/21/2022) * Retail Store; in excess of 75,000 sq. ft. of GLA *											s	SC	s	s	s	s	s	6				Ť	
452910 C1205	Retail Store; in excess of 30,000 sq. ft. of GLA*											•	•	•	•	•	•	•	•	s	s	s	SDF	P S
4471	Gasoline Station											s	sc	s	s	s	s	s	•			s		Ť
	Beer & Wine Off-Premise (Liguor sales for off premise																							
445310	consumption is not allowed in Carrollton)										٠	٠	XC	•	•	•	•	•	•	•	•	•	SDF	₽ •
<del>C1202</del> <u>C1206</u>	Alcoholic Beverage Sales, On Premise *											s	s				s			s			SDF	PS
453998	Auction Sales (Without outside auction activity, outside display or storage)													s	s	•		•	•					
C1203 C1207	Artisan Workshop *							•	•	•	٠	•	•	٠	•	•	٠	•	•	٠	•	•	•	
<del>7221</del> <u>722511</u>	Restaurant, Full-Service *							•	•	•	٠	•	•	•	٠	•	٠	•	•	٠	•	•	SOF	Р •
<del>7222</del> <u>722513</u>	Restaurant, Limited-Service *							٠	•	•	٠	•	•	•	•	•	•	•	•	٠	•	•	SOF	ρ •
<del>722213</del> <u>C1208</u>	Snow Cone Stand *										T	Т		Т	T	T	Т	Т	Ŧ					
444220	Outdoor Nursery or Garden Center (ord. No. 4035, 10/12/21)											Т				•	٠	٠						
13. VEHICLI	AND EQUIPMENT SERVICES AND REPAIR					_																		_
C1301	Automobile or Light Load Truck Repair Garage *											s		٠	٠	•	s	٠	•					
811121-811122	Window Tint, Window Replacement, and/or Vehicle Wrap * (Ord. No. : 05/06/25)											•		•	•	•	S	•						
C1302	Other Motor Vehicle Repair Garage*													s	٠	•		•	•					
81112	Automobile, Motor Vehicle, Heavy Load Truck and Watercraft Paint and Body Shop											s		•	•	•	s	•	•					
811198	Automobile Quick Lube, Tire Service, and/or Inspection (Ord. No. : 05/06/25)					Г						s		•	•	•	s	•	•					Т
																							_	=
811192	Car Wash, Full Service, or Automated (Principal Use)											S		٠	٠	٠	s	٠	٠				_	
811192	Car Wash, Self-Service (Principal Use)	Ш										s		٠	٠	٠		٠	•				_	$\perp$
8113	Commercial and Industrial Machinery and Equipment (except Automotive and Electronic) Repair and Maintenance Motor Vehicle Impound Yard (Accessory or Principal Use)													•	٠	٠		٠	٠					
48841	(Ord. No. 2099, 09/05/95)	ш													s			s	6				_	$\bot$
423140	Motor Vehicle Wrecking or Salvage Yard																	S	6				4	
C1303	Repair & servicing of items in the same district where the manufacturing or assembly of such items is permitted (Reference applicable manufacturing or assembly use.)												AC				٠	٠	٠					
C1304	Repair & servicing of items in the same district where the manufacturing or assembly of such items is permitted upon approval of an SUP.												SAC				s	s	6					
8114	Personal and Household Goods Repair and Maintenance											•	ХС	٠	٠	•	٠	٠	•					
C1305	Other Repair Services, NEC.													s	S	s	s	S	6					
14. WAREH	OUSE, DISTRIBUTION AND STORAGE																							
C1401	Warehouse/Distribution *												AC			٠	s	٠	•					
C1402	Product Assembly *												AC			٠	s	٠	•				$\perp$	$\perp$
42471	Bulk Stations and Storage Terminal (Petroleum)																	<u>S</u>	6					
42469	Other Chemicals & Allied Products														s	s		s	6				$\perp$	
12 100																								
423930	Recyclable Material																	s	s				$\perp$	
	Recyclable Material Other Farm Products Raw Materials	·													s	s		s •	6				H	

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Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(MHP)	(0-1, 0-2)	(0-3) (0-4)	<del>(+-0)</del>	(LR-1)	(LR-2)	(00)	(၁٦)	(HC)	(c/w)	(FWY)	(17)	<del>(III)</del>	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills	Frankford .
																								_	
	- Permitted Use		TSP - '	pecial U Technic - Specia	al Site	Plan	Requi	red					an Acce a Temp						rmitted o onditiona						
15. MANUFA	ACT IDING																								
311	Food Manufacturing													s	s	•		•	•						
3116	Animal Slaughtering and/or Processing	П																s	•	Г			П		$\neg$
312 3121	Beverages Manufacturing, including breweries, wheries, or- related (not including tobacco product manufacturing) *- (Ord: No. 3871, 98/97/18)											s		•	•			•	•	٠	•	•		SOP	•
33991	Jewelry & Silverware Manufacturing	П										s							•	Г			П		$\neg$
33992	Sporting & Athletic Goods Manufacturing													•	•	•		•	•						
33993	Doll, Toy & Game Manufacturing	Г												٠	•	•		٠	•	Г			П		$\neg$
33994	Office Supplies (except paper) Manufacturing													•	•	•		٠	•						
33995	Screen Printing and Sign Manufacturing * (Ord. No. ; 05/06/25)											s		•	•	•		•	•				П		
<u>513110</u>	Newspaper, Magazine, or Book Publishing/Manufacturing (Ord. No. ; 05/06/25).																	•							
<u>C1501</u>	Print Shop * (Ord. No. ; 05/06/25)											•		•	•	•		•							
33911	Medical Equipment & Supplies Manufacturing													s	s	s		•	•						
337	Furniture & Related Product Manufacturing													٠	٠	٠		٠	•	L			Ш		
313-315	Textile, Apparel, Footwear Manufacturing													s	s	٠		٠	•						
3161	Leather & Hide Tanning and Finishing																	s	s	L			Ш		
321	Wood Product Manufacturing													s	s			٠	•						
322	Paper Manufacturing													s	s			٠	•				Ш	Ш	
3254	Pharmaceutical & Medicine Manufacturing													s	s	•		•	•						
3255	Paint, Coating & Adhesive Manufacturing															s		٠	•	L			Ш	Ш	
3256	Soap, Cleaning Compound & Toilet Preparation Manufacturing														s	s		•	•						
326	Plastics & Rubber Product Manufacturing													s	s	٠		٠	•				Ш		
331	Primary Metal Manufacturing																	s	•						
327	Nonmetallic Mineral Product Manufacturing													s	s	٠		٠	•				Ш		
3273	Cement & Concrete Product Manufacturing																	s	•						
332	Fabricated Metal Product Manufacturing						П							s	s	•		•	•		П		$\top$	$\neg$	$\neg$
333	Machinery Manufacturing																	•	•						
334	Computer & Electronic Product Manufacturing													s	s	•			•				$\neg$	$\neg$	
335	Electrical Equipment, Appliance & Component Manufacturing													s	s	s		٠	٠				$\dashv$		
C1501 C1502	Industrial Finishing of Any Product_*																	•	•				丁	$\neg$	$\neg$
336	Transportation Equipment Manufacturing													s	s	s		•	•						
324	Petroleum & Coal Product Manufacturing																	s	s				丁	$\neg$	$\neg$
339	Miscellaneous Manufacturing										s	s	s	s	s	s		s	s				T		

			₽_	<b>a</b>		CTS)																TOWN	R.	o l	
Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHI DISTRICTS)	(Q)	(ALL MF DISTRICTS)	(MHP)	(0-1, 0-2)	(0-3) (0-4)	(0-4)	(LR-1)	(LR-2)	(00)	(כר)	(HC)	(C/W)	(FWY)	(17)	<del>(III)</del>	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills TC	Frankford TC
	- Permitted Use     [ ] - Prohibited Use     *- Refer to Article XXXIV for definition		TSP - 1	ecial U Fechnic	al Sit	e Plar	Requ	ired				tted as a							ermitted o						
																					_		_		
16. TRANSP	ORTATION  Air Transportation and Related Support												s		s	s	s	s	s				$\neg$		
4821	Rail Transportation					s	s						•		•	•	•	•	•	s	s	s	s s	SOP	
4841	General Freight Trucking	Ė	Ė	Ť	Ė					_	·	·	Ė	Ť	•	•	Ė	•	•						Ť
4851	Urban Transit System	s	s	s	s	s	s	s	s	S	s	s	s	s	s	s	s		•		s			SDP	s
4853	Taxi & Limousine Service, with on-site vehicular storage or					Ů					Ü				•	•		•	•						
4854; 4855; 4871	maintenance Charter Bus Industry, Scenic & Sightseeing Transportation, School & Employee Bus Transportation, with on-site yehicular storage or maintenance				Г									s	s	s			•	Г		Т	T	Т	
4859	Other Transit & Ground Passenger Transportation					s		s	s	s	s	s	s	s	s	s	s	s	s				+		
4861	Pipeline Transportation	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s				$\dashv$	$\dashv$	
485112	Railroad Passenger Terminal																				s			SOP	s
4882	Support Activities for Rail Transportation	Г				Г							s	s	s	s	s	s	•			$\blacksquare$	T	$\neg$	
4884	Support Activities for Road Transportation														s			s	S						
4921	Couriers and Delivery Services with onsite vehicular storage	Г				П							ХC			•	s		•		$\Box$	$\neg$	T	$\neg$	_
17 VEHICU	LAR PARKING AND STORAGE	_				_			-												_		_		_
17. VEHICO	Parking Lot, Garage or Structure for overflow or																						Т		
<del>C1701</del>	norrequired parking as a principal use or located on a- separate lot from the main use and less than 300 feet from the main use (Od. No. 3313, 01/14/20)	s	s	s	s	s	s	*	•	٠	•	٠	٠	٠	*	•	s	*	•						
<del>C1702</del> <u>C1701</u>	Parking, Carage Structure or Parking Surface (For overflow or non-required parking as a principal use or located on a separate lot from the main use and located greater than 300 feet from the main use. Paguired Parking Offishe within 300 Feet of the Primary Use * (Od : 2506/25)							s	s	s	s	s	s	s	s	s	s	s	s	(S)	COI	<u>S</u>	S	S	<u>S</u>
<del>C1703</del> <u>C1702</u>	Parking Garage Structure ( <u>Principal Use</u> ) * (024	s	s	s	s	s	s	◆ <u>S</u>	<u>•s</u>	<u>•</u> . <u>S</u>	<u>•.S</u>	<b>◆</b> .S	• <u>S</u>	•S	• <u>s</u>	• S	s	• <u>.s</u>	•	s	٠	•	s s	SOP	s
<del>C1704</del> <u>C1703</u>	Parking, Surface (Principal Use) * (Ord : 05/05/55) (Fer- everflow or nerrosulared parking as a principal use or- located on a separate lot from the main use.) (Ord No- 3939, 13/13/19)	s	s	s	s	s	s	<u>•s</u>	<u>•s</u>	• <u>s</u>	<u>•s</u>	<u>•</u> <u>§</u>	<u>•</u> <u>s</u>	<u>•</u> <u>S</u>	<u>•</u> <u>s</u>	<u>sa</u>	s	<u>•<u>s</u></u>	٠	s	s	s	s	s	s
81293	Travel Trailer, RV or Boat Storage (Ord. No. 3465, 12/06/11)													s	s	s	s	s	S				Т		
18. COMMUN	NICATION SERVICES																				_		_		_
C1801	Communications Tower, Freestanding (Excluding antennas or support structures for amateur radio communications.) *	s	s	s	s	s	s	s	s	e	s	s	s	s	s	s	s	s	s		s	s	s	s	s
C1802	Communications Equipment, Attached to an existing structure not to exceed 15' above the height of the existing structure *	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•		$\overline{\cdot}$	•	$\overline{\cdot}$	•	•
5151	Communications Broadcasting											٠	•	٠	٠	٠	•	٠	•		•	•	1	SOP	•
517	Telecommunications Resellers										•	•		•	•	•	•	•	•		$\overline{\cdot}$	•	T	$\neg$	
C1803	Temporary Support Structure (See Art. XXVIII)							Т	Т	Ŧ	Т	Т	Т	Т	Т	Т	Т	Т	Ŧ				1		
C1804	Other Communications, NEC.												s		s		s	s	s	s	s	s	s s	SDP	
19. UTILITY	SERVICES																						_		
221121	Electricity Regulating Substation and/or-Electric Bulk Power Transmission and Control	s	s	s	s	s	S	s	s	s	s	S	s	S	S	s	s	٠	•	s	s	s		s	s
00101	Natural Gas Pressure Control Station	s	s	s	s	s	s	s	s	S	s	s	s	s	s	s	s	•	•	s	s	s	s	s	s
22121																									
22121 211111 2211	Electric Power Generation, Natural Gas Production, Sewer or Waste Treatment Storage or Distribution Plant or Point																	s	6						
211111 2211 C1901		S	s	s	s	s	s	•	•	•	•	•	•	•	•	•	•	s •	6	s	s	s	s	s	s

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Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATT/ DISTRICT	(a)	(ALL MF DISTRICTS)	(MHP)	(0-1, 0-2)	(0-3) (0-4)	<del>(1-0)</del>	(LR-1)	(LR-2)	(00)	(כד)	(OH)	(C/W)	(AMH)	(IT)	<del>(111)</del>	Historic Square	Urban Core	Urban General	Urban Hringe	Trinity Mills TC Frankford TC
																								_
	- Permitted Use		TSP - T	ecial U Fechnic Specia	al Sit	e Plan	Requi	red		A ·	Permi Permi	tted as tted as	an Acce a Temp	ssory U: orary U:	se se				mitted onditions					
20. CONTRA	CT CONSTRUCTION SERVICES (Ord. No. 3891, 12/11)	/18)																						
<u>C2001</u> -236	Contract Construction Service (with outside on-premise storage of equipment or material) Building, Developing and General Contracting, (pm; 55,05/25)																	•	٠					
C2002-C2001	Contract Construction Service (No outside on-premise storage of equipment or material) (Ord. No. 1844, 11/03/92)														٠	•		٠				Т	Т	Т
C2003-C2002	Contractor Storage Yard (Principal Use) *																	s	s					
C2004-C2003	On-Site Living Quarters For Security Personnel on a Construction Site	т	т	т	т	т	т	т	т	Ŧ	т	т	т	т	т	т	т	Т	Ŧ			$\neg$	т	$\top$
	Other Heavy Construction																	s	s				t	
236210	Painting-or-Paper-Service														•	•		•	•				Ť	
	Sandblasting Service																	s	S					
238	Special Trade Contractors														•	•		•	•				Ŧ	
<u>C2005</u> -C2004	Temporary On-Site Construction Office, Temporary On-Site Hiring or Employment Office or Temporary On-Site Administration Office* (Ord. No. 2092, 09.05/95)	т	т	т	т	т	т	т	т	Ŧ	т	т	т	т	т	т	т	т	Ŧ	т	т	т	т	тт
237110	Temporary On-Site Construction Office, Temporary On-Site Hiring or Employment Office or Temporary On-Site Administration Office* (Ord. No. 2099, 09/05/95)	Γ																٠	٠			П	T	T
81131	Welding Service														٠	٠		•	•					
C2005	Other Construction Trade Services, NEC.																		•				T	
21. ADULT U	ISES (Ord. No. 3891, 12/11/18)																							
C2101	Adult Arcade*														•								Т	
C2102	Adult Bookstore*														•								Т	
C2103	Adult Cabaret*														•									
C2104	Adult Motion Picture Theater*	Г													•								Т	
C2105	Adult Theater*														•									
C2106	Escort Agency*	Г													•								Т	T
C2107	Massage Parlor*														•								İ	
C2108	Nude Modeling Studio*	Г			Г		П								•								Т	T
C2109	Sexual Encounter Center*														٠									
C2110	Other Adult Entertainment Establishments NEC	Ε													•								Ť	
	Other Adult Entertainment Establishments, NEC.	~													•									
	TURAL RELATED SERVICES (Ord. No. 3891, 12/11/18  Farm Product Warehousing and Storage	s																s	S					
	Support Activities for Agriculture and Forestry																	s	s				+	
	Other Agricultural Services, NEC.	s																•	•					
	UCTION (Ord. No. 3891, 12/11/18)																							
	Batch Plant (Permanent)																	s	•					
	Batch Plant (Temporary)	т	т	Т	Т	т	т	т	т	Ŧ	Т	Т	Т	Т	Т	Т	Т	Т	Ŧ				T	
	AND EXPLORATION (Ord. No. 3891, 12/11/18)						ш						<del></del>			I				<u> </u>	_			
	Mining	s																s	s					
	Oil Extraction <i>(Ord. No. 3145, 06/05/07)</i>	s																<u>s</u>	S				T	
	Support Activities for Mining																	s	5					
	Other Mining Services, NEC. (Except fuels)	s				Г												s	S				Ť	
C2402	Other Mining & Quarrying of Nonmetallic Minerals, NEC.	s	s															s	S					
21112	(Except fuels) Natural Gas Exploration, Drilling & Production	s	s															s	5				Ŧ	
	(SF-12/20 only) (Ord. No. 3145, 06,05/07)  ANEOUS (Ord. No. 3891, 12/11/18)	_			_	_	ш													<u> </u>	_			
	(																							S

ART. XVII RESERVED FOR FUTURE USE (IP) INDUSTRIAL PARK (repealed)

## ARTICLE XVII.

(Ord. No. 3331, 10/06/09 repealed the (IP) Limited Industrial/Industrial Park District in its entirety) (Ord. No. ; 05/06/25 revised Article XVII. to be reserved for future use.)

## ARTICLE XVIII.

(LI<del>, III</del>)

## LIGHT INDUSTRIAL AND HEAVY INDUSTRIAL DISTRICTS

(Ord. No. \_\_\_\_\_; 05/06/25 repealed (HI) Heavy Industrial District in its entirety.)

## SECTION A. PURPOSE.

- 1. The (LI, HI) Industrial Districts are is established to provide space for higher intensity industrial uses.
- 2. The noise, traffic, litter, late night hours and other influences generated as a result of the intensive uses allowed in <u>thisthese</u> districts require adequate buffering from residential areas, and the traffic generated from such uses <u>shallshould</u> not be routed through residential areas. <u>Areas zoned to the (HI) Heavy Industrial District are not appropriate near any type of residential development.</u>
- 3. Areas zoned to the (LI, HI) Industrial Districts should be located close to major transportation sources, including direct access to arterial or collector—size streets. Internal streets within any industrial development should be sized and strengthened to accommodate commercial and truck traffic.
- 4. Areas zoned to the (LI<del>, HI</del>) Industrial Districts should have increased water, sewer and drainage capacity, and increased fire protection.

#### SECTION B. PRINCIPAL AND ACCESSORY USES.

No land shall be used and no structure shall be erected for, converted to, or used for any principal or accessory use other than such uses as are allowed in the (LI, HI) Industrial Districts, in accordance with Article V. of this ordinance. (*Ord. No. 1705, 05/07/91*)

## SECTION C. SPECIAL USE PERMITS.

Uses requiring approval of a Special Use Permit shall be allowed in the (LI, HI) Industrial Districts only in accordance with Articles V. and XXI. of this ordinance. (Ord. No. 1705, 05/07/91)

## SECTION D. PROHIBITED USES.

The following uses shall be specifically prohibited in the (LI, HI) Industrial Districts:

- 1. Any structure erected or land used for other than one or more of the uses specifically permitted pursuant to this Article and Article V. of this ordinance;
- 2. Any use of property that does not meet the required minimum lot size; front, side, or rear yard dimensions; lot depth or width; or which exceeds the maximum height, building coverage or any other standard as herein required, except as provided by Article XXVIII. of this ordinance;

3. The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in thisthese districts. (*Ord. No. 1705, 05/07/91*)

## SECTION G. SPECIAL YARD REGULATIONS.

## 2. SPECIAL FRONT, REAR, AND SIDE YARD REQUIREMENTS:

- a. The ordinary extensions of window sills windowsills, awnings, wall-mounted signs, eaves, balconies, belt courses, cornices, roof overhangs, canopies, balconies and other architectural features may extend an additional 10 feet into the required front yard, and an additional five feet into the required rear or side yard.
- b. Where applicable, any front, rear or side yard adjacent to any existing or proposed state or federally designated freeway shall be measured from the face of the structure, covered porch or covered terrace to the proposed right-of-way line designated for future expansion or construction of the adjacent freeway, as such right-of-way is identified by the most current construction plans or schematic drawings available from the state of Texas at the time of application by the property owner for a permit for construction.

## SECTION I. MISCELLANEOUS REQUIREMENTS.

#### 1. UTILITIES:

All utilities located within 200 feet of the front property line which will serve any lot or parcel within the (LI, HI) Industrial Districts shall be installed underground, except for any transmission or feeder lines, either existing or proposed, located within the (LI, HI) Industrial Districts, provided that such lines shall be located within a designated paved easement or alley way provided by the property owner.

Nothing set forth herein shall prohibit or restrict any utility company from recovering the difference between the cost of overhead facilities and underground facilities. Each utility whose facilities are subject to the provisions of this Article shall develop policies and cost reimbursement procedures with respect to the installation and extension of underground service.

## 2. SATELLITE TELEVISION RECEPTION DISHES: (Ord. No. 3891, 12/11/18)

Satellite television reception dishes located within the (LI, HI) Industrial Districts shall not be located in front of the main structure or the front building line and shall not be erected closer than three feet to any rear or side property line.

When the site upon which a ground-mounted satellite television reception dish is located adjacent to any residentially zoned property, the maximum overall height of the dish at any position, shall be as follows:

a. Not to exceed 10 feet when located closer than 25 feet to any residentially zoned property;

- b. Not to exceed 25 feet when located between 25 and 65 feet from any residentially zoned property;
- c. Not to exceed 40 feet when located between 65 feet and 100 feet from any residentially zoned property;
- d. Not to exceed 50 feet when located between 100 and 150 feet from any residentially zoned property;
- e. Not to exceed 75 feet when located in excess of 150 feet from any residentially zoned property.

No lettering, logo or any form of advertising or other writing shall appear on the face or back of any dish, except the name of the manufacturer, distributor or seller of such tower or dish, provided that such lettering does not exceed two inches in height.

## 3. LANDSCAPING:

Landscaping shall be provided on the premises of any property within the (LI, HI) Industrial Districts in accordance with Article XXV. of this ordinance. (*Ord. No. 3943, 01/14/20*)

## SECTION J. HEIGHT AND AREA REGULATIONS.

		BUILDINGS UP TO 17 FEET IN HEIGHT	BUILDINGS UP TO 25 FEET IN HEIGHT	BUILDINGS UP TO 37 FEET IN HEIGHT	BUILDINGS UP TO 50 FEET IN HEIGHT	BUILDINGS UP TO 63 FEET IN HEIGHT	BUILDINGS UP TO 75 FEET IN HEIGHT
NOTE:	Story designations for structures are included for reference purposes of (2) of this Section.	nly. Structure setback,	area, and coverage reg	gulations shall be base	d upon the height restr	ictions established in p	paragraph
6.	Maximum amount of impervious coverage (As a percentage of total lot area)						
	a. (LI) Light Industrial District	90%	90%	90%	90%	90%	90%
	b. (HI) Heavy Industrial District	<del>95%</del>	<del>95%</del>	<del>95%</del>	<del>95%</del>	<del>95%</del>	<del>95%</del>
7.	Minimum amount of landscaped area (Ord. No. 3943, 01/14/20)			(See Article XXV.)			
	a. (LI) Light Industrial District ( <i>Ord. No. 3943, 01/14/20</i> )			(See Article XXV.)			
	b. (HI) Heavy Industrial District -(Ord. No. 3943, 01/14/20)			(See Article XXV.)			

### ARTICLE XXIV. OFF-STREET PARKING, LOADING AND STACKING REGULATIONS

### SECTION C. SCHEDULE OF MINIMUM OFF-STREET PARKING REQUIREMENTS.

In all zoning districts there shall be provided off-street parking space in accordance with the following requirements.

The classification of uses referred to herein shall be deemed to include and apply to all uses. However, if for any reason the use, for the purpose of determining the amount of off-street parking space to be provided for such use, is not classified hereunder nor in Article V. of this ordinance, the City Manager or Designee shall determine if such proposed use is similar in nature to any other use listed hereunder or in Article V. If a similar use is identified, then the proposed use shall meet the minimum off-street parking requirements of such similar use. However, if no similar use is identified by the City Manager or Designee, an amendment to this Article may be requested to establish off-street parking requirements of such proposed use. Such amendment shall be in accordance with Article XXXI. of this ordinance.

Any appeal of the City Manager or Designee's interpretation as to the nature or type of use, for the purpose of determining the classification and applicability of the parking regulations prescribed hereunder for such use, shall be submitted to the Board of Adjustment for consideration in accordance with the provisions of Article XXXII. of this ordinance.

At a minimum, off-street parking space shall be provided for such uses as follows. Some uses may require the provision of off-street vehicle stacking spaces. For uses denoted by (\*), reference Section D of this Article for stacking requirements.

Land Use	Minimum Spaces Required
c. Commercial	
Event Centers and Reception Halls	1 per each 125 sq. ft. of floor area (Ord. No. ; 05/06/25)
Retail,	0 to 50,000 sq. ft. of total building floor area - 1 per each 300 sq. ft. of floor area. More than 50,000 sq. ft. of total building floor area - 1 space for each 350 sq. ft. of floor area with a maximum of 1 space for each 250 sq. ft. of floor area. Any freestanding
mixed/multiple use shopping center *	building must provide their required parking for that use. <u>Uses such as fitness centers</u> , event centers, and places of worship, which require significantly more parking than
Tr 6	standard retail uses, will be assessed at the appropriate parking ratios for those individual uses. (Ord. No. ; 05/06/25)

### SECTION F. OFF-STREET LOADING REQUIREMENTS.

(Section completely amended, Ord. No. 2275, 08/19/97; Ord. No. 2835, 07/01/03; Ord. No. 3716, 12/01/15)

### 4. REDUCTION OF LOADING DOCK DEPTH OR OFFSET:

A reduction in the loading dock depth or total offset in feet may be permitted, subject to administrative approval by the city manager or their designee. Such reduction shall be contingent upon the submission of a maneuverability study that demonstrates the ability to safely accommodate required truck movement within the loading area. (Ord. No. : 05/06/25)

Figure 2a
LOADING APRON AND DOCK DIMENSIONS

TRUCK SIZE	DOCK ANGLE	CLEARANCE IN FEET (L)	BERTH WIDTH IN FEET (W)	APRON IN FEET (A)	TOTAL OFFSET IN FEET (T)	BERTH LENGTH IN FEET (S)
LARGE	90°	75	12	58 <mark>67-</mark> (Ord. No. ; 05/06/25)	133 <mark>142</mark> ( <i>Ord. No.</i> ;  05/06/25)	130
(75 FT.)	60°	69 <mark>61</mark> (Ord. No. ; 05/06/25)	12	43 <mark>51</mark> (Ord. No. ; 05/06/25)	112	NA
	45°	59 <mark>48</mark> ( <i>Ord. No.</i> : 05/06/25)	12	34 <mark>40</mark> ( <i>Ord. No.</i> ; 05/06/25)	93 <mark>88</mark> (Ord. No. ; 05/06/25)	NA
	90°	35	12	43	78	80
MEDIUM (35 FT.)	60°	32	12	31	63	NA
(3311.)	45°	26	12	25	51	NA
	90°	20	10	32	52	45
SMALL (20 FT.)	60°	18	10	24	42	NA
(2011.)	45°	17	10	20	37	NA

See drawings on next page for dimension details and design layout.

### SECTION G. CONSTRUCTION STANDARDS.

(Section completely amended, Ord. No. 2275, 08/19/97)

All off-street parking and loading areas, maneuvering aisles, and access ways to any required off-street parking or loading areas, in all zoning districts, shall be paved in accordance with the standards prescribed by the City of Carrollton. (*Ord. No. 1947*, 10/19/93)

### SECTION H. JOINT PARKING; REDUCTION OF PARKING REQUIREMENTS.

(Section completely amended, Ord. No. 3235, 07/01/08; Ord. No. 3716, 12/01/15)

#### 1. JOINT/SHARED PARKING AREA:

Uses may join in establishing a shared parking area where it can be demonstrated to the City Manager or Designee that parking for two or more specific uses occurs at alternating time periods. Such parking area shall be established in accordance with the following procedure

- a. The applicant shall submit a parking analysis with two or more examples to the City Manager or Designee.
- b. The parking analysis shall be reviewed by the City Manager or Designee.
- c. The City Manager or Designee shall act upon such request to deny, approve, or approve with modifications as may be appropriate, the parking or stacking ratio requirements. (*Ord. No. 3331*, 10/06/09)
- d. If approved, such joint parking area shall be permissible only in conjunction with those uses specifically analyzed as part of the initial request. Upon cessation of one of the uses approved in the original request, the rights of the remaining use to utilize the joint parking shall continue.
- e. Upon commencement of a new use in place of the originally approved use, a reassessment of the joint parking area shall be initiated by the owner or operator of such new use, and shall be considered in the same manner as described above. No Certificate of Occupancy shall be issued by the City for the new use until either:
  - i. The joint parking area is reapproved by the City Manager or Designee, or
  - ii. Additional parking is approved for the new use in accordance with all applicable provisions of this Article.
- f. If denied, a written request by the applicant may be submitted to the Development Services Department within 10 days of the date of the decision. Upon such request being timely submitted, a public hearing shall be scheduled before the <a href="Planning and Zoning CommissionBoard of Adjustment (BOA)">Planning and Zoning CommissionBoard of Adjustment (BOA)</a> for final action.
- g. Approval of a joint parking area shall not be construed as, nor constitute, a variance from, reduction of, or modification or exception to any other provision or requirement of this ordinance or any other applicable code or ordinance of the City of Carrollton.

#### 2. REDUCTION OF PARKING OR STACKING PROVISIONS:

Parking or stacking requirements for individual uses may be altered from the prescribed ratios listed in the applicable provisions of this Article by demonstrating to the City Manager or Designee that such revised ratio satisfies the intention of Section A of this Article. The procedure to modify the parking ratios is as follows:

- a. The applicant shall submit a parking analysis with two or more specific examples to the City Manager or Designee.
- b. The parking analysis shall be reviewed by the City Manager or Designee.
- c. The City Manager or Designee shall act upon such request to deny, approve, or approve with modifications as may be appropriate, the parking or stacking ratio requirements.
- d. If approved, such parking ratio is applicable to only the specific use for which the request was submitted. The city wide rate will not be altered by such study.
- e. If denied, a written request by the applicant may be submitted to the Development Services Department within 10 days of the date of the decision. Upon timely submission of such request, a public hearing shall be scheduled before the Planning and Zoning CommissionBoard of Adjustment (BOA) for final action.

### SECTION I. MISCELLANEOUS REQUIREMENTS.

(Section completely amended, Ord. No. 2275, 08/19/97 and by Ord. No. 2835, 07/01/03)

The following provisions shall be applicable to all off-street parking and loading areas.

8. REQUIRED PARKING LOCATED ON A LOT SEPARATE FROM THE MAIN USE: (Ord. No. 2866, 12/16/03); (Ord. No. 3716, 12/01/15)

Required parking for a use may be located on a separate lot upon approval of a parking agreement by the City Manager or Designee, and in accordance with Article V provided however that said parking is not the principal use on the separate lot. Such parking agreement shall be established in accordance with the following provisions:

- a. The property owner or authorized agent shall submit an application for a Miscellaneous Development upon forms prescribed by the City of Carrollton and reviewed by the City Manager or Designee.
- b. The application shall contain a site plan, a list of the uses located on both lots and their required parking information and/or other information required by the City Manager or Designee.
- c. The separate lot must have parking in excess of what is required for its uses.
- d. If approved, the parking agreement shall be signed by the property owners of both lots and shall be for only the uses specified in the agreement.
- e. Upon commencement of a new use in place of the originally approved use requiring the offsite parking, a reassessment of the parking agreement shall be initiated by the owner or operator of such new use and shall be considered in the same manner as described above.

f. The required parking located on the lot separate from the main use cannot be used to meet the parking requirements of a new use on that same lot during the duration of the parking agreement.

If denied by the City Manager or Designee, a written request by the applicant may be submitted to the Planning Development Services Department within 10 days of the date of the decision. Upon timely submission of such request, a public hearing shall be scheduled before the Planning and Zoning Commission-Board of Adjustment (BOA) for final action.

### ARTICLE XXVIII.

### SPECIAL CONDITIONS AND DEVELOPMENT STANDARDS

(Ord. No. 2835, 07/01/0); (Ord. No. 2938, 10/19/04); (Ord. No. 3467, 09/06/16)

SECTION F. SITE PLAN REVIEW. (Ord. No. 2866, 12/16/03); (Ord. No. 3587, 12/03/13)

A technical review and approval of a site plan shall be required by the Planning and Zoning Commission prior to issuance of a building permit for new construction in accordance with Article V. Renovations and expansions of existing facilities do not require site plan approval. Such site plan review is intended to ensure compliance with the provisions of this ordinance and the compatibility of the particular use and the neighborhood.

The Planning and Zoning Commission's review of the technical site plan shall be limited to the following:

- 1. Provision of a safe and efficient vehicular and pedestrian circulation system.
- 2. Design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
- 3. Use of landscaping and screening to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary.
- 4. The placement and orientation of buildings and other facilities.

A denial of the request by the Planning and Zoning Commission may be appealed to the City Council if the appeal is filed with the Urban Development Department within 10 days of the action by the Planning and Zoning Commission.

An approved site plan shall expire if a building permit has not been applied for within two years from the date of site plan approval.

### SECTION G. SALE OF ALCOHOLIC BEVERAGES. (Ord. No. 2938, 10/19/04)

- 1. Retail establishments are limited to the sale of beer, wine, and malt beverages. The retail sale of liquor is prohibited in the City of Carrollton.
- 2. The sale of alcohol for on-premise consumption requires a (FB) Food and Beverage TABC permit.
- 3. The sale of alcohol for on-premise consumption of alcohol shall be prohibited within 300 feet of a church, public school, or public hospital.
- 4. The sale of alcoholic beverages in a retail establishment with a permit for the oThe sale of alcohol for off-premise consumption of alcohol of beer and wine shall be prohibited within:
  - a. \_\_300 feet of a church, public or private school, or public hospital.
  - b. 1,000 feet of a public school if the City Council receives a request from the board of trustees of a school district under Section 38.007, Education Code; or
  - a.c. 1,000 feet of a private school if the City Council receives a request from the governing body of the private school.

The sale of alcoholic beverages in a restaurant with a food and beverage certificate shall be prohibited within 300 feet of a church, public school, or public hospital.

The sale of alcoholic beverages in a retail establishment with a permit for the off-premise consumption of beer and wine shall be prohibited within:

- a. 1,000 feet of a public school, if the City Council receives a request from the board of trustees of a school district under Section 38,007, Education Code; or
  - b. 1,000 feet of a private school if City Council receives a request from the governing body of the private school.

### SECTION H. SITE PLAN REVIEW FOR DRIVE-THROUGH WINDOWS.

(Ord. No. 3465; 12/06/11)

A technical review and approval of a site plan shall be required by the Planning & Zoning Commission prior to the issuance of a building permit for new construction including a drive-through window or the addition or expansion of a drive through window to an existing building. Such site plan review is intended to ensure compliance with the provisions of this ordinance and the compatibility of the particular use and the neighborhood.

The Planning and Zoning Commission's review of the technical site plan shall be limited to the following:

- 1. Provision of a safe and efficient vehicular and pedestrian circulation system.
- 2. Design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
- 3. Use of landscaping and screening to provide adequate buffers to shield lights, noise, movement or activities from adjacent properties or the public right of way.
- 4. The appearance, placement and orientation of buildings or other facilities.

A denial of the request by the Planning and Zoning Commission may be appealed to the City Council if the appeal is filed with the Planning Department within 10 days of the action by the Planning and Zoning Commission.

### ARTICLE XXXIV.

### **DEFINITIONS**

(Amended Ord. No. 1670, 11/20/90); (Ord. No. 3653, 12/09/14); (Ord. No. 3716, 12/01/15); (Ord. 3763, 09/06/16);

(Ord. No. 3891, 12/11/18); (Ord. No. 3939, 12/13/19); (Ord. 3943, 02/01/20); (Ord. No. 3980, 09/15/20); (Ord. No. 4035, 10/12/21); (Ord. No. 4043 12/07/21); (Ord. No. 4066, 04/05/22, Ratified by Ord. 4085 on 06/21/22); (Ord. No. 4127 02/07/23); (Ord. No. 4541, 12/05/23) (Ord. No. \_\_\_\_\_; 05/06/25)

### SECTION B. TERMS AND DEFINITIONS.

AUTOMOBILE QUICK LUBE, TIRE SERVICE, AND/OR INSPECTION: A commercial establishment primarily engaged in providing automotive maintenance services, including but not limited to oil changes, lubrication services, tire installation, repair, and alignment, and vehicle inspection services. Facilities are designed to accommodate customer service areas, service bays, and any necessary parking. This definition shall not include Automobile or Light Load Truck Repair Garage or

- Automobile, Motor Vehicle, Heavy Load Truck and Watercraft Paint and Body Shop. (Ord. No. : 05/06/25)
- BEER & WINE OFF-PREMISE Retail sales of malt beverages or wine and as regulated by Texas Alcohol Beverage Commission. Distilled spirits or liquor sales for off premise consumption is not allowed in Carrollton. (Ord. No. : 05/06/25)
- COMMERCIAL AMUSEMENT, INDOOR: An enterprise providing for indoor recreational activities, services, amusements, and instruction for an admission fee. Uses may include, but are not limited to, bowling alleys, ice- or roller-skating rinks, bingo parlors, laser tag, rock climbing, trampoline, escape rooms, ax throwing and/or general practice areas. Uses do not include amusement arcades, or sexually oriented businesses. (Ord. No. \_\_\_\_; 05/06/25)
- COMMUNITY HOMES: A facility meeting the requirements and licensed under the Texas Human Resources Code.
- DRIVE\_-THROUGH WINDOWS: An accessory use providing drive up services and goods to customers in motor vehicles including but not limited to a limited service restaurant, office uses, retail, dry cleaning and laundry services.
- GROUP QUARTERS: A facility where individuals live in a shared or communal setting. Group quarters may provide shared living spaces and services for residents who are typically not related to each other, such as in congregate housing or dormitories. (Ord. No. \_\_\_\_\_; 05/06/25)
- HEALTH/FITNESS CENTER PRIVATE: A private facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include, but are not limited to, outdoor game courts (unlighted) and indoor game courts, weightlifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.
- HEALTH/FITNESS CENTER PUBLIC: A public facility operated to promote physical health and fitness. Activities may include exercise, physical therapy, training, and education pertaining to health and fitness. Uses or combinations of uses or facilities would typically include, but are not limited to, indoor or outdoor game courts, weightlifting and exercise equipment, aerobics, swimming pools and spas, and running or jogging tracks.
- HOME OCCUPATION: A business activity customarily carried on in the home by a member of the occupant's family without structural alterations in the building or any of its rooms, without the installation or outside storage of any machinery, equipment or materials other than that customary to normal household operations, without the employment of persons not residing in the home, without the use of a sign to advertise the occupation, and which does not cause the generation of additional traffic in the street.
- MOBILE <u>COLLECTION AND REDEMPTION AND COLLECTION</u> CENTER: A truck, van, trailer or other vehicle used for the collection, sorting or temporary storage of used metal cans, plastic, glass, paper, or materials or for the collection of clothing, furniture, appliances, or items. (Also see Article XXVIII., Section E). (*Ord. No. 1705, 05/07/91*); (*Ord. 3439, 05/03/11*; (*Ord. No. 3866, 07/10/18*)
- OFFICE, PROFESSIONAL AND GENERAL ADMINISTRATIVE: An establishment where business is carried on by people working at desks used for writing, communication, computers, and meetings used for the provision of executive, management, or administrative services. Typical uses

include, but are not limited to administrative offices and services including banks, savings and loans, investment and credit unions financial institutions; real estate; property management, legal services; architectural/engineering offices; travel agencies; secretarial services; call centers; accounting; offices for civic organizations and associations; and vehicle rental office without on-site storage of automobiles, motorized vehicles, or travel trailers. (Ord. No. ; 05/06/25)

### PARCEL: (See LOT)

- PARKING, GARAGE STRUCTURE (PRINCIPAL USE): A structure for the temporary parking of operable personal and light commercial vehicles. Commercial facilities for washing, repair, or other services shall not be included in the definition. (Ord. No. 3943, 01/14/20) (Ord. No. \_\_\_\_; 05/06/25)
- PARKING, SURFACE (PRINCIPAL USE): An approved parking surface, as described herein, where motor vehicles may be stored for the purpose of temporary, daily or overnight off-street parking. (Ord. No. 3943, 01/14/20) (Ord. No. : 05/06/25)
- PARKING (REQUIRED) OFFSITE WITHIN 300 FEET OF THE PRINCIPAL USE: A provision that allows required parking spaces to be located offsite as a principal or accessory use of land, within a specified distance of 300 radial feet (measured property line to property line) from the principal use. Offsite parking shall be easily accessible for pedestrians by sidewalk and designated pedestrian street crossings, shall be legally designated for use by the occupants or visitors of the principal use, and shall require a parking agreement. Required parking offsite located greater than 300 feet from the principal use is not permitted. (Ord. No. \_\_\_\_; 05/06/25)
- PRINT SHOP: The reproduction and production of printed materials using various printing techniques, including digital printing, offset printing, and lithography. Services provided may include the printing of documents, brochures, flyers, business cards, and other materials that do not involve custom signage or graphics typically associated with screen printing. A print shop primarily emphasizes general document and product printing. (Ord. No. \_\_\_; 05/06/25)
- REGISTERED AND LICENSED CHILD-CARE HOMES OR LISTED FAMILY HOMES: As defined and regulated by Chapter 42 of the Human Resources Code and the Texas Administrative Code of the State of Texas as may be amended, and in accordance with such standards as may be promulgated by the Texas Department of Family and Protective Services.

<u>Registered & Licensed Child Care Homes</u> provide services for up to 12 children for less than 24 hours per day at the permit holder's home and are residential in character. These are considered "Home Occupations" (See HOME OCCUPANCY).

<u>Listed Family Homes</u> provide services for up to three children unrelated to the home occupant and are residential in character. These are considered "Home Occupations" (See HOME OCCUPANCY).

Registered and licensed childcare homes shall be limited to no more than two unrelated employees in addition to the primary care giver. (*Ord. No. 3587, 12/03/13*)

RESIDENCE: A dwelling.

RESIDENTIAL DISTRICT: A zoning district within the City of Carrollton wherein the primary purpose is for residential uses, including single-family attached and detached residences, duplexes, townhouses, apartments and condominiums, mobile or manufactured homes, and modular homes.

- RESIDENTIAL KITCHEN: An area which has permanent cooking equipment and any one of the following:
  - a. A sink; with a two-inch drain;
  - b. A refrigerator of a 10-cubic-foot capacity or larger; or
  - c. An automatic dishwasher.

A residential kitchen may also be defined as an area without permanent cooking equipment and any two of the following:

- a. A sink; with a two-inch drain;
- b. A refrigerator of 10-cubic-foot capacity or larger; or
- c. An automatic dishwasher.

Permanent cooking equipment shall be considered any of the following:

- a. Any gas range or oven/cook-top; or
- b. 220-volt electrical range or oven/cook-top; or
- c. Any built-in electrical range or oven/cooktop. (Ord. No. 1739, 10/01/91)
- RESIDENTIAL LOFT: A single lot containing a non-residential principal use on the ground floor and containing not more than 2—residential dwelling units, located on the second floor or higher, in the Historic Square Sub-District of the Downtown Transit Center District.-(Ord. No. \_\_\_\_: 05/06/25)
- RESTAURANT, FULL-SERVICE: As defined by the North American Industry Classification System (NAICS), 20222007 edition, with the additional description that a full-service restaurant may not have a drive through window. (Ord. No. 3421, 01/11/11) Sale of alcoholmixed beverages in restaurants shall be allowed only with a Food and Beverage Certificate, as regulated by Texas Alcohol Beverage Commission. (Ord. No. \_\_\_\_; 05/06/25)
- RESTAURANT, LIMITED-SERVICE: As defined by the North American Industry Classification System (NAICS), 20222007 edition, with the additional description that a limited service restaurant may have a drive through window as an accessory use with a technical site plan. Sale of alcoholmixed beverages in restaurants shall be allowed only with a Food and Beverage Certificate, as regulated by Texas Alcohol Beverage Commission. (Ord. No. \_\_\_\_; 05/06/25)
- SCREEN PRINTING AND SIGN MANUFACTURING: The design, production, and application of graphics and text on various substrates including garments using screen printing techniques. This includes the creation of signs, banners, decals, and other promotional materials, as well as related activities such as engraving and associated digital printing. (Ord. No. \_\_\_\_; 05/06/25)
- WATER STORAGE: A facility or structure used for the storage of potable or non-potable water, including but not limited to water towers, water tanks, and other elevated or ground-based containers designed to hold and distribute water for public, industrial, or private use. This use includes structures specifically intended for the storage, regulation, and distribution of water to surrounding areas, but shall not include water treatment or processing facilities. (Ord. No. \_\_\_\_; 05/06/25)

**B. P&Z ACTION** from P&Z meeting: 03/07/25

Result: CONTINUED to the April 3, 2025 P&Z meeting

/Vote: **9-0** 

C. **P&Z ACTION** from P&Z meeting: 04/03/25

Result: **APPROVED** 

/Vote: 7-0 (Kramer and Martin Absent)

**D. CC PUBLIC HEARING / ORDINANCE ACTION** from CC meeting: 05/20/25

Result: /Vote:

### ZONING TEXT AMENDMENT

Case Coordinator: Emily Offer

### **GENERAL PROJECT INFORMATION**

**REQUEST:** This is a city-initiated request to amend the Comprehensive Zoning

Ordinance (CZO).

**APPLICANT:** City of Carrollton

### **BACKGROUND INFORMATION**

Staff routinely proposes updates to codes and ordinances as appropriate. Below is a list of changes made to each Article of the CZO:

### 00.6 Table of Contents

- Remove mention of (HI) Heavy Industrial.
- Replaced (NS) Neighborhood Services with "Reserved for Future Use" as the (NS)
   Neighborhood Services District no longer exists.

### **02 Zoning Districts**

- Remove mention of (HI) Heavy Industrial and (NS) Neighborhood Service.
- Reorganize listing of districts.

### 05 Use of Land

- Remove mention of (HI) Heavy Industrial.
- Consolidate (O-3) Office and (O-4) Office.
  - o (O-3) Office and (O-4) Office districts permit the same uses in both districts, so we are consolidating their columns.
- Revising NAICS codes in the use chart as NAICS made updates to their codes in 2022.
- Revising the way in which accessory uses may be used to ensure appropriateness.
- Removing "Dwelling" from Caretaker or Night Watchman's Quarters.
  - O This is outdated, misused, and has caused problems; the intent was to allow a guard at night and people abused it to reside at the property.
  - Only permitting this accessory use per an SUP to monitor the use.
- Removed Caretaker or Night Watchman's Quarters; Guard Tower, No Dwelling.
  - o This is redundant and unnecessary.
- Removing the requirement for a TSP for drive-through windows.
- Removed Home Occupation from the CZO as it is covered, in detail, in the Carrollton Code of Ordinances.

- o A CO is not issued for this use.
- Code enforcement monitors home occupations.
- Permitting Residential Lofts in the (TC Historic Square).
- Including "Piercings, and/or Permanent Makeup Service" to Tattoo Parlors.
- Permitting the Commercial Amusement, Indoor use in (LI) Light Industrial by right.
  - o Large warehouses are commonly used for this purpose.
- Revising "Parks" to "Park" to match the definition in Article XXXIV.
- Removing the SUP permit for Smoke Shop Retailers from the (TC) Transit Center Districts.
- Adding the Window Tint, Window Replacement, and/ or Vehicle Wrap use to the use chart and allowing it by right in (LR-2), (LC), (HC), (C/W), and (LI), and permitting the use by SUP in (FWY).
- Including "and/or inspection" to Automobile Quick Lube, Tire Service as these uses are commonly grouped together and inspection is not otherwise mentioned in the use chart.
- Permitting "Bulk Stations and Storage Terminal (Petroleum)" in (LI) by way of an SUP.
  - o (HI) is being removed from the CZO as the district does not exist in Carrollton and the use is in alignment with (LI) district in every way other than two particular uses.
- Removing text covered in the NAICS definition for Beverage Manufacturing.
- Adding "Screen Printing" to "Sign Manufacturing" as it is not otherwise mentioned in the use chart.
- Including "Newspaper, Magazine, or Book Publishing/Manufacturing" as this use is not mentioned in the use chart.
  - o Permitting this use in (FWY)
- Including Print Shop as this use is not covered in the use chart.
  - o Permitting this use in (LR-2), (LC), (HC), (C/W), and (FWY)
- Parking Lot/ Garage designations were restructured to be clearer and easily interpreted.
- Permitting "Oil Extraction" in (LI) by way of an SUP as this is one of two uses in the use chart that is only permitted in the (HI) district.
  - (HI) is being removed from the CZO as the district does not exist in Carrollton and the
    use is in alignment with (LI) district in every way other than two particular uses.
- Removed the TSP requirement for ATMs as the purpose of the TSP requirement was to assess the drive-through windows associated with an ATM.
- Permitting "Child, Youth, Elderly & Persons with Disabilities Services" in commercial and industrial districts.
- "Health/Fitness Center" text changed to "Fitness and Recreational Sports Centers" in accordance with the NAICS code 71394.
- Removed Painting or Paper Service and Welding Service as they are both covered by Special Trade Contractors NAICS designation and are allowed in the same zoning districts.
- Changed "Commercial and Industrial Machinery Equipment Rental and Leasing" to "Commercial and Industrial Machinery Equipment Sales, Rental, and Leasing" to include sales for clarity.
- Consolidated the various contract construction services into two uses and distinguished between the two by whether or not they have outside storage of equipment or materials.

### 17 Industrial Park

 Revising the Industrial Park Article to "Reserved to Future Use" as this article was repealed some time ago and the inclusion of "Industrial Park" in the use chart confuses the public.

### 18 Industrial

• (HI) is being removed from the CZO as the district does not exist in Carrollton and the use is in alignment with (LI) district in every way other than two particular uses.

### 24 Off Street Parking

- Adding language to ensure parking standards are permitted in accordance with parking standards outlined in the Article XX. (TC) Transit Center Districts.
- Added Event Centers and Reception Halls to the parking matrix as this was not previously covered/included.
- Added language to ensure flexibility for parking requirements for uses such as fitness centers, event centers, and places of worship, which require significantly more parking than standard retail uses.
- Added language permitting a reduction in the loading dock depth subject to approval by staff.
   Reduction will require a maneuverability study submittal to assess the reduction request.
- Reduced the total offset required for large truck loading docks, reduction was reevaluated by engineering staff.
- Changed the appeals process to properly reflect the legal appeal process.

### 28 Special Conditions and Development Standards

- Removing the TSP requirement for drive-through windows as this is assessed in the building permit process.
- Revised Section G. Sale of Alcoholic Beverages to clearly differentiate between sale of alcohol for on-premise and off-premise consumption.

### **34 Definitions**

- Included a definition for Automobile Quick Lube, Tire Service, And/ Or Inspection as this is a new use added to the use chart.
- Included a definition for Beer and Wine Off-Premise as this was not previously defined.
- Added to the "Commercial Amusement, Indoor" definition to include popular indoor recreation activities.
- Removed the "s" in Community Homes to match the use chart.
- Moved the definition for "Government Facility" to be in alphabetical order.
- Included a definition for "Group Quarters" as this was not previously identified in the use chart and NAICS does not provide a suitable category for this use.
- Removed definition for "Health/Fitness Center", as NAICS describes the use.

- Removed Home Occupation from the CZO as it is covered, in detail, in the Carrollton Code of Ordinances.
  - o A CO is not issued for this use.
  - o Code enforcement monitors home occupations.
- Revised "Mobile Redemption and Collection Center" to "Mobile Collection and Redemption Center" to match Article V.
- Removed "Parcel" as this is a commonly known term.
- Included a definition for "Print Shop" as this is a new use added to the use chart.
- Included a definition for "Residential Loft" as this is a new use added to the use chart.
- Included additional information in the definitions for Restaurant Full-Service and Restaurant Limited-Service to address a commonly misunderstood TABC requirement.
- Included a definition for "Screen Printing" and "Sign Manufacturing" as this is a new use added to the use chart.
- Included a definition for "Water Storage" as this was not previously identified in the use chart and NAICS does not provide a suitable category for this use.
- Removed "two inch drain" specification for Residential Kitchens.

### **CONCLUSION**

Staff is recommending approval amending the Comprehensive Zoning Ordinance (CZO).

Excerpt from Minutes
Planning & Zoning Commission
Meeting of April 3, 2025

# Minutes City of Carrollton Planning & Zoning Commission April 3, 2025 Briefing Session and Meeting

A meeting of the City of Carrollton Planning & Zoning Commission was held on Thursday, April 3, 2025 at 6:30 p.m. in the Council Chambers at City Hall.

### **Commission Members Present:**

Scott Windrow, Chair
Greg Kramer, Vice Chair
Kathleen Foster, 1<sup>st</sup> Vice Chair
Jim Doyle
Mark Yarbrough
John Powell
Al Overholt
Dave Hermon
Willadean, Martin

### **Alternate:**

**Rusty Pendleton** 

### **Staff Members Present:**

Loren Shapiro, Planning Manager Michael McCauley, Senior Planner Emily Offer, Senior Planner Brian Passwaters, Community Services Manager Lydia Tormos, Planning Technician

**Guests Present:** 

Daisy Palomo, Council Observer

(Note: \* = designation of a motion)

**Commission Members Absent:** 

None

Ed Green, Building Inspections Herb Cavanaugh, Fire Marshal John Romberger, Transportation Engineer Albert Thomas, Asst. City Attorney Darwin Ortega, Sr. Code Enforcement Ofcr.

12. Hold A Public Hearing To Consider An Ordinance **Amending The Text Of The Comprehensive Zoning Ordinance** (**CZO**) To Amend, Add Or Delete Content And To Improve The General Organization Of The Amended Sections, Including Amendments To Article 00.6. Table of Contents; Article II. Zoning Districts; Article V. Uses Of Land And Structures; Article XVII. (IP) Industrial Park; Article XVIII. (LI, HI) Light Industrial And Heavy Industrial Districts; Article XXIV. Off-Street Parking, Loading And Stacking Regulations; Article XXVIII. Special Conditions And Development Standards; And Article XXXIV. Definitions. **Case No. PLZT 2024-144 Comprehensive Zoning Ordinance Text Amendments**. Case Coordinator: Emily Offer.

Emily Offer presented this item. She provided an overview of the proposed changes to the text of the Comprehensive Zoning Ordinance. In summary, the changes include the following: Removed (HI) Heavy Industrial District; removed TSP requirements for Drive-Through Windows; updated NAICs codes to reflect the 2022 NAICs iteration; revisions associated with organization and grammar. Other changes were reviewed, including new land uses, modification of existing uses, off-street parking, lofts in downtown, alcoholic beverage sales on/off premises, and definitions, as well as others.

Questions were raised by Commissioner Overholt regarding drive throughs, lofts, window tinting, oil extraction, and parking garages. Responses were provided by Ms. Offer and Ed Green, Building Inspections. Mr. Shapiro added that what is being proposed simplifies the ordinance for better enforcement.

Commissioner Martin asked what Heavy Industrial zoning is. Ms. Offer said it includes things like oil extraction or fracking, however, there is no property in Carrollton zoned (HI) Heavy Industrial.

Commissioner Kramer asked if the section on alcoholic beverages includes allowing liquor stores. Ms. Offer responded that it does not.

Chair Windrow opened the public hearing.

Ed Green, Building Inspections, described how closely his department works with Planning and expressed his appreciation for Ms. Offer's work on this revision.

\* Commissioner Foster moved to close the public hearing and approve Case No. PLZT 2024-144 Comprehensive Zoning Ordinance Text Amendments; second by Commissioner Hermon. The motion was approved with a vote of 9-0.

CZO TEXT AMENDMENT DATE: 05/20/25

### ORDINANCE NUMBER \_\_\_\_\_

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AMENDING ORDINANCE NUMBER 1470. OTHERWISE KNOWN AS COMPREHENSIVE ZONING ORDINANCE, AMENDING THE TEXT OF ARTICLE 00.6. TABLE OF CONTENTS, ARTICLE II. ZONING DISTRICTS, ARTICLE V. USES OF LAND AND STRUCTURES, ARTICLE XVII. (IP) INDUSTRIAL PARK, ARTICLE XVIII. (LI, HI) LIGHT INDUSTRIAL AND HEAVY INDUSTRIAL DISTRICTS, ARTICLE XXIV. OFF-STREET PARKING, LOADING AND STACKING REGULATIONS, ARTICLE XXVIII. SPECIAL CONDITIONS AND DEVELOPMENT STANDARDS, AND ARTICLE XXXIV. DEFINITIONS; PROVIDING PENALTY, SEVERABILITY, REPEALER AND SAVINGS CLAUSES; AND PROVIDING AN EFFECTIVE DATE ON AND AFTER ITS ADOPTION AND PUBLICATION.

**WHEREAS**, at a public hearing held on the Third day of April 2025, the Planning & Zoning Commission considered and made recommendation on a change to the Comprehensive Zoning Ordinance of the City of Carrollton (Case No. PLZT 2024-144); and

**WHEREAS**, the City Council conducted a public hearing on the Twentieth day of May 2025, at which all persons were given an opportunity to present testimony; and

**WHEREAS**, the City Council, after determining all legal requirements of notice and hearing have been met, has further determined the following amendment to the zoning laws would provide for and would be in the best interest of the health, safety, morals and general welfare:

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

### Section 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council, and they are hereby approved, ratified and incorporated into the body of this Ordinance as if copied in their entirety.

### Section 2.

Article 00.6. Table Of Contents, Part II Use Districts, is hereby amended to read in accordance with Exhibit A attached hereto and incorporated herein its entirety.

### Section 3.

Article II. Zoning Districts is hereby amended to read in accordance with Exhibit B attached hereto and incorporated herein its entirety.

### Section 4.

Article V. Use of Land and Structures, Sections B and C are hereby amended to read in accordance with Exhibit C attached hereto and incorporated herein its entirety.

#### Section 5.

Article XVII. (IP) Industrial Park is hereby amended to revise the title of the article and to read as follows:

"ART. XVII RESERVED FOR FUTURE USE

### ARTICLE XVII.

(Ord. No. 3331, 10/06/09 repealed the (IP) Limited Industrial/Industrial Park District in its entirety) (Ord. No. \_\_\_\_\_; 05/06/25 revised Article XVII. to be reserved for future use.)"

### Section 6.

Article XVIII. (LI, HI) Light Industrial and Heavy Industrial Districts is hereby amended to remove the (HI) Heavy Industrial District and to read in accordance with Exhibit D attached hereto and incorporated herein its entirety.

### Section 7.

Article XXIV. Off-Street Parking, Loading and Stacking, Sections C, F, H, and I are hereby amended to read in accordance with Exhibit E attached hereto and incorporated herein its entirety.

### Section 8.

Article XXVIII. Special Conditions and Development Standards, Sections F and G are hereby amended to read in accordance with Exhibit F attached hereto and incorporated herein its entirety.

### Section 9.

Article XXVIII. Special Conditions and Development Standards, Section H Site Plan Review For Drive Through Windows is hereby repealed in its entirety.

### Section 10.

Article XXXIV. Definitions is hereby amended to read in accordance with Exhibit G attached hereto and incorporated herein its entirety.

### Section 11.

Any person, firm or corporation violating a provision of this Ordinance, upon conviction, is guilty of an offense punishable as provided in Section 10.99 of the Carrollton City Code.

### Section 12.

The provisions of this Ordinance are severable in accordance with Section 10.07 of the Carrollton City Code.

### Section 13.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Carrollton, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

### Section 14.

Ordinance Number 1470, otherwise known as the Comprehensive Zoning Ordinance, Chapter 153 of the Code of Ordinances, and the Official Zoning Map, as amended, shall remain in full force and effect.

### Section 15.

This Ordinance shall become and be effective on and after its adoption and publication.

PASSED AND APPROVED this the Twentieth day of May 2025.

### CITY OF CARROLLTON

ATTEST:	Ву:	Steve Babick, Mayor
Chloe Sawatzky City Secretary		
APPROVED AS TO FORM:		APPROVED AS TO CONTENT:
Meredith Ladd City Attorney		Emily Offer Senior Planner

### **EXHIBIT A**

## Part II USE DISTRICTS

(Ord. No. 3891, 12/11/18) (Ord. No. \_\_\_; 05/20/25)

Article VI.	(IH) INTERIM HOLDING DISTRICT REGULATIONS 6-1
Article VII.	(SF-12/20, SF-10/18, SF-8.4/18, SF-8.4/16, SF-7/16, SF-7/14, SF-6.5/12, SF-PH) SINGLE-FAMILY RESIDENTIAL DISTRICT REGULATIONS
Article VIII.	(SF-A, SF-TH) SINGLE-FAMILY ATTACHED AND TOWNHOUSE RESIDENTIAL DISTRICTS REGULATIONS 8-1
Article IX.	(D) DUPLEX, RESIDENTIAL DISTRICT REGULATIONS 9-1
Article X.	(MF-12, MF-15, MF-18) MULTI-FAMILY RESIDENTIAL DISTRICTS REGULATIONS10-1
Article XI.	(MHP) MOBILE HOME PARK DISTRICT REGULATIONS 11-1
Article XII.	(O-1, O-2, O-3, O-4) OFFICE DISTRICT REGULATIONS 12-1
Article XIII.	RESERVED FOR FUTURE USE (Ord. No; 05/06/25)
Article XIV.	(LR-1, LR-2) LOCAL RETAIL DISTRICTS REGULATIONS 14-1
Article XV.	(LC, HC, C/W) LIGHT COMMERCIAL, HEAVY COMMERCIAL, AND COMMERCIAL/WAREHOUSE DISTRICTS REGULATIONS
Article XVI.	(FWY) FREEWAY DISTRICT REGULATIONS 16-1
Article XVI.1	(I-35E) INTERSTATE OVERLAY DISTRICT REGULATIONS16.1-1
Article XVII.	RESERVED FOR FUTURE USE
Article XVIII.	(LI) LIGHT INDUSTRIAL DISTRICT REGULATIONS (Ord. No; 05/06/25)
Article XIX.	(PD) PLANNED DEVELOPMENT DISTRICT REGULATIONS19-1

Article XX.	(TC) TRANSIT CENTER DISTRICT REGULATIONS	. 20-1
Article XX.1	(CC) CORPORATE COMMERCIAL DISTRICT REGULATIONS	0.1-1
Article XX.2	"GWY" GATEWAY OVERLAY DISTRICT REGULATIONS 2	0.2-1
Article XX.3	"HP" HISTORIC PRESERVATION OVERLAY DISTRICT REGULATIONS	0.3-1
Article XX.4	"JBL" JOSEY-BELT LINE REDEVELOPMENT OVERLAY DISTRICT	0.4-1
Article XXI.	SPECIAL USE PERMITS	. 21-1
Article XXII.	NONCONFORMING USES AND STRUCTURES	. 22-1

### **EXHIBIT B**

### ARTICLE II. ZONING DISTRICTS

(Ord. No. 2835; 07/01/03) (Ord. No. \_\_\_\_; 05/20/25)

### SECTION A. ZONING DISTRICTS ESTABLISHED.

The City of Carrollton, Texas, is hereby divided into 35 types of districts. The use, height, area, and other regulations as set out herein are uniform in each district. The 35 districts established herein shall be known as:

SF-12/20	Single-Family Residential District;	O-2	Office District;
SF-10/18	Single-Family Residential District;	O-3	Office District;
SF-8.4/18	Single-Family Residential District;	O-4	Office District;
SF-8.4/16	Single-Family Residential District;	LR-1	Local Retail District;
SF-7/16	Single-Family Residential District;	LR-2	Local Retail District;
SF-7/14	Single-Family Residential District;	LC	Light Commercial District;
SF-6.5/12	Single-Family Residential District;	HC	Heavy Commercial District;
SF-5/12	Single-Family Residential District;	C/W	Commercial/Warehouse District;
SF-PH	Single-Family-Patio Home District;	IH	Interim Holding District;
SF-A	Single-Family-Attached Residential	FWY	Freeway District;
	District;	LI	Light Industrial District;
SF-TH	Single-Family Townhouse Residential	PD	Planned Development District;
	District;	TC	Transit Center District;
D	Duplex Residential District;	CC	Corporate Commercial District;
		GWY	Gateway Overlay District;
MF-12	Multi-Family Residential District;	HP	Historic Preservation Overlay District
MF-15	Multi-Family Residential District;	JBL	Josey-Belt Line Redevelopment
MF-18	Multi-Family Residential District;		Overlay District
MHP	Mobile Home Park Residential	I-35E	Interstate Overlay District
	District;	PD	Planned Development
O-1	Office District;		

(Ord. No. 1705, 05/07/91); (Ord. No. 1739, 10/01/91); (Ord. No. 1932, 08/17/93); (Ord. No. 2037, 11/15/94); (Ord. No. 2258, 04/15/97); (Ord. No. 2706, 07/16/02); (Ord. No. 2965, 04/19/05); (Ord. No. 3891, 12/11/18); (Ord. No. 4084, 06/21/2022 repealed the (NS) Neighborhood Service District in its entirety) (Ord. No. \_\_\_\_; 05/20/25 repealed (HI) Heavy Industrial District in its entirety)

### SECTION B. OFFICIAL ZONING MAP.

The boundaries of the zoning districts set out herein are delineated upon the Official Zoning Map of the City of Carrollton, said map being a part of this ordinance as fully as if the same were set forth herein in detail.

- 1. If, in accordance with the provisions of this ordinance and Article 211 of the Texas Local Government Code, as amended, changes are made in district boundaries or other matters portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been ratified by the City Council. (*Ord. No. 3891*, 12/11/18)
- 2. All changes made on the Official Zoning Map will note on the map the ordinance number of such ordinance authorizing the map change.
- 3. No changes of any nature shall be made on the Official Zoning Map or to matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of any nature by any person or persons shall be considered a violation of this ordinance and punishable as provided for hereafter.
- 4. Regardless of the existence of copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map, which shall be maintained on the City's website and located in the Urban Development Department, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures within the City. (*Ord. No. 3891, 12/11/18*)
- 5. One updated copy of the Official Zoning Map shall be filed with the City Manager or Designee and shall be used for observation in issuing building permits, Certificates of Occupancy, and for enforcing the Comprehensive Zoning Ordinance.
- 6. One updated copy of the Official Zoning Map shall be filed with the City Manager or Designee for reference purposes and shall be maintained up to date by posting thereon all changes and subsequent amendments.
- 7. Reproductions for informational purposes may, from time to time, be made of the Official Zoning Map.
- 8. In the event that the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of the nature and/or number of changes or additions, the City Council may, by resolution, adopt a new Official Zoning Map, which shall supersede the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendments thereof. The new Official Zoning Map shall bear the signature of the Mayor and attestation by the City Secretary under the following words:

"This is to certify that this Official Zoning Map supersedes and replaces the original Zoning Map referred to in Article II of Ordinance Number 1470 of the City of Carrollton, Texas."

- 9. Unless the prior Official 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.
- 10. The existing zones or district boundaries are hereby re-established and district name designations are and shall be changed as follows:

### CHANGE OF ZONING DISTRICT NAME DESIGNATION

	FROM		TO
(R-1)	Single-Family District	(SF-12/20)	Single-Family District
(R-2)	Single-Family District	(SF-10/18)	Single-Family District
(R-3)	Single-Family District	(SF-8.4/16)	Single-Family District
(R-4)	Single-Family District	(SF-7/14)	Single-Family District
(A)	Apartment District	(MF-18)	Multi-Family District
(GA)	Garden Apartment District	(MF-15)	Multi-Family District
(MF-1)	Multi-Family District	(MF-18)	Multi-Family District
(MF-2)	Multi-Family District	(MF-15)	Multi-Family District
(MF-3)	Multi-Family District	(MF-12)	Multi-Family District
(MF-15)	Multi-Family District	(MF-12)	Multi-Family District
(MF-20)	Multi-Family District	(MF-15)	Multi-Family District
(MF-25)	Multi-Family District	(MF-18)	Multi-Family District
(O)	Office District	(O-2)	Office District
(LR)	Local Retail District	(LR-2)	Local Retail District
(NS)	Neighborhood Services District	(LR-1)	Local Retail District
(C)	Commercial District	(HC)	Heavy Commercial District
(I)	Industrial District	(LI)	Light Industrial District
(HI)	Heavy Industrial District	(LI)	Light Industrial District

(Ord. No. 1557, 07/11/89); (Ord. No. 1739, 10/01/91); (Ord. No. 4084, 06/21/2022 repealed the (NS) Neighborhood Service District in its entirety) (Ord. No. \_\_\_\_; 05/20/25 repealed (HI) Heavy Industrial District in its entirety)

### **EXHIBIT C**

### SECTION B. NEW AND UNLISTED USES.

1. Because of the large number of economic activities within the national economy, some uses have been identified herein under the broad heading of its relevant economic activity. For such uses that may not be specifically listed herein, reference shall be made to Part I of the North American Industry Classification System, United States, 2022 edition, for an interpretation. Article XXXIV Definitions for uses listed herein override the North American Industrial Classification System descriptions. (Ord. No. 1670, 11/20/90); (Ord. No. 3331, 10/06/09) (Ord. No. \_\_\_\_, 05/20/25)

It is recognized, however, that new types of land uses will develop, and forms of land use not currently anticipated may, from time to time, seek to locate within the City of Carrollton that are not listed within the North American Industry Classification System or not defined in Article XXXIV. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be made as follows: (Ord. No. 3331, 10/06/09)

- a. The City Manager or Designee shall refer the question concerning any new or unlisted land use to the Planning and Zoning Commission, requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use and whether it involves dwelling activity, sales, processing, type of product, storage, and the amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated, and the general requirements for public utilities, such as water and sanitary sewer.
- b. The Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the other uses permitted in the various districts and determine the zoning district or districts within which such use should be located.
- c. The Planning and Zoning Commission shall transmit its findings and recommendations to the City Council as to the classification proposed for any new or unlisted use. The City Council shall approve the recommendation of the Planning and Zoning Commission, or make such determination concerning the classification of such use as it determines appropriate based upon its findings.
- d. The text of this ordinance shall be amended in accordance with the determination of the City Council, as prescribed in Article XXXI of this ordinance. Such text amendment may be initiated subsequent to, or concurrent with, the procedures stated in paragraphs (a) through (c) above.

### SECTION C. USE MATRIX.

Land and structures in each of the zoning districts may be used for any of the indicated uses, but no land shall hereafter be used, and no building or structure shall hereafter be erected, altered, converted, arranged, designed, or used for other than those uses specified as permitted uses in the district in which it is located, according to the Use Matrix, and in accordance with the provisions of the applicable Articles of this ordinance.

In some instances, planned developments of special use permits have been approved which provide a list of allowable uses in the amending ordinance whereby the unique numerical use code utilized in conjunction with this Article has been included in the amending ordinance. From time to time the numerical codes in this Article may be amended. Where the numerical use code contained in this ordinance creating the planned development district or special use permit is different for a particular use from the use code contained in this Article for the same use, such use shall remain valid as an allowed use to the extent permitted by the applicable planned development or special use permit ordinance. Provided, however, that such numerical use code contained in the planned development or special use permit ordinance shall become void, and have no bearing on the application of the provisions of the planned development or special use permit ordinance. (Ord. No. 1670, 11/20/90)

### LEGEND FOR INTERPRETING USE MATRIX

Refer to Article XXXIV Definitions

Use permitted in district indicated.
Use prohibited in district indicated.
Use permitted only upon approval of a Special Use Permit. (Reference Article XXI)
Use permitted only upon approval of a Special Development Plan.
Use permitted only upon approval of a Technical Site Plan.
Use permitted only as an accessory use incidental to a permitted principal use on the same lot or parcel.
Use permitted on a temporary basis only, upon approval of the City Manager or Designee.
Use permitted on an interim basis only, and located on unplatted tracts of land.
Use permitted if specific conditions are met. See Article XX.1
Not elsewhere classified.

	CGED 8) 8 8 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9 9												т		TOWN CENTE	:R	TC	U					
Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(мни)	(0-1) (0-2)	(0-3) (0-4)	(LR-1)	(LR-2)	(22)	(1°C)	(нс)	(c/w)	(FWY)	(11)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills 1	Frankford To
ACCESSOR																							
C001	Accessory Use Located on a Separate Lot or Parcel from the Main Use*	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	SDP	s
C002	Adult Daycare Home or Day Activity and Health Service Facility * (Ord. No; 05/06/25)	A	А	А	А	А	А				А					А		А	А	А	А	А	А
C003	Amateur Radio/Television Towers (See Art. XXVIII) *	A	А	Α	Α	А	А	Α	А	А	А	А	А	А	А	А	А						
C004	Automated Teller Machine (ATM) (Ord. No. 3943,							Α.	А	А	А	А	A	А	А	А	А	А	А	A	А	А	A
441120	01/14/20) * Automobile or Light Load Truck Sales (Used) Accessory to New Automobile or Light Truck Sales Only (Ord. No. 3891, 12/11/18) *												A	A	A	A	A						
81112	Automobile Paint and Body Shop-accessory use to New Automobile or Light Truck Sales Only (Ord. No; 05/06/25)										А	AC	А	А	А	А	А						
5321	Automobile Equipment Rental and Leasing (incl. automobiles, motor vehicles, travel trailers) acc. to car dealers or Auto Paint and Body Shop											AC		A	А	А	А						
8111	Automobile or Light Load Truck Repair Garage accessory use to New Automobile or Light Truck Sales Only (Ord. No; 05/06/25)										А	AC	А	А	А	А	А						
C005	Other Motor Vehicle Repair Garage *													A	A	A	А						
C006	Bus Parking or Storage (Accessory to an Institutional Use)	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А						
C007	Cabana, Pavilion or Gazebo *	А	A	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А	А
811192	Car Wash, Full Service or Self Service or Automated					А					А	AC	А	А	А	A	A						$\overline{}$
C008	(Accessory Use, Max. 1 wash bay)  Caretaker or Night Watchman's Quarters *												s	s	s		s						
C009	Carport *	A	A	A	А	A	А	A	A	s	s	A	A	A	A	A	A		A	A	A		A
C010	Drive-Through Windows (See Art. XXVIII) *							A	A	A	A	A	A	A	A	A	A						Ë
C011		A		A		A	A	_ ^	^	-		-		-	^				A				
C011	Garage, Private (Residential) *  Guest House or Servant's Quarters (Ord. No. 1739, 10/01/91) *	A	A	A	A	A	A												A	A	A	A	
C013	Health and Fitness Center, Private or Public *					А	А	А	А			А	А	А	А	А	А	А	А	Α	Α	Α	А
C0014	Kiosk, Food Sales and Service *										А		А	Α	А	А	А	А	А	А		А	Α
C0015	Kiosk, Informational *		A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		Α.	A
C0016	Kiosk, No Food Sales or Service *									A	A		A	A	A	A	A	A	A	A	A	A	A
531311	Leasing or Management Office *													^					^				_
		_	_	_	_	Α	Α	_	_	_	_	_	_	_	_	_	_	_		_	_		-
C0017	Other Accessory Uses, NEC. *  Outside Above Ground Storage of Flammable or Combustible Liquids or Hazardous Materials (Ord. No.	S	S	s	S	s	s	S	s	s	s	S A	S A	S A	S A	S A	S A	s	s	s	s	SDP	s
C0019	1705, 05/07/91; Ord. 3653; 12/09/14) *										_		А			_	А	А	А	А		А	
	Outside Display (See Art. XXVI) *									Α	A		A	Α .	Α .	Α .	A	^	^	^		^	A
C0020	Outside Storage (See Art. XXVI) * Parking, Garage Structure, Accessory (Ord. No. 3939,													Α .	Α .	Α .					_		
C0021 C0022	12/13/19);(Ord. No. 3943, 01/14/20) * Parking, Surface, Accessory (Ord. No. 3939,	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A S	A S	A S	S	SDP	A
C0023	12/13/19);(Ord. No. 3943, 01/14/20) * Parsonage or Rectory, accessory to a place of worship only	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A				A		
C0025	Private Greenhouse or Nursery *	A	A	A	A																		
C0024	Registered and Licensed Child Care Homes or Listed Family	A	A	A	A	А	A				A					A		A	А	Α.	Α.	Α	A
C0025	Homes *	A		A	A	A	A	Α	A				A	A	Α.	A		Α	A		A	A	
C0026	Satellite Television Reception Dish  Smoking Lounge (Accessory Use to a Full-Service Restaurant Only) (Ord. 4066, 04/05/2022; Ratified Ord.	A	A	A	A	A	A	A	A	A	S	S	s	s	s	s	s	s	s	S	^	s	A S
C0028	4085 06/21/2022) * Storage Building, Swimming Pool, Hot Tub or Sauna	A	A	Δ	A	A	A	Δ	A	A	А	А	A	А	A	A	A	A	A	А	A	A	A
C0029	(Private) Tennis Court, Lighted (Private)	S	s	S	s	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A
	Tennis Court, Unlighted (Private)	A	A	А	А	A	A	Α.	A	А	А	А	A	A	A	A	A	_	Α.	_	A	_	A

Permitted Use     Prohibited Use     Refer to Article XXXIV for definition	S - Special Use Permit Required TSP - Technical Site Plan Required SDP - Special Development Plan	A - Permitted as an Accessory Use T - Permitted as a Temporary Use	Im - Permitted on Interim Basis Only _C - Conditional Use (See Art. XX.1)
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Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(мнм)	(0-1) (0-3)	(0-3) (0-4)	(LR-1)	(LR-2)	(cc)	(10)	(нс)	(c/w)	(FWY)	(m)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills	Frankford TC
PRIMARY	USES	•																•					
1. RESIDEN	ITIAL																						_
C101	Manufactured Homes/Mobile Homes *						•																
C102	Multifamily Dwelling *					TSP					s					s		•	٠	•	•	SDP	s
C103	Residential Loft * (Ord. No; 05/06/25)																	•					
C104	Single-Family Attached including Townhouses *			•																•	•	SDP	s
C105	Single-Family Detached *	•																					
C106	Duplex Dwelling *																						
2. GROUP C	QUARTERS	•										•				•							
C201	Group Quarters, NEC. (excluding membership lodgings and residence halls) *					s		s	s	s	s		s										
C202	Membership Lodgings and Residence Halls, NEC.					s															s		
3. HOTELS	AND TRANSIENT LODGINGS																						
72111	Hotel, Full Service (Ord. No. 2656, 01/08/02; (Ord. No. 3265, 11/11/08) *										s	хc	s	s	s	s	s					SDP	s
72111	Hotel, Residence or Hotel Suites (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *										s	хс	s	s	s		s						
72111	Hotel, Limited Service (Ord. No. 2656, 01/08/02; Ord. No. 3265, 11/11/08) *										s	хс	s	s	s		s			•		SDP	s
C301	Short-Term Rental (Ord. No. 4127) *		s	s	s			s	s	s	s							•		•	s		
C302	Bed and Breakfast (Ord. No. 4127) *		s	s	s																		
7212	Recreational Vehicle Parks & Recreational Camps						•						s	s	s		s						
7213	Rooming & Boarding Houses					s																	
4. GOVERN	MENTAL SERVICES																						
92214	Prison, Jail or Other Correctional Institution																s						
9211	Government Facilities *	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
5. EDUCATI	ION																						
6111	Elementary & Secondary Schools, Public *	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	SDP	
6111	Elementary & Secondary Schools, Private *	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	SDP	
6113	Colleges, Universities & Professional Schools	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP	TSP						
6114	Business, Trade & Technical School (except Truck Driving Schools)								•	•	•									•		SDP	•
611519	Truck Driving Schools												s	s	s		s						
6116	Other Schools & Instruction							•	•	•	•	•	•		•	•			s	s		SDP	s
6. RELIGIO	US, CIVIC AND SOCIAL ORGANIZATIONS																	•	•				_
8131	Place of Worship *	•	•	•	•	•	•	•	•	•	•			•	•		•				•		
8134	Civic & Social Organizations								•		•												
	•	_													_								_
	Permitted Use     Prohibited Use     - Refer to Article XXXIV for definition		TSP -	Technic	Ise Peri al Site il Devel	Plan Re	quired					l as an <i>l</i> l as a Te				,	Im - Pei _C - Co	rmitted ndition	l on Into	erim Ba See Ar	sis Onl	<b>y</b>	

 $\label{eq:carrollton} Comprehensive\ zoning\ ordinance$  updated May 2025

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Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(мнм)	(0-1) (0-2)	(0-3) (0-4)	(LR-1)	(LR-2)	(00)	(110)	(нс)	(c/w)	(FWY)	(m)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills TC	Frankford TC
7. PERSON/	AL SERVICES																						
8121	Personal Care Services *							٠	•	•	•	хс	•	•	٠	•	•	٠	٠	•		SDP	٠
621399	Massage Therapy Clinic *							•	•	•	•	хc	•	•	•	•	•						
812199	Tattoo Parlor, Piercing, and/or Permanent Makeup Service (Ord. No; 05/06/25)										s			•									
8123	Dry Cleaning and Laundry Services, Minor *									•	•	хс	•	•	•		•			•		SDP	
812332	Dry Cleaning, Major *												•	•	•		•						
812910	Pet Care, Veterinary Services & Kennels (In Enclosed Building Only) (Ord. No. 2909; 07/06/04)	s									•	хс	•		•							SDP	•
81291	Pet Care, Veterinary Services & Kennels (With Outside Runs or Pens)	s											•		•								
561622	Locksmiths									•	•	хс	•	•	•	•	•	•				SDP	•
54143	Graphic Design Services							•	•	•		хс	•							•			
54192	Photographic Services											хс										SDP	
81233	Linen and Uniform Supply																						
72231	Food Service Contractors												•	•			•						
72232	Caterers									•		•	•		•	•	•	•	•	•		SDP	•
812220	Cemetery	s	s	s	s	s	s	s	s	s	s			s	s	s	s						
812220	Crematorium (Ord. No. 2015, 09/06/94)												s	s	s	s	s						
81221	Funeral Homes and Funeral Services (Ord. No 05/01/24)															s				s			
C 701	Pet Day Care (Ord. No. 4043, 12/07/2021) *																	•	•	•		SDP	
8. BUSINES	S SERVICES																						
5321	Automobile Equipment Rental and Leasing (includes automobiles, motor vehicles, travel trailers)												•	•	•		•						
5614	Business Support Services									•	•											SDP	
5613	Employment Service								•													SDP	
5324	Commercial and Industrial Machinery Equipment Sales, Rental, and Leasing														•		•						
561210	Facility Support Services												•	•									
5617	Services to Buildings and Dwellings												•				•						
5417	Scientific Research & Development Service							•	•	•	•	•	•	•									
562998	Grease Trap & Drain Vacuum Service																s						
561730	Landscaping Services												•	•	•		•						
5322	Consumer Goods Rental (Ord. No. 2099, 09/05/95)									•	•	хс	•	•	•	•							
C801	Material Recycling Center *																s						
C802	Mobile Collection and Redemption Center *									•	•		•	•			•						
C803	Automated Teller Machine (ATM) (Ord. No. 3943, 01/14/20)												•										

S - Special Use Permit Required TSP - Technical Site Plan Required SDP - Special Development Plan A - Permitted as an Accessory Use T - Permitted as a Temporary Use

 $\label{eq:carrollton} Comprehensive\ zoning\ ordinance$  updated May 2025

- Permitted Use
 [ ] - Prohibited Use
\* - Refer to Article XXXIV for definition

Im - Permitted on Interim Basis Only \_C - Conditional Use (See Art. XX.1)

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Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(мнр)	(0-1) (0-2)	(0-3) (0-4)	(LR-1)	(LR-2)	(cc)	(10)	(нс)	(c/w)	(FWY)	(II)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills	1
. ARTS, EN	ITERTAINMENT, AND RECREATION																						
51213	Theater (excl. Adult Motion Picture/Theater) *										•	•	•	•	•	•	•	•	•	•		SDP	Г
7112	Arenas, Stadiums, Lighted Athletic Fields/Parks										s	s	s	s	s	s	s	s	s	s		SDP	Γ
7121	Museums, Historical Sites & Similar Institutions							•	•		•	•	•	•		•				•			Ī
713120	Commercial Amusement, Indoor (excl. Amusement Arcades and Adult Uses) *										•	•	•			•	•	•	•	•		SDP	Г
7131	Commercial Amusement, Outdoor (excl. Adult Uses) *														s	s	s						Ī
71312	Amusement Arcades (excl. Adult Arcades) *									s	s		s	s	s	s	s	s	s	s		SDP	Т
71391	Golf Courses & Country Clubs	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s		SPD	t
71394	Fitness and Recreational Sports Center-(Private) (Ord. No.								s						_								t
71394	; 05/06/25) Fitness and Recreational Sports Center-(Public) (Ord. No.	s	s	s	s	s	s		•	•	•	•	•									SDP	
C901	; 05/06/25)  Event Centers and Reception Halls *		,			,	-	s	s	_	s	s	s	s	s	s	s	s	s	s		SDP	٢
C902	Smoking Lounge (Ord. 4066, 04/05/2022, Ratified Ord.							3	3		s	•	3	3	3	3	s	s	s	s		s	H
	4085 6/21/2022) *																						+
712190	Park *	٠	٠	•	•	٠	•	٠	٠	٠	٠	٠	٠	٠	•	•	•	•	٠	•	•	SDP	H
71399	All Other Amusement & Recreation Uses & Activities (Ord. 4066, 04/05/2022, Ratified Ord. 4085 06/21/2022)										s	s	s	s	s	s	s	s	s	s		s	
0. OFFICE																							_
C1001	Office, Professional and General Administrative *							٠	٠	•	•	٠	٠	•	•	•	•	٠	٠	٠		SDP	
C1002	Office, Medical Services *							٠	•	•	٠	٠	•	•	•	•	•	•	٠	•		SDP	
	CARE AND SOCIAL ASSISTANCE																						_
622110	Hospital, General Medical and Surgical							s	s			٠	•	•	•	•	•						1
62221	Psychiatric & Substance Abuse Hospitals							s	s			s					s						L
621910	Ambulance Services										•		•	•	•	s	•						
6231	Nursing Care Facilities (Skilled Nursing Facilities)					s		s	s	s	s		s	s	s	s	s						
6232	Residential Intellectual & Developmental Disability, Mental Health & Substance Abuse Facilities					s		s	s	s	s		s										
6233	Continuing Care Retirement Communities & Assisted Living Facilities for the Elderly					•		•	•	•	•		•										Γ
6239	Other Residential Care Facilities					s		s	s	s	s		s										Γ
C1101	Community Home		•																				Г
62411	Child, Youth, Elderly & Persons with Disabilities Services																						Ī
62419	Other Individual & Family Services																						Г
62421	Community Food Services																						t
62422	Community Housing Services					s		s	s	s	s		s										f
62423	Emergency & Other Relief Services					s		s	s	s	s		•										t
6243	Vocational Rehabilitation Services							•	•	•	•												f
6244	Child Day Care Service (includes State-defined "licensed child care centers" but not "registered & licensed child care homes" or "listed family homes") *							s	s	s	s	s	s	s	s	s	s						
C1102	Personal Care Home *					s		s	s	s	s		s										Г
C1103	Other Health Care & Social Assistance Establishments,							s	s	s	s	s	s		s	s	s						+

Permitted Use
 S - Special Use Permit Required
 [ ] - Prohibited Use
 TSP - Technical Site Plan Required
 \* - Refer to Article XXXIV for definition
 SDP - Special Development Plan
 T- Permitted as a Temporary Use
 \_\_C - Conditional Use (See Art. XX.1)

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Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(мнр)	(0-1) (0-3)	(0-3)	(LR-1)	(LR-2)	(cc)	(rc)	(нс)	(c/w)	(FWY)	(17)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills	T bauldura
2. RETAIL																							
441110	Automobile or Light Load Truck Sales (New)*												s	s	s	s	s						
441120	Automobile or Light Load Truck Sales (Used)*																s					Ш	
4412	Other Motor Vehicle Sales*												s	s	s		s						
C1201	Automobile, Motor Vehicle, and Watercraft Parts Sales*										s				•								
C1202	Retail *									•	•	хс	•	•	•	•	•	•	•	•		SDP	
C1203	Smoke Shop Retailer (Ord. 4066, 04/05/2022, Ratified Ord. 4085 06/21/2022) *											хс										s	
C1204	Retail Store; in excess of 75,000 sq. ft. of GLA *										s	sc	s	s	s	s	s						
C1205	Retail Store; in excess of 30,000 sq. ft. of GLA *																	s	s	s		SDP	5
4471	Gasoline Station										s	sc	s	s	s	s	s			s			
445310	Beer & Wine Off-Premise (Liquor sales for off premise											xc			•							SDP	
	consumption is not allowed in Carrollton)									_			Ť	•	•		Ť		Ť	_			
C1206	Alcoholic Beverage Sales, On Premise *  Auction Sales (Without outside auction activity, outside										s	s				s		s				SDP	
453998	display or storage)												s	s	٠		٠						
C1207	Artisan Workshop *							•	•	•	•	•	•	•	•	•	•	•	٠	•	•		
722511	Restaurant, Full-Service *							٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠	٠		SDP	Ŀ
722513	Restaurant, Limited-Service *							•	٠	•	•	•	•	•	•	•	•	•	٠	•		SDP	•
C1208	Snow Cone Stand *									т	т		т	т	т	т	т						
444220	Outdoor Nursery or Garden Center (Ord. No. 4035, 10/12/21)										т				•								
3. VEHICL	E AND EQUIPMENT SERVICES AND REPAIR																					_	
C1301	Automobile or Light Load Truck Repair Garage *										s		•	•	•	s	•						
11121-81112	Window Tint, Window Replacement, and/or Vehicle Wrap * (Ord. No; 05/06/25)										•		•		•	s							
C1302	Other Motor Vehicle Repair Garage*												s										
81112	Automobile, Motor Vehicle, Heavy Load Truck and Watercraft Paint and Body Shop										s				•	s							Г
811198	Automobile Quick Lube, Tire Service, and/or Inspection										s					s							
811192	(Ord. No; 05/06/25)  Car Wash, Full Service, or Automated (Principal Use)										s					s							Г
811192	Car Wash, Self-Service (Principal Use)										s												
011152	Commercial and Industrial Machinery and Equipment										3						•						
8113	(except Automotive and Electronic) Repair and Maintenance												٠.	•	•		٠.						
48841	Motor Vehicle Impound Yard (Accessory or Principal Use) (Ord. No. 2099, 09/05/95)													s			s						
423140	Motor Vehicle Wrecking or Salvage Yard																s						Г
C1303	Repair & servicing of items in the same district where the manufacturing or assembly of such items is permitted (Reference applicable manufacturing or assembly use.)											AC											
C1304	Repair & servicing of items in the same district where the manufacturing or assembly of such items is permitted upon approval of an SUP.											SAC				s	s						
8114	Personal and Household Goods Repair and Maintenance										•	хc	•	•	•	•	•						
C1305	Other Repair Services, NEC.												s	s	s	s	s						Г
4. WAREH	OUSE, DISTRIBUTION AND STORAGE																						_
C1401	Warehouse/Distribution *											AC				s							
C1402	Product Assembly *											AC			•	s	•						Г
42471	Bulk Stations and Storage Terminal (Petroleum)																s						
42469	Other Chemicals & Allied Products													s	s		s						
423930	Recyclable Material																s						
42459	Other Farm Products Raw Materials													s	s								
		•													3		Ė						
531130	Mini-Storage Warehouse (Self-Storage Units)												S	S	•		•						
	Permitted Use     [ ] - Prohibited Use     " - Refer to Article XXXIV for definition		TSP -	oecial U Technic	al Site	Plan Re	quired					as an A				1	Im - Pe _C - Co	rmitted ndition	on Inte	erim Ba (See Ar	sis Onl	,	

CARROLLTON COMPREHENSIVE ZONING ORDINANCE

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Use Code	Type of Use	(HI)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(мнр)	(0-1) (0-2)	(0-3) (0-4)	(LR-1)	(LR-2)	(၁၁)	(11)	(нс)	(c/w)	(FWY)	(11)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills TC	Frankford TC
15. MANUFA	ACTURING																						
311	Food Manufacturing												s	s	•		•						
3116	Animal Slaughtering and/or Processing																s						
3121	Beverage Manufacturing										s		•	•	•		•	•	•	•		SDP	•
33991	Jewelry & Silverware Manufacturing										s		•	•	•		•						
33992	Sporting & Athletic Goods Manufacturing												•	•	•		•						
33993	Doll, Toy & Game Manufacturing												•		•								
33994	Office Supplies (except paper) Manufacturing												•		•								
33995	Screen Printing and Sign Manufacturing * (Ord. No; 05/06/25)										s												
513110	Newspaper, Magazine, or Book Publishing/Manufacturing (Ord. No; 05/06/25)																						
C1501	Print Shop * (Ord. No; 05/06/25)										•		•	•	•		•						
33911	Medical Equipment & Supplies Manufacturing												s	s	s		•						
337	Furniture & Related Product Manufacturing												•	•	•		•						
313-315	Textile, Apparel, Footwear Manufacturing												s	s	•								
3161	Leather & Hide Tanning and Finishing																s						
321	Wood Product Manufacturing												s	s									
322	Paper Manufacturing												s	s			•						
3254	Pharmaceutical & Medicine Manufacturing												s	s									
3255	Paint, Coating & Adhesive Manufacturing														s								
3256	Soap, Cleaning Compound & Toilet Preparation Manufacturing													s	s		•						
326	Plastics & Rubber Product Manufacturing												s	s	•		•						
331	Primary Metal Manufacturing																s						
327	Nonmetallic Mineral Product Manufacturing												s	s	•		•						
3273	Cement & Concrete Product Manufacturing																s						
332	Fabricated Metal Product Manufacturing												s	s	•		•						
333	Machinery Manufacturing																•						
334	Computer & Electronic Product Manufacturing												s	s	•		•						
335	Electrical Equipment, Appliance & Component Manufacturing												s	s	s		•						
C1502	Industrial Finishing of Any Product *																•						
336	Transportation Equipment Manufacturing												s	s	s		•						
324	Petroleum & Coal Product Manufacturing																s						
339	Miscellaneous Manufacturing									s	s	s	s	s	s		s						

- Permitted Use     [ ] - Prohibited Use * - Refer to Article XXXIV for definition	S - Special Use Permit Required TSP - Technical Site Plan Required SDP - Special Development Plan	A - Permitted as an Accessory Use T - Permitted as a Temporary Use	Im - Permitted on Interim Basis Only _C - Conditional Use (See Art. XX.1)
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Use Code	Type of Use	(ні)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(мнр)	(0-1) (0-2)	(0-3) (0-4)	(LR-1)	(LR-2)	(cc)	(11)	(нс)	(c/w)	(FWY)	(11)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills	Frankford TC
L6. TRANSP	ORTATION																					$\equiv$	
481	Air Transportation and Related Support											s		s	s	s	s						
4821	Rail Transportation	•	•	•	•	s	s	•	•	•	•	•	•	•	•	•	•	s	s	s	s	SDP	•
4841	General Freight Trucking													•	•		•						
4851	Urban Transit System	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	•		s			SDP	s
4853	Taxi & Limousine Service, with on-site vehicular storage or maintenance													•			•						
4854; 4855; 4871	Charter Bus Industry, Scenic & Sightseeing Transportation, School & Employee Bus Transportation, with on-site vehicular storage or maintenance												s	s	s		•						
4859	Other Transit & Ground Passenger Transportation					s		s	s	s	s	s	s	s	s	s	s						
4861	Pipeline Transportation	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s						_
485112	Railroad Passenger Terminal																		s			SDP	s
4882	Support Activities for Rail Transportation											s	s	s	s	s	s						_
4884	Support Activities for Road Transportation													s			s						
4921	Couriers and Delivery Services with onsite vehicular											хс			_	s	_						_
	storage  LAR PARKING AND STORAGE																						_
C1701	Required Parking Offsite within 300 Feet of the Primary Use * (Ord; 05/06/25)							s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s
C1702	Parking Garage Structure (Principal Use) * (Ord; 05/06/25)	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s			s	SDP	s
C1703	Parking, Surface (Principal Use) * (ord; 05/06/25)	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s
81293	Travel Trailer, RV or Boat Storage (Ord. No. 3465, 12/06/11)												s	s	s	s	s					П	_
18. COMMU	NICATION SERVICES											<u> </u>											_
C1801	Communications Tower, Freestanding (Excluding antennas or support structures for amateur radio communications.)	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s		s	s	s	s	s
C1802	* Communications Equipment, Attached to an existing structure not to exceed 15' above the height of the existing	•		•					•	•	•						•			•	•	•	•
5151	structure * Communications Broadcasting																					SDP	
517	Telecommunications Resellers											-	•									001	
C1803	Temporary Support Structure (See Art. XXVIII)							т	т	т	т	т	т	т	т	т	т						
C1804	Other Communications, NEC.										_	s		s		s	s	s	s	s	s	SDP	_
L9. UTILITY																	,					55.	_
221121	Electricity Regulating Substation and/or-Electric Bulk Power	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	•	s	s	s		s	s
22121	Transmission and Control  Natural Gas Pressure Control Station	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s		s	s	s	s	s	s
2211	Electric Power Generation, Natural Gas Production, Sewer or Waste Treatment Storage or Distribution Plant or Point																s						
C1901	Water Storage	s	s	s	s	s	s			•	•			•				s	s	s	s	s	s
C1902	Other Electric, Natural Gas, or Water Utilities, or Other Utilities, NEC.	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s	s
	- Permitted Use [ ] - Prohibited Use     * - Refer to Article XXXIV for definition		TSP -	pecial U Fechnic Specia	al Site	Plan Re	quired					as an A							on Inte				

 $\label{eq:carrollton} Comprehensive\ zoning\ ordinance$  updated May 2025

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Use Code	Type of Use	(нт)	(ALL SF-DETACHED DISTRICTS)	(ALL SF-ATTACHED DISTRICTS)	(a)	(ALL MF DISTRICTS)	(мнр)	(0-1) (0-2)	(0-3) (0-4)	(LR-1)	(LR-2)	(cc)	(10)	(нс)	(c/w)	(FWY)	(H)	Historic Square	Urban Core	Urban General	Urban Fringe	Trinity Mills 1	OI baulducal
20. CONTRA	ACT CONSTRUCTION SERVICES (Ord. No. 3891, 12/1.	1/18)																					_
C2001	Contract Construction Service (with outside on-premise storage of equipment or material) (Ord; 05/06/25)																						
C2002	Contract Construction Service (No outside on-premise storage of equipment or material) (Ord. No. 1844, 11/03/92)													•			•						
C2003	Contractor Storage Yard (Principal Use) *																s						
C2004	On-Site Living Quarters For Security Personnel on a Construction Site	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т						Г
236210	Other Heavy Construction																s						
23899	Sandblasting Service																s						Г
C2005	Temporary On-Site Construction Office, Temporary On-Site Hiring or Employment Office or Temporary On-Site Administration Office* (Ord. No. 2099, 09/05/95)	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т
237110	Temporary On-Site Construction Office, Temporary On-Site Hiring or Employment Office or Temporary On-Site Administration Office* (Ord. No. 2099, 09/05/95)																•						
1. ADULT	USES (Ord. No. 3891, 12/11/18)																						_
C2101	Adult Arcade*													•									
C2102	Adult Bookstore*													٠									L
C2103	Adult Cabaret*													•									
C2104	Adult Motion Picture Theater*													٠									L
C2105	Adult Theater*													•									
C2106	Escort Agency*													٠									
C2107	Massage Parlor*													•									
C2108	Nude Modeling Studio*													٠									L
C2109	Sexual Encounter Center*													•									
C2110	Other Adult Entertainment Establishments, NEC.													•									
	ULTURAL RELATED SERVICES (Ord. No. 3891, 12/11/																						_
493130	Farm Product Warehousing and Storage	s															s						
115	Support Activities for Agriculture and Forestry																s						
C2201	Other Agricultural Services, NEC.	s															•						
23. CONSTI	RUCTION (Ord. No. 3891, 12/11/18)																s						
3273	Batch Plant (Permanent)  Batch Plant (Temporary)	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т	т						
		<u>'</u>	<u>'</u>	•	•	L '	•	•	<u>'</u>	<u> </u>	<u>'</u>		<u>'</u>	<u> </u>	<u>'</u>	L.	L.						_
212	G AND EXPLORATION ( <i>Ord. No. 3891, 12/11/18</i> )  Mining	s															s						
211	Oil Extraction (Ord. No. 3145, 06/05/07)	s															s						
213	Support Activities for Mining																s						
C2401	Other Mining Services, NEC. (Except fuels)	s															s						
C2402	Other Mining & Quarrying of Nonmetallic Minerals, NEC.	s	s														s						
21113	(Except fuels)  Natural Gas Exploration, Drilling & Production  (CS 13/70 eph.) (Ord. No. 3145 - 05/05/07)	s	s														s						Г
	(SF-12/20 only) (Ord. No. 3145, 06/05/07)  LANEOUS (Ord. No. 3891, 12/11/18)																						_
C2501	Building or Structure in Excess of 6 Stories																						s
	Permitted Use     Prohibited Use     Refer to Article XXXIV for definition		TSP -	pecial U Fechnic Specia	al Site	Plan Re	equired					l as an A					Im - Pe _C - Co						]

 $\label{lem:carrollton} Comprehensive\ zoning\ ordinance$  updated May 2025

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# **EXHIBIT D**

# ARTICLE XVIII. (LI) LIGHT INDUSTRIAL DISTRICT

(Ord. No. \_\_\_\_\_; 05/20/25 repealed (HI) Heavy Industrial District in its entirety.

# SECTION A. PURPOSE.

- 1. The (LI) Industrial District is established to provide space for higher intensity industrial uses.
- 2. The noise, traffic, litter, late night hours and other influences generated as a result of the intensive uses allowed in this district require adequate buffering from residential areas, and the traffic generated from such uses shall not be routed through residential areas.
- 3. Areas zoned to the (LI) Industrial District should be located close to major transportation sources, including direct access to arterial or collector streets. Internal streets within any industrial development should be sized and strengthened to accommodate commercial and truck traffic.
- 4. Areas zoned to the (LI) Industrial District should have increased water, sewer and drainage capacity, and increased fire protection.

# SECTION B. PRINCIPAL AND ACCESSORY USES.

No land shall be used and no structure shall be erected for, converted to, or used for any principal or accessory use other than such uses as are allowed in the (LI) Industrial District, in accordance with Article V. of this ordinance. (Ord. No. 1705, 05/07/91)

# SECTION C. SPECIAL USE PERMITS.

Uses requiring approval of a Special Use Permit shall be allowed in the (LI) Industrial District only in accordance with Articles V. and XXI. of this ordinance. (Ord. No. 1705, 05/07/91)

# SECTION D. PROHIBITED USES.

The following uses shall be specifically prohibited in the (LI) Industrial District:

1. Any structure erected or land used for other than one or more of the uses specifically permitted pursuant to this Article and Article V. of this ordinance;

- 2. Any use of property that does not meet the required minimum lot size; front, side, or rear yard dimensions; lot depth or width; or which exceeds the maximum height, building coverage or any other standard as herein required, except as provided by Article XXVIII. of this ordinance;
- 3. The storage of equipment, material or vehicles, including abandoned vehicles, which are not necessary to the uses permitted in this district. (Ord. No. 1705, 05/07/91)

# SECTION E. SCREENING REQUIREMENTS.

(Ord. No. 3891, 12/11/18)

# 1. SCREENING WALL:

Screening walls applicable to the separation of uses, screening of satellite television reception dishes, trash receptacles, and other items shall be provided in accordance with Article XXV. of this ordinance.

# SECTION F. SPECIAL HEIGHT REGULATIONS.

- 1. Flagpoles, cooling towers, roof gables, roof-mounted communication antennas and satellite television reception dishes, chimneys and vent stacks, elevator bulkheads, penthouses and mechanical equipment, and parapet walls may extend for an additional height not to exceed 15 feet from the maximum height limit of a structure to the highest point of any church steeple, dome, spire, flagpole, cooling tower, roof gable, roof-mounted communication antenna or satellite television reception dish, chimney, vent stack, elevator bulkhead, penthouse and mechanical equipment, or parapet wall.
- 2. The height of the church steeples, domes and spires may extend an additional height not to exceed twice the height of the main building and shall be set back from any adjacent residentially zoned property line at a minimum distance equal to the total height of the steeple, dome or spire. Church steeples, domes and spires shall be permitted to be placed on the main buildings. This provision for an additional height in excess of the maximum height requirements shall be permitted for maximum of one steeple, dome or spire per lot, tract or project.
- 3. Municipal water towers and sports lighting facilities, utility poles, and utility towers shall be specifically exempted from the maximum height restrictions imposed by this Article. (Ord. No. 2572, 11/07/00)

# SECTION G. SPECIAL YARD REGULATIONS.

# 1. SPECIAL FRONT YARD REGULATIONS:

a. Every part of a required front yard shall be open and unobstructed from a point 30 inches above the general ground level of the graded lot to the sky. The requirements of this paragraph shall not apply to living plant material and landscaping, lighting fixtures,

flagpoles, mailboxes, overhead service lines and poles for utilities, or fences, which shall be situated and constructed in accordance with the applicable codes of the City of Carrollton.

b. The location, placement and dimensions of any sign located within this District shall be in accordance with the applicable sections of the Sign Ordinance. (Ord. No. 1947, 10/19/93); (Ord. No. 3891, 12/11/18)

# 2. SPECIAL FRONT, REAR, AND SIDE YARD REQUIREMENTS:

- a. The ordinary extensions of windowsills, awnings, wall-mounted signs, eaves, balconies, belt courses, cornices, roof overhangs, canopies, balconies and other architectural features may extend an additional 10 feet into the required front yard, and an additional five feet into the required rear or side yard.
- b. Where applicable, any front, rear or side yard adjacent to any existing or proposed state or federally designated freeway shall be measured from the face of the structure, covered porch or covered terrace to the proposed right-of-way line designated for future expansion or construction of the adjacent freeway, as such right-of-way is identified by the most current construction plans or schematic drawings available from the state of Texas at the time of application by the property owner for a permit for construction.

# 3. SPECIAL REAR AND SIDE YARD REGULATIONS:

No rear or side yard setback shall be required where such rear or side yard abuts:

- a. Railroad tracks, including sidings and spurs;
- b. Water body or stream course;
- c. Any area dedicated to permanent open space, such as a channel easement.

# 4. SPECIAL SIDE YARD REGULATIONS:

- a. A structure shall be permitted to have one or both side walls coincident with the parcel or lot line upon a technical review and approval of a site plan by the Planning and Zoning Commission. Written notice of such technical review shall be sent to owners of real property within the area to be considered relevant to the site plan, and to owners of real property located immediately adjacent to such parcel to be considered. Such notice shall be sent in the same manner as prescribed by Article XXXI., subsection (B)(1)(d), of this ordinance. Such site plan shall be prepared and submitted in a manner as prescribed by the City of Carrollton, and shall, at a minimum, address the following issues:
  - i. Provision of ingress and egress to such lot or parcel;
  - ii. Potential impacts upon adjacent properties;
  - iii. On-site traffic circulation patterns, including fire lanes, and the provision of off-street parking and off-street loading areas to serve such structure.

- b. The side yard setback for the exterior wall which is not designated coincident with the lot line shall be established in accordance with the following:
  - i. Where a single building or structure is subdivided whereby individual tenant spaces are created on separately platted lots, the side yard setback for the exterior walls which are not coincident with the lot lines shall be established in accordance with Section J(10) of this Article.
  - ii. Where a single building or structure is located on a separately platted lot, and where the exterior wall which is not designated coincident with the lot line faces the exterior wall of a building located on the abutting lot line of the adjacent lot, the side yard setback for such building shall be the cumulative total of both required side yards for the particular type of building if such building had not been established at the zero lot line. In all other instances, the side yard of the exterior wall which is not coincident with the lot line shall be established in accordance with Section J(10) of this Article.
- c. In the event that a fire lane is provided within a designated side yard, the applicable requirements of the Carrollton fire code shall apply.
- d. Approval of a zero lot line side yard in accordance with the provisions of this subsection shall not be construed as, nor constitute, a variance, reduction, modification or exemption from any other provision or requirement of this Article, or any applicable building or fire code of the City of Carrollton.

# SECTION H. SIDEWALKS.

Sidewalks shall be provided in accordance with the Subdivision Ordinance and shall be constructed in accordance with the standards prescribed by the City of Carrollton. (Ord. No. 1947, 10/19/93)

# SECTION I. MISCELLANEOUS REQUIREMENTS.

# 1. UTILITIES:

All utilities located within 200 feet of the front property line which will serve any lot or parcel within the (LI) Industrial District shall be installed underground, except for any transmission or feeder lines, either existing or proposed, located within the (LI) Industrial District, provided that such lines shall be located within a designated paved easement or alley way provided by the property owner.

Nothing set forth herein shall prohibit or restrict any utility company from recovering the difference between the cost of overhead facilities and underground facilities. Each utility whose facilities are subject to the provisions of this Article shall develop policies and cost reimbursement procedures with respect to the installation and extension of underground service.

# 2. SATELLITE TELEVISION RECEPTION DISHES:

(Ord. No. 3891, 12/11/18)

Satellite television reception dishes located within the (LI) Industrial District shall not be located in front of the main structure or the front building line and shall not be erected closer than three feet to any rear or side property line.

When the site upon which a ground-mounted satellite television reception dish is located adjacent to any residentially zoned property, the maximum overall height of the dish at any position, shall be as follows:

- a. Not to exceed 10 feet when located closer than 25 feet to any residentially zoned property;
- b. Not to exceed 25 feet when located between 25 and 65 feet from any residentially zoned property;
- c. Not to exceed 40 feet when located between 65 feet and 100 feet from any residentially zoned property;
- d. Not to exceed 50 feet when located between 100 and 150 feet from any residentially zoned property;
- e. Not to exceed 75 feet when located in excess of 150 feet from any residentially zoned property.

No lettering, logo or any form of advertising or other writing shall appear on the face or back of any dish, except the name of the manufacturer, distributor or seller of such tower or dish, provided that such lettering does not exceed two inches in height.

# 3. LANDSCAPING:

Landscaping shall be provided on the premises of any property within the (LI) Industrial District in accordance with Article XXV. of this ordinance. (Ord. No. 3943, 01/14/20)

# 4. SERVICE STATION PUMP ISLANDS:

Gasoline service station pump islands and unenclosed canopies shall be permitted to extend beyond the front and side building line, provided that such pump islands are not located nearer than 20 feet from the front or side property line, and that the outer edge of the unenclosed canopy shall not be located nearer than 12 feet from the front or side property line.

# 5. VEHICLE SERVICE BAYS:

All vehicle repair, service, wash or maintenance bays incidental to any use shall be arranged and screened in accordance with Article XXV. of this ordinance.

# 6. ACCESSORY STRUCTURES (Ord. No. 3144, 06/05/07)

a. No trailers, containers, shipping containers, commercial boxes, vehicles or similar structures shall be used as accessory buildings or structures.

- b. All accessory structures shall be considered as main structures and shall comply with all the building and zoning requirements for main structures in that district with the following exceptions:
  - i. Public schools: Public schools shall be permitted to use modular classrooms on-site as attendance requires.
  - ii. Churches: A maximum of one accessory building with a floor area in excess of 120 square feet shall be permitted per lot or adjoining lots under a single ownership for churches. (All additional accessory buildings shall be considered main structures.)
    - a) This structure shall not be located in front of the main structure, nor within the designated front yard of any lot or parcel.
    - b) Where an accessory building or structure is located in the side yard of any lot or parcel, as such side yard is determined relative to the main structure, and where such side yard does not overlap or occur coincident with the designated rear yard, such accessory building or structure shall be screened from the view of any adjacent public street.
    - c) Accessory structures shall be prohibited in the side yard, as such side yard is determined relative to the main structure, where such accessory structure is located between the main structure and a public street.
    - d) Accessory buildings with a floor area greater than 120 square feet, but less than 240 square feet, shall have a metal or exterior grade wood siding unless the building is constructed in accordance with Section J, Height and Area Regulations, of this Article. Exterior construction materials for accessory buildings 240 square feet or greater shall be similar in type and in equivalent ratios of materials used on the exterior façade of the existing main structure on the lot. (Ord. No. 3891, 12/11/18)
    - e) Accessory buildings with a floor area in excess of 600 square feet or with a building height over 15 feet, with or without a utility meter separate from the main building, shall be permitted only upon approval of a Special Use Permit.

Ord.	No.	
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# SECTION J. HEIGHT AND AREA REGULATIONS.

		BUILDINGS UP TO 17 FEET IN HEIGHT	BUILDINGS UP TO 25 FEET IN HEIGHT	BUILDINGS UP TO 37 FEET IN HEIGHT	BUILDINGS UP TO 50 FEET IN HEIGHT	BUILDINGS UP TO 63 FEET IN HEIGHT	BUILDINGS UP TO 75 FEET IN HEIGHT
NOTE:	Story designations for structures are included for reference purposes or (2) of this Section.	nly. Structure setback,	area, and coverage re	gulations shall be base	d upon the height restr	ictions established in p	paragraph
1.	Minimum lot area (Square feet)	12,500	12,500	12,500	12,500	12,500	12,500
2.	Maximum height of structure	17'	25'	37'	50'	63'	75'
3.	Maximum floor area ratio (FAR) (Ratio of total building area to total lot area)	0.65:1	1.3:1	2:1	2.6:1	3.25:1	4:1
4.	Maximum building coverage (As a percentage of total lot area) (Percent of lot area which can be covered by buildings) ( <i>Ord. No. 1844, 11/03/92</i> )	65%	65%	65%	65%	65%	65%
5.	Minimum brick or stone content, exterior (All main buildings shall have a percentage not less than specified herein of each exterior wall, excluding doors, windows, and window walls, constructed of brick, stone, concrete masonry units (except smooth face), or pre-cast concrete panels (except unpainted), unless an alternate material is approved by the Planning & Zoning Commission. A denial of the request may be appealed to the City Council if the appeal is filed with the Planning Department within 10 days of the action of the Planning & Zoning Commission.) ( <i>Ord. No. 2105, 10/03/95</i> ); ( <i>Ord. No. 2572, 11/07/00</i> ); ( <i>Ord. No. 3891, 12/11/18</i> )	80%	80%	80%	80%	80%	80%
6.	Maximum amount of impervious coverage (As a percentage of total lot area)	90%	90%	90%	90%	90%	90%
7.	Minimum amount of landscaped area (Ord. No. 3943, 01/14/20)			(See Article XXV.)			

		BUILDINGS UP TO 17 FEET IN HEIGHT	BUILDINGS UP TO 25 FEET IN HEIGHT	BUILDINGS UP TO 37 FEET IN HEIGHT	BUILDINGS UP TO 50 FEET IN HEIGHT	BUILDINGS UP TO 63 FEET IN HEIGHT	BUILDINGS UP TO 75 FEET IN HEIGHT
8.	Minimum lot frontage on a public street (Measured at the front building line)						
	a. Abutting a freeway, freeway frontage road, or arterial thoroughfare  (As identified on the Carrollton Transportation Plan)	150'	150'	150'	150'	150'	150'
	( <i>Ord. No. 1557, 07/11/89</i> ) b. All others	100'	100'	100'	100'	100'	100'
9.	Minimum lot depth (Length of side lot lines)	125'	125'	125'	125'	125'	125'
10.	Minimum depth of front setback (Measured from front property line to any structure)						
	<ul> <li>a. Abutting a freeway, freeway frontage road, or arterial or collector thoroughfare (identified on the Carrollton Transportation Plan)</li> </ul>	50'	50'	50'	50'	50'	50'
	b. All others	25'	25'	25'	25'	25'	25'
11.	Minimum width of side setback (Distance between structure and any property line not deemed a front or rear line)						
	a. Abutting (SF) single-family zoned property						
	<ol> <li>Without windows facing (SF) single-family zoned property, or with windows occupying only the top 20% of any exterior wall, per floor above the first floor, facing any (SF) single- family zoned property</li> </ol>	10'	65'	65'	100'	150'	150'
	<li>With windows facing (SF) single-family zoned property which occupy in excess of the top 20% of any exterior wall, per floor above the first floor</li>	25'	130'	130'	200'	250'	250'
	b. Abutting a freeway, freeway frontage road, or arterial thoroughfare	25'	25'	25'	25'	25'	25'
	<ul> <li>(As identified on the Carrollton Transportation Plan)</li> <li>c. Abutting a collector thoroughfare or any other street (<i>Ord. No.</i> 3331, 10/06/09)</li> </ul>	15'	15'	20'	20'	20'	20'
	d. All other side setbacks (Ord. No. 3331, 10/06/09)	15'	15'	15'	15'	15'	15'

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(Reference Article XXIV. of this ordinance)

(In the event that a fire lane is provided within a designated side yard, the applicable requirements of the Carrollton fire code shall apply)

		BUILDINGS UP TO 17 FEET IN HEIGHT	BUILDINGS UP TO 25 FEET IN HEIGHT	BUILDINGS UP TO 37 FEET IN HEIGHT	BUILDINGS UP TO 50 FEET IN HEIGHT	BUILDINGS UP TO 63 FEET IN HEIGHT	BUILDINGS UP TO 75 FEET IN HEIGHT
12.	Minimum depth of rear setback (Measured from rear property line to any structure)						
	<ul> <li>a. Abutting (SF) single-family zoned property</li> <li>i. Without windows facing (SF) single-family zoned property, or with windows occupying only the top 20% of any exterior wall, per floor above the first floor, facing any (SF) single-family zoned property</li> </ul>	25'	65'	65'	100'	150'	150'
	<ol> <li>With windows facing (SF) single-family zoned property which occupy in excess of the top 20% of any exterior wall, per floor above the first floor.</li> </ol>	25'	130'	130'	200'	250'	250'
	b. Abutting property zoned other than (SF) single-family	10'	10'	20'	20'	20'	20'
	c. Abutting a freeway, freeway frontage road, or arterial or collector thoroughfare (As identified on the Carrollton Transportation Plan)	50'	50'	50'	50'	50'	50'
	d. Abutting any other type of street (Ord. No. 3331, 10/06/09)	15'	15'	20'	20'	20'	20'
	(In the event that a fire lane is provided in a designated rear yard, the applicable requirements of the Carrollton fire code shall apply)						
13.	Minimum distance between structures on the same lot or parcel	0'	0'	15'	15', plus ½ the structure height over 37'	15', plus ½ the structure height over 37'	15', plus ½ the structure height over 37'

Minimum required off-street parking spaces

# **EXHIBIT E**

# SECTION C. SCHEDULE OF MINIMUM OFF-STREET PARKING REQUIREMENTS.

In all zoning districts there shall be provided off-street parking space in accordance with the following requirements.

The classification of uses referred to herein shall be deemed to include and apply to all uses. However, if for any reason the use, for the purpose of determining the amount of off-street parking space to be provided for such use, is not classified hereunder nor in Article V of this ordinance, the City Manager or Designee shall determine if such proposed use is similar in nature to any other use listed hereunder or in Article V. If a similar use is identified, then the proposed use shall meet the minimum off-street parking requirements of such similar use. However, if no similar use is identified by the City Manager or Designee, an amendment to this Article may be requested to establish off-street parking requirements of such proposed use. Such amendment shall be in accordance with Article XXXI of this ordinance.

Any appeal of the City Manager or Designee's interpretation as to the nature or type of use, for the purpose of determining the classification and applicability of the parking regulations prescribed hereunder for such use, shall be submitted to the Board of Adjustment for consideration in accordance with the provisions of Article XXXII of this ordinance.

At a minimum, off-street parking space shall be provided for such uses as follows. Some uses may require the provision of off-street vehicle stacking spaces. For uses denoted by (\*), reference Section D of this Article for stacking requirements.

Required parking in the (TC) Transit Center Districts shall be in accordance with Article XX. of this ordinance. Uses not listed in Article XX. shall require parking in accordance with this Article. (Ord. No. \_\_\_\_; 05/20/25)

Land Use	Minimum Spaces Required
a. Residential	
Multifamily	1.5 per dwelling unit
Hotel, motel or membership lodging	1.1 spaces per each guest suite
Residence hall, dormitory, rooming or boarding house	1 per each guest suite
Single family detached dwelling (including mobile homes)	2 per dwelling unit
Single family attached dwelling, duplex	2 per dwelling unit plus 1 guest parking space per 4 dwelling units

b. Institutional	

Adult day care center	1 per each 500 sq. ft. of floor area
Continuing Care Retirement or Assisted Living	0.5 per dwelling unit or suite
Church, synagogue or temple without a private school	1 per each 50 sq. ft. in sanctuary including balconies
Church, synagogue or temple with a private school	1 per each 50 sq. ft. in sanctuary including balconies or the applicable standard for each school use, whichever is greater
Cultural center	1 per each 400 sq. ft. of floor area
Funeral home/parlor or mortuary	1 per each 75 sq. ft. of floor area plus 1 per vehicle maintained on the premises plus 1 per employee
Hospital	1 per each bed
Pre-school or child day care services *	0.2 per student
Nursing care facility	1 per each 3 beds
Place of assembly, dance hall, exhibition center, auditorium or concert hall	1 per each 50 sq. ft. of assembly area
Senior Living or homes for the elderly	1.2 per dwelling unit or suite
Senior citizen center	1 per each 200 sq. ft. of floor area
School (elementary or middle)	0.2 per student
School (high), college or university	0.4 per student

Land Use Minimum Spaces Required
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c. Commercial	
Automobile, farm implement, heavy machinery, marine and aircraft, motor-cycle and truck sales or leasing	1 per each 4,000 sq. ft. of site area, with a minimum of 5 spaces
Commercial or trade school	1 per each 90 sq. ft. of classroom area
Convenience market with or without fuel station *	1 per 250 sq. ft. of floor space
Dry Cleaners	1 per each 350 sq. ft. of floor area
Event Centers and Reception Halls	1 per each 125 sq. ft. of floor area ( <i>Ord. No.</i> ; 05/20/25)
Equipment sales, rental or leasing service	1 per each 250 sq. ft. of floor area, plus 1 per each 1,000 sq. ft. of site area exclusive of buildings
Farmers market, flea market or public market	1 per each 500 sq. ft. of floor area, plus 1 per each 1,000 sq. ft. of site area exclusive of buildings
Furniture or appliance store	1 per each 750 sq. ft. of floor area
Garage Condominium	1 per each 2,000 sq. ft. of floor area
Kiosk, drive through only*	1 per each 250 sq. ft. of floor area, with a minimum of 2 spaces

Lumber yard, building material and hardware sales	1 per each 250 sq. ft. of floor area plus 1 per each 1,000 sq. ft. of wholesale or storage area
Medical or dental clinic	1 per each 300 sq. ft. of floor area
Mini-storage warehouse	1 per each 40 storage units, with a minimum of 4 spaces
Mobile collection/redemption center	2 spaces
Office or financial institution*	1 per each 450 sq. ft. of floor area, with a minimum of 4 spaces
Other commercial services not otherwise listed	1 per each 500 sq. ft. of floor area
Plant nursery or garden shop	1 per each 200 sq. ft. of floor area plus 1 per each 2,000 sq. ft. of site area used for storage or display
Quick lube facility; Auto Repair *	1 per each 500 sq. ft. of floor area
Restaurant, Full Service (without a drive through)	1 per each 150 sq. ft. of floor area
Restaurant, Limited Service (with a drive through) *	1 per each 175 sq. ft. of floor area with a minimum of 4 spaces
Restaurant – walk-up/take- out only (with minimal seating)	1 per each 225 sq. ft. of floor area
Retail, mixed/multiple use shopping center *	0 to 50,000 sq. ft. of total building floor area - 1 per each 300 sq. ft. of floor area. More than 50,000 sq. ft. of total building floor area - 1 space for each 350 sq. ft. of floor area with a maximum of 1 space for each 250 sq. ft. of floor area. Any freestanding building must provide their required parking for that use. Uses such as fitness centers, event centers, and places of worship, which require significantly more parking than standard retail uses, will be assessed at the appropriate parking ratios for those individual uses. (Ord. No; 05/20/25)

Land Use	Minimum Spaces Required	
a Commoraial (Con	<del>•</del> )	

c. Commercial (Cont.)	
Snow cone stand in a portable building	4 spaces plus 1 space for every two employees (maximum on duty at day or night)
Unmanned equipment building/cellular/PCS tower	0 spaces

d. Recreation and Amusements		
Bowling alley	3.5 per each lane or alley	
Fitness or Recreational Sports Center	1 per each 250 sq. ft. of floor area	
Fraternal organization/lodge or Community recreation center	1 per each 250 sq. ft. of floor area	

Golf Course (private or public)	5 per each green plus applicable standards for each non-residential use
Golf driving range	1 per each driving station or tee box
Indoor cheerleading, tumbling, gymnastics, soccer, trampoline/jumping; no bleachers or tournaments	1 per each 325 sq. ft. of playing field area
Indoor cheerleading, tumbling, gymnastics, soccer, trampoline/jumping; with bleachers or tournaments	1 per each 200 sq. ft. of playing field area
Motion picture theater	1 per each 3.5 seats
Neighborhood amenity center	5% of total number of dwelling units in the development with a minimum of 4 spaces
Other indoor recreation or amusement uses or activities not listed herein	1 per each 200 sq. ft. of activity area
Other outdoor recreation or amusement uses or activities not listed herein	1 per each 3,000 sq. ft. of activity area
Public community swimming pool	1 per each 75 sq. ft. of deck and water surface area
Public community tennis courts	2 per court
Stadium or sports arena	1 per each 4 seats (bench seats, 1 per 8 feet)

Land Use	Minimum Spaces Required	
-		

e. Industrial	
Dead storage facility	1 per each 10,000 sq. ft. of storage area, plus applicable standards for each non-storage use, with a minimum of 4 spaces
Call center	1 per each 150 sq. ft. of floor area
Manufacturing, assembly, fabrication and internet retail distribution	1 per each 1,500 sq. ft. of manufacturing, assembly, fabrication, or distribution space, or 1 per each 2 employees (maximum on-duty day or night), whichever is greater
Material recycling center	1 per each 1,000 sq. ft. of processing space, excluding outside storage areas; or plus 1 per each 2 employees (maximum on-duty day or night), whichever is greater
Warehousing and wholesaling services	0 to 100,000 sq. ft. of total warehouse area - 1 per each 3,000 sq. ft. of warehouse area; or More than 100,000 sq. ft. of total warehouse area - 1 per each 5,000 sq. ft. of warehouse area

Ora. No.	Ord.	No.		
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# SECTION F. OFF-STREET LOADING REQUIREMENTS.

(Section completely amended, Ord. No. 2275, 08/19/97; Ord. No. 2835, 07/01/03; Ord. No. 3716, 12/01/15)

If non-residential uses provide and maintain off-street loading facilities on the same lot as such non-residential use they shall be in accordance with this Article. Such off-street loading facilities shall be located adjacent to a public way or private service drive.

All maneuvering for off-street loading areas shall be accomplished on private property.

No off-street truck loading space shall be permitted within a designated fire lane. Areas designated to satisfy the requirements for off-street truck loading space shall not be permitted to encroach upon or occupy a fire lane, maneuvering aisle, or parking space.

# 1. APRON, DOCK, AND SPACE DESIGN STANDARDS:

- a. Apron, loading dock and loading space design standards shall be as shown in Figures 2a, 2b and 2c of this Section. Apron size requirements shall be as shown in Figure 2a of this Section.
- b. Where a side loading space is to be utilized, such berth shall be provided in accordance with the standards shown in Figure 2b of this Section.
- c. Ingress to, and egress from required off-street loading spaces must have at least the same unobstructed vertical height clearance as the largest required off-street loading spaces. (Ord. No. 1705, 05/07/91)

# 2. AREAS IN FRONT OF LOADING DOCKS AND DOORS:

Parking spaces, fire lanes, driving aisles or similar shall be prohibited in the loading space area unless the loading docks, garage doors etc. are permanently sealed or altered to prevent loading access.

# 3. REDUCTION OF LOADING DOCK DEPTH OR OFFSET:

A reduction in the loading dock depth or total offset in feet may be permitted, subject to administrative approval by the city manager or their designee. Such reduction shall be contingent upon the submission of a maneuverability study that demonstrates the ability to safely accommodate required truck movement within the loading area. (*Ord. No.* \_\_\_\_; 05/20/25)

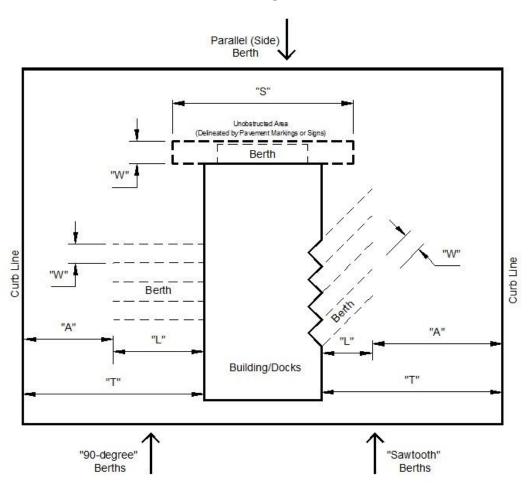
Figure 2a

LOADING APRON AND DOCK DIMENSIONS (Dimensions amended for Large Trucks, Ord. No. \_\_\_\_; 05/20/25)

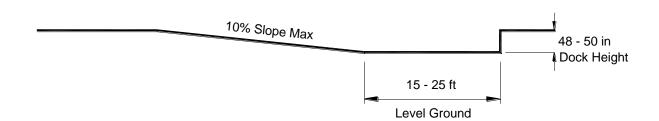
TRUCK SIZE	DOCK ANGLE	CLEARANCE IN FEET (L)	BERTH WIDTH IN FEET (W)	APRON IN FEET (A)	TOTAL OFFSET IN FEET (T)	BERTH LENGTH IN FEET (S)
	90°	75	12	58	133	130
LARGE (75 FT.)	60°	69	12	43	112	NA
(7311.)	45°	59	12	34	93	NA
	90°	35	12	43	78	80
MEDIUM (35 FT.)	60°	32	12	31	63	NA
(3311.)	45°	26	12	25	51	NA
	90°	20	10	32	52	45
SMALL (20 FT.)	60°	18	10	24	42	NA
(=011.)	45°	17	10	20	37	NA

See drawings on next page for dimension details and design layout.

Figure 2b



**Figure 2c** Apron Cross Section



# 4. SETBACK REQUIREMENTS:

To facilitate the safe and efficient movement of traffic on public streets, the minimum setback requirements for off-street loading facilities shall be as follows. Where special requirements for off-street loading areas have been established within certain zoning districts, the more restrictive requirements shall apply.

- a. All loading areas, freight docks, truck spaces or truck parking areas, truck repair, service, wash and maintenance bays, truck garages or garage doors, or any other similar loading or truck facility shall not be located closer to the right-of-way line of the street or streets upon which such facilities are accessed than the distance specified in the apron design standards. (Reference Figure 3.3, Appendix A)
- b. All loading areas, freight docks, truck spaces or truck parking areas, vehicle repair, service, wash and maintenance bays, garages or garage doors, or any other similar facility for any type of vehicle shall be screened from any adjacent residentially zoned property in accordance with the provisions established in Article XXV of this ordinance. (Ord. No. 1705, 05/07/91)

# SECTION H. JOINT PARKING; REDUCTION OF PARKING REQUIREMENTS.

(Section completely amended, Ord. No. 3235, 07/01/08; Ord. No. 3716, 12/01/15)

# 1. JOINT/SHARED PARKING AREA:

Uses may join in establishing a shared parking area where it can be demonstrated to the City Manager or Designee that parking for two or more specific uses occurs at alternating time periods. Such parking area shall be established in accordance with the following procedure

- a. The applicant shall submit a parking analysis with two or more examples to the City Manager or Designee.
- b. The parking analysis shall be reviewed by the City Manager or Designee.
- c. The City Manager or Designee shall act upon such request to deny, approve, or approve with modifications as may be appropriate, the parking or stacking ratio requirements. (*Ord. No. 3331, 10/06/09*)
- d. If approved, such joint parking area shall be permissible only in conjunction with those uses specifically analyzed as part of the initial request. Upon cessation of one of the uses approved in the original request, the rights of the remaining use to utilize the joint parking shall continue.
- e. Upon commencement of a new use in place of the originally approved use, a reassessment of the joint parking area shall be initiated by the owner or operator of such new use, and shall be considered in the same manner as described above. No Certificate of Occupancy shall be issued by the City for the new use until either:
  - i. The joint parking area is reapproved by the City Manager or Designee, or
  - ii. Additional parking is approved for the new use in accordance with all applicable provisions of this Article.
- f. If denied, a written request by the applicant may be submitted to the Development Services Department within 10 days of the date of the decision. Upon such request being timely submitted, a public hearing shall be scheduled before the Board of Adjustment (BOA) for final action. (Ord. No. , 05/20/25)
- g. Approval of a joint parking area shall not be construed as, nor constitute, a variance from, reduction of, or modification or exception to any other provision or requirement of this ordinance or any other applicable code or ordinance of the City of Carrollton.

#### 2. REDUCTION OF PARKING OR STACKING PROVISIONS:

Parking or stacking requirements for individual uses may be altered from the prescribed ratios listed in the applicable provisions of this Article by demonstrating to the City Manager or Designee that such revised ratio satisfies the intention of Section A of this Article. The procedure to modify the parking ratios is as follows:

a. The applicant shall submit a parking analysis with two or more specific examples to the City Manager or Designee.

- b. The parking analysis shall be reviewed by the City Manager or Designee.
- c. The City Manager or Designee shall act upon such request to deny, approve, or approve with modifications as may be appropriate, the parking or stacking ratio requirements.
- d. If approved, such parking ratio is applicable to only the specific use for which the request was submitted. The city wide rate will not be altered by such study.
- e. If denied, a written request by the applicant may be submitted to the Development Services Department within 10 days of the date of the decision. Upon timely submission of such request, a public hearing shall be scheduled before the Board of Adjustment (BOA) for final action. (Ord. No. \_\_\_\_\_, 05/20/25)

# SECTION I. MISCELLANEOUS REQUIREMENTS.

(Section completely amended, Ord. No. 2275, 08/19/97 and by Ord. No. 2835, 07/01/03)

The following provisions shall be applicable to all off-street parking and loading areas.

# 1. CONFLICTS:

Where such provisions are in conflict with the requirements of Chapter 53 of the Carrollton Code of Ordinances, otherwise known as the Traffic Code, or are in conflict with special off-street parking or loading requirements which have been established within certain zoning districts of this ordinance, then the more restrictive requirements shall apply. (Ord. No. 1947, 10/19/93)

# 2. GENERAL PROVISIONS:

- a. Parking facilities shall be provided on the lot or tract occupied by the main use, or upon a lot or tract of land dedicated to parking use by an instrument filed for record, provided that such arrangement is in accordance with the schedule of allowable uses in the district in which it is located. Off-site parking facilities shall be located as provided in Article V, Section C (1500), Vehicular Parking and Storage, *g* of this ordinance. Distance shall be measured in a straight line, without regard to intervening structures, between the nearest property line of the main use and the nearest property line of the lot or parcel upon which the parking facility is located.
- b. In determining the required number of off-street parking and loading spaces, fractional spaces shall be counted to the nearest whole space.
- c. No parking space located on a public street or alley may be included in the calculation of the required off-street parking requirements.
- d. Floor area of a structure devoted to off-street parking of vehicles or loading spaces shall be excluded in computing the floor area for off-street parking requirements of the structure.

# 3. VEHICLE STORAGE AND DISPLAY:

- a. Parking areas shall be used for passenger vehicles only, and in no case shall such areas be used for sales, repair work, storage, display, dismantling or servicing of any vehicles, equipment, materials or supplies.
- b. Any area utilized for the storage of vehicles in connection with a motor vehicle repair establishment shall be screened from the view of any adjacent public street by a solid, opaque wall or fence of not less than six feet in height, measured at the highest finished grade.

# 4. COMBINATION OF USES:

- a. Where a lot or tract of land is used for a combination of uses, the off-street parking requirements shall be the composite or sum of the requirements for each type of use except where specified by this ordinance. (Ord. No. 2835, 07/01/03)
- b. Parking spaces used for the parking of trucks or buses shall not be counted toward meeting the off-street parking requirements for the particular use.

# 5. PARKING OF COMMERCIAL AND RECREATIONAL VEHICLES:

The parking, stopping and/or storage of recreational vehicles, travel trailers, boats, boat trailers and commercial vehicles shall be regulated in accordance with Chapter 53 of the Carrollton Code of Ordinances, otherwise known as the Traffic Code. (Ord. No. 1947, 10/19/93)

# 6. ACCESS TO PUBLIC ALLEYS:

Driveways and parking areas which serve any commercial, multi-family, or institutional service, any public recreation or community center, or any public tennis court, swimming facility, or other similar facility shall not access any public alley which also serves residentially zoned property. (Ord. No. 1641, 07/17/90)

# 7. ENCUMBERED RIGHT-OF-WAY:

Where an agreement has been entered into by the City of Carrollton whereby any independent school district is granted a right to temporarily encumber public right-of-way with parking spaces, such spaces shall be counted toward meeting the applicable off-street parking requirements of this Article until such time as the city determines a need to use the right-of-way. Where the city determines a need to use the encumbered right-of-way, the right of the school district to use such parking shall immediately cease. In such event, the independent school district shall be required to meet the applicable off-street parking requirements of this Article, and shall bear the cost of providing such parking. (*Ord. No. 1705, 05/07/91*)

8.	REQUIRED PARKING LOCATED ON A LOT SEPARATE FROM THE MAIN USE:
	(Ord. No. 2866, 12/16/03); (Ord. No. 3716, 12/01/15)

Required parking for a use may be located on a separate lot upon approval of a parking agreement by the City Manager or Designee and in accordance with Article V. (*Ord. No.* \_\_\_\_\_, 05/20/25) Such parking agreement shall be established in accordance with the following provisions:

- a. The property owner or authorized agent shall submit an application for a Miscellaneous Development upon forms prescribed by the City of Carrollton and reviewed by the City Manager or Designee.
- b. The application shall contain a site plan, a list of the uses located on both lots and their required parking information and/or other information required by the City Manager or Designee.
- c. The separate lot must have parking in excess of what is required for its uses.
- d. If approved, the parking agreement shall be signed by the property owners of both lots and shall be for only the uses specified in the agreement.
- e. Upon commencement of a new use in place of the originally approved use requiring the offsite parking, a reassessment of the parking agreement shall be initiated by the owner or operator of such new use and shall be considered in the same manner as described above.
- f. The required parking located on the lot separate from the main use cannot be used to meet the parking requirements of a new use on that same lot during the duration of the parking agreement.

If denied by the City Manager or Designee, a written request by the applicant may be submitted to the Development Services Department within 10 days of the date of the decision. Upon timely submission of such request, a public hearing shall be scheduled before the Board of Adjustment (BOA) for final action. (*Ord. No.* \_\_\_\_\_, 05/20/25)

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# **EXHIBIT F**

SECTION F. SITE PLAN REVIEW. (Ord. No. 2866, 12/16/03); (Ord. No. 3587, 12/03/13) (Ord. No. \_\_\_\_, 05/20/25)

A technical review and approval of a site plan shall be required by the Planning and Zoning Commission prior to issuance of a building permit for new construction in accordance with Article V. Renovations and expansions of existing facilities do not require site plan approval. Such site plan review is intended to ensure compliance with the provisions of this ordinance and the compatibility of the particular use and the neighborhood.

The Planning and Zoning Commission's review of the technical site plan shall be limited to the following:

- 1. Provision of a safe and efficient vehicular and pedestrian circulation system.
- 2. Design and location of off-street parking and loading facilities to ensure that all such spaces are usable and are safely and conveniently arranged.
- 3. Use of landscaping and screening to provide adequate buffers to shield lights, noise, movement, or activities from adjacent properties when necessary.
- 4. The placement and orientation of buildings and other facilities.

A denial of the request by the Planning and Zoning Commission may be appealed to the City Council if the appeal is filed with the Development Services Department within 10 days of the action by the Planning and Zoning Commission.

An approved site plan shall expire if a building permit has not been applied for within two years from the date of site plan approval.

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# SECTION G. SALE OF ALCOHOLIC BEVERAGES. (Ord. No. 2938, 10/19/04) (Ord. No. \_\_\_\_, 05/20/25)

- 1. Retail establishments are limited to the sale of beer, wine, and malt beverages. The retail sale of liquor is prohibited in the City of Carrollton.
- 2. The sale of alcohol for on-premise consumption requires a (FB) Food and Beverage TABC permit or as amended by TABC.
- 3. The sale of alcohol for on-premise consumption of alcohol shall be prohibited within 300 feet of a church, public school, or public hospital.
- 4. The sale of alcohol for off-premise consumption of alcohol shall be prohibited within:
  - a. 300 feet of a church, public or private school, or public hospital.
  - b. 1,000 feet of a public school if the City Council receives a request from the board of trustees of a school district under Section 38.007, Education Code; or
  - c. 1,000 feet of a private school if the City Council receives a request from the governing body of the private school.
- 5. Subsection (1) does not apply to the holder of a license or permit covering a premise where minors are prohibited from entering under Section 109.53 of the Texas Alcoholic Beverage Code and that is located within 300 feet of a private school.
- 6. Subsections 3(a) and 3(b) do not apply if less than 50 percent of the gross receipts for the premises, excluding the sale of items subject to the motor fuels tax, is from the sale or service of alcoholic beverages.
- 7. Subsection 3(b) does not apply to the holder of:
  - a. A license or permit issued under Chapter 27, 31, or 72 of the Texas Alcoholic Beverage Code who is operating on the premises of a private school; or
  - b. A license or permit covering a premise where minors are prohibited from entering under Section 109.53 of the Texas Alcoholic Beverage Code and that is located within 1,000 feet of a private school.
- 8. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be;
  - a. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or
  - b. If the permit or license holder is located on or above the fifth story of a multistory building, in a direct line from the property line of the public or private school to the property line of

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the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of which the permit or license holder is located.

9. The City Council, upon receipt of a recommendation from the Planning & Zoning Commission may approve variances to requirements of subsections (1), (2) or (3) if it determined that enforcement of the regulation in a particular instance is not in the best interest of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on an applicant for a license or permit, does not serve its intended purpose, is not effective or necessary, or for any other reason the City Council, after consideration of the health, safety, and welfare of the public and the equities of the situation, determines is in the best interest of the community.

Before acting upon any an application for a variance, Public Hearings shall be held by the Planning & Zoning Commission and the City Council. Notification of the Public Hearings shall be in accordance with Sections (B) and (C) of Article XXXI of the Comprehensive Zoning Ordinance. However, notice of the public hearings before the Planning & Zoning Commission and the City Council shall be sent to all owners of real property lying within 300 feet of the property on which the change is requested or proposed.

- 10. For the purpose of this section, "private school" means a private school, including a parochial school, that:
  - a. Offers a course of instruction for students in one or more grades from kindergarten through grade 12; and
  - b. Has more than 100 students enrolled and attending courses at a single location.
- 11. Pursuant to Sections 105.03, 105.04 and 105.05 of the Texas Alcoholic Beverage Code, the extended hours area for the sale of mixed beverages, beer and wine on-premises within the incorporated limits of the City of Carrollton shall be extended until 2:00 a.m. on any day of which such extended hours are permissible. A holder of mixed beverages, private club, or retail dealer's on-premises late hours permit or license may sell and offer for sale mixed beverages, beer and wine for on-premises consumption between midnight and 2:00 a.m. on any day. (Ord. 3017, 10/04/05)

# **EXHIBIT G**

# ARTICLE XXXIV. DEFINITIONS

(Amended Ord. No. 1670, 11/20/90); (Ord. No. 3653, 12/09/14); (Ord. No. 3716, 12/01/15); (Ord. 3763, 09/06/16); (Ord. No. 3891, 12/11/18); (Ord. No. 3939, 12/13/19); (Ord. 3943, 02/01/20); (Ord. No. 3980, 09/15/20); (Ord. No. 4035, 10/12/21); (Ord. No. 4043 12/07/21); (Ord. No. 4066, 04/05/22, Ratified by Ord. 4085 on 06/21/22); (Ord. No. 4127 02/07/23); (Ord. No. 4541, 12/05/23) (Ord. No. \_\_\_\_\_; 05/06/25)

# **SECTION A. GENERAL.**

For the purpose of this ordinance, the following words and terms as used herein are defined to mean the following.

- 1. Words contained in this section are those having a special meaning relative to the purposes of this Ordinance. In the interpretation of this Ordinance, the providisions and rules of this section shall be observed and applied, except when the context clearly requires otherwise.
- 2. Words used or defined in one tense or form shall include other tenses and derivative forms.
- 3. Words in the singualr number shall include the plural number, and words in the plural number shall include the singular number.
- 4. The masculine gender shall include the feminine, and the feminine gender shall include the masculine.
- 5. The word "shall" is mandatory.
- 6. The word "may" or "should" is permissive.
- 7. The word"person" includes individuals, firms, corporations, associations, trusts, and any other similar entities.
- 8. The word "City" shall refer collectively to the City of Carrollton.
- 9. The word "Board" shall mean the Board of Adjustment.
- 10. The word "Commission" shall mean the Planning and Zoning Commission.
- 11. The words "Recorder" and "Recorder of Deeds" shall mean the County Recorder.
- 12. In case of any difference of meaning or implication between the text of this Ordinance and ny caption, illustration, or table, the text shall control.
- 13. All providision of this Ordinance shall be construed to be in addition to all other applicable laws, ordinaces and rules of the federal government, the State of Texas or a Constituent Jurisdiction; and in case of any conflict between this Ordinance and any such other law, ordinance or rule, the more restrictive shall prevail.
- 14. The words "include" and "including" mean include or including by way of illustration and not by way of limitation.

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# SECTION B. TERMS AND DEFINITIONS.

ACCESSORY BUILDING OR STRUCTURE: A subordinate building or structure detached from the main building and having a use customarily incidental to and located on the same lot occupied by the main building. (Ord. No. 2099, 09/05/95)

ACCESSORY USE: A use customarily incidental to the main use of the property. (Ord. No. 2099, 09/05/95)

ADJACENT: Having property or district lines in common.

ADULT ARCADE: Any place to which the public is permitted or invited wherein coin-operated, slug- or token-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified anatomical areas" or "specified sexual activities," as herein defined.

ADULT BOOKSTORE: A commercial establishment which has devoted a substantial or significant portion of its business to the sale, rental or any form of consideration, of any one or more of the following:

- a. Books, magazines, periodicals or other printed matter, photographs, films, motion pictures, video cassettes, video tapes, or other video reproductions, slides, or other visual representations which depict or describe "specified sexual activities" or "specified anatomical areas"; or
- b. Instruments, devices, or paraphernalia which depict "specified anatomical areas" or are designed for use in connection with "specified sexual activities".

ADULT CABARET: A nightclub, bar, restaurant, or similar commercial establishment which regularly features:

- a. Person or persons who appear in a state of nudity; or
- b. Live performances which are characterized by the exposure of "specified anatomical areas", or by "specified sexual activities", including topless or bottomless dancers, exotic dancers, or strippers; or
- c. Films, motion pictures, video cassettes or tapes, slides, or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

ADULT MOTION PICTURE THEATER: A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes or tapes, slides, or similar photographic reproductions are regularly shown which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas".

ADULT THEATER: A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity, or live performances which are characterized by the depiction or description of "specified sexual activities" or the exposure of "specified anatomical areas."

AGRICULTURE: The planting, cultivating, harvesting and storage of grains, hay or plants, vegetables, fruits, or vineyards.

The raising and feeding of livestock and poultry shall be considered an agricultural use if the area in which the livestock or poultry is kept is five acres or more in area, and if such raising of livestock and poultry is incidental or supplemental to the raising of crops and is not primarily for the raising or fattening of livestock.

A feed lot exclusively for the fattening of livestock is not considered an agricultural use. The processing and/or storage of raw agricultural products, including facilities such as cotton gins and grain elevators, shall not be considered an agricultural use if such use constitutes the main or principal use on a lot or parcel. (See FARM, ORCHARD, OR RANCH)

AIRPORT HAZARD: Any building, structure, tree, sign, vehicle, utility pole, transmission line, or use of land which obstructs the air space required for the flight of aircraft in landing or taking off at an airport, or is otherwise hazardous to such landing or taking off of such aircraft. (*Ord. No. 1844, 11/03/92*)

ALCOHOLIC BEVERAGE: The meaning provided in the Texas Alcoholic Beverage Code.

ALCOHOLIC BEVERAGE SALES, ON-PREMISE: An establishment that derives 75 percent or more of the establishment's gross revenue from the on-premise sale of alcohol beverages.

ALLEY: A public way, public space or thoroughfare which affords only secondary means of access to property abutting thereon.

ALTERATION: Any addition, removal, extension, or change in the location of any exterior or interior wall of a main building or accessory building or change or modification in construction or occupancy.

AMUSEMENT ARCADES: Any place or establishment wherein more than four coin-operated, slug- or token-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices, or skill machines, are located, whether operable or inoperable. Such machines shall include, but not be limited to, billiard tables, pool tables, and video games and simulated gambling device versions of bingo, keno, blackjack, video lottery terminals (VLT's), roulette, video poker, or facsimile thereof, that operate by chance or partially so. (*Ord. No. 3331, 10/06/09*)

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- AMATEUR RADIO/TELEVISION TOWERS: An antenna utilized for communication purposes in conjunction with a citizen band or amateur radio station, and including any tower, mast or structure for the support thereof. This definition shall also include such anchors, anchor supports or guy wires associated with the structure, but shall not include any antenna used for commercial communications or radio broadcasting operations.
- ANTIQUE SHOP: A retail establishment engaged in the sale of works of art, furniture, or other artifacts of an earlier period. Pawn shops and flea markets, as herein defined, shall not be considered as antique shops.
- APARTMENT: A dwelling unit designed or occupied as a residence by a single family, individual or group of individuals.
- ARTISAN WORKSHOP: Small workspace/studio without commercial truck traffic. A production process characterized by minimal automation and little division of labor; highly skilled craftsman assemble or fabricate custom products in lesser quantities. Participants in an artisan process may be self-employed or employed by a smaller-scale business; excludes repair.
- ASSEMBLY, PRODUCT: A principal use involving the joining, bolting, interlocking or other similar process of fitting together separate, pre-manufactured parts or components into a finished product, as well as packaging products. This definition does not include the mechanical or chemical transformation of raw materials or substances into new products; see Manufacturing.
- AUTOMOBILE QUICK LUBE, TIRE SERVICE, AND/OR INSPECTION: A commercial establishment primarily engaged in providing automotive maintenance services, including but not limited to oil changes, lubrication services, tire installation, repair, and alignment, and vehicle inspection services. Facilities are designed to accommodate customer service areas, service bays, and any necessary parking. This definition shall not include Automobile, Motor Vehicle, Heavy Load Truck and Watercraft Paint and Body Shop. (Ord. No. \_\_\_\_; 05/20/25)
- AUTOMATED TELLER MACHINE (ATM): An unmanned, free-standing structure that performs banking financial functions at a location that may be separate from the controlling financial institution. (Ord. No. 3943, 01/14/20)
- AUTOMOBILE: A two to four-wheeled, self-propelled vehicle designed for passenger transportation, and commonly propelled by an internal combustion engine. Vehicles include light load trucks and motorcycles.
- AUTOMOBILE, MOTOR VEHICLE, AND WATERCRAFT PARTS SALES: The display and sales of new or used parts for automobiles, motor vehicles, watercraft, or recreational vehicles. All display and sales of new or used parts shall be completely located within an enclosed building. This definition shall not include motor vehicle wrecking or salvage yards.

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- AUTOMOBILE OR LIGHT LOAD TRUCK REPAIR GARAGE: A garage or portion thereof in which the repair and maintenance of automobiles and light load trucks, as herein defined, takes place, but excluding the outdoor storage of vehicle parts or inoperative automobiles or light load trucks. This definition shall not include reupholstery, body repair or painting activities or services. (See GARAGE, REPAIR)
- AUTOMOBILE OR LIGHT LOAD TRUCK SALES: The display and sales of new and used automobiles and light load trucks, as herein defined, with incidental parts sales, maintenance, and repair facilities. Such incidental parts sales, maintenance, and repair facilities shall be completely located within an enclosed building.
- AWNING: Roof-like cover entirely supported by and extending from a building for protecting items or openings therein, from the elements.
- BANK, SAVINGS AND LOAN, OR CREDIT UNION: A professional and general administrative office establishment for the custody, loan, exchange, investment, or issue of money, the extension of credit, and/or facilitating the transmission of funds.
- BASE FLOOD: The flood having a one percent chance of being equaled or exceeded in any given year.
- BASEMENT OR CELLAR: As such terms are defined by the building code of the City of Carrollton.
- BATCH PLANT: A temporary or permanent facility for the production and manufacture of asphalt or concrete.
- BED AND BREAKFAST: A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days and which is permanently occupied by the property owners listed on the county appraisal districts records for which the property is located. (*Ord. No. 4127, 02/07/23*)
- BEDROOM: A room in a dwelling used for sleeping purposes, other than a kitchen, dining room, living room, bathroom or closet. This definition shall include extra dining rooms, living rooms, and all dens, studies, game rooms, sunrooms or similar extra rooms, all of which are capable of being used as bedrooms.
- BEER & WINE OFF-PREMISE Retail sales of malt beverages or wine and as regulated by Texas Alcohol Beverage Commission. Distilled spirits or liquor sales for off premise consumption are not allowed in Carrollton. (Ord. No. \_\_\_\_; 05/20/25)
- BLOCK: An area within the city enclosed by streets and occupied by or intended for buildings; or, if this word is used as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets which intersect said street on said side.

- BOARDING, LODGING OR ROOMING HOUSE: A building other than a hotel, where lodging and meals for five or more persons are served for compensation.
- BOOKING SERVICE: Is any reservation and/or payment service provided by a person or entity that facilitates a hotel, short-term rental, or bed and breakfast transaction between the Owner and a prospective Occupant, and for which the person or entity collects or receives, directly or indirectly through an agent or intermediary, a fee in connection with the reservation and/or payment services provided for the hotel, short-term rental or bed and breakfast transaction. (*Ord. No. 4127, 02/07/23*)
- BREEZEWAY: A covered passage one story in height connecting a main structure and an accessory building.
- BRICK OR STONE: Brick, thin brick, real or manufactured stone.
- BUFFER: Land area used to physically separate one use from another, or to shield or block noise, light, visual intrusions or other nuisances.
- BUILDING: Any structure used or intended for supporting or sheltering any use or occupancy. (See STRUCTURE)
- BUILDING COVERAGE: The proportion of a lot or site covered or permitted to be covered by a building or structure.
- BUILDING, END OF: Those sides of the building having the least dimensions and in which doors or openings are not customarily provided for ingress or egress.
- BUILDING FACING THE SQUARE: Those buildings in the (TC) Transit Center District that are located on properties which directly face the square and buildings on corner lots which are located diagonally across an intersection from the square. (Ord. No. 1659, 10/02/90); (Ord. No. 3331, 10/06/09)
- BUILDING HEIGHT: As defined by the adopted International Building Code, as amended. (Ord. No. 2773, 02/04/03)
- BUILDING LINE: A line designated on an approved subdivision plat which is parallel or approximately parallel to a street, beyond which buildings may not be erected.
- BUILDING OFFICIAL: The administrative official of the City of Carrollton responsible for issuing permits and enforcing the Zoning Ordinance and building codes of the City.

- BUSINESS SUPPORT SERVICES: An establishment primarily engaged in providing services primarily to business enterprises on a fee or contract basis, including, but not limited to, advertising agencies, computer programming and software services; office equipment sales, rental, leasing, or repair; printing/copy services, photo finishing, and information services. Excludes automotive, motor vehicle, watercraft, and garage repair or with storage automobile, motor vehicles, watercraft, or travel trailers.
- CABANA, PAVILION OR GAZEBO: A secondary structure on a lot incidental to a swimming pool or recreational area but excluding sleeping and kitchen facilities. (*Ord. No. 1670, 11/20/90*)
- CARETAKER OR NIGHT WATCHMAN QUARTERS: A residence or facility located on the premises of a non-residential use. Such residence or facility shall be occupied only by a caretaker, guard, or night watchman employed on the premises.
- CARNIVAL OR CIRCUS: A temporary traveling show or exhibition usually housed in tents and which has no permanent structure or installation.
- CARPORT: A roofed structure which may be attached or unattached to the principal structure providing space for the storage of one or more automobiles, light load truck, or travel trailer and enclosed on not more than two sides.
- CAR WASH: A structure or facility used to wash automobiles, motorcycles, trucks, and other light load vehicles.
- CERTIFICATE OF OCCUPANCY: Official certification which permits the use of a building in accordance with the approved plans and specifications and which certifies compliance with the provisions of law for the use and occupancy of the building in its several parts together with any special stipulations or conditions of the building permit.

CITY: The City of Carrollton, Texas.

CITY COUNCIL: The governing or legislative authority of the City of Carrollton.

- CLASSROOM: Any room, including laboratories, in which classes are conducted at a school, church or other educational facility, but excluding hallways and other common areas, auditoriums, sanctuaries, gymnasiums, cafeterias, libraries, storage and maintenance areas, and administrative offices.
- CLINIC: An institution or facility for examining, consulting with or treating patients, including offices, laboratories and out-patient facilities, but not including hospital beds and rooms for acute or chronic care.
- COMMERCIAL: Any business, other than a home occupation or manufacturing business, which involves the exchange of goods or services for the remuneration of a person occupying the premises upon which the transaction or part thereof takes place.

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- COMMERCIAL AMUSEMENT, INDOOR: An enterprise providing for indoor recreational activities, services, amusements, and instruction for an admission fee. Uses may include, but are not limited to, bowling alleys, ice- or roller-skating rinks, bingo parlors, laser tag, rock climbing, trampoline, escape rooms, ax throwing and/or general practice areas. Uses do not include amusement arcades, or sexually oriented businesses. (*Ord. No.* \_\_\_\_; 05/20/25)
- COMMERCIAL AMUSEMENT, OUTDOOR: An enterprise providing for outdoor recreational activities, services, amusements, and instruction for an admission fee, including, but not limited to, batting cages, miniature golf/golf range, go-kart tracks, and carnivals.
- COMMISSION: The Planning and Zoning Commission of the City of Carrollton.
- COMMUNICATION EQUIPMENT: Any communication antenna or device attached to an existing structure, not to exceed 15 feet in height above the existing structure.
- COMMUNICATIONS TOWER: A free-standing structure, other than an amateur radio/tv tower for citizen band and amateur radio communications, designed, constructed, and utilized for communication and broadcasting. This definition shall include radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures, and all communication equipment or antennas. Communication towers shall be in accordance with XXI., Special Use Permits.
- COMMUNITY HOME: A facility meeting the requirements and licensed under the Texas Human Resources Code.
- CONDOMINIUM: The separate ownership of single units or apartments in a multiple unit structure or structures with common elements as defined in Article 81.002 of Vernon's Annotated Civil Statutes.
- CONTRACT CONSTRUCTION SERVICES: Any premises used for the storage, accumulation, stocking, or depositing of materials, tools, products, or equipment on a temporary or permanent basis for eventual use or sale by an electrician, plumber, carpenter, or any other type of building, construction or manufacturing trade, provided that such activities are conducted completely within an enclosed building. Provided, however, that the temporary or overnight on-premises parking of motor vehicles and outside storage of equipment or materials for eventual use or sale shall be allowed as an accessory use. (*Ord. No. 1705, 05/07/91*)
- CONTRACTOR STORAGE YARD: Any premises where the principal use is for the outside storage, accumulation, stocking, or depositing of materials, tools, products, equipment or vehicles on a temporary or permanent basis for eventual use or sale by an electrician, plumber, carpenter, or any other type of building, construction or manufacturing trade. (*Ord. No. 1705*, 05/07/91)
- COUNTRY CLUB: An area containing a golf course and a club house available only to the membership of the country club and their guests, including facilities for dining and entertainment, swimming, tennis and similar recreational facilities and services.

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COURT: A space open and unoccupied to the sky bounded on more than two sides by the walls of the building. An inner court is a court entirely surrounded by the exterior walls of a building. An outer court is a court having one side open to a street, alley, yard, or other permanently open space.

CUL-DE-SAC: A local street with only one outlet and having a terminal of sufficient width for the reversal of traffic movement.

DAY CARE CENTER, ADULT: An establishment that provides counseling, recreation, supervision, or food, or any combination of these services on a daily or regular basis, but not overnight, to four or more elderly or handicapped persons who are not related by blood, marriage, or adoption to the owner of the establishment. Clients of an adult day care center shall not require institutionalization in a hospital; nursing or convalescent home; respite, personal care or custodial care home; or similar specialized facility. Hours of operation shall not exceed the period between 6:00 a.m. and 12:00 midnight.

Such establishment shall not accommodate individuals who pose a direct threat to the health, safety, or welfare of themselves or others, and shall not constitute a halfway house, rehabilitation facility, or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities. Medical treatment or rehabilitative services shall not be provided in an adult day care center.

An adult day care center shall be licensed and operated in a manner consistent with such standards as may be promulgated by the Texas Department of Health and the Texas Department of Human Services. (Ord. No. 1573, 09/05/89)

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DAY CARE HOME, ADULT: An establishment that provides counseling, recreation, supervision, or food, or any combination of these services on a daily or regular basis, but not overnight, to three or fewer elderly or handicapped persons who are not related by blood, marriage, or adoption to the owner of the establishment. Clients of an adult day care home shall not require institutionalization in a hospital; nursing or convalescent home; respite, personal care or custodial care home; or similar specialized facility.

Hours of operation shall not exceed the period between 6:00 a.m. and 12:00 midnight. The license-holder, operator, director, or person otherwise responsible for the operation and provision of care within the facility, shall maintain his or her primary residency in the dwelling within which such facility is located. An adult day care home shall be accessory to the full-time residency of the dwelling.

A minimum floor area of 50 square feet of living space shall be required per client. Such floor area shall be calculated exclusive of the kitchen and food service or dining area, restrooms, bath areas, offices, corridors, stairways, garages, storage areas, and outdoor spaces. A minimum of 200 square feet of site area shall be provided per client.

Such establishment shall not accommodate individuals who pose a direct threat to the health, safety, or welfare of themselves or others and shall not constitute a halfway house, rehabilitation facility, or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities. Medical treatment or rehabilitative services shall not be provided in an adult day care home.

An adult day care home shall be licensed and operated in a manner consistent with such standards as may be promulgated by the Texas Department of Health and the Texas Department of Human Services. (Ord. No. 1573, 09/05/89)

DAY CARE SERVICES, CHILD: As defined by the North American Industry Classification System (NAICS), 2007 edition, provided however that this definition shall specifically include "Day Care Center" as defined and regulated by Chapter 42 of the Human Resources Code and the Texas Administrative Code of the State of Texas as may be amended, and in accordance with such standards as may be promulgated by the Texas Department of Family and Protective Services. (Ord. No. 3587, 12/03/13)

<u>Day Care Centers</u> provide care at a location other than the residence of the director, owner or operator of the facility for seven or more children under 14 years of age for less than 24 hours a day but at least two hours a day, three or more days a week.

This definition shall not include <u>Registered & Licensed Child Care Homes</u> or <u>Listed Family Homes</u>.

DAY LABOR EMPLOYMENT PLACEMENT AGENCY: Establishments primarily engaged in referring or placing applicants for day labor employment. The individuals placed are not employees of the employment agency. (Ord. No. 2866, 12/16/03)

- DENSITY: The ratio of the number of dwelling units per net acre of platted area being developed. Net acre shall be defined as the acreage of a site less any existing or proposed rights-of-way, or flood plain that is not either reclaimed or substantially improved as open space and incorporated into the project.
- DISABLED PERSON: A handicapped person. (Ord. No. 1573, 09/05/89)
- DISCONTINUED: The cessation of any use, activity or business activity. (Ord. No. 2258, 04/15/97)
- DISTRICT: A zone or geographic area in the City of Carrollton within which certain zoning or development regulations apply.
- DRIVE-THROUGH WINDOWS: An accessory use providing drive up services and goods to customers in motor vehicles including but not limited to a limited service restaurant, office uses, retail, dry cleaning and laundry services.
- DRY CLEANING AND LAUNDRY SERVICES, MAJOR: An industrial facility where fabrics are cleaned with substantially non-aqueous organic solvents on a commercial or wholesale basis including industrial launderers.
- DRY CLEANING AND LAUNDRY SERVICES, MINOR: A custom cleaning shop or pick-up station not exceeding 3,000 square feet of floor area and includes laundromats. Excludes major dry cleaning and laundry services.
- DWELLING: Any building, or portion thereof, which is designed for use for residential purposes.
- DWELLING UNIT: A single living unit providing complete, independent living facilities for one family or persons maintaining a common household, and including a residential kitchen, bathroom, and provisions for living, sleeping, and sanitation; accessible independently of another dwelling unit or portion thereof (SEE RESIDENTIAL KITCHEN). Dwelling units do not include hotels, motels, inns, bed and breakfasts, short-term rentals, or non-residential uses where rooms are rented for less than one month. (Ord. No. 1739, 10/01/91; Ord. No. 4541, 12/05/23)
- DWELLING, ATTACHED: A dwelling having any portion of one or more walls in common with adjoining dwelling units.
- DWELLING, DETACHED: A dwelling unit having open space on all sides.
- DWELLING, DUPLEX: A detached building containing not more than two dwelling units, whereby both individual dwelling units within the building are located on the same lot of record and separated by a party wall or abutting wall. (Reference Figure 1.1, Appendix A)
- DWELLING, MULTIFAMILY: A building or use designed for occupancy by three or more dwelling units on a single lot. (See MULTIFAMILY APARTMENT BUILDING OR COMPLEX)

- DWELLING, SINGLE-FAMILY ATTACHED: A single-family attached dwelling unit located on a separately platted lot of record which is joined to another dwelling unit on one or both sides by a common wall. (Reference Figure 1.1, Appendix A)
- DWELLING, SINGLE-FAMILY DETACHED: A detached building having accommodations for, and occupied by not more than, one family.
- DWELLING, TOWNHOUSE: A single-family attached building containing separate dwelling units each located on separately platted lots of record with units separated by a party wall or abutting wall on one or both sides. (Reference Figure 1.1, Appendix A)
- EASEMENT: A grant of one or more of the property rights by the property owner to and/or for the use or benefit by the public, a corporation, or other person or entity. An easement shall be identified on a subdivision plat, filed for record with the appropriate county clerk, and cannot be varied or altered by action of the Board of Adjustment.
- EFFICIENCY APARTMENT: An apartment having a combination living and bedroom, where no separate bedroom exists.

EGRESS: A place or means of exit.

ELDERLY PERSON: A person 65 years of age or older. (Ord. No. 1537, 09/05/89)

EMERGENCY MAINTENANCE AND REPAIR: Any work, necessitated by emergency or sudden and unforeseeable event, without which a structure, object, or site, or any part thereof, is likely, in the opinion of duly authorized officers of the City of Carrollton, to result in additional deterioration or damage to said structure, object or site, or without which said structure, object or site poses an immediate threat to life, health or safety of the populace. (Ord. No. 2706, 07/16/02)

EMPLOYMENT SERVICES: Establishments primarily engaged in one of the following:

- a. Listing employment vacancies and referring or placing applicants for employment; or
- b. Providing executive search, recruitment, and placement services.
- ERECTED: Built, constructed, raised, altered, reconstructed, moved upon; any physical operations on the premises which are required for construction of a building, structure, or facility.
- ESCORT: A person who, for consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.
- ESCORT AGENCY: A person or business association which furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip, or other consideration.

- EVENT CENTERS AND RECEPTION HALLS: A facility utilized to hosting parties, banquets, weddings or other receptions, or social events in a room or building. Event centers and reception halls shall be in accordance with Article XXI. Special Use Permits of the Comprehensive Zoning Ordinance, as amended.
- FACING A PUBLIC STREET: Where the projection of any exterior elevation of a building onto the adjacent public street between an imaginary extension of the side property lines is equal to or greater than 20 percent of such elevation. Such measurement shall take into account any existing intervening structures, such as buildings or any opaque screening wall that is erected to satisfy a requirement of this ordinance, but shall not include intervening landscape material, signs, utility poles, flagpoles, chain link fences or any fence erected at the option of the property owner which is not specifically required to satisfy a provision of this ordinance. (*Ord. No. 1557, 07/11/89*)
- FALSE FRONT: The exterior wall of a building located in the (TC) Transit Center District which rises from the sidewalk to a minimum of two feet above the intersecting roof line, concealing any visibility of the roof from the adjacent public street. (*Ord. No. 1659, 10/02/90*); (*Ord. No. 3331, 10/06/09*)
- FAMILY: Any number of individuals living together as a single housekeeping unit, in which not more than four individuals are unrelated by blood, marriage or adoption.
- FARM, ORCHARD, RANCH: An area of five acres or more which is used for growing usual farm products, vegetables, fruits, trees, and grain, and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle, and sheep, and including the necessary accessory uses for raising, treating, and storing products raised on the premises; but excluding the commercial feeding of offal or garbage to swine or other animals, including feed lots. The processing and storage of raw agricultural products, such as cotton gins and grain elevators, shall not be considered a farm, ranch or orchard if such constitute the main or principal use on the lot or parcel. (See AGRICULTURE)
- FEEDER LINE: Any line, wire, or cable which distributes, transmits or delivers a utility service to a general area and not to a specific end user.
- FLAMMABLE OR COMBUSTIBLE LIQUIDS, OR HAZARDOUS MATERIAL: As defined by the Fire Code, as adopted by the City of Carrollton.
- FLOOD PLAIN: An area of land subject to inundation by a 100-year frequency flood.
- FLOODWAY: The channel of a river or other watercourse and the adjacent land areas required to carry and discharge a flood of a given magnitude.

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- FLOOR AREA: The total square footage of floor area within the outside dimensions of a building, including each floor level, or an accessory building or structure. Floor area calculations for buildings exclude breezeways, porches, carports, garages, accessory buildings or structures, or areas devoted to the off-street parking of vehicles. (See MINIMUM SQUARE FOOTAGE OF DWELLING UNIT)
- FLOOR AREA RATIO: An indicated ratio between the number of square feet of total floor area of building(s) on a lot and the total square footage of land in the lot.

# Floor Area Lot Area = Floor Area Ratio (Reference Figure 1.3, Appendix A)

- FOOD SERVICE FACILITY: A food service establishment with an equipped kitchen within a self-contained temporary structure. The temporary structure cannot operate for more than 6 months on the same lot for any consecutive 12-month period, measured from the date of commencement of the use. The temporary structure may be renewed for one additional 6-month period upon approval of the city manager or designee. (*Ord. No. 3980, 09/15/20*)
- FOOD TRUCK OR FOOD TRAILER: A self-propelled motorized vehicle or tow-behind trailer equipped to cook, prepare, serve, or sell food. (Ord. No. 3980, 09/15/20)
- FREESTANDING BUILDING: A building, structure, or premises which stands independently and separately, and which is not connected to any other building, structure, or premises by any means of support or attachment, including but not limited to a common wall, roof, or breezeway.
- FREEWAY: A continuous thoroughfare designed to give preference to through traffic by providing grade-separated connections only with selected arterials and by prohibiting crossings at grade and direct private driveway connections.
- FRONT: That portion of a building, structure, lot or parcel of land which faces or abuts the street upon which such building, structure, lot or parcel of land is addressed.
- FRONTAGE: All of the property measured along the property line abutting on one side of the street upon which such property is addressed.
- GARAGE APARTMENT: A dwelling unit attached to or erected above a private garage.
- GARAGE, PRIVATE (RESIDENTIAL): An accessory building or a portion of a residence of a dwelling unit(s) for the storage or parking of motor vehicles as may be required in connection with the permitted use of the main building.

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- GARAGE, REPAIR: A building or portion thereof, designed or used for the storage, sale, hiring, care or repair of motor vehicles or watercraft, which is operated for commercial purposes, but excluding reupholstery, body repair or painting activities or services. (See AUTOMOBILE REPAIR GARAGE)
- GARDEN HOME: A single-family attached dwelling. (See DWELLING, SINGLE-FAMILY ATTACHED)
- GOVERNMENT FACILITY: Any place or facility owned or operated by the school district, municipal, county, state, or federal government. Government facilities shall include amphitheaters, auditoriums, cemeteries, libraries, museums, post offices, public office and administrative buildings (including City Hall), police or fire stations, public plazas and open space, recreation centers and facilities, stadiums, arenas, convention or civic centers; but excluding storage and maintenance facilities, facilities for public utilities, including substations, treatment, generation or pump facilities, or landfills or disposal facilities.
- GRADE: As defined by the adopted International Building Code, as amended. (Ord. No. 3331, 10/06/09)
- GROSS LEASABLE AREA: The total floor area designed for occupancy and exclusive use. The area of tenant occupancy shall be measured from the centerlines of joint partitions to the outside of the tenant walls.
- GROUP QUARTERS: A facility where individuals live in a shared or communal setting. Group quarters may provide shared living spaces and services for residents who are typically not related to each other, such as in congregate housing or dormitories. (Ord. No. \_\_\_\_; 05/20/25)
- GUEST HOUSE: A secondary structure on a lot which may contain dwelling accommodations for the temporary occupancy by guests, but which is not for rent, lease or permanent occupancy. Such building shall not have a separate utility meter or kitchen facilities. Kitchen facilities may be provided in accordance with Article VII. of this ordinance. (Ord. No. 1947, 10/19/93)
- HANDICAPPED PERSON: A person who has a physical or mental impairment, or both, which substantially limits one or more of such person's life activities; who has a record of having such an impairment; or who is regarded as having such an impairment. Such term does not include current illegal use of, or addiction to, a controlled substance, as defined in Section 102 of the Controlled Substance Act, as amended.
- HEAVY EQUIPMENT: Machinery, apparatus or implements which include, but are not limited to construction and/or earth moving equipment, forklifts, and other related equipment.
- HISTORIC DISTRICT: An area of the city designated by ordinance of the City Council, which possesses definable geographic boundaries, a significant concentration, linkage, or continuity of sites, buildings or structures united historically or aesthetically by plan or physical development. (*Ord. No. 2706, 07/16/02*)

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- HISTORIC LANDMARK: An individual site, place, building, structure or object, designated by ordinance by the City Council, as worthy of rehabilitation, restoration, and/or preservation for its historic, cultural, and/or architectural significance to the City of Carrollton. (Ord. No. 2706, 07/16/02)
- HISTORIC PRESERVATION ADVISORY COMMITTEE: The Historic Preservation Advisory Committee of the City of Carrollton, as established by Section 34.050 of the Carrollton Code of Ordinances. Also referred to as "the Committee" and "HPAC." (Ord. No. 2706, 07/16/02)
- HISTORIC PRESERVATION OFFICER: The City Manager or Designee charged with the administration of the historic preservation overlay district ordinance. Also referred to as "the HPO." (Ord. No. 2706, 07/16/02)
- HOSPICE, IN-PATIENT: An institution or facility where those persons suffering from generally permanent types of infirmity, illness, injury or deformity are given care and treatment on a prolonged or permanent basis, and which is licensed by the state or Texas. (Ord. No. 1573, 09/05/89)
- HOTEL ACCOMODATION AND RESERVATION SERVICE: A business or service that provides information, such as rates, availability, and other property information and also schedules and books accommodations for hotels on a 24-hour basis, 7 days a week. (Ord. No. 3271, 12/01/08)
- HOTEL, FULL SERVICE: A building or group of buildings with the main function of providing temporary lodging accommodations for transient guests where entrance to each room is gained from a completely enclosed area, except first floor units which may have direct access from an interior courtyard or swimming pool area instead of, or in addition to, hallway access. Such Hotels contain restaurants, conference and meeting facilities, business office services, personal service shops and other amenities as listed under Sec. XXI, (D)(2)(g)(2) Full-Service Hotel. This definition shall not include Extended Stay Hotels, Residence Hotel or Hotel Suites. (Ord. No. 2656, 01/08/02); (Ord. No. 3271, 12/01/08)
- HOTEL, LIMITED SERVICE: A building or group of buildings with the main function of providing temporary lodging accommodations for transient guests where entrance to each room is gained from a completely enclosed area, except first floor units which may have direct access from an interior courtyard or swimming pool area instead of, or in addition to, hallway access. Such Hotels contain restaurants, conference and meeting facilities, business office services, and other amenities as listed under Sec. XXI, (D)(2)(g)(4), Limited Service Hotel. This definition shall not include extended stay hotels, residence hotel or hotel suites. (Ord. No. 2656, 01/08/02); (Ord. No. 3271, 12/01/08)
- HOTEL, RESIDENCE OR HOTEL SUITES: A building or group of buildings with the main function of providing temporary, extended stay lodging accommodations for transient guests for compensation where entrance to each room is gained from an interior corridor, except first floor units which may have direct access from an interior courtyard or swimming pool area instead of, or in addition to, hallway access. (Ord. No. 2656, 01/08/02); (Ord. No. 3271, 12/01/08)

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- IMPERVIOUS COVER: Roads, parking areas, buildings and other impermeable construction covering the natural land surface that prevents absorption of the water. Water quality basins, swales and other conveyances for overland drainage shall not be calculated as impervious cover.
- INDUSTRIAL FINISHING: A principal use involving any process whereby finished products are altered in size or shape, excluding shredding or crushing, to serve as a component in some other product or process, or for immediate use, sale or distribution as a finished product. (Ord. No. 1670, 11/20/90)
- INGRESS: A place or means of entrance or access.
- INOPERABLE MOTOR VEHICLE: Any motor vehicle, as herein defined, which is inoperable; or which does not have lawfully attached thereto an unexpired license plate(s); or which is wrecked, dismantled, or partially dismantled.
- INSTITUTIONAL USE: A non-profit organization or building, public or private, for the benefit of the public including YMCA, YWCA, boys clubs, girls clubs, Boy Scouts, Girl Scouts; educational facilities and schools, including day care centers and kindergartens; cemeteries, mausoleums or crematories for the deposit of the human dead; private parks, private libraries, and museums.
- INSTITUTIONS OF A RELIGIOUS OR PHILANTHROPIC NATURE: An institutional use sponsored or operated by organizations established for religious or philanthropic purposes, including but not limited to orphanages, counseling and referral services, homes for the aged, training and educational facilities, meeting establishments, and residences.
- INTERIM USE: A non-permanent, permitted use of the land, provided that the land is unplatted at the time of use. Upon approval of a subdivision plat, all rights permitted under the term "interim" shall cease.
- KEY LOT: A corner lot whose exterior side yard is adjacent to the front yard of another lot. (Ord. No. 1557, 07/11/89)
- KIOSK: A small, freestanding, accessory structure having a maximum floor area of 600 square feet and used for commercial purposes, the posting of temporary information and/or posters, notices and announcements. If a kiosk is to be occupied, it shall have a minimum floor area of 25 square feet. Vending machines and other similar mechanical devices or appliances shall not be defined as a kiosk.

An INFORMATIONAL KIOSK shall be limited to the posting of temporary information and/or posters, notices and announcements, including a location map of the premises upon which such informational kiosk is located. An informational kiosk shall not be occupied by any person. (*Ord. No. 1582, 10/03/89*)

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- KITCHENETTE: A food preparation facility within a hotel in which only the following may be allowed:
  - a. A cook-top limited to no more than two burners
  - b. A microwave oven
  - c. A refrigerator (Ord. No. 3271, 12/01/08)

#### KITCHEN, RESIDENTIAL: (SEE RESIDENTIAL KITCHEN)

- LANDSCAPE AUTHORITY: A landscape architect registered with the State of Texas, or a licensed Texas nurseryman. (Ord. No. 1659, 10/02/90)
- LATERAL LINE: Any line, wire, or cable used to distribute, transmit, or deliver a utility service from a feeder line to two or more sites or end users of the utility service.
- LIGHTED ATHLETIC FIELDS: Outside recreation, sport, playground, game courts illuminated by any man-made device.
- LIVE/WORK UNIT: As defined by the adopted building code of the City of Carrollton and provided the use is allowed in Article V. Use of Land and Structures. (*Ord. No. 3939, 12/13/19*)
- LOT: Land occupied or to be occupied by a building and its accessory building(s) and including such open spaces as are required under this ordinance and having its principal frontage upon a public street or officially approved place.
- LOT, AREA: The area of a horizontal plane within the lot lines of a lot.
- LOT, CORNER: A lot or parcel of land abutting two or more streets at their intersection or abutting two parts of the same street which form an interior angle of less than 135 degrees. (Ord. No. 1493, 08/02/88)
- LOT COVERAGE: The proportion of a lot or site covered or permitted to be covered by a building or structure.
- LOT DEPTH: The average horizontal distance between the front and rear lot lines. (Reference Figure 2.1, Appendix A)
- LOT, DOUBLE FRONTAGE: A lot having frontage on two non-intersecting streets, as distinguished from a corner lot.
- LOT, FLAG: A lot having access to a street by means of a parcel or portion of land having a greater depth than its frontage and having a width less than the minimum required lot width. (Reference Figure 2.1, Appendix A)
- LOT, INTERIOR: A lot whose side lot lines do not abut upon any street.

- LOT LINES: A line dividing one lot from another, or from a street or place. (Reference Figure 2.3, Appendix A)
- LOT OF RECORD: A lot which is created by an approved subdivision, the plat of which has been duly recorded in the office of the appropriate county clerk.
- LOT WIDTH: The mean horizontal distance between the side lot lines of a lot measured at right angles to the depth or the same distance measured at the front building line. (Reference Figure 2.6, Appendix A)
- MANEUVERING SPACE: The space entirely on private property required for maneuvering vehicles in such a manner as to preclude the backing of any vehicle into any street right-of-way.
- MANUFACTURING: A principal use involving the mechanical or chemical transformation of raw materials or substances into new products, including the blending of materials such as, but not limited to, oils, chemicals, plastics or resins, and including the shredding or crushing of materials whereby they are changed from one use or function to another. This definition shall apply to any such process regardless of whether the new product is finished or semi-finished as a raw material in some other process, regardless of the quantity of product produced, and regardless of whether the finished product is or is not toxic or hazardous.
- MASONRY: As defined by the adopted building code of the City of Carrollton, provided however that concrete masonry units ("CMUs") shall have a split, ribbed, scored, burnished or otherwise decorative appearance. (Ord. No. 3421, 01/11/11)

For the purposes of this ordinance, where the term MASONRY SCREENING WALL is used, such wall shall be constructed in accordance with the General Design Standards of the City of Carrollton. (Ord. No. 1650, 09/04/90)

MASSAGE PARLOR: Any place where, for any form of consideration, massage, alcohol rub, administration of fomentations, electric or magnetic treatments, or any other treatment or manipulation of the human body occurs as part of or in connection with any "specified sexual activity", or where any person providing such treatment, manipulation or service related thereto exposes any "specified anatomical area."

This term shall not apply to a place wherein registered physical therapists or a certified massage therapist treats only patients recommended by a licensed physician and operate only under such physician's direction.

This term shall not apply to Massage Therapy (See MASSAGE THERAPY). (Ord. No. 3465, 12/06/11)

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MASSAGE THERAPY: As defined by the North American Industry Classification System (NAICS), 2007 edition, with the additional description that any establishment and/or person providing massage therapy services shall be appropriately licensed by the Texas Department of State Health Services.

This term shall not apply to a Massage Parlor (See MASSAGE PARLOR). (Ord. No. 3465, 12/06/11)

- MATERIAL RECYCLING CENTER: A facility or establishment used for, or involved in, the collecting, storage, sorting, crushing, breaking up, shredding, compacting, baling, palletizing or wholesale distribution of waste or scrap metal cans, glass, paper or plastics. Such facility shall not accept or process motor vehicles or motor vehicle parts or accessories, nonferrous metals scrap, petroleum products or waste, or textile waste. All operations shall be inside of a building. (*Ord. No. 3439, 05/03/11*)
- METES AND BOUNDS: A system of describing and identifying land by measures (metes) and direction (bounds) from an identifiable point of reference such as a monument or other marker, the corner of intersecting streets, or in rural areas, a tree or other permanent fixture.
- MINI-STORAGE WAREHOUSE: Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited.
- MINIMUM SQUARE FOOTAGE OF DWELLING UNIT: The minimum square footage of living space required per dwelling unit, exclusive of porches, breezeways, patios, garages, carports, or any accessory building or accessory space, and shall include only that area designated and used specifically for dwelling purposes.
- MIXED-USE DISTRICT: Property approved and designated on the Future Land Use Map of the Comprehensive Plan as Mixed-Use/Urban and intended for a mix of residential and non-residential uses within the same development and/or building. (Ord. No. 3148, 6/19/07)
- MOBILE HOME: Means "Manufactured home" or "manufactured housing" as that term is defined in the State of Texas Occupations Code, Title 7, Subtitle C, Chapter 1201 Manufactured Housing.
- MOBILE HOME PARK: A site upon which one or more mobile or manufactured homes, may be placed, and providing facilities, services and improvements as may be required by this and other ordinances of the City of Carrollton. This term shall not apply to the accommodation of recreational vehicles or travel trailers, as herein defined, on either a long-term or short-term basis.
- MOBILE OR MANUFACTURED HOME SPACE: A plot of ground within a mobile home park designed for the accommodation of not more than one mobile home, as herein defined.

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- MOBILE COLLECTION AND REDEMPTION CENTER: A truck, van, trailer or other vehicle used for the collection, sorting or temporary storage of used metal cans, plastic, glass, paper, or materials or for the collection of clothing, furniture, appliances, or items. (Also see Article XXVIII., Section E). (Ord. No. 1705, 05/07/91); (Ord. 3439, 05/03/11; (Ord. No. 3866, 07/10/18)
- MODEL HOME: A dwelling unit used initially for display purposes which typifies the type of units that will be constructed in the subdivision.
- MODULAR HOME/INDUSTRIALIZED HOUSING: A structure or building module that is manufactured at a location other than the location where it is installed and used as a residence; transportable in one or more sections on a temporary chassis or other conveyance device; and to be used as a permanent dwelling when installed and placed upon a permanent foundation system. This term includes the plumbing, heating, air conditioning and electrical systems contained within the structure. This term does not include a mobile/manufactured home or building modules incorporating concrete or masonry as a primary component.
- MOTOR VEHICLE: Any vehicle which is propelled by mechanical power such as automobiles, light or heavy trucks, motorcycles, travel trailers, watercraft, or buses designed to carry one or more persons; but excluding construction equipment, forklifts, lawn equipment, or farm implements.
- MULTIFAMILY BUILDING OR COMPLEX: Any building, or portion thereof, which is designed, built, owned, rented, leased, let or hired out to be occupied as three or more dwelling units, or which is occupied as the home or residence of three or more families living independently of each other and maintaining separate cooking facilities, and on a single lot. (See DWELLING, MULTIFAMILY)
- NON-CONFORMING USE OR STRUCTURE: A building, structure or use of land lawfully in existence at the time of the effective date of this ordinance or amendments hereto, and which does not conform to the use regulations of the district in which it is situated.
- NON-PROFIT CORPORATION: An entity subject to the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Annotated Civil Statutes).
- NUDE MODELING STUDIO: Any place where a person who appears in a state of nudity, or displays any "specified anatomical area" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.
- NUDITY OR STATE OF NUDITY: The appearance of any "specified anatomical area", as herein defined.

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- OFFICE, PROFESSIONAL AND GENERAL ADMINISTRATIVE: An establishment where business is carried on by people working at desks used for writing, communication, computers, and meetings used for the provision of executive, management, or administrative services. Typical uses include, but are not limited to administrative offices and services including financial institutions; real estate; property management, legal services; architectural/engineering offices; travel agencies; secretarial services; call centers; accounting; offices for civic organizations and associations; and vehicle rental office without on-site storage of automobiles, motorized vehicles, or travel trailers. (Ord. No. \_\_\_\_; 05/20/25)
- OFFICE, MEDICAL SERVICES: An establishment dispensing outpatient medical health services, including diagnostic and imaging laboratories, surgical, doctor and dental offices.
- OPEN SPACE: The area included in any front, rear or side yard, or any unoccupied space on a lot that is open and unobstructed to the sky from a point 30 inches above the general ground level of the graded lot, except for the ordinary extensions of window sills, eaves, awnings, balconies, belt courses, chimneys, cornices, roof overhangs, canopies, and other normal architectural features or landscaping, flagpoles, mailboxes, utility poles, lighting fixtures or fences.
- ORDINARY MAINTENANCE AND REPAIR: Any work not necessitated by emergency or sudden and unforeseeable event, the purpose and effect of which is to correct any deterioration of or damage to a structure, object or site, or any part thereof, and to restore the same, as nearly as may be practicable, to its condition (including color and appearance) prior to such deterioration or damage, using the same materials, or materials as close to the original, as is practicable. This definition does not include any work done which alters the fundamental design, plan or layout. (*Ord. No. 2706, 07/16/02*)
- OTHER MOTOR VEHICLE REPAIR GARAGE: A garage or portion thereof in which the repair and maintenance of automobiles, light and heavy load trucks, travel trailers, or watercraft, as herein defined, takes place, but excluding the outdoor storage of vehicle parts or inoperative vehicles of any kind. This definition shall not include reupholstery, body repair or painting activities or services. (See GARAGE, REPAIR)
- OTHER MOTOR VEHICLE SALES: The display and sales of new and used automobiles and light and heavy load trucks, travel trailers, and watercraft, as herein defined, with incidental parts sales, maintenance, and repair facilities. Such incidental parts sales, maintenance, and repair facilities shall be completely located within an enclosed building.
- OUTSIDE DISPLAY: The outdoor exhibit of merchandise, material, or equipment sold in and incidental to a main use on the same lot or tract of land. Outdoor display includes, but is not limited to propane storage tanks, vending machines, sheds, landscaping materials, ice storage compartments, fuel powered equipment, and firewood (Also see Article XXVI., Section B). (Ord. No. 3439, 05/03/11)
- OUTSIDE STORAGE: The storage of commodities, goods and/or refuse outside of an enclosed building (Also see Article XXVI., Section A) (Ord. No. 3439, 05/03/11)

- PARK: Any tract of land open for use by the general public or active or passive recreational purposes, including but not limited to playgrounds, swimming pools, outdoor recreation facilities, trails, nature preserves, and greenbelts. Lighted athletic fields and stadiums are excluded with this definition. (Ord. No. 3943, 01/14/20)
- PARKING, GARAGE STRUCTURE (PRINCIPAL USE): A structure for the temporary parking of operable personal and light commercial vehicles. Commercial facilities for washing, repair, or other services shall not be included in the definition. (*Ord. No. 3943, 01/14/20*) (*Ord. No. \_\_\_\_; 05/20/25*)
- PARKING SPACE: An area not on a public street or alley, enclosed or unenclosed, together with a driveway connecting the parking space with a street or alley permitting free ingress and egress. Such area and driveway shall be surfaced in accordance with the paving standards of the City of Carrollton.

Parking adjacent to a public street wherein the maneuvering is done on a public street, shall not be classified as off-street parking in computing the parking requirements for any use. Dimensions for each parking space shall be determined by the application of those standards prescribed in Article XXIV. of this ordinance. (*Ord. No. 1641, 07/17/90*); (*Ord. No. 1670, 11/20/90*); (*Ord. No. 3943, 01/14/20*)

- PARKING, SURFACE (PRINCIPAL USE): An approved parking surface, as described herein, where motor vehicles may be stored for the purpose of temporary, daily or overnight off-street parking. (*Ord. No. 3943, 01/14/20*) (*Ord. No.* \_\_\_\_\_; 05/20/25)
- PARKING (REQUIRED) OFFSITE WITHIN 300 FEET OF THE PRINCIPAL USE: A provision that allows required parking spaces to be located offsite as a principal or accessory use of land, within a specified distance of 300 radial feet (measured property line to property line) from the principal use. Offsite parking shall be easily accessible for pedestrians by sidewalk and designated pedestrian street crossings, shall be legally designated for use by the occupants or visitors of the principal use, and shall require a parking agreement. Required parking offsite located greater than 300 feet from the principal use is not permitted. (*Ord. No.* \_\_\_\_; 05/06/25)
- PAWN SHOP: An establishment where money is loaned on the security of personal property pledged in the keeping of the pawnbroker.
- PATIO HOME: A single-family detached dwelling. (See DWELLING, SINGLE-FAMILY DETACHED; ZERO-LOT-LINE HOME)
- PERSON: An individual, proprietorship, partnership, corporation, association, or other legal entity.

PERSONAL CARE HOME: An establishment that provides room, board, and one or more services of a personal care or protective nature, such as ambulatory assistance, hygienic assistance or supervision of a meal regimen, to five or more elderly or handicapped persons who are not related by blood, marriage or adoption to the owner of the establishment. Residents of a personal care home shall not require institutionalization in a hospital; nursing or convalescent home; respite or custodial care home; or similar specialized facility since a personal care home is not equipped or licensed to provide all acts of a protective or restorative nature, and does not provide the nursing care or degree of staff supervision required for a respite or custodial care home, nursing home or similar facility.

Such establishment shall not accommodate individuals who pose a direct threat to the health, safety, or welfare of themselves or others, and shall not constitute a halfway house, rehabilitation facility, or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities. Treatment, counseling, or other services related to such rehabilitative activities shall not be provided in a personal care home.

A personal care home shall be licensed and operated in a manner consistent with such standards as may be promulgated by the Texas Department of Health and the Texas Department of Human Services. (Ord. No. 1573, 09/05/89)

PERSONAL CARE SERVICES: Establishments primarily engaged in providing services generally involved in the care of the person including, but not limited to hair, nail, or skin care services; beauty salons; diet and weight reducing centers. Does not include tattoo parlors.

PERSONAL AND HOUSEHOLD GOODS REPAIR AND MAINTENANCE: Establishments primarily engaged in repairing and servicing personal or household-type goods. Establishments in this industry repair items, such as garments; watches; jewelry; guns; sports equipment; cutlery; musical instruments; lawnmowers and home yard equipment; and bicycles. Excludes automotive, motor vehicle, watercraft, and garage repair or with storage automobile, motor vehicles, watercraft, or travel trailers.

PET DAY CARE: An establishment providing care for dogs or cats, including grooming and training, that has no overnight stays or outdoor runs or pens. The use does not include veterinarian clinics or offices. (Ord. No. 4043, 12/07/21)

PLACE OF WORSHIP: Includes churches, mosques, synagogues or temples:

- a. A structure used primarily for the purpose of engaging in religious worship or promoting the spiritual development or well-being of individuals; and
- b. A structure used by an organization operated in a way that does not result in accrual of distributable profits, realization of private gain resulting from payment or compensation in excess of a reasonable allowance for salary or other compensation for services rendered, or realization of any other form of private gain; and
- c. A structure used by an organization whose charter, bylaws or other regulation adopted by the organization to govern its affairs:
  - i. Pledges its assets for use in performing the organization's religious functions; and
  - ii. Directs that on discontinuance of the organization by dissolution or otherwise, the assets are to be transferred to the State of Texas or to a charitable, educational, religious or other similar organization that is qualified as a charitable organization under Section 501(c)(3), Internal Revenue Code of 1954, as amended.
- d. Use of a structure for occasional secular purposes other than religious worship does not result in loss of the status as a place of worship if the primary use of the structure is for religious worship, and all income from the other use is devoted exclusively to the maintenance and development of the structure as a place of religious worship.
- e. May include living quarters for a high-ranking leader of the place of worship including a single-family detached home or rectory or parsonage on the same lot.
- f. For the purposes of this Section, "religious worship" shall mean individual or group ceremony or meditation, education or fellowship, the purpose of which is to manifest or develop reverence, homage and commitment in behalf of a religious faith.

PLAT: As defined in the Subdivision Ordinance.

PORTABLE BUILDING: A temporary building that does not have a foundation and is transportable.

PREMISES: Land together with any buildings or structures occupying it.

PRIMARY FACADE: A facade in which there is a public entrance to an occupancy in a building located in the (TC) Transit Center District. A building may have more than one primary facade. (Ord. No. 1659, 10/02/90); (Ord. No. 3331, 10/06/09)

PRINCIPAL BUILDING: A building or structure, the use of which is a principal use.

PRINCIPAL USE: The main or predominant use of any building, lot, or structure. Where a building has multiple tenants, such as a shopping center, the principal use shall be determined by the main or predominant use of the individual tenant or lease space. (Ord. No. 1557, 07/11/89)

- PRINT SHOP: The reproduction and production of printed materials using various printing techniques, including digital printing, offset printing, and lithography. Services provided may include the printing of documents, brochures, flyers, business cards, and other materials that do not involve custom signage or graphics typically associated with screen printing. A print shop primarily emphasizes general document and product printing. (*Ord. No.* \_\_\_\_; 05/20/25)
- PRIVATE: The exclusion of those who have not been invited.
- PROFESSIONAL SERVICE: Work performed which is commonly identified as a profession, and which may be licensed by the state of Texas. A use classified as Professional or General Administrative Office or Medical Office Service.
- PUBLIC: Promotion of a public cause or service, including utilities having a franchise from the City of Carrollton, but excluding other profit-making organizations.
- PUBLIC BUILDING: Any building which is owned, leased, primarily used and/or primarily occupied by a school district or municipal, county, state or federal government, or any subdivision or agency of the school district, municipal, county, state, or federal government.
- RADIO, TELEVISION, OR TELEPHONE RELAY TOWER: A type of communication tower or structure of skeleton framework, attached directly to the ground or to another structure, used for the transmission or reception of radio, television, microwave, or any other form of telecommunications signals.
- REASONABLE VALUE: The market value that is placed on a structure by the appraisal district in which the property lies for the purpose of assessing taxes. (Ord. No. 3826, 08/15/17)
- RECEPTACLES: A non-permanent outdoor container or bin for temporary storage of waste, garbage, recyclables or other materials. (Also see Article XXV., Section (C)(5) and XXVII, Section J). (Ord. No. 3866, 07/10/18)
- RECREATIONAL VEHICLE: A travel trailer, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses manufactured and factory equipped for the road, it shall have a body width not exceeding eight feet and a body length not exceeding state maximums.

REGISTERED AND LICENSED CHILD-CARE HOMES OR LISTED FAMILY HOMES: As defined and regulated by Chapter 42 of the Human Resources Code and the Texas Administrative Code of the State of Texas as may be amended, and in accordance with such standards as may be promulgated by the Texas Department of Family and Protective Services.

Registered & Licensed Child Care Homes provide services for up to 12 children for less than 24 hours per day at the permit holder's home and are residential in character. These are considered "Home Occupations".

<u>Listed Family Homes</u> provide services for up to three children unrelated to the home occupant and are residential in character. These are considered "Home Occupations".

Registered and licensed childcare homes shall be limited to no more than two unrelated employees in addition to the primary care giver. (*Ord. No. 3587, 12/03/13*)

RESIDENCE: A dwelling.

RESIDENTIAL DISTRICT: A zoning district within the City of Carrollton wherein the primary purpose is for residential uses, including single-family attached and detached residences, duplexes, townhouses, apartments and condominiums, mobile or manufactured homes, and modular homes.

RESIDENTIAL KITCHEN: An area which has permanent cooking equipment and any one of the following:

- a. A sink;
- b. A refrigerator of a 10-cubic-foot capacity or larger; or
- c. An automatic dishwasher.

A residential kitchen may also be defined as an area without permanent cooking equipment and any two of the following:

- a. A sink;
- b. A refrigerator of 10-cubic-foot capacity or larger; or
- c. An automatic dishwasher.

Permanent cooking equipment shall be considered any of the following:

- a. Any gas range or oven/cook-top; or
- b. 220-volt electrical range or oven/cook-top; or
- c. Any built-in electrical range or oven/cooktop. (Ord. No. 1739, 10/01/91)

RESIDENTIAL LOFT: A single lot containing a non-residential principal use on the ground floor and containing not more than 2 dwelling units located on the second floor or higher, in the Historic Square Sub-District of the Downtown Transit Center District. (Ord. No. \_\_\_\_; 05/20/25)

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RESPITE CARE FACILITY: An establishment that provides room, board, and care to five or more elderly or handicapped persons who are not related by blood, marriage or adoption to the owner of the establishment; and provides minor treatment under the direction or supervision of a physician licensed by the Texas State Board of Medical Examiners, or services which meet some need beyond the basic provision of food, shelter, and laundry. The maximum duration of stay for any individual shall be two weeks. Clients of a respite care facility shall not require institutionalization in a hospital; nursing or convalescent home; custodial care home; or similar specialized facility.

Such establishment shall not accommodate individuals who pose a direct threat to the health, safety, or welfare of themselves or others, and shall not constitute a halfway house, rehabilitation facility, or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities. Treatment, counseling, or other services related to such rehabilitative activities shall not be provided in a respite care facility.

A respite care facility shall be licensed and operated in a manner consistent with such standards as may be promulgated by the Texas Department of Health and the Texas Department of Human Services. (Ord. No. 1573, 09/05/89)

- RESTAURANT, FULL-SERVICE: As defined by the North American Industry Classification System (NAICS), 2022 edition. Sale of alcohol in restaurants shall be allowed only with a Food and Beverage Certificate, as regulated by Texas Alcohol Beverage Commission. (Ord. No. \_\_\_\_; 05/20/25)
- RESTAURANT, LIMITED-SERVICE: As defined by the North American Industry Classification System (NAICS), 2022 edition. Sale of alcohol in restaurants shall be allowed only with a Food and Beverage Certificate, as regulated by Texas Alcohol Beverage Commission. (Ord. No. \_\_\_\_; 05/20/25)
- RETAIL: The sale of goods directly to a consumer; engaged in, pertaining to, or relating to the sale of merchandise at the retail level; to sell by individual items or by the piece, directly to a consumer at an establishment. Retail, under this definition includes, but is not limited to furniture stores, pharmacies, electronic/appliance sales, hardware, office supplies, lawn/garden, food/grocers, health/personal care stores, jewelry, sporting goods, book sales, music or instrument sales, office supplies, and florists. For the purposes of this ordinance, uses in a residential district such as temporary garage sales, church bazaars, lemonade stands, and the like shall not be considered retail uses. Automobile, motor vehicle, travel trailers, watercraft over 20 feet in length, gas stations, and fuel dealerships are not included in this definition. Sales of merchandise for outdoor display shall be in conformance with Article XXVI., Outside Storage and Display, as amended.
- RIGHT-OF-WAY LINE: A dividing line between a lot, tract, or parcel of land and the public right-of-way.

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- ROLL OFF DUMPSTERS: A temporary large, typically open-top, outdoor container most commonly used for storage and disposal of household trash, construction debris, or yard waste, and designed for vehicle transport of the entire container from a property for the removal of the contents. (*Ord. No. 3866, 07/10/18*)
- SCHOOL, DENOMINATIONAL OR PRIVATE: A school under the sponsorship of a private agency, corporation, or religious agency, having a curriculum generally equivalent to public elementary or secondary schools, and accredited or licensed by the state of Texas; but excluding private trade or commercial schools, as herein defined. "Day care centers" and "day nurseries", as herein defined, shall not be considered schools as applicable to this definition.
- SCHOOL, PUBLIC: A school under the sponsorship of a public agency providing elementary or secondary curriculum, and accredited or licensed by the state of Texas; but excluding private trade or commercial schools.
- SCREEN PRINTING AND SIGN MANUFACTURING: The design, production, and application of graphics and text on various substrates including garments using screen printing techniques. This includes the creation of signs, banners, decals, and other promotional materials, as well as related activities such as engraving and associated digital printing. (Ord. No. \_\_\_\_; 05/20/25)
- SEMI-NUDE: A state of dress in clothing that covers no more than the genitals, pubic region, pubic hair, and areolae of the female breasts, as well as portions of the body covered by supporting straps or devices.
- SERVANTS QUARTERS: An accessory building or portion of a main building located on the same lot as the main building and used as living quarters for servants employed on the premises and not rented or otherwise used as a separate domicile nor containing kitchen facilities. Kitchen facilities may be provided in accordance with Article VII. of this ordinance. (Ord. No. 1947, 10/19/93)
- SERVICE LINE: Any line, wire, or cable used to distribute, transmit, or deliver a utility service from a feeder or lateral line to an end user of the utility.
- SETBACK: The required minimum distance between any structure and any property line of the lot upon which it is located. Setbacks shall be measured perpendicular to lot lines. (*Ord. No. 1705*, 05/07/91)
- SEXUAL ENCOUNTER CENTER: A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:
  - a. Physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
  - b. Activities between persons when one or more of the persons is in a state of nudity or is semi-nude.

SEXUALLY ORIENTED BUSINESS: An Adult Entertainment Establishment.

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- SHORE LINE: The normal edge of a body of water under average conditions of rainfall.
- SHORT-TERM RENTAL: A residential premise, or portion thereof, used for lodging accommodations to occupants for a period of less than thirty (30) days that is not permanently occupied by the property owners listed on the county appraisal districts records for which the property is located. (*Ord. No. 4127, 02/07/23*)
- SITE: A combination of continuous lots or tracts that may or may not be owned separately, that will be developed under one unified plan, as if it were a single parcel of land.
- SITE PLAN: The development plan for one or more lots or tracts upon which is shown any information required by this ordinance such that an informed decision can be made by the approving authority.
- SMOKING: Engaging in an act that generates smoke or vapor for inhaling, including operating an electronic smoking device, or possessing an item for such act including, but not limited to, a lighted pipe, a lighted hookah pipe, a lighted cigar, or a lighted cigarette. (Ord. No. 4066, 04/05/22; Ratified by Ord. 4085 06/21/22)
- SMOKING LOUNGE: An establishment that allows for the gathering of persons to smoke. This term includes, but is not limited to, a cigar lounge, hookah lounge, entertainment lounge or venue, tobacco or vapor bar, and similar establishments. (Ord. No. 4066, 04/05/22; Ratified by Ord. 4085 06/21/22)
- SMOKING LOUNGE (ACCESSORY USE TO A FULL-SERVICE RESTAURANT ONLY): A smoking lounge which does not exceed 15% of the total floor area of the restaurant, not to exceed 1,000 square feet. (Ord. No. 4066, 04/05/22; Ratified by Ord. 4085 06/21/22)
- SMOKE SHOP RETAILER: A retail establishment providing for the display and sale of smoking products and that is not a food establishment, as that term is defined by the Carrollton Food Establishment Requirements (CFER). (Ord. No. 4066, 04/05/22; Ratified by Ord. 4085 06/21/22)
- SNOW CONE STAND: A temporary portable building used for selling snow cones for a limited period of time. (Also see Article XXVIII., Section E) (Ord. No. 3439, 05/03/11)
- SPACE: A plot of ground within a mobile home or recreational vehicle park designated for the accommodation of one mobile home or one recreational vehicle, together with such open space as required by this chapter.

#### SPECIFIED ANATOMICAL AREA:

- a. Less than opaquely covered human genitals, pubic region or pubic hair; or
- b. Less than opaquely covered perineum, buttock, or anus; or Less than opaquely covered female breast below a point immediately above the top of the areola; or
- c. Human male genitals in a discernibly erect or turgid state, even if completely and opaquely covered.

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#### SPECIFIED SEXUAL ACTIVITIES:

- a. Human genitals in a discernable state of sexual stimulation or arousal; or
- b. Acts or representations of human masturbation, sexual intercourse, sodomy, bestiality, excretory functions, sadism, masochism, lewd exhibition of genitals; or
- c. Fondling or other erotic touching of human genitals, pubic region or pubic hair, perineum, buttock or anus, or female breast.
- SQUARE, THE: That area in Old Downtown Carrollton which is bounded by Elm Street, Main Street, Broadway, and Fourth Street. (Ord. No. 1659, 10/02/90)
- STACKING SPACE: A paved area of not less than eight feet in width nor less than 22 feet in length, constructed in accordance with the applicable standards of the City of Carrollton. Offstreet vehicle stacking spaces shall be provided in accordance with Article XXIV. of this ordinance.
- STORAGE: The accumulation, stocking, or depositing of materials or items. These may include materials for the eventual use or sale in a commercial enterprise; but does not include the storing of a single automobile or truck on an individual residential lot.
- STORAGE BUILDING: Any building, either pre-manufactured or constructed on-site, utilized for storage purposes, and not requiring plumbing and electrical wiring, and not used for residential purposes.
- STORY: That portion of a building between the surface of any floor and the surface of the floor next above it; or if there is no floor above it, then the space between such floor and the ceiling or roof above. A standard story shall be 12 feet between floors.
- STORY, HALF: A story having an average height of not more than eight feet, covering a floor area of not more than 75 percent of the area of the floor of the first story below.
- STREET: Any public thoroughfare dedicated to the public and not designated as an alley.
- STREET LINE: The dividing line between the street and the abutting property.
- STREET RIGHT-OF-WAY: A street, including its pavement and all the publicly owned property adjacent to it, dedicated for street purposes.
- STRUCTURE: Anything constructed or erected, which requires location on the ground, or attached to something having a location on the ground; including, but not limited to, buildings, communications towers, signs and swimming pools, and excluding utility poles, parking lots, fences and retaining walls. (See BUILDING)
- STRUCTURAL ALTERATIONS: Any alteration involving a change in or addition to the supporting members of a building, such as load-bearing walls, columns, beams or girders.

- SUBDIVISION: The division of a parcel of land into two or more lots or tracts subsequent to April 2, 1962, for the purpose of transfer of ownership, dedication of streets, alleys, or easements, or for use for building development. A division of land for agricultural purposes into tracts of five acres or more, and not involving the construction of a new street or alley shall not be deemed a subdivision. This definition includes resubdivision and, when appropriate to the context, shall relate to the process of subdividing or to the land subdivided. (*Ord. No. 1670, 11/20/90*)
- SUBSTANTIAL, SIGNIFICANT OR PRIMARY: Over 50 percent of stock in trade, display area, or presentation time, whichever may be applicable to the nature of the establishment. Stock in trade and material shall be measured in terms of titles or objects. Items with the same title or name shall be considered as separate titles or objects.
- SUBSTATION: A collection of facilities which transform electrical power from voltages suitable for transmission lines to voltages suitable for feeder lines.
- TELEPHONE EXCHANGE: A facility, structure or office where telephone lines are connected to permit communication.
- TEMPORARY: Used or lasting for only a limited period of time; not a permanent structure or use. For temporary on-site construction offices, administrative offices, and batching plants, temporary shall mean the period of time limited to the actual on-site construction of the structure or facility, as the case may be. For all other uses, temporary shall mean a period of time not to exceed 90 calendar days from the date of commencement of the use, and no other temporary certificate of occupancy for a temporary use may be issued for the same lot or parcel for any consecutive 6-month period measured from the date of issuance of a temporary certificate of occupancy. (*Ord. No. 4035, 10/12/21*)
- THEATER: A building or portion of a building used primarily for showing motion pictures or for dramatic, musical, or live performances.
- THOROUGHFARE: The street classification identified and defined in the Transportation Plan of the City of Carrollton Comprehensive Plan.
- TRANSMISSION LINE: Any line, wire, or cable which distributes, transmits or delivers a utility service from a substation or generating plant to a feeder system.
- TRAVEL TRAILERS: Any vehicular, portable structure designed as a temporary dwelling for travel, recreational and vacation uses, and includes folding hardtop campers transported behind a motor vehicle, mounted campers attached to and transported behind a motor vehicle; camper, converted bus, tent trailer, tent or similar device used for temporary, portable housing, or a similar type of temporary dwelling intended for short term occupancy, travel, and/or recreation.
- TRUCK, HEAVY LOAD: A self-propelled vehicle having a gross vehicle weight (GVW) in excess of 7,500 pounds, including but not limited to recreational vehicles, vans, buses, tractortrailers, and other similar vehicles.

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- TRUCK, LIGHT LOAD: A self-propelled vehicle having not more than two axles and having a gross vehicle weight of less than 7,500 pounds, including but not limited to pick-up trucks, vans, and other similar vehicles.
- USE: The purpose or purposes, for which land or a building is occupied, maintained, arranged, designed, or intended.
- USE, APPROVED: Any use that is or may be lawfully established in a particular district or districts, if it conforms to all requirements of these regulations for the district in which such use is located.
- VARIANCE: Relief from or variation to the provisions of these regulations, other than the Use Regulations, as applied to a specific piece of property, as distinct from rezoning, and as further set out hereinafter in the powers and duties of the Board of Adjustment.
- VENDING MACHINES: A fully enclosed, automated machine, where various goods may be purchased, either with coin, paper currency, or electronic payment card. (*Ord. No. 3439, 05/03/11*)
- VENDING MACHINES (REVERSE): A machine which accepts and issues a cash refund or redeemable coupon for used metal cans, plastic, glass, paper or other redeemable materials. (Ord. No. 3439, 05/03/11).
- WAREHOUSE/DISTRIBUTION: A use devoted to storage, warehousing, and distribution of goods, wholesale, merchandise, supplies, and equipment. Bulk stations and storage terminals for petroleum, chemicals and allied products, recyclable materials, farm products raw materials, and mini-storage warehouse are not classified as warehouse/distribution.
- WATERCRAFT: Water-borne vehicles including ships, boats, hovercraft and submarines propelled by sail, act of paddle, oar, or engine.
- WATER STORAGE: A facility or structure used for the storage of potable or non-potable water, including but not limited to water towers, water tanks, and other elevated or ground-based containers designed to hold and distribute water for public, industrial, or private use. This use includes structures specifically intended for the storage, regulation, and distribution of water to surrounding areas, but shall not include water treatment or processing facilities. (Ord. No. \_\_\_\_\_, 05/20/25)
- WHOLESALE: The sale of commodities for the purpose of resale, as to retailers rather than to consumers directly, as opposed to retail. Of, pertaining to, or engaged in sale at the wholesale level.
- YARD: An open space at grade, other than a court or plaza, between a structure and the adjacent lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward except where otherwise specifically provided in this ordinance. (Ord. No. 1844, 11/03/92)

- YARD, FRONT: An open, unoccupied space on a lot facing a street and extending across the front of the lot between the side lot lines. (Reference Figure 5.6, Appendix A) (Ord. No. 1844, 11/03/92)
- YARD, REAR: An open, unoccupied space extending across the rear of a lot from one side lot line to the other side lot line. (Reference Figure 5.6, Appendix A)
- YARD, SIDE: An open, unoccupied space on the same lot with a building situated between the building and side line of the lot and extending through from the front yard to the required rear yard. Any lot line not the rear line or a front line shall be deemed a side line. (Reference Figure 5.6, Appendix A)
- ZERO-LOT-LINE HOME: A single-family detached dwelling whereby one required side yard is removed, allowing the main structure to be placed adjacent to, and coincident with, one side lot line. (See DWELLING, SINGLE-FAMILY DETACHED; PATIO HOME)
- ZONING DISTRICT: A classification applied to any certain land area within the city stipulating the limitations and requirements of land usage and development. (See DISTRICT)
- ZONING MAP: The Official Zoning Map of the City of Carrollton together with all amendments thereto.



## **City of Carrollton**

1945 E. Jackson Rd Carrollton TX 75006

### **Agenda Memo**

Agenda Date: Version: 1 Status: Public Forum

In Control: City Council File Type: Public Forum

Agenda Number: 27.

Hearing of any citizen/visitor on items not listed on the regular meeting agenda. Citizens wishing to address the Council regarding items on the posted agenda will be called to speak during the Council's consideration of such items.

Citizens/visitors should complete an appearance card located on the table at the entrance to the City Council Chambers. Speakers must address their comments to the presiding officer rather than to individual Council members or staff; Stand at the podium, speak clearly into the microphone and state your name and address prior to beginning your remarks; Speakers will be allowed between 2 and 5 minutes for testimony; Speakers making personal, impertinent, profane or slanderous remarks may be removed from the room; Unauthorized remarks from the audience, stamping of feet, whistles, yells, clapping, and similar demonstrations will not be permitted; No placards, banners or signs will be permitted in the Chambers or in any other room in which the Council is meeting. In accordance with the State Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. Action can only be taken at a future meeting.