



CITY OF GRAND PRAIRIE

City Hall
300 W. Main Street
Grand Prairie, Texas

Meeting Agenda City Council Meeting

Tuesday, January 17, 2023

4:30 PM

City Hall - Briefing Room

The meeting will be held at City Hall, 300 W. Main St, Grand Prairie, Texas, and the Mayor or presiding member will be physically present. Council members may be participating remotely via video conference.

CALL TO ORDER

STAFF PRESENTATIONS

1. Lynn Creek Marina Update by Parks, Arts and Recreation Department Director Duane Strawn and Brian Keelan, Lynn Creek Marina General Manager-Suntex Marinas
2. Lakesong Development Update (Reviewed by the City Council Development Committee on 01/17/2023)

AGENDA REVIEW

EXECUTIVE SESSION

The City Council may conduct a closed session pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss any of the following:

- (1) Section 551.071 "Consultation with Attorney" - Open Meetings Act/Public Information Act
- (2) Section 551.072 "Deliberation Regarding Real Property"
- (3) Section 551.074 "Personnel Matters"
- (4) Section 551.087 "Deliberations Regarding Economic Development Negotiations."

City Council also reserves the right to discuss any agenda item in closed session when authorized by the above referenced provisions. Any final action will be taken during open session.

RECESS MEETING

6:30 PM Council Chambers

RECONVENE MEETING

Invocation led by Pastor Dr. Roderick Williams of The Infinite House of Praise.

Pledge of Allegiance to the US Flag and Texas Flag led by Council Member Junior Ezeonu.

PRESENTATIONS

3. Donation to the Grand Prairie Youth Boxing Program from The Schulze Family

4. Recognition of Matthew Road Baptist Church for their efforts and provision during recent inclement weather

CONSENT AGENDA

The full agenda has been posted on the city's website, www.gptx.org, for those who may want to view this agenda in more detail. Citizens may speak for five minutes on any item on the agenda by completing and submitting a speaker card.

5. Minutes of the January 3, 2023, City Council Meeting
6. Consent to Partial Assignment of One Windsor Hills Development Agreement and General Assignment between One Windsor Hills, L.P. (“Assignor”) and HC GPM, LLC (“Assignee”) (Reviewed by City Council Development Committee on 01/17/2023)
7. Authorize City Attorney to take all actions necessary to eliminate any use or occupancy of 2620 Skyway Drive in violation of the law, including engaging Law Offices of Jim Jeffrey to file Counterclaim and Third-Party Petition for Injunctive Relief in City of Grand Prairie v. Skyway Legacy, LLC
8. Annual contract for Fire Records Management System with ESO Solutions, Inc. The contract will be for one-year (\$57,455.40) with the option to renew for four additional one-year periods (\$50,902) to renew for a total of \$261,063.40 if all extensions are exercised (Reviewed by the Finance and Government Committee on 01-03-2023)
9. Purchase fire hose and fire nozzles from Metro Fire out of Mansfield, TX, for the price of \$90,810 using the Buy Board cooperative contract #603-20
10. The re-appointment of Aubry Insko to the Tarrant County 9-1-1 Emergency Assistance District Board of Managers (Reviewed by the Public Safety, Health, and Environment Committee on 01/09/2023)
11. Annual Contract for Police Equipment, Uniforms, and Alterations Services from Impact Promotional Services, LLC dba Got You Covered Work Wear and Uniforms through a Master Interlocal Agreement with the City of Fort Worth, Texas. This contract will be for ten months (up to \$175,000) ending October 31, 2023, with the option to renew for four additional one-year periods (up to \$200,000 annually), totaling \$975,000 if all extensions are exercised (Reviewed by the Finance & Government Committee on 01/03/2023)
12. Annual contract for Police Officer badges from Uniform Solutions, Inc. (up to \$18,217 annually). This contract will be for one year with the option to renew for four additional one-year periods totaling \$91,085 if all extensions are exercised (Reviewed by the Finance & Government Committee on 01/03/2023)
13. Change Order #2 to add additional licenses to match current Animal Services staffing levels and combine two existing agreements with Axon, Inc., in the amount of \$17,397.03 for the first year and \$15,012.14 annually for eight additional years, totaling \$137,494.26, through a

national cooperative agreement with Sourcewell (Reviewed by the Finance & Government Committee on 01/03/2023)

- [14.](#) Annual Contract for Racial Profiling Services with Del Carmen Consulting, LLC. The contract will be for one-year (\$26,750) with the option to renewal for four additional one-year periods, totaling \$133,750 if all extensions are exercised (Reviewed by the Finance & Government Committee on 01/03/2023)
- [15.](#) Annual contract for Detention Center inmate food from Eagle Eight Eleven, Inc., dba Sunbeam (up to \$356,299.50 annually). This contract will be for one year with the option to renew for four additional one-year periods totaling \$1,781,497.50 if all extensions are exercised (Reviewed by the Finance & Government Committee on 01/03/2023)
- [16.](#) Annual Contract for fire truck, ambulance and other first responder vehicle parts, equipment, and services from Industrial Power Truck and Equipment through a Cooperative Agreement with TIPS. This contract will be for six months (up to \$50,000.00) ending June 30, 2023, with the option to renew for one additional one-year period (up to \$100,000.00), totaling \$150,000.00 if all extensions are exercised (Reviewed by the Finance and Government on 01/03/2023)
- [17.](#) Annual Contract for heavy duty and medium duty truck and trailer parts and services from Industrial Power Truck and Equipment through a Cooperative Agreement with TIPS. This contract will be for ten months (up to \$75,000.00) ending October 31, 2023, with the option to renew for one additional one-year period (up to \$100,000.00 annually), totaling \$175,000.00 if all extensions are exercised (Reviewed by the Finance and Government on 01/03/2023)
- [18.](#) Professional Services contract with Walter P Moore to begin and complete Phase 4 of the Grand Prairie Flood Warning and Forecasting System in the amount of \$200,000.00 (Reviewed by the Finance and Government Committee on 01/03/2023)
- [19.](#) Purchase and installation of electric vehicle charging station equipment for EpicCentral from Siemens Industry, Inc. in the amount of \$96,378.85 through a national cooperative agreement with Sourcewell (Reviewed by the Finance & Government Committee on 01/03/2023)
- [20.](#) Professional Civil Engineering services contract with LJA Engineering for the Davis Road realignment project in the maximum amount of \$200,000.00 with a 5% contingency of \$10,000.00 for a total request of \$210,000.00 (Reviewed by the Finance and Government Committee on 01/03/2023)
- [21.](#) Purchase of three (3) Advanced Traffic Control (ATC) traffic signal cabinets from Consolidated Traffic Controls in the amount of \$69,543 through a national inter-local agreement with House-Galveston Area Council (H-GAC) (Reviewed by the Finance and Government Committee on 01/03/2023)
- [22.](#) Purchase of a prefabricated restroom building for the Fish Creek Linear Park from CXT, Inc. for \$226,314.78 through a national cooperative agreement with Sourcewell (Reviewed by the Finance and Government on 01/03/2023)
- [23.](#) Change Order #1 for a Maximum Guaranteed Price contract amount of \$1,750,640.50 with Dean Electric, Inc. dba Dean Construction for Tyre Park Phase I Construction Manager at Risk

(CMAR), including a 5% contingency amount of \$73,894.28 for a total project cost of \$1,750,640.50 (Reviewed by the Finance & Government Committee on 1/3/2023)

- [24.](#) Ordinance amending the FY2022/2023 Capital Improvement Budget; Construction contract with A&C Construction, Inc. for Mi Familia Park Phase I construction in the amount of \$2,056,320 plus a 2.5% contingency in the amount of \$51,408 for a total construction cost of \$2,107,728
- [25.](#) Ordinance amending the FY2022/2023 Capital Improvement Projects Budget; Project Specific Agreement Amendment No. 3 with Dallas County for the widening of Camp Wisdom Road MCIP 40811 from approximately 1700 linear feet west of Carrier Pkwy to FM 1382 and commit the city to \$31,404 in additional funding for a total City share commitment of \$5,510,208 (Reviewed by the Finance and Government Committee on 01/03/2023)
- [26.](#) Resolution authorizing the City Manager to enter into a Project Specific Agreement Amendment with Dallas County for the widening of Camp Wisdom Road MCIP 40811 from approximately 1700 linear feet west of Carrier Pkwy to FM 1382 and commit the city to \$31,404 in additional funding for a total City share commitment of \$5,510,208 (Reviewed by the Finance and Government Committee on 01/03/2023)
- [27.](#) Resolution authorizing the City Manager to enter into a Project Funding Agreement with Crow Holdings Inc./Wildlife Land L.P. (CHI) a Texas limited partnership where CHI intends to pay for improvements to the Wildlife Parkway MCIP project (40810) from SH 161 Frontage Road at Lower Tarrant Road eastward to Beltline Road by depositing funds with the City in the amount of \$918,052.54 (Reviewed by the Finance and Government Committee on 01/03/2023)

ITEMS FOR INDIVIDUAL CONSIDERATION

- [28.](#) Public Hearing and Ordinance authorizing street right-of-way abandonment at Waterwood Drive between West Warrior Trail and Arkansas Lane required to develop the EpicCentral project

PLANNING AND ZONING FOR INDIVIDUAL CONSIDERATION

- [29.](#) STP-22-08-0036 - Site Plan - The Jefferson at Loyd Park Phase 1 (City Council District 4). Site Plan for Multi-Family development with 450 units on 25.0903 Acres. Multiple parcels within the Ralph Graves Survey, Abstract 569, City of Grand Prairie, Tarrant County, Texas, Zoned Planned Development (PD-431) within the SH-360 Overlay, with an approximate address of 7122 N Day Mir Rd (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

PUBLIC HEARING ZONING APPLICATIONS

- [30.](#) ZON-22-10-0030 - Zoning Change – Private Card Room at 401 E Palace Pkwy (City Council District 1). Amendment to PD-217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit. Tract 31, Michael Farrans Abstract, Survey No. 469, City of Grand Prairie, Dallas County, Texas, zoned PD-217, within the IH 30 Corridor Overlay District, and

addressed as 401 Palace Pkwy (On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 6-3)

- [31.](#) SUP-22-10-0043 - Specific Use Permit – Private Card Room at 401 E Palace Pkwy (City Council District 1). Specific Use Permit for a Private Card Room. Tract 31, Michael Farrans Abstract, Survey No. 469, City of Grand Prairie, Dallas County, Texas, zoned PD-217, within IH 30 Corridor Overlay District, and addressed as 401 Palace Pkwy (On January 9, 2023, the Planning and Zoning Commission recommended approval with recommended conditions by a vote of 6-3)
- [32.](#) TAM-22-12-0013 - Text Amendment - Article 4: Permissible Uses and Article 30: Definitions. An Ordinance of the City of Grand Prairie, Texas, amending Article 4: Permissible Uses and Article 30: Definitions of the Unified Development Code to revise allowable uses in the Central Area zoning district and create and define two new uses; Repealing all Ordinances or parts of Ordinances in conflict herewith; Containing a savings clause and a severability clause; and to become effective upon its passage and approval (On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 9-0)
- [33.](#) TAM-22-12-0012 - Text Amendment - Article 8: Landscape and Screening. An Ordinance of the City of Grand Prairie, Texas, amending Article 8: Landscape and Screening of the Unified Development Code to revise Section 16: Tree Protection and Mitigation; Repealing all Ordinances or parts of Ordinances in conflict herewith; Containing a savings clause and a severability clause; and to become effective upon its passage and approval (On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 9-0)

CITIZEN COMMENTS

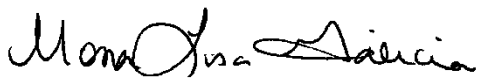
Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by completing and submitting a speaker card.

ADJOURNMENT

For those who wish to submit a presentation to the City Council for consideration, please submit those to GPCitySecretary@gptx.org no later than 3:00 p.m. on the day of the meeting, or you may bring paper copies of your presentation and submit along with your completed speaker card to the clerk's desk at the time of your arrival.

Certification

In accordance with Chapter 551, Subchapter C of the Government Code, V.T.C.A, the City Council meeting agenda was prepared and posted January 13, 2023.



Mona Lisa Galicia, City Secretary

The Grand Prairie City Hall is accessible to people with disabilities. If you need assistance in participating in this meeting due to a disability as defined under the ADA, please call 972-237-8035 or email GPCitySecretary@gptx.org at least three (3) business days prior to the scheduled meeting to request an accommodation.



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Duane Strawn, Director Parks, Arts & Recreation Department

TITLE: Lynn Creek Marina Update by Parks, Arts and Recreation Department
Director Duane Strawn and Brian Keelan, Lynn Creek Marina General
Manager-Suntex Marinas

**REVIEWING
COMMITTEE:**



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: City Manager Steve Dye

TITLE: Lakesong Development Update

REVIEWING COMMITTEE: (Reviewed by the City Council Development Committee on 01/17/2023)



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2022

PRESENTER: City Manager Steve Dye and Mayor Ron Jensen

TITLE: Donation to the Grand Prairie Youth Boxing Program from The Schulze Family

REVIEWING COMMITTEE:



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Council Member Jorja Clemson and City Manager Steve Dye

TITLE: Recognition of Matthew Road Baptist Church for their efforts and provision during recent inclement weather

REVIEWING COMMITTEE:

SUMMARY

Recognition of Matthew Road Baptist Church for hosting Project Julian on December 22-26, 2022, and recognition of other local churches, businesses and individuals for their supportive efforts in providing supplies and human resources to assist vulnerable, unsheltered homeless individuals during the recent extreme cold weather.



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Mona Lisa Galicia, City Secretary

TITLE: Minutes of the January 3, 2023, City Council Meeting

**REVIEWING
COMMITTEE:**

SUMMARY:

<i>Department:</i>	City Secretary's Office
<i>Recommended Action:</i>	Approve



CITY OF GRAND PRAIRIE

City Hall
300 W. Main Street
Grand Prairie, Texas

MINUTES

City Council Meeting

Tuesday, January 03, 2023

4:30 PM

City Hall - Briefing Room

CALL TO ORDER

Mayor Jensen called the meeting to order at 4:30 p.m.

PRESENT

Mayor Ron Jensen

Mayor Pro Tem Cole Humphreys

Deputy Mayor Pro Tem John Lopez

Council Member District 1 Jorja Clemson

Council Member District 2 Jacquin Headen

Council Member District 3 Mike Del Bosque

Council Member District 6 Kurt Johnson

Council Member At Large Place 8 Junior Ezeonu

ABSENT

Council Member At Large Place 7 Jeff Copeland

STAFF PRESENTATIONS

1. Mountain Creek Retirement Living Update

Deputy City Manager Bill Hills reminded Council the facility is owned and operated by the Grand Prairie Housing Finance Corporation (GPHFC) and reviewed history of its financial status, noting in June 2010 the GPHFC and Invesco reached an agreement to restructure, and Jackson Property Management was hired to boost occupancy. Mr. Hills said the trustee on behalf of Invesco became the recipient of all receipts with rent going into a lock box; and based upon the budget, each month the trustee would send back funds to operate for that month. He said no funds were added to reserves except debt service funds based on money left, no further reserves were receiving funding. Mr. Hills discussed structural damage suffered to the property and an independent financial review and property valuation in 2016-2017, noting it was three years from bankruptcy due to low occupancy and no reserves. He discussed how the property was kept afloat through PPP Loans and the management company foregoing payment and contributions from the GPHFC general treasury. Mr. Hills said two million dollars of American Rescue Plan Act (ARPA) funds were set aside to assist. He then reviewed bond information, the payoff amount, acceptance amounts and advised total payoff would be \$5.3 million. City Manager Dye reviewed history of the GPHFC and details of the proposed second tranche of ARPA money to assist the facility for quality of life. Mayor Jensen said he served on GPHFC early on and discussed the possibility of bankruptcy and the importance of keeping the retirement center going. Mayor Pro Tem Humphreys said he also served on the

board and noted the last two years of the twenty years of money saving projects has been instituted. Mr. Hills discussed other property successfully owned by the GPHFC but noted funding from those other properties cannot be used for this property. Mayor Pro Tem Humphreys asked if council agrees, what will happen to the property. Mr. Hills advised there would be no debt against the property and money can be used to improve the property. Council Member Del Bosque asked how much the city has given. Mr. Hills confirmed the city has not been supplementing, and advised the GPHFC treasury has given money through ownership fees from various properties, up to about fifty thousand per month. Mr. Hills noted about two million dollars has been allocated in 2021 ARPA funds but none has been spent yet. There was discussion on selling the property, a recent appraisal, cost for rehab, the cost to bring up to standards and the impact on citizens of the city if it goes bankrupt. Additional discussion was held on the uniqueness of the facility, which provides meals to residents included in their monthly rent of twenty-four hundred dollars, and why city ARPA funds should be used to assist in helping the facility financially. Deputy Mayor Pro Tem Lopez noted the city should look into possible assistance through the Pioneer Parkway project infrastructure funds which can be tied into housing. Mr. Dye noted and said staff would follow up. There was additional discussion on bond repayment and number of units on the property. Mr. Hills said this property has been a staple in this town for a long time for seniors when they could not take care of themselves. He said people are willing to move from their homes to this facility because it allows them to stay within the city and is viewed as being a quality amenity facility for seniors in Grand Prairie. Mr. Hills said it has the potential to be a quality facility again.

PRESENTED

2. Presentation on American Rescue Plan Act (ARPA) Funding Options and Council Priorities

Mr. Dye reviewed ARPA funds including obligated and committed allocations. He discussed funding options noting total encumbered is \$17,450,000. He reviewed council priorities proposed for fiscal year 2022-23 totaling \$19,350,000. Mr. Dye said Grand Prairie ISD is not interested in selling the Boze Center property. He discussed the cash funded Lake Ridge Community Center Land purchase and discussed several Capital Improvement Projects including the minor league cricket facility and the music pavilion/cultural arts center/sculpture garden on Boze Center Property. He reviewed the Financial Management Policy and discussed proposed Small Hill artistic mural, Turner Park public art, Summit art/photo op space. Mr. Dy reviewed non-ARPA funding already secured totaling \$1,359,000. A discussion was held on Alliance for Children, dog parks, cricket pitch and rugby fields open play. Mayor Jensen suggested fine tuning the list before December 2026. Deputy Mayor Pro Tem Lopez requested a map indicating where these funds will be used. Council Member Ezeonu expressed desire to take advantage of the World Cup coming to the metroplex in 2026 and working to invite teams to practice in the city. Mr. Dye noted requests and said staff would follow up. Council Member Clemson said the pickleball complex could bring some major tournaments to the city. There was discussion on a Chicken N Pickle partnership.

PRESENTED

AGENDA REVIEW

Mayor Pro Tem Humphreys asked if there were any questions on any agenda items. Deputy Mayor Pro Tem Lopez asked if the applicant for previously tabled item twenty-seven would be available and prepared to answer questions. Planning Director Rashad Jackson confirmed. Mayor Pro Tem Humphreys noted item twenty-one would be tabled.

EXECUTIVE SESSION

Mayor Jensen called a closed session at 5:46 p.m. pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss Section 551.071 "Consultation with Attorney" - City of Grand Prairie, Texas v. Babcorp 200, LTD., and Chaparral Partners, LLC; Skyway Legacy LLC v. City of Grand Prairie; Section 551.072 "Deliberation Regarding Real Property"; Section 551.087 "Deliberations Regarding Economic Development Negotiations." Mayor Jensen advised Loop 9 BBQ Contract would not be discussed.

RECESS MEETING

Mayor Jensen adjourned the closed-door meeting, opened the regular session and called a recess at 6:22 p.m.

6:30 PM Council Chambers

RECONVENE MEETING

Mayor Jensen reconvened and called the regular meeting to order at 6:31 p.m.

Invocation led by Pastor Perry Crenshaw of The Church On The Move Ministries.

Pledge of Allegiance to the US Flag and Texas Flag led by Council Member Del Bosque.

PRESENTATIONS

3. Proclamation honoring Dr. Martin Luther King Jr. Day on January 16, 2023

Council Member Ezeonu read the proclamation and Mayor Jensen presented it to Israel Henry.

PRESENTED

CONSENT AGENDA

Mayor Pro Tem Humphreys said council reviewed the agenda at briefing. He then moved, seconded by Deputy Mayor Pro Tem Lopez, to approve items four through nineteen. The motion carried unanimously, 8-0.

4. Minutes of the December 13, 2022, City Council Meeting

APPROVED ON CONSENT AGENDA

5. Nomination by Deputy Mayor Pro Tem Lopez (District 4) of Amjad Bhular to serve on the Housing and Community Improvement Commission

APPROVED ON CONSENT AGENDA

6. Forum Estates PID Contract with Identitec for 64 decorative signage assemblies/frames (Phase 2B) in the amount of \$100,572 in Forum Estates PID (Council District 2) (Reviewed and approved by the Forum Estates PID Board on 12/1/2022)

APPROVED ON CONSENT AGENDA

7. Lake Parks PID Contract with Site Landscape Development for landscape maintenance in the total amount of \$281,322.14, including landscape maintenance \$139,875.33, beautification \$121,446.81, and irrigation system maintenance services \$20,000, for a one-year term (Council Districts 4 and 6) (Reviewed and approved by the Lake Parks PID Board on 12/5/2022)

APPROVED ON CONSENT AGENDA

8. Peninsula PID Contract with Bright Star Construction and Designs for Brick Wall Repairs throughout the Peninsula PID in the amount of \$138,038.49 (Council Districts 4 and 6) (Reviewed and approved by the Peninsula PID Board on 11/15/2022)

APPROVED ON CONSENT AGENDA

9. Forum Estates PID Contract with LandWorks for landscape maintenance in the total amount of \$256,578, including landscape maintenance \$136,578, beautification \$100,000, and irrigation system maintenance services \$20,000, for a one-year term (Council District 2) (Reviewed and approved by the Forum Estates PID Board - continuation)

APPROVED ON CONSENT AGENDA

10. Westchester PID Contract with Site Landscape Development for Tree Care Services in Westchester PID for one year in the amount of \$80,000 (Council Districts 2 and 6) (Reviewed and approved by the Westchester PID Board on 12/14/2022)

APPROVED ON CONSENT AGENDA

11. Professional Services Contract with Stantec Consulting Services Inc. for FY 2022 Master Plan Study Updates (Kirby and Fish Creeks and West Fork Trinity River Geomorphology and Erosion Studies) in the amount of \$426,880.50 with \$21,344.03 contingency for a total request of \$448,224.53 (Reviewed by Finance and Government Committee on 12/06/2022)

APPROVED ON CONSENT AGENDA

12. Annual Contract for Tents and Event Rentals from Serving Him dba Rental Stop up to \$75,000.00 annually. This contract will be for one year with the option to renew for four additional one-year periods totaling \$375,000.00 if all extensions are exercised (Reviewed by the Finance & Government Committee on 12/06/2022)

APPROVED ON CONSENT AGENDA

13. Purchase of cardio and fitness equipment from Marathon Fitness in the amount of \$138,727.50 for the Epic through a national cooperative agreement with BuyBoard

APPROVED ON CONSENT AGENDA

14. Interlocal Agreement with Grand Prairie Independent School District (GPISD) Athletics Facility usage of the Kirby Creek Natatorium

APPROVED ON CONSENT AGENDA

15. Purchase of one (1) new Kenworth T480 with 4000-gallon water tank body for Solid Waste (\$229,897.85), one (1) new Kenworth T280 with 26' box van and lift gate for Police (\$157,101.65), one (1) new Kenworth T480 with hook lift body and water tank skid for Solid Waste (\$330,347.85), and one (1) new Kenworth T480 with maintainer body for Solid Waste (\$391,228.43) from MHC Kenworth for a combined total of \$1,108,575.78 through a Cooperative Agreement with BuyBoard

APPROVED ON CONSENT AGENDA

16. Annual Contract for yard waste grinding from Thelin Recycling up to \$299,600.00 annually. This contract will be for one year with the option to renew for four additional one-year periods totaling \$1,498,000.00 if all extensions are exercised (Reviewed by Finance and Government on 01/03/2023)

APPROVED ON CONSENT AGENDA

17. Resolution Adopting the Financial Management Policies (Reviewed by the Finance and Government Committee on November 1st and December 6th, 2022)

ADOPTED

RES 5322-2023

18. Ordinance amending the FY23 Storm Drainage Capital Improvement Projects fund and approval of a Professional Services contract with Plummer Associates, Inc. in the amount of \$90,000.00 for the 2023 Annual Study for Outfall Rehabilitation (Reviewed by the Finance and Government Committee on 12/06/2022)

ADOPTED

ORD 11327-2023

19. An Ordinance Amending Chapter 5 “Animal Services, of the Code of Ordinances of the City of Grand Prairie Code of Ordinances to Provide for the Regulation of “Dangerous Dogs” and “Public Nuisance Dogs”; Providing a Penalty Clause, a Savings Clause, and a Severability Clause; and Providing an Effective Date After Publication (Reviewed by the Public Safety, Health, and Environment Committee on 12/05/2022)

ADOPTED

ORD 11328-2023

ITEMS FOR INDIVIDUAL CONSIDERATION

20. Ordinance authorizing the issuance of “City of Grand Prairie, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2023”; providing for the payment of such certificates of obligation by the levy of an ad valorem tax upon all taxable property within the City and a limited pledge of the net revenues derived from the operation of the City’s waterworks and sewer system; providing the terms and conditions of such certificates and resolving other matters incident and relating to the issuance, payment, security and delivery of such certificates of obligation; delegating matters relating to the sale and issuance of such certificates to an authorized City official; and providing an effective date (Plan of finance reviewed by the Finance and Government Committee on 10/3/2022)

Assistant Finance Director Brady Olsen presented details of the tax and revenue Certificates of Obligation and provided an update on debt and interest. Mayor Pro Tem Humphreys noted the Finance and Government Committee reviewed this item. He then moved, seconded by Council Member Johnson, to approve as presented. The motion carried unanimously, 8-0.

ADOPTED

ORD 11329-2023

PLANNING AND ZONING ITEMS TO BE TABLED

21. SUP-22-10-0042 - Specific Use Permit - Convenience Store at 1033 SW 3rd St. (City Council District 5). Specific Use Permit for a Convenience Store without Gasoline Sales on 0.27 acres. Lots 1 and 2, Block D, Grand Prairie Estates, City of Grand Prairie, Dallas County, Texas, zoned GR district and addressed as 1033 SW 3rd Street

Mayor Pro Tem Humphreys moved, seconded by Council Member Johnson, to table this item. The motion carried unanimously.

TABLED

PLANNING AND ZONING FOR INDIVIDUAL CONSIDERATION

22. STP-22-08-0036 - Site Plan - The Jefferson at Loyd Park Phase 1 (City Council District 4). Site Plan for Multi-Family development with 450 units on 25.0903 Acres. Multiple parcels within the Ralph Graves Survey, Abstract 569, City of Grand Prairie, Tarrant County, Texas, Zoned Planned Development (PD-431) within the SH-360 Overlay, with an approximate address of 7122 N Day Mirar Rd (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

Planning Director Rashad Jackson reviewed the case and location map. He noted it meets density, dimensional, parking and landscaping requirements. Mr. Jackson said the Planning and Zoning Commission and Development Review Committee recommended approval. Deputy Mayor Pro Tem Lopez asked to review building elevations and said they are not the same color as previously presented. Payton McKee, 1345 Knoll Rd, Dallas, representing applicant spoke in support, advising the bricks are defined in the Planned Development and the color scheme is subjective. Deputy Mayor Pro Tem Lopez moved, seconded by Council Member Headen, to table this item to next council meeting.

TABLED

23. STP-22-09-0045 - Site Plan - Site Plan for Grand Prairie Warehouses at 2321 Dalworth Street (City Council District 1). Site Plan for three multi-tenant office/warehouse buildings on 1.621 acres Lots 32-36 and Lot 5-R, Block A, Dalworth Park Addition, City of Grand Prairie, Tarrant County, Texas, zoned Light Industrial (LI) and Commercial (C) Districts, and addressed as 2322, 2326, 2330 & 2334 Fort Worth Street and 2321 Dalworth Street (On December 12, 2022, the Planning and Zoning Commission recommended approval with conditions by a vote of 6-0)

Mr. Jackson presented this item noting it is zoned commercial and industrial. He said the two warehouses meet Unified Development Code (UDC) requirements and landscaping. Mr. Jackson reviewed elevations and advised the Planning and Zoning Commission recommended approval, and the Development Review Committee recommended approval with conditions to conform with Section 12.23.4 of the Unified Development Code by dedicating a drainage easement and access easements needed for maintenance of the drainage area by a separate instrument, and record the filing information on the Civil Engineering Plan and by filing the shared dumpster agreement prior to issuance of the final Certificate of Occupancy approval. Council Member Clemson moved, seconded by Council Member Johnson, to approve with conditions as stated. The motion carried unanimously.

APPROVED

24. STP-22-08-0043 - Site Plan - Haven at Loyd Park (City Council District 4). Site Plan for 245 Multi-Family units on 9.37 acres. Tract 6D03, J. C. Armstrong Survey, Abstract 43, City of Grand Prairie, Tarrant County, Texas, zoned Planned Development District No. 426 with an approximate address of 961 N Day Miar Rd (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

Mr. Jackson reviewed the site plan and elevations, noting it meets density and dimensional requirements. He said the requested variance includes landscaping in front set back area. Mr. Jackson said the Planning and Zoning Commission and Development Review Committee recommended approval. Deputy Mayor Pro Tem Lopez asked to clarify if the Day Miar agreement has been approved, noting the previous developer of the lot on the west side said he would use an easement with a path to combine the projects together. Mr. Jackson reviewed emergency access point and said the project coming to the west will need to have those in place. Civil engineer on project Philip Graham, 2201 E. Lamar Blvd, Arlington, said they have tried to work with the property on the south, but they are non-responsive and said they are committed to doing improvements to Day Miar. Deputy Mayor Pro Tem Lopez moved, seconded by Council Member Ezeonu, to approve this item as presented to include the requested variance. The motion carried unanimously.

APPROVED

25. STP-22-11-0054 – Site Plan – Sonic Food Mart Addition (City Council District 4). Site Plan Amendment to authorize a 2,000 sq. ft. addition to an existing Convenience Store with Gasoline Sales on 0.70 acres. Lot 1, Sheffield Village VIII, City of Grand Prairie, Tarrant County, Texas, zoned PD-140-Commercial, with SUP-486 within the SH 360 Corridor Overlay

District, and addressed as 3095 Claremont Drive (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

Mr. Jackson presented site plan noting it meets UDC requirements and the applicant did not request variances. He reviewed building elevations and advised they are adding a sidewalk that will be beneficial for a walkable area. Mr. Jackson said the Planning and Zoning Commission and Development Review Committee recommended approval. Mayor Jensen advised there were no registered speakers. Robin Curry, Irving, Texas, representing the owner was present. Deputy Mayor Pro Tem Lopez asked why they were extending the building. Ms. Curry said there are truck drivers damaging building, so they are looking to extend it back to improve the building for retail space. Deputy Mayor Pro Tem Lopez said there are concerns with trash overflow, upkeep of the building and grass mowing. Mr. Curry said they are trying to grow the business and will address. Deputy Mayor Pro Tem Lopez asked if there be food at the business Mr. Curry said they are not sure yet. Mr. Jackson confirmed there would be hearing for an Specific Use Permit and this is triggered because it is within the overlay. Deputy Mayor Pro Tem asked how many code violations there were in the last year. Staff advised they would follow up to provide that information. Deputy Mayor Pro Tem Lopez moved, seconded by Council Member Johnson, to approve as presented by staff. The motion carried unanimously.

APPROVED

26. STP-22-09-0051 - Site Plan - Aura Southgate Phase 3 (City Council District 6). Site plan for multi-family development with 255 multi-family units in four buildings along with 46 Hybrid Housing (Build-to-Rent) townhome units on 12.42 acres. Parcel located in the B. F. Howard Survey, Abstract No. 513, and Seth M. Blair Survey, Abstract No. 135, City of Grand Prairie, Ellis County, Texas, zoned PD-414A, and generally located east of State Highway 360 and north of US Highway 287 (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

Chief City Planner Savannah presented the site plan noting it meets landscaping requirements. She reviewed building elevations and renderings and said no variances were requested. Ms. Ware noted they would be increasing max density and decreasing garage parking. She said the Planning and Zoning Commission and Development Review Committee recommended approval. Mayor Pro Tem Humphreys asked if the developer is assisting with road. Transportation Director Walter Shumac said he would have to review and provide an update. Council Member Johnson moved, seconded by Council Member Del Bosque, to approve as presented by staff. The motion carried unanimously.

APPROVED

27. STP-22-09-0050 - Site Plan - AutoZone Store No. 5842 (City Council District 4). Site Plan for an auto parts sales (new) store on 1.729 acres. Tract 1F, M. Hunt Survey, Abstract No. 757, City of Grand Prairie, Tarrant County, Texas, zoned PD-45, within the IH-20 Corridor Overlay District, and addressed as 4110 S. Great Southwest Parkway (On November 14, 2022, the Planning and Zoning Commission recommended approval by a vote of 7-0)

Ms. Ware reviewed this site plan request for auto part sales noting the UDC requires a six-foot masonry screening wall, and the applicant has agreed to add two feet to the exiting wall. She reviewed building elevations. Mayor Jensen advised there were no registered speakers. Civil Engineer Alicia Coronilla, Plano, Texas, for applicant was available for to answer questions. Deputy Mayor Pro Tem Lopez asked if it would be a twenty-four-hour operation, and Ms. Coronilla advised it will have set hours. Deputy Mayor Pro Tem Lopez noted there should be no illegal auto repairs onsite. Ms. Coronilla confirmed there would be none. Deputy Mayor Pro Tem Lopez moved, seconded by Council Member Johnson, to approve this item as presented. The motion carried unanimously.

APPROVED

PUBLIC HEARING ZONING APPLICATIONS

28. SUP-22-11-0044 - Specific Use Permit/Site Plan - Carrera Events (City Council District 6). Specific Use Permit for a Multi-Purpose Special Event Center and a Site Plan for a 5,465 sq. ft. building on 1.0 acre. A portion of Lot 12, Block 5, Amesbury Estates Ph. 2, City of Grand Prairie, Dallas County, Texas, zoned PD-247, and addressed as 908 W. Polo Road (On December 12, 2022, the Planning and Zoning Commission recommended approval with conditions by a vote of 6-0)

Ms. Ware reviewed the site plan request currently zoned for general retail. She reviewed building elevations and floor plan and noted landscaping meets or exceeds requirements. Ms. Ware advised a variance was requested to allow special events on occasion to be held outdoors. The Planning and Zoning Commission recommended approval with conditions including outdoor events shall comply with noise ordinance and no events should be held after 9:00 p.m. applicant should meet parking requirements. Ms. Ware written opposition and support received by staff. William Carrera, 4954 Autumn Hill, Grand Prairie presented information on their application for a conference center. He said they own a small family business which builds and renovates real estate, and their focus is on customer service. He reviewed their vision and plan for a modern venue for weddings, business events, holiday events, reunions and will employ credible and licensed catering options to include about ten to twenty employees. Council Member Johnson asked how many event centers are within a five to ten mile radius of this location. Mr. Carrera was unsure but said theirs would be similar to the Ruthe Jackson Center. A discussion was held regarding number of employees and outside vendors. Deputy Mayor Pro Tem Lopez asked how many event centers they have operated in the past and why this location was chosen. Mr. Carrera said this would be the first event center and advised they are from Grand Prairie and had a vision for the location. Council Member Ezeonu said he enjoyed the presentation and asked if they met with any residents in the surrounding area. Mr. Carrera confirmed they had not. Jonathan Saldana, 2921 Brush Creek Street, spoke in favor of this project, noting this planned event center is specifically designed to function properly and noted the location is situated a good distance from residential property. Felix Carrera did not wish to speak but noted support of this item. Harold Willis, 538 Lindly, spoke in opposition of this item, noting concern that it would be on one acre of land. Ms. Ware confirmed it meets minimum requirements. Mayor Jensen said it meets

occupancy and parking standards. Council Member Johnson moved, seconded by Mayor Pro Tem Humphreys, to close the public hearing and deny the item as presented. The motion carried unanimously.

DENIED

29. SUP-22-09-0034 - Specific Use Permit/Site Plan - Auto Repair Shop at 3574 Gilbert Road (City Council District 1). Specific Use Permit for Minor Auto Repair and a Site Plan authorizing an 800 sq. ft. addition to the existing building on 0.619 acres. Lot 1, Yancy Commercial Park Addition, City of Grand Prairie, Dallas County, Texas, zoned Commercial district, and addressed as 3574 Gilbert Road (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

Ms. Ware presented the request for an addition to the building and noted it is zoned commercial. She said it meets density and dimensional requirements. Ms. Ware advised the Planning and Zoning Commission recommended approval, and the Development Review Committee recommended approval with conditions including the following: use shall be limited to minor auto repair; the owner/applicant shall maintain the site plan and ensure that the City of Grand Prairie has the latest version. If tenant spaces are combined, subdivided, or reconfigured in any way, the applicant shall obtain all necessary permits and revise the site plan and parking space designations and submit them to the City; when applying for a Certificate of Occupancy or Auto-Related Business permit, the owner/applicant shall include the approved site plan as an exhibit.

Ramon Aranda, 2946 S. Sunbeck Circle, Farmers Branch, spoke in support, noting the owner of this property also owns property to the south for more than fifteen years. He said he bought this abandoned building over six years ago and wants to improve it for use as a minor repair auto shop. Council Member Clemson said this is a unique location, noting there were drainage issues in easement in the past and is concerned with drainage, flooding and noise as it backs up to the residents and wants to make sure it does not happen again. Council Member Clemson moved, seconded by Mayor Pro Tem Humphreys, to close the public hearing and approve with extra care regarding drainage, and with staff conditions. The motion carried unanimously.

ADOPTED

ORD 11330-2023

30. ZON-22-11-0031 – PD Adoption/Concept Plan – Scooter’s Coffee (City Council District 4). Zoning Change to rezone 0.895 acres from Single Family Use to a Planned Development District for General Retail Use and a Concept Plan for a Restaurant with a Drive-Through. A portion of Lot 1R, Block I, Trinity Oaks Baptist Church Addition, City of Grand Prairie, Tarrant County, Texas, zoned for Single Family Use, generally located northeast of W. Camp Wisdom Road and Magna Carta Boulevard, and addressed as 2860 W. Camp Wisdom Road (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

Ms. Ware presented items thirty and thirty-one together. She said this is a request for zoning change for Planned Development for General Retail use. She reviewed the Future Land Use Map (FLUM), elevations and concept plan, noting it meets density and dimensional requirements. She said the Planning and Zoning Commission recommended approval.

Ms. Ware reviewed the Specific Use Permit and Site Plan request, noting it meets UDC requirements, and reviewed elevations. She said the Planning and Zoning Commission and staff recommended approval. Deputy Mayor Pro Tem Lopez asked to review the site map. A discussion was held on whether it can be denied by right and concerns with mutual access from the driveway shared with other planned development and businesses there. Mayor Pro Tem Humphreys asked if there was citizen input. Ms. Ware advised two online forms were received in opposition with support for it to remain single-family. Applicant Trenton Robertson, 2201 Main Street, Dallas, reviewed the site and FLUM and noted what they propose is consistent with that plan. He said the building is planned with pleasing aesthetics containing various elements to enhance the structures, and they added landscaping above the minimum requirement. He discussed operation hours would be 5:00 a.m. to 8:00 p.m. and noted they were considerate of neighbors and did not request additional curb cuts. He said they are a drive thru concept, and designed cues with an escape lane to help with traffic concerns. Council Member Johnson expressed concerns with traffic flow. Mr. Jackson and Mr. Shumac reviewed traffic flow in that area. Deputy Mayor Pro Tem Lopez moved, seconded by Council Member Del Bosque, to close the public hearing and deny items thirty and thirty-one. The motion carried unanimously.

DENIED

31. SUP-22-11-0045 - Specific Use Permit/Site Plan - Scooter's Coffee at 2860 W. Camp Wisdom (City Council District 4). Specific Use Permit/Site Plan for a Restaurant with a Drive-Through on 0.895 acres. A portion of Lot 1R, Block I, Trinity Oaks Baptist Church Addition, City of Grand Prairie, Tarrant County, Texas, zoned for single family use, generally located northeast of W. Camp Wisdom Road and Magna Carta Boulevard, and addressed as 2860 W. Camp Wisdom Road (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

DENIED

32. TAM-22-11-0011 - Text Amendment – Article 10: Parking and Loading Standards, and Appendix W: Residential Development Standards. An Ordinance of the City of Grand Prairie, Texas, amending Article 10: Parking and Loading Standards, and Appendix W: Residential Development Standards of the Unified Development Code to amend parking requirements and regulations for multi-family and rooming / boarding houses / college dorm residences; Making this Ordinance Cumulative; Repealing all Conflicting Ordinances; Containing a savings clause and a severability clause; and to become effective upon its passage and approval (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

Ms. Ware said they researched surrounding cities, and this amendment would take the garage requirement to 0%, and it also proposes to increase parking to 1.5 parking spaces per unit. She said it removes the requirement that carports would be required to use masonry material.

Ms. Ware said the Planning and Zoning Commission and staff recommended approval. Council Member Del Bosque noted the City Council Development Committee reviewed this item and recommended approval. He then moved, seconded by Council Member Headen, to close the public hearing and approve this item. The motion carried unanimously.

ADOPTED

ORD 11331-2023

CITIZEN COMMENTS

Trina Hall, 2225 Avenue B, discussed safety issues with fireworks and gunshots on the 4th of July and New Year's Eve and asked to work as a community to resolve the issue.

Kevin Toth, 7064 Surfside Lane, discussed Atmos Energy's gas provision failure. He added that in summer there were also electric utility failures and asked if there are plans for residents to receive relief from these failures noting increased development may be a contributing factor.

Harold Willis, 538 Lindly, discussed Atmos Energy's gas provision failure and expressed frustration with their delay in putting in the lines they said they would be adding to improve infrastructure.

ADJOURNMENT

Mayor Jensen adjourned the meeting at 8:16 p.m.

The foregoing minutes were approved at the January 17, 2023, City Council meeting.

Mona Lisa Galicia, City Secretary



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 1/17/2023

PRESENTER: Megan Mahan, Assistant City Manager/City Attorney

TITLE: Consent to Partial Assignment of One Windsor Hills Development Agreement and General Assignment between One Windsor Hills, L.P. (“Assignor”) and HC GPM, LLC (“Assignee”)

REVIEWING COMMITTEE: (Reviewed by City Council Development Committee on 01/17/2023)

SUMMARY:

One Windsor Hills, L.P., and the City previously entered into the One Windsor Hills Development Agreement effective January 25th, 2011 (the “Development Agreement”). One Windsor Hills, L.P. (“Assignor”) and HC GPM, LLC (“Assignee”) have requested the City’s consent to a partial and general assignment (the “Assignment”) of the Development Agreement in anticipation of a new development agreement for property located in and near the City’s extraterritorial jurisdiction as shown on the attached property boundary map.

The attached property boundary map shows the location of the assigned property that will be part of a new development agreement that is currently being negotiated between the City and the Assignee. The unassigned property that is part of the Development Agreement will continue to be bound and governed by the Development Agreement.

PURPOSE OF REQUEST:

The City’s consent is necessary for the Assignment.

HISTORY:

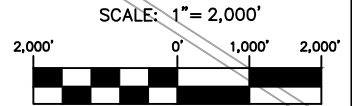
The Development Agreement became effective on January 25th, 2011, and will expire 15 years after the effective date on January 24th, 2026.

FINANCIAL CONSIDERATION:

No City expenditure is necessary for the Assignment.

ATTACHMENTS / SUPPORTING DOCUMENTS:




1- Property Boundary - Map



PROPERTY
1200.954 ACRES

US-287

LEGEND

-  ORIGINAL DA BOUNDARY
-  CITY LIMIT
-  REVISED DA BOUNDARY

Date: Aug 25, 2022, 11:36am User ID: mceaser
File: S:\Projects\61283\10\2.0 Design\2.4 Civil\2.4.4 Exhibits\22-0818 - Development Agreement\22-0825 - Development Agreement Exhibits.dwg

JOB NO. 61283-10
 DATE AUGUST 2022
 DESIGNER -
 CHECKED MCS DRAWN MCJ
 SHEET 1 of 1

PROPERTY BOUNDARY
 GRAND PRAIRIE, TEXAS
 MAP OF PROPERTY



FORT WORTH | SAN ANTONIO | AUSTIN | HOUSTON | DALLAS
 6500 W FWY, STE 700 | FT. WORTH, TX 76116 | 817.870.3668
 TEXAS ENGINEERING FIRM REGISTRATION #470



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: January 17, 2023

PRESENTER: Megan Mahan, City Attorney

TITLE: Authorize City Attorney to take all actions necessary to eliminate any use or occupancy of 2620 Skyway Drive in violation of the law, including engaging Law Offices of Jim Jeffrey to file Counterclaim and Third-Party Petition for Injunctive Relief in City of Grand Prairie v. Skyway Legacy, LLC

**REVIEWING
COMMITTEE:**

PURPOSE OF REQUEST:

The property is located at 2620 Skyway Drive. None of the tenants operating within the premises have valid certificates of occupancy. The city is requesting injunctive relief to order the owner and its tenants to cease and desist any use or occupancy of any portions of the premises without proper Certificates of Occupancy, and to cease and desist use or occupancy or even entry to the subject premises – except as necessary to repair or remediate code violations.

City Council requests progress updates from the City Attorney every two weeks and within 5 days of any significant development.

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	Risk Fund
-----------	-------------------------------------	------------	-----------



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Robert Fite, Fire Chief

TITLE: Annual contract for Fire Records Management System with ESO Solutions, Inc. The contract will be for one-year (\$57,455.40) with the option to renew for four additional one-year periods (\$50,902) to renew for a total of \$261,063.40 if all extensions are exercised

REVIEWING COMMITTEE: Finance and Government on 01-03-2023

SUMMARY:

<u>Vendor Name</u>	<u>Annual Cost</u>	<u>Total Cost</u>
ESO Solutions, Inc.	\$57,455.40 Initial cost	\$261,063.40

PURPOSE OF REQUEST:

This contract provides for an upgrade of the Firehouse records management system and a merger with the EMS Field Data Collection and EMS Billing system used by the Fire Department.

ESO Solutions Inc. is the current provider on the EMS side, for electronic health reporting (EHR) Health Data Exchange and billing services. ESO Solutions, Inc. has also acquired the Firehouse records management system, also used by the Fire Department. However, the Firehouse records management system will no longer be supported and will be shut down after December 31, 2022.

This merger will not only allow for one point of contact for software and maintenance services but will also assist firefighters and EMS in more efficiently and effectively protecting the health, wellness and safety of the citizen of Grand Prairie.

Local Government Code Chapter 252 provides an exemption from the competitive bid process when an item or service is available from only one source. ESO Solutions, Inc. is the sole source provider of ESO's Electronic Health Record product ("EHR"), formerly known as ESO ePCR, as well as ESO Fire RMS Management Bundle, its fire reporting software, and ESO Scheduling (formerly, eCore Scheduling Pro). ESO purchased eCore Software Inc.'s assets and is now the sole owner of the Scheduling software.

ESO has not licensed its rights to EHR, Scheduling, or ESO Fire RMS Management Bundle to any third-party. These products can only be acquired directly from ESO Solutions.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services Exempt

Local Vendor HUB Vendor

Number of Responses: RFP/RFB #:

Selection Details: Low Bid Best Value

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	General Fund; IT Department
-----------	-------------------------------------	------------	-----------------------------

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Sole Source letter
- 2- Sole Source justification
- 3- Sole Source Quote

SOLE SOURCE PURCHASE JUSTIFICATION FORM

Item 8.

Date: 10/26/2022

Department: Fire

Policy: Sole Source purchases are exempted from bidding requirements as stated in Section 252 of the Local Government Code. State law clarifies sole source as follows:

1. items that are available from only one source because of patents, copyrights, secret processes, or natural monopolies;
2. films, manuscripts, or books;
3. gas, water, and other utility services;
4. captive replacement parts or components for equipment;
5. books, papers, and other library materials for a public library that are available only from the persons holding exclusive distribution rights to the materials;

Service/Commodity to be Purchased:
 ESO software used for Records Management System

Identify the need and planned use for the commodity/service.
 ESO will collect and maintain all RMS data for Fire. This includes Inspection, Personnel tracking and Staffing, Assesst Tracking, Training, Hydrant data. The current RMS system (Firehouse) is no longer supported and is being shut down. Fire uses ESO on the EMS side for electronic health reporting (EHR), Health Data Exchange and billing curenly. This contract will bring all RMS systems into one company with one point for software supportand maintenance.

What is unique about this commodity/service? Why is this necessary to meet your department's goals?
 ESO is the provider for our EMS side and this contract will align all RMS system into one location and application. Without his contract GPFD will ahve to retrain all personnel into a new system and have two vendor for software support. GPFD can become more efficeeint and streamline RMS operations with this contract.

Are there competing products? If there are why will they not work? Please be very specific and identify all research into the subject. Please note if there are competing products there must be a very clear reason why they will not work to justify sole source.
 No other product integrates with our Electronic Health Datat Exchange (HDE). ESO and local hospitals have the ability to communicate with our EHR. No other product can connect our EHR with the new RMS for the Fire reporting side other than ESO.
 ESO owns our current RMS system Firehouse and our EHR. We also have HDE (health data exchange) with the hospitals through ESO. This contract is to update and continue to use ESO for RMS which we have a current contract with until 11/30. With out ESO RMS we will have to duplicate training, data storage efforts across all platforms because ESO doesn't communicate with other systems. Most of the links you provided are hospital based system and not applicable to us. <https://www.g2.com/products/eso-ehr/competitors/alternatives>



Angi Wize
 Purchasing Manager

Department Director

Purchasing Manager

Official Use Only:
 Market Research Date: 11/02/2022
 Re-Evaluation Date: 11/02/2024
 PO No.(s):



Quote Date: 10/13/2022
 Customer Name: Grand Prairie FD
 Quote #: Q-93021
 Quote Expiration date: 11/30/2022
 ESO Account Manager: Travis Winzeler

Item 8.

CUSTOMER CONTACT

Customer Grand Prairie FD
 Name Chad Whitney
 Email cwhitney@gptx.org
 Phone (972) 237-8302

BILLING CONTACT

Payor Grand Prairie FD
 Name Mike Joy
 Email mjoy@gptx.org
 Phone 972-237-8281

Address 1525 Arkansas Ln, 3rd Floor
 Grand Prairie TX, 75052
 Billing Frequency Annual
 Initial Term 12 months

Fire RMS Management Bundle

Product	Price	Discount	Total	Fee Type
Fire RMS Management Bundle	\$46,907.00	(\$2,345.35)	\$44,561.65	Recurring
<ul style="list-style-type: none"> RMS Bundle - ESO Assets RMS Bundle - ESO Checklist RMS Bundle - ESO Scheduling Plus RMS Bundle - ESO Fire Incidents RMS Bundle - ESO Inspections RMS Bundle - ESO Properties RMS Bundle - ESO Personnel Management RMS Bundle - ESO Hydrants RMS Bundle - ESO Activities 				

Fire

Product	Volume	Price	Discount	Total	Fee Type
Fire Incidents CAD Integration	22000 Incidents	\$3,995.00	(\$0.00)	\$3,995.00	Recurring
Properties/Inspections Data Import	10 Stations	\$2,750.00	(\$2,750.00)	\$0.00	One-time
Fire - Training	3 Days	\$3,585.00	(\$896.25)	\$2,688.75	One-time
Fire - Training Travel Costs	3 Travel Cost	\$3,750.00	(\$0.00)	\$3,750.00	One-time
Fire Incidents NFIRS Data Import	22000 Incidents	\$9,995.00	(\$9,995.00)	\$0.00	One-time

Asset Management/Checklist

Product	Volume	Price	Discount	Total	Fee Type
Asset Management and Checklist - Training and Implementation	23 Vehicles	\$1,495.00	(\$373.75)	\$1,121.25	One-time

Scheduling

Product	Volume	Price	Discount	Total	Fee Type
ESO Scheduling - Setup & Online Training	3 Sessions	\$1,785.00	(\$446.25)	\$1,338.75	One-time

Personnel Management

*Additional fees may be applied by Customer's billing or CAD vendor for certain integrations or interfaces, and Customer is encouraged to discuss this with the applicable vendor.



Quote Date: 10/13/2022
Customer Name: Grand Prairie FD
Quote #: Q-93021
Quote Expiration date: 11/30/2022
ESO Account Manager: Travis Winzeler

Item 8.

Product	Volume	Price	Discount	Total	Fee Type
Personnel Management Data Migration	243 Employees	\$400.00	(\$400.00)	\$0.00	One-time
Total Recurring Fees				\$	50,902.00
Total One-Time Fees				\$	23,760.00
Discounts				\$	(17,206.60)
TOTAL FEES				\$	57,455.40



Quote Date: 10/13/2022
 Customer Name: Grand Prairie FD
 Quote #: Q-93021
 Quote Expiration date: 11/30/2022
 ESO Account Manager: Travis Winzeler

Item 8.

TERMS AND CONDITIONS:

1. If the Customer indicated above has an ESO Master Subscription and License Agreement (MSLA) dated on or after February 20, 2017, then that MSLA will govern this Quote. **Otherwise, Customer intends and agrees that this Quote adopts and incorporates the terms and conditions of the MSLA and associated HIPAA business associate agreement hosted at the following web address, and that the products and services ordered above are subject thereto:**

<https://www.eso.com/legal-terms/>

2. The Effective Date of this Quote shall be the final date of signature.

3. Customer shall be responsible for the payment of all Fees listed herein. If Customer has elected to use a Third Party Payor (as indicated above as Payor) and such party has executed an appropriate agreement with ESO, ESO shall accept payment of Fees from such Third Party Payor.

Grand Prairie FD

Signature: _____

Print Name: _____

Title: _____

Date: _____

For Fire, Personnel Management, Asset Management/Checklist, Scheduling, the following payment terms apply:
 Fees are invoiced at the Billing Frequency 15 days after the Effective Date, with recurring fees due on the anniversary.



Quote Date: 10/13/2022
 Customer Name: Grand Prairie FD
 Quote #: Q-93021
 Quote Expiration date: 11/30/2022
 ESO Account Manager: Travis Winzeler

Item 8.

Fire

Product	Description
RMS Bundle - ESO Fire Incidents	Includes Auto EHR-import or Auto-CAD import, federal NFIRS data reporting, software updates and upgrades.
RMS Bundle - ESO Inspections	Includes the ability to manage multiple code sets, using those to developed customized Check-lists for inspections. The application allows you to schedule, manage, execute and finalize inspections as well as reschedule any required follow up inspections.
RMS Bundle - ESO Properties	Includes CAMEO integration, Pre-Plan view. Stores property and occupant history (presence of chemicals and tanks, Incidents, and previous inspections).
RMS Bundle - ESO Hydrants	Inventory and document testing and status of hydrants.
RMS Bundle - ESO Activities - Fire and Fire/EMS Agencies (Legacy)	Application for tracking non-response activities, including Operations and Community Risk Reduction and Daily Log.
Fire Incidents NFIRS Data Import	Data migration from previous RMS platform.
Properties/Inspections Data Import	Data migration of Properties data and inspection reports into ESOs Properties and Inspections applications from a previously used RMS.
Fire Incidents CAD Integration	Allows for integration of CAD data into the FIRE application. Ongoing maintenance included. Additional fees from your CAD vendor may apply.
Fire - Training	Daily rate
Fire - Training Travel Costs	One-time fee - covers all travel costs associated with on-site training option.

Personnel Management

Product	Description
RMS Bundle - ESO Personnel Management	Includes tracking of Training classes, certifications, credentials, immunization records. Discounted as a part of the RMS Bundle.
Personnel Management Data Migration	Migration of Information in Personnel Management that includes Demographics, Training Classes, Certifications, and Drivers License information.

Asset Management/Checklist

Product	Description
RMS Bundle - ESO Assets	Web-based asset management for Fire and EMS.
RMS Bundle - ESO Checklist	Web-based apparatus checklist for Fire and EMS.
Asset Management and Checklist - Training and Implementation	Training and configuration to include; group admin training, agency specific web-based sessions, online training and pre-recorded end user training.

Scheduling

Product	Description
RMS Bundle - ESO Scheduling Plus	Online scheduling, messaging and detailed reporting, plus web-based time clock, attendance tracking, time off management and payroll output files.
ESO Scheduling - Setup & Online Training	Webinar Training Session.



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 01/17/2023
PRESENTER: Robert Fite, Fire Chief
TITLE: Purchase fire hose and fire nozzles from Metro Fire out of Mansfield, TX, for the price of \$90,810 using the Buy Board cooperative contract #603-20
REVIEWING COMMITTEE:

SUMMARY:

Table with 3 columns: Vendor Name, Annual Cost, Total Cost. Row 1: Metro Fire, \$90,810

PURPOSE OF REQUEST:

The fire department is completely changing out every hose load/nozzle deployment on all fire apparatus. This strategic change will allow more water under less pressure to be deployed into structure fires. The strategic change/purchase will include all fire engines, fire trucks, and reserve fire engines. The old fire hose will be auctioned or used for training sessions. Funding is available out of the Texas Ambulance Supplemental Payment Program (TASPP).

PROCUREMENT DETAILS:

Procurement Method: [X] Cooperative/Interlocal [] RFB/RFP [] Sole Source [] Professional Services [] Exempt

FINANCIAL CONSIDERATION:

Table with 2 columns: Budgeted?, Fund Name: TASPP Trust Fund

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Buy Board Quote

po#
v#5526
334691-60298

QUOTE



Corporate
17350 State Hwy 249
Suite 250
Houston TX 77064-1142
(713) 692-0911 Phone
(713) 692-1591 Fax

Mansfield
625 S Wisteria St Ste 121
Mansfield TX 76063-2528
(817) 467-0911 Phone
(817) 375-1775 Fax

South Houston
514 Michigan St
South Houston TX 77587-3221
(713) 475-2411 Phone
(713) 475-2428 Fax

Number	201412-0
Quote Date	01/03/2023
Page	1

Bill to: GRAND PRAIRIE FIRE DEPT
1525 ARKANSAS LANE
3RD FLOOR
GRAND PRAIRIE, TX 75052

Ship to: GRAND PRAIRIE FIRE DEPT
1525 ARKANSAS LN
3RD FLOOR
GRAND PRAIRIE, TX 75052

Cust Code	Ordered By	Salesman	Job/Rel#	Customer PO
GRA003	JOHN STEVENS	SCOTT GIBBS		
Entered By	FOB	Ship Via	Terms	
SCOTT GIBBS	CUSTOMER PAYS FREIGHT	BEST WAY	NET 20 DAYS	
Customer/Order Instructions				

BUY BOARD CONTRACT 603-20.

Quantity			U/M	Item #	Description	Price	Extension
Order	Ship	Back					
33	33	33	EA	KEY-DP17-100S-BLU-50-ARN	COMBAT SNIPER 1.75" X 50' BLUE HOSE ROCKER LUG NH COUPLING HEAVY DUTY DOUBLE JACKET NITRILE WEAVE/PVC TUBE	254.00	8382.00
41	41	41	EA	KEY-DP17-100S-RED-50-ARN	COMBAT SNIPER 1.75" X 50' RED HOSE ROCKER LUG NH COUPLING HEAVY DUTY DOUBLE JACKET NITRILE WEAVE/PVC TUBE	254.00	10414.00
107	107	107	EA	KEY-DP20-1000-ORG-50-ARN	COMBAT READY 2" X 50' ORANGE HOSE ROCKER LUG NH COUPLING DOUBLE JACKET HIGH FLOW	378.00	40446.00
181	181	181	EA	KEY-LASER ETCH	ALL COUPLINGS GPFD	6.00	1086.00
181	181	181	EA	KEY-STENCIL	STENCIL GPFD	0.00	0.00
13	13	13	EA	TFT-ME1-VPGI	1.5" NH METRO 1 TIP WITH GRIP 160#50 RED GRIP AND BALE	866.00	11258.00
12	12	12	EA	TFT-FS22STACK	1.5" SMOOTH BORE STACK TIP 1-1/4" - 1-1/8"	184.00	2208.00
11	11	11	EA	TFT-F140F	1 3/8" WATERWAY BALL VALVE 1.5" NH RL SW IN X 1.5" NH OUT ORANGE GRIP AND BALE	390.00	4290.00
11	11	11	EA	TFT-FSS9	STRAIGHT TIP 1" X 1.5" NH	124.00	1364.00
13	13	13	EA	TFT-F140F	1 3/8" WATERWAY BALL VALVE 1.5" NH RL SW IN X 1.5" NH OUT BLUE GRIP AND BALE	390.00	5070.00

Continued on next page....

QUOTE GOOD FOR 30 DAYS



QUOTE

Corporate

17350 State Hwy 249
Suite 250
Houston TX 77064-1142
(713) 692-0911 Phone
(713) 692-1591 Fax

Mansfield

625 S Wisteria St Ste 121
Mansfield TX 76063-2528
(817) 467-0911 Phone
(817) 375-1775 Fax

South Houston

514 Michigan St
South Houston TX 77587-3221
(713) 475-2411 Phone
(713) 475-2428 Fax

Number	201412-0
Quote Date	01/03/2023
Page	2

Bill to: GRAND PRAIRIE FIRE DEPT
1525 ARKANSAS LANE
3RD FLOOR
GRAND PRAIRIE, TX 75052

Ship to: GRAND PRAIRIE FIRE DEPT
1525 ARKANSAS LN
3RD FLOOR
GRAND PRAIRIE, TX 75052

Cust Code		Ordered By		Salesman		Job/Rel#		Customer PO		
GRA003		JOHN STEVENS		SCOTT GIBBS						
Entered By			FOB		Ship Via		Terms			
SCOTT GIBBS			CUSTOMER PAYS FREIGHT		BEST WAY		NET 20 DAYS			
Quantity			U/M	Item #	Description	Price	Extension			
Order	Ship	Back								
13	13	13	EA	TFT-FSS8	STRAIGHT TIP 7/8" X 1.5" NH	124.00	1612.00			
12	12	12	EA	TFT-F140F	1 3/8" WATERWAY BALL VALVE 1.5" NH RL SW IN X 1.5" NH OUT	390.00	4680.00			
SubTotal							90,810.00			
Total							90,810.00			

QUOTE GOOD FOR 30 DAYS



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Daniel Scesney, Chief of Police

TITLE: The re-appointment of Aubry Insko to the Tarrant County 9-1-1 Emergency Assistance District Board of Managers

REVIEWING COMMITTEE: (Reviewed by the Public Safety, Health, and Environment Committee on 01/09/2023)

SUMMARY:

<i>Vendor Name:</i>	N/A
<i>Annual Cost/Total Cost:</i>	
<i>Department:</i>	Police
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

Pursuant to the Texas Health and Safety Code, Section 772.106, the City Council must appoint the city's representative to the Tarrant County 9-1-1 Emergency Assistance District Board of Managers, every (2) two years.

HISTORY:

Aubry Insko, Emergency Communications Division Manager, has served as the City's representative since 2019 and is honored to continue in this role, with the approval of City Council.

PROCUREMENT DETAILS:

N/A

FINANCIAL CONSIDERATION:

None

ATTACHMENTS / SUPPORTING DOCUMENTS:

None



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Ryan Simpson, Assistant Director of Police

TITLE: Annual Contract for Police Equipment, Uniforms, and Alterations Services from Impact Promotional Services, LLC dba Got You Covered Work Wear and Uniforms through a Master Interlocal Agreement with the City of Fort Worth, Texas. This contract will be for ten months (up to \$175,000) ending October 31, 2023, with the option to renew for four additional one-year periods (up to \$200,000 annually), totaling \$975,000 if all extensions are exercised

REVIEWING COMMITTEE: (Reviewed by the Finance & Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Impact Promotional Services, LLC dba Got You Covered
<i>Annual Cost/Total Cost:</i>	Up to \$175,000 for initial ten-month term, up to \$200,000 annually thereafter; totaling up to \$975,000
<i>Department:</i>	Police Department
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

Impact Promotional Services, LLC dba Got You Covered Work Wear & Uniforms, through their cooperative agreement, will supply various uniforms and equipment, and alteration services for Police employees. This contract will be used by the Police Department on an as needed basis. Other city departments may also utilize this contract, if needed.

Chapter 271.102 of the Local Government Code authorizes local governments to participate in a cooperative purchasing program with another local government or local cooperative organization. In lieu of competitive bidding, items and services may be purchased through such agreements as the agreements have already been bid by the sponsoring entity or agency.

The City approved a Master Interlocal agreement with the City of Fort Worth whereby the City could make use of all of that entity’s agreements.

Utilizing the City of Fort Worth’s agreement will allow for greater cost-savings, compared to a standalone agreement.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	FY 2023 Police Department General Fund
-----------	-------------------------------------	------------	--



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Ryan Simpson, Assistant Director of Police

TITLE: Annual contract for Police Officer badges from Uniform Solutions, Inc. (up to \$18,217 annually). This contract will be for one year with the option to renew for four additional one-year periods totaling \$91,085 if all extensions are exercised

REVIEWING COMMITTEE: (Reviewed by the Finance & Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Uniform Solutions, Inc.
<i>Annual Cost/Total Cost:</i>	Up to \$18,217 annually for five years, totaling \$91,085
<i>Department:</i>	Police
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

The Police Department utilizes badges as part of the standard uniform and identification for Police Officers. The current agreement with Uniform Solutions, Inc. is expiring, and the Department has advertised bid 23025, to implement a new agreement. The Department will utilize this agreement on an as-needed basis.

Notice of bid 23025 was advertised in the Fort Worth Star Telegram and Public Purchase; it was distributed to 31 vendors including six HUBs. One bid was received as shown on attachment A.

HISTORY:

The Police Department currently utilizes Uniform Solutions, Inc. for badges. We have had numerous quality and customer service issues with prior badge vendors, which is likely the reason only one bid response was received.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

Number of Responses: One

RFP/RFB #: 23025

Selection Details: Low Bid

Best Value

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	FY 2023 Police Department General Fund
-----------	-------------------------------------	------------	--


ATTACHMENTS / SUPPORTING DOCUMENTS:

1- Bid Summary

POLICE BADGES

RFB #23025

TABULATION

	Bid Tabulation		Uniforms Solutions, Inc.	
	23025 Police			
			Carollton, TX	
Item	QTY	UOM	Unit Price	Extended Price
Standard Silver/Blue Officer Badge	60	EA	118.95	7,137.00
Standard Gold/Blue Supervisor Badge	10	EA	102.95	1,029.50
Flat Silver/Blue Officer Badge	60	EA	118.95	7,137.00
Flat Gold/Blue Supervisor Badge	10	EA	102.95	1,029.50
Small Silver/Blue Retiree Badge	10	EA	98.95	989.50
Small Gold/Blue Supervisor Retiree Badge	10	EA	86.95	869.50
Repair or Refinish of Extending Badge	1	EA	\$ 25.00	25.00
				\$ 18,217.00



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Ryan Simpson, Assistant Director of Police

TITLE: Change Order #2 to add additional licenses to match current Animal Services staffing levels and combine two existing agreements with Axon, Inc., in the amount of \$17,397.03 for the first year and \$15,012.14 annually for eight additional years, totaling \$137,494.26, through a national cooperative agreement with Sourcewell

REVIEWING COMMITTEE: (Reviewed by the Finance & Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Axon Inc.
<i>Annual Cost/Total Cost:</i>	\$137,494.26 (\$17,397.03 for the first year, \$15,012.14 for years two thru eight, and \$15,012.25 in year nine)
<i>Department:</i>	Police
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

Historically, the Police Department and Animal Services have had separate contracts with Axon. The Police Department utilizes Axon for body worn cameras, Tasers, in-vehicle cameras, LPR technology, and numerous other services. Animal Services utilizes Axon for body worn cameras. Since Animal Services has been incorporated into the Police Department, staff recommends merging the Animal Services Axon contract with the Police Department’s Axon contract. This will allow Animal Services to utilize all services and hardware upgrades included in the Police Department’s existing Axon contract. This proposed change will also add three additional hardware and software licenses to match current staffing levels in Animal Services.

This Change Order will also allow Police and Animal Services digital video evidence to be stored in the same location, increasing the efficiency of criminal investigations. Our Emergency Communications Division will now also be able to monitor GPS location of all Police body worn cameras, which is essential in event of an emergency.

Since Animal Services will not utilize Tasers, in-vehicle cameras, and LPR technology, pricing has been discounted accordingly.

HISTORY:

	<u>Amount</u>	<u>Approval Date</u>	<u>Reason</u>
<u>Original Contract:</u>	14,650,000	7/13/2021	
<u>Change Order #1</u>	507,600	6/21/2022	Additional hardware and software licenses for newly-budgeted positions
<u>Change Order #2</u>	137,494.26	Proposed	Merge Animal Services contract with Police Department contract
TOTAL	15,295,094.26		

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	General Fund -- Animal Services Division
-----------	-------------------------------------	------------	--

	<u>Existing</u> <i>(Remainder of contract)</i>	<u>Proposed</u>	<u>Increase</u>
FY 2022	8,544.00	17,397.03	8,853.03
FY 2023	8,544.00	15,012.14	6,468.14
FY 2024	8,544.00	15,012.14	6,468.14
FY 2025	-	15,012.14	
FY 2026	-	15,012.14	
FY 2027	-	15,012.14	
FY 2028	-	15,012.14	
FY 2029	-	15,012.14	
FY 2030	-	15,012.25	
Total	25,632.00	137,494.26	

The bulk of the price increase is due to the additional licenses included in this Change Order. Price increase due to access to the additional features is minimal.

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Agreement and Quote

**CITY OF GRAND PRAIRIE
AMENDMENT TO ANNUAL CONTRACT**

THIS AMENDMENT is made and entered into this date by and between the **CITY OF GRAND PRAIRIE**, a Texas municipal corporation (hereinafter referred to as the "CITY"), and **AXON ENTERPRISE, INC.** (hereinafter referred to as "VENDOR").

WHEREAS, the CITY and VENDOR entered into contract number 21176 dated August 24, 2021, to provide public safety related equipment and services including body worn camera related equipment and services to the Grand Prairie Police Department (the "Agreement"); and

WHEREAS, prior to the execution of the Agreement, the CITY and VENDOR entered into a separate agreement, contract number 20154, dated March 30, 2020, for body worn camera related equipment and services for the Grand Prairie Animal Services Department (the "Animal Services Agreement"); and

WHEREAS, the Grand Prairie Animal Services Department is now a division of the Grand Prairie Police Department; and

WHEREAS the CITY desires to cancel the Animal Services Agreement and provide for the Animal Services Department's body worn camera needs under and through the Agreement; and

WHEREAS, the CITY has determined the combining the services under a single agreement is what is most beneficial and efficient for the City; and

WHEREAS, the VENDOR has agreed to cancel the existing Animal Services Agreement, amend the Agreement, and prorate certain costs in consideration of certain fees paid under the Animal Services Agreement; and

WHEREAS, the additional hardware and services desired by the CITY were among the items included in the Sourcwell bid under which the CITY entered into the Agreement;

NOW, THEREFORE, for and in consideration of the mutual acts and covenants set out herein, the CITY and VENDOR agree as follows:

1. The Animal Services Agreement is cancelled as of the effective date of this amendment to the Agreement.
2. Notwithstanding the foregoing, VENDOR agrees the existing cloud/media storage account (Evidence.com) for Grand Prairie Animal Services which was established under the Animal Services Agreement shall remain accessible to CITY for a minimum of six months from the effective date of this amendment to the Agreement, during which time Grand Prairie Animal Services personnel may access, view, download, or otherwise transfer the content stored on the Grand Prairie Animal Services cloud/media storage account (Evidence.com) to the Grand Prairie Police Department cloud/media storage account (Evidence.com). The existing videos, photos, or other items currently being stored on the Grand Prairie Animal Services cloud/media storage account (Evidence.com) shall be retained on said account for the duration of the period the account is required to remain accessible to CITY under this provision unless CITY has, within the Evidence.com platform, established a shorter retention for said record.

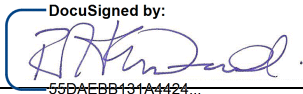
3. The Agreement shall be amended to include the products and services provided in Exhibit "A".
4. VENDOR and the CITY covenant and agree that VENDOR shall perform all of the services and provide all of the hardware or other items contained in VENDOR'S proposal to the CITY (attached hereto as "Exhibit A"); said document being made part of this Agreement and incorporated in its entirety herein; and
5. The CITY agrees that the price quoted is acceptable and in the best interest of the CITY; and
6. All of the terms and conditions of the original Agreement shall remain in full force and effect, as amended hereto, unless set out otherwise herein.
7. VENDOR VERIFIES THAT: (1) It does not have a practice, policy, guidance, or directive that discriminates against a firearm entity or firearm trade association, as defined in Texas Government Code § 2274.001, and that it will not during the term of the contract discriminate against a firearm entity or firearm trade association; (2) It does not "boycott Israel" as that term is defined in Texas Government Code § 808.001 and it will not boycott Israel during the term of this contract; and (3) It does not "boycott energy companies," as those terms are defined in Texas Government Code §§ 809.001 and 2274.001, and it will not boycott energy companies during the term of the contract.

EXECUTED this the _____ day of 20_____.

CITY OF GRAND PRAIRIE, TEXAS

AXON ENTERPRISE, INC.

By: _____
Deputy City Manager

DocuSigned by:

 By: _____
 Printed Name: Robert E. Driscoll, Jr.
 Name: _____

ATTEST:

Title: VP, Assoc. General Counsel

Mona Lisa Galicia, City Secretary

APPROVED AS TO FORM:

Megan Mahan, City Attorney



Axon Enterprise, Inc.
 17800 N 85th St.
 Scottsdale, Arizona 85255
 United States
 VAT: 86-0741227
 Domestic: (800) 978-2737
 International: +1.800.978.2737

Q-418417-4491

Item 13.

Issued: 12/15/2022

Quote Expiration: 01/30/2023

Estimated Contract Start Date: 02/15/2023

Account Number: 110652

Payment Terms: N30

Delivery Method:

SHIP TO	BILL TO
1525 Arkansas Ln 1525 Arkansas Ln Grand Prairie, TX 75052-7401 USA	Grand Prairie Police Dept. - TX 300 W Main Grand Prairie, TX 75050 USA Email: 75-6000543

SALES REPRESENTATIVE	PRIMARY CONTACT
Danny Thielen Phone: (480) 434-8810 Email: dthielen@axon.com Fax:	Ryan Simpson Phone: 972-237-8717 Email: rsimpson@gptx.org Fax: (972) 237-8699

Quote Summary

Program Length	103 Months
TOTAL COST	\$137,494.26
ESTIMATED TOTAL W/ TAX	\$137,494.26

Discount Summary

Average Savings Per Year	\$304.15
TOTAL SAVINGS	\$31,327.66

Payment Summary

Date	Subtotal	Tax	Total
Jan 2023	\$17,397.01	\$0.00	\$17,397.01
Jan 2024	\$15,012.16	\$0.00	\$15,012.16
Jan 2025	\$15,012.16	\$0.00	\$15,012.16
Jan 2026	\$15,012.16	\$0.00	\$15,012.16
Jan 2027	\$15,012.16	\$0.00	\$15,012.16
Jan 2028	\$15,012.16	\$0.00	\$15,012.16
Jan 2029	\$15,012.16	\$0.00	\$15,012.16
Jan 2030	\$15,012.16	\$0.00	\$15,012.16
Jan 2031	\$15,012.13	\$0.00	\$15,012.13
Total	\$137,494.26	\$0.00	\$137,494.26

Quote Unbundled Price:
 Quote List Price:
 Quote Subtotal:

\$1	Item 13.
\$144,213.16	
\$137,494.26	

Pricing

All deliverables are detailed in Delivery Schedules section lower in proposal

Item	Description	Qty	Term	Unbundled	List Price	Net Price	Subtotal	Tax	Total
Program									
100552	TRANSFER CREDIT - GOODS	1			\$1.00	\$1,059.72	\$1,059.72	\$0.00	\$1,059.72
100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1			\$1.00	(\$540.90)	(\$540.90)	\$0.00	(\$540.90)
73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	17		\$23.30	\$0.00	\$0.00	\$0.00	\$0.00
BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	103	\$111.97	\$92.06	\$89.28	\$110,355.46	\$0.00	\$110,355.46
A la Carte Hardware									
73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1			\$699.00	\$699.00	\$699.00	\$0.00	\$699.00
AB3C	AB3 Camera Bundle	3			\$699.00	\$699.00	\$2,097.00	\$0.00	\$2,097.00
AB3MBD	AB3 Multi Bay Dock Bundle	1			\$1,538.90	\$1,538.90	\$1,538.90	\$0.00	\$1,538.90
A la Carte Software									
73449	RESPOND DEVICE LICENSE	11	103		\$5.00	\$5.00	\$5,665.00	\$0.00	\$5,665.00
ProLicense	Pro License Bundle	4	103		\$39.00	\$40.34	\$16,620.08	\$0.00	\$16,620.08
Total							\$137,494.26	\$0.00	\$137,494.26

Delivery Schedule

Hardware

Bundle	Item	Description	QTY	Estimated Delivery Date
AB3 Camera Bundle	11534	USB-C to USB-A CABLE FOR AB3 OR FLEX 2	4	01/15/2023
AB3 Camera Bundle	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	3	01/15/2023
AB3 Camera Bundle	74028	WING CLIP MOUNT, AXON RAPIDLOCK	4	01/15/2023
AB3 Multi Bay Dock Bundle	70033	WALL MOUNT BRACKET, ASSY, EVIDENCE.COM DOCK	1	01/15/2023
AB3 Multi Bay Dock Bundle	71019	NORTH AMER POWER CORD FOR AB3 8-BAY, AB2 1-BAY / 6-BAY DOCK	1	01/15/2023
AB3 Multi Bay Dock Bundle	74210	AXON BODY 3 - 8 BAY DOCK	1	01/15/2023
A la Carte	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	01/15/2023
BWC Unlimited with TAP 10YR	73309	AXON CAMERA REFRESH ONE	12	07/15/2025
BWC Unlimited with TAP 10YR	73689	MULTI-BAY BWC DOCK 1ST REFRESH	2	07/15/2025
BWC Unlimited with TAP 10YR	73310	AXON CAMERA REFRESH TWO	12	01/15/2028
BWC Unlimited with TAP 10YR	73688	MULTI-BAY BWC DOCK 2ND REFRESH	2	01/15/2028
BWC Unlimited with TAP 10YR	73345	AXON CAMERA REFRESH THREE	12	07/15/2030
BWC Unlimited with TAP 10YR	73347	MULTI-BAY BWC DOCK 3RD REFRESH	2	07/15/2030
BWC Unlimited with TAP 10YR	73346	AXON CAMERA REFRESH FOUR	12	08/15/2031
BWC Unlimited with TAP 10YR	73348	MULTI-BAY BWC DOCK 4TH REFRESH	2	08/15/2031

Software

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
BWC Unlimited with TAP 10YR	73686	EVIDENCE.COM UNLIMITED AXON DEVICE STORAGE	12	02/15/2023	09/14/2031
BWC Unlimited with TAP 10YR	73746	PROFESSIONAL EVIDENCE.COM LICENSE	12	02/15/2023	09/14/2031
Pro License Bundle	73683	10 GB EVIDENCE.COM A-LA-CART STORAGE	12	02/15/2023	09/14/2031
Pro License Bundle	73746	PROFESSIONAL EVIDENCE.COM LICENSE	4	02/15/2023	09/14/2031
A la Carte	73449	RESPOND DEVICE LICENSE	11	02/15/2023	09/14/2031

Warranties

Bundle	Item	Description	QTY	Estimated Start Date	Estimated End Date
BWC Unlimited with TAP 10YR	80465	EXT WARRANTY, MULTI-BAY DOCK (TAP)	2	02/15/2023	09/14/2031
BWC Unlimited with TAP 10YR	80464	EXT WARRANTY, CAMERA (TAP)	12	01/15/2024	09/14/2031

Payment Details

Item 13.

Jan 2023						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 1	100552	TRANSFER CREDIT - GOODS	1	\$108.94	\$0.00	\$108.94
Year 1	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$55.61)	\$0.00	(\$55.61)
Year 1	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$71.86	\$0.00	\$71.86
Year 1	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 1	73449	RESPOND DEVICE LICENSE	11	\$582.38	\$0.00	\$582.38
Year 1	AB3C	AB3 Camera Bundle	3	\$2,097.00	\$0.00	\$2,097.00
Year 1	AB3MBD	AB3 Multi Bay Dock Bundle	1	\$1,538.90	\$0.00	\$1,538.90
Year 1	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$11,344.94	\$0.00	\$11,344.94
Year 1	ProLicense	Pro License Bundle	4	\$1,708.60	\$0.00	\$1,708.60
Total				\$17,397.01	\$0.00	\$17,397.01

Jan 2024						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 2	100552	TRANSFER CREDIT - GOODS	1	\$118.85	\$0.00	\$118.85
Year 2	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$60.66)	\$0.00	(\$60.66)
Year 2	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$78.39	\$0.00	\$78.39
Year 2	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 2	73449	RESPOND DEVICE LICENSE	11	\$635.33	\$0.00	\$635.33
Year 2	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$12,376.32	\$0.00	\$12,376.32
Year 2	ProLicense	Pro License Bundle	4	\$1,863.93	\$0.00	\$1,863.93
Total				\$15,012.16	\$0.00	\$15,012.16

Jan 2025						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 3	100552	TRANSFER CREDIT - GOODS	1	\$118.85	\$0.00	\$118.85
Year 3	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$60.66)	\$0.00	(\$60.66)
Year 3	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$78.39	\$0.00	\$78.39
Year 3	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 3	73449	RESPOND DEVICE LICENSE	11	\$635.33	\$0.00	\$635.33
Year 3	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$12,376.32	\$0.00	\$12,376.32
Year 3	ProLicense	Pro License Bundle	4	\$1,863.93	\$0.00	\$1,863.93
Total				\$15,012.16	\$0.00	\$15,012.16

Jan 2026						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	100552	TRANSFER CREDIT - GOODS	1	\$118.85	\$0.00	\$118.85
Year 4	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$60.66)	\$0.00	(\$60.66)
Year 4	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$78.39	\$0.00	\$78.39
Year 4	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 4	73449	RESPOND DEVICE LICENSE	11	\$635.33	\$0.00	\$635.33
Year 4	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$12,376.32	\$0.00	\$12,376.32

Jan 2026						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 4	ProLicense	Pro License Bundle	4	\$1,863.93	\$0.00	\$1,863.93
Total				\$15,012.16	\$0.00	\$15,012.16

Jan 2027						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 5	100552	TRANSFER CREDIT - GOODS	1	\$118.85	\$0.00	\$118.85
Year 5	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$60.66)	\$0.00	(\$60.66)
Year 5	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$78.39	\$0.00	\$78.39
Year 5	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 5	73449	RESPOND DEVICE LICENSE	11	\$635.33	\$0.00	\$635.33
Year 5	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$12,376.32	\$0.00	\$12,376.32
Year 5	ProLicense	Pro License Bundle	4	\$1,863.93	\$0.00	\$1,863.93
Total				\$15,012.16	\$0.00	\$15,012.16

Jan 2028						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 6	100552	TRANSFER CREDIT - GOODS	1	\$118.85	\$0.00	\$118.85
Year 6	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$60.66)	\$0.00	(\$60.66)
Year 6	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$78.39	\$0.00	\$78.39
Year 6	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 6	73449	RESPOND DEVICE LICENSE	11	\$635.33	\$0.00	\$635.33
Year 6	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$12,376.32	\$0.00	\$12,376.32
Year 6	ProLicense	Pro License Bundle	4	\$1,863.93	\$0.00	\$1,863.93
Total				\$15,012.16	\$0.00	\$15,012.16

Jan 2029						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 7	100552	TRANSFER CREDIT - GOODS	1	\$118.85	\$0.00	\$118.85
Year 7	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$60.66)	\$0.00	(\$60.66)
Year 7	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$78.39	\$0.00	\$78.39
Year 7	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 7	73449	RESPOND DEVICE LICENSE	11	\$635.33	\$0.00	\$635.33
Year 7	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$12,376.32	\$0.00	\$12,376.32
Year 7	ProLicense	Pro License Bundle	4	\$1,863.93	\$0.00	\$1,863.93
Total				\$15,012.16	\$0.00	\$15,012.16

Jan 2030						
Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 8	100552	TRANSFER CREDIT - GOODS	1	\$118.85	\$0.00	\$118.85
Year 8	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$60.66)	\$0.00	(\$60.66)
Year 8	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$78.39	\$0.00	\$78.39
Year 8	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 8	73449	RESPOND DEVICE LICENSE	11	\$635.33	\$0.00	\$635.33
Year 8	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$12,376.32	\$0.00	\$12,376.32

Jan 2030

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 8	ProLicense	Pro License Bundle	4	\$1,863.93	\$0.00	\$1,863.93
Total				\$15,012.16	\$0.00	\$15,012.16

Jan 2031

Invoice Plan	Item	Description	Qty	Subtotal	Tax	Total
Year 9	100552	TRANSFER CREDIT - GOODS	1	\$118.83	\$0.00	\$118.83
Year 9	100553	TRANSFER CREDIT - SOFTWARE AND SERVICES	1	(\$60.67)	\$0.00	(\$60.67)
Year 9	73202	AXON BODY 3 - NA10 - US - BLK - RAPIDLOCK	1	\$78.41	\$0.00	\$78.41
Year 9	73352	BWC HARDWARE FINANCING TRUE UP PAYMENT	11	\$0.00	\$0.00	\$0.00
Year 9	73449	RESPOND DEVICE LICENSE	11	\$635.31	\$0.00	\$635.31
Year 9	BWCUwTAP10Yr	BWC Unlimited with TAP 10YR	12	\$12,376.28	\$0.00	\$12,376.28
Year 9	ProLicense	Pro License Bundle	4	\$1,863.97	\$0.00	\$1,863.97
Total				\$15,012.13	\$0.00	\$15,012.13

Tax is estimated based on rates applicable at date of quote and subject to change at time of invoicing. If a tax exemption certificate should be applied, please submit prior to invoicing.

Standard Terms and Conditions

Axon Enterprise Inc. Sales Terms and Conditions

Axon Master Services and Purchasing Agreement:

This Quote is limited to and conditional upon your acceptance of the provisions set forth herein and Axon's Master Services and Purchasing Agreement (posted at www.axon.com/legal/sales-terms-and-conditions), as well as the attached Statement of Work (SOW) for Axon Fleet and/or Axon Interview Room purchase, if applicable. In the event you and Axon have entered into a prior agreement to govern all future purchases, that agreement shall govern to the extent it includes the products and services being purchased and does not conflict with the Axon Customer Experience Improvement Program Appendix as described below.

ACEIP:

The Axon Customer Experience Improvement Program Appendix, which includes the sharing of de-identified segments of Agency Content with Axon to develop new products and improve your product experience (posted at www.axon.com/legal/sales-terms-and-conditions), is incorporated herein by reference. By signing below, you agree to the terms of the Axon Customer Experience Improvement Program.

Acceptance of Terms:

Any purchase order issued in response to this Quote is subject solely to the above referenced terms and conditions. By signing below, you represent that you are lawfully able to enter into contracts. If you are signing on behalf of an entity (including but not limited to the company, municipality, or government agency for whom you work), you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, please do not sign this Quote.

Exceptions to Standard Terms and Conditions

Agency has existing contract #00026862 (originated via Q-236608) and is terminating that contract upon the new license start date (2/15/2023) of this quote.

The parties agree that Axon is granting a refund of \$540.90 for undelivered services. Axon is charging a Debit of \$1,059.72 for unpaid delivered goods. This discount is based on a ship date range of 1/15/2023 - 1/31/2023, resulting in a 2/15/2023 license date. Any change in this date and resulting license start date will result in modification of this discount value which may result in additional fees due to or from Axon.

Signature

Date Signed

12/15/2022





**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Ryan Simpson, Assistant Director of Police

TITLE: Annual Contract for Racial Profiling Services with Del Carmen Consulting, LLC. The contract will be for one-year (\$26,750) with the option to renewal for four additional one-year periods, totaling \$133,750 if all extensions are exercised

REVIEWING COMMITTEE: (Reviewed by the Finance & Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Del Carmen Consulting, LLC
<i>Annual Cost/Total Cost:</i>	\$26,750 initial term / \$133,750 total cost
<i>Department:</i>	Police
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

This contract provides for racial profiling services with Del Carmen Consulting, LLC. The consulting services are based upon review of community, organizational input, current police techniques, and policies and practices to determine if the Grand Prairie Police Department is effective and equitable in the delivery of law enforcement services to all members of the community, to identify racial profiling practices, and to make specific recommendations for change to improve techniques, policies, and practices.

Del Carmen Consulting will perform four quarterly data audits throughout the year. The audits will consist of periodic reviews of contact data to ensure that validity and reliability issues are not affecting traffic contact data. The audits shall also ensure that the Grand Prairie Police Department is not collecting or reporting inaccurate data or under/over counted data. Further, the audits will aim at measuring the data-related components in place regarding the Texas Racial Profiling Law. Audit findings will be produced and addressed to the Chief of Police upon completion.

Request for Proposal #22132 was advertised, and no vendors responded. Specifications were updated, and Request for Proposal #23037 was issued, and one vendor responded. The response was evaluated by a committee including Police Department and Audit Services staff members. Purchasing staff facilitated the evaluation process to ensure scoring was completed in accordance with scoring

criteria outlined in the proposal. Although the only bid received, Del Carmen Consulting, LLC was selected as the best value.

The award was based on best value criteria set up in the specification, including cost, meeting City needs, experience, consultant references and business local preference with the city and other municipalities, if they are local, and other relevant criteria as listed in the specification.

The Police Department has used Del Carmen Consulting, LLC for this service for many years, as have numerous other agencies across the state. While not a sole source provider of these services, Del Carmen Consulting, LLC is the industry leader.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

Number of Responses: One RFP/RFB #: 23037

Selection Details: Low Bid Best Value

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	FY 2023 Police Department General Fund
-----------	-------------------------------------	------------	--



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Ryan Simpson, Assistant Director of Police

TITLE: Annual contract for Detention Center inmate food from Eagle Eight Eleven, Inc., dba Sunbeam (up to \$356,299.50 annually). This contract will be for one year with the option to renew for four additional one-year periods totaling \$1,781,497.50 if all extensions are exercised

REVIEWING COMMITTEE: (Reviewed by the Finance & Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Eagle Eight Eleven, Inc. dba Sunbeam
<i>Annual Cost/Total Cost:</i>	Up to \$356,299.50 annually for five years, totaling \$1,781,497.50
<i>Department:</i>	Police
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

The Police Department provides meals to inmates as part of the normal daily operations of the Detention Center. The current agreement with Eagle Eight Eleven, Inc., dba Sunbeam is expiring, and the Department has advertised bid 23026, to implement a new agreement. The Department will utilize this agreement on an as-needed basis.

Notice of bid 23026 was advertised in the Fort Worth Star Telegram and Public Purchase; it was distributed to 81 vendors, including one Grand Prairie vendor and 13 HUBs. Three bids were received as shown on attachment A.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

Number of Responses: Three RFP/RFB #: 23026

Selection Details: Low Bid Best Value

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	FY 2023 Police Department General Fund
-----------	-------------------------------------	------------	--

ATTACHMENTS / SUPPORTING DOCUMENTS:

1- Bid Summary



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Jayson R. Ramirez, General Services Director

TITLE: Annual Contract for fire truck, ambulance and other first responder vehicle parts, equipment, and services from Industrial Power Truck and Equipment through a Cooperative Agreement with TIPS. This contract will be for six months (up to \$50,000.00) ending June 30, 2023, with the option to renew for one additional one-year period (up to \$100,000.00), totaling \$150,000.00 if all extensions are exercised

REVIEWING COMMITTEE: (Reviewed by the Finance and Government on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Industrial Power Truck & Equipment
<i>Annual Cost/Total Cost:</i>	Up to \$50,000.00 for initial six-month term, up to \$100,000.00 annually thereafter; totaling up to \$150,000.00
<i>Department:</i>	General Services
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

This contract is for fleet services and repairs for city owned fire apparatus. These services shall include but not limited to preventative maintenance, warranty work, emergency vehicle medium/heavy vehicle maintenance, diagnostics, and emergency services on-site & off-site. Industrial Power and Equipment is an authorized Cummins engine and Allison transmission warranty facility and are based in Fort Worth, Texas.

Chapter 271.102 of the Local Government Code authorizes local governments to participate in cooperative purchasing programs with other local governments or local cooperative organizations. In lieu of competitive bidding, items and services may be purchased through such agreements as they have performed the bidding processes by the sponsoring entities or agencies. The City of Grand Prairie utilizes existing master, inter-local cooperative agreements with various entities including the TIPS cooperative agreement.

TIPS contract 200405 (Fire truck, ambulance and other first responder vehicle parts, equipment, and services) has a contract term expiration date of 06/30/2023, with an option to renew for one year if TIPS and awarded vendor agree.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	FY 2023 Fleet Services Fund
-----------	-------------------------------------	------------	-----------------------------

Industrial Power Truck and Equipment and TIPS were checked for lower prices/better values, and Industrial Power Truck and Equipment has the lowest price.



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Jayson R. Ramirez, General Services Director

TITLE: Annual Contract for heavy duty and medium duty truck and trailer parts and services from Industrial Power Truck and Equipment through a Cooperative Agreement with TIPS. This contract will be for ten months (up to \$75,000.00) ending October 31, 2023, with the option to renew for one additional one-year period (up to \$100,000.00 annually), totaling \$175,000.00 if all extensions are exercised

REVIEWING COMMITTEE: (Reviewed by the Finance and Government on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Industrial Power Truck & Equipment
<i>Annual Cost/Total Cost:</i>	Up to \$75,000.00 for initial ten-month term, up to \$100,000.00 annually thereafter; totaling up to \$175,000.00
<i>Department:</i>	General Services
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

This contract is for fleet services and repairs for city owned class 3-8 vehicles. These services shall include but not limited to preventative maintenance, warranty work, medium/heavy vehicle maintenance, diagnostics, and emergency services on-site & off-site. Industrial Power and Equipment is an authorized Cummins engine and Allison transmission warranty facility and are based in Fort Worth, Texas.

Chapter 271.102 of the Local Government Code authorizes local governments to participate in cooperative purchasing programs with other local governments or local cooperative organizations. In lieu of competitive bidding, items and services may be purchased through such agreements as they have performed the bidding processes by the sponsoring entities or agencies. The City of Grand Prairie utilizes existing master, inter-local cooperative agreements with various entities including the TIPS cooperative agreement.

TIPS contract 200803 (Heavy duty and medium duty truck and trailer parts and services) has a contract term expiration date of 10/31/2023, with an option to renew for one year if TIPS and awarded vendor agree.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	Fleet Services Fund
-----------	-------------------------------------	------------	---------------------

Industrial Power Truck and Equipment and TIPS were checked for lower prices/better values, and Industrial Power Truck and Equipment has the lowest price.



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE:	01/17/2023
PRESENTER:	Noreen Housewright, Director of Engineering Services
TITLE:	Professional Services contract with Walter P Moore to begin and complete Phase 4 of the Grand Prairie Flood Warning and Forecasting System in the amount of \$200,000.00
REVIEWING COMMITTEE:	Reviewed by the Finance and Government Committee on 01/03/2023

SUMMARY:

<i>Vendor Name:</i>	Walter P Moore
<i>Annual Cost/Total Cost:</i>	200,000.00
<i>Department:</i>	Stormwater
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

This contract is to begin and complete Phase 4 of a multi-phase study to enhance the Flood Warning and Forecasting system in Grand Prairie. There are eight (8) phases in total, the first phase of this project began in FY 2017 and the expected completion date of the final phase is FY 2027. The estimated budget for Phases 4-8 is \$200,000 per year. Each of these phases builds on the tasks developed from past phases and are scoped by watershed to develop a full inventory of flood inundation maps for each of the City's rain and stream gauge sites.

Phase 4 will focus on the Cottonwood Creek Watershed using data collection, hydraulic model updates/calibration, development of additional watch points, identifying areas of inundation, and optimization/maintenance to the City's rain and stream gauge system. The City's Stormwater, Public Works, and Office of Emergency Management Departments will use this system for timely dispatch of first responders to these areas to close roads, evacuate, shelter-in-place, and/or begin rescue operations. This will continue to give first responders the tools needed to make decisions in the timeliest manner possible in response to flood events.

Chapter 252, Section 22 of the local Government Code allows for the exemption of competitive bidding when the expenditure is for Professional Services such as Engineering Services. The firm of Walter P Moore was selected as they completed the previous phases as the most qualified firm due to their familiarity with this project.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	Stormwater CIP Fund
-----------	-------------------------------------	------------	---------------------

If Capital Improvement:					
Total Project Budget	\$200,000.00	Proposed New Funding:	N/A	Remaining Funding:	\$0.00

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Vendor Proposal and Scope of Work for Phase 4



December 15, 2022

Barry D. Fulfer, CFM
Public Works Contingency/CRS Coordinator
City of Grand Prairie Public Works
300 W Main St.
Grand Prairie, TX 75050

**Re: Proposal for Professional Water Resources Engineering Services
Grand Prairie Flood Warning System Phase 4
Walter P Moore Proposal No. 20-2098**

Dear Barry:

Walter P Moore is pleased to submit this proposal to continue professional services for development of the Grand Prairie Flood Warning System. Since 2016 Walter P Moore has had the pleasure of providing services to the City of Grand Prairie to build, maintain, test, and improve a Flood Warning System (FWS), along with several other local drainage projects. We are grateful for the opportunity to continue this relationship and to further develop FWS capabilities for the City. We look forward to the opportunity to work on this project with you.

This proposal is presented in order to establish a basis for the commencement of our scope of services for Phase 4 of the Grand Prairie Flood Warning System.

This proposal is based on our understanding of the current FWS needs following a workshop to gather input from City staff held in August 2022, from numerous meetings and coordination calls, and from our previous experience on Phase 3 of this project in 2021. Phase 4 will focus on updates to the FWS in the Cottonwood Creek watershed and includes maintenance and monitoring of the system. Phase 4 will also include the development and execution of a half-day emergency preparedness workshop. A full scope of work and proposed fee can be found in the attached Schedule SC9 document.

We very much appreciate the opportunity to provide these services and look forward to working with you on this next phase of Flood Warning System development.

Sincerely,

WALTER P. MOORE AND ASSOCIATES, INC.

Christina Hughes, P.E., CFM
Senior Associate

Attachments:
Schedule SC9 – Scope of Water Resources Engineering Services
Schedule SC17 - Scope Exclusions
Schedule RC1 - Billing Rates

04 Scope and Cost

SCHEDULE SC9

Scope of Water Resources Engineering Services

Flood Warning System

Objectives

1. To provide a flood warning/forecasting system that will permit the City's Stormwater, Public Works and Office of Emergency Management departments to identify areas of inundation and allow the timely dispatch of first responders to these areas to close roads, evacuate, shelter-in-place and/or begin rescue operations.
2. To calibrate and validate the City of Grand Prairie hydrologic and hydraulic models based on recent historical flood data to improve the future performance of the flood warning/forecasting system.

For Phase 4, we recommend system updates and additions to the Cottonwood Creek Watershed. The following tasks will be completed:

Phase 4 – Cottonwood Creek

I. Data Collection

- A. Walter P Moore/FRG will determine what information is readily available from existing gauging systems, radar data, topographic information, previous studies (LOMRs and City of Grand Prairie studies), GIS data, field survey data, etc. This information will then be used to update the existing Cottonwood Creek models and to calibrate the existing models with historical rainfall information.
- B. Walter P Moore/FRG will conduct field reconnaissance of two additional watch point sites (North Cottonwood at Great Southwest Parkway and South Cottonwood at Great Southwest Parkway) on Cottonwood Creek to understand the nature of the flooding, to categorize the type of flooding (e.g., low water crossing, riverine floodplain, combination, etc.), and to gather hydraulic parameter information (such as Manning's "n" values) of the stream in the vicinity of each location.

II. Cottonwood Creek Model Updates and Calibration

- A. Walter P Moore/FRG will update the existing hydraulic model for Cottonwood Creek (2012) to include changes to the channel hydraulics reflected in the two LOMRs issued in 2019 on this channel.
- B. Walter P Moore/FRG will coordinate with City staff and conduct a desktop review of hydraulic structures and/or channel changes that have occurred along the stream since 2012. If needed, site visits will be conducted to verify updated information. Walter P Moore/FRG will update the hydraulic model to reflect any changes. It is assumed this physical and dimensional information is available from the City or can be provided by survey. However, field survey is not included in this scope of work. If survey is needed, Walter P Moore/FRG will develop a survey plan for the City to ensure that necessary data related to channel geometry changes are captured. Walter P Moore will coordinate with the City's field surveyor or will contract for field survey as Additional Services if requested.
- C. Walter P Moore/FRG will coordinate with City staff and conduct a desktop review of changes in watershed development that have occurred in Cottonwood Creek since 2012 and, if needed, conduct site visits to verify information. Walter P Moore/FRG will update Cottonwood Creek hydrologic models, including the tributary models of Henry Branch and Warrior Creek, to account for development changes.
- D. Walter P Moore/FRG will calibrate and validate the hydrologic model results and/or rating curves at five (5) gauge locations on Cottonwood Creek (gauges 6363, 6103, 6303, 6080, and 6090) using radar rainfall data from three recent storm events. Storm events will be selected based on observed data availability/quality and significance of hydrologic response. Three observed storms will be analyzed to verify the reasonableness of results and how well the updated hydrologic and hydraulic models are able to project flood elevations at the five identified points of interest. Additional adjustments will be made as necessary to the hydrologic models (modification of infiltration parameters) and/or rating curves to create better correlation and replication of these three known flood events.

- E. Walter P Moore/FRG will update rating curves for the three existing watch points on Cottonwood Creek (gauges 6363, 6103, and 6303) based on results of the calibration exercise.
- F. Walter P Moore/FRG will update the hydrologic response relationships (nomographs) for the three existing watch points on Cottonwood Creek (gauges 6363, 6103, and 6303) based on results of the calibration exercise.

III. Development of Two (2) Additional Watch Points at North and South Cottonwood at Great Southwest Pkwy

- A. For two additional critical locations (watch points) on Cottonwood Creek (gauges 6080 and 6090; North and South Cottonwood Creek at Great Southwest Parkway), Walter P Moore/FRG will establish correlations between rainfall total values and/or intensities and inundation levels at the watch points so that the City staff can easily understand the flood risks based on real-time rainfall information. Based on information provided by the City, Walter P Moore/FRG will determine critical thresholds of rainfall totals/durations that are likely to cause flooding at the watch points. This will be done by analyzing historical storm events from existing gauge data along with numerous frequency-based storms using the calibrated hydrologic and hydraulic models of the streams at the identified locations. Once analyzed, a correlation between the total rainfall and/or intensity of rainfall and the stream levels will be determined.
- B. Walter P Moore/FRG will develop rating curves for the two additional critical points of interest based on the calibrated HEC-RAS models from Task II. Rating curves will be set up by running 25 profiles for the pertinent streams at the selected locations based on ratios of the 100-year discharge from 5% to 125% (in 5% increments). From these profiles, elevation vs. discharge rating curves will be created at the watch point locations.
- C. Walter P Moore/FRG will establish thresholds for each rating curve to identify elevations associated with road closures, structural flood damage, and/or other critical flood levels as described by City staff. It is assumed that much of this information is available from the City or can be provided by survey. However, field survey is not included in this scope of work. If survey is needed, Walter P Moore/FRG will develop a survey plan for the City to ensure that necessary data related to channel geometry changes are captured. Walter P Moore will coordinate with the City's field surveyor or will contract for field survey as Additional Services if requested.
- D. Walter P Moore/FRG will develop a GIS information library associated with a series of pre-determined rainfall thresholds at each of the two identified watch points on Cottonwood Creek. An algorithm will also be developed to call up appropriate GIS files to indicate impending flood risk for the desired locations. As thresholds of rainfall are exceeded for contributing drainage areas to the points of interest, appropriate maps of the watersheds/critical locations will be called up from the GIS data library and published to the City internal web site. Inundation maps will be in whole-foot increments.
- E. The existing software program from Phases 1-3 of this project will be updated to include the two additional watch points. The program will extract data from publicly available sources (radar and/or precipitation gauge data), analyze the rainfall, and apply the algorithm to call up the appropriate map. Results will be published to the City's internal web location for each point of interest and will include mapped locations of concern (i.e. non-flood, near-flood, flooding exceeding threshold) and mapping of inundated areas using the library of pre-prepared inundation maps.
- F. Walter P Moore/FRG will update the documentation completed in Phases 1 and 2 (assumptions, development of system, and procedures) to include the two additional watch points on Cottonwood Creek and to document the calibration effort on Cottonwood Creek.

IV. Optimization/Maintenance-of-Systems

- A. Walter P Moore/FRG will conduct continuous monitoring of the Flood Warning System and coordination with City during significant rainfall events.
- B. Walter P Moore/FRG will create and issue After-Action Reports following any flood events in the City (identified through coordination with City staff) within the contract period. After-Action Reports will include a summary of the system performance during the event(s) including, but not limited to, a timeline of flood warning system messages, a comparison of

stream gauge observations and system predictions, high water mark information (where available), and notes on system or gauge performance issues.

- C. Walter P Moore/FRG will identify any issues or errors with the system or gauges and determine a resolution or recommendations to the City for resolution (in the case of gauge/data errors).
- D. Walter P Moore/FRG will evaluate the system performance on a recurring basis and make any necessary recommendations for improvements based on system performance or new information.

V. Flood Event Table-Top Exercise

- A. Walter P Moore/FRG will develop a Citywide flood event scenario to simulate via a table-top emergency preparedness exercise. This will include an agenda/outline, specific scenarios to consider, questions and discussion topics, and documentation.
- B. Walter P Moore/FRG will organize and run a half-day table-top exercise workshop with City staff and provide follow-up documentation and recommendations.

VI. Project Management and Coordination

- A. Walter P Moore/FRG will meet with City staff to kickoff Phase 4 to determine critical thresholds for the additional watch points, to provide updates, to discuss system optimization and maintenance, and to update emergency operations staff on new locations added to the system. This task assumes up to two in-person and four virtual meetings may be required by the City.
- B. Walter P Moore will provide overall project coordination for the various project subtasks.

Scope of Future Phases 2023-2027

We recommend future phases of the City of Grand Prairie Flood Warning System development be scoped by watershed, similar to Phase 4. Phases 5 – 7 are outlined broadly below based on a rough budget estimate of \$200,000 per phase. We understand that the City of Grand Prairie would like the following goals achieved by the end of Phase 7:

1. Inundation map libraries are available for all COGP stream gauge locations
2. There are sufficient resources and foundational knowledge to plan and execute a Functional Flood Preparedness Exercise/Simulation with City staff and emergency responders

A finalized scope, schedule, and fee for each phase will be developed prior to contracting for each phase.

Phase 5 (2024) – Fish Creek

- I. Data Collection – \$15,000
- II. Fish Creek Model Updates and Calibration – \$40,000
- III. Development of Three (3) Additional Watch Points at Kirby Creek @ Corn Valley Rd, Fish Creek @ Great Southwest Parkway, and North Fork Fish Creek @ Great Southwest Parkway – \$80,000
- IV. Optimization/Maintenance-of-Systems – \$35,000
- V. Project Management and Coordination – \$30,000

Phase 6 (2025) – Bear Creek

- I. Data Collection – \$15,000
- II. Bear Creek Model Calibration – \$40,000
- III. Development of Three (3) Additional Watch Points at Bear Creek @ Shady Grove Rd, Bear Creek @ Trinity Rd, and Dry Branch Creek @ Thousand Oaks Rd – \$80,000
- IV. Optimization/Maintenance-of-Systems – \$35,000
- V. Project Management and Coordination – \$30,000

Phase 7 (2026) – Johnson Creek

- I. Data Collection – \$10,000
- II. Johnson Creek Model Updates and Calibration – \$30,000
- III. Development of Two (2) Additional Watch Points at Arbor Creek @ W Tarrant Rd and Johnson Creek Tributary @ Duncan Perry Rd* – \$60,000
- IV. Preparation of Functional Preparedness Exercise Material – \$35,000
- V. Optimization/Maintenance-of-Systems – \$35,000
- VI. Project Management and Coordination – \$30,000

Phase 8 – Mountain Creek (2027)

- I. Data Collection – \$10,000
- II. Mountain Creek and Joe Pool Model Updates and Calibration – \$30,000
- III. Development of Two (2) Additional Watch Points at Cedar Creek @ Bardin Rd and Alspaugh Creek @ Camp Wisdom Rd – \$60,000
- IV. Functional Preparedness Exercise/Simulation – \$35,000
- V. Optimization/Maintenance-of-Systems – \$35,000
- VI. Project Management and Coordination – \$30,000

**pending gauge installation*

Task		Chief Hydrologist	Senior Project Manager	Senior GIS Specialist	Graduate Engineer	Student	Budget
Task 1: Data Collection							
1	Obtain data	1	4	8	16	16	
2	Site visit	0	16	1	0	16	
Subtotal		1	20	9	16	32	\$12,300.00
Task 2: Cottonwood Creek Model Updates and Calibration							
1	LOMR Updates	1	4	2	12	0	
2	Hydraulics Updates	1	1	0	8	4	
3	Hydrology Updates	1	1	4	8	4	
4	Calibration (3 storms; 5 gauges)	2	16	0	80	0	
5	Update Rating Curves	0	0	0	2	0	
6	Update Nomographs	2	8	0	40	16	
Subtotal		7	30	6	150	24	\$40,500.00
Task 3: Development of 2 Additional Watch Points at N & S Cottonwood @ GSW							
1	Establish Correlations between Rainfall/Elevations	2	20	0	40	40	
2	Rating Curve Development	2	4	4	8	0	
3	Establish Thresholds	2	6	4	7	0	
4	GIS Inundation Map Library	2	4	30	0	0	
5	Publish Results to City Internal Web Location	0	12	0	0	160	
6	Documentation	4	6	8	20	4	
Subtotal		12	52	46	75	204	\$54,800.00
Task 4: Optimization/Maintenance-of-Systems							
1	Storm Event Monitoring	2	32	0	0	40	
2	After-Action Reports	4	42	0	0	60	
3	Errors/Issues Identification	4	16	2	4	20	
4	System Performance Evaluation	4	16	2	4	19	
Subtotal		14	106	4	8	139	\$42,200.00
Task 5: Flood Event Table-Top Exercises							
1	Develop Scenarios and Documentation	8	22	4	16	2	
2	Run Exercise	10	28	0	4	4	
Subtotal		18	50	4	20	6	\$22,200.00
Task 6: Project Management and Coordination							
1	Coordination with City	16	36	2	8	8	
2	Coordination with Team	8	24	8	12	12	
Subtotal		24	60	10	20	20	\$28,000.00
Total Hours		76	318	79	289	425	
TOTAL BUDGET							\$200,000.00

SCHEDULE SC17**Exclusions to Scope of Basic Services for Water Resources Engineering Services**

These services are excluded because either the scope is still undefined, the work is not anticipated to be required, or the work is to be provided by others or another group within Walter P Moore from whom you have received a separate proposal. If it becomes necessary for Walter P Moore to provide any of these or other services beyond the scope of our Basic Services and said services are authorized by the Client, they will be performed for an additional fee on a time and expense basis in accordance with the attached Schedule T3 or upon a fee basis established at such time as the scope of work is defined.

Specifically excluded services include:

- A. Surveying
- B. Rain/stream gauge procurement, installation, or maintenance
- C. Gauge-Adjusted Radar Rainfall (GARR) product development
- D. Floodplain mitigation coordination and design
- E. Wetlands and environmental studies
- F. Detention design
- G. USACE 404 permitting
- H. Permit Expediting
- I. Requests for Letters of Map Change from FEMA (CLOMR/LOMR)

SCHEDULE RC1**Billing Rate Schedule****Infrastructure Group 2023 Standard**

Category	Rate
Senior Principal/Managing Principal	\$345.00
Principal	\$315.00
Chief Hydrologist	\$270.00
Managing Director	\$275.00
Team Director	\$260.00
Senior Project Manager	\$260.00
Project Manager	\$190.00
Senior Engineer	\$200.00
Engineer	\$165.00
Graduate Engineer	\$140.00
Senior Transportation Planner	\$200.00
Transportation Planner	\$160.00
Graduate Transportation Planner	\$135.00
Senior Graphic Designer	\$140.00
Senior GIS Specialist	\$195.00
GIS Specialist	\$165.00
Senior Designer	\$195.00
Designer	\$140.00
BIM Manager	\$215.00
CAD Manager	\$195.00
Senior CAD Technician	\$150.00
CAD Technician	\$115.00
Senior Field Representative	\$160.00
Field Representative	\$140.00
Engineering Intern	\$95.00
Project Accountant	\$145.00
Senior Administrative Assistant	\$145.00
Administrative Assistant	\$115.00

Notes:

1. These billing rates are effective through December 31, 2023.
2. Rates are adjusted annually.



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Andy Henning – Director of Design + Construction

TITLE: Purchase and installation of electric vehicle charging station equipment for EpicCentral from Siemens Industry, Inc. in the amount of \$96,378.85 through a national cooperative agreement with Sourcewell

REVIEWING COMMITTEE: Reviewed by the Finance & Government Committee on 01/03/2023

SUMMARY:

<i>Vendor Name:</i>	Siemens Industry, Inc.
<i>Annual Cost/Total Cost:</i>	\$96,378.85
<i>Department:</i>	Design + Construction – Municipal Facilities
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

This request is for the purchase and installation of electric vehicle charging station equipment from Siemens Industry, Inc. in the amount of \$96,378.85. The stations will be installed within the lower level of the central parking garage of EpicCentral.

The purchase amount of \$96,378.85 will come from the previously approved city-controlled construction contingency, which maintains the project within budget while continuing to take on the added scope of work and overall project improvements.

Chapter 271.102 of the Local Government Code authorizes local governments to participate in a cooperative purchasing program with another local government or local cooperative organization. In lieu of competitive bidding, items and services may be purchased through such agreements as the agreements have already been bid by the sponsoring entity or agency. The City of Grand Prairie has master inter-local cooperative agreements with various entities including Sourcewell. Siemens Industry, Inc. offers electrical vehicle charging equipment the City desires through their Sourcewell cooperative contract #042221-SIE.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	EpicCentral Capital Projects Fund
-----------	-------------------------------------	------------	-----------------------------------

If Capital Improvement:					
Total Project Budget	\$52,865,000 (including overall project contingency)	Proposed Transfer Funding:	\$96,378.85 from existing contingency	Remaining Funding:	\$819,021.87 in contingency funding

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1. Siemens Industry, Inc. Sourcewell Proposal Dated December 01, 2022

SIEMENS

PROPOSAL
Grand Prairie

PREPARED BY
Siemens Industry, Inc.

PREPARED FOR
City of Grand Prairie EV Charging

DELIVERED ON
December 01, 2022

Sourcewell Contract # 042221-SIE
Sourcewell Member # 25751

Transforming the Everyday





Table of Contents

SIEMENS PROPOSAL	3
Contact Information.....	3
Introduction	4
Scope of Work	5
SiCharge Start-Up & Commissioning	6
Tech Narrative - Versicharge.pdf	11
Tech Narrative - Software.pdf	14
Inclusions	16
Exclusions	18
Sell Price	19
Payment Terms.....	20
Terms and Conditions	21
Terms & Conditions Link(s)	21
Signature Page	22
Signature Page.....	22

Contact Information

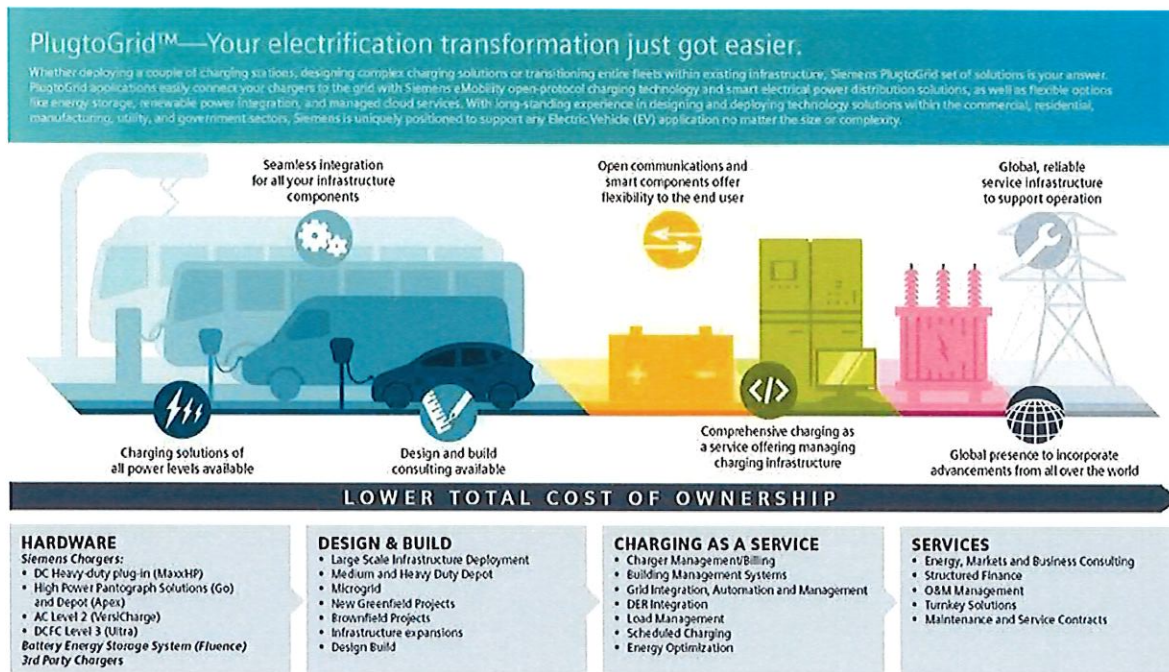
Proposal #:	72660695
Date:	December 1, 2022

Sales Executive:	Marshall Brown
Branch Address:	8600 N. Royal Lane, Suite 100 Irving, TX 75063
Telephone:	734-259-9330
Email Address:	marshall.brown@siemens.com

Customer Contact:	Andy Henning
Customer:	Grand Prairie City Hall
Address:	300 West Main Street Grand Prairie, TX75020
Services shall be provided at:	

Introduction

Siemens is a \$100 billion company that's been in business for over 170 years. We manufacture millions of electrical products annually for the residential, commercial, industrial, and utility markets. Our first experience with electric mobility was with electric rail systems 140 years ago. In modern times, we have been manufacturing products for battery electric vehicle charging for over 12 years. Our EVSE portfolio and businesses include a full range of products, from residential and commercial level 2 chargers to high power DC chargers, including all the supporting and complementary products and services. Our experience with in-front-of and behind-the-meter equipment, such as smart metering, transformers, switchboards, and low/medium voltage switchgear is market leading, and we offer complete software solutions to manage the EVSE infrastructure and resulting demand curve. Our global footprint and organizational size provide economies of scale and EVSE application experience few others can offer.



Siemens has trademarked the term PlugtoGrid, as very few of the EVSE equipment providers look beyond just the charger itself. As companies and customers scale their EVSE deployments and encounter infrastructure bottlenecks, they will need a company like Siemens that can provide a comprehensive portfolio of electrical products including "make-ready" distribution panels, switchgear, transformers, microgrids, local power generation, energy storage, and cloud software for EVSE management and control. Truly a partner in your eMobility journey, we also offer a wide array of services, including commissioning, operations and maintenance contracts, and various levels of front-end consulting, including conceptual design, sustainability strategy and how to access EVSE incentives and grants.

Scope of Work

Siemens Industry, Inc. is proud to present our Level 2 EV Charging solution for City of Grand Prairie. We are uniquely qualified, and offer the best value for a reliable solution, as well as, long term site support and service. Our Regional eMobility and Dallas Service teams are prepared to fully commit the required resources to meet all project objectives. Siemens recognizes the importance of selecting the right partners for this EV Charging Project and encourages a detailed evaluation of potential business partners. We are confident that City of Grand Prairie will come to the conclusion that Siemens is the right partner for this project.

This turn-key project scope is based on extensive communication with Andy Henning and multiple facilities walks with our eMobility, Service, and Installation teams. The existing conditions at the City of Grand Prairie have been evaluated and this project is fully custom.

- (4) New level 2 Chargers to be installed on Level 1 of the garage.
- The estimated project timeline is 11/30/2022 - 03/31/2023, based on approval in December 2022.
- Material ordering and procurement is estimated to take six (6) weeks.
- Installation, trenching, and site work is estimated to take four (4) weeks.
- Start-up and commissioning of the EV Chargers is estimated to take four (4) days.
- Based on the site walk with our electrical team, the City of Grand Prairie will have to run new conduit.

Start-Up & Commissioning

This offer includes start-up and commissioning services to be provided by Siemens for the equipment referenced in this proposal per the schedule provided. Startup-Commissioning are defined per the stipulations set forth in this proposal, any specifications or service expectations other than what is defined in this proposal are not included and may be subject to additional charges. Siemens to provide testing equipment to perform scope of work.

Charger Start-Up & Commissioning:

- Mechanical Installation Check
 - Record if location of installation is appropriate and safe for charger.
 - Record and check if all mounting points of the charging station are correctly tightened.
- Connection from the Equipment Supply (Grid) to Charger:
 - Check feeder upstream breaker information
 - Record feeder cable sizes and check if cables are properly torqued and grounded.
- Measure and Record Supply Voltage Measurements (Taken with Main Breaker Off).
- Start-Up – Includes Timestamp Check and Setup Remote Connection.
- Commissioning Testing:
 - Check and record charging function on testing equipment for charge errors.
 - Perform full charging procedure
 - Record and provide reports.
 - Siemens will not perform any tests on EV batteries. Siemens scope of work is restricted to charger only.
- Network Connectivity
 - Register the chargers in Siemens Versicloud application. Set up Versicloud account for new owner use. Make an Alias (nickname) for each charger during set up.
 - Connect chargers to network either through hardwire ethernet, cellular connection, or Wi-Fi depending on configuration of charger solution
 - Follow commissioning guide to activate Siemens cloud services on each charger.
 - Verify all chargers are shown on owners account browser and have network connectivity.

TECHNICAL SOLUTION

Versicharge Gen 3: Level 2 Charger



The Siemens VersiCharge™ SmartGrid (SG) products lead the industry in safety, reliability, accuracy, and cost efficiency. Future proofing is ensured through full over the air upgradeability without affecting the UL controlled basic safety functions. The meter inside is certified to the ANSI 12.20 standard and ships with a standard accuracy calibrated to +/- 0.5% (+/- 0.2% can be configured in Siemens' US based manufacturing location upon request). The device is UL listed and adheres to a NEMA 4 standard, making it the safest smart charging product in the industry for indoor/outdoor use.

Generation 3 Versicharge key features include:

- Significant form factor design updates
- 40/48A rated 208/240Vac - charging rate 9.6/11.5 kW
- New motherboard with customization to enable utilization across varying program requirements
- Wi-Fi and Ethernet plug enabled communications
- Modbus, NFC, RFID for commercial/MUD variants
- Parent/Child configuration for commercial/MUD variants (OCPP via Wi-Fi, Ethernet, and Cell – Modbus via Wi-Fi serial and Ethernet)
- OCPP 1.6 ready
- ISO 15118 hardware enabled

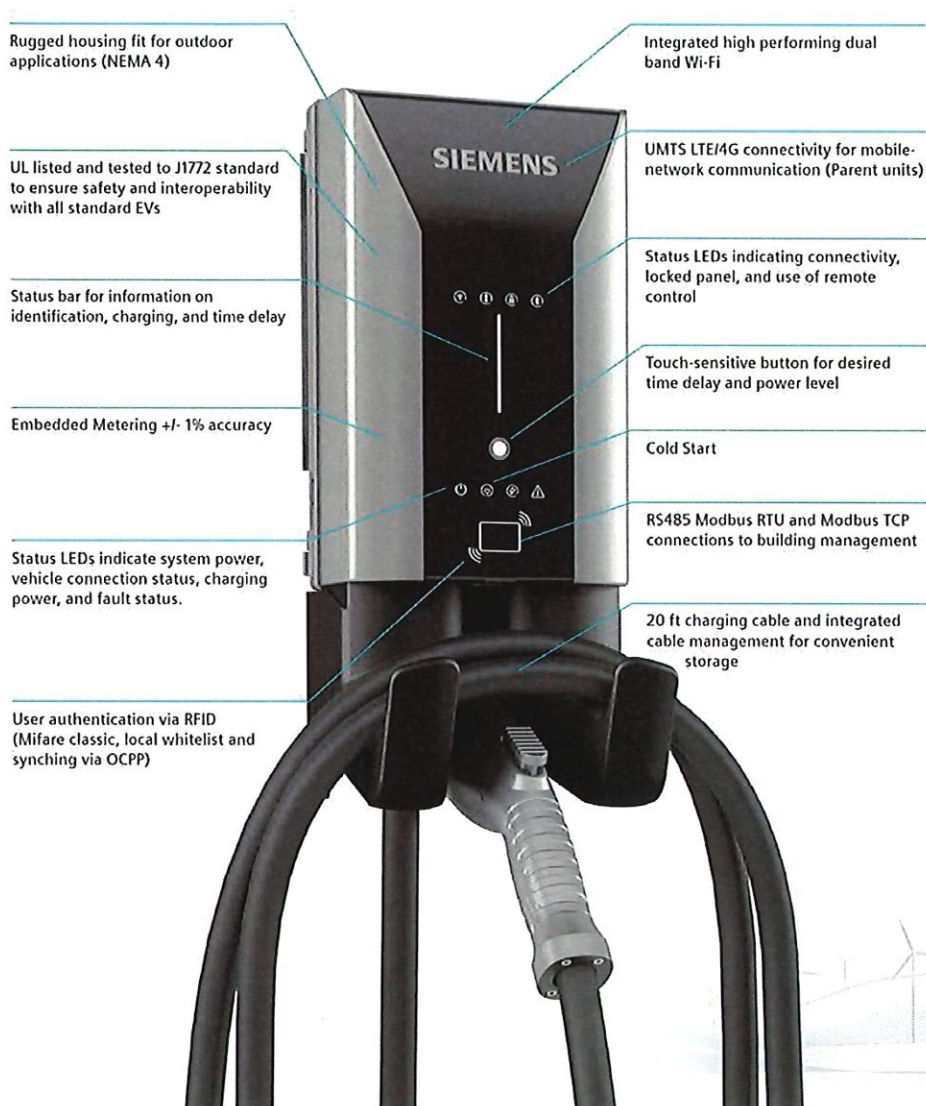
Siemens Versicharge allow for the optional tie-in to a Siemens or third-party software for data reporting purposes and a data plan for each parent unit should local internet connectivity not be available. In addition to the industry-standard Wi-Fi and cellular approach, the charger allows physical cat5/6 cables to be used to ensure communication. Siemens chargers also allow serial communications through MODBUS to building management systems to provide a fully integrated solution.

Parent/child combinations can support a 1:1 ratio and is useful when requiring in/outbound communication from site. Parent units contain the network connectivity features, and assist child units to connect to the network. This configuration lowers up front costs and removes the need to connect every charger to the network. If outbound/inbound communication is not necessary, no parent unit is needed.

Vertical Post with cable retraction (Optional adder)

The vertical post offers several benefits to the customer. See below for some of the key points

1. **Mount VersiCharge** – Enjoy the freedom of installing any Versicharge EV charger wherever needed with a free-standing post.
2. **Secure your charger:** The convenient tamper-resistant screws in the Versicharge mounting bracket design provides a secure installation.
3. **Installation Kit included:** Comes with a full installation kit that includes mounting hardware, flex conduit, termination glands and more.
4. **PV fade resistant and rust resistant finish:** The VersiCharge Post is ready to withstand tough weather conditions like PV fading and saltwater spray.
5. **Cable retraction** – Located on the side of the post with mounting locations provided to ensure even placement.



VersiCharge™ AC series – Technical data

Features and functions

Charging mode	Level 2
Vehicle connection	J1772 plug with 20 ft cable, 40/48 A / integrated cable management
AC power output	Single phase up to 9.6 kW (40A) - requires a 50A breaker, or 11.5kw (48A) - requires a 60A breaker
Mounting options	Wall and post mounting, see accessories
Touch Button	Time delay, return to max power level, reset ground fault
Charging status LEDs	Power, time delay, charging state, reduced power level, authentication, cold start
Communication status LEDs	Connected / not connected during operation, signal strength during commissioning
Parent/child Network:	Connects up to 9 child units by Wi-Fi (100 ft line of sight)
Load management	via OCPP or via Modbus

Communication

Interfaces	Ethernet, Wi-Fi, Modbus RS-485, Modbus TCP/IP, for parent units additionally LTE, WCDMA
User authentication	RFID (local Whitelist, MiFare)
Configuration	via Siemens mobile app or the PC Configuration tool
Back-end protocol	OCPP 1.6, upgrade-able to OCPP 2.0.1
Software upgrade	over the air (OTA)

Electrical design

Power supply voltage	Single phase: 208 V / 240 V AC, 60 Hz
Rated current settings (A)	12, 16, 24, 32, 40, 48
Cross wire section	Single phase: 8 AWG / 6 AWG (90° C rated wire)
Network type	Single phase / split phase
Energy metering	Embedded metering, +/- 1% accuracy
Ground fault protection	20 mA
Over voltage protection	Under voltage: 167 V (min. 80 V) / over voltage: 267 V (max. 275 V)
Over current protection	Current +10% above configured threshold, min. +2A, 5 seconds
Operating altitude	9,840 ft

General design

Environmental rating	Indoor and Outdoor, NEMA 4, IK 8
Dimensions (HxWxD)	16.10 in x 7.09 in x 3.78 in
Weight	17 lbs
Ambient conditions	Operating temperature: -31°F - +122°F, Storage Temp.: -40°F to +140°F, 98% non condensing
Colors	Silver Metallic (Pantone 10077), Black holster

Certificates and standards

cUL listed	according to UL 1998, UL 991, UL2594/CSA C22.2 No.280/NMX-J-677-ANCE, UL 2231-1/CSA C22.2 No.281.1/ NMX-J-668-1, UL 2231-2/CSA C22.2 No.281.2/NMX-J-668/2-ANCE, UL 2251/CSA C22.2 No.282/NMX-J-678-ANCE
EMC	FCC Part 15.247, FCC Part 15B, FCC Part 15C

		Max. current	Model number	Wi-Fi and Ethernet	Modbus RTU / TCP	RFID identification	Embedded metering	LTE WCDMA	Installed SimCard
Residential version	Smart	40 A	8EM1312-4CF18-0FA3	✓	-	-	✓	-	-
		48 A	8EM1312-5CF18-0FA3						
Commercial versions	Child	40 A	8EM1310-4CF14-0GA0	✓	✓	✓	✓	-	-
		48 A	8EM1310-5CF14-0GA0						
	Parent	40 A	8EM1310-4CF14-1GA1	✓	✓	✓	✓	✓	-
		40 A	8EM1310-4CF14-1GA2						
		48 A	8EM1310-5CF14-1GA1						
		48 A	8EM1310-5CF14-1GA2						

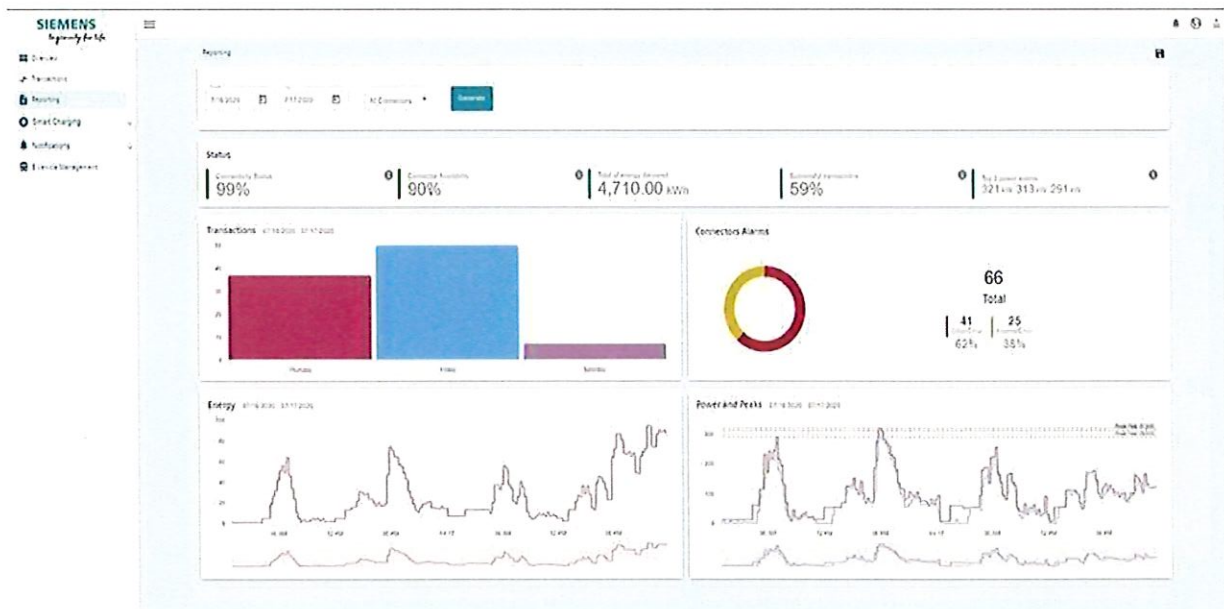
EV Charging Open Ecosystem Solutions

Siemens offers cloud service packages designed to simplify management and control of EV chargers. The flexibility of our services allows for varying levels of control in parking garages, hotels, hospitals, universities, industrial buildings, malls, retail / convenience stores, multi-family dwellings, and more. Integration into common building management systems and partner EV-solution provider networks expand the offerings to create a seamless, easy-to-use system with a simple user interface.

The Charge package enables users and owners to get a holistic view of the chargers they control along with an aggregated view of data gathered by those chargers. They also gain access to Location Manager, to show where and how chargers are being used, a Driver App, RFID setup, and advanced remote diagnostics. It also offers comprehensive financial and consumption reporting, billing, and payment management for owners. This package is perfect for collecting revenue from charging stations within public areas, or at a workplace environment where fleet and employee charging times and rates are different. The Charge package also enables charging stations to be seen and accessed within other charging networks. This allows public charging stations to be seen from other networks to increase visibility and usage.

The Control package supplies all the same functions as the Charge package and adds on cloud smart charging capabilities. The smart charging feature provides dynamic load management and maximum load control for situations where limited power is available for chargers or maximum demand constraints where tariffs are in place. This package allows piece of mind that power sharing chargers are not exceeding equipment load, or that the facility's peak demand levels are not exceeded.

Access statistical charts and analytics to help summarize important trends for management reporting. The rates an EV driver pays is set by the station owner and can be based on an energy usage (kW) supplied to the vehicle or a fixed time interval. The rates charged can vary by the hour or can be changed for special proportional events at any time. The station owner can edit charging rates, connection fee, or other fees through the owner's dashboard. In addition, with a connection to the Siemens cloud, Siemens will ensure the chargers firmware is kept up to date ensuring support for all the new EV's coming into the market.



Mobile application partnering with EV Gateway

Drivers can create accounts, login to review their charging session details, payments, edit their profiles, and more. In addition, EV drivers can activate EV charging stations via activated FOB ID guest code, EV Gateway Mobile application, QR Code or customer support (available 24x7). Charging sessions can be initiated directly from the mobile application or by a Customer Support Specialist. Mobile apps are available for iOS and Android devices.



Key Features

- Locate public EV chargers via the charging network map.
- View EV charger information & status, including address, real-time status, number of EV chargers and type, applicable hours, and directions to location and station.
- Notify when charging stations become available.
- View and receive charging status updates via driver account in mobile application.
- Report a station issue directly to the support team from the app with the ability to provide a description and image. Support available 24/7.
- Use credit card to pay for charging on a per-charge basis or setup a user account for even fast pay-to-charge ability.
- Mobile app and owner dashboard are available in Spanish.
- Additional charger owner feature: setup popup ads
- , coupons or special informative text messages once an EV owner logs into the charger to expand your company marketing presence.

Inclusions

Customer Responsibilities

1. Designate an on-site representative to serve as the contact for technical inquiries and coordination of activities. This representative will also assist Siemens in developing an organized sequence of work and advise site-specific safety requirements and lockout procedures.
2. Provide a project schedule a minimum of 4 weeks before the project start.
3. Provide all required site-specific access authorizations and safety training on a timely basis. Cost and schedule impacts will apply if customer-provided access authorization or training is delayed.
4. Provide sufficient advance notice of any necessary changes in outage schedule or equipment availability to facilitate effective work planning by Siemens.
5. Establish necessary safe work clearances around adjacent energized equipment, as required by Siemens.
6. Perform lock-out and tag-out of equipment per industry standards and allow Siemens personnel and subcontractors to apply their locks, as deemed necessary for safety.
7. Apply system grounds per applicable safety code requirements & remove when work is complete.
8. Perform switching (opening and closing of breakers, switches, etc.) to de-energize equipment and electrically isolate as required for servicing and permit a continuous progression of work.
9. Provide control power source as may be required for equipment functional testing.
10. Coordinate all other contractor operations at the site to avoid interference with Siemens' work. Changes to the schedule or delays caused by others will result in schedule impacts and will cause additional charges.
11. Provide water and restroom facilities for Siemens and subcontractor personnel.
12. Provide a vehicle for preventative maintenance service for commissioning testing needs. If a vehicle is not provided delays and possible additional service charges may apply.

Siemens Responsibilities

1. Secure charger mounting bracket to wall or pedestal.
2. Install cable retraction unit using tamper resistant screws.
3. Install Siemens chargers in accordance to instruction manuals by a qualified electrician.
4. Perform trenching for conduit runways for power lines and communication cables to charger.
5. Laying of concrete pads for location of chargers.
6. Installation of electrical upgrade equipment (circuit breakers, switchboard panels, transformers, etc.)
7. Site studies to confirm electrical equipment specifications are accurate for charger load.
8. Order management and procurement of EV charging equipment.
9. Equipment required to perform scope of work.
10. Commissioning field engineering services. Connecting chargers to Siemens cloud services
11. Field Service Report with details of the commissioning scope of work.

Exclusions

The following items are excluded but can be added to Siemens' scope upon request.

1. Energization support
2. Analytical studies, i.e., short circuits, coordination, harmonics, arc flash, etc.
3. Seismic analysis of new or retrofitted equipment
4. Equipment labeling to meet local jurisdiction or regulatory agency requirements
5. Power quality measurements, including drive input harmonics, power factor, transients, etc.
6. Any circuits remote to the subject equipment, such as Automated control, power monitoring, SCADA or DCS system configuration and/or testing
7. Power cable testing
8. Control wire point-to-point checks
9. Infrared scanning
10. Assisting third-party testing firms
11. Formal Training unless specifically included within this document
12. Trips and/or labor to assist with receipt/unloading and inspection of equipment upon arrival, unless detailed otherwise herein
13. **THE PRICES STATED HEREIN ARE BASED ON THE TERMS OF ONLY THE SOURCEWELL CONTRACT AND ATTACHED SIEMENS STANDARD TERMS AND CONDITIONS EXCEPT FEDERAL TERMS REQUIRED WHEN FEDERAL FUNDING IS USED. BY PARTICIPATING IN THE SOURCEWELL PROGRAM, PARTICIPATING ENTITIES HAVE AGREED TO USE THE SOURCEWELL CONTRACT AND ITS TERMS AND CONDITIONS.**

Additional Notes:

- Siemens does not accept all or any liquidated damages unless noted below. Additionally, if Siemens is working as a Subcontractor and not directly for the End User, Siemens does not accept any liquidated damages that may have been agreed upon with the Prime Contractor and End User.
- Siemens personnel are not permitted to perform switching on customer-owned equipment
- Price does not include rigging of equipment, tools, or testing instruments to special locations. A clear path must be provided before the start of work
- Delays in performing the work out of the control of Siemens will be considered and billed as extra work to the owner's account
- Siemens and its subcontractors reserve the right to work only when safety practices are acceptable to Siemens. Costs associated with any delays caused by the disposition of substandard safety conditions will be outside the scope of this quotation and invoiced as additional work.
- Applicable state and local sales taxes are not included and will be charged as required.

Sell Price

What's Included	Included	PRICE
Material Labor/Commissioning install to (10) EV Chargers (sourcewell)	Yes	\$96,378.85
	Grand Total	\$96,378.85

This price is firm for 30 days from the date of this proposal.

Payment Terms

Payment Terms Acceptance Agreement

The total price of **\$96,378.85** and the estimated return on investment are based on the items outlined in this proposal. ANY statements made herein regarding savings that may be achieved by implementing the services offered in this proposal are estimates only. No warranty, either expressed or implied, shall be construed to arise from such statements, nor shall such statements be construed as constituting a guarantee by Siemens that such savings will occur if the services are implemented.

Terms and Conditions Disclaimer

The Customer acknowledges that when approved by the Customer and accepted by Siemens Industry, Inc.: (i) the Proposal and the Contract Terms and Conditions, (together with any other documents incorporated into the forgoing) shall constitute the entire agreement of the parties concerning its subject matter (collectively, hereinafter referred to as the "Agreement"), and (ii) in the event of any conflict between the terms and conditions of the Proposal and the terms and conditions of The Contract Terms and Conditions, the Contract Terms and Conditions shall control.

BY EXECUTION HEREOF, THE SIGNER CERTIFIES THAT (S)HE HAS READ ALL OF THE TERMS AND CONDITIONS AND DOCUMENTS, THAT SIEMENS OR ITS REPRESENTATIVES HAVE MADE NO AGREEMENTS OR REPRESENTATIONS EXCEPT AS SET FORTH THEREIN, AND THAT (S)HE IS DULY AUTHORIZED TO EXECUTE THE SIGNATURE PAGE ON BEHALF OF THE CUSTOMER.

This Proposal is based on the Siemens Industry, Inc. Standard Terms and Conditions and the "Scope of Work" and are to be considered part of this proposal. The proposal is valid for thirty (30) days from the delivery date of November 7, 2022. Payment is due within 30 days of the invoice date.

Payment Terms: 25% mobilization in advance, progress payments

Total: \$96,378.85

Terms & Conditions Link(s)

Terms and Conditions (Click to download)

[Terms & Conditions \(Projects\)](http://www.siemens.com/standard-terms-project)

(www.siemens.com/standard-terms-project)

[Terms & Conditions \(Products Only\)](http://www.siemens.com/standard-terms-product)

(www.siemens.com/standard-terms-product)

Price Escalation. If during the term of this Contract, the price of various materials or labor or logistics is increased as reflected by CRU/IHS Markit/CMAI/COMEX market index, then Siemens may increase the Contract Sum or apply a surcharge to the Customer accordingly.

As a result of the global Covid-19 Virus outbreak, temporary delays in delivery, labor, or services from Siemens and its sub-suppliers or subcontractors may occur. Among other factors, Siemens' delivery is subject to the correct and punctual supply from sub-suppliers or subcontractors, and Siemens reserves the right to make partial deliveries or modify its labor or services. While Siemens shall make every commercially reasonable effort to meet the delivery or service or completion date mentioned above, such date is subject to change.

Attachment A



Signature Page

Proposed by:

Siemens Industry, Inc.

Company

Marshall Brown

Name

72660695

Proposal #

\$96,378.85

Proposal Amount

December 1, 2022

Date

Sourcewell Contract # 042221-SIE
Sourcewell Member # 25751

Accepted by:

City of Grand Prairie

Company

Name (Printed)

Signature

Title

Date

Purchase Order #



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Noreen Housewright, Director of Engineering Services

TITLE: Professional Civil Engineering services contract with LJA Engineering for the Davis Road realignment project in the maximum amount of \$200,000.00 with a 5% contingency of \$10,000.00 for a total request of \$210,000.00

REVIEWING COMMITTEE: Reviewed by the Finance and Government Committee on 01/03/2023

SUMMARY:

<i>Vendor Name:</i>	LJA Engineering
<i>Total Cost:</i>	\$210,000.00
<i>Department:</i>	Engineering Services
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

As part of a developer participation agreement, the developer for Hanover Southgate (Knox Street Partners No. 30, Ltd.) will be providing partial funding for the paving and associated improvements along the new alignment for Davis Road from south of SH 360 past Old David Road. The developer is not able to perform this work due to the 30% procurement laws and therefore the city will need to complete the design, bid, and participate for the construction of these improvements.

This Professional Services Contracts provides for the completion of the design of the Davis Road paving and drainage improvements from south of SH 360 past Old Davis Road to include surveying, plans and specifications, utility coordination, bidding, and construction services to include landscaping and irrigation for the proposed roadway. The project will be bid once the needed right-of-way is obtained for the project anticipated to take up-to 8 months.

Chapter 252, Section 22 of the local Government Code allows for the exemption of competitive bidding when the expenditure is for Professional Services such as Engineering Services. The firm of LJA Engineering, Inc. was selected as the most qualified firm due to their familiarity with this project.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	Streets Capital Improvement Projects Fund
-----------	-------------------------------------	------------	---

If Capital Improvement:					
Total Project Budget	\$1,248,000.00	Proposed New Funding:	None	Remaining Funding:	\$652,038.00

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Vendor Proposal
- 2- Project Limits



6060 N Central Expressway, Suite 400, Dallas, Texas 75206
 t 469.621.0710 LJA.com TBPE F-1386

EXHIBIT A

SCOPE OF SERVICES AND COMPENSATION

PROJECT IDENTIFICATION

Project: Davis Road, Phase 1
 City of Grand Prairie, Ellis County, Texas
 LJA Job No. NTP342-0150
 LJA Proposal No. 22-16028

PROJECT DESCRIPTION

Finalize the Davis Road, Phase 1 construction plans (plans partially prepared under separate authorization with Hanover Property Company) to honor City standards and specifications for a Capital Improvement Project.

SCOPE OF SERVICES

LANDSCAPE DESIGN SERVICES

325. CONSTRUCTION DOCUMENTS

Revise previously developed construction documents and provide associated specifications and for the areas of work. This will include budgetary considerations, site programming, and Client comments. This task shall include the following:

1. Construction layout plans at appropriate scales for hardscape elements and site improvements as defined as previous tasks.
2. Grading plans at appropriate scales for all pedestrian hardscape elements as defined in previous tasks coordinate on utility appurtenance locations, and the interface between pedestrian and vehicular hardscape with the Civil plans.
3. Hardscape details and specifications for designed hardscape elements as necessary at appropriate scales.
4. Final material selections – product, colors, textures, and sizes.
5. Technical specifications and bid forms for items in the construction documents.
6. Revisions of documents per permit comments as they pertain to the landscape – hardscape or planting.

330. IRRIGATION PLAN

Prepare plans for the construction a complete irrigation system in compliance with all local and state irrigation code requirements. This task includes construction details and notes to adequately show irrigation product selection and system layout. No site visits are included in this task. Upon completion of the plans, process the plans through the City for approval. This task does not include construction administration.

DESIGN SERVICES

425. DAVIS ROAD CONSTRUCTION PLANS

Finalize plans as outlined below for the construction of erosion control, grading, storm drainage, paving, street signs, and streetlights. Upon completion of the plans, coordinate review and approval with the City. Process through City for approval and permitting.

With the plan set conversion, the following design elements will be limited to:

1. Add two (2) left-turn lanes as requested by City.
2. The sidewalks on the south and west side of the road will be widened from 6' to 8'. An 8' sidewalk will be added to the north and west side of the road
3. Lighting layout will be revised as specified by City
4. Add Landscape and Irrigation plans to civil set.
5. Add any general notes and details as requested by City.

Any additional revisions to the plans will be addressed as an addendum to this contract.

426. CONSTRUCTION PLAN ADJUSTMENTS

Make minor adjustments to the plans, as needed, in order to accommodate future Sanitary Sewer Regional Transmission Line.

Scope does not include design services, Construction Phase, or Surveying services for the future Sewer line.

Requested revisions by City that exceed the hourly budget herein will be addressed as an addendum to this contract.

472. FRANCHISE UTILITY COORDINATION

Coordinate with electric, gas and telecommunication agencies regarding relocation of existing facilities and roadway crossings. Layouts shall be provided for location reference only. Detailed design of conduits, wiring, transformer pads piping or other elements is not included in the Scope.

CONSTRUCTION PHASE SERVICES

500. BIDDING SERVICES

Compile quantities for bidding and assemble bid documents per the City's Planet Bid portal, including bid tabulation and bid book per Grand Prairie requirements.

Prepare Pre-Bid meeting agenda, attend and conduct pre-bid meetings with prospective bidders and respond to bidder request for information and prepare addenda as necessary. Post questions and answers and any addendums to the Planet Bid Portal.

545. CONSTRUCTION ADMINISTRATION

Prepare Pre-Construction conference agenda, attend and conduct a Pre-Construction Conference with the successful Contractors and City, to discuss the project in detail. Check references of low bidder and prepare a letter of recommendation of awarding contract and submit to City Engineer.

Material submittals will be sent directly to the City by Contractor. Mix designs, and densities will be reviewed by the project testing lab hired by the City.

Prepare change orders as needed.

Coordinate with contractor and City regarding intent of the design

Perform monthly site visits (anticipated 4 month duration) to assess construction and attend final inspection

Issue letter of completion.

Provide As-Built record drawings based on contractor markups of construction plans in digital format (Autocad and PDF).

Furnish hard copy of plans and bid books as needed to City and Contractor. Fees for hard copies will be billed to City as a reimbursable expense.

SURVEYING SERVICES

650. PROJECT CONTROL

Provide electronic files to contractor.

Provide control stakes and monument staking for contractor to perform construction staking.

Contractor to provide cut sheets to City.

665. FRANCHISE UTILITY STAKES

If needed, provide staking to franchise utility company to support relocation and construction efforts. Provide stakes for conduit crossings prior to paving operations. Upon completion of paving, paint curbs for installation of franchise utility lines.

GENERAL CONDITIONS

This Scope is based on the following General Conditions:

- Preparation of ROW Plat is excluded
- TXDOT coordination is excluded, which should not be required as proposed improvements are outside TXDOT ROW
- Construction staking will be performed by others.

COMPENSATION SCHEDULE

(01) DAVIS ROAD PHASE 1

LANDSCAPE DESIGN SERVICES			
325	Construction Documents	Maximum Amount	\$20,000
330	Irrigation Plan	Maximum Amount	\$7,500
DESIGN SERVICES			
425	Davis Road Construction Plans	Maximum Amount	\$55,000
426	Construction Plan Adjustments	Hourly (Maximum)	\$20,000
472	Franchise Utility Coordination	Maximum Amount	\$20,000
CONSTRUCTION PHASE SERVICES			
500	Bidding Services	Maximum Amount	\$25,000
545	Construction Administration	Maximum Amount	\$20,000
SURVEYING SERVICES			
650	Project Control	Maximum Amount	\$7,500
665	Franchise Utility Stakes	Maximum Amount	\$15,000
Z99	Reimbursable Expenses	Estimated	\$10,000
TOTAL			\$200,000

ADDITIONAL SERVICES

Compensation for Additional Services not listed herein or services required due to change in municipal ordinances and/or State legislation will be billed on a time and materials basis in accordance with LJA Standard Rate Schedule below or on a lump sum basis agreed upon at the time the work is authorized.

BILLING RATES

LABOR CATEGORY	LOWEST	HIGHEST
Department Head (VP, Division Manager)	\$225.00	\$300.00
Senior Consultant	\$230.00	\$290.00
Director	\$200.00	\$285.00
Group Manager	\$195.00	\$265.00
Sr. Project Manager	\$190.00	\$260.00
Project Manager	\$135.00	\$210.00
Senior Project Engineer	\$140.00	\$215.00
Professional Engineer (Project Engineer, APM)	\$120.00	\$195.00
Graduate / Design Engineer	\$ 90.00	\$140.00
Sr. Civil Designer	\$ 90.00	\$175.00
Civil Designer	\$ 80.00	\$140.00
Sr. Planner	\$130.00	\$195.00
Planner	\$ 85.00	\$150.00
Sr. Landscape Architect (Studio Lead)	\$130.00	\$175.00

Landscape Architect	\$100.00	\$165.00
Landscape Designer	\$ 85.00	\$140.00
Sr. Construction Manager	\$120.00	\$195.00
Construction Manager	\$100.00	\$155.00
Resident Project Representative	\$ 85.00	\$145.00
Construction Engineer	\$ 85.00	\$145.00
Construction Inspector	\$ 70.00	\$135.00
GIS Developer	\$105.00	\$190.00
GIS Analyst	\$ 75.00	\$125.00
Survey Project Manager	\$130.00	\$210.00
Project Surveyor	\$110.00	\$170.00
Survey Technician	\$ 75.00	\$155.00
Clerical (Admin. Assistant)	\$ 60.00	\$125.00
Intern	\$ 45.00	\$ 85.00

SALES TAX FOR SURVEYING SERVICES

In accordance with *Rule 3.356 – Real Property Services* governed by the Texas Comptroller of Public Accounts, sales tax will be applied on services used to determine or confirm property boundaries, such as boundary recovery, lot surveying/pins, title surveying, right-of-way surveying, and final platting.

EXPERT WITNESS

Expert witness and certificate (merit or lender) duties will be billed at a rate of \$425.00/hour.

REIMBURSABLE EXPENSES

In performance of the Scope of Services attached to the Project specific Proposal, the following types of expenses are not contemplated in the Total Proposal Fee. These are considered Reimbursable Expenses and LJA will be compensated for in accordance with the following:

1. Reproduction, out-of-town travel expenses, employee travel and mileage, and other non-labor charges directly related to the Project will be billed at cost plus ten percent. Reproduction are expected to be as follows:
 - Plan Review
 - 3-half size of construction plans with each submittal
 - Bid Book Review
 - 1 copy per review
 - Pre-Bid Meeting
 - 5-half size copies of construction plans
 - 3 hard copies of bid book
 - Pre-Construction Meeting
 - 9-half size copies of construction plans
 - 1-full size copy of construction plans
 - 5-copies of executed conformed bid book
2. Filing fees, permit fees, and other special charges which are advanced on behalf of the Client will be billed at cost plus ten percent.

3. Subcontracted services and other services by outside consultants will be billed at cost plus ten percent.

Contact for all Correspondence



Landon King, P.E.
Senior Project Manager
817.288.1965
lking@lja.com

LK/rr

MATCH LINE SEE THIS SHEET

NEHEMIAH TRACT
(KNOX STREET
PARTNERS NO. 30, LTD)

DAVIS ROAD
DEVELOPMENT LLC

PROJECT LIMITS

OLD DAVIS ROAD
→

MATCH LINE SEE THIS SHEET

LOT 1 BLOCK B

SH 360
←

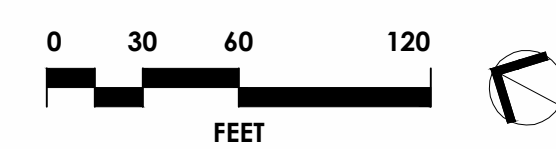
DAVIS ROAD

LOT 4 BLOCK A

LOT 2 BLOCK A

LOT 3 BLOCK A

LOT 1 BLOCK A



PROJECT LIMITS
DAVIS ROAD PUBLIC ROW

LJA Engineering, Inc.
2150 South Central Expressway Suite 380
McKinney, Texas 75070
Phone 214.620.2800
FRN - F-100

Date: 11/15/2022 10:12 AM User: Omar Al-Banna
Path: \\s:\projects\2022\11\15\2022\10:12 AM User: Omar Al-Banna\exhibit\Davis Road Project Limits.dwg



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/17/2023

PRESENTER: Caryl DeVries, P.E., PTOE, Assistant Director of Transportation and Mobility

TITLE: Purchase of three (3) Advanced Traffic Control (ATC) traffic signal cabinets from Consolidated Traffic Controls in the amount of \$69,543 through a national inter-local agreement with House-Galveston Area Council (H-GAC)

REVIEWING COMMITTEE: (Reviewed by the Finance and Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Consolidated Traffic Controls
<i>Annual Cost/Total Cost:</i>	\$69,543
<i>Department:</i>	Transportation and Mobility
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

This purchase will provide ATC traffic signal cabinets for the construction of new signals at the intersections of Lower Tarrant at SH 161, Bardin at Sgt Greg L Hunter, and Arlington Webb Britton at England.

The products quoted from CTC are a custom configuration and the other manufacturers on the HGAC contract are unable to provide.

Chapter 271.102 of the Local Government Code authorized local governments to participate in a cooperative purchasing program with another local government or local cooperative organization. In lieu of competitive bidding, items and services may be purchased through such agreements as the agreements have already been bid by the sponsoring entity or agency. The City of Grand Prairie has master interlocal cooperative agreements with various entities including HGAC.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Selection Details: Low Bid Best Value

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	Street Capital Project Fund
-----------	-------------------------------------	------------	-----------------------------

HGACBuy		CONTRACT PRICING WORKSHEET For Catalog & Price Sheet Type Purchases		Contract No.:	PE-05-21	Date Prepared:	11/4/2022	
This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents <u>MUST</u> be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.								
Buying Agency:	Grand Praire			Contractor:	Consolidated Traffic Controls, Inc.			
Contact Person:	Peter Joyce			Prepared By:	Bobby Hale			
Phone:	972-237-8320			Phone:	800-448-8841			
Fax:				Fax:	800-448-8850			
Email:	pjoyce@gptx.org			Email:	Bobby.Hale@ctc-traffic.com			
Catalog / Price Sheet Name:	Traffic Control, Enforcement & Signal Preemption Equipment							
General Description of Product:	Traffic Control Equipment							
A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary <b style="color: red;">Bardin and Sgt Greg Hunter								
Line Number	Quan	Description				Unit Pr	Total	
1718	1	M91678-9LS Richardson P44 Rack ATCC-HV, IA-24CH, 2 FITA-24CH, OA-32CH, FOTA-16CH, SA-V-2-FL, I				\$ 21,423.00	\$ 21,423.00	
						Total From Other Sheets, If Any:		
						Subtotal A:	\$ 21,423.00	
B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary (Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)								
Quan	Description					Unit Pr	Total	
1	Substitute M91726 Grand Prairie 16 Channel ATC for M91678-9LS					\$ 1,758.00	\$ 1,758.00	
							\$ -	
							\$ -	
							\$ -	
						Total From Other Sheets, If Any:		
						Subtotal B:	\$ 1,758.00	
Check: The total cost of Unpublished Options (Subtotal B) cannot exceed 25% of the total from Section A.						For this transaction the percentage is:	8%	
C. Other Allowances, Discounts, Trade-Ins, Freight, Make Ready or Miscellaneous Charges								
Quan	Description					Unit Pr	Total	
							\$ -	
							\$ -	
						Subtotal C:	\$ -	
Delivery Date:				180 to 220 Days ARO		D. Total Purchase Price (A+B+C):		\$ 23,181.00

HGACBuy		CONTRACT PRICING WORKSHEET For Catalog & Price Sheet Type Purchases		Contract No.:	PE-05-21	Date Prepared:	11/4/2022
This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents <u>MUST</u> be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.							
Buying Agency:	Grand Praire			Contractor:	Consolidated Traffic Controls, Inc.		
Contact Person:	Peter Joyce			Prepared By:	Bobby Hale		
Phone:	972-237-8320			Phone:	800-448-8841		
Fax:				Fax:	800-448-8850		
Email:	pjoyce@gptx.org			Email:	Bobby.Hale@ctc-traffic.com		
Catalog / Price Sheet Name:	Traffic Control, Enforcement & Signal Preemption Equipment						
General Description of Product:	Traffic Control Equipment						
A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary <b style="color: red;">Arlington Webb Britton & England Parkway							
Line Number	Quan	Description	Unit Pr	Total			
1718	1	M91678-9LS Richardson P44 Rack ATCC-HV, IA-24CH, 2 FITA-24CH, OA-32CH, FOTA-16CH, SA-V-2-FL, I	\$ 21,423.00	\$ 21,423.00			
				Total From Other Sheets, If Any:			
				Subtotal A:		\$ 21,423.00	
B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary (Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)							
Quan	Description			Unit Pr	Total		
1	Substitute M91726 Grand Prairie 16 Channel ATC for M91678-9LS			\$ 1,758.00	\$ 1,758.00		
					\$ -		
					\$ -		
					\$ -		
				Total From Other Sheets, If Any:			
				Subtotal B:		\$ 1,758.00	
Check: The total cost of Unpublished Options (Subtotal B) cannot exceed 25% of the total from Section A.				For this transaction the percentage is:		8%	
C. Other Allowances, Discounts, Trade-Ins, Freight, Make Ready or Miscellaneous Charges							
Quan	Description			Unit Pr	Total		
					\$ -		
					\$ -		
				Subtotal C:		\$ -	
Delivery Date: 180 to 220 Days ARO				D. Total Purchase Price (A+B+C):		\$ 23,181.00	

HGACBuy		CONTRACT PRICING WORKSHEET For Catalog & Price Sheet Type Purchases		Contract No.:	PE-05-21	Date Prepared:	11/4/2022	
<p><i>This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.</i></p>								
Buying Agency:	Grand Praire			Contractor:	Consolidated Traffic Controls, Inc.			
Contact Person:	Peter Joyce			Prepared By:	Bobby Hale			
Phone:	972-237-8320			Phone:	800-448-8841			
Fax:				Fax:	800-448-8850			
Email:	pjoyce@gptx.org			Email:	Bobby.Hale@ctc-traffic.com			
Catalog / Price Sheet Name:	Traffic Control, Enforcement & Signal Preemption Equipment							
General Description of Product:	Traffic Control Equipment							
<p>A. Catalog / Price Sheet Items being purchased - Itemize Below - Attach Additional Sheet If Necessary SH 161 & Lower Tarrant</p>								
Line Number	Quan	Description				Unit Pr	Total	
1718	1	M91678-9LS Richardson P44 Rack ATCC-HV, IA-24CH, 2 FITA-24CH, OA-32CH, FOTA-16CH, SA-V-2-FL, I				\$ 21,423.00	\$ 21,423.00	
						Total From Other Sheets, If Any:		
						Subtotal A:	\$ 21,423.00	
<p>B. Unpublished Options, Accessory or Service items - Itemize Below - Attach Additional Sheet If Necessary (Note: Unpublished Items are any which were not submitted and priced in contractor's bid.)</p>								
Quan	Description					Unit Pr	Total	
1	Substitute M91726 Grand Prairie 16 Channel ATC for M91678-9LS					\$ 1,758.00	\$ 1,758.00	
						\$	-	
						\$	-	
						\$	-	
						Total From Other Sheets, If Any:		
						Subtotal B:	\$ 1,758.00	
Check: The total cost of Unpublished Options (Subtotal B) cannot exceed 25% of the total from Section A.						For this transaction the percentage is:	8%	
<p>C. Other Allowances, Discounts, Trade-Ins, Freight, Make Ready or Miscellaneous Charges</p>								
Quan	Description					Unit Pr	Total	
							\$ -	
							\$ -	
						Subtotal C:	\$ -	
Delivery Date:				180 to 220 Days ARO		D. Total Purchase Price (A+B+C):		\$ 23,181.00



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 1/17/2023

PRESENTER: Duane Strawn, Director of Parks, Arts and Recreation

TITLE: Purchase of a prefabricated restroom building for the Fish Creek Linear Park from CXT, Inc. for \$226,314.78 through a national cooperative agreement with Sourcewell

REVIEWING COMMITTEE: (Reviewed by the Finance and Government on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	CXT, Inc.
<i>Total Cost:</i>	\$226,314.78
<i>Department:</i>	Parks, Arts and Recreation
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

Provide a prefabricated restroom building at Fish Creek Linear Park for park users. Price includes delivery and installation.

Chapter 271.102 of the Local Government Code authorizes local governments to participate in a cooperative purchasing program with another local government or local cooperative organization. In lieu of competitive bidding, items and services may be purchased through such agreements as the agreements have already been bid by the sponsoring entity or agency. The City of Grand Prairie has master inter-local cooperative agreements with various entities including Sourcewell.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

FINANCIAL CONSIDERATION:

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	ARPA Grant Fund
-----------	-------------------------------------	------------	-----------------

If Capital Improvement:					
Total Project Budget	\$500,000	Proposed New Funding:	None	Remaining Funding:	\$500,000



CXT® Precast Concrete Products manufactures restroom, shower and concession buildings in multiple designs, textures and colors. The roof and walls are fabricated with high strength precast concrete to meet all local building codes and textured to match local architectural details. All CXT buildings are designed to meet A.D.A. and to withstand heavy snow, high wind and category E seismic loads. All concrete construction also makes the buildings easy to maintain and withstand the rigors of vandalism. The buildings are prefabricated and delivered complete and ready-to-use, including plumbing and electrical where applicable. With thousands of satisfied customers nationwide, CXT is the leader in prefabricated concrete restrooms.

1. ORDERING ADDRESS(ES): CXT Precast Concrete Products, 606 N. Pines Road, Suite 202, Spokane Valley, WA 99206

2. ORDERING PROCEDURES: Fax 509-928-8270

3. PAYMENT ADDRESS(ES):

Remitting by check:

CXT, Inc., PO Box 643343, Pittsburgh, PA 15264-3343

Remitting by ACH or wire transfer:

Beneficiary: CXT, Inc.

Beneficiary Bank: PNC Bank, Pittsburgh, PA

Account: 1019282233 ABA/Routing: 043000096

Email remittance details to AR@lbfooster.com

4. WARRANTY PROVISIONS: CXT provides a one (1) year warranty. The warranty is valid only when concrete is used within the specified loadings. Furthermore, said warranty includes only the related material necessary for the construction and fabrication of said concrete components. All other non-concrete components will carry a one (1) year warranty. CXT warrants that all goods sold pursuant hereto will, when delivered, conform to specifications set forth above. Goods shall be deemed accepted and meeting specifications unless notice identifying the nature of any non-conformity is provided to CXT in writing within the specified warranty. CXT, at its option, will repair or replace the goods or issue credit for the customer provided CXT is first given the opportunity to inspect such goods. It is specifically understood that CXT's obligation hereunder is for credit, repair or replacement only, F.O.B. CXT's manufacturing plants, and does not include shipping, handling, installation or other incidental or consequential costs unless otherwise agreed to in writing by CXT.

This warranty shall not apply to:

1. Any goods which have been repaired or altered without CXT's express written consent, in such a way as in the reasonable judgment of CXT, to adversely affect the stability or reliability thereof;

2. To any goods which have been subject to misuse, negligence, acts of God or accidents; or

3. To any goods which have not been installed to manufacturer's specifications and guidelines, improperly maintained, or used outside of the specifications for which such goods were designed.

5. TERMS AND CONDITIONS OF INSTALLATION (IF APPLICABLE): All prices subject to the "Conditions of Sale" listed on the CXT quotation form.

Customers are responsible for marking exact location building is to be set; providing clear and level site, free of overhead and/or underground obstructions; and providing site accessible to normal highway trucks and sufficient area for the crane to install and other equipment to perform the contract requirements. Customer shall provide notice in writing of low bridges, roadway width or grade, unimproved roads or any other possible obstacles to access. CXT reserves the right to charge the customer for additional costs incurred for special equipment required to perform

delivery and installation. Customers will negotiate installation on a project-by-project basis, which shall be priced as separate line items. For more information regarding installation and truck turning radius guidelines please see our website at <http://www.cxtinc.com>.

In the event delivery of the building/s ordered is/are not completed within 30 days of the agreed to schedule through no fault of CXT, an invoice for the full contract value (excluding shipping and installation costs) will be submitted for payment. Delivery and installation charges will be invoiced at the time of delivery and installation.

Should the delivery and installation costs increase due to changes in the delivery period, this increase will be added to the price originally quoted, and will be subject to the contract payment terms.

In the event that the delivery is delayed more than 90 days after the agreed to schedule and through no fault of CXT, then in addition to the remedies above, a storage fee of 1-1/2% of contract price per month or any part of any month will be charged.

**Customer is responsible for all local permits and fees.

6. DELIVERY CHARGE: All prices F.O.B. origin prepaid and added to invoice. CXT operates three (3) manufacturing plants in the United States and will deliver from the closest location on our carriers.

7. PAYMENT TERMS: Payment to CXT by the purchaser shall be made net 30 days after submission of the invoice to the purchaser on approved credit. Interest at a rate equal to the lower of (i) the highest rate permitted by law; or (ii) 1.5% per month will be charged monthly on all unpaid invoices beginning with the 35th day (includes five (5) day grace period) from the date of the invoice. Under no circumstance can retention be taken. If CXT initiates legal proceeding to collect any unpaid amount, purchaser shall be liable for all of CXT's costs, expenses and attorneys' fees and costs of any appeal.

8. LIMITATION OF REMEDIES: In the event of any breach of any obligations hereunder; breach of any warranty regarding the goods, or any negligent act or omission of any party, the parties agree to submit all claims to binding arbitration. Any settlement reached shall include all reasonable costs including attorney fees. In no event shall CXT be subject to or liable for any incidental or consequential damages. Without limitation on the foregoing, in no event shall CXT be liable for damages in excess of the purchase price of the goods herein offered.

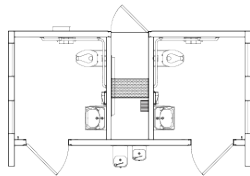
9. DELIVERY INFORMATION: All prices F.O.B. origin prepaid and added to invoice. CXT operates three (3) manufacturing plants in the United States and will deliver from the closest location on our carriers. Use the information below to determine the origin:

- F.O.B. 6701 E. Flamingo Avenue, Building 300, Nampa, ID 83687 applies to: AK, CA, HI, ID, MT, ND, NV, OR, SD, UT, WA, WY.

- F.O.B. 901 North Highway 77, Hillsboro, TX 76645 applies to AR, AZ, CO, IA, KS, LA, MN, MO, MS, NE, NM, OK, TX.

- F.O.B. 362 Waverly Road, Williamstown, WV 26183 applies to AL, CT, DE, FL, GA, IL, IN, KY, MA, MD, ME, MI, NC, NH, NJ, NY, OH, PA, PR, RI, SC, TN, VA, VT, WI, WV.

- Prices exclude all federal/state/local taxes. Tax will be charged where applicable if customer is unable to provide proof of exemption.



Denali restroom is a double unit flush style restroom with board and batt upper wall siding, Napa Valley rock lower wall siding, cedar shake roof, vitreous china fixtures, interior and exterior lights, off loaded and set up at site.

Denali 10' 3" x 17' 2" *Base Price 71055.00

Optional Sections:

Restroom*71055.00 Qty: = 0	Shower* 82350.00 Qty: = 0
Family Assist Shower/Restroom Combo* 79650.00 Qty: =0	Storage 67950.00 Qty: = 0
Concession*78750.00Qty: = 0	
*Includes 4-gallon hot water heater.	
Total Optional Sections	
0	

Added Cost Options:

		Price per Unit	
Final Connection to Utilities		\$ 3500.00	<input checked="" type="checkbox"/>
Custom Texture (per section)		\$ 5500.00	<input type="checkbox"/>
Optional Roof Texture (per section) <input checked="" type="checkbox"/> Delta Rib		\$ 4000.00	
Insulation / Heater (per section)		\$ 19500.00	<input checked="" type="checkbox"/>
Stainless Steel Water Closet (each)	Qty: 2	\$ 1500.00	<input checked="" type="checkbox"/>
Stainless Steel Lavatory (each)	Qty: 2	\$ 1100.00	<input checked="" type="checkbox"/>
Electric Hand Dryer (each)	Qty: 2	\$ 700.00	<input checked="" type="checkbox"/>
Electronic Flush Valves (each)	Qty: 2	\$ 750.00	<input checked="" type="checkbox"/>
Electronic Lavatory Faucets (each)	Qty: 2	\$ 750.00	<input type="checkbox"/>
Exterior Mounted ADA Drinking Fountain w/Cane Skirt (each)	Qty: 1	\$ 4500.00	<input checked="" type="checkbox"/>
Optional Door Closure (each)	Qty: 2	\$ 450	<input checked="" type="checkbox"/>
Skylight in Restroom (each)	Qty: 2	\$ 950.00	<input type="checkbox"/>
Marine Grade Skylight in Restroom (each)	Qty: 2	\$ 2450.00	<input type="checkbox"/>
Marine Package for Extra Corrosion Resistance (per section)		\$ 2700.00	<input type="checkbox"/>
Fiberglass Entry and Chase Doors and Frames (each)	Qty: 3	\$ 1000.00	<input type="checkbox"/>
Tile Floor in Restroom (per section)		\$ 4500.00	<input type="checkbox"/>
2K Anti-Graffiti Coating (per section)		\$ 3500.00	<input checked="" type="checkbox"/>
Timed Electric Lock System (2 doors - does not include chase door)	Qty: 1	\$ 600.00	<input type="checkbox"/>
Exterior Frostproof Hose Bib with Box (each)	Qty: 1	\$ 500	<input checked="" type="checkbox"/>
Paper Towel Dispenser (each)	Qty: 2	\$ 200.00	<input type="checkbox"/>
Toilet Seat Cover Dispenser (each)	Qty: 2	\$ 100	<input type="checkbox"/>
Sanitary Napkin Disposal (each)	Qty: 1	\$ 75.00	<input checked="" type="checkbox"/>
Baby Changing Station (each)	Qty: 2	\$ 675.00	<input checked="" type="checkbox"/>
CXT Wastebasket (each)	Qty: 2	\$ 150.00	<input checked="" type="checkbox"/>

Total Cost of Selected Accessories from Accessories Price List: \$ 46225

Custom Options: Xtra Crane-8hr min, Battery Op Prog Lock Syst,Est Site Prep--See Ex A attached, Site A Crane Costs \$ 98334.78

Engineering and State Fees: \$ 3500

Estimated One-Way Transportation Costs to Site (quote): \$ 7200

Estimated Tax: \$

Total Cost per Unit Placed at Job Site: \$ 226314.78

Estimated monthly payment on 5 year lease 4548.927078

Disclaimer: Please call to confirm selected sections are compatible.

This price quote is good for 60 days from date below, and is accurate and complete.

I accept this quote. Please process this order.

Robert Veals
Digitally signed by Robert Veals
Date: 2022.11.22 09:52:05 -07'00'

CXT Sales Representative

Date



Company Name

Customer

Exterior Color Options:

(For single color mark an X or for two tone combinations use W = Walls / R = Roof.)

- | | | | |
|---|---|--|---------------------------------------|
| <input type="checkbox"/> Amber Rose | <input type="checkbox"/> Liberty Tan | <input type="checkbox"/> Berry Mauve | <input type="checkbox"/> Sage Green |
| <input type="checkbox"/> Toasted Almond | <input type="checkbox"/> Oatmeal Buff | <input type="checkbox"/> Buckskin | <input type="checkbox"/> Rosewood |
| <input type="checkbox"/> Sun Bronze | <input type="checkbox"/> Golden Beige | <input type="checkbox"/> Mocha Carmel | <input type="checkbox"/> Malibu Taupe |
| <input type="checkbox"/> W Sand Beige | <input type="checkbox"/> Natural Honey | <input type="checkbox"/> Salsa Red | <input type="checkbox"/> R Java Brown |
| <input type="checkbox"/> Pueblo Gold | <input type="checkbox"/> Cappuccino Cream | <input type="checkbox"/> Coca Milk | <input type="checkbox"/> Raven Black |
| <input type="checkbox"/> Granite Rock | <input type="checkbox"/> Georgia Brick | <input type="checkbox"/> Western Wheat | <input type="checkbox"/> Nuss Brown |
| <input type="checkbox"/> Rich Earth | <input type="checkbox"/> Charcoal Grey | <input type="checkbox"/> Hunter Green | <input type="checkbox"/> Evergreen |

- Special roof color # _____
- Special wall color # _____
- Special trim color # _____

(Sage green, hunter and evergreen colors are not available in colored through concrete.)

Rock Color Options:

- Basalt Mountain Blend Natural Grey Romana

Roof Texture Options:

- Cedar Shake Ribbed Metal

Wall Texture Options:

(For single texture mark an X or for different top and bottom textures use T = Top / B = Bottom.)

- | | | |
|--------------------|----------------|--|
| Barnwood | Horizontal Lap | } <i>Can only be used as bottom texture.</i> |
| Split Face Block | T Board & Batt | |
| Stucco/Skip Trowel | Brick | |
| | | B Napa Valley Rock |
| | | River Rock |
| | | Flagstone |

(Textures not included in CXT's quote are additional cost.)

Door Opener Options:

- Non-locking ADA Handle Pull Handle/Push Plate
- Privacy ADA Latch

Deadbolt Options:

- CXT Supplied Customer Supplied: Schlage
- Type & Part Number

Accessible Signage Options:

- Men Women Unisex

Paper Holder Options:

- 2-Roll Stainless Steel 3-Roll Stainless Steel

Notes:

EXHIBIT "A"

Quote: 6.15.22_Reuller
 Job Name: Denali Restroom Bldg Site Work__Grand Prairie TX

Scope:

- Construct 6" gravel based on grade pad to CXT spec for CXT Flush building
- Includes 6' Concrete sidewalk front of bldg. and tie into existing sidewalk approx. 30' lineal ft—see plan sketch attached.
- Includes mow curb 12" wide x 4" deep around entire bldg.. approx. 40 lineal ft.—see plan sketch attached.
- Includes plumbing and electrical utilities in gravel pad to CXT spec.
- Elevation benchmark must be marked on site prior to construction.
- Gravel based pad constructed on current natural grade.
- Does not include any subgrade preparation.
- Includes utilities run out to 5' from pad.
- Utilities schedule 40 PVC for sewer and copper for water to CXT spec.
- Full install must be ordered.
- Does not include connecting main utilities to pad utilities.
- Includes 1 mobilization and demobilization.
- Change orders must be approved within 24 hours if necessary.
- Owner must have site ready prior to construction.
- CXT not responsible for incidental damage to surrounding landscape.

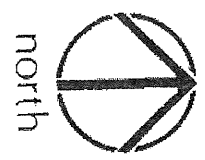
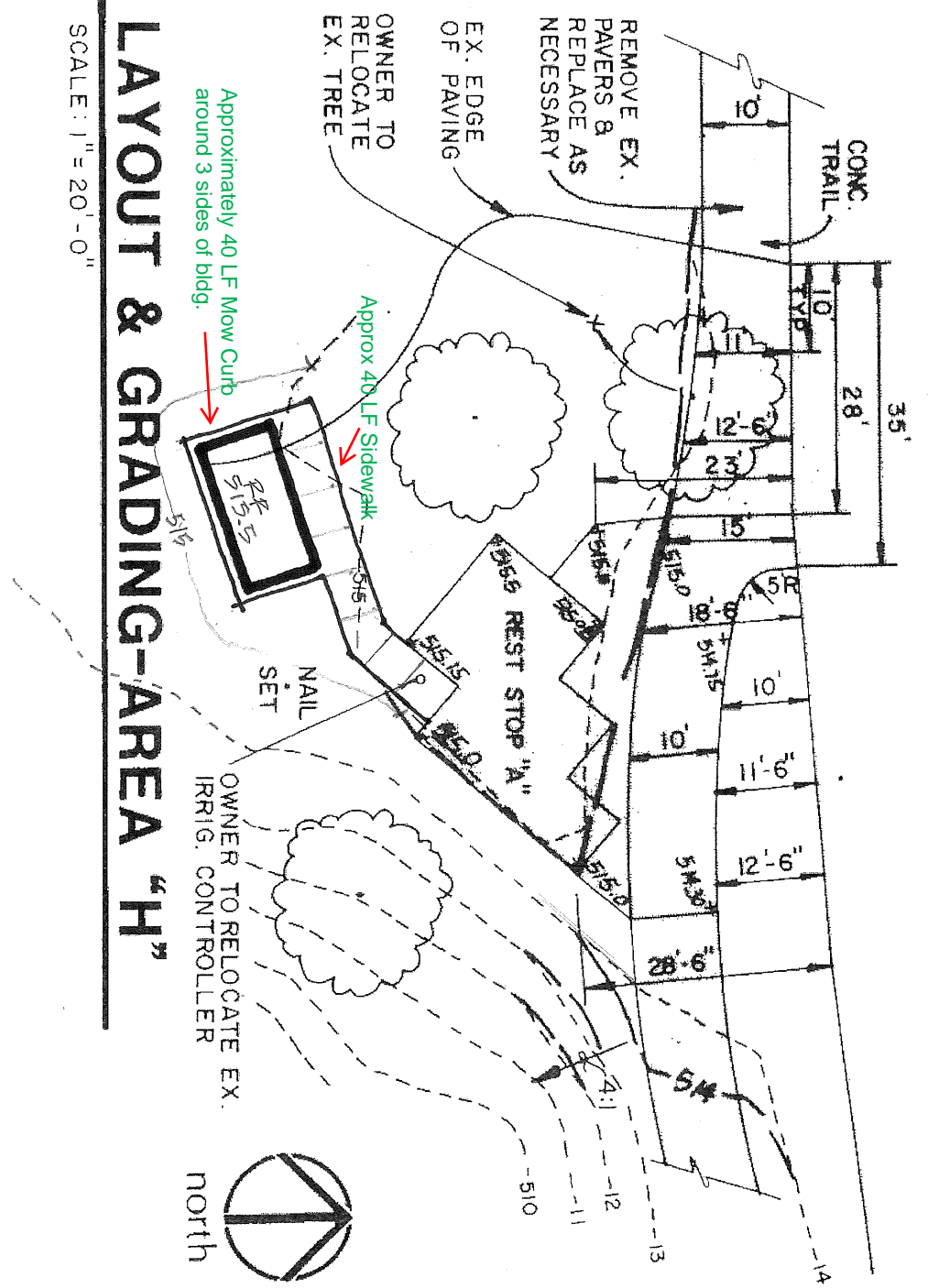
Notes:

- Price does not include the following customer responsibilities;
 - Owner responsible for survey.
 - Owner responsible for geotechnical services.
 - Owner responsible for all locates for building.
 - Owner responsible for any and all permits.
 - Does not include any retaining walls.
 - Does not include any provisions for archeological occurrence.
 - Main utilities to building must be marked and clearly identified.
 - Main utilities must meet CXT specifications for CXT Flush building.
 - Change orders must be approved within 24 business hours.

7

LAYOUT & GRADING-AREA "H"

SCALE: 1" = 20'-0"



109



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 1/17/2023

PRESENTER: Duane Strawn, Director Parks, Arts and Recreation

TITLE: Change Order #1 for a Maximum Guaranteed Price contract amount of \$1,750,640.50 with Dean Electric, Inc. dba Dean Construction for Tyre Park Phase I Construction Manager at Risk (CMAR), including a 5% contingency amount of \$73,894.28 for a total project cost of \$1,750,640.50

REVIEWING COMMITTEE: Reviewed by the Finance & Government Committee on 1/3/2023

SUMMARY:

<i>Original Contract:</i>	\$0.00
<i>Vendor Name:</i>	Dean Electric, Inc. dba Dean Construction
<i>Change Order #1:</i>	\$1,750,640.50
<i>Department:</i>	Parks, Arts and Recreation
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

Phase I improvements to Tyre Park will include picnic pavilion, basketball pavilion improvements, restroom improvements, walking trails, pond improvements, landscape, irrigation, and site furnishings. A Request for Bids was advertised in the Fort Worth Star Telegram through the CMAR. Funding for this project is from Texas Parks and Wildlife (GRANT). Dean Electric, Inc. dba Dean Construction's Pre-Construction Original Contract amount of \$0.00, plus Change Order #1 in the amount of \$1,750,640.50, including a 5% contingency in the amount of \$73,894.28, for a project total of \$1,750,640.50.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

Number of Responses: N/A RFP/RFB #: N/A

Selection Details: Low Bid Best Value

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	Texas Parks and Wildlife (GRANT)
-----------	-------------------------------------	------------	----------------------------------

If Capital Improvement:					
Total Project Budget	\$2,000,000	Proposed New Funding:	NONE	Remaining Funding:	\$1,753,500



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 1/17/2023

PRESENTER: Duane Strawn, Director Parks, Arts and Recreation

TITLE: Ordinance amending the FY2022/2023 Capital Improvement Budget; Construction contract with A&C Construction, Inc. for Mi Familia Park Phase I construction in the amount of \$2,056,320 plus a 2.5% contingency in the amount of \$51,408 for a total construction cost of \$2,107,728

REVIEWING COMMITTEE:

SUMMARY:

<i>Vendor Name:</i>	A&C Construction, Inc.
<i>Annual Cost/Total Cost:</i>	\$2,107,728
<i>Department:</i>	Parks, Arts and Recreation
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

Phase I improvements to Mi Familia Park will include a playground, playground shade, walking trails, trail lighting, park signage, vehicle barriers, landscape, to include an additional 44 new trees with irrigation, and site furnishings. Notice of bid #23014 was advertised in the Fort Worth Star Telegram and PlanetBids. Funding for this project is from the American Rescue Plan Act (ARPA) and Parks Capital Improvement Projects budget. A&C Construction, Inc. Base Bid amount of \$1,947,120 plus Bid Alternate Item 41 (Playground shade structure) in the amount of \$54,600 and Bid Alternate Item 43 (Playground shade structure) in the amount of \$54,600 for a total contract price of \$2,056,320, plus a 2.5% contingency in the amount of \$51,408 for a project total of \$2,107,728.

PROCUREMENT DETAILS:

Procurement Method: Cooperative/Interlocal RFB/RFP Sole Source Professional Services

Local Vendor HUB Vendor

Number of Responses: 6 RFP/RFB #: 23014

Selection Details: Low Bid Best Value

FINANCIAL CONSIDERATION:

Budgeted?	<input checked="" type="checkbox"/>	Fund Name:	ARPA Fund (\$1,500,000) Parks Capital Projects Fund (\$500,000)
-----------	-------------------------------------	------------	--

If Capital Improvement:							
Initial Project Budget:	\$2,000,000	Remaining Funding:	\$1,815,200 \$2,000,000 - \$184,800 for Engineering & Design approved 5/3/2022 = \$1,815,200	Additional Funding Request:	\$292,528 \$2,107,728 - \$1,815,200 = \$292,528 \$230,528 Unobligated fund balance \$62,000 Tree Preservation	New Project Budget:	\$2,292,528 Total Costs: \$184,800 + \$2,107,728 = \$2,292,528

ATTACHMENTS / SUPPORTING DOCUMENTS:

1- Bid Summary

BODY

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE FY2022/2023 CAPITAL IMPROVEMENT PROJECTS BUDGET BY TRANSFERRING AND APPROPRIATING \$230,528 FROM THE UNOBLIGATED FUND BALANCE IN THE PARKS CAPITAL PROJECTS (317193) TO WO# 02203903 (Mi Familia Park Development) AND \$62,000 FROM THE UNOBLIGATED FUND BALANCE IN THE TREE PRESERVATION FUND (319810) TO THE PARKS CAPITAL PROJECTS FUND (317193) WO#02203903 (Mi Familia Park Development)

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

SECTION 1. That the FY2022/2023 CAPITAL IMPROVEMENT PROJECTS BUDGET be amended by transferring and appropriating \$230,528 from the unobligated fund balance in the Parks Capital Projects Fund (317193) to WO# 02203903 (Mi Familia Park Development) and \$62,000 from the unobligated fund balance in the Tree Preservation Fund (319810) to the Parks Capital Projects Fund (317193) WO# 02203903 (Mi Familia Park Development).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 17th DAY OF JANUARY 2023.

City of Grand Prairie
 Bid Results for Project Mi Familia Improvements Phase I (23014)
 Issued on 11/07/2022
 Bid Due on November 29, 2022 3:00 PM (CST)
 Exported on 11/29/2022

Line Totals (Unit Price * Quantity)

Item Num	Section	Item Code	Description	Reference	Unit of Measure	Quantity	A&C Construction, Inc.	North Rock Construction	Cole Construction	Millis Development and Construction - Dallas, LLC	JC Commercial Inc	Gilbert May, Inc.
1	Main Bid	1.1	Demolition of existing concrete trails including removal and disposal		Lump Sum	1	\$11,600.00	\$139,264.15	\$20,723.00	\$21,399.13	\$26,419.00	\$24,947.00
2	Main Bid	1.2	Demolition of existing park sign and to include removal and disposal of stone and foundation. Metal panel to be returned to City Parks.		Lump Sum	1	\$3,500.00	\$881.83	\$4,013.00	\$3,931.01	\$6,605.00	\$5,557.50
3	Main Bid	2.1	Demolition of existing concrete curb and pavement at parallel parking spots including removal and disposal		Lump Sum	1	\$3,300.00	\$2,288.45	\$7,625.00	\$0.00	\$10,669.00	\$11,623.82
4	Main Bid	2.2	Removal of stone benches as noted on L1.1.01 and L1.1.02. Benches to be returned to the City Parks department.		Lump Sum	1	\$450.00	\$1,549.30	\$4,500.00	\$7,695.60	\$8,807.00	\$2,964.00
5	Main Bid	3	Erosion Control including silt fence, concrete washout, inlet protection as noted on civil drawings		Lump Sum	1	\$11,600.00	\$5,970.86	\$14,430.00	\$8,515.89	\$5,967.00	\$18,525.00
6	Main Bid	4.1	Tree Removal Existing trees to be removed and disposed of per specifications and L1.1.01 and L1.1.02		Lump Sum	1	\$11,600.00	\$4,647.83	\$14,834.00	\$18,340.81	\$8,807.00	\$9,509.50
7	Main Bid	4.2	Tree Protection Fencing Install and monitoring of tree protection for existing trees to remain.		Lump Sum	1	\$8,700.00	\$14,839.33	\$22,800.00	\$9,999.52	\$4,403.00	\$43,935.47
8	Main Bid	4.3	Demolition Existing playground, surfacing and drainage, remove and dispose of all items.		Lump Sum	1	\$23,200.00	\$10,352.72	\$9,276.00	\$45,964.03	\$26,758.00	\$17,784.00
9	Main Bid	5	Earthwork include all rough grading for the park including importing or offsite removal of excess fill as necessary as shown on civil drawings and L2.2.01, and L2.2.02		Lump Sum	1	\$21,408.00	\$97,386.59	\$92,502.00	\$57,392.80	\$299,114.76	\$23,823.15
10	Main Bid	6	Fine Grading fine grading, backfilling and topsoil for the project as indicated on civil drawings and L2.2.01, and L2.2.02		Lump Sum	1	\$8,000.00	\$7,076.81	\$44,600.00	\$16,290.19	\$48,555.00	\$41,329.28
11	Main Bid	7	Landscape Drainage including all pipes, area drains and connections as shown on L2.2.02, complete and in place		Lump Sum	1	\$88,740.00	\$25,812.59	\$7,616.00	\$26,171.46	\$56,160.00	\$87,685.00
12	Main Bid	8	Stormwater Infrastructure including pipes, local drains and connections to inlets as shown on Civil drawings complete and in place		Lump Sum	1	\$88,740.00	\$28,127.00	\$4,400.00	\$91,126.14	\$70,200.00	\$52,067.60
13	Main Bid	9	Utility Connections including pipes, fittings and connections, complete and in place per Civil drawings		Lump Sum	1	\$49,540.00	\$1,650.00	\$34,488.00	\$4,586.18	\$10,530.00	\$12,350.00

14	Main Bid	10	Concrete Sidewalk - C.1 complete and in place per plans and specifications as shown on Civil drawings and L3.1.01 and L3.1.02	Sq Foot	27846	\$229,729.50	\$196,035.84	\$313,267.50	\$351,694.98	\$209,680.38	\$309,647.52
15	Main Bid	11	Barrier Free Ramps - complete and in place per plans and specifications as shown on L3.1.01 and L3.1.02 Civil drawings	EA	2	\$5,800.00	\$3,389.68	\$7,348.00	\$6,551.70	\$3,440.00	\$8,645.00
16	Main Bid	12	Concrete Mow Curb - complete and in place per plans and specifications as shown on L3.1.01 and L3.1.02	Linear Ft	247	\$7,163.00	\$7,118.54	\$5,434.00	\$15,758.60	\$15,336.23	\$13,728.26
17	Main Bid	13	Concrete Steps at Playground - complete and in place per plans and specifications as shown on L3.2.01	Sq Foot	280	\$9,800.00	\$21,417.20	\$8,512.00	\$11,006.80	\$26,896.80	\$8,646.40
18	Main Bid	14	Entry Signage Complete and in place including foundation & piers, stone veneer, tile mosaic and lettering to be installed on sign per sheet L3.3.02	Lump Sum	1	\$63,800.00	\$82,057.36	\$97,700.00	\$116,891.53	\$34,706.00	\$137,764.25
19	Main Bid	15	Playground Equipment Purchase of playground equipment complete and in place including foundation & piers per manufacturer details. Ref schedule L3.0.01	Lump Sum	1	\$388,600.00	\$369,045.71	\$360,750.00	\$437,619.82	\$392,530.00	\$396,365.49
20	Main Bid	16	Playground Equipment Install of playground equipment complete and in place including foundation & piers per manufacturer details. Ref schedule L3.0.01	Lump Sum	1	\$87,000.00	\$79,260.50	\$90,975.00	\$105,273.42	\$321,824.00	\$139,938.39
21	Main Bid	17	Poured in Place Surface Complete and in place including subbase and transition zones as shown on L3.2.02	Sq Foot	4588	\$165,168.00	\$197,008.72	\$201,872.00	\$253,991.68	\$33,813.56	\$242,384.04
22	Main Bid	18	Synthetic Turf Surfacing Complete and in place including subbase, fall safety surface and transition zones as shown on L3.2.02	Sq Foot	847	\$9,952.25	\$30,102.38	\$50,820.00	\$21,031.01	\$9,317.00	\$22,962.17
23	Main Bid	19	Retaining Walls at Playground complete and in place per plans and specifications as shown on L3.2.01	Linear Ft	157	\$27,475.00	\$81,151.73	\$78,500.00	\$51,954.44	\$238,754.61	\$106,642.25
24	Main Bid	20	Hand Rails at Steps - complete and in place, installed per sheets L3.1.01 and L3.1.02	EA	2	\$7,700.00	\$2,904.00	\$6,856.00	\$4,245.50	\$8,775.00	\$12,350.00
25	Main Bid	21	Picnic Tables- SF.1 complete and in place per plans and specifications as shown on L3.1.01 and L3.1.02	EA	12	\$90,480.00	\$61,707.60	\$87,468.00	\$100,290.60	\$93,120.00	\$104,221.68
26	Main Bid	22	Benches - SF.2 complete and in place per plans and specifications as shown on L3.1.01 and L3.1.02	EA	2	\$3,250.00	\$3,896.42	\$3,362.00	\$12,790.54	\$9,215.00	\$12,198.10
27	Main Bid	23	Litter Receptacle - SF.3 complete and in place per plans and specifications as shown on L3.1.01 and L3.1.02	EA	12	\$32,040.00	\$29,182.08	\$30,000.00	\$22,056.84	\$13,857.00	\$36,662.16
28	Main Bid	24	Fencing - F.1 complete and in place per plans and specifications as shown on L3.1.01 and L3.1.02	Linear Ft	340	\$23,800.00	\$29,920.00	\$46,240.00	\$118,391.40	\$2,985.20	\$8,398.00
29	Main Bid	25	Pedestrian Light Pole -L.1 complete and in place, installed per sheets L6.1.01	EA	17	\$124,950.00	\$164,186.00	\$113,152.00	\$115,444.96	\$115,830.01	\$195,169.52
30	Main Bid	26	Entrance Sign Uplight -L.2 complete and in place, installed per sheets L6.1.01	EA	2	\$7,540.00	\$6,670.40	\$11,500.00	\$5,290.10	\$7,605.00	\$7,775.56

31	Main Bid	27	Electrical Service including panel, mounting, enclosures, boards, and all conduit and wiring per sheets E1.01	EA	1	\$38,000.00	\$23,733.60	\$5,747.00	\$30,427.36	\$34,691.00	\$27,740.57
32	Main Bid	28	Canopy Tree - 8" cal. Live Oak	EA	4	\$22,400.00	\$41,250.00	\$9,044.00	\$48,482.52	\$40,482.00	\$42,731.00
33	Main Bid	29	Canopy Tree - 4" cal. Cedar Elm	EA	17	\$16,830.00	\$17,222.70	\$10,455.00	\$20,048.10	\$15,795.04	\$18,895.50
34	Main Bid	30	Canopy Tree - 4" cal. Allee Elm	EA	23	\$22,770.00	\$23,301.30	\$17,549.00	\$27,123.90	\$24,219.00	\$25,564.50
35	Main Bid	31	Common Buffalo Sod installed per LP Series	Sq Foot	43461	\$32,595.75	\$40,853.34	\$58,672.35	\$47,807.10	\$44,764.83	\$46,937.88
36	Main Bid	32	Bed Prep per L5 series and specifications	Sq Foot	4983	\$47,338.50	\$45,544.62	\$36,126.75	\$36,575.22	\$28,702.08	\$30,296.64
37	Main Bid	33	Irrigation Meter as noted on IR sheets and civil drawings, purchased from City	Lump Sum	1	\$4,060.00	\$2,750.00	\$17,386.00	\$2,948.26	\$17,930.00	\$6,175.00
38	Main Bid	34	Irrigation Controller as noted on IR sheets	EA	1	\$26,000.00	\$23,960.20	\$25,520.00	\$34,068.78	\$30,420.00	\$32,110.00
39	Main Bid	35	Irrigation - Boring under Lakeview drive to connect to water line	Lump Sum	1	\$2,900.00	\$3,872.00	\$4,860.00	\$5,896.53	\$6,270.00	\$2,284.75
40	Main Bid	36	Irrigation include valves, main lines, drip and tree bubblers per IR series	Lump Sum	1	\$119,600.00	\$133,320.00	\$60,000.00	\$129,920.00	\$119,984.00	\$126,649.25
					Subtotal	\$1,947,120.00	\$2,060,709.38	\$2,040,923.60	\$2,444,994.45	\$2,483,938.50	\$2,474,985.20
41	Bid Alternate A	37	Shade Sail A Purchase and install of playground equipment complete and in place including foundation & piers per manufacturer details. Ref schedule L3.0.01	Lump Sum	1	\$54,600.00	\$63,648.59	\$80,000.00	\$61,485.09	\$65,714.00	\$67,925.00
42	Bid Alternate A	38	Shade Sail B Purchase and install of playground equipment complete and in place including foundation & piers per manufacturer details. Ref schedule L3.0.01	Lump Sum	1	\$95,125.00	\$111,909.60	\$80,000.00	\$127,274.14	\$127,152.50	\$133,997.50
43	Bid Alternate A	39	Shade Sail C Purchase and install of playground equipment complete and in place including foundation & piers per manufacturer details. Ref schedule L3.0.01	Lump Sum	1	\$54,600.00	\$56,032.52	\$80,000.00	\$70,093.01	\$73,484.00	\$76,570.00
					Subtotal	\$204,325.00	\$231,590.71	\$240,000.00	\$258,852.24	\$266,350.50	\$278,492.50
44	Bid Alternate B	40	Demolition of existing concrete sidewalk at lakes edge. Including removal and disposal of concrete.	Sq Foot	980	\$2,205.00	\$2,881.20	\$2,940.00	\$3,018.40	\$2,695.00	\$4,841.20
45	Bid Alternate B	41	Fine grading for sidewalk	Lump Sum	1	\$1,100.00	\$1,820.15	\$1,900.00	\$117.09	\$2,305.00	\$3,025.75
46	Bid Alternate B	42	Concrete Sidewalk - C.1 complete and in place per plans and specifications as shown on L3.1.03	Sq Foot	950	\$7,410.00	\$7,144.00	\$10,687.50	\$9,661.50	\$7,999.00	\$10,564.00
					Subtotal	\$10,715.00	\$11,845.35	\$15,527.50	\$12,796.99	\$12,999.00	\$18,430.95
47	All items below	43	Paint Exterior and interior of existing restroom structure ref L3.3.05 for notes	Lump Sum	1	\$7,540.00	\$4,369.82	\$17,250.00	\$9,172.37	\$8,775.00	\$15,437.50
48	All items below	44	Paint Existing wood members of pavilion ref L3.3.05 for notes	Lump Sum	1	\$4,400.00	\$3,300.00	\$8,625.00	\$5,896.53	\$6,435.00	\$14,820.00
49	All items below	45	SF.4 Remove existing water found and install new water fountain as shown in materials schedule on on plans.	Lump Sum	1	\$5,220.00	\$7,848.59	\$15,280.90	\$5,961.52	\$13,092.00	\$1,109.30
					Subtotal	\$17,160.00	\$15,518.41	\$41,155.90	\$21,030.42	\$28,302.00	\$31,366.80
					Total	\$2,179,320.00	\$2,319,663.85	\$2,337,607.00	\$2,737,674.10	\$2,791,590.00	\$2,803,275.45



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 01/17/2023

PRESENTER: Walter Shumac, Director of Transportation and Mobility

TITLE: Ordinance amending the FY2022/2023 Capital Improvement Projects Budget; Project Specific Agreement Amendment No. 3 with Dallas County for the widening of Camp Wisdom Road MCIP 40811 from approximately 1700 linear feet west of Carrier Pkwy to FM 1382 and commit the city to \$31,404 in additional funding for a total City share commitment of \$5,510,208

REVIEWING COMMITTEE: (Reviewed by the Finance and Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Dallas County
<i>Annual Cost/Total Cost:</i>	\$29,516,893
<i>Department:</i>	Transportation and Mobility
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

In 2003, the Texas Department of Transportation (TxDOT) and North Central Texas Council of Governments (NCTCOG) elected to build SH 161 main lanes as toll lanes instead of free lanes. As part of this process, the City of Grand Prairie was requested to submit a list of projects for Federal funding. From the list, 11 projects including Camp Wisdom Road from Carrier Pkwy to FM 1382 were selected for funding and approved by the Regional Transportation Council (RTC) of the NCTCOG in 2004. These projects became known as the “Near Neighbor” projects.

NCTCOG originally funded Camp Wisdom Road project for \$7,200,000 Federal and \$9 million Local (City). Since that time, non-federalized Regional Toll Revenue (RTR) funds became available, and Staff submitted a request which was approved by the RTC to swap the Federal funds for RTR funds. That opened the door for Dallas County to act as Lead Agency for the Camp Wisdom Road project and contribute one half of the \$9 million Local share (\$4.5 million for each agency). The Project limits have been extended 1700 linear feet west of Carrier Pkwy. A portion of this project is in the City of Dallas. Approximately 66% is in Grand Prairie and the remainder in Dallas.

The original estimated overall project cost was \$16,200,000 of which \$7,200,000 was funded through RTR funds; \$4,500,000 Dallas County, \$1,500,000 City of Dallas, and \$3,000,000 City of Grand Prairie.

Dallas County completed the design of Camp Wisdom Road project. Bids were opened by Dallas County on November 15, 2019. Two bids were received: Tiseo Paving Company: \$32,872,654 base bid including additive alternate and Ragle Inc. \$23,941,055.47 base bid including additive alternate. Ragle Inc. was the apparent low bidder.

Amendment No. 1 was presented to Finance and Government on January 7, 2020. At which time, concerns were raised regarding the increased funding needed in future years from the City of Grand Prairie. Staff was requested to return to NCTCOG and request additional funding options for the short fall above the current City approved funds during the previous budget processes. NCTCOG agreed to raise the RTR Funds by reallocating from other projects that will not be ready for construction during the current budget year. Any RTR funds used will be reallocated into future years NCTCOG budgets.

Project cost was revised to \$26,641,056 of which \$10,447,939 was funded through RTR funds, \$9,543,117 Dallas County, \$1,300,000 City of Dallas, and \$5,350,000 City of Grand Prairie. Amendment No. 1 was approved by Council 2/4/2020 (19-9651).

Amendment No. 2 was presented to Finance and Government on June 1, 2021. At which time, the project was under construction and the County requested by Resolution that the City commit to additional funding in the amount of \$128,804 from the City's revised share of \$5,350,000 to \$5,478,804 for increasing the thickness and reinforcing concrete pavement in the tree influenced area, increase the thickness of flex base in the tree influenced area and install 20-Mil poly moisture barrier from back of curb to face the mechanically stabilized earth (MSE) wall and from back of MSE wall to ROW line in the tree influenced area, for mitigation of differential pavement and soil movement.

Project cost was revised to \$29,485,489 of which \$10,447,939 was funded through RTR funds, \$12,129,942 Dallas County, \$1,428,804 City of Dallas, and \$5,478,804 City of Grand Prairie. Amendment No. 2 was approved by Council 6/1/2021 (5185-2021).

At this time, this project is currently winding down the construction and the County is requesting by Resolution that the City commit to additional funding in the amount of \$31,404 to revise the City's share from \$5,478,804 to \$5,510,208 for engineering & county project delivery, MCIP construction, city construction, material testing, and contingencies.

Project cost will be revised to \$29,516,893 of which \$10,447,939 is funded through RTR funds, \$12,129,942 Dallas County, \$1,428,804 City of Dallas, and \$5,510,208 City of Grand Prairie.

HISTORY:

	<u>Amount</u>	<u>Grand Prairie Portion</u>	<u>Approval Date</u>	<u>Reason</u>
<u>Original Contract:</u>	\$16,200,000	\$3,000,000	1/7/2020	
<u>Change Order 1</u>	10,441,056	2,350,000	2/4/2020	Increase in funding
<u>Change Order 2</u>	2,844,433	128,804	6/1/2021	Materials/Construction
<u>Change Order 3</u>	31,404	31,404	1/3/2023	Materials/Construction
<u>Revised Total</u>	\$29,516,893	\$5,510,208		

PROCUREMENT DETAILS:

Dallas County was the bidding agency.

Number of Responses:2

Selection Details: Low Bid

FINANCIAL CONSIDERATION:

Budgeted?	<input type="checkbox"/>	Fund Name:	Street Capital Project Fund Grants Annual Budgets
-----------	--------------------------	------------	--

If Capital Improvement:					
Total Project Budget	\$5,510,208	Proposed New Funding:	\$31,404	Remaining Funding:	\$0.00

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Attachment B-3 Current Cost Estimates & Funding Sources

BODY

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING THE FY 2022/2023 CAPITAL IMPROVEMENT PROJECTS BUDGET BY TRANSFERRING \$31,404 FROM THE UNOBLIGATED FUND BALANCE IN THE STREET CAPITAL PROJECTS FUND (400192) TO GRANT 36520013 (CAMP WISDOM)

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

SECTION 1. That the FY 2022/2023 Capital Improvement Projects Budget be amended by transferring \$31,404 from the unobligated fund balance the in the Street Capital Projects Fund (400192) to Grant 36520013 (Camp Wisdom).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 17TH DAY OF JANUARY 2023.

ATTACHMENT B-3

Current Cost Estimates & Funding Sources

**Project Name: Camp Wisdom Road
MCIP Project 40811**

A. PROJECT COSTS	
Expenditure	Estimated Cost
Engineering & County Project Delivery	\$2,685,000
MCIP Construction	\$24,264,476
City Construction (100%)	\$354,821
Material Testing	\$161,620
Contingencies	\$2,050,976
TOTAL:	\$29,516,893
B. FUNDING SOURCES	
Dallas County	*\$12,129,942
City of Grand Prairie	** \$5,478,804
City of Grand Prairie Additional	*****\$31,404
City of Dallas	***\$1,428,804
Texas Department of Transportation (RTR)	****\$10,447,939
TOTAL:	\$29,516,893

*Dallas County \$8,243,117.00 MCIP Budgeted Funds and \$1,300,000.00 transferred from Merrifield Rd. MCIP 40210 and Grady Niblo MCIP 40203. Additional \$2,586,824.57 from various project encumbrances CO 2021-0292.

** City of Grand Prairie \$4,995,179.00 MCIP Funds and \$354,821.00 is 100% City of Grand Prairie Items. \$128,804.00 for Construction Change Order 4

***City of Dallas Funds transferred from Merrifield Rd and Grady Niblo. \$128,804.00 for Construction Change Order 4

****TxDOT AFA \$7,200,000.00 and Amendment 1 \$3,247,939.00

*****Grand Prairie betterments (upgrade light and mow strips on island)



**CITY OF GRAND PRAIRIE
RESOLUTION**

MEETING DATE: 01/17/2023

PRESENTER: Walter Shumac, Director of Transportation and Mobility

TITLE: Resolution authorizing the City Manager to enter into a Project Specific Agreement Amendment with Dallas County for the widening of Camp Wisdom Road MCIP 40811 from approximately 1700 linear feet west of Carrier Pkwy to FM 1382 and commit the city to \$31,404 in additional funding for a total City share commitment of \$5,510,208

REVIEWING COMMITTEE: (Reviewed by the Finance and Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	Dallas County
<i>Annual Cost/Total Cost:</i>	\$29,516,893
<i>Department:</i>	Transportation and Mobility
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

In 2003, the Texas Department of Transportation (TxDOT) and North Central Texas Council of Governments (NCTCOG) elected to build SH 161 main lanes as toll lanes instead of free lanes. As part of this process, the City of Grand Prairie was requested to submit a list of projects for Federal funding. From the list, 11 projects including Camp Wisdom Road from Carrier Pkwy to FM 1382 were selected for funding and approved by the Regional Transportation Council (RTC) of the NCTCOG in 2004. These projects became known as the “Near Neighbor” projects.

NCTCOG originally funded Camp Wisdom Road project for \$7,200,000 Federal and \$9 million Local (City). Since that time, non-federalized Regional Toll Revenue (RTR) funds became available, and Staff submitted a request which was approved by the RTC to swap the Federal funds for RTR funds. That opened the door for Dallas County to act as Lead Agency for the Camp Wisdom Road project and contribute one half of the \$9 million Local share (\$4.5 million for each agency). The Project limits have been extended 1700 linear feet west of Carrier Pkwy. A portion of this project is in the City of Dallas. Approximately 66% is in Grand Prairie and the remainder in Dallas.

The original estimated overall project cost was \$16,200,000 of which \$7,200,000 was funded through RTR funds; \$4,500,000 Dallas County, \$1,500,000 City of Dallas, and \$3,000,000 City of Grand Prairie.

Dallas County completed the design of Camp Wisdom Road project. Bids were opened by Dallas County on November 15, 2019. Two bids were received: Tiseo Paving Company: \$32,872,654 base bid including additive alternate and Ragle Inc. \$23,941,055.47 base bid including additive alternate. Ragle Inc. was the apparent low bidder.

Amendment No. 1 was presented to Finance and Government on January 7, 2020. At which time, concerns were raised regarding the increased funding needed in future years from the City of Grand Prairie. Staff was requested to return to NCTCOG and request additional funding options for the short fall above the current City approved funds during the previous budget processes. NCTCOG agreed to raise the RTR Funds by reallocating from other projects that will not be ready for construction during the current budget year. Any RTR funds used will be reallocated into future years NCTCOG budgets.

Project cost was revised to \$26,641,056 of which \$10,447,939 was funded through RTR funds, \$9,543,117 Dallas County, \$1,300,000 City of Dallas, and \$5,350,000 City of Grand Prairie. Amendment No. 1 was approved by Council 2/4/2020 (19-9651).

Amendment No. 2 was presented to Finance and Government on June 1, 2021. At which time, the project was under construction and the County requested by Resolution that the City commit to additional funding in the amount of \$128,804 from the City's revised share of \$5,350,000 to \$5,478,804 for increasing the thickness and reinforcing concrete pavement in the tree influenced area, increase the thickness of flex base in the tree influenced area and install 20-Mil poly moisture barrier from back of curb to face the mechanically stabilized earth (MSE) wall and from back of MSE wall to ROW line in the tree influenced area, for mitigation of differential pavement and soil movement.

Project cost was revised to \$29,485,489 of which \$10,447,939 was funded through RTR funds, \$12,129,942 Dallas County, \$1,428,804 City of Dallas, and \$5,478,804 City of Grand Prairie. Amendment No. 2 was approved by Council 6/1/2021 (5185-2021).

At this time, this project is currently winding down the construction and the County is requesting by Resolution that the City commit to additional funding in the amount of \$31,404 to revise the City's share from \$5,478,804 to \$5,510,208 for engineering & county project delivery, MCIP construction, city construction, material testing, and contingencies.

Project cost will be revised to \$29,516,893 of which \$10,447,939 is funded through RTR funds, \$12,129,942 Dallas County, \$1,428,804 City of Dallas, and \$5,510,208 City of Grand Prairie.

HISTORY:

	<u>Amount</u>	<u>Grand Prairie Portion</u>	<u>Approval Date</u>	<u>Reason</u>
<u>Original Contract:</u>	\$16,200,000	\$3,000,000	1/7/2020	
<u>Change Order 1</u>	10,441,056	2,350,000	2/4/2020	Increase in funding
<u>Change Order 2</u>	2,844,433	128,804	6/1/2021	Materials/Construction
<u>Change Order 3</u>	31,404	31,404	1/3/2023	Materials/Construction
<u>Revised Total</u>	\$29,516,893	\$5,510,208		

PROCUREMENT DETAILS:

Dallas County was the bidding agency.

Number of Responses:2

Selection Details: Low Bid

FINANCIAL CONSIDERATION:

Budgeted?	<input type="checkbox"/>	Fund Name:	Street Capital Project Fund Grants Annual Budgets		
-----------	--------------------------	------------	--	--	--

If Capital Improvement:					
Total Project Budget	\$5,510,208	Proposed New Funding:	\$31,404	Remaining Funding:	\$0.00

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Attachment B-3 Current Cost Estimates & Funding Sources

BODY

A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A PROJECT SPECIFIC AGREEMENT AMENDMENT WITH DALLAS COUNTY FOR THE WIDENING OF CAMP WISDOM ROAD FROM APPROXIMATELY 1700 LINEAR FEET WEST OF CARRIER PARKWAY TO FM 1382

WHEREAS, Dallas County has requested that it be designated as the LEAD AGENCY for the project and will provide the Project Manager; and

WHEREAS, Dallas County has entered into an Advance Funding Agreement (AFA) with the State of Texas by and through the Texas Department of Transportation (TXDOT) to provide funding in the amount of \$10,477,939 for the construction of the Camp Wisdom Project; and

WHEREAS, Chapter 791 of the Texas Government Code and Texas Transportation Code Section 472.001 provides authorization for local governments to contract with each other for the performance of governmental functions and services, as well as joint funding of road construction or improvements of road and street projects; and

WHEREAS, The City of Grand Prairie will be responsible for \$5,510,208 of the \$29,516,893 estimated cost.

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

SECTION 1. The City Manager is hereby authorized to enter into an agreement with Dallas County for the widening of Camp Wisdom Road from approximately 1700 linear feet west of Carrier Pkwy to FM 1382.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 17TH DAY OF JANUARY 2023.

ATTACHMENT B-3

Current Cost Estimates & Funding Sources

**Project Name: Camp Wisdom Road
MCIP Project 40811**

A. PROJECT COSTS	
Expenditure	Estimated Cost
Engineering & County Project Delivery	\$2,685,000
MCIP Construction	\$24,264,476
City Construction (100%)	\$354,821
Material Testing	\$161,620
Contingencies	\$2,050,976
TOTAL:	\$29,516,893
B. FUNDING SOURCES	
Dallas County	*\$12,129,942
City of Grand Prairie	** \$5,478,804
City of Grand Prairie Additional	*****\$31,404
City of Dallas	***\$1,428,804
Texas Department of Transportation (RTR)	****\$10,447,939
TOTAL:	\$29,516,893

*Dallas County \$8,243,117.00 MCIP Budgeted Funds and \$1,300,000.00 transferred from Merrifield Rd. MCIP 40210 and Grady Niblo MCIP 40203. Additional \$2,586,824.57 from various project encumbrances CO 2021-0292.

** City of Grand Prairie \$4,995,179.00 MCIP Funds and \$354,821.00 is 100% City of Grand Prairie Items. \$128,804.00 for Construction Change Order 4

***City of Dallas Funds transferred from Merrifield Rd and Grady Niblo. \$128,804.00 for Construction Change Order 4

****TxDOT AFA \$7,200,000.00 and Amendment 1 \$3,247,939.00

*****Grand Prairie betterments (upgrade light and mow strips on island)



**CITY OF GRAND PRAIRIE
RESOLUTION**

MEETING DATE: 01/17/2023

PRESENTER: Walter Shumac, Director of Transportation and Mobility

TITLE: Resolution authorizing the City Manager to enter into a Project Funding Agreement with Crow Holdings Inc./Wildlife Land L.P. (CHI) a Texas limited partnership where CHI intends to pay for improvements to the Wildlife Parkway MCIP project (40810) from SH 161 Frontage Road at Lower Tarrant Road eastward to Beltline Road by depositing funds with the City in the amount of \$918,052.54

REVIEWING COMMITTEE: (Reviewed by the Finance and Government Committee on 01/03/2023)

SUMMARY:

<i>Vendor Name:</i>	CHI/Wildlife Land L.P.
<i>Annual Cost/Total Cost:</i>	\$918,052.54
<i>Department:</i>	Transportation and Mobility
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

The Project Funding Agreement will allow for improvements such as street construction and design to the Wildlife Parkway MCIP project (40810) from SH 161 Frontage Road at Lower Tarrant Road eastward to Beltline Road.

CHI intends to pay for the improvements by depositing funds with the City in the amount of \$918,052.54 which may be adjusted to include any additional cost overruns directly related to completion of the improvements. CHI is requesting these improvements to improve traffic flow for trucks entering and existing their warehouse development.

FINANCIAL CONSIDERATION:

Funds be deposited to Grant Fund for the Wildlife Parkway activity.

BODY

A RESOLUTION OF THE CITY OF GRAND PRAIRIE, TEXAS, AUTHORIZING A PROJECT FUNDING AGREEMENT WITH CHI/WILDLIFE LAND L.P. A TEXAS LIMITED PARTNERSHIP FOR THE TRANSFER OF FUNDS INTO GRANT (300592) 36514019

(WILDLIFE PARKWAY) FOR IMPROVEMENTS TO THE WILDLIFE PARKWAY MCIP PROJECT (40810) FROM SH 161 FRONTAGE ROAD AT LOWER TARRANT ROAD EASTWARD TO BELTLINE ROAD

WHEREAS, CHI intends to pay for the Improvements by depositing funds with the City in the initial sum of \$918,052.54 which may be adjusted to include any additional cost overruns directly related to completion of the Improvements; and

WHEREAS, the Improvements are for street construction and design, which is a governmental function of the City, and this Agreement is made in the exercise of the City's governmental functions in the interest of the health, safety, and welfare of the general public.

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

SECTION 1. The City Manager hereby authorizes the execution of the Project Funding Agreement, providing that CHI provides funding to the City for improvements to the Wildlife Parkway MCIP project 40810 from SH 161 Frontage Road at Lower Tarrant Road eastward to Beltline Road.

SECTION 2. The City Manager approves funds in the amount of \$918,052.54 to be transfer into Grant (300592) 36514019 (Wildlife Parkway).

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 17TH DAY OF JANUARY 2023.



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 1/17/2023

PRESENTER: Noreen Housewright, Director of Engineering Services

TITLE: Public Hearing and Ordinance authorizing street right-of-way abandonment at Waterwood Drive between West Warrior Trail and Arkansas Lane required to develop the EpicCentral project

REVIEWING COMMITTEE:

SUMMARY:

<i>Vendor Name:</i>	City of Grand Prairie
<i>Annual Cost/Total Cost:</i>	None
<i>Department:</i>	Engineering Services
<i>Recommended Action:</i>	Approve

PURPOSE OF REQUEST:

In order to develop the EpicCentral project, a portion of dedicated right-of-way of Waterwood Drive needs to be abandoned. This right-of-way was dedicated in fee to the City of Grand Prairie by plat of the Central Park Addition. The abutting property owner and underlying fee owner is the City of Grand Prairie.

Ownership of the abandoned right-of-way will stay with the City of Grand Prairie to be incorporated into the development plans of EpicCentral (see property description **Exhibit "A"**).

To be official, a public hearing must be conducted and council must consider an ordinance authorizing the abandonment of a portion of City right-of-way known as Waterwood Drive between West Warrior Trail and Arkansas Lane.

Staff has reviewed the requested abandonment and recommends the street abandonment with the conditions set forth in the ordinance.

ATTACHMENTS / SUPPORTING DOCUMENTS:

- 1- Ordinance
- 2- Exhibit A – property description

BODY

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, PROVIDING FOR THE ABANDONMENT OF STREET RIGHT-OF-WAY KNOWN AS WATERWOOD DRIVE IN THE CENTRAL PARK ADDITION, OUT OF THE D.R. CAMERON SURVEY, ABSTRACT NO. 295 AND JOSE A. GILL SURVEY, ABSTRACT NUMBER 1714, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS; PROVIDING FOR THE CITY OF GRAND PRAIRIE, THE ABUTTING OWNER AND UNDERLYING FEE OWNER OF WATERWOOD DRIVE TO RETAIN ALL ITS RIGHTS, TITLE AND INTERESTS TO THE ABANDONED WATERWOOD RIGHT-OF-WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF THE ABANDONMENT; AND PROVIDING AN EFFECTIVE DATE FOR THE ORDINANCE

WHEREAS, the City Council of the City of Grand Prairie, acting pursuant to law and upon the request of **THE CITY OF GRAND PRAIRIE**, deems it advisable to abandon street right-of-way known as Waterwood Drive in the City of Grand Prairie, Dallas County, Texas, to allow for the development of the EpicCentral project, said right-of-way more particularly described in attached “**Exhibit A**” attached hereto and incorporated herein; and

WHEREAS, said right-of-way was dedicated in fee simple to the City of Grand Prairie, Texas, by the City of Grand Prairie, Texas, by plat of Central Park Addition, recorded in the Official Public Records of Dallas County, Texas, as Instrument Number 200900026373, filed January 29, 2009; and

WHEREAS, the City Council of the City of Grand Prairie in order to move forward with the development of EpicCentral plans deems it necessary for that certain Waterwood Drive right-of-way containing approximately 3.77 acres (or 164,246 s.f.) as shown in “**Exhibit A**”, be abandoned; and

WHEREAS, the City Council is of the opinion that the best interest and welfare of the public will be served by abandoning that specific portion of Waterwood Drive in order to incorporate the abandoned right-of-way into the new EpicCentral development plans.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE:

SECTION 1. That the tract of land described in “**Exhibit A**” attached hereto and made a part hereof, be and the same shall be abandoned, vacated and closed; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That the City of Grand Prairie abandon that portion of Waterwood Drive right-of-way subject to the conditions hereinafter made, **HOWEVER**, the City of Grand Prairie is retaining all its rights, title and interests in and to that Waterwood Drive right-of-way described in ‘**Exhibit A**’ attached hereto and made a part hereof.

SECTION 3. That the terms and conditions contained in this ordinance shall be binding upon the City, its successors and assigns.

SECTION 4. That the abandonment provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Grand Prairie may legally and lawfully abandon and vacate.

SECTION 5. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Real Property Records of Dallas County, Texas, and shall deliver to GRANTEE a certified copy of this ordinance, and the City Manager is authorized to sign a quitclaim deed on behalf of the City, subject to the conditions herein specified.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 17th DAY OF JANUARY 2023.

**CASE NO. ROW-1122-012
RIGHT OF WAY ABANDONMENT**



CITY OF GRAND PRAIRIE COMMUNICATION

MEETING DATE: 01/17/2023

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Savannah Ware, AICP, Chief City Planner

TITLE: STP-22-08-0036 - Site Plan - The Jefferson at Loyd Park Phase 1 (City Council District 4). Site Plan for Multi-Family development with 450 units on 25.0903 Acres. Multiple parcels within the Ralph Graves Survey, Abstract 569, City of Grand Prairie, Tarrant County, Texas, Zoned Planned Development (PD-431) within the SH-360 Overlay, with an approximate address of 7122 N Day Miar Rd (On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0)

APPLICANT: Holly Williams, Kimley-Horn & Associates

RECOMMENDED ACTION: Approve

SUMMARY:

Site Plan for Multi-Family development with 450 units on 25.0903 Acres. Multiple parcels within the Ralph Graves Survey, Abstract 569, City of Grand Prairie, Tarrant County, Texas, Zoned Planned Development (PD-431) within the SH-360 Overlay, with an approximate address of 7122 N Day Miar Rd.

PURPOSE OF REQUEST:

The applicant is seeking Site Plan approval for the first phase of this Multi-Family and Townhome development. The Unified Development Code (UDC) requires City Council approval of a site plan to ensure that the development meets requirements in the UDC by providing adequate circulation as well as quality site planning techniques. The UDC identifies criteria for evaluating proposed developments such as density and dimensional standards, landscaping and screening requirements, and architectural design requirements.

Project Update:

- On January 3, 2023, City Council tabled this item to January 17, 2023 to allow the developer time to revise the proposed building elevations.
- The developer is currently revising the proposed building elevations. Staff will present the revised elevations at the January 17th City Council meeting.

ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

Table 1. Adjacent Zoning and Land Use

Direction	Zoning	Existing Use
North	PD 352 for Multi-Family and Commercial One (C-1)	Water's Edge at Mansfield
South	Agriculture (A)	Future: The Lofts at GP
West	Agriculture (A)	Undeveloped
East	Planned Development (PD-407): Multi-Family (MF)	The Lofts at GP Proposed Haven at Loyd Park

HISTORY:

- June 21, 2022: City Council approved a zoning change, creating PD-431 for Multi-Family and Townhome use (Case Number ZON-22-03-0007).

PROPOSED USE CHARACTERISTICS AND FUNCTION:

This is the first phase of Jefferson at Loyd Park and includes 450 multi-family units. Access to the site is from the SH-360 frontage road. Amenities include a clubhouse, pool, and walking trails around the perimeter.

ZONING REQUIREMENTS:

Density and Dimensional Requirements

The development is subject to the density and dimensional requirements of the UDC. The following table summarizes these requirements.

Table 2. Multi-family Density and Dimensional Requirements

Standard	UDC and Appendix W	MF-3	Complies
Min. Lot Area (Sq. Ft.)	12,000	1,092,934	Yes
Min. Lot Width (Ft.)	100	1,506	Yes
Min. Lot Depth (Ft.)	120	214	Yes
Min. Front Yard on Street (Ft.)	30	30	Yes
Min. Side Yard (Ft.)	30	30	Yes
Maximum Height (Ft.)	60	49	Yes
Maximum Density (DU/AC)	26	17.9	Yes
Minimum Living Area (Sq. Ft.)	600	650	Yes
Maximum % Single Bed Units	60%	65%	Yes*
Fence along Street	Wrought Iron w/ Masonry Columns	Yes	Yes
Perimeter Fence Height (Ft.)	6	6	Yes

*Meeting Appendix W architectural requirements permits an increase in the number of single bed units by 10%.

Parking Requirements

The Article 10 of the Unified Development Code (UDC) specifies the following:

Table 3. Tract 3 Multi-Family South Parking Requirements

Standard	Article 10 / UDC	Provided	Meets
1.25 Parking Spaces/One-Bedroom	293 units – 367	384	Yes
2 Parking Spaces/Two-Bedroom-Three-Bedroom	157 units – 314	400	Yes
Total Multi-Family Parking Spaces	681	784	Yes
Covered Parking 20%	137	160	Yes
Garage Parking 30%	205	208	Yes
Guest Parking 10%	69	79	Yes

Landscape and Screening

The property meets the landscape and screening requirements from PD-431, Appendix W, and Article 8 of the UDC. Screening includes wrought iron fencing with masonry columns along SH-360.

Table 4. Landscape Requirements

Standard	Required	Provided	Meets
Landscape Area Required 15% (Sq. Ft.)	163,941	580,452	Yes
Site Tree Requirement (1 tree/500 Sq. Ft.)	328	328	Yes
Street Trees 1-3” every 25-50 Ft.	39	39	Yes
Parking Lot Trees 1 per 20 spaces	36	36	Yes
Total Trees	403	403	Yes
Shrubs (1/50 SF of Req. Landscaping)	3,279	6,052	Yes
Type 2 Fence along SH-360 6’ Metal Fence w/Masonry Columns	✓	✓	Yes

Tree Survey & Tree Mitigation Plan

The applicant provided a tree survey and preservation plan as required by Article 8. The applicant is removing 3,902 caliper inches of protected trees, which requires mitigation. The applicant is preserving desirable trees with 3-8 caliper inches and paying mitigation fees to mitigate for the trees that are being removed.

Table 5. Tree Mitigation

Protected Trees Requiring Mitigation (Caliper Inches)	3,902
Preserved Desirable Trees (Caliper Inches)	2,836

Mitigation Fees (Caliper Inches)	1,066
Mitigation Fee to be Paid	\$213,200

Exterior Building Materials

The exterior building materials include brick, stone, and fiber cement siding panels. Design elements include change in colors and materials, horizontal and vertical articulation. The proposed building elevations meet Appendix W recommendations.

Project Amenities

Appendix W requires multi-family developments to provide amenities from three categories:

- Environmentally friendly features
- High-quality features or designs
- Technology

The proposal includes the required amenities.

VARIANCES:

The applicant is not requesting any variances.

ANALYSIS:

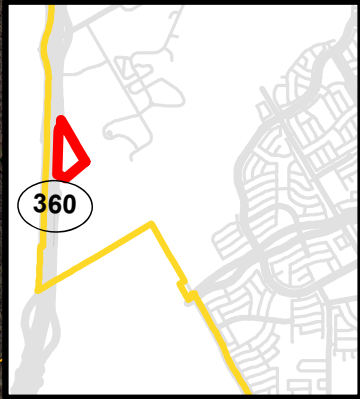
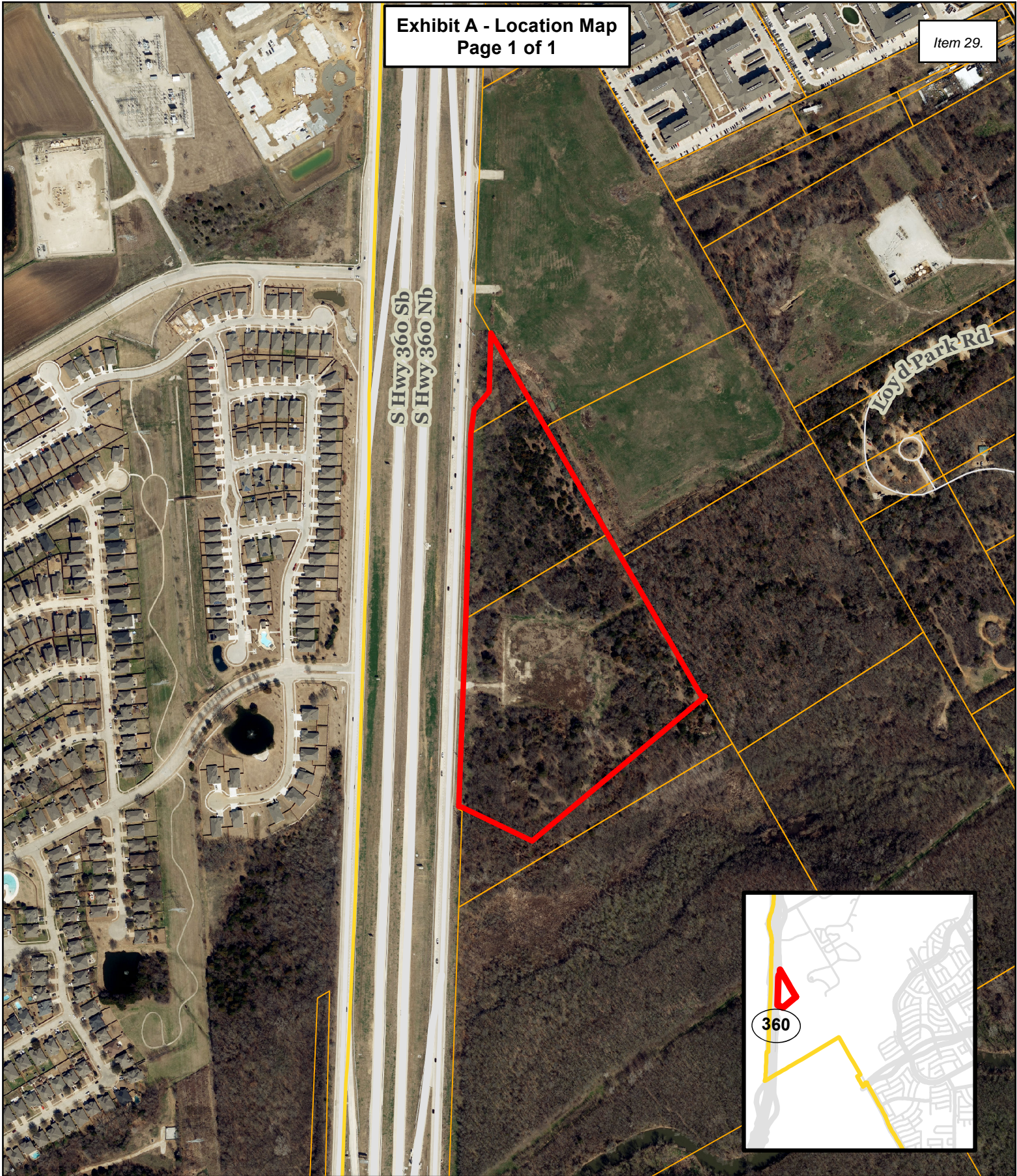
Appendix W states that multi-family developments meeting the recommended design standards may request two of the following:

1. Reduce required garage parking by 5%.
2. Increase maximum density or FAR by 20%.
3. Reduce required landscaped area by 5%.
4. Increase percentage of one-bedroom units by 10%.

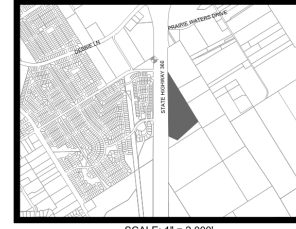
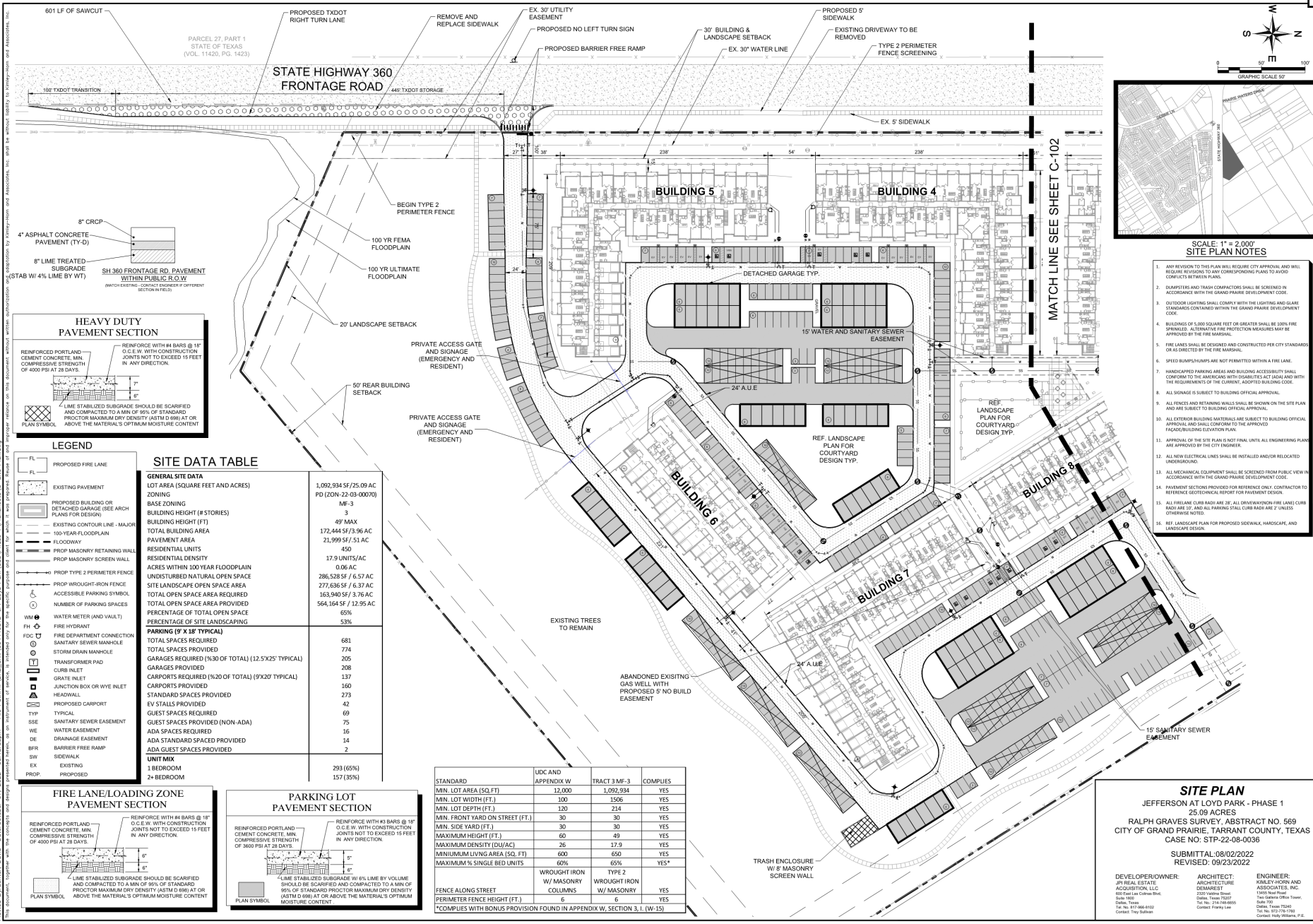
Since the proposed building elevations meet the recommended design and materials, the development qualifies for two items listed above. The applicant is selecting to increase the maximum percentage of one-bedroom units.

RECOMMENDATION:

- On December 12, 2022, the Planning and Zoning Commission recommended approval by a vote of 6-0.
- The Development Review Committee (DRC) recommends approval.



Item 29.



- SCALE: 1" = 2,000'
SITE PLAN NOTES
1. ANY REVISIONS TO THIS PLAN WILL REQUIRE CITY APPROVAL AND WILL REQUIRE REVISIONS TO ANY CORRESPONDING PLANS TO AVOID CONFLICTS WITH THIS PLAN.
 2. DUMP PILES AND TRASH CONTAINERS SHALL BE SCREENED IN ACCORDANCE WITH THE GRAND PRAIRIE DEVELOPMENT CODE.
 3. OUTDOOR LIGHTING SHALL COMPLY WITH THE LIGHTING AND GLARE STANDARDS CONTAINED WITHIN THE GRAND PRAIRIE DEVELOPMENT CODE.
 4. BUILDINGS OF 5,000 SQUARE FEET OR GREATER SHALL BE 50% FIRE SPRINKLED. ALTERNATIVE FIRE PROTECTION MEASURES MAY BE APPROVED BY THE FIRE MARSHAL.
 5. FIRE LINES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS OR AS DIRECTED BY THE FIRE MARSHAL.
 6. SPEED BUMPS/RUMPS ARE NOT PERMITTED WITHIN A FIRE LANE.
 7. HANDICAPPED PARKING SPACES AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT LOCAL AND WITH THE REQUIREMENTS OF THE CURRENTLY ADOPTED BUILDING CODE.
 8. ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
 9. ALL FENCES AND RETAINING WALLS SHALL BE SHOWN ON THE SITE PLAN AND ARE SUBJECT TO BUILDING OFFICIAL APPROVAL.
 10. ALL EXTERIOR BUILDING MATERIALS ARE SUBJECT TO BUILDING OFFICIAL APPROVAL AND SHALL CONFORM TO THE APPROVED OFFICIAL FACADES/BUILDINGS ELEVATION PLAN.
 11. APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE CITY ENGINEER.
 12. ALL NEW ELECTRICAL LINES SHALL BE INSTALLED AND/OR RELOCATED UNDERGROUND.
 13. ALL MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PUBLIC VIEW IN ACCORDANCE WITH THE GRAND PRAIRIE DEVELOPMENT CODE.
 14. PAVEMENT SECTIONS PROVIDED FOR REFERENCE ONLY. CONTRACTOR TO REFERENCE OFFICIAL REPORT FOR PAVEMENT DESIGN.
 15. ALL FIRE LANE AND CURB RADIUS ARE 20'. ALL DRIVEWAYS/FIRE LANE CURB RADIUS ARE 30'. AND ALL PARKING STALL CURB RADIUS ARE 2' UNLESS OTHERWISE NOTED.
 16. REF. LANDSCAPE PLAN FOR PROPOSED SIDEWALK, HANDICAP, AND LANDSCAPE DESIGN.

LEGEND

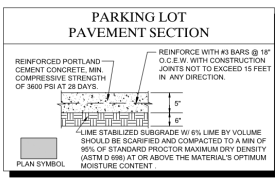
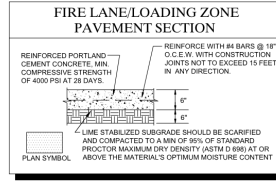
FL	PROPOSED FIRE LANE
EX	EXISTING BUILDING
PG	PROPOSED BUILDING OR DETACHED GARAGE (SEE ARCH PLANS FOR DESIGN)
CL	EXISTING CONTIGUOUS LINE - MAJOR
FD	100-YEAR FLOODPLAIN
FW	FLOODWAY
MR	PROP MASONRY RETAINING WALL
MS	PROP MASONRY SCREEN WALL
PF	PROP TYPE 2 PERIMETER FENCE
PR	PROP WROUGHT IRON FENCE
AP	ACCESSIBLE PARKING SYMBOL
NS	NUMBER OF PARKING SPACES
WM	WATER METER (AND VAULT)
WD	FIRE WYDRANT
FDCT	FIRE DEPARTMENT CONNECTION
SM	SANITARY SEWER MANHOLE
SD	STORM DRAIN MANHOLE
TR	TRANSFORMER PAD
CI	CURB INLET
GI	GRATE INLET
JBI	JUNCTION BOX OR WYE INLET
HW	HEADWALL
SE	PROPOSED DRIVEWAY
TS	TYPICAL
SSE	SANITARY SEWER EASEMENT
WE	WATER EASEMENT
DE	DRAINAGE EASEMENT
BFR	BARRIER FREE RAMP
SW	SIDEWALK
EX	EXISTING
PROP	PROPOSED

SITE DATA TABLE

GENERAL SITE DATA	LOT AREA (SQUARE FEET AND ACRES)	1,092,934 SF / 25.09 AC PD (ZON-22-03-00070)
BASE ZONING		MF-3
BUILDING HEIGHT (# STORIES)		3
BUILDING HEIGHT (FT)		49' MAX
TOTAL BUILDING AREA		172,444 SF / 3.96 AC
PAVEMENT AREA		21,999 SF / .51 AC
RESIDENTIAL UNITS		450
RESIDENTIAL DENSITY		17.9 UNITS/AC
ACRES WITHIN 100 YEAR FLOODPLAIN		0.06 AC
UNDISTURBED NATURAL OPEN SPACE		286,528 SF / 6.57 AC
SITE LANDSCAPE OPEN SPACE AREA		277,636 SF / 6.37 AC
TOTAL OPEN SPACE AREA REQUIRED		363,940 SF / 8.37 AC
TOTAL OPEN SPACE PROVIDED		564,164 SF / 12.95 AC
PERCENTAGE OF TOTAL OPEN SPACE		65%
PERCENTAGE OF SITE LANDSCAPING		53%
PARKING (9' X 18' TYPICAL)		
TOTAL SPACES REQUIRED		681
TOTAL SPACES PROVIDED		774
GARAGES REQUIRED (%20 OF TOTAL) (12.5X25' TYPICAL)		205
GARAGES PROVIDED		208
CARPPOITS REQUIRED (%20 OF TOTAL) (9X20' TYPICAL)		137
CARPPOITS PROVIDED		160
STANDARD SPACES PROVIDED		273
EV STALLS PROVIDED		42
GUEST SPACES REQUIRED		69
GUEST SPACES PROVIDED (NON-ADA)		75
ADA SPACES REQUIRED		16
ADA STANDARD SPACES PROVIDED		14
ADA GUEST SPACES PROVIDED		2
UNIT MIX		
1 BEDROOM		293 (65%)
2+ BEDROOM		157 (35%)

STANDARD	UDC AND APPENDIX W	TRACT 3 MF-3	COMPLIES
MIN. LOT AREA (SQ.FT.)	12,000	1,092,934	YES
MIN. LOT WIDTH (FT.)	100	1506	YES
MIN. LOT DEPTH (FT.)	120	214	YES
MIN. FRONT YARD ON STREET (FT.)	30	30	YES
MIN. SIDE YARD (FT.)	30	30	YES
MAXIMUM HEIGHT (FT.)	60	49	YES
MAXIMUM DENSITY (DU/AC)	26	17.9	YES
MINIMUM LIVING AREA (SQ. FT.)	600	650	YES
MAXIMUM % SINGLE BED UNITS	60%	60%	YES*
WROUGHT IRON W/ MASONRY COLUMNS	TYPE 2	WROUGHT IRON W/ MASONRY	YES
FENCE ALONG STREET	6	6	YES
PERIMETER FENCE HEIGHT (FT.)	6	6	YES

*COMPLIES WITH BONUS PROVISION FOUND IN APPENDIX W, SECTION 3.1. (W-15)



SITE PLAN
JEFFERSON AT LOYD PARK - PHASE 1
25.09 ACRES
RALPH GRAVES SURVEY, ABSTRACT NO. 569
CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS
CASE NO: STP-22-08-0036

SUBMITTAL 08/02/2022
REVISED 09/23/2022

DEVELOPER/OWNER: JPS REAL ESTATE ACQUISITION, LLC 600 West Loop West Suite 1000 Dallas, Texas 75208 Tel. No. 214-748-8102 Contact: Trey Sullivan	ARCHITECTURE: KIMLEY-HORN AND ASSOCIATES, INC. 13455 NOLAN ROAD, SUITE 700, DALLAS, TX 75240 PHONE: 972-770-0000 FAX: 972-239-3820 WWW.KIMLEY-HORN.COM TEXAS REGISTERED ENGINEERING FIRM F-128	ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 13455 NOLAN ROAD, SUITE 700, DALLAS, TX 75240 PHONE: 972-770-0000 FAX: 972-239-3820 WWW.KIMLEY-HORN.COM TEXAS REGISTERED ENGINEERING FIRM F-128
--	---	---

Kimley»Horn
© 2022 KIMLEY-HORN AND ASSOCIATES, INC.
13455 NOLAN ROAD, SUITE 700, DALLAS, TX 75240
PHONE: 972-770-0000 FAX: 972-239-3820
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM F-128

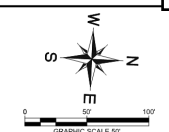
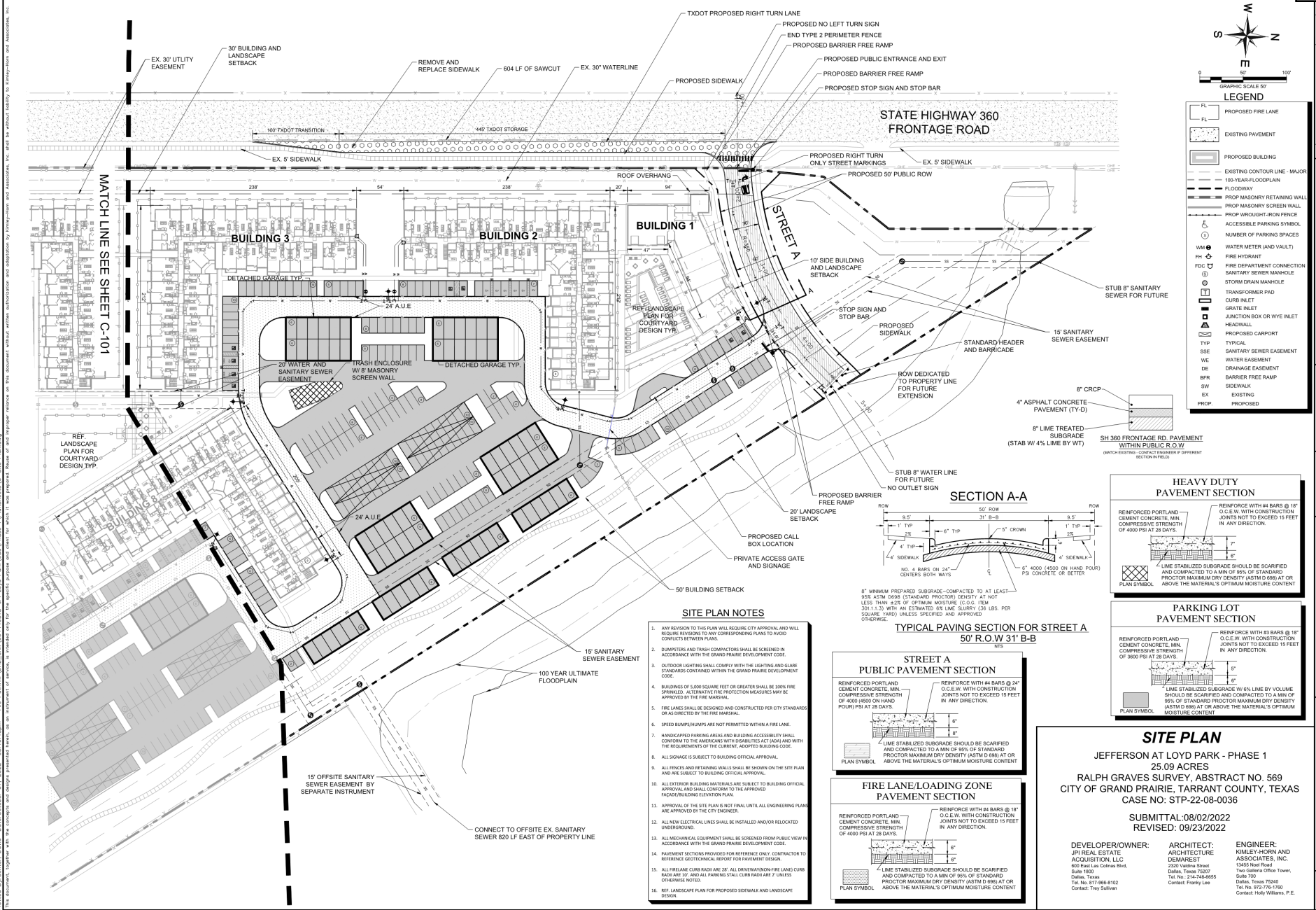
JEFFERSON LOYD PARK - PHASE 1

SITE PLAN
PHASE 1
CITY OF GRAND PRAIRIE
TARRANT COUNTY, TEXAS

REVISIONS: _____ DATE: _____ BY: _____

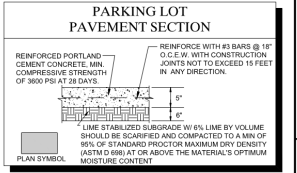
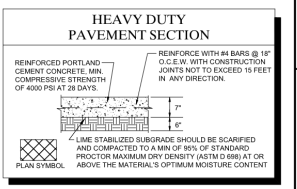
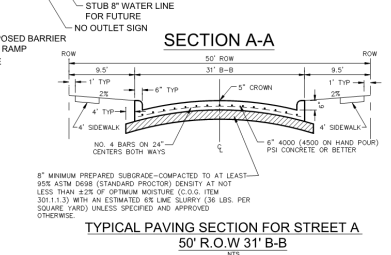
SHEET NUMBER
C-101

140

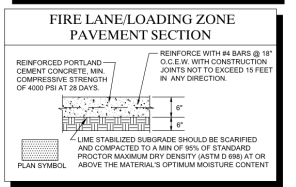
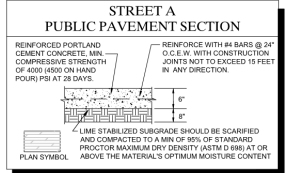


LEGEND

FL	PROPOSED FIRE LANE
FL	EXISTING FIRE LANE
---	EXISTING CONTOUR LINE - MAJOR
---	100-YEAR FLOODPLAIN
---	FLOODWAY
---	PROPOSED BUILDING
---	PROPOSED MASONRY RETAINING WALL
---	PROP WROUGHT-IRON FENCE
---	ACCESSIBLE PARKING SYMBOL
---	NUMBER OF PARKING SPACES
WM	WATER METER (AND VAULT)
FH	FIRE HYDRANT
FDC	FIRE DEPARTMENT CONNECTION
SM	SANITARY SEWER MANHOLE
SM	STORM DRAIN MANHOLE
---	TRANSFORMER PAD
---	CURB INLET
---	GRATE INLET
---	JUNCTION BOX OR VYE INLET
---	HEADWALL
---	PROPOSED CARPORT
TYP	TYPICAL
SSE	SANITARY SEWER EASEMENT
WE	WATER EASEMENT
DE	DRAINAGE EASEMENT
BFR	BARRIER FREE RAMP
SW	SIDEWALK
EX	EXISTING
PROP	PROPOSED



- SITE PLAN NOTES**
1. ANY REVISION TO THIS PLAN WILL REQUIRE CITY APPROVAL AND WILL REQUIRE REVISIONS TO ANY CORRESPONDING PLANS TO AVOID CONFLICTS WITH THESE PLANS.
 2. EXISTING AND TRADE CONTRACTORS SHALL BE SCREENED IN ACCORDANCE WITH THE GRAND PRAIRIE DEVELOPMENT CODE.
 3. OUTDOOR LIGHTING SHALL COMPLY WITH THE LIGHTING AND GLARE STANDARDS CONTAINED WITHIN THE GRAND PRAIRIE DEVELOPMENT CODE.
 4. BUILDINGS OF 5,000 SQUARE FEET OR GREATER SHALL BE SOON FIRE SPRINKLED. ALTERNATIVE FIRE PROTECTION MEASURES MAY BE APPROVED BY THE FIRE MARSHAL.
 5. FIRE LANES SHALL BE DESIGNED AND CONSTRUCTED PER CITY STANDARDS OR AS DIRECTED BY THE FIRE MARSHAL.
 6. SPEED BUMPS/BUMPS ARE NOT PERMITTED WITHIN A FIRE LANE.
 7. HANDICAPPED PARKING AREAS AND BUILDING ACCESSIBILITY SHALL CONFORM TO THE AMERICANS WITH DISABILITIES ACT (ADA) AND WITH THE REQUIREMENTS OF THE CURRENTLY ADOPTED BUILDING CODE.
 8. ALL SIGNAGE IS SUBJECT TO BUILDING OFFICIAL APPROVAL.
 9. ALL FENCES AND RETAINING WALLS SHALL BE SHOWN ON THE SITE PLAN AND ARE SUBJECT TO BUILDING OFFICIAL APPROVAL.
 10. ALL EXTERIOR BUILDING MATERIALS SHALL BE SUBJECT TO BUILDING OFFICIAL APPROVAL AND SHALL CONFORM TO THE APPROVED FACTOR BUILDING ELEVATION PLAN.
 11. APPROVAL OF THE SITE PLAN IS NOT FINAL UNTIL ALL ENGINEERING PLANS ARE APPROVED BY THE CITY ENGINEER.
 12. ALL NEW ELECTRICAL LINES SHALL BE INSTALLED AND/OR RELOCATED UNDERGROUND.
 13. ALL MECHANICAL EQUIPMENT SHALL BE SHOWN FROM PUBLIC VIEW IN ACCORDANCE WITH THE GRAND PRAIRIE DEVELOPMENT CODE.
 14. PAVEMENT SECTIONS PROVIDED FOR REFERENCE ONLY. CONTRACTOR TO REFERENCE GEOTECHNICAL REPORT FOR PAVEMENT DESIGN.
 15. ALL FIRE LANE CURB RADI ARE 24" ALL DRIVEWAY/IN/OUT FIRE LANE CURB RADI ARE 12" AND ALL PARKING STALL CURB RADI ARE 2" UNLESS OTHERWISE NOTED.
 16. REF. LANDSCAPE PLAN FOR PROPOSED SIDEWALK AND LANDSCAPE DESIGN.



SITE PLAN

JEFFERSON AT LOYD PARK - PHASE 1
25.09 ACRES
RALPH GRAVES SURVEY, ABSTRACT NO. 569
CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS
CASE NO: STP-22-08-0036

SUBMITTAL: 08/02/2022
REVISED: 09/23/2022

DEVELOPER/OWNER: JPI REAL ESTATE ACQUISITION, LLC
800 East Lee Collins Blvd. Suite 100 Dallas, Texas Tel No: 817-468-8102 Contact: Trey Sullivan

ARCHITECT: DEMAREST 2320 Virginia Street Dallas, Texas 75207 Tel No: 214-748-8655 Contact: Finley Lee

ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 13405 North Road The Galleria Office Tower, Suite 700 Dallas, Texas 75240 Tel No: 972-776-1761 Contact: Holly Williams, P.E.

This document, together with the exhibits and design presented herein, is an instrument of service, as defined under the Texas Property Code, and is intended only for the specific purpose and client for which it was prepared. Review of this instrument and any correspondence thereto shall be without liability to Kimley-Horn and Associates, Inc.

Kimley-Horn

1001 N. GULF Fwy., Suite 1000, Dallas, TX 75201
PH: 972-776-1761 FAX: 972-239-3820
WWW.KIMLEY-HORN.COM

TEJAS REGISTERED ENGINEERING FIRM # 428

JEFFERSON LOYD PARK - PHASE 1
KHA PROJECT: 08-444518
DATE: OCTOBER 2022
SCALE: AS SHOWN
DRAWN BY: DEJ
CHECKED BY: JWC

SITE PLAN

JEFFERSON AT LOYD PARK - PHASE 1
25.09 ACRES
RALPH GRAVES SURVEY, ABSTRACT NO. 569
CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS
CASE NO: STP-22-08-0036

SUBMITTAL: 08/02/2022
REVISED: 09/23/2022

DEVELOPER/OWNER: JPI REAL ESTATE ACQUISITION, LLC
800 East Lee Collins Blvd. Suite 100 Dallas, Texas Tel No: 817-468-8102 Contact: Trey Sullivan

ARCHITECT: DEMAREST 2320 Virginia Street Dallas, Texas 75207 Tel No: 214-748-8655 Contact: Finley Lee

ENGINEER: KIMLEY-HORN AND ASSOCIATES, INC. 13405 North Road The Galleria Office Tower, Suite 700 Dallas, Texas 75240 Tel No: 972-776-1761 Contact: Holly Williams, P.E.

SHEET NUMBER
C-102

Exhibit C - Landscape Plan
Page 1 of 4

Item 29.

PLANTING NOTES:

- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION OF ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES, AND LINE RUNS IN THE FIELD PRIOR TO THE INSTALLATION OF ANY PLANT MATERIAL.
- IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO ADVISE THE LANDSCAPE ARCHITECT OF ANY CONDITION FOUND ON THE SITE WHICH PROHIBITS INSTALLATION AS SHOWN ON THESE DRAWINGS.
- ALL PLANT MATERIAL SHALL BE MAINTAINED IN A HEALTHY AND GROWING CONDITION AND MUST BE REPLACED WITH PLANT MATERIAL OF SAME VARIETY AND SIZE IF DAMAGED, DESTROYED, OR REMOVED.
- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR FINE GRADING AND REMOVAL OF DEBRIS PRIOR TO PLANTING IN ALL AREAS.
- FINAL FINE GRADING SHALL BE REVIEWED BY THE LANDSCAPE ARCHITECT. LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ANY ADDITIONAL TOPSOIL REQUIRED TO CREATE A SMOOTH CONDITION PRIOR TO PLANTING.
- ALL PLANT QUANTITIES LISTED ARE FOR INFORMATION ONLY. IT IS THE CONTRACTOR'S RESPONSIBILITY TO PROVIDE FULL COVERAGE IN ALL PLANTING AREAS AS SPECIFIED IN THE PLANT SCHEDULE AND VERIFY ALL QUANTITIES.
- LANDSCAPE CONTRACTOR TO PROVIDE STEEL EDGING (REFER TO MATERIALS PAGE) BETWEEN ALL PLANTING BEDS AND LAWN AREAS.
- ALL PLANT MATERIAL SHALL CONFORM TO THE SPECIFICATIONS AND SIZES GIVEN IN THE PLANT LIST AND SHALL BE NURSERY GROWN IN ACCORDANCE WITH THE AMERICAN STANDARD FOR NURSERY STOCK. LATEST EDITION AMERICAN ASSOCIATION OF NURSERIES STANDARDS. ANY PLANT SUBSTITUTION SHALL BE APPROVED BY LANDSCAPE ARCHITECT PRIOR TO PURCHASE.
- LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR ANY COORDINATION WITH OTHER CONTRACTORS ON SITE AS REQUIRED TO ACCOMPLISH ALL PLANTING OPERATIONS.
- ALL NEW PLANTING AREAS TO BE AMENDED PER SPECIFICATIONS.
- ANY PLANT MATERIAL THAT DOES NOT SURVIVE SHALL BE REPLACED WITH AN EQUIVALENT SIZE AND SPECIES WITHIN THIRTY (30) DAYS.
- PLANT MATERIAL SHALL BE PRUNED AS NECESSARY TO CONTROL SIZE BUT NOT TO DISRUPT THE NATURAL GROWTH PATTERN OR CHARACTERISTIC FORM OF THE PLANT EXCEPT AS NECESSARY TO ACHIEVE HEIGHT CLEARANCE FOR VISIBILITY AND PEDESTRIAN PASSAGE OR TO ACHIEVE A CONTINUOUS OPENED CANOPY IF REQUIRED.
- LANDSCAPED AREAS SHALL BE KEPT FREE OF TRASH, WEEDS, DEBRIS, AND DEAD PLANT MATERIAL.
- ALL LINE STABILIZED SOIL & ORGANIC SELECT FILL FOR BUILDING SHOULD BE REMOVED FROM PLANTING AREAS TO A DEPTH OF 2" & REPLACED WITH ORGANIC IMPORTED TOPSOIL FILL.
- TREES OVERHANGING PEDESTRIAN WALKWAYS AND PARKING SHALL HAVE A 7' MINIMUM CLEAR TRUNK HEIGHT TO MEET ACCESSIBILITY STANDARDS. TREES OVERHANGING PUBLIC STREETS, DRIVE ANGLES, AND FIRE LANES SHALL HAVE A 14' MINIMUM CLEAR TRUNK HEIGHT.
- CONTRACTOR TO PROVIDE 18 MONTH WARRANTY AFTER ALL CONSTRUCTION IS COMPLETE.

IRRIGATION NOTES:

- AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM SHALL BE PROVIDED FOR ALL PLANTING AREAS. OVER SPRAY ON STREETS AND WALKS IS PROHIBITED.
- IRRIGATION SYSTEMS SHALL BE MAINTAINED AND REPLACED AS NECESSARY.
- ALL PLANTING AREAS TO BE FULLY IRRIGATED.
- IRRIGATION SYSTEM TO HAVE A FULLY AUTOMATED CONTROL SYSTEM.
- IRRIGATION SYSTEM TO HAVE SUN AND FREEZE SENSORS.
- ANY EXISTING PLANTING DAMAGED DURING CONSTRUCTION IS TO BE REPLACED AT NO COST TO THE OWNER.
- IRRIGATION SYSTEM TO BE DESIGNED BY A QUALIFIED PROFESSIONAL AND INSTALLED BY A LICENSED IRRIGATOR.

CODE LANDSCAPE CHART:

Jefferson at Loyd Park in Grand Prairie		
Code Calculations Chart		
Site Data	AC	SF
Total Site Area	25.09	1,092,342
Total Parking Area		172,444
Permeant Area		21,999
Undeveloped Natural Area	6.58	266,528
Surface Parking Spaces		714
Site Landscaping	Required (sf)	Provided (sf)
Total Site Landscaping Area	163,941	580,452
	19%	53%
Street Frontage	Required	Provided
State Highway 360 Frontage Road (1807 LF)		
1 tree 25-50 LF	39	39
Screening Requirements		
Type 2 Screening Fence - wrought iron fence with masonry columns a maximum of 24' O.C.	Yes	Yes
Minimum Landscaping	Required	Provided
Canopy Trees (1,000 SF of Required Landscape Area)	328	305
	Proposed Trees	265
	Existing Trees Used to Meet Requirement	63
Shrubs (1,050 SF of Required Landscape Area)	3,279	6,092
Parking Lot Trees	Required	Provided
Parking Lot Trees (1,020 parking spaces)	36	36

PLANT SCHEDULE

TREES	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING	QTY	REMARKS	
	Bald Cypress / <i>Taxodium distichum</i>	3" cal	12' -14' ht		3	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
	Burr Oak / <i>Quercus macrocarpa</i>	3" cal	12' -14' ht		29	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
	Caddo Sugar Maple / <i>Acer saccharum 'Caddo'</i>	3" cal	12' -14' ht		32	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
	Cedar Elm / <i>Ulmus crassifolia</i>	3" cal	12' -14' ht		40	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
	Lacebark Elm / <i>Ulmus parvifolia</i>	3" cal	12' -14' ht		20	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
	Live Oak / <i>Quercus virginiana</i>	3" cal	12' -14' ht		26	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
	Princeton American Elm / <i>Ulmus americana 'Princeton'</i>	3" cal	12' -14' ht		42	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
	Shumard Oak / <i>Quercus shumardi</i>	3" cal	12' -14' ht		15	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
	Texas Red Oak / <i>Quercus buckleyi</i>	3" cal	12' -14' ht		58	B&B, NURSERY GROWN, MATCHED, FULL, WELL-BRANCHED, STRONG CENTRAL LEADER, 7' CLEAR AT SIDEWALKS	
SHRUBS	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING	QTY	REMARKS	
	Nellie Stevens Holly / <i>Ilex x 'Nellie R Stevens'</i>	15 gal	5' h x 2' w	48" OC	28	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED	
GROUND COVERS	COMMON / BOTANICAL NAME	CONT.	SIZE	SPACING	QTY	REMARKS	
	Existing Planting	EXISTING			301,486 sf	EXISTING PLANTING TO REMAIN	
	Shrubs and Groundcover Mix	Varies		30" o.c.	5,575	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED	
	Asiatic Jasmine / <i>Trachelospermum asiaticum</i>	1 gal	6" h x 8" w		520 sf	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED	
	Bermuda Grass / <i>Cynodon dactylon</i>	sod			191,827 sf	REFER TO SPECIFICATIONS	
	Purple Watercresspe / <i>Euconymus tortuosus 'Coloratus'</i>	1 gal	6" h x 8" w		18" o.c.	9,148	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED
	Texas Sedge / <i>Carex texensis</i>	1 gal	12" h x 12" w		18" o.c.	952	CONTAINER, NURSERY GROWN, MATCHED AND WELL ROOTED

NOTE: PLANT QUANTITIES ARE PROVIDED FOR CONVENIENCE ONLY. IN THE CASE OF A DISCREPANCY, THE DRAWING SHALL TAKE PRECEDENCE.

NOTE: PLANTS ARE SPECIFIED BY HEIGHT, SPREAD, AND CONTAINER SIZE. ALL PLANTINGS ARE EXPECTED TO MEET ALL SPECIFICATIONS PROVIDED.

NO.	REVISIONS	DATE	BY

Kimley»Horn
 © 2022 KIMLEY-HORN AND ASSOCIATES, INC.
 13456 NOEL ROAD, SUITE 700, DALLAS, TX 75240
 PHONE: 972.382.2599-2597
 WWW.KIMLEY-HORN.COM
 TEXAS REGISTERED ENGINEERING FIRM F-228

Kimley»Horn
 KIMLEY-HORN ONLY
 FOR REVIEW ONLY
 NOT FOR CONSTRUCTION
 P.L.A. 06/10/2022
 A No. 1881 - Rev. 1/28/2021

KHA PROJECT
 DATE
 NOVEMBER 2022
 SCALE: AS SHOWN
 DESIGNED BY: CJS
 DRAWN BY: NJF
 CHECKED BY: CJS

CODE NOTES AND CALCULATIONS

LANDSCAPE PLAN
 JEFFERSON AT LOYD PARK - PHASE 1
 25.09 ACRES
 RALPH GRAVES SURVEY, ABSTRACT NO. 569
 CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS
 CASE NUMBER: STP-22-08-0036
 SUBMITTAL: 08/02/2022
 REVISED: 11/28/2022

DEVELOPER: JPI REAL ESTATE ACQUISITION, LLC
 600 East Las Colinas Blvd., Suite 1800, Dallas, Texas
 Tel. No. 972-556-1700
 Contact: T. Miles Sykes

OWNER: SANDY K 360, LLC
 1019 Walnut Falls Cir., Mansfield, Texas 76063

ARCHITECT: KIMLEY-HORN AND ASSOCIATES, INC.
 2320 Victoria Street, Suite 100, Dallas, Texas 75207
 Tel. No. 214-786-6655
 Contact: Frank Lyle

LANDSCAPE ARCHITECT: KIMLEY-HORN AND ASSOCIATES, INC.
 2910 E. Davis Street, Suite 100, McKinney, Texas 75069
 Tel. No. 469-301-2580
 Contact: Courtney Smith, P.L.A.

JPI LOYD PARK
 PHASE 1
 CITY OF GRAND PRAIRIE
 TARRANT COUNTY, TEXAS

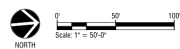
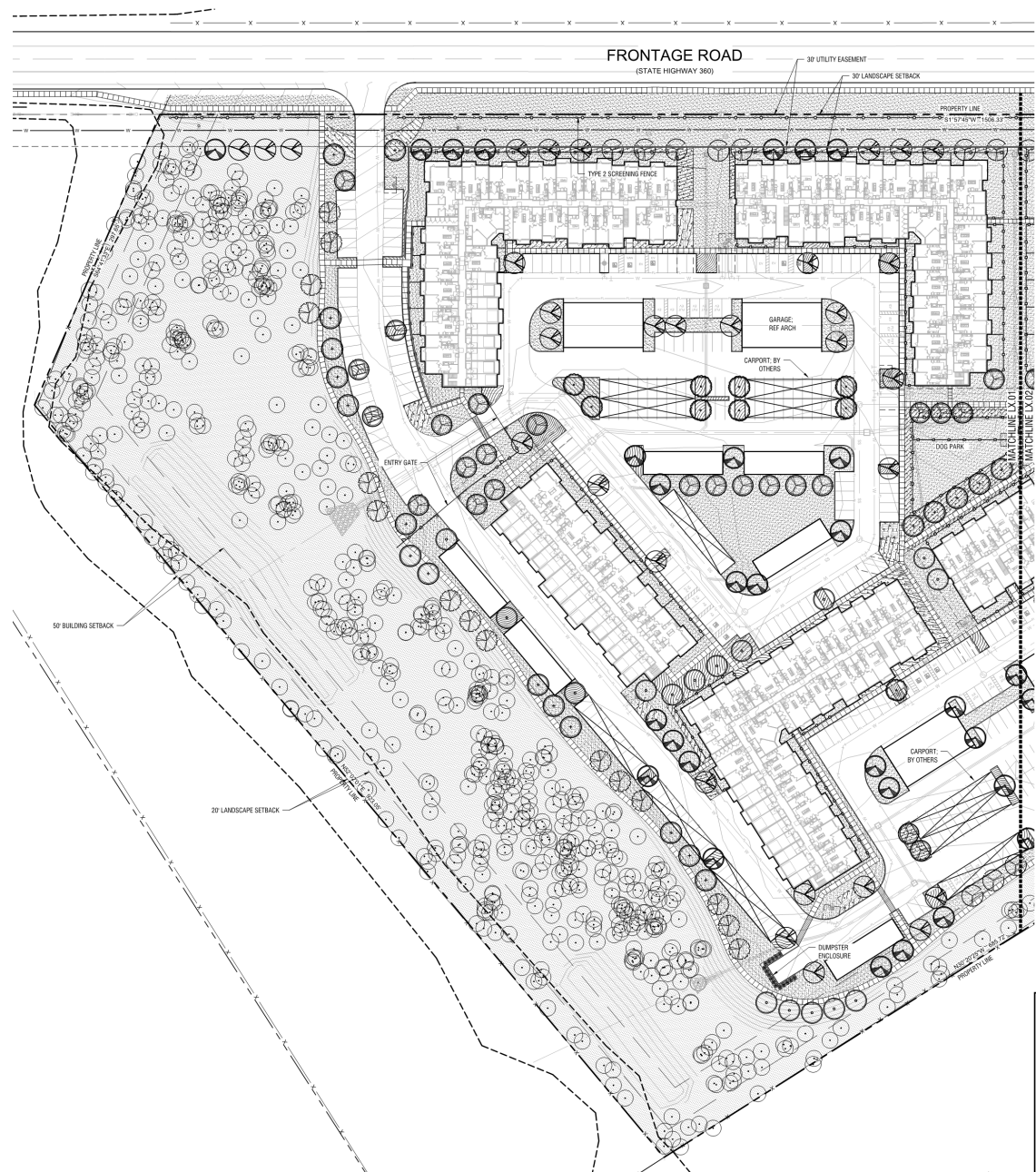
SHEET NUMBER
 L1.01

Printed: By: Smith, Courtney Date: November 30, 2022 10:48:33am File Path: \\MAN_LAN_P\p2\p2\11-08-4465-01 - JPI Loyd Park\LANDSCAPE PLAN.dwg Plot Path: \\MAN_LAN_P\p2\p2\11-08-4465-01 - JPI Loyd Park\LANDSCAPE PLAN.dwg This document, together with the concepts and designs presented herein, is an attachment of work, is intended only for the specific purpose and client for which it was prepared. Release of all intellectual property rights in this document without written authorization and acceptance by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

P:\1\land\2022\02-22-22-02-44-54.dwg File Path: S:\MVA\LAND\2022\02-22-22-02-44-54.dwg File Name: LANDSCAPE PLAN.dwg
 This document is to be used for informational purposes only. It is not intended to be used for construction. It is intended for use as a reference only. It is not intended to be used for construction. It is intended for use as a reference only. It is not intended to be used for construction. It is intended for use as a reference only.

- | TREES | |
|---------------|---|
| | COMMON BOTANICAL NAME
Ball Cypress / Taxodium distichum |
| | Bur Oak / Quercus macrocarpa |
| | Cedar Sugar Maple / Acer saccharum 'Cedro' |
| | Cedar Elm / Ulmus crinitus |
| | Landmark Oak / Ulmus parvifolia |
| | Live Oak / Quercus virginiana |
| | Princeton American Elm / Ulmus americana 'Princeton' |
| | Shumard Oak / Quercus shumardii |
| | Texas Red Oak / Quercus laevis |
| SHRUBS | |
| | COMMON BOTANICAL NAME
Little Bluestem Holly / Ilex / Little Bluestem |
| GROUND COVERS | |
| | COMMON BOTANICAL NAME
Festuca Planting |
| | Stimms and Groundcover Mix |
| | Asiatic Jasmine / Jasminum asiaticum |
| | Bermuda Grass / Cynodon dactylon |

NOTE: LANDSCAPE AREAS WITHIN CITY ROW MUST BE BLOCK SOD.



Code Planting Plan
Scale: 1" = 50'-0"

LANDSCAPE PLAN
 JEFFERSON AT LOYD PARK - PHASE 1
 25.09 ACRES
 RALPH GRAVES SURVEY, ABSTRACT NO. 569
 CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS
 CASE NUMBER: **STP-22-08-0036**
 SUBMITTAL: 08/02/2022
 REVISED: 11/28/2022

DEVELOPER: JPI REAL ESTATE ACQUISITION, LLC 600 East Las Colinas Blvd. Suite 100 Dallas, Texas Tel. No. 972-566-1700 Contact: T. Miller Sylvan	OWNER: SANDY K 360, LLC 1019 Walnut Falls Ct. Mansfield, Texas 76063	ARCHITECT: ARCHITECTURE DEMAREST 2320 Valinda Street Dallas, Texas 75201 Tel. No. 214-748-8655 Contact: Frankie Lee
---	---	---

LANDSCAPE ARCHITECT:
 KIMLEY-HORN AND ASSOCIATES, INC.
 290 E. Davis Street, Suite 500
 McKinney, Texas 75069
 Tel. No. 469-301-2680
 Contact: Courtney Smith, P.L.A.

CODE PLANTING PLAN	JPI LOYD PARK PHASE 1 CITY OF GRAND PRAIRIE TARRANT COUNTY, TEXAS
SHEET NUMBER L1.02	REVISIONS No. DATE _____ _____ _____ _____

Kimley»Horn

3005 W. INTERSTATE 35 AND ASSOCIATES, INC.
 13455 INCEL ROAD, SUITE 700, DALLAS, TX 75240
 PHONE: 972-770-1000 FAX: 972-239-8820
 TEXAS REGISTERED ENGINEERING FIRM # 928

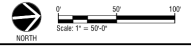
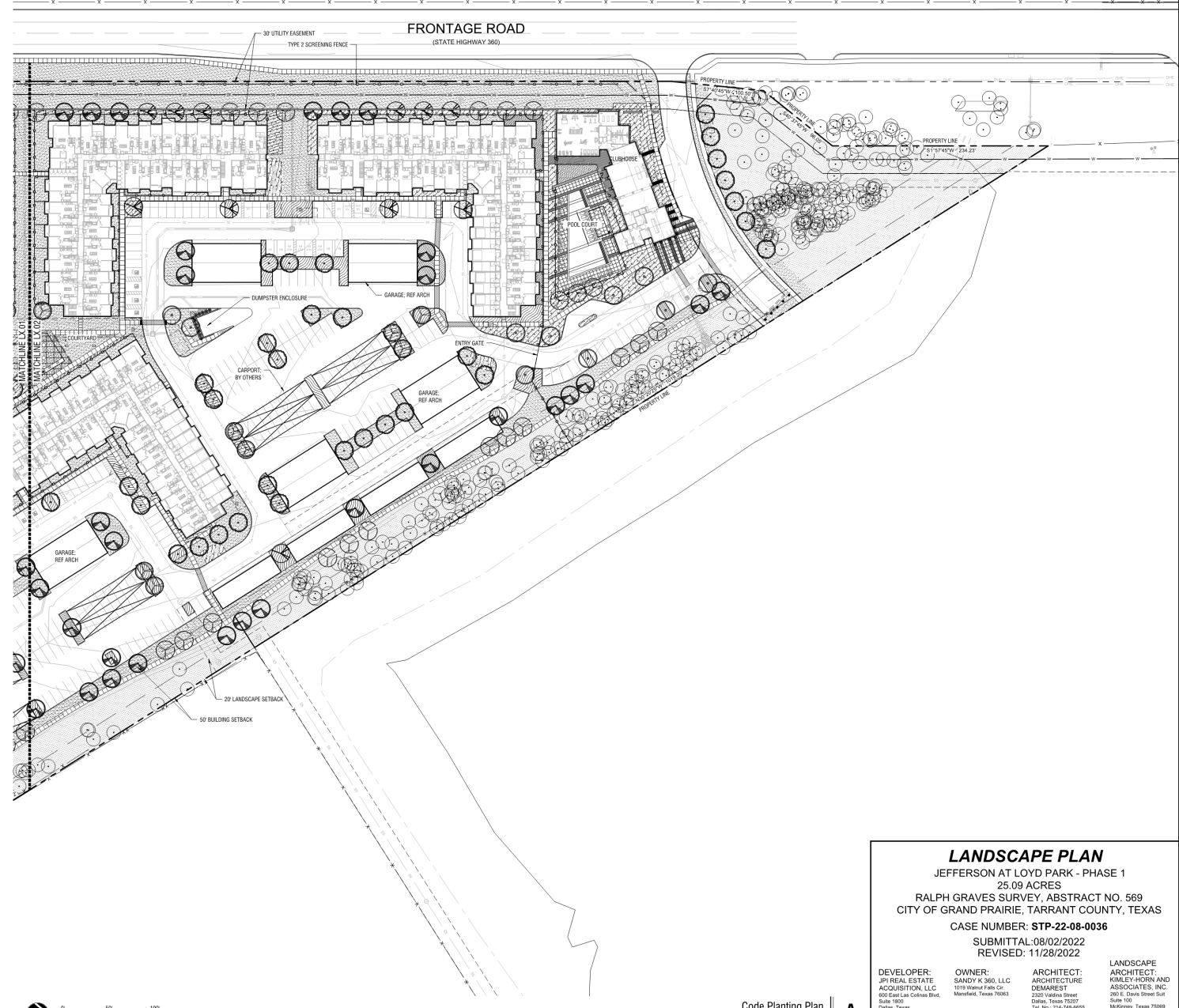
Kimley»Horn

FOR REVIEW ONLY
 NOT FOR CONSTRUCTION OR PERMITS
 P.L.A. SIGNED: [Signature]
 No. Exp. Date

MHA PROJECT: 06448541
 NOVEMBER 2022
 SCALE: AS SHOWN
 DESIGNED BY: CLS
 DRAWN BY: NLF
 CHECKED BY: CLS

- | TREES | COMMON BOTANICAL NAME |
|--------------------|--|
| | Ball Cypress / Taxodium distichum |
| | Bur Oak / Quercus macrocarpa |
| | Cedar Sugar Maple / Acer saccharum 'Catalpa' |
| | Golden Elm / Ulmus coronata |
| | Loblolly Oak / Ulmus parvifolia |
| | Live Oak / Quercus virginiana |
| | Princeton American Elm / Ulmus americana Princeton |
| | Sharon Oak / Quercus shumardii |
| | Texas Red Oak / Quercus laevis |
| SHRUBS | COMMON BOTANICAL NAME |
| | Nella Shrubbery Holly / Ilex - Nella II Shrubbery |
| LANDSCAPE FINISHES | COMMON BOTANICAL NAME |
| | Existing Paving |
| | Shrub and Groundcover Mix |
| | Asiatic Jasmine / Jasminum officinale asiaticum |
| | Bermuda Grass / Cynodon dactylon |

NOTE: LANDSCAPE AREAS WITHIN CITY ROW MUST BE BLOCK SOD.



Code Planting Plan
Scale: 1" = 50'-0"

LANDSCAPE PLAN
JEFFERSON AT LOYD PARK - PHASE 1
25.09 ACRES
RALPH GRAVES SURVEY, ABSTRACT NO. 569
CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS
CASE NUMBER: STP-22-08-0036
SUBMITTAL: 08/02/2022
REVISED: 11/28/2022

DEVELOPER: JPI REAL ESTATE ACQUISITION, LLC 601 East Loop Collins Blvd., Suite 1800 Dallas, Texas Tel. No. 972-586-1700 Contact: T. Miles Ryan	OWNER: SANDY K 360, LLC 1019 Walnut Falls Cir. Meadwell, Texas 75063	ARCHITECT: ARCHITECTURE DEMAREST 2300 Madras Street Suite 100 McKinney, Texas 75069 Tel. No. 214-748-6605 Contact: Frankie Lee	LANDSCAPE ARCHITECT: KIMLEY-HORN AND ASSOCIATES, INC. 390 E. Dixon Street Suite 100 McKinney, Texas 75069 Tel. No. 469-301-2880 Contact: Courtney Smith, P.L.A.
---	---	--	---

JPI LOYD PARK
PHASE 1
CITY OF GRAND PRAIRIE
TARRANT COUNTY, TEXAS

SHEET NUMBER
L1.03

Kimley»Horn
© 2022, KIMLEY-HORN AND ASSOCIATES, INC.
1500 WEST WILSON ROAD
DALLAS, TEXAS 75207
PHONE: 972-770-1000 FAX: 972-232-3820
WWW.KIMLEY-HORN.COM
TEXAS REGISTERED ENGINEERING FIRM F-2628



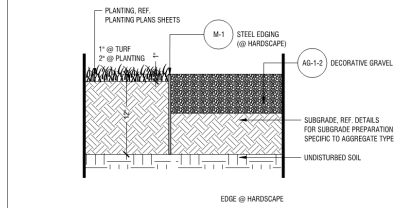
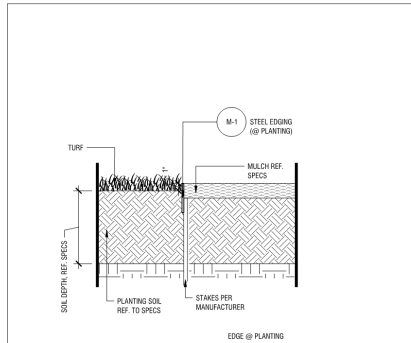
PROJECT: 06-4446541
DATE: NOVEMBER 2022
SCALE: AS SHOWN
DESIGNED BY: CLS
DRAWN BY: NUF
CHECKED BY: CLS

CODE PLANTING PLAN

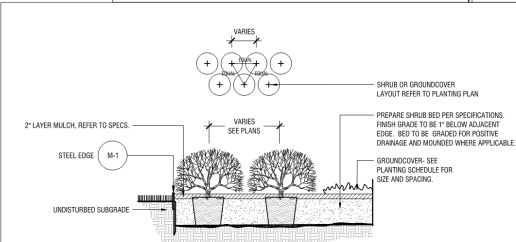
NO.	REVISIONS	DATE	BY

Disclosed By: Smith, Courtney, Date: November 30, 2022, 02:45:00pm, File Path: K:\WORK\JALPA_projects\1564446541 - JPI Loyd Park\CAD\Drawings\DWG_SPH\LOT_CODE_LANDSCAPE_PLAN.dwg
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and project for which it was prepared. Review of and reliance upon this document without written authorization and approval by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.

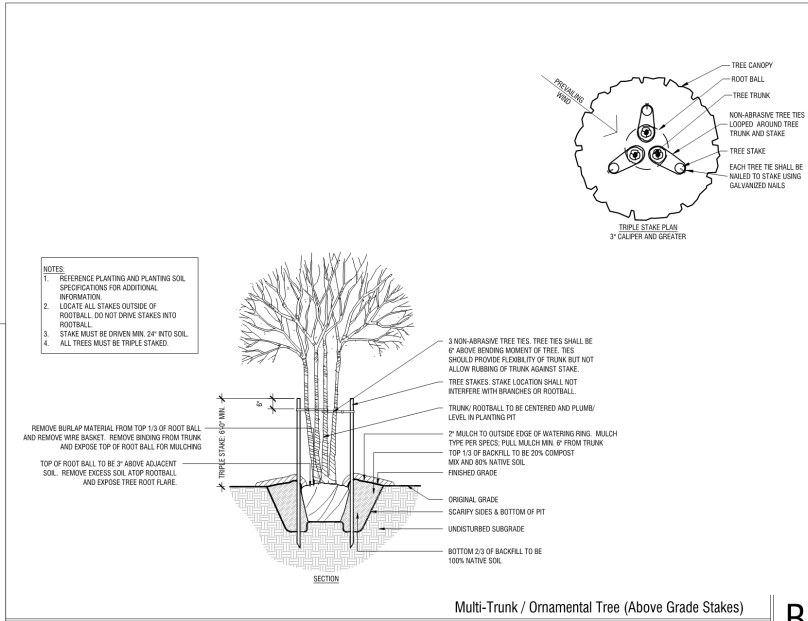
Printed By: Smith, Courtney Date: November 30, 2022 10:45:16pm File Path: \\MVA\LANP\22\261611\081444541 - JPI Loyd Park\LANDSCAPE PLAN.dwg PLOT DATE: 11/30/2022 10:45:16 AM
 This document, together with the concepts and designs presented herein, is intended only for the specific purpose and project for which it was prepared. Review of and changes to this document without authorization and adaptation by Kimley-Horn and Associates, Inc. shall be without liability to Kimley-Horn and Associates, Inc.



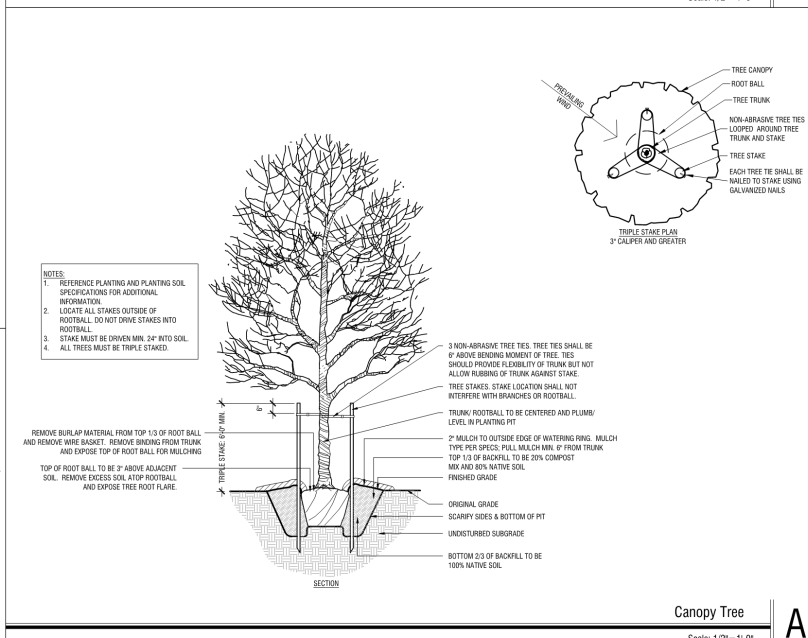
Steel Edge
Scale: 1 1/2" = 1'-0"



Shrubs & Groundcover
Scale: 1/2" = 1'-0"



Multi-Trunk / Ornamental Tree (Above Grade Stakes)
Scale: 1/2" = 1'-0"



Canopy Tree
Scale: 1/2" = 1'-0"

LANDSCAPE PLAN
JEFFERSON AT LOYD PARK - PHASE 1
 25.09 ACRES
RALPH GRAVES SURVEY, ABSTRACT NO. 569
CITY OF GRAND PRAIRIE, TARRANT COUNTY, TEXAS
 CASE NUMBER: **STP-22-08-0036**
 SUBMITTAL: 08/02/2022
 REVISED: 11/28/2022

DEVELOPER: JPI REAL ESTATE ACQUISITION, LLC 600 East Cox Collins Drive, Suite 100 Dallas, Texas Tel. No. 972-556-1700 Contact: T. Mike Sydnor	OWNER: SANDY K. 360, LLC 1019 Walnut Park, Cir. Mansfield, Texas 76063	ARCHITECT: ARCHITECTURE DEMAREST 200 E. Davis Street, Suite 100 McKinney, Texas 75069 Tel. No. 214-748-6645 Contact: Courtney Smith, P.L.A.	LANDSCAPE ARCHITECT: KIMLEY-HORN AND ASSOCIATES, INC. 200 E. Davis Street, Suite 100 McKinney, Texas 75069 Tel. No. 469-301-2580 Contact: Courtney Smith, P.L.A.
--	---	---	---

No.	REVISIONS	DATE	BY

Kimley-Horn
 © 2022 KIMLEY-HORN AND ASSOCIATES, INC.
 13455 INEL ROAD, SUITE 700, DALLAS, TX 75240
 PHONE: 972-752-5252
 WWW.KIMLEY-HORN.COM
 TEXAS REGISTERED ENGINEERING FIRM # 228



P.L.A. PROJECT: 08-144541
 DATE: NOVEMBER, 2022
 SCALE: AS SHOWN
 DESIGNED BY: CLS
 DRAWN BY: NLF
 CHECKED BY: CLS

PLANTING DETAILS

JPI LOYD PARK
PHASE 1
CITY OF GRAND PRAIRIE
TARRANT COUNTY, TEXAS

SHEET NUMBER
L1.04

Item 29.



ARCHITECTURE DEMAREST
2320 Valeria Street, Studio B
Dallas, TX 75207
Tel: 214.748.8955
www.architecturedemarest.com



3 Building Type I - South Elevation
Scale: 1/8" = 1'-0"



2 Building Type I - East Courtyard Elevation
Scale: 1/8" = 1'-0"



1 Building Type I - South Courtyard Elevation
Scale: 1/8" = 1'-0"

ELEVATION LEGEND

- BRICK VENEER - MATCH HATCH PATTERN TO WALL PATTERN IN ELEVATION
- STONE VENEER - MATCH HATCH PATTERN TO WALL PATTERN IN ELEVATION
- FIBER CEMENT WALL SHINGLE - MATCH HATCH PATTERN TO WALL PATTERN IN ELEVATION
SH-1 - GREEN TID
SH-2 - BROWN TID
- FIBER CEMENT LAP SIDING - MATCH HATCH PATTERN TO WALL PATTERN IN ELEVATION
LS-1 - CREME TID
LS-2 - BROWN TID

NOTE: MATERIAL CALCULATIONS EXCLUDE DOORS AND WINDOWS

FINISH	SF	%	FINISH TYPE (ASMT)	TOTAL AREA (SF)	TOTAL %
STONE	134	6%		134	6%
BRICK	1470	64%		1470	64%
FIBER CEMENT LAP SIDING	688	30%		688	30%
FIBER CEMENT SHINGLE SIDING	0	0%		0	0%
TOTAL MATERIALS (SF)	2307	100%		2307	100%

NOTE: MATERIAL CALCULATIONS EXCLUDE DOORS AND WINDOWS

FINISH	SF	%	FINISH TYPE (ASMT)	TOTAL AREA (SF)	TOTAL %
STONE	1601	24%		1601	24%
BRICK	2213	32%		2213	32%
FIBER CEMENT LAP SIDING	2141	30%		2141	30%
FIBER CEMENT SHINGLE SIDING	694	10%		694	10%
TOTAL MATERIALS (SF)	6759	100%		6759	100%

NOTE: MATERIAL CALCULATIONS EXCLUDE DOORS AND WINDOWS

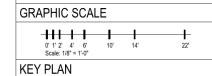
FINISH	SF	%	FINISH TYPE (ASMT)	TOTAL AREA (SF)	TOTAL %
STONE	1121	29%		1121	29%
BRICK	1172	23%		1172	23%
FIBER CEMENT LAP SIDING	2140	42%		2140	42%
FIBER CEMENT SHINGLE SIDING	631	16%		631	16%
TOTAL MATERIALS (SF)	3973	100%		3973	100%

JEFFERSON AT LOYD PARK
JPI
GRAND PRAIRIE, TX
LEVEL 1 - [2022.09.02]

Revision

NO.	DESCRIPTION	DATE

PRELIMINARY
NOT FOR CONSTRUCTION
Not for permits, pricing or other official purposes.
This document has not been completed or checked and is for general information or comment only.



KEY PLAN

Title
BUILDING TYPE I - ELEVATIONS

Scale
1/8" = 1'-0"

Drawing No.
A-148

Category 1: Environmentally-friendly building materials, construction techniques, or other features

Item 29.

Tier I (Pick Three) Note: Per Appendix W, section 3 IIF, we are satisfying at least 2 of the following 3 "Category 1" categories.

- i. "Smart" technology which automatically controls functions such as lights and thermostat to reduce energy loads during the day or at times of peak energy usage.
- ii. Use of solar or other form of alternative energy to satisfy approximately 25% or more of on-site energy demand.
- iii. Landscaping plan that makes use of native, drought resistant plantings not requiring the use of irrigation. In lieu of sod or turf, drought resistant plantings may be combined with coordinated hardscapes of high design quality and appearance for the purposes of meeting Tier I requirements.
- iv. Reservation of existing natural areas comprising 5% or more of the overall project size, with such areas incorporating quality non-invasive tree stands, habitat or riparian areas, and not including existing floodplain or other areas already protected or inherently unsuitable for development.
- v. Permeable pavement for 10% or more of total paving.
- vi. Electric car charging station (minimum 2).
- vii. High efficiency windows on residential and common buildings.
- viii. Stormwater or grey water reclamation for on-site reuse equivalent to a minimum 100% of irrigation in accordance with section 8.4.1.11.

Tier II (Pick Four)

- i. Integration of commercial/retail/office space or live-work units.
- ii. Permeable pavement for 5% or more of total paving.
- iii. Roofing material with a minimum total solar reflectance of 0.70 and a minimum thermal emittance of 0.75 when measured using ASTM testing methods endorsed by the North Central Texas Council of Governments.
- iv. Significant use of recycled or locally-sourced materials. Locally-sourced is defined as a material having its origin within 50 miles of the project.
- v. Preservation of existing non-invasive trees with a combined canopy square footage area totaling at least 5% of the overall project size (trees can come from any portion of the site other than areas which are already projected or inherently unsuitable for development, such as floodplain).
- vi. Qualified recycling program available to every resident.
- vii. Walking/jogging trails within the development. Where possible, trails should utilize existing natural areas and provide linkages to existing or future area trail networks.
- viii. Stormwater or grey water reclamation for on-site reuse equivalent to a minimum 50% of irrigation in accordance with section 8.4.1.11.

Tier III (Pick Five)

- i. Additional insulation.
- ii. LED or low-wattage lighting.
- iii. Bicycle parking.
- iv. Use of additional native plantings totaling 10% or more of minimum landscape requirements.
- v. Stormwater or grey water reclamation for on-site reuse in accordance with section 8.4.1.11.
- vi. Solar-ready building design.
- vii. Outdoor recreation spaces with communal features such as furniture, landscaping, gardens, televisions, movie screens, BBQ grills, pergolas, areas for fitness or sports activities, and interactive water features, not including standard unheated swimming pools, which are designed for water conservation or reuse.
- viii. Big and small dog parks.

Category 2: High-quality features or designs

Tier I (Pick Four)

- i. Granite countertops or similar in kitchens and bathrooms.
- ii. Upgraded flooring throughout, consisting of masonry tile, such as porcelain or travertine, wood-look tile, true hardwood, stained concrete, or deep pile carpeting.
- iii. Minimum 10 foot ceilings in living areas, kitchen, dining rooms, hallways, bathrooms and bedrooms.
- iv. Upgraded woodwork throughout each unit, such as crown molding, wainscot, chair rails, window and door moldings.
- v. Upgraded cabinetry.

Tier II (Pick Five)

- i. Arched forms separating rooms and living spaces.
- ii. Upgraded light fixtures including recessed lighting or indirect lighting.
- iii. Walk-in closets.
- iv. Jetted bathtubs.
- v. Upgraded bathroom and kitchen hardware, including faucets and sinks.
- vi. Full-size stainless steel major appliances (oven, range, refrigerator, dishwasher, microwave oven).
- vii. 8 foot doors leading to each room of a unit.

Category 3: Technology (Provide All)

- a. Integrated USB ports within all units.
- b. App-enabled functionality for door locks, lighting, thermostat, appliances, or other electronics.
- c. App-enabled communication between residents and management for the reporting of problems related to mechanical failures, safety concerns, or noise issues.
- d. Wi-fi internet access provided to users of common amenities such as clubhouse, pool, walking trails, and fitness area.



CITY OF GRAND PRAIRIE
ORDINANCE

MEETING DATE: 01/17/2023
REQUESTER: Monica Espinoza, Administrative Supervisor
PRESENTER: Savannah Ware, AICP, Chief City Planner
TITLE: ZON-22-10-0030 - Zoning Change – Private Card Room at 401 E Palace Pkwy (City Council District 1). Amendment to PD-217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit. Tract 31, Michael Farrans Abstract, Survey No. 469, City of Grand Prairie, Dallas County, Texas, zoned PD-217, within the IH 30 Corridor Overlay District, and addressed as 401 Palace Pkwy (On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 6-3)
APPLICANT: Mike Thompson, Full Deck Social Club
RECOMMENDED ACTION: Staff takes no position on the zoning change, but notes the use is consistent with entertainment uses currently permitted in PD-217.

SUMMARY:

Amendment to PD-217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit. Tract 31, Michael Farrans Abstract, Survey No. 469, City of Grand Prairie, Dallas County, Texas, zoned PD-217, within the IH 30 Corridor Overlay District, and addressed as 401 Palace Pkwy.

PURPOSE OF REQUEST:

The purpose of the request is to amend PD-217 to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit.

ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

Table 1. Adjacent Zoning and Land Uses

Table with 3 columns: Direction, Zoning, Existing Use. Row 1: North, PD-217, Undeveloped

South	PD-217	Undeveloped
West	PD-217	Hotels, Undeveloped
East	PD-217	Ripley's Believe it or Not

HISTORY:

- September 17, 1996: City Council approved a zoning change creating PD-217 for mixed uses including entertainment, retail, and office uses (Case Number CPA960901/Z960901).

PROPOSED USE CHARACTERISTICS AND FUNCTION:

The proposed PD amendment will add Private Card Room as a use that is allowed with City Council approval of a Specific Use Permit. The proposed definition is below.

- Private Card Room – A private place where members gather to play card games, including poker, billiards, chess, or other similar games.

RECOMMENDATION:

- On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 6-3.
- Staff takes no position on the zoning change, but notes the use is consistent with entertainment uses currently permitted in PD-217.

BODY:

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING ORDINANCE 5661, PLANNED DEVELOPMENT DISTRICT NO. 217, RELATED TO A 7.868 ACRE TRACT OF LAND LOCATED IN THE MICHAEL FARRENS SURVEY, ABSTRACT NO. 469, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS, TO CREATE A DEFINITION OF A PRIVATE CARD ROOM AND AMEND THE USES PERMITTED WITHIN PD-217 TO ALLOW A PRIVATE CARD ROOM WITH CITY COUNCIL APPROVAL OF A SPECIFIC USE PERMIT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of Ordinance 5661 so as to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on January 9, 2023, after written notice of such public hearing before the Planning and Zoning Commission on the proposed amendment had been sent to owners of real property lying within 300 feet of the property on which the change of classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 6-3 to recommend approval to the City Council of Grand Prairie, Texas, of the request to amend of Ordinance 5661 so as to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 P.M. on January 17, 2023 to consider the advisability of amending Ordinance 5661 as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as, the nature and usability of surrounding property, have found and determined that the property in question, as well as, other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance; and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

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

SECTION 1. Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

“THE UNIFIED DEVELOPMENT CODE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN...”

and passed and approved November 20, 1990, as amended, is hereby further amended through the amendment of Ordinance Number 5661, so as to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit for a 7.868-acre tract of land as described and depicted in Exhibit A – Boundary Description, attached hereto.

SECTION 2. Ordinance 5661, PD-217, attached as Exhibit “B” and incorporated for all purposes, is hereby amended to define “Private Card Room” as “a private place where members gather to play card games, including poker, billiards, chess, or other similar games” and to allow the Private Card Room use within the boundaries of the land depicted in Exhibit “A” with City Council approval of a Specific Use Permit.

SECTION 3. All portions of Ordinance 5661, PD-217 not specifically amended herein shall remain unaltered and in full force and effect.

SECTION 4. The terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 5. The Unified Development Code of the City of Grand Prairie, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 6. All ordinances or parts of ordinances in conflict herewith are specifically repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

SECTION 7. This Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 17TH DAY OF JANUARY, 2023.

Ordinance No. #-2023

Zoning Case No. ZON-22-10-0030

EXHIBIT "A"
LEGAL DESCRIPTION

DESCRIPTION, of a 7.868 acre (342,725 square foot) tract of land situated in the Michael Farrrens Survey, Abstract No. 469, City of Grand Prairie, Dallas County, Texas; said tract being part of that tract of land described in Warranty Deed with Vendors Lien to 401 Palace Parkway, LP recorded in Volume 2005115, Page 1724 of the Deed Records of Dallas County, Texas; said 7.868 acre (342,725 square foot) tract being more particularly described as follows (Bearing system for this survey is based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone 4202, based on observations made on March 26, 2019):

BEGINNING, at a 1/2-inch iron rod found for the northwest corner of that tract of land described in Deed to the State of Texas recorded in Instrument No. 201700145732 of the Official Public Records of Dallas County, Texas; said point being in the west line of said 401 Palace Parkway, LP tract the east right-of-way line of Palace Parkway (a variable width right-of-way) and the north right-of-way line of Interstate Highway No. 30 (a variable width right-of-way);

THENCE, along the said west line of 401 Palace Parkway, LP tract and the said east line of Palace Parkway the following four (4) calls:

North 00 degrees, 15 minutes, 21 seconds West, departing the said north line of Interstate Highway No. 30, a distance of 320.88 feet to a 1/2-inch iron rod found for the beginning of a non-tangent curve to the left;

In a northeasterly direction along said curve, having a central angle of 16 degrees, 57 minutes, 02 seconds, a radius of 464.98 feet, a chord bearing and distance of North 08 degrees, 18 minutes, 22 seconds East, 137.06 feet, an arc distance of 137.56 feet to a 1/2-inch iron rod found at the end of said curve;

North 00 degrees, 10 minutes, 09 seconds West, a distance of 122.58 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for the beginning of a curve to the right;

In a northeasterly direction along said curve, having a central angle of 104 degrees, 17 minutes, 20 seconds, a radius of 307.55 feet, a chord bearing and distance of North 51 degrees, 58 minutes, 31 seconds East, 485.66 feet, an arc distance of 559.80 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found in the west line of that tract of land described in Special Warranty Deed to Jim Pattison Developments (U.S.) Inc. recorded in Volume 2004007, Page 1164 of the said Deed Records;

THENCE, South 01 degrees, 46 minutes, 49 seconds East, departing the said east line of Palace Parkway and along the said west line of Jim Pattison Developments, (U.S.) Inc. tract, a distance of 903.16 feet to a 1/2-iron rod with "PACHECO KOCH" cap set for the northeast corner of said State of Texas tract and the said north line of Interstate Highway No. 30;

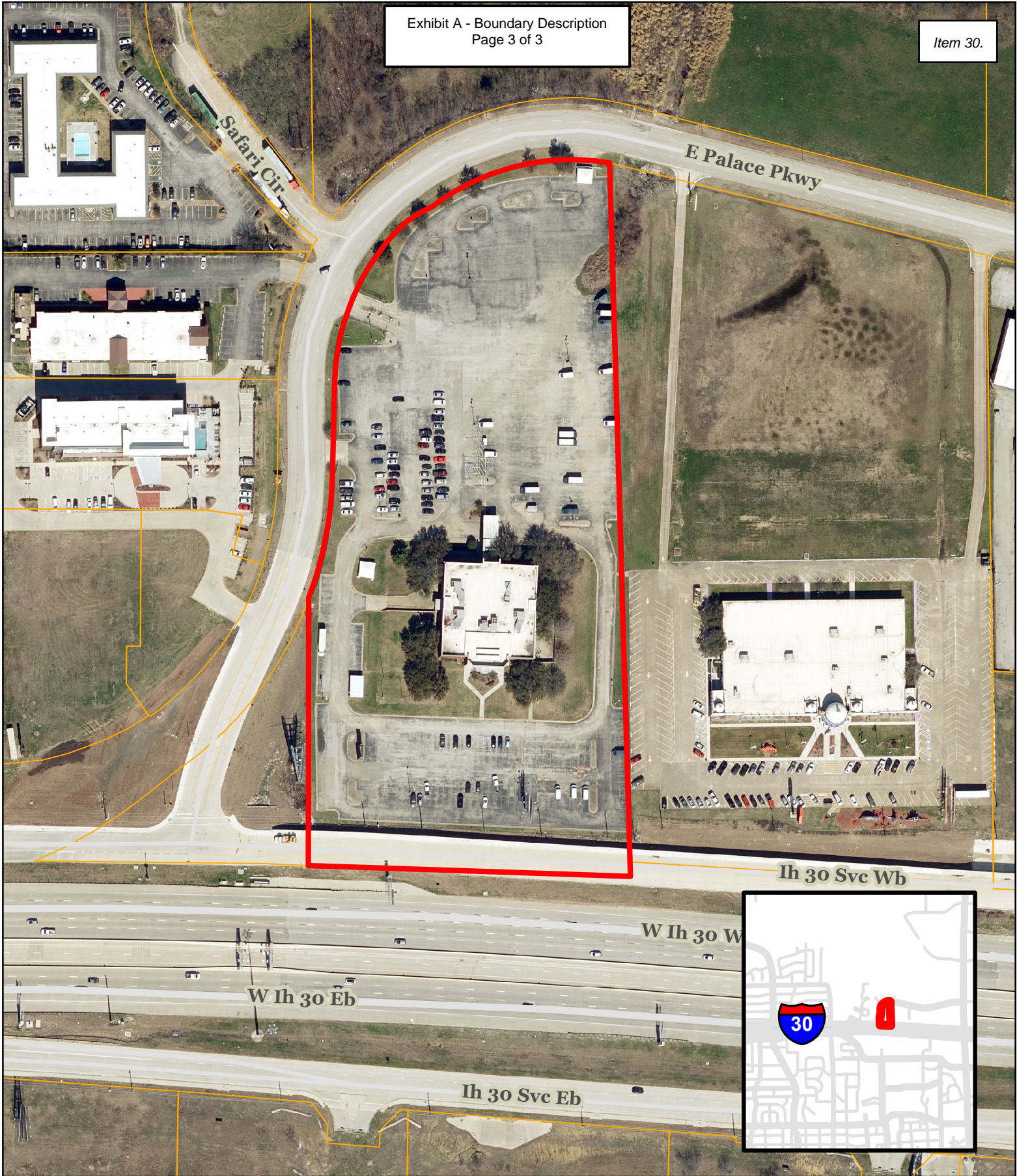
THENCE, North 86 degrees, 23 minutes, 03 seconds West, departing the said

west line of the Jim Pattison Developments, (U.S.) Inc. tract and along the said north line of the State of Texas tract and the north line of Interstate Highway No. 30, a distance of 256.03 feet to a point for corner;

THENCE, North 87 degrees, 14 minutes, 40 seconds West, continuing along the said north line of the State of Texas tract and the north line of Interstate Highway No. 30, a distance of 173.32 feet to the POINT OF BEGINNING;

CONTAINING: 342,725 square feet or 7.868 acres of land, more or less.

Unofficial Copy



CASE LOCATION MAP
ZON-22-10-0030- Private Card Room
401 E Palace Pkwy



City of Grand Prairie
Development Services
(972) 237-8255
www.gptx.org

ORDINANCE NO. 5661
PLANNED DEVELOPMENT NO. 217
CASE NO. CPA960901/Z960901

AN ORDINANCE AMENDING THE ZONING MAP TO REZONE A 1700 ACRE TRACT, DALLAS COUNTY, GENERALLY DESCRIBED AS THE N.E. 8th/N. BELT LINE ROAD CORRIDOR BETWEEN TARRANT ROAD AND TRINITY BOULEVARD INCLUDING THE INTERSTATE 30 CORRIDOR BETWEEN NO. BELT LINE ROAD AND N.W. 7th STREET (see Exhibit "A"), FROM PD-39, PD-70, PD-78, PD-165, PD-170, PD-207, PD-208, MULTI FAMILY-ONE (MF-1), MULTI FAMILY-TWO (MF-2), GENERAL RETAIL (GR), COMMERCIAL (C), LIGHT INDUSTRIAL (LI), AND HEAVY INDUSTRIAL (HI) TO A PLANNED DEVELOPMENT FOR MIXED USES INCLUDING ENTERTAINMENT, RETAIL, OFFICE USES AND A SPECIFIC USE PERMIT FOR A CAR DEALERSHIP; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL.

WHEREAS, the owners of the property described hereinbelow filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and map of said city so as to rezone and reclassify said property from its classification of PD-39, PD-70, PD-78, PD-165, PD-170, PD-207, PD-208, Multi Family-One (MF-1), Multi Family-Two (MF-2), Commercial (C), Light Industrial (LI), and Heavy Industrial (HI), to a Planned Development for Mixed Uses including Entertainment, Retail, and Office Uses; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on September 9, 1996 after written notice of such public hearing before the Planning and Zoning Commission on the proposed rezoning had been sent to owners of real property lying within 200 feet of the property on which the change of classification is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 6-1 to recommend to the City Council of Grand Prairie, Texas, that the hereinafter described property be rezoned from PD-39, PD-70, PD-78, PD-165, PD-170, PD-207, PD-208, Multi Family-One (MF-1), Multi Family-Two (MF-2), Commercial (C), Light Industrial (LI), and Heavy Industrial (HI), to a Planned Development for Mixed Uses including Entertainment, Retail, Office Uses and a Specific Use Permit for a car dealership; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 7:30 o'clock P.M. on September 17, 1997 to consider the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Grand Prairie Daily News, Grand Prairie, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the proposed rezoning and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance from the classification of **PD-39, PD-70, PD-78, PD-165, PD-170, PD-207, PD-208, Multi Family-One (MF-1), Multi Family-Two (MF-2), Commercial (C), Light Industrial (LI), and Heavy Industrial (HI)**, and, by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

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

I.

That Ordinance Number 4779, being the Zoning Ordinance and Map of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"AN ORDINANCE AMENDING IN ITS ENTIRETY CHAPTER 28 OF THE CODE OF ORDINANCES KNOWN AS THE ZONING ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN..."

and passed and approved November 20, 1990, as amended, is hereby further amended so as to rezone the following area as shown and described in Exhibit "A" from **PD-39, PD-70, PD-78, PD-165, PD-170, PD-207, PD-208, Multi Family-One (MF-1), Multi Family-Two (MF-2), Commercial (C), Light Industrial (LI), and Heavy Industrial (HI)**, to a **Planned Development for Mixed Uses including Entertainment, Retail, Office Uses and a Specific Use Permit for a car dealership:**

See Exhibit "A"

II.

All development must comply with the development requirements as shown as shown in Exhibit "B".

III.

These regulations were developed as a result of a study and hereby incorporated in Exhibit "C".


IV.

All ordinances or parts of ordinances in conflict herewith are specifically repealed.

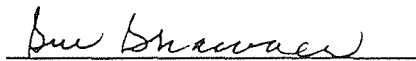
V.

That this Ordinance shall be in full force and effect from and after its passage and approval.


PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE,
TEXAS, this the 17th day of September, 1996.


MAYOR
City of Grand Prairie, Texas

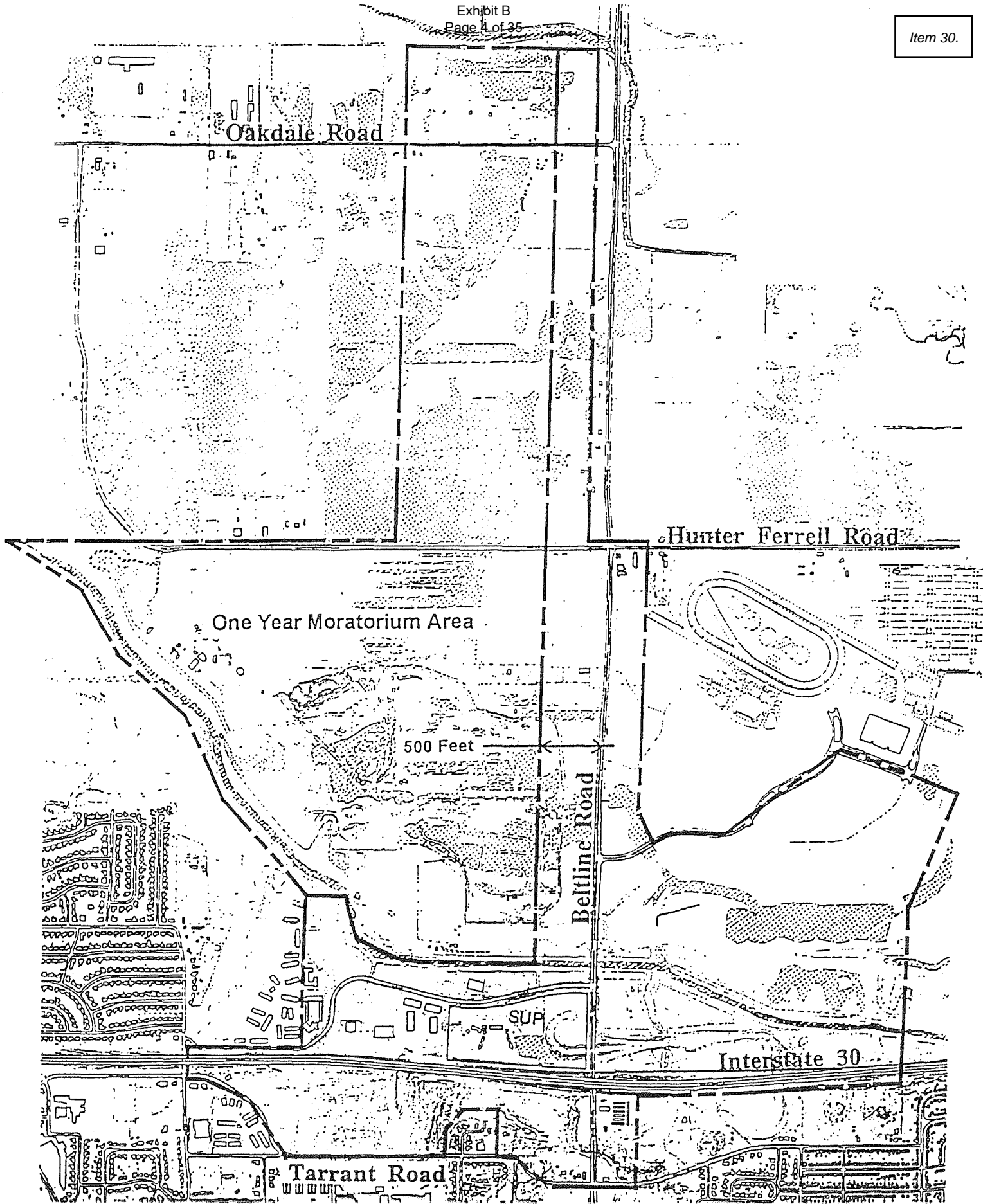
ATTEST:


City Secretary

APPROVED AS TO FORM AND LEGALITY:


City Attorney

Zoning Case No. CPA960901/Z960901



DISTRICT BOUNDARY

Exhibit "A"

Draft Zoning Ordinance for BELTLINE CORRIDOR

Section 1 Intent

The intent of the creation of the Beltline Corridor District is to provide support for the development of a unified area with a distinct identity as a family oriented recreational destination within the City of Grand Prairie and the Metroplex. It is intended to blend with the Lone Star Park at Grand Prairie race track and the flood plain, open space and water features resulting from the Trinity River to create a recreational and equestrian centered park-like environment.

Section 2 Land Use

2.1 Permitted Land Uses

Land Uses in the District shall conform to the permitted list of uses in the attached Land Use Chart.

[Land Use List]

2.2 Non-Conforming Land Uses

Non-conforming land uses buildings and structures shall comply with Article XIX of the UDC.

Section 3 Development Standards

3.1 General

- A. Utilities. All utilities shall be placed below ground, except for major high voltage transmission lines.
- B. Parking and Driveway Areas. All parking, driveway, loading and vehicular circulation areas shall be constructed of concrete.

3.2 Dimensional Requirements

Minimum development dimensional requirements shall be as follows:

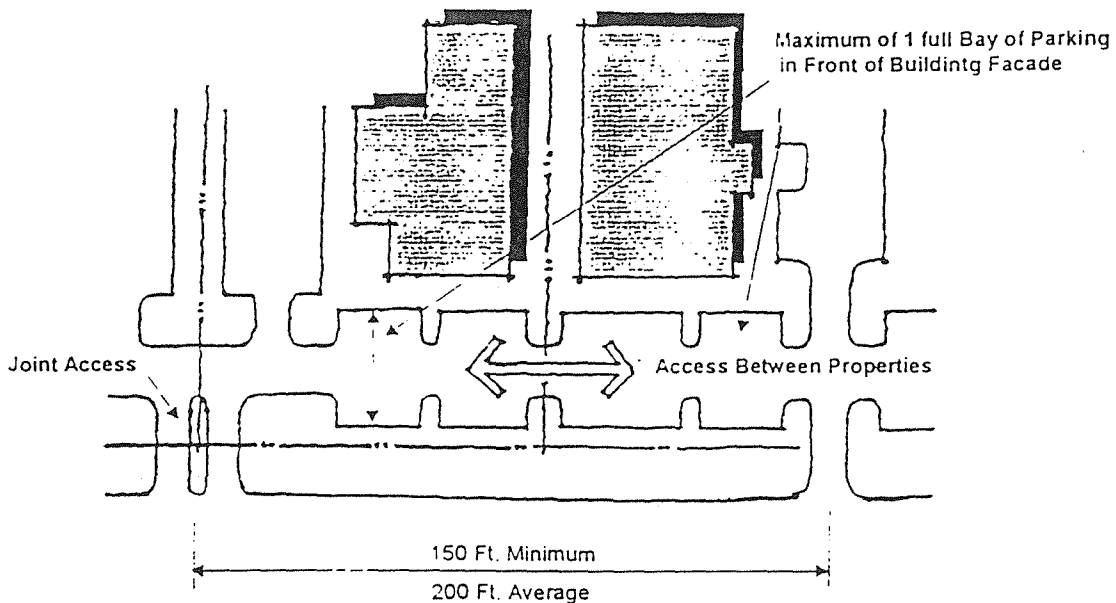
<i>Site Area</i>	15,000 s.f.
<i>Lot Width</i>	150 Feet
<i>Lot Depth</i>	100 Feet
<i>Front Yard</i>	25 Feet
<i>Rear Yard</i>	25 Feet, 0 Feet in Adjacent to a Preserved Flood Plain or Open Space

<i>Side Yard</i>	5 Feet; or 0 Feet if separately platted buildings are built as one building; or 20 Feet if Adjacent to a Residential Zone
<i>Between Buildings</i>	20 Feet
<i>Maximum Height</i>	Unlimited, except must be setback 2 feet for each 1 foot in height from a lot in a residential zoning district.
<i>Maximum Floor Area</i>	1:1 FAR
<i>Minimum Required Landscaping</i>	20%, except may be reduced to 15% with the provision of trees. see 3.4.D below.

3.3 Site Layout

- A. Location of Parking. A maximum of 1 bay of parking (approximately 64 feet plus landscaping) shall be allowed between the front building face and the front property lines. Any remaining parking shall be provided beside the building or to the rear of the building.
- B. Circulation Between Development Sites. Connections between development parcels shall be required in order to provide all development sites with street access, in order to meet the standards in this section and to smooth the flow of traffic both on site and on the public roadways. Joint access agreements between development sites shall be provided.

FIGURE 1: SITE LAYOUT



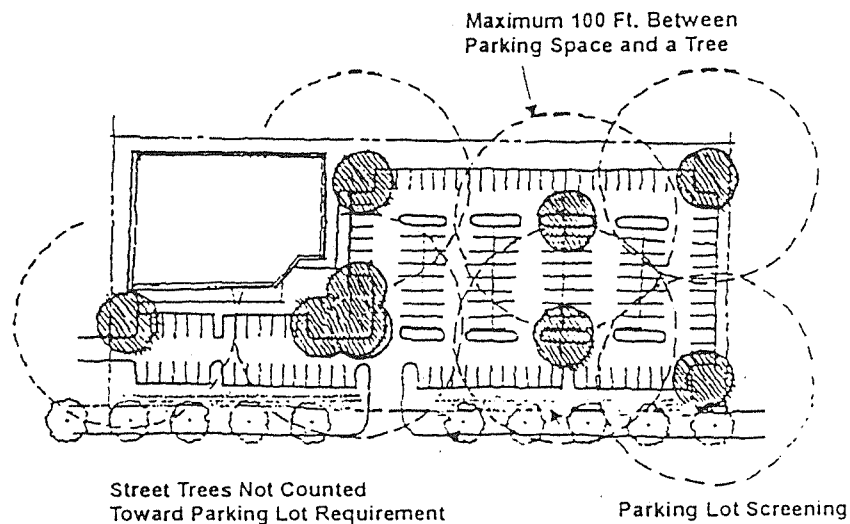
3.4 Landscaping

A. Intent. In order to ensure the attractiveness of the Beltline Corridor District as a place for visitors throughout the year, it is the intent of this sub-section to build a park-like environment by securing street tree planting, low level parking screening, a general parking lot canopy of trees, and a minimum amount of landscaped area on site.

B. Parking Lots

1. Tree Canopy. One tree shall be provided for each 20 parking spaces within the parking lot area, however, no car parking space shall be located greater than 100 feet from the center of a tree. Trees shall be a minimum of 3 inch caliper and planted within a planting island with a minimum dimension of 5 feet. The tree planting island must be further planted with ground cover, grass or shrubs.

FIGURE 2: PARKING LOT LANDSCAPING



2. Screening of Parking. Parking areas shall be screened from the adjacent roadway by a minimum 3 foot high solid shrub hedge, berm, fence or some combination of these. The height shall be measured from the surface of the subject parcel at the front property line. In no case shall the slope of a berm exceed 3:1 unless it is being retained on the private property side of the berm. Railroad ties may not be used for retaining.

However, a minimum 3 foot high berm shall be used along both sides of Beltline Road as the screening method along this roadway, unless prevented due to unique site conditions. The berm may be located partially in the street right-of-way and partially in the Beltline Landscape Buffer (See "D" below).

3. **Parking lot Materials.** No railroad tie type material shall be used in parking areas.

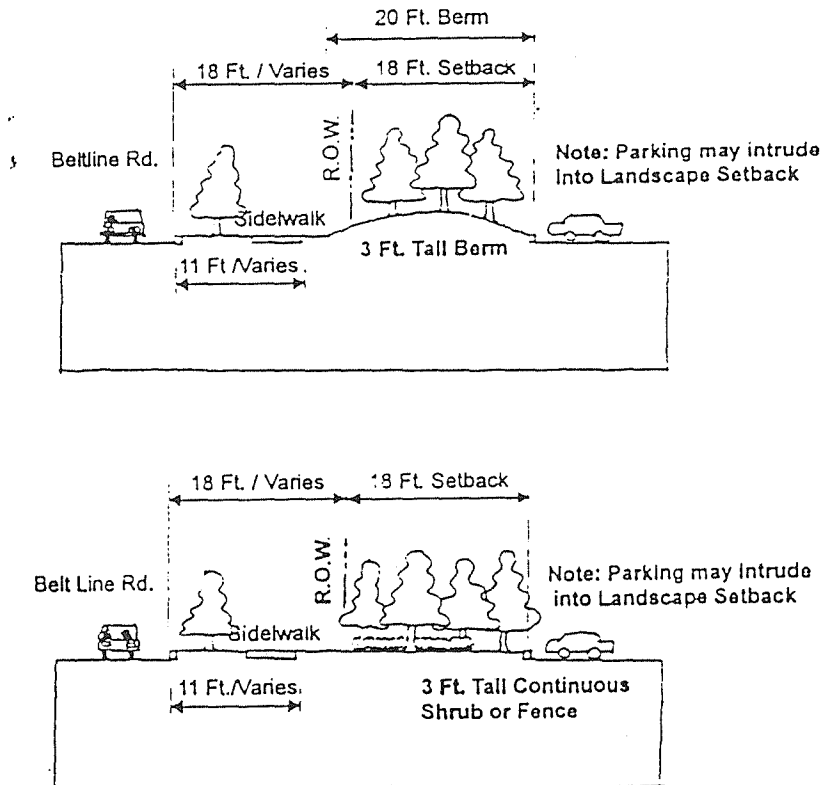
C. Streetscaping

1. **Street Trees.** A minimum of 1 tree shall be planted for each 40 linear feet of frontage.
 - a. The minimum caliper for street trees on each development parcel shall be 3 inches.
 - b. All trees intended to meet this requirement shall be a species approved by the City for the intended use, as specified in Section 29, Article VIII of the UDC.
2. **Placement of Trees.** All required street trees shall be placed between the future roadway curb line and the parking area or front building line, whichever is closest to the street right-of-way. However, trees shall not be planted closer than 3 feet to the curb line.
3. **Sidewalks.** Sidewalks shall be placed on both sides of the street and shall be a minimum of 5 feet in width.

D. Site Landscape Area

1. **Minimum Landscape Area.** Each developed site in the district shall maintain a minimum of 20 % of the site in landscaping. However, the minimum landscape area may be reduced to 15% of the site by the planting of additional trees as provided for in "2. Reduction of Landscape Area" below.
2. **Reduction of Landscape Area.** The amount of required landscaping may be reduced by 120 s.f. for each 3 inch (average) caliper shade tree which is planted. This does not include the trees which are required for parking areas or for streetscaping. However—
 - a. Up to 50% of the trees provided under this provision may be added to the parking lot or roadway landscaping areas.
 - b. Two ornamental trees may be substituted for one shade tree.
3. **Definition of Landscape Area.** Landscape areas shall include:
 - a. All natural and planted areas
 - b. Outdoor plazas and walkways which are not used for commercial purposes, and which are constructed of enhanced materials such as stamped concrete or unit pavers.
4. **Beltline Landscape Buffer.** A landscape buffer of 18 feet shall be provided along both sides of Beltline Road. However, parking may intrude into that buffer area by up to 8 feet, provided that the berm height is not reduced.

FIGURE 3: SECTION OF BELTLINE ROAD AT PROPERTY LINE

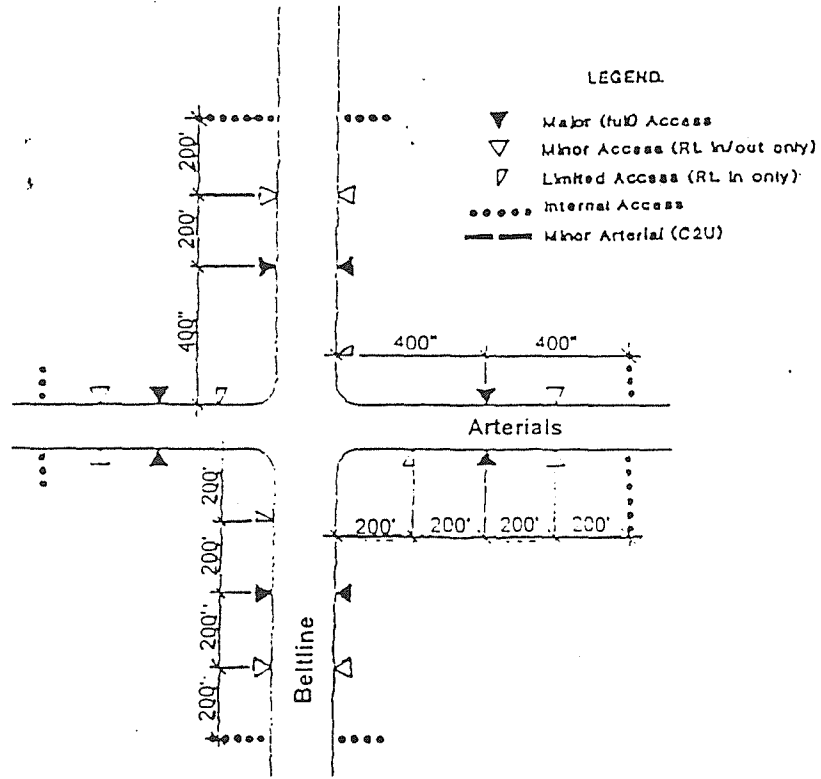


5. Landscape Buffer on Other Streets. A landscape buffer of 10 feet shall be provided along both sides of all other public streets in the District.
6. Boulevard Landscaping. The boulevard (the area between the outside curb edge and the private property line) shall be landscaped, sprinklered and maintained by the property owner.
7. Other Standards. Other landscape buffering, materials and standards shall conform to Article VIII of the Unified Development Code unless otherwise specifically established in this ordinance, or approved as a variance an approved Site Plan.

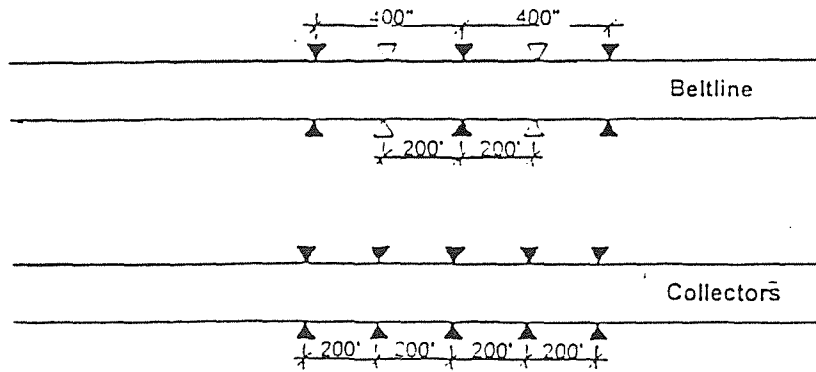
3.5 Site Access

- A. Site Access and Curb Cuts. Site access and curb cuts shall generally meet the standards for Beltline and other streets established in the attached diagram of Site Access Standards. One curb cut shall be allowed for each 200 feet of frontage, but curb cuts may not be closer than 150 feet (center line to center line).

FIGURE 4: SITE ACCESS STANDARDS



TYPICAL INTERSECTION ACCESS



TYPICAL BETWEEN ARTERIAL INTERSECTIONS

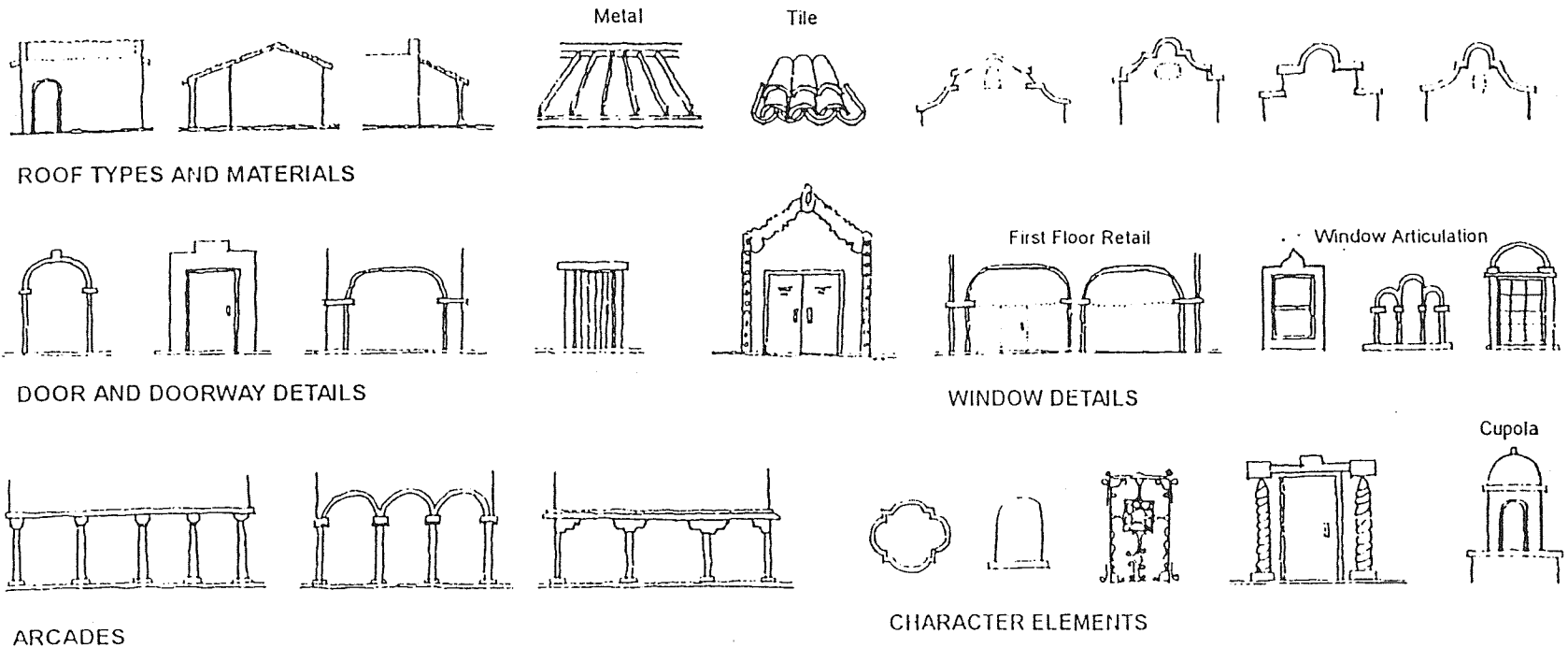
- B. **Shared Driveway Access.** The use of shared driveway access shall be required where necessary to ensure adequate street access to development parcels, using cross-access agreements.
- C. **Site Plan Approval for Site Access.** Where unique circumstances exist, the City Council may approve additional driveways as part of the Site Plan approval process.

3.6 Architectural Standards

- A. **Intent.** The objective of this sub-section is to ensure that the district is unified through the use of very flexible architectural standards which are based on the theme or architectural style of Spanish Revival which has been established at the Lone Star Park at Grand Prairie Race Track. The standards are intended to provide for a wide variety of development designs within the framework established under this section.
- B. **Architectural Materials.** Standards for building materials are established in order to ensure that unity of the district is achieved and that buildings in the district shall not require an excessive amount of maintenance.
 - 1. **Materials.** At least 85% of exterior walls of buildings in the district shall be comprised of stone, cast stone, "split-face" concrete block, brick, stucco or glass (with a maximum reflectance of less than 15%—e.g. no noticeably reflective coatings). In no case shall glass exceed greater than 50% of the building facade. However, an alternative building surface material may be specifically approved as part of the Site Plan if it is consistent with the style objectives of the district.
 - 2. **Color.** The primary exterior color of buildings within the district shall be comprised of pastel earth tones and shall be used on at least 85% of the building facade (except glass area). (Samples of the allowed primary exterior color range shall be kept on file with the Department of Planning.) Secondary accent color may be used on up to 15% of the exterior facade. Colors must be specifically approved on building elevations submitted as part of the Site Plan.
- C. **Architectural Style Elements.** The architectural style elements in the attached Diagram of Style Elements reflect the Spanish Revival and Mission Styles. These style elements provide a pallet of architectural elements that would be considered conforming to the intent of this District.
 - 1. **Conforming Architectural Design.** A Site Plan where buildings on the site contain elements which are similar to the elements in the attached Diagram of Style Elements for the roofs, front door

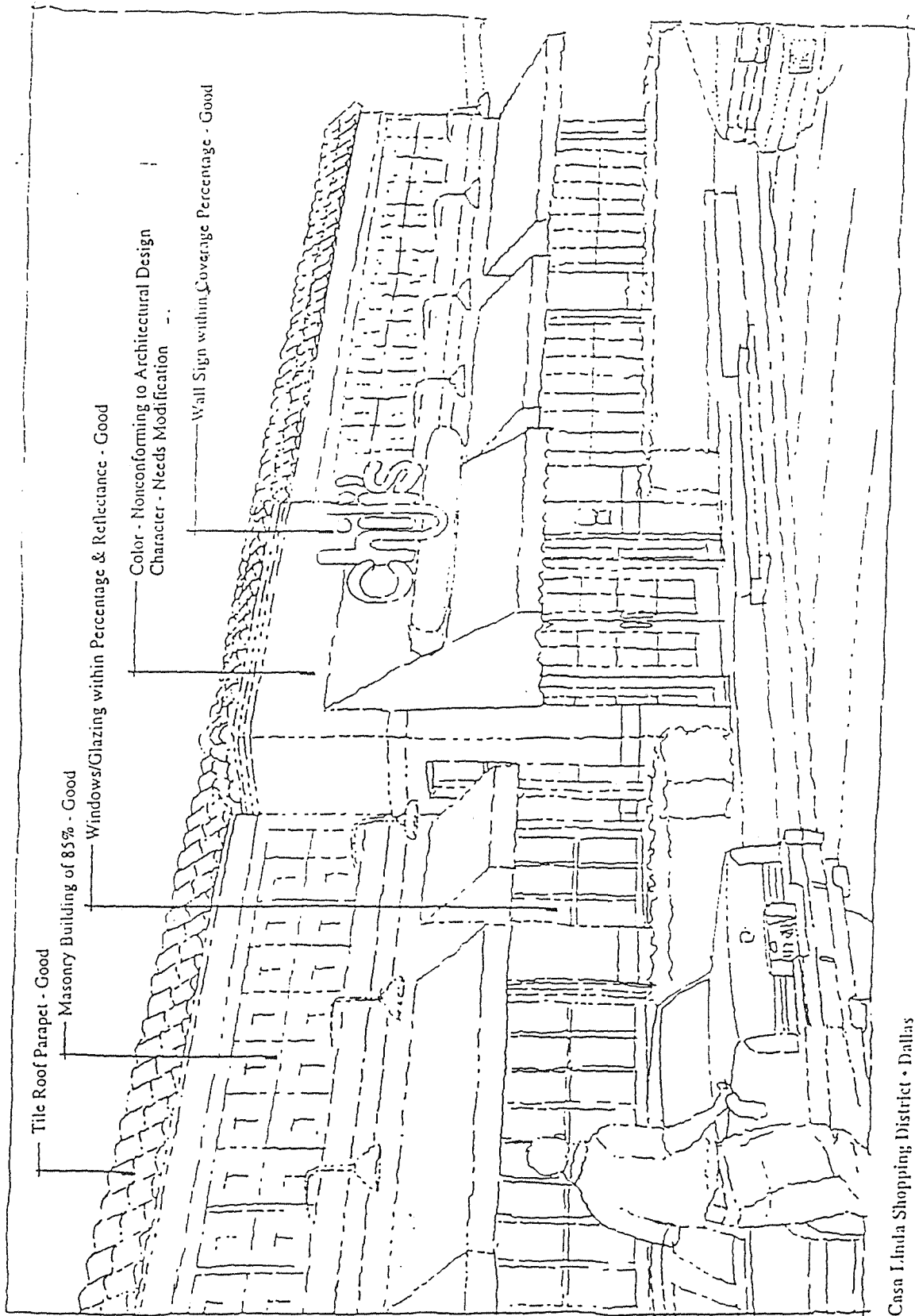
FIGURE 5: ARCHITECTURAL STYLE

SAMPLE STYLE ELEMENTS



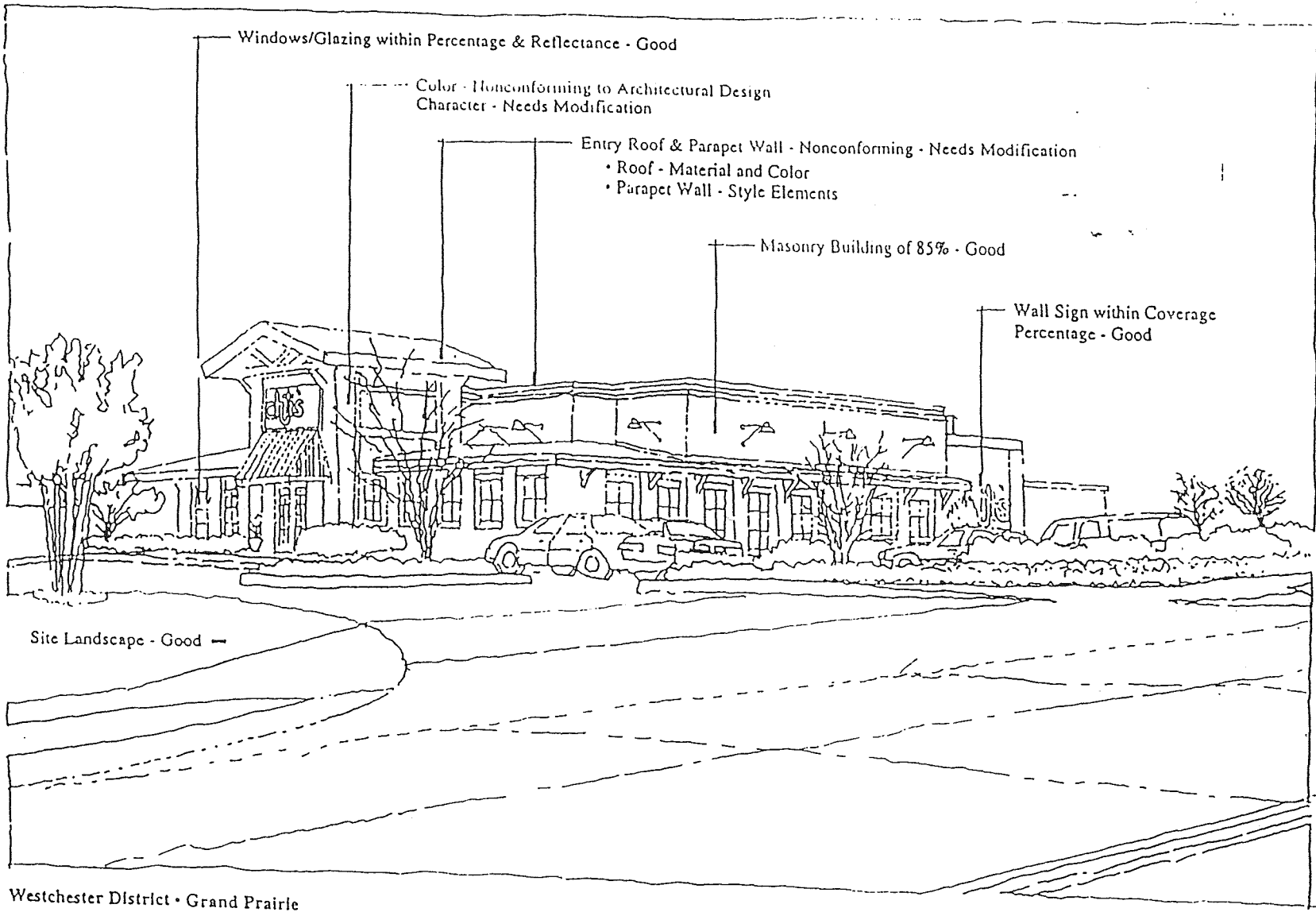
Note: See sample photographs of projects on file with the Planning Department

FIGURE 6: EXAMPLE A—CHILLI'S CASA I INDA



Casa I, India Shopping District • Dallas

FIGURE 7: EXAMPLE B—CHILI'S WESTCHESTER



and windows visible from the street shall be considered conforming to the objectives of the district. Site Plans which are deemed conforming, as interpreted by the Director of Planning and the Director of Public Works, may be approved administratively.

2. **Non-Conforming Architectural Design.** Site Plans where the primary elements of the site and buildings are not consistent with the required landscaping, building materials or the attached Diagram of Style Elements, as interpreted by the Director of Planning and the Director of Public Works, shall require approval of the City Council with a recommendation by the Planning and Zoning Commission.

Section 4 Signage

Signs within the Beltline Corridor District shall adhere to the sign standards in Article IX of the UDC except that no signage except for the following, shall be allowed:

4.1 General

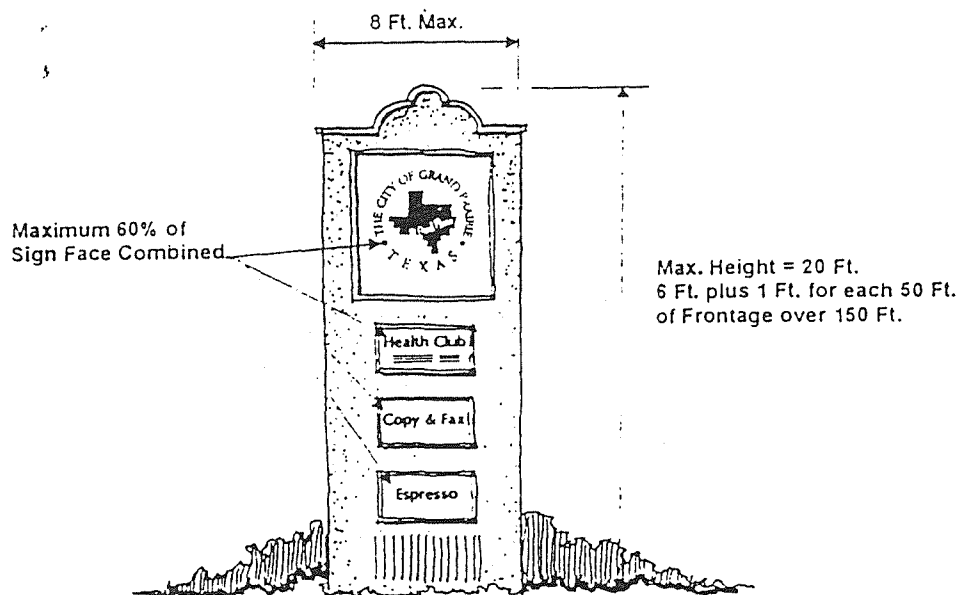
- A. **Permit Required.** A permit shall be required for all signs.
- B. **On-Site Signage.** Only on-site signage shall be allowed. Signs located anywhere in the District which identify the District or major facilities (greater than 100,000 s.f. in floor area and 100 acres in site area) which are located within the District shall be considered on-site signs.
- C. **Circulation Visibility.** Signs shall not obstruct the visibility of traffic entering or leaving the public roadway.
- D. **Conformity with Design Standards.** All sign designs shall be submitted as part of the Site Plan and shall be reviewed for conformity with the design and theme objectives of the District.

4.2 Monument Signs

- A. **Size.** A monument sign may be 6 feet in height and 8 feet in width, with the height increasing by 1 foot for each 50 feet beyond 150 feet of site frontage up to a maximum of 20 feet in height.
- B. **Sign Area.** A maximum of 60% of the monument sign structure face may be utilized to identify the businesses or activities on that site.
- C. **Identification.** Monument Signs may only list the project name and tenants or activities. Where a site contains multiple tenants, the names of the main tenants and or activities should be listed on the monument sign.

- D. Sign Location. Monument signs must be located in a landscape setting.

FIGURE 8: MONUMENT SIGN



- E. Combined Signs. A series of contiguous properties may combine signage into a single monument sign where the properties have been planned as a unified development. However, each individual property would not be allowed their own individual monument sign in addition to the combined sign.
- F. Number of Signs. Each lot may have one Monument Sign. However, a multi-tenant complex comprised of more than one building, shall be permitted one sign per building, provided that buildings separated by a distance of less than 60 feet shall be considered a single building, and provided that all signs meet the spacing requirements below.
- G. Spacing of Signs. Monument Signs must be spaced a minimum of 150 ft. apart, and 60 feet from another lot.
- H. Changeable Messages. Signs may include electronically changeable messages which identify special events on the site or in the district, and which identify tenants or activities on site.

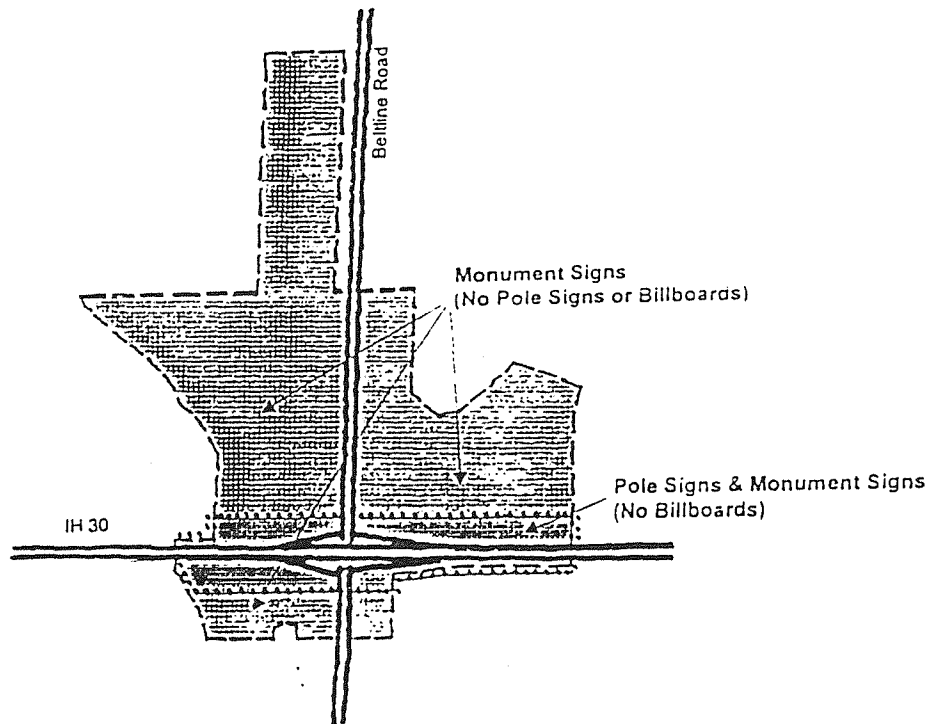
4.3 Wall Signs

- A. On-Site Signage. Only on-site signage shall be allowed.
- B. Sign Area. The maximum area of all wall signs combined on one building elevation shall not exceed 3% of the total area of that elevation.
- C. Wall Signs. Wall signs may include Canopy Signs, and Flat Wall/Facia Signs.

4.4 Pole Signs

- A. Location. Pole signs are prohibited in the District except that they shall be permitted within 50 feet of the IH 30 right-of-way.
- B. Size. No Pole Sign shall exceed 300 s.f. of sign area on each of up to 2 faces.
- C. Height. No Pole Sign shall exceed 50 feet in height from the grade of the adjacent public road.

FIGURE 9: SIGN TYPE LOCATION



4.5 Other Permitted Signs

- A. Officially sponsored flags, banners and insignias

- B. Banner Signs advertising only District special events or the District, provided that they do not exceed 30 days once per year. This includes "Opening" signs.
- C. Construction Signs

4.6 Prohibited Signs

The following signs are specifically prohibited:

- a) Portable Signs
- b) Window Signs
- c) Roof signs
- d) Pole Signs, Except as permitted by this Section
- e) Billboards

Section 5 Review Process

- A. **Site Plan Required.** Prior to issuance of a Building Permit, a Site Plan shall be approved, either as a separate application or as part of the Building Permit Application.
- B. **Content of Site Plan.** The Site Plan shall include such things as structures, streets and sidewalks, Off-street parking and loading, landscaping, and drainage, as required in Section VII.1.7 of the UDC. In addition, Site Plan documentation shall include building elevations specifying surface materials and color, and signage.
- C. **Review Process.** Site Plan review shall generally follow the procedure established for Site Plan approval for planned development districts.
 - 1. Chief Building Official and the Planning Director shall approve the Site Plan, or it may be forwarded to City Council, if there substantial variances with the intent of the Beltline Corridor District, or at the discretion of either Official.
 - 2. Any Site Plan may be approved, or if it does not meet the standards, it may be denied or approved with conditions. A Site Plan may not be denied on the basis of land use, if the proposed use is permitted in the District.
 - 3. The imposition of a condition or a denial by the Building Official and Planning Director may be appealed to City Council.
- D. **Content of Review.** Site Plans shall be reviewed to ensure the following
 - 1. Compliance with the intent of this zoning ordinance, including landscaping, facade materials, architectural style elements, screening regulations, setbacks, land use regulations, signage, parking, and other standards.

AGRICULTURAL USES

- Orchard
- Greenhouse (Non-Retail/Hobby)
- Greenhouse (Retail) --
- Plant Nursery (Growing)
- Plant Nursery (Retail Sales)
- Farms, General (Crops)
- Farms, General (Livestock/Ranch)
- Hay, Grain, and/or Feed Sales
- Veterinarian (Indoor Kennels)
- Veterinarian (Outdoor Kennels)
- Stables (Private, Principle Use)
- Stables (Private, Accessory Use)
- Animal Specialty Services,
 - Except Veterinary
- Livestock Sales
- Kennels

RESIDENTIAL USES

- Single Family Townhouse SUP
- Multi-Family (Apartments) SUP
- Accessory Building/Structure
- Home Occupation
- College Dormitory (On Campus)

INSTITUTIONAL / GOVERNMENTAL

- Emergency Ambulance Service
- Post Office (Governmental)
- Mailing Service (Private)
- Airport
- Heliport
- Helistop
- Phone Exchange/Switching Station
- Radio/Television Tower (Commercial) SUP
- Cellular Communications Tower SUP
- Cellular Communications Equipment -
 - No Tower
- Electrical Substation SUP
- Electrical Transmission Line
- Gas Transmission Line
- Utility Distribution Line
- Utility Shop and Storage

INSTITUTIONAL / GOVERNMENTAL (Cont.)

Water Treatment Plant
Water Supply Facility (Public)
Water Supply Facility (Private)
Sewage Pumping Station
Retirement Home/Home for the Aged SUP
Hospice
Hospital
Psychiatric Hospital
Clinic
Emergency Care Clinic
School, K thru 12 (Public)
School, K thru 12 (Private)
School, Vocational
College and/or University
Registered Family Home
Child Day Care (7 or more)
Orphanage
Community Center
Fraternal Organization
Civic Club
Philanthropic Organization
Church/Place of Worship
Use Associated to a Religious Institution
Rectory/Parsonage
Monastery/Convent
Governmental Building
Police Station
Fire Station
Library

OFFICE USES

Credit Agency
Office (Brokerage Service)
Insurance Agency Offices
Real Estate Offices
Offices (Health Services)
Offices (Legal Services)
Offices (Counseling)
Offices (Miscellaneous)

PERSONAL AND BUSINESS SERVICES

- Bank
- Financial Services (Advice/Invest)
- Savings and Loans --
- Credit Unions
- Automatic Teller Machines (ATM's)
- Apartell Inns
- Hotel/Motel
- Bed & Breakfast Hotel ;
- Laundry/Dry Cleaning (Drop Off/Pick Up)
- Tailor Shop
- Shoe Repair
- Travel Agency
- Beauty Shop (Non-College)
- Barber Shop (Non-College)
- Photo Studio
- Kiosk (Providing A Service)
- Photocopying/Duplicating
- Security Quarters as Associated with
A Business (Live-In)
- Auction (Indoors)
- Appliance Repair
- Communication Equipment
(Installation and/or Repair)
- Locksmith
- Karate School (Martial Arts)
- Automobile Driving School
- Dance/Drama/Music Schools
(Performing Arts)
- Artist Studio

RETAIL USES

- Building Material Sales SUP
- Hardware Store
- Garden Shop (Inside Storage)
- Plant Nursery (Outside Storage)
- Department Store
- Variety Store
- Convenience Store SUP
- Retail Store with Gasoline as
an Associated Use
- Fruit and/or Vegetable Store
- Confectionery Store (Retail)

09/06/96

RETAIL USES (Cont.)

Bakery (Retail)
Auto Supply Store for New
and Primarily Rebuilt Parts
Gasoline Service Station
Auto Dealer (Primarily New) SUP
Boat Dealer/Sales Only SUP
Recreational Vehicle Dealer/Sales Only SUP
Motorcycle Dealer SUP
All Terrain Vehicle Dealer/Sales Only SUP
Furniture Sales (Indoor)
Drapery Shop
Major Appliance Sales (Indoor)
Used Merchandise (Antiques)
Restaurant (Serving Alcohol)
(No Entertainment)
Restaurant (Serving Alcohol) SUP
(With Entertainment)
Restaurant
Restaurant (Drive-In)
Restaurant (Drive-Thru)
Restaurant (Kiosk)
Private Club (Alcohol Served)
Alcohol Sales/Off-Premise Consumption
Bike Sales and/or Repair
Handicraft Shop
Needlework Shop
Florist
Art Dealer
Pet Shop
Retail Store (Miscellaneous)

TRANSPORTATION AND AUTO SERVICES

Railroad Right-of-Way
Passenger Terminal
Limousine Service
Taxi Stand
Accessory Parking
Commercial Parking Lot (Cars)
Recreational Vehicle Parking Lot
Auto Repair as an Associated Use
to Retail Sales

WHOLESALE TRADE

Warehouse/Storage (Inside) SUP
Paper and/or Paper Products (Wholesale) SUP

MANUFACTURING MINING AND CONSTRUCTION

Contractor's On-Site Construction Office (Approval by Chief Building Official)
Batching Plant (Temporary) (By Resolution of City Council)

AMUSEMENT AND RECREATIONAL SERVICES

Boat Launching Ramp
Marina
Fishing Pier
Radio Station (without Tower)
Television Station (without Tower)
Dinner Theatre
Motion Picture Theater (Indoors)
Motion Picture Theater (Outdoors)
Theater (Non-Motion Picture)
Amusement Services (Indoors)
Amusement Services (Outdoors) SUP
Bowling Center
Health Club (Physical Fitness)
Amusement Devices/Arcade
(Four or more devices)
Billiard Parlor (Three or more tables)
Skating Rink
Exhibition Hall
Museum / Wax Museum
Art Gallery
Stadium
Membership Sports
Golf Course (Public/Private)
Recreational Club (Members Only)
Swimming Pool (Public)
Day Camp
Park and/or Playground
Fairground
Zoo
Earth Satellite Dish (Private)
Earth Satellite Dish (Public)
Non-Commercial Radio Tower
Less Than 65 Feet High

09/06/96

AMUSEMENT AND RECREATIONAL SERVICES (Cont.)

Special Events (Temporary)
Bingo Parlor

SUP

2. Compliance with other codes and ordinances established by the City of Grand Prairie.

BELTLINE ORD

BELTLINE CORRIDOR CONCEPT PLAN

Background

This Concept Plan was prepared in conjunction with a zoning ordinance for the area identified in a 90 day building moratorium imposed on June 18, 1996. The intent of the moratorium was to facilitate a change in land uses, and to ensure that when development takes place, it will contribute to the long term success of the area.

This plan provides the context for preparation of the zoning ordinance. It does not reflect a thorough study of the market, or a detailed urban design plan; but it endeavors to enunciate a clear and reasonable concept for how the area should develop.

Creation of the District

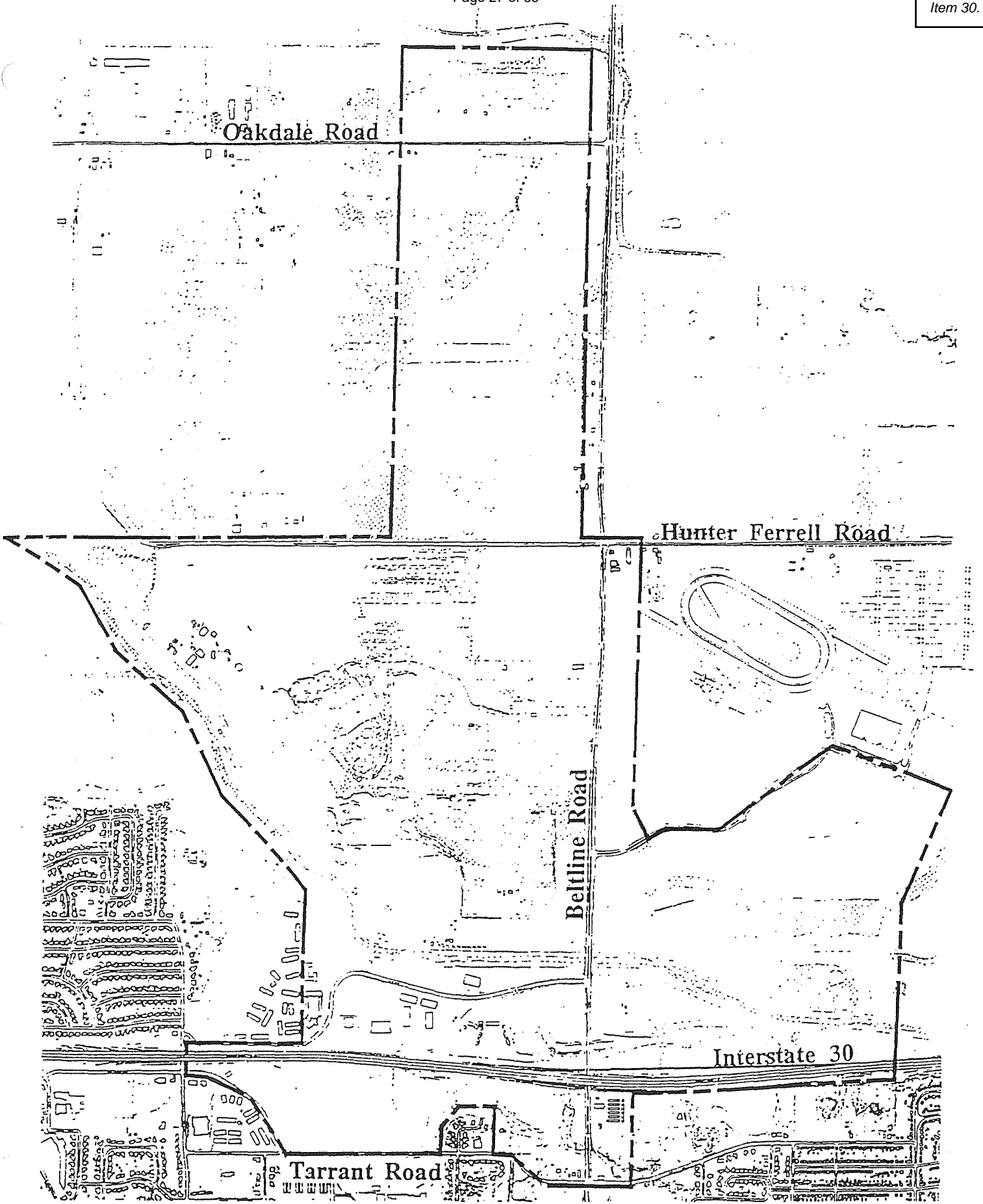
The Beltline Corridor has been identified by City Council as a special district within the City of Grand Prairie. It involves major investments by the City for economic development in both the creation of the Lone Star Park at Grand Prairie Race Track and the planning and manipulation of flood plain lands to create developable sites. A comprehensive and unified conceptual development plan, and zoning and development regulations will aid in protecting investments by the City and by property owners and new businesses in the district.

Background Issues and Opportunities

Access. Currently, the area has access mainly from Beltline Road and IH 30. Plans for the area, however, include SH 161, Trinity Parkway and the Proposed Trinity Tollway. SH 161, when constructed, will greatly increase north-south access to the site, especially where it will intersect with the Trinity Parkway, and the Proposed Trinity Tollway. SH 161 will be located on the westerly boundary of the study area. The Trinity Parkway could provide additional east-west connections to DFW Airport, and the proposed Trinity Tollway, if implemented, will provide excellent regional east-west access to the study area.

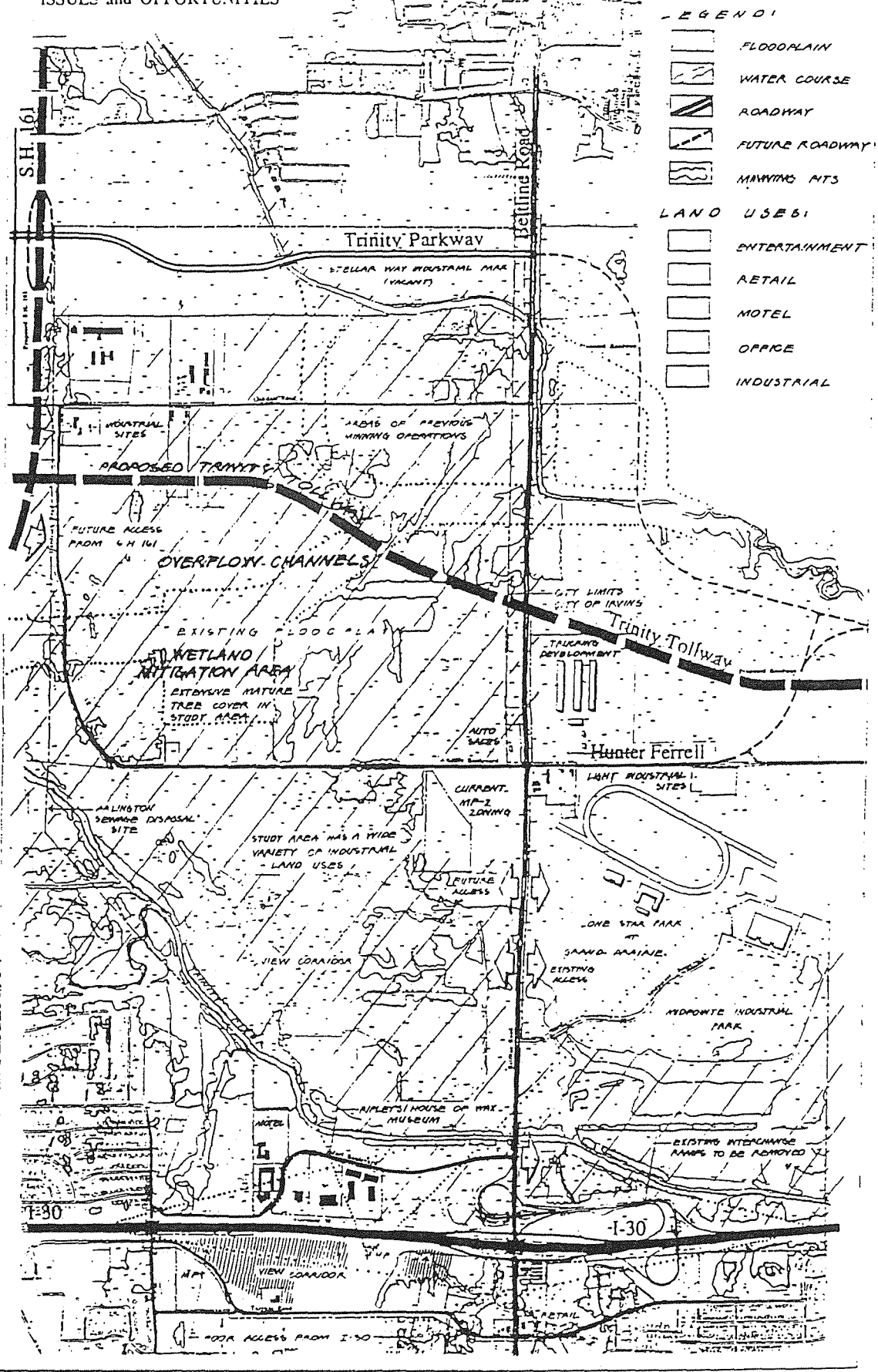
Flood Plain. Over 75% of the study area is currently in Trinity River flood plain. A joint study of the development potential along this corridor, with the City of Irving, is underway to determine the amount of land that may be reclaimed and a range of land uses along this area. A preliminary estimate of the amount of land which could be reclaimed includes a little under 50% of the land in the flood plain, excluding the floodway areas of the Trinity and its tributaries.

Major Features. The study area is covered by large stands of mature trees and grass lands, providing the feeling of being "out in the country". In addition, the area includes the Lone Star Park at Grand Prairie, the House of Wax/Ripley's believe it or Not—two major attractions for visitors to Grand Prairie. The



DISTRICT BOUNDARY

PD-217



- LEGEND**
- FLOODPLAIN
 - WATER COURSE
 - ROADWAY
 - FUTURE ROADWAY
 - MANNING PITS
- LAND USES:**
- ENTERTAINMENT
 - RETAIL
 - MOTEL
 - OFFICE
 - INDUSTRIAL

The Beltline Corridor District
Grand Prairie, Texas

J. DENNIS WILSON & ASSOCIATES
PLANNERS ARCHITECTS ENGINEERS



Scale 1" = 200' Date: June 1998

Simulcast building at Lone Star Park is currently in operation, and the race track should be operational by the end of this year.

District Concept

Area Resources. The area includes two major resources that can be built upon to create an exceptional district—Lone Star Park and the Trinity River (with its requirements for flood plain and valley storage areas). Lone Star Park at Grand Prairie can provide a style theme for development, and the flood plain, if properly configured, can provide major amenities for development sites.

Family-Oriented Entertainment and Recreation. The district should develop as a unified area with a distinct identity as a family oriented recreational destination within the Metroplex and the Southwestern United States. The district character should build on the Lone Star Park at Grand Prairie Race Track which will be a world class horse racing operation that will be known the world over; thereby establishing an identity for the area. In addition, the large amount of open space preserved as recreation areas and flood plain will establish a “park-like” environment.

Land Use. The attached Concept Plan places retail, entertainment and restaurant land uses along Beltline Road, Safari Pkwy and Tarrant Road. Other land uses in the district could include multifamily, office and light industrial.

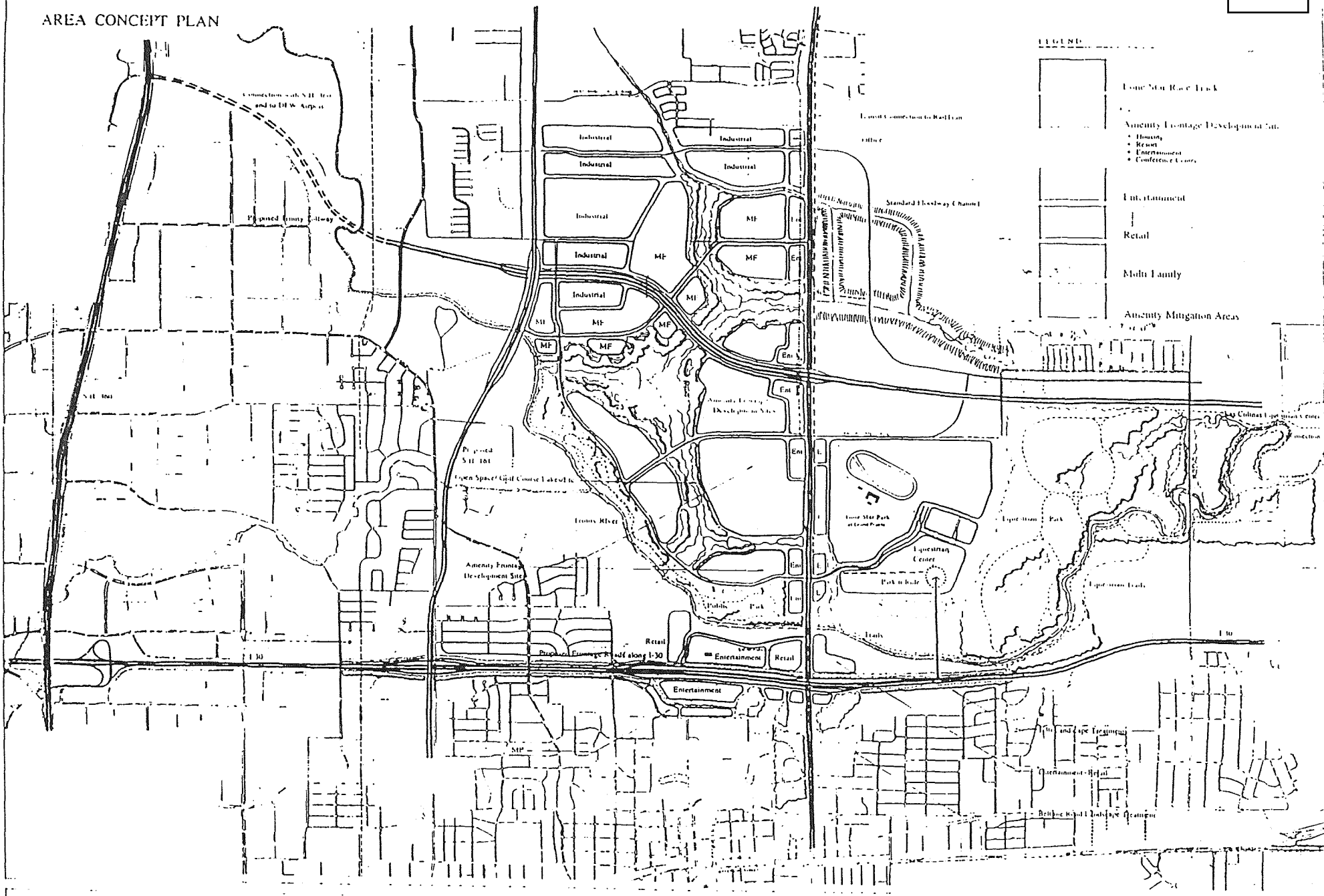
Because Lone Star Park and a large amount of flood plain land are located on the east side of Beltline, this area could be a major focus for equestrian activities such as horse training, large animal veterinarians and tack shops. The flood plain land immediately east of the Park and south of Hunter Farrell could become a regional equestrian trail-oriented park—especially if its is preserved as part of the mitigation for creating development sites.

The area west of Beltline could be oriented to golf if a major golf course is created in the flood plain. A world class course would create an attraction for the visitors as well as for offices, apartments and condos.

District Style. Lone Star Park at Grand Prairie is designed in a Spanish Revival style which is both reflective of Texas history and has proven to be a very commercially successful style. The first 3 shopping centers in the Southwest were constructed using this style and they remain very successful centers today—Country Club Plaza (Kansas City), Highland Park Village, and Casa Linda. In addition, many newer centers have adopted the theme because it is very versatile in accommodating different types of businesses and architectural designs.

Trinity Flood Plain. There is a study currently being completed as a joint effort between the City of Grand Prairie and Irving to establish the limitations and possibilities for creating buildable land out of the flood plain. Preliminary estimates indicate that a little less than 50% of the land currently in the flood plain (exclusive of the floodway) can reasonably be removed from that designation through excavation and filling.

AREA CONCEPT PLAN

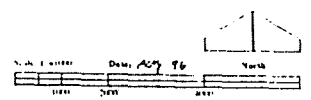


LEGEND

[Symbol]	Light Rail Rapid Track
[Symbol]	Amenity Mitigation Development Area
[Symbol]	Entertainment
[Symbol]	Retail
[Symbol]	Multi Family
[Symbol]	Amenity Mitigation Areas

The Beltline Corridor District
Grand Prairie, Texas

J. DENNIS WILSON ASSOCIATES
Urban Planning and Green Design



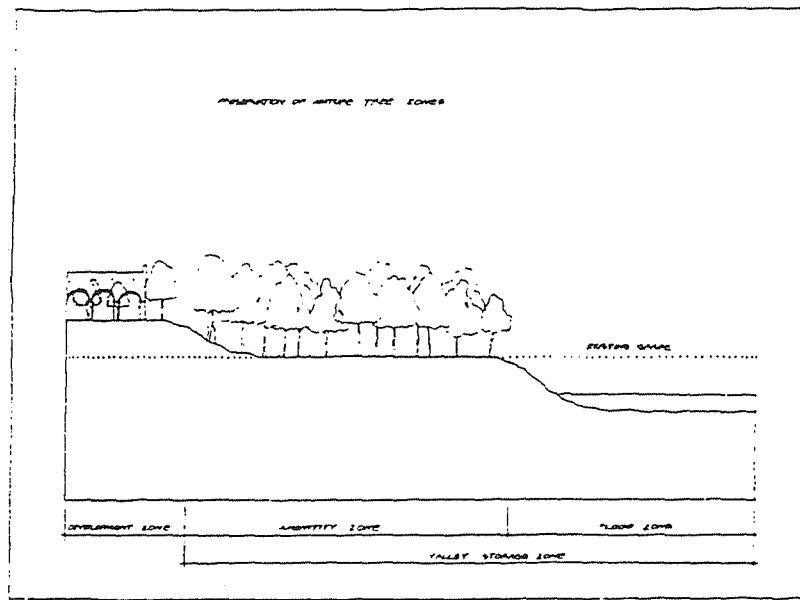
There is a need to provide for both "flood way" (movement of water) and for "valley storage" (the storage of a certain volume of water) within the flood plain. The requirements for floodway and valley storage presents a unique opportunity for the creation of open space and recreation area for development sites which are immediately adjacent and for the Metroplex. Some of the uses that could be placed in the flood plain include:

- Equestrian trails
- Polo Fields
- Horse Jumping and training facilities
- Golf courses
- Hike and bike trails,
- Canoeing and small boating in impounded water areas
- Recreational Bicycling / Competitive Training

When working with the shaping of floodway channels and wetland mitigation areas, "amenity development zones" can be created which will protect mature tree stands. These amenity development areas increase land values, enhance the area's scenic qualities and establish a framework for land development.

If designers work with existing grades and trees in identifying fill areas (for development) and cut areas (for floodways and flood plains), several mature stands of trees can be preserved.

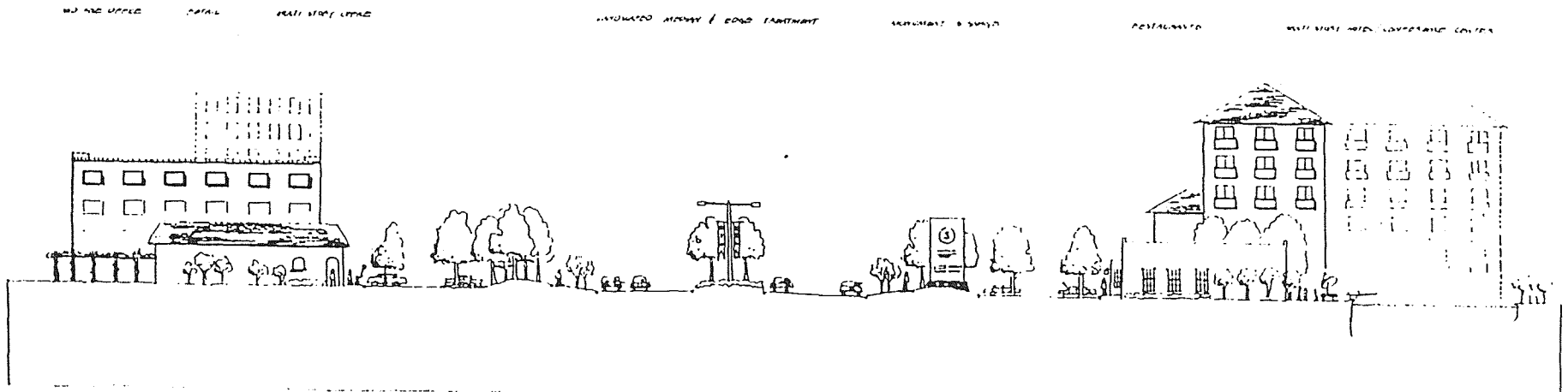
The accompanying sketches of the development along the Flood plain show how development can take advantage of the adjacency of the flood plain and "valley storage" necessary for the Trinity River and its tributaries. Overflow parking can be placed in an area that receives only periodic flooding, and many space-consuming recreational uses can take advantage of land preserved for flood plain.



TYPICAL LAND RECLAMATION SECTION



FLOODPLAIN SECTION

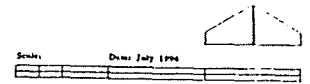


BELTLINE ROAD SECTION

The Beltline Corridor District

Grand Prairie, Texas

J. DENNIS WILSON & ASSOCIATES
Texas Planning and Urban Design



Landscape Character

The landscape character of the district should be "woody", and take advantage of the character of adjacent open space and natural areas of the Trinity flood plain. In contrast, the streetscaping of Beltline Road should be more formal with a unified treatment which includes a low level berm and a continuous row of trees lining the street. Individual development sites may be landscaped in a formal or informal manner.

The median of Beltline, the Safari Pkwy and IH 30 should be heavily landscaped with shade and ornamental trees to identify the district and to establish its character. This will serve to establish the quality and character of landscaping expected of private development.

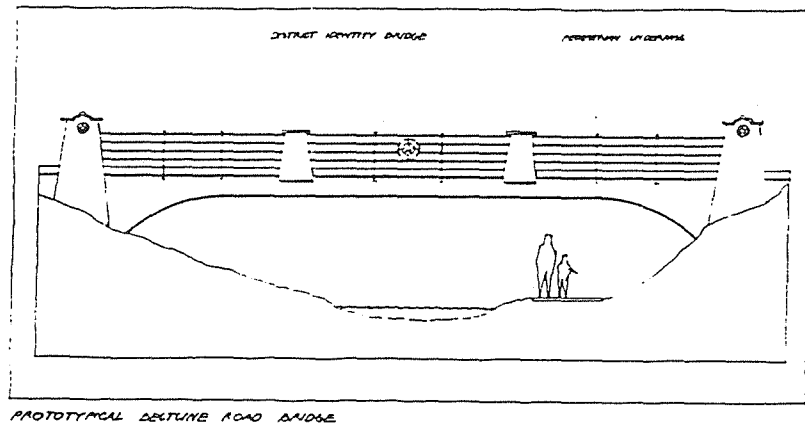
Public Infrastructure

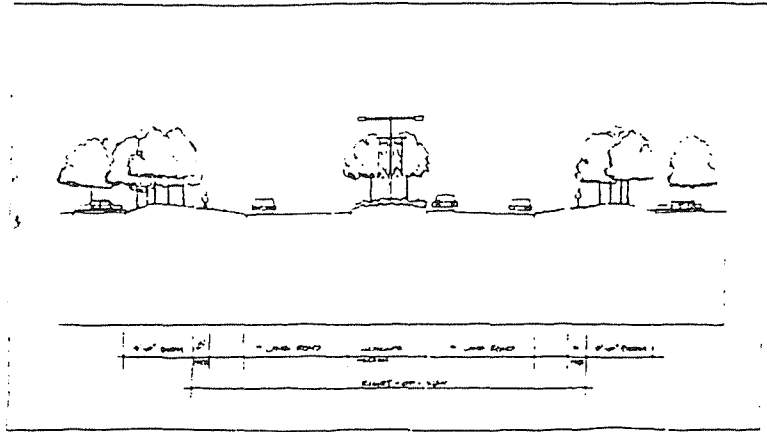
Streets. An identity for the area should be advanced by developing a theme for the naming of streets within the district, such as for famous horses or famous race tracks; or, on the west side of Beltline, for famous golf courses or famous golfers.

Beltline should include a well landscaped median and coordinated street lighting with banner arms to display banners relating to the district.

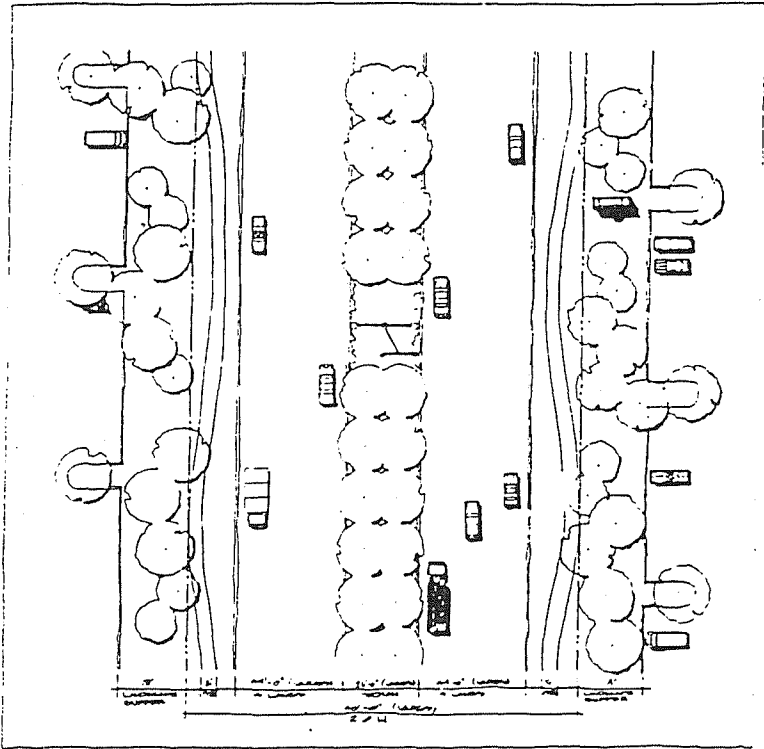
Bridges. Since all bridges in the area will need to be replaced, and several new ones built, they should reflect a unique style which is distinctive to the district, similar to the bridges next to the Ball Park at Arlington.

All new and rebuilt bridges should be constructed to allow for hike, bike and equestrian trails to continue below.





DETLINE ROAD SECTION



PROTOTYPICAL DETLINE ROAD PLAN

The Beltline Corridor District
Grand Prairie, Texas

LUENNIS WILSON ASSOCIATES
ARCHITECTS

Sidewalks. If the area is to become a recreational destination, it should contain sidewalks throughout the area. In addition, major roadways should include at least one-8 foot sidewalk to accommodate bicyclists and runners who will be circulating within the district and who will be using the regional Trinity Trail system. Alternatively, a designated roadway shoulder should be provided along the area's street for cyclists.

Code Enforcement

It is a key objective of the City to attract new investment into the area in the form of businesses and development. An important incentive for people to invest in an area is to protect their investment with a program of aggressive Code Enforcement.

Funding

Infrastructure. The creation of a high quality infrastructure and its continued maintenance, are fundamental to the success of this special district. Included in this infrastructure is the construction of a higher than normal quality of bridge structure, street lighting and landscaping. It could also include a high quality golf course designed by a well known golf course designer to broaden and intensify the entertainment "magnet".

The capital costs to create a higher than normal standard could be covered by creating a Tax Increment Financing District. All the key elements of a successful district are there—

- the area will soon be gaining national attention;
- the infrastructure could trigger development which would repay the capital costs;
- there is an emerging market for the area;
- there are property owners/developers with large property holdings who are willing to invest in high quality development; and
- the area would likely qualify for a TIF district under State legislation.

Maintenance. Ongoing maintenance of the district is as important as its original construction. If the district is not continuously maintained at a high level, it will not attract a high level of investment, and maintain its vitality as a district. The extra level of maintenance could be funded using a Tax Increment Funding vehicle or through creating a Public Improvement District.



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 01/17/2023

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Savannah Ware, AICP, Chief City Planner

TITLE: SUP-22-10-0043 - Specific Use Permit – Private Card Room at 401 E Palace Pkwy (City Council District 1). Specific Use Permit for a Private Card Room. Tract 31, Michael Farrans Abstract, Survey No. 469, City of Grand Prairie, Dallas County, Texas, zoned PD-217, within IH 30 Corridor Overlay District, and addressed as 401 Palace Pkwy (On January 9, 2023, the Planning and Zoning Commission recommended approval with recommended conditions by a vote of 6-3)

APPLICANT: Mike Thompson, Full Deck Social Club

RECOMMENDED ACTION: Staff takes no position on the Specific Use Permit, but recommends conditions should the SUP be approved.

SUMMARY:

Specific Use Permit for a Private Card Room. Tract 31, Michael Farrans Abstract, Survey No. 469, City of Grand Prairie, Dallas County, Texas, zoned PD-217, within IH 30 Corridor Overlay District, and addressed as 401 Palace Pkwy.

PURPOSE OF REQUEST:

The applicant intends to operate a Private Card Room, which requires City Council approval of a Specific Use Permit.

The purpose of the Specific Use Permit process is to identify those uses which might be appropriate within a zoning district, but due to either their location, functional or operational nature, could have a potentially negative impact upon surrounding properties; and provide for a procedure whereby such uses might be permitted by further restricting or conditioning them to eliminate such probable negative consequences.

ADJACENT LAND USES:

The following table summarizes the zoning designation and existing use for the surrounding properties.

Table 1. Adjacent Zoning and Land Uses

Direction	Zoning	Existing Use
North	PD-217	Undeveloped
South	PD-217	Undeveloped
West	PD-217	Hotels, Undeveloped
East	PD-217	Ripley's Believe it or Not

HISTORY:

- A PD amendment to create a definition of a Private Card Room and amend the uses permitted within PD-217 to allow a Private Card Room with City Council approval of a Specific Use Permit is under concurrent review (ZON-22-10-0030).

PROPOSED USE CHARACTERISTICS AND FUNCTION:

The applicant is proposing to operate a Private Card Room, which is defined as a private place where members gather to play card games, including poker, billiards, chess, or other similar games in which, except for the advantage of skill or luck, the risks of losing and chances for winning are the same for all participants and no person or entity receives any economic benefit other than personal winnings from said games.

The Private Card Room will include a full-service kitchen and have non-alcoholic beverages available for purchase. No alcoholic beverages will be sold on the premises – the facility will operate as a BYOB establishment.

The applicant is proposing to initially operate from 10:00 AM until 12:00 AM but plans to expand hours to 24 hours a day. Proposed security measures include utilizing a private security firm both indoors and outside. The operational plan indicates that security personnel will patrol the parking lot and assist customers to and from their vehicles.

The Private Card Room will require membership and will charge dues for club membership. Members will be charged for hourly seat rentals, food and drinks, and merchandise. During tournaments, members will be charged an entry fee and a separate administrative fee.

RECOMMENDATION:

On January 9, 2023, the Planning and Zoning Commission recommended approval with the recommended conditions by a vote of 6-3.

Staff takes no position on the Specific Use Permit, but recommends the following conditions should the Planning and Zoning Commission recommend approval of the request:

1. Individuals under the age of 21 shall not be permitted inside the location.
2. The private card room shall check identification at the entrance to ensure all individuals entering the private card room are members and at least 21 years of age.
3. The private card room shall have armed security personnel, licensed in accordance with the Texas Occupations Code, on-site at all times the business is open or any employee is present.

4. The private card room shall have a silent panic or holdup alarm system for which a permit has been issued in accordance with chapter 17, article III of the Code of Ordinances. This system shall, at a minimum, include two panic buttons. One panic button must be located within reach of the cash cage and the other must be located at a place where the entrance is visible. The panic buttons shall be out of view of the customers. Such panic buttons shall generate an alarm signal indicating a holdup or other life-threatening emergency requiring a police department response.
5. The private card room shall have posted at all public exits and entrances signs or decals indicating that a security alarm system is in use.
6. The private card room shall have a drop safe on the premises to keep the amount of cash available to employees to a minimum. A drop safe must be bolted to the floor. A drop safe may have a time-delay mechanism to allow small amounts of change to be removed.
7. The private card room shall have a cash accountability policy to limit the amounts of cash easily accessible to employees.
8. The private card room shall have digital, high-resolution surveillance cameras which capture high-resolution digital recordings which display the correct date and time of recording and comply with the following:
 - a. The cameras shall be located throughout the parking area and interior of the private card room.
 - b. At least one camera must have an overall view of the cash cage area, one camera must have a view of the main entrance/exit area of the building, and one camera must have a view of the parking lot entrance/exit.
 - c. The parking lot entrance/exit area camera shall be placed to provide a clear and identifiable image of the license plate number of vehicles entering/exiting the parking lot.
 - d. The building entrance/exit area camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face.
 - e. The cameras and recording system shall be operated at all times, including hours when the private card room is not open for business.
 - f. The owner shall provide the police department with digital color images in connection with crime investigations upon request.
 - g. The owner shall maintain a library of the recorded digital images for not less than thirty (30) days.
9. A private card room shall have posted, at or near the cash cage signs or decals indicating that surveillance cameras are in use.
10. Prior to beginning operations as a private card room and at least every year thereafter, the Grand Prairie Police Department shall be allowed to complete a Crime Prevention Through Environmental Design Survey.
11. This Specific Use Permit and all authority to operate as a Private Card Room may be reviewed by the Grand Prairie City Council, who has the authority to amend or revoke this Specific Use Permit, if:

- a. A court issues a judgment binding on the location finding that any operations of the type included in the operational plan are a violation of the Texas Constitution, Texas Penal Code laws, or any other state law, or
 - b. The Dallas County Criminal District Attorney issues a statement or other opinion finding that any operations of the type included in the operational plan are a violation of the Texas Constitution, Texas Penal Code laws, or any other state law, or
 - c. An amendment to state or federal law would make any operations of the type included in the operational plan a violation of law.
12. The operation of the facility shall be in strict compliance with all applicable laws and the requirements of the Environmental Services Department, Building Inspections, Police Department and Fire Administration.
13. Any unsafe or authorized operations or activities may be determined as grounds for revocation of the Specific use Permit by the City Council.

BODY:

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS AMENDING THE ZONING ORDINANCE AND MAP BY SHOWING THE LOCATION, BOUNDARY, AND USE OF CERTAIN PROPERTY FOR A SPECIFIC USE PERMIT FOR A PRIVATE CARD ROOM: BEING TRACT 31, MICHAEL FARRANS ABSTRACT, SURVEY NO. 469, CITY OF GRAND PRAIRIE, DALLAS COUNTY, TEXAS; SAID ZONING MAP AND ORDINANCE BEING NUMBERED ORDINANCE NUMBER 4779 AND PASSED ON NOVEMBER 20, 1990; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A PENALTY; PROVIDING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION

WHEREAS, the owners of the property described herein below filed application with the City of Grand Prairie, Texas, petitioning an amendment of the Zoning Ordinance and Map of said city so as to amend the zoning designation of said site to include a Specific Use Permit for a Private Card Room; and

WHEREAS, the Planning and Zoning Commission of Grand Prairie, Texas, held a public hearing on said application on January 9, 2023, after written notice of such public hearing before the Planning and Zoning Commission on the proposed Specific Use Permit had been sent to owners of real property lying within 300 feet of the property on which the Private Card Room is proposed, said Notice having been given not less than ten (10) days before the date set for hearing to all such owners who rendered their said property for City taxes as the ownership appears on the last approved City Tax Roll, and such Notice being served by depositing the same, properly addressed and postage paid, in the City Post Office; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 6 to 3 to recommend approval of the Specific Use Permit for the use of Private Card Room to the City Council of Grand Prairie, Texas; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 o'clock P.M. on January 17, 2023, to consider

the advisability of amending the Zoning Ordinance and Map as recommended by the Planning and Zoning Commission, and all citizens and parties at interest were notified that they would have an opportunity to be heard, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the, Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, all citizens and parties at interest have been given an opportunity to be heard on all the matter of the Specific Use Permit and the City Council of the City of Grand Prairie, Texas, being informed as to the location and nature of the specific use proposed on said property, as well as the nature and usability of surrounding property, have found and determined that the property in question, as well as other property within the city limits of the City of Grand Prairie, Texas, has changed in character since the enactment of the original Zoning Ordinance to the extent that a specific use may be made of said property as herein provided and by reason of changed conditions, does consider and find that this amendatory Ordinance should be enacted since its provisions are in the public interest and will promote the health, safety and welfare of the community.

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

SECTION 1. Ordinance Number 4779, being the Unified Development Code of the City of Grand Prairie, Texas, showing the locations and boundaries of certain districts, and said Zoning Ordinance and Map having been made a part of an Ordinance entitled:

"THE UNIFIED DEVELOPMENT CODE OF THE CITY OF GRAND PRAIRIE, TEXAS, AS PASSED AND APPROVED BY THE CITY COUNCIL ON THE 20TH DAY OF NOVEMBER, 1990, TOGETHER WITH ALL AMENDMENTS THERETO AND ENACTING A REVISED ORDINANCE ESTABLISHING AND PROVIDING FOR ZONING REGULATIONS; CREATING USE DISTRICTS IN ACCORDANCE WITH A COMPREHENSIVE PLAN..."

passed and approved November 20, 1990, as amended, is hereby further amended so as to establish a Private Card Room on Tract 31, Michael Farrans Abstract, Survey No. 469, City of Grand Prairie, Dallas County, Texas, as depicted in Exhibit A – Property Description, attached hereto.

SECTION 2. The purpose of this Ordinance is to provide the appropriate restrictions and development controls that ensure this Specific Use Permit is compatible with the surrounding development and zoning and to also ensure that the development complies with the City's Comprehensive Plan and Unified Development Code.

SECTION 3. For development and operations of a Private Card Room, the following standards and conditions are hereby established as part of this ordinance:

1. Except as may be provided by Section 4 of this ordinance, the operations of a Private Card Room shall adhere to the City Council approved Exhibit B - Operational Plan, which is herein incorporated by reference.

SECTION 4. That the operations of a Private Card Room shall comply with the following:

1. By this Ordinance, this Specific Use Permit shall automatically terminate in accordance with Section 5.4.1 of the Unified Development Code if a Certificate of Occupancy is not issued for said use within one (1) year after City Council adoption of this Ordinance, or upon cessation of said use for a period of six (6) months or more.
2. Individuals under the age of 21 shall not be permitted inside the location.
3. The private card room shall check identification at the entrance to ensure all individuals entering the private card room are members and at least 21 years of age.
4. The private card room shall have armed security personnel, licensed in accordance with the Texas Occupations Code, on-site at all times the business is open or any employee is present.
5. The private card room shall have a silent panic or holdup alarm system for which a permit has been issued in accordance with chapter 17, article III of the Code of Ordinances. This system shall, at a minimum, include two panic buttons. One panic button must be located within reach of the cash cage and the other must be located at a place where the entrance is visible. The panic buttons shall be out of view of the customers. Such panic buttons shall generate an alarm signal indicating a holdup or other life-threatening emergency requiring a police department response.
6. The private card room shall have posted at all public exits and entrances signs or decals indicating that a security alarm system is in use.
7. The private card room shall have a drop safe on the premises to keep the amount of cash available to employees to a minimum. A drop safe must be bolted to the floor. A drop safe may have a time-delay mechanism to allow small amounts of change to be removed.
8. The private card room shall have a cash accountability policy to limit the amounts of cash easily accessible to employees.
9. The private card room shall have digital, high-resolution surveillance cameras which capture high-resolution digital recordings which display the correct date and time of recording and comply with the following:
 - a. The cameras shall be located throughout the parking area and interior of the private card room.
 - b. At least one camera must have an overall view of the cash cage area, one camera must have a view of the main entrance/exit area of the building, and one camera must have a view of the parking lot entrance/exit.
 - c. The parking lot entrance/exit area camera shall be placed to provide a clear and identifiable image of the license plate number of vehicles entering/exiting the parking lot.
 - d. The building entrance/exit area camera shall be placed to provide a clear and identifiable full frame of the filmed individual's face.
 - e. The cameras and recording system shall be operated at all times, including hours when the private card room is not open for business.
 - f. The owner shall provide the police department with digital color images in connection with crime investigations upon request.

- g. The owner shall maintain a library of the recorded digital images for not less than thirty (30) days.
10. A private card room shall have posted, at or near the cash cage signs or decals indicating that surveillance cameras are in use.
 11. Prior to beginning operations as a private card room and at least every year thereafter, the Grand Prairie Police Department shall be allowed to complete a Crime Prevention Through Environmental Design Survey.
 12. This Specific Use Permit and all authority to operate as a Private Card Room may be reviewed by the Grand Prairie City Council, who has the authority to amend or revoke this Specific Use Permit, if:
 - a. A court issues a judgment binding on the location finding that any operations of the type included in the operational plan are a violation of the Texas Constitution, Texas Penal Code laws, or any other state law, or
 - b. The Dallas County Criminal District Attorney issues a statement or other opinion finding that any operations of the type included in the operational plan are a violation of the Texas Constitution, Texas Penal Code laws, or any other state law, or
 - c. An amendment to state or federal law would make any operations of the type included in the operational plan a violation of law.
 13. It shall be unlawful for the owner, manager, or any person in charge of a business or other establishment to violate the conditions imposed by the City Council when a Specific Use Permit is granted, and the violation of those conditions could result in a citation being issued by the appropriate enforcement officers of the City of Grand Prairie. Violation of this provision may be punishable in accordance with Section 1-8 of the Code of Ordinances of the City.
 14. This Specific Use Permit shall run with the land and therefore may be transferred from owner to owner; however, each new owner shall obtain a new Certificate of Occupancy.
 15. The Certificate of Occupancy shall note the existence of this Specific Use Permit by its number and title.
 16. The operation of the facility shall be in strict compliance with all applicable laws and the requirements of the Environmental Services Department, Building Inspections, Police Department and Fire Administration.
 17. Any unsafe or unauthorized operations or activities may be determined as grounds for revocation of the Specific Use Permit by the City Council.
 18. To the extent there is a conflict between this Section and Exhibit B – Operational Plan, this Section controls.

SECTION 5. The Unified Development Code of the City of Grand Prairie, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 6. A violation of this Ordinance is a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas. The penalty provided herein shall be cumulative of other remedies provided by State law, and the power of injunction as provided in Texas Local Government Code Section 54.016, as amended, may be exercised in enforcing this ordinance whether or not there has been a complaint filed.

SECTION 7. The Unified Development Code of the City of Grand Prairie, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 8. The terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 9. All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

SECTION 10. This Ordinance shall be in full force and effect from and after its passage, approval, and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS 17TH DAY OF JANUARY 2023.

ORDINANCE NO. #-2023
SPECIFIC USE PERMIT NO. #
CASE NO. SUP-22-10-0043

EXHIBIT "A"
LEGAL DESCRIPTION

DESCRIPTION, of a 7.868 acre (342,725 square foot) tract of land situated in the Michael Farrrens Survey, Abstract No. 469, City of Grand Prairie, Dallas County, Texas; said tract being part of that tract of land described in Warranty Deed with Vendors Lien to 401 Palace Parkway, LP recorded in Volume 2005115, Page 1724 of the Deed Records of Dallas County, Texas; said 7.868 acre (342,725 square foot) tract being more particularly described as follows (Bearing system for this survey is based on the Texas Coordinate System of 1983 (2011 adjustment), North Central Zone 4202, based on observations made on March 26, 2019):

BEGINNING, at a 1/2-inch iron rod found for the northwest corner of that tract of land described in Deed to the State of Texas recorded in Instrument No. 201700145732 of the Official Public Records of Dallas County, Texas; said point being in the west line of said 401 Palace Parkway, LP tract the east right-of-way line of Palace Parkway (a variable width right-of-way) and the north right-of-way line of Interstate Highway No. 30 (a variable width right-of-way);

THENCE, along the said west line of 401 Palace Parkway, LP tract and the said east line of Palace Parkway the following four (4) calls:

North 00 degrees, 15 minutes, 21 seconds West, departing the said north line of Interstate Highway No. 30, a distance of 320.88 feet to a 1/2-inch iron rod found for the beginning of a non-tangent curve to the left;

In a northeasterly direction along said curve, having a central angle of 16 degrees, 57 minutes, 02 seconds, a radius of 464.98 feet, a chord bearing and distance of North 08 degrees, 18 minutes, 22 seconds East, 137.06 feet, an arc distance of 137.56 feet to a 1/2-inch iron rod found at the end of said curve;

North 00 degrees, 10 minutes, 09 seconds West, a distance of 122.58 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap set for the beginning of a curve to the right;

In a northeasterly direction along said curve, having a central angle of 104 degrees, 17 minutes, 20 seconds, a radius of 307.55 feet, a chord bearing and distance of North 51 degrees, 58 minutes, 31 seconds East, 485.66 feet, an arc distance of 559.80 feet to a 1/2-inch iron rod with "PACHECO KOCH" cap found in the west line of that tract of land described in Special Warranty Deed to Jim Pattison Developments (U.S.) Inc. recorded in Volume 2004007, Page 1164 of the said Deed Records;

THENCE, South 01 degrees, 46 minutes, 49 seconds East, departing the said east line of Palace Parkway and along the said west line of Jim Pattison Developments, (U.S.) Inc. tract, a distance of 903.16 feet to a 1/2-iron rod with "PACHECO KOCH" cap set for the northeast corner of said State of Texas tract and the said north line of Interstate Highway No. 30;

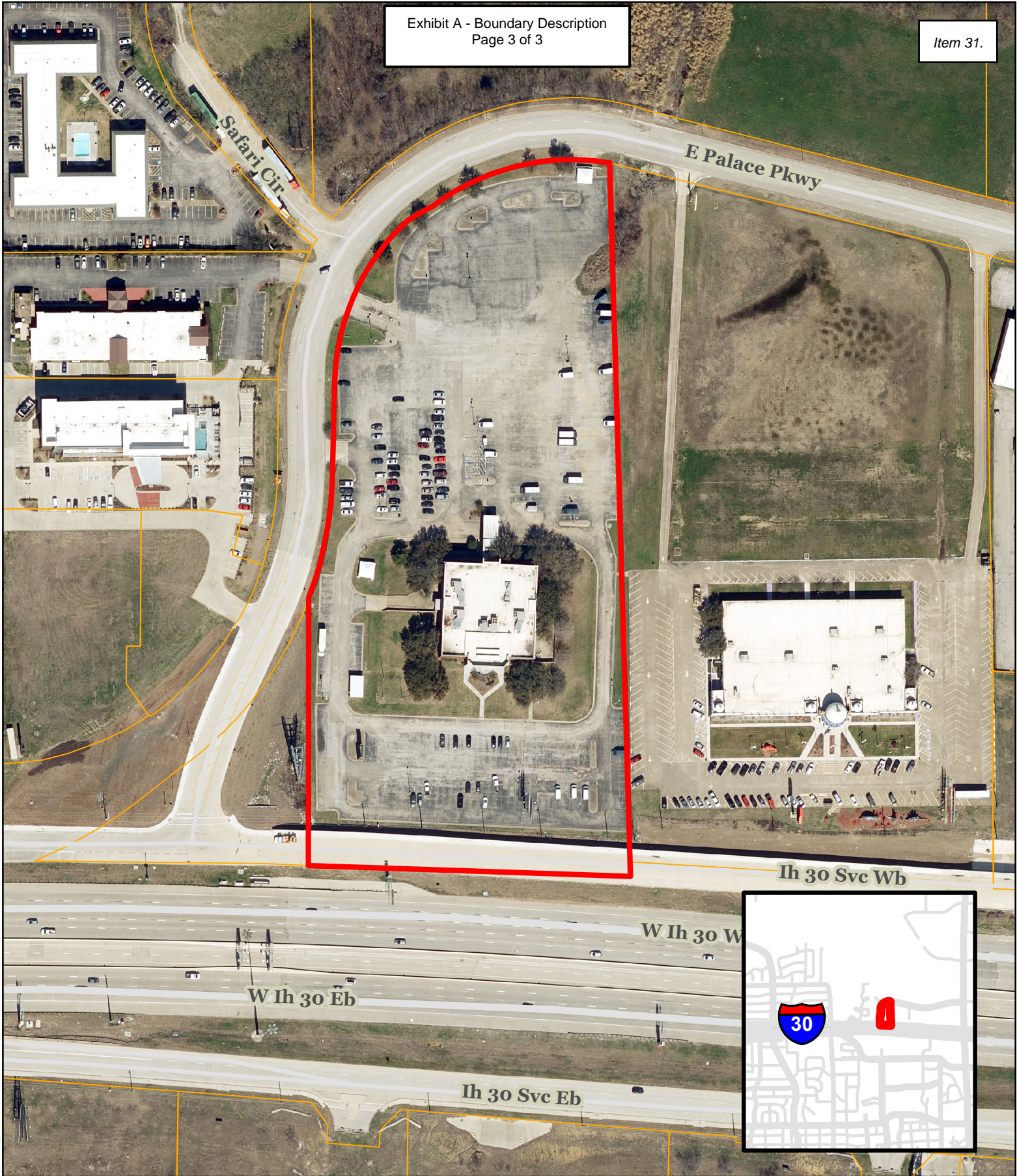
THENCE, North 86 degrees, 23 minutes, 03 seconds West, departing the said

west line of the Jim Pattison Developments, (U.S.) Inc. tract and along the said north line of the State of Texas tract and the north line of Interstate Highway No. 30, a distance of 256.03 feet to a point for corner;

THENCE, North 87 degrees, 14 minutes, 40 seconds West, continuing along the said north line of the State of Texas tract and the north line of Interstate Highway No. 30, a distance of 173.32 feet to the POINT OF BEGINNING;

CONTAINING: 342,725 square feet or 7.868 acres of land, more or less.

Unofficial Copy



CASE LOCATION MAP
SUP-22-10-0043 - Private Card Room
401 E Palace Pkwy



City of Grand Prairie
Development Services
(972) 237-8255
www.gptx.org

Operational Plan v5

Full Deck Social Club, LLC
DBA: STEEL WHEEL POKER CLUB
401 E Palace Parkway
Grand Prairie, TX 75050

1. **General Description.** The Full Deck Social Club, LLC, in Grand Prairie, Texas will operate as Steel Wheel Poker Club (“SWPC”) (the “Club”) at this site as a private recreational facility and social club, offering certain recreational activities and card games to its members (the “Club Members”). None of the recreational activities or games are coin-operated machines, slots or other automated gaming devices and no such devices will be on site. In addition, no games against the house such as Blackjack, Craps or other Casino style games will be offered where the house has an edge due to odds or rules of the game.
2. **Membership.** SWPC is a private place because the public will not have access and it will exclude those who are not Club Members.
 - a. **Initial Club Members.** The owners of SWPC, its managers and staff are familiar with the industry and similar clubs both in the area and throughout the State of Texas. With this experience and information developed over the years we will create a list of potential Club Members that are of a character consistent with what the SWPC Club desires to associate with and to which the Club will extend an invitation to membership.
 - b. **Club Membership Governance.** The Club Membership will be governed by the Club Membership Bylaws (the “Bylaws”), Rules and Regulations and Policies that may be adopted and amended from time to time (collectively, the “Governing Club Documents”).
 - c. **Eligibility Requirements.** Per the Bylaws, to be eligible to apply for Club Membership, the applicant must be at least 21 years of age, have at least one government issued ID and a secondary ID that may or may not have a photo on it, complete and submit the Membership Application and Agreement, pay the one-time Initiation Fee at the time of submission of the Membership Application and Agreement (“Membership Application”), include one or two known Club Members as references that are not delinquent on their fees and dues and are otherwise in good standing with the Club. Upon receipt of the Application, the Club and its management team will review the information on the Membership Application, may verify information included therein, may request additional information, and will apply the Selection Criterion set forth in Section 3.2 of the Club Membership Bylaws. The Management Team has complete discretion regarding the admission of any applicant into the Club.
 - d. **Membership Fees and Dues.** A fee will be charged to become a member of the SWPC and thus eligible to participate in the recreational activities this private facility has to offer. SWPC has membership criterion that will be applied to applications submitted for membership. Club Members must be current on their fees and dues, as well as their information, in order to enter the Club.
3. **Description of Recreational Activities.** The location will include several card tables for poker, and may include other amenities for legal recreation activities for members only, such as pool tables, shuffleboard, cornhole, chess, checkers and other similar type recreation activities. Those who are

participating in poker or the recreational activities are the only persons able to obtain any economic benefit from participating in the recreational activities of the facility.

- 4. Club Revenue.** The club will staff and maintain the club by charging members for hourly seat rental at poker games, or for time and equipment to play other games such as billiards, darts, cornhole etc.. And from serving foods and soft drinks or selling merchandise (e.g., t-shirts, hats, playing cards and other items). For poker or recreational game tournaments, the Club may charge an administration fee in lieu of charging by the hour. As to all of the recreational activities provided at this private establishment, SWPC will operate the recreational activities and this recreational facility in such a manner that other than the advantage of skill or luck, each participant has the same chance to win or lose in the recreational activity in which they have chosen to partake. No one participating in a poker game or recreational activity will receive any economic benefit other than personal winnings. The house will not rake or take a percentage of any prize pool. Club members can choose to tip a dealer or other recreational staffer at their option, just like one might at a restaurant. However, tipping is never required to participate in any event.

Under what circumstances will an administrative fee be charged? When we run a tournament, we will charge an administrative fee instead of an hourly rate. Because the structure of a tournament has each player starting with the same number of chips, once those chips are lost, the player is out of the tournament. Thus, one player might play only 10 or 15 minutes, while another might play 15 hours, thus charging by the hour for a tournament is not workable or practical.

Who will be charged an administrative fee? Each player that enters a tournament will be charged an entry fee, and a separate administrative fee. The entry fee goes into the player prize pool. The administrative fee goes to the club to pay for overhead etc. just like the hourly seat rental fee does for cash games.

To explain further, when we hold a tournament, the cost of entry into the tournament as well as the administrative fee will be clearly defined. For example, \$100 tournament, with a \$15 admin fee for a total of \$115. All \$100 entry fees will go into the player prize pool to be distributed to the paid number or places. No additional rake or percentage will be taken by the club, the club will only collect the \$15 administration fee.

What does a person receive in exchange for paying the administrative fee? The player gets unlimited time in the tournament for the administration fee in lieu of being charged an hourly rate.


- 5. Food and Drinks.** The Club will have a full-service kitchen and obtain the necessary licenses and permits associated with such use. With regard to drinks, non-alcoholic beverages will be available for purchase. No alcohol will be sold on the premises. SWPC intends to operate as a BYOB establishment.
- 6. No Live Entertainment.** There will be no live entertainment nor dancing. This is not a sexual oriented business whatsoever.
- 7. Hours of Operation and Security.** The Club's hours of operations may be more limited during the initial opening period, from 10:00a.m. until 2:00a.m., but after the initial period, the hours of operation may increase to seven days a week, 24 hours a day and will provide on-site security through surveillance and security personnel. We will utilize a private security firm both indoors and outside. We plan on having a security company patrol the parking lot, assist customers to and from their vehicles, and will probably use golf carts, and or segway scooters or similar, to assist them when and where

needed. Inside, we will have staff that greet members, scan their ID's etc.. with security nearby to assist staff if and when needed. Inside security will be monitoring the entire interior but will not necessarily be checking members ID's, staff will be responsible for that. As for handing cash, we will have a secure cashier's cage, which will include a safe. We will work with our Bank and an Armored car service such as Loomis, or Wells Fargo or similar to aid in transportation of cash to and from the facility. Once we get closer to having our remodel complete, we hope we can schedule a safety meeting with Grand Prairie police to give us pointers and guidance to keep everyone safe if that is a service GP Police can provide? If so, we would like our security firm in attendance at that meeting too. No person, (other than Club Vendors to fulfill services or make deliveries), will be permitted entry into the Club without their SWPC Identification Card. The Club also reserves the right to refuse admittance to the Club for any reason. No firearms or other weapons are permitted on the premises of the Club. The Club will post all necessary signage in accordance with Texas law to prohibit the carry of concealed and open carry firearms for non-security personnel and Club Members.

8. **Alarm, Drop Safe, Surveillance Camera Systems.** The club has reviewed the code ordinances and requirements for convenience stores, and we will more than exceed all requirements. The safety of our members and our staff will be our highest priority.

9. **No Smoking.** The Club will not permit smoking inside the building anywhere. We will have a designated outdoor smoking area that is more than 25 feet from any primary entrance. This outdoor area will be enclosed by an approx.. 8 foot high fence.

Full Deck Social Club, LLC
DBA: STEEL WHEEL POKER CLUB

By: 

Mike Thompson
Manager/Operator

Date: 1/6/2023



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 01/17/2023

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Savannah Ware, AICP, Chief City Planner

TITLE: TAM-22-12-0013 - Text Amendment - Article 4: Permissible Uses and Article 30: Definitions. An Ordinance of the City of Grand Prairie, Texas, amending Article 4: Permissible Uses and Article 30: Definitions of the Unified Development Code to revise allowable uses in the Central Area zoning district and create and define two new uses; Repealing all Ordinances or parts of Ordinances in conflict herewith; Containing a savings clause and a severability clause; and to become effective upon its passage and approval (On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 9-0)

APPLICANT: City of Grand Prairie Planning Division

RECOMMENDED ACTION: Approve

SUMMARY:

An Ordinance of the City of Grand Prairie, Texas, amending Article 4: Permissible Uses and Article 30: Definitions of the Unified Development Code to revise allowable uses in the Central Area zoning district and create and define two new uses; Repealing all Ordinances or parts of Ordinances in conflict herewith; Containing a savings clause and a severability clause; and to become effective upon its passage and approval.

PURPOSE OF REQUEST:

The purpose of the request is to revise allowable uses in the Central Area zoning district and create and define two new uses. This amendment removes land uses or adds the requirement for a Specific Use Permit (SUP) to land uses that are inconsistent with the Downtown Masterplan. This amendment adds land uses that are consistent with the Downtown Masterplan. Finally, this amendment creates and defines two new land uses that are permissible in the CA zoning district by right or with approval of a SUP and establishes regulations for the SUP.

PROPOSED STANDARDS:

See Exhibit A – Article 4

See Exhibit B – Article 30

Proposed changes are in red or red strikethrough text.

RECOMMENDATION:

- On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 9-0.
- The Development Review Committee (DRC) recommends approval.

BODY:

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING ARTICLE 4: PERMISSIBLE USES AND ARTICLE 30: DEFINITIONS OF THE UNIFIED DEVELOPMENT CODE TO REVISE ALLOWABLE USES IN THE CENTRAL AREA ZONING DISTRICT AND CREATE AND DEFINE TWO NEW USES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL

WHEREAS, Section 1.11.3.1 of the Unified Development Code of the City of Grand Prairie, Texas states: “Amendments to the text of the Unified Development Code shall be initiated only by action of the City Council or City Council Development Committee directing the City Manager or designee to initiate such a request on behalf of the City, or by the initiative of the City Manager or designee”; and

WHEREAS, after consideration of said amendments, the City Manager of the City of Grand Prairie, Texas directed city staff to initiate the preparation of an ordinance amending the Unified Development Code for submittal to the Planning and Zoning Commission of Grand Prairie, Texas for consideration of a recommendation to the City Council; and

WHEREAS, Notice was given of a public hearing on said amendments to be held by the Planning and Zoning Commission of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 P.M. on January 9, 2023, such Notice of the time and place of such hearing having been given at least ten (10) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, after consideration of said amendments, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 9-0 to recommend approval to the City Council of Grand Prairie, Texas, that said amendments should be approved since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building, at 6:30 P.M. on January 17, 2023 to consider the advisability of amending the Unified Development Code as recommended by the Planning and Zoning Commission, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality.

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

SECTION 1. Article 4: Permissible Uses and Article 30: Definitions of the Unified Development Code of the City of Grand Prairie, Texas be amended as shown in Exhibit A – Article 4 and Exhibit B – Article 30 of this ordinance, with proposed additions of text being in red, and deleted text being shown in red with a single line strikethrough.

SECTION 2. Unchanged sections of affected Articles and Appendices, shall remain in full force and effect, save and except for necessary modifications to the “Table of Contents” affecting page numbering, and for necessary modifications to related terminology or phrases that have been modified by this amendment that will affect a similar modification to interrelated terminology and phrases cross-referenced in other Articles in the Unified Development Code.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas, in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved of all personal liability for any damage that might occur to persons or property as a result of any act required or permitted in the discharge of his said duties.

SECTION 5. The Unified Development Code of the City of Grand Prairie, as amended shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 6. Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined in an amount not to exceed two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative or other remedies provided by state law, and the power of injunction as provided in V.T.C.A. Local Government Code Section 54.016 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

SECTION 7. This ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 17TH DAY OF JANUARY 2023.

ORDINANCE NO. #-2023

CASE NO. TAM-22-12-0013

Article 4

PERMISSIBLE USES

LAST UPDATE: JANUARY 17, 2023

CASE NUMBER: TAM-22-12-0013

ORDINANCE NO. #-2023

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

Table of Contents

	Page No.
Section 1 <i>Use Charts (Explanation)</i>	2
Section 2 <i>Accessory Uses and Structures</i>	3
Section 3 <i>Non-Residential Use of Modular Structures</i>	3
Section 4 <i>Earth Satellite Dishes</i>	4
Section 5 <i>Non-Commercial Radio Towers</i>	5
Section 6 <i>New and Unlisted Uses</i>	5
Section 7 <i>Permanent Cosmetics/Piercing Salons</i>	6
Section 8 <i>Beer and Wine Sales and Drive Through/Drive Up Retail Sales and Services</i>	6
Section 9 <i>Small Wind Energy Systems</i>	9
Section 10 <i>Natural Gas Compressor Stations</i>	15
Section 11 <i>Check Cashing, Pay Check, and Car Title Loan Business</i>	17
Section 12 <i>Temporary Batch Plants</i>	19
Section 13 <i>Correctional Facilities</i>	21
Section 14 <i>Multi-Purpose Special Event Centers</i>	22
Section 15 <i>Lodging Facilities</i>	22
Section 16 <i>Variety Stores</i>	26
Section 17 <i>Commissary</i>	27
Section 18 <i>Use Charts</i>	28

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

SECTION 1 – USE CHARTS

4.1.1 Use of Land and Buildings

Buildings, structures, land or premises shall be used only in accordance with the uses permitted in the following use schedule subject to compliance with the dimensional requirements in **Article 6, "Density and Dimensional Requirements,"** and all other applicable requirements of this ordinance. Only one primary use, *residential or non-residential*, may be allowed on any individual lot or tract of land unless that lot or tract of land is zoned for district that specifically allows multiple primary uses to exist. If a primary, conforming use is proposed on a lot or tract occupied by a primary non-conforming use, the primary non-conforming use must cease whenever the primary conforming use begins.

4.1.2 Permitted Principal Uses

No principal use shall be permitted in any district unless a symbol appears opposite the use as listed in the following Use Schedule.

- A. The symbol "X" shall mean that the principal use is permitted in that zoning district as a use by right.
- B. The symbol "S" shall mean that the principal use is permitted in that zoning district only after first obtaining a "Specific Use Permit" as set forth in **Article 5, "Specific Uses."**
- C. A blank square shall mean that the principal use is currently not allowed, and is recommended that it not be allowed in the future.

4.1.3 Site Plan Required

An asterisks "*" in the "site plan" column of the Use Schedule indicates that site plan approval is required, subject to the requirements of **Article 16, "Site Plan Approval,"** when a Specific Use Permit is required for said use.

4.1.4 Definition of Uses

The group description of the 1997 North American Industry Classification System (N.A.I.C.S.) Manual as updated and prepared by the Executive Office of the President, Office of Management and Budget shall be used to determine the classification of principal uses. Such manual shall be filed in the Planning Division of the Planning and Development Department and be made available for public inspection during regular business hours.

4.1.5 Permissible Land Uses

See Article 4, **Section 14, "Use Charts,"** for permissible land uses.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

SECTION 2 – ACCESSORY USES AND STRUCTURES

- 4.2.1 A use or structure, which is customarily incidental to the principal use, or structure, which is located on the same lot or premises, shall be permitted as an accessory use without being separately listed as a permitted use.
- 4.2.2 Accessory uses or structures shall be prohibited from being located on a different lot or tract of land than that which the primary use or structure is located on.
- 4.2.3 Accessory structures shall be prohibited from being used as a separate dwelling unit on a lot or tract of land that has or will have a dwelling unit situated on it.
- 4.2.4 If a non-residential use or structure normally requires a Specific Use Permit, and such use or structure is accessory to a primary use, such accessory use or structure shall not be required to obtain a specific use permit if the accessory use or structure is allowed in the zoning district that the primary use is situation.

SECTION 3 – NON-RESIDENTIAL USE OF MODULAR STRUCTURES

4.3.1 Modular Structure

A modular structure or manufactured structure is a structure that is manufactured off-site and brought to the site. All modular manufactured structures shall be required to comply with the following:

- A. **Density and Dimensional Requirements:** Minimum dimensional, setback, lot coverage and floor area ratio (FAR) requirements for modular structures shall be those established in the district in which the modular structure is located.
- B. **Parking:** Minimum-parking requirements for modular or manufactured structures shall be the number according to the proposed use for the building.
- C. **Procedures:** Compliance with the following application procedures is required prior to the issuance of a building permit for any modular structure.
 - 1. A permit application, site plan and complete set of design plans and specifications bearing the stamp of the State of Texas Industrialized Building Code Council for each installation must be submitted to the Chief Building Official for approval prior to the issuance of a building permit for any modular or manufactured structure.
 - 2. All modules or modular components must bear an approved decal or insignia from the Texas Department of Labor and Standards reflecting that they have been inspected by a registered third party inspection agency.
 - 3. All plans and specifications for foundation and other on-site construction shall be approved by the Chief Building Official or his or her designee, and inspected prior to any occupancy of any modular components.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

4.3.2 Temporary Modular Buildings

A temporary modular building is to be temporary in nature and used only until a permanent structure can be constructed or refurbished. In addition to the provisions of [Section 4.3.1](#), a temporary modular building may not be brought on-site until the Chief Building Official has issued a building permit for the construction or refurbishing of the permanent structure. Permits issued for temporary modular buildings shall be valid for one (1) year or when the permanent structure is completed and occupied, whichever is sooner. Any further extension shall require City Council Approval.

4.3.3 Accessory Temporary Modular Building

An accessory temporary modular building is a modular building placed on a site on a temporary basis and accessory to another building and use on that site or an adjacent tract. In addition to the provisions of [Section 4.3.1](#), such structures shall only be permitted in the A, HC, LI, LI-LS and HI zoning districts unless the structure is accessory to a school or church in which case it shall be permitted after administrative approval in all districts.

4.3.4 Permanent Modular Building

A permanent modular building is a modular building placed on a poured in-place concrete slab or an approved engineered pier and beam foundation. In addition to the provisions of [Section 4.3.1](#), a permanent modular building must meet all zoning requirements for the zoning district it is located in, specifically including masonry requirements.

4.3.5 Temporary Construction Buildings

Temporary construction buildings and temporary building material storage areas to be used for construction purposes may be permitted for a specified period of time in accordance with a permit issued by the Chief Building Official for cause shown. Upon completion or abandonment of construction, or expiration of the permit, such field offices and buildings shall be removed at the direction of the Chief Building Official.

4.3.6 Trailers Used as Storage

No trailer shall be utilized for, nor shall constitute, permanent storage. (For the purpose of this paragraph, the term "trailer" shall include, but not be limited to, a box van, contractor's trailer, utility trailer, a railroad boxcar or any other similar mobile transport vehicle not intended for permanent storage.)

SECTION 4 – EARTH SATELLITE DISHES

- 4.4.1. Earth satellite dishes or antennas shall be allowed in any district as an accessory use. When an earth satellite dish is located in a residential district, it shall conform to the following:

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

- A. Earth satellite dishes shall not be allowed in front yards or located on the roof or façade of any structure facing a street or being a portion thereof of the front half of said roof facing the street. This also applies to corner lots with referenced roof exposures.
 - B. Earth satellite dishes may be located in required side yards subject to specified regulations, but whenever possible, shall be located in rear yards. They shall be installed so as to minimize height, thereby minimizing visual impact while still maintaining viable azimuth and elevation focusing. Some trimming, clearing or removal of existing vegetation, trees or relocation of other conflicting facilities, poles or items may have to be conducted. Additional plantings trees, shrubs, hedges, fencing or latticework shall be provided to minimize the visual impact of said installations and to enhance the aesthetics of the facility.
 - C. Earth satellite dishes, wherever possible, shall be installed at grade level rather than be roof-mounted. No satellite dish exceeding fifteen (15) feet in overall height in overall height from grade shall be permitted. Smaller dishes, of four (4) feet or less in size, are allowed as roof-mounted. The type of satellite dish, more commonly known as a D.B.S. (Direct Broadcast Satellite TV System), shall be preferably roof-mounted, due to their smaller size, weight and wind load. A Registered Engineer shall specifically and structurally design roof installation and location.
- 4.4.2. Any variance to any provision of this section can only be approved by the Zoning Board of Adjustments and Appeals. This must be initiated by the applicant for said satellite dish, making application and providing in writing to the Zoning Board of Adjustments and Appeals, the reasons, causes, or merits of the request with justification and with no undue, self-imposed hardships. Upon said request, the Zoning Board of Adjustments and Appeals shall make a decision after the holding of a public hearing per **Article 1, "General Provisions and Procedures."**

SECTION 5 – NON-COMMERCIAL RADIO TOWERS

- 4.5.1 Non-commercial radio towers as defined in **Article 30, "Definitions,"** shall comply with all of the yard and setback regulations for Earth Satellite Receiving Dishes contained in **Article 6, "Density and Dimensional Requirements,"** except as they may conflict with the following requirements:
- A. All such radio towers shall be constructed and erected in compliance with the currently adopted building code. Any plans submitted for a building permit for such radio towers shall be properly designed, with the installation of said antenna-tower meeting the manufacturer's specification and foundation design.
 - B. The applicant for such tower shall also execute and deliver an instrument to the City holding the City harmless and indemnifying the City from any claim, demand or damages that may result from the radio tower.

SECTION 6 – NEW AND UNLISTED USES

- 4.6.1 It is recognized that new types of land use will develop, and forms of land use not anticipated may seek to be located within the City. In order to provide for such changes and contingencies, a determination as to the appropriate classification of any new or unlisted form of land use shall be

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

made as follows:

- A. The Director of Planning or designee shall refer the question concerning any new or unlisted use to the Planning and Zoning Commission, requesting an interpretation as to the zoning classification into which such use should be placed. The referral of the use interpretation question shall be accompanied by a statement of facts listing the nature of the use, its N.A.I.C.S. description, and whether it involves dwelling activity, sales, processing, type of product, storage, and amount and nature thereof, enclosed or open storage, anticipated employment, transportation requirements, the amount of noise, odor, fumes, dust, toxic material and vibration likely to be generated, and the general requirements for public utilities, such as water and sanitary sewer.
- B. The Planning and Zoning Commission shall consider the nature and described performance of the proposed use and its compatibility with the uses permitted in the various districts and determine the zoning district or districts within which such use should be permitted.
- C. The Planning and Zoning Commission shall transmit its findings and recommendations to the City Council as to the classification proposed for any new or unlisted use. The City Council shall, by resolution, approve the recommendation of the Planning and Zoning Commission or make such determination concerning the classification of such use as appropriate based upon its findings.

SECTION 7 – PERMANENT COSMETICS/PIERCING SALONS

- 4.7.1 Permanent Cosmetics and/or Piercing salons as defined in [Article 30, "Definitions,"](#) which are an accessory and related retail land use to a use allowed in the zoning district in which the primary use is located, shall be considered an accessory use provided the area utilized for the permanent cosmetic application or piercing salon occupies less than 25 percent of the floor area of the primary use and the business is not open between the hours of 9:00 p.m. and 8:00 a.m. A piercing salon may be considered an accessory and related retail land use if it is associated with one or several of the following uses: 1) Grooming & Hygiene Salon, 2) Kiosk (Service), 3) Large Retail (w/ Gas Sales), 4) Tailor Shop and 5) Variety Store. Permanent Cosmetics may be considered an accessory and related retail land use if it is associated with one or several of the following uses: 1)Grooming & Hygiene Salon, 2)Funeral Home, 3) Outpatient Care Clinic/Center, 4) Medical and Dental Offices, and 5) Hospital.

SECTION 8 – BEER AND WINE SALES, AND DRIVE THROUGH/DRIVE UP RETAIL SALES AND SERVICES

- 4.8.1 *Sale of alcoholic beverages is prohibited in residential areas*

The sale of beer (alcohol content of less than 4%) and wine for on and off premise consumption in residential areas is hereby prohibited, in accordance with Section 109.32, Texas Alcoholic Beverage Code. Under this section, residential areas shall mean any property located in the following districts as described in the Unified Development Code of the City:

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

AG	Agriculture District
SF-E	Single Family-Estate Residential District
SF-1	Single Family-One Residential District
SF-2	Single Family-Two Residential District
SF-3	Single Family-Three Residential District
SF-4	Single Family-Four Residential District
SF-5	Single Family-Five Residential District
SF-6	Single Family-Six Residential District
SF-ZLL	Single Family-Zero Lot Line District
SF-A/T	Single Family-Attached Residential District
2F	Two Family Residential District
MF-1	Multi Family-One Residential District
MF-2	Multi Family-Two Residential District
MF-3	Multi Family-Three Residential District

4.8.2 On-Premise sales of beer and wine shall conform to the provisions prescribed in [Article 11, "Performance Standards"](#), [Section 12, "Requirements for On-Premise Sale and Consumption of Alcoholic Beverages,"](#) of the Unified Development Code (UDC).

4.8.3 *Winery*

A winery shall mean a primary use for the manufacturing, bottling, labeling, and packaging of wine containing not more than 24 percent alcohol by volume from grapes, fruits and berries grown on premise or imported, and to include the manufacturing and importation of grape brandy for fortifying purposes only. Wine sales may be to holders of wholesaler’s permits, winery permits, or wine bottlers permits. Retail sales to ultimate consumers in unbroken packages for off-premise consumption may not exceed an amount of 25,000 gallons annually. A winery may include certain accessory uses that include a tasting room and retail sales area of wine for off-premise consumption.

4.8.4 *Drive-Through and Drive-In Establishments for Restaurant and Banking Facilities*

All drive-through and drive-in establishments for restaurant and banking facilities will require a Specific Use Permit (SUP) in all zoning districts where such uses are permitted in accordance with the ["Permissible Use Chart"](#) of Article 4 of this Code under the following conditions:

- A. An SUP will be required for properties where drive-through and drive-in establishments are permitted that are located within a designated Overlay district, or if located within 300 feet of a residential area as defined in [Section 4.8.1](#). The measurement of the 300-foot distance requirement shall be in a direct line to the nearest residentially zoned property line from the nearest property line of the place of business where the drive-through and drive-in establishment is located.
- B. An SUP will be required for drive-through establishments utilizing a drive-through lane that contains less than six (6) stacking spaces for the queuing of automobiles prior to the location of the area, device or structure designated for the ordering of goods and services by the customer.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

4.8.5 Drive-Through and Drive-In Retail Sales Not Classified as a Restaurant or Bank Facility

Drive-Through and Drive-In Retail Sales shall be allowed by a Specific Use Permit (SUP), in all zoning districts where such uses are permitted in accordance with the "Use Chart" of Article 4 of this Code. Such businesses are defined as follows:

- A. Drive Through and Drive-In Retail Establishments as used in this Article shall mean a commercial and/or retail store in which the primary use involves the delivery of pre packaged goods and products to customers through a drive-up window, or by a driveway lane that extends into and through the building establishment to enable the delivery of goods and products into the customer's vehicle. Goods and products that are typically sold at these establishments may include one or more variety of pre-packaged grocery products of multiple brands, stored on shelves or in refrigerated cases, which are sold for off-premise consumption. Examples of pre-packaged products may include, but not be limited to, grocery goods, confectionary goods, dairy products, sodas, juices, beer, wine, bottled waters, tobacco products, produce, breads, cereals, household detergents and baked goods. These establishments may contain, within the same floor area of the establishment, an ancillary restaurant facility with a commercial kitchen that prepares food sold for off-premise consumption. An independent restaurant establishment with a drive-through or drive-up window, that does not sell pre-packaged grocery products of multiple brands as described above, shall be classified as a Drive-through/drive-in restaurant.
- B. A drive-through lane for a Drive-Through Retail Establishment shall have a minimum of six (6) stacking spaces for the queuing of automobiles prior to the location of the area, device or structure designated for the ordering of goods and services by the customer.

4.8.6 Proximity Requirement for the Sale of Alcoholic Beverages

- A. The sale of alcoholic beverages is prohibited within 300 feet of a church or public hospital. The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections.
- B. The sale of alcoholic beverages is prohibited within 300 feet of a public school or a private school with a student enrollment greater than 100 students. The measurement of the distance between the place of business where alcoholic beverages are sold and the public school or private school shall be:
 - 1. In a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or,
 - 2. If the permit or license holder is located on or above the fifth story of a multi-story building, in a direct line from the property line of the public or private school to the property line of the place of business, in a direct line across intersections, and vertically up the building at the property line to the base of the floor on which the permit or license holder is located.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

4.8.7 Variances

The city council may allow a variance to Section 4.8 if it determines that the enforcement of the regulation in a particular instance is not in the best interests of the public, constitutes waste or inefficient use of land or other resources, creates an undue hardship on the applicant for a license or permit, does not serve its intended purpose, or is not effective or necessary, or that a previous permit was issued for the premises in error and enforcement of the regulation would be inequitable, or for any other reason the city council determines, after consideration of the health, safety and welfare of the public and the equities of the situation, that the variance is in the best interest of the community. No variance may be granted under this subsection except after a public hearing for which notice has been given. Notice of a request for a variance from subsections (a) or (b) shall be given to owners of property within three hundred (300) feet of the business. The notice area for a variance request relating to a public hospital or church shall be measured in a direct line from the front door of the place of business. The notice area for a variance request relating to a public or private school shall be measured in a direct line from the property line of the place of business. The notice shall be sent by regular United States mail not less than ten (10) days before the date set for hearing, to all such owners who have rendered their property for city taxes as the ownership appears on the last approved city tax roll.

SECTION 9 – SMALL WIND ENERGY SYSTEMS

4.9.1 The purpose of this Section is to establish guidelines regulating the location of wind turbines, their supporting towers and all accessory equipment with the objective to protect and promote public safety, and to mitigate any adverse visual impacts on the community while promoting the provision of this renewable energy source to the public.

4.9.1.1 Small wind energy systems shall require a Specific Use Permit (SUP) in all zoning districts and flood plain areas and shall contain a minimum lot size of two (2) acres subject to certain requirements as set forth below:

- A. An operational plan is required with the SUP application and shall include the following:
 - 1. Property lines and physical dimensions of the property,
 - 2. Location, dimensions and types of existing major structures on the property,
 - 3. Location of the proposed wind system tower,
 - 4. The public rights-of-way that are contiguous with the property,
 - 5. Overhead utility lines,
 - 6. Wind system specifications, including manufacturer and model, rotor diameter, tower height, and tower type,

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

7. Tower foundation blueprints or drawings,
 8. Tower blueprint or drawing.
- B. Wind towers and generators proposed to be installed within the 100 year floodplain shall have approval of the Engineering Division and, where applicable, the U.S. Army Corps of Engineers. Such tower sites shall take such measures, as required by the Engineering Division, to protect the sites from damage from potential flooding. The Engineering Division shall require a floodplain permit and, where applicable, a Corridor Development Certificate shall be obtained from the Engineering Division.
 - C. If the plan is approved, the City will return one signed copy of the operational plan to the owner and will retain the other copy with the original application.
 - D. If the application is rejected, the City will notify the applicant in writing and provide a written record of the hearing at which the application was rejected. If the specified deficiencies are resolved, the applicant may reapply after one year from the submittal date.
 - E. For property sizes between two (2) and three (3) acres in area, the tower height shall be a maximum of 80 feet. For property sizes greater than three (3) acres in area, the tower height shall not exceed 150 feet.
 - F. Small wind energy systems must comply with applicable Federal Aviation Administration (FAA) regulations, including any necessary approvals for installations close to airports.
 - G. The tower for a small wind energy system shall be setback a distance equal to 1.25 times the tower height from all property lines, public rights-of-way and occupied buildings. No part of the wind system structure, including guy wire anchors, may extend closer than fifteen (15) feet to the property boundaries of the installation site.
 - H. The tower for a small wind energy system will be setback a distance equal to 1.25 times the tower height from any overhead utility lines, unless written permission is granted by the affected utility.
 - I. The minimum height of the lowest part of the rotor shall be 30 feet above the highest structure allowed under either the zoning district requirement, or potential tree height, whichever is higher, if it is within 300 feet of any property line.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

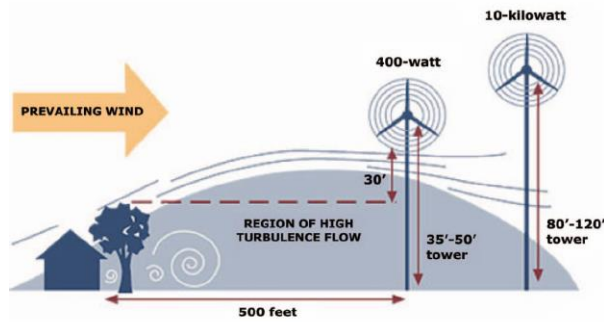


Diagram: American Wind Energy Association

- J. No tower shall be erected closer than 75 feet or a distance of five times the diameter of the larger rotor, whichever is the greater distance, to another small wind energy tower.
- K. All small wind energy systems shall be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over speed protection. For on-grid systems, an automatic shut off and lock on the turbine is needed in case there is a power loss. If there is a power outage, the turbine will need to shut down and lock itself off until power is restored.
- L. *Warnings*
1. A clearly visible warning sign that states "Caution, High Voltage" must be placed at the base of all pad-mounted transformers and substations.
 2. Visible, reflective, colored objects, such as flags, reflectors or tape shall be placed on the anchor points of guy wires and along the guy wires up to a height of ten feet from the ground.
- M. *Climb Prevention/ Locks*
1. All ground mounted electrical and control equipment shall be labeled and secured to prevent unauthorized access.
 2. The tower shall be designed and installed so as to not provide step bolts or a ladder readily accessible to the public for a minimum height of 12 feet from the ground.
 3. All access doors to small wind energy systems shall be locked or fenced, as appropriate, to prevent entry by non-authorized persons.
- N. All electrical wires associated with a small wind energy system, other than wires necessary to connect the wind generator to the tower wiring, the tower wiring to the disconnect junction box, and the grounding wires shall be located underground.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

O. Small wind energy systems shall be required to comply with the noise standards and requirements contained within Chapter 13 of the City's Code of Ordinances.

P. *Visual Appearance*

1. A wind tower and generator shall not be artificially lighted unless such lighting is required by the Federal Aviation Administration.
2. The wind tower and generator shall remain painted or finished the color or finish that was originally applied by the manufacturer, unless otherwise approved in the building permit.
3. All signs, other than the manufacturer's or installer's identification, appropriate warning signs, or owner identification on a wind generator, tower, building, or other structure associated with a small wind energy system visible from any public road, shall be prohibited.
4. A lattice type tower structure shall be prohibited for any tower measuring less than 81 feet in height, or for any tower erected in a residential zoning district. Only monopole type structures shall be permitted in these instances. Towers measuring greater than 81 feet in height built in the Agriculture (A) zoning district and in any non-residential zoning district shall be exempt from this requirement.

Q. Small wind energy systems shall be sited to prevent the impact of shadow flicker or blade glint upon any inhabited structures (except for the owner's) or City roadways. Systems found to be in violation of this condition shall be shut down until the flicker or glint problem is remedied.

R. ***Historic/Cultural:*** Except for compatible alternative mounting structures that effectively camouflage or conceal the presence of wind turbines, supporting structures and accessory equipment, facilities should not be located on or within 300 feet of property zoned historic or property included in a national or local historic district. In addition, said facilities should, wherever possible, be located to ensure that historic or culturally significant vistas, and landscapes are protected and that the views of and vistas from architecturally and/or historically significant structures are not impaired or diminished.

4.9.1.2 Rooftop Mounted Wind Turbines

A. All rooftop-mounted wind turbines in the non-residential zoning districts indicated in the Permissible Use Charts in Article 4 of this ordinance shall require a Specific Use Permit (SUP). These districts shall include the CBD-3, CBD-4, HC, LI and HI zoning districts. All subsections of [Section 4.9.1.1](#) shall apply except subsections [4.9.1.1 \(G\)](#) and [4.9.1.1 \(J\)](#).

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

- B. Allowable rooftop-mounted wind turbines in non-residential districts are calculated as one potential wind turbine per 5,000 square feet of building floor area. Non-residential roof-mounted wind turbines shall have an appearance that blends with the building on which they are located or be located so that they are not visible from any arterial roadways or freeways.
- C. Alternative Mounting Structures must be similar in color, scale and character to adjoining buildings or structures and blend with the landscaping and other surroundings immediately adjacent to them so as to generally avoid the creation of unique visual objects that stand out in the environment.

4.9.1.3 A building permit shall be required for the installation of a small wind energy system.

- A. The owner shall submit an application to the Building Inspections Division of the Planning and Development Department. The application shall be accompanied by standard drawings of the wind turbine structure, a line drawing of the electrical components, and two copies of an operational plan for the small wind energy system, and the fee required for an accessory use.
- B. No permit for a small wind energy system shall be issued until evidence has been given to the City that the utility company has been informed of the customer's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- C. Building permit applications for small wind energy systems shall be accompanied by standard drawings of the wind turbine structure, including the tower, base and footings. An engineering analysis of the tower showing compliance with the International Building Code and certified by a licensed professional engineer shall also be submitted. This analysis is frequently supplied by the manufacturer.
- D. Building permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the National Electrical Code. This information is frequently supplied by the manufacturer.
- E. An issued permit shall expire if the small wind energy system is not installed and functioning within 6-months with a required inspection from the date the permit is issued; or, if the small wind energy system is out-of-service or otherwise unused for a continuous 12-month period.

4.9.2 Abandonment

- A. A small wind energy system that is out-of-service for a continuous 12-month period will be deemed to be abandoned. The Director of Planning and Development or designee may issue a Notice of Abandonment to the owner of a small wind energy system that is deemed to have been abandoned. The Owner shall have the right to respond to the Notice of Abandonment within 30 days from Notice receipt date. The Director of Planning and Development or designee shall withdraw the Notice of Abandonment and notify the owner that the Notice has

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

been withdrawn if the owner provides information that demonstrates the small wind energy system has not been abandoned.

- B. If the small wind energy system is determined to be abandoned, the owner of the small wind energy system shall remove the wind generator, tower structure or any associated appurtenances, from the property at the Owner's sole expense within 3 months of receipt of Notice of Abandonment. If the owner fails to remove the wind generator, tower, or any associated appurtenances, the Director of Planning and Development or designee may pursue a legal action to have the wind generator and tower structure removed at the Owner's expense.

4.9.3 Definitions

Occupied Building: Any residence, school, hospital, church, public library or other building that is occupied or in use when the permit application is submitted.

Owner: The "owner" shall mean the entity or entities having an equity interest in the small wind energy system, including their successors or assigns, that intend to own and operate the system in accordance with this ordinance.

Roof Mounted Wind Turbine: Wind turbines, designed to support and camouflage or conceal the presence of wind turbines or other small wind energy system apparatus that are located on a building or rooftop.

Rotor: The blades and the hub together are called the rotor.

Setbacks: All stand-alone wind turbine towers as well as guys and guy anchors shall be located within the build-able area of the lot and not within the front, rear or side yard building setbacks.

Small Wind Energy System: A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is primarily intended to reduce on-site consumption of utility power.

Tower: The monopole, freestanding, latticed or guyed structure that supports a wind generator.

Tower Height: The height above grade of the fixed portion of the tower, excluding the wind turbine itself.

Tower Mounted Wind Turbine: Wind turbines or other small wind energy system apparatus that are located on a separate tower structure with a separation distance from adjacent structures to address regions of high turbulence flow.

Wind Generator: The blades and associated mechanical and electrical conversion components mounted on top of the tower.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

SECTION 10 - NATURAL GAS COMPRESSOR STATIONS

4.10.1 Natural Gas Compressor Stations (the station complex) shall require a Specific Use Permit (SUP) in those zoning districts depicted in the Permissible Use Charts of this Article under **PUBLIC UTILITY USES**.

- A. Appeals to the provisions of this Section for natural gas compressor station locations not requiring a Specific Use Permit shall be subject to the review and approval of the Planning and Zoning Commission and the City Council.
- B. A building permit shall be required for the station complex.
- C. The station complex shall be situated on a platted lot approved by the City and recorded in the local County jurisdiction.

4.10.2 For the purpose of maintaining a visual buffer zone adjacent to dissimilar land uses, a minimum building setback for all compressor station buildings and equipment shall be established and maintained for all yards at the distances specified for the zoning district adjoining the station complex as shown in Section 4.10.2.A below.

- A. Table of building setbacks for compressor station buildings and equipment.

<i>Adjoining Zoning District (applied to both base zoning and PD districts)</i>	<i>Required Building Setback (in feet – applied to all yards)</i>
SF-E	500
SF-1	500
SF-2	500
SF-4	500
SF-5	500
SF-6	500
SF-ZLL	500
SF-A / TH	500
2F	500
MF-1	500
MF-2	500
MF-3	500
AG/OPEN SPACE	500
MR	500
MU	500
OFFICE	200
NS	200
GR	200
GR-1	200
C	200
C-1	200
CBD-1	200
CBD-2 / CA	200
CBD-3	100
CBD-4	100
HC	100
LI	100
HI	100

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

- B. Where an adjoining Planned Development (PD) district contains more than one base-zoning district, the most restrictive building setback shall be applied.
 - C. Where a compressor station site adjoins a street right-of-way, the required building setback along that right-of-way shall be established by the zoning district designated for the property situated on the opposite side of the right-of-way.
- 4.10.3 If the boundary of the compressor station site is to be enclosed by a fence, the following criteria shall apply:
- A. A wrought iron type fence, built to a minimum height of eight (8) feet, shall be required along boundary lines that front a dedicated public street right-of-way of any type, or that front a private street right-of-way dedicated for public use. Brick or stone columns shall be constructed on approximate fifty (50) foot centers for such fence.
 - B. A vinyl coated chain link fence, built to a minimum of height of eight (8) feet, shall be provided at all other boundaries of the compressor station site.
- 4.10.4 All compressor station equipment and sound attenuation structures shall be enclosed within a building. Such building shall have a portion of its exterior walls constructed of masonry as defined in [Article 6, "Density and Dimensional Requirements,"](#) of this Code and be designed with the following elements:
- A. A four (4) foot high masonry bulkhead wall shall be constructed on least two (2) building facades most visible to the public.
 - B. At least two (2) building facades, specifically those most visible to the public, shall be constructed with a brick or stone accent that is at least twenty (20) feet in width, and extends vertically to the roofline of the building and terminates with a sloped or arched profile.
 - C. The roof shall be sloped with a pitch of no less than 5:12 and shall contain at least one raised structure in the form of a cupola, steeple tower, clearstory element or similar structures. No flat roofs shall be permitted.
 - D. The non-masonry wall surfaces may be constructed of painted metal, stucco or cementitious fiberboard material. Engineered wood paneling shall not be permitted for the finished exterior.
 - E. The architectural design of the building shall be compatible with the visual context of the surrounding development. Such buildings may be designed as a representation of, but not be limited to, the following building types:
 - 1. Barn structure or equestrian facility
 - 2. Estate residence
 - 3. School facility or similar institutional use

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

4. Gazebo or picnic area enclosures
 5. Club house or recreational facility
 6. Retail or office building
 7. Any combination of the above as approved by the City
- F. Vehicular access to the boundaries of the station complex from the street thoroughfare shall be paved with a concrete surface at a thickness and design approved by the Engineering Division of the Development Department or designee. This provision shall also apply to those areas inside the boundaries of the station complex where vehicular traffic and parking is to occur.
- 4.10.5 The operation of the equipment shall not create any noise that causes the exterior noise level to exceed the pre-development ambient noise levels as measured within three hundred (300) feet of the compressor station building(s). The Operator shall be responsible for establishing and reporting to the City the pre-development ambient noise level prior to the issuance of the building permit for the station complex.
- A. The operator of the station complex shall also meet the noise standards contained in the City's Code of Ordinance, Chapter 13, and **Article 8, "Landscape and Screening"**. If the adjoining property is residential, these standards shall apply at the property boundary of a residence on a normal residential lot or at a compliance point selected by the Environmental Services Director for a residence on an oversized lot. In the case of the later, the director will strive to select a compliance point that balances the residential property owner's rights and the operational characteristics of the station complex. The determination of the compliance point shall be at the sole discretion of the City's Environmental Services Director.
- 4.10.6 The compressor station site shall be landscaped in a manner that is compatible with the environment and existing surrounding area.
- A. Landscaping, irrigation and street tree planting requirements shall be provided as required in **Article 8, "Landscape and Screening"** of this code as applied to non-residential development for a Light Industrial (LI) District.

SECTION 11 - CHECK CASHING, PAY CHECK AND CAR TITLE LOAN BUSINESSES

- 4.11.1 Check cashing, pay check (payday) advance/loan and car title loan businesses shall be allowed, by a Specific Use Permit as permitted by Section 11.2, in those zoning districts shown in the **"Use Charts"** of Article 4, Permissible Uses, of this Code under the classification category of Government, Offices and Businesses. Such businesses are defined as follows:
- A. *Check cashing business* as used in this Article shall mean an establishment that provides to the customer an amount of money that is equal to the face of the check or the amount specified in the written authorization for an electronic transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

execute an electronic transfer of money for a specified period of time. This definition excludes a state or federally chartered bank, savings and loan associations, credit unions, pawnshops or grocery stores. This definition may exclude retail convenience stores or similar businesses that cashes checks or money orders or issues money orders or money transfers for a minimum flat fee as a service that is incidental to its main purpose or business, provided such business does not cash more than 100 checks in any calendar month as determined by an audit by the City Finance Director or designee.

- B. *Pay check (payday) advance/loan business* as used in this Article shall mean an establishment that makes small consumer loans, usually backed by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term, or until an applicant's next payday, and then cashed unless the customer repays the loan to reclaim such person's check.
- C. *Car title loan business* as used in this Article shall mean an establishment that makes small consumer loans that leverage the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. The loan terms are often for 30 days, and failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car or vehicle.
- D. *Bank or financial institution* as used in this Article shall mean an establishment, open to the public, for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds excluding pawnshops, check cashing businesses, payday advance/loan businesses and car title loan businesses.

4.11.2 In addition to requiring a Specific Use Permit in those zoning districts shown in the "Use Charts" of Article 4, Permissible Uses, of this Code, check cashing, pay check (payday) advance/loan and car title loan businesses are subject to the following proximity requirements:

- A. A check cashing, pay check (payday) advance/loan and/or car title loan business shall be prohibited from locating within 1,000 feet of any other lot or parcel of land containing another check cashing, pay check (payday) advance/loan and/or car title loan business. The measurement of this proximity requirement shall be a direct line, without regard to intervening structures or intersections, from the closest property line of the existing business to the closest property line of the proposed business.
- B. A check cashing, pay check (payday) advance/loan and/or car title loan business shall be prohibited from locating within 300 feet of any lot or parcel of land zoned for Agriculture (A), Single Family (SF), Two Family (2F) or Multi-Family (MF) or any lot or parcel of land used for residential uses. The measurement of this proximity requirement shall be a direct line, without regard to intervening structures or intersections, from the closest property line of the residential property or zoning district to the closest property line of the proposed business.
- C. A check cashing, pay check (payday) advance/loan and/or car title loan business shall be prohibited from locating within 500 feet of any city limit line of the city of Grand Prairie. The measurement of this proximity requirement shall be a direct line, without regard to

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

intervening structures or intersections, from the closest city limit line to the closest property line of the proposed business.

- D. A check cashing, pay check (payday) advance/loan and/or car title loan business shall be prohibited from locating within any established overlay district as defined in Article 7, "Special Districts," of this Unified Development Code.

SECTION 12 – TEMPORARY BATCH PLANTS

A permit for concrete, asphalt or any other type plant established for mixing materials for paving or building may be granted for a temporary period of time by the Director of Public Works.

4.12.1. Application

Any person, firm or corporation who desires to establish a temporary batching plant shall file an application for a permit with the Director of Public Works together with the minimum requirements set forth in Section 12.2 (below) and such other information the Director of Public Works may require.

4.12.2. Minimum Requirements

As a minimum, each application shall contain the name of the applicant, address(es) and/or description of the lot(s) or tract(s) upon which the batch plant is proposed to be located, a map showing the proposed location of the plant, project to which the plant relates, period of time requested, and a permit exemption granted by the Texas Commission on Environmental Quality (TCEQ).

4.12.3. Time Limit

Temporary batch plant permits will be issued for a project by the Director of Public Works upon request of the applicant and the filing of an application and fee meeting the requirements of this article. The duration of such permits shall be for a period of six (6) months or until the completion of the project, whichever occurs sooner. In the event that a project should take longer than six (6) months to complete, the applicant may apply for and receive an extension on his temporary batch plant permit, such extension shall last for a period of six (6) months or until the completion of the project, whichever occurs sooner. As many extensions as are necessary may be granted to the applicant to complete the project.

4.12.4. Public Notice

- A. Each permit application and extension shall be publicly advertised in the local newspaper and notice shall be placed in the United States mail by the Director of Public Works or designee no later than fifteen (15) days prior to approval or denial of the permit application to provide for public review and comment, said written notice being addressed to:
 - i. The applicant and owner of the property involved in the request, as shown on the currently adopted tax rolls of the City of Grand Prairie, and

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

- ii. The owner as shown on the currently adopted tax roll of the City of Grand Prairie of any and all property located within three hundred (300) feet of the subject property on which the batch plant is proposed.
- B. The Director of Public Works shall consider all public comment prior to approving or denying the permit application.

4.12.5. Fee

See [Article 22, "Fee Schedule,"](#) of the Unified Development Code for information relating to fees.

SECTION 13 – CORRECTIONAL FACILITIES

- 4.13.1 Section 13, "Correctional Facilities" shall address correctional facilities such as prisons, prison hospitals, rehabilitation centers, and halfway houses that are operated by entities other than the City of Grand Prairie, and provide services for inmates. For the purposes of this section, "inmate" shall mean any adult individual who is confined to a correctional facility, such as a prison, prison hospital or rehabilitation center. The term "inmate" shall also apply to any adult individual whose mobility is monitored in a correctional facility such as a halfway house. The term "prison" used in Section 14, Permissible Use Charts, shall only apply to prison facilities operated by the City of Grand Prairie.
- 4.13.2 Correctional facilities and halfway houses shall be allowed, by a Specific Use Permit as permitted by Section 13, in those zoning districts shown in the ["Use Charts"](#) of Article 4, Permissible Uses, of this Code under the classification category of Government, Offices and Businesses. The applicant shall submit the following with the application:
 - A. An area plan showing zoning classifications and land uses of all property within a 1000 foot radius of the site of the proposed halfway house. The area plan must specifically identify all uses related to children, such as schools, places of worship, parks, playgrounds, daycare centers, public and private youth centers, public swimming pools;
 - B. A site plan for the property that includes the requirements for a site plan as outlined in Article 16, "Site Plan Approval," outdoor recreational areas and any other outdoor areas associated with the proposed halfway house. The site plan requirement cannot be waived;
 - C. A floor plan that details room sizes, sleeping areas, bathrooms, and common areas. The floor plan requirement cannot be waived;
 - D. A copy of the contract governing the operation of the facility;
 - E. A security plan identifying security features of the facility; and,
 - F. An operational plan that includes the policies and rules for operation of the facility.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

4.13.3 The Planning and Zoning Commission shall consider comments from the Grand Prairie Police Department and the Development Review Committee concerning the proposed halfway house prior to making a recommendation to City Council. Notification shall include the following:

- A. Notification of the requested zoning change shall be sent to the owners of all property within 1,000 feet of the property on which the zoning change is proposed, in accordance with the procedure set out in state law and local ordinances, and to all neighborhoods registered with the Planning and Development Department that include property located within 1,000 feet of the proposed site. Notice of the time and place of the hearing before the City Council shall be published in an official newspaper or a newspaper of general circulation at least 15 days before the hearing as required by state law.
- B. If the owner or operator of a halfway house wishes to expand the facility, then notification shall be sent to owners of all property within 1,000 feet of the subject property and in accordance with the state and local laws mentioned in Section 4.13.2(A).

4.13.4 The Specific Use Permit site plan and ordinance for a halfway house shall include the following:

- A. No more than 50 residents are permitted in a halfway house. Halfway houses must be located at least 1000 feet from residential districts, single family, duplex, and multifamily uses, public parks and recreational facilities, childcare facilities, and public or private schools.
- B. A halfway house may not be located within one mile from another halfway house.
- C. A Specific Use Permit for a halfway house shall be issued for a two year time period. Periodic review periods may be established as part of the conditions of the Specific Use Permit.
- D. The treatment of alcoholic, narcotic, or psychiatric problems is allowed under this use if expressly permitted by the Specific Use Permit.
- E. This use shall comply with all applicable city, state, and federal codes and regulations.
- F. Signs identifying a use as a halfway house are not permitted.
- G. A security plan must be submitted with an application for a specific use permit for a halfway house. The security plan must demonstrate compliance with the security requirements of state law. The Planning director or designee shall furnish a copy of security plans for halfway houses to appropriate city, county, and state agencies for their review before the Planning and Zoning Commission's consideration of an application. A compliance report must be submitted to the Planning director or designee every two years after the date of passage of an ordinance granting a specific use permit and with each application for renewal of a specific use permit for a halfway house.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

SECTION 14 – MULTI-PURPOSE SPECIAL EVENT CENTERS

- 4.14.1 The Event Center may include only indoor areas for operational use. No functions are to be held outside other than on-site parking and loading/unloading of goods used in conjunction with authorized events.
- 4.14.2 The applicant may allow the renter to "bring your own bottle" (BYOB) in accordance with TABC provisions, as defined in the Alcoholic Beverage Code of the State of Texas.
- 4.14.3 For all events where alcohol is served, or where 100 or more guests are present, security must be provided by an individual qualified under Chapter 1702 of the Texas Occupations Code. This individual must be present for the duration of the event and to ensure the orderly departure of guests until at least one hour after the event is over. An additional individual must be present for each additional 100 guests attending the event.
- 4.14.4 The Event Center must meet all relevant safety requirements prescribed by the City of Grand Prairie and the State of Texas.
- 4.14.5 No event shall be held beyond 12:00 am midnight. This requirement does not apply to event cleanup or to routine business or property maintenance carried out by the owner of the event center.
- 4.14.6 The Event Center shall be used for organized group assemblies only, and shall not be used for single admission type events involving a cover charge entrance fee for individuals not associated with the organized group assembly. The Event Center may not be associated with a restaurant, bar, or nightclub.

SECTION 15 – RESTAURANT WITH AN EVENT SPACE

- 4.15.1 The Event Space may include only indoor areas for operational use. No functions are to be held outside other than on-site parking and loading/unloading of goods used in conjunction with authorized events.
- 4.15.2 The applicant may allow the renter to "bring your own bottle" (BYOB) in accordance with TABC provisions, as defined in the Alcoholic Beverage Code of the State of Texas.
- 4.15.3 For all events where alcohol is served, or where 100 or more guests are present, security must be provided by an individual qualified under Chapter 1702 of the Texas Occupations Code. This individual must be present for the duration of the event and to ensure the orderly departure of guests until at least one hour after the event is over. An additional individual must be present for each additional 100 guests attending the event.
- 4.15.4 The Event Space must meet all relevant safety requirements prescribed by the City of Grand Prairie and the State of Texas.
- 4.15.5 No event shall be held beyond 12:00 am midnight. This requirement does not apply to event cleanup or to routine business or property maintenance carried out by the owner of the event

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

space.

- 4.15.6 The associated restaurant, including the commercial kitchen, shall account for at least 50% of the total area.

SECTION 16 – LODGING FACILITIES

4.16.1 Chain Scale Rating

- a. All new hotels, as well as those which are under construction on or after December 17, 2019, shall be classified as one of the following use types based on a hotel's chain scale rating. In order to be classified as a Luxury Hotel, an Upper-Upscale Hotel, and Upscale Hotel, an Upper-Midscale Hotel, a Midscale Hotel, or an Economy Hotel, a hotel must be associated with a hotel brand rated at the corresponding scale level in the most recent listing of chain scale ratings published by STR, Inc. An Extended-Stay Residence Hotel is a sub-classification of a hotel classified by chain scale rating.

1. If STR, Inc., ceases to publish chain scale ratings for hotels, another rating entity may be used by the Director of Development Services or designee. The "Average Daily Rate" shall be used when assessing the chain scale of hotels.

2. A franchise agreement or similar contract from a hotel brand must be provided to the Director of Development Services or designee, with enough information to ascertain compliance with this ordinance prior to issuance of any development permit associated with the hotel project.

3. A Certificate of Occupancy may only be issued for a hotel that is associated with a hotel brand rated with the appropriate chain scale rating above.

4. Any existing hotel not classified in the most recent listing of chain scale ratings published by STR, Inc., shall be classified as an Independent Hotel.

5. Except as provided in this Section, no Certificate of Occupancy shall be approved for a hotel that is not classified by a chain scale rating.

4.16.2 General Design Standards for All Hotels

The design standards of this section shall apply to all hotels.

a. Entry Features

1. The site shall be accessible from a public sidewalk and employ landscaping that is maintained in a healthy condition complementary to the streetscape and forming an entry feature with flowering perennial plants, seasonal color, or some combination.

2. All public building entrances shall incorporate arcades, roofs, alcoves, porticos, and awnings that protect pedestrians from the sun and inclement weather. This requirement shall not apply to loading areas.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

3. Primary building entrances shall be defined and treated as a signature element of the building and articulated with architectural elements such as pediments, columns, porticos, and overhangs.

4. A porte-cochere or other covered area shall be provided immediately adjacent to the building entrance nearest the registration desk, with an area for temporary parking of at least two vehicles underneath the covered area for guests checking in and out.

5. All hotels shall provide at least one additional design element such as, but not limited to, a water feature, sculpture, or public art at the building entrance. Any such design element shall be constructed or fabricated to a size proportional to the primary building entrance.

b. Site Design

1. All landscaping shall be provided in accordance with this section, Article 8 – Landscaping and Screening, and Appendix F – Corridor Overlay District Standards, if applicable.

2. Pedestrian connectivity shall be provided between the parking area of the hotel and adjacent uses, such as restaurants or retail.

3. All outside equipment such as air conditioners, pool equipment, satellite dishes, etc., shall be screened from view by a masonry screening wall and landscaping. Individual portable window-mounted air conditioning units are prohibited. Packaged Terminal Air Conditioners (PTAC) are allowed.

4. Hotels shall conform to Crime Prevention Through Environmental Design (CPTED) principles by providing unobstructed visibility in all public areas, open space areas, and driveway entrances from public streets, driveway intersections, and parking lots. Building and site lighting shall be employed to create safe and secure public areas while illuminating only those areas for which lighting is designed, and shall be designed to reduce glare and not spill over to adjacent properties or uses.

5. Parking Lot Lighting. Parking lots shall have exterior lighting in all publicly accessible areas without needlessly lighting adjacent properties or developments. All lighting shall be controlled by a photocell or seasonally-adjusted timer switch. Lighting fixtures that have been identified as non-operable shall be repaired to an operable state within 72 hours.

c. Building Design

1. Access to guest rooms shall be restricted exclusively to interior corridors, with access exclusively from the main entrance of the building or through entryways individually equipped with some form of security-controlled access system.

2. The hotel operator shall install and maintain, in proper working order, surveillance cameras in each interior hallway and lobby/lounge area, in each parking area so as to provide visibility to all parking spaces on site, and at each exterior door. The cameras shall be placed to provide visibility to the exterior of the building. Monitors shall be provided for security and other hotel

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

personnel so that on-site activities are viewable at all times. Surveillance cameras shall be in operation 24 hours a day and records of images recorded shall be kept a minimum of 30 days.

d. Amenities

1. All hotels shall contain amenities available for the use of all guests, including, but not limited to, the following:

Tier 1

- (a) Wifi connectivity in all guest rooms and common areas;
- (b) Daily in-suite trash and linen service for all guests;
- (c) Lobby/waiting area with a minimum floor area of 2% of the overall building floor area;
- (d) For hotels with up to 120 rooms, an indoor or outdoor pool with a water surface area of at least 3,000 square feet. For hotels with more than 120 rooms, an indoor or outdoor pool with a water surface area of at least 3,000 square feet;
- (e) For hotels with up to 120 rooms, a fitness center measuring at least 500 square feet. For hotels with more than 120 rooms, a fitness center measuring at least 800 square feet;
- (f) In-suite coffee and beverage facilities;
- (g) Service of at least one meal per day;

Economy, Midscale, Independent, and Extended-Stay Residence Hotels shall provide all Tier 1 amenities.

Tier 2 (Must provide all Tier 1 amenities or equivalent)

- (a) Lobby/waiting area with a minimum floor area of 3% of the overall building floor area;
- (b) Outdoor park or landscaped common area measuring at least 5% of the overall building square footage. The common area shall contain one or more activation features such as sports and games, barbecue grills, shaded lounge areas, playground, pet walk, or similar active or passive recreation features;
- (c) Service of at least one meal per day plus a snack bar or concessions area serving non-processed foods;
- (d) At least 10,000 square feet of meeting space or other programmable space;
- (e) One or more electric vehicle charging stations;
- (f) Permeable pavement equivalent to 1 permeable space per ten (10) required spaces;

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

Items (b) and (c) are required for all Extended-Stay Residence Hotels. Midscale hotels shall provide at least one (1) Tier 2 amenity; Upper-Midscale hotels shall provide three (3) Tier 2 amenities; Upscale hotels shall provide all Tier 2 amenities.

Tier 3 (Must provide all Tier 1 and 2 amenities or equivalent)

(a) One or more full-service restaurants, as defined in Article 30, with direct access to the hotel lobby or shared interior corridor. Three meals must be served daily and room service must be made available to hotel guests;

(b) At least 20,000 square feet of meeting space or other programmable space;

(c) Retail space with a public storefront;

(d) Rooftop patio or common area with drink service. "Rooftop" is defined as a finished surface at least partially open to the sky above one or more habitable hotel floors;

(e) Corner rooms with windows providing for multiple viewing angles;

(f) Lobby with an indoor active water feature or substantial art feature, and an unobstructed ceiling height of at least 20 feet;

(g) Valet parking or structured parking available to all guests;

(h) Height of six (6) or more stories.

Upper-Upscale hotels shall provide item (h) and at least one (1) other Tier 3 amenity, Luxury hotels shall provide item (h) and at least three (3) other Tier 3 amenities.

e. Limits on Concentration of Hotels

Subject to Council approval, any site on which a hotel is proposed may not cause the concentration of similar hotels within a one (1) mile radius to exceed the following:

Hotel Classification	Maximum number of hotels allowed within 1 mile
Extended-Stay Residence Hotel	2, or more than 250 rooms
Economy/Independent	3
Midscale/Upper-Midscale	4
Upscale/Upper-Upscale	5
Luxury	No Limitation

f. Loss of Nonconforming Status

1. If a nonconforming hotel use on a particular parcel shall cease operation for a period of more than 6 months, then such nonconforming use shall be deemed to be permanently abandoned

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

and shall not be reinstated on that parcel or any other parcel in any district which does not permit the discontinued use. For the purposes of this paragraph, to "cease operation" shall mean to intentionally abandon the nonconforming use. The temporary suspension of a use shall not constitute abandonment, provided the property is not used during the period of suspension for any other purpose. The preceding provision shall apply in all cases except those specified.

2. If (1) a non conforming hotel structure or (2) a structure occupied by a nonconforming hotel use is destroyed, it may not be rebuilt unless the structure or use is rebuilt in conformance to all the provisions of this Section 4.15. For purposes of this section, a structure is destroyed if it has suffered damage, neglect, disrepair, or impairment in excess of 50% of its reasonable value. If such a structure is not destroyed, reconstruction will be permitted, but the size or function of the nonconforming structure, or any nonconforming use occupying the structure, cannot be expanded.

SECTION 17 – VARIETY STORES

4.17.1 Limits on Concentration

a. Variety stores are prohibited unless the proposed use is located more than 5,000 feet from another variety store.

b. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit (SUP) only.

c. In addition to the criteria for an SUP set forth in **Article 5**, when reviewing a request for SUP for a variety store use, the City Council shall consider:

1. Whether the proposed variety store will likely have a detrimental impact on the development of grocery stores and other businesses that sell fresh and healthy food items in the area to be served by the proposed use.

2. The availability of healthy food options in the area of the proposed use including the proximity of full-service grocery stores within one-half (½) mile of the proposed use and effect of the use on the retail food environment index as defined by the Centers for Disease Control and Prevention.

3. Whether the proposed use is within a food desert, as defined by the United States Department of Agriculture at the time of application.

d. An SUP approved under this section must stipulate that a minimum of ten percent of the floor area of the variety store must be dedicated to fresh produce, meat and dairy products.

e. Incidental outdoor display is prohibited at all variety stores.

f. A nonconforming variety store in existence on May 19, 2020, may relocate on the same parcel or within the same shopping center that it currently exists without obtaining a SUP provided the nonconforming variety store has not been terminated as provided in **Article 19, "Non-Conforming**

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

Development" and the use complies with all other applicable regulations.

SECTION 18 – Commissary

- 4.18.1 Commissaries located in the General Retail (GR) District and Commercial (C) District must comply with the following conditions:
- a. The building or tenant space, including an attached freezer, shall not exceed 8,000 sq. ft.
 - b. The commissary shall be used for centralized food prep for a single restaurant or entity.
 - c. The commissary shall not be used as a shared kitchen for multiple restaurants, mobile food units, or entities.
 - d. Overnight parking of mobile food units or food trucks is prohibited on site.
 - e. Maintenance, repair, or washing of mobile food units or food trucks are prohibited on site.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"



RESIDENTIAL USES

NON-RESIDENTIAL AND MIXED USES

SYMBOL	DISTRICT NAME
A	Agriculture District
SF-E	Single Family - Estate
SF-1	Single Family - One Residential
SF-2	Single Family - Two Residential
SF-3	Single Family - Three Residential
SF-4	Single Family - Four Residential
SF-5	Single Family - Five Residential
SF-6	Single Family - Six Residential
SF-ZLL	Single Family - Zero Lot Line Residential
SF-A	Single Family - Attached
2F	Two Family - Two Residential
MF-1	Multi-Family - One Residential
MF-2	Multi-Family - Two Residential
MF-3	Multi-Family - Three Residential
MR	Mixed Residential

SYMBOL	DISTRICT NAME
NS	Neighborhood Service
GR-1	General Retail-One District
GR	General Retail District
C-1	Commercial-One District
C	Commercial District
CA	Central Area
CA	Central Area
HC	Heavy Commercial District
LI	Light Industrial
HI	Heavy Industrial
O	Office
MU	Mixed Use
HD	Hospital District

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL			COMMERCIAL/RETAIL					INDUSTRIAL								
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	IMR	IMU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
RV PARK	721211																						S				S	S	S
PERFORMING ARTS	611610																	X		X	X	X	X	X	X	X	X	X	X
KARATE	713990																X		X	X	X	X	X	X	X	X	X	X	X
COMMUNITY FOOD SERVICES	624210																X	X	X	X	X	X	X	X	X	X	X	X	X
FARMERS MARKET*	See Article 30																S		S	S	S	S	S	S	S	S	S	S	
FRATERNAL ORGANIZATION	813410																		X	X	X	X	X	X	X				
CIVIC CLUB	813410													X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
PHILANTHROPIC ORGANIZATION	813319	S	S	S	S	S	S	S	S	S	S	S	S	S	X	X	X	X	X	X	X	X	X	X	X	X	X	X	
CHURCH/ RELIGIOUS ACTIVITY	813110	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
ARTIST STUDIO	711510														X	X			X	X	X	X	X	X	X	X	X	X	X
RACETRACK	711212																										X	X	

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations
- 1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL			COMMERCIAL/RETAIL					INDUSTRIAL								
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	IMR	IMU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
(ALCOHOL) PACKAGED BEER & WINE SALES FOR OFF PREMISE CONSUMPTION <i>(See NAICS code definition, Section 4.8.6)</i>	445310																				X	X	X	X	X	X	X	X	
ALCOHOLIC BEVERAGE DISTRIBUTION	422820																						X				X	X	X
APPAREL MFG.	315212																X							X		X	X	X	
APPLIANCE REPAIR	443111																X					X	X	X	S	X	X	X	
ART DEALER	453920															X	X					X	X	X	X	X	X	X	
AUCTION (NON AUTO)	453998																					X	X	X	X	X	X	X	
BAIT / TACKLE	451110																			S		X	S			X	X	X	
BAKERY RETAIL	722213															X	X				X	X	X	X	X	X	X	X	
BAKERY WHOLESALE	422490																					X		X	X	X	X	X	
CONVENIENCE STORE W/ GAS	447110																			S	S	S	S	S	S	S	S	S	
CONVENIENCE STORE WITHOUT GAS	447110																			S	S	S	S	S	S	S	S	S	
COMMISSARY	SEE ARTICLE 30																				X ⁹		X ⁹			X	X	X	

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL			COMMERCIAL/RETAIL					INDUSTRIAL							
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
HEAVY MACHINE SALES (INSIDE)	421810																					X				X	X	X
KIOSK (SERVICE)	812990																		X	X	X	X	X	X	X	X	X	X
LAUNDRY / DC (< 3000 SF)	812320																		X	X	X	X	X	X	X	X	X	X
LAUNDRY / DC (> 3000 SF)	812230																					X				X	X	X
LAUNDRY DROP OFF / PICK-UP	812230																	X	X	X	X	X	X	X	X	X	X	X
LAUNDRY (SELF SERVE)	812310																S	S	S	S	X	X	X	X	S	X	X	X
LAWNMOWER SALES / REPAIR	444210																			X	X	X	X	X	S	X	X	X
LIVESTOCK (WHOLESALE)	422590																									S	X	
LOCKSMITH	561622																		X	X	X	X	X	X	X	X	X	X
LODGING FACILITY (Hotel, Including Extended Stay) <i>(See Section 4.15)</i>	See Article 30															S	S			S	S	S	S	S	S	S	S	
LUMBER SALES (WHOLESALE)	421310																									X	X	X

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL				COMMERCIAL/RETAIL					INDUSTRIAL						
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
MAJOR APPLIANCE STORE	443111															X				X	X	X	X	*	X	X	X	
MINI – STORAGE *	493220																			S	S	S	S				S	X
MOBILE HOME DEALER	453930															X						S			X	X	X	
NEEDLE WORKSHOP	451130																	X	X	X	X	X	X	X	X	X		
PAPER PRODUCTS (WHOLESALE)	322299															X					X		X	X	X	X		
PAWN SHOP	522298																									X		
PET SHOP	453910															X				X	X	X	X	X	X	X	X	
PHOTOCOPY / DUPLICATING	561439															X			X	X	X	X	X	X	X	X	X	
PHOTO STUDIO	541921																	X	X	X	X	X	X	X	X	X	X	
PLANT NURSERY	111421																		X		X	X	X	X	X	X	X	
PORTABLE BLDG.	332311																									S	X	
PORTABLE CHEMICAL TOILET	562991																									S		
PRIVATE CLUB (W/ ALCOHOL)	722410											S	S	S		S	S	S	S	S	S	S	S	S	S	S	S	

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL	COMMERCIAL/RETAIL					INDUSTRIAL									
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
RESTAURANT	721110															X	X	X	X	X	X	X	X	X	X	X	X	X
RESTAURANT (W/ EQUAL TO OR EXCEEDING 75% ALCOHOL SALES) (See Section 4.8.6)	721110																S	S				S	S	S	S	S	S	S
RESTAURANT (W/ ALCOHOL SALES NO ENTERTAINMENT) (See Section 4.8.6)	721110															X	X	S	X	X	X	X	X	X	X	X	X	X
RESTAURANT (W/ ALCOHOL SALES INCLUDING ENTERTAINMENT) (See Section 4.8.6)	721110															S	S	S	S	S	S	S	S	S	S	S	S	S
RESTAURANT (W/ EVENT SPACE) (See Section 4.15)																								S				
DRIVE THROUGH /IN RETAIL SALES **	722200																			S	S	S	S	S	S	S	S	S
DRIVE THROUGH / IN RESTAURANT **	722211																			X ⁵	X ⁵	X ⁵	X ⁵	X ⁵	X ⁵	X ⁵	X ⁵	X ⁵
KIOSK RESTAURANT	722211															X		X	X	X	X	X	X	X	X	X	X	S
LG. RETAIL (W/ GAS SALES)	447110																			S	S	S	S	S	S	S	S	S
MISC. RETAIL STORE	See Article 30															X				X	X	X	X	X	X	X	X	X

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL				COMMERCIAL/RETAIL					INDUSTRIAL							
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
REVERSE VENDING MACHINE	454210																				X		X			X	X	X	
RESIDENTIAL WASTE RECYCLING RECEPTACLE	421930																				S	S	S	S			S	S	S
SECURITY LIVING QTRS. AT BUSINESS	561612																	S	S	S	S	S	S	S			S	S	S
SHOE REPAIR	811430																X			X	X	X	X	X	X	X	X	X	X
TAILOR SHOP	811490															X			X	X	X	X	X	X	X	X	X	X	X
TATTOO AND BODY PIERCING STUDIO (PERMANENT COSMETICS AS AN ACCESSORY USE; See Section 4.7.1)	See Article 30																									§ ¹¹	§ ¹¹	§ ¹¹	§ ¹¹
TOOL RENTAL (INDOOR)	444130																						X			X	X	X	
TOOL RENTAL (OUTDOORS)	532210																									X	X	X	
TRAVEL AGENCY	561510																X	X	X	X	X	X	X	X	X	X	X	X	X
UPHOLSTERY SHOP	451130																				X		X	X	X	X	X	X	X
VARIETY STORE (See Section 4.17.)	452990																			§ ¹⁰	§ ¹⁰	§ ¹⁰	§ ¹⁰	§ ¹⁰	§ ¹⁰	§ ¹⁰	§ ¹⁰	§ ¹⁰	
WINERY	312130													X									X				X	X	

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	RESIDENTIAL										SPECIAL		COMMERCIAL/RETAIL					INDUSTRIAL									
	SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
AUTOMOTIVE * = Subject to Ch. 13, Article XX – "Automotive Related Business Regulations"																											
AUTO SALES																											
AUTO DEALER*																						S	S		X	X	X
AUTO DEALER * (USED ONLY)																						S	S		X	X	X
AUTO DEALER * (NON-FRANCHISE USED)																									S	S	S
AUTO DEALER (INTERNET ONLY)																						S	S		X	X	X
AUTO SALES* (WHOLESALE)																						S	S		X ⁵	X ⁵	X ⁵
AUTO AUCTION*																										S	S
AUTO EXPORTER																									S	S	S
AUTO SHIPPER																									S	S	S
AUTO-RELATED SERVICES																											
CAR WASH (FULL-SERVICE) *																						S	S		X ⁵	X ⁵	X
CAR WASH (SELF- SERVICE)																						S	S		S	S	S
AUTO/TRUCK RENTAL* (NO CHAUFFER)																						S			X	X	X
LIMO SERVICE*																						S		X	X	X	
STATE VEHICLE INSPECTION																						X	X		X	X	X
AUTO PARTS SALES* (NEW) For Used Auto Parts, see "Recovery and Salvage"																			S			X	X		X	X	X
AUTO ACCESSORIES* SALES & INSTALLATION																						S			X	X	X
AUTO TIRE/WHEELS* SALES & INSTALLATION (INDOOR DISPLAYS)																						S	S		X	X	X
AUTO TIRE/WHEELS* SALES & INSTALLATION (OUTDOOR DISPLAYS)																						S	S		S	S	S
AUTO TIRE REPAIR*																						S			X	X	X
AUTO DRIVING SCHOOL																						S	S	S	S	S	S

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	RESIDENTIAL											SPECIAL			COMMERCIAL/RETAIL					INDUSTRIAL							
	SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	IMR	IMU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
AUTOMOTIVE *Subject to Ch. 13, Article XX – "Automotive Related Business Regulations"																											
OPERATIONS AND PARKING																											
AUTO PARKING (PRIMARY USE)																	S			S	S	X	X	S	X	X	X
AUTO PARKING (ACCESSORY USE)	S	S	S	S	S	S	S	S	S								S	S	S	S	S	S	S	X	X	X	X
STRUCTURED PARKING											S	X	X	X		S	X	X		S	S	X	X	S	X	X	X
PRIVATE FUEL STATION																									S	S	X
AUTO REPAIR																											
VOCATIONAL SCHOOL (AUTO/MECHANICAL)																						S			S	S	S
AUTO GLASS (REPAIR & TINT)																						S			X	X	X
AUTO INTERIOR SHOP*																						S			X	X	X
AUTO BODY SHOP*																						S			S	S	S
AUTO PAINT SHOP*																						S			S	S	S
AUTO BODY & PAINT SHOP*																						S			S	S	S
PAINTLESS DENT REPAIR																						S			X	X	X
AUTO REPAIR (MINOR)* Includes Oil Change & Quick Lube																						S	S		X	X	X
AUTO REPAIR (MAJOR)*																									S	S	X
SPECIALTY AUTO REPAIR & TUNING*																						S	S		X	X	X
RECOVERY AND SALVAGE																											
AUTO WRECKER SERVICE*																						S			S	S	S
RETAIL AUTO PARTS (USED)																									S	S	S
AUTO IMPOUND* (PUBLIC / PRIVATE)																									S	S	S
AUTO RE-BUILDER*																									S	S	S
INOPERABLE VEHICLE HOLDING YARD*																										S	S
AUTO SALVAGE YARD*																											S

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL		COMMERCIAL/RETAIL				INDUSTRIAL									
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	IMR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
AIRCRAFT REPAIR/ MAINTENANCE	488190																									X	X	X
AIR / HELIPORT	488190														X			S					S	S		X	X	X
BICYCLE SALES/REPAIR	451110																				X	X	X	X	X	X	X	X
BOAT DEALER (SALES ONLY)	441222																			S		X	X			X	X	X
BOAT REPAIR/STORAGE	811490																						S			X	X	X
BUS CHARTER	485510																						X		*	X	X	X
FREIGHT TRANSFER TERMINAL	See Article 30																									X ⁵	X ⁵	X ⁵
HEAVY TRUCK OR EQUIPMENT PARKING																										S	S	S
HEAVY TRUCK/HEAVY EQUIPMENT REPAIR	423000 523000																									X ⁵	X ⁵	X ⁵
MOTORCYCLE DEALER	441221																				S		X	X		X	X	X
MOTORCYCLE REPAIR	811490																						S	S		X	X	X
MOTORCYCLE SALES	441221																						X	X		X	X	X

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL		COMMERCIAL/RETAIL				INDUSTRIAL									
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	IMR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
PASSENGER TERMINAL	485112																						X		X	X	X	X
RR FREIGHT DEPOT	482210																						X			X	X	X
RR ROW	482111	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
RECREATIONAL VEHICLE (RV) PARKING	812903																									X	X	X
RECREATIONAL VEHICLE (RV) SALES	441210																					S	S			X	X	X
RECREATIONAL VEHICLE (RV) SALES WITH REPAIR (INDOORS)	441210																					S				X ⁵	X ⁵	X ⁵
TAXI STAND	485310																			S	S	S	S	X	S	S	S	
TRANSIT MAINTENANCE EQUIPMENT FACILITY	488490																					X ⁵			X ⁵	X ⁵	X ⁵	
TRUCK STOP WITH GAS SALES	447190																					S			X ⁵	X ⁵	X ⁵	
VEHICLE MAINTENANCE (PRIVATE)	811111																					S			X	X	X	
VEHICLE WASH (PRIVATE)	811192																					S			X	X	X	
VOCATIONAL SCHOOL (AUTO/MECHANICAL)	611513																					S			S	S	S	
WAREHOUSE/DISTRIBUTION CENTER	See Article 30																								X	X	X	
WAREHOUSE, E-COMMERCE FULFILLMENT CENTER	See Article 30																								X	X	X	

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL										SPECIAL	COMMERCIAL/RETAIL					INDUSTRIAL											
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
ADVANCED MANUFACTURING	See Article 30																										X	X	X
AIRCRAFT MFG.	336411																											X	X
ALCOHOL ** BEVERAGE MFG.	312120 312140																										X ⁵	X ⁵	X ⁵
ALCOHOL ** BEVERAGE MFG. (WITH TASTING ROOM)	312120 312140																						S	S	S	S	S	S	S
ALCOHOL WHOLESALERS **	424810 424820																									X	X	X	
(ALCOHOL) ** BREW PUB (See Section 11.12.1)	312120 312140																			X	X	X		X					
APPAREL MFG.	315999																									X	X	X	
ARTISAN MANUFACTURING WITH STOREFRONT	See Article 30																									X			
ASPHALTIC MATERIALS MFG.	324110																										S	S	

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL		COMMERCIAL/RETAIL					INDUSTRIAL									
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	IMU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
HAZARDOUS CHEMICAL MFG.	325998																											S	S
HAZARDOUS INDUSTRIAL USE	422490																										S	S	S
IRON / STEEL FOUNDRY	331511																												S
LEATHER TANNING / FINISHING	316110																											S	X
LIGHT MANUFACTURING	See Article 30																									X	X	X	
MACHINE SHOP	332710																									X	X	X	
MEAT PACKING / SLAUGHTERHOUSE.	311611																											S	
MEAT PRODUCTION-MFG.	311615																										S	S	
METAL FORGING / STAMPING	332116																											S	
METAL STAMPING	332116																										X	X	
MINERAL EXTRACTION	333131																									S	S		
MOBILE HOME MFG.	321991																									X	X		
ON SITE CONSTRUCTION OFFICE	811310	REQUIRES THE APPROVAL OF THE CHIEF BUILDING OFFICIAL																											
OUTSIDE STORAGE	493190																											S	X ⁵
OUTSIDE STORAGE (ACCESSORY USE)	493190																						S			X ⁵	X ⁵	X ⁵	
PETROLEUM REFINERY	324110																												S
PLATING	332813																										X	X	
POULTRY PROCESSING OR SLAUGHTERING	311615																												S
PRINTER (JOB)	323114																							X	X	X	X	X	X

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL										SPECIAL		COMMERCIAL/RETAIL					INDUSTRIAL										
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
PRINTER (NEWSPAPER)	323122																						X				X	X	X
RESEARCH LAB (HAZARDOUS)	621512																											S	S
RESEARCH LAB	621511																										X ⁵	S	
ROLL / DRAW EXTRUDE METAL	333994																						X			X	X	X	
RUBBER MFG.	325212																										X ⁵	X	
SALVAGE (INDOOR)	421930																										S	X	
SALVAGE (NON AUTO OUTDOOR)	421930																									S	S	S	
SAND / GRAVEL SALES / EXTRACT	212321																										S	S	
SANITARY LANDFILL	562212																										S	S	
WASTE RECYCLING PROCESSING / TRANS.	562000																									S	S	S	
SIGN MFG.	339950																										X	X	
TONE / CLAY GLASS MFG.	327112																										X	X	
WELDING SHOP	811312																						S			X	X	X	
WOODWORKING SHOP	321999																						S			X	X	X	
OIL / GAS EXTRACTION **	211111	DRILLING PERMIT REQUIRED																											

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL		COMMERCIAL/RETAIL					INDUSTRIAL									
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
AMUSEMENT SERVICES (INDOOR)	713990																				S	S	S	S			X	X	X
AMUSEMENT SERVICES (OUTDOORS)	713110																						S				S	S	S
AMUSEMENT DEVICES ARCADE (> 4)	713120																				S	S	S	S	S	X ⁵	X ⁵		
ART GALLERY (NON RETAIL)	712110															X	X	X	X	X	X	X	X	X	X	X	X	X	X
BILLIARD PARLOR	713990																						S			S	S	S	
BINGO PARLOR	713290																				S	S				S	S		
BOAT LAUNCH	336612																												
BOWLING CENTER	713950																						X	X	X	X	X	X	
DAY CAMP	713990														X														
DINNER THEATER	711110																X			X	X	X	X	X	X	X	X	X	
DOMINO PARLOR	713990															X						X	X	S	X	X	X	X	
SATELLITE DISH (PVT.)	334220	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X
EXHIBITION HALL	531120																						X	X	X	X	X	X	
FAIRGROUND	711310																						S			X	X	X	
FISHING PIER	713990	S	S	S	S	S	S	S	S	S	S	S	S	S	S			X	X	X	X	X	X	X	X	X	X	X	
GOLF COURSE	713910																				X	X	X	X	X	X	X	X	
HEALTH CLUB	713940																			X	X	X	X	X	X	X	X	X	
HORSE RACING / TRAINING	711212																										S	S	
MARINA	713930														S														
MEMBER SPORTS	813410													S													X	X	
MOTION PICTURE DRIVE IN	512132																						X ⁵			X ⁵	X ⁵	X ⁵	

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL		COMMERCIAL/RETAIL				INDUSTRIAL										
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
MOTION PICTURE (INDOOR) MOVIE THEATER	512131																X				X	X	X	X	X ^s	X	X	X	
MOBILE FOOD COURT*	See Article 30																S	S	S	S	S	S	S	S	S	S	S	S	
MOBILE FOOD UNIT (See Environmental Services Department for permitting)	See Article 30											X	X	X			X	X	X	X	X	X	X	X	X	X	X	X	
MULTI-PURPOSE SPECIAL EVENT CTR.	See Article 30																			S	S	S	S				S	S	
MUSEUM	712110																X					X	X	X	X	X	X	X	
PALM READER/ PSYCHIC	812990																							S	X				
PARK / PLAYGROUND	713110	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	
RACETRACK	711212																										S	S	
RADIO STATION (NO TOWER)	513112																	S		S	S	S	X	X	X	X	X		
RADIO STATION W/ TOWER	513112																	S		S	S	S	S			S	S	S	
RECREATION CLUB	713940	S	S	S	S	S	S	S	S	S	S	X	X	X	S			X	X	X	X	X	X	X	X	X	X	X	
RENT HORSES	713990														X												X	X	
SKATING RINK	713940																					S	S	X	X	X	X	X	
SMOKING LOUNGE	713990															S				S	S	S	S	S	S	S	S	S	
SPECIAL EVENTS (TEMP.)	713990	SEE THE CHIEF BUILDING OFFICIAL																											
STADIUM	711310																										X	X	X
SWIMMING POOL	713940	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	X	X	X	X	X	X
TEEN CLUB	713990																			S		S	S	S			S		
PERFORMING ARTS THEATER	711310																X			X	X	X	X	X	X	X	X	X	X
ZOO	712130																										S	S	S
SEXUALLY ORIENTED BUSINESS	722410	SEE PLANNED DEVELOPMENT DISTRICT 232 (PD-232)																											

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL				COMMERCIAL/RETAIL				INDUSTRIAL								
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI	
TELECOMMUNICATIONS (See Article 24)																													
NON-COMMERCIAL RADIO TOWER < 65'	334220	X	X	X	X	X	X	X	X	X	X	X	X	X	X														
NON-COMMERCIAL RADIO TOWER > 65'	334220	S	S	S	S	S	S	S	S	S	S	S	S	S	S														
TV STATION	513200																	X			X	X	X	X		X	X	X	
TV STATION WITH TOWER	513200																	S			S	S	S	S		S	S	S	
CELL EQUIPMENT WITH NO TOWER	513322	X	X	X	X	X	X	X	X	X	X	X	X	X	X			X	X	X	X	X	X	X		X	X	X	
CELL TOWER < /= 85'	513322																	X	X	X	X	X	X		X	X	X		
CELL TOWER > 85'	513322																	S					S		S	S	S		

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

ARTICLE 4: PERMISSIBLE USES

Section 18, "Use Charts"

USE	NAICS CODE	RESIDENTIAL											SPECIAL		COMMERCIAL/RETAIL				INDUSTRIAL									
		SF-E	SF-1	SF-2	SF-3	SF-4	SF-5	SF-6	SF-ZLL	SF-A	2F	TH	MF-1	MF-2	MF-3	AG/ OPEN SPACE	MR	MU	OFFICE	NS	GR	GR-1	C	C-1	CA	HC	LI	HI
ANIMAL SPECIALTY	812910														X												X	X
BULK GRAIN / FEED STORE	493130														X													X
FARMING & CROPS	119980														X													
FARMING & LIVESTOCK	112990														X													
GREENHOUSE (RESIDENTIAL)	111422	X	X	X	X	X	X	X	X	X	X	X	X	X	X													
GREENHOUSE RETAIL	111421														X					X	X	X	X	S		X		
HAY / GRAIN / FEED SALES	111199														X							X			X	X	X	
LIVESTOCK SALES	112990														X												X	
ORCHARD	111331														X											S		
PLANT FARM NURSERY	111421														X													
PLANT NURSERY RETAIL	111421														X					X	X	X		S				
STABLES (ACCESSORY USE)	713990	X	X	X	X	X	X	X	X	X	X	X	X	X	X													
STABLES (PRIMARY USE)	713990	S	S	S	S	S	S	S	S	S	S	S	S	S	S													
VETERINARIAN W/ INDOOR KENNEL	812910														X			X	X	X	X	X	X	X	X	X	X	
VETERINARIAN W/ OUTDOOR KENNEL	812910														X							S			X	X	X	

Chart Notes:

- ¹: Must be constructed to a Single Family-Five (SF-5) standard.
- ²: Allowed on a minimum 20 acre site with SUP approval per Article 26, Section 9.1.
- ³: Refer to Article 3, Sections 2.15 & 2.16.
- ⁴: Reserved
- ⁵: Specific Use Permit is required when located within 300 feet of any AG, SF, 2F, or MF districts; or if inside a designated overlay district.
- ⁶: Specific Use Permit is required when located within 900 feet of a similar use.
- ⁷: Refer to Article 4, Section 11.2
- ⁸: Specific Use Permit is required when located less than 2500 feet of another group living residential use.
- ⁹: Refer to Article 4, Section 17.1
- ¹⁰: This use is prohibited unless located more than 5,000 feet from another variety store. If located at least 5,000 feet from another variety store, this use is permitted by Specific Use Permit only.
- ¹¹: Refer to Article 11, Section 14.1

Chart Symbols:

- X: Permitted Use
- PD: Planned Development District
- *: Site Plan Required
- S: Specific Use Permit Required
- : Use Not Permitted (Blank Square)
- ** : Must Comply With All Local and State Regulations

1997 N.A.I.C.S. U.S.

Article 30

DEFINITIONS

LAST UPDATE: JANUARY 17, 2023

CASE NUMBER: TAM-22-12-0013

ORDINANCE NO. #-2023

ARTICLE 30: DEFINITIONS

Table of Contents

		Page No.
Section 1	<i>Intent</i>	2
Section 2	<i>Definitions A Through Z:</i>	2
	A	2
	B	13
	C	17
	D	22
	E	26
	F	28
	G	31
	H	33
	I	36
	J	38
	K	39
	L	39
	M	43
	N	47
	O	49
	P	51
	Q	54
	R	54
	S	61
	T	67
	U	71
	V	71
	W	72
	X	74
	Y	75
	Z	75

30-1

Grand
Prairie

ARTICLE 30: DEFINITIONS

SECTION 1 - INTENT

30.1 The definitions in this Article are those that apply throughout the Unified Development Code. Words or terms in this ordinance, when written in the present tense, shall be construed to also mean the future tense. Words or terms written as one item shall be construed to mean more than one of that item. The word "lot" also means "plot" or "tract".

SECTION 2 - DEFINITIONS A THROUGH Z

--- A ---

A-Weighted Sound Pressure Level: The sound pressure level in decibels as measured on a sound level meter using the A-weighting network. The level so read shall be designated dB(A) or dBA (**Reference Article 11, "Performance Standards"**).

Accessory Apartment: A second dwelling unit either in or added to an existing single-family dwelling, or in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent living facility with provisions within the accessory apartment for cooking, eating, sanitation, and sleeping. Such a dwelling is an accessory use to the main dwelling and in addition must meet the following criteria:

- A. A minimum size of 400 square feet covering no more than 35 percent of the original unit's total floor area;
- B. A maximum of two bedrooms;
- C. Well-marked entrances to facilitate delivery of emergency and mail services;
- D. Certification of adequate water and sewer service;
- E. One parking space for each adult resident;
- F. No external evidence of the accessory apartment in the front of the structure, with the exception of an entrance;
- G. Owner occupancy of one of the units; and
- H. No more than four occupants in the accessory apartment. [See 2-Family/Duplex uses in Article 4, Permissible Use Charts]

Accessory Auto Parking: Means the accessory parking of cars and other passenger vehicles for an existing business or commercial entity that is within 400 feet of the accessory parking lot. All accessory parking must meet the minimum paving standard for the proposed use (**Reference Article 4, "Permissible Uses"**).

30-2

Grand
Prairie

Accessory Building: In a residential district, a subordinate building, attached or detached, and used for a purpose customarily incidental to the main structure, such as a private garage for automobile storage; toll house; bath house or greenhouse (as a hobby, but not a business), home workshop; children's playhouses;

ARTICLE 30: DEFINITIONS

storage house or garden shelter, but not involving the conduct of a business, or utilized as a dwelling unit. Any barn, private stable or horse corral shall be located as required in [Article 6, "Density and Dimensional Requirements"](#) of the Unified Development Code (*Reference Article 6, "Density and Dimensional Requirements"*).

Accessory Outside Storage: Outside storage of materials, equipment, inventory or other articles, which is incidental to the legal primary use of the main building or to the primary use of the premise, and located on the same lot as the primary use. In Light Industrial or Industrial Park zoning district, such storage shall be limited to 30 percent of the footprint of all buildings on site or 15 percent of the overall lot area, whichever is greater. In all other districts in which accessory outside storage is a permitted use, such storage shall not exceed 50 percent of the entire site.

Accessory Parking: A facility that provides the required parking for an adjacent use allowed in any district.

Accessory Use: A use subordinate to and incidental to the legal primary use of the main building or to the primary use of the premise, and located on the same lot as the primary use.

Adult Arcade: Any place to which the public is permitted or invited wherein coin-operated or slug-operated or electronically, or mechanically controlled still or motion pictures, projectors, or other image producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of "specified sexual activities" or "specified anatomical areas." [See Article 4, "Use Charts" Sexually Oriented Business, and Planned Development District 232 (PD-232)]

Adult Bookstore or Adult Video Store: A commercial establishment which as one of its principal business purposes offers for sale or rental for any form of consideration any one or more of the following:

- A. Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes or video representations which depict or describe "specified sexual activities"; or "specified anatomical areas", or
- B. Instruments, devices or paraphernalia that are designed for use in connection with "specified sexual activities." [See Article 4, "Use Charts" Sexually Oriented Business, and Planned Development District 232 (PD-232)]

Adult Cabaret: A nightclub, bar restaurant, or similar commercial establishment, which regularly features:

- A. Persons who appear in a state of nudity; or
- B. Live performances which are characterized by the exposure of "specified anatomical areas" or by "specified sexual activities"; or
- C. Films, motion pictures, videocassettes, slides, or other photographic reproductions that are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas." [See Article 4, "Use Charts" Sexually Oriented Business, and Planned Development District 232 (PD-232)]

ARTICLE 30: DEFINITIONS

Adult Day Care Center: An establishment that provides counseling, recreation, supervision or food, or any combination thereof, on a daily or regular basis, to four (4) or more elderly or disabled persons who are not related by blood, marriage or adoption, to the owner of the establishment. Clients of an Adult Day Care Center shall not require institutionalization in a hospital, nursing or convalescent home or similar specialized facility. Non-permanent overnight care is allowed as an ancillary use for clients of such a facility.

- A. Such establishment shall not accommodate individuals who pose a direct threat to the health, safety or welfare of themselves or others, and shall not constitute a halfway house, rehabilitation facility, or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities. Medical treatment or rehabilitative services shall not be provided in an Adult Day Care Center.
- B. Such establishment shall be licensed and operated in a manner consistent with such standards as may be promulgated by the Texas Department of Health, the Texas Department of Human Services and the City of Grand Prairie. For the purposes of this definition, “adult” shall mean a person of 18 years of age or older, “elderly person” shall mean a person of 65 years of age or older, and “disabled person” shall mean a person whose functioning is sufficiently impaired to require frequent medical attention, counseling, physical therapy, therapeutic or corrective equipment or another person's attendance or supervision.

Adult Day Care Home: An establishment that provides counseling, recreation, supervision or food, or any combination thereof, on a daily or regular basis, to three (3) or fewer elderly or disabled persons who are not related by blood, marriage or adoption, to the owner of the establishment. Clients of an Adult Day Care Home shall not require institutionalization in a hospital, nursing or convalescent home or similar specialized facility. Non-permanent overnight care is allowed as an ancillary use for clients of such a facility.

- A. Such establishment shall not accommodate individuals who pose a direct threat to the health, safety or welfare of themselves or others, and shall not constitute a halfway house, rehabilitation facility, or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities. Medical treatment or rehabilitative services shall not be provided in an Adult Day Care Home.
- B. Such establishment shall be licensed and operated in a manner consistent with such standards as may be promulgated by the Texas Department of Health, the Texas Department of Human Services and the City of Grand Prairie. For the purposes of this definition, “adult” shall mean a person of 18 years of age or older, “elderly person” shall mean a person of 65 years of age or older, and “disabled person” shall mean a person whose functioning is sufficiently impaired to require frequent medical attention, counseling, physical therapy, therapeutic or corrective equipment or another person's attendance or supervision.

Adult Day Health Care Center: An establishment that provides counseling, recreation, supervision, food health care or physical therapy, or any combination thereof, on a daily or regular basis, to four (4) or more elderly or disabled persons who are not related by blood, marriage, or adoption, to the owner of the establishment. Clients of an Adult Day Health Care Center shall not require institutionalization in a hospital, nursing or convalescent home or similar specialized facility. Non-permanent overnight care is allowed as an ancillary use for clients of such a facility.

30-4



ARTICLE 30: DEFINITIONS

- A. Such establishment shall not accommodate individuals who pose a direct threat to the health, safety or welfare of themselves or others, and shall not constitute a halfway house, rehabilitation facility or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities.
- B. Such establishment shall be licensed and operated in a manner consistent with such standards as may be promulgated by the Texas Department of Health, the Texas Department of Human Services and the City of Grand Prairie. For the purposes of this definition, “adult” shall mean a person of 18 years of age or older, “elderly person” shall mean a person of 65 years of age or older, and “disabled person” shall mean a person whose functioning is sufficiently impaired to require frequent medical attention, counseling, physical therapy, therapeutic or corrective equipment or another person's attendance or supervision.

Adult Day Health Care Home: An establishment that provides counseling, recreation, supervision, food, health care or physical therapy, or any combination thereof, on a daily or regular basis, to three (3) or fewer elderly or disabled persons who are not related by blood, marriage, or adoption, to the owner of the establishment. Clients of an Adult Day Health Care Home shall not require institutionalization in a hospital, nursing or convalescent home or similar specialized facility. Non-permanent overnight care is allowed as an ancillary use for clients of such a facility.

- A. Such establishment shall not accommodate individuals who pose a direct threat to the health, safety or welfare of themselves or others, and shall not constitute a halfway house, rehabilitation facility, or any other type of facility whereby individuals receive guidance or assistance in the transition from institutional care to normal social activities.
- B. Such establishment shall be licensed and operated in a manner consistent with such standards as may be promulgated by the Texas Department of Health, the Texas Department of Human Services and the City of Grand Prairie. For the purposes of this definition, “adult” shall mean a person of 18 years of age or older, “elderly person” shall mean a person of 65 years of age or older, and “disabled person” shall mean a person whose functioning is sufficiently impaired to require frequent medical attention, counseling, physical therapy, therapeutic or corrective equipment or another person's attendance or supervision.

Adult Motel: A hotel, motel, or similar commercial establishment which:

- A. Offers accommodations to the public for any form of consideration; provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides, or other photographic reproductions which are characterized by the depiction or description of “specified sexual activities” or “specified anatomical areas”; and has a sign visible from the public right-of-way which advertises the availability of this adult type of photographic reproductions; or
- B. Offers a sleeping room for rent for a period of time less than 10 hours; or
- C. Allows a tenant or occupant of a sleeping room to sub rent the room for a period of time that is less than 10 hours. *[See Article 4, “Use Charts” Sexually Oriented Business, and Planned Development District 232 (PD-232)]*

30-5

Grand
Prairie

ARTICLE 30: DEFINITIONS

Adult Motion Picture Theater: A commercial establishment where, for any form of consideration, films, motion pictures, video cassettes, slides, or other photographic reproductions are regularly shown which are characterized by the depiction or description or “specified sexual activities” or “specified anatomical areas.” [See Article 4, “Use Charts” Sexually Oriented Business, and Planned Development District 232 (PD-232)]

Adult Theater: A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of “specified anatomical areas” or “specified sexual activities.” [See Article 4, “Use Charts” Sexually Oriented Business, and Planned Development District 232 (PD-232)]

Advanced Manufacturing: Means a facility that makes use of computer, high precision, and other technologies integrated with a higher skilled workforce in a production system capable of furnishing a mix of products in an efficient and high-scale manner. Examples include facilities in the aerospace, medical device, pharmaceutical, and other high-tech industries.

Advertising Sign: Signs whose purpose it is to attract attention to a business, product, service, activity or belief (**Reference Article 9, “Sign Standards”**).

Advisory Committee: The City’s Planning and Zoning Commission (**Reference Article 22, “Fee Schedule”**).

After-School Day Care Program/Facility: A public school facility which, under contract between (1) either the Grand Prairie Independent School District or the Arlington Independent School District and (2) an organization such as the YMCA, United Way or Dalworth Headstart, is used for the operation of a day care program only after regular school hours on regular school days for children age 5 through 18 as determined on September 1 of each year.

Agriculture: The tilling of the soil, the raising of crops, horticulture and gardening, but not including keeping or raising of domestic animals and fowl, except household pets, and not including any agricultural industry or business, such as fruit packing plants, fur farms, and etc.

Agricultural Use: The use of land to produce plant or animal products, such as growing crops, raising and pasturing of livestock, or farming. It does not include the processing of plant or animal products after harvesting or the production of timber or forest products (**Reference Article 8, “Landscape and Screening”**).

AICUZ: Air Installation Compatible Use Zone. An area that is affected by aircraft noise generated from the U.S. Naval Air Base in east Grand Prairie.

Aircraft maintenance: is the overhaul, repair, inspection or modification of an aircraft or aircraft component. Maintenance may include such tasks as ensuring compliance with Airworthiness Directives or Service Bulletins.

Air Gap: A complete physical separation between the free flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel (**Reference Article 8, “Landscape and Screening”**).

30-6

Grand
Prairie

ARTICLE 30: DEFINITIONS

Airport: A place where aircraft can land and take off, usually equipped with hangars, facilities for refueling and repair, as well as various accommodations or support facilities for passengers.

Airport Elevation: The established elevation of the highest point on the usable landing area of an airport.

Airport Hazard: Any structure, tree or use of land, which obstructs the airspace, required for or is otherwise hazardous to the flight of aircraft in landing or taking off at an airport.

Airport Reference Point: The point established as the approximate geographic center of an airport landing area and so designated.

Alcoholic/Drug Care Home: An establishment that provides a controlled living environment, or support for person recovering from substance addiction. Such establishment should not have detoxification facilities on the premises.

Alcoholic/Drug Rehabilitation Facility: A health care facility which provides persons with a chemical dependency and/or substance abuse problem with detoxification facilities and treatment for their addiction.

Alley: A public space, right-of-way, easement, or thoroughfare providing a secondary means of access to abutting property (**Reference Article 12 “Platting”**).

Alluvial Fan Flooding: Means flooding occurring on the surface of an alluvial fan or similar landform, which originates at the apex and is characterized by high-velocity flows; active processes of erosion, sediment transport and deposition; and unpredictable flow paths (**Reference Article 15, “Floodplain Management”**).

All-Terrain Vehicle Dealer: (see **“Motorized Vehicle Sales”**)

Alternative Mounting Structure: A man made tree, clock tower, church steeple, bell tower, utility pole, light standard, identification pylon, flagpole, or similar structure, designed to support and camouflage or conceal the presence of telecommunications antennas (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Amending Plat: A map or drawing which may be recorded and is controlling over the preceding plat without vacation of that plat, in accordance with Article 212.016, Title 7, Local Government Code, State of Texas as amended (**Reference Article 12 “Platting”**).

Amusements, Commercial (Indoors): An enclosed facility which provides amusement or entertainment for a fee or admission charge including, but not limited to, indoor amusements such as penny arcades, pool halls, bingo parlors and video arcades.

Amusements, Commercial (Outdoors): A non-enclosed facility which provides amusement or entertainment for a fee or admission charge including, but not limited to, outdoor amusements such as golf driving range; outdoor zoo; pitch and putt course; archery softball, baseball, miniature golf and similar outdoor activities, but not including go-cart racing, drag strips, or auto racing.

30-7

Grand
Prairie

ARTICLE 30: DEFINITIONS

Animation/Full Motion: Means a type of display achieved by the pre-recorded or live broadcast of messages, content or images appearing in fluid, continuous motion (**Reference Article 9, “Sign Standards”**).

Announcement/Directory/Bulletin Board Sign: A sign that provides public service information, any similar public interest information and/or related advertising for a general business located on the same premise (**Reference Article 9, “Sign Standards”**).

Antenna: A structure or device used to collect or radiate electromagnetic waves, including directional antennas, such as panels, wireless cable and satellite dishes, and Omni-directional antennas, such as whips, but not including satellite earth stations (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Antenna Array: An arrangement of antennas and their supporting structure (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Antenna, Dish: A parabolic or bowl shaped device that receives and/or transmits signals in a specific directional pattern (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Antenna, Panel: An antenna that receives and/or transmits signals in a directional pattern (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Antenna, Stealth: A telecommunications antenna that is effectively camouflaged or concealed from view (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Antenna, Telecommunications: An antenna used to provide a telecommunications service. This excludes lightning rods, private mobile radio systems, amateur radio antennas less than 50 feet (15 meters) in height and whip antennas less than 4 inches (10 cm) in diameter and less than 10 feet (3 meters) in height (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Antenna, Whip: An Omni-directional dipole antenna of cylindrical shape, which is no more than 6 inches (15 cm) in diameter (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Apartell: Any building, or group of buildings, comprised of dwelling units that are leased directly to corporations, and designed to be occupied longer than the usual hotel stay with such amenities as a full kitchen.

Apartment: A room or suite of rooms being a dwelling unit or suite of dwelling units in a multi-family structure occupied as a place of residence of a single family, an individual, or group of individuals.

Apartment House: Any building or portion thereof, which is designed, built, rented and occupied as three or more independent dwelling units, or apartments or which is occupied as a home or place of residence by three or more families, living in independent dwelling units.

Apex: Means a point on an alluvial fan or similar landform below which the flow path of the major stream that formed the fan becomes unpredictable and alluvial fan flooding can occur (**Reference Article 15, “Floodplain Management”**).

30-8

Grand
Prairie

ARTICLE 30: DEFINITIONS

Apparel Manufacturing: An establishment engaged in mass manufacturing of clothing, including contract type factory assembly of clothing materials owned by others.

Appurtenant Structure: Means a structure which is on the same parcel of property as the principal structure to be insured and the use of which is incidental to the use of the principal structure (**Reference Article 15, "Floodplain Management"**).

Area of Future Conditions Flood Hazard: The land area that would be inundated by the 1% annual chance (100-year) flood based on future conditions hydrology (**Reference Article 15, "Floodplain Management"**).

Area of the Lot: The area of the lot shall be the net area of the lot, and shall not include portions of streets and alleys.

Area of Shallow Flooding: A designated AO, AH, AR/AO, AR/AH, or VO zone on a community's Flood Insurance Rate Map (FIRM) with a 1% or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow (**Reference Article 15, "Floodplain Management"**).

Area of Special Flood Hazard: Is the land in the floodplain within a community subject to a 1% or greater chance of flooding in any given year. The area may be designated as Zone A on the Flood Hazard Boundary Map (FHBM). After detailed rate making has been completed in preparation for publication of the FIRM, Zone A usually is refined into Zones A, AO, AH, A1-30, AE, A99, AR, AR/A1-30, AR/AE, AR/AO, AR/AH, AR/A, VO, V1-30, VE or V (**Reference Article 15, "Floodplain Management"**).

Arterial Street: A major thoroughfare intended to provide for continuity and high volume traffic movement between highways and between major traffic centers, as more precisely defined by the City's adopted Thoroughfare Plan (**Reference Article 12 "Platting"**).

Artificial Lot: Portion of a one (1) acre or larger tract that contains the area to be developed as an individual project and that encompasses all improvements, including parking related to the project (**Reference Article 8, "Landscape and Screening"**).

Artisan Manufacturing with Storefront: An establishment or business where the primary purpose is small-scale manufacturing, or the individually crafting of personal or household items. This is intended for cottage industries such as textiles, pottery, and jewelry. This excludes mechanized assembly line production, cabinet makers, or work done on automobiles. On-site sale of the finished product is required. Operations shall not exceed 20,000 sq. ft.

Artwork: Signs are not to be construed as works of art or murals (**Reference Article 9, "Sign Standards"**).

Assessment: The determination of the amount of the impact fee per service unit which is imposed on new development pursuant to **Article 22, "Fee Schedule"** (**Reference Article 22, "Fee Schedule"**).

Assisted Living Facility:

30-9

Grand
Prairie

ARTICLE 30: DEFINITIONS

1. furnishes, in one or more facilities, food and shelter to three or less persons who are unrelated to the proprietor of the establishment;
2. provides:
 - a. personal care services; or
 - b. administration of medication by a person licensed or otherwise authorized in this state to administer the medication;
3. may provide assistance with or supervision of the administration of medication; and
4. may provide skilled nursing services for the following limited purposes:
 - a. coordination of resident care with outside home and community support services agencies and other health care professionals;
 - b. provision or delegation of personal care services and medication administration as described by this subdivision;
 - c. assessment of residents to determine the care required; and
 - d. for periods of time as established by department rule, delivery of temporary skilled nursing treatment for a minor illness, injury, or emergency

Associated Uses/Religious Institution: A building, or group of buildings associated with a church, mosque, synagogue or temple in which uses ancillary to religious services are held. These buildings include, but are not limited to a rectory or parsonage, fellowship hall, Sunday/vacation bible school classroom(s), kitchen, office, pastor's study and/or library.

Atmospheric Vacuum Breaker: An assembly containing an air inlet valve, a check seat, and an air inlet port. The flow of water into the body causes the air inlet valve to close the air inlet port. When the flow of water stops, the air inlet valve falls and forms a check against back siphonage. At the same time, it opens the air inlet port allowing air to enter and satisfy the vacuum. Also known as an Atmospheric Vacuum Breaker Back Siphonage Prevention Assembly (**Reference Article 8, "Landscape and Screening"**).

Auction: An establishment in which items for sale are sold to the highest bidder.

Auto: Means a car, light duty pick-up truck, van, sport utility or other light duty passenger or transport vehicle (**Reference Article 4, "Permissible Uses"**).

Auto Accessories Sales & Installation: Means a facility which sells and installs automotive accessories for customizing cars and trucks such as mirrors, body modifications, window tinting, bumpers, trailer hitches, decals, sound systems, security systems, wheels, etc. (**Reference Article 4, "Permissible Uses"**).

Auto Auction: Means an auto auction as a method of selling new, and most often, used vehicles based on an auction system.

Auto Body Shop: Means an auto repair facility that exclusively does repairs of the frame and body by the process of pulling, beating, part replacement, application of body putty, and sanding, to prepare a vehicle for painting (**Reference Article 4, "Permissible Uses"**).

Auto Body & Paint Shop: Means an auto repair facility that does repairs of the frame and body by the process of pulling, beating, part replacement, application of body putty, sanding, and wet sanding to prepare a vehicle for painting. Then paints the vehicles in an approved paint booth, buffs, and polishes to provide a like new auto paint finish (**Reference Article 4, "Permissible Uses"**).

30-10

Grand
Prairie

ARTICLE 30: DEFINITIONS

Auto Dealer (New): Means a car dealership that sells primarily new automobiles, light trucks, or vans at the retail level, based on a dealership contract with an automaker or its sales subsidiary. Accessory uses to a New Auto Dealer may include used auto sales, online sales, quick lube, state inspection, car wash and detail, wheels and tires with indoor display, minor auto repair and major auto repair. Repossessed Vehicle Storage will be considered an ancillary use where such designated impound area does not exceed 20% of the total site area and is for the temporary impound and/or storage of repossessed automotive vehicles that were sold on-site. The designated impound area will be secured and screened with a fence and gate.

Auto Dealer (Used): Means a car dealership that sells primarily used automobiles, light trucks, or vans at the retail level under a franchise agreement applicable to two or more locations, with such franchise agreement containing universal guidelines for dealership appearance, signage, property maintenance, and condition of inventory. Accessory uses to a Used Auto Dealer, other than Make Ready, must be approved individually per the use charts. Repossessed Vehicle Storage will be considered an ancillary use where such designated impound area does not exceed 20% of the total site area and is for the temporary impound and/or storage of repossessed automotive vehicles that were sold on-site. The designated impound area will be secured and screened with a fence and gate.

Auto Dealer (Non-Franchised): Means a car dealership that is independently owned and operated, or that does not operate under a franchise agreement. Accessory uses to a Non-Franchised Auto Dealer, other than Make Ready, must be approved individually per the use charts. Repossessed Vehicle Storage will be considered an ancillary use where such designated impound area does not exceed 20% of the total site area and is for the temporary impound and/or storage of repossessed automotive vehicles that were sold on-site. The designated impound area will be secured and screened with a fence and gate.

Auto Dealer (Internet Only): Means a company other than an Auto Wholesaler that sells vehicles primarily over the internet to individual customers through a virtual storefront. Online Auto Dealers shall have no outdoor display of cars for sale or cars in inventory. Accessory uses to an Online Only Auto Dealer, other than Make Ready, must be approved individually per the use charts.

Auto Glass Repair/Tinting: Means a principal use of repairing or replacing damaged auto glass. Tinting means the application of tinting materials to auto glass to reduce glare or the heat transmission of auto glass ([Reference Article 4, "Permissible Uses"](#)).

Auto Impound Yard: Means a facility used for the temporary impound and/or storage of abandoned or inoperable automotive vehicles prior to being reclaimed, repaired or transported ([Reference Article 4, "Permissible Uses"](#)).

Auto Make Ready: Means light repair for the purpose of conditioning a vehicle for retail sale. Make Ready includes the replacement of bulbs, fasteners, batteries, or other non-lubricated parts, provided that such repairs can be made with non-electrified hand tools; tire repair, provided such repair can be made while the tire is on the rim; paint repair or touch-up, provided such repair does not require paint in a quantity larger than 3 ounces; and cleaning or polishing (other than washing) of glass, lenses, plastic surfaces, or upholstery with no resultant discharge into the City storm sewer,

30-11

Grand
Prairie

ARTICLE 30: DEFINITIONS

Auto Paint Shop: Means an auto repair facility that prepares automotive vehicles for painting by a process of sanding, wet sanding. Vehicles would then be painted in an approved paint booth and polished to provide a like new auto paint finish.

Auto Repair (Major): Means any vehicle repair and or replacement procedure involving larger auto components, which may include, but not be limited to, the following mechanical components: (**Reference Article 4, “Permissible Uses”**):

<u>Engines</u>	<u>Transmissions</u>
<u>Differentials</u>	<u>Transfer Case or Axles</u>
<u>Air Conditioning</u>	<u>Cooling Systems</u>
<u>Hybrid or EV battery service or replacement</u>	<u>Suspension/Shocks/Struts</u>
<u>Exhaust System</u>	<u>Electrical Systems other than Minor Tune-Up</u>
Any dismantling and reassembly of the above components for the purpose of refurbishing the component to like new condition	

Auto Repair (Minor): Means any vehicle-repair or replacement procedure, which may include, but not be limited to, the repair or replacement of the following mechanical components (**Reference Article 4, “Permissible Uses”**):

- | | |
|----------------------------|------------------------------------|
| Computer Diagnostic | Computer Reflash |
| Alternator | Change of oil and filter |
| Generator | Fan belt or hoses |
| Starter | Lamp replacement |
| Water pump | Repair of flat tires |
| Battery (non-hybrid or EV) | Lubrication |
| Minor tune-up ¹ | Brakes or other minor part thereof |

¹ A minor tune up would consist of distributor cap, rotor and spark plug replacement.

Automatic Teller Machine (ATM): A device that performs banking transactions electronically when operated by a customer.

Automobile Driving School: See **Driving School**

Automobile Rental/Leasing: An establishment that rents or leases automobiles and/or passenger vans and has an inventory of 10 or more vehicles on site. An establishment that carries an inventory of less than 10 vehicles and performs no maintenance on site may be classified as a miscellaneous office use.

Automobile Repair Shop: An establishment principally engaged in mechanized automobile repairs such as brakes, mufflers, engines, welding and frames.

Automotive Re-builder: Means an automotive repair facility where the principle purpose is the rebuilding of complete used cars, trucks, motorcycles, or their individual mechanical components such as engines or transmissions. The automotive re-builder use would permit major auto repair, body shop, and paint shop uses (**Reference Article 4, “Permissible Uses”**).

30-12



ARTICLE 30: DEFINITIONS

Auto Sales Wholesale: A car dealer that sells only to other car dealers or wholesale car dealer auctions. The wholesale car dealer may purchase from car dealer auctions and other car dealers but they can sell the vehicle only to other car dealers. A wholesale car dealer wishing to sell to the general public must obtain approval as an Auto Dealer.

Auto Salvage Yard: Means a place or property where the principal use is the storage, parking, or holding of inoperable vehicles for the purpose of retail or wholesale sales of said vehicles, or salvaging of any parts thereof; or short or long term storage of said vehicles or portions thereof; including the dismantling, and partial dismantling, crushing, or compacting of said vehicles. The maximum time period for the on-site storage of crushed vehicles shall not exceed six months (**Reference Article 4, "Permissible Uses"**).

Auto Tire Repair: Means a facility where the principal use is the repair, and or replacement of damaged tires (**Reference Article 4, "Permissible Uses"**).

Auto Tire Sales & Installation (indoor): Means the retail sales and indoor installation of tires, wheels, and typically includes wheel balancing, alignment and repair of previously installed tires or wheels (**Reference Article 4, "Permissible Uses"**).

Auto Tire Sales & Installation (outdoor): Means the retail sales and outdoor installation of tires, wheels, and typically includes wheel balancing, alignment and repair of previously sold and installed tires or wheels (**Reference Article 4, "Permissible Uses"**).

Auto Wrecker Service: Means a facility or business service that provides emergency road service and/or towing of damaged or inoperable vehicles to a specific repair facility or auto impound yard (**Reference Article 4, "Permissible Uses"**).

Available Wall Area: Continuous portion of building, not including doors/windows (**Reference Article 9, "Sign Standards"**).

Avigation Easement: An easement, which allows for the airborne operation and navigation of aircraft as determined by national safety standards regulated by the Federal Aviation Administration.

A-Weighted Sound Pressure Level: **Reference Article 11 "Performance Standards"** for definition

---B---

Backflow Prevention: The mechanical prevention of reverse flow, or back siphonage, of non-potable water from an irrigation system into the potable water source (**Reference Article 8, "Landscape and Screening"**).

Backflow Prevention Assembly: Any assembly used to prevent backflow into a potable water system. The type of assembly used is based on the existing or potential degree of health hazard and backflow condition (**Reference Article 8, "Landscape and Screening"**).

Bakery or Confectionery Shop (Retail): A place where products such as bread, cake, candy or pastries are prepared and sold.

30-13

Grand
Prairie

ARTICLE 30: DEFINITIONS

Balloon Sign: A non-porous, flexible bag inflated with an inert gas, such as helium, that causes it to rise and remain afloat in the air (**Reference Article 9, "Sign Standards"**).

Bank/Savings & Loan/Credit Union/Financial Institution: An establishment, open to the public, for the deposit, custody, loan, exchange or issue of money, the extension of credit, and/or facilitating the transmission of funds excluding pawnshops, check cashing businesses, payday advance/loan businesses and car title loan businesses (**Reference Article 4, "Permissible Uses"**).

Banner: A "special" projecting sign of flexible material that is attached to or supported by a building (**Reference Article 9, "Sign Standards"**).

Base Flood: The flood having a 1% chance of being equaled or exceeded in any given Year, commonly referred to as the 100 year event (**Reference Article 15, "Floodplain Management"**).

Base Flood Elevation: The computed elevation to which floodwater is anticipated to rise during the base flood (**Reference Article 15, "Floodplain Management"**).

Basement: A building story with more than one-half its height below average grade level. A basement shall not be counted as a story in computing building height; any area of the building having its floor sub grade (below ground level) on all sides (**Reference Article 15, "Floodplain Management"**).

Bed and Breakfast Hotel: A residential building, similar to a boarding house where overnight accommodations and one meal, usually in the morning, are provided with the cost of the room and where the record owner of the property is also a full-time resident on the property.

Benches: Signs which are painted on or attached to a bench and do not exceed the limits of the bench (**Reference Article 9, "Sign Standards"**).

Billboards: **Reference Article 9, "Sign Standards"** for definition.

Blinking: Means a form of flashing where a pattern of sudden illumination changes occur with more than two (2) on-off cycles per second (**Reference Article 9, "Sign Standards"**).

Block: One or more lots, tracts or parcels of land bounded by streets, railroads, or subdivision boundary lines, or a combination thereof further, an area of land enclosed by streets and occupied by or intended for building. Where "block" is meant as a term of measurement, it shall mean the distance along a side of a street between the nearest two streets that intersect said street on that side (**Reference Article 12 "Platting"**).

Boat Dealer: Means a boat dealership that sells new or used boats at the retail level.

Boat Launching Ramps: A facility consisting of a paved platform or ramp constructed on a slope extending from land into the water for the primary purpose of releasing and recovering flotation type vessels on a body of water for public and/or private use. Permitted ancillary structures that would support and are directly associated with same would include, but are not limited to parking facilities, security or guard buildings, license and/or boat inspection station, picnic and/or playground facilities, pavilions, etc. **Reference Article 4, "Permissible Uses"**.

30-14

Grand
Prairie

ARTICLE 30: DEFINITIONS

Boat Repair: Means an establishment where boats are repaired and maintained by boat mechanics and technicians.

Board: The Zoning Board of Adjustment and Appeal, as established in [Article 1 “General Provisions and Procedures”](#).

Boarding House: A residence or establishment, other than a hotel or motel bed and breakfast, that:

- A.1 furnishes, in one or more buildings, lodging to three or more persons with disabilities or elderly persons who are unrelated to the owner of the establishment by blood or marriage; and,
- A.2 provides community meals, light housework, meal preparation, transportation, grocery shopping, money management, laundry services or assistance with self-administration of medication but does not provide personal care services to those persons.

- B.1 Personal care services means assistance with meals, dressing, movement, bathing, or other personal needs or maintenance;
- B.2 the administration of medication by a person licensed to administer medication or the assistance with or supervision of medication; or,
- B.3 general supervision or oversight of the physical and mental well-being of a person who needs assistance to maintain a private and independent residence in an assisted living facility or who needs assistance to manage the person’s personal life, regardless of whether a guardian has been appointed for the person.

- C. Assistance with self-administration of medication means assisting a resident by reminding the resident to take medication, opening and removing medications from a container, placing medication in a resident’s hand or in/on a clean surface such as a pill cup or a medication reminder box and reminding the resident when a prescription medication needs to be refilled.

- D. Resident means a person who is residing in a boarding home facility.

- E. Elderly person means a person who is 65 years of age or older.

- F. Person with a disability means a person with a mental physical, or developmental disability that substantially impairs the person’s ability to provide adequately for the person’s care or protection, and
 - F.1 who is 18 years of age or older or
 - F.2 under 18 years of age and who has had the disabilities of dependent minority removed.

Body Art: A physical body adornment using, but not limited to, the following techniques: body piercing and tattooing. This definition does not include practices that are considered part of a medical procedure performed by licensed medical or dental personnel, such as, but not limited to Permanent Cosmetics. Such medical procedures shall not be performed in a body art establishment.

Body Piercing: The act of penetrating or puncturing of human skin by any method, for the purpose of inserting jewelry or other objects, in or through the human body. *Body Piercing* is exclusive of any medical procedure that is performed by a licensed medical or dental professional.

30-15

Grand
Prairie

ARTICLE 30: DEFINITIONS

Boundary Property Line: The near side of any street, alley, stream, or other permanently dedicated open space from the noise source when such open space exists between the property line of the noise source and adjacent property. When no such open space exists, the common line between two parcels of property shall be interpreted as the boundary property line (Reference [Article 11, “Performance Standards”](#)).

Bounding Property Line: Reference [Article 11 “Performance Standards”](#) for definition.

Breakaway Wall: Means a wall that is not part of the structural support of the building and is intended through its design and construction to collapse under specific lateral loading forces, without causing damage to the elevated portion of the building or supporting foundation system (Reference [Article 15, “Floodplain Management”](#)).

Brewpub: An establishment regulated, licensed and/or permitted by the Texas Alcoholic Beverage Commission which contains a brewery producing liquor or beer and which offers its product for on-site sale and consumption in the same facility or structure as the brewery and which may or may not serve food in the same facility or structure as the brewery. This definition may also include a restaurant within the same area or district in which a brewpub is allowed, which brews liquor or beer on-site and serves the liquor or beer for on-site consumption in the same facility or structure, and where gross receipts of alcoholic beverages do not exceed 50% of gross receipts. (Reference [Article 11, “Performance Standards”](#))

Buffer Yard: A buffer yard is a strip of land, together with a specified amount of planting, that may be required between land uses to eliminate or minimize impact between the uses. Only those structures used for buffering and/or screening purposes shall be located within a buffer yard. The buffer yard shall not include any paved area, except for pedestrian sidewalks or paths or vehicular drives that may intersect the buffer yard and which shall be the minimum width necessary to provide pedestrian or vehicular access ([Reference Article 8, “Landscape and Screening”](#)).

Building Directional Sign: Reference [Article 9 “Sign Standards”](#) for definition.

Building: Any structure having a roof supported by columns or walls and intended for the shelter, housing or enclosure of any individual, animal, process, equipment, goods or materials of any nature.

Building Area: That portion of a building site exclusive of the required yard areas on which a structure or building improvements may be erected and including the actual structure, driveway, parking lot, pool and other construction as shown on a site plan ([Reference Article 8, “Landscape and Screening”](#)).

Building Coverage: The proportion of the lot area, expressed as a percent that is covered by the maximum horizontal cross-section of a building or buildings.

Building Ends: Those sides of a building having the least dimension as compared to the front or rear of a building. As used herein for the building spacing regulations for multiple-family dwellings, a building end shall be interpreted as being the narrowest side of a building regardless of whether it fronts upon a street, faces the rear of the lot, or is adjacent to the side lot line or another building.

30-16

Grand
Prairie

ARTICLE 30: DEFINITIONS

Building Line: The required setback from the property line to the building. A line parallel or approximately parallel to the street line at a specified distance there from establishing in the minimum distance for the street line that a building may be erected.

Building Pad: The actual foundation area of a building and a reasonable area around the foundation necessary for construction and grade transitions (**Reference Article 8, “Landscape and Screening”**).

Building Sign: A sign listing the name or title of a specific building (**Reference Article 9, “Sign Standards”**).

Bulletin Board: **Reference Article 9 “Sign Standards”** for definition.

Bus Charter: The transporting of cargo or people who have contracted to have exclusive use of a vehicle at a fixed rate, under one contract, for a specified itinerary.

Business Price Signs: Signs that display the price of an item or service only (**Reference Article 9, “Sign Standards”**).

Business Hours Sign: Signs that display the hours of operation only (**Reference Article 9, “Sign Standards”**).

---C---

Camper: Means a recreational vehicle without any included self propulsion method. It is intended for over night accommodations which may or may not include a bath or kitchen. It may be constructed to expand as a tent or be fully incorporated into a complete trailer design (**Reference Article 4, “Permissible Uses”**).

Canopy Signs: A sign that is structurally part of a canopy (**Reference Article 9, “Sign Standards”**).

Capital Improvement: Any roadway facility, water supply, treatment, and distribution facility, wastewater collection and treatment facility, and storm-water, drainage, and flood control facility that have a life expectancy of three or more years and are owned and operated by or on behalf of the City (**Reference Article 22, “Fee Schedule”**).

Capital Improvement Plan: The Capital Improvements Plan adopted by the City Council, as updated and amended pursuant to this Code. The Capital Improvements Plan identifies capital improvements or facility expansions, service areas, the maximum fee rate allowed in accordance with the impact fee statute, and other pertinent information (**Reference Article 22, “Fee Schedule”**).

Car Detailing: Means the washing, steaming, sweeping, vacuuming, and other methods of cleaning and polishing the exterior and interior finishes an automotive vehicle as a business or part of a business conducted for a client or a vehicle for sale (**Reference Article 4, “Permissible Uses”**).

Carports: A structure that is open sided or devoid of walls, supported by poles or decorative posts, and may or may not be attached to an existing structure. A carport is to be used for temporary parking of no more than two operable motor vehicles, trailers or recreational vehicles, and shall not be used for any other purpose including storage of any type. Carports are not a substitute for a garage, and do not meet

30-17

Grand
Prairie

ARTICLE 30: DEFINITIONS

the requirements set forth in Article 10, "Parking and Loading Standards" of the Unified Development Code for dedicated on-site residential parking requirements. (**Reference Article 6, "Density and Dimensional Requirements"**).

Car Title Loan Business: An establishment that makes small consumer loans that leverages the equity value of a car or other vehicle as collateral where the title to such vehicle is owned free and clear by the loan applicant and any existing liens on the car or vehicle cancel the application. The loan terms are often for 30 days, and failure to repay the loan or make interest payments to extend the loan allows the lender to take possession of the car or vehicle (**Reference Article 4, "Permissible Uses"**).

Car Wash (Full-Service): Means a business or facility for which the principal use is the washing of automotive vehicles and including accessory uses such as vacuums, detailing, carpet shampooing, polishing or waxing along with retail sales of personal items or incidentals. A facility offering any mechanical service or repair of any kind shall be classified as Auto Repair. Wash bays must be covered to prevent storm water or surface runoff from entering the sanitary sewer system. Grease and sand traps are required from a vehicle wash and shall be connected to the sanitary sewer system (**Reference Article 4, "Permissible Uses"**).

Car Wash (Self-Service): Means a business or facility for which the principal use is the washing of automotive vehicles which may require the customer to exit the vehicle and wash by hand or initiate the wash process from within the vehicle without assistance from any attendant, and which does not include any ancillary uses other than self-service vacuums. Wash bays must be covered to prevent storm water or surface runoff from entering the sanitary sewer system. Grease and sand traps are required from a vehicle wash and shall be connected to the sanitary sewer system (**Reference Article 4, "Permissible Uses"**).

Carwash (Public): Self-service and commercial establishment, primarily engaged in washing, waxing, and polishing motor vehicles, or in furnishing facilities for the self-service washing of motor vehicles.

Carwash (Private): Private maintenance facility located on a commercial business site solely for the use of the business located on that site, not to include repair for fuel services.

Cemetery: Property that is used for the internment of the deceased.

Central Business District: A geographical overlay district along Main and Jefferson Streets with differentiated land uses.

Certificate of Occupancy: An official certificate issued by the City, which indicates conformance with, or approved conditional waiver from, the Zoning Ordinance and with authorizes legal use of the premises for which it is issued.

Changeable Sign: **Reference Article 9 "Sign Standards"** for definition.

Character: Individual alphabet letter or numeral (**Reference Article 9, "Sign Standards"**).

30-18 **Chassis:** The steel frame attached to axles, wheels and a towing device, that holds and supports the body of a HUD code manufactured home, for example.

Grand
Prairie

ARTICLE 30: DEFINITIONS

Check Cashing Business: An establishment that provides to the customer an amount of money that is equal to the face of the check or the amount specified in written authorization for an electronic transfer of money, less any fee charged for the transaction, and where there is an agreement not to cash the check or execute an electronic transfer of money for a specific period of time. This definition excludes a state or federally chartered bank, savings and loan associations, credit unions, pawnshops or grocery stores. This definition may exclude retail convenience store or similar businesses that cashes checks or money orders or issues money orders or money transfers for a minimum flat fee as a service that is incidental to its main purpose or business, provided such business does not cash more than 100 checks in any calendar month as determined by an audit by the City Finance Director or designee (**Reference Article 4, “Permissible Uses”**).

Chief Building Official: The administrative official who is responsible for issuing permits and enforcing the building codes of the City of Grand Prairie.

Child Care Center: See “Day Care”

Church/Synagogue/Temple: A building or structure, or group of buildings or structures, which by design and construction is primarily intended for the conducting of organized religious services. Accessory uses may include a parsonage/rectory or fellowship hall.

City: The City of Grand Prairie, Texas (**Reference Article 22, “Fee Schedule,” Article 9, “Sign Standards”**).

City Council: The elected governing body of the City of Grand Prairie.

City Manager: The appointed chief administrator of the City of Grand Prairie.

Cleaning and Pressing (Small Shop & Pick-Up): A custom cleaning shop not exceeding five thousand (5000) square feet for floor area.

Cleaning Plant: A facility whereby dirt and other impurities are removed from fabrics and/or materials.

Clear Cutting: The removal of all of the trees or a significant majority of the trees within an area of land (**Reference Article 8, “Landscape and Screening”**).

Crime Prevention Through Environmental Design (CPTED): An urban design concept that emphasizes natural surveillance, territorial reinforcement, control of natural access and the use of design features that prohibit entry or access to targeted areas.

Critical Feature: Means an integral and readily identifiable part of a flood protection system, without which the flood protection provided by the entire system would be compromised (**Reference Article 15, “Floodplain Management”**).

Clinic: A health care facility where patients are admitted for medical examination and/or treatment by one or more physicians, psychologists, social workers or other health care professionals, which includes on-site facilities for minor medical procedures not requiring admittance to a hospital, and which may include facilities for overnight lodging.

30-19

Grand
Prairie

ARTICLE 30: DEFINITIONS

Clothing Manufacture Facility: A facility where fabric is assembled into wearing apparel. Activities include, but are not limited to, cutting, sewing and forming garments, millinery and accessories.

Collector Street: A roadway intended to provide access to local streets in an area, from a major thoroughfare, as more precisely defined by the City's adopted Master Transportation Plan, Article 23 of the Unified Development Code (**Reference Article 12 "Platting"**).

College Dormitory: A building used as group living quarters for a student or as an accessory use for a college, university or boarding school.

College or University: An educational institution authorized by the state to award associate, baccalaureate or higher degrees.

Commercial Auto Parking: Means a parking lot which is used for automotive vehicles for a fee. Commercial parking lots may provide public parking for a fee or provide private parking for businesses needing additional parking for company vehicles for a fee. All commercial parking must meet the City's minimum paving and screening standards for the proposed use (**Reference Article 4, "Permissible Uses"**).

Commercial Sign: **Reference Article 9 "Sign Standards"** for definition.

Commercial Vehicle, Maintenance, & Repair, Private: Maintenance facility located on a commercial business site solely for the use of the business located on that site, not to include car wash area or fuel service. Repair work shall be restricted to normal maintenance services and minor vehicular repairs.

Commercial Vehicle, Maintenance & Repair, Auxiliary Private: Auxiliary facility located on a commercial business site solely for the use of the business located on that site and not available to the public at large. Facility may include maintenance/repair shop or bay. All maintenance services listed above shall be for business related fleet vehicles and or machinery used or stored on site.

Commissary: A specialized food establishment other than a restaurant, grocery, or other food-related businesses listed as Manufacturing in Article 4, typically with no retail storefront or public dining area, that has the capabilities of cooking, cooling, reheating, preparing, stocking, storing, and replenishing food items for off-premise sale or consumption. Includes Commissary as defined in Sec. 13-236 of the Code of Ordinances.

Commission: Where not otherwise stated, the Planning and Zoning Commission (**Reference Article 12 "Platting"**).

Completion of Irrigation System Installation: When the landscape irrigation system has been installed, all minimum standards met, all tests performed, and the irrigator is satisfied that the system is operating correctly (**Reference Article 8, "Landscape and Screening"**).

Consignment Store: An enclosed facility in which used personal items such as clothes, jewelry, and/or artifacts, and/or small furniture is resold through a broker for the owner at an agreed upon price.

Consulting: The act of providing advice, guidance, review or recommendations related to landscape irrigation systems or other professional services (**Reference Article 8, "Landscape and Screening"**).

30-20

Grand
Prairie

ARTICLE 30: DEFINITIONS

Consumer: The actual user of water or sewerage from a city water and sewerage connection (**Reference Article 12 “Platting”**).

Content: Signs shall be regulated herein regardless of content or lack thereof. Sign faces without letters; pictures or words shall still be regulated as a sign (**Reference Article 9, “Sign Standards”**).

Contractor Shop without Outside Storage or Display: A business in which services utilized in the improvement and/or maintenance of structures or properties and requiring specialized materials, supplies, and/or expertise are normally provided at the customer's location rather than at the business location. No outside storage or display of materials, supplies or equipment of any kind shall be allowed except for parking of business vehicles limited to automobiles, conventional pick-ups and vans (not including trailers), limited to a maximum of one-ton capacity at the business location. Examples of contractor shops with no outside storage or display might include, but are not limited to heating, ventilation and air conditioning contractors, electrical contractors, plumbing contractors, and similar businesses not otherwise provided for in the Use Charts.

Contractor Shop with Conditional Outside Storage or Display: A business in which services utilized in the improvement and/or maintenance of structures or properties and requiring specialized materials, supplies, and/or expertise are normally provided at the customer's location rather than at the business location. Conditional outside storage or display of materials, supplies, or equipment is allowed only as follows:

- A. Parking of larger vehicles will be allowed only on side or rear yards not adjacent to a public street and screened by a seven-foot non-transparent screening fence on all-weather paved asphalt or concrete surface.
- B. Maximum height of any equipment or materials on a trailer is eight feet. No other outside storage of materials or supplies can occur, except for what remains on a trailer and is transported to and from a job site. All other storage of supplies or materials is to be kept inside a building on site.
- C. Maximum length of truck and bed combination is 27 feet. Maximum rating of trucks is 2 1/2 tons, or 28,000 pounds gross vehicle weight.
- D. Maximum size of a trailer is 18 feet with a gross vehicle weight of 10,000 pounds.
- E. That the same striped parking and paving standards as established in the definition be retained to establish minimum standards for required on-site parking of standard vehicles.

Contractor Shop with Outside Storage or Display: A business in which services utilized in the improvement and/or maintenance of structures or properties and requiring specialized materials, supplies, and/or expertise are normally provided at the customer's location rather than at the business location, and in which the necessary materials, supplies or equipment are stored, displayed, or parked outside and on site at the business location.

Convenience Store: A typically free-standing, small market often franchised that is designed to be easily accessible, frequently offers, extended service hours, and aims at fast convenient services, purchase of necessities, staple goods, auto and household items, (limited choice and stock) snack food, hot coffee and/or food, with or without gasoline service.

30-21

Grand
Prairie

ARTICLE 30: DEFINITIONS

Corner Clip: Right-of-way that is provided on each corner of an intersection, in the shape of a triangle for the purpose of installing curbs, gutters, and traffic control devices. The side of the triangle adjacent to the street typically has a length of 15 feet (**Reference Article 12 “Platting”**).

Corporate/Business Logo Signs: Signs that display a business logo, trademark or symbol (**Reference Article 9, “Sign Standards”**).

Corridor Development Certificate: The permit issued by the city prior to development within the Regulatory Zone of the Trinity River Corridor (**Reference Article 15, “Floodplain Management”**).

Corridor Development Certificate Manual: The current manual by that title (**Reference Article 15, “Floodplain Management”**).

Cost Participation: The method of cost sharing between the City and a developer in the construction of public improvements for streets, bridges, water and wastewater lines and drainage facilities, generally applicable when facilities are sized to accommodate more than the developer's project (**Reference Article 12 “Platting”**).

Court: An open unoccupied space, bounded on more than two sides by the walls of a building. An inner court is a court entirely surrounded by the exterior walls of a building. An outer court is a court having one side open to a street, alley, yard, or other permanent space.

Covered Patios or Porches: A covered, open-air entrance or exit to a building that either extends from the building's interior in a manner that forms a vestibule within the exterior wall; or, a roof structure that either projects, is attached or contiguous with the existing roofline and exterior wall surface. Covered porches and patios shall be considered to be open-air structures if they are open (not enclosed) on three or more sides. Totally enclosed and climate controlled porches, or “sun room” type additions, are considered to be a habitable addition to the primary structure and will be required to meet all requirements for a habitable space (**Reference Article 6, “Density and Dimensional Requirements”**).

Credit: The amount of the reduction of an impact fee for fees, payments or charges for or construction of the same type of capital improvement for which the fee has been assessed (**Reference Article 22, “Fee Schedule”**).

Credit Union: See “Bank”

Crime Prevention Through Environmental Design (CPTED): An urban design concept that emphasizes natural surveillance, territorial reinforcement, control of natural access and the use of design features that prohibit entry or access to targeted areas (**Reference Article 8, “Landscape and Screening”**).

Critical Feature: **Reference Article 15, “Floodplain Management”** for definition.

Critical Root Zone (CRZ): The area of undisturbed natural soil around a tree defined by a concentric circle with a radius equal to the distance from the trunk to the outermost portion of the drip line (**Reference Article 8, “Landscape and Screening”**).

30-22

Grand
Prairie

ARTICLE 30: DEFINITIONS

Cross-Connection: An actual or potential connection between a potable water source and an irrigation system that may contain contaminants or pollutants or any source of water that has been treated to a lesser degree in the treatment process (**Reference Article 8, "Landscape and Screening"**).

Cul-de-sac: A street that terminates in a vehicular turnaround (**Reference Article 12 "Platting"**).

Custom Personal Service Shop: A shop, which provides customized personal services such as a trailer, shoe repair, barber or beauty shop, health studio, or travel consultant.

Cut/Fill: Areas where the natural ground level has been excavated (cut) or fill brought in (**Reference Article 8, "Landscape and Screening"**).

Cutout: Additional square footage allowance added to the maximum area of a rectangular sign face to allow projections from the face. The maximum area for a cutout is 20% of the surface area (**Reference Article 9, "Sign Standards"**).

---D---

Day Camp: A recreational area, with or without buildings, where children engage in supervised training and recreation during daylight hours.

Day Care Center or Day Nursery: An establishment enrolling four or more children under age 5, and where tuition, fees, or other forms of compensation for the care of the children is charged, and which is licensed or approved to operate as a child care center in accordance with **Chapter 13, Article 7**, Code of Ordinances.

Daytime: The hours between sunrise and sunset on any given day (**Reference Article 9, "Sign Standards"**).

Decibel: A unit measurement of sound pressure (**Reference Article 9, "Sign Standards"**).

Department Store: A store selling a wide selection of merchandise and displayed in various locations termed departments and/or sections but located within the same building and/or space.

Depth of Lot: See **"Lot Depth"**

Design: The act of determining the various elements of a landscape irrigation system that will include, but not be limited to, elements such as collecting site specific information, defining the scope of the project, defining plant watering needs, selecting and laying out emission devices, locating system components, conducting hydraulics calculations, identifying any local regulatory requirements, or scheduling irrigation work at a site. Completion of the various components will result in an irrigation plan (**Reference Article 8, "Landscape and Screening"**).

Design Pressure: The pressure that is required for an emission device to operate properly. Design pressure is calculated by adding the operating pressure necessary at an emission device to the total of all pressure losses accumulated from an emission device to the water source (**Reference Article 8, "Landscape and Screening"**).

30-23

Grand
Prairie

ARTICLE 30: DEFINITIONS

Designated Public Park Areas or Facilities: City, State, or federally named, operated, maintained and/or identified public park grounds or recreational facilities as opposed to privately held, owned or operated park facilities.

Developer: The person or organization seeking to develop or plat land (**Reference Article 12, “Platting”**).

Development: Means any manmade change to improved and unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials (**Reference Article 15, “Floodplain Management”**).

Development Review Committee (DRC): The Development Review Committee is an advisory body composed of City staff members that are designated by various department heads and division managers to conduct the initial review of development applications required under the Unified Development Code (UDC). The DRC serves in an advisory capacity to the Planning and Zoning Commission, and the City Council, in determining if an application for development is in conformance with all relevant requirements of the UDC. The various city departments represented at the DRC would include, but not be limited to, the Planning Division, Engineering Division, Building Inspections, Transportation Services, Fire, Police, Environmental Services, Legal Department and Code Compliance. Representatives from local utility companies are also represented on the Development Review Committee.

Digital Billboard: Means an off-premise sign, display or device, which changes the static message or copy by electronic means. The sign must be operated by an entity possessing an outdoor advertising license issued by the Texas Department of Transportation (TXDOT) (**Reference Article 9, “Sign Standards”**).

Dinner Theater: A theatrical entertainment facility in which the primary use involves the viewing of programmed entertainment events that include cinematic, live theatrical, dramatic, or musical performances performed on a stage and/or on a viewing screen to patrons who have purchased a ticket for the entertainment venue and who are seated at tables consuming food and beverages. A full service restaurant shall be permitted only as an accessory use to the entertainment function. The restaurant use, including any associated bar facility, shall only be operational and open to the public during scheduled entertainment events (**See definition of Full Service Restaurant**).

Directional Sign: **Reference Article 9, “Sign Standards”** for definition.

Director: This is the Director of the Planning and Development Department of the City of Grand Prairie. The Director may designate the Development Review Committee as a designee, or may chose a designated agent to act is his or her capacity.

Dissolve: Means a type of display transition between static message displays that is achieved with varying light intensity and where the first message gradually appears to dissipate and lose legibility simultaneous to the gradual appearance and legibility of the subsequent message (**Reference Article 9, “Sign Standards”**).

30-24 **District:** One of the zoning classifications in the City for which the regulations governing the area, height or use of the land and buildings are uniform.

Grand
Prairie

ARTICLE 30: DEFINITIONS

Distillery (with on-premise sales and/or consumption): See “Brewpub.”

Double Check Valve: An assembly that is composed of two independently acting, approved check valves, including tightly closed resilient seated shutoff valves attached at each end of the assembly and fitted with properly located resilient seated test cocks. Also known as a Double Check Valve Backflow Prevention Assembly (**Reference Article 8, “Landscape and Screening”**).

Double-Frontage (Lot): A lot that has street frontage on both the front and rear of the lot, with the address assigned only on the front of the property, with the primary means of access being provided on the front (**Reference Article 12 “Platting”**).

Drip Line: A vertical line running through the outermost portion of the canopy of a tree and extending to the ground (**Reference Article 8, “Landscape and Screening”**).

Drive Entrance/Exit Signs: Directional signs relating solely to internal circulation. These signs do not have to adhere to any setback as long as they are no taller than 30 inches, are not located within any easement and are not within right-of-way. They may only be used to direct traffic in or out of the site and may bear the name of the business on-site, but may not advertise any products or services. The sign must be constructed of similar materials to the primary structure on the site or a Unified Signage Plan may be required at the discretion of the Director of Planning and Development or the Director’s designee (**Reference Article 9, “Sign Standards”**).

Driving School: An establishment that trains persons to operate motorized vehicles.

Dwelling: A building or portion thereof which is arranged, occupied or intended for residential use, including facilities for food preparation, sleeping, and bathroom(s), occupied by not more than one family.

Dwelling, Four-Family (Quadraplex, Fourplex): A detached building having four dwelling units with separate accommodations for, and occupied by, not more than four families. This dwelling shall not be occupied by more than eighteen persons unrelated by blood, marriage, or adoption. No individual unit may be resided in by six (6) or more persons unrelated by marriage, blood, or adoption.

Dwelling, Fraternity/Sorority: A detached building or dwelling unit maintained exclusively for members of Greek letter organizations and their guests or visitors and affiliated with an academic or professional college, university or other institution of higher learning.

Dwelling - HUD-Code Manufactured Housing:

- A. A structure, constructed on or after June 15, 1976, according to the rules of the U.S. Dept. of Housing and Urban Development, transportable in one or more sections, which in the travel mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems. The term does not include a recreational vehicle.
- B. “Manufactured Housing” or “Manufactured home” means a HUD-code manufactured home or a mobile home and collectively means and refers to both.

30-25

Grand
Prairie

ARTICLE 30: DEFINITIONS

- C. "Mobile Home" means a structure that was constructed before June 15, 1976 transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems.

Dwelling, Hybrid Housing (build to rent): A dwelling, single family attached or townhouse, designed and constructed specifically for rent and located on a single lot or tract with multiple other units. This dwelling shall not be occupied by more than six (6) persons unrelated by blood, marriage, or adoption.

Dwelling - Industrialized Housing or Home (previously known as "Modular" Home): A residential structure that is designed for the use and occupancy of one or more families, that is constructed in one or more modules or constructed using one or more modular components built at a location other than the permanent residential site and which is built without a chassis, and that is designed to be used as a permanent residential structure when the modules or modular components are transported to the permanent residential site and are erected on or affixed to a permanent foundation system. The term includes the plumbing, heating, air-conditioning, and electric systems.

Dwelling, Live/Work: A structure or portion of a structure that combines a commercial activity that is allowed in the zoning district with a residential living space for the owner of the commercial business or the owner's employee, and where the resident owner or employee of the business is responsible for the commercial activity performed.

Dwelling, Mobile Home: A dwelling unit designed to be on a permanent chassis, as a house which is made immobile and used as a temporary or permanent dwelling, or as part of a permanent dwelling, in accordance with the Texas Manufactured Housing Statute: but not including pick-up campers or travel trailers used temporarily for camping or outings.

Dwelling, Modular Home: A manufactured dwelling unit designed not to be on a permanent chassis, but instead affixed to a permanent foundation in accordance with the Texas Manufacturing Housing Statute.

Dwelling, Multi-Family: A building or portion thereof, which is designed, built, rented, or occupied as a home or residence of three or more families.

Dwelling, Single Family-Attached: A dwelling which is joined to another dwelling at one or more sides by a party wall or abutting separate wall, and which is designed for occupation by one family. This dwelling shall not be occupied by more than six (6) persons unrelated by blood, marriage, or adoption.

Dwelling, Single Family-Detached: A dwelling designed and constructed for occupancy by one family, and located on a lot or separate building tract, and having no physical connection to a building located on any other lot or tract. This dwelling shall not be occupied by more than six (6) persons unrelated by blood, marriage, or adoption.

30-26 **Dwelling, Three-Family (Triplex):** A detached building having three dwelling units with separate accommodations for, and occupied by, not more than three families or eighteen (18) boarders or lodgers

Grand
Prairie

ARTICLE 30: DEFINITIONS

(Six boarders or lodgers to each unit). This dwelling shall not be occupied by more than eighteen persons unrelated by blood, marriage or adoption.

Dwelling, Two-Family: A detached building having two dwelling units with separate accommodations for, and occupied by, not more than two families, or by two families and not more than four (4) boarders or lodgers (two boarders or lodgers to each unit).

Dwelling Unit: A building or portion of a building, which is arranged, occupied or intended to be occupied as living quarters for a family, and includes facilities for food preparation and sleeping.

----E----

Easement: A privilege or right of use or enjoyment granted on, above, under, or across a particular tract of land by one-owner to another or to the public, as for utility access or drainage purposes (**Reference Article 12 “Platting”**).

EIA-222: Electronics Industries Association Standard 222, “Structural Standards for Steel Antenna Towers and Antennas Support Structures” (Reference **Article 24, “Wireless Telecommunications Facilities”**).

Elevated Building: Means, for insurance purposes, a non-basement building, which has its lowest elevated floor, raised above ground level by foundation walls, shear walls, posts, piers, pilings or columns (**Reference Article 15, “Floodplain Management”**).

Elevation Certificate: An administrative tool used by the National Flood Insurance Program (NFIP) to document the elevation of the lowest floor (including basement) of an existing, new or substantially improved building (**Reference Article 15, “Floodplain Management”**).

Emission Device: Any device that is contained within an irrigation system and that is used to apply water. Common emission devices in an irrigation system include, but are not limited to, spray and rotary sprinkler heads, and drip irrigation emitters (**Reference Article 8, “Landscape and Screening”**).

Employed: Engaged or hired to provide consulting services or perform any activity relating to the sale, design, installation, maintenance, alteration, repair, or service to a professional service such as irrigation systems. A person is employed if that person is in an employer-employee relationship as defined by Internal Revenue Code, 26 United States Code Service, §3212(d) based on the behavioral control, financial control, and the type of relationship involved in performing employment related tasks (**Reference Article 8, “Landscape and Screening”**).

Employees: A person(s) who works for another person or company in return for financial or other compensation, including those persons who are regularly employed as independent contractors. The regular working staff; paid, volunteer, or otherwise - at maximum strength and in full time equivalent numbers necessary to operate, maintain, or service any given facility of use under normal levels of service.

Engine/Major Component Replacement: A type of repair procedure, which consists exclusively of the removal and replacement of a major automotive component such as the engine, transmission, axle, differential or similar major component. This replacement includes necessary connections and seals but

30-27

Grand
Prairie

ARTICLE 30: DEFINITIONS

excludes dismantling or disassembly of the major automotive component (**Reference Article 4, "Permissible Uses"**).

Equal Degree of Encroachment: **Reference Article 15, "Floodplain Management"** for definition.

Erection/Construction/Installation: The process whereby a sign is put in place (**Reference Article 9, "Sign Standards"**).

Erosion Hazard Area: Land adjacent to a watercourse regulated by Article 15, which is determined by the Floodplain Administrator to be subject to flood-related erosion losses (**Reference Article 15, "Floodplain Management" & Article 12, "Platting"**).

Erosion Hazard Setback: The minimum horizontal distance from the toe of the slope of the bank of a watercourse that a structure must be constructed or placed to be outside the erosion hazard area (**Reference Article 15, "Floodplain Management" & Article 12, "Platting"**).

Escort Agency: A person who or business association, which furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes, for a fee, tip, or other consideration.

Establishment: (Sexually Oriented Business) Any of the following:

- A. the opening or commencement of any sexually oriented business as a new business;
- B. the conversion of an existing business, whether or not a sexually oriented business;
- C. the addition of any sexually oriented business to any other existing sexually oriented business; or
- D. the relocation of any sexually oriented business.

Exception: A grant of permission that authorized the sub divider to deviate in a specified manner from the strict requirements of this article, as approved by City Council (**Reference Article 12 "Platting"**).

Existing Construction: For the purposes of determining rates, structures for which the "start of construction" commenced before the effective date of the FIRM or before January 1, 1975, for FIRMs effective before that date. "Existing construction" may also be referred to as "existing structures" (**Reference Article 15, "Floodplain Management"**).

Existing Manufactured Home Park or Subdivision: A manufactured home park or subdivision for which the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including, at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed before the effective date of the floodplain management regulations adopted by a community (**Reference Article 15, "Floodplain Management"**).

Expansion to an Existing Manufactured Home Park or Subdivision: The preparation of additional sites by the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) (**Reference Article 15, "Floodplain Management"**).

30-28

Grand
Prairie

ARTICLE 30: DEFINITIONS

Extra-Territorial Jurisdiction: That portion of the City's jurisdiction, as provided for by State statute, which lies outside of the City limits (**Reference Article 12 "Platting"**).

----F----

Fabrication/Assembly: Businesses engaged in the assembly of pre-manufactured parts into finished products or components. Operations that alter the physical or chemical structure of materials fall under the definition of "Manufacturing" and are specifically excluded, except those operations that are incidental to and necessary for the finish-out of a product. Such finish-out operations include but are not limited to the drilling or punching of holes, burnishing or de-burring, polishing, gluing, routing, incidental welding and similar low-intensity operations.

Facility Expansion: The expansion of the capacity of an existing facility that serves the same function as an otherwise necessary new capital improvement, in order that the existing facility may serve new development. The term does not include the repair, maintenance, modernization or expansion of an existing facility to improve existing development (**Reference Article 22, "Fee Schedule"**).

Fade: Means a type of display transition between static message displays that is achieved with varying light intensity and where the first message gradually loses light intensity to the point of not being legible and the subsequent message gradually increases intensity to the point of legibility (**Reference Article 9, "Sign Standards"**).

Family: Any number of individuals living together as a single housekeeping unit, in which not more than six (6) individuals are unrelated by blood, marriage, or adoption.

Family Living: The residential occupancy of a dwelling unit by a family where tenancy is arranged on a month to month or longer basis. Residential occupancy where tenancy is arranged for less than 30 days is a form of transient lodging. Accessory uses commonly associated with Family Living are recreational activities, raising of pets, gardening, hobbies, and parking of the occupants' vehicles.

Farm, Ranch or Orchard: An area of five (5) acres or more which is used for the growing of usual farm products, vegetables, fruits, trees and grain and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle, and sheep, and including any type of agriculture or husbandry specifically prohibited by ordinance or law.

Farm Product Sign: Signs that list those products (crops or animals) produced on site (**Reference Article 9, "Sign Standards"**).

Farmer's Market: The retail sale of farm products by individual vendors for the primary purpose of selling fruits, vegetables, herbs, spices, edible seeds, nuts, live plants, flowers, and honey.

Fee Rate: The dollar rate per service unit established by this Article for paying and collecting impact fees. The fee rate is less than or equal to the maximum fee rate. Fee rates for water and wastewater facilities are established in **Article 22, "Fee Schedule"** (**Reference Article 22, "Fee Schedule"**).

Fence: Any construction of wood, metal, wire mesh, masonry, or other material, erected for the purpose or assuring privacy or protection (**Reference Article 8, "Landscape and Screening"**).

30-29

Grand
Prairie

ARTICLE 30: DEFINITIONS

Final Plat: The second phase of the platting process, which converts the preliminary plat into a legal document, which shall upon approval, by the City of Grand Prairie be recorded with the appropriate county, prior to the sale to lots or the issuance of building permits (**Reference Article 12 “Platting”**).

Final Plat Approval or Approval of a Final Plat: The point at which the applicant has complied with all conditions of approval and the plat has been released for filing with the County Clerk (**Reference Article 22, “Fee Schedule”**).

Fire Station: A building designed to contain fire equipment, fire fighting personnel, and other emergency services, as well as provide temporary living facilities for the fire fighters.

Flat Wall Signs/Fascia Signs: A sign that is attached or affixed parallel or flat to a building wall or structure, other than a pole (**Reference Article 9, “Sign Standards”**).

Flea Market: A market where the owner(s) leases or otherwise provides spaces to individual vendors, for the sale of used and/or second hand goods, items, materials and merchandise which are usually less than twenty (20) years of age; or older items which would not normally derive a value from their age (i.e. not antiques), but not including the sale of antiques, arts and crafts, or new items or merchandise.

Flex Industrial: Means an industrial business park consisting of office and low intensity industrial activity involved with assembly and fabrication conducted wholly within an enclosed building that conforms to exceptionally high developmental, operational and environmental standards. This category is intended to encourage an office/employment identity which supports corporate headquarters, and general office developments.

Flood or Flooding: A general and temporary condition of partial or complete inundation of normally dry land areas from (**Reference Article 15, “Floodplain Management”**).

- (1) The overflow of inland or tidal waters.
- (2) The unusual and rapid accumulation or runoff of surface waters from any source.

Flood Elevation Study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards (**Reference Article 15, “Floodplain Management”**).

Flood Insurance Rate Map (FIRM): An official map of a community, on which the Federal Emergency Management Agency has delineated both the special flood hazard areas and the risk premium zones applicable to the community (**Reference Article 15, “Floodplain Management”**)

Flood Insurance Study: See Flood Elevation Study (**Reference Article 15, “Floodplain Management”**)

Floodplain Management: Means the operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works and floodplain management regulations (**Reference Article 15, “Floodplain Management”**).

30-30

Grand
Prairie

ARTICLE 30: DEFINITIONS

Floodplain Management Regulations: Means zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance and erosion control ordinance) and other applications of police power. The term describes such Texas or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction (**Reference Article 15, “Floodplain Management”**).

Flood Protection System: Those physical structural works for which funds have been authorized, appropriated, and expended and which have been constructed specifically to modify flooding in order to reduce the extent of the area within a community subject to a "special flood hazard" and the extent of the depths of associated flooding. Such a system typically includes hurricane tidal barriers, dams, reservoirs, levees or dikes. These specialized flood modifying works are those constructed in conformance with sound engineering standards (**Reference Article 15, “Floodplain Management”**).

Flood Proofing: Any combination of structural and non-structural additions, changes, or adjustments to structures, which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents (**Reference Article 15, “Floodplain Management”**).

Floodplain or Flood Prone Areas: Any land area susceptible to being inundated by water from any source (see definition of flood or flooding) (**Reference Article 15, “Floodplain Management”**).

Floodway: See Regulatory Floodway (**Reference Article 15, “Floodplain Management”**)

Floor Area: The total square footage or floor space within the perimeter dimensions of a building, including each floor level excluding cellars, carports or garages.

Floor Area Ratio: The ratio between the total square footage of gross floor space in building on a lot and the total square footage of land in the lot. It is the number resulting from dividing the building floor area by the lot area (result: a fraction or a percentage)

Fraternal Organization/Civic Club: A Non-Greek letter group of people organized for a common interest, usually cultural, religious, civic or entertainment, with regular meetings, rituals, and formal written membership requirements.

Free Standing Sign: Reference Article 9 “Sign Standards” for definition.

Transfer and Storage Facility: An establishment engaged in furnishing both trucking and storage services.

Freight Transfer Terminal: Means an establishment engaged in furnishing local and/or regional trucking and distribution services for non-hazardous goods, including general freight handling where the operator serves as an intermediate distribution point in a supply chain linking a producer and a receiving entity, typically a business. A Freight Transfer Terminal typically operates as a cross-dock facility and may also be utilized for long-term indoor storage services. Outside box trailer parking may be considered an ancillary use where such trailer parking does not occupy more than 50% of the overall site.

Frequency: The number of times per second a vibration or sound wave oscillates (**Reference Article 11, “Performance Standards”**).

30-31

Grand
Prairie

ARTICLE 30: DEFINITIONS

Frontage: All the property on one side of the street between two intersecting streets (crossing or terminating), measures along the line of the street; or if the street is dead-ended, then all of the property abutting on one side between an intersecting street or place and the dead-end of the street of place, or if neither of the above apply, then all the land abutting on one side of a particular block as designated by house numbers.

Fuel Dispensing, Private: Service facility located on a commercial business site solely for the use of the business located on that site, not available to the public at large, and *does* not include repair or car wash service.

Fully Developed: The condition of the watershed after the watershed has under-gone ultimate development (**Reference Article 15, "Floodplain Management"**).

Functionally Dependent Use: A use, which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and shipbuilding and ship repair facilities, but does not include long-term storage or related manufacturing facilities (**Reference Article 15, "Floodplain Management"**).

Funeral Home (Parlor): An establishment with facilities for the preparation of the dead for burial or cremation, or for the viewing of the body, and for funerals.

---G---

Garage Conversion: A building or portion of a building originally designed and constructed for the parking and storage of vehicles, which is remodeled into an enclosed living or work area.

Garage (Private Customer and Employee): A building or structure which is accessory to a non-retail commercial or manufacturing establishment, building or use and is primarily for the parking and storage of vehicles operated by the customers, visitors, and employees of the building. Parking is not available to the general public.

Garage (Public): A building or structure that is available to the general public for the parking and storage of vehicles.

Garage (Residential): An attached or detached accessory building which is subordinate to the primary structure, is not designed for human habitation, and which is used for the parking and storage of motor vehicles that are owned and operated by the residents of the primary structure. Such accessory building shall have a minimum of three or more enclosed side walls. Attached and detached residential garages satisfy the off street parking requirements stipulated in Article 10, "Parking and Loading Standards." Such buildings shall be required to meet all regulations located within this Article, and will be subject to all standards stipulated in Section 6, "Residential Off-Street/On-Site Parking Requirements," of **Article 10, "Parking and Loading Standards", of the Unified Development Code.**

Gasoline Pumps: Signs attached to or on top of gasoline, pumps may not exceed four feet in width and three feet in height (**Reference Article 9, "Sign Standards"**).

30-32

Grand
Prairie

ARTICLE 30: DEFINITIONS

Gasoline Service Station: Retail establishment primarily engaged in selling gasoline and lubricating oils. These establishments frequently sell other merchandise, such as tires, batteries, and other automobile parts, or perform minor repair work. All locations and uses in the City where gasoline is dispersed, whether self-service or full-service, shall provide pneumatic air pumps and water hoses for the use of any customer without further charge. All such air and water outlets shall be kept and maintained in operable condition. Any such air and water service found to be damaged, out of service or inoperable for more than seven days shall be considered a prima facie violation of this Ordinance.

Golf Course/Country Club (Public or Private): An area of twenty-five (25) acres or more containing a golf course and clubhouse, which is available to a specific recorded membership or for a fee. Such a club may include, as adjacent facilities, a dining room, private club, swimming pool, cabanas, tennis courts, and similar service and recreational facilities for patrons.

Governmental Building: A building which is owned or operated by a city, county, state, federal government, or school district which is open for use by the general public.

Grade: The change in vertical rise divided by the change in horizontal distance, expressed as a percentage (**Reference Article 12 “Platting”**).

Greenhouse (Non-Retail or Hobby): A building whose roof and/or sides are made of glass or other transparent or translucent material and in which the temperature and humidity may be regulated for the cultivation of delicate or out-of-season plants for personal enjoyment.

Greenhouse (Retail): A building whose roof and/or sides are made of glass or other transparent approved or translucent materials, and in which the temperature and humidity may be regulated for the cultivation of delicate or out-of-season plants for subsequent sale.

Gross Site Area: Area used to calculate landscape requirements. This area is calculated as follows (**Reference Article 8, “Landscape and Screening”**):

- A. **For Undeveloped Sites:** All areas of a site, except required buffer yards.
- B. **For Developed Sites:** All areas of the expanded site, except required buffer yards and requirements of Section 8.3.1.2.

Ground/Monument Signs: A sign not wholly supported on a building, or which has the ground as its main supporting structure (other than pole signs) (**Reference Article 9, “Sign Standards”**).

Group Living: The residential occupancy of a dwelling unit by a group of people who do not meet the definition of Family and where tenancy is arranged on a month to month or longer basis. Residential occupancy where tenancy is arranged for less than 30 days is a form of transient lodging. Accessory uses commonly associated with Group Living are recreational activities and parking of vehicles for occupants and staff.

---H---

Half-Way House (Criminal): A dwelling unit designed to provide a controlled living environment for ex-offenders who are in the process of returning to society.

ARTICLE 30: DEFINITIONS

Hard Surfaced: As used in this Article shall be concrete for new construction; and for existing construction shall include, but not be limited to asphalt, brick, or any other commonly accepted paving which was approved by the Chief Building Official for private property, or approved by the City Engineer for public rights-of-way (**Reference Article 10, "Parking and Loading Standards"**).

Hardware Store: An establishment where fittings, cutlery, tools, utensils or part of machines are sold at retail.

Head-to-Head Spacing: The spacing of spray or rotary heads equal to the manufacturer's published radius of the head (**Reference Article 8, "Landscape and Screening"**).

Health Care Facility: A facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human disease. These facilities include, but are not limited to clinics, doctors, and dentists offices, offices of supportive specialists such as physical, aural, and speech therapy, podiatry and psychological testing and counseling; dental, medical and optical laboratories and blood banks; prescription pharmacies; offices, stores, and display rooms for sale and rental of medical supplies and equipment. Ancillary uses include ambulance dispatch and airlift stations.

Health Hazard: A cross-connection or potential cross-connection with an irrigation system that involves any substance that may, if introduced into the potable water supply, cause death or illness, spread disease, or have a high probability of causing such effects (**Reference Article 8, "Landscape and Screening"**).

Heavy Equipment: Means heavy mechanical equipment used for excavation and construction, moving storage materials, and heavy lifting. Typical equipment would be backhoes, front end loaders, fork lifts, bulldozers, road graders, earth movers and any other similar equipment (**Reference Article 4, "Permissible Uses"**).

Heavy Equipment Parking or Storage: Means a parking lot, which is used for the short or long term parking or storage of heavy equipment for a fee. All commercial parking lots must meet the City's minimum paving standard for the proposed use. Alternative paving standards must be submitted to the City Engineer for review and approval (**Reference Article 4, "Permissible Uses"**).

Heavy Truck: A vehicle designed and used for commercial purposes with a gross vehicle weight in excess of 15,000 pounds, including semi-tractor with or without trailer, or any trailer designed to be towed by a semi-tractor (**Reference Article 4, "Permissible Uses"**).

Heavy Truck Parking or Storage: Means a parking lot, which is used for the short or long term parking or storage of heavy trucks or trailers for a fee. All commercial parking lots must meet the City's minimum paving standard for the proposed use. Alternative paving standards must be submitted to the City Engineer for review and approval (**Reference Article 4, "Permissible Uses"**).

Height (Airport Hazard District): When found in **Article 7 "Special Districts", Section 2 "Airport Hazard Districts"** - the term shall mean the distance measured from mean sea level to the top of the structure being measured, unless otherwise specified.

30-34

Grand
Prairie

ARTICLE 30: DEFINITIONS

Height (Building): The vertical distance of a building measured from the average established grade at the street line, or from the average natural front yard ground level, whichever is higher to: (1) the highest point of the roof's surface if a flat surface; (2) to the deck line of mansard roofs; or (3) to the mean height level between eaves and ridge for hip and gable roofs; and in any event excluding chimneys, cooling towers, elevator bulkheads, penthouses, tanks, water towers, radio towers, ornamental cupolas, domes or spires, and parapet walls not exceeding ten (10) feet in height. If the street grade has not been officially established, the average front yard grade shall be used for a base level.

Height (Legal): The maximum height of a building permitted by any airport zoning ordinance or other ordinances restricting the height of structures.

Height of Signs: Height of signs shall be considered measured from the grade at the base of the sign to its maximum height as specified, unless otherwise specifically provided for in this Article (**Reference Article 9, "Sign Standards"**).

Heliport: An area, either at ground level or elevated on a structure, licensed or approved for the loading and take-off of helicopters, and including auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

Helistop: A heliport without auxiliary facilities such as parking, waiting room, fueling and maintenance equipment.

Highest Adjacent Grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure (**Reference Article 15, "Floodplain Management"**).

Historical Markers Plaques: Signs that designate an official historical site or structure (**Reference Article 9, "Sign Standards"**).

Historic Structure: Means any structure that is:

- (1) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- (2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- (3) Individually listed on a Texas inventory of historic places in Texas with historic preservation programs which have been approved by the Secretary of the Interior; or
- (4) Individually listed on a local inventory or historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved Texas program as determined by the Secretary of the Interior or;
 - b. Directly by the Secretary of the Interior in Texas without approved programs.

(**Reference Article 15, "Floodplain Management"**)

30-35

Grand
Prairie

ARTICLE 30: DEFINITIONS

Home for the Aged (Nursing Home): An extended or intermediate and facility licensed or approved to provide full-time convalescent or chronic care to individuals who, by reason of advanced age, chronic illness or infirmity, are unable to care for themselves.

Home Occupation: An occupation customarily carried on in the home, by a member of the occupant's family without the employment of additional person; without the use of a sign advertising the occupation on or off the premises. No commodity may be offered for sale on the premises. The occupation cannot create conditions that are offensive in nature such as noise, odor, increased traffic, smoke, etc. Any activity carried out for gain by a resident conducted as an accessory use cannot exceed thirty (30) percent (%) of the total area within the resident dwelling unit, including the garage. In all cases, home occupations shall specifically exclude any automotive repair or additional vehicular traffic.

Horse Race Track Facility: shall mean all the property and structures for which a license has been granted to operate a Class 1 horse race track by the Texas Racing Commission and for which an alcoholic beverage license has been issued by the State of Texas and the City of Grand Prairie pursuant to Chapter 3 of the Code of Ordinances (**Reference Article 11, "Performance Standards"**).

Hospice: A facility designed to provide a caring environment for supplying the physical and emotional needs of the terminally ill.

Hospital: A health care facility which provides primary health services and medical or major surgical care to persons, primarily in patients, suffering from illness, disease, injury, deformity and other abnormal physical or mental conditions, and including, as a integral part of the institution, related facilities such as laboratories, outpatient facilities or training facilities.

Hotel: See "Lodging Facilities"

Household Appliance Service and Repair Facility: An establishment which repairs radio, television, and other household appliances but not involving the repair of small gasoline engines or the use of equipment which generates noise, odor, or electrical frequencies, so as not to interfere with the use and enjoyment of adjacent property.

HUD Code Manufactured Home: See "Dwelling - HUD Code Manufactured Home"

Hydraulics: The science of dynamic and static water; the mathematical computation of determining pressure losses and pressure requirements of an irrigation system (**Reference Article 8, "Landscape and Screening"**).

---|---

Identification Pylon: A permanent ground mounted sign consisting solely of a single monolithic structure used to identify a development (**Reference Article 24, "Wireless Telecommunications Facilities"**).

30-36

Identification Sign: Reference Article 9 "Sign Standards" for definition.

Grand
Prairie

ARTICLE 30: DEFINITIONS

Illegal Sign: Signs which are erected without a permit, without property owner permission, or which are erected in a zone without meeting minimum requirements of that zone (Reference [Article 9, “Sign Standards”](#)).

Illuminated Sign: Directly lighted by any artificial light source, internal or external ([Reference Article 9, “Sign Standards”](#)).

Immediate: Means a type of display transition that is achieved by the instantaneous changing from one message, content and/or image to another ([Reference Article 9, “Sign Standards”](#)).

Impact Fee: Either a charge or assessment for roadway or water or wastewater facilities imposed as set forth in this Code against new development. Impact fees do not include dedications of land for public parks or payments in lieu thereof, or dedication of rights-of-way or easements for such facilities of the construction or dedication of rights-of-way or easements for such facilities or the construction or dedication of on-site water distribution, waste-water collection or drainage facilities, or streets, sidewalks, or curbs if the dedication or construction is required by a valid ordinance and is necessitated by and attributable to the new development. Impact fees also do not include funds deposited in escrow for the construction of roadway improvements imposed pursuant to the platting Article, or pro rata charges or acreage fees to be placed in escrow for the purpose of reimbursing developers for over-sizing or construction of water or sewer mains for lines ([Reference Article 22, “Fee Schedule”](#)).

Impact Fee Statute: Chapter 35 of the Texas Local Government Code, as amended ([Reference Article 22, “Fee Schedule”](#)).

Individual & Family Social Services: Reference the Standard Industrial Classification Manual (SIC Code) #8322 for definition.

Indoor Auto Repairs: Means all assembly, disassembly, repairs or service work done inside a building which is completely enclosed. Open doors or windows are allowed for ventilation purposes ([Reference Article 4, “Permissible Uses”](#)).

Information Sign: [Reference Article 9 “Sign Standards”](#) for definition.

Inoperable Auto Holding Yard: Means a place or property where the principal use is limited to the storage, parking, or holding of three (3) or more whole inoperable vehicles for the purpose of retail or wholesale sales of said vehicles; or short or long term storage of said vehicles; provided however; that no repairs, dismantling, or partial dismantling, crushing, or compacting of said vehicles shall take place on said yard ([Reference Article 4, “Permissible Uses”](#)).

Inoperable Motor Vehicle: Means any motor vehicle that cannot be driven on a public thoroughfare because it does not have lawfully attached unexpired license plates, a valid motor vehicle safety inspection certificate, is wrecked, dismantled, partially dismantled, or requires Major Automotive Repairs as defined in this Article. Furthermore, any vehicle that remains on a lot in an un-drivable condition for a continuous period of more than forty-five (45) days shall be considered inoperable. ([Reference Article 4, “Permissible Uses”](#)).

30-37

Grand
Prairie

ARTICLE 30: DEFINITIONS

Inspector: A licensed plumbing inspector, water district operator, other governmental entity or irrigation inspector who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor (**Reference Article 8, “Landscape and Screening”**).

Installer: A person who actually connects an irrigation system to a private or public raw or potable water supply system or any water supply, who is licensed according to Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations) (**Reference Article 8, “Landscape and Screening”**).

Institution of a Religious or Philanthropic Nature: Institutions sponsored or operated by organizations for religious or philanthropic purposes, including but not limited to orphan's homes, homes for the aged, training and educational facilities, meeting establishments and places of residence.

Internal Street: Streets, or the portion of streets, which lie within a subdivision (**Reference Article 12 “Platting”**).

Internet: Means a global computer network accessible to the general public which provides a variety of information and communication facilities using standardized communication protocols.

Irrigation Inspector: A person who inspects irrigation systems and performs other enforcement duties for a municipality or water district as an employee or as a contractor and is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations) (**Reference Article 8, “Landscape and Screening”**).

Irrigation Plan: A scaled drawing of a landscape irrigation system, which lists required information, the scope of the project, and represents the changes made in the installation of the irrigation system (**Reference Article 8, “Landscape and Screening”**).

Irrigation Program: Pursuant to House Bill (HB) 1656, HB 4, and Senate Bill (SB) 3, of the 80th Legislative Session, the Texas Commission on Environmental Quality (TCEQ) adopted Rule #2007-027-344-CE, effective on January 1, 2009 Chapter 344 of the Texas Commission on Environmental Quality requires municipalities with a population of 20,000 or more to adopt a landscape irrigation program (**Reference Article 8, “Landscape and Screening”**).

Irrigation Services: Selling, designing, installing, maintaining, altering, repairing, servicing, permitting, providing consulting services regarding, or connecting an irrigation system to a water supply (**Reference Article 8, “Landscape and Screening”**).

Irrigation System: An assembly of component parts that is permanently installed for the controlled distribution and conservation of water to irrigate any type of landscape vegetation in any location, and/or to reduce dust or control erosion. This term does not include a system that is used on or by an agricultural operation as defined by Texas Agricultural Code, §251.002 (**Reference Article 8, “Landscape and Screening”**).

Irrigation Technician: A person who works under the supervision of a licensed irrigator to install, maintain, alter, repair, service or supervise installation of an irrigation system, including the connection of such system in or to a private or public, raw or potable water supply system or any water supply, and

30-38

Grand
Prairie

ARTICLE 30: DEFINITIONS

who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations) (**Reference Article 8, "Landscape and Screening"**).

Irrigation Zone: A subdivision of an irrigation system with a matched precipitation rate based on plant material type (such as turf, shrubs, or trees), microclimate factors (such as sun/shade ratio), topographic features (such as slope) and soil conditions (such as sand, loam, clay, or combination) or for hydrological control (**Reference Article 8, "Landscape and Screening"**).

Irrigator: A person who sells, designs, offers consultations regarding, installs, maintains, alters, repairs, services or supervises the installation of an irrigation system, including the connection of such system to a private or public, raw or potable water supply system or to any water supply and who is required to be licensed under Title 30, Texas Administrative Code, Chapter 30 (relating to Occupational Licenses and Registrations) (**Reference Article 8, "Landscape and Screening"**).

Irrigator-in-Charge: The irrigator responsible for all irrigation work performed by an exempt business owner, including, but not limited to obtaining permits, developing design plans, supervising the work of other irrigators or irrigation technicians, and installing, selling, maintaining, altering, repairing, or servicing a landscape irrigation system (**Reference Article 8, "Landscape and Screening"**).

---J---

Jail (Primary Use): A building, or group of buildings designed to confine, and provide living quarters for those persons in lawful detention.

Junk Dealer: Any person, organization, partnership, corporation or association, which sells either used goods or goods, which were not produced or manufactured by such person, organization, partnership, corporation or association. Junk or secondhand dealer shall not mean persons, organizations, partnerships, corporations or associations which have a permanent place of business within the City of Grand Prairie and which have the majority of their sales occur at such permanent place of business.

Junked Vehicle: Any motor vehicle, as defined in Section 1 of Chapter 42, General Laws Act is of the 41st Legislature, 2nd Called Session, 1929 Article 6701d-11, Vernon's Texas Civil Statutes:

- A. is inoperable; and
- B. that does not have lawfully affixed to it either an unexpired license plate or a valid motor vehicle safety inspection certificate that is wrecked, dismantled or partially dismantled, or discarded, or that remains inoperable for a continuous period of more than 45 days.

---K---

Kiosk: A small, free standing, one story structure having a maximum floor area of six hundred (600) square feet, and used for commercial purposes, the posting of temporary information, and/or posters, notices and announcements. If kiosk is to be occupied, it shall have a minimum floor area of twenty-five (25) square feet.

Kiosk Sign Plaza: Means those sign structures featuring the Developer ID Panel at the top of each structure and located within, or immediately adjacent to, a subdivision or neighborhood for the purpose

30-39

Grand
Prairie

ARTICLE 30: DEFINITIONS

of directing traffic to the location of individual Homebuilder communities (**Reference Article 9, “Sign Standards”**).

Kitchen (Commercial): Permanent on-site service facilities for the preparation and service of multiple entrees for consumption by restaurant or food service establishment patrons. A kitchen shall contain food preparation equipment*, food and utensil storage, utensil sanitation equipment(if the establishment provides reusable utensils)**, any other area so designated by the Director of Health as necessary to the preparation of individual meals that will be served to the public in individual portions which can be consumed on the premises at which the meals are prepared.

* “Food preparation equipment” shall mean such equipment as stoves, ovens, ranges, slicers, mixers, meat blocks, tables, counters and steam tables. Food and utensil storage shall mean such items as walk-in refrigerators, walk-in freezers, reach-in refrigerators, reach-freezers, utensil racks, drawers and all food and paper goods storage areas within the main building and connected to the kitchen area.

** “Utensil sanitization equipment” shall mean such equipment as a commercial dishwasher with a pre-wash sink and sufficient table space upon which to air-dry utensils, and a three compartment sink.

The word “kitchen” does not apply to:

- A. Retail food stores as defined in the retail Food Sanitation code jointly published by the Association of Food and Drug Officials and the United States Department of Health and Human Services; nor
- B. Establishments that handle mostly prepackaged foods offered to the consumer and intended for off-premises consumption.

---L---

Landing Area: The surface area of an Airport or Heliport (Helistop) used for the landing, taking off or taxiing of aircraft.

Landscape Irrigation: The science of applying the necessary amount of water to promote or sustain healthy growth of plant material or turf (**Reference Article 8, “Landscape and Screening”**).

Land Use Assumptions: A description of the service area and projections of changes in land uses, densities, intensities and population and employment growth in the service area over at least a 10-year period which has been adopted by the City and upon which the Capital Improvements Plan is based (**Reference Article 22, “Fee Schedule”**).

Laundry or Cleaning Facility (Self-Service): An establishment providing washing, drying or dry cleaning machines or steam irons on the premises for rental use to the general public for family laundering for dry cleaning purposes.

Legal Height: The maximum height of a building permitted by any airport zoning ordinance or other ordinances restricting the height of structures (Ordinance 4198, 7-21-87).

30-40

Grand
Prairie

ARTICLE 30: DEFINITIONS

Levee: A manmade structure, usually an earthen embankment, designed and constructed in accordance with sound engineering practices to contain, control or divert the flow of water so as to provide protection from temporary flooding (**Reference Article 15, "Floodplain Management"**).

Levee System: A flood protection system which consists of a levee, or levees, and associated structures, such as closure and drainage devices, which are constructed and operated in accordance with sound engineering practices (**Reference Article 15, "Floodplain Management"**)

License: An occupational license that is issued by the Texas Commission on Environmental Quality under Title 30, Texas Administrative Code, Chapter 30 to an individual that authorizes the individual to engage in an activity that is covered by Title 30, Texas Administrative Code, Chapter 30 (**Reference Article 8, "Landscape and Screening"**).

Licensee: Means a person, persons, firm or corporation authorized by the license agreement to design, erect and maintain directional Sign Kiosk Plazas within the City (**Reference Article 9, "Sign Standards"**).

Light Compounding: The process whereby perfume or pharmaceutical are developed.

Light Manufacturing: Those manufacturing uses not otherwise defined in this Article or the Use Charts in Article 4 consisting primarily of product assembly and not involving the use of hazardous materials or chemicals.

Living Area: See **"Floor Area"**

Living Unit: See **"Dwelling,"** also the room or rooms occupied by a family, and must include cooking facilities.

Local Street: A street which is intended primarily to serve traffic within a neighborhood and which is not necessarily continuous from or through several residential areas, as defined more precisely by the City's adopted Master Transportation Plan, Article 23 of the Unified Development Code (**Reference Article 12 "Platting"**).

Light Truck: Trucks and similar vehicles with single rear axles, and a gross vehicle weight less than 15,000 pounds.

Locksmith: A person who makes or repairs locks and keys.

Lodging Facility: A commercial use consisting of units in a single building or associated group of buildings constructed and operated to an institutional standard, where lodging, one or more daily meals, cleaning, including trash services, and linen services are provided to transient visitors and guests for a defined period, typically on a "per night" basis. For the purposes of this definition, "transient" refers to a person or persons occupying any hotel for a period not exceeding thirty (30) consecutive days. Specific lodging use types include:

1. Hotel, Luxury: A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their

30-41

Grand
Prairie

ARTICLE 30: DEFINITIONS

average daily rate as “luxury” by STR, Inc., in its most recently published chain scale ratings for hotels in North America.

2. Hotel, Upper-Upscale: A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their average daily rate as “upper-upscale” by STR, Inc., in its most recently published chain scale ratings for hotels in North America.

3. Hotel, Upscale: A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their average daily rate as “upscale” by STR, Inc., in its most recently published chain scale ratings for hotels in North America.

4. Hotel, Upper-midscale: A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their average daily rate as “upper-midscale” by STR, Inc., in its most recently published chain scale ratings for hotels in North America.

5. Hotel, Midscale: A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their average daily rate as “midscale” by STR, Inc., in its most recently published chain scale ratings for hotels in North America.

6. Hotel, Economy: A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their average daily rate as “economy” by STR, Inc., in its most recently published chain scale ratings for hotels in North America.

7. Hotel, Independent: A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is associated with hotel brands that are rated based on their average daily rate as “independent” by STR, Inc., in its most recently published chain scale ratings for hotels in North America.

8. Hotel, Convention: A building or group of buildings providing transient lodging accommodations to the general public for compensation, which is closely located to and associated by agreement with a Convention Center.

9. Extended-Stay Residence Hotel (Sub-classification of Hotel): Any hotel as that term is defined herein that offers rental units for stays extending 30 consecutive days or more, or a multi-dwelling unit extended-stay lodging facility consisting of efficiency units or suites with a complete kitchen suitable for long-term (30 days or more) occupancy. Accessory use include meeting rooms, clubhouse, and recreation facilities intended for the use of residents and their guests. This definition shall not include other dwelling units as defined in the Unified Development Code. **See Ch. 28, Sec. 10 – “Limitation on continuous and cumulative occupancy and use” of the Grand Prairie Code of Ordinances.**

30-42

11. RV Park: See “Recreational Vehicle Park”

Grand
Prairie

Lodging House: See “Boarding House”

ARTICLE 30: DEFINITIONS

Lot: A parcel of real property (land) with a separate and distinct number or other designation shown on a plat, or subdivision map, approved by the City and recorded in the office of the appropriate County Clerk, or a parcel legally created or established pursuant to applicable zoning or subdivision regulations (**Reference Article 12 “Platting”**).

Lot Area: The net area of a lot not including portions of streets and alleys.

Lot Coverage: The percentage of the total area of a lot occupied by the base (first story or floor) of all buildings located on the lot, including carports, patio covers and gazebos but excluding sidewalks, driveways, uncovered patios, pools, spas, and hot tubs.

Lot Depth: The distance between the front and the rear property lines measured from the center of the lot at the front lot line to the center of the lot at the rear lot line.

Lot Line: The perimeter line bounding a lot.

Lot of Record: ^{1}} A lot which exists as shown or described or is part of a subdivision, the plat of which has been recorded in the Deed Records of the County Clerk of Dallas, Tarrant, or Ellis County; or ^{2}} a parcel of land, the deed for which is recorded in the County Clerk's office of Dallas, Tarrant, or Ellis County on or before October 18, 1960 (**Reference Article 12 “Platting”**).

Lot (Required Rear): That portion of a lot located to the rear of a line drawn from the midpoint of one lot line to the midpoint on the opposite lot line. The area forward of the line erected between the two midpoints on the side lot lines shall be referred to as the “front” of the lot.

Lot Width: The width of a lot measured at the required front building line. On those lots that have a building setback line in the form of an arc, the arc length at the front building line shall be the lot width.

Lowest Floor: Means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking or vehicles, building access or storage in an area other than a basement area is not considered a building's lowest floor; provided that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirement of Section 60.3 of the National Flood Insurance Program regulations (**Reference Article 15, “Floodplain Management”**).

---M---

Main Building: The building or buildings on a lot that are occupied by the principal use.

Mainline: A pipe within an irrigation system that delivers water from the water source to the individual zone valve (**Reference Article 8, “Landscape and Screening”**).

Maintenance Checklist: A document made available to the irrigation system's owner or owner's representative that contains information regarding the operation and maintenance of the irrigation system, including, but not limited to: checking and repairing the irrigation system, setting the automatic controller, checking the rain or moisture sensor, cleaning filters, pruning grass and plants away from irrigation emitters, using and operating the irrigation system, the precipitation rates of each irrigation

30-43

Grand
Prairie

ARTICLE 30: DEFINITIONS

zone within the system, any water conservation measures currently in effect from the water purveyor, the name of the water purveyor, a suggested seasonal or monthly watering schedule based on current evapo-transpiration data for the geographic region, and the minimum water requirements for the plant material in each zone based on the soil type and plant material where the system is installed (**Reference Article 8, "Landscape and Screening"**).

Major Appliance Store: An establishment which sells large household equipment that is designed for a specific use such as washers, dryers, refrigerators, freezers, dishwashers and stoves.

Major Irrigation Maintenance, Alteration, Repair or Service: Any activity that involves opening to the atmosphere the irrigation main line at any point prior to the discharge side of any irrigation zone control valve. This includes, but is not limited to, repairing or connecting into a main supply pipe, replacing a zone control valve, or repairing a zone control valve in a manner that opens the system to the atmosphere (**Reference Article 8, "Landscape and Screening"**).

Make Ready Service: Means a repair or service procedure necessary to prepare a used vehicle for sale, which may include, but not be limited to, the replacement of wipers, headlights, light bulbs, clear water rinse, detailing, or tire inflation or repair (**Reference Article 4, "Permissible Uses"**).

Manufactured Housing or Manufactured Home: [See **"Dwelling - HUD code Manufactured Home"**] A housing structure (also called a mobile home that meets HUD specifications) constructed on or after June 15, 1976 that conforms to the rules of the U.S. Department of Housing and Urban Development (HUD) as well as other specific standards of size and construction. Manufactured homes may not be prohibited within the City limits; however, state law does allow a city to designate appropriate areas for the location of manufactured homes. The term does not include a recreational vehicle as defined below (**Reference Article 15, "Floodplain Management"; Article 26, "Mobile/Manufactured/Modular Home and Recreational Vehicle Regulations"**).

Manufactured Home Park: A unified development of lots arranged on a tract of land under common ownership, which has been planned and improved for the placement of two or more manufactured homes for non-transient occupancy. For purposes of this definition only, a "lot" means a plot of ground within a manufactured home park, which is designed to accommodate one manufactured home (**Reference Article 26, "Mobile/Manufactured/Modular Home and Recreational Vehicle Regulations"**).

Manufactured Home Subdivision: A unified development of lots for the placement of one manufactured home per platted lot for non-transient occupancy, established for the purpose of having individually owned lots (**Reference Article 26, "Mobile/Manufactured/Modular Home and Recreational Vehicle Regulations"**).

Marina: Establishment primarily engaged in operating marinas. These establishments rent boat slips and store boats, and generally perform a range of other services including cleaning and incidental boat repair. They frequently sell food, fuel, and fishing supplies, and may sell boats. Typically, such an establishment is a multi-purpose facility constructed near, adjacent to, over or on a lake, the primary purpose of which is to provide a central location for boating-oriented patrons to obtain necessary supplies and services for the enjoyment of the lake, typically including, but not necessarily limited to the following facilities:

- ✓ Floating boat slips or docks, wet or dry, covered or uncovered, with connecting walkways to land.
- ✓ Boat ramps for launching and retrieving boats.

30-44

Grand
Prairie

ARTICLE 30: DEFINITIONS

- ✓ Covered or totally enclosed boat and R. V. dry storage facilities on land.
- ✓ Fishing and sightseeing facilities, including piers and floating barges, connected to land with walkways.
- ✓ Retail sales of fishing bait and fishing equipment facilities.
- ✓ Snack bars and vending machines on land and/or on water.
- ✓ Sanitary sewerage pump-out facilities on land and/or on water.
- ✓ Excursion or charter boat berthing facilities on land and/or on water.
- ✓ Parking areas for general vehicles, trailers and RV's.
- ✓ Fire fighting facilities on land and/or on water.
- ✓ Restrooms with shower facilities and/or locker rooms on land and/or on water.
- ✓ Roadways and security fencing and lighting.
- ✓ Boat basin for floating boat storage.
- ✓ Breakwater levee to protect floating boats.
- ✓ Office and/or administration building on land or on water.
- ✓ Restaurant building, with or without alcoholic beverage sales on land and/or on water. Any alcoholic beverage sales must comply with the City alcoholic beverage ordinance.
- ✓ Ship's chandlery store (retail sale of boat supplies or equipment of specific kinds) on land and/or on water.
- ✓ Gasoline and/or diesel fueling facilities on land and/or on water.
- ✓ Open boat and/or R. V. dry storage facilities on land, including boat rental, repair and/or servicing.
- ✓ Golf driving range.
- ✓ Miniature golf course.
- ✓ Putting green.
- ✓ Golf equipment sales.
- ✓ Retail boat sales and service.
- ✓ R. V. sales and service.
- ✓ Camping equipment sales including tents and trailers.
- ✓ Guide services.
- ✓ L. P. gas sales (pre-bottled in tanks with no on-site filling or refilling of tanks).
- ✓ Monument signs.

Marquee Signs: Any hood or awning of permanent construction projecting from the wall of a building or other structure. Any marquee sign submitted for private use must be submitted as a Unified Signage Plan (**Reference Article 9, "Sign Standards"**).

Master Thoroughfare Plan: **Reference Article 12 "Platting"** for definition.

Master Valve: A remote control valve located after the backflow prevention device that controls the flow of water to the irrigation system mainline (**Reference Article 8, "Landscape and Screening"**).

Matched Precipitation Rate: The condition in which all sprinkler heads within an irrigation zone apply water at the same rate (**Reference Article 8, "Landscape and Screening"**).

Mausoleum: An above ground building or structure designed for internment of the deceased.

Maximum Fee Rate: The dollar rate per service unit determined by the Capital Improvements Plan as the maximum rate for calculating impact fees allowed in accordance with the impact fee statute.

30-45

Grand
Prairie

ARTICLE 30: DEFINITIONS

Maximum fee rates for water facilities are reflected in [Article 22, “Fee Schedule”](#) (*Reference Article 22, “Fee Schedule”*).

Mean Sea Level: Means, for purposes of the National Flood Insurance Program, the North American Vertical Datum (NAVD) of 1988 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced (*Reference Article 15, “Floodplain Management”*).

Message Center: Electronically controlled intermittent light impulses or alternating panels consisting of letters, words, or numerals, which can either change sequentially or travel across the display area. Message centers are meant to convey basic information regarding time, temperature and on-site advertising, and are secondary to business name. A maximum of 35% of the overall sign face area shall be permitted for an electronic, digital image, up to 20 square feet (*Reference Article 9, “Sign Standards”*).

Metes and Bounds: A method of describing the boundaries of real property by directions and distances from a known point of reference.

Mini - Warehouse: Small individual storage units for rent or lease, restricted solely to the storage of items. The conduct of sales, business or any other activity within the individual storage units, other than storage, shall be prohibited. One caretaker/security quarters shall be permitted in association with a mini-warehouse use.

Minor Emergency Clinic: A health care facility, which provides diagnoses and treatment for victims of accidents, emergencies or minor illness, but where the patient is not usually kept overnight. These facilities are usually smaller than 2500 square feet.

Misc. Retail Store: A facility or area offering consumer goods, for sale, but excluding the display and sale in the open, outside a building, or uses specifically listed in Article 4 of the Unified Development Code. The type of establishments under this definition would include and not be limited to, dress making, gift, sporting goods, coin, hat, music, toy, book, hobby, ice cream, antique sales or similar establishments/stores.

Mobile Food Court: Mobile Food Court means a parcel of land where two or more mobile food vendors congregate to offer food and/or beverages for sale to the public.

Mobile Food Unit: Accessory use in which a vehicle mounted, self or otherwise propelled, self-contained food service operation, designed to be readily movable (including but not limited to catering trucks, trailers, mobile food preparation vehicles, vans, push carts, or other type of vehicle capable of being transported) is used to store, prepare, display, serve or sell food. A mobile food unit does not include a stand or a booth.

Mobile Home: Mobile homes are defined as structures constructed before June 15, 1976 that meet specific standards of size and construction. Texas state law allows the prohibition of new locations of “mobile homes” within the City limits. A Mobile Home is transportable in one or more sections and in the traveling mode is eight body feet or more in width or 40 body feet or more in length, or when erected on-site it is 320 or more square feet and built on a permanent chassis, designed to be used as a dwelling with or without permanent foundation when connected to the required utilities, and includes

30-46

Grand
Prairie

ARTICLE 30: DEFINITIONS

the plumbing, heating, air-conditioning, and electrical systems (**Reference Article 26, "Mobile/Manufactured/Modular Home and Recreational Vehicle Regulations"**).

Modular/Industrialized Home: A modular or "industrialized" home is constructed in facilities licensed and inspected by the Texas Department of Licensing and Regulation and erected on a permanent foundation system. Under Texas law, this type of home must be allowed to locate wherever conventional, "stick-built" homes are allowed. These homes must be produced in a facility that is licensed by the Texas Department of Licensing and Regulation (**Reference Article 26, "Mobile/Manufactured/Modular Home and Recreational Vehicle Regulations"**).

Monastery/Convent: A building or group of buildings designed to provide group housing for persons under religious vows or orders.

Motel: An establishment providing transient accommodations containing six or more rooms with at least 25% of all rooms having direct access to the outside without the necessity of passing through the main lobby of the building, occupied by paying guests. (For definition of "Hotel", see "Lodging Facilities")

Motorcycle Dealer: Means a lot or space where any two or three wheeled vehicles are sold and after sale, service and repairs are made. Accessory uses accepted are General and Major Repair of the vehicle sold (**Reference Article 4, "Permissible Uses"**).

Motorcycle Repair: Means a facility or business with the principal use being the repair of two or three wheeled vehicles. Motor cycle sales shall not be permitted (**Reference Article 4, "Permissible Uses"**).

Motorcycle Sales: Means a lot or space where any two or three wheeled vehicles are sold. Typical accessory uses are Make Ready Service and Minor Repairs (**Reference Article 4, "Permissible Uses"**).

Motor Home: Means a motorized recreational vehicle, which includes a kitchen, bath and sleeping accommodations (**Reference Article 4, "Permissible Uses"**).

Motorized Vehicle Sales: The act of selling any vehicle that is propelled by mechanical power such as automobiles (cars), all-terrain vehicles, buses, heavy equipment, jeeps, motorbikes, motorcycles, mopeds, speedboats and trucks.

Moving Light: Means the physical change in position of any visible illumination source while lighted or the simulation of movement achieved with a pattern of sequentially illuminating visible illumination sources within close proximity to each other (**Reference Article 9, "Sign Standards"**).

Multiple-Family Building: See "**Apartment House**"

Multiple-Sided Sign: When two signs are mounted beyond a maximum allowable angle of 45 degrees to one another, they shall be prohibited. Provided, that this section shall not prohibit triangular or cube-type signs or multiple-sided signs that form a total enclosure of any geometric shape, the total square footage of all sides of such signs may not exceed the total square footage allowed (**Reference Article 9, "Sign Standards"**).

Multi-Purpose Special Event Center: A business which leases facilities on a short term basis for the purpose of accommodating meetings, conferences, exhibitions, social functions and amusement activities.

30-47

Grand
Prairie

ARTICLE 30: DEFINITIONS

Such a facility may not host any activity that could be considered a sexually oriented business as defined in City Ordinances. Such facilities shall also be subject to all City ordinances and regulations involving the sale and/or service of alcoholic beverages. Specifically, no alcohol beverages sales or service shall be permitted on site unless associated with a full service on-site restaurant. This use is intended to provide a primary use classification for temporary activities that would typically be allowed as accessory uses in certain primary uses such as a hotel or conference center.

Municipal/Public Domain Property: Examples of this would include City Hall, City R.O.W., public parks, Corps of Engineers property, State of Texas R.O.W., library, fire stations, water tower sites or similar properties (**Reference Article 8, "Landscape and Screening"**).

----N----

Neighborhood Amenity Center: A facility for the exclusive use of the residents of specific area and their guests and not open to the general public. The facility may include such amenities as a clubhouse, swimming pool, playground, or recreations courts and is primarily maintained through a mechanism such as Home Owners Association dues.

Net Area of Lot (Net Acreage): The area of a tract of land less any existing or proposed rights-of-way or flood plain that is not either reclaimed or substantially improved as open space and incorporated into a project.

Net Leasable Area: Net Leasable area shall include that portion of any building, improvements or use of land which is included in rental areas or normally used as a part of the quarters of any owner, tenant, occupant or uses of such premises. Areas commonly excluded in the calculation of Net Leasable Area may include entry halls or foyers; elevator shafts; stairways; janitor, electrical mechanical or maintenance rooms; public rest rooms, etc. Common areas open to the public shall be included in the calculation of parking space requirements.

New Auto Parts Sales: A facility where new auto parts, including rebuilt and/or refurbished parts but no used parts are sold. In the (NS) Neighborhood Service Zoning District, there shall be no outside storage, installation of parts, or display allowed. Further, new auto parts stores in this district shall be no more than 2000 square feet in size.

New Construction: For the purpose of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM or after December 31, 1974, whichever is later, and includes any subsequent improvements to such structures. For floodplain management purposes, "new construction" means structures for which the "start of construction" commenced on or after the effective date of a floodplain management regulation adopted by a community and includes any subsequent improvements to such structures (**Reference Article 15, "Floodplain Management"**).

New Development: ¹ New development shall include any new construction on a vacant lot, or any new construction that expands or enlarges an existing lawful nonconforming use. Any expansion or enlargement of a lawful nonconforming use shall upgrade landscaping and screening on the site to meet all applicable regulations of Article 8 of the Unified Development Code (**Reference Article 8, "Landscape and Screening"**) or ² the subdivision of land within the territorial boundaries and the extraterritorial jurisdiction of the City that increases the number of service units for which an impact fee is payable; the

30-48

Grand Prairie

ARTICLE 30: DEFINITIONS

construction, reconstruction, redevelopment, conversion, structural alteration, relocation, or enlargement of a structure or other physical change in any structure within the territorial boundaries or extraterritorial jurisdiction of the City that increases the number of service units for which an impact fee is payable; or any use or extension of the use of land or structure that increases the number of service units (Reference [Article 22, "Fee Schedule"](#)).

New Installation: With reference to irrigation systems, is an irrigation system installed at a location where one did not previously exist ([Reference Article 8, "Landscape and Screening"](#)).

New Manufactured Home Planned Development: Means a Planned Development for manufactured or mobile homes where the construction of facilities for servicing the lots on which the manufactured homes are to be affixed (including at a minimum, the installation of utilities, the construction of streets, and either final site grading or the pouring of concrete pads) is completed on or after the effective date of floodplain management regulations adopted by a community ([Reference Article 15, "Floodplain Management"](#))

Non-Commercial Radio Tower: Non-commercial radio towers shall be only those used by a person at his residence for his own personal use without charging anyone for a service or for any commercial or business use. Such tower or tower-antenna combination shall not exceed 65 feet in height and must comply with the regulations contained in this ordinance. Any non-commercial radio tower in excess of 65 feet in height shall require a specific use permit and site plan ([Reference Article 4, "Permissible Uses"](#)).

Non-Conforming Sign: Signs which do not now conform to the requirements of the zoning district in which they are located or the zoning ordinance standards, but that did meet all requirements prior to adoption or amendment of the ordinance ([Reference Article 9, "Sign Standards"](#)).

Non-Conforming Use: Any use of land that was lawfully in existence, and/or occupied at the time the regulation is prescribed in the ordinance or an amendment thereto becomes effective and does not then meet the requirements of said regulations.

Non-Conforming Structure: A structure or building the size, dimensions or location of which was lawful prior to the adoption, revision or amendment to a zoning ordinance, but which fails by reason of such adoption, revision or amendment, to conform to the new requirements of the zoning district.

Non-Residential Property: For the purpose of [Article 22, "Fee Schedule"](#), any property that is not residential in nature as defined in Article 22 and the Unified Development Code ([Reference Article 22, "Fee Schedule"](#)).

Non-Site Traffic: Traffic not created or associated with the traffic generated by the project ([Reference Article 23, "Master Transportation Plan"](#)).

Non-Stacking Parking: The parking of cars side-to-side, or parking cars back to back with two outlets.

Nude Model Studio: A place where a person who appears in a state of nudity or displays "Specified anatomical areas" is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration.

Nursing Home: See ["Home For the Aged"](#)

30-49

Grand
Prairie

ARTICLE 30: DEFINITIONS

---O---

Obsolete/Abandoned Sign: Signs which advertise a product, service or business no longer available or in operation; a sign which is not being maintained [**Removal of Obsolete/Abandoned Signs:** Any sign which the Building Official determines no longer serves a bona fide use conforming to this code, shall be removed by the owner, agent, or person having the beneficial use of the land, building, or structure upon which the sign is located within 15 days after written notification to do so from the Building Official or his designee. Upon failure to comply with such notice, the Building Official is hereby authorized to cause removal of such sign, and any expense incident thereto shall be paid by the owner of the land, building or structure to which such sign is attached or upon which it is erected] (**Reference Article 9, "Sign Standards"**).

Occupancy: The use or possession of land or structures by property owners or tenants.

Occupied Building: Any residence, school, hospital, church, public library or other building that is occupied or in use when the permit application is submitted (**Reference Article 4, "Permissible Uses"**).

Octave Band: A portion of the audible sound spectrum. An Octave Band Analyzer divides the audible sound spectrum into eight (8) octave bands (**Reference Article 11, "Performance Standards"**).

Odor Threshold: The concentration of odorous matter in the matter in the atmosphere necessary to be perceptible to the olfactory nerve. Determination of the Odor Threshold is prescribed by ASTM D 1391-57, Standard Method for Measuring Odor in Atmosphere (**Reference Article 11, "Performance Standards"**).

Office: A place, such as a building room or suite, in which services, clerical work, or professional duties are carried out. These uses include but are not limited to banks, credit unions and/or mortgage companies, credit agencies, stock/brokerage offices, insurance and/or real estate offices, professional offices such as accountant, architect, doctor, engineer, financial consultant, lawyer, planner, psychiatrist, psychologist, secretarial company, parole or probation offices (without living quarters).

Officially Permitted Flags and Insignias: Flags, emblems or insignia of a nation, political unit, service organization, school or religious group. Such flags and insignias are not considered to be signs, but must comply with height restrictions of the zoning district in which they are located (**Reference Article 9, "Sign Standards"**).

Off Premise Sign: Also referred to as a Billboard, means a sign that does not relate to the premises on which it is located. For the purposes of this Unified Development Code, Off Premise signs are subject to the provisions of Section 9.5.5. New billboard locations are prohibited within the corporate limits of the City of Grand Prairie, and its extraterritorial jurisdiction, unless approved under the conditions specified in Article 8, "Landscape and Screening Standards" (**Reference Article 9, "Sign Standards"**).

Official Sign: Signs erected or required by a governmental entity (**Reference Article 9, "Sign Standards"**).

Offsite: Any off-site freestanding sign which is designed, erected and maintained for public purposes and to serve as a public convenience in directing pedestrian and vehicular traffic, but not used for the purpose of advertising uses and activities on site (**Reference Article 9, "Sign Standards"**).

30-50

Grand
Prairie

ARTICLE 30: DEFINITIONS

Oil Racks: Signs attached to or on top of oil racks may not exceed four feet in width and three feet in height (**Reference Article 9, "Sign Standards"**).

Online: To be connected to, served by, or available through a system and especially a computer or telecommunications system, such as the Internet.

On-premise Business Sign: Any sign, the content of which relates to the premises on which it is located, referring exclusively to the name, location, products, person, accommodations, services or activities of those premises, or the sale, lease or construction of those premises (**Reference Article 9, "Sign Standards"**).

On Premise Signs: Any sign, the content of which relates to the premises on which it is located, referring to the name, location, products, services or activities on the premises, or the sale, lease or construction of the premises. The sign may also refer to the name, location, products, services or activities on adjacent premises as allowed under Section 9.7 (**Reference Article 9, "Sign Standards"**).

Open Boat and/or RV Dry Storage: A secured facility with or without a screening fence or wall within which are stored boats, trailers, campers, recreation vehicles, and other associated vehicles, including offices for the facility, boat rentals, and repair, service and maintenance facilities for boats. Said facility may include fuel storage and dispensing facilities.

Open Space: Area included in any side, rear, or front yard, or any unoccupied space on the lot that is open and unobstructed to the sky, except for the ordinary projections of cornices, eaves and porches, but not including dedicated streets or other dedicated public spaces.

Orphanage: A building, or group of buildings licensed by the state to provide shelter for children without parents or immediate family.

Outdoor Auto Repairs: Means all assembly, disassembly, repairs or service work done outside in an area that is open to the sky, or under a covered structure, which is not totally enclosed by full height walls (**Reference Article 4, "Permissible Uses"**).

Outside Display and/or Sale of Merchandise Outside a Building: The placement of articles, which are representative of items for sale inside a building, in an uncovered area on private property. All exterior display of furniture, appliances, or similar materials as allowed in the district must be behind the required front yard line established in the district in which the use is located.

Outside Storage: The placement of articles, including merchandise, inventory, equipment, machinery and other material, which are not currently in use, in an uncovered area. All outside storage is required to be screened with a solid fence in accordance with **Article 8** of this Code.

Outside Storage (Accessory): Accessory outside storage, or outside storage (accessory), shall be outside storage that is accessory and ancillary to a primary use on the property. Such storage shall not exceed 30 % (percent) of the area of all structures on a site or 15 % (percent) of the site itself, whichever is greater.

Owner: **Reference Article 7 "Special Districts" & Article 4, "Permissible Uses"** for definition.

30-51

Grand
Prairie

ARTICLE 30: DEFINITIONS

---P---

Paintless Dent Repair: The process of repairing sheet metal on an automobile or light truck using specialized tools and without the need to repaint the repaired area (**Reference Article 4, “Permissible Uses”**).

Particulate Matter: Finely divided solid or liquid matter, other than water, which is released into the atmosphere (**Reference Article 11, “Performance Standards”**).

Parking Space: A dimensioned area for the parking of a motor vehicle on public or private property.

Parkway: The area of public right-of-way located between the curb or edge of pavement and the property line (**Reference Article 8, “Landscape and Screening”**).

Pass-Through Contract: A written contract between a contractor or builder and a licensed service provider such as an irrigator or exempt business owner to perform part or all of a professional service such as the irrigation services relating to an irrigation system (**Reference Article 8, “Landscape and Screening”**).

Pay Check (Payday) Advance/Loan Business: An establishment that makes small consumer loans, usually backed by a postdated check or authorization to make an electronic debit against an existing financial account, where the check or debit is held for an agreed-upon term, or until an applicant’s next payday, and then cashed unless the customer repays the loan to reclaim such person’s check (**Reference Article 4, “Permissible Uses”**).

Pergolas: A structure that is composed of horizontal trellis or framework that is supported on poles or posts. These structures are characterized as being open with a flat roof, with rafters that run at regular intervals horizontally across the top of the structure. Such structures are typically constructed from wood or other materials (**Reference Article 6, “Density and Dimensional Requirements”**).

Perimeter Street: Streets that form a boundary of a subdivision, and thus are not entirely contained within that subdivision (**Reference Article 12 “Platting”**).

Permanent Cosmetics: (or Permanent Make-Up) The application of permanent or semi-permanent pigmentation into the skin for eyebrows, eyeliner, lip liner/color/bblend, blush, areola repigmentation, scar camouflage, beauty marks, hair imitation, lash enhancement or any other corrective purposes by a medical or dental professional or a technician that has been trained in the field of corrective cosmetics. Permanent Cosmetics is permitted as an accessory use only and does not include the application of tattoos or body art.

Permanent Place of Business: A permanent building or structure which is either owned by such person, organization, partnership, corporation or association or which has been leased by such person, organization, partnership, corporation or association for a period of at least one hundred eighty (180) days.

Permeable Pavement: A paving material that permits water penetration to a soil depth of 18 inches or more. Permeable pavement may consist of nonporous surface materials poured or laid in sections not

30-52

Grand
Prairie

ARTICLE 30: DEFINITIONS

exceeding one square foot in area and collectively comprising less than two-thirds of the total surface area (**Reference Article 8, "Landscape and Screening"**).

Person: An individual, firm, partnership, joint venture, corporation, company, association, or any other group acting as an independent unit (**Reference Article 9, "Sign Standards"**).

Personal Care: Assistance with feeding, dressing, moving, bathing, or other personal needs or maintenance; or general supervision or oversight of the physical and mental well-being of a person who needs assistance to maintain a private and independent residence in the facility or who needs assistance to manage his or her personal life, regardless of whether a guardian has been appointed for the person. (Title 40, Part 1, Chapter 92, Subchapter A, 92.2 Definitions of the Texas Administration Code)

Personal Interest Signs: A sign erected for the specific purpose of proclaiming a viewpoint or belief of an individual (**Reference Article 9, "Sign Standards"**).

Personal/Professional Signs/Nameplates: Any sign which list exclusively a name or names (includes family/farm name signs (**Reference Article 9, "Sign Standards"**)).

Philanthropic Organization: A group of individuals assembled into an organization with the sole purpose of performing charitable, magnanimous, humanitarian, humane or unselfish acts. The organization must also be classified for tax purposes as "non-profit".

Planning and Zoning Commission: The agency appointed by the City Council as an advisory body to it and which is authorized to recommend changes in zoning and specific use permits as well as to approve plats and site plans.

Plant Nursery (Retail Sales): An establishment where foliage is sold at retail to the public, and may include the on premise nurturing of plants, as well as involving the display of same offered for sale when such display is behind the front yard line established in the district in which the greenhouse is located.

Plant Nursery (Wholesale): An establishment where foliage is sold in bulk to the public and may include the on premise nurturing of plants, as well as the display of same offered for sale when such display is behind the front yard line established in the district in which the greenhouse is located.

Plat: The map or drawing on which is presented a sub-divider's plan of a subdivision which is submitted for approval, and a copy of which is intended to be recorded in final form (**Reference Article 12 "Platting"**).

Pole (or Pylon) Signs: A sign supported by and placed upon poles or standards for support (**Reference Article 9, "Sign Standards"**).

Police Station: A building that houses a police force unit, as well as a holding cell(s) for offenders.

Political Sign: A sign pertaining to any national, state, county or local election (**Reference Article 9, "Sign Standards"**).

Portable Sign: **Reference Article 9 "Sign Standards"** for definition.

30-53

Grand
Prairie

ARTICLE 30: DEFINITIONS

Post Office: A federal government building in which mail services are provided, including, but not limited to the sale of stamps, shipping containers, mail delivery and storage.

Postal Service: A privately owned building or part of a building in which mail services are provided including, but not limited to mail boxes, the sale of stamps, shipping containers, mail delivery and storage.

Potable Water: Water that is suitable for human consumption (**Reference Article 8, “Landscape and Screening”**).

Preliminary Plat: The initial plan for a subdivision, outlining roadway, lot and block layouts and easements, which serves as the basis for preparation of a final plat (**Reference Article 12 “Platting”**).

Premises: A lot, parcel, tract or plot of land together with the buildings and structures thereon.

Pressure Vacuum Breaker: An assembly containing an independently operating internally loaded check valve and an independently operating loaded air inlet valve located on the discharge side of the check valve. It is also known as a Pressure Vacuum Breaker Back-siphonage Prevention Assembly (**Reference Article 8, “Landscape and Screening”**).

Private Club: Quarters for a private organization with restricted membership, and including the on-site sale or use of alcoholic beverages, along with social and recreational facilities for members only.

Private Garage: An accessory building housing vehicles owned and used by occupants of the main building. If occupied by vehicles of other, it is a storage space.

Private Street: A private vehicular access way shared by and serving two or more lots, which is not dedicated to the public and is not publicly maintained. Private streets and alleys may be established only under the terms of the Unified Development Code. The term “private street” shall be inclusive of alleys (**Reference Article 25, “Gated Communities, Private Streets”**).

Private Waste Water Facility: A wastewater treatment and disposal system not owned by a public entity, such as septic tank systems, or a privately-owned package waste water treatment plant (**Reference Article 12 “Platting”**).

Private Water System: A water system, including, but not limited to wells, water storage facilities or pipelines, owned and maintained by an individual or entity other than a governmental body.

Product Advertising: A sign that displays, mentions or alludes to a specific product (**Reference Article 9, “Sign Standards”**).

Product/Services Provided Sign: Any sign that lists an available (on-premise) product or service (**Reference Article 9, “Sign Standards”**).

Prohibited Sign: Any sign not specifically allowed by this Unified Development Code (**Reference Article 9, “Sign Standards”**).

Projected Traffic Volumes: The number of vehicles that are expected/calculated to exist on streets after completion of the project (**Reference Article 23, “Master Transportation Plan”**).

30-54

Grand
Prairie

ARTICLE 30: DEFINITIONS

Projection Sign: A sign which is attached or affixed to a building wall or structure other than a pole, and extends or projects perpendicular from the building wall or structure (**Reference Article 9, "Sign Standards"**).

Property Line: A dividing line between a lot, tract or parcel of land and/or public right-of-way.

ProRata: A charge made against a developer to pay for water and sanitary sewer mains provided by another developers (**Reference Article 12 "Platting"**).

ProRata Contract: A contract executed between the City and the person who financed a water and/or sewer extension, in order that the original investor may recover a portion of such investor's cost of water or sewer lien if other property owners adjacent to the lien make connection to said line (**Reference Article 12 "Platting"**).

Protective Fencing: Snow fencing, chain link fence, orange vinyl construction fencing or similar fencing with a minimum four-foot approximate height (**Reference Article 8, "Landscape and Screening"**).

Prototype Development Shop: Businesses or individuals engaged in the research, development and limited production of models or archetypal products, to be used for testing and modifications with the intent that they be used as a basis for products, which may be manufactured elsewhere in quantity. Some production of modified versions of the same product or of several copies of the same product may be performed, but in no case shall they be manufactured in such amounts or form that they could be sold or distributed as final, end-user products.

Psychiatric Hospital: A health care facility that provides mental health services such as diagnostic testing, psychological testing and counseling, and/or treatment of mental deficiencies.

Public Improvements: Shall be limited to the oversized portion of streets, drainage improvements, and water and sewer lines shown on a master plan or other previously adopted planning document to be necessary to serve areas other than the subdivision (**Reference Article 12 "Platting"**).

---Q---

Qualified Parking Consultant: A registered Professional Engineer experienced in Traffic Engineering.

Quick Lube & Tune: Means a business or facility where the principal use is changing oil, lubrication, and minor auto repair. This may also include state vehicle inspections and the minor repairs necessary to pass the state requirements (**Reference Article 4, "Permissible Uses"**).

---R---

Radio, Television, or Microwave Tower: A tower or structure of skeleton framework, attached directly to the ground or to another structure used for the transmission or reception of radio television microwave or any other form of telecommunications signals.

Radio Towers (Commercial): Any radio tower used by a person or company for business or for profit by providing a service for a fee or other compensation.

30-55

Grand
Prairie

ARTICLE 30: DEFINITIONS

Radio Towers (Non-Commercial): Any radio tower used by a person at his/her residence for his/her own personal use without charging anyone for a service or for any commercial or business use.

Railroad Right-of-Way: Real property that is owned by railroad companies including railroad track and right-of-way, but excluding railroad stations, sidings, team tracks, loading facilities, docks, yards or maintenance areas.

Railroad Freight Depot: Means a location where rail freight is stored while awaiting onward transport (Reference [Article 4, "Permissible Uses"](#)).

Reach: Reference [Article 15, "Floodplain Management"](#) for definition.

Real Estate Development Sign: A sign that advertises a parcel of land or a structure for rent, lease or sale (Reference [Article 9, "Sign Standards"](#)).

Real Estate: Land and anything permanently affixed to the land, such as buildings, fences, and those things attached to the buildings, such as light fixtures, plumbing, and heating fixtures, or other such items that would be personal property if not attached. The term is generally synonymous with real property.

Real Property: See ["Real Estate"](#)

Rear of a Lot: The rear of a lot as herein specified shall be that portion of a lot located to the rear of a line erected from the midpoint on one lot line to the midpoint on the opposite lot line. The area forward of the line erected between the two midpoints on the side lot lines shall be referred to as the "Front of the lot."

Reclaimed Water: Domestic or municipal wastewater which has been treated to a quality suitable for beneficial use, such as landscape irrigation (Reference [Article 8, "Landscape and Screening"](#)).

Records of Landscape Irrigation Activities: The irrigation plans, contracts, warranty information, invoices, copies of permits, and other documents that relate to the installation, maintenance, alteration, repair, or service of a landscape irrigation system (Reference [Article 8, "Landscape and Screening"](#)).

Recreational Club: A private facility or club with restricted memberships, usually of less area than a country club, and/or similar recreational facilities, none of which are available to the general public. This does include facilities and amenities associated with multi-family development and for the use of their residents. It does include indoor and outdoor recreational activities.

Recreational Vehicle: As referenced in the Unified Development Code refers to a vehicle that has been altered to contain sleeping quarters for temporary occupation. Specifically that would include a vehicle which is: a) built on a single chassis; b) 400 square feet or less when measured at the largest horizontal projections; c) self-propelled or permanently tow able by motor vehicle; d) designed primarily not for use as permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use; and e) required by Texas law to have a valid vehicle registration when traveling upon public streets. "Recreational vehicle" shall not include a manufactured home (Reference [Article 15, "Floodplain Management"](#); [Article 26, "Mobile/Manufactured/Modular Home and Recreational Vehicle Regulations"](#)).

30-56

Grand
Prairie

ARTICLE 30: DEFINITIONS

Recreational Vehicle Park: A unified development on a tract of land under common ownership designed primarily for transient service, on which recreational vehicles of the general public are parked or situated (**Reference Article 26, “Mobile/Manufactured/Modular Home and Recreational Vehicle Regulations”**).

Recreational Vehicle Dealer: Means a licensed commercial Recreational Vehicle (RV) dealership that sells new or used RVs at the retail level (Reference **Article 4, “Permissible Uses”**).

Recorded Plat: The legal document representing a lot of subdivision that is filed for record, upon approval by the City at the office of the appropriate County Clerk (**Reference Article 12 “Platting”**).

Rectory Parsonage: A dwelling unit provided by a church to be occupied by the priest, pastor, rabbi and his/her family. If located on the same lot as place of worship, may be construed as an accessory use.

Reduced Pressure Principle Backflow Prevention Assembly: An assembly containing two independently acting approved check valves together with a hydraulically operating mechanically independent pressure differential relief valve located between the two check valves and below the first check valve (**Reference Article 8, “Landscape and Screening”**).

Registered Group Home: Refers to a facility licensed with the State of Texas and includes facilities that are referenced as group homes, community homes, assisted living facilities or residential treatment facilities as defined in the Texas Human Resources Code, Section 42.002, or the Texas Health and Safety Code, Chapters 123, 247 and 248.

Under the Americans with Disabilities Act (ADA), Fair Housing Act (FHA) and Fair Housing Amendments Act (FHAA), municipalities have a legal obligation to allow registered family homes in residential zoning districts. Such Acts are intended to provide individuals with handicaps protections from discrimination that has the effect of making housing unavailable to people with disabilities, or segregates them in the community, is considered to be discriminatory.” [H.R. Rep. No. 711, 100th Congress, 2nd Session (1998)].

Moreover, “discrimination” includes a refusal to make reasonable accommodations in rules, policies, practices, and services when such accommodations are necessary to afford elderly or handicapped persons an opportunity to use and enjoy a dwelling.

Refer to the Grand Prairie Code of Ordinances

Regulatory Flood: Means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height (**Reference Article 15, “Floodplain Management”**).

Regulatory Zone: The area within the Trinity River Corridor as defined by the current City approved 100-year floodplain based upon fully developed conditions (**Reference Article 15, “Floodplain Management”**).

Replacement Tree: A tree that is selected and planted in accordance with Article 8, “Landscape and Screening,” of the Unified Development Code (**Reference Article 8, “Landscape and Screening”**).

30-57

Grand
Prairie

ARTICLE 30: DEFINITIONS

Replat: A legal document that reconfigures property that has been platted and filed (**Reference Article 12 “Platting”**).

Repossessed Vehicle Storage (Accessory Use): Means a designated area of a new or used Auto Dealer that is used for the temporary impound and/or storage of repossessed automotive vehicles that were sold on-site. The designated impound area does not exceed 20% of the total site area and will be secured and screened with a fence and gate.

Residence: See “**Dwelling**”

Residence Home for the Aged: See “**Home for the Aged**”

Residential Development: Means the active construction of any new residential homebuilding business to include single family detached, townhouse, condominium, all of the above mentioned while in some form of active development (**Reference Article 9, “Sign Standards”**).

Residential District: Single Family Estate Dwelling District (SF-E), Single Family One-Revised Dwelling District (SF-1-R), Single Family One Dwelling District (SF-1), Single Family Two Dwelling District (SF-2), Single Family Three Dwelling District (SF-3), Single Family Four Dwelling District (SF-4), Single Family Attached Dwelling District (SF-A), Single Family Townhouse Dwelling District (SF-TH), Single Family Zero Lot Line Dwelling District (SF-ZZL), Two Family Dwelling District (2F), Multiple Family One Dwelling District (MF-1), Multiple Family Two Dwelling District (MF-2), and Multiple Family Three Dwelling District (MF-3) as defined in the Grand Prairie Unified Development Code.

Residential Property: Property located within a single family, duplex, or multi-family zoning district or within a planned development zoning district (or identifiable portion of such a district) limited to residential use (**Reference Article 22, “Fee Schedule”**).

Residential Use: Single Family Estate Dwelling District (SF-E), Single Family One-Revised Dwelling District (SF-1-R), Single Family One Dwelling District (SF-1), Single Family Two Dwelling District (SF-2), Single Family Three Dwelling District (SF-3), Single Family Four Dwelling District (SF-4), Single Family Attached Dwelling District (SF-A), Single Family Townhouse Dwelling District (SF-TH), Single Family Zero Lot Line Dwelling District (SF-Z), Two Family Dwelling District (2F), Multiple Family One Dwelling District (MF-1), Multiple Family Two Dwelling District (MF-2), and Multiple Family Three Dwelling District (MF-3) use as defined in the Grand Prairie Unified Development Code.

Resort Casino Hotel: A hotel facility offering transient lodging accommodations to the general public that contains a gambling casino, providing organized, regulated and monitored games-of-chance, with said casino sharing the same climate controlled, building envelope with the hotel facility, and that contains the following components and amenities:

- A. Contains a minimum of 300 furnished rooms available to the transient public, with a minimum of five percent (5%) of the total number of rooms available to the transient public be designed and constructed as luxury suite rooms with a minimum square footage of 700 square feet of interior floor area. No room available to the transient public shall contain less than 400 square feet of interior floor area;

30-58

Grand
Prairie

ARTICLE 30: DEFINITIONS

- B. Contains a minimum of three (3) full-service restaurants with permanent seating and a minimum gross floor area of no less than 5,000 square feet;
 - 1. Outdoor dining areas may be used in calculating the gross floor area, but shall not exceed more than forty percent (40%) of the total dining area provided.
 - 2. Such restaurant shall contain a bar that serves alcoholic beverages to be consumed on premise.
 - 3. Said bar area shall not exceed more than twenty percent (20%) of the gross floor area of the restaurant.
 - 4. At the discretion of the restaurant management, such restaurant shall be permitted, but not required, to remain open to the public 24 hours a day, 7 days a week.

- C. To the extent permitted by state law, provides space for interactive gambling activities containing a minimum of 40,000 square feet of total, aggregate interior floor area comprised of the following:
 - 1. Contain a main gaming casino room of not less than 30,000 square feet of interior floor area;
 - 2. May, at the option of the owner, provide smaller casino parlor rooms that contain a minimum interior floor area of not less than 3,000 square feet; and
 - 3. Contains a minimum of twelve (12) slot machines for each room available to the transient public, 40 table games, and a sports book and race pool.

Restaurant (Full Service): A restaurant that sells prepared foods and drinks for consumption on the premises and that includes the following elements:

- A. Outdoor dining areas shall not exceed more than forty percent (40%) of the total dining area provided as measured in square feet;
- B. A bar/holding area that serves alcoholic beverages to be consumed on premise shall be permitted that does not exceed more than twenty percent (20%) of the gross floor area of the restaurant building as measured in square feet;
- C. Contains a commercial kitchen area equal to at least ten percent (10%) of the gross floor area of the restaurant building as measured in square feet;
- D. Provides a printed food and beverage menu for patrons;
- E. Employs city certified cooks and food handlers that prepare all food menu items in the kitchen area;
- F. Employs wait staff providing table service for patrons;

30-59

Grand
Prairie

ARTICLE 30: DEFINITIONS

- G. Contains a designated dining area with permanent seating as indicated on the floor plan drawing submitted for building permit review;
- H. Provides non-disposable eating utensils, specifically glasses, cups, plates, knives, forks and spoons, that are not sold or packaged with the food, but are provided by the restaurant owner for the convenience of the patrons. Such utensils remain within the restaurant premises and are cleaned for re-use in accordance with applicable health codes of the City of Grand Prairie and State of Texas; and
- I. Take-out food service, typically packaged with disposable eating utensils, does not account for more than forty percent (40%) of the restaurant's gross annual revenue.

Restaurant (Serving Alcohol with No Live Entertainment Facilities): The following shall be contained in the definition of a restaurant (serving alcohol with no live entertainment facilities): Alcoholic beverages may be sold for on-premise consumption only in accordance with the standards established in Article 5, "Specific Uses" or **Article 11, "Performance Standards,"** of the Unified Development Code, whichever is applicable. "Live Entertainment Facilities" means any area designated on an interior floor plan for use or uses other than dining which may include but are not limited to dance floors, stages, pool tables, video games or other token-operated amusement devices, disc-jockey booths and similar live entertainment facilities.

Restaurant (Serving Alcohol with Live Entertainment Facilities): The following shall be contained in the definition of a restaurant (serving alcohol with live entertainment facilities): Alcoholic beverages may be sold for on-premise consumption only in accordance with the standards established in Article 5 "Specific Uses" of the Unified Development Code. "Live Entertainment Facilities" means any area designated on an interior floor plan for use or uses other than dining which may include but are not limited to dance floors, stages, pool tables, video games or other token-operated amusement devices, disc-jockey booths and similar live entertainment facilities.

Restaurant (75% or More Alcohol Sales): The following shall be contained in the definition of a **Full Service** restaurant (75% or more alcohol sales): Alcoholic beverages may be sold for on-premise consumption only in accordance with the standards established in **Article 5, "Specific Uses"** of the Unified Development Code.

Restaurant (Walk-Up Service): A restaurant that sells prepared foods and drinks for consumption on the premises and that includes the following elements:

- A. Contains a designated dining area with permanent seating as indicated on the floor plan drawing submitted for building permit review. Outdoor dining areas shall not exceed more than forty percent (40%) of the total dining area provided as measured in square feet;
- B. A bar/holding area that serves alcoholic beverages to be consumed on premise may be permitted that does not exceed more than twenty percent (20%) of the gross floor area of the restaurant building as measured in square feet;
- C. Contains a commercial kitchen area equal to at least ten percent (10%) of the gross floor area of the restaurant building as measured in square feet;

30-60



ARTICLE 30: DEFINITIONS

- D. Provides a printed or posted food and beverage menu for patrons;
- E. Employs city certified cooks and food handlers that prepare all food menu items in the kitchen area;
- F. Provides a counter where patrons can order food which is either picked up by the patron or brought to their table;
- G. May provide disposable utensils, flat ware, and packaging served on trays or in disposable containers; and
- H. Service of food not intended to be consumed on the premises may comprise a majority of the gross revenue of the establishment.

Restaurant with an Event Space: A full-service restaurant with a permanent, dedicated event space, in which the space is leased on a short-term basis for the purpose of accommodating meetings, conferences, exhibitions, social functions, and amusement activities. The restaurant area, including the commercial kitchen, shall account for at least 50% of the total floor area.

Retail Camper Convenience Store: A retail facility specializing in the provision of camping supplies and equipment such as tents, stakes, lanterns, portable grills, cooking equipment, sleeping bags, awnings, canned or dried food, regular foods, produce or commodities, including beverages, and similar camping supplies.

Retirement Center: A development that provides higher density apartment and condominium uses where the individual residential units and the overall complex or project are designed to meet the special needs of ambulatory elderly persons and physically disabled persons who do not require medical supervision. To qualify as a retirement center, a minimum of eighty (80) percent of the total units shall have a household head of sixty (60) years of age or older. The remaining proportions may qualify by meeting one of the following conditions:

- A. The household head is 55 years of age or older;
- B. A unit is occupied by the surviving member(s) of a household, regardless of age, and the household head meeting the age requirement has died;
- C. A unit is occupied by management personnel and his/her family (the total of such dwelling units shall not exceed one per 100 dwelling units, or portion hereof, in the project;
- D. The household head is physically disabled but does not require medical supervision.

Restroom Signs: Signs identifying the location of restroom facilities (**Reference Article 9, "Sign Standards"**).

Reverse Frontage: Street frontage on the rear, rather than the front, of a lot (**Reference Article 12 "Platting"**).

30-61

Grand
Prairie

ARTICLE 30: DEFINITIONS

Review Zone: The area within the Trinity River Corridor that lies between the 100-year floodplain and the Standard Project Flood floodplain line (**Reference Article 15, “Floodplain Management”**).

Rezoning: An amendment to the zoning map that changes either the existing boundaries of zoning districts, or the designation of a zoning district for which, prior to the amendment was classified into a zoning district established pursuant to this Unified Development Code or Ordinance 2299, the Comprehensive Zoning Ordinance.

Riverine: Relating to, formed by, or resembling a river (including tributaries), stream, brook, etc. (**Reference Article 15, “Floodplain Management”**).

Roof Mounted Wind Turbine: Wind turbines, designed to support and camouflage or conceal the presence of wind turbines or other small wind energy system apparatus that are located on a building or rooftop (**Reference Article 4, “Permissible Uses”**).

Roof Sign: Any sign supported by the roof of a building or placed above the apparent flat roof or eaves of a building as viewed from any elevation (**Reference Article 9, “Sign Standards”**).

Room: A building or portion of a building which is arranged, occupied, or intended to be occupied as living or sleeping quarters, but not including toilet or cooking facilities.

Rooming House: Establishments primarily engaged in operating rooming houses and similar facilities, such as fraternity houses, sorority houses, off-campus dormitories, residential clubs, and workers' camps. These establishments provide temporary or longer-term accommodations which, for the period of occupancy, may serve as a principal residence. These establishments also may provide complementary services, such as housekeeping, meals, and laundry services.

Rotor: The blades and the hub together are called the rotor (**Reference Article 4, “Permissible Uses”**).

Runway: The paved or unpaved surface of an airport landing strip.

----S----

Savings & Loan: See “Bank”

School, Public/Private/Parochial/(K-12): A school under the sponsorship of a public, private or parochial agency, having a curriculum generally equivalent to public elementary or secondary schools, but not including trade, vocational or commercial schools.

School (Vocational/Technical): A secondary or higher educational facility primarily teaching skills that prepare students for jobs in a trade and/or meeting the state requirement for a vocational facility such as barber/beauty college, or electrical training.

Scrolling: Means a type of display during which the message, content and/or image is moved/shifted across the display area in a horizontal, vertical or diagonal motion (non-static) (**Reference Article 9, “Sign Standards”**).

30-62

Grand
Prairie

ARTICLE 30: DEFINITIONS

Searchlight: A beacon of high-intensity light used to attract attention to a location (**Reference Article 9, "Sign Standards"**).

Secondhand Dealer: See "**Junk Dealer**"

Service Area: Either a water supply, treatment and distribution benefit area or wastewater collection and treatment benefit area located within the corporate limits of the City and its extraterritorial jurisdiction to be served by the Capital Improvements and facilities expansions specified in the Capital Improvements Plan (**Reference Article 22, "Fee Schedule"**).

Service Repair Order: Means a service ticket or repair order signed by the owner of a vehicle authorizing a repair facility to repair, estimate, or service and automotive vehicle which has been dated within the past ninety (90) days (**Reference Article 4, "Permissible Uses"**).

Service Unit: In the case of water and wastewater facilities, the service unit shall be five-eighths inch (5/8") water meter equivalents, which serves as the standardized measure of consumption, use or generation attributable to the new unit of development, as more particularly described in the Capital Improvements Plan (**Reference Article 22, "Fee Schedule"**).

Setbacks (Wind Turbine Towers): All stand-alone wind turbine towers as well as guys and guy anchors shall be located within the buildable area of the lot and not within the front, rear or side yard building setbacks (**Reference Article 4, "Permissible Uses"**).

Sewer Service Line: A line extending from the main sewer line to the building connection (**Reference Article 12 "Platting"**).

Sexual Encounter Center: A business or commercial enterprise that, as one of its primary business purposes, offers for any form of consideration:

- A. physical contact in the form of wrestling or tumbling between persons of the opposite sex; or
- B. activities between male and female persons and/or person of the same sex when one or more of the persons is in a state of nudity or partial nudity. [See Article 4, "Use Charts" Sexually Oriented Business, and Planned Development District 232 (PD-232)]

Sexually Oriented Business: An adult arcade, adult bookstore or adult video store, adult cabaret, adult motel, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center, or other business primarily relying on sexual material for income.

Shared Parking: Reference Article 10 "Parking and Loading" for definition.

Ship Chandlery's Store: A retail facility located on land or on water specializing in the sale of supplies and equipment for boats, yachts, and other water-oriented vessels. Such supplies and equipment shall include, but not be limited to items such as sails, rope, flotation devices and other personal safety equipment, oars, marine radios, flashlights, flags or pennants, batteries, skiing and diving supplies and equipment, and similar boating-oriented items, not including the sale of fuel.

Sidewalk: A pedestrian walkway (**Reference Article 12 "Platting"**).

30-63

Grand
Prairie

ARTICLE 30: DEFINITIONS

Sign: A name, identification, description, display or illustration that is affixed to, or represented directly or indirectly upon a building, structure, or parcel of land that directs attention to an object, product, place, activity, institution or business. For standards of types, see [Article 9, "Sign Standards"](#) ([Reference Article 9, "Sign Standards"](#)).

Sign Area/Face: Total possible display area of a sign, excluding open spaces or supports, unless they are designed to attract attention ([Reference Article 9, "Sign Standards"](#)).

Sign Characteristics: [Reference Article 9 "Sign Standards"](#) for definition.

Sign Locations: Signs located along highways of limited access are to include those along Interstate Highway 20, Interstate Highway 30, State Highway 360 and State Highway 161. Signs located along highways not of limited access would include U.S. Highway 180, U.S. Highway 287 and State Highway 303 (Pioneer Parkway) ([Reference Article 9, "Sign Standards"](#)).

Single Family-Attached Dwelling: See ["Dwelling, Single Family Attached"](#)

Single Family-Detached Dwelling: See ["Dwelling, Single Family-Detached"](#)

Small Wind Energy System: A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is primarily intended to reduce on-site consumption of utility power ([Reference Article 4, "Permissible Uses"](#)).

Smoke: The visible discharge of particulate matter from a chimney, vent or combustion process ([Reference Article 11, "Performance Standards"](#)).

Smoking Lounge: A stand-alone establishment that is dedicated to the on-site smoking of tobacco, cigarettes, electronic smoking devices, or other nicotine-enriched substances. This can include, but is not limited to, cigar lounges, hookah lounges, vaping lounges, tobacco lounges, or similar establishments. The use of THC on any device is prohibited.

Special Event: Any event or activity that will not be a permanent use of the land involved, does not involve the construction of any permanent structures or fixtures, and that will occur only periodically for a short period of time (Sports tournaments, races; meets, revivals, handicraft/bake sales, Christmas tree sales).

Special Flood Hazard Area: See [Area of Special Flood Hazard](#) ([Reference Article 15, "Floodplain Management"](#)).

Special Sign: [Reference Article 9 "Sign Standards"](#) for definition.

Specialty Auto Repair: Means a type of auto repair business or facility that specializes in a specific automotive system, which may include, but not be limited to, muffler shop, radiator shop, brake shop, interior restorations, and after-market customizations not involving paint and body work. ([Reference Article 4, "Permissible Uses"](#)).

30-64

Grand
Prairie

ARTICLE 30: DEFINITIONS

Specific Use Permit: A Specific Use Permit (SUP) is required for certain land uses that are designated with the letter “S” on the use charts contained in Article 4, “Permissible Uses.” A SUP may not be approved for a use that is not designated as a permissible use for a particular zoning district. Land uses that require a Specific Use Permit involve additional review to determine compatibility with adjacent properties and uses. Specific Use Permits require approval of a detailed site plan, building elevations depicting material and color selections, and a landscape plan (Ordinance 6935).

Square Footage: The calculated gross square footage of the building and/or property (land).

Stables: A building with stalls or compartments in which domestic animals, i.e., horses/cows are sheltered and fed.

Stacking: The parking of cars back to back with only one outlet provided. Stacking is restricted to Single-Family zoning districts.

Standard Parking Space: A space that is nine (9) feet wide by eighteen (18) feet long. An enclosed or unenclosed all-weather surfaced area not on a public street or alley, together with an all-weather surfaced driveway connecting the area with a street or alley and permitting free ingress and egress without encroachment on the street or alley. Any parking adjacent to a public street shall not be classified as off-street parking in computing the parking area requirements for any use. Minimum space dimensions shall be as follows:

- A. Parallel parking shall be at least 22 feet in length and 8 feet in width;
- B. thirty-degree angle parking shall be at least 18 feet in length and 8 feet in width;
- C. 45-degree angle parking shall be at least 18 feet in length and 9 feet in width;
- D. 60-degree angle parking shall be at least 18 in length and 9 feet in width;
- E. 90-degree angle parking shall be at least 18 feet in length and 9 feet in width.
- F. Refer to Parking Layout and Design Standards in “Appendix”.

Standard Project Flood (SPF): The flood having a 0.30% - 0.08% chance of being equaled or exceeded in any given year. The SPF generally has a volume discharge of approximately double the 100-year storm and water surface elevation of four to seven feet higher than the 100-year flood (Reference [Article 15, “Floodplain Management”](#)).

Standard Size Sewer Main: A sewer main twelve (12) inches in diameter (Reference [Article 12 “Platting”](#)).

Standard Size Water Main: A water main twelve (12) inches in diameter (Reference [Article 12 “Platting”](#)).

Start of Construction (For Floodplain Management): (For other than new construction or substantial improvements under the Coastal Barrier Resources Act (Pub. L. 97-348)), Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent

30-65

Grand
Prairie

ARTICLE 30: DEFINITIONS

construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building whether or not that alteration affects the external dimensions of the building (**Reference Article 15, "Floodplain Management"**).

State Vehicle Inspection: A facility that performs annual state-mandated vehicle inspections to determine compliance with state and/or federal safety and emissions standards. Such facilities may perform minor adjustments, repairs or parts replacement as required to bring vehicles into compliance with such standards, but may in no case cause any such vehicles to become disabled for any length of time.

Static: Means a type of display during which a message, content and/or image display remains fixed and unchanging (**Reference Article 9, "Sign Standards"**).

Static Water Pressure: The pressure of water when it is not moving (**Reference Article 8, "Landscape and Screening"**).

Stormwater Facilities: Structures designed to manage stormwater runoff: storm water ponds and wetlands, bio-retention areas, infiltration trench and surface sand filters, enhanced swales and grass channels, filter strips and stream buffers, and green roofs (**Reference Article 8, "Landscape and Screening"**).

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use. The standard height for a story is eleven (11) feet, six (6) inches.

Street (Private): A roadway or travel way that has not been dedicated to the public by legal instrument and is not maintained or regulated by Municipal, County, or State governments.

Street (Public): Any vehicular way which: (1) is an existing State Highway, County or Municipal right-of-way as defined by adopted Thoroughfare Plan (excluding alleys) (Also reference **Article 12 "Platting"** for definition.) Any Thoroughfare or public driveway, other than an alley, more than thirty (30) feet in width that has been dedicated or deeded to the public for public use.

Street Address Signs/Markers: Address signs are composed of numeric address and street or complex name. Street markers are official signs required by a government agency (**Reference Article 9, "Sign Standards"**).

Street Line: A dividing line between a lot, tract, or parcel of land and a contiguous street.

Structure: ¹ That which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner. Structures may

30-66

Grand
Prairie

ARTICLE 30: DEFINITIONS

include, but are not limited to buildings, chimneys, church spires, elevator shafts, flagpoles and similar devices; heating and air conditioning equipment, solar collectors and similar equipment, fixtures, and devices; or ² An object, including a mobile object, constructed or installed by man, including, but not limited to, buildings, poles, water towers, cranes, smokestacks, earth formations and overhead transmission lines; or ³, for floodplain management reasons, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured home. (**Reference Article 15, “Floodplain Management”; Article 24, “Wireless Telecommunications Facilities”**).

Structure Alteration: Any change in the supporting member of a building including, but not limited to a load bearing wall, column, beams or girders.

Study Area: The boundaries in which the study is conducted (**Reference Article 23, “Master Transportation Plan”**).

Subdivision: The division of any lot, tract or parcel of land into two (2) or more lots. Said term also includes the re-subdivision of any lot, tract or parcel of land (**Reference Article 12 “Platting”**).

Subdivision /Neighborhood Sign: A sign listing the name of the subject area (**Reference Article 9, “Sign Standards”**).

Substantial Damage: Means damage of any origin sustained by a structure whereby the cost of restoring the structure to it’s prior condition, before the damage occurred, would equal or exceed 50% of the market value of the structure before the damage occurred (**Reference Article 15, “Floodplain Management”**).

Substantial Enlargement: The increase in floor area occupied by the business by more than 25 percent, in addition to the floor area that exists on September 1, 1989.

Substantial Improvement: Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either before the improvement or repair is started, or if the structure has been damaged and is being restored, before the damage occurred. For the purposes of this definition, “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:

- A. any project for improvement of structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions; or
- B. any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places (also reference **Article 15, “Floodplain Management”** for definition).

Supervision: As applied to irrigation systems, means the on-the-job oversight and direction by a licensed irrigator who is fulfilling his or her professional responsibility to the client and/or employer in compliance with local or state requirements. Also a licensed installer working under the direction of a licensed irrigator or, beginning January 1, 2009, an irrigation technician who is working under the direction of a licensed irrigator to install, maintain, alter, repair or service an irrigation system (**Reference Article 8, “Landscape and Screening”**).

30-67

Grand
Prairie

ARTICLE 30: DEFINITIONS

Swimming Pool: Any constructed or prefabricated pool used for swimming or bathing, twenty-four (24) inches or more in depth.

---T---

Tailor Shop: An establishment engaged in furnishing garment services to the general public (such as repair, alterations, and sewing fabrication) on an individual, custom basis, not to include contract type mass manufacturing.

Tap Fees: Charges for connecting residential, commercial, or industrial property customers to City water and sewer.

Target Hardening: The use of landscape features, such as planters, foliage, trees, CPTED fences or artwork, to make a designated site impenetrable (**Reference Article 8, “Landscape and Screening”**).

Tattoo and Body Piercing Studio: A facility licensed under the jurisdiction of the Texas Department of State Health Services, in which one or more artists engage in the practice of producing an indelible mark or figure on the human body by scarring or inserting pigments under the skin using needles, scalpels, or other related equipment or body piercing (i.e., the practice of creating an opening in a person's body, other than the individual's earlobe, to insert jewelry or another decoration). This definition includes establishments engaging in both tattooing and body piercing, or either tattooing or body piercing alone.

Taxi Stand: A location where taxicabs or for-hire vehicles, other than charter buses or limousines, stage or park while awaiting hire.

Teen Club: An establishment which primarily caters to persons between the ages of fourteen (14) and eighteen (18) and includes such features as a dance floor, snack bar or restaurant area, an arcade or other game area and whose primary use is not elsewhere classified under this Code. A teen club must be located at least 1,000 ft., measured from property line to property line, from any establishment that sells or serves alcoholic beverages.

Telecommunications: The transmission, between or among points specified by the user, of audio and/or visual information of the user's choosing, without change in the form or content of the information as sent and received (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Telecommunications Service: The offering of telecommunications for a fee directly to the public, or to such classes of users as to be effectively available directly to the public, regardless of the facilities used (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Temporary Building: Any non-residential pre-manufactured structure that is not originally manufactured or constructed at its use site, required on-site installation of utilities and/or foundation.

Temporary Residence (Group Shelters): Residential establishments primarily engaged in providing one or more of a variety of individual and family social services including, but not limited to; crisis intervention, refuge, counseling referral, temporary relief services, temporary safe living quarters, etc. Establishments not to include office administration of social services or rehabilitation oriented housing for alcohol or drug abusers/users or public offenders or parolees, etc. Numbers of persons allowed to live together in a single housekeeping unit shall be determined by existing definitions as per Article 30 “Definitions”.

30-68

Grand
Prairie

ARTICLE 30: DEFINITIONS

Temporary Landscaping: Stabilization of raw soil when seasonal conditions do not permit establishment of required landscaping. Erosion control blankets/mats, mulch, straw anchoring, compost blankets, straw rolls, curlex blankets, straw erosion mats, spun bonded fabrics, may be used to hold the soil in place. During winter, temporary grass or turf (such as rye, fescue, etc.) may be planted until the required permanent turf is installed (**Reference Article 8, “Landscape and Screening”**).

Temporary Sign: Any sign, the use of which is limited to a period of thirty consecutive days. Signs used longer must conform to the requirements for a permanent sign (**Reference Article 9, “Sign Standards”**).

Terminal: Any location where freight either originates, terminates, or is handled in the transportation process. Terminals are central and intermediate locations in the movements of freight.

Territorial Reinforcement: The use of landscape plantings, pavement designs, gateway treatments and CPTED fences to define property lines and distinguish private spaces from public spaces (**Reference Article 8, “Landscape and Screening”**).

Thoroughfare: A type of street (**See “Street”**).

Thoroughfare Plan: **Reference Article 12 “Platting”** for Master Thoroughfare Plan definition.

Tower: The monopole, freestanding, latticed or guyed structure that supports a wind generator (**Reference Article 4, “Permissible Uses”**).

Tower, Electric Transmission: A self-supporting structure in excess of 50 feet (15 meters) in height designed to support high voltage electric lines. This does not include local utility or distribution poles (with or without transformers) designed to provide electric service to individual customers (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Tower, Guyed: Any telecommunications tower supported in whole or in part by cables anchored to the ground (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Tower Height: ¹ The height above grade of the fixed portion of the tower, excluding the wind turbine itself (**Reference Article 4, “Permissible Uses”**) or ² the distance measured from grade to the highest point of any and all components of the structure, including antennas, hazard lighting, and other appurtenances, if any (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Tower, Monopole: A self-supporting telecommunications tower that consists of a single vertical pole fixed into the ground and/or attached to a foundation (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Tower Mounted Wind Turbine: Wind turbines or other small wind energy system apparatus that are located on a separate tower structure with a separation distance from adjacent structures to address regions of high turbulence flow (**Reference Article 4, “Permissible Uses”**).

Tower, Self-supporting Lattice: A telecommunications tower that consists of an open network of metal braces forming a tower that is usually triangular or square in cross-section (**Reference Article 24, “Wireless Telecommunications Facilities”**).

30-69

Grand
Prairie

ARTICLE 30: DEFINITIONS

Tower, Telecommunications: A self-supporting or guyed structure more than twenty feet (6 meters) in height, built primarily to support one or more telecommunications antennas (**Reference Article 24, “Wireless Telecommunications Facilities”**).

Tract: Generally a large area of land that is not platted and is described by metes and bounds, and is within a survey or abstract (**Reference Article 12 “Platting”**).

Traffic Impact Analysis (TIA): An in depth analysis of traffic (**Reference Article 23, “Master Transportation Plan”**).

Traffic Queuing: A line of waiting vehicles (**Reference Article 23, “Master Transportation Plan”**).

Traffic Signs: Official signs erected as required by government for public safety purposes (**Reference Article 9, “Sign Standards”**).

Trailer or Mobile Home Dwelling: See **“Dwelling, Mobile Home”**

Trailer Camp or Mobile Home Park: an area designed, arranged, or used for the parking or storing of two (2) or more auto trailers or mobile homes that are occupied or intended for occupancy as living quarters by individuals or families.

Transfer of Ownership or Control: Includes any of the following:

- A. The sale, lease, or sublease of the business;
- B. The transfer of securities which constitute a controlling interest in the business, whether by sale, exchange, or similar means; or
- C. The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for the transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

Transient Lodging: Lodging where tenancy is arranged for periods of less than 30 days.

Transportation Plan: The City of Grand Prairie's Master Transportation Plan, Article 23 of the Unified Development Code as adopted by the City Council, and as amended from time to time (**Reference Article 12 “Platting”**).

Travel Trailer: A portable vehicle designed for temporary or short-term occupancy of travel or recreational and vacation uses. Such vehicles would include self-propelled recreational vehicles or buses, converted buses, towed vacation travel trailers, towed tent trailers or similar devices used for temporary portable housing.

Truck: Means a heavy duty tractor, tractor trailer combination, or a tractor trailer rig greater than one ton capacity, used principally for the transport of materials or equipment (**Reference Article 4, “Permissible Uses”**).

Truck and/or Heavy Equipment Driving School: See **“Driving School”**

30-70

Grand
Prairie

ARTICLE 30: DEFINITIONS

Truck & Heavy Equipment Repair: Means the maintenance, repair, or replacement of parts for tractors, trailers, or other heavy equipment. It includes but is not limited to the alternator, generator, starter, water pump, battery, brakes or other minor part thereof; minor tune-up (which consists of distributor cap, rotor and spark plug replacement); change of oil and filter, fan belt, or hoses; lamp replacement; repair of flat tires; lubrication. Repair in this case may also include service of air conditioning, cooling system, or similar component system. This may also include state vehicle inspections and the minor repairs necessary to pass the state requirements. Major repairs also includes the replacement of larger auto components such as engines, transmissions, differentials, axles, etc. or the repair of those larger auto components by dismantling and reassembly for the purpose of refurbishing the component to like new condition (**Reference Article 4, “Permissible Uses”**).

Tree: Any self-supporting woody perennial plant which will attain a trunk diameter of three inches or more when measured at a point four and one-half feet above ground level and normally an overall height of at least 15 feet at maturity, usually with one main stem or trunk and many branches (**Reference Article 8, “Landscape and Screening”**).

Tree, Specimen: A tree other than an understory tree, which has a diameter of six inches or greater four and one-half feet above the ground, and an understory tree, which has a diameter of two inches or greater four and one-half feet above the ground. The diameter of a multi-trunk tree shall be determined by adding the total diameter of the largest trunk to one-half the diameter of each additional trunk (**Reference Article 8, “Landscape and Screening”**).

Tree, Street: Trees, on land lying between property lines on either side of all streets, avenues or ways within the City (**Reference Article 8, “Landscape and Screening”**).

Tree – Under Story: A tree in which has significant positive characteristics worthy of preservation and that does not typically attain great size (**Reference Article 8, “Landscape and Screening”**).

Trinity River Corridor: The area defined by the bed and banks of the Trinity River and the adjacent river floodplain within the city of Grand Prairie. Also referred to as Corridor (**Reference Article 15, “Floodplain Management”**).

Trip Distribution: Estimates of percentage distribution of trips by turning movements from the proposed development (**Reference Article 23, “Master Transportation Plan”**).

Trip Generation Summary: A table summarizing the trip generation characteristics of the development for the entire day including AM and PM peak periods, rates and units used to calculate the number of trips (**Reference Article 23, “Master Transportation Plan”**).

Trucking Company Facility: An establishment that provides local or long distance trucking service with or without the operation of terminal facilities for handling and storage of freight.

Truck Stop: A roadside service station with facilities for heavy trucks including tractor trailers and truckers which may include restaurant, shower facilities, scales, and parking (**Reference Article 4, “Permissible Uses”**).

Toxic and Noxious Matter: Any solid, liquid, or gaseous matter which is present in sufficient quantities to endanger the health, safety, and comfort of persons in the vicinity or which may cause injury or

30-71

Grand
Prairie

ARTICLE 30: DEFINITIONS

damage to property or as defined by the Environmental Protection Agency (EPA) (**Reference Article 11, "Performance Standards"**).

---U---

Upholstery Shop: An establishment which furnishes or refurbishes chairs, sofas or similar soft furniture with stuffing, springs, cushions and covering fabric; provided however, said use shall not include assembly, manufacture or remanufacture of furniture.

Used Auto Exporter – Auto Dealer: Means a facility or business that prepares, stores, loads, and ships used automotive vehicles for sale to another country. Applicable accessory uses would be Make Ready Service and Minor Auto Repair (**Reference Article 4, "Permissible Uses"**).

Used Auto Parts Sales: Means the retail sales of used, remanufactured, or salvaged auto parts (**Reference Article 4, "Permissible Uses"**).

Used Auto Shipper – Not Auto Dealer: Means a facility or business which stores, loads, and ships used automotive vehicles for sale to another country. No repairs or service is provided prior to shipment (**Reference Article 4, "Permissible Uses"**).

Used Merchandise Shop (Furniture, Secondhand or Rummage Sale): an establishment without exterior display or storage for the retail sale of used furniture or other secondhand items that are not being sold by the original manufacturer or owner and are thereby being sold for any residual value. The items sold must be those, which if new, would be permitted for sale in the zoning category under consideration.

Used Merchandise (Resale or Consignment): See "**Consignment Store**".

Utilities: Facilities, particularly underground lines, used in connection with the transmission, delivery or collection of water, wastewater, electricity, gas, cable or telephone service (**Reference Article 12 "Platting"**).

---V---

Vacated Plat: A subdivision that is voided for the purpose of replacement by another plat. An instrument legally approved by the City and recorded in the appropriate County for purposes of voiding a previous recorded plat, in accordance with the state statutes (**Reference Article 12 "Platting"**).

Variance: Permission to depart from the literal requirements of an adopted ordinance; A determination of the Zoning Board of Adjustment and Appeals that due to special conditions resulting in an unnecessary hardship as to the use of the subject property or structure, literal enforcement of a provision of the Code normally applicable to such property or structure should be suspended as to enforcement by the Chief Building Official so the spirit of the Code will be observed and substantial justice done (**Reference Article 12 "Platting"; Article 15, "Floodplain Management"**).

30-72

Grand
Prairie

ARTICLE 30: DEFINITIONS

Variety Store: A retail store that sells a wide variety of relatively small and inexpensive novelty and household items, but does not typically offer for sale a large variety of fresh foods, does not typically include a pharmacy, and does not typically exceed 12,000 square feet in size.

Vehicle: As used in this Article shall mean every device in, upon or by which any person or property is or may be transported or drawn upon a street or highway, except devices moved exclusively by human power (**Reference Article 10, "Parking and Loading Standards"**).

Vehicle Maintenance (private): Means a repair facility doing minor, general, or major auto repairs exclusively to private company or fleet vehicles (**Reference Article 4, "Permissible Uses"**).

Vehicle Wash (private): Means a business or facility for which the principal use is the washing of private, company, or fleet vehicles. Wash bays must be covered to prevent storm water or surface runoff from entering the sanitary sewer system. Grease and sand traps are required from a vehicle wash and shall be connected to the sanitary sewer system (**Reference Article 4, "Permissible Uses"**).

Vending Machines: Sign may not exceed limits of vending machine (**Reference Article 9, "Sign Standards"**).

Veterinarian Clinic: An establishment where animals, especially domestic animals, are diagnosed and treated for diseases and injuries. The establishment may include indoor and/or outdoor kennels, and pet training.

Vibration: A temporal and spatial oscillation of displacement, velocity or acceleration in a solid Material (**Reference Article 11, "Performance Standards"**).

Vibration Perception Threshold: The minimum ground or structure-borne vibrational motion necessary to cause a person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects (**Reference Article 11, "Performance Standards"**).

Violation: ¹ An infringement of the rules and regulations as set forth in the Unified Development Code; or ² Means the failure of a structure or other development to be fully compliant with the community's floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in Section 60.3(b)(5), (c)(4), (c)(10), (d)(3), (e)(2), (e)(4), or (e)(5) is presumed to be in violation until such time as that documentation is provided (**Reference Article 15, "Floodplain Management"**).

Visibility Triangle: An easement that is reserved to give the motorist entering or exiting an intersection, an unobstructed view of the intersection. Typically runs 30 feet in either direction along 90 degree angles formed at the intersection to an imaginary height of 40 inches to 48 inches. (**Reference Article 10, "Master Transportation Plan"**).

---W---

Wall Sign: Any sign painted on, attached to or projecting from the wall surface of a building (whether permanent or portable) or booth (including mounted window signs and signs on awnings and/or marquees), but not including banner signs (**Reference Article 9, "Sign Standards"**).

30-73

Grand
Prairie

ARTICLE 30: DEFINITIONS

Warehouse (e-Commerce Fulfillment Center): Means a physical warehouse location where incoming orders are received from an e-commerce online order point or equivalent, and then processed for direct shipping, typically to the consumer or end user. Outside box trailer parking may be considered an ancillary use where such trailer parking does not occupy more than 20% of the overall site.

Warehouse/Distribution Center: Means a physical building where materials, manufactured goods, or products are stocked and stored before redistribution to retailers, wholesalers, or consumers. Outside box trailer parking may be considered an ancillary use where such trailer parking does not occupy more than 20% of the overall site.

Wastewater Treatment Plan: Reference Article 12 “Platting” for definition.

Wastewater Facility: An improvement for providing wastewater collection and treatment, including, but not limited to, land or easements, treatment facilities, lift stations, collector and interceptor main. Wastewater facility excludes sanitary sewer lines or mains that are constructed by developers, the costs of which are reimbursed from pro rata charges paid by developers or owners of property in other subdivisions as a condition of connection to or use of such facility (Reference Article 22, “Fee Schedule”).

Watercourse: Any natural or artificial stream, river, creek, ditch, channel, canal, conduit, culvert, drain, waterway, gully, course either continuously or intermittently, and has definite channel, bed and banks, and includes any area adjacent thereto subject to inundation by reason of overflow of flood water.

Water Conservation: The design, installation, service, and operation of an irrigation system in a manner that prevents the waste of water, promotes the most efficient use of water, and applies the least amount of water that is required to maintain healthy individual plant material or turf, reduce dust, and control erosion (Reference Article 8, “Landscape and Screening”).

Water Department: The department of the City having charge of the water system and the sewer system (Reference Article 12 “Platting”).

Water Facility: An improvement for providing water supply, treatment and distribution service, including, but not limited to, land or easements, water treatment facilities, water supply facilities or water distribution lines. Water facility excludes water lines or mains which are constructed by developers, the costs of which are reimbursed from pro rata charges paid by developers or owners of property in other subdivisions as a condition of connection to or use of such facility (Reference Article 22, “Fee Schedule”).

Water Service Line: A line extending from the water meter to the main water line (Reference Article 12 “Platting”).

Watershed: The area contributing storm runoff to a stream or drainage system. Equivalent terms are drainage area, drainage basin, catchment area, and contributing area (Reference Article 15, “Floodplain Management”).

30-74 ***Water System, Public:*** A system for the provision to the public of piped water for human consumption, if such system has at least fifteen service connections or regularly serves an average of at least twenty-five individuals daily at least sixty days out of the year. Such term includes:

Grand
Prairie

ARTICLE 30: DEFINITIONS

- A. any collection, treatment, storage, and distribution facilities under control of the operator of such system and primarily in connection with such system; and
- B. any collection or pre-treatment storage facilities not under such system.

Water Surface Elevation: Reference Article 15, “Floodplain Management” for definition.

Water Treatment Plant: Reference Article 12 “Platting” for definition.

Welding Shop, with No Outside Storage or Outside Welding: The principal business of a welding shop shall be the repairing or joining of metals by applying heat with or without intermediate or filler metals, materials and pressure being applied, i.e., a business where all types of welding methods may occur.

- A. This Contracting service shall only be allowed and performed in the Commercial district upon application and approval of a Specific Use Permit (SUP) which shall also require the LI standards for screening fences, landscaping and performance standards as specified and/or other standards as required by SUP. Outside welding, outside storage or parking of equipment or materials used for welding shall be prohibited in the Commercial district and allowed outside only in the Light Industrial and Heavy Industrial districts. No other uses are permitted with welding shops unless otherwise allowed by right in said district.

Whirling Moving Sign: Signs that are animated or physically revolve, move up, down, sideways or around (Reference Article 9, “Sign Standards”).

Wind-driven Signs: Any flag, spinner, pennant, streamer, hot air balloon or similar device that is intended to move freely in the wind. A “balloon sign” is defined as a non-porous, flexible bag inflated with an inert gas, such as helium, that causes it to rise and remain afloat in the air (Reference Article 9, “Sign Standards”).

Window Signs: A sign located within or mounted and installed on a window area (Reference Article 9, “Sign Standards”).

Wind Generator: The blades and associated mechanical and electrical conversion components mounted on top of the tower (Reference Article 4, “Permissible Uses”).

Winery: A winery shall mean a primary use for the manufacturing, bottling, labeling, and packaging of wine containing not more than 24 percent alcohol by volume from grapes, fruits and berries grown on premise or imported, and to include the manufacturing and importation of grape brandy for fortifying purposes only. Wine sales may be to holders of wholesaler’s permits, winery permits, or wine bottlers permits. Retail sales to ultimate consumers in unbroken packages for off-premise consumption may not exceed an amount of 25,000 gallons annually. A winery may include certain accessory uses that include a tasting room and retail sales area of wine for off-premise consumption.

Wrecker Service (Primary Use): As establishment, that provides towing services for motorized vehicles. If provided as an ancillary use to a gas/service station, then the service is limited to two (2) tow trucks.

---X---

30-75

Grand
Prairie

ARTICLE 30: DEFINITIONS

Xeriscape: Landscaping characterized by the use of vegetation that is drought-tolerant or a low water use in character and that sets landscape maintenance principles that promote good horticultural practices and efficient use of water (**Reference Article 8, “Landscape and Screening”**).

---Y---

Yard: An open space, other than an interior court, on the lot on which a building is situated, which is unobstructed from a point thirty (30) inches above level to the sky, except for roof overhangs or similar features.

Yard, Front: The front yard is the required portion or area of a lot, tract or plot in front of the front wall, facade or plane of the main building, to the front property line.

Yard, Side: The side yard is that required portion or area of a lot, tract or plot behind the front yard and in front of the rear yard, to the side property line.

Yard, Rear: The rear yard is that required portion or area of a lot, tract or plot behind the rear wall or plane of the main building, to the rear property line.

---Z---

Zone Flow: A measurement, in gallons per minute or gallons per hour, of the actual flow of water through a zone valve in an irrigation system, calculated by individually opening each zone valve and obtaining a valid reading after the pressure has stabilized. For design purposes, the zone flow is the total flow of all nozzles in the zone at a specific pressure (**Reference Article 8, “Landscape and Screening”**).

Zone of Influence: The “Zone of Influence” is defined as the point downstream of a proposed development where the proposed development has no significant impact on the receiving stream, including; (1) the receiving stream or channel is adequately sized to accommodate the runoff (based on fully developed conditions in the watershed); (2) velocity increases in the channel or stream are not erosive (based on actual channel soils); and (3) there is no rise in the base flood elevation (off of the property being developed) (**Reference Article 15, “Floodplain Management”**).

Zone Valve: An automatic valve that controls a single zone of a landscape irrigation system (**Reference Article 8, “Landscape and Screening”**).

Zoning: The dividing of the City into districts and the establishment of regulations governing the use, placement, spacing and size of land and buildings within that district (**Reference Article 12 “Platting”**).

Zoning (District) Map: The adopted zoning map for the City of Grand Prairie, together with all of the amendments thereto, being replicas of the “original zoning map.”

30-76

Grand
Prairie

ARTICLE 30: DEFINITIONS

Zoning (District) Map (Official): The official certified map upon which the boundaries of the various Zoning Districts are drawn and which is an integral part of the Zoning Ordinance, on file with the City Secretary.

Zero Lot Line: The location of a building on a lot in such a manner that one or more of the building's sides rest directly



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 01/17/2023

REQUESTER: Monica Espinoza, Administrative Supervisor

PRESENTER: Savannah Ware, AICP, Chief City Planner

TITLE: TAM-22-12-0012 - Text Amendment - Article 8: Landscape and Screening. An Ordinance of the City of Grand Prairie, Texas, amending Article 8: Landscape and Screening of the Unified Development Code to revise Section 16: Tree Protection and Mitigation; Repealing all Ordinances or parts of Ordinances in conflict herewith; Containing a savings clause and a severability clause; and to become effective upon its passage and approval (On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 9-0)

APPLICANT: City of Grand Prairie Planning Division

RECOMMENDED ACTION: Approve

SUMMARY:

An Ordinance of the City of Grand Prairie, Texas, amending Article 8: Landscape and Screening of the Unified Development Code to revise Section 16: Tree Protection and Mitigation; Repealing all Ordinances or parts of Ordinances in conflict herewith; Containing a savings clause and a severability clause; and to become effective upon its passage and approval.

PURPOSE OF REQUEST:

The purpose of the request is to revise Section 16: Tree Protection and Mitigation in Article 8: Landscape and Screening of the Unified Development Code. This text amendment will accomplish the following:

1. Clarify that protected trees preserved on site shall not count towards required mitigation for other protected trees that are removed.
2. Clarify that small desirable trees that are at least three caliper inches and less than eight caliper inches shall count towards required mitigation.
3. Allow new trees planted on site to count towards required mitigation.

PROPOSED STANDARDS:

See Exhibit A – Section 16 of Article 8

Proposed changes are in red or red strikethrough text.

RECOMMENDATION:

- On January 9, 2023, the Planning and Zoning Commission recommended approval by a vote of 9-0.
- The Development Review Committee (DRC) recommends approval.

BODY:

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING ARTICLE 8: LANDSCAPE AND SCREENING OF THE UNIFIED DEVELOPMENT CODE TO REVISE SECTION 16: TREE PROTECTION AND MITIGATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; CONTAINING A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND TO BECOME EFFECTIVE UPON ITS PASSAGE AND APPROVAL

WHEREAS, Section 1.11.3.1 of the Unified Development Code of the City of Grand Prairie, Texas states: “Amendments to the text of the Unified Development Code shall be initiated only by action of the City Council or City Council Development Committee directing the City Manager or designee to initiate such a request on behalf of the City, or by the initiative of the City Manager or designee”; and

WHEREAS, after consideration of said amendments, the City Manager of the City of Grand Prairie, Texas directed city staff to initiate the preparation of an ordinance amending the Unified Development Code for submittal to the Planning and Zoning Commission of Grand Prairie, Texas for consideration of a recommendation to the City Council; and

WHEREAS, Notice was given of a public hearing on said amendments to be held by the Planning and Zoning Commission of Grand Prairie, Texas, in the City Hall Plaza Building at 6:30 P.M. on January 9, 2023, such Notice of the time and place of such hearing having been given at least ten (10) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality; and

WHEREAS, after consideration of said amendments, the Planning and Zoning Commission of the City of Grand Prairie, Texas voted 9-0 to recommend approval to the City Council of Grand Prairie, Texas, that said amendments should be approved since its provisions are in the public interest and will promote the health, safety and welfare of the community; and

WHEREAS, Notice was given of a further public hearing to be held by the City Council of the City of Grand Prairie, Texas, in the City Hall Plaza Building, at 6:30 P.M. on January 17, 2023 to consider the advisability of amending the Unified Development Code as recommended by the Planning and Zoning Commission, such Notice of the time and place of such hearing having been given at least fifteen (15) days prior to such hearing by publication in the Fort Worth Star Telegram, Fort Worth, Texas, a newspaper of general circulation in such municipality.

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

SECTION 1. Section 16 of Article 8: Landscape and Screening of the Unified Development Code of the City of Grand Prairie, Texas be amended as shown in Exhibit A – Section 16 of this ordinance, with proposed additions of text being in red, and deleted text being shown in red with a single line strikethrough.

SECTION 2. Unchanged sections of affected Articles and Appendices, shall remain in full force and effect, save and except for necessary modifications to the “Table of Contents” affecting page numbering, and for necessary modifications to related terminology or phrases that have been modified by this amendment that will affect a similar modification to interrelated terminology and phrases cross-referenced in other Articles in the Unified Development Code.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such provisions and such holding shall not affect the validity of the remaining portions thereof.

SECTION 4. All of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas, in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved of all personal liability for any damage that might occur to persons or property as a result of any act required or permitted in the discharge of his said duties.

SECTION 5. The Unified Development Code of the City of Grand Prairie, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 6. Any person, firm, association of persons, company, corporation, or their agents, servants, or employees violating or failing to comply with any of the provisions of this article shall be fined in an amount not to exceed two thousand dollars (\$2,000.00), and each day any violation of noncompliance continues shall constitute a separate and distinct offense. The penalty provided herein shall be cumulative or other remedies provided by state law, and the power of injunction as provided in V.T.C.A. Local Government Code Section 54.016 and as may be amended, may be exercised in enforcing this article whether or not there has been a complaint filed.

SECTION 7. This ordinance shall be in full force and effect from and after its passage, approval and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, THIS THE 17TH DAY OF JANUARY 2023.

ORDINANCE NO. #-2023

CASE NO. TAM-22-12-0013

SECTION 16 – Tree Protection Standards

8.16 Purpose and Intent

8.16.1 General Standards

8.16.2 General Exemptions

8.16.3 Exempt Development Applications

8.16.4 Tree Removal Associated with Development

8.16.5 Tree Removal Not Associated with Development

8.16.6 Tree Protection Requirements

- A. Tree Protection Plan
- B. Tree Survey
- C. Mitigation Plan
- D. Implementation of Mitigation Plan
- E. Preservation of Large Trees

8.16.7 Tree Protection During Construction

8.16.8 Tree Removal Evaluation and Authorization

- A. Completeness of Application
- B. Decision on Exemption
- C. Decision
- D. Criteria for Approval
- E. Effect
- F. Occupancy Limitations
- G. Plan Verification and Enforcement

8.16.9 Establishment of Urban Forest Fund

- A. Account Established
- B. Fee Established
- C. Collection of Fees
- D. Use of Urban Forest Fund

8.16.10 Administration and Relief Measures

- A. Administration
- B. Relief Measures

8.16.11 Definitions

ARTICLE 8: LANDSCAPE AND SCREENING

8.16 Purpose and Intent

The general purpose of these standards is to preserve and protect a diminishing natural resource, specifically existing native and adapted site trees located in the City of Grand Prairie. Furthermore, these measures are to encourage the planting of trees to replace and supplement the City's urban forest during the development, construction, and redevelopment process.

Primarily, the focus of this Section is to protect mature trees eight (8) Caliper Inches and larger of desirable species which are defined as Protected Trees. Undesirable species are listed in the definitions section and defined as Unprotected Trees. The City Council recognizes that Protected Trees often must be removed during the development process and has defined mitigation measures to aid in the reforestation of the City over time. Specific purposes include the following:

- A. To promote tree and tree canopy preservation through site design standards and by controlling indiscriminate removal of Protected Trees,
- B. To contribute to the long-term viability of existing trees through their protection during land disturbing and land development activities; while balancing the rights of property owners with the overall interests of the community,
- C. To preserve trees as an important resource that enhances the quality of life and the general welfare of the city; by promoting its unique character as well as the physical, historical, and aesthetically pleasing environment,
- D. To enhance the community with the cleansing and cooling of air as well as creating an environment that enhances the physical and mental wellness of the citizens,
- E. To promote environmental elements that increase property values, reduce energy costs, reduce the number of pollutants entering streams, and provide elements that are crucial for a healthy local ecosystem,
- F. To encourage the preservation of environmentally sensitive areas, such as natural areas, floodplains, Riparian Buffers or Erosion Hazard Setbacks, and open spaces that protect the water quality ecosystem, and
- G. To recognize the economic value added to properties with trees when the tree canopy coverage is maintained and supplemented with new trees.

8.16.1 General Standards

A. *Applicability.*

The provisions of Section 16 – Tree Protection Standards apply as follows:

1. To any activity resulting in removal of any Protected Tree on any lot, parcel, or public land that is not exempt under *General exemptions, Section 8.16.2;*
2. To any plat application or site plan application that is not exempt under *Exempt development applications, Section 8.16.3;*
3. To any building or clearing grubbing/earthwork permit application that is not exempt under *Exempt development applications, Section 8.16.3;* and
4. This section applies to city property in the same manner as private property.

B. *Prohibitions.*

8-1

Grand
Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

1. No Protected Tree shall be removed unless:
 - a. The tree is located on property subject to *General exemption, Section 8.16.2* or *Exempt development applications, Section 8.16.3*; or
 - b. Removal of the tree has been authorized under an approved tree protection plan pursuant to *Tree protection requirements, Section 8.16.6*, and authorized by *Tree removal evaluation and authorization, Section 8.16.8*.
 - c. Removal has been authorized by the Tree Preservation Administrator.
2. Clear-cutting of land without City approvals associated with this section is prohibited.
3. Riparian Buffers or Erosion Hazard Setbacks (See Drainage Manual) shall be Non-disturbance areas unless authorized by the floodplain administrator.

8.16.2 General Exemptions

Exempt activities and conditions. The following are exempt from the requirements of Section 16. A Protected Tree may be removed for the following activities without any other obligation imposed by these regulations related to tree protection. The requirements specified in Section 16 shall not be required for and/or in the following circumstances:

A. Single-family and Duplex Units.

Removal of a Protected Tree by the owner or authorized agent of a finally platted lot or parcel occupied by a single-family or duplex dwelling unit, for which the City has authorized occupancy.

B. Pruning.

Pruning Protected Trees solely for the purpose of removing diseased limbs or to shape for aesthetic and safety purposes, according to the applicable provisions of the Texas Association of Nurserymen Grades and Standards. Pruning does not include tree topping a Protected Tree which is prohibited.

C. Homeowners.

An owner-occupied residence located in a residentially zoned district on five (5) acres or less is exempt from the tree protection and replacement requirements of this ordinance.

D. City or School Sports and Recreation Facilities.

Removal of Protected Trees within soccer, baseball, football, or other sports facilities such as golf courses along with hike and bike trails, which are open for public use.

E. Diseased, Damaged, or Dead Trees.

A diseased, damaged, or dead Protected Tree may be removed by the City or the owner of the land on which the tree is located upon contacting the Tree Preservation Administrator.

F. Emergency Conditions.

Trees posing an imminent or immediate threat to persons or property may be removed. However, photographs of the removal shall be submitted to the Tree Preservation Administrator within 72 hours of removal.

G. Public Health and Safety.

8-2

Grand
Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

A Protected Tree that is in danger of falling, creates unsafe vision clearance or otherwise poses a hazard to the public health or safety may be removed by the city or the owner of the land on which the tree is located, when approved by the Tree Preservation Administrator.

H. Agricultural and Ranching Activities.

Removal of a Protected Tree within a vacant parcel of land at least five (5) acres in size in conjunction with farming or ranching activities, except activities conducted within an Erosion Hazard Setback or Riparian Buffer Zone, where the area shall be a Non-disturbance area unless authorized by the floodplain administrator.

I. Utility Service Interruption.

The tree has disrupted a public utility service due to tornado, flood, or another natural act. Removal shall be limited to the part of the tree which is found necessary to re-establish and maintain the utility service.

J. Utility Service Companies and Distribution/Transmission Lines.

Utility companies shall not be subject to the tree protection or replacement in this section when establishing distribution and transmission lines. Right-of-Way, easements, or similar public property maintained by utility companies shall not be subject to this section. The foregoing notwithstanding, new utility service shall be routed in a manner that prevents the removal of Protected Trees.

K. Utility and Drainage Easement Maintenance.

Utility service providers, including the City, or their contractors, agents, successors, and assigns shall have the right to maintain their facilities, through removal or trimming of Protected Trees located within lawfully designated easements or rights-of-way, to prevent any part of such trees from becoming a danger to public health, safety, and welfare by interfering with utility service. Where possible, trimming shall be done in a manner such that the aesthetics and health of the trees are not destroyed.

L. Public and Private Street Dedications.

Newly dedicated Right-of-Way necessary for the orderly and efficient development of property.

M. Plant or Tree Nursery.

Activities within a plant nursery related to trees grown on the premises solely for sale, retail, or wholesale.

N. Public Utilities and Infrastructure.

Removal of a Protected Tree by the City, another governmental entity or a public utility in any right-of-way or easement dedicated to and accepted by the City.

O. Pre-Existing Paved Surfaces.

Replacement or maintenance of any paved surface that existed on or before the effective date of these regulations and is located within the critical root zone of a Protected Tree.

P. Pre-Existing Public Contracts.

Removal of a Protected Tree on property for which a design contract has been awarded by the City Council on or before the effective date of these regulations.

8.16.3 Exempt Development Applications

The following development applications are exempt:

ARTICLE 8: LANDSCAPE AND SCREENING

A. Zoning applications.

Any application to change the zoning district classification of property or amend the regulations applicable to the district. Subsequent site plans or plat requests for the property may be subject to tree protection requirements.

B. Filed or Vested Plat applications, not including replats.

C. Any plat application approved before or on the effective date of this section; or

1. Any plat application pending for approval on such date, provided the application is subsequently approved; or
2. Any subsequent plat application in the same series as the approved or pending plat application.
3. For plat applications filed after the effective date of this section, the applicant must seek a determination from the Tree Preservation Administrator pursuant to procedures in *Tree removal evaluation and authorization, Section 8.16.8*, that the application is exempt based on prior approvals.

D. Filed or Vested Site plan applications.

Any application for a site plan required by the Unified Development Code (UDC) and approved before or on the effective date of this section or any site plan application pending approval on such date, provided the application is subsequently approved.

E. Filed, Pending Approval, or Vested Building permit applications.

1. Any application for a building permit approved before or on the effective date of this section; or
2. Any building permit application pending for approval on the effective date, provided the application is subsequently approved;
3. Any building permit application filed after the effective date of this section for a single-family or duplex residential use on a lot or tract in a subdivision subject to an exempt plat application; or
4. Any building permit application filed after the effective date of this section for a nonresidential or apartment use on land subject to an exempt site plan application; or
5. Any building permit application for land on which all Protected Trees have been removed pursuant to an approved Tree protection plan.
6. For building permit applications filed after the effective date of this section, or for applications for land on which all Protected Trees have been removed pursuant to an approved Tree protection plan, the applicant must seek a determination from the Tree Preservation Administrator pursuant to *Tree removal evaluation and authorization, Section 8.16.8*, that the application is exempt based on prior approvals.

F. Vested applications.

Any application for which it is determined that the applicant has a vested right to proceed under prior regulations, provided that the application or a prior approved application upon which the vesting claim is based remains in effect for such land.

8.16.4 Tree Removal Associated with Development

- A. Every development application submitted after the effective date of Section 16 shall include a tree protection plan that includes a tree survey or a certification that no trees are present on the lot(s) or parcel(s) being developed unless waived

8-4

Grand
Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

by the Tree Preservation Administrator in accordance with this section. The tree protection plan or certification shall be submitted as part of the landscape plan if required.

- B. If the development application does not require a landscape plan, the Tree Preservation Administrator may waive the requirement to submit a tree protection plan and/or tree survey provided that the applicant submits the location, size (in caliper inches), species of the Protected Trees to be removed, trees used for mitigation, trees used for landscape tree credit; and mitigation fee, if applicable.
- C. For phased development, the submitted tree survey and tree protection plan may be limited to only those areas where development activity will occur during the current phase provided trees are not removed from future phases.

8.16.5 Tree Removal Not Associated with Development

- A. Applicant seeks authorization to remove a Protected Tree for activities not associated with a development application approval. The following information or documents shall be submitted to the Tree Preservation Administrator:
 - B. Name and contact information for the applicant;
 - C. Address and location of the platted lot or tract where the subject tree removal is requested;
 - D. Identification of each Protected Tree to be removed (see *Tree survey, Section 8.16.6.B* for guidelines), description of the methods to be used to mitigate the removal of each Protected Tree (see *Mitigation plan, Section 8.16.6.C*).

8.16.6 Tree Protection Requirements

No plat, site plan or building permit application subject to this Section shall be determined to be complete unless accompanied by a proposed tree protection plan. The tree protection plan shall be submitted with the first application for the development, unless deferred in the following tree protection plan options. Plan shall be reviewed by the Tree Preservation Administrator for processing and decision in accordance with Tree removal evaluation and authorization, Section 8.16.7.

A tree protection plan is required for plats and site plans. A tree protection plan must be prepared and submitted for approval with the submission of the following unless waived:

- Plat applications that are non-exempt;
 - Site Plans that are non-exempt for non-residential, multi-family, and townhome uses; and
 - Building permit applications associated with non-exempt activities for which plat or site plan approval has not been obtained and is not required.
- A. *Tree protection plan shall contain:*
- 1. *A Tree survey, Section, 8.16.6.B*
 - 2. *A Mitigation plan; Section, 8.16.6.C*
 - 3. *A table summarizing the site inventory of Protected Trees, Unprotected Tree species equal to or greater than eight (8) caliper inches in diameter which are being removed, trees being utilized for mitigation and/or landscaping tree credit, including the key number, determination of mitigation requirement, a*

8-5

Grand
Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

notation if mitigation is not applicable due to the location or tree condition (see Sample Tree Survey Table below);

4. The tree protection plan shall be incorporated into the required landscape plans associated with development applications;
5. Name and contact information for the applicant;
6. Name and location of the proposed subdivision or development for which the tree protection plan is being submitted;
7. Clearly indicate Protected Trees “to be removed” with a bold “X,” show proposed Pad sight(s) with 10-foot offset, exemptions such as Rights-of-Way, and easements, as well as property lines. Protected Trees “to remain” shall also be clearly noted on the Tree Survey and incorporated into the landscape plan if required;
8. Location and identification of each tree being used for mitigation or landscape tree credit purposes regardless of location. It shall include the species (common names), diameter, and key number;
9. Boundaries of Non-disturbance areas;
10. Include noted protection measures and/or illustrated details such as fencing for Non-disturbance (see SWPPP Standard Details). These areas shall be

ARTICLE 8: LANDSCAPE AND SCREENING

protected during construction according to *Tree protection during construction, Section 8.16.7;*

11. If applicable, include total Caliper Inches subject to mitigated fee payment into the *Urban forest fund, Section 8.16.9.*

Tree #	DBH or Caliper Inches	Species	Protected Species Yes/No	Save Or Remove	Mitigation Status	Condition
200	9	Green Ash	No	Remove	N/A-Bldg	Fair
201	10	Cedar Elm	Yes	Remove	N/A-Bldg	Fair
202	7	Hackberry	No	Remove	N/A-Esmt	Good
203	7	Cedar Elm	Yes	Remove	-	Poor-
204	23	Cedar Elm	Yes	Remove	N/A	Dead
205	7	Hackberry	No	Remove	-	Fair
206	8	Bois d'arc	No	Remove	-	Fair
207	18	Cedar Elm	Yes	Save	-	Fair
208	24	Texas	Yes	Save	-	Fair
209	6	Pecan	Yes	Remove	-	Fair
210	3	Oak	Yes	Save	-	Good
211	4	Oak	Yes	Save	-	Good

Lot	Non-exempt Protected Trees to be Removed Caliper Inches	New Trees to be planted Caliper Inches	Existing Tree Credit Caliper Inches <i>(3-8 caliper inches of desirable species)</i>	Required Mitigation Fee Caliper Inches
Lot 1	24	18	6	0
Lot 2	131	90	0	41
Lot 3	50	24	12	14
Lot 4	24	12	12	0
Total	229	144	30	55

B. Tree survey.

1. The tree survey shall be prepared by a Qualified Professional. During the tree survey, each tree eight (8) caliper inches or greater in diameter, shall be tagged and assigned a unique key number. Each tree species shall be identified and noted in the summary tree survey table as illustrated unless located in a Non-disturbance area.

8-7

Grand Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

2. The tree survey shall be drawn at the same scale as the proposed development and identify the following:
 - a. Location and identification of each tree eight (8) Caliper Inches or greater not located in a Non-disturbance Area. It shall include the species (common names), diameter and key number;
 - b. The boundary of each individual Non-disturbance area, where vegetation will not be removed or otherwise disturbed during the development process, shall be clearly delineated and noted on the plan. The individual tree identification and measurements may be omitted in these areas if no landscape tree credit or mitigation is needed. These areas shall be protected during construction according to *Tree protection during construction, Section 8.16.7*;
 - c. Mitigation and landscape tree credit shall be credited in the following manner. Existing Protected Tree species **that are three (3) Caliper Inches or greater and less than eight (8) Caliper Inches** may be used for mitigation and/or landscape tree credit at a 1 inch to 1 inch ratio;
 - d. Identification of each Protected Tree to be removed by key number; and
 - e. Total Caliper Inches of Protected Trees to be removed that are not exempt by this section and are to be mitigated.

3. Alternative survey method.

The Tree Preservation Administrator may authorize a tree survey method that differs from the one described in tree survey, above provided the method accurately indicates the number of trees, their species, and the total Caliper Inches of Protected Trees within the inventory area.

4. Measurements.

The following methods shall be used to measure the diameter of a tree (see illustration Section 8.15 Exhibit 2):

- a. Single-trunk tree. The diameter of a single-trunk tree shall be calculated by measuring the diameter of the trunk at breast height (four and one-half (4½) feet above grade).
- b. Multi-trunk tree. The diameter of a multi-trunk tree shall be calculated by combining the diameter of the largest stem or trunk with one-half (½) of the diameter of each additional stem or trunk, each measured at breast height (four and one-half (4½) feet above grade).

- C. *Mitigation plan.*

The removal of any Protected Tree, except trees in Rights-of-Way, easements, or pad sites authorized for removal under a tree protection plan, shall be fully mitigated in accordance with one or more of the following methods. The applicant may elect among options one through three, or a combination of such options. Tree Preservation Administrator approval is required for option four. The mitigation plan shall include a detailed description of the methods proposed for mitigating removal of Protected Trees.

ARTICLE 8: LANDSCAPE AND SCREENING

1. Transplanting Protected Trees. This method is reserved for small trees and replacement is required if the tree dies within two years of being transplanted.
2. Planting new trees at approved locations that replace Protected Trees to be removed with equivalent Caliper Inches.
3. Paying the cash equivalent (mitigation fee) of the number of Caliper Inches required to replace the Protected Tree(s) to be removed into the reforestation fund ("urban forest fund"), that will be used by the City to plant trees in public parks or on City-owned property.
4. The preservation of smaller, more desirable trees, as described in the following *Implementation of mitigation plan*, upon approval of the Tree Preservation Administrator.

D. *Implementation of mitigation plan*

1. Planted, Transplanted, and Existing Landscape tree credit. All trees planted to mitigate removal of Protected Trees, including transplanting of a Protected Tree, shall be located on original property, or another location mutually agreed between the developer and Tree Preservation Administrator.
2. ~~Minimum~~ Trees that are at least three Caliper Inches and less than eight Caliper Inches ~~tree size to~~ may be counted toward mitigation credit at a 1:1 ratio ~~shall be three (3) Caliper Inches and if they are~~ species listed as a "large or medium tree" in *Exhibits and Recommended Varieties, Section 8.15, Exhibit 5*.
3. ~~Protected trees that are preserved shall not count towards mitigation.~~
4. Required landscaping trees shall ~~not be counted~~ count towards mitigation.
5. The species of trees planted shall be varied, with no one (1) species accounting for more than thirty (30) percent of the total trees planted.
6. Ongoing maintenance for the newly planted and replanted trees shall be guaranteed for a period not less than two (2) years following acceptance of improvements or issuance of a building permit. Maintenance typically shall require installation of permanent irrigation unless alternative measures are authorized by the Tree Preservation Administrator.

E. *Preservation of large trees.*

When authorized by the Tree Preservation Administrator, preservation of trees of an Unprotected Tree species may mitigate removal of a Protected Tree. The total Caliper Inches of such preserved trees shall meet or exceed the total Caliper Inches of the Protected Tree to be removed. Trees to be preserved shall be no smaller than three (3) Caliper Inches in diameter, shall be in healthy and thriving condition prior to construction and shall be included in the *Tree protection plan, Section 8.16.6.A*.

8.16.7 Tree Protection During Construction

- A. *The subdivider or developer shall ensure that Protected Trees are preserved throughout the development process.*
- B. *Non-disturbance areas.*

Each Non-disturbance area within the development site shall be fenced to ensure that the area will remain in a natural state. Fencing shall be adequate to prevent entry of vehicles or machinery, storage of materials or goods, or any other type of trespass that could harm the preserved area during the construction period, as

8-9

Grand
Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

determined by the Tree Preservation Administrator. Pedestrian access is permitted.

C. Construction areas.

The following measures shall be put into effect by the subdivider or developer to assure preservation of Protected Trees that are not to be removed during construction (see Stormwater Pollution Prevention Plan (SWPPP) Standard Details).

1. A four-foot plastic fencing, silt fencing, or other method approved by the Tree Preservation Administrator shall be installed around the drip line of all Protected Tree(s) prior to commencement of construction.
2. A construction entrance that avoids Protected Trees shall be established prior to commencement of construction.
3. Construction, placement of fill, excavation, storage of construction materials, vehicles, or machinery, cleaning of equipment, the disposal of waste materials, or other construction related activity is prohibited under the canopy or within the drip line of any Protected Tree, unless expressly authorized in writing by the Tree Preservation Administrator. Major changes of grade (i.e., six (6) inches or greater) within the canopy or drip line is prohibited. A tree shall be considered protected if a minimum of 75% of the critical root zone is maintained at undisturbed natural grade and no more than 25% of the canopy is removed due to building encroachment. When roots more than two (2) inches in diameter are to be cut off, they shall be cut with a medium tooth saw and covered with pruning compound within two (2) hours of initial exposure.
4. Trenching for utilities shall not be allowed within the critical root zone of existing trees that have been used to receive landscape tree credit, and boring under such trees may be required.
5. Attachments or wires shall not be attached to any Protected Tree. Cables, tree rods, and similar hardware installation that aid structural integrity of a Protected Tree are exempt from this provision, if approved in writing by the Tree Preservation Administrator.
6. Any trees removed shall be chipped and used for mulch on site or hauled off-site.

8.16.8 Tree Removal Evaluation and Authorization

A. Completeness of application.

The Tree Preservation Administrator shall review each tree protection plan for completeness in accordance with *Tree protection plan, Section 8.16.6.A*. If the tree protection plan is incomplete, any associated plat, site plan or building permit shall also be deemed incomplete.

B. Decision on exemption claim.

Exemptions shall be evaluated prior to submitting an application for a plat, site plan, or building permit application. The Tree Preservation Administrator shall evaluate exemption requests under *General exemptions, Section 8.16.2* or *Exempt development applications, Section 8.16.3*. The applicant shall receive the determination in writing. The applicant may appeal the Tree Preservation Administrator's decision in the manner provided in *Administration and relief measures, Section 8.16.10*.

C. Decision.

8-10

Grand
Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

The Tree Preservation Administrator shall decide whether to approve, conditionally approve or deny a *Tree protection plan* submitted pursuant to Section 8.16.6.A in accordance with this section.

1. The tree protection plan shall be approved prior to final plat, site plan, building permit, or clearing grubbing/earthwork permit.
2. Denial of the tree protection plan is grounds for denial of the associated plat, site plan, building permit, or clearing grubbing/earthwork permit.

D. *Criteria for Approval.*

The tree protection plan shall be evaluated based on the following:

1. The tree survey correctly identifies each Protected Tree and/or Non-disturbance area on the development site;
2. Each Protected Tree has been appropriately tagged and included on the tree survey table;
3. The mitigation plan for each Protected Tree to be removed meets the mitigation requirements; and
4. The proposed tree protection measures during construction satisfy protection requirements during all phases of construction.

E. *Effect.*

Protected Trees can be removed with building or clearing grubbing/earthwork permits in accordance with the approved tree protection plan. Protected Tree removal not associated with development can be approved with an approved tree protection plan in writing from the Tree Preservation Administrator. No Protected Tree shall be removed until all the following have occurred:

1. All Non-disturbance areas and Protected Trees are demarcated and secured on the ground in accordance with measures set forth in the tree protection plan;
2. All proposed mitigation fees have been paid, if applicable.

F. *Occupancy limitations.*

No building permit for a single-family or duplex residential use, nor a certificate of occupancy for other uses, shall be approved until all mitigation measures in the approved tree protection plan have been completed and fees paid.

G. *Plan verification and enforcement.*

1. Inspection. Approval of a tree protection plan authorizes the Tree Preservation Administrator to inspect the property during or after construction to determine compliance with the plan. If the Tree Preservation Administrator determines that Protected Trees to remain have been removed, or that tree protection during construction is not being implemented, the Tree Preservation Administrator will request a revised tree mitigation plan and seek immediate enforcement of the approved plan, including measures to stop work as follows.
 - a. Violation during permitted construction. Violations will be given five (5) days to revise the *Tree protection plan*. Section 8.16.6.A. if no additional tree removal takes place.
 - b. If a revision is not submitted, all construction activities will receive a cease-and-desist stop work order. Construction activities will not be allowed to continue until a revised tree protection plan has been submitted.

8-11

Grand
Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

2. Acceptance and/or Permits. Prior to final acceptance of public improvements for the development or issuance of a building permit, the Tree Preservation Administrator shall verify that the developer's obligations under the tree protection plan have been fully satisfied. If obligations have not been fulfilled, measures shall be identified to bring the development into compliance with this section. The tree protection plan shall be updated and shall serve as conditions for final acceptance of public improvements or issuance of a building permit.

8.16.9 Establishment of Urban Forest Fund.

A. *Account established.*

The City's finance department shall establish an interest-bearing account into which mitigation fees collected under this article are deposited and to which interest is allocated. Interest earned on the account into which the mitigation fees are deposited shall be considered funds of the account and shall be used solely for the purposes established herein.

B. *Fee established.*

A mitigation fee hereby is established in the amount of Two hundred dollars (\$200.00) per Caliper Inch for each Protected Tree removed and that has not been otherwise mitigated pursuant to this section.

C. *Collection of fees.*

Mitigation fees shall be collected either at the time of application approval of a tree protection plan required under tree protection requirements, or at the time of building permit application for fees due under tree removal permit.

- D. Use of Urban Forest Fund Mitigation fees deposited in the Urban Forest Fund and interest earned thereon shall be used solely to plant protected trees in public space, parks, or other City-owned property. Expenditure of such funds shall require approval of the Tree Preservation Administrator, City Manager, or City Council as appropriate.

8.16.10 Administration and Relief Measures

A. *Administration.*

The Tree Preservation Administrator shall be the responsible official for administering the contents of this section.

- B. Relief measures require approval by the City Council upon a recommendation from the Planning and Zoning Commission.

8.16.11 Definitions. The following definitions shall apply to this Section 16:

Caliper Inches. The measurement of the average cross-sectional diameter of the trunk of an existing tree at four and one-half (4½) feet above grade in inches, also known as diameter at breast height (DBH). If the tree is on a slope, it shall be measured from the high side of the slope. Newly planted trees shall be measured six (6) inches above grade.

Clear-Cut. The act of cutting down and removing every tree from an area.

Mitigation. The act of reducing the severity of tree removal from a development site by strategically preserving, planting, or paying into the Urban Tree Fund.

Non-Disturbance Area. Any area of a proposed subdivision or site within which no grading or other development activities will take place. These areas shall be protected during construction according to Section 8.16.7.

8-12

Grand
Prairie

ARTICLE 8: LANDSCAPE AND SCREENING

Qualified Professional. A Qualified Professional is a land surveyor, arborist, horticulturalist, or master gardener.

Pad Site. (Specifically for Tree Ordinance) The footprint of a principal building or addition to a principal building to be placed on a platted lot or tract, as evidenced from an approved building permit application, together with all land lying within ten (10) linear feet of such footprint. Platted lots that are zoned for single-family use and for which a permit for a single-family dwelling has been issued may include driveways, patios, swimming pools and other paved areas normally associated with single-family dwellings.

Protected Tree. Any species of tree eight (8) Caliper Inches or more in size that is **not** an Unprotected Tree.

Removal of Tree. The act of directly or indirectly cutting down, destroying, taking out, or effectively removing a tree.

Right-of-Way. The area of real property in which the City has a dedicated or acquired right-of-way interest. It shall include the area on, below or above the present and future streets, alleys, avenues, roads, highways, parkways or boulevards dedicated or acquired as right-of-way.

Riparian Buffer Zone. The transitional areas between uplands and adjacent streams, ponds, lakes, and other freshwater bodies, characterized by the presence of moisture tolerant vegetation on banks, edges, or limits of freshwater bodies.

Street Yard. Area defined by a line parallel to the building which extends to the property lines in both directions and public right-of-way. Includes multiple rights-of-way, if applicable.

Tree Preservation Administrator. The person assigned by the City Manager to administer this Tree Preservation Ordinance or his designee.

Unprotected Tree. Any tree of the following species regardless of size:

Silver Maple	Acer saccharinum
Sugar Hackberry	Celtis laevigata
Hackberry	Celtis occidentalis
Honey Locust	Gleditsia tracanthos
Bois d'arc	Maclura pomifera
Bradford Pear	Pyrus calleryana
Mimosa	Albizia julibrissin
Red Mulberry	Morus rubra
Ashe Juniper	Juniperus ashei
Redberry Juniper	Juniperus pinchotii
White Mulberry	Morus alba
White (Silver) Poplar	Populus alba
Lombardy Poplar	Populus nigra italica

ARTICLE 8: LANDSCAPE AND SCREENING

Cottonwood	Populus deltoids
Willow	genus Salix
Green Ash	Fraxinus pennsylvanica
Arizona Ash	Fraxinus velutina
Black Locus	Robinia pseudoacacia