



KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
AGENDA
COMMISSIONERS - REGULAR MEETING
May 15, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

WORK SESSION - 6:00 PM
REGULAR SESSION - 7:00 PM

I. CALL TO ORDER

II. ROLL CALL

III. WORK SESSION

- A. Discuss any item on the regular session agenda
- B. Discuss items for future consideration
- C. Discuss regulations for potential new Neighborhood Center zoning district

IV. REGULAR SESSION

V. CALL TO ORDER

VI. ROLL CALL

VII. MINUTES APPROVAL

- A. Review and consider for approval minutes from the April 17, 2014 Planning & Zoning Commission meeting

VIII. VISITOR/CITIZENS FORUM

At this time, any person with business before the Planning and Zoning Commission not scheduled on the Agenda may speak to the Commission, provided that an official 'Speaker's Request Form' has been completed and submitted to the Commission Secretary prior to the start of the meeting. All comments must be directed towards the Chair, rather than individual commissioners or staff. All speakers must limit their comments to the subject matter as listed on the 'Speaker's Request Form.' No formal action can be taken on these items.

IX. REGULAR ITEMS

- A. **Case PZ 14-03** to receive comments and consider action on a request by Sidney DaSilva, DBA Equity One Group, for the City of Kennedale to vacate 0.1192 acres of public right-of way located adjacent to property at 1453 J R Hawkins Rd, L C Rayburn's Subdivision Remainder Lot 6, Kennedale, Tarrant County, as shown in a deed of record in Vol. 10782 p. 1561, Tarrant County.

1. Staff presentation
2. Applicant presentation
3. Public hearing
4. Applicant response
5. Staff response and summary
6. Action by the Planning & Zoning Commission

B. **CASE PZ # 14-05** Public hearing and consideration of Ordinance approval regarding a request by Cynthia Sasedor for a zoning change from "C-1" Restricted commercial district and "R-2" Single family residential district to a Planned Development district to allow an assisted and independent living facility on an approximately 2.4 acres property located at the corner of Potomac Pkwy and Little School Rd, legal description of M P Lamar Survey A-987 Tract 2.

1. Staff Presentation
2. Applicant Presentation
3. Public Hearing
4. Applicant Response
5. Staff Response and Summary
6. Action by the Planning & Zoning Commission

X. REPORTS/ANNOUNCEMENTS

XI. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Kennedale will provide for reasonable accommodations for persons attending City Council meetings. This building is wheelchair accessible, and parking spaces for disabled citizens are available. Requests for sign interpreter services must be made forty-eight (48) hours prior to the meetings. Please contact Amethyst Cirimo, City Secretary, at 817.985.2104 or (TDD) 1.800.735.2989

CERTIFICATION

I certify that a copy of the May 15, 2014, Planning and Zoning Commission agenda was posted on the City Hall bulletin board next to the main entrance of the City Hall building, 405 Municipal Drive, of the City of Kennedale, Texas, in a place convenient and readily accessible to the general public at all times and said agenda was posted at least 72 hours preceding the schedule time of said meeting, in accordance with Chapter 551 of the Texas Government Code.



Rachel Roberts, Board Secretary



Date: May 15, 2014

Agenda Item No: WORK SESSION - A.

I. Subject:

Discuss any item on the regular session agenda

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Under this agenda item, the Commission may discuss any item on the regular session agenda. No action may be taken on the items at this time, and no public hearing may be held.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: May 15, 2014

Agenda Item No: WORK SESSION - B.

I. Subject:

Discuss items for future consideration

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Under this agenda item, the Commission may discuss adding items to future agendas. No action may be taken on these items.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:



Date: May 15, 2014

Agenda Item No: WORK SESSION - C.

I. Subject:

Discuss regulations for a proposed new zoning district

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Please find on the following pages a draft code for the Neighborhood Center district. You will see that it needs a lot of editing to make the formatting consistent throughout the document, so for now, please review the document for content, rather than formatting.

I've also included excerpts from the Future Land Use Plan showing where the Neighborhood Villages are located. These locations are where the Neighborhood Center districts would be used.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

None

VIII. Alternative Actions:

IX. Attachments:

1.	Future Land Use Map & Neighborhood Villages	FLUP & Neighborhood Villages.pdf
2.	Neighborhood Center code (draft)	Neighborhood Center code (draft).doc

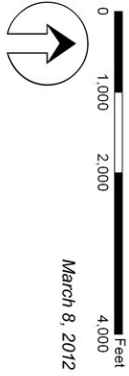
KENNEDALE COMPREHENSIVE PLAN UPDATE

FUTURE LAND USE PLAN

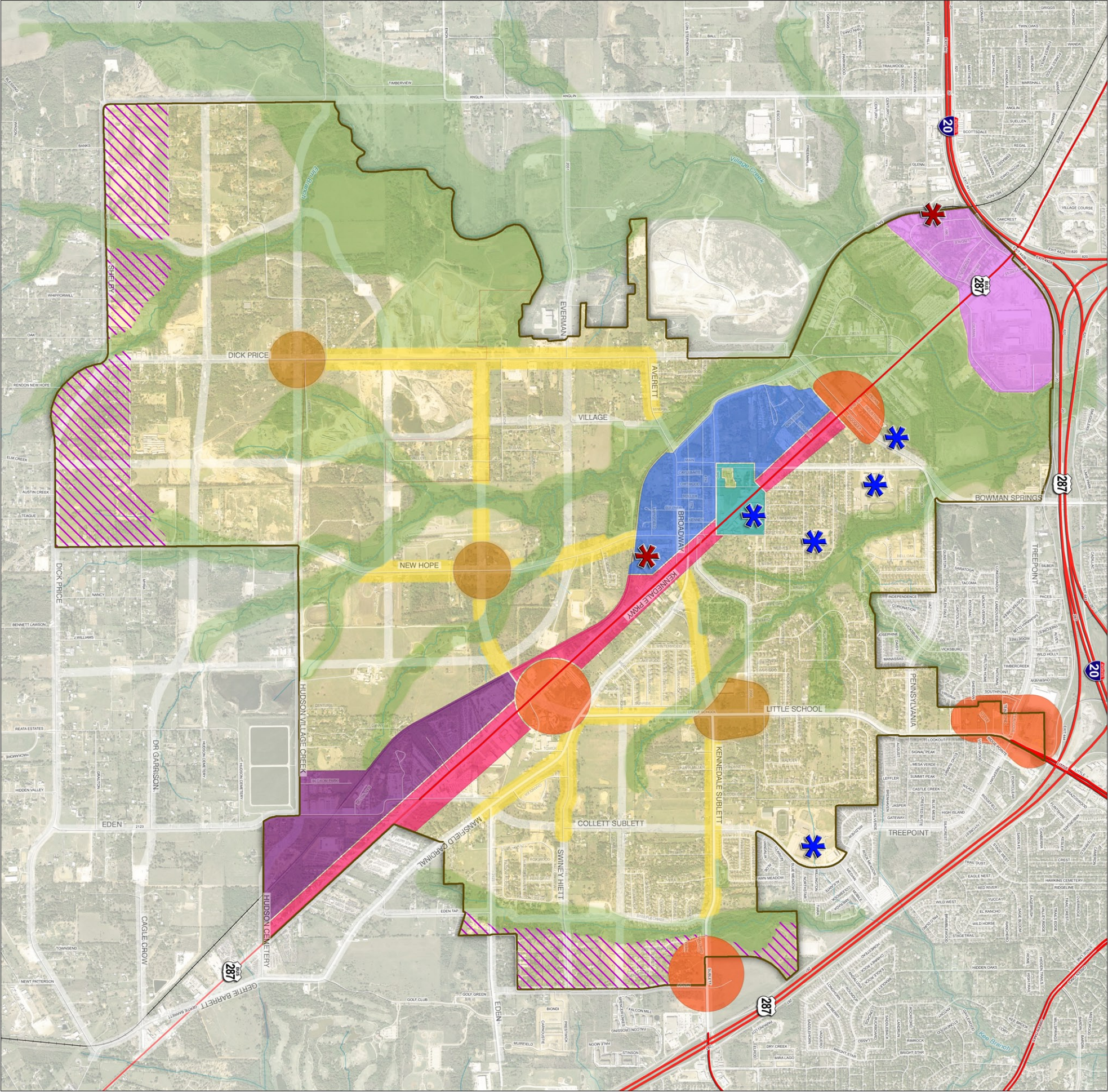
CATEGORIES

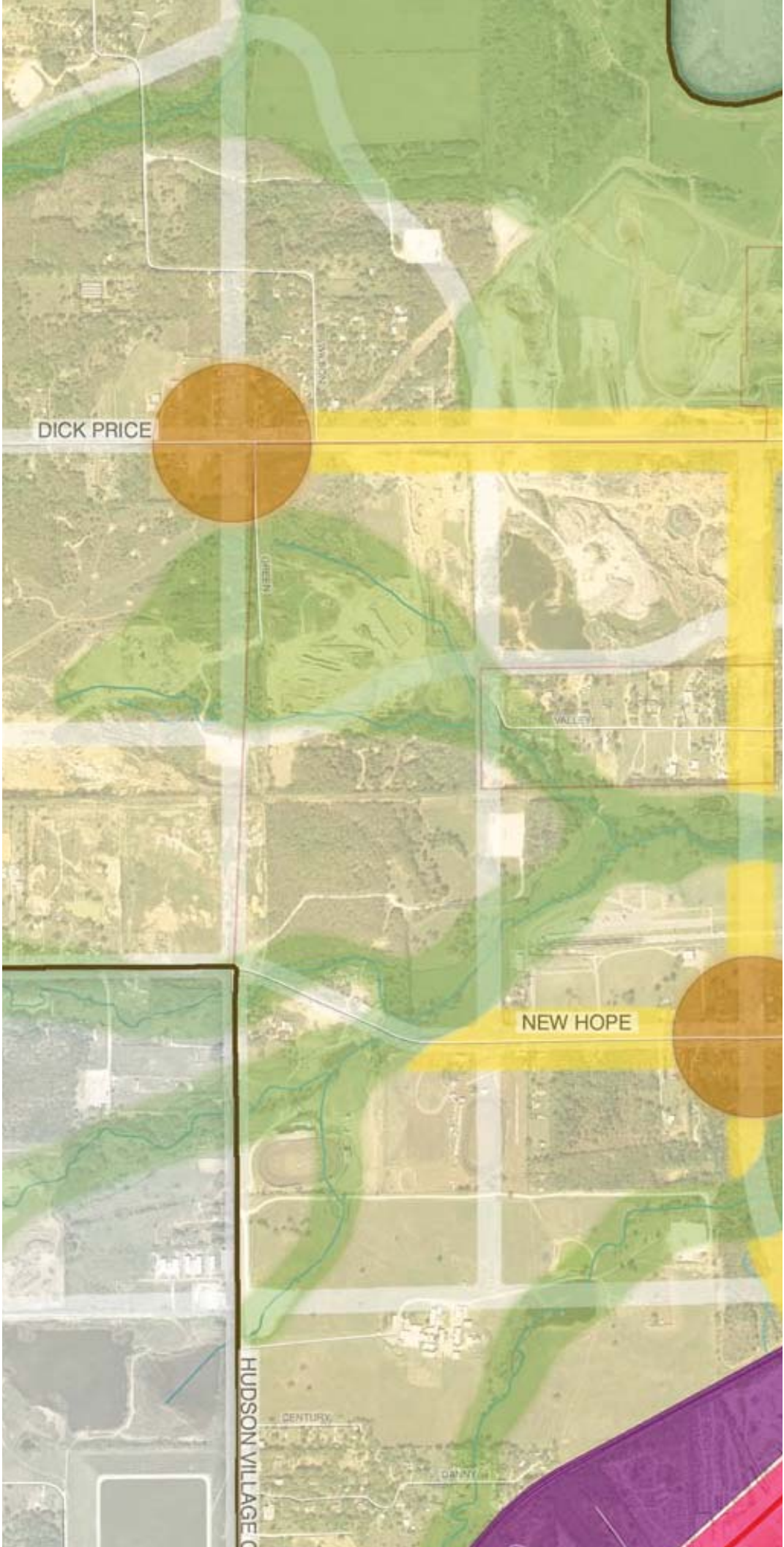
- Town Center
- Downtown Village
- Urban Village
- Urban Corridor
- Neighborhood Village
- Neighborhood Corridor
- Neighborhoods
- Employment Center
- Light Industrial District
- Park & Open Space
- Conservation Overlay
- Potential Commuter Train or
Park & Ride Station
- Schools

A comprehensive plan shall not
constitute zoning regulations or
establish zoning district boundaries.



KENNEDALE
You're Here, Your Home





DICK PRICE

GREEN

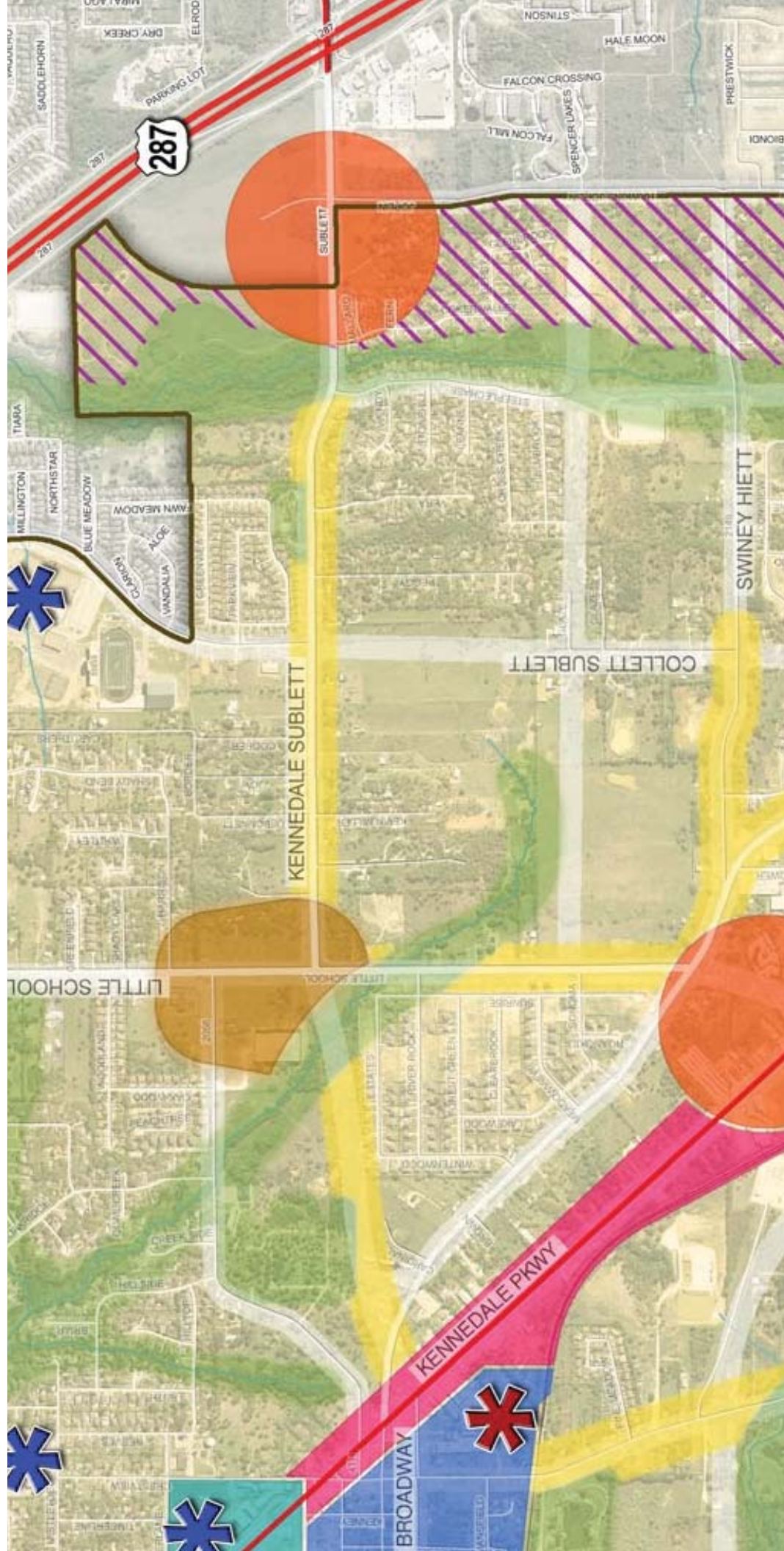
VALLEY

NEW HOPE

HUDSON VILLAGE C

CENTURY

DANNY

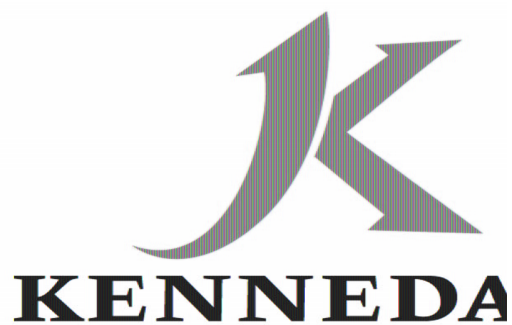




Neighborhood Center District Code

City of Kennedale

Adopted [date]



NEIGHBORHOOD CENTER CODE

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EXHIBITS

Exhibit A Regulating Plan and Description of Boundaries

APPENDICES

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SECTION 1. PURPOSE & INTENT

The Neighborhood Center is a mixed-use district intended to serve the surrounding neighborhoods and community. It includes a dense mix of residences and businesses and should be accessible by foot and bicycle from the surrounding neighborhoods. The Neighborhood Center should provide a range of housing options to serve residents of varying housing preferences. The intensity of uses within the district should vary according to the context of the area in which the district is located. The comprehensive land use plan envisions three locations for Neighborhood Center (NC) districts throughout Kennedale. Although the same code will apply to each NC district, some variations among the districts in mix of uses or form is expected, and this Code is intended to provide some flexibility to allow the districts to be tailored based on context and location.

The development standards in this District have four main goals.

- Move toward development patterns that implement the vision of the Neighborhood Village character district of the comprehensive plan;
- Provide neighborhood services currently not available near most residences, in a format that is sensitive to existing neighborhoods and is accessible by foot and bicycle;
- Ensure new development within the District is compatible with surrounding, existing uses;
- Provide a high level of predictability, both for the development community and the public.

SECTION 2. REGULATING PLAN

The Neighborhood Center district regulations are intended for the areas shown below. Please note that the maps are intended to show approximate locations. Properties subject to the regulations and requirements of this Code are those that are zoned “NC” Neighborhood Center zoning district.

[INSERT IMAGES/MAPS OF NEIGHBORHOOD CENTERS]

FIGURE 1. REGULATING PLAN BOUNDARIES

SECTION 3. ADMINISTRATION

3.1 Authority

The code shall be administered by: the Kennedale City Council (“Council”); the Planning & Zoning Commission (“Commission”); the Zoning Administrator (“Administrator”); the Director of Planning (“Planning Director”); Director of Development Services (“Development Director”); the Director of Public Works (“Public Works Director”); the Permits & Planning Department (“Department”); and other City bodies and officials as identified in this Development Code.

3.2 Responsibility for Administration

This Neighborhood Center District Code shall be administered by the Zoning Administrator (“Administrator”) and the other decision-making authorities as identified in this Code and the zoning ordinance. Administration of this Code shall follow the process established in Section 3.11 of this Code and Section 17-403 of the Kennedale City Code.

3.3 Interpretation and appeals

Interpretation and appeals of this Code shall follow the process established in Section 17-405 of the Kennedale City Code.

3.4 City Council duties.

The City Council shall consider and adopt, modify, or reject proposed amendments to this article or of its repeal after recommendation from the Planning & Zoning Commission.

3.5 Applicability.

This Code applies to all development, subdivisions, and land uses within the Regulating Plan boundaries, as shown in Figure 2 and more particularly described in Exhibit A. Where not controlled by the Neighborhood Center code, the Neighborhood Center shall be governed by the Kennedale Code of Ordinances to the extent the provisions in the Code of Ordinances are not in conflict with the intent or text of the Neighborhood Center code. Signs specifically prohibited in the zoning ordinance or by City Code are prohibited in the Neighborhood Center District unless specifically stated otherwise herein.

All private and public development and redevelopment projects are subject to review by the Permits & Planning Department for compliance with this Code, as defined below.

Table 3.1. Review Authority			
Type of Project	Zoning Administrator or City Staff Review Required	Planning & Zoning Commission / City Council Review Required	Board of Adjustment Review Required
New construction meeting the standards set forth in this Code	√		
Minor Modifications (see Section 3.11.B)	√		
Major Modifications (see Section 3.11.C)		√	
Variance Request (other than Minor Modifications)			√
Expand, renovate, or repair an existing building meeting the standards of this Code	√		
Expand an existing, non-conforming building, not to exceed 25% of the existing area of the land being occupied by the non-conforming use			√
Renovate an existing, non-conforming building without making structural alterations	√		
Renovate or repair an existing, non-conforming building, with renovations or repairs to include structural alterations			√
Repair an existing, non-conforming building without making structural alterations	√		
Appeal a decision made by the Zoning Administrator			√
Request an amendment to this Code		√	

3.6 Building permits.

No building permit shall be issued by the City of Kennedale for any new structure or addition unless the structure conforms to the provisions of this Code. No certificate of occupancy shall be issued for new development unless the structure conforms to the provisions of this Code.

3.7 Shall, should, may.

Provisions of this Code preceded by “shall” note regulations or standards that are required, “should” when recommended and encouraged, and “may” when optional.

3.8 Conflict with other city codes.

Where provisions of this Code conflict with other City of Kennedale codes, ordinances, or regulations, the provisions of this Code shall prevail.

3.9 Conflict with illustrations and text.

Where provisions of this Code provided through illustration conflict with provisions provided in text, the provisions provided in text shall prevail. Photographs used to illustrate text are for illustration purposes only unless otherwise noted.

3.10 Rules for interpretations of boundaries.

Where uncertainty exists as to the boundaries of zoning districts as shown on the official zoning map, boundaries shall be determined in accordance with Section 17-404(c) of the Kennedale City Code.

3.11 Development review process.

A. Administrative Review. Projects that comply with all standards of this Code shall be processed administratively by the Department. Projects that require interpretation shall be forwarded to the Administrator for review, and the Administrator may direct the Planning Director to forward such projects to the Planning & Zoning Commission and City Council for interpretation. See Figure 3 (flow chart) for more information on the process for development review under this Code.

The Zoning Administrator shall be responsible for the following:

- i) Approving minor modifications to the Regulating Plan or minor modifications from the standards set by this Code.
- ii) Forwarding to the Planning and Zoning Commission projects requiring or requesting major modifications.

The Planning Director shall be responsible for the following:

- i) Reviewing site plan applications for compliance with this Code.

- ii) Approving site plan applications that are in compliance with this Code and all applicable City regulations and ordinances.
- iii) Approving modifications or revisions to previously approved site plans that are in compliance with this Code and all applicable City regulations and ordinances.
- iv) Coordinating any necessary review of projects with other departments within the City of Kennedale.
- v) Forwarding to the zoning administrator projects requiring interpretation.
- vi) Forwarding to the Board of Adjustment requests for variances.

The Development Services Director shall be responsible for the following:

- i) Approving building permits for projects that are in compliance with this Code.

B. Minor Modifications. The Zoning Administrator is authorized to approve minor modifications to this Code. Permitted minor modifications are as follows:

- i) alternative masonry materials when new materials have been developed and are not yet listed in the Code but clearly meet the intent of the Code;
- ii) change in landscaping plants to similar plants that meet the intent of the Code and achieve the same effect;
- iii) minor changes in the site plan that do not significantly alter building orientation, vehicle or pedestrian traffic flow, location of parking areas, or building placement, or does not allow an increase in building height; and
- iv) changes to a site plan (including landscaping and lighting plans) or building plan that require a modification of any numerical standard in this Code by no more than ten percent (10%) (increase or decrease) with the exception of additional building stories.

C. Major Modifications. The City Council is authorized to approve major modifications to this Code. Major modifications are changes that are beyond minor modifications specifically listed above in subsection B. Major modifications are considered an amendment to this Code and as such are subject to the procedures, notifications, public hearings, and other standards for zoning amendments as set forth in the Kennedale City Code Section 17-429.

D. Variances. The Board of Adjustment is authorized to approve variances beyond Minor Modifications as permitted by City Code section 17-430.

E. Required Documents. In general, the following information is required, as applicable:

1. *Site Plan.* As part of the building permit application(s), any development within the Neighborhood Center shall require a detailed site plan showing: the characteristics of the site, changes in those characteristics as may be proposed by the development; how the development will relate to public services and facilities; and that protection features are included to insure that the development will be compatible with existing and allowable development on adjacent property.
 - a. *Information required for site plans.* The site plan shall show at least the following items of information.
 - i. Site/adjacent property information. The land area included within the site; the land area of all abutting sites and zoning classification; all public and private rights-of-way and easements bounding and intersecting the site and the abutting sites which are proposed to be continued, created, relocated and/or abandoned; and the north arrow, date and scale;
 - ii. Building layout. The location of each existing and each proposed structure on the site; the general category of use or uses to be contained therein; the number of stories, gross floor area and the location of entrances and exits to buildings; front, side and rear building setback lines; and elevation views or renderings indicating architectural concepts and building materials proposed;
 - iii. A table or attached document showing the type of units by size, number of bedrooms, and number and type of all residential dwellings;
 - iv. Traffic circulation and parking. The location, dimensions and proposed construction of all streets, private drives, alleys, parking areas and drive approaches, as well as their alignment with existing thoroughfares; location and dimensions of sidewalks and/or other pedestrian facilities and their alignment with existing pedestrian facilities and their connections to existing developments/adjacent properties; bicycle paths (if such paths are intended to be provided); off-street parking areas, fire lanes and loading zones;
 - v. Drainage and utilities. Existing and proposed finished grade of the site, shown to contour intervals not exceeding two (2) feet, proposed handling of on-site surface drainage, location of any floodway or flood-prone area as shown on current FIA mapping; existing and proposed water and sanitary sewer layout; and existing and proposed fire hydrants; and
 - vi. Screening, landscaping and recreational facilities. The location, height and building materials for any proposed or required walls or fences; height, location and type of any proposed berms or living screens; proposed landscaping plan; location and size of any proposed recreational facilities such as swimming pools, tennis courts and playgrounds.
2. Building Plan(s) and Elevations
3. Landscape Plan
4. Material Specifications

5. Lighting Plan
6. Plans and Specifications for Proposed Signs
7. Description of Proposed Scope of Work

City staff may ask for additional documentation to confirm compliance with this Code.

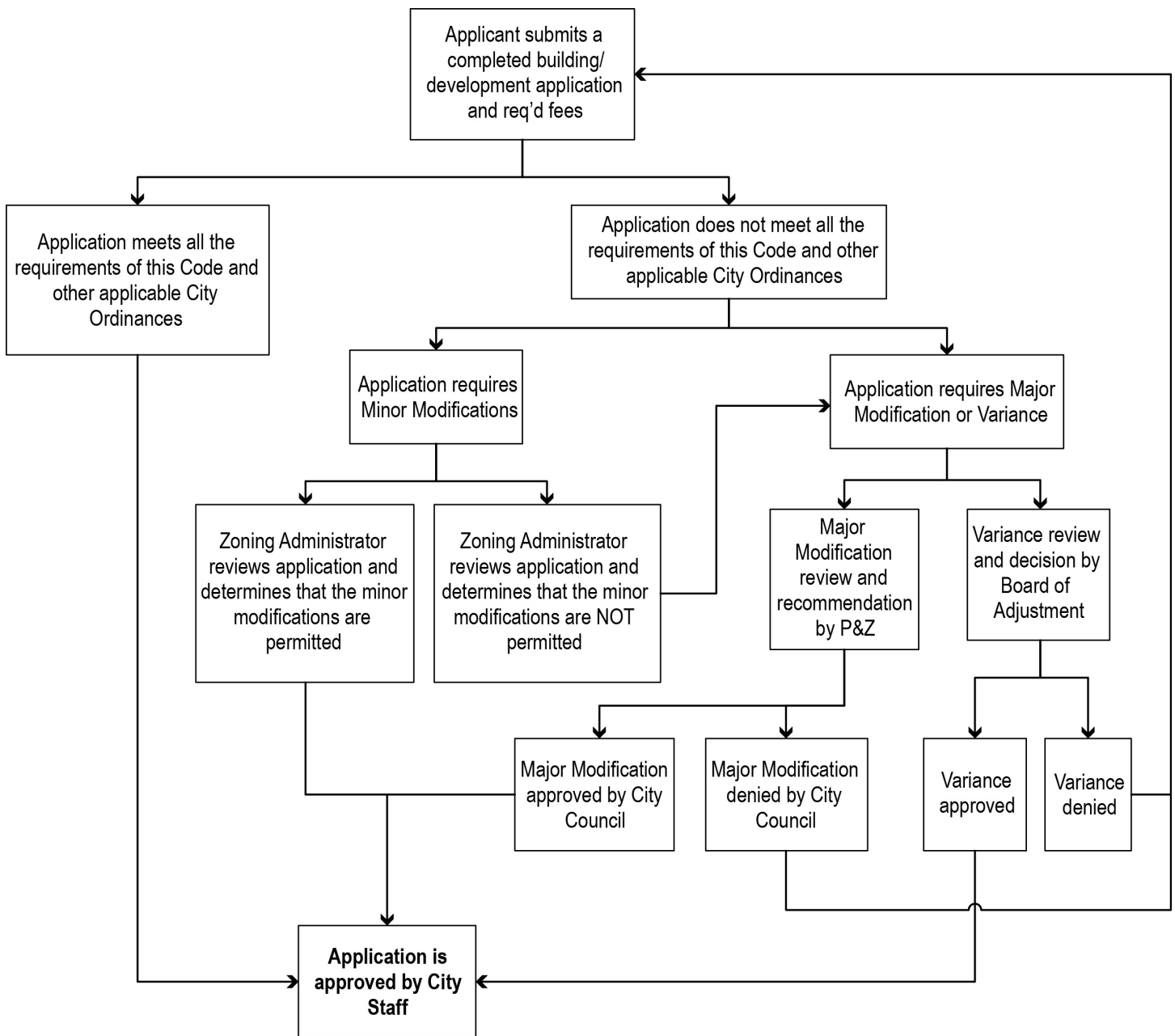


Figure 3. Approval process.

SECTION 4. BUILDING SIZE & PLACEMENT, BUILDING FRONTAGE

4.1 REQUIRED SIZE AND PLACEMENT

Properties regulated by this Code shall adhere to the requirements set forth below.

Frontage zone required. A minimum three feet (3') of frontage zone shall be provided. For residential uses, the frontage zone shall be landscaped. For commercial uses, the frontage zone may be landscaped or may have paving materials (such as concrete, bricks, or pavers) and tree wells with tree grates.

Definitions. Front setback for a primary structure is the distance between the front façade of a structure and the street right-of-way. The terms “side setback” and “rear setback” have the same meaning as “setback,” “side yard,” and “rear yard” as defined in Kennedale City Code Section 17-431.

Neighborhood Center district	District Regulations
Lot area, minimum (square feet)	2,500
Lot area, maximum (square feet)	12,500
Lot width, minimum (feet)	25
Lot width, maximum (feet)	100
Lot depth, minimum (feet)	100
Lot depth, maximum (feet)	150
Block perimeter, maximum (feet)	2,600
Residential front yard setback, minimum (feet)	5 ¹
Residential front yard setback, maximum (feet)	15 ¹
Non-residential front yard setback, minimum (feet), lots fronting on streets interior to the district	0 ¹
Non-residential front yard setback, minimum (feet), lots fronting on streets exterior to the district	5 ¹
Non-residential front yard setback, maximum (feet)	10 ¹
Rear yard setback (feet)	5 ¹

Side yard setback, minimum (feet), interior lot Side yard setback, maximum (feet), interior lot	5 ¹ 20 ¹
Side yard setback, minimum (feet), corner lot (street side only) Side yard setback, minimum (feet), corner lot (street side only)	Min. required by Public Works Design Manual ¹ 30 ¹
Maximum height (stories) (feet)	2 40
Maximum lot coverage Residential Commercial	70% 80%
Masonry requirement	80%
Minimum size of main building living area, attached or detached single family residential uses (square feet)	1,100
Minimum size of main building living area per unit, multi-family residential uses (square feet)	700
Glazing requirement for non-residential uses (percent per elevation) Minimum Maximum	10 60
Glazing requirement for residential uses (percent per elevation) Minimum Maximum	10 n/a
¹ Additional requirements for setbacks: • A thirty (30) foot minimum side and rear setback is required from adjacent properties with existing residential use not located within the Neighborhood Center. • A twenty-five (25) foot setback from the floodplain is required. • For commercial uses with a front setback less than three feet (3'), the building entrance must be setback three feet (3') or designed to allow visitors to the building to enter and exit without interfering with the movement of pedestrians.	

4.2 FRONTAGE REQUIREMENTS

4.2.1 Minimum frontage requirement

Building frontage covering at least fifty percent (50%) of the lot shall be required at the front build-to zone (see Figure 5). The “Build-to zone” is the range of allowable distances from a street right-of-way that a building may be built. The principal building façade line shall be located within this area (see Figures 4).

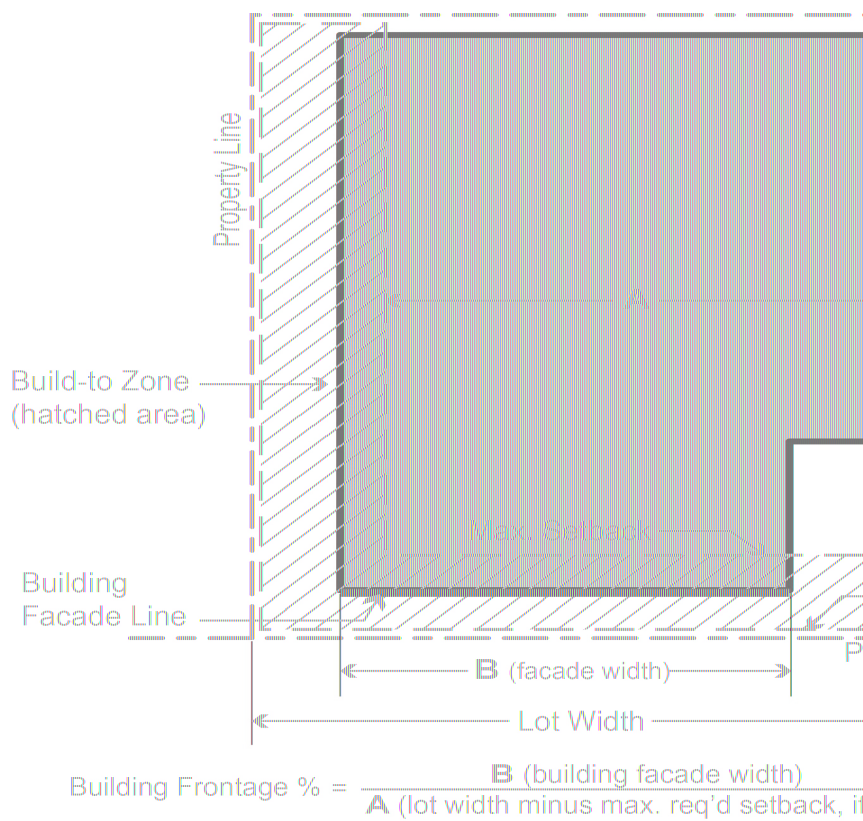


Figure 4. Percent of building façade required to be constructed within the build-to zone.

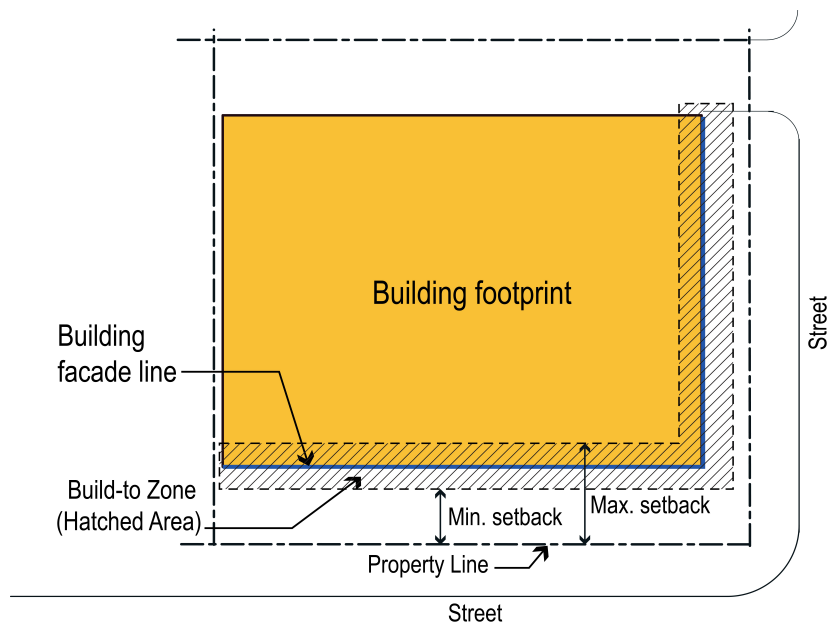


Figure 5. Illustration of build-to zone.

4.3 BUILDING HEIGHT

A. *Maximum height.*

Primary structures shall not exceed two (2) stories or forty (40) feet in height, whichever is greater.

B. *Finish floor height.*

Buildings shall have a minimum floor-to-floor height of twelve (12) feet on ground floors and nine (9) feet on upper floors. The ground floor finish level shall be a maximum of twelve (12) inches above the sidewalk.

C. *Accessory structure size.*

Accessory structures shall clearly be secondary to the primary structure(s) in size and use.

SECTION 5. BUILDING DESIGN STANDARDS

5.1 BUILDING ORIENTATION

The orientation of buildings has a large impact on the character of a district. In the Neighborhood Center, it is important to recognize the pedestrian-oriented nature of this district while also accommodating visitors who come to the Neighborhood Center by car. The regulations in this section are intended to ensure building orientation provides for a variety of access options and supports the district character.

5.1.1 Pedestrian-oriented entrance required.

Each primary structure shall have its primary entrance oriented to the front of the lot (toward the street right-of-way) on which it is located. Additional entry points may be provided on side or rear façades, but primary entries shall be oriented to the front of the lot.

5.1.2 Location of uses within buildings.

Buildings shall foster a strong connection to the street by placing internal uses that require window openings and pedestrian entrances (such as offices) in the front of the building. Other internal uses (such as storage) shall be placed in the back of the building.

5.2 FENESTRATION/GLAZING

The use and design of windows on a structure can have a significant impact on the character of a district, including appeal to pedestrians and to potential visitors driving by in cars, feeling of safety, and approachability of a particular building. This section regulates fenestration in order to provide the desired character for the Neighborhood Center.

5.2.1 Required Glazing

A. *Structures accessible/visible to the public on four (4) or more sides.*

Primary structures shall have a minimum twenty percent (20%) glazing and a maximum of sixty percent (60%) glazing on at least two (2) sides and a minimum ten percent (10%) glazing (60% maximum) on at least one (1) other side.

B. *Structures accessible/visible to the public on three (3) or fewer sides.*

Primary structures shall have a minimum twenty percent (20%) glazing and a maximum of 60% glazing on at least one (1) side and a minimum ten percent (10%) glazing (60% maximum) on at least one (1) other side.

5.2.2 Visible Transmittance.

Glazing on ground-floor facades shall have a visible transmittance of 0.6 or higher. Glazing cannot be mirrored or darkly tinted glass that obscures visibility. For this section, “visible transmittance (‘vt’)” means the amount of light transmitted through a window. VT is expressed as a number between 0 and 1; the closer the number is to 1, the higher the potential for daylighting.

5.2.3 Minimum height of glazing.

Ground floor glazing shall have a maximum sill height of four (4) feet.

5.2.4 Blank walls not permitted.

Blank walls longer than sixty (60) feet are prohibited. For purposes of this section, “blank wall” means any building wall that is a portion of a building wall or façade without a window or door or similar architectural feature and is over four feet in height from ground level and longer than 60 feet, as measured horizontally, without having a window, door, building modulation, or other similar architectural feature meant to lessen the apparent bulk or massing of a structure.

5.3 FAÇADE ARTICULATION

Articulation adds to the visual interest of a building and can make a building more appealing to pedestrians and other passers-by. This sub-section is intended to establish articulation standards reflecting the desired character of the Neighborhood Center.

A. *Minimum façade articulation*

For all new structures (for which a building permit application is submitted to the City after the date the Neighborhood Center code is adopted), primary building façades must be articulated every forty feet (40’), with a horizontal or vertical articulation of at least two feet (2’). New additions to existing buildings shall also be required to have articulation every 40’, with a horizontal or vertical articulation of at least 2’.

Examples of articulation. Examples of acceptable articulation are as follows.

- (1.) Construction of building entrances, display windows, storefronts, balconies, columns, and arcades (obstructing of sidewalks or frontage zones is prohibited);

- (2.)Inclusion of awnings meeting the requirements of Section 7-Signs of this Code;
- (3.)Inclusion of a roof element projecting a minimum of five (5) feet from the building;
- (4.)Additional architectural elements may be used to meet this requirement. Elements not listed above require written approval from the Administrator.



Figure 6. Not permitted: Blank wall is longer than 60 feet, and no articulation is provided along the façade.

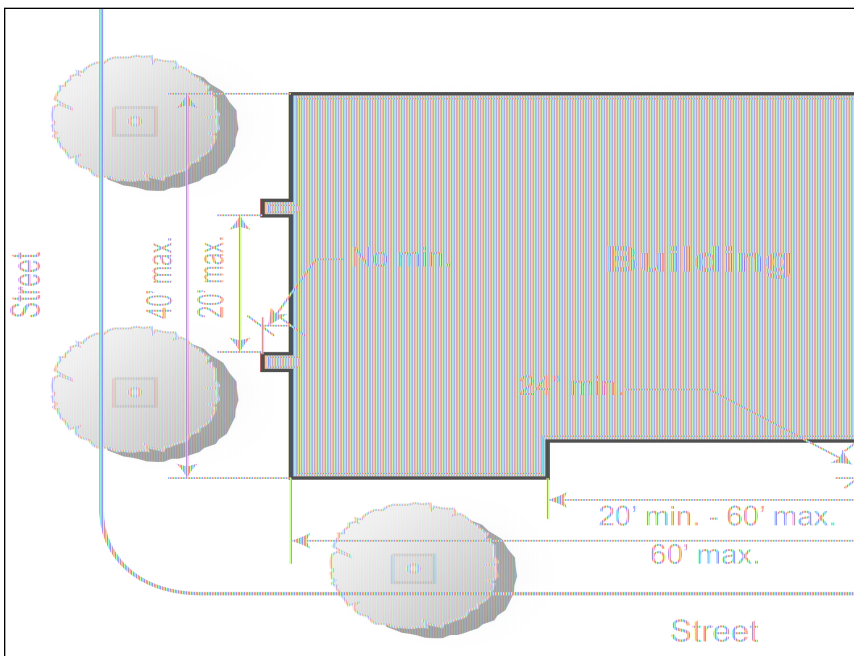


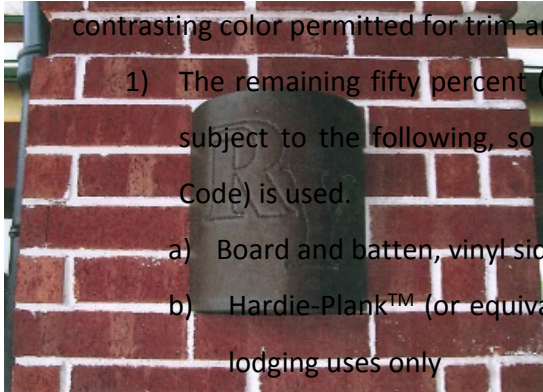
Figure 7. Illustration showing articulation along the building façade

5.4 BUILDING MATERIALS

5.4.1 Primary Structures

A. “A” Type Streets

All new primary structures shall be constructed of 100% masonry. A minimum of 50% of the masonry material shall be similar in color and style to Acme brand Burgundy type brick (see illustration), with contrasting color permitted for trim and/or cornice and other architectural details.



- 1) The remaining fifty percent (50%) materials used may be determined by the builder/developer subject to the following, so long as masonry (as defined in Section 17-405 of Kennedale City Code) is used.

- a) Board and batten, vinyl siding, and corrugated metal are prohibited.
- b) Hardie-Plank™ (or equivalent) shall be permitted on upper floors of residential buildings or lodging uses only
- c) EIFS shall only be permitted on facades ten (10) feet or more above the finished grade of the sidewalk along that façade.

B. “B” Type Streets

All new primary structures must be constructed of a minimum of 80% masonry. Masonry materials used shall include a minimum 50% brick and the remaining materials permitted to be other masonry materials. For example, materials may be 40% brick, 40% stone, and 20% non-masonry materials such as cedar or architectural metal. The primary color shall be similar in color and style to Acme brand Burgundy brick (see illustration), with contrasting color permitted for trim and/or cornice and other architectural details.

- 1) The remaining twenty percent (20%) accent materials used may be determined by the builder/developer subject to the following:
 - a) Board and batten, vinyl siding, and corrugated metal shall not be used for the remaining 20%.
 - b) Hardie-Plank™ (or equivalent) shall be permitted on façades ten (10) feet or more above the finished grade of the sidewalk along that façade.
 - c) EIFS shall only be permitted on façades ten (10) feet or more above the finished grade of the sidewalk along that façade.

Figure 8. Acme Burgundy brick, as seen in

5.4.2 Secondary Structures

Secondary or accessory structures must complement the primary structure. Secondary/accessory buildings must be 80% masonry as defined in Section 17-405 of the Kennedale City Code.

SECTION 6. SITE DESIGN STANDARDS

6.1 PARKING

6.1.1 Off-Street Parking Placement

A. Properties oriented toward or with primary access from “A” Street roadways

No off-street parking is permitted between the primary structure and the street (all parking must be behind or to the side of the primary structure). Off-street parking areas must be screened (see Parking Screens, below). If side parking is used, no more than forty percent (40%) of the frontage of the lot shall be used for off-street parking.

B. Properties oriented toward or with primary access from “B” Street roadways

A maximum of twenty percent (20%) of the required off-street parking provided shall be permitted along the public street (between the right-of-way and the primary structure). Off-street parking between the right-of-way and primary structure shall be setback from the right-of-way a minimum of six (6) feet and must be screened by masonry or vegetation (see Sub-Section 6.1.2). All other off-street parking shall be provided behind or to the side of the primary structure and shall follow the requirements for off-street parking for “A” streets.



Figure 9. Off-street parking area provided behind the primary structure (secondary building entrances shown)

6.1.2 Screening of Off-Street Parking

Off-street parking visible from a public street must be screened in accordance with the regulations below. Off-street parking located to the rear of the primary structure shall be screened as described below if the space provided for the parking facility covers more than forty percent (40%) of the lot or if the lot is adjacent to an existing residential use.

1. Vegetation or a combination of vegetation (evergreen) and masonry (maximum 50% of screening materials may be masonry) shall be used for screening.
 - a. For this sub-section, “masonry” is defined per Section 17-405 of the Kennedale City Code.
 - b. Masonry must be of the same material as the primary building.
 - c. When masonry is used for screening, no section of masonry screening shall exceed twenty feet (20’) in length.
 - d. Vegetated screening must be in compliance with landscaping requirements of this Code and, where applicable, Section 17-425 and Chapter 17, Article VIII of the Kennedale City Code (where not in conflict with this Code).
2. Screening shall be a minimum of three feet (3’) and a maximum of four feet (4’) in height. If requirements for maintaining a sight triangle do not permit a minimum of three (3) feet, screening must be the maximum height allowed by the sight triangle.

6.1.3 Off-Street Parking Amount

A. Minimum number of spaces required.

For each of the use types listed below, the parking requirement listed is the minimum amount required.

Table 6.3	
Use Type	Minimum Number of Spaces Required
<i>Non-residential</i>	
Retail, restaurant, medical or dental office	1 per 250 square feet of gross building area
Non-residential -- non-medical office	1 per 300 square feet of gross building area
<i>Residential</i>	
Single family (attached or detached)	1.5 per unit

Multi family	1.25 per unit
<i>Live/work</i>	1.25 per unit of residential <i>and</i> 1 per 250 square feet of commercial building area (gross)

B. Shared Parking. Shared parking is permitted if a shared parking agreement has been signed and notarized by all users/parties who intend to share parking. The shared parking plan will be subject to review and approval of the Administrator, and the parking agreement must be filed with the Tarrant County Clerk. A reduction of up to 20% of the required parking may be permitted. Parking may be shared by different uses on a shared or adjacent site, but the parking facility must be located within six hundred (600) feet of the primary structure for each use. The Administrator is not required to approve a reduction in the required number of parking spaces.

C. Compact Car Parking. Up to fifteen percent (15%) of the required parking may be designed and sized for compact vehicles. Compact car parking spaces shall be clustered together and shall not be interspersed with standard size parking spaces. Compact car parking spaces shall be at least eight feet (8') in width and sixteen feet (16') in length.

D. Handicapped Accessible Parking. Number and size of handicapped parking spaces provided shall comply with the Americans with Disabilities Act, the Texas Accessibility Standards, and any other applicable federal, state, or local regulations.

E. On-street parking. On-street parking shall be provided for all commercial uses on streets interior to the district and may be counted toward the number of off-street parking spaces for non-residential uses.

1. If on-street parking is shared by more than one use, the number of spaces counted shall be divided equally among the uses sharing the on-street parking spaces, so that each use is allotted an equal share of on-street spaces for purposes of calculating number of parking spaces provided.
2. On-street parking may be parallel or angled.
3. The requirement for on-street parking may be waived by the Zoning Administrator if requested by the developer in writing. If the on-street parking requirement is waived, then the frontage zone shall be required to be a minimum of six feet (6') in width, and the sidewalk shall be required to be a minimum of six feet (6') feet in width, with an additional two feet (2') provided to provide a pedestrian clear zone between the sidewalk and the front building façade.

6.1.4 Bicycle Parking

Parking for bicycles must be provided for every non-residential use.

- A. *Parking amount.* Bicycle parking shall be provided at a minimum amount of 5% of the number of spaces provided for car parking.
- B. *Design of bicycle parking spaces.* For each required bicycle parking space, a stationary object shall be provided to which a user can secure a bicycle with at least two points of contact with a 6-foot cable and lock. The stationary object shall be either a freestanding bicycle rack or a wall-mounted bracket. Freestanding bicycle racks shall be inverted “U,” post and ring, or some other form of bicycle rack providing at least two points of contact. Grid/fence-type racks and wave/ribbon-type bicycle racks are prohibited. Objects for securing bicycles must be dedicated for that purpose and may not be primarily for any other purpose (e.g., signage, traffic safety).
- C. *Location of bicycle parking.* The bicycle rack shall be located within 60 feet of the main entrance of the building it serves, and may be located between the street curb and the building, subject to the approval of the Development Services Director. Each bicycle parking area shall be separated from motor vehicle parking and maneuvering areas by a barrier, post, or bollard or by at least five (5) feet of open space.

6.1.5 Landscaping for Off-Street Parking

- A. All parking lots and drive areas shall be designed and landscaped in accordance with the following provisions:
 - (1.) Where off-street parking is permitted between the primary structure and a public road, all parking or drive areas shall be located a minimum of six (6) feet from right of way lines along public streets.
 - (2.) Off-street parking located between the primary structure and the property line or street pavement edge shall be screened.
 - (3.) Landscaped areas in a parking lot shall be in addition to all other landscape requirements of this Code and shall be provided in any parking lot of five (5) spaces or more in accordance with the following requirements.
 - (4.) One (1) tree shall be provided for each ten (10) parking spaces in all developments, however, no car parking space shall be located greater than seventy-five (75) feet from the center of a tree. Trees shall be a minimum of three (3) inch caliper measured one (1) foot from the ground and planted within a

planting island with a minimum dimension of five feet in width. The tree-planting island shall be further planted with a ground cover, grass, or shrubs.

- B. Vehicle protection.* All required landscape areas, planters, walls, and/or fences adjacent to vehicle use areas shall be protected by wheel stops, curbs, or other physical barriers. In no instance shall a parking area be designed so as to permit the encroachment or overhang of a vehicle beyond the required setback line(s) set out above in this sub-section.

6.2 SCREENING

6.2.1 Screening required between incompatible uses

A. Screening must be erected, placed, grown and maintained along the common boundary line of any commercial or industrial uses sharing a common boundary with an existing residential use before any commercial or industrial use is made of the property. This screening requirement shall be the responsibility of the owner of the commercial or industrial use. For the purposes of this section, “commercial or industrial use” means any use that is not primarily used for residential use. For example, a business with a caretaker living on site would not be considered a primarily residential use, nor would a hotel. However, a residence with an approved home occupation would be considered a primarily residential use for purposes of this Code, even though some business may be transacted at the home.

B. No screening wall or fence shall be constructed of materials not manufactured or designed for the primary purpose of wall or fence construction. Gates shall be steel and painted in color corresponding to the primary structure.

6.2.2 Screening for garbage, refuse and trash collection/storage areas

- A. Garbage, refuse and trash collection/storage areas shall be screened by a masonry enclosure on three (3) sides. Screening walls shall be a minimum of one (1) foot in height above the materials being stored, and screening walls and fences shall not be greater than eight (8) feet in height. Materials being stored shall not be stored higher than one (1) foot below the screening provided.
- B. The fourth side shall be screened by a gate. The gate shall be made of wrought iron or architectural metal.
- C. The masonry used must be of the same material as the primary building.

6.2.3 Screening for loading docks

Loading docks shall be screened according to Section 17-424 of the Kennedale City Code.

6.2.4 Screening for parking areas

Screening of parking areas is controlled by Sub-section 6.1.2, “Screening of Off-Street Parking,” above.

6.2.5 Screening for service bays

Service bays shall not face public streets unless screened according to the standards for parking areas, in Sub-section 6.1.2.

6.3 STREETSCAPE STANDARDS

The sidewalk widths as specified in Kennedale's Future Transportation Plan were established based on known best practices for pedestrian facilities, and they are the basis of sidewalk width requirements for this Code. In addition, sidewalks shall be designed to meet the requirements of the Americans with Disabilities Act, the Texas Accessibility Standards, and any other applicable federal, state, or local regulations.

6.3.1 Kennedale Parkway frontage requirements

The following standards shall apply to all development with frontage along Kennedale Parkway (see Figure 10).

- A. If surface parking is located between the building and the street right of way, a pedestrian walkway of at least six (6) feet clear width shall be located immediately adjacent to the building. In addition, canopy trees shall be located within this walkway in tree planting strips (minimum 5'x5') at a rate of one (1) tree per thirty (30) linear feet of building frontage. Pedestrian scale lighting shall be added at a rate of one (1) per fifty (50) linear feet of building frontage.
- B. This walkway shall be clearly linked (through pavers or pavement markings and h/c ramps) to the public sidewalk within the right-of-way of Kennedale Parkway and to the walkway in front of any adjoining building.

6.3.2 Sidewalk requirements

- A. Sidewalks shall be a minimum of five feet (5') and a maximum of eight feet (8') in width.
- B. Sidewalks are to be installed by the developer or builder. Notwithstanding any written agreement between the City and any other person or entity, in no case is the City obligated to install sidewalks. Where it is not feasible to install sidewalks at the time of development, the developer or builder shall pay a fee in lieu of installation.
- C. Sidewalks shall be installed according to the standards in the Kennedale City Code and the Public Works Design Manual. Notwithstanding the above, sidewalks may be installed using Low-Impact Development Standards if approved, in writing, by the Director of Public Works. Requests to use Low-Impact Development standards must be made in writing. The Director of Public Works shall grant approval to use Low-Impact Development standards only when the Director of Public Works is satisfied the proposed standards will meet the same durability and safety standards as expected from sidewalk construction materials and construction practices required by Kennedale City Code and the Public Works

Design Manual. The Director of Public Works is not required to approve the use of Low-Impact Development standards.

D. Sidewalks shall be installed at the minimum widths and additional requirements shown in the table below.

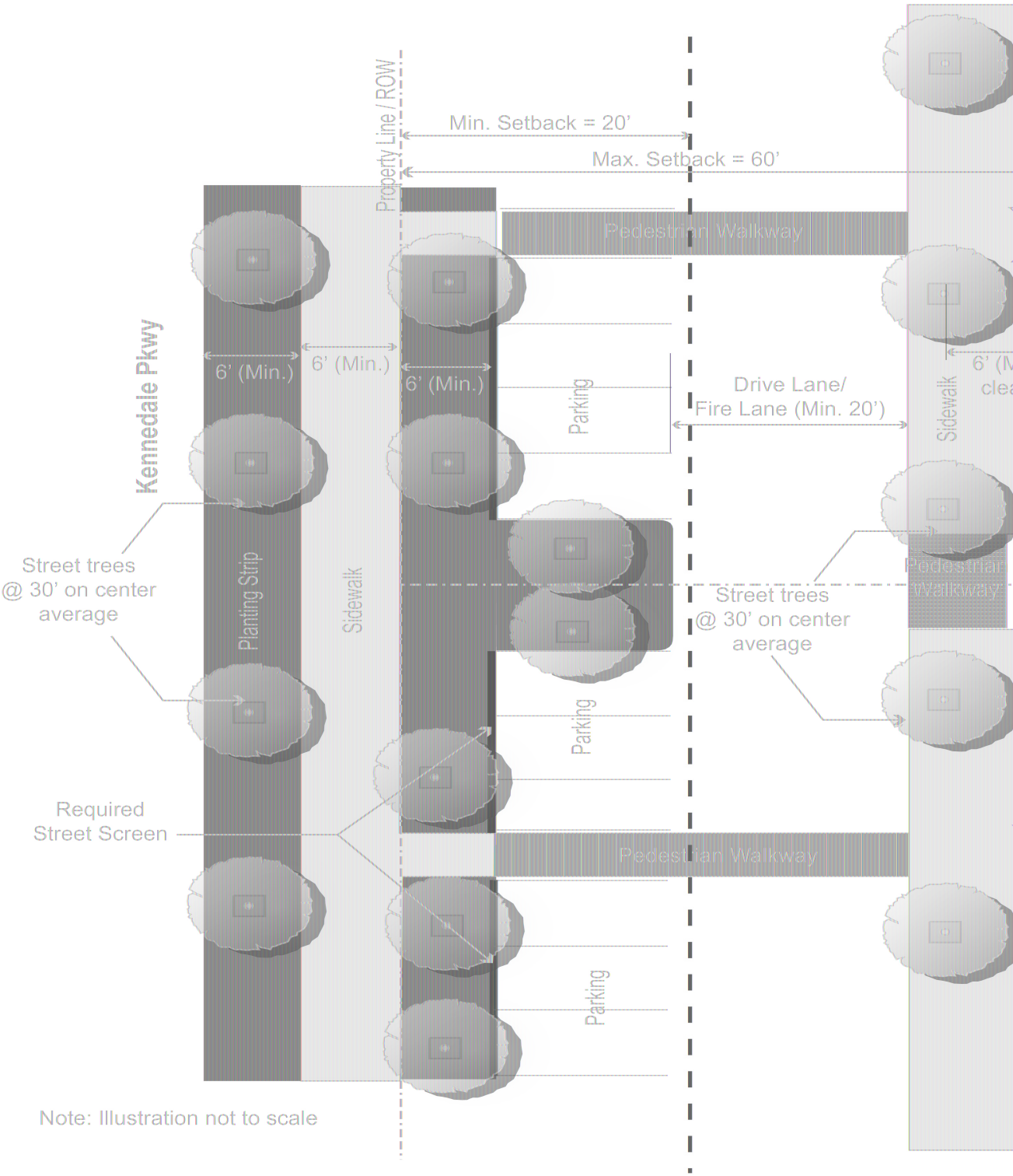


Figure 10.

Example of parking area showing required streetscape and site design for properties along Parkway street type.

Table 6.5		
Sidewalk location	Minimum Width (in feet)	Additional Requirements
"A" streets	5-8	Street trees shall be installed by the developer/builder when sidewalks are installed.* Minimum sidewalk width varies from 5 to 8 feet, depending on available right-of-way.
"B" streets	5	Street trees shall be installed by the developer/builder when sidewalks are installed.*
* Street trees may be installed after sidewalk installation in order to prevent damage to tree roots during construction. However, sidewalk improvements will not be accepted by the City until street trees are also installed, inspected, and accepted.		

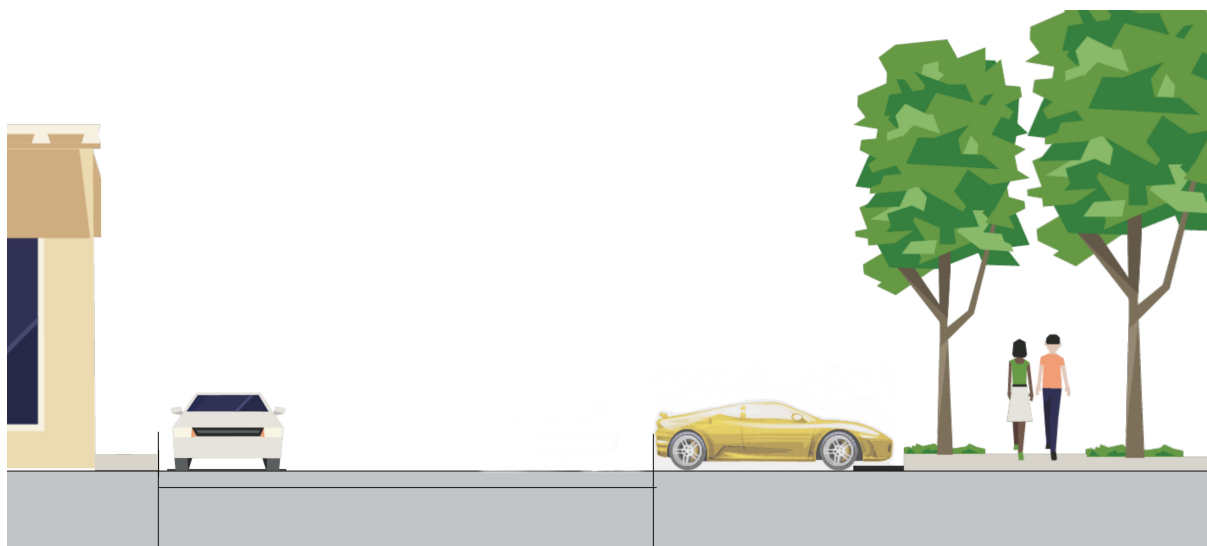


Figure 11. Example of sidewalk between planting strip and parking lot driveway (along Parkways).



Figure 12. Example of sidewalk location along “A” street types.



Figure 13. Example of sidewalk location along “B” street types.

6.3.3 Pedestrian Crossings and Connections

Pedestrian walkways shall be connected across properties to ensure safe, comfortable, and easily-accessible pedestrian connections are present throughout the Neighborhood Center District. In addition, notwithstanding the requirements of Kennedale city code and the Public Works Design Manual, where

pedestrian crossing are provided at street intersections interior to the district, the pedestrian crossing distance shall not exceed forty feet (40'). Pedestrian refuges and bulb outs may be used to reduce the pedestrian crossing distance for streets wider than forty feet.

6.4 CURB CUTS AND DRIVEWAYS

Poor design and placement of parking lots and driveways can impede traffic flow and can also inhibit connectivity among sites and may reduce pedestrian safety. To enhance connectivity and increase safety, therefore, parking lots and driveways shall be planned to reduce the number of curb cuts and shall be designed to support pedestrian safety, connections, and comfort. The sub-sections below establish criteria for curb cuts and driveways within the property regulated by this Code.

- A. Primary driveways should be designed as streets. This includes designing pedestrian sidewalks and appropriate traffic control measures, as well as providing streetscape improvements and lighting to improve way-finding.
- B. Parking lots and driveways shall provide pedestrian connections to storefronts. Dedicated walkways through parking lots and sidewalks shall be included in the design of access roadways.
- C. Traffic calming techniques shall be employed in parking and driveway areas to support pedestrian circulation concepts.
- D. Curb return radii at intersections connecting to streets exterior to the district shall adhere to the regulations in the Public Works Design Manual. Curb return radii at intersections interior to the district shall be a minimum of ten feet (10') and a maximum of fifteen feet (15') to the face of curb. Other aspects of drive approach size, location, and construction standards shall be governed by the City of Kennedale Public Works Design Manual.

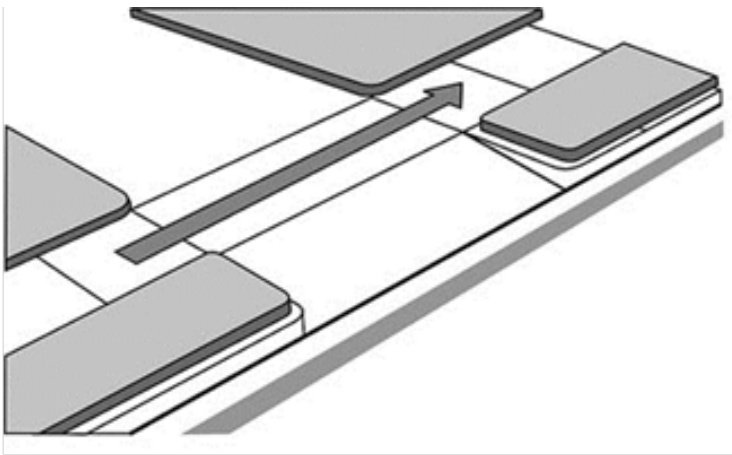


Figure 14. Primary driveway designed as a street, leading to off-street parking located behind the primary structure. Primary driveways should be designed as streets and should include pedestrian facilities such as sidewalks.

A. Additional standards for “A” Streets

1. Curb cuts on “A” Streets shall be limited to 1 per 500 feet.
2. Cross access or shared access easements shall be required.

B. Additional standards “B” Streets

1. Curb cuts on “B” Streets shall be limited to 1 per 250 feet.
2. Cross access or shared access easements shall be required.

C. Channelized right turns

Channelized right turns are prohibited at intersections interior to the district and at intersections with existing neighborhoods. Channelized right turns are permitted for egress at intersections that connect to streets exterior to the district.

1. When channelized rights turns are used, vehicles turning right shall be required to come to a complete stop before turning, and a stop sign must be installed.
2. The island used to form the channelized right-turn lane shall be designed to meet requirements of the Americans with Disabilities Act and shall provide curb-ramps or cut-throughs to allow access for disabled pedestrians.
3. Rumble strips shall be placed in the right turn lane to assist visually impaired pedestrians.
4. The angle at which the right-turn lane intersects the cross street shall not exceed 120 degrees.
5. The island provided to create the channel shall have a 2:1 length-to-width ratio

6.5 LANDSCAPING

Landscaping shall adhere to the requirements of Kennedale City Code except where modified by this Code.

6.5.1 Tree spacing for “A” Streets

A. Street trees are required along roadways classified as “A” Streets. One (1) street tree is required a minimum of every twenty feet (20') and a maximum of thirty feet (30'), center to center, on average, but can vary to accommodate signage, topography, or other site conditions, or if tree species used need additional spacing. If

additional spacing beyond 40' is needed, the spacing shall be required, in writing, and is subject to approval by the City.

B. The minimum vertical clearance for tree branches shall be eight feet (8') above the sidewalk and at least thirteen feet (13') from the top of the curb. If necessary to preserve safe or convenient passage for pedestrians along sidewalks, street trees may be planted in curb extensions between on-street parking bays.

C. No more than forty percent (40%) of a single tree species shall be used.

D. No tree shall be planted within twenty feet (20') of an intersection or within ten feet (10') of a fire hydrant.

[spacing requirements to be verified by PW and FD] It shall be unlawful for any person, owner, or business to erect or place or cause to be erected or placed on any property under his possession or control any hedge, plant, tree, shrub, or other growth or any fence, wall, or other structure in such a manner or at such location as to constitute an obstruction to view creating a traffic hazard.

6.5.2 Tree spacing for "B" Streets

A. Street trees are required for roadways classified as "B" Streets. Trees shall be planted at a spacing of one (1) tree for every fifty (50) linear feet or fraction thereof, of street frontage as measured at the property line. Street trees shall be planted a minimum of twenty-five (25) linear feet apart and a maximum of fifty (50) linear feet apart.

B. The minimum vertical clearance for tree branches shall be eight feet (8') above the sidewalk and at least thirteen feet (13') from the top of the curb. If necessary to preserve safe or convenient passage for pedestrians along sidewalks, street trees may be planted in curb extensions between on-street parking bays.

C. No more than forty percent (40%) of a single tree species shall be used.

D. No tree shall be planted within twenty feet (20') of an intersection or within ten feet (10') of a fire hydrant.

[spacing requirements to be verified by PW and FD] It shall be unlawful for any person, owner, or business to erect or place or cause to be erected or placed on any property under his possession or control any hedge, plant, tree, shrub, or other growth or any fence, wall, or other structure in such a manner or at such location as to constitute an obstruction to view creating a traffic hazard.

6.5.3 Tree and Plant Selection

A. *Street trees.* Street trees shall be selected from the list of recommended plants provided in Appendix B; trees to be planted under existing utility lines shall be species that, when mature, will attain a maximum height of twenty (20) feet and possess compact root systems posing minimum danger to the integrity of public utilities.

B. *Landscaping plants.* Landscaping plants shall be native or adaptive and shall be approved by the City before installation. Plans shall be drought tolerant and suitable for growing in this area. A list of plants suitable for North Central Texas is provided in Appendix B. Non-invasive, native plants from these lists may be used for landscaping required by this Code. In addition, the following plants are prohibited:

- Japanese Honeysuckle / Purple Leaf Honeysuckle (*Lonicera Japonica* / *Lonicera Japonica Halliana*)
- Vinca / Bigleaf Periwinkle (*Vinca Major*)

6.5.5 Landscaping Used as Screening

For regulations governing use of landscaping to screen parking areas, see Sub-section 6.2.2 of this Code governing parking, above. For regulations governing use of landscaping for screening other uses, see Section 6.3.

6.5.6 Irrigation

Applicable regulations. Except where otherwise in Appendix C, irrigation shall be regulated as set forth in Kennedale City Code.

6.5.7 Clear Cutting and Tree Removal

A. Clear cutting of land within an NC district is prohibited. *Clear cutting* means the removal of all of the trees or a significant majority of the trees within an area.

B. Development within the NC district shall be subject to the tree removal permit requirements. As part of developing land within an NC district, no person, directly or indirectly, shall cut down, destroy, remove, move or effectively destroy through damaging any protected tree situated on property within an NC district without first obtaining a tree removal permit as described in Kennedale City Code. In this Code, a *protected tree* is a tree as defined in Article VI, Chapter 16 of the Kennedale City Code.

6.6 LIGHTING

Adequate lighting is important to ensure safety for employees who work in the Neighborhood Center District, for customers, and for residents who live nearby. Proper lighting design can also add to the attractiveness and visibility of a property. Poor lighting design, however, can diminish the attractiveness of a site and can also impede safety. This section is intended to regulate lighting in the Neighborhood Center to ensure public health, safety, and general welfare and to ensure lighting contributes to the desired character of the district.

6.6.1 Requirements for Exterior Lighting

- A. Lighting for each property shall be designed for the context of traffic (automobile, bicycle, or pedestrian) on the surface streets abutting the property, rather than for visibility from neighboring streets or outside the district.
- B. All luminaries used primarily for illuminating off-street parking areas, lighted canopies for commercial uses, and similar lighting needs shall have a maximum height of twenty (20) feet.
- C. All luminaires used primarily for walkways, trails, security, decorative effects, lighting equipment or storage areas, fountains, art work, building walls, or similar lighting needs shall have a mounting height no higher than fourteen (14) feet.
- D. Light trespass shall be minimized; light levels at the property line should not exceed 2 footcandles (fc). *Footcandle* means the unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.
- E. Fixtures for decorative lighting must be selected, located, aimed, and shielded so that direct illumination is focused solely on the building façade, plantings, and other intended site feature, and away from adjoining properties and the public street right-of-way.
- F. The operation of searchlights for advertising purposes is prohibited between the hours of 9:00 P.M. and 7:00 A.M.

SECTION 7. SIGNS

7.1 Purpose of Sign Regulations

The purpose of this section is to create the legal framework for a comprehensive and balanced system of signage in the Neighborhood Center District. These regulations are intended to provide an easy and pleasant communication between people and their environment and avoid visual clutter that is potentially harmful to traffic and pedestrian safety, property values, business opportunities, and community appearance. In addition to protecting the health, welfare, and safety of the community, these standards are adopted in order to:

- Maintain and enhance the aesthetics of our community;
- Enhance automobile and pedestrian safety;
- Encourage the integration of signage with landscaping and building design;
- Protect and enhance scenic views and natural landscapes;
- Protect and enhance economic viability of the city's commercial corridors by assuring aesthetic appeal to businesses and residents alike;
- Promote the use of aesthetically pleasing sign materials, colors, and types; and
- Require safe and effective signage.

7.2 Definitions

Terms in this section use the definitions provided in Section 17-502 of the Kennedale City Code unless otherwise specified in this section.

7.3 Administration and Enforcement

Administration and enforcement of this Section shall follow the administration and enforcement provisions of Section 17-503 of the Kennedale City Code.

7.4 Applicability.

Unless otherwise expressly prohibited under this section or regulated in this section, Sections 17-504 through 17-516 of the Kennedale City Code shall apply to all signs proposed in the Neighborhood Center Zoning District.

7.5 Signs to be located on private property

All signs must be wholly located on private property.

7.6 Prohibited signs

Except as otherwise stated in this Code, any sign prohibited in Chapter 17 Section 17-514 of the Kennedale City Code is also prohibited within the Neighborhood Center District. In addition, Electronic Reader Board/Message Board signs and Changeable Electronic Variable Message signs (CEVMS) (as defined in the Kennedale City Code) are also prohibited.

7.7 Sign Height and Location

Sign height, type, and location shall be as set forth in the tables below. Figures shown are for illustration purposes only. The illustrations used do not necessarily show signs meeting the standards of this Code.

Only the sign types listed below, the exempt temporary signs listed in Section 17-506 of the Kennedale City Code, limited exemption signs as listed in Section 17-516 of the Kennedale City Code, and flags as listed in Section 17-509(b) of the Kennedale City Code are permitted within a Neighborhood Center district.



Figure 17. Example of monument sign. Photo courtesy Morpho Landscape Architecture.

TABLE 7.2

MONUMENT SIGNS

Location	Maximum Height (in feet)	Maximum sign face area (in square feet)
All parcels ⁶	12 ²	100

Additional Requirements:

- 1) The sign base and sign structure shall be brick, stone, or masonry material matching the front façade of the primary building. The sign face shall be framed on the sides by a minimum of six (6) inches of brick, stone, or masonry material matching the front façade of the primary building.
- 2) Address numbers are required on business monument signs. If the area of the address number is five (5) square feet or less, the area will not count toward the maximum sign face area. The address numbers can be placed in or encroach into the masonry perimeter.
- 3) A maximum of one (1) monument sign is permitted per lot.

The following illustrations are not intended to show signs that meet the requirements of this Code, but rather are intended to illustrate the general concept of a district identification sign.



Figures 19-21. Examples of district identification signs. Images courtesy WikiCommons users. See Appendix D for credit information.

TABLE 7.3		
DISTRICT IDENTIFICATION SIGNS		
Location	Maximum Height (in feet)	Maximum sign face area (in square feet)
Kennedale Pkwy	15	100 (each side)
Additional Requirements: 1) The sign base and sign structure shall be brick, stone, or masonry material matching the primary design theme for the District.		



Figure 22. Example of an attached sign.

TABLE 7.4

ATTACHED SIGNS

Location	Maximum height	Maximum sign face area
Permitted on all properties	Shall not exceed 75% of façade	Maximum four hundred (400) square feet

Additional Requirements:

- 1) Attached signs facing existing residential or lodging uses shall be shielded or use lighting techniques that prevent the illumination from intruding into structures on adjacent or other properties at night.
- 2) A maximum of two (2) attached signs is allowed per business. Every sign should be an integral, subordinate element within the overall building and site design. The scale and proportion of the signage shall not overpower the building or obscure the building's architectural features.
- 3) The direct painting of signs on buildings shall be prohibited except for signs less than a three-square-foot area used for building identification (such as the street address).
- 4) In no case shall an attached sign project above the roof line of any building, except those attached to parapet walls, and the sign may not extend above the parapet wall.
- 5) Signs may be illuminated with internal lighting. No exposed neon is permitted.
- 6) For multi-tenant buildings, the following regulations apply:
 - (a) Each lease or tenant space shall be permitted only one attached sign per street front with a maximum of two attached signs per tenant/lease space.
 - (b) The dimensions of each of the two signs shall be based upon the street typology that the respective building façade faces.
 - (c) Signs may be illuminated with internal lighting. No exposed neon is permitted.



Figure 23. Example of an awning sign. Photo courtesy Gary Halvorson, Oregon State Archives.

TABLE 7.5

AWNING SIGNS

Location	Minimum height	Maximum sign face area
Permitted on all properties	8 ft above sidewalk/ clear zone	See below

Additional Requirements:

- Awnings may encroach into the sidewalk to within 2 feet of the curb (or within 2 feet of the edge of the clear zone, if building is not adjacent to the sidewalk) but must clear the sidewalk/clear zone vertically by at least 8 feet.
- Permitted materials shall be canvas cloth or equivalent (no shiny or reflective materials), metal, or glass.
- Awnings shall have a minimum depth of three (3) feet.
- No internal illumination is permitted through the awning/overhang.
- Except for wall signs permitted to be attached to canopies, lettering and/or logos on awning and canopies shall be limited to 5 inches tall on the vertically hanging fabric/face at the curb side of the awning or canopy.
- Lettering on awnings or canopies is limited to the business logo, business name, and/or slogan. Phone numbers, website addresses, and other additional wording that would clutter the lettering space are prohibited.

7.8 Measurement of sign height

As applied to a sign, height shall be measured as the vertical distance between the highest part of the sign or its supporting structure, whichever is higher, and final finished grade at the center of the base of the sign. *Final finished grade* means the top compacted and leveled earth for the purposes of constructing a slab foundation, as shown on the approved site plan for the development for which a sign is requested.

7.9 Master Sign Plan

The owner(s) of a tract or tracts of land may file a master sign plan request in order to ask for a multi-tenant sign to be permitted or for a modification of any requirements that may apply to a sign under this Code. To request a multi-tenant sign, the property or properties in question must qualify under a unified sign agreement under Section 17-510 of the Kennedale City Code and must follow the process for requesting a unified sign agreement as stated in Section 17-510. To request a master sign plan to permit a modification of sign requirements, the owner(s) shall follow the process as stated in Section 17-511 of the Kennedale City Code.

SECTION 8. LAND USES

Mix of Uses Required.

Each district shall have a mix of uses, with an intensity of uses as described in the table below.

TYPE OF USE	MINIMUM REQUIRED PERCENTAGE OF LAND USE PER USE TYPE ¹	MAXIMUM PERCENTAGE OF PERMITTED LAND USE PER USE TYPE
Residential	60	75
Multi-family	0	25
Single family	35-60	75
Live/work	0	25
Commercial & Government / Institutional	25	40
¹ It is not required that each permitted use type be included in the development mix. For example, each of the sample mixes of uses listed below would be permitted.		

Example 1:

Use Type	Percentage
Single family	35
Multi-family	25
Commercial	40

Example 2:

Example 3:

Use Type	Percentage
Single family	50
Commercial	30
Live/work	25
Government / Institutional	10

Commercial	25
------------	----

Residential uses. Residential uses shall not be permitted until building permits have been issued for at least one commercial use within the district. A permit for residential use may be issued simultaneously with a permit for a commercial use.

Multi-family uses. Multi-family uses (including structures, associated parking, and other features or facilities provided for the multi-family use) shall not exceed 25% of the land area within a Neighborhood Center.

a. Multi-family uses shall not be permitted until the minimum 25% of commercial uses have been constructed, of which 50% of the structures dedicated for commercial uses shall be occupied before multi-family uses shall be permitted.

b. Multi-family uses shall not be permitted until a site / concept plan has been submitted for the entire district. All owners of property within a Neighborhood Center district shall agree, in writing, to the site / concept plan, with the agreement binding on future owners and the agreement filed with the Tarrant County clerk.

Live/work uses. The residential and the commercial space of a live/work unit must be occupied by the same tenant, but the tenant of the residence may be the owner of the business or an employee of the business. No portion of the live/work unit may be rented or sold separately. Residential use shall be prohibited on the ground floor. Live/work units shall be designed with the commercial use as the primary use. Residential use is prohibited when the commercial use is not occupied.

Permitted Uses.

The uses listed below are permitted within the Neighborhood Center district with the following exceptions.

- Drive-thrus are prohibited for all uses.
- No use shall exceed 10,000 square feet of gross floor area.
- Outside storage is prohibited for all non-residential and all live/work uses.
- New padsites for gas drilling shall not be permitted within the Neighborhood Center district.

Residential Uses

- Single-family residential
- Townhouse
- Condominium

- Apartment or multi-family dwelling
- Live/work
- Guest house/servant quarters
- Accessory building
- Basketball court (private)
- Tennis court (private)
- Swimming pool (private)
- Home occupation

Agriculture/Ranch Uses

- Produce stand

*Utility/Solid Waste Uses**

- Cable TV lines
- Sewer lift station
- Telephone exchange
- Utility poles and lines
- Utility mains and lines
- Water pump station
- Water storage tank
- Water well (special exception required)

*NOTE: Utility lines shall be placed / installed below ground. Installation of above-ground utility lines shall require a variance.

Government & Institutional Uses

- Church or rectory
- Community center
- Convalescent center
- Fire station
- Government office
- Library
- Museum or art gallery
- Park or playground
- Police station
- Post office
- School (nursery or kindergarten)
- School (elementary or middle)
- School (high school)
- Swimming pool (public)
- Tennis court (public)

Commercial Uses

- Antique shop
- Art supply store
- Athletic or fitness club
- Audio store (retail)
- Bakery (retail)
- Bank or financial institution (*see Table 8.2*)
- Barber or beauty shop
- Bicycle sales and repair
- Book store
- Business office
- Camera store (retail)
- Child care center or facility
- Computer store (retail/service)
- Convenience store (*see Table 8.2*)
- Dental clinic or office
- Electronics store (retail)
- Florist shop
- Grocery store
- Hardware store
- Hobby shop
- Insurance sales office
- Jewelry store
- Laundry or dry cleaners
- Leather goods shop (retail)
- Meat, poultry & fish market
- Medical clinic or office
- Musical instrument store
- Office supply store
- Optical clinic or office
- Optical dispensary store
- Paint sales store (retail)
- Pet shop
- Pharmacy or drug store
- Picture framing shop
- Professional offices
- Racquetball court
- Real estate or leasing office
- Restaurant or café—inside service (drive-thrus and drive-ins are prohibited)
- Restaurant—kiosk (walk-up service only; drive-thrus and drive-in kiosks are prohibited)
- Shoe or boot store
- Sporting goods store
- Tailor or seamstress shop
- Title & abstract office
- Travel agency
- Veterinary clinic

Other Requirements

Hours of operation. For non-residential uses located within 35' of an adjacent property zoned for single-family residential use, hours of operation shall be restricted to between 7 AM and 9 PM Sunday through Thursday and 7 AM and 10 PM Fridays and Saturdays.

[ANY OTHER REQUIREMENTS TO ENSURE COMPATIBILITY WITH THE NC DISTRICT SHOULD BE LISTED HERE]

8.2 Use Criteria: Uses listed in Table 8.1 shall also meet the following standards in Table 8.2

Table 8.2 – Use Criteria	
<i>Use</i>	<i>Location & Design Criteria</i>
Non-Residential Uses	
Retail sales or service (personal service uses) – <u>drive-thru prohibited</u>	- For all uses, including hardware or similar stores, outside storage is prohibited; see also <i>Outdoor Display</i>, below - Convenience stores with gas sales or auto repair are prohibited
Banks or financial institutions	Payday lending establishments are prohibited in the NC district
Restaurants	- No outdoor events or activities shall be permitted that create a noise level discernable at the property line between a commercial and residential or live/work use. - Outdoor seating shall not encroach a public sidewalk, except that for sidewalks at least seven feet in width, outdoor seating may encroach the sidewalk so long as at least five (5) feet of sidewalk remains unobstructed
Residential Uses	
Home occupations	Home Occupations are permitted as allowed in Kennedale City Code Section 17-423.
Other Uses	
Telecommunications and broadcasting (radio, TV, cable, wireless communications, telephone, etc.)	- Fleet parking and outdoor storage are prohibited. - Radio & television towers, Microwave towers, and telephone exchanges require a special exception from the Board of Adjustment.
Parking, surface (accessory use of property)	Parking shall be screened as required by this Code. Commercial parking lots (parking for a fee) are not permitted.
Outdoor Display	Outdoor display is permitted when in compliance with Section 4-227 of the Kennedale City Code. Outdoor display shall not be used for storage. For the purposes of this Code, “display” means the exhibition of goods, wares, or merchandise for sale. Vehicles, trailers, or boats shall not be displayed outdoors. Items displayed outdoors shall be located within 15 feet of the primary building entrance and shall not exceed more than 20% of the width of the front façade.
Antennas including cell, accessory, and mounted on top of buildings	Satellite antennas shall be regulated under Section 17-417 of the Kennedale City Code. Other uses under this category require a special exception from the Board of Adjustment.
Wind energy equipment	- Freestanding wind energy equipment shall be considered an accessory building and shall be subject to the requirements for such, together with all other applicable building codes and ordinances, including height limits. Wind energy production/generation shall not be the primary use of any property within the Neighborhood Center district. - Wind energy equipment shall comply with the height requirements and other requirements for accessory buildings as regulated by Kennedale City Code Section 17-405. - Wind energy equipment shall be subject to Chapter 15, Article V of the Kennedale City Code concerning loud noises (nuisances). - All portions of the wind energy system shall be a non-reflective, non-obtrusive color, subject to the approval of the Planning Director. - Wind energy equipment shall not be used for displaying any advertising and shall not be illuminated. - The electrical collection system shall be placed underground within the interior of each parcel. - A building permit and any other permit related to work required to install wind energy equipment shall be obtained prior to installation of any wind energy equipment.

Table 8.2 – Use Criteria

<i>Use</i>	<i>Location & Design Criteria</i>
Solar energy equipment	• Freestanding solar collectors shall be considered an accessory building and shall be subject to the requirements for such, together with all other applicable building codes and ordinances, including height limits. Solar energy production/generation shall not be the primary use of any property within the Neighborhood Center district. • Structurally attached solar collectors are permitted in the Neighborhood Center district. “Structurally attached solar collector” means solar collectors attached to an existing structure’s roof or wall or serving as a structure’s roof, wall, window or other structural member. Structurally attached solar collectors installed on a building with a sloped roof shall not project vertically above the peak of the roof. Structurally attached solar collectors installed on a building with a flat roof shall not project vertically more than five (5) feet above the roof. • Roof-mounted or structurally attached solar energy systems shall comply with the maximum height requirements in the applicable zoning district. Ground-mounted solar energy equipment shall comply with the height requirements and other requirements for accessory buildings as regulated by Kennedale City Code Section 17-405. • A building permit, electrical permit, or any other permit related to work required to install solar energy equipment shall be obtained prior to installation of any solar energy equipment.
Special Event	• Special Events require approval from the City Council. Flea markets are prohibited (indoor or outdoor).
Outdoor events or activities – non-special events	• No outdoor events or activities shall be permitted that create a noise level discernable at the property line between a commercial and residential use. • Outdoor activities include, but are not limited to, music played at a business establishment, live music performances, and announcements broadcast over loud speakers.

EXHIBITS

A District boundaries: property regulated by this Code

Exhibit A
Property Regulated by This Code

The boundaries of the Neighborhood Center district are, approximately:

More specific boundaries shall be established as properties are re-zoned under this Code.

APPENDICES

- A. Definitions
- B. Native plant lists
- C. Irrigation requirements
- D. Photo credits

APPENDIX A. DEFINITIONS

Blank wall means any building wall that is a portion of a building wall or façade without a window or door or similar architectural feature and is over four feet in height from ground level and longer than 60 feet, as measured horizontally, without having a window, door, building modulation, or other similar architectural feature meant to lessen the apparent bulk or massing of a structure.

Build-to zone means range of allowable distances from a street right-of-way that a building may be built.

Footcandle means the unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one foot square from a distance of one foot.

Frontage zone means the area between the pedestrian walkway or sidewalk and primary structure (or property line, for structures where no front setback is required). Pedestrians tend to avoid walking close to barriers such as buildings, storefronts, walls, or fences, in the same way that they tend to avoid walking close to the roadway. For this reason, some sub-districts in the Neighborhood Center have a minimum frontage zone width in order to provide more comfort for pedestrians. Typically, the frontage zone is also the area in which sidewalk entertainment, such as street cafes and vendors, are located. Sometimes also referred to as a *clear zone*, the frontage zone buffers pedestrians from appurtenances, doorways, and similar obstacles.

Harvested rainwater means storm water that is conveyed from a building roof, stored in a cistern or rain barrel, and disinfected and filtered before being used.

Live/work means a use that provides space for office/retail use on the ground floor and provides residences on the upper floor(s) in the same structure, or to the side or in back of the office/retail component, provided that there is internal access between the residential and commercial space. The same tenant occupies both the commercial and residential space in a live/work structure. Live/work units are designed for multiple uses and should be designed to include adequate soundproofing and safety measures between residential and non-residential uses. The primary use of a live/work unit is commercial, and live/work units shall not be designed or built with the residential use as the primary use.

Modulation means the stepping back or projecting forward of parts of a building.

Structure means anything constructed or erected having location on or under the ground or attached to something having location on or under the ground, but not including fences or screening walls required by this Code.

Visible Transmittance means the amount of light transmitted through a window. VT is expressed as a number between 0 and 1; the closer the number is to 1, the higher the potential for daylighting.

APPENDIX B.

NATIVE PLANTS APPROPRIATE FOR THE KENNEDALE REGION

APPENDIX B

Native Plants

The following plants are recommended by the Lady Bird Johnson Wildflower Center for use in the North Central Texas area.

Scientific Name	Common Name	Duration	Habit	Sun	Water
<i>Acer negundo</i>	Ash-leaf maple, Ash-leaved maple, Box elder, Boxelder, Fresno de guajuco	Perennial	Tree	Sun	Moist
<i>Aesculus glabra</i>	Ohio buckeye, Texas buckeye, Fetid buckeye, Horse chestnut	Perennial	Tree	Sun, Shade, Part-shade	Moist
<i>Amblyolepis setigera</i>	Huisache daisy, Butterfly daisy, Honey daisy	Annual	Herb	Part-shade	Dry
<i>Amorpha fruticosa</i>	Indigo bush, False indigo bush, False indigo, Desert false indigo	Perennial	Shrub	Sun, Part-shade	Moist
<i>Andropogon gerardii</i>	Big bluestem, Turkeyfoot	Perennial	Grass/Grass-like	Sun, Part-shade	Moist
<i>Anisacanthus quadrifidus</i> var. <i>wrightii</i>	Flame acanthus, Hummingbird bush, Wright's desert honeysuckle, Wright acanthus, Mexican flame, Wright's Mexican flame	Perennial	Shrub	Sun, Part-shade	Moist, Dry
<i>Aquilegia canadensis</i>	Eastern red columbine, Wild red columbine	Perennial	Herb	Shade, Part-shade	Moist, Dry
<i>Asclepias tuberosa</i>	Butterflyweed, Butterfly milkweed, Orange milkweed, Pleurisy root	Perennial	Herb	Sun, Part-shade	Moist, Dry
<i>Bignonia capreolata</i>	Crossvine	Perennial	Vine	Sun, Part-shade	Moist, Dry
<i>Bouteloua curtipendula</i>	Sideoats grama	Perennial	Grass/Grass-like	Sun, Part-shade	Moist, Dry
<i>Bouteloua dactyloides</i>	Buffalograss, Buffalo grass	Perennial	Grass/Grass-like	Sun	Dry
<i>Bouteloua gracilis</i>	Blue grama	Perennial	Grass/Grass-like	Sun	Dry
<i>Callicarpa americana</i>	American beautyberry, French mulberry	Perennial	Shrub	Part-shade	Moist
<i>Callirhoe digitata</i>	Finger poppy-mallow, Poppy mallow, Standing winecup, Wine cup, Winecup	Perennial	Herb	Sun	Dry
<i>Callirhoe involucrata</i>	Winecup, Purple poppy mallow	Perennial	Herb	Sun, Part-	Moist, Dry

				shade	
<i>Campsis radicans</i>	Trumpet creeper, Trumpet vine, Common trumpet creeper, Cow vine	Perennial	Vine	Sun	Moist, Dry
<i>Carya illinoensis</i>	Pecan	Perennial	Tree	Sun	Moist
<i>Carya texana</i>	Black hickory	Perennial	Tree	Part- shade	Dry
<i>Castilleja indivisa</i>	Entireleaf indian paintbrush, Texas paintbrush, Indian paintbrush, Scarlet paintbrush, Entire-leaf indian- paintbrush	Annual	Herb	Sun	Dry
<i>Centaurea americana</i>	American basket-flower, American star-thistle, Basket-Flower, Star thistle, Shaving brush	Annual	Herb	Part- shade	Dry
<i>Cephalanthus occidentalis</i>	Common buttonbush, Buttonbush, Button willow	Perennial	Shrub	Shade, Part- shade	Wet, Moist
<i>Cercis canadensis var. texensis</i>	Texas redbud	Perennial	Tree	Sun, Part- shade	Dry
<i>Chromolaena odorata</i>	Jack in the bush, Fragrant boneset, Fragrant mistflower, Crucita, Blue mistflower	Perennial	Shrub	Part- shade	Dry
<i>Clematis pitcheri</i>	Purple clematis, Purple leatherflower, Leatherflower, Bluebill	Perennial	Vine	Sun, Part- shade	Moist
<i>Conoclinium coelestinum</i>	Blue mistflower	Perennial	Herb	Sun, Part- shade	Moist
<i>Cooperia drummondii</i>	Evening rain lily, Evening star rain lily	Perennial	Herb	Sun, Part- shade	Moist, Dry
<i>Coreopsis tinctoria</i>	Plains coreopsis, Golden tickseed, Goldenwave, Calliopsis	Annual	Herb	Sun, Part- shade	Moist
<i>Diospyros texana</i>	Texas persimmon, Mexican persimmon, Black persimmon, Chapote, Chapote prieto	Perennial	Tree	Sun, Part- shade	Dry
<i>Echinacea angustifolia</i>	Black Sampson, Black Samson echinacea, Narrow-leaf Coneflower	Perennial	Herb	Sun, Part- shade	Dry
<i>Echinacea purpurea</i>	Eastern purple coneflower, Purple coneflower	Perennial	Herb	Sun, Part- shade	Dry
<i>Engelmannia peristenia</i>	Engelmann's daisy, Engelmann Daisy, Cutleaf Daisy	Perennial	Herb	Sun	Dry
<i>Eryngium leavenworthii</i>	Leavenworth's eryngo, Eryngo	Annual	Herb	Sun, Part-	Moist

				shade	
<i>Eustoma exaltatum</i> ssp. <i>russellianum</i>	Texas bluebells, Texas bluebell, Bluebell, Showy prairie gentian, Prairie gentian	Annual, Biennial, Perennial	Herb	Sun	Moist
<i>Frangula</i> <i>caroliniana</i>	Carolina buckthorn, Carolina false buckthorn, Indian cherry	Perennial	Tree	Part- shade	Moist
<i>Fraxinus americana</i>	White ash	Perennial	Tree	Sun, Shade, Part- shade	Moist, Dry
<i>Gaillardia pulchella</i>	Firewheel, Indian Blanket	Annual	Herb	Sun, Part- shade	Dry
<i>Glandularia</i> <i>bipinnatifida</i> var. <i>bipinnatifida</i>	Prairie verbena, Purple prairie verbena, Dakota mock vervain, Dakota vervain	Annual, Perennial	Herb	Sun, Part- shade	Dry
<i>Helianthus</i> <i>maximiliani</i>	Maximilian sunflower, Max sunflower	Perennial	Herb	Sun	Moist, Dry
<i>Hesperaloe</i> <i>parviflora</i>	Red yucca, Coral yucca, Red flowered false yucca, Redflower false yucca, Samandoque, Yellow yucca	Perennial	Cactus/Succulent	Sun	Dry
<i>Hibiscus laevis</i>	Halberdleaf rosemallow, Halberdleaf hibiscus, Scarlet rose mallow	Perennial	Shrub	Sun, Part- shade	Moist
<i>Hilaria belangeri</i> var. <i>belangeri</i>	Curly-mesquite	Perennial	Grass/Grass-like	Sun	Dry
<i>Ilex decidua</i>	Possumhaw, Possumhaw Holly, Deciduous Holly, Winterberry, Deciduous yaupon	Perennial	Shrub	Sun, Part- shade	Moist
<i>Ilex vomitoria</i>	Yaupon, Yaupon holly, Cassina	Perennial	Shrub, Tree	Sun, Shade, Part- shade	Moist, Dry
<i>Juglans nigra</i>	Black walnut, Eastern black walnut	Perennial	Tree	Sun, Part- shade	Moist
<i>Juniperus ashei</i>	Ashe juniper, Ashe's juniper, Mountain cedar, Blueberry juniper	Perennial	Tree	Part- shade	Dry
<i>Juniperus virginiana</i>	Eastern red cedar, Eastern redcedar, Virginia juniper	Perennial	Tree	Sun, Shade, Part- shade	Dry
<i>Lantana urticoides</i>	Texas lantana, Calico bush, West Indian shrub-verbena	Perennial	Shrub	Sun	Dry
<i>Leptochloa dubia</i>	Green sprangletop	Perennial	Grass/Grass-like	Part- shade	Dry
<i>Liatris elegans</i>	Blazing star, Gay feather, Pink-scale	Perennial	Herb	Sun	Dry

	gayfeather, Pinkscale blazing star				
<i>Liatris mucronata</i>	Cusp gayfeather, Gayfeather, Blazing star, Narrow-leaf gayfeather, Texas gayfeather, Cusp blazing star	Perennial	Herb	Sun	Dry
<i>Lobelia cardinalis</i>	Cardinal flower	Perennial	Herb	Sun, Shade, Part-shade	Wet, Moist
<i>Lonicera albiflora</i>	Western white honeysuckle, Texas honeysuckle, White honeysuckle, White shrub honeysuckle, White limestone honeysuckle	Perennial	Vine	Sun, Part-shade	Moist, Dry
<i>Lonicera sempervirens</i>	Coral honeysuckle, Trumpet honeysuckle, Woodbine	Perennial	Vine	Sun, Part-shade	Moist
<i>Lupinus texensis</i>	Texas bluebonnet, Bluebonnet, Texas lupine, Buffalo clover, Wolf-flower	Annual	Herb	Sun	Dry
<i>Machaeranthera tanacetifolia</i>	Tanseyleaf tansyaster, Tahoka Daisy, Tansy Aster	Annual	Herb	Sun, Part-shade	Dry
<i>Mahonia swaseyi</i>	Texas barberry, Texas Oregon-grape	Perennial	Shrub	Sun	
<i>Mahonia trifoliolata</i>	Agarita, Agarito, Algerita, Laredo mahonia, Laredo Oregon-grape, Trifoliate barberry	Perennial	Shrub	Sun, Part-shade	Moist, Dry
<i>Melampodium leucanthum</i>	Blackfoot Daisy, Rock daisy, Plains blackfoot	Perennial	Herb	Sun, Part-shade	Dry
<i>Monarda citriodora</i>	Lemon beebalm, Horsemint, Purple horsemint, Lemon mint, Plains horsemint, Lemon horsemint	Annual	Herb	Sun, Part-shade	Dry
<i>Muhlenbergia lindheimeri</i>	Lindheimer's muhly, Big muhly, Lindheimer muhly	Perennial	Grass/Grass-like	Sun	Moist, Dry
<i>Muhlenbergia reverchonii</i>	Seep muhly	Perennial	Grass/Grass-like	Sun	Moist, Dry
<i>Oenothera macrocarpa</i> ssp. <i>macrocarpa</i>	Bigfruit evening-primrose, Fluttermill, Missouri evening primrose	Perennial	Herb	Sun, Part-shade	Dry
<i>Oenothera speciosa</i>	Pink evening primrose, Showy evening primrose, Mexican evening primrose, Showy primrose, Pink ladies, Buttercups, Pink buttercups	Perennial	Herb	Sun	Moist, Dry
<i>Palafoxia callosa</i>	Small palafox, Small palafoxia	Annual	Herb	Sun	Dry
<i>Panicum virgatum</i>	Switchgrass, Wand panic grass	Perennial	Grass/Grass-like	Sun, Part-shade	Moist, Dry
<i>Parthenocissus quinquefolia</i>	Virginia creeper	Perennial	Vine	Sun, Shade,	Moist

				Part-shade	
<i>Passiflora incarnata</i>	Purple passionflower, Purple passion vine, Maypop, Apricot vine	Perennial	Vine	Sun, Part-shade	Moist, Dry
<i>Penstemon cobaea</i>	Wild foxglove, Prairie penstemon, Foxglove penstemon, False foxglove, Large-flowered beardtongue, Large-flowered penstemon, Prairie beardtongue, Cobaea penstemon	Perennial	Herb	Sun, Part-shade	Dry
<i>Phlox drummondii</i>	Annual phlox, Phlox, Drummond phlox	Annual	Herb	Sun, Part-shade	Dry
<i>Physostegia pulchella</i>	Beautiful false dragon-head, Showy false dragonhead	Perennial	Herb	Part-shade	Moist
<i>Platanus occidentalis</i>	American sycamore, Buttonwood, Plane-tree, Sycamore	Perennial	Tree	Sun, Shade, Part-shade	Moist
<i>Poa arachnifera</i>	Texas bluegrass, Texas blue grass	Perennial	Grass/Grass-like	Sun, Part-shade	Moist
<i>Prosopis glandulosa</i>	Honey mesquite	Perennial	Tree	Sun	Dry
<i>Prunus mexicana</i>	Mexican plum, Bigtree plum	Perennial	Tree	Sun, Part-shade	Moist, Dry
<i>Quercus fusiformis</i>	Escarpment live oak, Plateau live oak, Texas live oak, Scrub live oak, Hill country live oak, Plateau oak	Perennial	Tree	Sun, Part-shade	Dry
<i>Quercus macrocarpa</i>	Bur oak, Burr oak, Savannah oak, Overcup oak, Prairie oak, Mossy-cup oak, Mossy-overcup oak, Blue oak	Perennial	Tree	Sun, Shade, Part-shade	Wet, Moist, Dry
<i>Quercus marilandica</i>	Blackjack oak, Barren oak, Black oak, Jack oak	Perennial	Tree	Part-shade	Dry
<i>Quercus muehlenbergii</i>	Chinkapin oak, Chinquapin oak, Chestnut oak, Yellow chestnut oak, Yellow oak, Rock chestnut oak, Rock oak	Perennial	Tree	Sun, Part-shade	Dry
<i>Quercus shumardii</i>	Shumard oak, Shumard's oak, Shumard red oak, Southern red oak	Perennial	Tree	Sun, Part-shade	Moist, Dry
<i>Quercus stellata</i>	Post oak	Perennial	Tree	Part-shade	Dry
<i>Quercus texana</i>	Nuttall Oak, Texas red oak, Texas oak, Spanish oak, Rock oak	Perennial	Tree	Part-shade	
<i>Ratibida columnifera</i>	Mexican hat, Prairie coneflower, Upright prairie coneflower, Red-spike	Perennial	Herb	Sun	Moist, Dry

	mexican-hat, Long-headed coneflower, Thimbleflower				
<i>Rhus aromatica</i>	Fragrant sumac, Aromatic sumac, Lemon sumac, Polecat bush	Perennial	Shrub	Sun, Shade, Part-shade	Moist, Dry
<i>Rhus lanceolata</i>	Prairie flameleaf sumac, Flame-leaf sumac, Prairie sumac, Lance-leaf sumac	Perennial	Tree	Sun	Dry
<i>Rudbeckia hirta</i>	Black-eyed Susan, Common black-eyed Susan, Brown-eyed Susan	Annual	Herb	Sun, Shade, Part-shade	Moist, Dry
<i>Salvia azurea</i>	Pitcher sage, Big blue sage, Azure sage, Giant blue sage, Blue sage	Perennial	Herb	Part-shade	Dry
<i>Salvia farinacea</i>	Mealy blue sage, Mealy sage, Mealeycup sage	Perennial	Herb	Sun	Moist
<i>Salvia greggii</i>	Autumn sage, Cherry sage, Gregg salvia	Perennial	Shrub	Sun	Dry
<i>Salvia regla</i>	Mountain sage, Royal sage	Perennial	Shrub	Shade, Part-shade	Dry
<i>Salvia roemeriana</i>	Cedar sage	Perennial	Herb	Part-shade	Dry
<i>Sapindus saponaria</i> var. <i>drummondii</i>	Western soapberry, Soapberry	Perennial	Tree	Sun, Part-shade	Moist, Dry
<i>Schizachyrium scoparium</i>	Little bluestem	Perennial	Grass/Grass-like	Sun, Part-shade	Dry
<i>Sorghastrum nutans</i>	Indiangrass, Yellow indian grass	Perennial	Grass/Grass-like	Sun, Shade, Part-shade	Moist, Dry
<i>Styphnolobium affine</i>	Eve's necklace, Eve's necklancepod, Texas sophora	Perennial	Tree	Part-shade	Dry
<i>Taxodium distichum</i>	Bald cypress, Baldcypress, Common bald cypress, Southern bald cypress, Deciduous cypress	Perennial	Tree	Sun, Part-shade	Moist
<i>Thelesperma filifolium</i>	Stiff greenthread, Greenthread	Annual	Herb	Sun	Dry
<i>Tradescantia occidentalis</i>	Prairie spiderwort, Western Spiderwort, Spiderwort	Perennial	Herb	Sun, Part-shade	Dry
<i>Tripsacum dactyloides</i>	Eastern gamagrass	Perennial	Grass/Grass-like	Part-shade	Moist
<i>Ulmus americana</i>	American elm, White elm	Perennial	Tree	Sun,	Moist

				Part-shade	
<i>Ulmus crassifolia</i>	Cedar elm, Fall elm, Olmo	Perennial	Tree	Part-shade	Moist
<i>Ungnadia speciosa</i>	Mexican buckeye	Perennial	Tree	Sun, Part-shade	Dry
<i>Vernonia baldwinii</i>	Baldwin's ironweed, Western Ironweed, Ironweed	Perennial	Herb	Sun	Moist
<i>Viburnum rufidulum</i>	Rusty blackhaw viburnum, Rusty blackhaw, Southern blackhaw, Downy viburnum	Perennial	Tree	Part-shade	Dry
<i>Wedelia texana</i>	Zexmenia, Orange zexmenia, Wedelia, Hairy wedelia, Texas creeping-oxeye	Perennial	Herb	Sun, Part-shade	Moist, Dry
<i>Yucca rupicola</i>	Twistleaf yucca, Twisted-leaf yucca, Texas yucca	Perennial	Cactus/Succulent	Sun, Part-shade	Dry

The following plants are recommended by the Texas Parks & Wildlife Department for Tarrant County (excepting southeastern Tarrant County).

Common Name	Scientific Name	Erosion Index	Wildlife Index
BLACKBERRIES-DEWBERRIES	RUBUS SPP.	EXCELLENT	EXCELLENT
PARTRIDGE PEA (PRAIRIE SENNA)	CHAMAECRISTA FASCICULATA	EXCELLENT	GOOD
MAXIMILLIAN SUNFLOWER	HELIANTHUS MAXIMILIANI	EXCELLENT	GOOD
VINE-MESQUITE	PANICUM OBTUSUM	EXCELLENT	GOOD
YELLOW INDIANGRASS	SORGHASTRUM NUTANS	EXCELLENT	EXCELLENT
PRAIRIE CORDGRASS	SPARTINA PECTINATA	EXCELLENT	EXCELLENT
AMERICAN ELDERBERRY	SAMBUCUS CANADENSIS	EXCELLENT	GOOD
SWITCHGRASS	PANICUM VIRGATUM	EXCELLENT	EXCELLENT
ILLINOIS BUNDLE FLOWER (PRAIRIE MIMOSA)	DESMANTHUS ILLINOENSIS	EXCELLENT	EXCELLENT
CHICKASAW PLUM	PRUNUS ANGUSTIFOLIA	EXCELLENT	EXCELLENT
BIG BLUESTEM	ANDROPOGON GERARDII	EXCELLENT	GOOD
SIDEOATS GRAMA	BOUTELOUA CURTIPENDULA	EXCELLENT	GOOD
COMMON REED	PHRAGMITES AUSTRALIS	EXCELLENT	GOOD
ASHE JUNIPER	JUNIPERUS ASHEI	EXCELLENT	GOOD
COTTONWOOD	POPULUS DELTOIDES	EXCELLENT	GOOD
COMMON CURLYMESQUITE	HILARIA BERLANGERI	EXCELLENT	GOOD
COFFEE BEAN	SESBANIA MACROCARPA	EXCELLENT	EXCELLENT

FRAGRANT SUMAC	RHUS AROMATICA	EXCELLENT	EXCELLENT
VIRGINIA CREEPER	PARTHENOCISSUS QUINQUEFOLIA	EXCELLENT	GOOD
BROOMSEDGE BLUESTEM	ANDROPOGON VIRGINICUS	EXCELLENT	GOOD
SOFTSTEM BULRUSH	SCIRPUS TABERNAEMONTANI (S. VALIDUS)	EXCELLENT	GOOD
SALTMARSH BULRUSH	SCIRPUS MARITIMUS	EXCELLENT	GOOD
WINGED ELM	ULMUS ALATA	EXCELLENT	GOOD
DELTA ARROWHEAD	SAGITTARIA PLATYPHYLLA	EXCELLENT	GOOD
WATER SMARTWEED	POLYGONUM AMPHIBIUM	EXCELLENT	EXCELLENT
PENNSYLVANIA SMARTWEED	POLYGONUM PENSYLVANICUM	EXCELLENT	EXCELLENT
CORALBERRY	SYMPHORICARPOS ORBICULATUS	EXCELLENT	EXCELLENT
LONG-LEAF PONDWEED	POTAMOGETON NODOSUS	EXCELLENT	GOOD
ROUND HEAD BUSHCLOVER (ROUNDHEAD LESPEDEZA)	LESPEDEZA CAPITATA	EXCELLENT	GOOD
DOTTED SMARTWEED	POLYGONUM PUNCTATUM	EXCELLENT	GOOD
TRUMPET HONEYSUCKLE	LONICERA SEMPERVIRENS	EXCELLENT	GOOD
LEAFY PONDWEED	POTAMOGETON FOLIOSUS	EXCELLENT	GOOD
GIANT CANE	ARUNDINARIA GIGANTEA	EXCELLENT	GOOD
WESTERN WHEATGRASS	ELYTRIGIA SMITHII (AGROPYRON SMITHII)	EXCELLENT	GOOD
LITTLE BLUESTEM	SCHIZACHYRIUM SCOPARIUM	EXCELLENT	GOOD
COMMON TRUMPET-CREEPER	CAMPSIS RADICANS	EXCELLENT	GOOD
SAND DROPSEED	SPOROBOLUS CRYPTANDRUS	EXCELLENT	GOOD
PURPLETOP	TRIDENS FLAUUS	EXCELLENT	GOOD
BLACK WILLOW	SALIX NIGRA	EXCELLENT	FAIR
WESTERN INDIGO (SCARLET PEA)	INDIGOFERA MINIATA	EXCELLENT	FAIR
PECAN	CARYA ILLINOENSIS	EXCELLENT	EXCELLENT
DOWNY VIBURNUM (RUSTY BLACKHAW)	VIBURNUM RUFIGULUM	EXCELLENT	EXCELLENT
RIVERBANK GRAPE	VITIS RIPARIA	EXCELLENT	EXCELLENT
CROTON, SPP.	CROTON, SPP.	EXCELLENT	EXCELLENT
AMERICAN BEAUTYBERRY	CALLICARPA AMERICANA	EXCELLENT	EXCELLENT
TEXAS PERSIMMON	DIOSPYROS TEXANA	EXCELLENT	GOOD
MUSTANG GRAPE	VITIS MUSTANGENSIS	EXCELLENT	GOOD
FARKLEBERRY (TREE HUCKLEBERRY)	VACCINIUM ARBOREUM	EXCELLENT	GOOD
RED MULBERRY	MORUS RUBRA	EXCELLENT	GOOD
TEXAS MULBERRY	MORUS MICROPHYLLA	EXCELLENT	GOOD
BROADLEAF WOODOATS	CHASMANTHIUM LATIFOLIUM	EXCELLENT	GOOD
PINCHOT JUNIPER (REDBERRY JUNIPER)	JUNIPERUS PINCHOTII	EXCELLENT	GOOD
BLUE GRAMA	BOUTELOUA GRACILIS	EXCELLENT	GOOD
GREEN ASH (RED ASH)	FRAXINUS PENNSYLVANICA	EXCELLENT	GOOD

BLACK WALNUT	JUGLANS NIGRA	EXCELLENT	GOOD
GREEN SPRANGLETOP	LEPTOCHLOA DUBIA	EXCELLENT	GOOD
LITTLE WALNUT (NOGALITO)	JUGLANS MICROCARPA	EXCELLENT	GOOD
BOXELDER	ACER NEGUNDO	EXCELLENT	GOOD
HONEY MESQUITE	PROSOPIS GLANDULOSA VAR. GLANDULOSA	EXCELLENT	GOOD
BUFFALOGRASS	BUCHLOE DACTYLOIDES	EXCELLENT	GOOD
DESERT WILLOW	CHIOPSIS LINEARIS	EXCELLENT	FAIR
COMMON PERSIMMON	DIOSPYROS VIRGINIANA	GOOD	EXCELLENT
LOTEBUSH	ZIZYPHUS OBTUSIFOLIA	GOOD	GOOD
POSSUM-HAW (DECIDUOUS HOLLY)	ILEX DECIDUA	GOOD	GOOD
EASTERN GAMAGRASS	TRIPSACUM DACTYLOIDES	GOOD	GOOD
CAROLINA BUCKTHORN	RHAMNUS CAROLINIANA	GOOD	GOOD
OSAGE ORANGE (BOIS D'ARC)	MACLURA POMIFERA	GOOD	GOOD
SESSILELEAF TICKCLOVER	DESMODIUM SESSILIFOLIUM	GOOD	GOOD
SMOOTH SUMAC	RHUS GLABRA	GOOD	GOOD
COMMON HONEY LOCUST	GLEDITSIA TRIACANTHOS	GOOD	GOOD
TROPIC CROTON	CROTON GLANDDULOSUS	GOOD	FAIR
WOOLLY CROTON	CROTON CAPITATUS	GOOD	FAIR
CURLTOP SMARTWEED (WILLOW-WEED)	POLYGONUM LAPHIFOLIUM	GOOD	FAIR
OKLAHOMA BLACKBERRY	RUBUS OKLAHOMUS	GOOD	EXCELLENT
SUGAR HACKBERRY (SUGARBERRY)	CELTIS LAEVIGATA	GOOD	GOOD
COMMON BUTTONBUSH	CEPHALANTHUS OCCIDENTALIS	GOOD	GOOD
CANADA WILDRYE	ELYMUS CANADENSIS	GOOD	GOOD
ROUGHLEAF DOGWOOD	CORNUS DRUMMONDII	GOOD	GOOD
CHINKAPIN OAK	QUERCUS MUHLENBERGII	GOOD	GOOD
INDIGOBUSH (FALSE INDIGO)	AMORPHA FRUTICOSA	GOOD	GOOD
SLENDER LESPEDEZA	LESPEDEZA VIRGINICA	GOOD	GOOD
HAIRY GRAMA	BOUTELOUA HIRSUTA	GOOD	GOOD
FROST GRAPE	VITIS CORDIFOLIA	GOOD	GOOD
WHITE ASH	FRAXINUS AMERICANA	GOOD	GOOD
AGARITO	MAHONIA TRIFOLIOLATA	GOOD	GOOD
AMERICAN ELM	ULMUS AMERICANA	GOOD	GOOD
BLACK HICKORY (TEXAS HICKORY)	CARYA TEXANA	GOOD	GOOD
SAND LOVEGRASS	ERAGROSTIS TRICHODES	GOOD	GOOD
SLIPPERY ELM	ULMUS RUBRA	GOOD	GOOD
CEDAR ELM	ULMUS CRASSIFOLIA	GOOD	FAIR
BLUE SAGE	SALVIA AZUREA	GOOD	FAIR
SWAMP PRIVET	FORESTIERA ACUMINATA	GOOD	EXCELLENT
ALABAMA SUPPLEJACK (RATTAN VINE)	BERCHEMIA SCANDENS	GOOD	GOOD

VIRGINIA WILD RYE	ELYMUS VIRGINICUS	GOOD	GOOD
YELLOW SWEETCLOVER	MELILOTUS OFFICINALIS	GOOD	GOOD
GUM BUMELIA (CHITTAMWOOD)	BUMELIA LANUGINOSA	GOOD	GOOD
PURPLE PRAIRIE CLOVER	DALEA PURPUREA	GOOD	GOOD
CAROLINA SNAILSEED	COCCULUS CAROLINUS	GOOD	GOOD
SEDGES	CAREX SPP.	GOOD	GOOD
GREEN HAWTHORN	CRATAEGUS VIRDIS	GOOD	GOOD
SAW GREENBRIAR	SMILAX BONA-NOX	GOOD	GOOD
EASTERN HOP HORNBEAN	OSTRYA VIRGINIANA	GOOD	FAIR
FLORIDA PASPALUM	PASPALUM FLORIDANUM	GOOD	FAIR
REVERCHON HAWTHORN	CRATAEGUS REVERCHONI	GOOD	FAIR
SACAHUISTA (BEAR GRASS)	NOLINA SPP.	GOOD	FAIR
MEXICAN PLUM	PRUNUS MEXICANA	GOOD	GOOD
CATCLAW SENSITIVEBRIAR	SCHRANKIA NUTTALLI	GOOD	GOOD
ELBOWBUSH	FORESTIERA PUBESCENS	GOOD	FAIR
COMMON BEEBUSH (WHITEBRUSH)	ALOYSIA GRATISSIMA	GOOD	FAIR
COCKSPUR HAWTHORN	CRATAEGUS CRUSGALLI	GOOD	FAIR
DOWNY HAWTHORN	CRATAEGUS MOLLIS	GOOD	FAIR
TEXAS BLUEBONNET	LUPINUS TEXENSIS	GOOD	FAIR
AMERICAN SYCAMORE	PLATANUS OCCIDENTALIS	GOOD	FAIR
FERN ACACIA (PRAIRIE ACACIA)	ACACIA ANGUSTISSIMA	GOOD	FAIR
MEXICAN PRIMROSE	OENOTHERA SPECIOSA	GOOD	LOW
YELLOW NUTGRASS (CHUFA)	CYPERUS ESCULENTUS	GOOD	EXCELLENT
WHITE CLOVER	TRIFOLIUM REPENS	GOOD	GOOD
COMMON GREENBRIAR	SMILAX ROTUNDIFOLIA	GOOD	GOOD
INLAND CEANOTHUS (REDROOT)	CEANOTHUS HERBACEUS	GOOD	GOOD
SILVER BLUESTEM	BOTHRIOCHLOA LAGUROIDES	GOOD	FAIR
RICE CUTGRASS	LEERSIA ORYZOIDES	GOOD	FAIR
ENGELMANN DAISY	ENGELMANNIA PINNATIFIDA	GOOD	FAIR
TEXAS SIGNALGRASS (TEXAS MILLET)	BRACHIARIA TEXANA	GOOD	FAIR
SKELETONLEAF GOLDEN-EYE	VIGUIERA STENOLOBA	GOOD	FAIR
HEATH ASTER	ASTER ERICOIDES	GOOD	FAIR
PLAINS COREOPSIS (GOLDEN TICKSEED)	COREOPSIS TINCTORIA	GOOD	FAIR
HEARTLEAF AMPELOPSIS	AMPELOPSIS CORDATA	FAIR	GOOD
COMMON RAGWEED	AMBROSIA ARTEMISIIFOLIA	FAIR	GOOD
EASTERN REDBUD	CERCIS CANADENSIS	FAIR	FAIR
SLICK SEED WILDBEAN	STROPHOSTYLES LEIOSPERMA	FAIR	FAIR
REDROOT PIGWEED	AMARANTHUS RETROFLEXUS	FAIR	FAIR
UPRIGHT PRAIRIE CONEFLOWER (MEXICAN HAT)	RATIBIDA COLUMINFERA	FAIR	FAIR
PRAIRIE SUMAC	RHUS LANCEOLATA	FAIR	FAIR
INDIAN BLANKET	GAILLARDIA PULCHELLA	FAIR	FAIR

LITTLE-LEAF SUMAC	RHUS MICROPHYLLA	FAIR	FAIR
COBAEA PENSTEMON (FOXGLOVE)	PENSTEMON COBAEA	FAIR	FAIR
LEAVENWORTH ERYNGIUM	ERYNGIUM LEAVENWORTHII	FAIR	FAIR
NETLEAF HACKBERRY	CELTIS RETICULATA	FAIR	GOOD
WESTERN RAGWEED	AMBROSIA CUMANENSIS	FAIR	GOOD
PRAIRIE SUNFLOWER	HELIANTHUS PETIOLARIS	FAIR	GOOD
TRAILING WILDBEAN	STROPHOSTYLES HELVOLA	FAIR	FAIR
SLIMLEAF SCURFPEA (WILD ALFALFA)	PSORALIDIUM TENUIFLORA	FAIR	FAIR
VIRGINIA TEPHROSIA (GOAT'S RUE)	TEPHROSIA VIRGINIANA	FAIR	FAIR
TEXAS SOPHORA (EVE'S NECKLACE)	SOPHORA AFFINIS	FAIR	FAIR
EVERGREEN SUMAC	RHUS VIRENS	FAIR	FAIR
GOLDEN CURRANT	RIBES AUREUM	FAIR	FAIR
BEEBALM (WILD BERGAMOT)	MONARDA FISTULOSA	FAIR	LOW
PROSTRATE KNOTWEED	POLYGONUM AVICULARE	FAIR	FAIR
POKEBERRY (POKEWEED)	PHYTOLACCA AMERICANA	FAIR	FAIR
TEXAS COLUBRINA	COLUBRINA TEXENSIS	FAIR	FAIR
BARNYARD GRASS	ECHINOCHLOA CRUSGALLI VAR. CRUSGALLI	FAIR	GOOD
GUAYACAN	GUAIAACUM ANGUSTI-FOILIIUM	FAIR	FAIR
COMPASSPLANT	SILPHIUM LACINIATUM	FAIR	FAIR
PURPLE CONEFLOWER	ECHINACEA PALLIDA	FAIR	FAIR
CHOLLA	OPUNTIA (MULTIPLE SPECIES)	FAIR	FAIR
PRICKLYPEAR	OPUNTIA SPP.	FAIR	FAIR
AWNLESS BUSH SUNFLOWER	SIMSIA CALVA	FAIR	FAIR
LOW RUELLIA (HAIRY WILD- PETUNIA)	RUELLIA HUMILIS	FAIR	FAIR
BLACK DALEA	DALEA FRUTESCENS	FAIR	LOW
COMMON LANTANA	LANTANA HORRIDA	FAIR	LOW
AUTUMN SAGE	SALVIA GREGGII	FAIR	LOW
ROUGH BUTTOMWEED (POOR- JOE)	DIODIA TERES	FAIR	FAIR
CATCLAW ACACIA	ACACIA GREGGII	FAIR	FAIR
SPIKERUSH	ELEOCHARIS SPP.	FAIR	LOW
WESTERN SOAPBERRY	SAPINDUS SAPONARIA VAR. DRUMMONDII	FAIR	LOW
BEARDED SPRANGLETOP	LEPTOCHLOA FASCICULARIS	LOW	FAIR
FLATSLEDGE	CYPERUS SPP.	LOW	FAIR
BUSHY KNOTWEED	POLYGONUM RAMOSISSIMUM	LOW	LOW
BEAKRUSH	RHYNCHOSPORA SPP.	LOW	LOW
COMMON POOLMAT	ZANNICHELLIA PALUSTRIS	LOW	FAIR
LANCELEAF GAILLARDIA	GAILLARDIA AESTIVALIS	LOW	LOW
DUCKWEEDS	FAMILY LEMNACEAE	LOW	FAIR

KIDNEYWOOD	EYSENHARDTIA TEXANA	LOW	LOW
MESCALBEAN (TEXAS MOUNTAIN LAUREL)	SOPHORA SECUNDIFLORA	LOW	LOW
BEGGAR'S TICKS	BIDENS LAEVIS	LOW	LOW
SOUTHERN NAIAD	NAJAS GUADALUPENSIS	LOW	LOW
MEXICAN BUCKEYE (MONILLA)	UNGNADIA SPECIOSA	LOW	LOW

APPENDIX C. IRRIGATION

- I. *Control by automated irrigation system.* Landscaped areas shall be controlled by an automatically controlled timer, unless the use of the property would otherwise prohibit use of a timer. Irrigation systems shall be installed with a rain shut off sensor.
 - (a) The irrigation system shall be designed so that overspray onto structures, streets, sidewalks, windows, walls, and fences is minimized.
 - (b) High-efficiency irrigation systems, such as (but not limited to) drip or soaker hose systems, are required for non-turf areas.
 - (c) Manual shut-off valves (such as a gate valve, ball valve, or butterfly valve) shall be required as close as possible to the point of connection of the water supply to minimize water loss in case of an emergency (such as a main line break) or routine repair.
- II. *Cisterns.* The use of cisterns for rainwater harvesting is permitted.
 - (a) Harvest rainwater shall be used for irrigation only. Piping for rainwater harvesting systems shall be separate from and shall not include any direct connection to any potable water piping or to the city's sanitary sewer system. Cisterns shall not be used to provide potable water. Filter systems are required to remove solids and debris and shall be treated or controlled to prevent mosquito breeding.
 - (b) Cisterns shall be located in the rear yard or side yard and must be screened so as not to be seen from the public street. Screening must meet the screening regulations of this Code.
 - (c) Cisterns shall not exceed ten (10) percent coverage in any required yard. The maximum height of any cistern shall be ten (10) feet.
 - (d) Cisterns shall be located a minimum of eight (8) feet from any side lot line and a minimum of eight (8) feet from any rear lot line.
 - (e) Cisterns shall be made of durable materials sufficient to withstand weight and pressure from water storage and resist leaking or corrosion.
 - (f) Every irrigation outlet shall be permanently identified with an indelibly marked placard stating: "CAUTION: HARVESTED RAINWATER; DO NOT DRINK."
 - (g) Installation and repair of cisterns requires an irrigation permit or plumbing permit, as applicable, from the City of Kennedale. Cisterns larger than 175 square feet require an accessory building permit.
 - (h) Rain barrels with capacity of 100 gallons or less shall not require an irrigation or plumbing permit but shall meet all other requirements of this sub-section.
 - (i) The design, maintenance, and use of rainwater harvesting systems are the responsibility of the individual system owners

APPENDIX D. IMAGE CREDITS

All images in this document are courtesy City of Kennedale or Livable Plans & Codes unless otherwise stated below.

Figure 17. Morpho Landscape Architecture

Figure 19. Dsafdy (GFDL or CC-BY-SA-3.0-2.5-2.0-1.0, via Wikimedia Commons)

Figure 20. Xnatedawgx (Own work) [(CC-BY-SA-3.0 or GFDL), via Wikimedia Commons]

Figure 21. Stacalusa (Own work) (Public domain), via Wikimedia Commons

Figure 23. Gary Halvorson, Oregon State Archives



Date: May 15, 2014

Agenda Item No: MINUTES APPROVAL - A.

I. Subject:

Review and consider for approval minutes from the April 17, 2014 Planning & Zoning Commission meeting

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

The minutes from the April 17th meeting are attached to this report for your review.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

The minutes from the April 17th Planning & Zoning Commission meeting are attached to this message for your review and consideration for approval.

VII. Recommendation:

Approve

VIII. Alternative Actions:

IX. Attachments:

1.	04.17.2014 PZ Minutes	04.17.2014 PZ Minutes.doc
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KENNEDALE
Planning and Zoning Commission
www.cityofkennedale.com

KENNEDALE PLANNING & ZONING COMMISSION
MINUTES
COMMISSIONERS - REGULAR MEETING
April 17, 2014
CITY HALL COUNCIL CHAMBERS, 405 MUNICIPAL DRIVE

I. CALL TO ORDER

Chairman Harvey called the regular session to order at 6:01 P.M.

II. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	x	
Tom Pirtle		x
<i>vacant</i>		
Stephen Brim	x	
Katie McFadden		x
Don Rawe		x
Mike Walker	x	
<i>Alternates</i>		
Carolyn Williamson	x	
<i>vacant</i>		

Ms. Williamson was asked to serve as a regular member. A quorum was present with Ms. Williamson's participation.

III. WORK SESSION

A. Discuss regulations for a proposed new zoning district

The Commission discussed the draft standards for the Neighborhood Center district concept. Commissioners discussed the percentages that should be set for each use type and whether they should shift how the uses were balanced.

Mr. Walker said the City and the school district should talk together about population projections and where a new school might go, and planning. Mr. Harvey agreed.

Ms. Roberts asked if the Neighborhood Center standards should be created as a separate document like was done for the Employment Center. Mr. Brim said it's easier for the developer. The Commission agreed it should be a separate document.

Ms. Roberts said she would bring this item back to the Commission next month. Mr. Harvey asked Ms. Roberts to bring an illustration showing where the Neighborhood Center districts would be located.

B. Discuss any item on the regular session agenda

Mr. Harvey asked the commissioners how they felt about Case PZ 14-03. Mr. Brim said he thought what the City was offering was fair. He asked Ms. Roberts who signed off on it from the City of Arlington. She said it was a city engineer who had discussed the case with their city attorney.

Mr. Harvey said that on the issue of fair market value, they have to remember that if a city needed to get the right-of-way back, they would have to pay fair market value.

Ms. Roberts said she wasn't sure if Mr. DaSilva would be there tonight, since he thought the meeting was on the 24th and had indicated he might be out of the country on the 17th.

Mr. Harvey asked Ms. Roberts whether Case PZ 14-04 lines up with the comprehensive land use plan. Ms. Roberts said she thought it did, that it fits the direction the City is trying to go. Mr. Harvey asked if they could go with Agricultural zoning, and Ms. Roberts said they could if it's a less intense use.

C. Discuss future items for consideration by the Planning & Zoning Commission, including the Employment Center district and the Bowman Springs Urban Village

The Commission did not have time to discuss this item.

The work session closed at 7:02 P.M.

IV. REGULAR SESSION

V. CALL TO ORDER

Chairman Harvey called the regular session to order at 7:07 P.M.

VI. ROLL CALL

Commissioner	Present	Absent
Ernest Harvey	x	
Tom Pirtle		x
<i>vacant</i>		
Stephen Brim	x	
Katie McFadden		x
Don Rawe		x
Mike Walker	x	
<i>Alternates</i>		
Carolyn Williamson	x	
<i>vacant</i>		

A quorum was present with Ms. Williamson's participation.

VII. MINUTES APPROVAL

A. Consider approval of minutes from the March 20, 2014 regular meeting

Mr. Walker motioned to approve the minutes, seconded by Ms. Williamson. The motion passed unanimously.

VIII. VISITOR/CITIZENS FORUM

No one registered speak.

IX. REGULAR ITEMS

A. **Case PZ 14-03** to receive comments and consider action on a request by Sidney DaSilva, DBA Equity One Group, for the City of Kennedale to vacate 0.1192 acres of public right-of way located adjacent to property at 1453 J R Hawkins Rd, L C Rayburn's Subdivision Remainder Lot 6, Kennedale, Tarrant County, as shown in a deed of record in Vol. 10782 p. 1561, Tarrant County.

1. Staff presentation

Ms. Roberts said Mr. DaSilva was not at the meeting and asked if the Commission would like to postpone the case until the next month.

Mr. Walker made a motion to postpone the case until the next month's meeting. The motion was seconded by Mr. Brim and passed unanimously.

B. **Case # PZ 14-04** to receive comments and consider action on a request by Oscar and Wanda Rountree and Patricia Beatty and Johnny Byrd for a zoning change from "C-2" General commercial district to "PD" Planned development district (residential) for approximately 6 acres located at 6559 Hudson Village Creek Rd and 4079 Kennedale New Hope Rd, Joel Snyder Survey A-1448 1B and 1 C, being a portion of a tract as described in a deed to Oscar and Wanda Rountree, Instrument no. D190172874 and being a tract of land as described in a deed to Patricia Beatty, Instrument no. D198096319, Kennedale, Tarrant County.

1. Staff presentation

Ms. Roberts gave an overview of the staff report and said that the request was in compliance with the comprehensive plan. She told the Commission it could approve the request, deny the request, or approve it with conditions, or it could rezone the property to a less intense use. In this case, the only less intense use would probably be Agricultural zoning.

Mr. Brim asked if the concept plans had been examined for floodplain. Ms. Roberts said the mapped floodplain doesn't extend that far, so staff didn't check for floodplain, but they did write the ordinance for the Beatty property to allow only three lots so that development could be pushed away from the creek.

Mr. Harvey asked for clarification that granting the rezoning would not be considered spot zoning. Ms. Roberts said that no, since the comprehensive plan says this area should be neighborhood, it wouldn't be spot zoning.

2. Applicant presentation

Stan Rountree, 6559 Hudson Village Creek Rd, addressed the Commission on behalf of his parents. He said he wants to build a home on the property. He added that the property sits up on the hill, so they don't have any flooding. He said he had been wanting to build a Victorian home, and that's why they bought the property in 1990, to be able to build a Victorian home in the future next to his parents.

Mr. Harvey asked if Mr. Rountree had considered Agricultural zoning, and Mr. Rountree said they only had two acres there, and he didn't know if there was enough space. Mr. Harvey said his lot size would be the minimum and asked when Mr. Rountree intended to build. Mr. Rountree said he hoped to build in the next year or two, and he still had to plat the property and get his plans

situated. Mr. Harvey asked how many structures he planned to build, and Mr. Rountree said it would be just his house for now, and maybe a guest house at the back.

Mr. Harvey asked which lot was his, and Mr. Rountree said it's the one on the right when facing the property. Mr. Harvey asked if the structures there would remain, and Mr. Rountree said there's nothing there now.

Johnny Byrd, 7330 Red Bird Lane, Burleson, address the Commission. He said he and his mother have owned the Beatty property for eighteen years; they want to subdivide it and build three homes. He said there's a small portion of the 100-year floodplain on the property, but he won't build on it. Mr. Harvey asked if there were structures on the property, and Mr. Byrd said it's been vacant the whole time he's owned it.

Mr. Harvey asked what style home he was thinking of building. Mr. Byrd said he was going with brick houses. Mr. Harvey asked what size homes were planned, and Mr. Byrd said about 1,700-2,000 square feet. He added that he wanted permission to build a shop building on the lots, since they are acre lots.

Mr. Harvey asked Ms. Roberts if the ordinance says where the outbuildings would be located. Ms. Roberts said it doesn't, but she could add it.

Mr. Harvey asked what size tracts Mr. Byrd was planning. Mr. Byrd said it would be two one-acre tracts and one two-acre tract to avoid the floodplain. He added that for as long as he's owned the property, he's never seen flooding on it.

Mr. Harvey asked if there utilities there. Mr. Byrd said the water is out front, but he'll have to put in septic.

Mr. Brim asked the Rountrees if they ever had problems with water. Mr. Rountree said they're on the Bethesda water system and were on that system before the city annexed them. Mr. Harvey asked Mr. Byrd is his property was on Bethesda or city water. Mr. Byrd said originally he'd planned to use Bethesda, but now there's city water available in front of his property.

3. Public hearing

No one registered to speak.

4. Applicant response

No response was needed.

5. Staff response and summary

Ms. Roberts recommended approval with any changes to the ordinances the Commission may want to make.

6. Action by the Planning & Zoning Commission

Mr. Harvey suggested adding a statement to the ordinance about setbacks for guest houses, and recommended eight feet behind the main structure and eight feet from the side and rear property lines and utility easements.

Mr. Harvey said the properties being on separate roads will address the lack of continuity in house styles in the two districts, and Mr. Walker agreed. Ms. Williamson said she didn't see anything to hold the Commission back from approving the request.

Mr. Brim made a motion to approve Case PZ 14-04 with the conditions mentioned earlier about the minimum setback for accessory buildings. The motion was seconded by Ms. Williamson and passed unanimously.

X. REPORTS/ANNOUNCEMENTS

Ms. Roberts said the Vineyard final plat for phase I had been approved by city council. The Commission and Ms. Roberts discussed how to handle plats that are submitted but don't meet the city's standards, and Mr. Harvey suggested adding a fee if what is submitted doesn't meet the city's criteria. Mr. Brim suggested talking with staff at Richardson, since they require a pre-application meeting.

Ms. Roberts mentioned the KKB garden work day to be held on April 26 and the bird identification workshop also on April 26. She also said the Youth Advisory Council would be holding a food truck event in TownCenter on April 24.

XI. ADJOURNMENT

Ms. Williamson made a motion to adjourn, seconded by Mr. Walker. The motion passed with all in favor.

The meeting adjourned at 7:46 P.M.

Ernest Harvey, Chair

Date

ATTEST:

Rachel Roberts, Planner/Board Secretary

Date



Date: May 15, 2014

Agenda Item No: REGULAR ITEMS - A

I. Subject:

Case PZ 14-03 to receive comments and consider action on a request by Sidney DaSilva, DBA Equity One Group, for the City of Kennedale to vacate 0.1192 acres of public right-of way located adjacent to property at 1453 J R Hawkins Rd, L C Rayburn's Subdivision Remainder Lot 6, Kennedale, Tarrant County, as shown in a deed of record in Vol. 10782 p. 1561, Tarrant County.

- (1) Staff Presentation
- (2) Applicant Presentation
- (3) Public Hearing
- (4) Applicant Response
- (5) Staff Response and Summary
- (6) Action by the Planning & Zoning Commission

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: vacate (abandon) public right-of-way

Location: adjacent to 1453 J R Hawkins (Joplin Rd at J R Hawkins Rd)

Applicant: Sidney DaSilva (owner of adjacent property)

Background.

The Commission originally considered this case during its March 17th meeting. The Commission voted to continue the case at its April meeting, but the applicant was unable to attend that meeting. At the April meeting the Commission voted to continue the case at its meeting in May.

At the March 17th meeting, the Commission asked staff to research several factors of the case, as follows.

- 1) Is Arlington sure it will not need any of the right-of-way requested to be abandoned? The Commission asked staff to review Arlington's roadway plans to see if it could be determined that the r-o-w would definitely not be needed.
- 2) Is Arlington's position on the abandonment an official position? The Commission asked staff to get a statement on letterhead or an email from a person of authority stating that the City of Arlington would like Kennedale to process the r-o-w abandonment request.
- 3) What would happen if the r-o-w is abandoned, and Arlington determines later that the r-o-w is needed after all? The Commission asked staff to check with the city attorney.

In addition, the Commission asked staff to verify the amount determined to be fair market value.

Staff Review.

- 1) I checked with one of Arlington's engineers familiar with this case. She said that the plans for the roadway had not been drawn up yet, but the road is included in the city's Thoroughfare Development Plan (TDP). The TDP identifies Joplin Road as a Major Collector, which requires a total right-of-way of 70 feet. The engineer pointed out that thoroughfare plans are subject to change over time, but for now, the City of Arlington only requires a 70-foot r-o-w for this road. Road facilities needed for J R Hawkins are not included in the TDP; that road is classified as a local or residential street and requires a 50 to 60-foot r-o-w.

After examining the location of existing pavement, the amount of right-of-way needed for the future road project, and the location and amount of r-o-w requested to be abandoned, staff has changed its recommendation from last month. The recommendation is now to abandon the portion of r-o-w highlighted in yellow in Exhibit B. But staff also believes the property highlighted in green may be needed for the future road project. Unfortunately, that portion of Mr. DaSilva's property is not currently dedicated as right-of-way.

- 2) I have received a letter from the City of Arlington stating that Arlington would like Kennedale to process the abandonment (see attached letter)
- 3) If the City of Arlington later determines that it needs the right-of-way that had been abandoned, Arlington would have to re-acquire the r-o-w. It could not compel Kennedale to do so on its behalf. If it were a Kennedale road project, however, please note that the City of Kennedale would have to acquire the r-o-w.

I also asked our city attorney about fair market value. During the meeting in March, Mr. DaSilva stated that the County had paid \$1 for the r-o-w, and therefore he was willing to pay that amount for the r-o-w to be abandoned. But in fact, it is common for deeds and similar documents to say "in consideration of one dollar" or "in consideration of ten dollars," etc., when actually more money had been paid. Therefore, the r-o-w document saying "in consideration of \$1" is not evidence that only that amount was paid by the County. It is possible that only \$1 was paid, but we have no record to verify it. In addition, the r-o-w document states:

"in consideration of One Dollar in hand paid, ...and for the further consideration of the logical increase in value of all adjacent property which will naturally ensue as the result of [the road's] construction and the great benefit to be derived by the County at large, and by the parties of the second part individually through the reconstruction, as a first class road, of that portion of the County Highway..."

The property owners therefore were considered to have received more compensation than \$1. But whatever the compensation given in 1939, what matters now is that the r-o-w has value, and state law requires the city to be compensated for that r-o-w. Mr. DaSilva may own the underling fee simple title, but the r-o-w is the predominant interest in the property and has the most value. The city has the right to determine what that value is and can require full payment for it. With that said, the city is also authorized to determine that a particular r-o-w is not useful to the public and can therefore sell it for nominal value. Whether to charge fair market value or a nominal value is up to the city.

Staff Recommendation.

Staff recommends abandoning a portion of the requested right-of-way, as shown with yellow highlighting in the attachment labeled "Exhibit B." Instead of charging Mr. DaSilva the fair market value for the r-o-w, we request that Mr. DaSilva instead dedicate as right-of-way the property highlighted in green on Exhibit B;

essentially, instead of charging the fair market value, the city would swap land/r-o-w with Mr. DaSilva. Under this arrangement, the public is still being compensated for the loss of right-of-way. But please note that we cannot compel Mr. DaSilva to dedicate land as right-of-way in this case. If Mr. DaSilva prefers not to dedicate the property recommended for right-of-way, staff recommends Mr. DaSilva be charged fair market value for the abandoned portion. In either of these approaches (either through a land/r-o-w swap or payment of fair market value), the public is compensated for its loss of public right-of-way.

Commission Review and Consideration.

The city code outlines the Commission's review process. From Section 17-304(4):

The commission will conduct a public hearing allowing the opportunity for interested parties to express their opinions of the proposed closing or vacation. At the close of the public hearing the commission will make a recommendation to the city council as to the advisability of approving the proposed closing or vacation.

APPROVE AS STAFF RECOMMENDED

I recommend the City of Kennedale grant the requested right-of-way abandonment as recommended by staff; I recommend the applicant be required to pay the City of Kennedale the fair market value for the right-of-way in the amount of [*to be determined*]-cents per square foot of right-of-way to be vacated.

APPROVE AS APPLICANT REQUESTED

I recommend the City of Kennedale grant the request to vacate the right-of-way as requested by the applicant; I further recommend the applicant not be required to pay fair market value for the vacated right-of-way.

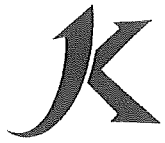
DENY

I recommend the City of Kennedale deny the request to vacate the right-of-way.

Aerial View of Road & Adjacent Properties (PZ 14-03)

Parcel boundary data from the Tarrant Appraisal District
Road data and aerial imagery from North Central Texas Council of Governments





KENNEDALE
Planning Department
www.cityofkennedale.com

Application for Vacation or Closure of Street or Right-Of-Way

Applicant Name: SIDNEY R DASILVA, DBA EQUITY ONE GROUP

Applicant Address: 6500 GREENSPRING DR, ARLINGTON, TX 76016

Applicant Phone Number: 682-230-1820

Applicant Email Address (optional): SIDNEYDASILVA@YAHOO.COM

Request:

☒ Vacate right-of-way

☐ Close public street

Subdivision Name: <u>RAYBURN, LC SUBDIVISION</u>	
Affected Block and Lot Numbers: <u>BLOCK LOT 6A</u>	
Length of area proposed to be vacated:	
Width of area proposed to be vacated:	
Area (square feet): <u>3,489 SQ FT</u>	

How did the city originally acquire the r-o-w or easement?

- ☐ Plat Dedication / Donation
☐ City Purchase
☐ Obtained Through Prescription

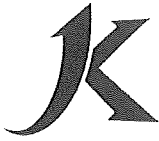
NOTE: THIS R-O-W OR EASEMENT WAS ACQUIRED BY THE COUNTY (TARRANT). SQ

Plat or other recorded instrument must be attached to application.

Existing physical improvements within the right-of-way:

Surface or above grade:

- | | | |
|--|---|--|
| ☒ None | ☐ Telephone | ☐ Curb & gutter |
| ☐ Paving | ☐ Cable | ☐ Structures (describe) |
| ☐ Electric | ☐ Fences / walls | ☐ Other |



KENNEDALE
Planning Department
www.cityofkennedale.com

Underground or below grade:

- ☐ None
- ☐ Water
- ☐ Sewer

- ☐ Gas
- ☐ Telephone
- ☐ Electric

- ☐ Storm drainage
- ☐ Other (describe)
- ☐ Unknown

Intended Use of the vacated right-of-way:

TO USE IN ACCORDANCE TO KENNEDALE CITY CODE, ZONING
DISTRICT REGULATION / R-3.

Adjacent property owners:

This petition must include the names, addresses, phone numbers, and signatures of all property owners holding property adjacent to the portion of the street or easement that is proposed to be vacated (list on a separate page if needed).

Property Owner 1:

ARLINGTON LAWN SERVICE, INC
MICHAEL DUGAN

Name (printed)

1441 J.R. HAWKINS RD

Address Kennedale, TX 76060

Legal Description

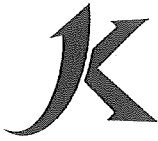
If property owner consents to right-of-way abandonment or street closure, the property owner's signature is required.

Michael Dugan

Signature

1/24/2014

Date



KENNEDALE
Planning Department
www.cityofkennedale.com

Property Owner 2:

Sandra Sehermerhorw
Name (printed)

148 S. Joplin
Address

Legal Description

If property owner consents to right-of-way abandonment or street closure, the property owner's signature is required.

[Signature]
Signature

11/23/2014
Date

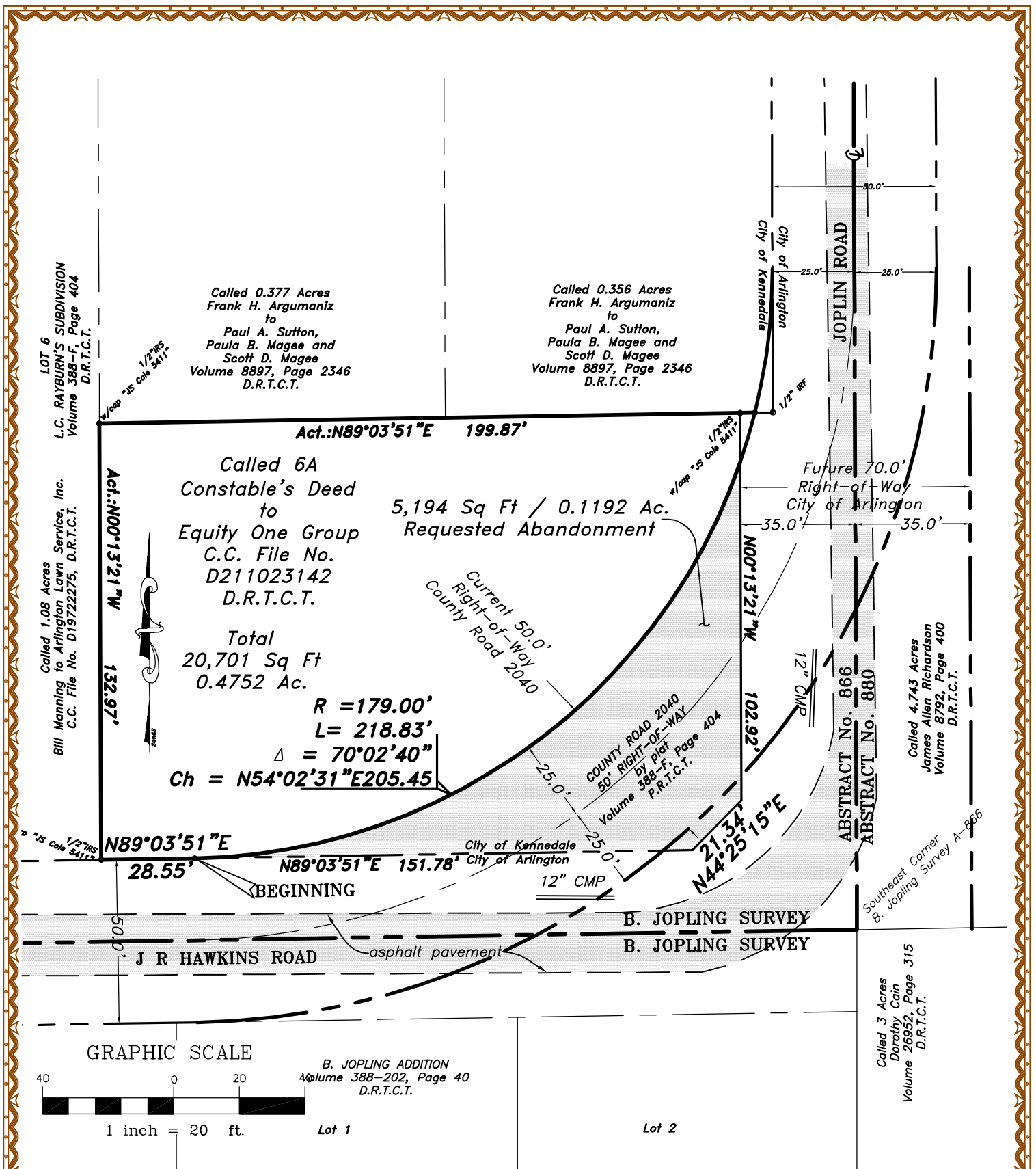
Required additional documentation:

- ☐ a metes and bounds legal description and a graphic exhibit of the portion of the ROW to be abandoned, which must be signed and sealed by a registered professional land surveyor.
- ☐ a standard form of vacation acknowledgment shall be completed and submitted for each utility currently located within the right-of-way or easement.

I, the undersigned, do hereby request the City of Kennedale to vacate right-of-way or close a public street (or a portion thereof) as described above. I will hold the City of Kennedale harmless and indemnify it against all suits, costs, expenses, and damages that may arise or grow out of such vacation and abandonment.

[Signature]
Signature of Applicant

02/21/2014
Date



**REQUESTED ABANDONMENT
JOPLIN ROAD AND J R HAWKINS ROAD
REMAINDER LOT 6
L. C. RAYBURNS SUBDIVISION
situated in the
B. JOPLING SURVEY, ABSTRACT No. 866
CITY OF KENNEDALE
TARRANT COUNTY, TEXAS**

SANDS SURVEYING CORPORATION

422 Willow Way,
Highland Village Texas 75077
(817) 355-5253 ph
(817) 510-0432 e-fax
www.SandSSurveyingTX.com



Land Surveying

COPYRIGHT © 2012 SANDS Surveying Corporation
All Rights Reserved.
Texas Firm Registration No. 10014600

SCALE: 1"=40'
DATE: 02/14/2014
W.O.: 127542
DRAWN BY: JSC II
CHECKED BY: SC

REQUESTED ABANDONMENT
JOPLIN ROAD AND J R HAWKINS ROAD
REMAINDER LOT 6
L. C. RAYBURNS SUBDIVISION
situated in the
B. JOPLING SURVEY, ABSTRACT No. 866
CITY OF KENNEDALE
TARRANT COUNTY, TEXAS

BEING a 5,194 square foot or 0.1192 acre parcel of land situated in the B. Jopling Survey, Abstract No. 866, City of Kennedale, Tarrant County, Texas a part of Joplin Road and J. R. Hawkins Road (County Road 2040 50 foot Right-of-Way) a part Lot 6, of the L. C. Rayburns Subdivision according to the Map or Plat thereof recorded in Volume 388-F, Page 404 of the Map or Plat records of Tarrant County, Texas said 5,194 square foot or 0.1192 acre parcel being more particularly described by metes and bounds as follows:

BEGINNING at a point for corner in the South line of said Lot 6, the North line of said County Road and being North 89°03'51" East a distance of 28.55 from ½" capped iron rod found for corner at the Southwest corner of that certain called Lot 6A as described in Constable's Deed to Equity One Group and recorded in County Clerks File No. D211023142 of the Deed records of Tarrant County, Texas said point being at the beginning of a tangent curve to the left;

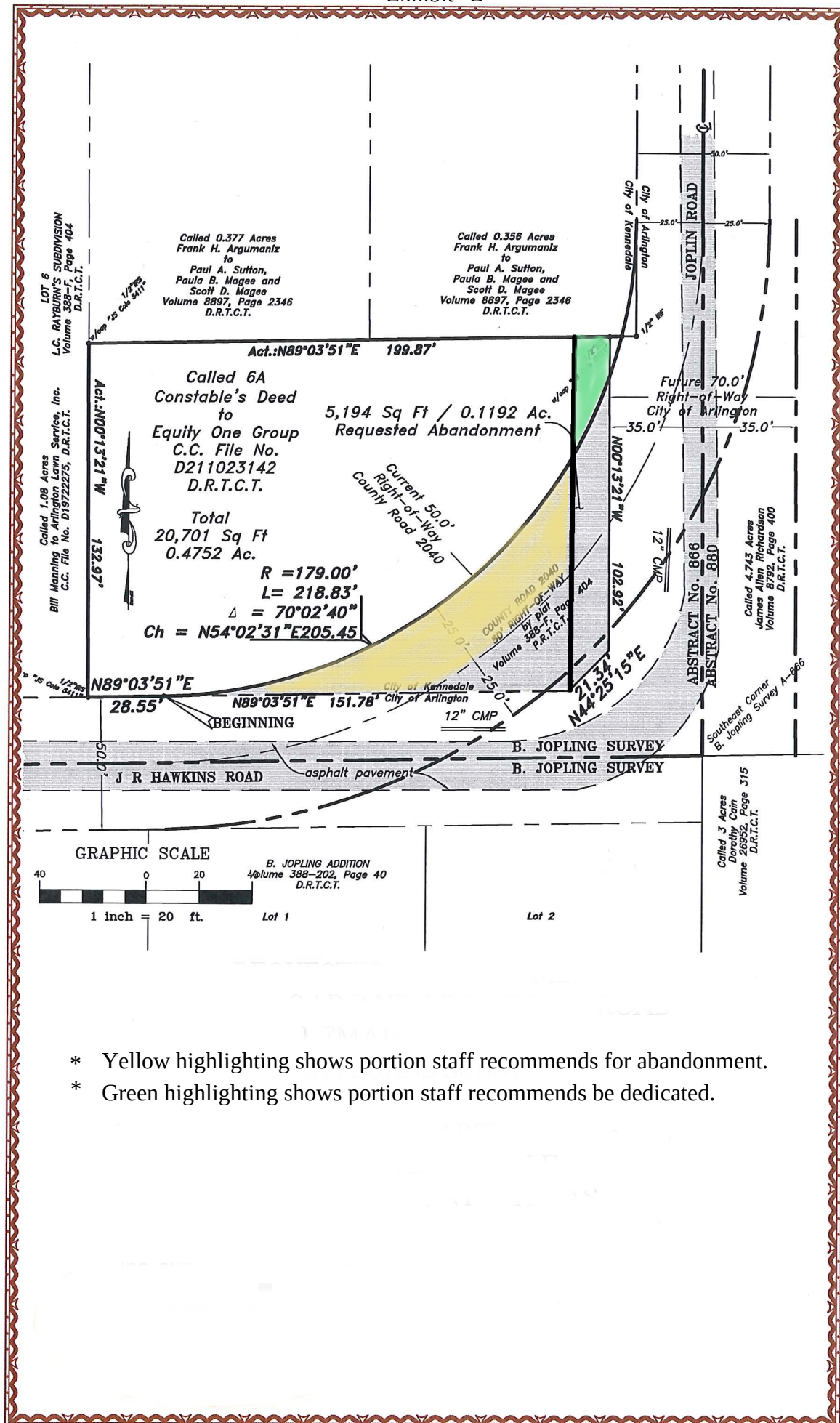
THENCE with said County Road and with said curve to the right having a radius of 179.00 feet, a central angle of 70°02'40", a tangent length of 125.44 feet, the long chord of which bears South 54°02'31" West-205.45 feet for an arc length of 218.83 feet to a point for corner in the future right-of-way line of Joplin Road (70 foot Right-of-Way);

THENCE North 89°03'51" East with said Right-of-Way a distance of 151.78 feet to a point for corner at the North end of a corner clip at the intersection of the West line of said future Right-of-Way with the North line of the Future right-of-way of J R Hawkins Road (50 foot Right-of-Way);

THENCE North 44°25'15" East with said corner clip a distance of 21.34 feet to a point for corner in the North line of said J R Hawkins;

THENCE North 00°13'21" West with said North line a distance of 102.92 feet back to the **POINT OF BEGINNING** and **CONTAINING:** 5,194 square feet or 0.1192 acres of land, more or less.

Exhibit "B"



- * Yellow highlighting shows portion staff recommends for abandonment.
- * Green highlighting shows portion staff recommends be dedicated.

AN ORDINANCE VACATING AND ABANDONING A CERTAIN PORTION OF RIGHT-OF-WAY FOR JOPLIN ROAD AND J R HAWKINS ROAD IN THE CITY OF KENNEDALE, TEXAS, DECLARING THAT SUCH PROPERTY IS UNNECESSARY FOR USE BY THE PUBLIC; PROVIDING A SEVERABILITY CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the city council of the City of Kennedale, after careful study and consideration, has determined that certain portions of right-of-way in Joplin Road and J R Hawkins Road in the City of Kennedale, hereinafter more specifically described, is not being used by, nor useful or convenient to the public in general; therefore, it constitutes a public charge without a corresponding public benefit, and the public would be better served and benefitted by its vacation and abandonment; and

WHEREAS, in order to remove any question as to the continued interest or ownership of the public in said right-of-way, the city desires to execute this ordinance releasing all title, ownership and control in said right-of-way to Sidney DaSilva.

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

SECTION 1.

The following right-of-way is hereby vacated and abandoned as public property: portions of right-of-way along Joplin Road and J R Hawkins Road located in L. C. Rayburn's Subdivision in the B Jopling Survey, Abstract No. 866, Kennedale, Tarrant County, Texas, said right-of-way being shown and described in Exhibit "A" attached hereto. The right-of-way is not being used by, nor useful or convenient to the public in general. It constitutes a public charge without a corresponding benefit, and the public would be better served and benefitted by its vacation and abandonment. The right- of-way so vacated and abandoned shall be conveyed via quitclaim deed to Sidney DaSilva, dba Equity One Group.

SECTION 2.

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

SECTION 3.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED THIS _____ DAY OF JUNE 2014

Mayor

ATTEST:

City Secretary

APPROVED AS TO FORM AND LEGALITY:

City Attorney

EXHIBIT 'A'



Department of Public Works and Transportation

March 25, 2014

Rachel Roberts
City of Kennedale
405 Municipal Drive
Kennedale, TX 76060

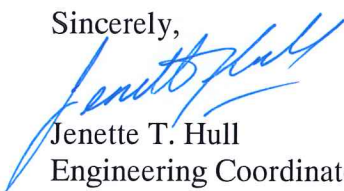
RE: Right-of-way for Joplin Road and J. R. Hawkins Road

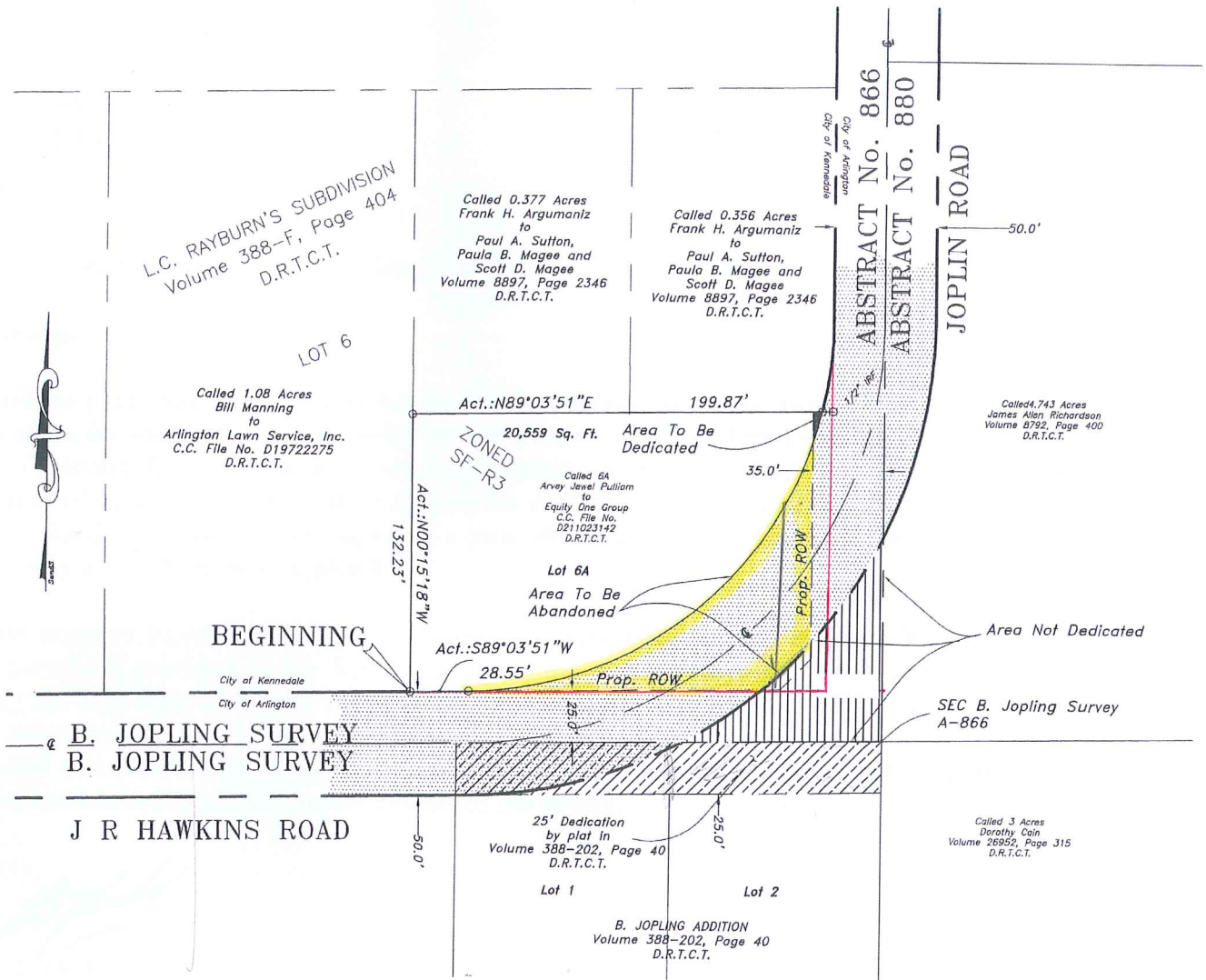
Dear Rachel:

In regards to your enquiries on Joplin Road and J.R. Hawkins Road, we currently do not have any design plans for these streets. According to our current Thoroughfare Development Plan (copy enclosed), Joplin Road is a Major Collector requiring a total of 70 feet (or 35 feet from the centerline) of right-of-way and will ultimately be extended south to intersect Eden Road. J. R. Hawkins Road is a Local Street requiring a total of 60 feet (or 30 feet from the centerline) of right-of-way and will intersect Joplin Road.

As to the property located at the northeast corner of Joplin Road and J.R. Hawkins Road, from the sketch (attached) provided by Mr. Scott Cole, assuming it's accuracy, it appears that the city limit is along the west right-of-way of Joplin Road and along the north right-of-way of J. R. Hawkins Road; therefore any abandonment will be out of our jurisdiction. However, we request City of Kennedale assistance in ensuring the ultimate rights-of-way for Joplin Road and J. R. Hawkins Road are maintained for future improvements of the streets.

Sincerely,

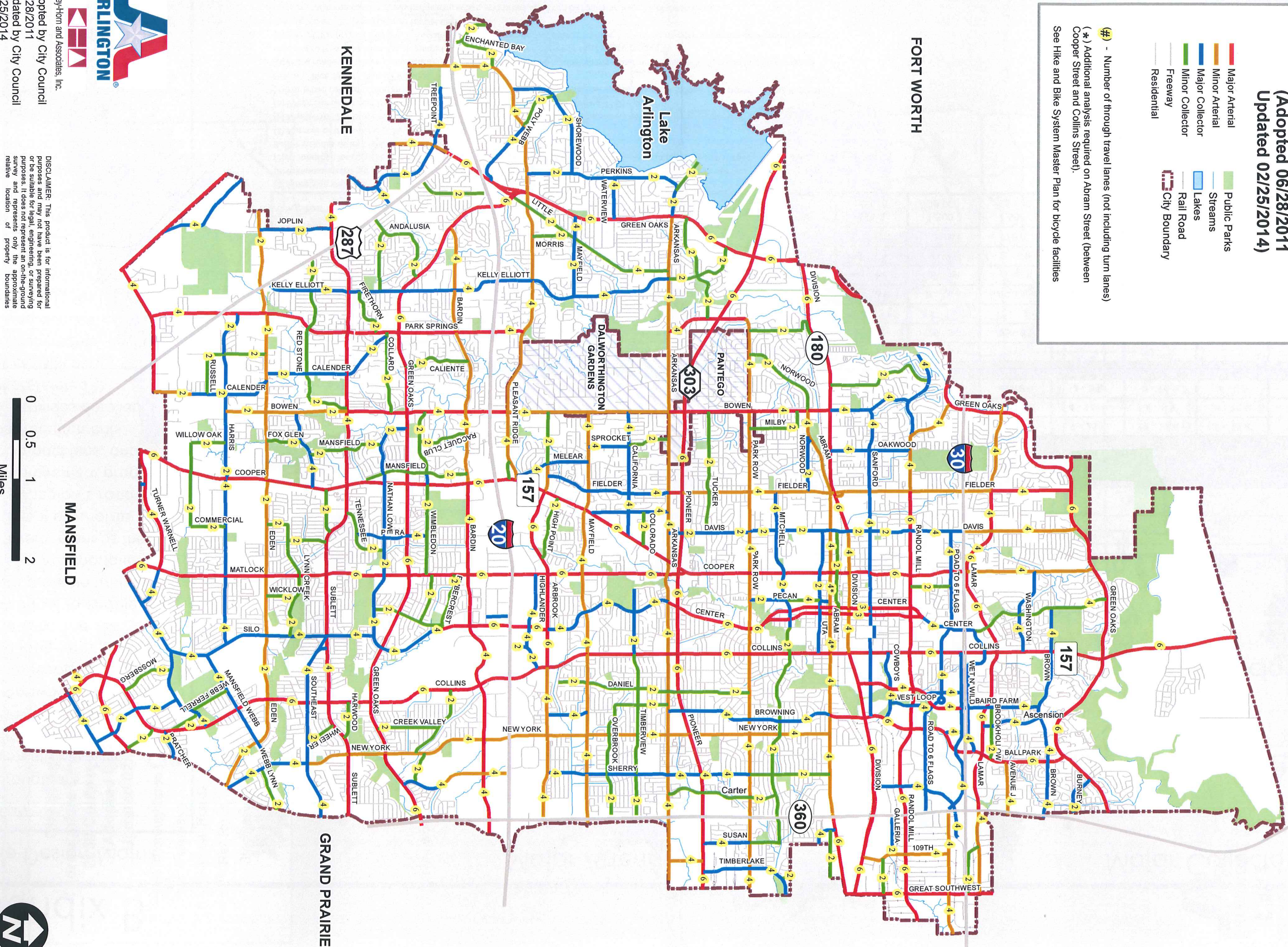

Jenette T. Hull
Engineering Coordinator
City of Arlington
Public Works and Transportation



City of Arlington Thoroughfare Development Plan (Adopted 06/28/2011 Updated 02/25/2014)

- Major Arterial
- Minor Arterial
- Major Collector
- Minor Collector
- Freeway
- Residential
- Public Parks
- Streams
- Lakes
- Rail Road
- City Boundary

(#) - Number of through travel lanes (not including turn lanes)
(*) Additional analysis required on Abram Street (between Cooper Street and Collins Street).
See Hike and Bike System Master Plan for bicycle facilities



Kimley-Horn and Associates, Inc.
Adopted by City Council
06/28/2011
Updated by City Council
02/25/2014

DISCLAIMER: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

0 0.5 1 2
Miles



Appendix B

Flexible Design Matrix

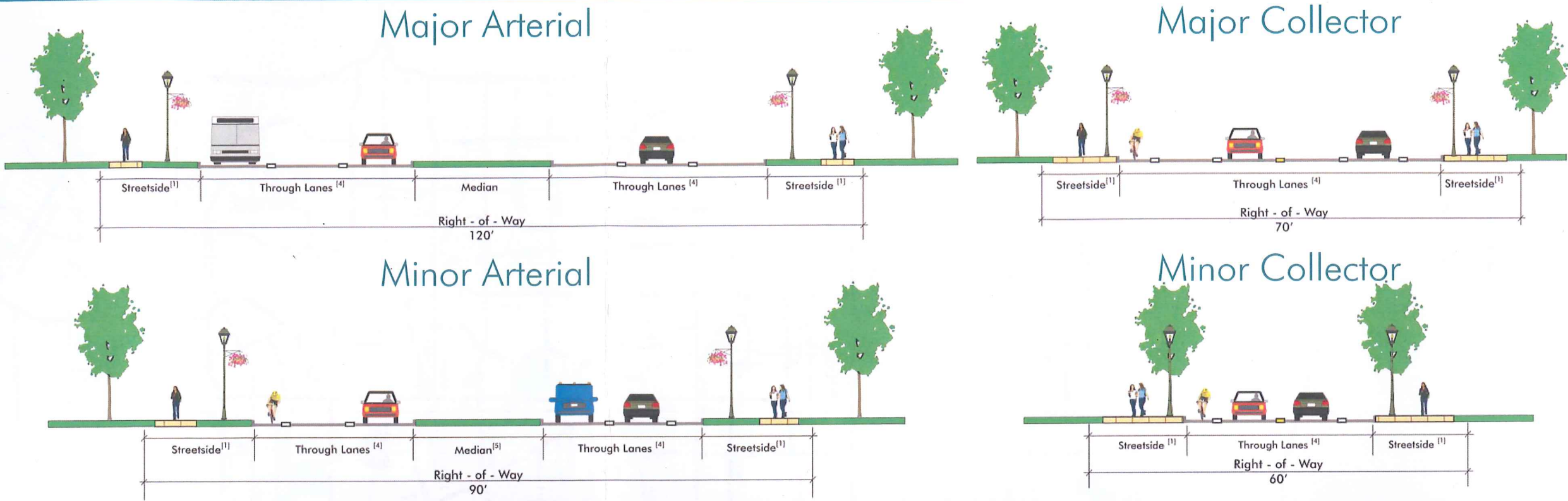
OVERVIEW

The Thoroughfare Development Plan (TDP) is a long-range plan that identifies the location and type of roadway facilities that are needed to meet projected long-term growth within the City. The TDP serves as a tool to enable the City to preserve future corridors for transportation system development as the need arises. It also forms the basis for Arlington’s roadway capital improvement program, roadway impact fees, and developer requirements. The TDP provides detailed information related to roadway classification, right-of-way requirements, design criteria, and number of through travel lanes for each thoroughfare within the City.

Full TDP Report available at www.arlingtontx.gov/planning/Transportation.html

Direct questions to:
(817) 459-6686

Last updated: 06/28/2011



	Major Arterial			Minor Arterial			Major Collector			Minor Collector		
	Suburban*	Urban*	Urban Core*	Suburban*	Urban*	Urban Core*	Suburban*	Urban*	Urban Core*	Suburban*	Urban*	Urban Core*
Pedestrian Realm												
Recommended Streetside Width ^[1]	14 - 26 ft	15 - 27 ft	15 - 27 ft	9 - 23 ft	11 - 25 ft	11 - 25 ft	9 - 23 ft	9 - 25 ft	9 - 25 ft	9 - 19 ft	9 - 19 ft	9 - 19 ft
Recommended Sidewalk Width ^[2]	4 - 10 ft	6 - 12 ft	6 - 12 ft	4 - 10 ft	6 - 14 ft	6 - 16 ft	4 - 10 ft	4 - 14 ft	4 - 16 ft	4 - 8 ft	4 - 10 ft	4 - 12 ft
Recommended Pedestrian Buffer Width ^[3]	8 - 14 ft	7 - 13 ft	7 - 13 ft	4 - 12 ft	4 - 10 ft	4 - 8 ft	4 - 12 ft	4 - 10 ft	4 - 8 ft	4 - 10 ft	4 - 8 ft	4 - 6 ft
Travel Way Realm												
Number of Through Lanes ^[4]	4 - 6	4 - 6	4 - 6	2 - 4	2 - 4	2 - 4	2 - 4	2 - 4	2 - 4	2 - 3	2 - 3	2 - 3
Target Speed (MPH)	35 - 45	35 - 45	35 - 45	30 - 40	30 - 40	30 - 40	25 - 35	25 - 35	25 - 35	30	30	30
Lane Width	11 - 12 ft	11 - 12 ft	11 - 12 ft	11 - 12 ft	11 - 12 ft	10 - 12 ft	11 - 12 ft	10 - 12 ft	10 - 12 ft	11 - 12 ft	10 - 12 ft	10 - 12 ft
Median Width ^[5]	16 - 20 ft	16 - 20 ft	16 - 20 ft	0 - 16 ft	0 - 16 ft	0 - 16 ft	0 - 16 ft	0 - 16 ft	0 - 16 ft	N/A	N/A	N/A
On-Street Parking Width ^[6]	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft	8 - 9 ft
Bike Lanes (minimum) ^[7]	6 ft	5 - 6 ft	5 - 6 ft	6 ft	5 - 6 ft	5 - 6 ft	5 - 6 ft	5 - 6 ft	5 - 6 ft	5 - 6 ft	5 - 6 ft	5 - 6 ft
Right-of-Way (ROW) ^[8]	120 ft	120 ft	120 ft	90 - 100 ft ^[9]	90 - 100 ft ^[9]	90 - 100 ft ^[9]	70 ft	70 ft	70 ft	60 ft	60 ft	60 ft
Anticipated Traffic Volumes	20,000 - 50,000	15,000 - 50,000	15,000 - 40,000	20,000 - 35,000	10,000 - 35,000	15,000 - 30,000	1,500 - 30,000	1,500 - 25,000	1,500 - 25,000	1,500 - 30,000	1,500 - 25,000	1,500 - 25,000

[1] Streetside width includes sidewalk, pedestrian buffer and 1' buffer on outside edge of sidewalk.

[2] Minimum width requirement for a suburban sidewalk is 4', however 6' is preferred as minimum if ROW permits.

[3] In suburban locations, buffer is typically fitted with landscaping such as grass, while in urban locations buffer can have tree wells. Buffer includes width needed for the curb.

[4] Number of through lanes for thoroughfares are identified on the TDP Map.

[5] Median for 2 lane option can be a two-way left turn lane if desired. No medians or center turn lanes are possible on minor collectors.

[6] When combined with bike lanes parallel parking can be 8', but 9' is preferred if ROW permits.

[7] For urban contexts, bike lanes can be 5' when combined with on-street parking, and 6' without adjacent on-street parking. Refer to Hike and Bike System Plan for additional details.

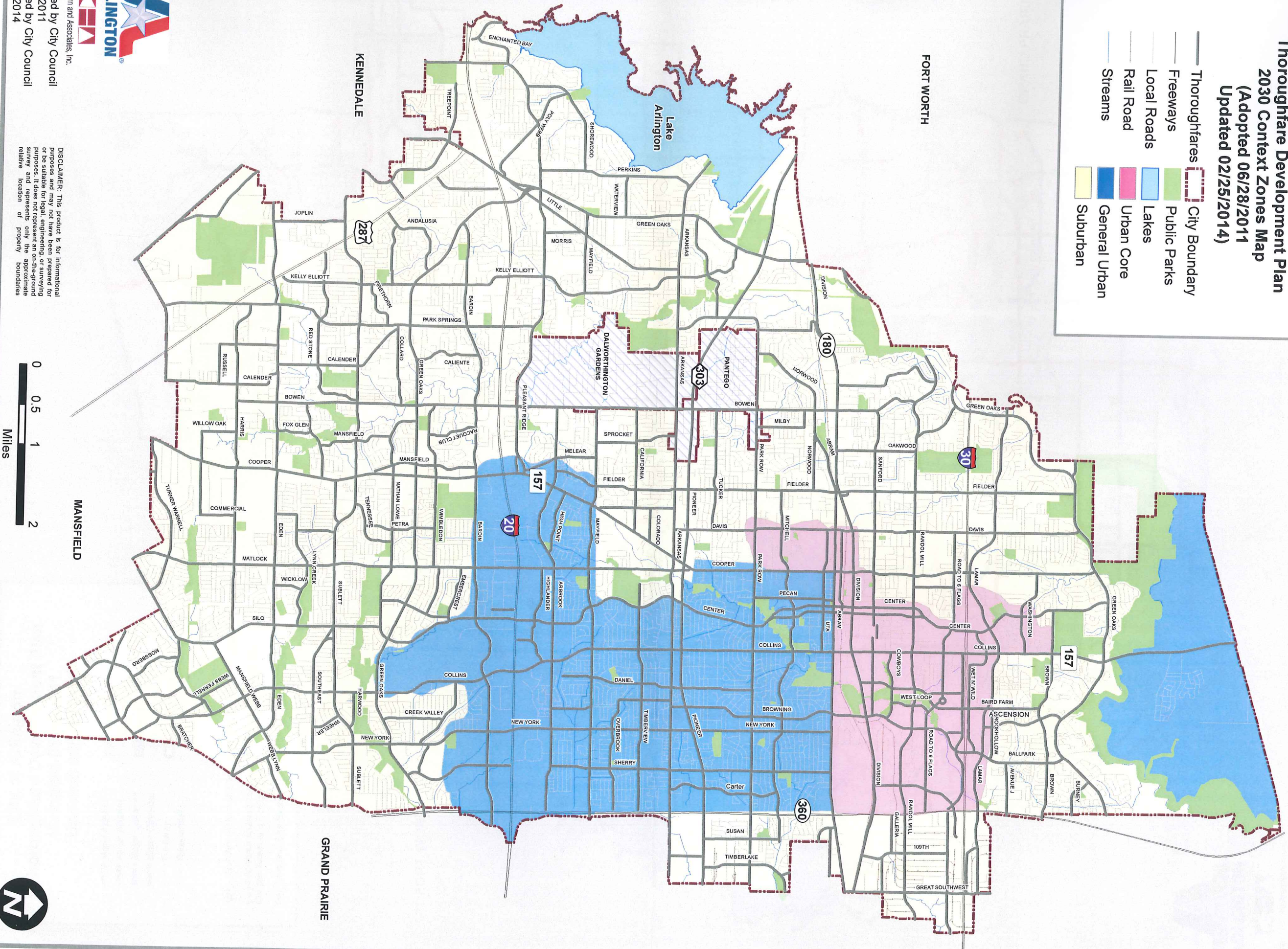
[8] Along roadways where previously dedicated right-of-way (ROW) is wider than the current required ROW, additional ROW may be required to transition roadside elements (such as utilities) to the narrower roadway cross section.

[9] 100' of ROW is required only in specified instances; Eden Rd and Bowen Rd from Sublett to Calender Rd are the only thoroughfares designated as 100' (See TDP map for details).

[*] Information on context zones (suburban, urban, and urban core) can be found on page 10 of the manual.

City of Arlington Thoroughfare Development Plan 2030 Context Zones Map (Adopted 06/28/2011 Updated 02/25/2014)

- Thoroughfares
- City Boundary
- Freeways
- Public Parks
- Local Roads
- Lakes
- Rail Road
- Urban Core
- Streams
- General Urban
- Suburban



Kimley-Horn and Associates, Inc.
Adopted by City Council
06/28/2011
Updated by City Council
02/25/2014

DISCLAIMER: This product is for informational purposes and may not have been prepared for or be suitable for legal engineering, or surveying purposes. It does not represent an on-the-ground survey, and represents only the approximate relative location of property boundaries.





Date: May 15, 2014

Agenda Item No: REGULAR ITEMS - B.

I. Subject:

CASE PZ # 14-05 Public hearing and consideration of Ordinance approval regarding a request by Cynthia Sasedor for a zoning change from "C-1" Restricted commercial district and "R-2" Single family residential district to a Planned Development district to allow an assisted and independent living facility on an approximately 2.4 acres property located at the corner of Potomac Pkwy and Little School Rd, legal description of M P Lamar Survey A-987 Tract 2.

1. Staff Presentation
2. Applicant Presentation
3. Public Hearing
4. Applicant Response
5. Staff Response and Summary
6. Action by the Planning & Zoning Commission

II. Originated by:

Rachel Roberts, City Planner

III. Summary:

Request: rezone from C-1 and R-2 to PD

Location: southwest corner of Potomac Pkwy and Little School Rd

Applicant: Cynthia Sasedor / Precision Health Management

Ms. Sasedor is applying to rezone the property to a planned development district to allow for a facility that would house assisted living, independent (senior) living, and physical rehabilitation, plus office use for her business. As some of the Commission members will know, Ms. Sasedor applied for rezoning of this property for similar purposes in 2012. At that time, the Commission voted to recommend approval. Before the case was considered by the City Council, Ms. Sasedor withdrew her request.

Ms. Sasedor has resubmitted an application to rezone to PD for the same use. She is working with a different consultant and has submitted a new concept plan. Staff still considers the request use and general concept for site design to be in compliance with the comprehensive plan, but we would like more information from the concept plan. The applicant submitted an updated concept plan with her application as required, but given that this use type has an intensity in keeping more with commercial uses than with residential, the City should have a better idea of the future site design than the current concept plan can offer. Staff recommends the Commission postpone considering this case until its meeting in June.

A draft ordinance is attached to this message for your preliminary consideration. As you will read, some sections need additional information. Staff should be able to draw the rest of the information needed from a

revised or supplemented concept plan.

IV. Notification:

V. Fiscal Impact Summary:

VI. Legal Impact:

VII. Recommendation:

Postpone/Table

VIII. Alternative Actions:

IX. Attachments:

1.	PZ 14-05 map of site	PZ 14-05 map of site.pdf
2.	PZ 14-05 concept plan	PZ 14-05 concept plan.pdf
3.	PZ 14-05 ordinance (draft)	PZ 14-05 PD draft.doc
4.	PZ 14-05 appl	PZ 14-05 appl.pdf

Location of Rezoning Request, Case PZ 14-05



ZONING ANALYSIS

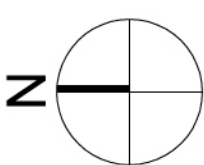
SITE = 435' X 247'

CURRENT ZONING = C-1 RESTRICTED COMMERCIAL DISTRICT
FRONT YARD SETBACK = 25'
PROPOSED = 0' TO MATCH URBAN VILLAGE COMPREHENSIVE PLAN
SIDE YARD SETBACK [CORNER LOT] = 15'
PROPOSED = 15' ON SOUTH SIDE DUE TO POWER LINES; 0' ON WEST SIDE
MAXIMUM BUILDING HEIGHT = 2 STORIES OR 30'
PROPOSED BUILDING HEIGHT = 1 STORY
80% MASONRY REQUIREMENT

PROPOSED ZONING TO BE PLANNED DEVELOPMENT WITH ASSISTED LIVING FACILITY AND MEDICAL OFFICE

TOTAL LAND AREA = 107,445 SF
MAX LOT COVERAGE = 60% OR 64,467 SF
TOTAL BUILDING AREA = 38,250 S.F.

PARKING REQUIREMENTS:
PARKING AT 1/300 G.F.A FOR MEDICAL 5,600 SF OFFICE = 19 SPACES
PARKING @ 2 PER DWELLING UNIT FOR ASSISTED LIVING = 66 SPACES OR 32 DWELLING UNITS MAX



SCHEMATIC SITE PLAN - OPTION 1

1/64" = 1'-0"

22 APRIL 14

CITY OF KENNEDALE

ORDINANCE NO. _____

AN ORDINANCE AMENDING ORDINANCE NO. 40, AS AMENDED; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING FOR A PENALTY FOR VIOLATIONS HEREOF; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale Texas is a Home Rule municipality acting under its charter adopted by the electorate pursuant to Article XI, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, pursuant to Chapter 211 of the Local Government Code, the City has adopted a comprehensive zoning ordinance and map regulating the location and use of buildings, other structures and land for business, industrial, residential, or other purposes, for the purpose of promoting the public health, safety, morals and general welfare, all in accordance with a comprehensive plan; and

WHEREAS, the City of Kennedale desires to enhance the quality of life in Kennedale by providing access to high-quality services and to provide a variety of housing options; and

WHEREAS, a small-scale assisted and independent living facility would provide a housing option not currently available to residents of Kennedale, and at a scale compatible with the comprehensive plan; and

WHEREAS, Cynthia Sasedor and Precision Health Management, Inc., persons or entities having a proprietary interest in property being an approximately 2.446 acre tract in the M P Lamar Survey, Tarrant County, Texas, being that same tract conveyed to Precision Health Management, Inc. by Warranty Deed recorded as Instrument No. D213218467 in Deed Records, Tarrant County, Texas, have filed an application to rezone the property from its

present classification of “C-1” Restricted Commercial District and “R-2” Single Family Residential District to a “PD” Planned Development District; and

WHEREAS, the City Council has determined that a planned development zoning district is the most appropriate zoning district to facilitate the development of the property; and

WHEREAS, a public hearing was duly held by the Planning and Zoning Commission of the City of Kennedale on the ____ day of ____ 2014 and by the City Council of the City of Kennedale on the ____ day of ____ 2014 with respect to the zoning changes described herein; and

WHEREAS, all requirements of law dealing with notice to other property owners, publication and all procedural requirements have been complied with in accordance with Chapter 211 of the Local Government Code; and

WHEREAS, the City Council does hereby deem it advisable and in the public interest to amend the City’s Zoning Ordinance as described herein,

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

SECTION 1.

The Comprehensive Zoning Ordinance is hereby amended so that the zoning classification and the uses in the hereinafter described area shall be changed and or restricted as shown and described below:

An approximately 2.5 acre tract in the M P Lamar Survey, being that same tract conveyed to Precision Health Management, Inc. by Warranty Deed recorded as Instrument No. D213218467 in Deed Records, Tarrant County, Texas, and more particularly described by metes and bounds on Exhibit “A” attached hereto and incorporated herein from “C-1” Restricted Commercial District and “R-2” Single Family Residential District to Potomac Planned Development District (“Potomac PD”) for use as an assisted living facility with restrictions, as more fully described on the Site Plan, attached hereto as Exhibit “B” and incorporated herein, and as described in this Ordinance.

SECTION 2.

The use of the Property shall be subject to the restrictions, terms and conditions set forth below and on the Site Plan and supporting documents, attached hereto as Exhibit "B," and the Site Plan is hereby approved. The use of the Property shall further conform to the standards and regulations of this Ordinance and to all other applicable regulations contained in the Zoning Ordinance and all other applicable and pertinent ordinances and regulations of the City of Kennedale. The Property shall conform to the following supplemental standards and regulations, which shall supersede any other requirement to the extent of a conflict:

1. *Permitted Uses.* The only permitted use in the Potomac PD shall be:

- an assisted & independent living facility, as defined below;
- park, playground, or open space.

Assisted & independent living facility means a facility consisting of individual living units for four (4) or more senior citizens, unrelated to the owner or proprietor of the facility, and who may need limited assistance with daily living activities due to age, infirmity, or disabilities. A limited number of support services such as meals, laundry, housekeeping, transportation and social or recreational services may be provided or associated with the facility. Units may be single or double occupancy, and may include limited or full kitchen facilities. Full-time medical or nursing care may be provided but is not typically provided by the facility, and may be privately arranged for by individual residents on a part-time or temporary basis, e.g. visiting nurses. Physical rehabilitation facilities may be provided for residents; physical rehabilitation may be provided for non-residents only as a secondary part of the operation. Use of the facility for drug rehabilitation or mental retardation care is prohibited. The facility shall be licensed by the State of Texas Department of Aging and Disability Services or as otherwise required by the State of Texas.

2. *Number of habitable units.* [number of habitable units to be determined, based on

concept plan]

3. *Lot coverage.* Notwithstanding the requirements of Section 17-405 of the Kennedale City Code regarding lot coverage, lot coverage shall conform to the approved Concept Plan, attached hereto as Exhibit “B”.

4. *Building height.* Notwithstanding the requirements of Section 17-405 of the Kennedale City Code regarding building height, buildings shall not exceed a height of one (1) story. [NOTE: applicant has requested the option to build 2 stories, with a maximum height of 30 feet; if approved/recommended by the Commission, this section will be amended]

5. *Masonry requirements.* Buildings constructed in the Potomac PD must be of a minimum eighty percent (80%) masonry as defined in Section 17-405 of the Kennedale City Code.

6. *Setbacks.* Notwithstanding the requirements of Section 17-405 of the Kennedale City Code regarding required front yard, rear yard, side yard - interior lot, and side yard - corner lot setbacks, the Planned Development zoning herein approved shall require the following setbacks:

- a. Front setbacks shall be a minimum of [to be determined], measured from the property line on Potomac Parkway.
- b. Rear setbacks shall be a minimum of thirty (30) feet.
- c. Side setback shall be a minimum of [to be determined] feet for the interior side of the lot. Side setback shall be a minimum of [to be determined] feet for the street side of the lot.

7. *Parking.* Parking areas shall be constructed to meet standards in the Public Works Design Manual. As the discretion of the Director of Public Works, the city may authorize different construction methods or materials that have been demonstrated to reduce storm water runoff while maintaining handicap accessibility standards and while maintaining durability standards, such as those standards included in North Central Texas Council of Government’s

iSWM Manual. A minimum of fifteen (15) and a maximum of sixty (60) parking spaces shall be provided.

8. *Landscaping.* The Potomac PD shall be subject to the Landscaping regulations of Chapter 17 of the Kennedale City Code. Notwithstanding the requirements of the Kennedale City Code, the Potomac PD shall be subject to the following regulations.

- a. The use of native or adapted plants is required. Plant materials to be installed shall be reviewed and approved by the City prior to installation.
- b. Landscaping shall be maintained in good condition.
- c. A landscaping buffer strip shall be provided between sidewalks and the street curb. The landscape buffer strip shall be a minimum of six (6) feet in width, but the buffer strip width may be increased or decreased to protect old growth trees, with approval in writing from the Zoning Administrator or his designated administrative official. If buffer strip width is decreased, the sidewalk location may be required or permitted to deviate from the accepted site plan to ensure sidewalks are buffered from the street. Sidewalk locations may be changed only with approval in writing from the Zoning Administrator or his designated administrative official. Landscape materials for the buffer strip shall be approved by the Director of Development.

9. *Sidewalks.* Sidewalks shall be built so as to provide public access to Potomac Assisted Living Facility from Little School Road and Potomac Parkway and shall be constructed according to standards required by the City of Kennedale Code of Ordinances and the Public Works Design Manual. Notwithstanding the requirements of the Code of Ordinances and the Public Works Design Manual, sidewalks must be a minimum of five (5) feet in width and shall be placed between the primary structure and a required landscaped buffer strip described under item 8. *Landscaping*, above. Notwithstanding the requirements of the Code of Ordinances and the Public Works Design Manual, at the discretion of the Director of Public Works, the city may authorize different construction methods or materials that have been demonstrated to reduce

storm water runoff while maintaining handicap accessibility standards and while maintaining durability standards, such as those standards included in North Central Texas Council of Government's iSWM Manual..

10. *Screening.* Dumpsters shall be screened by masonry construction to match the building of a minimum of seven (7) feet in height on 3 sides and the remaining side shall have an opaque gate.

11. *Signs.* Except as modified by this Ordinance, signs shall comply with the requirements of Chapter 17, Article VII, of the Kennedale City Code. All signs shall be maintained in a safe, presentable and sound structural and operational condition at all times, including replacing malfunctioning, broken, defective, or missing parts, painting, repainting, cleaning, and performing any other acts required for the maintenance of such signs. All signs and sign supports shall be kept painted or otherwise treated to prevent rust, rot, or deterioration. Signs not meeting the standards imposed by this Ordinance shall be subject to removal or repair. Signs may be illuminated with internal lighting. All signs must be monument signs.

12. *Utilities and Drainage.* Drainage and utilities shall adhere to the rules and regulations of the Kennedale City Code, the Public Works Design Manual, and any other applicable city, state, or federal regulations.

13. *Driveways and Access.* All driveways and access points shall conform to the approved Concept Plan and supporting documents, as depicted in Exhibit "B," and shall meet all standards required by local, state, and federal authorities.

14. *Site Design.* The building and site shall be designed so as to provide a connection between the facility and the public realm and a connection to open space. Design elements should ensure easy access from public right-of-way and from parking areas to the facility and may include, but are not limited to: covered porches or patios, pedestrian paths around the building exterior, with shade provided intermittently by landscaping or structural/architectural features; bay windows; and gardens with shaded seating. Different

design elements may be used but shall be approved by the Zoning Administrator or his designated administrative official as part of the building permit review process.

15. *Irrigation.* Rain barrels and cisterns may be used for irrigation purposes, subject to city, county, state, and federal requirements for such facilities.

SECTION 3.

The zoning districts and boundaries as herein established have been made in accordance with the comprehensive plan for the purpose of promoting the health, safety, morals and general welfare of the community. They have been designed to lessen congestion in the streets, to secure safety from fire, panic, flood and other dangers, to provide adequate light and air, to prevent overcrowding of land, to avoid undue concentration of population, to facilitate the adequate provisions of transportation, water, sewerage, parks and other public requirements. They have been made after a full and complete hearing with reasonable consideration among other things of the character of the district and its peculiar suitability for the particular uses and with a view of conserving the value of the buildings and encouraging the most appropriate use of land throughout the community.

SECTION 4.

The City Secretary is hereby directed to amend the official zoning map to reflect the changes in classifications approved herein.

SECTION 5.

The use of the properties hereinabove described shall be subject to all the applicable regulations contained in the Comprehensive Zoning Ordinance and all other applicable and pertinent ordinances of the City of Kennedale, Texas.

SECTION 6.

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Kennedale, Texas (1991), as amended, including but not limited to all Ordinances of the City of Kennedale affecting zoning and land use, and shall not repeal any of

the provisions of such ordinances except in those instances where provisions of such ordinances are in direct conflict with the provisions of this ordinance.

SECTION 7.

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

SECTION 8.

All rights or remedies of the City of Kennedale Texas are expressly saved as to any and all violations of any ordinances governing zoning or of any amendments thereto that have accrued at the time of the effective date of this Ordinance and as to such accrued violations and all pending litigation both civil and criminal same shall not be affected by this Ordinance but may be prosecuted until final disposition by the Courts.

SECTION 9.

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

SECTION 10.

The City Secretary of the City of Kennedale is hereby directed to publish the caption penalty clause publication clause and effective date clause of this ordinance in every issue of the official newspaper of the City of Kennedale for two days or one issue of the newspaper if the

official newspaper is a weekly newspaper as authorized by Section 3.10 of the City of Kennedale Charter.

SECTION 11.

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

PASSED AND APPROVED ON THIS **DAY OF** **2014.**

MAYOR

ATTEST:

CITY SECRETARY

EFFECTIVE: _____

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY



KENNEDALE
Planning Department
www.cityofkennedale.com
PETITION FOR

CHANGE OF ZONING CLASSIFICATION

ZONING CASE # _____
(assigned by city staff)

DATE: 4/28/2014

City Council
City of Kennedale
Kennedale, Texas 76060

HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL:

You are hereby respectfully requested to approve the following request for a change of zoning classification. I, the applicant, request to change the zoning classification of the property described on

Exhibit "A" attached, from its current zoning classification of

"C 1 _____" (_____) to that of

"PD _____" (_____) in its entirety as shown on Exhibit "B"

attached. The property totals some 2.4460 acres.

A statement of why the zoning change should be approved is attached to this application. I understand that I must satisfy the Council that either the general welfare of all the city affected by the area to be changed will be enhanced, or that the property is unusable for the purposes allowed under existing zoning.

Legal Description is M. P. Lamar Survey, Abstract No. 987 (copy attached)

Present use of the property is--- Raw Land

Address of the property is _____

Property Owner's Name: Precision Health Management, Inc.

Address: 2400 Hwy 287 #108. Mansfield TX 76063

Telephone Number: 817-453-3022

405 Municipal Drive, Kennedale, TX 76060 | Telephone: 817-985-2135 | Fax: 817-483-0812



KENNEDALE
Planning Department
www.cityofkennedale.com

Applicant's Name:

Same

Address:

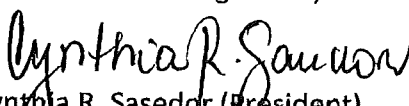
Telephone Number:

If applicant is not the owner, an owner's affidavit must be submitted with this application.

I, the applicant, understand that city staff, the Planning & Zoning Commission, or the City Council may request from me a site plan or other supporting documents concerning the nature, extent, and impact of my request for rezoning, in addition to what I supply with my application for a change in zoning.

I further certify that Precision Health Management, Inc. is the sole owner(s) of the property described in the legal description and shown in the map attached to this application, as of the date of this application.

Precision Health Management, Inc.


Cynthia R. Sasedor (Resident)

Applicant Signature

04/28/2014

Date